

The Board Meeting, which was held on May 17, 2016 at the East Bay Regional Park District, 2950 Peralta Oaks Court, Oakland, CA was called to order at 12:06 p.m. by Board President Siden.

ROLL CALL

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

Directors Absent: Dennis Waespi, Treasurer

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 2:00 p.m. by Board President Siden.

Staff Present: Robert Doyle, Debra Aufer, Carol Victor, Ana Alvarez, Carol Johnson, Brian Holt, Erich Pfuehler, Aaron Roth, Anne Kassebaum, Al Love, Tiffany Margulici, Liz Musbach, Alicia Gonzales, Bob Nisbet, Deborah Spaulding, Nate Luna, Bill Zenoni, Tim Anderson, Jim O'Connor, Kristina Kelchner, Bill Zenoni, Jeff Rasmussen, Matt Graul, Al Love, Anthony Ciaburro, Sara Rieck, Linda Wu, Raphael Breines, Kelly Barrington, Mona Koh, Jim Tallerico, Linda Tubbs, Jessica Lau.

Guests: Scott Ferguson, Jones Hall Law Firm.

A. APPROVAL OF AGENDA

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

Directors For: Diane Burgis, Whitney Dotson, Beverly Lane, Doug Siden, John Sutter,
Ayn Wieskamp.

Directors Against: None.

Directors Absent: Dennis Waespi.

B. PUBLIC COMMENTS

Several members of the public spoke about items not on the agenda. Speakers introduced into the record studies which highlighted the impact of fuels and resource management projects on eucalyptus, returning the area to grasslands, the impact of the landslide near Wildcat Regional Park to their community and pesticide use and its application. Steve Myli, former employee, thanked the Board for his gift from them of a signed framed picture and for their contribution to the District.

C. BUSINESS BEFORE THE BOARD

CONSENT CALENDAR

By motion of Director Lane, and seconded by Director Sutter, the Board voted unanimously to approve the Consent Calendar.

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

- a. Approval of District Check Listing for the Period of
April 4, 2016 to April 24, 2016
Resolution No. 2016 – 05 – 114 (attached)
- b. Approval of the Minutes for the Board Meeting of May 3, 2016
- c. Authorization to Negotiate with Various Property Owners
Resolution No. 2016 – 05 – 115 (attached)

Director Sutter had questions on the location of items 2 and 4 in the staff report answered by both Liz Musbach, Chief of Land Acquisition and GM Doyle.

- d. Authorization to Execute a Consulting Services Contract with
Knapp Architects for Cultural Resource and Architectural
Consulting Services: Black Diamond Mines Regional Preserve
Resolution No. 2016 – 05 – 116 (attached)
- e. Authorization to Enter into a Mitigation Agreement and Convey
Real Property to Alameda County Flood Control and Water
Conservation District – P-Line West of Paseo Padre Parkway
(APNs 543-439-3-8 (Por.); 543-439-31 (Por.); 543-439-32-2
(Por.)): Coyote Hills Regional Park
Resolution No. 2016 – 05 – 117 (attached)
- f. Authorization to Purchase One Type III Fire Apparatus from HME,
Inc. to Replace 1997 Type III Fire Apparatus
Resolution No. 2016 – 05 – 118 (attached)
- g. Approval of Finance and Management Services Reorganization,
Merging Assistant General Manager of Finance and Management Services
and Chief Financial Officer/Controller Positions and Approval
of Job Duties, Authorizing One (1) FTE for Assistant Finance Officer
and One (1) FTE Confidential Secretary and Adjusting Compensation
Resolution No. 2016 – 05 – 119 (attached)

Director Lane extended her appreciation to GM Doyle, DGM Alvarez and AAFMS Auker on the thought that went into this reorganization.

- h. Approval of Resolution Ordering and Giving Notice of an Election to
be Held in the East Bay Regional Park District for the Purpose of Electing
Three Directors and Requesting the Board of Supervisors of Alameda
and Contra Costa Counties to Consolidate the District Election with
the Statewide General Election Being Held November 8, 2016
Resolution No. 2016 – 05 – 120 (attached)

- i. Adoption of Resolution of Intention to Order Improvements, Grant Preliminary Approval to the Draft Engineer's Report, Establish Date of Public Hearing and Instruct the Clerk of the Board to Provide Appropriate Public Notice of Hearing: Alameda County/Contra Costa County Regional Trails Landscaping and Lighting Assessment District (Two County LLD), 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 (Gateway Valley/Sibley Volcanic)(Zones of Benefit)
Resolution No. 2016 – 05 – 121 (attached)
- j. Adoption of Resolution of Intention to Order Improvements, Grant Preliminary Approval to the Draft Engineer's Report, Establish Date of Public Hearing and Instruct the Clerk of the Board to Provide Appropriate Public Notice of Hearing: East Contra Costa County Landscaping and Lighting Assessment District (ECCC LLD)
Resolution No. 2016 – 05 – 122 (attached)

2. FINANCE AND MANAGEMENT SERVICES DIVISION

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

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

- a. Approval of Resolution Declaring the Intention to Establish Community Facilities District No. C-2 Las Trampas and to Authorize the Levy of Special Taxes
Resolution No. 2016 – 05 – 123 (attached)

Deborah Spaulding, Asst. Finance Officer, introduced the history and steps that are being taken today to establish this CFD. A CFD is created to fund new public improvements and services and this is the District's second CFD formation. Brian Holt, Advanced Planning, provided additional context about the Faria Preserve via a PowerPoint presentation. Director Sutter referred to pg. 87 and asked the justification for the range of cost for the lots. Spaulding explained that staff looked at the average cost and the different styles of units developed; in this case a senior apartment is smaller, so there is less ability to pay for the higher tax rate and therefore they were assessed at a lower amount. CFDs allow for flexibility. Sutter asked if this been challenged. Scott Ferguson, Jones Hall, stated that the Mello Roos Act is very broad and he is not aware of any challenges. Director Lane added that the committee has spent a good amount of time on this and she is pleased that 'reasonableness' has been included and the improvements are forthcoming. Sutter said that this is an ingenious way to try to maintain our parks and is a tool that we haven't used before; there are benefits to all of the people in the subdivision. GM Doyle provided history about this project, the approval process, and how the time of implementation can impact a community. President Siden asked how to require the property owner to have an endowment. Holt stated that the property is subject to Federal law which does require the endowment. The public hearing will be held at Big Break Visitor Center on June 21.

By motion of Director Wieskamp, and seconded by Director Sutter, the Board voted unanimously to approve item 2b.

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

Director Absent: Dennis Waespi.

- b. Approval of Resolution Amending the Board Operating Guidelines Related to Purchasing, Contracting and Agreements and Changing Time of Regular Board Meetings
Resolution No. 2016 – 05 – 124 (attached)

Debra Auker, AAFMS presented a brief overview and introduced Bill Zenoni, Interim CFO. Zenoni, presented the District's purchasing of projects and procedures and discussed the changes using the handouts distributed to the Board. Assembly Bill 495, approved by the Governor, addressed EBRPD and Midpeninsula and provided with board approval, that the board may increase the GMs contracting authority from \$25K to \$50K. Any contract with a purchase cost exceeding \$50K will require Board approval and agreements not to exceed 5 years.

Director Sutter asked about whether the informal bids would be documented to which Zenoni agreed. Director Lane inquired if it is necessary to have this new policy in the Board Operation Guidelines (BOG), or go with something more general. Zenoni replied that for staff implementation we need to keep it in the BOG. GM Doyle said this is a policy level document and needs to be detailed. Sutter asked how the Job Order Contracting (JOC) fit in with this bidding system. Bob Nisbet, AGM ASD answered that JOC are annual competitively bid contracts with a \$50K minimum and the District is under no obligation to give contractors additional job orders. Director Wieskamp stated changing the meeting time of the Board meeting to 1:00 pm works well for the Board and staff. President Siden asked that Public Affairs notify appropriately the new start time of 1:00 pm for board meetings beginning July 1, 2016.

By motion of Director Sutter, and seconded by Director Dotson, the Board voted unanimously to approve item 2c.

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

- c. Authorization to Amend the 2016 Budget, Appropriate Funds and Close Measure WW Local Grant Program Projects
Resolution No. 2016 – 05 – 125 (attached)

Tiffany Margulici, Grants Manager, began with an overview of the Measure WW local grant program of \$125 million. To date, the District has received 26 new project applications and 4 budget increase requests for a total appropriation request of \$9.8 million. Part of this action will close 33 projects. Director Lane remarked that she was happy to see Contra Costa County projects on the list and asked what were the Iron Horse Corridor improvements? Margulici replied she will get back to Lane with answers. Director Burgis commented on the excitement of the renovation and the coming All Abilities playground. Burgis looks forward to hearing about creek restoration funding. Director Wieskamp asked what is Urban Tilth. Margulici answered it is a non-profit doing an urban farming project in unincorporated areas. Director Siden had a specific question on page 125 regarding "...to continue in the approval process". Margulici said that some applications may be pending additional material, and staff will work with the agencies from now until June 2016.

BOARD AND STAFF REPORTS

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

General Manager Robert Doyle discussed those items listed on the staff report.

3. GENERAL MANAGER'S COMMENTS

GM Doyle introduced Kelly Barrington. Kelly Barrington, Chief of MAST, delivered a PowerPoint presentation entitled District-Wide Service Yard Upgrades. The objective is to systematically renovate existing facilities in order to provide staff with safe and efficient workspaces and storage. Director Siden asked what determines a work site. Barrington said a lot of time it is selected opportunistically. Director Sutter asked what the procedure is for deciding who designs the buildings. Barrington said the steel buildings are pre-engineered. Director Lane asked if there are any improvements for South County. Barrington said there are some basic improvements. Siden thanked the leadership of this District. GM Doyle complimented staff on their ingenuity.

4. ANNOUNCEMENTS FROM CLOSED SESSION

District Counsel Victor announced that there were no announcements from closed session.

5. BOARD COMMITTEE REPORTS

- a. Natural and Cultural Resources Committee (02/25/16) (Nisbet/Lane)

7. BOARD COMMENTS

Director Siden reported on meetings attended. Director Siden

- Acknowledgement of Police Officer Memorial Week;
- Attended the ACSDA meeting;
- Attended the San Leandro Creek Alliance meeting;
- Attended the Regional Parks Foundation meeting;
- Attended the Barbara Lee & Elihu Harris' lecture series;
- Attended the Executive Committee meeting;
- Attended the EB EDA Forecast;
- Attending the BBQ Volunteer reception;
- Attended the Board workshop.

Director Lane reported on meetings attended. Director Lane

- Visited Sycamore Valley;
- Attended the Vargas opening;
- Attended the Executive Committee meeting;
- Attended the public opening of San Ramon's new city hall;
- Attended the Board workshop;
- Went to the Las Trampas exhibit in Danville;
- Congratulated Erich Pfuehler, Bob Doyle and staff for CCTA;
- Attending RPA meeting.

Lane announced that she will not be at the July 17 meeting.

Director Sutter reported on meetings attended. Director Sutter

- Attended the Vargas plateau opening;
- Attended the Taste of Spring in Oakland;
- Attended events featuring AA, restoring the wetlands RPA;
- Attended ACSDA meeting in Board room;
- Attended the Board workshop;
- Attended the Measure DD Community Coalition meeting;
- Attended the BAOSC in Richmond.

Director Burgis reported on meetings attended. Director Burgis

- Attended a Marsh Creek celebration;
- Attended the Board workshop.

Director Wieskamp reported on meetings attended. Director Wieskamp

- Attended the Vargas opening;
- Attended the ACSDA meeting;
- Engaged in the Eden Healthcare system at LAFCO;
- Attended the Habitat Means Home event at Coyote Hills;
- Rode the Ardenwood train;
- Attended the Board workshop.

Wieskamp spoke with Bob Coomber of LARPD about Sycamore Grove.

Director Dotson reported on meetings attended. Director Dotson

- Attended the Executive Committee meeting;
- Attended the North Richmond Shoreline Festival planning meeting;
- Attended the Board field trip;
- Attended the Board workshop;
- Will attend the BAOSC in Richmond.

D. ADJOURNMENT

The meeting was adjourned at 5:17 pm by Board President Doug Siden.

Respectfully submitted:
/s/ Yolande Barial Knight
Clerk of the Board