

The Board Meeting, which was held on December 15, 2015 at the East Bay Regional Park District, 2950 Peralta Oaks Court, Oakland was called to order at 12:55 p.m. by Board President Dotson.

ROLL CALL

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

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

Staff Present: Jim O'Connor, Debra Auker, Carol Victor, Carol Johnson, Erich Pfuehler, Aaron Roth, Rob Lim, Mimi Waluch, Anne Kassebaum, Matt Graul, Liz Musbach, Alicia Gonzales, Bob Nisbet, Debra Auker, Bill Zenoni, Renee Patterson, Chief Dan McCormick, Katy Hornbeck, Linda Wu, John Bouyea, Larry Tong, Michele Julene, Julie Bondurant, Chris Barton, Kristina Kelchner, Mark Pearson, Mona Koh, Glen Gilchrist, Eri Suzuki, Noah Dort, Kelly Barrington, Elaine Deshaies, Bill Zenoni, Jason McCrystle, Jeff Rasmussen, Nadine Vargas, Tim Anderson.

Guests: Jim Gwerder

A. APPROVAL OF AGENDA

By motion of Director Siden, and seconded by Director Dotson, 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

Toni Mester advocated for the park district to use Records OnLine, currently in use at city of Berkeley.

C. BUSINESS BEFORE THE BOARD

By motion of Director Burgis, and seconded by Director Wieskamp, the Board voted unanimously to approve Item o.

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

Directors Absent: None.

- o. Authorization to Establish the Classification, Unit Designation, and Salary Range for Aircraft Maintenance Specialist/IA and Upgrade 1.0 FTE Helicopter Mechanic/IA Position to the New Classification: Public Safety Division
Resolution No. 2015 – 12 – 348 (attached)

Kym Anderson, read a comment on behalf of AFSCME pertaining to this item. Sukari Beshears, Human Resources Manager clarified there was agreement for two separate classifications on the books with only one position being filled.

By motion of Director Siden, and seconded by Director Wieskamp, the Board voted unanimously to approve Item y.

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

Directors Absent: None.

- y. Authorization to Enter into a Third Amendment to the Lease Agreement with the Chabot Gun Club, Inc. to Extend the Term For Three Months Through March 31, 2016
Resolution No. 2015 – 12 – 349 (attached)

District Counsel, Carol Victor stated that this resolution would set a deadline of January 15, 2016 for the Gun Club (Club) to make a financial proposal to operate the gun range as part of lease negotiations. Director Sutter asked what happens if the Board does not adopt this action and has the Club agreed to it. Victor replied that the lease will expire December 31, 2015. The Club has requested until March 31, 2016.

Frank Burton, spoke against using taxpayer dollars to subsidize the operation of the Gun Club, mentioned that the mitigation costs would increase and that the source of a noise nuisance has to work with those who are impacted which in this case are the homeowners. Joanne Drabek, is against a long term extension unless there is: a complete EIR, clean-up of the current situation with initial costs shared between the Club and the District and future clean-up costs to be completely at Club's expense. Cindy Margulis, representing the Golden Gate Audubon Society, opposes any extension of the Club's lease. Margulis added the Clubs presence has been destructive of public parklands, the watershed, put lead into the environment and impacted homeowners' right to peace. Toni Mester, is against the extension because taxpayers do not want to pay for the clean-up and it de-values the District's and the private homeowners' property.

John Maunder, Senior Range Master of the Chabot Gun Club, asked for an extension beyond January 15 to March 31 to submit a full business plan. He mentioned the Club has succeeded in their environmental responsibilities and are under the benchmark requirements. Maunder asked for documentation that the District had in fact asked the Club for a full business plan. Director Sutter asked if the Club's plan will include numbers on the cost from their consultants. Maunder said they would like time to address the infrastructure, the environmental issues, the storm water, the lead and sound issues. Sutter stated that Mr. O'Connor's plan gives dollar amounts on clean-up costs to continue operations, etc. does the Club have any numbers? Maunder replied that they have been working with specialists and their numbers are much more manageable than the Districts'. Sutter asked if they have shared any numbers with staff. Maunder said they have given informal estimates but they are not yet in the condition to give numbers. Director Lane remarked that at the last Board meeting representatives of the Club stated they had figures that disputed the staff report, so the Board pledged to extend the time to allow the Club for to provide their figures, the District is not asking for a full business plan but some figures. Victor commented that the Club needs to make a lease proposal and show income they can generate, over what period of time and what amount of monies can they contribute. Burgis

asked when was the initial report put out. AGM Operations, Jim O'Connor said the first public review was on September 24. Maunder did say the Club has taken samples which indicate below benchmark. Matt Graul, Chief of Stewardship, said the results are not representative of the way it was collected. Victor said that staff does not think that the sample was valid because it doesn't comply with testing protocol. Graul explained the collection methods of the sample; chain of custody form wasn't completed and samples were not held on ice; therefore, concerned about the data. Director Waespi asked did staff take our own samples. Graul explained that there needs to be 48 hours of no discharge in between samples.

Matt Eremko, a hiker, bicyclist and resident of San Leandro. Eremko read the 1984 Anthony Chabot EIR LUP emphasizing that the noise level was from aircraft overflight, off road motorcycle use from the motorcycle park and the marksmanship range. Eremko said that the District closed the motorcycle park because of erosion and noise concerns and it should close the Club for noise concerns. Glenn Kirby, speaking on behalf of the Sierra Club, restates their opposition against continued operation of the Club. Kirby added that the Club's representative is referring to standards for an operational industrial site and any plans submitted to the District must include how the Club will return the land to the District, to meet the regulatory standards for parklands.

GM Doyle agreed that since the Clubs consultant did not agree with staff's analysis, District would get a peer review. Victor has identified a third party consultant. GM Doyle asked if there is agreement from the Club for the extension. Maunder replied that at this time the Club does not know what their response will be to the January 15 deadline.

Director Burgis asked if there is no agreement nor a response from the Club, does the original December 31, 2015 expiration go into effect. Victor said the Board can approve the extension and if the Club does not accept it nor sign the lease extension, it will expire on December 31, 2015.

I. CONSENT CALENDAR

By motion of Director Lane, and seconded by Director Burgis, the Board voted unanimously to approve the consent calendar with the exception of y and o.

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 November 2, 2015 to November 15, 2015
Resolution No. 2015 – 12 – 350 (attached)
- Approval of the Minutes for the Board Meeting of December 1, 2015
- c. Authorization to Negotiate with Various Property Owners
Resolution No. 2015 – 12 – 351 (attached)
- d. Authorization to Execute a Contract for Surveying Services with St. John Land Consulting: District Wide
Resolution No. 2015 – 12 – 352 (attached)
- e. Authorization to Accept a Donation of 26.87± Acres of Real Property from Russell City Energy Company, LLC ("RCEC"), Accept and Appropriate a Cash Contribution from RCEC, Amend an Agreement with RCEC, and Transfer and

Appropriate Funds for Related Acquisition Expenses: Hayward Regional Shoreline
Resolution No. 2015 – 12 – 353 (attached)

Director Sutter asked if funds will be used for levy repair. Liz Musbach, Land Acquisition Manager, answered that the funds will accept the donation which can be used for levy repair.

- f. Authorization to Award a Contract to Abraxis, LLC for the Sole Source Purchase of a Cyanotoxin Automated Assay System to Test Blue Green Algae
Resolution No. 2015 – 12 – 354 (attached)
- g. Authorization to Amend Existing Consultant Contract for Engineering Services for the Atlas Road Extension Improvements Project: Point Pinole Regional Shoreline
Resolution No. 2015 – 12 – 355 (attached)
- h. Authorization to Ratify the Contract with the Dutra Group for the Emergency Repairs to the Arrowhead Marsh Boardwalk: Martin Luther King, Jr. Regional Shoreline
Resolution No. 2015 – 12 – 356 (attached)

Director Siden commended the staff on these repairs. Rob Lim, Chief of Design and Construction, the project will be completed next year.

- i. Authorization to Purchase One Toro Mower from Turf Star, Inc.
Resolution No. 2015 – 12 – 357 (attached)
- j. Authorization for a Sole Source Purchase with RECONYX for Security Cameras for Park Staging Areas: District-wide
Resolution No. 2015 – 12 – 358 (attached)
- k. Authorization to Extend the Second Term and Amend the Special Use Agreement with the Society of the Preservation of the Carter Railroad Resources, Inc.: Ardenwood Historic Farm
Resolution No. 2015 – 12 – 359 (attached)

Director Siden, the District and the public are fortunate that this private group preserves the railroad cars and look forward to a board field trip. Jim O'Connor, AGM Operations agreed and will work on a field trip.

- l. Authorization to Enter into a Sole Source Purchase Agreement with Aviation Specialties Unlimited for AVS-9 Aviator Night Vision Imaging Systems: Public Safety Division
Resolution No. 2015 – 12 – 360 (attached)
- m. Award of Contract to Print and Authorization to Distribute Regional in Nature Publication
Resolution No. 2015 – 12 – 361 (attached)

Director Siden asked about the accuracy of distribution. Carol Johnson, AGM Public Affairs, stated staff is spot checking and will distribute to the 2016 publication dates to the Board.

- n. Authorization to Award a Contract with Dakota Press for Printing General Brochures and all Park Maps for the Years 2016 & 2017
Resolution No. 2015 – 12 – 362 (attached)

- p. Authorization to Accept and Appropriate the Interest from Waste Management of Alameda County (WMAC): Oyster Bay Regional Shoreline Projects
Resolution No. 2015 – 11 – 363 (attached)

Director Sutter asked for clarification on use of funds. Tiffany Margulici, Acting Grants Manager, replied the landscape buffer project at Oyster Bay.

- q. Authorization to Amend a Contract for Temporary Staffing Services with Accountemps
Resolution No. 2015 – 12 – 364 (attached)

- r. Authorization to Transfer Budgeted Project Funds and Change Project Name to Consolidate Design and Construction Projects: District-wide
Resolution No. 2015 – 12 – 365 (attached)

- s. Authorization to enter into a Cooperative Funding Agreement with the University of California, Berkeley to Apply Terrestrial LiDAR Technology for Inventorying and Accessing Wildland Fuels Management Treatment Options
Resolution No. 2015 – 12 – 366 (attached)

- t. Authorization to Pay Activation Fees to the East Bay Regional Communications System Authority (EBRCSA) for Twenty-Seven Radio Units Utilized by the Fire Department
Resolution No. 2015 – 12 – 367 (attached)

Director Siden asked if Oakland is included and how universal is the utilization. Tim Anderson, AGM Public Safety, is Vice Chair of the EBRCSA, Oakland has signed on and the District has radios working district wide.

- u. Authorization to Appropriate and Disburse Funds Pursuant to a Legal Settlement in the case of Hornischer v. East Bay Regional Park District et al.
Resolution No. 2015 – 12 – 368 (attached)

- v. Authorization to Negotiate and Execute an Agreement with the San Francisco Bay Restoration Authority to Reimburse Certain Election Costs Imposed by the Nine County Registrars
Resolution No. 2015 – 12 – 369 (attached)

- w. Authorization to Award ThyssenKrupp Elevator Corporation Contract to Update and Install Elevator Modernization Equipment as Required for Existing Hydraulic Elevator at the District's Administration Building
Resolution No. 2015 – 12 – 370 (attached)

- x. Authorization to Purchase For Inventory One Year's Stock of Motorola Radios for use by Park Operations and District Vehicles
Resolution No. 2015 – 12 – 371 (attached)

2. ACQUISITION, STEWARDSHIP & DEVELOPMENT DIVISION

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

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

- a. Authorization to Exercise the Option and Accept, 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 the Ronald Nunn Family Limited Partnership, a California Limited Partnership, and Execute a Lease with RRS Farms: Delta Access Regional Recreation Area
Resolution No. 2015 – 12 – 372 (attached)

Liz Musbach, Land Acquisition Manager, stated that Abbey Fateman, Executive Director of the ECCC Habitat Conservancy sends her best wishes and acknowledged Jim Gwerder who is in audience. Suzanne Lusk, Land Acquisition Specialist, PowerPoint presentation that shows the location of the property and the habitat of the site. Lusk walked the Board through the site and this acquisition. Director Siden asked if we had water rights. GM Doyle said extensive staff time on this and the rights are still there however subject to drought conditions. Lane exciting purchase with potential of being able to link with big break and delta access and would be interested in the historic valuation of the house. Director Burgis pointed out a dutch slough project and this acquisition could have some trail and kayak options and interest in wetland restoration from other agencies.

By motion of Director Burgis, and seconded by Director Lane, the Board voted unanimously to approve Item 2b.

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

- b. Authorization to Execute a Contract for Consulting Services with GHD, Inc., and to Appropriate and Transfer Funds for the San Francisco Bay Trail – Oakland to Alameda, Phase I Project (Doolittle Drive South Phase): Martin Luther King Jr. Regional Shoreline
Resolution No. 2015 – 12 – 373 (attached)

Rob Lim, Chief of Design and Construction introduced Nelson Lam, Project Manager, to discuss the 3 recommendations that are focusing on the design phase which combines two projects into one. The first is the Bay Trail extension and the second is the boat launch retrofit project. We are combing a challenging project into a complex project. The complexity is sufficient enough to conduct a feasibility study. The goal is to connect the main park to the shoreline center and therefore we must address the challenges. This study identifies 3 alignments with several challenges that Lam explains and staff identified the scope of work as described in the staff report. Lam mentioned minimal buildable space for the trail. Staff is now working on the BCDC permit which focusing on climate change and sea level rise. Director Lane asked

what kind of inches are above the flood plain. AGM Nisbet said it would depend on the location of the project so about 3 to 5 feet to consider wave action. Director Wieskamp, Siden and Sutter expressed their enthusiasm to see this project move ahead. Lane asked the source of the money. Nisbet said the general fund and Measure CC.

3. GENERAL MANAGER

SECOND PUBLIC HEARING

By motion of Director Lane, and seconded by Director Waespi, the Board voted unanimously to approve Item 3a.

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

Directors Absent: None.

- a. Adoption of the 2016 Operating and Project Budgets for the East Bay Regional Park District

Resolution No. 2015 – 12 – 374 (attached)

Debra Auker, Acting AGM Finance and Management Services answered questions that were asked at the last public hearing held on December 1. District received property tax numbers last week and the target was exceeded. Auker thanked the Board and the staff of the Finance department.

Director Dotson opened the public hearing.

Kelly Abreu asked when will Vargas Plateau open. Abreu also mentioned parking at Mission Peak on city streets. Director Wieskamp expects Vargas Plateau to open early winter or spring. Wieskamp commended staff on the budget.

Director Dotson closed the public hearing.

4. GENERAL MANAGER'S COMMENTS

General Manager, Robert Doyle answered questions from the Board. Director Sutter asked the status of trail funding. Doyle said there are hurdles with other parties. Director Lane said that Erich Pfuehler and Sean Dougan are proceeding through meetings with various members of the CCTA advocating for District trails. Sutter asked about Pinole Shores to Bayfront Park and the recommendation of receiving funds. Nisbet said the District can count on receiving these funds from a grant. As far as Concord, Sutter asked if District is involved in Phase I. Lane said staff is keeping track of it and has talked to the master developers. Doyle added that utilities are going to come through that area.

Mimi Waluch, Business Manager presented her report on the Business Services unit. The unit includes concession agreements, special use agreements, communication site leases, district wide resident programs, reservable facilities, reservations and technical support. Director Lane congratulated staff and asked if Big Break can be rented. Waluch and Doyle said yes to renting the inside and outside. Director Wieskamp remarked on the great job the Business group does. Sutter asked to what extent are reservations on line. Eri Suzuki, Acting Reservations Supervisor, said currently just the campground reservations; the call center handles all other reservations, registrations and permits. Sutter asked if staff has studied which reservations make money. Waluch replied staff is currently in

the process of compiling a report of the direct and indirect staff costs. Doyle commented that Operations has made a commitment to upgrade and update services.

5. 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.

6. BOARD COMMITTEE REPORTS

- | | | | |
|----|-------------------------------|------------|----------|
| a. | Operations Committee | 09-24-15) | (Sutter) |
| b. | Operations Committee | (10-15-15) | (Sutter) |
| c. | Finance Committee | (07-22-15) | (Lane) |
| d. | Finance Committee | (08-26-15) | (Lane) |
| e. | Finance Committee | (09-30-15) | (Lane) |
| f. | Workforce Diversity Committee | (10-13-15) | (Siden) |

Director Siden commended Sukari Beshears, Bismarck Blanco and the Union for their work to diversify the workforce. Siden would like to see this committee's report come before the Board.

7. ANNOUNCEMENTS FROM CLOSED SESSION

District Counsel Carol Victor announced none.

8. BOARD COMMENTS

Director Lane reported on meetings attended. Director Lane

- Attended an El Nino preparation meeting for those who live near the San Ramon Creek watershed;
- Attended the CCC Watershed Symposium;
- Praised CC Flood Control on advanced thinking;
- Attended the CCC Mayors Conference;
- Met with DeSaulnier's staff;
- Attended a stakeholder meeting on Concord Hill Park;
- Attended the PAC Holiday dinner;
- Attended the East Bay Leadership Council meeting – reporting on Breuner Marsh and Pt. Molate Trail;
- Visited Miller Knox with staff to view improvements.

Director Sutter reported on meetings attended. Director Sutter

- Met with Mark Pearson and representatives of 2428;
- Attended the Alameda County Mayors Conference;
- Attended meetings on the Bay Trail.

Director Siden reported on meetings attended. Director Siden

- Attended the CCC Watershed Symposium;
- Attended a breakfast meeting with GM Doyle;
- Attended the PAC Holiday dinner;
- Attended the Alameda County Mayors Conference;

- Attended the Executive Committee meeting;
- Attended Supervisor Haggerty's open house;
- Attending a luncheon for advocates of 2017 creek watershed symposium;
- Attending the Operations Committee meeting.

Director Waespi reported on meetings attended. Director Waespi

- Attended Kevin Fox's retirement;
- Attended the CCC Watershed Symposium;
- Attended the District's Holiday luncheon;
- Attended the Castro Valley Eden Area/Hayward Holiday Chamber meeting;
- Attended Wilma Chan's Holiday gathering;
- Attended a breakfast meeting with GM Doyle.

Director Burgis reported on meetings attended. Director Burgis

- Attended the ABAG Regional Planning meeting;
- Attended the CCC Environmental Labor Coalition meeting;
- Attended the LARPD meeting;
- Managed the CCC Watershed Symposium;
- Attended the Carpenter's Moose Feed event;
- Attending the Blackhawk home owners meetings;
- Attending meeting with Supervisor Glover;
- Attending the Operations Committee meeting;
- Attending the Richmond Liaison Committee meeting.

Director Wieskamp reported on meetings attended. Director Wieskamp

- Attended the PAC Holiday dinner;
- Attended the Executive Committee meeting;
- Attended the Elected Women's Luncheon;
- Attended the LARPD meeting,
- Attending Supervisor Haggerty's open house;
- Brought an article about a 3rd grader who is raising funds for hospitals.

Director Dotson reported on meetings attended. Director Dotson

- Attended the PAC Holiday dinner;
- Attended the Executive Committee meeting;
- Attending the El Cerrito Oversight Committee meeting.

D. ADJOURNMENT

Director Lane had closing remarks honoring the life of Ted Wieskamp husband of Director Ayn Wieskamp. Director Dotson closed the meeting in memory of Ted Wieskamp.

The meeting was adjourned at 4:37 pm by Director Whitney Dotson.

Respectfully submitted:

/s/ Yolande Barial Knight
Clerk of the Board