

The Board Meeting, which was held December 19, 2017 at the East Bay Regional District, 2950 Peralta Oaks Court, Oakland, CA 94605 was called to order at 12:55 pm by Board President Beverly Lane.

## ROLL CALL

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

Directors Absent: None.

## PUBLIC COMMENTS:

The **Open Session** of the Board Meeting was called to order at 1:25 p.m. by President Lane.

Staff Present: Robert Doyle, Ana Alvarez, Debra Auker, Carol Victor, Carol Johnson, Steve Castile, Liz Musbach, Dave Mason, Matt Graul, Jim O'Connor, Captain Al Love, Mona Koh, Kip Walsh, Michael McNally, Bob Nisbet, Ruby Tumber, Karla Cuero, Mimi Waluch, Eri Suzuki, Jeff Rasmussen, Pam Burnor, Suzanne Lusk, Nadine Vargas, Ren Bates, Brian Holt, Julie Bondurant, Kelly Barrington, Sara Rieck, Ren Bates, Linda Wu, Erich Pfoehler

Guests: Steve Welsh AGM/Contra Costa Water District  
Kyle Macdonald, CLE Consultants

## **A. APPROVAL OF AGENDA**

By motion of Director Wieskamp, and seconded by Director Dotson, the Board voted unanimously to approve the Agenda.

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

Directors Against: None.

## **B. PUBLIC COMMENTS**

There were none.

## **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**.

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

Directors Against: None.

Directors Absent: None.

- a. Approval of District Check Listing for the Period of November 6, 2017 to December 19, 2017  
Resolution No. 2017 – 12 - 351 (attached)
- b. Approval of the Minutes for the Board Meeting of December 5, 2017
- c. Authorization to Negotiate with Various Property Owners  
Resolution No. 2017 – 12 - 352 (attached)
- d. Authorization to Transfer and Appropriate Funds for Land Acquisition Department Projects  
Resolution No. 2017 – 12 - 353 (attached)
- e. Authorization to Renew a Cost Sharing Agreement with the East Contra Costa County Habitat Conservancy and Accept and Appropriate \$100,000 for Land Acquisition-Related Costs  
Resolution No. 2017 – 12 - 354 (attached)
- f. Authorization to Grant an 867-Square Foot Maintenance Access Easement and Two Temporary Construction Easements Totaling 982 Square Feet to Contra Costa County: Morgan Territory Regional Preserve  
Resolution No. 2017 – 12 -355 (attached)

President Lane asked where the easements are located on Morgan Territory Road. Liz Musbach, Chief of Land Acquisition, referenced page 45 and explained the locations. GM Doyle added that there are very narrow one lane bridges that need work.

- g. Authorization to Execute a Contract with Ross Recreation Equipment Company, Inc. for the Purchase and Installation of Shade Structures: Bay Point Regional Shoreline  
Resolution No. 2017 – 12 - 356 (attached)
- h. Authorization to Accept a 25,139-Square Foot Grant of Utility and Public Access Easement from the City of Antioch, a Municipal Corporation: Black Diamond Mines Regional Preserve  
Resolution No. 2017 – 12 - 357 (attached)
- i. Authorization to Enter into a Contract with LCA Architects for Architectural Services to Redesign Open Workspace: Peralta Oaks Administration Building  
Resolution No. 2017 – 12 - 358 (attached)
- j. Authorization to Establish Human Resources Policy and Procedure #17 Describing How to Address Lactation Accommodation Requests from Employees  
Resolution No. 2017 – 12 -359 (attached)

- k. Authorization to Amend Agreement with the Livermore Area Recreation and Park District for Trails Maintenance: Shadow Cliffs to Del Valle Regional Trail  
Resolution No. 2017 – 12 - 360 (attached)
  
- L. Authorization to Transfer Operations Contingency Funds to Replace Vasco Caves Caretaker Lodge: Vasco Caves Regional Preserve  
Resolution No. 2017 – 12 - 361 (attached)

Director Waespi happy to see the replacement of the caretaker residence. He asked if it will be a house. Jim O'Connor, AGM Operations, said there will be a foundation built; staff is hoping to get a prefabricated structure.

- m. Authorization to Appropriate and Transfer Funds for Phase II Service Yard Improvements: Del Valle Regional Park  
Resolution No. 2017 – 12 - 362 (attached)
  
- n. Authorization to Transfer Funds from Operations Fund Accounts to Improve Reservable Facilities: District-wide  
Resolution No. 2017 – 12 - 363 (attached)
  
- o. Authorization to Transfer Board Contingency Funds, General Manager Contingency Funds, and Operations Contingency Funds to an Interpretive Parklands Services Project for a Walnut Orchard Feasibility Study at the Borel Property: Interpretive Parkland Facilities  
Resolution No. 2017 – 12 - 364 (attached)
  
- p. Authorization to Execute a Contract with Strategy Research Institute  
Resolution No. 2017 – 12 - 365 (attached)
  
- q. Resolution to Support H.R. 4208 (Thompson D-CA) and S. 1999 (Cantwell D-WA) – Wildland Fires Act of 2017  
Resolution No. 2017 – 12 – 366 (attached)
  
- r. Approval of Reappointments to the Park Advisory Committee  
Resolution No. 2017 – 12 - 367 (attached)

Director Waespi said he was proud to re-nominate Bruce Beyaert and Richard Godfrey. He asked when will the appointees from special districts, mayors and labor groups occur. Erich Pfuehler, Government Relations Manager, said that the special districts and mayors conferences are not up for appointment however labor is open and will be notified. Director Wieskamp is proud to reappoint Ben Yee.

## 2. GENERAL MANAGER

### a. SECOND PUBLIC HEARING

Adoption of the 2018 Operating and Project Budgets for the East Bay Regional Park District and Approval of the 2018 Appropriations Limit  
Resolution No. 2017 – 12 - 368 (attached)

**There are two resolutions for this one item**

By motion of Director Wieskamp, and seconded by Director Dotson, the Board voted unanimously to  
Approved item 2a.

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

Approval of the 2018 Appropriations Limit  
Resolution No. 2017 – 12 - 3 (attached)

By motion of Director Rosario, and seconded by Director Coffey, the Board voted unanimously to  
Approved item 2b.

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

GM Doyle said this is a critical decision by this Board and the District's fiduciary responsibility to prepare a transparent budget. Debra Auker, AGM FMS and CFO opened this item with a brief introduction as this is the second public hearing. The Budget Document focuses on performance goals established by the Board of Directors and the Master Plan. It also reports accomplishments for the past year. Budget at a Glance shows district-wide spending, revenue sources and revenue growth. Staff has reviewed the comments made at the first public hearing and those comments will be included in this years and some will be in this adopted budget and some in a future budget. Today we are asking the board to adopt this resolution.

Director Rosario commented that this process has been very good and really liked having the opportunity to go through the budget and complimented staff. Rosario commented that there blanks in the performance indicators. Auker replied that these are new this year and we will complete. Director Waespi thanked Pam Burnor and Nadine Vargas adding the document is more user friendly. Director Wieskamp appreciates the good job done by all.

President Lane referred to Volume 2 on the Las Trampas water system asking if there is enough money in 2018. 338,492 Bob Nisbet, AGM of ASD referred the Board to pg. 491 that saying funding to complete the project will come from JOC Job Order and we will come back to the Board to recommend allocating money for that project from fund 553. GM Doyle asked if the water tanks been replaced? Nisbet said they have not. Lane asked if Gateway should in this document. Nisbet said there is one sentence that remarks on planning efforts which will be listed and Gateway is one of them. Nisbet added that there is not an entry in the project budget yet because there is no money funded for it yet; however, there will be one in 2018. GM clarified that as part of the lease agreement Bay Area Transit Authority (BATA) has agreed to help fund certain expenditures at the Bridgeward building and at some point funds will be accepted. Lane commented on her discussions with McElhanney who told her that there will be a working group meeting in January and plan to build the kayak improvements and board walk by end of this summer 2018. Lane was wondering how would they get to those sides and would have to go across Caltrans or Gateway Park land. Nisbet says he will add this to the conversation at the decision meeting coming up shortly. In terms of the pace, once it starts moving it is fast tracked and part of the discussion is if Caltrans would allow the public to use their service road. Lane said it looks dynamic and since we didn't have anything tangible in the budget I was worried. GM Doyle said they are

supposed to demolish the piers to build the project. Auker said that there is staffing in this budget for a .75 park ranger and .25 police officer. This will be a District operated facility. The Bridgeyard will be a concession.

President Lane opened the Public Hearing.

Eri Suzuki, President AFSCME Local 2428. Suzuki commented on the changes to staffing and working conditions in this budget asking for assurance that implementation will wait until we go to meet and confer. Additionally consideration was asked for all clericals to work a 40 hour work week and not just the confidentials.

President Lane closed the Public Hearing.

Debra Auker, AGM FMS/CFO replied that the majority of the questions were answered and at the meet and confer with more detailed responses. Auker said it does have to go through HR's process. Kip Walsh, Chief Human Resources Officer, said that responses were sent to the union, however the balance of the responses will come tomorrow at meet and confer. President Lane thanked Pam Burnor, Nadine Vargas and Debra Auker for all of the work done which reflects the values and the District's environmental ethic. Director Rosario believes in this process and asked if we could have one of the two budget meetings held in the evening. President Lane said it will be considered.

### 3. FINANCE AND MANAGEMENT SERVICES DIVISION

- a. Adoption of a Mitigated Negative Declaration and Mitigation, Monitoring and Reporting Plan for Water Access and Shoreline Protection Project and Approval of the Project: Point Isabel Regional Shoreline

Approval of Water Access and Shoreline Protection Project: Point Isabel Regional Shoreline  
Resolution No. 2017 – 12 - 3 (attached)

By motion of Director Dotson, and seconded by Director Waespi, the Board voted unanimously to approve the **Consent Calendar**.

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

Directors Against: None.

Directors Absent: None.

Jeff Rasmussen, AFO, gave the Board the history of this project. In 2018 focusing on phase I of a 4 phased project. Rasmussen via PowerPoint, showed existing conditions of these projects along the shoreline and explained the improvements. Director Rosario asked how many people attended the meetings. Rasmussen said 20 people attended this meeting, 2 previous meeting there were 12 attendees and PIDO and 30 online comments. Rosario asked if we uncover cultural artifacts what determines the stop and is there a monitor on site. Kyle MacDonald, CLE Engineering, explained the protocols for such a find. Rosario asked how many artifacts have to be found before a shutdown. MacDonald said one and we notify the tribe. GM Doyle said that Sonoma State carries the catalog of the known artifacts for this area. However most of the site is filled in by the USPS when it was built. MacDonald added that the cultural resources are south and north is fill and there was a study done along with some excavations and it was deemed there was nothing of historic significance. All of this information was shared with local tribes. Director Corbett asked if this area where improvements are is an on or off leash area and does it change the usage. Rasmussen said off leash and said it doesn't impact the area

which was discussed during our public meetings there was no indication of impacts. GM Doyle asked if staff contacted Audubon. Rasmussen said they asked to change the name from restoration project to protection project and asked for additional monitors during Hoffman Channel work for protection of birds and are happy to do. GM Doyle said Audubon is concerned with rafting birds and thanked staff for reaching out to them. Lane commented on the name change saying that she didn't have a problem with it however Lane added that restoration does not just refer to habitat. She was surprised on the size of the property adding that once it gets improved you will have more people coming through. She cautioned that when we put benches together we not only think about views but about conversations. GM Doyle said this is one of the first acquisitions for Eastshore State Park.

#### 4. ACQUISITION STEWARDSHIP AND DEVELOPMENT DIVISION

- a. Authorization to Execute a Memorandum of Understanding (MOU) with Contra Costa Water District Regarding Title Transfer of the Contra Costa Canal and Contra Loma Reservoir Facilities: Contra Costa Canal Trail and Contra Loma Regional Park  
Resolution No. 2017 – 12 - 3 (attached)

By motion of Director Coffey, and seconded by Director Lane the Board voted unanimously to approve Item **C-4-a**.

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

AGM ASD, Bob Nisbet, introduced this item. Nisbet introduced Steve Welsh, AGM Contra Costa Water District. This item was before the Board on December 5, 2017. CCWD wants to pursue title transfer of certain facilities. This is a long term process which will take potentially 3 years to get title transfer. Staff was directed to make some changes in the document. Nisbet summarized the comments referring to the record in the minutes of page 16 and then included in the current staff report on page 159. In collaboration with CCWD there were edits and language changed in the document for clarity and consistency. GM Doyle said he talked to the GM of CCWD expressing that we are moving forward with the edits. Director Corbett asked if there any concern that changing title from federal land to district lands will impact the way to receive federal funding? Steve Welsh said that we don't believe so because over 90% of water comes from the Bureau of Reclamation. President Lane referring to pg. 160 asked if related facilities includes Los Vaqueros. Welsh said it does not, it is owned by CCWD and no facilities. Coffey asked about Concord Check 8. Welsh said it is near Diablo Creek Golf Course.

#### 5. BOARD OF DIRECTORS

By motion of Director Lane and seconded by Director Coffey, the Board voted unanimously to approve Item **C-4-a**.

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

President Lane, Directors Dotson and Coffey of the nominating committee recommended the slate of officers for 2018. The Board unanimously elected the following:

President	Dennis Waespi
Vice President	Ayn Wieskamp
Treasurer	Ellen Corbett
Secretary	Dee Rosario

### 3. BOARD AND STAFF REPORTS NONE

- a. Actions Taken by Other Jurisdictions Affecting the Park District

GM Doyle said there were no actions.

### 4. GM COMMENTS

GM Doyle introduced this item and commented on the safety of our lakes congratulating Pete DeQuincy and his team on their work and commitment to safety and great recreation. Pete DeQuincy, Aquatics Manager, gave a 2017 departmental overview touching on several points:

- \* 79<sup>th</sup> year of lifeguard service
- \* attendance was over 500,000
- \* 87, 000 preventions (safety lectures, medical, 911 rescues, special events)
- \* 8<sup>th</sup> year without drowning
- \* 170 seasonal lifeguards with 5 permanent staff.

DeQuincy expressed his appreciation for the staff which makes the department successful. Programs: Aquatics has 602 Junior Lifeguards (8–12 yr old) and Cadets (13-15 yr old) Program and an Aquatic Adventure Camp. This camp lasts 5 days and is for non-swimmers to teach them how to participate in water safety, thanked the Regional Parks Foundation for the lifejacket loaner program (32,000 were loaned) and the camperships and grants. Director Wieskamp said that she would like to come and observe and see the kids' experience. Director Corbett congratulated DeQuincy and his staff on outstanding programs and she did have an opportunity to view the Jr. Lifeguard Program in action and thought this is a good program and a way to bring in great staff. Director Waespi congratulated DeQuincy. Waespi would like to receive a copy of the PowerPoint presentation. Director Rosario congratulated DeQuincy and mentioned that retired aquatics personnel Lucy Woolshlager and Dan McCormick would be proud since she was the first to professionalize aquatics. GM Doyle asked the impact of blue green algae on lifeguard services. DeQuincy said that challenges are that it has affected some of our prize jewel parks, it causes loss of access to the parks, costs over \$100,000. Adding that when we have to close the parks, the lifeguards lose their jobs and we lose the workforce. GM Doyle asked if the lifejackets have District logos on them. DeQuincy said they have tried logo's and it didn't work. President Lane stated that this in an informative PowerPoint. She asked if PowerPoint can be put on the website.

Director Wieskamp asked if we sent a letter to the Eagle Scout and Troops for the 186 lbs of invasive weeds that was pulled at Brushy Peak. DeQuincy will research.

### 6. ANNOUNCEMENTS FROM CLOSED SESSION

District Counsel Carol Victor announced that there are no announcements.

### 7. BOARD COMMITTEE REPORTS

- |                          |            |            |
|--------------------------|------------|------------|
| a. Finance Committee     | (6/28/17)  | (Wieskamp) |
| b. Legislative Committee | (8/25/17)  | (Corbett)  |
| c. Legislative Committee | (10/20/17) | (Corbett)  |

## 8. BOARD COMMENTS

Director Lane reported on meetings attended. Director Lane

- Attended the CCC Mayors Conference, Pleasant Hill;
- Attended the Richmond Liaison meeting;
- Attended the East Bay Hills book signing at Trudeau;
- Had Breakfast with Patty Deutsche President of East bay leadership council;
- Attended the Executive Committee meeting;
- Toured Mission Peak with Director Wieskamp and Gordon Willey;
- Attended the PAC Holiday dinner;
- Attended EBRPD Charity Holiday luncheon;
- Attending lease signing at the Brickyard.

Lane finished the San Ramon Sesquicentennial, visited the Alamo Cemetery and honored the Veterans 'Wreaths Across America', visited the Pinole Shores bridge.

Director Waespi reported on meetings attended. Director Waespi

- Attended the Legislative Committee meeting;
- Attended the Executive Committee meeting;
- Attended the LWV Eden Area holiday party;
- Attended the East Bay Hills book signing at Trudeau;
- Attended the PAC Holiday dinner;
- Attended EBRPD Charity Holiday luncheon;
- Attended the CCC Mayors Conference, Pleasant Hill;
- Attended Hayward Chamber mixture;
- Attended the Operations Committee meeting;
- Attended a meeting with Deputy GM, AGM FMS/CFO and Clerk to assign Board members to their Committee's.

Director Wieskamp reported on meetings attended: Director Wieskamp

- Attended the Executive Committee
- Attended the Elected Women's Luncheon;
- Attended the PAC Holiday dinner;
- Attended EBRPD Charity Holiday luncheon;
- Toured Mission Peak with Director Lane and Gordon Willey;
- Attending LAFCo's special meeting.

Director Rosario reported on meetings attended. Director Rosario

- Attended the East Bay Hills book signing at Trudeau;
- Attended the PAC Holiday dinner;
- Attended EBRPD Charity Holiday luncheon
- Attended the CCC Mayors Conference, Pleasant Hill;
- Attended the Operations Committee meeting;
- Attended the Annual Piedmont Stables Christmas Party;

Rosario attended Executive Committee as a guest.



Director Dotson reported on meetings attended. Director Dotson

- Attended the PAC Holiday dinner;
- Attended the Richmond Liaison meeting.

Dotson added he has been hiking in the marsh.

Director Corbett reported on meetings attended. Director Corbett

- Attended the Legislative Committee meeting;
- Attended the PAC Holiday dinner;
- Attended EBRPD Charity Holiday luncheon;
- Attended the Operations Committee meeting;

Corbett and Rosario are working on Measure CC. She asked when will San Leandro portion of Lower Chabot be opened. GM Doyle said they are still negotiating with EBMUD. Corbett asked AGM Johnson to keep in contact with her about this liaison committee.

Director Coffey reported on meetings attended. Director Coffey

- Attended the Legislative Committee meeting;
- Attended the Richmond Liaison meeting;
- Went to Pinole shores bridge with Director Lane and Sean Dougan;
- Attended the of East Bay Hills book signing at Trudeau;
- Attended EBRPD Charity Holiday luncheon;
- Attended Big Break Astronomy Campfire Program;
- Attended the PAC Holiday dinner.

Coffey toured the John Muir Land Trust, hiked Mount Wanda and Deer Valley.

## **E. PUBLIC COMMENTS**

There were none.

## **F. ADJOURNMENT**

President Lane adjourned the meeting at 3:32 pm in honor of SF Mayor Ed Lee and former Naturalist Bob Kanagaki who recently passed.

Respectfully submitted:  
/s/ Yolande Barial Knight  
Clerk of the Board