

The Board Meeting, which was held on June 16, 2015 at the Big Break, 69 Big Break Road, Oakley, 94561 was called to order at 5:00 p.m. by Board Vice President Doug Siden.

ROLL CALL

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

Directors Absent: Whitney Dotson, President

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 6:00 p.m. by Vice President Siden.

Staff Present: Robert Doyle, Dave Collins, Debra Auken, Bob Nisbet, Carol Victor, Mark Ragatz, Police Chief Tim Anderson, Liz Musbach, Sharon Clay, Dan Cuning, Mona Koh, Yolande Barial Knight, Suzanne Lusk, Michael Moran, Kevin Damstra, Brigita Simcic, Deona Micheli, Bob Christensen, Ed Valenzuela, Ashley Grenier, Aaron Roth, Tammy Mueller, Jeff Rasmussen, Aaron Roth, Pete DeQuincy, Sharon Clay

Guests: Oakley City Councilmembers: Vanessa Perry and Sue Higgins
Brentwood Park & Rec Commissioner: Sandy Myers
Abby Fateman - ECC HCP
Tim Seufert - NBS
Steve Melikian - Jones Hall

A. APPROVAL OF AGENDA

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

Directors Present: Diane Burgis, Beverly Lane, Doug Siden, John Sutter, Ayn Wieskamp, Dennis Waespi.
Directors Absent: Whitney Dotson.

B. PUBLIC COMMENTS

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

By motion of Director Lane, and seconded by Director Siden, the Board voted unanimously to approve the **Consent Calendar**:

Directors Present: Diane Burgis, Beverly Lane, Doug Siden, John Sutter, Ayn Wieskamp, Dennis Waespi.
Directors Absent: Whitney Dotson.

- a. Approval of District Check Listing for the Period of May 4, 2015 to May 24, 2015
Resolution No. 2015 – 06 - 157 (attached)
- b. Authorization to Negotiate with Various Property Owners
Resolution No. 2015 – 06 - 158 (attached)
- c. Approval of the Minutes for the Board Meeting of June 2, 2015
- d. Authorization to File an Application for Grant Funds from the State of California, Department of Water Resources for Aquatic Adventure Camp
Resolution No. 2015 – 06 - 159 (attached)
- e. Authorization to Accept Renewal of Existing Insurance Programs
Resolution No. 2015 – 06 - 160 (attached)
- f. Authorization to Accept Bid for Audio Visual Equipment for the Headquarters Board Room Tenant Improvement Project
Resolution No. 2015 – 06 - 161 (attached)
- g. Authorization to Partner with the California Conservation Corps and Civicorps on: Drought Recovery, Watershed Improvement, and Fire Prevention Grants, District Wide
Resolution No. 2015 – 06 - 162 (attached)
- h. Authorization to Purchase Cisco SmartNet Support Contract
Resolution No. 2015 – 06 - 163 (attached)
- i. Authorization to Pay the City of Oakland’s Planning and Building Department Permit Fee for the Peralta Oaks Administration Building Access Improvement Project
Resolution No. 2015 – 06 - 164 (attached)
- j. Authorization to Name Trails: Crockett Hills Regional Park
Resolution No. 2015 – 06 - 165 (attached)

Director Sutter had questions relating to the trail map of the park, trail connections and access from Cummings Skyway. AGM Nisbet stated that the highlighted trails are the ones recommended for naming. In addition, the LUP for Crockett Hills does contemplate two staging areas.

- k. Authorization of Six-Month Extension of Joint Powers Agreement for Hayward Area Shoreline Planning Agency (HASPA): Hayward Regional Shoreline
Resolution No. 2015 – 06 - 166 (attached)
- l. Authorization to Purchase Two Modular Buildings
Resolution No. 2015 – 06 - 167 (attached)
- m. Approval of Payment to Department of Water Resources for Dam Safety Program Assessment: Tilden Regional Park and Temescal Regional Recreation Area
Resolution No. 2015 – 06 - 168 (attached)

Director Sutter wondered if there has been an inspection of the dam. Chief Ragatz explained that this action before the Board is for an annual inspection fee.

- n. Authorization for Budgetary Closure of Completed Projects and Related Amendments to the 2015 Budget
Resolution No. 2015 – 06 - 169 (attached)

2. ACQUISITION, STEWARDSHIP AND DEVELOPMENT DIVISION

By motion of Director Burgis, and seconded by Director Lane, the Board voted unanimously to approve item C-2-a:

Directors Present: Diane Burgis, Beverly Lane, Doug Siden, John Sutter, Ayn Wieskamp, Dennis Waespi.
Directors Absent: Whitney Dotson

- a. Authorization to Enter into an Option Agreement and Transfer and Appropriate Funds for the Acquisition in Partnership with the East Contra Costa County Habitat Conservancy of 645.95± Acres of Real Property from Ronald Nunn Family Limited Partnership, a California Limited Partnership: Delta Access Regional Recreation Area
Resolution No. 2015 – 06 - 170 (attached)

Suzanne Lusk, Land Acquisition Specialist gave a powerpoint presentation. This action today asks for the down payment plus the cost of the transaction.

Director Burgis expressed opportunities to connect the trail. Abby Fatemen, Executive Director of the ECC HCP, answered questions from the Board. Under public comment, Fatemen expressed appreciation of the work and the relationship with EBRPD and its staff on this property. Director Siden expressed his appreciation for Fateman's leadership. GM Doyle acknowledged Ron Nunn and Jim Greuder who were in the audience. Director Lane asked that the District do a historic evaluation of the 1918 house on the property.

3. FINANCE AND MANAGEMENT SERVICES DIVISION

By motion of Director Lane, and seconded by Director Wieskamp, the Board voted unanimously to approve item C-3-a:

Directors Present: Diane Burgis, Beverly Lane, Doug Siden, John Sutter, Ayn Wieskamp, Dennis Waespi.
Directors Absent: Whitney Dotson.

- a. Discussion of Community Facilities District (CFD) Formation for Funding Open Space Dedications at Las Trampas and Approval of Local Goals and Policies For Community Facilities Districts
Resolution No. 2015 – 06 - 171 (attached)

Debra Auker, CFO gave an explanation of Community Facility District's (CFD). Auker introduced Tim Seufert, NBS' Special Tax Consultant and Steve Melikian, Special Counsel Jones Hall. CFD's are a new process that takes several steps to complete. CFD's provide a funding mechanism for donated properties and services. The first step today is to adopt our local goals and policies.

Director Lane added that there will continue to be zones of benefits under LLD's. Director Lane noted that Faria has 740 dwelling units and Podva has only 20 units. Director Lane added that the formula of \$298 per dwelling unit was concerning.

Director Sutter asked if the cost of setting up a CFD will always be \$20,000. Auker replied that since this is the first one that is the price; however future ones that are not complicated could likely be less; cost does not include staff time. Director Sutter asked what if some homeowners believe they pay more than their fair share of taxes and do not want to pay this. Auker stated that the park does enhance their property values and the developer has decided to pass this cost to the property owner. Director Sutter asks can new homeowners break the Mello Roos mechanism. Steve Melikian, Special Counsel, Jones Hall, has worked with the District for over 20 years; added that it is theoretically possible that a tax could be rescinded however unlikely and has not been tried yet. Melikian continued stating that the vast majority of Mello Roos have been done in connection with bond issues and are not repealable after investors have purchased them. Director Sutter asked can you have multiple Mello Roos' on the same property. Melikian it is possible however not proposed here. GM Doyle added that we have been doing this with zones of benefit without protest; the value here is that it includes Public Safety. Director Sutter asked if there is an increase for inflation. Auker remarked that for a CFD we can build in a COLA based on index. Wieskamp and Waespi echoed gratitude to staff, as finance committee member, on their ability to mold this plan for the District.

Director Lane asked for more clarify on 25 or fewer units. Auker stated that staff will be coming back to the finance committee.

PUBLIC HEARING

- b. Approval of Engineer's Report for Fiscal Year 2015/2016, Adopt Resolution Confirming Diagram and Assessment, Order Maintenance, Improvements and Levy Annual Assessment for East Contra Costa County Landscaping and Lighting Assessment District No. 1; Adopt Resolution Regarding Protests Resolution No. 2015 – 06 -172 (attached)

Debra Auker, CFO reported on the LLD and this annual process to continue to levy the taxes for the work that has been done in East County. Director Burgis asked if this is the lowest special tax in EBRPD region to which Auker replied yes. Director Lane commented that zones of benefits are assessed on per housing developments and assessment can vary. GM Doyle added that the 2 county trail assessment is spread throughout the District and covers many more parcels. Director Sutter asked why Big Break is only listed as a trail. AGM Collins replied that the operation of the center is included. Director Lane said it should be listed as an eligible project. Tim Seufert, NBS commented that it was included years ago and we must be careful not to add specific named properties that were acquired when this was formed. It must be general funding for improvements. Director Sutter asked about Delta Access. Seufert stated that we have to look at the original report which says maintaining trails and district lands without actually calling out new acquisitions. Director Siden said that he would be interested in the study on the rate we adopted years ago and how adequate is the fee that was set against growth and cost. GM Doyle agreed that would be good to see that. Director Lane added that East County should be getting their property tax for regional parks. Director Sutter said that in areas that need to be improved – Big Break not listed is that in the East County Assessment. District. Collins explained that the areas to be improved are capital projects.

Jeff Rasmussen, Assistant CFO, recognized the wonderful work of Park Supervisor, Tammy Mueller and her staff. Rasmussen began his powerpoint highlighting and touching on the 2015 accomplishments.

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

Directors Present: Diane Burgis, Beverly Lane, Doug Siden, John Sutter, Ayn Wieskamp, Dennis Waespi.
Directors Absent: Whitney Dotson.

- c. **RESOLUTION OVERRULING PROTESTS**
(Pursuant to the Landscaping & Lighting Act of 1972)
Resolution No. 2015 – 06 - 173 (attached)

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

Directors Present: Diane Burgis, Beverly Lane, Doug Siden, John Sutter, Ayn Wieskamp, Dennis Waespi.
Directors Absent: Whitney Dotson.

3. BOARD AND STAFF REPORTS

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

General Manager Doyle discussed those items listed on the staff report. Director Sutter questioned on whether the developers were aware of the District needs. GM Doyle responded that staff has been in contact with all 3 of the potential developers and the District and housing development needs have been discussed. There is a need to bring the new and older communities into the park with access. Lane complimented Brian Holt on his taking the potential developers to the site.

4. GENERAL MANAGER'S COMMENTS

GM Doyle stated that there is no formal staff presentation tonight. Doyle acknowledged the HR Department outreach in recruiting police officers due to increased activity.

5. ANNOUNCEMENTS FROM CLOSED SESSION

District Counsel Victor announced there are no announcements.

6. Board Committee

- a. Board Executive Committee

Director Sutter had a question about HASPA's 6month extension. GM Doyle said original purpose was to coordinate with all of those agencies on the plan which has been implemented, there is a need to continue the committee. Director Sutter said have we considered including BCDC.

- b. Finance Committee

7. BOARD COMMENTS

Director Wieskamp reported on meetings attended. Director Wieskamp

- Attending the Shadow Cliffs Solar Panel meeting;
- Attended East Bay Leadership Council Luncheon;
- Attended the Cowgirl Luncheon in Livermore;
- Meeting with GM Doyle 1-on-1;
- Attending the Legislative Committee Meeting;
- Attending the Executive Committee Meeting.

Director Lane reported on meetings attended. Director Lane

- Attended Jim Townsend's retirement dinner;
- Toured the Nunn Property;
- Attended the Alameda County Mayors Conference, Danville;
- Attended the East Bay Leadership lunch;
- Attended the Tri-Valley Elected Women's Lunch in Pleasanton;
- Congratulations to Ira Bletz and Dave Zuckermann on their new positions;
- Thanked Mike Moran and staff for hosting this Board meeting.

Director Siden reported on meetings attended. Director Siden

- Attended the EB Economic Development Alliance Annual Retreat;
- Announced the Crown Beach Sandcastle event was a success;
- Attended Jim Townsend's retirement;
- Attended Concert at the Cove in Alameda;
- Attended the San Leandro Creek Alliance meeting;
- Recognized the project of Eagle Scout Nathan Ramos.

Director Sutter reported on meetings attended. Director Sutter

- Attended the Special Park Districts Forum (SPDF) in Michigan.

Director Waespi reported on meetings attended. Director Waespi

- Attended the Butterfly Festival at Coyote Hills;
- Attended the East Bay Leadership Council Luncheon;
- Went on Healthy Parks Healthy People hike at Hayward Shoreline with Nancy Kerrigan;
- Attended EBDA Workshop;
- Thanked staff for extending HASPA.

Director Burgis reported on meetings attended. Director Burgis

- Attended the ABAG Regional Planning Committee;
- Went out on Marsh Creek Trail with Kohls' working on fish ladders;
- Attended the SPDF in Michigan;
- Congratulated Dan Cunnings on new position.

D. ADJOURNMENT

The meeting was adjourned at 8:19 pm by Board President Dotson.

Respectfully submitted:

Yolande Barial Knight
Acting Clerk of the Board