

The Board Meeting, which was held November 5, 2019 at East Bay Regional Park District, 2950 Peralta Oaks Court, Oakland, CA 94605 called its **Closed Session** to order at 11:05 a.m. by Board President Ayn Wieskamp.

ROLL CALL

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

Directors Absent: None.

The **Open Session** of the Board Meeting was called to order at 1:05 p.m. by President Wieskamp.

Staff Present: Robert Doyle, Ana Alvarez, Carol Victor, Debra Auken, Anthony Ciaburro, Mona Koh, Jim O'Connor, Carol Johnson, Kristina Kelchner, Steve Castile, Lance Brede, Ali Adams Sara Rieck, Dave Mason, Lisa Goorjian, Michael Reeves, Aileen Thiele, Kelly Barrington, Anne Kassebaum, Chris Barton, Sean Dougan, Karla Cuero, Dominique Williams, Carmen Erasmus, Katherine Dudney, Matt Graul

Guests: Linus Eukel, Amy Shrago, Robert Rogers, Jeff Peters

PLEDGE OF ALLEGIANCE

A. APPROVAL OF AGENDA

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

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

Directors Against: None.

Directors Absent: None.

B. SPECIAL PRESENTATION – 85th Anniversary Acknowledgement

Erich Pfuehler, Government Affairs Manager, announced that today is the 85th Anniversary of the establishment of the EBRPD. Pfuehler introduced representatives from local offices.

Robert Rogers from the Office of Contra Costa County Supervisor John Gioia and Amy Shrago from the Office of Alameda County Supervisor Keith Carson read and commentated on framed commendations to honor the 85 years of service of the EBRPD.

President Wieskamp thanked the representatives and there was a break for celebratory photographs and cake.

C. PUBLIC COMMENTS

Kelly Abreu commented on Morrison Canyon. Abreu suggested the map be redrawn and commented on the budget. Abreu said that Fremont Liaison meeting schedule should be adhered to.

D. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

By motion of Director Lane, and seconded by Director Corbett, the Board voted unanimously to approve the **Consent Calendar minus items c and e**.

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

Directors Against: None.

Directors Absent: None.

- a. Approval of District Check Listing for the Period of September 9, 2019 to September 22, 2019
Resolution No. 2019 – 11 - 261 (attached)
- b. Approval of the Minutes for the Board Meeting of October 15, 2019

Director Lane commented on the previous meeting minutes and suggested an edit to reflect that there is more than one park named after a woman. Reinhardt Redwood, Sylvia McLaughlin Eastshore State Park managed by the Park District, and Ted and Kathy Radke Martinez Shoreline.

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

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

Directors Against: Ayn Wieskamp.

Directors Absent: None.

- c. Resolution Changing the Start Time of the December 17, 2019 Regular Resolution No. 2019 – 11 - 259 (attached)

Director Lane shared reasons why she thought the meeting should not be held in the evening, but at the regular time. (1) Consistency of the board meeting start time helps the District be transparent and predictable, (2) The District is a regional body, not a city body where evening meetings are standard, (3) For people to attend at 6:00 pm from East and West counties and Tri Valley, they must drive through rush hour traffic, (4) The District holds evening and Saturday meetings in other East Bay locations on issues of importance to a particular area, (5) Director Coffey has a work meeting and cannot attend on Dec 3.

Director Rosario replied the fact that this is a regional agency makes it even more important to hold at least one-night meeting per year, especially one as important as the first public hearing of the budget. Rosario said it is important to be inclusive and transparent and allow for those who work during the day to attend this meeting Director Waespi agreed that one-night meeting per year commits the District to better transparency. Corbett said that there is a need to make sure the District is accessible and transparent, hold some evening meetings, and determine if additional evening meetings are needed.

Debra Auker, AGM FMS explained the budget schedule, adding that the Board Operating Guidelines states that the budget is to be presented at the first meeting of December and adopted at the second. The Budget is not only presented at the PAC, it also is presented at the Finance Committee. Director Corbett asked if the second December meeting could be held in the evening. GM Doyle replied staff can accommodate this if the Board desires the change. President Wieskamp thought it would be logical to start the meeting at the regular time, discuss the budget at 4:00 pm, end the meeting about 8:00 pm. Lane stated staff hold night meetings for LUPs in vicinities where those plans are most affecting them. Lane said she has no opposition to evening meetings. Director Rosario commented that Director Corbett's idea to change the meeting date to the second meeting in December would allow the full board for both meetings. Director Waespi said that a District this big should meet with the people and hold an evening meeting. Director Corbett restated her suggestion to hold the second budget meeting at night, so the public could comment. GM Doyle added this is the last meeting of the year, Director Dotson's last meeting, and a celebration is being planned for him. Director Corbett revised the report for the evening meeting from December 3rd to December 17th.

President Wieskamp called for a raised hand vote. The Clerk announced that Directors Coffey, Corbett, Waespi, Lane and Dotson were in favor and Wieskamp was opposed.

- d. Resolution to Support AB 1298 (Mullin D-South San Francisco) – Climate Resiliency, Fire Risk Reduction, Recycling, Groundwater and Drinking Water Supply, Clean Beaches, and Jobs Infrastructure Bond Act of 2020
Resolution No. 2019 – 11 - 262 (attached)

By motion of Director Corbett, and seconded by Director Rosario, the Board voted unanimously to approve the **Consent Calendar Item e which was revised.**

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

- e. Authorization to Support the Oakland Athletics Ballpark Plans, Including the San Francisco Bay Trail
Resolution No. 2019 – 11 - 260 (attached)

Carol Victor, District Counsel, stated that she revised the resolution to add a "whereas" to reflect the comments that an EIR needs to be done on this project and amend the title as requested by Director Corbett. Director Waespi said he was lobbied by some citizens regarding this resolution and asked if the 'whereas' will address their concerns. Erich Pfuehler, Government Affairs Manager explained that the legislation calls for an exchange of the mitigation, and still requires complete and full mitigation which can be done in some other location. Director Corbett added that in reviewing the legislation, it allows for a fast track in the courts if there is a requirement for hearings. Corbett said it does not wave CEQA. Director Coffey said he received 3 objections from the environmental coalition representative. He stated the objections and then remarked that out of the 3 objects, 2 were already legislated. He accepted one and suggested the language to include in this resolution to which District Counsel incorporated.

GM Doyle commented that staff does pay attention to land use issues and developments which includes the Port property and the redevelopment of the Coliseum property. The District does have direct nexus and is at the table pushing for better community access for the underserved.

GM Doyle said the District has a long term goal to support getting access from Lake Merritt down to the Bay Trail, and a proposal to restore a very polluted creek area. The environmental benefits are

there, and the District has the opportunity and obligation to guide those things that have nothing to do with baseball. Staff are interested in seeing better access to MLK Shoreline. One of the biggest challenges to pedestrian circulation is how to get to the shoreline without getting in the car from BART.

GM Doyle commented that staff have studied this, and he would like to make sure staff has Board support to dedicate time to engage in this, and staff will have to go to a lot of meetings. Director Lane asked if BCDC has reviewed this proposal. Pfuehler said that he understands that BCDC has reviewed, but not given final approval. GM Doyle commented it is all very preliminary, and no formal review.

- f. Authorization to Negotiate with Various Property Owners
Resolution No. 2019 – 11 - 263 (attached)
- g. Authorization to Renew the Special Use Agreement with Tri-Cities Horsemen's Association: Ted and Kathy Radke-Martinez Regional Shoreline
Resolution No. 2019 – 11 - 264 (attached)
- h. Authorization to Renew Contract with Houston Magnani & Associates for Advocacy Services
Resolution No. 2019 – 11 - 265 (attached)
- i. Authorization to Renew Contract with E2 Strategies, LLC
Resolution No. 2019 – 11 - 266 (attached)
- j. Authorization to Execute the Contract with Strategic Research Institute
Resolution No. 2019 – 11 - 267 (attached)
- k. Authorization to Amend a Contract with Kimley Horn and Associates, Inc. for the Restore McCosker Creek Project: Robert Sibley Volcanic Regional Preserve
Resolution No. 2019 – 11 - 268 (attached)
- l. Authorization to Approve and Adopt an Amendment to the East Bay Regional Park District Salary Schedule as of October 12, 2019
Resolution No. 2019 – 11 - 269 (attached)
- m. Authorization to Purchase Six Ford F150 SSV Pick-up Trucks from Downtown Ford Sales for Public Safety Vehicle Replacements and an Addition to the Fleet
Resolution No. 2019 – 11 - 270 (attached)
- n. Authorization to Purchase Twenty Ford Vehicles from Downtown Ford Sales for Vehicle Replacements and Additions to the Fleet
Resolution No. 2019 – 11 - 271 (attached)
- o. Authorization to Accept and Appropriate Funds from the Regional Parks Foundation for Visitor Center Renovation: Sunol Regional Wilderness
Resolution No. 2019 – 11 - 272 (attached)
- p. Authorization to Augment Construction Contingency with Mining Construction, Incorporated for Mine Excavation and Site Preparation for the Develop Coal Mine Exhibit Project: Black Diamond Mines Regional Preserve
Resolution No. 2019 – 11 - 273 (attached)

- q. Authorization of Quagga/Zebra Mussel Infestation Prevention Grant Program
Application: District-wide
Resolution No. 2019 – 11 - 274 (attached)
- r. Authorization to Apply for Grant Funds from the California Department of Fish and Wildlife for Creek Restoration: Sibley Volcanic Regional Preserve
Resolution No. 2019 – 11 - 275 (attached)
- s. Authorization to Apply to the California Office of Emergency Services for Funds from the Federal Emergency Management Agency for Pre-Disaster Fuels Management: Tilden Regional Park and Claremont Canyon Regional Preserve
Resolution No. 2019 – 11 - 276 (attached)

Director Waespi commented that he is in favor of this item, however he needs to explain to his constituents why funding is going to Tilden and Wildcat. Lisa Baldinger, Acting Grants Manager replied that it is because of the 25% match and they are shovel ready.

2. ACQUISITION, STEWARDSHIP & DEVELOPMENT DIVISION

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

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

- a. Authorization to Execute a Funding Agreement with John Muir Land Trust (JMLT) for JMLT's Acquisition of the 281.30± Acre Almond Ranch Property, Accept a Conservation Easement and a Recreational Trail and Emergency Vehicle and Maintenance Access Easement over the Property, and Transfer and Appropriate Funds to Support this Acquisition: Bay Area Ridge Trail
Resolution No. 2019 – 11 - 277 (attached)

Michael Reeves, Chief of Land, introduced this item. Reeves made corrections to the report as indicated: \$2,954,000 (whereas #2), \$954,000 (whereas #4), \$964,000 (be it resolved). Sara Rieck, Land Acquisition Specialist, began her presentation by orienting the Board to the property via the PowerPoint. Rieck stated the purchase price is \$2,954,000 and is being funded by Measure WW and the Wildlife Conservation Board. This property protects the ridgeline from development, preserves an intact wildlife corridor along Franklin Ridge, and closes an important gap in the Bay Area Ridge Trail.

Linus Eukel, Executive Director of John Muir Land Trust (JMLT), made remarks on this acquisition and extended his thanks to the Board. This acquisition is 30 years in the making and is the hallmark of collaboration. Eukel commended Ted Radke (former Board director), Tina Batt (former Executive Director JMLT), Ted Radosevich (former District Counsel), GM Doyle, Director Coffey, ASD, DGM Alvarez and the entire Board. District Counsel called out the changes indicated above to the board resolutions.

Director Coffey asked to review the slide with the trails highlighted. Coffey asked Mr. Eukel how Sky Ranch will be connected, and when will Feeder Trail #1 be done? Eukel replied that he expects there will be a trail cut along the northern boundary until other access points can be aligned. There will be a connection and multiuse trails available for the public. Sean Dougan, Trails Development Program Manager, said these

projects are one piece at a time. Director Rosario wanted to ensure the budget change form would be updated to reflect the resolution.

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

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

Directors Against: None.

Directors Absent: None.

Directors Abstain: None.

- b. Authorization to Amend a Contract with Questa Engineering Corporation for Engineering, Landscape Architecture, and Permitting Support Services; and Authorization to Amend a Contract with Go Native, Inc. for Vegetation Management Services for the Coyote Hills Restoration and Public Access Project: Coyote Hills Regional Park
Resolution No. 2019 – 11 - 278 (attached)

Chris Barton, Environmental Programs Manager, and Project Manager on this project oriented the Board to the location of this property. Barton explained it will be a two phase 5-year project which will preserve urban agriculture, provide more public access and restore high value habitat. The LUP calls for natural units with 11% being developed with park facilities. During the planning process, there was an amendment to the plan to remove the Oak Trail Spur and viewing platform, shift the parking lot west and south, and to consider removal of Patterson Slough Overlook. The scope of work is South of Patterson Ranch Road LUPA which includes all improvements, western wetlands and the new park entrance.

Barton introduced Jeff Peters, Questa Engineering who was in the audience. Go Native is working on vegetation management. Director Lane asked where Go Native is working on the property. Barton described the 6 test plots that have been established and indicated their location on the map. Barton said they are testing to make sure the seeds will grow before the District spends money. Director Corbett asked for clarification on the overlooks. Barton replied the Board changed the resolution to pull back this overlook, the parking lot location was shifted, and the spur trail remains for planning purposes. Lane said that she likes the overlook there and is pleased it is being left in the plan.

GM Doyle commented that there are 3 huge projects going on at Coyote Hills – this one, the Dumbarton Quarry, and the alternatives for the Interpretive Center.

By motion of Director Coffey and seconded by Director Lane the Board voted unanimously to approve **Item 2c**.

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

Directors Against: None.

Directors Absent: None.

Directors Abstain: None.

- a. Authorization to Award a Construction Contract to Carone & Company and Amend the Contract for Services with BKF Engineers, Inc. for Design Support During Construction of the San Francisco Bay Trail at Lone Tree Point Project: San Francisco Bay Trail
Resolution No. 2019 – 11 - (attached)

Sean Dougan, Trails Development Program Manager, and Project Manager on this project. Dougan provided a comprehensive PowerPoint presentation and oriented the Board to the location of the project. He highlighted all aspects of this report. Dougan stated this project will close a 2,600-foot gap located between Hercules and Rodeo and will include a 200-foot bridge. The improvements include installation of a restroom facility, accessible parking spaces, restriping and repaving into the shoreline property, and installation of a security fence along District property and Pacific Railroad projects. It will also include planting 30 Coast Live Oak trees and building a spur trail. The bridge will be installed in two parts. This project requires only 2 permits; a storm water pollution prevention plan and a county building/grading permit. The District received 8 bids on this project; Carone & Company was the lowest responsible bidder. The project fully funded, and construction is scheduled to begin Spring 2020.

Director Waespi commented this is a great project and asked if the CXT has a water filling station. If not, could one be included? GM Doyle commented one of the highest recommendations is for water filling stations, so staff will consider it. Director Lane asked if there are other agencies that have showers for the homeless and if so, what are the issues. Where there are a lot of homeless it might be worth considering installation of showers. GM Doyle stated the District has been approached by numerous cities where District parks are located to partner on this issue. Cities and counties have the services the District doesn't. It is a big issue and the District is being very cautious. Lane asked if there will be two trails? Dougan replied it will not be a trail, but a stripe on the side of the road. Lane asked when the bridge will be installed. Director Coffey thanked Sean and staff on this project which has been a tremendous effort. Supervisor Glover's office and the Rodeo MAC are good contacts about homeless and are interested in this project. Waespi recalled many years ago that this area was pretty rough and unattractive. Coffey commented that there is interest to improve the area. GM Doyle discussed that there had been an active application for 40 condos that were 2-3 stories that the District had. The courts awarded the District the shoreline for free because it was proved that there had been consistent public use.

3. BOARD AND STAFF REPORTS

a. Actions Taken by Other Jurisdictions Affecting the Park District

General Manager discussed the two items in this report.

4. GENERAL MANAGER'S COMMENTS

a. Chief of Design and Construction Lisa Goorjian will provide an overview of the current and upcoming 2020 major projects that the Design and Construction Department is administering.

GM Doyle introduced Kristina Kelchner, AGM ASD. Kelchner introduced Lisa Goorjian, Chief of Design and Construction. Goorjian explained that the projects represented over \$57 million in cost, with 88% of funds coming from outside sources. Only 12% comes from 553. Goorjian reported there are currently 9 active projects in construction. Goorjian briefly discussed each of the 9 projects too to be completed in 2019; Black Diamond Mines: Coal Mine Exhibit and Oyster Bay: Disc Golf. Seven projects will be completed in 2020; Bay Point: Access and Restoration, McLaughlin Eastshore: Golden Gate Fields Trail, SF Bay Trail: Lone Tree Point, Coyote Hills: Dumbarton Quarry Campground, and Del Valle: Water Treatment System Renovation. President Wieskamp asked and received a copy of a graph of all Board Actions related to these projects which were distributed to each of the Board members.

Director Rosario asked how the projects are delineated, because they are not all mentioned. Goorjian replied that these are the projects that will begin construction next year. Director Lane asked if public access to the trail will be allowed at the Brickyard too. Goorjian replied that Brickyard will be closed before Phase 2

begins. Director Corbett asked when Oyster Bay will be completed. Goorjian responded at the end of this year. GM Doyle extended appreciation to Goorjian for acknowledging staff, and the Legislative and Grants departments. GM Doyle explained there are \$57 million in projects coming forward which will put more stress on staffing.

Public Comment: Kelly Abreu commented on this project saying that we did not see the origination dates, milestones, dashboards and schedule saying these projects tend to drop off the radar.

GM Doyle commented that on behalf of the entire staff, he strongly disagreed with the public comment and finds it very offensive to the staff.

5. ANNOUNCEMENTS FROM CLOSED SESSION

District Counsel Victor did not have any announcements related to items in closed session. She stated that Director Coffey recused himself during closed session on items discussed in closed session related to BNSF.

6. BOARD COMMITTEE REPORTS

- a. Operations Committee (09-19-19) (Corbett)
- b. Executive Committee (09-05-19) (Wieskamp)

7. PUBLIC COMMENTS

There were no public comments.

8. BOARD COMMENTS

Director Wieskamp reported on meetings attended. Director Wieskamp

- Attended the Operations Committee meeting;
- Attended the District Service Awards;
- Attended the Cowboy Hootenanny at Sunol;
- Attended the Las Trampas field trip;
- Attended the Finance Committee meeting;
- Attending Tri-Valley Conservancy's Jeans and Jewels.

Wieskamp requested that thank you cards be sent to the photographers whose pictures were used during Board meetings. She acknowledged the private citizen who assisted with the arsonist at Garin Regional.

Director Waespi reported on meetings attended. Director Waespi

- Attended the CARPD retreat;
- Attended the Las Trampas field trip;
- Attended the HASPA Shoreline master plan event;
- Attended the Trails Workshop;
- Attended Marie Arnerich's retirement party;
- Visited the Command Center at Public Safety.

Waespi gave a shout out to the Public Safety Police Department for catching the arsonist; and expressed appreciation for the citizen that helped.

Director Lane reported on meetings attended. Director Lane

- Attended the Operations Committee meeting;
- Attended the District Service Awards;
- Attended the Cowboy Hootenanny at Sunol;

- Attended the Trails Workshop;
- Visited Miller Knox;
- Attended the EB Leadership Council's update by Rep. DeSaulnier;
- Attended EB Leadership breakfast with Cong. Bauer-Kahan
- Attended the Las Trampas field trip;
- Attended the Concord Hills public meeting;
- Attended the Chabot Space Science Center Gala;
- Attended a town meeting in Danville given by Rep. DeSaulnier.

Lane paid tribute to the firefighters, and thanked managers for updating the Board on the Garin fire. Lane commented on naming a park or trail after the Bay Miwok Chupcan Indians.

Director Rosario reported on meetings attended. Director Rosario

- Attended the funeral for Israel Lopez Garibay;
- Met with another possible candidate for Ward I;
- Attended the Legislative Committee meeting as an alternate;
- Attended the District Service Awards;
- Attended the State of the Estuary Conference;
- Attended the California Alliance for Retired Americans (CARA) Annual Conference;
- Attended the Las Trampas field trip;
- Attended the Chabot Space Science Center Gala;
- Had a phone conference with a staff person from City of Berkeley;
- Attended the Board Trails Workshop;
- Attended Marie Arnerich's retirement celebration;
- Attended the Finance Committee meeting;
- Met with another possible candidate for Ward I;
- Attended a Local Electeds meeting;
- Had a phone conference with the Save the Redwood League on Aurelia Reinhardt.

Rosario commented that the weeks have been hard for staff with the fires and winds He thanked Public Safety for their efforts and recognized the recent losses of employees.

Director Corbett reported on meetings attended. Director Corbett

- Attended the Operations Committee meeting;
- Attended the Legislative Committee meeting;
- Attended the District Service Awards;
- Attended the Las Trampas field trip;
- Attended the Chabot Space and Science Center Gala;
- Attended the Trails Workshop;
- Attended Marie Arnerich's retirement celebration;
- One on One with the General Manager.

Corbett thanked staff for handling the challenges with the windstorms, power outages, and fires.

Director Coffey reported on meetings attended. Director Coffey

- Attended Antioch Big Truck Day;
- Attended the Legislative Committee meeting;
- Attended the District Service Awards;
- Attended the CC Young Democrats annual picnic where he was the guest speaker;
- Attended the CCSDA in Walnut Creek;
- Attended the Las Trampas field trip;
- Attended the JMLT Open House
- Attended the EB Leadership Councils update by Rep. DeSaulnier;
- Attended the Multicultural Wellness walk at Big Break;

- Visited Bay Point Shoreline project;
- Attended the Chabot Space Science Center Gala;
- Attended the Trails Workshop.

Coffey recused himself from closed session discussions on BNSF because he has stock in Berkshire Hathaway that is owned by BNSF.

Director Dotson reported on meetings attended. Director Dotson

- Attended the Finance Committee meeting;
- Attended the District Service Awards.

Dotson commented on his experience with Pt. Pinole over the many years.

D. ADJOURNMENT