

The Board Meeting, which was held on November 15, 2016 at the East Bay Regional District, 2950 Peralta Oaks Court, Oakland, CA was called to order at 11:45 a.m. by Board Vice President Lane.

ROLL CALL

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

Directors Absent: Doug Siden, President
Whitney Dotson

PUBLIC COMMENTS:

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 Vice President Lane.

Staff Present: Robert Doyle, Carol Victor, Carol Johnson, Jim O'Connor, Bob Nisbet, Liz Musbach, Jason McCrystle, Mark Ragatz, Aaron Roth, Kelly Barrington, Lt. Love, Sean Dougan, Mona Koh, John Bouyea, Alicia Gonzales, Chief Anderson, Debra Auker, Julianna Schirmer, Matt Graul, Kristina Kelchner, Renee Patterson, Noah Dort, Joe Sullivan, Anthony Ciaburro, Bill Zenoni, Jeff Rasmussen, Jane Yang, Shu Yu, Glenn Gilchrist, Dave Zuckermann, Terry Noonan, Erich Pfuehler

Guests: Dr. Razani Noozin, Mrs. Leslie Feliciano, Mr. Tom Feliciano

A. APPROVAL OF AGENDA

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

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

B. PUBLIC COMMENTS

C. BUSINESS BEFORE THE BOARD

CONSENT CALENDAR

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

Directors For: Diane Burgis, Beverly Lane, John Sutter, Ayn Wieskamp, Dennis Waespi.
Directors Against: None.

Directors Absent: Whitney Dotson, Doug Siden.

- a. Approval of District Check Listing for the Period of October 3, 2016 to October 16, 2016
Resolution No. 2016 – 11 – 287 (attached)
- b. Approval of the Minutes for the Board Meeting of November 1, 2016
- c. Authorization to Increase the Construction Contingency and to Transfer and Appropriate Funds for the Repair Pier Structure Project: Point Pinole Regional Shoreline
Resolution No. 2016 – 11 – 288 (attached)

Vice President Lane asked if we add additional resources in contingency funds when more work is involved in a project. AGM ASD Nisbet said that the action is to move the money into a project fund.

- d. Authorization to Extend and Amend the Contract for Services with URS Corporation for Final Design, Approval and Construction Support Services for the Pinole Shores to Bayfront Park Trail Segment: San Francisco Bay Trail
Resolution No. 2016 – 11 – 289 (attached)
- e. Authorization to Purchase Two Ford Trucks from Wondries Fleet Group
Resolution No. 2016 – 11 – 290 (attached)
- f. Authorization to Purchase Two Ford Vehicles from Elk Grove Ford
Resolution No. 2016 – 11 – 291 (attached)
- g. Authorization to Enter Into a Concession Agreement with Jobetty, LLC for the Contra Loma Food Concession: Contra Loma Regional Park
Resolution No. 2016 – 11 – 292 (attached)
- h. Authorization to Enter Into a Concession Agreement with Jobetty, LLC for the Lake Anza Food Concession: Tilden Regional Park
Resolution No. 2016 – 11 – 293 (attached)
- i. Authorization to Enter Into a Concession Agreement with Boardsports California for the Watersport Concession: Crown Memorial State Beach
Resolution No. 2016 – 11 – 294 (attached)
- j. Authorization to Enter into a Lease Agreement with Xerox Corporation for Maintenance of Copy/Print Equipment at the Peralta Oaks Administration Building, Richard C. Trudeau Training Center and Pacheco Corporation Yard
Resolution No. 2016 – 11 – 295 (attached)
- k. Authorization to Execute Agreement with PFM Asset Management LLC for Consolidated Investment Advisory Services
Resolution No. 2016 – 11 – 296 (attached)

Director Sutter asked if there is a termination date. Bill Zenoni, Interim Chief Financial Officer, replied the current agreement is open ended with a 30-day termination clause by either party. Sutter asked if there is

advantage to having 2 firms. Zenoni answered there really isn't, and the performance of both firms is the same.

Director Burgis said that having one firm is a savings. District Counsel Victor added that our Board Operating Guidelines already provide that multi-year agreements get reauthorized by the Board every 5 years and there is a 30 day termination in case any issues arise.

- I. Approval of 2017 Consolidated Fee Schedule
Resolution No. 2016 – 11 – 297 (attached)

Vice President Lane inquired about the archery fees and if the public may use the range. Noah Dort, Operations Administrative Analyst replied that there is no additional fee and the public doesn't need to be a member to use the archery range. Lane asked about the jump in fees and Dort answered that the fee has not been adjusted since 1993. The fee is intended to be a reflection of the actual cost of staff time to the District.

- m. Authorization to Transfer Funds for the Bulrush Removal Project:
Hayward Regional Shoreline
Resolution No. 2016 – 11 – 298 (attached)

2. ACQUISITION AND STEWARDSHIP DIVISION

By motion of Director Sutter, and seconded by Director Waespi, the Board voted unanimously to approve item 2a with corrected resolution information added "...and hereby approves said Tilden Pond Restoration Project; and...".

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

- a. PUBLIC HEARING

Adoption of a Mitigated Negative Declaration for the Tilden Nature Area Sediment Basin Excavation and Pond Restoration Project: Tilden Regional Park
Resolution No. 2016 – 11 – 299 (attached)

Joe Sullivan Fisheries Programs Manager stated that the Board authorized this project in February 2016. If funding becomes available, construction will begin in late summer of 2017. Additional permitting is required for the removal of 700 cubic yards which is well over the 200 cubic yards allowed under the routine maintenance agreement. Wood weir will be reinforced, man-made ponds will be improved for red-legged frogs, improvements will be made to the trail system to enhance interpretive program, and a water augmentation system will be constructed. Director Waespi asked when 200 cubic yards of sediment last removed from the pond. Sullivan replied in 2009. Matt Graul, Chief of Stewardship, described the process the District has been working through to get authorization from the Dept. of Fish & Wildlife. Director Burgis asked if there will be monitoring and the cost. Graul explained there will be 5 to 10 years of monitoring and the cost ranges from \$5 to \$10,000/year. Burgis inquired if there is an expected decline in sediment? Graul said no, the sediment study looked at all of the options to determine the most efficient way to restore Jewel Lake, and commented it is a very large project. Graul added that staff will maintain the basin. GM Doyle said the problem is that the area is erosive. GM Doyle continued that there should be positive results from all of the work that has been done. GM Doyle remarked that the hope is

to create interpretation exhibits on the history of the California Conservancy Corps and WPA. Doyle also commented on the collection of garbage at the first retention basin and the possibility for a design to catch some of the material upstream. Sutter asked about the chloramines. Graul said that there will be a better filtration system. GM Doyle added that this is a strong candidate for our own urban creek grant. Director Sutter asked about the purpose of a quail guzzler. Graul said it is a rock structure that allows water to flow for animal life and is a basin created above ground.

The resolution was revised to add the words "...and hereby approves said Tilden Pond Restoration Project; and..."

VP Lane opened the Public Hearing. There were no speakers. Lane closed the Public Hearing.

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

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

- b. Authorization to Transfer and Appropriate Funds and Award a Construction Contract to Syblon Reid for the Improve Safety and Public Access through the Mining Museum: Black Diamond Mines Regional Preserve
Resolution No. 2016 – 11 – 300 (attached)

Glenn Gilchrist, Design Manager's PowerPoint explained that the existing stairway is not safe, not code compliant, and stairs stop at machinery level which is 20 ft. above where it should end. The new stairway will be 65 ft. tall and is code compliant with better lighting. Director Waespi asked if there is an opportunity to recycle some of the wood. Gilchrist replied staff will recycle in the wood that can be saved. GM Doyle replied that the mine has moisture blowing through which keeps the ground wet and creates dry rot. Director Wieskamp asked if there is a contingency built into this. Gilchrist stated the expectation is a 15% contingency. Director Sutter asked if there are grant opportunities from Office of Surface Mines (OSM). Jeff Rasmussen, AFO, replied that grants are only related to coal mines. It is tough to obtain grants for sand mines from OSM. GM Doyle said the Director of OSM of Wash, DC said they don't have funding for interpretive money, just safety. They are looking at the venting of the Eureka slope and will provide the District with some funding.

3. BOARD AND STAFF REPORT

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

GM Doyle commented on items in the report. Doyle congratulated Diane Burgis on her win as the Contra Costa County Supervisor. Director Sutter commented on the passage of Measure RR and the EBRPD signage in BART. Carol Johnson, AGM Public Affairs, commented that she and Jonathan Hobbs, Creative Design Manger, have met with BART to talk about wayfinding signage, updated maps signage, and signage in stations as well. Johnson is pleased with how they are progressing. BART has been responsive to the District's requests and is working with staff to make things happen.

4. GENERAL MANAGER'S COMMENTS

Chief Tim Anderson, AGM Public Safety introduced Lt. Lance Brede and Officer Chris Feliciano who were awarded the EBRPD Distinguish Service Medal award for their lifesaving efforts on Saturday, July 16 at Lake Chabot for a non-responsive park user who's life they saved.

Mona Koh, Community Relations Manager, Public Affairs introduced Dr. Nooshin Razani, MD MPH Director Pediatrician and Clinical Scientist. Razani conducted a study in 2015 which examined the use of nature on stress and low income populations. In Oakland, the zip code in which you live predicts a 10-year difference in lifespan, and if you add nonwhite race to that there is a 14-year difference in life span. Unbuffered stress is behind a lot of the inadequacies. The SHINE Stay Healthy in Nature Everyday Program has hosted over 30 outings. Razani explained that the outings contributed to patient's reduction in stress and she stated it is possible to have a clinical intervention and improved health in the study. Director Wieskamp suggested it would be an excellent idea to work with BART and AC transit for some pass system to help get families into the park. GM Doyle thanked Public Affairs and Dr. Razani for her partnership.

5. ANNOUNCEMENTS FROM CLOSED SESSION

District Counsel Victor announced that there are no announcements.

6. BOARD COMMITTEE REPORTS

- | | | |
|--------------------------|------------|----------|
| a. Legislative Committee | (06/01/16) | (Burgis) |
| b. Legislative Committee | (08/19/16) | (Burgis) |
| c. Legislative Committee | (09/19/16) | (Burgis) |

Erich Pfuehler, Government Affairs Manager, commented that it has been wonderful working with Director Burgis as a chair.

7. BOARD COMMENTS

Director Lane on meetings attended. Director Lane

- Attended the Executive Committee meeting;
- Attended the Veterans Day in Danville;
- Attended with Supervisor David Vance, the Borel property;
- Attended Contra Costa County Mayors Conference;
- Attended a Tassajara School meeting regarding Urban Limit Line;
- Attending the Natural and Cultural Resources meeting;
- Attending the Sibley LUP Hearing;
- Attending meeting on new board member procedures.

Lane announced the PAC Holiday dinner is December 5 in Lafayette, District Holiday lunch in Livermore on December 14 and reminded people that the Foundation offers a gift of membership.

Director Waespi reported on meetings attended. Director Waespi

- Attended the Tri-Valley Conservancy's Jeans and Jewels event;
- Attended the ACSDA meeting;
- Attended the Stewardship Seminar;
- Attended the Fremont Liaison meeting;
- Attended a Walk & Talk with Bill Quirk;
- Attended the Friends of San Leandro Creek Seminar.

Waespi remarked that it is an excellent idea to give Veterans and Black Friday a free admission in the parks.

Director Burgis reported on meetings attended. Director Burgis

- Attended the retirement party for Tammy Mueller;
- Attended Veterans Day event, Oakley.

Burgis won the CC County Supervisors seat.

Director Wieskamp reported on meetings attended. Director Wieskamp

- Attended the Sunol Hootenanny;
- Attended the Tri-Valley Conservancy's Jeans and Jewels event;
- Attended Alameda County Special Meeting;
- Attending special LAFCO meetings;
- Attended regular LAFCO meeting;
- Attended a Walk & Talk with Bill Quirk.

Wieskamp announced that Bob Coomber won the Livermore Council.

Director Sutter reported on meetings attended. Director Sutter

- Attended the San Leandro Historical Association that honored Director Siden;
- Attended Measure DD Community Coalition meeting;
- Attended a CALM meeting;
- Leading tours to members of the Port Board on the Bay Trail;
- Attending a meeting relating to Sibley – LUP.

Sutter met with Robert Raburn regarding EBRPD publicity on BART.

8. PUBLIC COMMENTS

E. ADJOURNMENT

The meeting was adjourned at 3:15 pm by Board President Doug Siden.

Respectfully submitted:

/s/ Yolande Barial Knight
Clerk of the Board