

The Board Meeting, which was held on July 15, 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
Ted Radke, Treasurer
Doug Siden, Secretary
Beverly Lane
Carol Severin
John Sutter

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 President Ayn Wieskamp.

Staff Present: GM Robert Doyle, Jim O'Connor, Ted Radosevich, Dave Collins, Debra Auker, Police Chief Tim Anderson, Bob Nisbet, Lt. Jon King, Carol Victor, Diane Althoff, Carol Johnson, Mona Koh, Liz Musbach, Anne Kassebaum, Kelly Barrington, Sukari Beshears, Jeff Rasmussen, Sara Rieck, Renee Patterson, Noah Dort, Mark Ragatz, Steve Myli, Kelly Barrington, Mark Taylor, Erich Pfuehler, Michelle Julene.

A. APPROVAL OF AGENDA

By motion of Director Siden and seconded by Director Dotson, 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. I. SPECIAL PRESENTATION

GM Robert Doyle introduced Laura McCreery from the U.C. Berkeley Institute of Governmental Studies, who presented the official Oral Histories to both Directors Doug Siden and John Sutter.

2. PUBLIC COMMENTS

Richard Bangert addressed the Board regarding Alameda Point, and mentioned the opportunity to add to the Bay Trail in Alameda Point since the Veterans Administration (VA) recently took ownership of over 600 acres there. He urged the Board to take up this matter and work with the VA and the City of Alameda to bring that section of the Bay Trail online. Director Siden requested that the General Manager provide a presentation of the District's contractual obligation with the VA as well as the District's plans for the area at a future meeting.

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

Item C-I-c was considered separately at the request of Director Lane:

- c. Authorization to Transfer Funds for Land Acquisition Department Projects
Resolution No. 2014 – 07 - 177 (attached)

By motion of Director Sutter and seconded by Director Lane, the Board voted unanimously to approve Item C-I-c:

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

Directors Absent: None.

In response to a question from Director Lane, AGM for Land Division Bob Nisbet stated that the WW Undesignated account as referenced in the staff report is just an intermediate account set up by the Finance Department to estimate what staff believes will be spent for an entire year out of Measure WW. Mr. Nisbet also stated that this is consistent with the provisions of the Measure, in response to Director Sutter's query.

Item C-I-b was considered separately to allow Director Sutter to recuse himself as he was absent from the June 3 Board meeting:

- b. Approval of the Minutes for the Board meeting of June 3, 2014

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

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

Directors Abstain: John Sutter.

Directors Absent: None.

By motion of Director Lane and seconded by Director Radke, 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, Ted Radke.

Directors Absent: None.

- a. Approval of District Check Listing for the Period of June 2, 2014 to June 15, 2014
Resolution No. 2014 – 07 - 178 (attached)

- d. Authorization of an Application Submitted for Federal Grant Funds for Public Access Improvements: Concord Naval Weapons Station to Black Diamond Mines Regional Trail
Resolution No. 2014 – 07 - 179 (attached)

- e. Authorization to File an Application for Funding Assigned to MTC and Committing Any Necessary Matching Funds and Stating the Assurance to Complete the Project: Pinole Shores to Bay Front Park Bay Trail
Resolution No. 2014 – 07 - 180 (attached)
- f. Authorization to Enter into a Contract with the Department of Veterans Administration to Provide Policing Services on Federal Property: Alameda Point
Resolution No. 2014 – 07 - 181 (attached)
- g. Authorization to Appropriate Funds and Accept the Bid for Construction of Morrison Canyon Staging Area: Vargas Plateau Regional Park
Resolution No. 2014 – 07 - 182 (attached)
- h. Authorization to Purchase a CXT Cascadian Vault Type Restroom: Vargas Plateau Regional Park
Resolution No. 2014 – 07 - 183 (attached)
- i. Authorization to Purchase Four CXT Cascadian Vault Type Restrooms: Point Pinole, Black Diamond and Briones Regional Parks
Resolution No. 2014 – 07 - 184 (attached)
- j. Authorization to Transfer Board Contingency Funds for Buckeye Ranch Staging Area Improvements: Briones Regional Park
Resolution No. 2014 – 07 - 185 (attached)

2. PUBLIC SAFETY DIVISION

a. PUBLIC HEARING

An Ordinance of the East Bay Regional Park District Amending Ordinance 38
Ordinance No. 2014 – 07 - 186 (attached)

Director Lane asked that a separate vote be made for Section 800.2(a).

By motion of Director Lane and seconded by Director Dotson, the Board voted unanimously to approve Item C-2-a without Section 800.2(a):

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

Directors Against: None.

Directors Absent: None.

By motion of Director Siden and seconded by Director Severin, the Board voted unanimously to approve Section 800.2(a):

Directors For: Whitney Dotson, Carol Severin, Doug Siden, Ayn Wieskamp, John Sutter .

Directors Against: Beverly Lane, Ted Radke.

Directors Absent: None.

Lt. Jon King made a presentation on this item, stating that the recommended changes were reviewed by the Operations/Public Safety Liaison Group, District Counsel, Risk Manager and the Board Operations Committee. These were then unanimously approved by the Operations Committee at their June 19, 2014 meeting, with the Park Advisory Committee, at their June 23, 2014 meeting, voting unanimously to recommend the changes to the Board. This meeting is the third public meeting at which these proposals are being discussed. Lt. King described the various changes proposed. He also explained the more significant proposals:

a) No discharge of weapons within 150 yards of developed areas (Section 800.2):

Lt. King explained that this recommendation is not to regulate hunting but to continue in place a 150 yard safety buffer to protect trail users from the discharge of weapons. While applicable to District owned or managed lands, it is being proposed due to particular concerns at the Hayward Shoreline where the heavily used trails are directly adjacent to the Oro Loma and Cogswell tidal marshes and the Bay.

In response to a question by Director Lane asking if the Dept. of Fish and Wildlife regulations were sufficient in addressing the safety concerns, Lt. King stated that staff believes that the 150-yard restriction provides more safeguards than just prohibiting the discharge of firearms over and across trails.

b) South Park Drive Exception to Section 801.2 (Section 801.13):

Lt. King stated this proposed change was the result of the Board's direction to staff to address the public's concerns over the leash requirements at South Park Drive during the annual winter closure. The recommendation is to allow off-leash dogs on the roadway but have the restrictions remain at the developed areas, including the picnic sites.

President Wieskamp opened the Public Hearing at this time.

Ofc. Sherree Christensen from the Department of Fish and Wildlife addressed the Board and expressed the agency's concern regarding the 150 yard restriction because it extends out into San Francisco Bay, which is navigable waters and protected by the Constitution for a variety of uses, including hunting. She added that the waterfowl season runs for about three months and hunters use the area in the early mornings/evenings. She also stated that hunting is conducted by boat, not standing on the District shoreline, again stating that it is protected by the Constitution. Ofc. Christensen advised that they feel that the District's authority does not extend over the navigable waters, which is the Bay. She proposed that the 150-yard restriction be removed from the ordinance.

Mark Henneley, Vice President of CA Waterfowl Association, addressed the Board. He stated that in dealing with state navigable waters, hunting is a public trust use of navigable waters is not an activity regulated by regional or local entities. In terms of safety, hunting has a very safe record in California, and that with waterfowl hunting, very small shotgun pellets are used. He asked the existing laws be enforced.

Mary Barnsdale of the Friends of South Park Drive thanked staff and the Board for working through the issues at South Park Drive and putting forward a viable solution. She affirmed their group's commitment to making the rules work.

Michael Case addressed the Board, stating that while he understands both sides of the issue, he is concerned about the repeated reference to safety even though there has not been a single incident in the past.

Ofc. Steve Riske of the Dept. of Fish and Wildlife stated that if there is a conflict between their laws and the Park District's, they could be called into court. Also, the days that hunters are out the worst days, during the rainy or windy days, and that overall, the hunters in the area are not in large numbers.

President Wieskamp closed the Public Hearing at this time.

Director Sutter asked the District Counsel's opinion regarding the suggestion by staff from the DF&W to use instead language to just restrict the discharge of weapons on or over a trail, levee, road, etc. District Counsel stated that the Public Trust includes public use and public recreation, and that proposal from staff does not try to ban hunting but advocates safety. The focus is on a narrow range of 150 yards to provide a safety buffer, and the evidence presented showed the substantial use of the public, with some of the highest use during the hunting season. In response to another question from Director Sutter, Lt. King reaffirmed that while the current DFW's current regulation is in place, the 150-yard restriction provides additional safety to trail users.

Park Supervisor Mark Taylor also clarified that without the 150-yard restriction, hunters can situate their boat next to the trail and use the levee as a blind. And although it does not yet happen now, staff has been approached by hunters who are proposing to do this.

Director Lane expressed her concern that the restriction covers a much larger area in the District. District Counsel clarified that hunting is already not allowed at any District-owned land; this issue only arises where there are navigable waters beyond a trail and is very narrowly drawn. He added that duck blinds are already established at Point Pinole and Big Break, where it is perfectly appropriate.

General Doyle commented that dialogue has been on-going with DFW, and he believes that the District has an urban safety issue and needs a buffer. The District has a partner in the Hayward Interpretive Center and is also one of the reasons for the large visitor count in the area.

Director Radke left the meeting at this time.

3. OPERATIONS DIVISION

- a. Acceptance of the Camping Program Update
Resolution No. 2014 – 07 - 187 (attached)

By motion of Director Siden and seconded by Director Dotson, the Board voted unanimously 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.

Jim O'Connor, AGM for Operations, gave a brief background and introduction on this item. He highlighted that this Camping Program Update will serve as a guide only and that the recommendations brought forward will be considered during the normal Land Use Plan and budget processes of the District.

Representatives from 2M Associates of Berkeley, CA continued with a more detailed presentation of the study, including the methodology followed.

Director Siden suggested that one staff person be assigned for the implementation of the study. He also asked that this included as a discussion item at the annual Board workshops, and that the GM include a progress report on its implementation in his annual report.

Director Sutter shared his thoughts on backpacking, stating that designs on backpack camps should emphasize attractions located nearby and suggested production of a brochure on this, including information on public transportation. Example: a brochure focusing on Skyline National Trail from Richmond to Castro Valley noting all campsites, including family and group camps, and points of interest along the route such as EEC, Little Farm, the Carousel, Tilden Botanic Garden, Chabot Space and Science Center, Joaquin Miller historic Sites, and Oakland Zoo, with a description of transit connections. He also suggested being flexible, such as using or making available other campsites such as group or family camps for backpacking, if available. Director Sutter also asked that the McCosker property be moved higher on the priority list.

Director Lane suggested a water trail campsite at Big Break, stating that she does not agree with staff observation that there are too many cultural resources in the area that prevent having a campsite. Regarding having a water trail camp at Tidewater, AGM O'Connor responded that the environment will pose security issues. She also asked that Tidewater be listed as a potential site.

GM Doyle commented that staff needs to look at East County for more camping opportunities.

Comments from the public included:

Irene Dieter asked that the City of Alameda not be left out in the planning process, and that the possibility of a camp or hostel be studied at Alameda Point.

Bria Cartwright, YMCA Executive Director of Camping Services asked that the District continue to work to maximize the full potential of Camp Arroyo by increasing camp capacity since the current demand is not being met.

At the suggestion of Directors Sutter and Siden, it was decided that substantive recommendations provided at the meeting from the Board and the public be summarized and included as an Addendum to the Update (this is attached at the end of the meeting minutes).

4. FINANCE AND MANAGEMENT SERVICES DIVISION

a. PUBLIC HEARING

Approval of the Measure CC 2014/15 Tax Report and Proposed Measure CC
Budget Revenues and Expenditures for 2015
Resolution No. 2014 – 07 - 188 (attached)

By motion of Director Sutter and seconded by Director Dotson, the Board voted unanimously to approve Item C-4-a:

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

Dave Collins, AGM for Finance and Management Services, provided a brief presentation on this item, stating that the action before the Board will authorize Alameda and Contra Costa counties to collect the voter-approved Measure CC revenues, estimated to be \$3,251,248 for the fiscal year 2014/15. After payment of

County collection fees (estimated at \$83,500), preparation of the Special Tax Report (\$16,500) and a projected \$5,000 in interest earned, the net revenue to the District is estimated at \$3,156,248. He added that this action also proposes that \$2,186,210 in Measure CC expenditures be appropriated in the 2015 District Budget. Mr. Collins stated that the District is entering the tenth full year of the Measure CC program.

- b. Authorization to Appropriate and Disburse Funds Pursuant to a Legal Settlement with Hampton Court Homeowners Association et al.
Resolution No. 2014 – 07 - 189 (attached)

By motion of Director Sutter and seconded by Director Lane, the Board voted unanimously to approve Item C-4-b:

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

Ted Radosevich, District Counsel, provided a short presentation on this item, stating that the parties to the litigation have agreed to settle the case and the District's share is \$900,000.

5. GENERAL MANAGER

- a. Authorization of the 2014/2015 Tax Rate to be Levied by Alameda and Contra Costa Counties for the Payment of East Bay Regional Park District Measure AA and Measure WW General Obligation Bonds
Resolution No. 2014 – 07 - 190 (attached)

By motion of Director Sutter and seconded by Director Dotson, the Board voted unanimously to approve Item C-5-a:

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

Debra Aufer, CFO/Controller, provided a short presentation on this item, stating that the District is required to provide the 2014/2015 ad valorem tax rate per \$100 of assessed valuation to the Counties before August 31, 2014. Since the data required for the rate calculation will not be provided to the District until early August, the attached resolution will authorize staff to proceed with the rate calculation once the required information is received from the counties, and to file the required tax rate information with the counties by the required deadline.

6. BOARD AND STAFF REPORTS

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

7. GENERAL MANAGER'S COMMENTS

The scheduled presentation by Jim Tallerico, Information Services Manager, was postponed to a later date.

8. ANNOUNCEMENTS FROM THE CLOSED SESSION

President Ayn Wieskamp announced that the Board voted 7 - 0 to approve the settlement of the claim of Springhouse Apartment Homes, LLC in the amount of \$27,195.

Resolution No. 2014 – 07 - 191 (attached)

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

Directors Against: None.

Directors Absent: None.

President Wieskamp also announced that the Board voted 6-0 (Director Radke absent) to settle the lawsuit with Hampton Court Homeowners Association, including payment of the amount of \$900,000, which vote took place on July 1, 2014 and was subsequently agreed to by all parties to the litigation.

9. BOARD COMMITTEES

- | | | | |
|----|-------------------------------|--------------|------------|
| a. | EBMUD/EBRPD Liaison Committee | (04-28-2014) | (Sutter) |
| b. | Executive Committee | (06-24-2014) | (Wieskamp) |
| c. | Pinole/Hercules/EBRPD JPA | (05-27-2014) | |

10. BOARD COMMENTS

Director Sutter reported on meetings attended. Director Sutter

- Attended the Executive Committee meeting;
- Attended the hike along Pt. Isabel to the Rosie the Riveter exhibit.

Director Dotson reported on meetings attended. Director Dotson

- Attended the Executive Committee meeting.

Director Siden reported on meetings attended. Director Siden

- Attended the Alameda City Council meeting on July 15, 2014;
- Attended the Alameda Fourth of July parade;
- With Erich Pfuehler, attended a meeting with Bill Withrow, Trustee from Peralta Community Colleges;
- Attended the Alameda County CSDA meeting held at the Dublin San Ramon Services District;
- Attended the Crab Cove Concert;
- Attended a tour of Alameda Point;
- Will attend the Alameda City Council meeting tonight;
- Will attend Pete Alexander's retirement event tomorrow;
- Will attend CVSAN's 75th Anniversary celebration;
- Will attend the PAC meeting this month.

Director Lane reported on meetings attended. Director Lane

- Attended the retirement celebration for Park Supervisor Steve Quick;
- Attend the Fourth of July parade in Danville;

- Gave a presentation to the Rotary in Clayton;
- Visited Big Break Regional Shoreline and Antioch/Oakley Regional Park;
- Attended the Contra Costa County Mayors Conference in Oakley.

Director Severin reported on meetings attended. Director Severin

- With Aquatic Supervisor Pete DeQuincy, visited parks in her ward on the Fourth of July;
- Attended the recent Alameda County Mayors Conference in Hayward.

Director Wieskamp reported on meetings attended. Director Wieskamp

- With Lt. Jon King, visited Del Valle and Shadow Cliffs on the Fourth of July;
- Attended the Alameda County CSDA meeting at DSRSD;
- Attended meetings of the Executive Committee, Alameda County Lafco, Elected Women's;
- Attended a neighbors meeting on Mission Peak attended by staff including Public Safety;
- Requested staff to draw up a resolution to state the funds collected from tipping fees at Dumbarton Quarry be reserved for Coyote Hills – building, maintenance and operation.

D. ADJOURNMENT

The meeting was adjourned at 5:30 pm.

Respectfully submitted:

Allen Pulido
Clerk of the Board

CAMPING PROGRAM UPDATE ADDENDUM
(Summary of Board Comments/Interests to Address:
from the Board Meeting of 7/15/2014)

BOARD OF DIRECTORS	LOCATION	RECOMMENDATION
Director Whitney Dotson		
	Pt Pinole	Pt Pinole should be the pilot location to convert an existing camp to a convenience camp.
Director Beverly Lane		
	District-wide	Priority list should be redone to promote converting existing camps over adding new camps.
	Big Break & Tidewater	Add Big Break and Tidewater to the list of new water trail camps.
	Brickyard	The Brickyard in Carquinez should be moved far down the list due to the high cost and effort it will take to build it.
Director Carol Severin		
	District-wide	There should be more types of theme camping, such as music camps, art camps, etc.
Director Doug Siden		
	District-wide	Assign one District staff member to oversee the Camping Program moving forward. Add map that shows four (4) major water trails.
	Big Break	Add camping at Big Break.
Director John Sutter		
	District-wide	Wants to see the funding for recommendations.
	District-wide	More brochures should be created to promote camping, programs for camping, progressive camping with optional suggested side trips to local attractions/activities. Example: a brochure focusing on Skyline National Trail from Richmond to Castro Valley noting all campsites, including family and group camps, and points of interest along the route such as the EEC, Little Farm, the Carousel, Tilden Botanic Garden, Chabot Space and Science Center, Joaquin Miller historic Sites and Oakland Zoo, with a description of transit connections.
	RV Camping locations	Track the origin of RV camp users, local versus not local. Results of tracking will affect reservations in future.
	McCosker	Move McCosker higher on the priority list.
ADDITIONAL COMMENTS		
Jim O'Connor	Any	First pilot should be to convert an existing camp to a convenience camp.
Directors	District-wide	Wants more camps to be multi-use.
Tiffany Margulicci	District-wide	Most District camps are multi-use. Group camps may be used as backpack camps if they have not been reserved 30 days before intended use.

BOARD OF DIRECTORS	LOCATION	RECOMMENDATION
Directors	District-wide	An annual report should be reported to the Board on the progress of the Camping Program.
Directors	District-wide	Develop a plan to have water at all campsites.
Beverly Lane	Big Break & Tidewater	Believes there are no major issues to support not having Tidewater and Big Break on Recommendation list of water trail camps.
Robert E. Doyle	Big Break	Big Break is a good property but there are other Delta properties, i.e. Fallman, that are better suited for water trail egress than Big Break.
PUBLIC ATTENDEES	LOCATION	PUBLIC COMMENT
Bria Cartwright, Executive Director, YMCA at Camp Arroyo		Urges District to proceed with camp expansion as intended in the Master Plan for Camp Arroyo. Future need for additional Camp Arroyo amenities, additional overnight and meeting space. Comparison to other area environmental education camps, Camp Arroyo is the best in structure and its curriculum. Current concern regarding local users from San Ramon and Dublin outgrowing the site's ability to accommodate its students/groups.
Irene Dieter	Alameda Naval Station	Would like a campground or possibly a hostel at Alameda Point.