

The Board Meeting, which was held December 5, 2017 at the East Bay Regional District, 2950 Peralta Oaks Court, Oakland, CA 94605 was called to order at 11:45 am 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:

At this time, 11:45 am, 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 1:04 p.m. by President Lane.

Staff Present: Robert Doyle, Ana Alvarez, Debra Auker, Carol Victor, Carol Johnson, Steve Castile, Anne Kassebaum, Liz Musbach, Dave Mason, Matt Graul, Jim O'Connor, Acting Captain Al Love, Mona Koh, Kip Walsh, Sean Dougan, Deborah Spaulding, Michael McNally, Bob Nisbet, Ruby Tumber, Jason McCrystle, Renee Patterson, Mimi Waluch, Glenn Gilchrist, Eri Suzuki, Jeff Rasmussen, Pam Burnor, Mark Pearson, Former Union President, Jim Tallerico, Karla Cuero, Michael Reeves, Brad Gallup, Suzanne Lusk, Nadine Vargas, Chief Rick Seals, Chris Barton, Ren Bates, Brian Holt, Julie Bondurant, Kelly Barrington, Sabrina Pinell

Guests:

A. APPROVAL OF AGENDA

By motion of Director Wieskamp, and seconded by Director Waespi, 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

Marla Schmale commented on her inability to receive information about the meeting that the PAC was planning to have on the dog policy. President Lane commented that the PAC has scheduled a public meeting at MLK Shoreline on December 13th in the evening. GM Doyle weighed in that when the details are final staff will announce them and someone will reach out to Ms. Schmale.

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

By motion of Director Wieskamp, and seconded by Director Corbett, 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 October 23, 2017 to November 5, 2017
Resolution No. 2017 – 11 - 330 (attached)
- b. Approval of the Minutes for the Board Meeting of November 21, 2017
- c. Authorize Application for Annexation into the Delta Diablo Sanitation District and Approve an Addendum to Initial Study and Mitigated Negative Declaration: Bay Point Regional Shoreline
Resolution No. 2017 – 11 - 331 (attached)
- d. Authorization to Enter into a License Agreement with Alameda County Water District for the Placement, Operation and Maintenance of a Rain Gauge: Sunol Regional Wilderness
Resolution No. 2017 – 11 - 332 (attached)
- e. Authorization to Accept a 25-Year Extension of East Bay Regional Park District's Marsh Creek Recreational Trail License Agreement with the Contra Costa County Flood Control & Water Conservation District: Marsh Creek Regional Trail
Resolution No. 2017 – 11 - 333 (attached)
- f. Acceptance of the East Bay Regional Park District Investment Report for the Quarter Ended September 30, 2017
Resolution No. 2017 – 11 -334 (attached)
- g. Acceptance of Third Quarter 2017 General Fund and Other Governmental Funds Financial Report
Resolution No. 2017 – 11 - 335 (attached)
- h. Authorization to Appropriate and Transfer Funds for Visitor Center Renovation: Sunol Regional Park
Resolution No. 2017 – 11 - 336 (attached)
- i. Authorization to Transfer Paving Funds for Renovation of Winton Avenue Staging Area: Hayward Regional Shoreline
Resolution No. 2017 – 11 - 337 (attached)

- j. Authorization to Enter into a Special Use Agreement with Tri-Cities Horsemen's Association: Ted and Kathy Radke-Martinez Regional Shoreline
Resolution No. 2017 – 11 -338 (attached)
- k. Authorization to Transfer and Encumber Funds in the Business Services General Fund Account for a Renovation of the Boardsports Concession: Crown Memorial State Beach
Resolution No. 2017 – 11 - 339 (attached)

Director Rosario inquired if the building being renovated is an existing structure and if was built originally by a concessionaire. Mimi Waluch, Business Services Manager, replied the structure has been there for 20 years and staff thinks the original concessionaire built it, and it belongs to the District.

- L. Authorization to Purchase Two Chevrolet Colorado Duramax Diesel Pick-ups from Winner Chevrolet for Vehicle Replacements
Resolution No. 2017 – 11 - 340 (attached)
- m. Authorization to Enter into a Youth Employment Services Contract with Civicorps Schools for 2018 Wildland Fuels Reduction: District-Wide
Resolution No. 2017 – 11 - 341 (attached)
- n. Authorization to Transfer Funds and Amend Professional Services Contract with Kjeldsen, Sinnock & Neudeck, Inc for Development of Specification for the Restoration of the Well at the Patterson Ranch Farm: Coyote Hills Regional Park
Resolution No. 2017 – 11 - 342 (attached)

Director Wieskamp commented that at the last public workshop on the Patterson land, Mr. Perry's biggest concern was regarding the water which affects the crops he can grow. Director Wieskamp emphasized that this restoration is very important.

- o. Authorization to Transfer Board Contingency Funds to an Interpretive and Recreation Services Fund for Fireproof Artifact Storage Cabinets Varied Parkland Facilities
Resolution No. 2017 – 11 - 343 (attached)

President Lane asked if all parks will receive a storage cabinet. Anne Kassebaum, Chief of Interpretive and Recreation Services, clarified that the current storage areas are at Ardenwood, Big Break, Black Diamond, Coyote Hills, Sunol and Tilden; Crab Cove does not have one. The District will purchase 10 cabinets: 2 for the Botanic Garden, one for Martinez, one at Sunol/Ohlone, one at Vasco, one at Wildcat Alvarado and 4 at Borel.

- p. Authorization to Purchase Safety Equipment from L.N. Curtis & Sons: Public Safety Division
Resolution No. 2017 – 11 - 344 (attached)
- q. Authorization to Establish a Capital Project and Transfer Funds for Purchase and Installation of an Evidence Freezer: Public Safety Division Funds
Resolution No. 2017 – 11 - 345 (attached)

- r. Authorization to Award a Contract to Dakota Press for Acceptance of Bid for Printing General Brochures and All Park Map Brochures for the Years 2018 - 2019: Public Affairs Division
Resolution No. 2017 – 11 - 346 (attached)

President Lane asked what is a general brochure and does it include all 73 parks? Carol Johnson, AGM Public Affairs explained that it is a general overview of the District which includes a map. A draft general brochure was distributed to the Board.

- s. Authorization to Award a Contract to the San Francisco Chronicle to Print and Distribute the Regional in Nature (RIN) Activity Guide: Public Affairs Division
Resolution No. 2017 – 11 - 347 (attached)

Carol Johnson, AGM Public Affairs specified that at the request of Director Corbett, the District has added the San Leandro Times and the Castro Valley Forum to its list of newspapers that distribute the RIN.

- t. Authorization to Appropriate Measure WW Funds and Reimburse City of Fremont \$80,811.75 for Road Construction Improvements Related to Vargas Plateau Regional Park
Resolution No. 2017 – 11 - 348 (attached)

Kelly Abreu, Mission Peak Conservancy, commented on the amount of money being spent on road improvements. He added that the owner of the microbrewery will take advantage of the use of the road.

2. GENERAL MANAGER

- a. FIRST PUBLIC HEARING

East Bay Regional Park District 2018 Proposed Operating and Projects Budget

President Lane outlined the procedure that will be followed for the public hearing. President Lane explained there will be a presentation, questions from the Board, opening of the public hearing, comments from the Board with a decision at the next Board meeting, December 19 and closing the public hearing.

Debra Auker, AGM FMS and CFO gave a brief overview of the 2-volume Proposed Operating and Project Budget for 2018. The budget has already gone to the PAC and Finance committees and now it is before the Board for the first public hearing. Auker walked the Board through the budget via a PowerPoint presentation. Auker highlighted the budget summary, revenue sources and appropriations by type, proposed staffing changes, base budget changes, one time budget changes, and performance goals. The budget allows the District to ensure its fiscal health, plan for climate change resiliency, improve access to public parklands, outreach to under-represented groups, and attract and retain a workforce of excellence.

GM Doyle acknowledged that the finance department went out into the parks and the main office to explain the budget process to staff. Director Rosario, asked about indicators for increased racial diversity. Auker said the data has not been collected, but as soon as it is, it will be incorporated into the budget. Rosario asked if appraisals include management responsibilities. GM Doyle explained that the requirement hasn't changed how the District calculates the results, it is just getting more detailed. Auker added that the schedules in the back of this section, will be updated and corrected in the adopted budget. President Lane had a question about the total

number of interpretive programs with the addition of the mobile visitor center. Anne Kassebaum, Chief Interpretive and Recreation said that the mobile visitor center will increase school offerings.

Director Waespi was pleased with the inclusion of the performance measures. Waespi highlighted several topics: noted the increased number of safety trainings, lunchroom upgrade, the production of 5 videos to publicize the District, the 7 'Share the Trail' events, fuel efficient vehicles, and green awards dealing with sustainability. Director Waespi commented that he approved that the funding of the 553 account would be continued to plan ahead for the rifle range and infrastructure of the District. Auker remarked there is \$1 million dollars set aside for environmental remediation at the former gun club and \$800,000 for fuels plan. President Lane asked the location for information on future LUPs. Bob Nisbet, AGM ASD referred the Directors to pages 25 and 28 where information for the LUPs is located. Lane added that it is important to be able to find the LUPs in the document and wanted the Board to be informed of the progress on the LUPs. GM Doyle affirmed there is a desire to move them along and add others to the cue; he explained it will be discussed during the workshops. Wieskamp added that as a member of Finance dept. she is impressed with the volume of work being done, and that she is looking forward to the Board workshops. Lane would like the future budget to provide more info on each unit in Operations for the next budget. Jim O'Connor, AGM Operations, said the process of goals and commitments are tracked internally. Lane replied that she would like to have this information included in the budget. Lane thought that legal should have more details. Carol Victor, District Counsel, responded that the Legal department is a partner on every initiative within the agency, adding that performance measures are hard to craft because they can't be quantified. Lane said it may be the case that Legal needs to do something that is more qualitative, so the budget reflects what specific cases are being worked on, and how Legal works with other departments. Lane asked where is Public Affairs reflected in the goals, and perhaps the description needs to be re-phrased. Lane also thought that the Board could be included within Public Affairs as they are the public face of the District. Director Corbett commented that it is nice to see how the budget document reflects the evolution of the Park District, the various community needs, its focus on climate change and resiliency which shows our attention to the public. Corbett added that she would like to see larger numbers in green vehicles, but she is very happy to see improvement. GM Doyle stated that the fleet issue is the most central and challenging part and is the next piece to be looked at noting that DGM Alvarez is pulling together the climate team. Director Coffey expressed his appreciation on the budget thanking staff who answered all 7 of his questions in advance.

President Lane opened the Public Hearing.

Eri Suzuki, President of Local 2428 stated that the Union requested information on the budget at the last Finance committee meeting and has not received it. Suzuki commented on two points; a new position, Public Information Fellow's job duties includes leading wellness walks. The District has naturalists that lead walks, Suzuki requested a meeting with AGM Johnson. Her second point was that confidential secretaries will be moving from 7.5 to 8 hours, other secretary positions were not given this opportunity. The difference in increase between secretary and confidential is a 21% increase. Kelly Abreu commented that the District needs more transparency in tracking of project expenditures, deliverables, budget and milestones. Marla Schmale commented that a row of trees could be added to the ridgeline as a way to quiet the Diablo winds.

President Lane closed the Public hearing. The second hearing will be in two weeks.

GM Doyle acknowledged that staff will have responses to President Lane's questions and comments at the second hearing. The goal of the entire staff is to seek ways to improve.

3. 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 at Contra Loma Regional Park
Resolution No. 2017 – 11 - 349 (attached)

Bob Nisbet, AGM ASD presented on this item. Nisbet went through the history of this MOU explaining the process regarding roles and responsibilities of the transfer. The investment by CCWD in this modernization is about \$5million. The Canal Modernization project provides an opportunity to enhance both water service and recreation. CCWD has agreed to seek input from EBRPD on aspects of the project that impact recreation. Nisbet described Key Terms, highlighting points along the CC Canals map which includes existing regional trails CCWD and EBRPD boundary and lands, open space and pipeline. This is a long-term project and the Ad Hoc committee will meet periodically.

GM Doyle stated that where CCWD wants to put the canal in a pipe is a positive benefit for the District however, to mow the entire area could be a problem. There was agreement about water recreation and CCWD did build the lagoon which belongs to the District. The District is obliged is to protect this asset and obtain a permanent right for recreation. President Lane asked if this is firmly reflected in the MOU. GM Doyle said it did, and acknowledged that because the District objected previously Contra Loma didn't make the transfer. There will be a separate agreement on the canal and on Contra Loma. Lane stated that using the word "may" in 'may continue in perpetuity' is problematic for her. Corbett asked if the canals are cement lined. Nisbet said yes. Corbett commented that she appreciates the negotiations to preserve the recreational opportunities. Corbett asked if the District is working towards some sort of appropriations in Congress. GM Doyle said it is the intent of the water district to authorize the land transfer which takes an action of Congress. Corbett said that the District needs to be careful because sometimes when you transfer authority you disconnect yourself from funding opportunities. Nisbet said the water district has indicated they have already raised \$460 million dollars already towards the modernization project. Lane said this is a time to be very clear that the District gets what it wants. Director Coffey found the language consistent with their discussions at the liaison meeting and consistent with the understanding. Director Rosario asked what would trigger a 60-day notice? GM said that the water district could decide it is not feasible. Rosario asked in the case of some major disagreements who oversees the meet and confer? GM answered staff from each side, and if there is a stalemate, staff would go back to the Board and say they don't recommend. Waespi hopes the District gets something out of this after losing 8 miles of trail. GM Doyle said Contra Loma is critical and the canal trail has become an intricate part of lives in Central and East County. Nisbet acknowledged Michael Reeves for all his work. Carol Victor, District Counsel commented on the "may" word, reading pages 146 and 147. Lane said that there should be discussion about the word may. GM Doyle said that the Board should recommend a wording change. There was discussion amongst the board about whether to adopt or not adopt the word change. The Board decided to not take action today, but to revisit at the next meeting.

GM Doyle stated that the intent of the Board is to approve the agreement, and come back with the wording change at next board meeting after Nisbet goes back to CCWD.

4. OPERATIONS DIVISION

By motion of Director Waespi, and seconded by Director Wieskamp 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.

- a. Authorization to Appropriate Restricted Funds from the Meyers Dry Creek Garden/Meyers Gift Fund to Purchase Chain-Link Fence and Gates for Dry Creek Garden Iris Field: Garin Regional Park Resolution No. 2017 – 11 - 350 (attached)

AGM Operations, Jim O'Connor introduced the item and staff Jeff Bennett, Gardener at Dry Creek, and Mark Pearson, Park Supervisor of Garin/Dry Creek Regional Parks. Pearson gave a PowerPoint presentation on this item. Pearson explained the history dating back to the 1900's on the origin of the cottage at Dry Creek Ranch and the three sisters who inherited the land, and introduced plants into the garden, and ultimately gifted the land to the Park District. In April 2019, Dry Creek Garden will be one of five gardens hosting the 99th Annual Conference and Tour of the American Iris Society along with Diablo Iris Society in Walnut Creek, and Sydney B. Mitchell Iris Society in Oakland. Dry Creek is the master garden and will have one of each named iris on display. The new chain link fence will protect the irises from the public and will feature new and heirloom irises. GM Doyle asked the status of the water for the garden. Pearson said the garden is now hooked up to city water. GM Doyle asked the status of funding for the greenhouse. Pearson said there will be a fair amount of money left in the Meyers gift fund. President Lane wanted to make sure that the greenhouse is compatible with the garden and wanted the existing architecture in the Gardens to be reflected in the design of the greenhouse. Bennett said it is adding bifacial solar, meaning it charges on both sides of the glass; they are also adding rain water storage. Director Waespi asked where the greenhouse will be located. Bennett replied on the hill above the swimming pool. Waespi added his compliments to Jeff Bennett. Director Rosario asked what the fence height will be. Pearson answered it will be an 8-foot cyclone fence. Rosario asked if there could be consideration to make the fence more decorative. Pearson replied he will look into it, adding that the iris beds will each be named after a park. Director Wieskamp complimented the staff for a great job at the area.

3. BOARD AND STAFF REPORTS

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

GM Doyle talked about the items in the report.

4. GM COMMENTS

GM Doyle talked about the items in the comments section.

Steve Castile, Chief Park Operations gave a water efficiency project update. Director Waespi thanked the staff and asked if there is any way to quantify what is saved? Castile explained the mathematical equation to come up with a number.

6. ANNOUNCEMENTS FROM CLOSED SESSION

District Counsel Carol Victor announced that there are no announcements.

7. BOARD COMMITTEE REPORTS

- a. Operations Committee (9/21/17) (Waespi)
- b. Natural & Cultural Resources Committee

	(10/18/17)	(Nisbet/Rosario)
c. Operations Committee	(10/26/17)	(Waespi)
d. Executive Committee	(11/02/17)	(Lane)
e. Operations Committee	(11/16/17)	(Wieskamp)

Directors Corbett and Coffey left the meeting at this time.

8. BOARD COMMENTS

Director Lane reported on meetings attended. Director Lane

- Met with staff on the LUPA for southern part of Las Trampas;
- Attended the PAC meeting;
- Walked Las Trampas.

Lane complimented Finance staff on the 2018 Proposed Budget document.

Will reappoint Linda Best to the Park Advisory Committee (PAC). Announced 2018 Board Officer nominating committee members: Directors Coffey and Dotson.

Director Waespi reported on meetings attended. Director Waespi

- Hiked Lake Chabot;
- Spoke at Castro Valley Rotary Club;
- Attended Finance's 2018 Budget Seminar at Peralta Oaks.

Waespi will reappoint Bruce Kern and Rich Godfrey to the PAC.

Director Wieskamp reported on meetings attended: Director Wieskamp

- Visited Ardenwood and toured the Patterson house;
- Touring at Mission Peak with Beverly Lane;
- Touring with Chris Lyle at Vasco and Morgan Territory;
- Attending the PAC Holiday party;
- Attending the District's Holiday Luncheon at Gateway.

Wieskamp will reappoint Ben Yee to the PAC. The Independent published Green bonds publication received from Public Affairs and their editor wrote an editorial.

Director Rosario reported on meetings attended. Director Rosario

- Toured Claremont Conservancy with the Sean Dougan and Sean Connelly.

Rosario was on vacation in Arizona.

Director Dotson reported on meetings attended. Director Dotson

- Attended a meeting with the kids working in the Urban Tilth program in Richmond.

Dotson added that they have projects they are working on that have to do with volunteering, and is a good project to outreach for minority communities.

E. PUBLIC COMMENTS

There were none.

F. ADJOURNMENT

President Lane adjourned the meeting at 4:18 pm in honor of former Board member John Leavitt.

He was on the Park District Board from 1972-1988. He represented Ward 4. Corbett brought a card that the Board signed and recommended the Clerk's office send a letter to the family acknowledging that the

Approved Minutes
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Board meeting was adjourned in his honor. GM Doyle remarked that Mr. Leavitt was very active on the Shoreline Parks and Crown Beach and worked well with Dick Trudeau.

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