

The Board Meeting, which was held on November 17, 2015 at the East Bay Regional Park District, 2950 Peralta Oaks Court, Oakland was called to order at 12:35 p.m. by Board President Dotson.

ROLL CALL

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

Directors Absent: Ayn Wieskamp

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 2:00 p.m. by Board President Dotson.

Staff Present: Jim O'Connor, Debra Aufer, Carol Victor, Michael McNally, Sean Dougan, Carol Johnson, Erich Pfuehler, Aaron Roth, Rob Lim, Mimi Waluch, Anne Kassebaum, Matt Graul, Liz Musbach, Alicia Gonzales, Carolyn Jones, Mimi Waluch, Bob Nisbet, Debra Aufer, Bill Zenoni, Renee Patterson, Kelly Barrington, Brian Holt, Mark Ragatz, Chief Dan McCormick, Katy Hornbeck, Linda Wu, John Bouyea, Larry Tong, Michele Julene, Julie Bondurant, Chris Barton, Kristine Kelchner, Mark Pearson, Pete DeQuincy, Mona Koh, Kyle Maxwell, Nick Shriver

Guests: Jane and Patrick Miller, 2M Associates
Steven Spickardt, Land Economics Consultants, LLC

A. APPROVAL OF AGENDA

By motion of Director Sutter, and seconded by Director Siden, the Board voted unanimously to approve the Agenda. The Board voted to pull Item f for a separate vote.

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

B. PUBLIC COMMENTS

Al Chamorro, a 40 year resident of Castro Valley and retired architect asked if this is the best location for the maintenance and public safety buildings at Lake Chabot adding the design ignores the Master Plan and reduces the neighbors' visibility.

George Phillips, resident of Castro Valley brought a scale model of the buildings proposed design. He stated that the Master Plan needs to be followed and the property needs to be staked with story poles.

Ben Yee, stated that the Mission Peak Draft EIR and the BAE survey grossly underestimates the number of parked cars, users and the expected 4000 new homes being built in the area. Director Siden asked Yee to

submit his executive summary to the Board. Director Sutter asked if there has been a survey of the residents and residents present at the meeting, said there has not been an official one.

Jannet Benz, says the Draft EIR is flawed and adding a parking lot will increase visitors, traffic and greenhouse gases. Benz said the Fremont City Council's direction to the District was to reduce impacts to the neighborhood. The BAE outlines good alternatives.

Sujata Keswani, 20 year Fremont resident commented specifically on concerns related to the geotech and hydrology reports. Fremont residents receive an annual letter regarding soil instability and landslide capability in this area. There is also a bank of a creek extending through several neighborhoods.

Veronica Pang discuss the inadequacies in the DEIR. The study was done in May which is not the peak month for visitors, visitors are in their early 20's and are not residents and the parking lot does not take into account the impact of population growth in this area.

Director Sutter asked when the Mission Peak EIR be on the board's agenda. Bob Nisbet, AGM ASD, explained the process. The EIR has been released for a 45 day comment period which closes November 30. Staff will review, respond and create an appendix that will come back to the board in spring. Nisbet added there was already a public community meeting recorded and transcribed by a court reporter in Fremont where 50 or 60 people attended.

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

By motion of Director Lane, and seconded by Director Waespi, the Board voted unanimously to approve the consent calendar. **Item f** was pulled for a separate vote.

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

Directors Absent: Ayn Wieskamp.

- a. Approval of District Check Listing for the Period of October 5, 2015 to October 18, 2015
Resolution No. 2015 – 11 – 315 (attached)
- b. Authorization to Negotiate with Various Property Owners
Resolution No. 2015 – 11 – 316 (attached)

Approval of the Minutes for the Board Meeting of November 3, 2015

Director Lane complimented the Clerk of the Board, Barial Knight, on the transcription of these board minutes where there were 50 public speakers.

- c. Authorization to enter Into a Joint Shoreline Operating Agreement for Pinole Bayfront Park with the City of Pinole: San Pablo Bay Shoreline
Resolution No. 2015 – 11 – 317 (attached)

Director Sutter asked if there was any capital costs the District is expected to provide. Liz Musbach, Acquisition Manager, said that this action is to extend the operating agreement with no out of pocket

costs. Director Lane would like to have more information on the joint program in explaining the partnership of another park. GM Doyle added that this is an example of another partnership.

- d. Authorization to Execute a Contract for Architectural Services with Shah Kawasaki Architects, Inc. for Development of the Point Pinole Visitor Center: Point Pinole Regional Shoreline
Resolution No. 2015 – 11 – 318 (attached)

Director Sutter asked total cost and is there enough funding. Rob Lim, Chief of Design and Construction replied that it is insufficient funding to design and construct; however there is enough for the study, design and a portion of construction. Total cost will be several millions dollars. GM Doyle added that the direction of the board was to get going on the study; to make decisions on the location and the design of the physical site. Sutter asked what will be the CC contingency balance. Debra Auker, Acting AGM Finance and Management Service replied that there will be about \$1.5 million remaining. Director Lane is pleased that we are doing the study and asked if we are looking at 3 or 4 prospective sites. Lim added that there may be more than 5 sites. GM Doyle stated we would follow our normal process to the executive committee and then to the full board. Lane mentioned original design vs. Frog building. Lim said there are pros and cons to prefab and stick buildings. Director Siden congratulated Direct Dotson who was been advocating for a Pinole Visitor Center. Director Dotson stated that it is a pleasure that this process is still moving towards development of a center.

Director Waespi asked if the District has green building standards. Lim said that the accepted industry standard is Leadership In Energy and Efficiency Design (LEED) which has a substantial cost for a certified rating. Nisbet said currently the District does not have green building standards; however, the buildings are built to as sustainable as possible applying as many green elements keeping the budget in mind.

- e. Authorization to Transfer Funds for Capital Project Budget Reconciliation: Aginson Prime at Delta Access Regional Recreation Area
Resolution No. 2015 – 11 – 319 (attached)
- h. Acceptance of the Convenience Camping Pilot Project Draft Report: District-wide
Resolution No. 2015 – 11 – 320 (attached)

Directors Lane, Sutter and Waespi commented that this is a good pilot draft. Lane hoped that staff would take a look at the Concord Land Use Plan to fill the gap of no campgrounds in the Diablo Valley. Director Siden commented that he was impressed with the firm. AGM O'Connor introduced the firm and the consultant. Director Waespi questioned the possibility of the District's trade staff building these cabins. O'Connor said this report was based on contracted labor and yes staff will look into the potential of building in-house.

By motion of Director Lane, and seconded by Director Burgis, the Board voted unanimously to approve **Item f** for a separate vote.

Directors Present: Diane Burgis, Whitney Dotson, Beverly Lane, Doug Siden, John Sutter.
Directors Absent: Ayn Wieskamp.
Director Recused: Dennis Waespi.

- f. Authorization to Amend Contract for Professional Services with Ninyo & Moore Geotechnical Consultants to Perform Additional Geotechnical Services for the Lake Chabot Campus Modernization Project: Lake Chabot Regional Park
Resolution No. 2015 – 11 – 321 (attached)

Director Siden was asking what alternate site was being considered. Chris Barton, Project Manager for the Lake Chabot Campus Modernization Project, replied the scope of work is to look at the saddle site adjacent to the Nike site. Director Siden asked if it fits the alternate suggestions that have been made and does this get us below the ridge. Barton replied that staff has been evaluating this location which will get the shop off the hill. This contract is to ensure the geotechnical conditions are specific. GM Doyle added that staff has submitted this alternative site to the county however we want to make sure it works geotechnically. Siden commented that the proposed changes should also go before the CVMAC before it comes back to the Board. Lane added that the Board has been out to the site and expressed their concerns about the buildings location. Siden and Lane appreciate staff reacting to the Board and to the public concerns. GM Doyle mentioned the 1985 LUP environmental document completed for Lake Chabot restricts proposed development for the maintenance facility to the Nike site.

2. ELECTION OF BOARD OFFICERS

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

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

- a. Election of Board Officers 2016
Resolution No. 2015 – 11 – 322 (attached)

Director Sutter explained that he and Directors Wieskamp and Siden were members of the nominating committee for the election of the 2016 board officers. The proposed slate of officers are President: Director Siden, Vice President: Director Lane, Secretary: Director Waespi and Treasurer: Director Burgis.

3. ACQUISITION, STEWARDSHIP & DEVELOPMENT DIVISION

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

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

- a. Authorization to Transfer and Appropriate Funds from Measure CC and Measure WW for the San Francisco Bay Trail at Point Molate, and to Award a Contract to Nichols Consulting Engineers for Design Services, CEQA, Permitting, and Construction Support for 2.5 Miles of Class I Trail: San Francisco Bay Trail
Resolution No. 2015 – 11 – 323 (attached)

AGM Bob Nisbet, introduced Sean Dougan, Trails Development Manager. Dougan gave the board a brief history beginning in 2009 to 2015 explaining the genesis of the design of the San Francisco Bay Trail at Point Molate. Dougan stated funding will come from the District and the City of Richmond. Director Lane asked if the trail is on railroad right-of-ways. Dougan said it is the Old Richmond Beltline. Director Burgis asked if staff is looking for grants and how active is Richmond working on their portion. Dougan responded that staff is looking at private conservation area grants; as far as Richmond there are a lot of unknowns. GM Doyle stated that the District is funding but not constructing the Richmond's piece. Director Sutter asked if the District has its

portion funded. Director Dotson asked if it is being considered for development. Dougan said at this time we haven't secured the funding for construction but do have funding for design and development it is being considered by Richmond. Burgis said this design will help us to get more options for grant funding. GM Doyle commented that the original proposal was a casino project and this creates a toehold for the District. Director Waespi noted that there is a gun range at this location. GM Doyle said it is on Chevron property.

4. BOARD AND STAFF REPORTS

a. Actions Taken by Other Jurisdictions Affecting the Park District

General Manager Robert Doyle discussed those items listed on the staff report.

Director Burgis noted that there is a lot of action in the area around Sand Creek. GM Doyle acknowledged that staff has been commenting for about 20 years.

5. GENERAL MANAGER'S COMMENTS

General Manager, Robert Doyle introduced Katy Hornbeck, Aquatic Supervisor, who presented a year in review of the Aquatics Department. Hornbeck's presentation focused on statistics, youth engagement, public outreach, professional development and zero drowning deaths in 6 years.

Director Sutter commented on his disappointment that the programs at Temescal were discontinued and thought perhaps we should consider using the public swim facility in Oakland.

Director Burgis complimented Hornbeck on the women in leadership conferences. The District loans out 37,000 lifejackets annually with funding from Risk as well as the Foundation. Pete DeQuincy, Aquatics Manager, commented that 600 lifejackets are replaced every 2 years. Director Waespi complimented staff on prevention rather than recovery.

6. ANNOUNCEMENTS FROM CLOSED SESSION

District Counsel Carol Victor announced the Board by a vote of 6 – 0 voted to deny the claim of Shayna Presley.

7. BOARD COMMENTS

Director Lane reported on meetings attended. Director Lane

- Attended the CESP anniversary event;
- Attended Steve Myli's retirement at Temescal;
- Attended the Elected Women's Tri Valley lunch at Pleasanton;
- Walked along Iron Horse trail;
- Visited Borel property on the Board field trip;
- Attending Ron Brown's retirement;
- Book tour: San Ramon Chronicle talks and events;
- Narrated a tribute to a Women Veterans event;
- Thanked staff for new Las Trampas map;
- Friends of San Ramon Creek and CC Flood Control.

Director Sutter reported on meetings attended. Director Sutter

- Attended the ribbon cutting for the new trail along BART – Coliseum;
- Attended the Claremont Canyon Conservancy's annual meeting;
- Attended the Oro Loma Sanitary District presentation;
- Attended the CESP anniversary event;
- Attended a meeting on shoreline parks;
- Attended the Measure DD Advisory Committee meeting;
- Attended the East Bay Greenway Dedication;
- A member of the polling subcommittee on SF Bay Restoration Authority.

Director Siden reported on meetings attended. Director Siden

- Attended the Board Executive Committee meeting;
- Attended the San Leandro Creek Historical Society meeting;
- Attended the San Leandro Creek Greenway meeting;
- Attending Ron Browns retirement.

Director Waespi reported on meetings attended. Director Waespi

- Attended the East Bay Greenway Dedication;
- Attended the CESP anniversary event;
- Attended the Mission Peak public input meeting;
- Attended the San Leandro Creek Alliance meeting;
- Held a walking town hall with Assemblyman Bill Quirk;
- Announced upcoming 50th anniversary of Lake Chabot.

Director Burgis reported on meetings attended. Director Burgis

- Attended the Steve Glazier luncheon;
- Attended the Sierra Club dinner;
- Attended the Service Awards dinner at the Marriott;
- Attended the PAC meeting;
- Attended the Rising Seas Summit in Boston;
- Organizing the Contra Costa County Watershed Symposium.

Director Dotson reported on meetings attended. Director Dotson

- Attended the Rising Seas Summit in Boston;
- Displayed and recommended the following books from the Summit:
DIRE Predictions by Michael E. Mann, Lee Kump
Network – The Resilience Issue – a technical journal by WSP/Parsons Brinckerhoff.

D. ADJOURNMENT

The meeting was adjourned at 4:45 pm by Director Whitney Dotson.

Respectfully submitted:

/s/ Yolande Barial Knight
Clerk of the Board