

The Board Meeting, which was held on July 1, 2014 at the EBRPD Administrative Building, 2950 Peralta Oaks Court, Oakland CA 94605 was called to order at 12:45 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  
John Sutter

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, Jim O'Connor, Bob Nisbet, Dave Collins, Bob Nisbet, Police Chief Tim Anderson, Diane Althoff, Anne Scheer, Mona Koh, Liz Musbach, Jeff Rasmussen, Mimi Waluch, Renee Patterson, Jason McCrystle, Kelly Barrington, Jim Townsend, Suzanne Lusk, Linda Wu.

## **A. APPROVAL OF AGENDA**

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

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

Directors Absent: None.

## **B. PUBLIC COMMENTS**

There were no public comments at this time.

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

### **I. CONSENT CALENDAR**

At the request of Director Siden, Item C-I-e was pulled from the Consent Calendar for separate approval so that it may be highlighted:

By motion of Director Siden and seconded by Director Lane, the Board voted unanimously to approve item C-I-e:

- e. Authorization to Appoint and Set Compensation Rate of CFO/Controller Debra Aufer at Step D of Management Pay Range MG-07  
Resolution No. 2014 – 07 - 163 (attached)

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

The minutes for the May 20, 2014 Board meeting was pulled for separate vote to allow Director Siden to abstain as he was absent from that meeting.

b. Approval of the Minutes for the Board meeting of May 20, 2014

By motion of Director Lane and seconded by Director Dotson, the Board voted unanimously to approve the minutes for the Board meeting of May 20, 2014

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

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

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

- a. Approval of District Check Listing for the Period of May 19, 2014 to June 1, 2014  
Resolution No. 2014 – 07 - 164 (attached)
- b. Approval of the Minutes for the Board meeting of May 6, 2014
- c. Authorization to Negotiate with Various Property Owners  
Resolution No. 2014 – 07 - 165 (attached)
- d. Authorization to Execute a Letter Agreement with the United States Bureau of Reclamation, Contra Costa Water District, and City of Walnut Creek: Briones to Mt. Diablo Regional Trail  
Resolution No. 2014 – 07 - 166 (attached)
- f. Authorization to Establish the Classification, Unit Designation and Salary Range for Membership Development Officer, Public Affairs Division  
Resolution No. 2014 – 07 - 167 (attached)

In response to a question from Director Sutter, AGM for Public Affairs Carol Johnson stated that this position is exclusive to the Foundation and not any other function in the District's Public Affairs Division.

- g. Authorization to Award a Contract to ArborWorks, Inc. for Wildland Fuels Reduction: Wildcat Canyon Regional Park  
Resolution No. 2014 – 07 - 168 (attached)
- h. Authorization to Transfer Funds for Implementation of a Road-to-Trail Conversion Project: Pleasanton Ridge Regional Park  
Resolution No. 2014 – 07 - 169 (attached)

## 2. FINANCE AND MANAGEMENT SERVICES DIVISION

### a. PUBLIC HEARING

Approval of Engineer's Report for Fiscal Year 2014/2015, Adopt Resolution Confirming Diagram and Assessment, Order Maintenance, Improvements and Levy Annual Assessment for Alameda County/Contra Costa County Regional Trails Landscaping and Lighting Assessment District No. 1, 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 (Sibley Volcanic);  
Resolution No. 2014 – 07 - 170 (attached)

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

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

Adopt Resolution Overruling Protests  
Resolution No. 2014 – 07 - 171 (attached)

By motion of Director Sutter and seconded by Director Siden, the Board voted unanimously to adopt the Resolution Overruling Protests:

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

AGM for Finance and Management Services Dave Collins provided a brief presentation on this item, stating that this is the companion piece of the East Contra Costa County LLD presented to and approved by the Board at its June 17, 2014 meeting. He reported that the expected assessment revenues are \$4,270,370 and appropriations for 2014 total \$4,018,150. In addition, the assessment rates of \$5.44 per parcel and \$2.72 per unit for multi-family parcels of two units per parcel or more has not changed since the establishment of the LLD (1993 for \$5.44 rate single unit parcel rate and 1995 for multi-unit parcels).

President Wieskamp opened the Public Hearing at this time; there being no one to address the Board, the Public Hearing was subsequently closed.

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

b. Acceptance of: 2013 Comprehensive Annual Financial Report, Statement on Auditing Standards (SAS) 114 Auditor's Communications with Those Charged with Governance dated May 23, 2014, and Independent Accountant's Report on Agreed Upon Procedures Applied to 2014 Appropriations Limit Calculation Report  
Resolution No. 2014 – 07 - 172 (attached)

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

Kevin Harper, Acting CFO/Controller, provided a brief presentation on this item, stating that the audit provided a favorable report on the District. Some of the highlights of the reports included:

- Total assets - \$971 million;
- Total liabilities and deferred outflows of resources - \$249 million;
- Net position - \$ 721 million;
- About 63% of net position is tied up (invested) in infrastructure/other capital assets and not spendable;
- About 29% or \$207.7 million is available to fund District operations;
- Net position increased by \$17.3 million during the year.

- c. Authorization of an Exception to the CalPERS 180-Day Wait Period, Government Code Section 21224  
Resolution No. 2014 – 07 - 173 (attached)

By motion of Director Lane and seconded by Director Severin, the Board voted to approve Item C-2-c:

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

AGM Collins stated that the District needed the services of recently-retired Network Manager to support District operations while waiting for the newly-hired replacement to come on-board. To effect this temporary work, this resolution is required by CalPERS.

### 3. LAND DIVISION

- a. Authorization to Execute an Agreement with the East Contra Costa County Habitat Conservancy and Accept and Appropriate for Construction of Hess Creek Channel Restoration Project: Concord Naval Weapons Station to Black Diamond Mines Regional Trail  
Resolution No. 2014 – 07 - 174 (attached)

By motion of Director Siden and seconded by Director Lane, the Board voted to approve Item C-3-a:

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

Authorization to Transfer Funds and Accept a Bid for Construction of Hess Creek Channel Restoration Project: Concord Naval Weapons Station to Black Diamond Mines Regional Trail  
Resolution No. 2014 – 07 - 175 (attached)

By motion of Director Siden and seconded by Director Dotson, the Board voted to approve Item C-3-a:

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

Chris Barton, Acting Environmental Program Manager, gave a brief presentation on this item. He stated that under the proposed agreement, the East Contra Costa County Habitat Conservancy (Conservancy) will provide \$549,312 for the construction of the project, and will also provide construction engineering and design support services. The Conservancy will also perform maintenance and monitoring tasks and remedial measures as needed at no cost to the District. With a total cost of \$591,312 (construction contract base bid, 15% contingency and preconstruction costs, contract administration, inspection and testing), the District will provide the balance of \$42,700 remaining from an already completed Upper Hess Creek project.

John Kopchik, Executive Director of the East Contra Costa County Habitat Conservancy addressed the Board, stating that they very pleased to continue its partnership with the District's Board and staff on projects such as this.

#### **4. BOARD AND STAFF REPORTS**

GM Doyle reported on the items listed on the staff report.

#### **5. GENERAL MANAGER'S COMMENTS**

Environmental Graphics Studio Supervisor Jonathan Hobbs and Acting Exhibit Design Supervisor provided a brief presentation the current projects being undertaken. It was also stated that the Environmental Graphics Studio and Exhibit Design have recently been merged.

#### **6. ANNOUNCEMENTS FROM THE CLOSED SESSION**

President Wieskamp announced that the Board voted unanimously (6-0 with one Board member absent) to settle the Worker's Compensation claim of Amy Roark in the amount of \$281,249:

Approval of Settlement of Worker's Compensation Claim of Amy Roark  
Resolution No. 2014 – 07 – 176 (attached)

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

#### **7. BOARD COMMITTEES**

a. Finance Committee (05-18-2014) (Wieskamp)

#### **8. BOARD COMMENTS**

Director Sutter reported on meetings attended. Director Sutter

- Attended the meetings of the Executive and Legislative Committees;
- Attended the SF Bay Restoration Authority meeting, wherein it was decided not to submit a parcel tax ballot on the November, 2014 election
- Attended the Board's Land Workshop;
- Attended the EBMUD Liaison Committee and the Park Advisory Committee meetings;
- Attended the Board field trip to McLaughlin Eastshore Park and surrounding areas.

Director Dotson reported on meetings attended. Director Dotson

- Attended the scheduled Board and Board Committee meetings;
- Attended the Richmond RDA Oversight Committee meeting;
- Attended the recent Board field trip and the Board's Land Workshop.

Director Siden reported on meetings attended. Director Siden

- Attended the Juneteenth celebration;
- Attended the Legislative Committee meeting;
- Attended the Board's Land Workshop;
- Attended a mixer of the Alameda Chamber of Commerce, the Airport Area Business Economic Development meeting in Oakland, and the Finance Committee meeting;
- Attended the recent Board field trip;
- Will be attending the Alameda City Council meeting tonight;
- Will be attending Alameda's Fourth of July Parade.

Director Lane reported on meetings attended. Director Lane

- Attended the recent Board field trip;
- Appreciated the informal reception for the exhibit at Big Break at last month's meeting;
- Announced that she will be attending the next Contra Costa County Board of Supervisor's meeting to thank them for 50 years of collaboration with the District;
- Attended the recent Executive Committee meeting to hear about the beginning of planning for CNWS;
- Will be attending Danville's Fourth of July parade.

Director Severin reported on meetings attended. Director Severin

- Attended the scheduled Board and Board Committee meetings;
- Attended the recent Land Workshop;
- Attended the Board field trip.

Director Wieskamp reported on meetings attended. Director Wieskamp

- Appreciated the volunteers for the exhibit at the Big Break Board meeting;
- Attended the Operations Committee meeting and the Board Land Session;
- Attended the meetings of the Executive and Finance Committees;
- Attended the recent Board field trip;
- Attended the State of the City luncheon in Livermore;
- Announced the death of a Livermore resident George Serpa, stating that unfortunately an oral history would not be prepared.

#### D. ADJOURNMENT

The meeting was adjourned at 4:45 pm.

Respectfully submitted:

Allen Pulido  
Clerk of the Board