

The Board Meeting, which was held on October 7, 2014 at the EBRPD Administrative Building, 2950 Peralta Oaks Court, Oakland CA 94605 was called to order at 12:45 p.m. by Board President Ayn Wieskamp.

## ROLL CALL

Directors Present: Ayn Wieskamp, President  
Whitney Dotson, Vice President  
Beverly Lane  
Carol Severin  
John Sutter

Directors Absent: Ted Radke, Treasurer  
Doug Siden, Secretary

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 President Ayn Wieskamp.

Staff Present: GM Robert Doyle, Jim O'Connor, Dave Collins, Debra Auker, Carol Victor, Police Chief Tim Anderson, Bob Nisbet, Carol Johnson, Kelly Barrington, Sukari Beshears, Jeff Rasmussen, Mark Ragatz, John Bouyea, Deborah Spaulding, Audrey Som, Linda Wu, Michael Reeves, Raphael Breines, Larry Kiefer, Mimi Waluch, Mona Koh, Kristina Kelchner, Sgt. Tyrone Davis, Matt Graul, Chris Barton, Sara Rieck, Suzanne Lusk

## **A. APPROVAL OF AGENDA**

By motion of Director Siden and seconded by Director Severin, the Board voted unanimously to approve the Agenda:

Directors Present: Whitney Dotson, Beverly Lane, Carol Severin, Doug Siden, Ayn Wieskamp, John Sutter, Ted Radke (Director Ted Radke participated by teleconference from his residence).

Directors Absent: None.

## **B. PUBLIC COMMENTS**

William Yragui, Larry Edeldon, Sandy Figuers and Kelly Abreau addressed the Board regarding the newly shortened hours at Mission Peak, commenting that while the area has improved significantly over the past few years due to trail restoration work and signage being installed, this is due to public pressure put on the District; staff response to inquiries have been absent unless contact is coursed through the media or another organization; more police officers should be present to enforce park rules, especially the newly shortened hours; the revised park curfew, particularly during the winter hours, does not address the real problem of overuse, which happens more during spring and summer; there should be more consistent enforcement of existing rules versus changing the hours; it seems only the affluent homeowners associations close to Mission Peak, who were advocating for shortened hours, had access to District and City of Fremont officials; no announcements of public meetings were posted for other user groups to see; adjustment of park hours were done with minimal notice and no hearings.

General Manager Robert Doyle thanked the members of the public for coming to the Board meeting to address their concerns and expressed his appreciation for civil discourse, adding that this is the proper venue for expressing their views and not to field staff who are out at the park just doing their jobs; staff are working from policy directions provided by the Board and District Management. He also explained that an EIR is being conducted to look at expanded use at Mission Peak, including restrooms and parking and other alternatives; information has been posted on the District's website. GM Doyle advised that the recent action is an interim and temporary measure to address safety and legitimate complaints from the neighbors; the District is trying to find a balance between all user groups' concerns as well as park stewardship. GM Doyle also clarified that the Park District does not own any of the property - it is owned by Ohlone College District and the City of Fremont.

Park Planner Michelle Julene stated that staff is hoping to have a draft EIR prepared by May next year, and that everyone on the contact list will be advised.

## **C. BUSINESS BEFORE THE BOARD**

### **I. CONSENT CALENDAR**

C-I-a. Authorization to Grant a 33,317-Square Foot Recreational Trail Easement and 7,982-Square Foot Utility Easement to the City of Richmond: Miller/Knox Regional Shoreline  
Resolution No. 2014 – 010 - 236 (attached)

Pursuant to Public Resources Code Section 5540.5, this action requires unanimous approval of the Board of Directors

By motion of Director Siden and seconded by Director Radke, the Board voted unanimously to approve Item C-I-a:

Directors Present: Whitney Dotson, Beverly Lane, Carol Severin, Doug Siden, Ayn Wieskamp, John Sutter, Ted Radke (Radke by teleconference)

Directors Absent: None.

C-I-j. Authorization to Augment the Construction Contingency for the Breuner Marsh Restoration and Public Access Project - Phase I Grading: Point Pinole Regional Shoreline  
Resolution No. 2014 – 010 - 237 (attached)

By motion of Director Radke and seconded by Director Lane, the Board voted unanimously to approve Item C-I-j:

Directors Present: Beverly Lane, Carol Severin, Doug Siden, Ayn Wieskamp, John Sutter, Ted Radke.

Directors Recused: Whitney Dotson.

Directors Absent: None

Director Lane commented that the 25% contingency seemed high. AGM for Land Acquisition Bob Nisbet explained that the original contingency was 15% due to complexity of project, compared to the usual 10% rate. However, changes to the contract had to be ordered due to soil contamination issues, which are very expensive. In addition, endangered species mitigation will also be needed. Increase in contingency to 25% will be necessary to ensure project completion, which is already 80% complete at this time.

C-I-o. Authorization to Implement a Four-Year Package of Wages and Benefits for Police Association Employees Including Increases in Employee-Paid Pension Contributions and Wage Increases Resolution No. 2014 – 010 - 238 (attached)

By motion of Director Sutter and seconded by Director Lane, the Board voted unanimously to approve Item C-I-o:

Directors Present: Whitney Dotson, Beverly Lane, Carol Severin, Doug Siden, Ayn Wieskamp, John Sutter, Ted Radke.

Directors Absent: None.

Board members expressed their appreciation that an agreement was reached without prolonged negotiations. Leaders from the Police Association (PA) noted that the process was smooth on both sides of the negotiation table. GM Doyle added that agreement was based on the total compensation, and complimented staff from PA for being professional throughout the negotiations.

By motion of Director Sutter and seconded by Director Siden, the Board voted unanimously to approve the balance of the Consent Calendar:

Directors Present: Whitney Dotson, Beverly Lane, Carol Severin, Doug Siden, Ayn Wieskamp, John Sutter, Ted Radke.

Directors Absent: None.

C-I-b. Approval of District Check Listing for the Period of August 18, 2014 to September 7, 2014 Resolution No. 2014 – 010 - 239 (attached)

C-I-c. Approval of the Minutes for the Board Meeting of August 12, 2014

C-I-d. Approval of Out-of-State Travel for Board Member Whitney Dotson to Attend the 7<sup>th</sup> National Conference on Coastal and Estuarine Restoration, Washington, D.C, November 1 - 5, 2014 Resolution No. 2014 – 010 - 240 (attached)

C-I-e. Amendment of Approved of Out-of-State Travel for General Manager Robert E. Doyle to Attend the National Association for Olmsted Parks Board of Trustees Meeting in Washington, D.C. from October 17 – 18, 2014, and Meet with Agency Staff and Legislative Representatives on October 20, 2014 Resolution No. 2014 – 010 - 241 (attached)

C-I-f. Authorization to Award a Contract to Harsch Investment Properties to Conduct Tenant Improvements to Leased Property at 5653 Stoneridge Drive, Suite 111, Pleasanton, CA Resolution No. 2014 – 010 - 242 (attached)

C-I-g. Authorization to Appoint Vavrinek, Trine, Day & Co, LLP as the District's Independent Outside Audit Firm for the Fiscal Years Ending December 31, 2014, 2015 and 2016 Resolution No. 2014 – 010 - 243 (attached)

C-I-h. Acceptance of the East Bay Regional Park District Investment Report for the Quarter Ending June 30, 2014 Resolution No. 2014 – 010 - 244 (attached)

- C-1-i. Authorization to Negotiate with Various Property Owners  
Resolution No. 2014 – 010 - 245 (attached)
- C-1-k. Authorization to File an Application for Grant Funds through the Alameda County Altamont Landfill and Resource Facility Open Space Advisory Committee to Acquire Real Property: Pleasanton Ridge Regional Park  
Resolution No. 2014 – 010 - 246 (attached)
- C-1-l. Authorization to Grant a 4.02-acre Temporary Construction Easement and Issue an Encroachment Permit to Contra Costa County for a Temporary Construction Staging Area for the Orwood Bridge Replacement Project, and Accept Funds from the County: Delta Access Regional Recreation Area  
Resolution No. 2014 – 010 - 247 (attached)
- C-1-m. Authorization to Accept a Proposal and Encumber Funds for a Sole Source Consultant Contract to Perform Engineering Services for Structural Repair of Arrowhead Marsh Boardwalk: Martin Luther King, Jr. Regional Shoreline  
Resolution No. 2014 – 010 - 248 (attached)
- C-1-n. Authorization to Enter into a Contract for Services Agreement with Touchstone Golf, LLC for Interim Operation and Management Services of the Golf Course Facilities known as the Willow Park Golf Course at Lake Chabot Regional Park, Transfer Board Contingency Funds, and Amend the 2014 Budget  
Resolution No. 2014 – 010 - 249 (attached)

In response to a question from Director Siden regarding the status of the search for a new concessionaire, Revenue Manager Mimi Waluch indicated that proposals received are currently being reviewed, with interviews planned for the week of October 14.

Representatives from Touchstone Golf, LLC provided a brief background on the company.

## 2. LAND DIVISION

- C-2-a. Authorization to Enter into a Memorandum of Understanding with the City of Martinez for the Martinez Intermodal Facility- Phase 3 and Enter Into an Exchange Agreement Granting Two 66-year Leases to the City of Martinez in Exchange for Acceptance of a Deed Restriction from the City of Martinez: Martinez Regional Shoreline  
Resolution No. 2014 – 010 - 250 (attached)

By motion of Director Radke and seconded by Director Lane, the Board voted unanimously to approve Item C-2-a:

Directors Present: Whitney Dotson, Beverly Lane, Carol Severin, Doug Siden, Ayn Wieskamp, John Sutter, Ted Radke.

Directors Absent: None.

Pursuant to Public Resources Code Section 5540.5, this action requires unanimously approval of the Board of Directors.

AGM for Land Acquisition Bob Nisbet provided a brief presentation on this item:

- 1977-1980 - The Land surrounding the project site was legislatively granted to the District by the State Lands Commission and is held for public trust purposes.
- 1977 – District enters into agreement with Alhambra Industrial Park prohibiting access to the property from Berrellesa Street
- 1998-2000 – District and City enter into an MOU for exchange of real property associated with Phase I and Phase II of the Intermodal Facility project
- 2008 – City purchases the property for the purpose of constructing parking for the Intermodal Facility
- 2012 – City approaches District requesting an exchange of property interests so they can complete Phase III of the Intermodal Facility project

#### Project Description

- Phase I – Construction of southerly parking lot and Alhambra Creek flood control/restoration improvements
- Phase II – Construction of an intermodal transit station and addition of two rail tracks adjacent to station
- Phase III – Construction of a parking lot (completed); an access bridge over Alhambra Creek; realignment of the Ferry Street intersection/access to property; and a pedestrian railroad overcrossing connecting the parking lot to the Amtrak station

#### Highlights of Proposed MOU:

- The bridge connecting the property to Berrellesa Street will provide secondary multi-modal access to the Martinez Regional Shoreline allowing for better circulation and evacuation in the event of an emergency
- The re-alignment of Ferry Street will provide safer access and a more pronounced entrance to Martinez Regional Shoreline and the Intermodal Facility
- A deed restriction will be recorded in favor of the District prohibiting residential development on the property
- The Bay Trail will be improved over the segment that connects Berrellesa Street to Ferry Street and the Martinez Regional Shoreline
- The District is provided an opportunity to review the final plans (including landscape plans) for the project before the City proceeds to construction

Director Sutter mentioned a news article regarding a plan to build a hotel in the area and asked how that may affect future traffic in the area. The Martinez City Engineer clarified that the quote was “a small hotel is envisioned”, which is a separate project from this Board item, and, if built, will be a small hotel and any traffic attributable to it will be minimal. In addition, any future developments will be covered by an Environmental Impact Report.

Director Radke ended his teleconference participation at this time.

C-2-b. Authorization to Enter into a Purchase and Sale Agreement and Transfer Funds for the Acquisition, in Partnership with the East Contra Costa County Habitat Conservancy, of 2.021± Acres of Real Property from Alfred L. Marks, III: Clayton Ranch Regional Preserve Resolution No. 2014 – 010 - 251 (attached)

By motion of Director Lane and seconded by Director Severin, the Board voted unanimously to approve Item C-2-b:

Directors Present: Whitney Dotson, Beverly Lane, Carol Severin, Doug Siden, Ayn Wieskamp, John Sutter,  
Directors Absent: Ted Radke.

Senior Planner Linda Wu provided a brief presentation on this item, stating that the proposed acquisition:

- Eliminates an In-holding Within Former Barron Property
- Potentially Restores the Natural Habitat and Integrity of the Wildlife Corridor from Mt. Diablo State Park through Clayton Ranch and Black Diamond Mines Regional Preserves
- Extinguishes Roadway Easement through Park District property

Purchase Price	\$117,000
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Proposed WW Acquisition Funds:

Option Payment	\$25,000
Acquisition Costs	<u>33,550</u>
Total	\$58,550

As part of the agreement, the owner has requested and been granted permission to have access after escrow, until December 1, 2015, to complete the removal of his personal property.

C-2-c. Authorization to Exercise the Option to Purchase and Transfer Funds for the Acquisition of 56.57± Acres of Real Property from the Fries Family Trust: Garin Regional Park  
Resolution No. 2014 – 010 - 252 (attached)

By motion of Director Siden and seconded by Director Severin, the Board voted unanimously to approve Item C-2-c:

Directors Present: Whitney Dotson, Beverly Lane, Carol Severin, Doug Siden, Ayn Wieskamp, John Sutter,  
Directors Absent: Ted Radke.

Michael Reeves, Land Acquisition Specialist, provided a brief presentation on this item, stating that the proposed acquisition will:

- Provide land connection between Garin and Pleasanton Ridge Regional Parks
- Protect scenic viewsheds from potential residential development on ridgeline
- Potential EVMA route into Garin Regional Park
- Utilize Walpert Ridge Donation Fund (Stonebrae donation)

Funding was enumerated as follows:

Walpert Ridge Donation Fund:

Remaining Purchase Price	\$540,000
Title and Escrow	3,000

Measure AA Funds:

Fencing and Gate	7,500
Reimbursement for Demolition	3,500
Staff Time	<u>3,000</u>

Total Current Action	\$557,000
Previous Appropriations	<u>35,900</u>
Total Project Cost	\$592,900

### 3. GENERAL MANAGER

- C-3-a. Acceptance of the Results of the Feasibility Study for the Reconstruction of the Public Safety Administration Building and Chabot Service Yard, Appropriation of Funds, and Direction to Negotiate a Contract with Indigo Architects for Project Design  
Resolution No. 2014 – 010 - 253 (attached)

By motion of Director Sutter and seconded by Director Severin, the Board voted unanimously to approve Item C-3-a:

Directors Present: Whitney Dotson, Beverly Lane, Carol Severin, Doug Siden, Ayn Wieskamp, John Sutter.  
Directors Absent: Ted Radke.

GM Doyle provided a brief introduction and history on this item, stating that this is the result of about a 15-year effort to find a suitable location to replace the current 1960's-era Public Safety Headquarters which does not meet any of the current standards for its type of use. He stated that the original direction from the Board was to find a facility for current and future needs of Public Safety with a budget of \$15 million. This current proposal addresses the need for a permanent location for the Lake Chabot corporation yard as well as the lack of staff space at the Administrative Headquarters.

AGM for Finance and Management Services Dave Collins stated that this is the largest capital project ever to be brought forward to the Park District Board, and the item before the Board seeks authority to accept the feasibility study, appropriate funds based on the recommendations, and negotiate a contract with the architect to produce the design.

Representatives from Indigo Architects provided a presentation to the Board, highlighting the following points:

#### Purpose

- Provide space for current and future Public Safety staff
- Provide space for Operations staff
- Provide expansion space for Maintenance and Skilled Trades group as well as other administrative staff
- Provide a District meeting room, Public Safety training venue and also serve as an area emergency operations center
- Work within District's resources of \$21.5 Million

#### Challenges

- Phased construction to allow uninterrupted Public Safety services
- Extend and improve utilities required
- Create a design which does not adversely affect the character of the park
- Accommodate all needed functions on a sloping site
- Develop economical design approach which fits 21.5 million budget

#### Essential services buildings

- Special code applies for any building used for police, dispatch, fire, eoc or chp
- District effectively serves as agent of the state of ca
- Building designed for 50% increased seismic forces
- Increased regimen during construction by architect, engineers and inspectors

Board members commented that District owns the land and the location provides good freeway access with the ability to relocate other services/ability for expansion as needed, concerned as to how the building will look with a request that the architects consider a “park look” in the design process, and asked that staff review how other District projects and needs will be addressed given that this project will take up \$21.5 million.

#### **4. BOARD AND STAFF REPORTS**

##### **a. Actions Taken by Other Jurisdictions Affecting the Park District**

GM Doyle reported on the items listed on the staff report.

#### **5. GENERAL MANAGER’S COMMENTS**

No staff presentations were scheduled at this meeting. GM Doyle also announced that Directors Severin and Radke were awarded the Outstanding Public Service award at last week’s CSDA Conference. He presented the plaques from CSDA.

#### **6. ANNOUNCEMENTS FROM CLOSED SESSION**

President Wieskamp stated that they were no announcements from the Closed Session.

#### **7. BOARD COMMITTEE MINUTES**

- |    |                       |             |            |
|----|-----------------------|-------------|------------|
| a. | Executive Committee   | (9-11-2014) | (Wieskamp) |
| b. | Finance Committee     | (8-27-2014) | (Dotson)   |
| c. | Legislative Committee | (8-15-2014) | (Sutter)   |

#### **8. BOARD COMMENTS**

Director Dotson reported on meetings attended. Director Dotson

- Attended the recent Board meeting;
- Attended the Pinole RDA and El Cerrito RDA Oversight Committee meeting;
- Richmond Liaison Committee meeting;
- Toured the Breuner Marsh Restoration Project with District staff Chris Barton;
- Attended the Board Executive Committee meeting;
- Attended the District’s 80<sup>th</sup> Anniversary Gala in Berkeley;
- Attended the Land Conservation Conference in Rhode Island;
- Toured Garin Park/Dry Creek;
- Stated that the North Richmond Shoreline Festival held last week was a tremendous success.

Director Sutter reported on meetings attended. Director Sutter

- Stated that the Art in Nature event at Redwood Regional Park was excellent, extended appreciation to the Foundation for providing funding for transportation to the park;
- Hiked the Trudeau Center and Serpentine Prairie at Redwood
- Attended the SF Bay Restoration Authority meeting;
- Went to an Inside Oakland Meeting sponsored by the Chamber of Commerce wherein various elections issues was discussed;
- Attended the Board’s Executive Committee meeting.

Director Siden reported on meetings attended. Director Siden

- Attended the Alameda County City Council meeting wherein the District was presented a Proclamation for its work on Coastal Clean-up;
- Attended the East Bay EDA Executive Committee meeting in Concord;
- Had his one-on-one meeting with the GM on September 27;
- Attended the CSDA Conference in Palm Springs;
- Attended the EBRPD/Alameda County Liaison Committee meeting October 6 and stated that while there were 3 Board members and 8 staff from EBRPD, Alameda County only had 2 staff members.
- Will be attending the NRPA Congress next week.

Director Lane reported on meetings attended. Director Lane

- Attended the Contra Costa County Mayors Conference in Pleasant Hill;
- Attended the barbecue event for Education Secretary Tom Torlakson;
- Attended the Tri-Valley Mayors lunch meeting at the Blackhawk Museum;
- Gave a presentation to the Berkeley Path Wanderers on the Anza Trail;
- Attended the Operations Committee meeting;
- Attended the Fish and Wildlife barbecue event;
- Participated in a creek clean-up with the San Ramon Creek group;
- Attended the Tilden Extravaganza at the Tilden Nature Area/EEC;
- Attended the recent Health and Safety Fair at Little Hills;
- Attended the Ohlone Gathering event;
- Will be attending the East Bay Leadership Council meeting;
- Asked staff to continue negotiations with the railroad staff regarding the Bay Trail in Martinez.

Director Severin reported on meetings attended. Director Severin

- Attended her scheduled Board and committee meetings;
- Attended the Alameda County Liaison committee meeting October 6;
- Attended the Union City RDA Oversight Committee meeting;
- Attended the recent HASPA meeting with park staff;
- Attended the CSDA conference in Palm Springs.

Director Wieskamp reported on meetings attended. Director Wieskamp

- Attended the Pleasanton Chamber of Commerce event for elected officials/candidates;
- Attended the Livermore Chamber Luncheon;
- Asked Directors Severin and Sutter to join her as the Nominating Committee for the 2015 Board officers;
- Attended the Gathering of Ohlone People's event;
- Attended the Alameda County Liaison Committee meeting wherein none of the Alameda County Supervisors were in attendance;
- Will attend the first Niles Canyon Trails public meeting and the Grazing Dinner.

**D. ADJOURNMENT**

The meeting was adjourned at 5:30 pm.

Respectfully submitted:

Allen Pulido  
Clerk of the Board