

The Board Meeting, which was held on July 25, 2017 at the EBRPD, 2950 Peralta Oaks Court, Oakland, CA 94605 was called to order at 11:30 am by Board President Beverly Lane.

ROLL CALL

Directors Present: Beverly Lane, President
Dennis Waespi, Vice President
Ayn Wieskamp, Treasurer
Ellen Corbett, Secretary
Whitney Dotson
Dee Rosario
Colin Coffey

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 President Lane.

Staff Present: Robert Doyle, Ana Alvarez, Debra Aufer, Carol Victor, Steve Castile, Anne Kassebaum, Jeff Rasmussen, Liz Musbach, Sharon Clay, Ren Bates, Erich Pfuehler, Lt. Lance Brede, Carol Johnson, Deborah Spaulding, Capt. Tony Ciaburro, Dave Mason, Michael McNally, Kelly Barrington, Sean Dougan, Patty Gershaneck, Jason McCrystle, Jeff LeBow, Ruby Tumber, Mimi Waluch, Noah Dort, Susan Gonzales, Tiffany Margulici, Kim Fisher, Julie Bondurant, Dave Zuckermann, Rachel Sater, Matt Graul, Matthew James, Denise Defreese

Guests: Karthik Saripalli and family, Supervisor Richard Valle, Gabriela Chris, Beth Wilson, Tim Barry, Beth Perrill, Mike Wilcoxson and Bob McCarrick

A. APPROVAL OF AGENDA

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

Directors Present: Colin Coffey, Ellen Corbett, Whitney Dotson, Beverly Lane, Dee Rosario, Ayn Wieskamp, Dennis Waespi.

Directors Absent: None.

B. PUBLIC COMMENTS

There were no public comments.

C. SPECIAL PRESENTATIONS

- I. Habitat Means Home Poster Contest Winners
Director Wieskamp acknowledged the 3rd place winner Karthik Saripalli, 1st grader who attended this board meeting and whose painting was of a skunk. Karthik was given District

swag. Wieskamp announced the First-place winner Adrish Kar, 6th grade and the second place winner Priyal Sinha, 4th grade. Wieskamp talked about the work of the programs coordinator, Carin High for over 11 years; expressing her desire to have the program continue since Ms. High is finishing up her time as the coordinator.

2. Presentation to Livermore Area Recreation and Park District Honoring its 70th Anniversary
Director Wieskamp presented a proclamation to Beth Wilson, President of LARPD Board, and Tim Barry, General Manager of LARPD. Each expressed words of gratitude for the collaboration with EBRPD.
3. Alameda County Supervisor Richard Valle Presentation
Supervisor Richard Valle gave a PowerPoint presentation on the Niles Canyon Trail's Roll and Stroll which has about 10,000 participants. It will be held on September 30, 2017. Board members commented and thanked Supervisor for this event.

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

By motion of Director Rosario, and seconded by Director Corbett, the Board voted unanimously to approve the **Consent Calendar with the exception of item e** which was pulled from the agenda.

Directors Present: Colin Coffey, Ellen Corbett, Whitney Dotson, Beverly Lane, Dee Rosario, Ayn Wieskamp, Dennis Waespi.

Directors Absent: None.

- a. Approval of District Check Listing for the Period of June 20, 2017 to July 5, 2017
Resolution No. 2017 – 07 - 202 (attached)
- b. Approval of the Minutes for the Board meetings of June 20 and July 5, 2017
- c. Authorization to Negotiate with Various Property Owners
Resolution No. 2017 – 07 - 203 (attached)
- d. Authorization to Grant a 2,684-square foot Levee Easement and a 3,041-square foot Maintenance Access Easement and Issue an Encroachment Permit to Contra Costa County Flood Control and Water Conservation District: Wildcat Creek Regional Trail
Resolution No. 2017 – 07 - 204 (attached)

Director Rosario had a question on whether the \$1,500 that the County contractor will pay the District should be included in the resolution. Liz Musbach, Chief of Land Acquisition, pointed out the two locations in the resolutions where the \$1500 was included.

- e. Approval of the District's Job Order Contracting Policy
This item was removed from the agenda
- f. Approval of Out-of-State Travel for Director Ellen Corbett to Attend the 2017 Greater & Greener Conference in Minneapolis & Saint Paul, Minnesota from July 29 – August 2, 2017
Resolution No. 2017 – 07 - 206 (attached)

- g. Authorization to Apply for Grant Funds from the Delta Conservancy for the Bay Point Restoration and Public Access Project: Bay Point Regional Shoreline
Resolution No. 2017 – 07 - 207 (attached)
- h. Authorization to Appropriate Measure WW Development Funds for Demolition of House on Aweeka Property: Redwood Regional Park
Resolution No. 2017 – 07 - 208 (attached)

Director Rosario asked if the demolished materials will be recycled. Jeff Rasmussen, Assistant Finance Officer, responded that the demolished material will be recycled.

- i. Authorization to Appropriate Measure WW Funds for Visitor Center Design: Coyote Hills Regional Park
Resolution No. 2017 – 07 - 209 (attached)
- j. Reject Bid Received for Pavement Maintenance Project: District-wide
Resolution No. 2017 – 07 - 210 (attached)

Director Rosario asked about the evaluation process when only one bid is received. Jeff Rasmussen, AFO, stated that this project was out to bid for one month and was on 13 builder exchanges throughout the region. Bob Nisbet, AGM Acquisition, stated he believes that it is a factor of the climate and the economy.

- k. Authorization to Apply for Grant Funds from the U.S. Department of Justice, Bulletproof Vest Partnership Grant Program: Public Safety Division
Resolution No. 2017 – 07 - 211 (attached)

Director Rosario asked if there were any strings attached for cooperating with immigration enforcement. Tiffany Margulici, Grants Manager said there are no ICE requirements. Lane asked how the vests wear out after 5 years. Lt Love replied the manufacturers will guarantee the vest for only 5 years due to the degradation of Kevlar.

- L. Authorization to Establish the Classification, Unit Designation, and Salary for Fire Lieutenant; Authorization to Fund 2.0 FTE Positions and Eliminate 2.05 FTE Positions: Fire Department, Public Safety Division
Resolution No. 2017 – 07 - 212 (attached)

Director Lane asked if the positions will be assigned geographically. John Swanson, Interim Fire Chief, explained the staffing and that assignments are based on leadership needs. Director Rosario said that in order to do prescribed burns one needs a certified fire boss; he asked if there is a possibility that these lieutenants will obtain certification. Swanson replied it is a possibility, adding that this is such a large responsibility that the District searches for those who are interested and committed in becoming a certified fire boss.

- m. Authorization to Award a Contract to Cleary Brothers Landscape, Inc. for Irrigation Improvements: Kennedy Grove Regional Recreation Area
Resolution No. 2017 – 07 - 213 (attached)

Director Rosario commented on downsizing and making sure that is addressed. Dania Stoneham, Recreation Areas Unit Manager explained the process wherein 2 years ago the District did an assessment on lawn areas and most of the areas that were mainly aesthetic were eliminated and planted with plants that require considerably less water.

- n. Authorization to Enter Into an Agreement with Canteen Vending to Provide Vending Machine Services at Seven District Locations
Resolution No. 2017 – 07 - 214 (attached)

Director Rosario asked about concessionaires and how they were doing. Noah Dort, Administrative Analyst II was acknowledged by Mimi Waluch, Business Services Manager, for running this RFP and she said that the concessionaires were doing well for the type of business and their location.

- o. Authorization to Purchase Automotive Parts from City Auto Supply
Resolution No. 2017 – 07 - 215 (attached)

Director Rosario asked about the single bid that was received. Jason McCrystle, Fleets Manager said that only one bid was submitted.

2. FINANCE AND MANAGEMENT SERVICES DIVISION

PUBLIC HEARING

- a. Approval of the Measure CC Special Tax Report for 2017/18, Proposed Measure CC Budget Revenues and Expenditures for 2018 and Spending Plan Modifications
Resolution No. 2017 – 07 - 216 (attached)

By motion of Director Corbett, and seconded by Director Rosario, the Board voted unanimously to approve item C-2-a.

Directors Present: Colin Coffey, Ellen Corbett, Whitney Dotson, Beverly Lane, Dee Rosario, Ayn Wieskamp, Dennis Waespi.

Directors Absent: None.

Jeff Rasmussen, Assistant Finance Officer, recognized Matthew James, Administrative Analyst II, for his work on this project. Rasmussen went through this PowerPoint presentation going over each action to approve the 2018 spending plan and budget. Director Waespi, referring to pages 91, 102, asked about the NBS fee. Rasmussen replied he will look into it and get back to him. President Lane received a correspondence from Claremont Canyon Conservancy expressing concern that the District was interested in repairing the road instead of focusing on the trail. Rasmussen replied that until the road is fixed, the trail is not accessible. Director Waespi asked for clarification on the multi and single family rate. Carol Victor, District Counsel, explained that the uniform tax does not differentiate between the two rates. Staff is currently looking at strategies.

President Lane opened the Public Hearing. Ellen Barth, CESP and Matt Graul, Chief of Stewardship, spoke during this timeframe. President Lane closed the Public hearing closed.

3. ACQUISITION, STEWARDSHIP AND DEVELOPMENT DIVISION

- a. Update on District's Blue-Green Program and Status of Remediation Efforts for Lake Anza and Lake Temescal
Resolution No. 2017 – 07 - 217 (attached)

Matt Graul, Chief of Stewardship, gave an update on the Blue-Green Program. Graul acknowledged the assistance of Becky Tuden, Hal McClean and Casey Brierley. Graul's presentation was broad talking about the history of algal bloom, remediation and treatment. Cyanobacteria is a bacteria that photosynthesizes and when

it breaks down it creates toxins which can cause serious health effects when ingested. The bacteria thrives in slow moving water, heightened nutrients, warmer water and low oxygen. Graul said that no one knows why there is increased detection, what triggers bloom, and no guaranteed treatment results. This dilemma is not just in the District parks but throughout the country. There was discussion of the toxins, the lakes affected, public notification process, management of toxins and long term plans.

Director Corbett thanked staff for the public information component and asked about tracking the level of nutrition and monitoring in certain parts of the lake. Graul replied that each lake is different and he discussed the nutrient challenges. Corbett asked about phosphorous and fertilizer. Director Dotson asked if there are any posted warnings about fish consumption. Graul answered there is signage about fish, adding that the concern is algae getting into the organs of the fish. Director Rosario asked about the turnaround time on tests. Graul said a few hours to 2 or 3 days. Director Coffey asked if there are any remedies that the District is not pursuing because of costs. Graul responded dredging and oxygen. Director Lane inquired if other districts are experiencing the same problem. Graul replied yes. Director Waespi complimented Graul then asked if humans have been affected. Graul said there was a recent incident where a child was swimming at Lake Anza, there was a caution sign posted, the child experienced vomiting. After sample analysis, toxins were not present. Dotson asked if staff considered doing research making use of UC Berkeley for testing of the fish organs. Graul said that the fish is tested at a marine lab at Santa Cruz and staff has not found a professor who wants to do this research, however a professor did help staff design the system. Corbett asked about the extent of the District partnership with EBMUD and sharing scientific information. Hal MacClean, Water Manager, said that EBMUD's focus is on their other resources upstream and not monitoring Lake Chabot. DGM, Ana Alvarez, asked Graul to expand on the effects of climate change adding that Graul and his team are featured in a NPRA article, the District is leading the way, and has become a resource throughout this industry. Graul stated he believes climate change has an effect on this challenge with the bacteria and toxins.

By motion of Director Waespi, and seconded by Director Wieskamp, the Board voted unanimously to approve item C-3-b.

Directors Present: Colin Coffey, Ellen Corbett, Whitney Dotson, Beverly Lane, Dee Rosario
Ayn Wieskamp, Dennis Waespi.

Directors Absent: None.

- b. Authorization to Enter Into an Option, Purchase and Sale Agreement and Transfer and Appropriate Funds for the Acquisition of 4.0± Acres of Real Property from Raili J. Glenn, Trustee of the Raili Glenn Survivor's Trust and the David Glenn Memorial Trust: Pleasanton Ridge Regional Park Resolution No. 2017 – 07 - 218 (attached)

Liz Musbach, Chief of Land Acquisition, gave a PowerPoint presentation on this acquisition. Musbach highlighted items in the staff report. Director Waespi commented on this great acquisition asking if this report includes an estimate for road repair. Musbach replied that it does not because there are 4 easements on this access road and District's proportionate use is 15%. The assumption is that Mrs. Glenn will pay for her 20% before close of escrow. Director Wieskamp asked if it is a gated road. Musbach replied that the District has emergency access, but not public access. Future access would not be along the road, but from the Garms Tehan Falls access.

4. LEGAL DIVISION

By motion of Director Wieskamp, and seconded by Director Rosario, the Board voted unanimously to approve item C-4-a.

Directors Present: Colin Coffey, Ellen Corbett, Whitney Dotson, Beverly Lane, Dee Rosario
Ayn Wieskamp, Dennis Waespi.

Directors Absent: None.

- a. Authorization to Approve Amended and Restated Fourth Modification of Indenture And Agreement with Dumbarton Quarry Associates for the Transfer of Property and Development of a Park at Coyote Hills Regional Park
Resolution No. 2017 – 07 - 219 (attached)

Carol Victor, District Counsel, introduced Mike Wilcoxson and Bob McCarrick of Dumbarton Quarry and Associates (DQA) and Kim Fisher, Landscape Architect and Project Manager. Victor presented the history of this development stating that the original proposal was to deliver a park featuring a lake; but in 2012 it was determined that the lake was infeasible. DQA and EBRPD reached an agreement to create a campground with campsites in 2 phases. Victor went over the agreement as noted in the staff report delineating DQA's and the District's different responsibilities towards the development of this park. The PowerPoint simulation of the progress of the park was illustrative of the topography including the new ridgeline, the campsites, the lawn, the trails, parking, corporation yard and picnic sites. Victor went over the deal points highlighting the monies that DQA will be raising for the District approximately \$108 million. Director Corbett asked if there were going to be any ADA trails. Victor said there will be a trail that meets ADA requirements, however it is not currently depicted on this map.

Director Wieskamp asked when the wind study will be finalized. Bob McCarrick, President of DQA said that DQA hired a firm to do a wind study which should be completed in a few weeks. Director Waespi asked the dates on completion of the park. Victor replied that Phase 2 begins at the conclusion of the reclamation plan in 2029 and will not begin until 2034. The Phase I park is on-line and expected to open in Spring 2019. President Lane asked if there has been studies on the economic feasibility of the campground. Fisher answered there was an economic analysis in 2012, staff then revisited the plan with a new company on Phase 2, checked with staffs' use reports, and the conclusion was that there was a demand for large size groups which the District cannot currently accommodate. Director Corbett asked about the geology of the hill. Bob McCarrick explained the process of filling in the quarry and that sediment platforms will be built to monitor the settlement which is all rock and gravel and nothing organic.

5. PUBLIC SAFETY DIVISION

By motion of Director Corbett, and seconded by Director Rosario, the Board voted unanimously to approve item C-5-a.

Directors Present: Colin Coffey, Ellen Corbett, Whitney Dotson, Beverly Lane, Dee Rosario
Ayn Wieskamp, Dennis Waespi.

Directors Absent: None.

- a. Authorization to Purchase Communications Equipment and Services from Motorola and East Bay Regional Communications System Authority (EBRCSA): Public Safety Division
Resolution No. 2017 – 07 - 220 (attached)

Captain Tony Ciaburro presented this item. Ciaburro stated that the key to EBRCSA is interoperability which allows everyone to communicate with each other. EBRCSA covers two counties and is a JPA. Ciaburro gave background on this item that encompasses 43 agencies. President Lane asked if EBRCSA is currently in place

and Ciaburro replied that it is in place and has been a JPA since 2007. Ciaburro commented that there is limited capability but we don't have portable devices. Director Corbett said she was excited that this is on the agenda and it is great that the District can support this program. Director Rosario commented that EBMUD is charging rates for its towers. DGM Alvarez added that they are charging fees for the use of the land due to the fact that the EBRCSA was founded for law enforcement agencies and EBMUD is not law enforcement. President Lane asked if trail safety patrols use radios on the current system. Patty Gershaneck, Communications Manager, described the simulcast system that is in use by safety patrols.

3. BOARD AND STAFF REPORTS

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

Deputy General Manager Alvarez went over items in the report.

4. GENERAL MANAGER'S COMMENTS

DGM Alvarez introduced Denise Defreese, Wildland Vegetation Program Manager whose PowerPoint report included historical perspective beginning in the 1960's and the relevance of this program which was instrumental in accessing the land. Grazing leases is a tool that the District uses to manage land, special status species and fuels reduction. Director Rosario asked about Briones and possibly fencing off the cattle on the trails. Defreese said that fencing is expensive. DGM Alvarez stated that staff will take a look and get back to the Board. Director Coffey thanked Defreese for a letter that she sent on his behalf regarding cattle on the trails. President Lane thanked Defreese for the history of the grazing program and for her enthusiastic management of this program

Director Waespi announced there was going to be a retirement party for Tim Walker at Miller Knox.

5. ANNOUNCEMENTS FROM CLOSED SESSION

District Counsel Carol Victor stated that there are no announcements from the Closed Session.

6. BOARD COMMITTEE REPORTS

- a. Board Operations Committee (5-09-17) (Waespi)
- b. Board Operations Committee (6-15-17) (Waespi)
- c. Board Finance Committee (5-24-17) (Wieskamp)

7. BOARD COMMENTS

Director Lane reported on meetings attended. Director Lane

- Has been on vacation.

Lane noted that AFSCME is going to vote on the proposed contract tomorrow.

Director Waespi reported on meetings attended. Director Waespi

- Attended the Executive Committee meeting;
- Attended HASPA meeting;
- Attended the meeting hosted by Senators Quirk and Wieckowski;
- Attended the Regional Park Foundation event at the EEC;
- Attended Retiree Luncheon at Lake Chabot;
- Attended the Alameda County Special Districts Association meeting;
- Attended the Fremont Rotary Club meeting;

- Attended the Operations Committee meeting;
- Attended the Legislative Committee meeting;
- Attended the Public Safety picnic;
- Attended the PAC BBQ at Redwood;
- Attended the presentation of the First Annual Radke Charity Award to Senator Wieckowski;
- Attending the Walk and Talk with Congressman Eric Swalwell at Lake Chabot Park.

Waespi commended staff on the 10 projects that were well presented at the meeting on RT3, complimented Jeff Lebow and staff on the Nike site tour held for the local Castro Valley blog site. Waespi asked about the two suicides in the parks. Chief Ciaburro updated the Board.

Director Wieskamp reported on meetings attended:

- Attended the Executive Committee meeting;
- Attended the CC County Mayors Conference, Dublin;
- Attended the LAFCO meeting;
- Attended the Elected Women's Luncheon, Dublin;
- Attended the PAC BBQ at Redwood;
- Attending the Board Field trip, Alameda.

Wieskamp will participate in Newark Days in September. Had a luncheon with former Mayor Cathie Brown, former Councilmember Lorraine Dietrich and former supervisor Valerie Raymond – all of Livermore.

Director Corbett reported on meetings attended. Director Corbett

- Attended the San Leandro City Council town hall;
- Attended a meeting with Doug Siden on Ward 4 projects;
- Attended the Operations Committee meeting;
- Attended the Legislative Committee meeting;
- Attended the PAC BBQ;
- Attended the POA BBQ at Redwood;
- Attended the meeting hosted by Senators Quirk and Wieckowski;
- Attending the Board Field trip in Alameda.

Corbett remarked that the Habitat Means Home event is close to her heart and in her previous life she had an Ice Cream Social at her office for the participants, displaying their artwork. Corbett asked the timeline for the opening of Redwood Road. Corbett asked if press had been done for the Resolution of the Paris Climate. AGM Johnson replied that the press was notified. Corbett talked about the 10-year anniversary of the signing of AB 42.

Director Dotson reported on meetings attended:

- Attended the Executive Committee meeting;
- Attended the North Richmond Shoreline Open Space Festival meeting;
- Attended the Miller Knox Bay Point Scoping meeting;
- Attend the Trails for Richmond Action Committee (TRAC) meeting;
- Attended the PAC BBQ at Redwood.

Dotson also noted the District could do outreach to communities of color. In terms of Miller Knox, he said he is not in favor of commercial construction and believes in protecting the environment.

Director Rosario reported on meetings attended. Director Rosario

- Attended the HASPA meeting;
- Attended the What's Brewing in the Parks event;

- Attended Alameda County Mayors Conference, Dublin;
- Attended the Contra Costa County Mayors Conference, Concord;
- Attended the Operations Committee meeting;
- Attended the Miller Knox Bay Point Scoping meeting;
- Attended the Fuel Break Tour with Oakland's Mayor and Vice Mayor;
- Attending the Alameda Field Trip.

Director Rosario mentioned a need for the District to do more outreach in the communities of color. Rosario gave a shout out to Ren Bates and Bob Nisbet for the informative meeting on JOC. Rosario added that Los Vaqueros is looking to expand, MTC ABAG is finally merged.

Director Coffey reported on meetings attended. Director Coffey

- Attended the What's Brewing in the Parks event;
- Attended and staffed the Black Diamond Mines Open House;
- Attending the Big Break family campfire program;
- Attended the Contra Costa County Mayors Conference, Concord;
- Attended 73rd Anniversary of the annual memorial ceremony at Pt. Chicago;
- Attended a Black Diamond Mines bat monitoring program;
- Attended the Legislative Committee meeting;
- Attended a tour of the DOW Wetlands Preserve with Tom Torlakson;
- Attended the PAC BBQ at Redwood.

Coffey went on a site visit to Pinole Shores. Mentioned the fires in Brentwood and Chief Ciaburro gave a brief update on the mutual aid that the District delivered.

E. PUBLIC COMMENTS

There are no public comments.

F. ADJOURNMENT

The meeting was adjourned at 5:20 pm by Board President Lane.

Respectfully submitted:

/s/ Yolande Barial Knight
Clerk of the Board