

The Board Meeting, which was held on July 5, 2016 at the East Bay Regional Park District, 2950 Peralta Oaks Court, Oakland, CA was called to order at 11:30 A.m. by Board President Siden.

ROLL CALL

Directors Present: Doug Siden, President
Beverly Lane, Vice President
Dennis Waespi, Treasurer
Diane Burgis, Secretary
John Sutter
Ayn Wieskamp
Whitney Dotson

Directors Absent: None.

At this time, the Board of Directors met in **Closed Session** to discuss those items outlined on the agenda.

The **Open Session** of the Board Meeting was called to order at 1:00 p.m. by Board President Siden.

Staff Present: Ana Alvarez, Debra Auker, Carol Victor, Carol Johnson, Liz Musbach, Alicia Gonzales, Bob Nisbet, John Bouyea, Linda Wu, Mark Pearson, Leonard Bellow, Aaron Roth, Bob Zenoni, Noah Dort, Michael McNally, Larry Tong, Tim Anderson, Jim O'Connor, Kelly Barrington, Mark Ragatz, Matt Graul, Sukari Beshears, Carolyn Jones, Glenn Gilchrist, Jeff Rasmussen, Jim Tallerico, Chris Barton.

Guests: Brian Dolan, Asst. City Manager, City of Pleasanton

A. APPROVAL OF AGENDA

By motion of Director Sutter, and seconded by Director Wieskamp, the Board voted unanimously to approve the Agenda.

Directors For: Diane Burgis, Whitney Dotson, Beverly Lane, Doug Siden, John Sutter,
Dennis Waespi, Ayn Wieskamp.

Directors Against: None.

Directors Absent: None.

B. PUBLIC COMMENTS

Mark Pearson, President of AFSCME, and Meadow D'Arcy of Local 2428 read into the record a letter pertaining to 2428's classification and compensation study request.

C. SPECIAL ANNOUNCEMENT

Director Sutter was acknowledged by President Siden as the recipient of the distinguished Pugsley Award and the Legends in the Field of Park and Recreation Administration Award. Director Sutter thanked all those involved in this recognition and talked about what inspired him to enter public service work in 1958.

D. BUSINESS BEFORE THE BOARD

CONSENT CALENDAR

By motion of Director Lane, and seconded by Director Burgis, the Board voted unanimously to approve the Consent Calendar.

Directors For: Diane Burgis, Whitney Dotson, Beverly Lane, Doug Siden, John Sutter,
Ayn Wieskamp, Dennis Waespi.

Directors Against: None.

Directors Absent: None.

- a. Approval of District Check Listing for the Period of
May 23, 2016 to June 5, 2016
Resolution No. 2016 – 07 – 173 (attached)
- b. Approval of the Minutes for the Board Meeting of July 5, 2016
- c. Authorization to Award Contract to Sequoia Ecological Consulting Inc. to Provide
Biological Monitoring Support for the Implementation of the FEMA Fuel Reduction
Project: East Bay Hills
Resolution No. 2016 – 07 – 173 (attached)

Director Sutter asked if the contract will cover all of the FEMA projects including possible or projected future FEMA projects. Matthew Graul, Chief of Stewardship, said that the cost estimate is for 3 years of FEMA project implementation. Sutter asked for explanation of the conservation easements (a) how extensive (b) what are the limitations and (c) what are the probable geographic limits. Graul replied that this item is related to project implementation and permit required monitoring and a) the easements required by the USFWS are expected to be over 452 acres of Alameda whipsnake habitat. b) The District is still negotiating the limitations within the easement areas. c) Staff is requesting passive park uses, hiking, and some new trails through the easement areas. The easements will be situated in multiple locations in Wildcat Canyon, Sibley, and Kennedy Grove. Director Waespi commented that he would be interested in seeing what the other 5 consultants in the report proposed. Graul to provide.

- d. Authorization to Award a Contract to The Dutra Group and Transfer and Appropriate
Funds for the Fishing Pier Structural Repairs Project: Point Pinole Regional Shoreline
Resolution No. 2016 – 07 – 174 (attached)
- e. Authorization to Enter into a Contract for Services Agreement with Neil Nobriga for
Caretaker Services: Vasco Caves Regional Preserve
Resolution No. 2016 – 07 – 175 (attached)

2. ACQUISITION AND STEWARDSHIP DIVISION

By motion of Director Burgis, and seconded by Director Lane, the Board voted unanimously to approve item 2a.

Directors For: Diane Burgis, Whitney Dotson, Beverly Lane, Doug Siden, John Sutter,
Ayn Wieskamp, Dennis Waespi.

Directors Against: None.

Directors Absent: None.

- a. Authorization to Transfer and Appropriate Measure WW Funds and Award a Contract for Professional Services to Environmental Science Associates for Engineering, Design, and Permitting Services for the Bay Point Restoration and Public Access Project: Bay Point Regional Shoreline Resolution No. 2016 – 07 – 176 (attached)

Bob Nisbet, AGM ASD introduced the 3 items (a, b, c) under Open Session. Nisbet welcomed Chris Barton, Environmental Programs Manager. Barton reviewed the current conditions on the ground and what is being proposed to implement the rest of the public access improvements. Director Sutter expressed an interest in the trail connections and sea level rise. Barton said that right now the plan is for anticipated minimum of 2 feet sea level rise. Director Waespi asked if sewer and water connections are contingent on getting Delta Diablo hook up with city water. Barton said that annexation would be required. Waespi asked if there were proposals for overnight camping. Barton said not for overnight camping, but as a spot on the Bay water trail. Director Lane expressed appreciation in the staff report for contractor ESA to maintain the same key project personnel working on this project.

By motion of Director Sutter, and seconded by Director Burgis, the Board voted unanimously to approve item 2b.

Directors For: Diane Burgis, Beverly Lane, Doug Siden, John Sutter, Ayn Wieskamp,
Dennis Waespi.
Directors Against: None.
Directors Absent: None.
Director Recused: Whitney Dotson.

Director Dotson recused himself due to the proximity of the subject property to his home.

- b. Authorization to Exercise the Option, Purchase and Sale Agreement and Transfer and Appropriate Funds for the Acquisition of 20.0± Acres of Real Property from Lawrence J. O'Neill and Kathleen M. O'Neill, Trustees: Point Pinole Regional Shoreline Resolution No. 2016 – 07 – 177 (attached)

Liz Musbach, Chief of Land Acquisition, introduced this item which seeks authorization to exercise the option and to close on the property. This acquisition will protect shoreline habitat, eliminate the possibility of future non compatible industrial uses, and compliment the Breuner Marsh restoration project. This property is zoned for light industrial. Directors Lane and Sutter complimented staff for looking ahead at the possibility that this might be a marsh. Sutter asked if Witco is not operating on the site, would the successor agency be similarly obligated for monitoring ground water. Carol Victor, District Counsel, said the order was simply to monitor the ground water. Musbach added that the remediation process will have closure. Director Waespi asked how long has the encampment been on the property. Musbach said at least a year and removal is occurring this month. The site is now gated and secured.

By motion of Director Wieskamp, and seconded by Director Waespi, the Board voted unanimously to approve item 2c and the checklist amendment will be amended to add the language that Lane sent to Julie Bondurant.

Directors For: Diane Burgis, Whitney Dotson, Beverly Lane, Doug Siden, John Sutter,
Ayn Wieskamp, Dennis Waespi.
Directors Against: None.
Directors Absent: None.

- c. Authorization to Enter into a Memorandum of Understanding with the City of Pleasanton Regarding Trail Access and Staging Areas at the Castleridge and Garms Properties, and to Approve a Checklist Land Use Plan Amendment to Guide the Implementation of Improvements at the Castleridge Staging Area: Pleasanton Ridge Regional Park
Resolution No. 2016 – 07 – 178 (attached)

Julie Bondurant, Principal Planner, covered the checklist amendment. The proposed name for the trail is the Courdet Trail, which commemorates the Courdet family's historic significance to this area. Improvements are minor and include signage, naming, fencing and gates. Bob Nisbet, AGM ASD, spoke about the MOU which allows for sharing a parking lot between EBRPD and City of Pleasanton. The road will be restriped, be one way with parallel parking on Old Foothill Road. Director Lane had questions on the access to the property. Nisbet explained that by moving the trailhead, access will be created.

Brian Dolan, Asst. City Manager of the City of Pleasanton, stated that his council supports EBRPD staff and the recommendation. Director Wieskamp expressed appreciation for the hard work that went into this agreement. Director Sutter remarked that this is a tremendous opportunity for the District and the citizens of Pleasanton. Sutter had questions about the language in item 6 which reads, "District operates Castleridge under a license until Garms Staging Area is completed". Sutter asked for clarification because it could be read that the agreement would automatically end when Garms Staging Area is completed. Brian Dolan answered that the intention is to make the arrangement permanent through a permanent easement. Once the obligation is complete, there would be District access across the Austin property in perpetuity. Continuing, Sutter asked about Item 7 which says that the MOU terminates in 5 years. Dolan stated that this agreement only needs to be in existence for 5 years, and then the MOU is no longer necessary after that time because the District will have a permanent easement. Directors Lane and Waespi congratulated Pleasanton for coming up with the solution to turn Old Foothill into a one way road. Bondurant read into the record a letter that documents the correct spelling and name of the trail. Lane asked if water is available from an existing pipeline. Nisbet replied yes and the cost is not inconsequential. Lane sent an amendment to the checklist goals to Bondurant via email which referenced cooperation with Pleasanton on interpretive activities regarding Pleasanton Ridge and Alviso Park.

2. FINANCE AND MANAGEMENT SERVICES DIVISION

By motion of Director Waespi, and seconded by Director Dotson, the Board voted unanimously to approve item 2a.

Directors For: Diane Burgis, Whitney Dotson, Beverly Lane, Doug Siden, John Sutter,
Ayn Wieskamp, Dennis Waespi.
Directors Against: None.
Directors Absent: None.

PUBLIC HEARING

- a. Approval of Engineer's Report for Fiscal Year 2016/2017, Adopt Resolution Confirming Diagram and Assessment, Order Maintenance, Improvements and Levy Annual Assessment for Alameda County/Contra Costa County Regional Trails Landscaping and Lighting Assessment District No. 1, including ZB-1 (Five Canyons), ZB-2 (Dublin Hills), ZB-3 (Walpert Ridge), ZB-4 (San Ramon Hills), ZB-5 (Stone Valley), and ZB-6 (Sibley Volcanic)
Resolution No. 2016 – 07 – 179 (attached)

Debra Auker, AGM Finance and Management Services presented this item. Director Lane had a comment about the language with a suggestion that it should state 'near the community of Alamo'. Director Waespi had a question about the zones of benefit boundaries. Auker will be doing projections going forward.

President Siden opened and closed the public hearing. There were no comments.

By motion of Director Lane and seconded by Director Sutter, the Board voted unanimously to approve item 2b.

Directors For: Diane Burgis, Whitney Dotson, Beverly Lane, Doug Siden, John Sutter,
Ayn Wieskamp, Dennis Waespi.

Directors Against: None.

Directors Absent: None.

- b. Adopt Resolution Overruling Protests
Resolution No. 2016 – 07 – 180 (attached)

BOARD AND STAFF REPORTS

- a. Actions Taken by Other Jurisdictions Affecting the Park District

Deputy General Manager Alvarez discussed the item listed on the staff report. Alvarez called out the leadership of the Board and the General Manager on support of SB2444 and the banning of coal in Oakland. Sutter commented on the coal ban and the unanimous action by the Oakland City Council.

Director Burgis commented that it is great that the Marsh Creek Feasibility study is moving forward and is encouraged that the County is taking a lead. Siden commented on the state bond action. DGM Alvarez said it has to go to the Appropriations Committee. Lane asked if the State Park Bond will be on time for the November ballot. Burgis commented that it is still moving. Sutter would like additional information on the possible descendants of Indians as it pertains to the Concord Naval Weapons Station. Staff to check with Brian Holt on the Indians.

3. GENERAL MANAGER'S COMMENTS

Deputy General Manager Alvarez introduced Jim O'Connor, AGM of Operations and Timothy Anderson, Chief of Public Safety who gave an update on the 4th of July. Both noted that weather contained the weekend and festivities were mild. There were big crowds and huge traffic.

Jim Tallerico, Chief Information Officer's, PowerPoint presentation focused on the District's network security and the new requirements for Criminal Justice Information Systems which must be separate. Tallerico went through the Security Threats which are: Phishing, Viruses, Spam. The safeguards: Firewall filtering, Spam filtering and additional Safeguards: Antivirus Software and Malwarebytes software. Tallerico explained that the first line of defense is to limit internet usage to business sites, a solution for dual authentication for remote access, and the Park District to keep pace with technology.

The Board thanked Michael McNally for the chairs.

ANNOUNCEMENTS FROM CLOSED SESSION

District Counsel Victor stated that all three claims were denied by a vote of 6 – 0. Director Lane was absent. Claim of Dennis and Darlene Martel, Claim of Tim and Eileen Alford, et al. and Claim of Dwight Pederson and Sandra Ruliffson, et al.

4. BOARD COMMENTS

Director Siden reported on meetings attended. Director Siden

- Had breakfast with his two PAC representatives;
- Attended the EBMUD Liaison Committee meeting;
- Attended the Executive Committee meeting;
- Attended the MLK Rally meeting;
- Attended the 4th of July meeting in Alameda.

Went on a ride along with Lt. Lance Brede on 4th of July.

Director Lane reported on meetings attended. Director Lane

- Attended the Danville parade;
- Walked the Iron Horse Trail;
- Attended the EBMUD Liaison Committee meeting;
- Attended the Executive Committee meeting;
- Met with Eric Zell to talk about the Camille Avenue entrance;
- Attending the Concord Hills Rotary Club with Carolyn Jones;
- Attending the Atlas bridge opening.

Thanked Yolande Knight, Clerk of the Board, for the June meeting minutes.

Director Waespi reported on meetings attended. Director Waespi

- Attended the Finance Committee meeting;
- Attended the Fremont Liaison Committee meeting;
- Attended the hike with Eric Swalwell at Coyote Hills;
- Attended the PAC meeting;
- Had lunch with Deputy GM Ana Alvarez;
- Attended the EBMUD Liaison Meeting;
- Attended the EBRPD Golf Tournament.

Rode along with Kelly Barrington and Mark Ragatz on the 4th of July. Stephan Gehrett and Anne Rockwell deserve credit for what they have done for 28 years with the Golf Tournament. This is their last year for the tournament.

Director Burgis reported on meetings attended. Director Burgis

- Attended the Finance Committee meeting;
- Attended the Oakley citywide celebration
- Attended the Antioch 4th of July parade;
- Thanked the staff for the 4th of July weekend.

Director Sutter reported on meetings attended. Director Sutter

- Toured the McCosker property.

Expressed the need to have some parks that have dogs that are on leash, or no dogs.

Director Wieskamp reported on meetings attended. Director Wieskamp

- Attended the Finance Committee meeting;
- Attended the Pleasanton City Council meeting;
- Attended the Livermore State of the City;

- Hiked with Congressman Swalwell;
- Attended the Fremont Liaison Committee Meeting.

Director Dotson reported on meetings attended. Director Dotson

- Attended the Executive Committee meeting;
- Attended the park opening of Pogo Park in Richmond;
- Attending the Atlas Bridge opening;
- Planning to attend the Port Chicago event.

5. PUBLIC COMMENTS

D. ADJOURNMENT

The meeting was adjourned at 4:24 pm by Board President Doug Siden.

The meeting was adjourned in honor of Barry Weiss, President of CPRS. Director Lane read a statement about Mr. Weiss into the record.

Respectfully submitted:

/s/ Yolande Barial Knight
Clerk of the Board