

The Board Meeting, which was held on July 3, 2018 at the East Bay Regional District, 2950 Peralta Oak Courts, Oakland, CA 94605 was called to order at 11:00 a.m. by Board President Dennis Waespi.

ROLL CALL

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

Directors Absent: Beverly Lane

The **Open Session** of the Board Meeting was called to order at 1:00 p.m. by President Waespi.

All board members present for the Open Session.

Staff Present: Robert Doyle, Carol Victor, Jim O'Connor, Bob Nisbet, Alan Love, Anne Kassebaum, Lance Brede, Dave Mason, Chris Barton, Aileen Thiele, Deborah Spaulding, Anthony Ciaburro, Matt Graul, Steve Castile, Sean Dougan, Rachel Slater, Kelly Barrington, Karla Cuero, Kip Walsh, Jeff Rasmussen, Joe Sullivan, Kim Balingit, Dave Sumner, Chris Newey, Carmen Erasmus, Det. Granados, Steve Albonico, Carol Johnson, Ruby Tumber

Guests: Gordon N. Ball, Inc.: Hal Stober, Will Stober, Jeff Jones and Fred Velasco

A. APPROVAL OF AGENDA

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

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

Directors Against: None.

Directors Absent: Beverly Lane.

B. PUBLIC COMMENTS

Chris Newey, President of AFSCME had several comments: 1) the minutes of the previous meeting didn't reflect the comments of Eri Suzuki as it relates to the Union's concerns and requests that thorough training be given to employees on the new policies as soon as possible, 2) Why is the RFP for the Bridgeyard building using a private business rather than District employees, and 3) Suspending the board adopted policy to allow employees to submit annual compensation requests and it is misleading to the public. John Roberts, Bicycle Trail Council of the East Bay (BTCEB) and assistant coach of middle school bicycling team in El Cerrito. He discussed the need for trail connectivity and more single-track trails. He said that the maps for mountain biking and a pocket regional park exhibit good working relationships with the public. Scott Bartlebaugh, BTCEB and volunteer at Crockett Hills Regional Park discussed vegetation management. He realizes that the use of power tools by volunteers are limited due to a collective labor agreement, but would like assistance from the District

to be able to clear the trails sooner. He expressed thanks to Dave Kendall, Supervisor, and staff for their support. Director Waespi directed staff to respond to Mr. Bartlebaugh. Sara Sloan parent of a BTCEB mountain biker, asked the District to consider more single-track trails for the kids. Aiden Murphy, avid mountain biker and lover of Tilden Park would like more challenging single-track trails for fun and training.

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

By motion of Director Wieskamp, and seconded by Director Corbett the Board voted unanimously to approve the **Consent Calendar**.

Directors For: Colin Coffey, Ellen Corbett, Whitney Dotson, Dee Rosario,
Dennis Waespi, Ayn Wieskamp.
Directors Against: None.
Directors Absent: Beverly Lane.

- a. Approval of District Check Listing for the Period of May 21, 2018 to June 3, 2018
Resolution No. 2018 – 07 – 168 (attached)
- b. Approval of the Minutes for the Board Meeting of June 19, 2018
- c. Authorization to Negotiate with Various Property Owners
Resolution No. 2018 – 07 – 169 (attached)
- d. Authorization to Purchase Two Ford Vehicles from Downtown Ford Sales for Vehicle Replacement and an Addition to the Fleet
Resolution No. 2018 – 07 – 170 (attached)
- e. Authorization to Modify Measure CC Project Description and Transfer Funds for the *Redwood Stump Conservation and Education Project*:
Roberts Regional Recreation Area
Resolution No. 2018 – 07 – 171 (attached)

Director Corbett: The Finance committee reviewed this great project and would like to rename it, so it is a more accurate description of the intent and scope of the project. GM Doyle explained that the projects have been approved by the Board, however staff will work on a more descriptive name and will work on it as a public information item. Corbett restated that the project will keep the same name listed in CC, and any informational items will reflect that this is an *Old Growth Redwood Heritage Conservation and Education Project*.

- f. Authorization to Purchase Safety Equipment from L.N. Curtis & Sons:
Public Safety Division
Resolution No. 2018 – 07 – 172 (attached)

President Waespi had a question for Acting Chief Theile. Theile said L.N. Curtis is a contractor the District has used for years for structure gear will exceed the \$50,000 amount.

2. FINANCE & MANAGEMENT SERVICES DIVISION

President Waespi opened the meeting with his script. The Public Hearing was opened.

Deborah Spaulding, AFO opened with a staff presentation on the two-county trail, and the assessments' historical perspective. Spaulding talked about the formation of the six Zones of Benefit (ZOB) and the differing rates for reach. Spaulding gave a listing of the special projects in ACC-I and ZOBs. GM Doyle pointed to the map and the distinct zones.

PUBLIC HEARING

- a. Approval of Engineer's Report for Fiscal Year 2018/2019, Adopt Resolution Confirming Diagram and Assessment, Order Maintenance, Improvements and Levy Annual Assessment for Alameda County/Contra Costa County Regional Trails Landscaping and Lighting Assessment District No. 1, including ZB-1 (Five Canyons), ZB-2 (Dublin Hills), ZB-3 (Walpert Ridge), ZB-4 (San Ramon Hills), ZB-5 (Stone Valley), and ZB-6 (Sibley Volcanic)
Resolution No. 2018 – 07 -173 (attached)

The Public Hearing was closed.

By motion of Director Rosario, and seconded by Director Wieskamp, the Board voted unanimously to approve **Item 2a**.

Directors For: Colin Coffey, Ellen Corbett, Whitney Dotson, Dee Rosario,
Dennis Waespi, Ayn Wieskamp.
Directors Against: None.
Directors Absent: Beverly Lane.

- a. Adopt Resolution Regarding Overruling Protests
Resolution No. 2018 – 07 – 174 (attached)

By motion of Director Rosario, and seconded by Director Dotson, the Board voted unanimously to approve **Item 2a**.

Directors For: Colin Coffey, Ellen Corbett, Whitney Dotson, Dee Rosario,
Dennis Waespi, Ayn Wieskamp.
Directors Against: None.
Directors Absent: Beverly Lane.

- b. Acceptance of the 2017 Comprehensive Annual Financial Report, Statement on Auditing Standards (SAS) 114 Auditor's Communications with Those Charged with Governance dated June 27, 2018, Independent Accountant's Report on Federal Awards, and Independent Accountant's Report on Agreed Upon Procedures Applied to 2018 Appropriations Limit Schedule
Resolution No. 2018 – 07 – 175 (attached)

By motion of Director Corbett, and seconded by Director Dotson, the Board voted unanimously to approve **Item 2b**.

Directors For: Colin Coffey, Ellen Corbett, Whitney Dotson, Dee Rosario,
Dennis Waespi, Ayn Wieskamp.
Directors Against: None.
Directors Absent: Beverly Lane.

Michelle Strawson-O'Hara gave a presentation on this staff report. Kim Balingit was commended by Strawson-O'Hara for her work on this project. Strawson-O'Hara presented the SAS 114 Auditors Communication Letter, highlighted the Districts total net position, Measure WW Bond Issuance and Refunding, Pension Liabilities, Schedule of Funding Progress of Retiree Benefits. Director Corbett commented on how the Finance committee received the CAFR and appreciated staffs' thoroughness. President Waespi stated that this is a great document and gave staff complements on a positive audit. GM Doyle expressed thanks for the fine work of the Finance Department in its transparency.

3. ACQUISITION, STEWARDSHIP & DEVELOPMENT DIVISION

- a. Authorization to Award a Contract to Gordon N. Ball, Inc. and Approve a Contingency for Construction of Albany Beach Restoration and Public Access Project Phases II and III, Execute a Professional Services Contract with Anchor CM, Amend the Professional Services Contract with Questa Engineering Corporation, and Transfer and Appropriate Funds: McLaughlin Eastshore State Park
Resolution No. 2018 – 07 – 176 (attached)

By motion of Director Dotson, and seconded by Director Coffey, the Board voted unanimously to approve the **Item 3a**.

Directors For: Colin Coffey, Ellen Corbett, Whitney Dotson, Dee Rosario,
Dennis Waespi, Ayn Wieskamp.
Directors Against: None.
Directors Absent: Beverly Lane.

Chris Barton, Environmental Programs Manager introduced Hal Stober, Will Stober, Jeff Jones, and Fred Velasco from Gordon N. Ball, Inc. who are working on this project. Barton gave some background, an overview of the main project elements, budget and schedule of the project. Barton oriented the Board to the location of the project. Barton stated that Phase I was completed in 2016, Phase 2 and 3 was design, engineering and permitting in 2017. Construction is scheduled to occur in 2018, with completion expected in fall of 2019. Barton presented the total cost, the grants received, and appropriation of funds. Director Wieskamp asked if the contractors have done a project like this before. Hal Stober, President of Gordon N. Ball, Inc. said they are successfully completing the Pinole Project, and have worked on several trail projects. President Waespi asked the water quality at the beach for swimming. Barton replied that it is not currently designated as a swim beach. GM Doyle clarified that even though this is partially owned by the State, for the last 30 years the Park District has been designated by the State as the determining agency on how to patrol, regulate, and manage the beach. Dogs are not allowed on the beach in most state parks but the authority is in the state ownership under Ordinance 38. Waespi asked if the restrooms, showers, 20-car parking lot, and picnic tables will have security gates and lights. Barton said there will be an access gate, but no lighting proposed. The Bay Trail will remain open. Carol Victor, District Counsel reminded the Board of the revised resolution. Wieskamp said that Senator Nancy Skinner will be thrilled that the project is underway. Wieskamp requested the senator receive an update on this project.

- b. Authorization to Execute a Contract with Hanford Applied Restoration and Conservation for Construction Services and Amend a Contract with Nichols Consulting Engineers for Construction Support to Excavate a Sediment Basin and Restore Three Interpretive Ponds and Transfer and Appropriate Measure CC and Measure WW Funds; Accept and Appropriate Funds from the Regional Parks Foundation for Tilden Nature Area: Tilden Regional Park
Resolution No. 2018 – 07 – 177 (attached)

By motion of Director Dotson, and seconded by Director Corbett, the Board voted unanimously to approve the **Item 3b**.

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

Directors Against: None.

Directors Absent: Beverly Lane

Joe Sullivan, Fisheries Programs Manager gave the PowerPoint presentation. Even though staff went out to bid none were received for this project. After discussion with Legal Counsel it was decided to move ahead with sole source. Hanford ARC was contacted and provided a reasonable bid for this project. Sullivan delivered his PowerPoint presentation on the Tilden Sediment Basin Excavation and Pond Restoration. Sullivan presented the project description which includes excavation of the sediment basin, re-grade of ponds, installation of an amphitheater, installation of interpretive trails and panels, and talked about the quail guzzler. An EBMUD water line will be used if needed for temporary irrigation. Sullivan stated that all environmental permits are in hand. Sullivan outlined the schedule from 2016 through construction completion which is expected by November 2018. It will be followed by a 5-year monitoring and maintenance program through 2023. This project will reduce the sedimentation in Jewel Lake, habitat restoration and enhancement, multi-species benefit, trail connectivity, and elevate the education and interpretive experience. Director Rosario asked if there will be any work upstream. Sullivan responded that they have been doing some small erosion control mainly on bootleg trails, utilizing hand work and a couple of big slides have been stabilized. Director Corbett inquired if the sediment that will be moved to another area will be tested to see if it impacts the new area. Matt Graul answered that the sediment will be tested to make sure it is clean before it is moved. It will be placed upland, be seeded and stabilized, and will no longer be a source of nutrients, nor a source of runoff. Coffey asked when were the ponds constructed. GM Doyle said around the 1930s, Civilian Conservation Corps (CCC) Camp. President Waespi asked if the ponds will be filled by rain water, and the depth of the ponds. Sullivan responded 5 or 6 feet, adding that staff want them drained at the end of summer to manage for bullfrogs establishment. Waespi would like staff to consider dredging the silt ponds on a regular basis, and using in-house dredging would go a long way. Graul agreed, but once the scope of the project was reviewed, the time it would take, and trucking, it was decided to contract that work out. Doyle said that both Sullivan and Graul deserve extra kudos for getting this done, and this project fits perfectly into the District's mission. Graul commended Dave Zuckerman, Ren Bates, and Carmen Erasmus on their work on this project.

4. BOARD AND STAFF REPORTS

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

GM Doyle commented on items on the report

5. GM COMMENTS

GM Doyle recognized Director Dotson's Bay Hero Award from the Bay Institute for Point Pinole's restoration in preserving the Bay, focusing on habitat restoration, and water quality.

Anthony Ciaburro, AGM Public Safety introduced Detective Bill Granados who introduced Steve Albonico, Public Safety Assistant Administrator, and Dr. William Wells of Texas who assisted pro-bono to ensure scientific integrity of this project. Granados stated that auto burglaries are an epidemic in the bay area and particularly problematic in our parks. People come to the parks to have a sense of rest. The vision for this project is to examine better use of volunteers, explore our ability to prevent crimes, and endeavor to apply scientific rigor to any question. Albonico graphically showed that crimes are increasing. He stated that the intervention project consisted of Scientific and Police Department Response. Interventions included increased

signage, patrol and volunteers to pass out information, and the use of communication system to record data. Albonico custom built a way to capture data. . Granados gathered 46 weeks of pretest data, six weeks of test data, and was able to obtain 12 weeks of follow-up data. Results were highlighted and discussed. Granados explained that burglars pick places where they know there is a lot of loot and they look for soft targets. Granados stated that intervention is measurable, has a lasting impact, is consistent with other findings in the field, and that data is important and can be used to drive deployment and deterrent. Albonico said that this breakthrough study will help the department do a better job, and help understand what the District can do in the future to deliver improved public safety.

Director Coffey asked if video surveillance is effective. Granados replied that video surveillance is effective in prosecution, but not as a deterrent. Corbett commented that the research is impressive and asked if jurisdictions are impacted based on the type of work neighboring jurisdictions may or may not be doing. Granados said it absolutely impacts jurisdictions. Corbett asked what strategies should be employed when people are away from their cars for a length of time in the park. Granados replied that park users should hide valuables before they enter the park. GM Doyle commented that people are putting their stuff away while in the park. Dotson said the District should promote people leaving their stuff at home. Wieskamp suggested the District take a multimedia approach to educate people about being smart – talking about this study, and to hide valuables before getting to the park. Waespi asked what parks tend to have the most crimes of theft. Granados listed a few locations: Eastshore, Frederickson in Contra Loma, Tilden, Redwood - Skyline, and Redwood Canyon. Waespi asked how many people are caught, and what is done. Granados replied if there is no video of the crime, they may get charged with burglary and get about 6 months at the most. Waespi commented that the presence of people in the parking lot with authority could act as a deterrent. Corbett suggested that our education efforts include teaching park users the importance of being a witness, and the District should post the phone numbers to call and report a crime. Granado said the number is posted and there are new signs that use the slogan; Leave, Lock, and Report.

6. ANNOUNCEMENTS FROM CLOSED SESSION

Carol Victor, District Counsel, announced there are none.

7. BOARD COMMITTEE REPORTS

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| a. | Executive Committee | 6-07-18 | (Waespi) |
| b. | Finance Committee | 5-30-18 | (Corbett) |

8. BOARD COMMENTS

Director Waespi reported on meetings attended. Director Waespi

- Attended the Operations Committee meeting;
- Attended the Eden Area and Castro Valley Chamber mixer at Lake Chabot;
- Attended Tim Barry's retirement;
- Attended the State of the City of Hayward event;
- Met and hiked with Erich Pfuehler and Lisa Baldinger at Lake Chabot;
- Appointed to the California Association of Recreation and Park District.

Waespi thanked Public Affairs for the Castro Valley Chamber mixer. Waespi is looking forward to feedback on the Janus Decision. He congratulated Director Dotson on his Bay Hero Award.

Director Wieskamp reported on meetings attended: Director Wieskamp

- Attended the field trip at Big Break;
- Attended the Operations Committee meeting;

- Attended the Parks Advisory Committee;
- Met with Rachel Jones, new Executive Officer for LAFCo;
- Attended the State of the City of Livermore;
- Attended Tim Barry's retirement;

Wieskamp commented on getting oral history on Jack Roddy and include his lessons on ranching. Commented on mountain biking in the park and what the District can do so trails are safe for young people.

Director Rosario reported on meetings attended. Director Rosario

- Attended field trip at Big Break;
- Friends of Sausal Creek trail maintenance;
- Attended the Finance Committee meeting;
- On vacation 6/29 – 7/2.

Rosario expressed his appreciation for Jack Roddy's hospitality on the field trip, commented on the Janus Decision and suggested getting resolutions passed by other agencies.

Rosario has received emails about a pump track in Joaquin Miller. District Counsel Victor commented that the legislature also passed SB 866 to address the Janus decision as part of a budget trailer. Legal is looking into this legislation.

Director Corbett reported on meetings attended. Director Corbett

- Attended the field trip at Big Break;
- Attended the Operations Committee meeting;
- Visited with the Friends of Crab Cove to discuss McKay Ave;
- Attended the Finance Committee meeting;
- Attended the State of the City of Hayward;
- Attended the retirement of Josie Comancho;
- Will ride in the 4th of July parade in Alameda.

Corbett commented on the Janus Decision and its impacts.

Director Dotson reported on meetings attended. Director Dotson

- Attended the SF Bay Institute's Award Ceremony;
- Attended the field trip at Big Break;
- Attended the Finance Committee meeting;
- Attended the Natural Cultural Resources Committee meeting.

Director Coffey reported on meetings attended. Director Coffey

- Attended the Natural Cultural Resources Committee meeting;
- Attended Crockett Waterfront Community meeting;
- Attended the Finance Committee meeting;
- Attended a walk and talk town hall conducted by Asm. Tim Grayson at Bay Point Shoreline Park;
- Worked as an ambassador at the Martinez Annual Beaver Festival;
- Working as an ambassador at Hercules 4th of July Festival.

Coffey mentioned the Janus decision which will make it difficult for public employees to pursue collective bargaining. Executive team was asked to review.

9. PUBLIC COMMENT

D. ADJOURNMENT

President Waespi adjourned the meeting at 3:21 pm.