

The Board Meeting, which was held on December 20, 2016 at the East Bay Regional District, 2950 Peralta Oaks Court, Oakland, CA was called to order at 11:55 a.m. by Board President Lane.

ROLL CALL

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

Directors Absent: None.

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 1:17 p.m. by Board President Siden.

Staff Present: Robert Doyle, Ana Alvarez, Carol Victor, Carol Johnson, Jim O'Connor, Bob Nisbet, Liz Musbach, Jason McCrystle, Aaron Roth, Lt. Alan Love, Mona Koh, Alicia Gonzales, Anthony Ciaburro, Jeff Rasmussen, Tiffany Margulici, Ren Bates, Anne Kassebaum, Brian Holt, Deborah Spaulding, Michael McNally, Pam Burnor, Nadine Vargas, Bill Zenoni, Carolyn Jones, Sandra Hamlet, Matt Graul, Michelle Strawson O'Hara, Eri Suzuki, Dave Sumner, Renee Patterson, Kimberly Anderson, Tim Anderson, John Bouyea, Paul Cutino, Jamie LeBow,

Guests: Dee Rosario, Bruce Kern

Retiring Board members were acknowledged with a gift from the Board and a cake.

A. APPROVAL OF AGENDA

By motion of Director Wieskamp, and seconded by Director Burgis, the Board voted unanimously to approve the agenda with the removal of **Item H**.

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

B. PUBLIC COMMENTS

Mr. Arthur Boone spoke about how trees have been impacted by the carbon dioxide in the atmosphere. Boone runs the Sierra Club Tree Planting Team where they have planted approximately 2,000 trees since 2008 and reported the Sierra Club has also received some cap and trade funds. Boone is interested in working with the District and stated that the Sierra Club has 600 trees unallocated from the grant. Directors

Waespi and Wieskamp acknowledged Mr. Boone as a champion of waste reduction and recycling and commended him on the work he has done in Oakland.

C. BUSINESS BEFORE THE BOARD

By motion of Director Lane, and seconded by Director Wieskamp, the Board voted unanimously to approve **Item c**.

- c. Approval of 2016 Update to the Board Operating Guidelines
Resolution No. 2016 – 12 – 321 (attached)

Director Lane commented on the changes made to PAC member terms explaining PAC members must take a 2-year break from serving on the committee after 8 years. Chair Kern thinks it is the Board's decision. Director Wieskamp noted that LAFCO was not omitted and the committee decided to list only committees appointed by the Board. Director Waespi stated that in AB 2527 it states that in 2019 there has to be a direct link to the agenda on the website on the home page, and asked if the change could be made immediately. GM Doyle replied that staff will be directed to meet that requirement as soon as possible.

By motion of Director Siden, and seconded by Director Burgis the Board voted unanimously to approve **Item L**.

- L. Approval of Step Increase for the General Manager: East Bay Regional Park District
Resolution No. 2016 – 12 – 330 (attached)

Director Siden completed GM Doyle's annual performance review and the Board is pleased he will serve a second term.

Item H was pulled from the agenda.

- h. Authorization to Revise the Classification of Resource Analyst to Resource Analyst I/II and Adjust the Salary Range; and Upgrade 3.0 FTE Resource Analyst Positions to Resource Analyst II: Acquisition, Stewardship & Development Division
Resolution No. 2016 – 12 – 326 (attached)

CONSENT CALENDAR

By motion of Director Lane, and seconded by Director Wieskamp, the Board voted unanimously to approve the balance of the agenda, **excluding items C and L** which were pulled for a separate vote, and **Item H** which was pulled from the agenda.

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

Directors Against: None.

Directors Absent: Whitney Dotson.

- a. Approval of District Check Listing for the Period of November 7, 2016 to November 20, 2016
Resolution No. 2016 – 12 – 320 (attached)
- b. Approval of the Minutes for the Board Meeting of December 6, 2016

- d. Certification of November 2016 Election Results and Resolution Declaring Three Candidates Elected/Appointed as Directors of the East Bay Regional Park District
Resolution No. 2016 – 12 – 322 (attached)

Director Sutter asked for the definition of under vote. District Counsel Victor stated that it is when a voter doesn't vote for any candidates and it is recorded as no votes for any candidates, and an over vote is when they vote for too many candidates. Director Waespi asked if both counties reported vote counts for Ward 2. Clerk of the Board, Knight responded that she used what was received from the county registrar's office; however she will look again and get back to the Board.

- e. Authorization to Renew the Contract with Strategy Research Institute
Resolution No. 2016 – 12 – 323 (attached)

Director Siden expressed appreciation for Dr. Manross' work with this District.

- f. Authorization to Transfer and Appropriate Funds for Sustainability Planning Services: District-Wide
Resolution No. 2016 – 12 – 324 (attached)

- g. Authorization to Transfer and Appropriate Funds for Installation of an Aeration System at Lake Anza and to Control Blue-Green Algae in District Lakes: District-Wide
Resolution No. 2016 – 12 - 325 (attached)

Director Sutter asked if aeration would be effective at Lake Temescal and the cost for dredging the lake. Matt Graul, Chief of Stewardship, replied that staff spoke to experts, and the problem with the lake is that it is too shallow and aeration would probably make the problem worse because there is not enough depth in the Lake. The District plans to use Lake Anza as a pilot, and potentially at Quarry Lakes. Graul explained the cost could be between \$3-\$5 million dollars depending on the location of the sediment. Director Waespi asked if this is a portable unit. Graul replied it will be fixed in the lake.

- l. Authorization to Execute a Consulting Services Contract with BKF Engineers for the Construct Garms Staging Area Project: Pleasanton Ridge Regional Park
Resolution No. 2016 – 12 – 327 (attached)
- j. Authorization to Apply for Grant Funds from the State of California Office of Traffic Safety: Public Safety Division
Resolution No. 2016 – 12 – 328 (attached)
- k. Approval of Legal/Risk Division Reorganization: Amending the Assistant District Counsel Classification to a series of Assistant District Counsel I and II; Amending the Risk Manager Classification and Adjusting the Salary; Establishing the Classification, Unit Designation and Salary Range for a Health and Safety Coordinator; and Deleting One (1) Administrative Analyst II Position: Legal Division
Resolution No. 2016 – 12 – 329 (attached)

Director Sutter asked who the Health & Safety Coordinator will report to. District Counsel Victor stated that position will report to District Counsel.

- m. Authorization to Transfer and Appropriate Funds for an Architectural Feasibility Study at Redwood Canyon Public Golf Course: Lake Chabot Regional Park
Resolution No. 2016 – 12 – 330 (attached)

Director Sutter asked for additional explanation, proposed cost and what the District is proposing to build. Mimi Waluch, Business Services Manager, explained that it is an architecture feasibility study

proposing to hire a firm which will include an opportunity assessment and feasibility plan, and will provide the District with three options to expand the facility. Jim O'Connor, AGM Operations, explained that the basic scope of the project is to expand the event center to accommodate 500 people and the study will determine the cost which has been included in the 2016 budget. O'Conner added that the building is at the end of its service life and that parking and other factors need to be considered to determine the cost.

- n. Authorization to Renew Contract with Houston Magnani & Associates for Legislative Advocate Services
Resolution No. 2016 – 12 – 331 (attached)

Director Siden expressed appreciation for how effective this group has served the District.

- o. Approval of Reappointments and Appointments to the Park Advisory Committee
Resolution No. 2016 – 12 – 332 (attached)
- p. Authorization to Renew the Contract with E2 Strategies LLC for Advocacy Services
Resolution No. 2016 – 12 – 333 (attached)

2. GENERAL MANAGER

SECOND PUBLIC HEARING

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

- a. Adoption of the 2017 Operating and Project Budgets for the East Bay Regional Park District
Resolution No. 2016 – 12 – 334 (attached)

GM Doyle introduced this item. Pam Burnor, Budget Manager, introduced and recapped the second hearing of this 2-volume budget. The largest resource, property taxes, projected to make up 84% of the District revenue in 2017. Burnor stated that the budget is balanced; personnel expenditures make up the majority of the District's planned spending, and staffing changes will add 21.34 additional Full Time Employees (FTE's) from all sources. Director Sutter asked about the funding for the Fire Department and what happens if additional FEMA money is received and there is a need additional skilled personnel. Burnor replied that if FEMA money is received it will be added to the budget and as far as staffing the District uses outside agencies to cut down on fire fuels. Tim Anderson, AGM Public Safety stated that FEMA funding is illusive and there is not a guarantee of a certain amount every year, and GM staff is fully aware of the new funding, because it impacts the Fire Department, Stewardship, and Operations as well as contracts.

Director Siden opened the public hearing. Clerk Knight added there was a letter received addressed to the Board on this item. Director Siden closed the public hearing. Director Wieskamp and Siden complimented the Finance Department and applause was all around. Director Lane extended compliments on the key performance and objectives in the budget.

3. BOARD OF DIRECTORS

By motion of Director Burgis, and seconded by Director Wieskamp, the Board voted unanimously to approve Item 3a.

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

- a. Election of Board Officers for 2017
Resolution No. 2016 – 12 – 335 (attached) Election

Director Siden and the nominating committee comprised of Directors Sutter and Dotson announced the nomination of the following directors for the 2017 Board: President Director Lane, Vice President Director Waespi, and Treasurer Director Wieskamp. The position of secretary was left open for the new Board to make the decision. Director Siden moved, and Director Sutter seconded receiving the report.

4. PARK ADVISORY COMMITTEE

By motion of Director Waespi, and seconded by Director Sutter, the Board voted unanimously to approve the Item 4a.

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

- a. Approval of Park Advisory Committee Goals for 2017
Resolution No. 2016 – 12 – 336 (attached)

Erich Pfuehler, Government Affairs Manager, presented a PowerPoint where he explained there were robust discussions by the PAC about mountain bike use in parks, crime and safety in the parks and on the trails. There is interest on convenience camping as well as a discussion on regional conservation frameworks. The PAC was assigned a special program to receive a historical perspective from Jerry Kent on dogs in the parks.

PAC Chair, Bruce Kern thanked the Board on its transparency and the working relationship between the Board and the PAC; he expressed appreciation to the Board for their attendance at the meetings. Kern added that he meets with all of the new appointees, and has reached out to the newly appointed Board members. Kern stated that staff does an outstanding job in preparing for their presentations and it enriches the conversation. Kern added that when the PAC is dialed into what is pressing for the Board, it can better serve in its advisory role.

Director Lane thanked the PAC for their ambitious calendar and thanked the Board for appointing such excellent people. Lane encouraged the PAC to attend Board meetings. Director Wieskamp remarked that the Board is lucky to have such a strong advocacy group. Director Sutter commented that he enjoys the detailed minutes and encouraged the PAC to look at the dog policy. Director Waespi thanked Bruce Kern for his leadership and added that the Lifeguard Services update would be a good presentation. Director Siden thanked Bruce Kern for his leadership. GM Doyle thanked Pfuehler for his great leadership and Kern for his help in reviewing the forthcoming economic report.

5. ACQUISITION, STEWARDSHIP AND DEVELOPMENT DIVISION

- a. 2016 Dedication of Regional Parkland and Trails Pursuant to Section 5540 of the Public Resources Code and the Recommendations of the Park Advisory Committee
Resolution No. 2016 – 12 – 337 (attached)

By motion of Director Burgis, and seconded by Director Lane, the Board voted unanimously to approve Item 5a.

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

Liz Musbach, Chief of Land Acquisition, presented this item which provides an additional layer of protection over our public parklands in perpetuity. These dedications come with strict guidelines and require that the Board adopt a formal resolution. Musbach went over the 12 maps of each property.

- b. Authorization to Enter into an Option, Purchase and Sale Agreement and Transfer and Appropriate Funds for the Acquisition in Partnership with the East Contra Costa County Habitat Conservancy of 40± Acres of Real Property from John T. Roddy and Donna M. Roddy: Deer Valley Regional Park
Resolution No. 2016 – 12 – 338 (attached)

By motion of Director Burgis, and seconded by Director Lane, the Board voted unanimously to approve Item 5b.

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

John Bouyea, Senior Land Acquisition Specialist, gave a PowerPoint presentation on this property. Director Siden and Director Burgis remarked how beautifully well-kept this 40 acre ranch is with a lot of opportunities for people in East County to celebrate as is their last meeting. Director Wieskamp said that this is a great cultural asset for the public and students in the area.

- c. Authorization to Award a Contract to EKI, Inc. to Design and Implement a System for the Treatment of Storm Water Runoff at the Former Chabot Gun Club: Anthony Chabot Regional Park
Resolution No. 2016 – 12 – 339 (attached)

By motion of Director Waespi, and seconded by Director Wieskamp, the Board voted unanimously to approve the Item 5c.

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

Matt Graul, Chief of Stewardship reported that staff is working to clean up the site of lead contamination, fragments of plastic waddings, brass casings, and old clay pigeons. In 2014, the permit and requirements changed with increased samplings. These samples show lead concentrations leaving the site are above 'numeric action levels'. Technical recommendations will include a treatment train of water on site. Future steps will include the completion the demolition of existing structures, maintenance of storm water of BMPs on site and to develop a plan for clean-up and remediation. Director Siden remarked that this was a valuable resource to the public and was their form of recreation. Unfortunately, due to the lead contamination the decision to close the gun range was necessary, and a very difficult decision for Director

Siden. Director Wieskamp said that this is an excellent start. Director Lane asked if pipes are being installed to contain water. Graul replied the pipes will be above ground. Lane asked if there are there any plans to have some interpretive signage to explain what the District is doing. Graul explained it is a closed fenced in construction site. Director Sutter asked that after this initial 2 ½ year work, what is the anticipated cost? Graul commented it depends on the cost to dispose of the cartridge filters. Sutter asked where the water goes after it is cleaned up. Graul answered that after 48 hours the water will be treated and put back into the drainage system. District Counsel Victor said an insurance consultant has been retained. GM Doyle added that they met with DTSE, that there are 6 major cleanups and staff is pursuing every avenue for grants. Director Waespi asked if there is access there. Graul said there is no access for vehicles or people.

6. BOARD AND STAFF REPORT

a. Actions Taken by Other Jurisdictions Affecting the Park District

GM Doyle commented on items in the report. He expressed his appreciation to Directors Siden and Sutter for all of their years serving on the Board. He commended their respectfulness and serving to the public.

7. GENERAL MANAGER'S COMMENTS

8. ANNOUNCEMENTS FROM CLOSED SESSION

District Counsel Victor announced that there are no announcements from Closed Session.

9. BOARD COMMITTEE REPORTS

- | | | |
|-------------------------|------------|----------|
| a. Finance Committee | (8/24/16) | (Waespi) |
| b. Finance Committee | (9/28/16) | (Waespi) |
| c. Operations Committee | (11/17/16) | (Sutter) |

Directors Waespi, Wieskamp and Lane each took turns expressing their appreciation for outgoing Boardmembers Directors Siden, Sutter and Burgis.

Board Director Elect Dee Rosario commented on the legacy of Directors Sutter and Siden, and he thanked Director Burgis for her service.

10. BOARD COMMENTS

Director Siden reported on meetings attended. Director Siden

- Attended the Oakland City council meeting where his service was acknowledged;
- Attended an appreciation coffee with Ralph Trujillo;
- Attended the EB EDA reception where he and Carol Johnson were honored;
- Attended Mark Ragatz Retirement celebration;
- Attended Restore America's Estuaries Conference.

Siden distributed his report the Board on the REA Conference.

Siden thanked his colleagues and considered it an honor to have served on such a congenial board.

Director Lane reported on meetings attended. Director Lane

- Attended the Ward 7 Nominating process meeting;
- Attending a meeting on the Board committee meeting dates
- Attended the Board Tour of Gateway;

- Attended East Bay Leadership Council meetings;
- Attended Mark Ragatz Retirement celebration.

Lane will participate in the Trails Challenge and congratulated the Regional Park Foundation on their brochure.

Director Waespi reported on meetings attended. Director Waespi

- Attended Mark Ragatz retirement celebration;
- Attended the District holiday luncheon;
- Attended the Legislative Committee meeting;
- Attended the Board Tour of Gateway.

Director Wieskamp reported on meetings attended. Director Wieskamp

- Attended Mark Ragatz retirement celebration;
- Attended the District holiday luncheon;
- Attended Operations Committee meeting;
- Attended the Board Tour of Gateway.

Director Sutter reported on meetings attended. Director Sutter

- Attend Legislative Committee meeting;
- Attended Mark Ragatz retirement;
- Attended Operations Committee meeting;
- Attended Board Tour of Gateway.

Sutter thanked all of the Board members and said it has been a real privilege to serve with them.

Sutter complimented the staff and GM Doyle.

Director Burgis reported on meetings attended. Director Burgis

- Attended the Restore America's Estuaries Conference;
- Attended the City of Antioch swearing in.

Burgis said that this Board has been amazing role models and thanked them for their service.

II. PUBLIC COMMENTS

Kelly Abreu talked about the lawsuits threatened on Vargas and parking lot at Mission Peak.

E. ADJOURNMENT

The meeting was adjourned at 5:00 pm by Board President Doug Siden in honor of Margaret Tracy, Stana Hearn and Harold Gillian. All three were champions of conservation, active in Measure KK and Eastshore Park and advocates for BCDC and Save the Bay.

Respectfully submitted:

/s/ Yolande Barial Knight
Clerk of the Board