

The Board Meeting, which was held October 3, 2017 at the EBRPD, 2950 Peralta Oaks Court, Oakland, CA 94605 was called to order at 11:34 am by Board President Beverly Lane.

ROLL CALL

Directors Present: Beverly Lane, President
Dennis Waespi, Vice President
Ayn Wieskamp, Treasurer
Ellen Corbett, Secretary
Dee Rosario
Colin Coffey

Directors Absent: Whitney Dotson

President Lane opened this portion of the Closed Session for public comments.

PUBLIC COMMENTS

Eri Suzuki, President of AFSCME Local 2428, presented a memo to the Board which is in the record. Suzuki asked the Board for consideration of seven recommendations that she outline from AFSCME regarding the Ralph Anderson and Associates bid to undertake the Class and Compensation Study. President Lane asked staff to review.

GM Doyle said that staff doesn't disagree with the recommendations and thinks that is what was agreed to. Today's action is to hire the consultant to get the work done. President Lane said staff should read the board material thoroughly.

At this time, the Board of Directors met back in **Closed Session** at 11:42 pm to discuss those items outlined on the agenda.

The **Open Session** of the Board Meeting was called to order at 1:42 p.m. by President Lane.

Staff Present: Robert Doyle, Ana Alvarez, Debra Auken, Carol Victor, Carol Johnson, Steve Castile, Anne Kassebaum, Jeff Rasmussen, Liz Musbach, Chief Anthony Ciaburro, Dave Mason, Matt Graul, Lance Brede, Jim O'Connor, Bill Proberts, Kelly Barrington, Rachel Sater, Acting Captain Al Love, Tiffany Margulici, Mona Koh, Eri Suzuki, Ruby Tumber, Monica Alvarez-Sellers, Michael Reeves, Kate Collins, Nate Luna, Neoma Lavalley and Brian Holt

Guests: Dan McElhinney, P.E., Caltrans, Karen Betz MTC,

A. APPROVAL OF AGENDA

By motion of Director Wieskamp, and seconded by Director Waespi, the Board voted unanimously to approve the Agenda. **Item b** was pulled from the agenda.

Directors For: Colin Coffey, Ellen Corbett, Beverly Lane, Dee Rosario, Ayn Wieskamp,
Dennis Waespi.

Directors Against: None.

Directors Absent: Director Dotson.

B. PUBLIC COMMENTS

Kelly Abreu spoke about the newly instituted parking fees on Sunday at Ohlone College. Adding that the Park District should have drinking water at Ohlone.

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

By motion of Director Corbett, and seconded by Director Wieskamp, the Board voted unanimously to approve the **Consent Calendar** minus the September 19, 2017 minutes.

Directors For: Colin Coffey, Ellen Corbett, Beverly Lane, Dee Rosario, Ayn Wieskamp,
Dennis Waespi.

Directors Against: None.

Directors Absent: Director Dotson.

- a. Approval of District Check Listing for the Period of August 21, 2017 to September 3, 2017

Resolution No. 2017 – 10 – _____ (attached)

Approval of the Minutes for the Board Meeting of September 19, 2017
(this item was pulled to re-format)

- c. Authorization to Negotiate with Various Property Owners

Resolution No. 2017 – 10 - _____ (attached)

- d. Authorization to Accept a 261-square foot Utility Easement for a Sewer Line from McAvoy Yacht Harbor LLC: Bay Point Regional Shoreline

Resolution No. 2017 – 10 - _____ (attached)

- e. Authorization to Accept Funds for Resource Management Related to the Acquisition of the 191.45± Acre Moller Ranch Property from Antioch Unified School District, Create a New Endowment Fund and Appropriate a Multi-Year Mitigation Fund Budget: Black Diamond Mines Regional Preserve

Resolution No. 2017 – 10 - _____ (attached)

Director Corbett wanted to ensure that the endowment received will cover funds needed for all of the work and manage the property.

Liz Musbach, Chief of Land Acquisition explained that the process begins with the negotiation of the conservation easement language and the associative management plan. The conservation easement sets out what can and cannot be done on the property, and the associative management plan is a blueprint of how the property is to be managed in keeping with the conservation easement structure and detailing how those resources will be preserved to mitigate for the species and habitat of concern. Once the documents are agreed on there is a follow-up negotiation on the amount of the endowment required. Corbett asked

how does staff ensure the amount of funding received is adequate to take care of the fragile resource or habitat, etc. Musbach explained that those negotiations are itemized at the line item level. Outside consultants would be included as a line item. GM Doyle said that in East Contra Costa County, and in most places where the District has conservation easements, the regulatory agency uses APAR methodology which does not include District costs for managing recreation improvements. It is what the regulatory agencies require, and the District still negotiates on top of that.

- f. Authorization to Transfer and Appropriate Legal Reserve Funds to Cover 2017 Legal Expenses
Resolution No. 2017 – 10 - _____ (attached)
- g. Authorization to Enter into Lease Agreements with Xerox Corporation for Maintenance of Copy/Print Equipment: District-wide
Resolution No. 2017 – 10 - _____ (attached)
- h. Authorization to Terminate Contract Previously Authorized and Award Contract to Bowen Engineering and Environmental Inc. for Clayton Radio Tower Demolition: Black Diamond Mines Regional Preserve
Resolution No. 2017 – 10 - _____ (attached)

President Lane inquired about the cost differences in the bids. Jeff Rasmussen, Assistant Finance Officer, explained the process of obtaining bids and the rationale for deciding on Bowen. Director Waespi asked if the funds go to resource environmental aid. Director Rosario asked if Bowen Engineering is aware of the access challenges. Rasmussen said that Bowen is aware, and they will honor the agreement and take care of the property.

- i. Authorization to Apply for Grant Funds from the Bay Area Urban Areas Security Initiative for Digital Video Downlink Helicopter Equipment: District-wide
Resolution No. 2017 – 10 - _____ (attached)

Director Corbett asked how the new equipment differs from the old equipment, what is done with the videos when they are no longer needed. Sgt. Proberts, Chief Pilot explained that the current equipment transmits an analog base system short range and has a separate digital recorder. The new system is an IP based system, is live, and password protected. If the video is evidential it is put into the regular system, and if it is informational, the video is transferred to disk and the video is then deleted. Corbett asked when is the video deployed for viewing. Proberts replied it depends on who requests it. Lane added that this new system increases the District's ability to communicate.

GM Doyle added that we retain video if it is useful for training and if for a specific incident.

- j. Authorization to Execute a Contract with Ralph Andersen and Associates for a Classification and Compensation Study
Resolution No. 2017 – 10 - _____ (attached)

President Lane asked for a response to Local 2428's address during Public Comments to the Board.

DGM Alvarez said that at the beginning of the meeting Local 2428 President Eri Suzuki had comments and gave a handout to the Board. Alvarez remarked that she was pleased AFSCME had the opportunity to respond and put together the memo. Alvarez stated that we have 18-months to complete this robust program and will

make the memo available to the consultant. Out of the 11 items brought forward all of them fit perfectly in the methodology that was identified by the consultants. Alvarez went through the 2428 memo and compared it with the items already brought forward by the consultant and the District. The District posted a 70 page RFP.

Per the District's MOU agreement with 2428, the District had 60 days to select a consultant and today is day 55. Alvarez clarified that the District will be studying every single classification for local 2428 with the assistance of 2428.

The consultant is expected to deliver 5 specific outcomes. The process includes the necessary frequency of the task force to meet the goals of the MOU and states that all conclusions will be data driven and justifiable.

Director Corbett said that at the last Board meeting there was discussion about making sure there was more transparency and asked that Alvarez share the selection process with the vendor. Alvarez provided.

2. ACQUISITION, STEWARDSHIP AND DEVELOPMENT DIVISION

By motion of Director Rosario, and seconded by Director Corbett, the Board voted unanimously to approve Item **C-2-a**.

Directors For: Colin Coffey, Ellen Corbett, Beverly Lane, Dee Rosario, Ayn Wieskamp, Dennis Waespi.
Directors Against: None.
Directors Absent: Director Dotson.

- a. Authorization to Enter into a Lease Agreement with the California Department of Transportation and a Funding Agreement with the Bay Area Toll Authority to Operate the Bridge Yard Building for Public Park and Recreation Purposes, and to Accept and Appropriate Funds from the Bay Area Toll Authority: East Bay Gateway Regional Shoreline
Resolution No. 2017 – 10 - _____ (attached)

Mike Reeves, Senior Acquisition Specialist's PowerPoint presentation highlighted this agreement at the East Bay Gateway Regional Shoreline giving historical perspective and the blueprint for the park in the future. The Bridge Yard Building will anchor the park and serve as an entry point and staging area for bikes and cars. The transfer from the Oakland Army Base to the District is anticipated to occur within the next 1-2 years. The proposed lease encompasses a 2 ½ acre site and 55 space parking lot. This renovation project was recently awarded the Outstanding Historical Renovation Project of 2017 by the American Society of Civil Engineers, SF section. This will be a 10-year lease with two five-year extensions, zero rent lease, income derived to be applied towards operational and maintenance expenses and can enter into park-related concession and subleasing arrangements. Bay Area Toll Authority (BATA) is the funding partner and has agreed to contribute money to help offset operational and maintenance costs. BATA agrees to fund the repair or replacement of any major building components that fail at any point during the Park District's occupancy at the facility. Reeves acknowledged other core members of the Gateway Development Team: Mary Mattingly, Mimi Waluch, Renee Patterson, Steve Castile, Kevin Takei, Dave Zuckerman and Brian Holt. Director Waespi asked if the building is being registered as a historical landmark. Reeves said the building is eligible but doesn't believe the process has been pursued. GM Doyle had favorable comments on this unique project. Dan McElhinney, Chief Deputy Director CalTrans P.E. Caltrans, stated the seismic retrofit and upgrade of the building has made the 1938 building look brand new. SHPO was involved throughout and the building is eligible for listing on the national register of historic places; everything in the design considered the historical eligibility and the process for

registration is ready to be continued. Director Corbett stated that this is positive and commended Caltrans great work. GM Doyle commented that there should be a photo op and press release with the partners on this project. McElhinney agreed and the District Public Affairs Department will coordinate. President Lane commented that she attended hearings on Gateway and had her doubts that people knew what it took to do a regional park in that area. She commented that she didn't realize that it would undergo such an extension restoration. Lane stated that she thought that this is an extraordinary building with all the exhibits, and a tribute to what has happened on the site. In looking at the exhibits, Lane commented that she has ideas about other park buildings and the manner in which they display exhibits that don't interfere with the use of the building Lane asked if the District will have a park supervisor for Gateway. GM Doyle replied that one will be included in the 2018 budget. Jim O'Connor AGM of Operations explained that the Bridge Yard Building will be assigned to Crown Beach staff and Crab Cove will handle the interpretive aspect. Lane asked who will have the responsibility for Burma Road. Reeves replied that Burma Road is a public road, currently being expanded with infrastructure installed as part of the Global Logistics Project under the Port Authority. The Port Authority is the tenant responsible for improving Burma Road out to the turn around. Also included as part of the global logistics project, the tenant is to provide a 70-space parking lot. GM Doyle explained that it is an addition to the park on under peoples property which was a BCDC requirement. Lane inquired if there will be signage to direct users to the park. Reeves replied the Park District will be working with Caltrans to develop appropriate wayfinding signage. Dan McElhinney commented that he will review the signage and will obtain additional signage. He added that Burma Road is a city street. Director Corbett asked if CalTrans will have any new innovations for more permeable surfaces for parking areas. McElhinney answered there is a plan in the works to minimize pavement. Director Wieskamp asked about security for the building and surrounding area. Reeves said that Caltrans has their maintenance facility and Toll Plaza, and will have a 24/7 facility with the Global Logistics Port. There is a public road with a dead end and there will be a need to secure the area with fencing. Wieskamp asked about the cyclists coming in even now. McElhinney said this a state building and a state lot and the trail is being monitored by Oakland as well as the Highway Patrol and their bicycle patrol. GM Doyle stated the District is looking into installing cameras to protect the building. McElhinney thanked Bike Eastbay and the SF Bicycle Coalition. Director Rosario asked if there is another historic building that belongs to PG&E. Reeves replied that it has been demolished. President Lane commented that the District should assist in putting the Bridge Yard building on the national register.

Public Comment

Kelly Abreu commented as a bicyclist the operating hours are much better and there are plenty of restrooms.

4. BOARD AND STAFF REPORTS

a. Actions Taken by Other Jurisdictions Affecting the Park District

General Manager Doyle outlined the actions on the agenda. Director Waespi asked about Morrison Canyon being a one-way road. District Counsel Victor replied this is for upper Morrison Canyon Road and the County and the District Police dept. wrote a letter expressing concern, and the County board found it persuasive and adopted an ordinance for no parking. Directors Rosario and Lane commended GM Doyle, Doug Houston, and Erich Pfuehler on all of the work done to pass the Park Bond. President Lane asked when will the bond be on the primary ballot. GM Doyle said he was expecting State, Housing and Water Park bonds will be on the June ballot. Measure CC staff is leaning towards the November ballot. Doyle commended the Pfuehler and Baldinger.

5. GENERAL MANAGER'S COMMENTS

Kelly Barrington, Chief of MAST introduced Nate Luna, Acting Contract and Encroachment Supervisor Manager as the MAST department's secret weapon for getting things done, Nate Luna, Acting Contract and Encroachment Supervisor Manager, PPT focused on the District's Encroachment Program. In 1993, the Board

adopted the Good Neighbor Policy whose goal is to develop a sound working relationship with the thousands of private property owners that border parks. The Good Neighbor Policy sets guidelines for firebreaks, access gates, and encroachment permits. Luna continued with explanations of the request process: insurance, conditions of access, and documentation. Director Waespi asked how many permits does the District get yearly. Luna replied about 80, with 50% being for private citizens. President Lane asked how long it takes for a private citizen to get a permit. Luna replied they try to turn them around in 2 weeks. All permits are for access and the permittee needs to have all the necessary permits from other agencies before they come to the District. Director Rosario asked about private property owners who encroach. GM Doyle said that the Park District has priority.

GM Doyle acknowledged the comments are in the packet. Lane asked if page 76 refers to eucalyptus regeneration control.

6. ANNOUNCEMENTS FROM CLOSED SESSION

District Counsel Carol Victor announced that there are no announcements.

7. BOARD COMMENTS

Director Waespi reported on meetings attended. Director Waespi

- Attended the Operations meeting;
- Attended the Chabot College Foundation's Gala;
- Attending the NRPA in New Orleans;
- Attended the Niles Canyon Roll and Stroll;
- Attended the Gathering of the Ohlone Peoples;
- Attended the Bay Trail Summit.

Director Wieskamp reported on meetings attended: Director Wieskamp

- Attended the State of the State with Catherine Baker;
- Attended the LAFCO meeting;
- Attended the PAC meeting;
- Attended the Niles Canyon Roll and Stroll;
- Attended the Gathering of the Ohlone Peoples;
- Attending the Board tour on Friday.

Director Lane reported on meetings attended. Director Lane

- Attended the Gathering of the Ohlone Peoples;
- Attended Moonlight on the Mountain;
- Attended the Elected Women's Lunch/Tri-Valley;
- Attended Niles Canyon Roll and Stroll;
- Attended the retirement for David Loeb of Bay Nature;
- Attended the Executive Committee meeting;
- Attended the Diablo Liaison meeting;
- Attended Habitat Conservancy Celebration at Roddy Ranch;
- Attended Regional Parks Foundation meeting;
- Attended the Dublin Liaison meeting;
- Attended the MOU signing with South Korean delegation.

Lane handed out the MOU signed between the District and the South Korean Delegations. She mentioned using Board contingency funds to provide more artifact storage in the District. She hiked from Danville to National

Park site for O'Neill; mentioned that Hemme Park in Alamo was dedicated and Linda Best, her PAC appointee attended saying a few words on behalf of the District.

Director Rosario reported on meetings attended. Director Rosario

- Hiked with Jane Kavanaugh, Piedmont City Councilmember;
- Attended the Operations Committee meeting;
- Attended the Bay Trail Summit;
- Attended the Health and Safety Walk in Redwood;
- Attended the South Korean Delegation MOU signing;
- Met with GM for 1-on-1.

Director Coffey reported on meetings attended. Director Coffey

- Attended the Park and Recreation Commission an ice cream social in Antioch;
- Attended the Bay Trail Summit;
- Attended the Contra Costa County Fish & Wildlife Commission's Annual Forum in Martinez;
- Attended a tour of Vasco Caves with Rep. McNerney.

Coffey toured the Antioch Dunes National Refuge. He staffed a District table at the Hercules Pinole Health and Fitness Fair.

E. PUBLIC COMMENTS

There were no public comments.

F. ADJOURNMENT

The meeting was adjourned at 3:22 pm by President Lane in memory of the victims of the tragic shooting in Las Vegas. GM Doyle ordered all flags at half-mast.

Respectfully submitted:

/s/ Yolande Barial Knight
Clerk of the Bo