

The Board Meeting, which was held on August 12 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, Dave Collins, Debra Auker, Carol Victor, Bob Nisbet, Police Chief Tim Anderson, Diane Althoff, Mona Koh, Liz Musbach, Debra Auker, Anne Kassebaum, Kelly Barrington, Sukari Beshears, Mark Ragatz, Mark Ruppenthal, Jessica Sheppard, Raphael Breines, Matt Graul, Jim Townsend, Jeff Rasmussen, Linda Wu, Dan Cunning, Renee Patterson, Mimi Waluch, Michelle Julene, Noah Dort.

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,
Directors Absent: Ted Radke.

B. PUBLIC COMMENTS

Steve Kolodzie, President of the Briones Archers, addressed the Board. He stated that the club, which maintains the archery range at Briones Regional Park, would like to hold a special tournament to honor the memory of Andrea Holland, previous club president, who passed away recently. However, since their contract with the District has expired, they would need a Special Use Permit to hold such an event, the proceeds from which they intend to donate to the Lindsey Wildlife Fund. He requested that a resolution be passed to extend their contract to the end of this year, thereby allowing them to hold this event. He also asked that the special use fee normally charged be waived for this event. Mr. Kolodzie was referred to AGM for Operations Jim O'Connor to further discuss the request.

Several individuals from Fremont who reside next to Mission Peak Regional Park addressed the Board and requested that EBRPD immediately adopt modified park hours at Mission Peak or temporarily close the park if modified hours are not adopted by Labor Day, and implement user fees. They stated that they continue to suffer from noise, graffiti, and garbage and parking issues due to the excessive use of the park.

Betty Moose, Chair of HASPA CAC, congratulated Director Carol Severin for her distinguished service, having been recognized recently by CPRS. She also informed the Board that the Calpine Power plant is not operating sufficiently. Audrey Lepell, Vice Chair for HASPA CAC, requested the Board to adopt a resolution similar to the ones passed by the City of Hayward, the Hayward Unified School District and the Hayward Area Recreation Department asking the Bay Area Air Quality Management District to install a pollution meter monitoring system in the City of Hayward. She asked that this item be put on a future Board meeting agenda for consideration. President Wieskamp and General Manager Doyle stated that it will be brought to a future meeting of the Executive Committee.

At the request of Director Sutter, the General Manager's report on Mission Peak was moved up on the agenda to accommodate the residents near the park in attendance.

4. GENERAL MANAGER'S COMMENTS

GM Doyle provided an update on the police enforcement actions at Mission Peak, stating that the District's Public Safety personnel have embarked on increased efforts due to ongoing complaints. To increase awareness of park hours, staff rented an illuminated message board; the GM added that the District will purchase its own message board. In addition, existing curfews has been enforced with teams of officers present at about 9:30 pm to warn or turn away people as needed. Officers have also stayed way past curfew, with the most number of single contacts in one night at 140, which includes a combination of warnings and curfew and parking citations. It was noted that the Fremont Police Department is aware of the District's efforts but have not been able to provide assistance. District officers have also been at the park from about 3:45 a.m. to 5:00 a.m. and have turned away over 200 carloads of people trying to enter the park before curfew expiration. GM Doyle stated that due to the significant costs involved, the District cannot sustain this amount of resources dedicated to the park. He recommended that under the General Manager's emergency authority that the park operating hours be changed slightly and incrementally, as has been done at other parks, as a temporary measure. The recommended hours would be a 6:30 a.m. opening time and a dusk/nighttime closure. The closure will be expected to incrementally change as winter hours approach, but will be gradual. He emphasized that the area in question is a City of Fremont property where the District pays the full cost of maintenance, operation and policing, although efforts are continuing with the City to come up with a joint effort and plan. The recommendation will be effective soon as staff from Operations and Public Safety can come up with a plan. Announcements and public outreach, including on the District website, as well as installation of additional signage and way-finding signs, will also be coordinated with Public Affairs staff.

AGM of Operations Jim O'Connor emphasized that the change in hours/curfew will only apply to the City of Fremont leasehold area and down to the Stanford Staging area.

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

President Wieskamp announced that item C-1-r will be pulled and included at a future meeting since it needed the presence and vote of all seven Board members.

- r. Authorization to Grant a 33,317-Square Foot Recreational Trail Easement and 7,982-Square Foot Utility Easement to the City of Richmond: Miller/Knox Regional Shoreline

At the request of Director Siden, item C-I-d was pulled for separate consideration and approval:

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

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

- d. Authorization to Hire Kristina Kelchner as Assistant District Counsel at Step E of Management Pay Range MG-07
Resolution No. 2014 – 08 - 193 (attached)

President Wieskamp asked that Item C-I-o was pulled for separate discussion and approval to allow Director Dotson to recuse himself due to the proximity of his residence to Breuner Marsh.

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

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

- o. Authorization to Extend and Amend an Existing Lease Agreement with State Lands Commission and Transfer Funds: Point Pinole Regional Shoreline
Resolution No. 2014 – 08 - 213 (attached)

By motion of Director Sutter and seconded by Director Lane, 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 16, 2014 to July 6, 2014
Resolution No. 2014 – 08 - 194 (attached)
- b. Approval of the Minutes for the Board meeting of June 17, 2014
- c. Approval of Out-of-State Travel for Director Whitney Dotson to Attend the Rally 2014 - National Land Conservation Conference on September 18 – 20, 2014 in Providence, RI
Resolution No. 2014 – 08 - 195 (attached)
- e. Authorization to Accept the Bid for Asphalt Slurry Seal and Stripe: Del Valle Regional Park
Resolution No. 2014 – 08 - 196 (attached)

- f. Authorization to Accept the Bid for Fiberized Micro Surfacing: Black Diamond Mines Regional Preserve and Briones Regional Park
Resolution No. 2014 – 08 - 197 (attached)

- g. Approval of a Sole Source Contract with Phil Johnson Landscaping for Construction of Rock Garden Outcrops at the Botanic Garden: Tilden Regional Park
Resolution No. 2014 – 08 - 198 (attached)

- h. Authorization to Extend the Memorandum of Understanding with the Bay Area Quagga Mussel Consortium
Resolution No. 2014 – 07 - 199 (attached)

- i. Authorization to Purchase and Construct a Romtec Pre-Engineered Double Restroom Building: Roberts Regional Park
Resolution No. 2014 – 08 - 200 (attached)

- j. Authorization to Purchase Two Ford F-150 Vehicles
Resolution No. 2014 – 08 - 201 (attached)

- k. Approval of a Memorandum of Understanding between the East Bay Regional Park District and Delta Science Center, Inc. for Use and Access of Big Break Regional Shoreline Park and Visitor Center
Resolution No. 2014 – 08 - 202 (attached)

- l. Authorization of a Mid-Year Change to the Skyline Ranch, Anthony Chabot Equestrian Center and Piedmont Stables Boarding Fee Schedules: Redwood and Anthony Chabot Regional Parks
Resolution No. 2014 – 08 - 203 (attached)

- m. Authorization to Negotiate with Various Property Owners
Resolution No. 2014 – 08 - 204 (attached)

- n. Authorization to Grant a 10.64-acre Temporary Construction Easement, Issue an Encroachment Permit and Grant a 4.57-acre Permanent Easement to Pacific Gas and Electric Company (PG&E) for the Placement, Operation and Maintenance of a Gas Transmission Line, and Accept and Appropriate Funds from PG&E: Delta Access Regional Recreation Area
Resolution No. 2014 – 08 - 205 (attached)

- p. Authorization to Transfer Funds; Enter into a Cooperative Funding Agreement with and Accept and Appropriate Matching Funds from Tri-Valley Conservancy; Award a Contract for Services to Wildscape Engineering Services for the Arroyo del Valle Trail Bridge Preliminary Engineering Study: Del Valle to Shadow Cliffs Regional Trail
Resolution No. 2014 – 08 - 206 (attached)

Laura Mercier, Executive Director for the Tri-Valley Conservancy (TVC), extended the congratulations of the TVC Board on the District's celebration of its 80th anniversary. She added that she also wanted to acknowledge the efforts of District staff Sean Dougan, Jim Townsend and Bob Nisbet for their extensive work with the TVC and the Livermore Area Recreation and Park District to fill the gaps on the Shadow Cliffs to Del Valle Regional Trail.

- q. Authorization to Award a Contract to BKF Engineers to Conduct a Feasibility and Conceptual Engineering Study for the Lone Tree Point Segment of the San Francisco Bay Trail at San Pablo Bay Regional Shoreline: San Francisco Bay Trail
Resolution No. 2014 – 08 - 207 (attached)
- s. Acceptance of the East Bay Regional Park District Investment Report for the Quarter Ending March 31, 2014
Resolution No. 2014 – 08 - 208 (attached)
- t. Acceptance of the East Bay Regional Park District First Quarter 2014 General Fund Reports and Unaudited Financial Statements
Resolution No. 2014 – 08 - 209 (attached)
- u. Authorization to Transfer Funds and Award Contract to Sequoia Ecological Consulting to Provide Biological Permitting Support for the Implementation of the FEMA Fuel Reduction Project
Resolution No. 2014 – 08 - 210 (attached)

Director Sutter asked staff to comment on the letters received from Mr. Norman LaForce, which he sent on behalf of the Sierra Club and SPRAWLDEF, stating that the District should purchase other land instead of using its own land for mitigation. Matt Graul, Chief of Stewardship, stated that the claim that the District is taking public land is incorrect. The lands in question will still be open for public use, except the District will not be doing any intensive development in the areas and will be preserved specifically to benefit the Alameda whipsnake as required in the biological opinion issued by the US Fish and Wildlife Service. These are the same conditions that will be placed on the District by the CA Department of Fish and Wildlife Service. He added that this is a common practice that staff use for restoration enhancement programs whenever the District takes on mitigation projects for other agencies. GM Doyle clarified the concern of environmental groups: they do not want developers to use national, state or regional parklands to get credit for something they are destroying. They want developers to set aside new land to be protected. The District agrees with that 100%; however, for the District's own projects that have very specific requirements for a particular park, it would enhance/improve habitat on existing lands.

- v. Authorization to Amend Contract and Encumber Additional Funds for Sudden Oak Death Mapping and Risk Assessment
Resolution No. 2014 – 08 - 211 (attached)
- w. Authorization to Amend the Contract, Transfer and Encumber Funds for Architectural Consulting Services for Public Safety Headquarters Study
Resolution No. 2014 – 08 - 212 (attached)

2. FINANCE AND MANAGEMENT SERVICES DIVISION

- a. Authorization to Amend the 2014 Budget to Designate Dumbarton Quarry Tipping Fee Revenues for Use at Coyote Hills Regional Park and Appropriate Funds for Project Expenditures
Resolution No. 2014 – 08 - 214 (attached)

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

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

Dave Collins, AGM for Finance and Management Services, provided a brief presentation on this item, explaining that approval of this item will establish the new Coyote Hills Special Revenue fund, transfer funds from the General Fund balance equal to revenues received under the Dumbarton Quarry agreement prior to 2014 amounting to \$1,228,665, transfer additional revenue received in 2014 to-date in the amount of \$654,580, direct that all future revenue received from the agreement to be placed in this new fund, and appropriate funds for District staff expenditures related to the implementation of the agreement and construction of the campground, currently estimated at \$120,000. Mr. Collins explained that this will ensure that funds received will be directed for future maintenance, operations and improvements at Coyote Hills Regional Park.

3. BOARD AND STAFF REPORTS

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

4. GENERAL MANAGER'S COMMENTS

Acting Wildland Vegetation Manager Denise Defreeze provided a brief presentation on the District's vegetation program management including joint projects in the Integrated Pest Management (IPM) program.

5. ANNOUNCEMENTS FROM THE CLOSED SESSION

There were no announcements from the Closed Session.

6. BOARD COMMITTEES

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| a. | Executive Committee | (07-10-2014) | (Wieskamp) |
| b. | Finance Committee | (6-25-2014) | (Wieskamp) |

8. BOARD COMMENTS

Director Severin reported on meetings attended. Director Severin

- Announced that Director Lane is unopposed for the Ward 6 seat;
- Attended her regularly scheduled meetings;
- Attended the Zone 7/Chain of Lakes meeting with District staff.

Director Lane reported on meetings attended. Director Lane

- Attended her scheduled Board and committee/liaison meetings, including the Chain of Lakes meeting;
- Attended a meeting with Cong. Thompson;
- Had lunch with Director Ted Radke last week, with a discussion of his ward;
- Toured Redwood Regional Park as part of Bay Nature walk with retired park supervisor Di Rosario;
- Visited Shadow Cliffs Regional Park;
- Plans to tour Black Diamond Mines later in the week, and the Borel property in the next few weeks;
- Handed out a newspaper article on Deer Valley with Unit Manager Paul Miller;
- Attended the event commemorating Port Chicago as well as the Tilden Corp Yard opening event;
- With GM Doyle, attended the Board of Supervisors meeting where the District was honored its 80th Anniversary.
- Will attend the Day in the Park and Muir Heritage events.

- Commented that there should be a serious discussion on adding a project manager(s) to the budget to take charge and move forward the numerous projects throughout the District, adding that this also applies to the volume of concessions the limited staff is currently in charge of.

Director Dotson reported on meetings attended. Director Dotson

- Attended the regularly scheduled Board and Board committee meetings;
- Attended a dedication of a WW Local Grant-funded project in El Sobrante;
- Visited Tilden and Point Pinole.

Director Sutter reported on meetings attended. Director Sutter

- Attended his regularly scheduled Board and committee/liaison meetings;
- Attended the Bay Nature hike at Redwood with Director Lane and former Park Supervisor Di Rosario;
- Attended a meeting of the Executive Committee relating to Plan Bay Area;
- Attended a meeting of Oakland's Measure DD Committee regarding the Bay Trail;
- Attended a meeting of CALM, a group concerned with Lake Merritt and the estuary;
- With Jim Townsend, met with Diane Tannenwald of the City of Oakland's Public Works Department regarding their proposal for the bridge that will go over the railroad tracks/under the freeway to connect the estuary's channel to the estuary;
- Attended the Contra Costa County Mayors Conference in Lafayette;
- Reminded staff to send out the 2015 calendar soon.

Director Siden reported on meetings attended. Director Siden

- Attended the Alameda City Council meeting wherein the initiative submitted by the Friends of Crown Beach was discussed and acted on, which was positive for the District;
- Attended the Special Park Districts Forum in Orange County, CA;
- Attended a meeting of the San Leandro Creek Alliance, reporting that it was awarded a grant of over \$200,000 from Caltrans to do a feasibility study of a creek that will go from the Bay Trail at MLK to Lake Chabot;
- With GM Doyle and Erich Pfuehler, had a meeting with Cong. Barbara Lee to update her on Crown Beach as well as other issues concerning the District;
- Attended Cong. Barbara Lee's birthday celebration;
- With Director Lane, attended the opening of Tilden's Corporation Yard;
- Attended the PAC barbecue meeting at Garms;
- Attended the Concerts at the Cove as well as a meeting of the MLK Rally Committee;
- Had a meeting with his two PAC appointees.

Director Wieskamp reported on meetings attended. Director Wieskamp

- Attended a meeting with City of Fremont representatives regarding Mission Peak;
- Made a presentation on the District at the Fremont Library;
- With Jim Townsend, presented to the SIRS group in Livermore;
- Attended two neighborhood meetings regarding Mission Peak;
- Attended the Operations Committee, LARPD/Zone 7/Chain of Lakes, Regional Parks Foundation meetings;
- Attended the PAC barbecue meeting at Garms;
- Attended the Elected Women's meeting in Dublin;
- Attended the LARPD/EBRPD Liaison Committee meeting;
- Will be presenting at the Newark Library, and will be attending the Cajun/Zydeco event;
- Announced the trail opening of the Iron Horse Trail at Creekside Park;
- Will attend the Taylor Family Foundation Day in the Park event.

D. ADJOURNMENT

The meeting was adjourned at 4:45 pm.

Respectfully submitted:

Allen Pulido
Clerk of the Board