

The Board Meeting, which was held on March 15, 2016 at the East Bay Regional Park District, 2950 Peralta Oaks Court, Oakland, CA was called to order at 12:30 p.m. by Board President Siden.

ROLL CALL

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

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 2:15 p.m. by Board President Siden.

Staff Present: Robert Doyle, Dr. Ana Alvarez, Debra Auker, Carol Victor, Carol Johnson, Erich Pfuehler, Mona Koh, Aaron Roth, Rob Lim, Mimi Waluch, Anne Kassebaum, Matt Graul, Liz Musbach, Mark Ragatz, Alicia Gonzales, Alan Love, Mimi Waluch, Bob Nisbet, Bill Zenoni, Larry Tong, Julie Bondurant, Ren Bates, Chris Barton, Kelly Barrington, Jeff Rasmussen, Tim Anderson, Carolyn Jones, Sean Dougan, Lance Brede, Brian Holt, Michael McNally, Tiffany Margulici, Timothy Anderson

Guests: Steve Harker, President and James Birchall, Regional Manager; Touchstone Golf LLC,

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, Whitney Dotson, Beverly Lane, Doug Siden, John Sutter, Dennis Waespi, Ayn Wieskamp.

Directors Absent: None.

B. PUBLIC COMMENTS

Mark Pearson, AFSCME President, requested a classification and compensation study be conducted for all AFSCME positions prior to negotiations. Dee Rosario, Retiree Association, thanked the Board for the vote of the closure of Chabot Gun Club. William Yragui, Mission Peak Conservancy, believes the focus should be on community policing and not giving over 1200 citations since curfew restrictions at Mission Peak. Kelly Abreu, added his sentiments about community policing at Mission Peak and the need for a liaison meeting with Fremont.

C. BUSINESS BEFORE THE BOARD

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

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

Directors Absent: None.

- m. Authorization to Award Contract to CLE Engineering for Water
Trail Access & Shoreline Improvements: Point Isabel Regional
Shoreline
Resolution No. 2016 – 03 – 065 (attached)

Director Lane had a question on how approaching the rip rap on Hoffman Channel relates to a water trail. Jeff Rasmussen, Assistant Finance Officer, said the District needs to master plan the site to meet the CEQA and permit requirements, ensure that all of the park needs are met and to plan the site correctly. Rasmussen stated that there is no money for building yet, but staff is pursuing grants and considering ADA accessibility. GM Doyle clarified that this is a very high use park and whatever is done needs to be logical and long term, not precluding some use or impacting others.

Ben Botkin, Water Trail Planner at ABAG, thanked the Board and staff for their commitment to the site. Jim McGrath, SF Board Sailing Association and Bay Access, thanked staff for working to restore the beach. Robert Cheasty, Executive Director for Citizens for Eastshore Parks, spoke in favor of this item. GM Doyle said the Board was concerned with using grant money without a priority system and thanked staff for coming back to the Board with additional information.

I. CONSENT CALENDAR

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

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

Directors Absent: None.

- a. Approval of District Check Listing for the Period of February
1, 2016 to February 14, 2016
Resolution No. 2016 – 03 – 054 (attached)

Approval of the Minutes for the Board Meeting of March 15, 2016

- c. Authorization to Negotiate with Various Property Owners
Resolution No. 2016 – 03 – 055 (attached)

- d. Authorization to Establish the Classification, Unit Designation,
and Salary Range for Legislative Assistant – Confidential:
General Manager's Office
Resolution No. 2016 – 03 – 056 (attached)

Director Siden commended Erich Pfuehler, Government Affairs Manager for all of his work at the State, Federal and Local level.

- e. Approve Amendments to the Mandated Reporter Policy
#16: Human Resources Division
Resolution No. 2016 – 03 – 057 (attached)

Director Lane commented that this item should have come before the Executive Committee. Lane expressed concern with the time needed for the designated mandated reporter staff to effectively learn what they are supposed to look for and report. Lane asked if the District has done any reporting in the past. Sukari Beshears, HR Manager, stated that HR is working to ensure people are trained. District Counsel Victor replied that she is not aware if there have been reports, because under state law employees who are mandated reporters are not required to report that they have reported to their employer. Victor explained that reporting to school district police or security guards does not qualify as an adequate report under the law.

- f. Approval of Out-of-State Travel for Directors Diane Burgis, Whitney Dotson, Beverly Lane and Dennis Waespi and General Manager Robert E. Doyle to attend meetings on Capitol Hill, Washington, DC
Resolution No. 2016 – 03 – 058 (attached)
- g. Approval of Out-of-State Travel for General Manager Robert E. Doyle to Attend the White House Water Summit in Washington, DC
Resolution No. 2016 – 03 – 059 (attached)

Director Siden commended GM Doyle for being invited to the White House.

- h. Authorization to Enter Into a Concession Agreement with Touchstone Golf, LLC at Redwood Canyon Public Golf Course: Lake Chabot Regional Park
Resolution No. 2016 – 03 – 060 (attached)

Director Lane had a question about the 25-year term of the agreement. Lane commented that she was unsure if the District expects Touchstone to put in a lot of capital. AGM O'Connor, said that the term is a maximum of 25 years, but it could be less. Mimi Waluch, Business Services Manager, answered questions on the lease agreement with Tilden, and the lease agreement with Touchstone. Directors Lane, Burgis and Siden expressed that a 25-year term is too long. GM Doyle said staff is not doing one 25-year agreement, the agreements are structured in increments to allow for renegotiation. Burgis expressed an interest in the Audubon certification which makes a more environmentally friendly golf course. O'Connor said that Touchstone has included it in the contract. Director Wieskamp said that the District has invested in the golf course to make it viable, and agrees with a 25-year max. Director Waespi complimented District staff and Touchstone for an incredible job on improvements. GM Doyle stated that this is a good example of the new team at the District and quality of work that staff can do to manage subcontractors.

- i. Approval of 2016 Risk-based Internal Audit Plan, and Confirmation of Organizational Independence, with Qualification, of the Internal Audit Function
Resolution No. 2016 – 03 – 061 (attached)
- j. Authorization to Apply for Grant Funds from the California Coastal Conservancy for the Bay Point Restoration and Public Access Project: Bay Point Regional Shoreline
Resolution No. 2016 – 03 – 062 (attached)

Directors Sutter asked what the total costs for the project will be and the likely sources of funding. Tiffany Margulici, Acting Grants Manager, presented a slide with the draft funding strategy for this project. Director Burgis asked if this project qualifies for Measure J. Margulici replied that it does not qualify.

- k. Authorization to Apply for Grant Funds from the California Coastal Conservancy for the McCosker Creek Restoration and Public Access Project: Sibley Volcanic Regional Preserve
Resolution No. 2016 – 03 – 063 (attached)

Directors Sutter asked the anticipated total cost of the project, and inquired about the likely sources of funding. Tiffany Margulici, Acting Grants Manager, presented a slide with the draft funding strategy for this project.

- l. Authorization to Modify Measure CC Project Description and Transfer Funds for Demolition of Former Federal Buildings on McKay Avenue: Crown Memorial State Beach
Resolution No. 2016 – 03 – 064 (attached)
- n. Authorization to Execute a Contract with Bartel Associates, LLC to Provide Actuarial Consulting Services
Resolution No. 2016 – 03 – 066 (attached)

Director Sutter asked about the increase in services in the Transamerica Plan. Bill Zenoni, Acting CFO said that the District is required to have an actuarial evaluation every 2 years, since the last one was in 2015, the increase will cover the actuarial evaluation in 2017.

2. ACQUISITION & STEWARDSHIP DIVISION

PUBLIC HEARING

- a. Authorization to Award a Professional Services Contract to Questa Engineering Corporation and to Adopt Supplemental Environmental Impact Report (SEIR) California Environmental Quality Act (CEQA) Findings (SCH#2012032072) and Supplemental Mitigation Monitoring and Reporting Program for Phases 2 and 3 of the Albany Beach Restoration and Public Access Project: McLaughlin Eastshore State Park
Resolution No. 2016 – 03 – 067 (attached)

Chris Barton, Project Manager, used a PowerPoint to orient the Board and outline the goals to implement the park general plan, to stop landfill erosion, improve quality and function of existing facilities, habitat enhancement, accommodate multiple uses and keep the bay trail along the bay. Barton presented the project history from 2012 to present. The project used a natural durable trail surface, not asphalt, and improved about 1800 feet of trail which is now ADA accessible. All of the debris removed was reused at the plateau and about 10,000 tons stabilized the shoreline. Phase 2 will encompass Beach Area Improvements and Phase 3 will connect the Bay Trail to Buchanan Street. Barton also presented the budget overview and the professional services required.

Director Waespi asked what was done with the rebar after the demolition. Barton said it was broken up and hauled off. Director Lane asked if natural durable trail surface is being used elsewhere in the District. Kelly Barrington, Chief of MAST, said it is not being used at the present. Director Sutter about the neck's width. Barton said the trail will be 12 feet wide and is designed for multiple uses. Staff hopes to deliver this project in 2018-2019.

President Siden opened the public hearing.

Paul Kamen, Berkeley Parks & Waterfront Commission and Bay Access thanked the Board and District on a good job. Jim McGrath, SF Sailing Association, said the staff work is great and he has never been accosted by a dog the many years he has ridden this trail. Kelly Smith, SPRAWLDEF and the Sierra Club, said the off leash dog issue will impact this environmentally sensitive area and the people who will be using the trail. Mr. Smith asked that the Board not approve the project. Robert Cheasty, Citizens for Eastshore Parks, is in support of the project because a trail, waterfront access and clean beach are much needed. Ellen Barth says there needs to be some action against off leash dogs. Ed Bennett commented on the EIR, on estimates of dogs visiting the beach and said there should be no dogs off leash. He added the rest of the project looks great.

President Siden declared the public hearing closed.

Director Sutter had questions about the map and how it relates to the staff report. Director Lane said that this is such a beautiful site, congratulated staff and consultants for the trail along the neck. Lane paid tribute to the Board for using eminent domain to get the trail. GM Doyle said this project has been ongoing for 30 years and is a poignant transformation of a landfill into both a recreational trail and habitat. Doyle has confidence that when the project is complete, staff will figure out the long term uses and address them. Sutter agreed with the GM and agreed that the District will have to bite the bullet on the issue, stating this is great project. Siden commended Friends of Eastshore Park who fought this battle for years.

President Siden requested a roll call vote. There were of 7 aye's in favor.

By motion of Director Dotson, and seconded by Director Sutter, the Board voted unanimously to approve Item C-2-a.

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

Directors Absent: None.

- b. Authorization to Award a Contract to O.C. Jones & Sons for
Brickyard Soil Cleanup and Grading: McLaughlin Eastshore State
Park
Resolution No. 2016 – 03 – 067 (attached)

By motion of Director Dotson, and seconded by Director Sutter, the Board voted unanimously to approve Item C-2-b.

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

Directors Absent: None.

Bob Nisbet, AGM Acquisition Stewardship Division introduced Ren Bates, Project Manager. Bates presented a PowerPoint on the Brickyard site covering conservation and recreation. He described the soil broker site and the intent to raise the spit to make it less accessible to dogs and people, to obstruct the wildlife, edit out the freeway noise and increase views. Director Sutter asked if this went through our normal LUP, or is it based on the state plan and are the elevations in the original plan. Bates replied that it is based on the state plan. GM Doyle said the company went bankrupt and didn't remove the dirt. GM Doyle explained the difference between the state plan and the plan that staff developed. Sutter asked the locations for off leash and leashed dog areas. Nisbet explained that Ordinance 38 states dogs need to be on leash in developed areas and off leash in natural areas; the exact location is not yet determined. Lane said the discussions about usage and

details should go before the Executive Committee. Lane asked about the cost the District has incurred regarding the dirt, and if the District will break even. Bates said there will be a small off haul site and the District expense should be pretty close to even. Victor added that the pile was significantly bigger and this dirt was sourced to do the grading at Atlas Bridge and used at Albany Beach. Director Waespi asked about the clean-up of arsenic and any unforeseen contaminants. Bates said there is a potential for contaminants, however the District has done many tests. GM Doyle says it is a lower cost and less buildings. Sutter asked if the source of \$5 million in funds is from state money. GM Doyle says it is real money. Sutter asked if trails be open to bicycles. Bates replied it has not yet been determined. Siden asked the existing height of the pile. Bates replied it is 55 feet at the highest point. Siden commented on the Sea Breeze store being moved off the corner. GM Doyle said state parks felt it was too high of a value to give it to a concession. Director Siden asked what is being adopted. GM Doyle answered the Board is letting the contract for the Phase I grading and the plan has already been adopted.

John Fordyce said he loves the Brickyard for walking his dogs and requests that the Board take a step back and include those who use the park. He commended Ren Bates for the plan. Ed Bennett said that he thinks the hills are necessary to cut the wind. He echoed concern that dogs need to be controlled during the construction phase. Robert Cheasty, Citizens for Eastshore State Park, said the plan has been successfully vetted and the District has done a great job in balancing the competing interests. He mentioned having an interpretive center in the Seabreeze. Director Lane asked if there are any utilities. Bates said in the next phase.

- c. Authorization to Execute a Contract for Consulting Services with Environmental Science Associates (ESA) for the McCosker Stream Restoration and Recreational Infrastructure Project: Sibley Volcanic Regional Preserve
Resolution No. 2016 – 03 – 068 (attached)

By motion of Director Sutter, and seconded by Director Burgis, the Board voted unanimously to approve Item C-2-c.

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

Julie Bondurant, Principal Planner introduced this item via PowerPoint. Bondurant's presentation consisted of background on the study area, location of the project and contract parameters. Director Sutter asked about the campsites, and remarked on the beauty of the site. Bondurant said the total disturbed area is approximately 8½ acres and is somewhat flat, but most of the site is quite steep. Sutter referred to the report which stated that the group camp has the capacity for 150, and Director Waespi asked if Skyline could accommodate that number. Bondurant replied that staff will work through the plan to control access. Director Siden inquired about the barn and if it held any historical significance. Bondurant replied that there is no historic significance, it is a modern building and will most likely be retained. Siden inquired about the financial impacts of the project stages. Bondurant referred to the cost estimates slide. Director Lane commented that this is an exciting project and a beautiful piece of property. GM Doyle added that staff is trying to give the Board the total picture, phase in funding and move ahead with the priorities and obtain grants. Director Wieskamp agreed it is a beautiful site and a good use of funds. Lane added that at some point we should name the stream. Siden acknowledged Larry Tong for his work on this project.

3. 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.

4. GENERAL MANAGER'S COMMENTS

General Manager, Robert Doyle announced that the staff presentation was postponed due to the time.

5. ANNOUNCEMENTS FROM CLOSED SESSION

District Counsel Carol Victor had no announcements.

6. BOARD COMMITTEE REPORTS

- a. City of Alameda/EBRPD Liaison Committee (10/28/15) (Siden)

Directors Sutter and Siden acknowledged progress is being made.

7. BOARD COMMENTS

Director Siden reported on meetings attended. Director Siden

- Attended the San Leandro Creek Alliance meeting;
- Attended the American Camp Association (ACA) Conference, Atlanta, GA; presented a written and oral report to the Board;
- Attended the California Park and Recreation Services Conference (CPRS); presented a written and oral report, District received Creating Community Award for Teen Eco Action.

Director Lane reported on meetings attended. Director Lane

- Attended the Executive Committee meeting;
- Attended the Pleasanton Liaison Committee meeting;
- Attended the Eagle Scout and Mentor ceremony, Las Trampas;
- Column appeared in Valley Sentinel on Las Trampas and access;
- Viewed the nodes at Ironhorse Trail;
- Thanked Finance for the 2016 Budget and Budget Brief;
- Thanked the Redwood Canyon Golf Course for all the work with the successful Board meeting;
- Attended the Alameda County Mayors Conference, Lafayette;
- Attended the Elected Women's Luncheon.

Director Sutter reported on meetings attended. Director Sutter

- Noted that Pt. Molate has been cleaned up and transferred to Richmond, an opportunity for the District;
- Attended the City of Alameda Liaison Committee meeting;
- Attended the Alameda County Mayors Conference in Lafayette;
- Met with Jeremy Madsen, Executive Director of Greenbelt Alliance;
- Met with people from Save the Bay concerned with smoke free parks;
- Had discussions relating to the SFBRA;
- Teleconferencing tomorrow with SFBRA;
- Attending meeting with Oakland staff about the Bay Trail;
- Thanked staff for the March 1 meeting.

Director Waespi reported on meetings attended. Director Waespi

- Attended the Pleasanton Liaison Committee meeting;
- Attended the San Leandro Creek Alliance meeting;
- Attended the CPRS Conference in Long Beach;
- Passed out a great program for the Lake Chabot anniversary.

Director Burgis reported on meetings attended. Director Burgis

- Attended the Alameda County Mayors Conference, Lafayette;
- Attended the Network of Care crab feed;
- Complimented staff on doing a great job at the March 1 meeting, media coverage was well done;
- Attended the Antioch Chamber gala event;
- Had *Coffee with Cops* at Big Break;
- Met with staff and Delta Conservancy about grant potential;
- Announced that the program Open Roads will cover Marsh Creek, thanked Carol Johnson.

Director Wieskamp reported on meetings attended. Director Wieskamp

- Attended the Pleasanton Liaison Committee meeting;
- Attended the Alameda County Mayors Conference, Dublin;
- Attended the LAFCO meeting;
- Attended the Elected Women's Luncheon;
- Attended CALEA at Public Safety;
- Announced that Marlon Pound, former LARPD member, passed away;
- Congratulated staff and the golf course employees on a great job at the March 1 meeting.

Director Dotson reported on meetings attended. Director Dotson

- Attended the Rosie the Riveter exhibit and lecture;
- Attended the TRAC meeting focusing on Pt. Molate;
- Attended the Alameda Camp Association Conference, Atlanta, GA;
- Attended the CPRS Conference.

8. Workshop to Review District Priorities Discussed During Capitol Hill Meetings

The discussion was deferred to the April 5, 2016 meeting due to the time of the meeting.

D. ADJOURNMENT

The meeting was adjourned at 5:55 pm by Board President Doug Siden.

Respectfully submitted:

/s/ Yolande Barial Knight
Clerk of the Board

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