

The Board Meeting, which was held on February 18, 2014 at the EBRPD Administrative Building, 2950 Peralta Oaks Court, Oakland CA 94605 was called to order at 12:30 p.m. by Board President Ayn Wieskamp.

## ROLL CALL

Directors Present: Ayn Wieskamp, President  
Whitney Dotson, Vice President  
Doug Siden, Secretary  
Beverly Lane  
Carol Severin

Directors Absent: Ted Radke, 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 President Ayn Wieskamp.

Staff Present: GM Robert Doyle, Ted Radosevich, Jim O'Connor, Bob Nisbet, Dave Collins, Carol Johnson, Police Chief Tim Anderson, Diane Althoff, Carol Victor, Liz Musbach, Anne Scheer, Kelly Barrington, Jeff Rasmussen, Sgt. Tyrone Davis, Erich Pfeuhler, Suzanne Lusk, Raphael Breines, Dan McCormick, Wanda Bolden Ross, Quynh Truong, Brad Gallup, Jeff Manley.

## **A. APPROVAL OF AGENDA**

By motion of Director Siden and seconded by Director Severin, the Board voted unanimously to approve the Agenda as revised.

Directors Present: Whitney Dotson, Beverly Lane, Carol Severin, Doug Siden, Ayn Wieskamp, John Sutter, Ted Radke. (*Director Radke by teleconference from 834 Carquinez Way, Martinez*).

Directors Absent: None.

## **B. PUBLIC COMMENTS**

Martin Luther King, Jr. Rally Committee members Otis Sanders, Cecilia Cunningham and Ocie Hall thanked the Board for its continued support of their rally in observance of the MLK, Jr. Holiday as well as the participation of Director Siden as emcee of their program. They stated that the District's support is critical to the continued success of the event.

## **C. BUSINESS BEFORE THE BOARD**

### **I. LAND DIVISION**

C-I-a. Authorization to Convey Fee Title to 300 square feet of Real Property to Rufino and Diana C. Torres at 2143 Cypress Avenue, San Pablo, CA: San Pablo Bay Regional Shoreline Resolution No. 2014 – 02 – 042 \_\_\_\_\_ (attached)

By motion of Director Sutter and seconded by Director Dotson, the Board voted unanimously to approve item C-I-a:

Directors Present: Whitney Dotson, Beverly Lane, Carol Severin, Doug Siden, Ayn Wieskamp, John Sutter, Ted Radke.

Directors Absent: None.

**Approval of this resolution requires a unanimous vote of all seven Board Members as stipulated by Public Resources Code Section 5540.5.**

Carol Victor, Asst. District Counsel, provided a brief presentation on this item, stating that it is pursuant to a settlement and Stipulated Judgment previously authorized by the Board in the litigation against Rufino Torres, et al, when they expanded their backyard by placing over 30 tons of fill, concrete slabs, construction materials and debris onto District property. As part of the judgment, a \$35,000 lien has been recorded against the Torres' property to pay for District expenses for restoration work. Existing encroachments were also removed, and the boundary line change will not result in any operational impacts to the District.

C-1-b. Authorization to Exchange Real Property with and Accept Additional Consideration from Redwood Ranch, LLC and Transfer Funds: Redwood Regional Park  
Resolution No. 2014 – 02 – 042 (attached)

By motion of Director Siden and seconded by Director Sutter, the Board voted unanimously to approve item C-1-b:

Directors Present: Whitney Dotson, Beverly Lane, Carol Severin, Doug Siden, Ayn Wieskamp, John Sutter, Ted Radke.

Directors Absent: None.

**Approval of this resolution requires a unanimous vote of all seven Board Members as stipulated by Public Resources Code Section 5540.5.**

Suzanne Lusk, Senior Planner, provided a brief presentation on this item, stating that it seeks to authorize the conveyance of fee title to 16,662 square feet of real property to Redwood Ranch, LLC in exchange for 16,729 square feet that will be conveyed to the District together with a payment of \$2,500. Ms. Lusk explained that staff discovered in 2012 that improvements done by Redwood Ranch encroached on District property, which they are using as a portion of their horse-boarding facility. Redwood Ranch LLC has agreed to convey fee title to a 16,729 square foot area to the District, plus \$2,500 to cover the costs of the exchange.

Director Radke ended his teleconference participation at this time.

## 2. CONSENT CALENDAR

Item C-2-f was pulled for separate consideration to allow Director Dotson to recuse himself due to the proximity of his residence to Pt. Pinole:

C-2-f. Authorization to Accept Funds from the Castro Cove Discharges Settlement for Breuner Marsh Restoration and Public Access Project: Point Pinole Regional Shoreline  
Resolution No. 2014 – 02 - 044 (attached)

By motion of Director Sutter and seconded by Director Siden, the Board voted unanimously to approve item C-2-f:

Directors For: Beverly Lane, Carol Severin, Doug Siden, Ayn Wieskamp, John Sutter.  
Directors Against: None.  
Directors Absent: Ted Radke.  
Directors Recuse: Whitney Dotson

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

Directors For: Whitney Dotson, Beverly Lane, Carol Severin, Doug Siden, Ayn Wieskamp, John Sutter.  
Directors Against: None.  
Directors Absent: Ted Radke.

- C-2-a. Approval of District Check Listing for the Period of December 30, 2013 through January 19, 2014  
Resolution No. 2014 – 02 - 045 (attached)
- C-2-b. Approval of the Minutes for the Board Meeting of January 14, 2014
- C-2-c. Approval of Out-of-State Travel for Directors Whitney Dotson, Beverly Lane and Doug Siden, and General Manager Robert E. Doyle to Attend Meetings on Capitol Hill and the 2014 NRPA National Legislative Forum in Arlington, VA  
Resolution No. 2014 – 02 - 046 (attached)
- C-2-d. Authorization to Enter Into a Contract for Services Agreement with Dash Designs Consulting  
Resolution No. 2014 – 02 - 047 (attached)
- C-2-e. Authorization to Enter Into a Contract for Services Agreement with Wesley and Associates  
Resolution No. 2014 – 02 - 048 (attached)
- C-2-g. Acceptance of the East Bay Regional Park District Investment Report for the Quarter Ending September 30, 2013  
Resolution No. 2014 – 02 - 049 (attached)
- C-2-h. Approval of the District's 2014 Investment Policy  
Resolution No. 2014 – 02 - 050 (attached)
- C-2-i. Authorization to Consolidate Remainder Measure AA Funds  
Resolution No. 2014 – 02 - 051 (attached)
- C-2-j. Resolution to Support the San Francisco Bay Restoration Authority's Mission  
Resolution No. 2014 – 02 - 052 (attached)
- C-2-k. Resolution to Support Pending Federal Legislation S. 1158 (Warner) and H.R. 627 (Paulsen) - National Park Service 100<sup>th</sup> Anniversary Commemorative Coin Act  
Resolution No. 2014 – 02 - 053 (attached)
- C-2-l. Resolution to Support Pending Federal Legislation H.Res. 249 (Grijalva) Recognizing the 80<sup>th</sup> Anniversary of the Civilian Conservation Corps  
Resolution No. 2014 – 02 - 054 (attached)

C-2-m. Resolution to Support Pending Federal Legislation H.R. 1107 (McNerney)  
- Solar Equipment Grant Program  
Resolution No. 2014 – 02 - 055 (attached)

C-2-n. Authorization to Enter into a Contract with PG&E for the Installation of Temporary Electrical  
Service at TXI: Carquinez Regional Shoreline  
Resolution No. 2014 – 02 - 056 (attached)

3. PLANNING /STEWARDSHIP & DEVELOPMENT

C-3-a. PUBLIC HEARING

Certification of the Final Environmental Impact Report, Ardenwood Farm Historic  
Buildings Demolition Project and Adoption of CEQA Findings, Including a Statement  
of Overriding Considerations for the Demolition of Historical Resources, Mitigation  
Measures and a Mitigation Monitoring and Reporting Program  
Resolution No. 2014 – 02 - 057 (attached)

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

Directors For: Whitney Dotson, Carol Severin, Doug Siden, Ayn Wieskamp, John Sutter.  
Directors Against: None.  
Directors Absent: Ted Radke.

Raphael Breines, Acting Chief of Planning and GIS Services, provided a brief presentation on this item. He explained that the three structures in question were relocated to Ardenwood Historic Farms in the mid-1980's and include the Brown House, Bettencourt House and Mowry Schoolhouse. He stated that due to CEQA requirements for the demolition of any historic structures, an Environmental Impact Report (EIR) evaluating alternatives and a Statement of Overriding Considerations must be adopted before any action is taken. Mr. Breines explained that the findings indicated that the benefits of demolition of the three structures outweighed any significant and unmitigable impacts of demolition.

Director Sutter suggested that staff look into drafting a policy to guide the receipt of donations of this kind; he stated that if staff knew the high cost of having the structures when these were received in the mid-80's, the District may have declined it.

Director Lane also suggested that other parties be contacted on any items that can be reused to help defray the District's expenses.

President Wieskamp indicated that two of the structures were donated; Ardenwood Supervising Naturalist Ira Bletz clarified that the Brown House was brought in by a developer as part of an arrangement with the City and was located on land owned by the Pattersons. She added that she is agreeable to having a willing, private individual take over the Brown House, and that giving an opportunity to do so with a reasonable time frame of six months may be acceptable.

President Wieskamp opened the Public Hearing at this time. There being no one to speak, it was subsequently closed.

District Counsel Ted Radosevich suggested that staff come back to the Board at a future meeting so that general recommendation on the Brown House will be on the agenda, adding that this issue will still have to go before the Fremont Historic Board and City Council for consideration.

#### 4. BOARD AND STAFF REPORTS

General Manager Robert Doyle reported on the items listed on the staff report.

#### 5. GENERAL MANAGER'S COMMENTS

Fire Lt. Brad Gallup provided a brief update on the status of the Tilden Fuels Reduction and Hazardous Tree Removal Project. He stated that it is a 49-acre treatment area composed mostly of eucalyptus with a mix of bays, oaks and brush. The contractor has come in and started to perform the heavier work, such as tree removal and risk-tree reduction. Crews will come in later to do the lighter work.

Police Chief Tim Anderson updated the Board on the incident at Redwood Regional Park wherein a burned body was discovered the evening of February 15, 2014. While initially appearing to be a homicide, Chief Anderson stated that based on information gathered, the incident now points to a suicide.

#### 6. ANNOUNCEMENTS FROM THE CLOSED SESSION

There were no announcements from the Closed Session.

#### 7. BOARD COMMITTEES

a.	Finance Committee	(01-22-2014)	(Wieskamp)
b.	Legislative Committee	(12-20-2013)	(Siden)
c.	Natural/Cultural Resources Committee	(12-04-2013)	(Lane)

#### 8. BOARD COMMENTS

Director Severin reported on meetings attended. Director Severin

- Attended the Board workshop at Fern Cottage;
- Attended the EB EDA Innovation Awards at the Fox Theater in Oakland;
- Will attend the Operations Committee meeting on February 20.

Director Lane reported on meetings attended. Director Lane

- Asked if Cull Canyon will become part of the park should it be drained and become a meadow, as reported in the Newsclips article;
- Attended the Board workshop last week at Kennedy Grove;
- With other District staff, attended a meeting at the residence of Director Radke to get input regarding the shoreline project north of intermodal train station in Martinez;
- Expressed her appreciation of the Park and Trail statistics book prepared by the Land Division;
- Appreciated the 80<sup>th</sup> anniversary plans as provided at the Board workshop;
- Attended the San Ramon State of the City address on February 11;
- Will be attending Operations Committee meeting on the 20<sup>th</sup>;
- Will be speaking with Gail Sargent from the National Park Service to the Berkeley City Club on the 21<sup>st</sup> about the Anza Trail;
- Asked AGM Collins to include a discussion item on creek spending plan for a future workshop.

Director Siden reported on meetings attended. Director Siden

- Complimented Whitney Dotson's inclusion in the Chronicle front page article
- Attended the retirement for Brian Wiese;
- Announced the submission of a San Leandro Creek grant application;
- Attended the MLKing, Jr. Rally;
- Attended the Finance Committee meeting;
- Attended a meeting of Leadership East Bay (formerly Contra Costa Council);
- Attended the San Leandro Chamber of Commerce annual dinner meeting;
- Had an appreciation breakfast of PAC member Dan Walters, with Michael Gregory also in attendance;
- Attended PCL Annual Symposium in UC Davis on February 1;
- Attended the American Camp Association Conference in Orlando, Florida;
- Attended the Board Workshop on February 14;
- Reported that Friends of Crown Beach has been gathering signatures to be on the ballot at the November election;
- Attended the Alameda Public Forum.

Director Dotson reported on meetings attended. Director Dotson

- Attended the Board workshop at Fern Cottage;
- Will be attending the Board Operations, Legislative and Executive Committee meetings, and Pinole/Hercules JPA meeting.

Director Sutter reported on meetings attended. Director Sutter

- Encouraged staff to include Board member's quotes in news articles when appropriate, and complimented Director Dotson's quote on the Chronicle article;
- Attended the Board workshop on February 14;
- Regarding issue of billboards, stated that there is a pending application for five more at the base of the Bay Bridge. Although two have been vetoed, it may reappear. Opposition to these is being organized by a group called "Scenic Oakland";
- Attended the Mayors Conference in Berkeley, and reported that attendees from Pleasanton were happy about Castleridge;
- With other District staff, attended a meeting with Col. John Baker of the Corp of Engineers regarding the extension of the Bay Trail, who seemed supportive of the District's position.

Director Wieskamp reported on meetings attended. Director Wieskamp

- Attended the 100 Club Annual February meeting, a group that provides financial assistance to families of police and fire personnel who are killed in the line of duty;
- Attended the Board workshop at Fern Cottage;
- Will attend the Operations Committee meeting on February 20 and the Pleasanton State of the City on February 25.

The Board reconvened to Closed Session in the Board Conference Room at 3:35 p.m.

D. ADJOURNMENT

President Wieskamp adjourned the meeting at 4:36 pm.

Respectfully submitted:

Allen Pulido  
Clerk of the Board