

The Board Meeting, which was held January 16, 2018 at the East Bay Regional District, 2950 Peralta Oaks Court, Oakland, CA 94605 was called to order at 11:00 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:

The **Open Session** of the Board Meeting was called to order at 1:00 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, Mimi Waluch, Lisa Baldinger, Jeff Rasmussen, Renee Patterson, Chris Barton, Matthew James, Brian Holt, Kelly Barrington, Sara Rieck, Linda Wu, Erich Pfuehler

Guests: Abby Fateman, ECCCHC

President Lane passed the gavel to incoming President Waespi. President Waespi presented Director Lane with a framed picture. Lane commented on a few of the highlights for 2017. 1) Labor Negotiation was beneficial to our employees; 2) the appointment of Director Coffey; 3) WW Bond Sale including green bonds; 4) Economic Study on the Quality of Life. Lane was particularly proud of the Point Pinole double opening for the Atlas Street Bridge; opening the other access entry to Dotson Marsh; the new Bay Trail; the Bridgeyard building and Gateway park; the installation of convenience camping at Del Valle; and becoming personally acquainted with our new board members. Lane noted that she was pleased with the new staff; is looking forward to a successful classification study; how popular District parks have become, and how to manage the parks. President Waespi thanked Lane for welcoming the 3 new board members and mentoring them throughout the year. Director Corbett thanked Lane for being an example to the Board. Director Corbett said President Lane has set the bar high. Director Wieskamp expressed her admiration for Lane, having known and worked with her fellow board member for many years. Director Coffey expressed appreciation for Lane's wisdom and guidance. Director Rosario thanked her for her welcoming energetic guidance and Director Dotson said she is one of the best coaches.

A. APPROVAL OF AGENDA

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

Chris Newey, Vice President of Local AFSCME 2428 asked that District board meetings be held in the evening and live cast, and/or make audio/visual available on the District website to allow the public to participate and provide transparency. Newey requested that 2428 clerical members have the option to work 40 hours that was afforded the confidential secretaries. Newey quoted President Waespi, Wieskamp, and Rosario from the December 19, 2017 meeting. Newey asked that the Board show its employees they believe in fairness and inclusivity, adding that offering benefits to only a select group of employees is not inclusive or fair. 2428 asked the District to change its position on this matter. Bruce Beyaert, Chair of Trails for Richmond Action Committee (TRAC) passed out a handout on Miller Knox. Beyaert urged the District to move forward on the design of the shoreline trail from Ferry Point to the mid-point Lagoon area. Amy Coulter, AFSCME Local 248 member, employed since 2001, Senior Office Assistant, avid park user and resident of Alameda County requested a written reply to her comments from Director Corbett within whose ward she resides. Coulter touched on several points: As done in the past, HR Walsh denied employees the ability to submit a HR request. Confidential employees shifted from 37.5 to 40-hour work week which was not offered to other employees, and as a result, rising inequality. Coulter handed out a comparison between management and confidential secretary's noting that they have the same job description. Abby Fateman, Executive Director of ECCC Habitat, acknowledged Liz Musbach as this is her final board meeting. Fatemen expressed the privilege it has been in working with Liz over these many years in helping to conserve thousands of acres for people and animals. Bridget Calvey, Park Supervisor, employee of the Park District for 17 years and resident of Director Lane's ward, spoke on the lack of a transgender policy. She reported that Trans employees face harassment at work, there has been misnaming of employees, and need to be inclusive and tolerant of transitioning employees. Clare Lacy, resident of Oakland and frequent visitor of our parks read some of SB 396 safety and inclusion of transgender employees into the record. Lacy is looking forward to hearing a timeline for the District's compliance on SB 396. Carolyn Kriso, 2-year District employee, member of 2428, and a resident of Director Rosario's ward, spoke on creating a safe and inclusive Park District to protect the rights and safety of transgender employees. Kriso detailed her recommendations that the District hire a consultant, look to the transgender law policy, and make a commitment to provide trainings for all staff. Kriso presented a binder of information for the record. Constance Taylor, resident of Rosario's district and 9-month employee of the Park District said she was impressed with the diversity and inclusive training given to Public Safety staff, and based on remarks of staff she was glad that training is provided. Taylor stated she supports creating an inclusive workplace. Shawnecee spoke on the lack of trans inclusive policies and although employees take the training, there is no mention of trans in the trainings. Shawnecee expressed hope that the District can foster a workplace for transgender visitors and employees. President Waespi thanked the speakers.

D. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

By motion of Director Lane, 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 December 20, 2017 to December 17, 2017
Resolution No. 2018 – 01 - 001 (attached)

- b. Approval of the Minutes for the Board Meeting of December 19, 2017
- c. Authorization to Transfer and Appropriate General Funds and Amend a Contract for Services with Placeworks for Land Use Plan Support: Concord Hills Regional Park
Resolution No. 2018 – 01 - 002 (attached)

Director Rosario asked if staff foresees a need for further expenditures in this contract. Brian Holt, Principal Planner replied that the primary reason for this contract is to change the billing rates and provide for a gap to get over the finish line.

- d. Authorization to Enter into a Cost Sharing Agreement with the City of Richmond and the City of El Cerrito for Geotechnical Investigative Report of Landslide along Rifle Range Road Trail: Wildcat Canyon Regional Park
Resolution No. 2018 – 01 - 003 (attached)

Director Rosario asked why this LUP has taken so long. Carol Victor, District Counsel, explained that this wasn't a District landslide, however it impacted a District trail. The City of Richmond has to do the stabilization. GM Doyle added that staff is looking at a potential bypass.

- e. Adoption of Policy on Other Power-Driven Mobility Devices
Resolution No. 2018 – 01 - 004 (attached)

Director Coffey asked how to distinguish an e-bike for recreational vs. adaptive use. Carol Victor, District Counsel replied that staff has to accept the representation that it is their adaptive mobility device. GM Doyle commented that technology changes daily and some bikes are not powered by pedal. Doyle anticipates staff will update Ordinance 38 as needed to keep up with technology. Rosario asked where will the 10 -mile per hour speed limit signs be posted. Victor answered that there will be no posting on off-road trails. Rosario questioned if not posted, how can the officers do enforcement Captain Love said for unposted areas officers articulate the the reckless behavior which must be witnessed by an officer. Victor said that the ADA Coordinator is Paul Ferrario. Director Lane commented that there should be training for District officers on what can and cannot be asked when dealing with OPPD's.

- f. Authorization to Amend the 2017 Budget and Make Final Payment to Touchstone Golf, LLC pursuant to the Facility Management Agreement at Redwood Canyon Public Golf Course: Lake Chabot Regional Park
Resolution No. 2018 – 01 - 005 (attached)

President Waespi is excited about the work Touchstone Golf and the District are doing together.

- g. Approval of Reappointment of Michael Gregory to the Park Advisory Committee
Resolution No. 2018 – 01 - 006 (attached)

Director Corbett stated Michael Gregory is a strong environmentalist, avid bicyclist and member of the San Leandro Creek Alliance. She is happy to ask him to continue his service on the PAC.

2. GENERAL MANAGER

- a. Authorization to Accept a Draft Commitment List and Proposed Use of Funds for a 2018 Measure CC Extension
Resolution No. 2018 – 01 - 007 (attached)

By motion of Director Rosario, and seconded by Director Dotson, 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.

GM Doyle commented that the action today is on the acceptance of all the work, and not the list. The list will be finalized when the Board makes the decision to place it on the voter ballot. GM Doyle stated there has been broad public outreach. Comments were taken by the public during public meetings, and emails were received from the public on these projects. In order to meet the legal requirements for the 2018 ballot, staff needs to move forward. Director Lane asked staff for a calendar for the Board, so they can understand the timelines, when they need to make a final decision to put it on the ballot, and approve the list. Victor stated it will be either May or June and a calendar will be provided to the Board.

Erich Pfuehler Government Affairs Manager, thanked Directors Rosario, Corbett, and Dotson for their active participation and input, the General Manager and Deputy General Manager, all divisions, and Lisa Baldinger. Pfuehler said that every proposed commitment has to align with District Policies addressing the District's Mission, Vision, and Master Plan. The Stakeholder Advisory Working Group consists of Co-Chairs Bruce Kern and Norman LaForce, one representative from Trails for Richmond Advisory Committee, Citizens for Eastshore State Park, Friends of Crab Cover, Regional Park Foundation, Hills Emergency Forum, CA Native Plant Society, Bike East Bay and the Golden Gate Audubon Society. Three public workshops were hosted; one each in Alameda, Richmond, Oakland. Pfuehler broke down the workshops and priorities that came out of them per city and the public feedback. He commented on the draft allocations per county. There will be an addition of three new District staff positions. Lisa Baldinger, Legislative Assistant walked through the material in the board packet presenting the Draft Commitment List in two exhibits. GM Doyle said that this money helps fund the projects. It does not cover the entire cost which will have to be leveraged with additional funding. Pfuehler went through each line item and broke down the allocation of monies for each task required. Doyle reminded that these funds allocated are over the life of the measure. Pfuehler added that the measure is anticipated to be \$49 million. Director Wieskamp asked was there any segment that was not covered at the workshops. Pfuehler said that staffing wasn't brought up at the workshops however staff has included that in the proposal. Director Corbett stated that this was a very thorough process, with opportunity for input. Corbett appreciated Baldinger's collected the information for the commitment list. Corbett thanked Carol Johnson and Dave Mason for the meetings and the attention to detail.

Public Comments:

21 members of the public spoke, minutes are not verbatim, but action. Bruce Beyaert, TRAC and PAC member Bruce Kern commented that District staff has done an excellent job in capturing the information and have presented a balanced proposal and plan. Pam Young, Golden Gate Audubon expressed support for the District and Measure CC which protect birds along Mclaughlin Eastshore Park. Young called staffs' attention to cuts in facility improvements in the board packet on pg. 66 – line 9. Young requests additional time be spend on the details. Marg Hall talked about fire protection and urged staff to not waste tax payer money on tree cutting and presented an article to the Board. David Bingham, CA Native Plant Society thanked the Board for a detailed staff commitment list and is encouraged to see an increase in park staff. Bev Von Dohrt stated that she will vote against Measure CC and encouraged others to do the same until the parks are safe from pesticides in the park and water. Mary McAllister made a public records request for stakeholder's correspondence and received 65 pages. She submitted an email into the record. Isis Feral attended the Nov. 8, 2017 workshop and stated her concerns were not addressed, explanations and scientific data diluted. She will campaign against CC since the District is using pesticides. Mary Sue Means said that this Board has received information on why citizens don't

want to kill tall trees and stumps, and poisons don't break down. Rochelle Nason is a strong supporter of the work of Albany. Nason never saw the "publicly released draft commitment list" and would like to get a better understanding of the allocation. Nason asked about a particular slide; staff will look into it. Ed Bennett, CESP, said he was pleased to see the District is considering a reauthorization; he expressed concern that it is not enough money. Lawrence Danos, Hayward resident, spoke out against the uses of herbicides and clear cutting. Teri Smith, Oakland resident who loves the parks was struck that pesticides were not put on the list. Smith will oppose CC if cutting healthy trees and reducing pesticide use aren't included. Madeline Hovland, survivor of the fire, stated that their comments to save the trees and eliminate pesticides are not included. Tanya Smith spoke against pesticides in parks and cutting healthy trees. She will campaign against CC if she doesn't see the commitment. Martha Rossman would like a more detailed list of the large dollar amounts for environmental restoration, stewardship and wildfire mitigation. Pfuehler said that staff could supply Rossman the information she requests. Norman LaForce spoke on behalf of the Sierra Club and is heartened that this is an initial acceptance. LaForce stated the Sierra Club hasn't taken a position yet, and needs further answers from staff. Robert Cheasty, Executive Director CESP, appreciates the structure of this process. Cheasty is concerned about the use of Roundup. Stephanie Thomas, member of the Audubon Club and Sierra Club, would like to support CC however doesn't believe in cutting trees. Anastasia Glikshtern, a San Francisco resident, doesn't want trees cut nor herbicides use in the parks. Ellen Barth mentioned the Hoffman Channel is slated for refurbishment. Barth commented that the eucalyptus removed in Tilden near the pony rides 15 years ago have allowed "the oak trees to burst forth in wonderful growth". Marla Schmale pointed out to DGM Alvarez that all of the groups were nativists and gave her a list of other groups. She brought up the SRI survey and questions that were not asked. Helen Burke wanted to thank the Park District for the list of commitments to keep the funding going outside of the general fund and hoping they can resolve differences and move this forward.

President Waespi recessed for a 10-minute break. Waespi then gavelled in.

Director Lane commented that all parks in the CC area are receiving their regular budget, and this is additional monies.

Erich Pfuehler, Government Affairs Manager, thanked Vice Mayor, Rochelle Nason, for catching a typo in the list. In the extension there is funding for a FTE at McLaughlin that was moved to the more regional category, and a portion went to District-wide Stewardship staff. Director Corbett requested clarification on the record because the agenda title is not clear that this is a draft list. Corbett also wanted to make sure that the draft ballot language continue to be worked on. Doyle said that there is no final list until the Board acts and places it on the ballot. The 75 words in the box will go back through the Legislative Committee several times, to the County, and to the Board. Corbett requested that the public input process be on the record today based on some public comments heard earlier.

Carol Johnson, AGM Public Affairs (PA) said that her responsibility is to put together an extensive community outreach plan. Public Affairs began a transparent and extensive outreach plan that was discussed in committees and before the entire board. Public Affairs sent 62,000 postcards to high propensity households, paid for a direct mail piece to acknowledge the District was hosting meetings in Oakland, Alameda, Richmond which were held day, night and Saturday. There was extensive email outreach and an opt-in newsletter to 60,000 email users, the District's stakeholder list (all city council, organizations the District does business with) and the Regional Parks Foundation's 10,000 members. Public Affairs followed up with over 300 people who came to the meeting with a thank you or additional dialogue and response to our emailers. Public Affairs had a robust push via social media, and paid advertising to enhance the social media efforts generated towards the nine cities. Everyday communication tools include Press releases, RIN, E-news, website. Johnson added that staff worked with the Multicultural Advisory committee in sharing the information, in hopes they would take this info and send it out to their constituents.

GM Doyle added that people who couldn't attend a meeting, sent emails and staff responded. Additionally, the last public Legislative Committee meeting included this item on the agenda. Director Dotson asked if there were any discussions on increasing the bond. GM Doyle said staff made the decision that this is an extension which is the same amount. If the amount changes, it would not be an extension. Director Wieskamp lives in Livermore, however she will support the Measure because she admires the citizens' willingness to add to their taxes. Wieskamp commented that the District does its best to listen to everyone. She believes in protecting people and the environment and to never use anymore pesticides as deemed necessary. Director Lane appreciated AGM Johnson for going through the process. Lane encouraged people who have comments about the District's approach to our East Bay forests, to look at the website and read the Wildfire Hazardous Resource Management plan and the Integrated Pest Management information. Lane emphasized that the District does not clear cut, adding there will be Oaks and Bay and Eucalyptus in the regional parks forever, and to say the District has a vendetta against non-native trees doesn't reflect our management plan. Lane appreciates the stakeholders who worked on this and the people who came to the meetings. President Waespi thanked Pfuehler, Baldinger, District staff, and the stakeholder groups and the citizens who attended the Board meeting. He encouraged citizens to please take a look at the District's website. Waespi stated he is also concerned with use of herbicides. Doyle said that as far as comments not included in the list, staff did hear you. The District was one of the first agencies in the state to do an Integrated Pest Management plan. The title of the resolution will include the word draft.

3. PARK ADVISORY COMMITTEE

- a. Approval of Park Advisory Committee Goals and Work Plan Activities for 2018
Resolution No. 2018 – 01- 008 (attached)

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

Erich Pfuehler, Government Affairs Manager, presented a PowerPoint on the annual review of the PAC's goals; discussing some of the agenda items from last year that were rolled over to this year, and the new items for 2018. Director Rosario said that this is an ambitious schedule and asked if there is a possibility of looking at transportation needs. Pfuehler said it could be included in an existing item already on the 2018 plan.

President Waespi thanked Bruce Kern for his leadership as the former chair of the PAC.

Norm LaForce, Sierra Club, commented on the off-leash dog issues where the PAC did excellent Work. He also pointed out that the PAC needs to have similar input with the environmental committee on off-leash dogs in the park. PIDO sent out a newsletter after the meeting and LaForce was astonished with the characterizations of his and Pam Young's comments. The position of the Sierra Club has never been to keep dogs out of parks. GM Doyle said there have been dog attacks on cattle which were severe. Public Safety is making an effort to follow up because this is a threat to the District's welfare as the cattle keep the materials down which cause fires. Director Coffey asked if the dog owners can be arrested. Capt. Lance Brede said they can and one was arrested and the dog was euthanized. There were 7 reported cases last year with dog on cattle. Public Safety is meeting with grazer stakeholders to see how many incidents have gone unreported.

Rochelle Nason, Vice Mayor commented that there are many dog walkers. Since the homeless encampment was removed there has been enormous improvement. The Vice Mayor stated there are two sets of trails and one can be designated for dogs and one for people without dogs.

3. BOARD AND STAFF REPORTS NONE

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

GM Doyle discussed the items in this report.

4. GM COMMENTS

Jim O'Connor, AGM Operations, presented the revised version of the Native Peoples Map thanking Director Lane for her resolve.

GM Doyle introduced and expressed his appreciation for the retiring Chief of Land Acquisition, Liz Musbach. Musbach announced that Sara Rieck will be giving the presentation, adding that Rieck has been promoted to Land Acquisition Specialist, Mike Reeves was promoted to Management Analyst and Suzanne Lusk was promoted to Senior Land Acquisition Specialist which was a part of the reorganization of the Land Acquisition Department. Linda Wu, Land Acquisition Specialist, is also a part of the new leadership team.

Sara Reick, Land Acquisition Specialist, presented a review of the District's most significant land acquisitions for 2017. The Park and Trails Statistics book will be distributed in early February and is a quick reference of all the District's landholdings. The District acquired 640 acres of real property rights and 121,397 total acres in 2017.

Bob Nisbet, AGM ASD read into the record a proclamation stating that Liz has been at the District for 22 years and outlined her accomplishments. Due to scheduling, Bob Linus, John Muir Land Trust presented a framed photo to Liz privately. Musbach thanked everyone including her great team. It has been a privilege to work with Bob Doyle, thanking him for all that he has taught her. The full board expressed their thanks and appreciation to Musbach and her staff for their work over the years. GM Doyle presented a gold card and acknowledged Musbach for her work throughout the years to find and obtain money to purchase land!

5. ANNOUNCEMENTS FROM CLOSED SESSION

District Counsel Carol Victor announced that there are no announcements.

6. BOARD COMMITTEE REPORTS

- a. Finance Committee (11/20/17) (Wieskamp)
- b. Executive Committee (12/07/17) (Lane)

7. BOARD COMMENTS

Director Lane reported on meetings attended. Director Lane

- Toured Brushy Peak and Vasco Corridor with Chris Lyle and Director Wieskamp;
- Toured Dow Wetlands with Cat Taylor;
- Attended the Special Legislative Committee meeting;
- Attended the Executive Committee meeting;
- Met with the District's auditors;
- Attended Joe Dahl's retirement.

Lane informed the Board of articles about Big Break and the fires in the Bay Nature Magazine; congratulated Finance for their Certificate of Excellence for the CAFR. Thanked staff for the kind words and the cake. Walked the Ironhorse Trail.

Director Waespi reported on meetings attended. Director Waespi

- Attended the HASPA meeting;
- Attended the Tri-Valley Liaison meeting;
- Attended the ACSDA meeting;
- Attended the MLK event at Chabot College.

Waespi appointed Rolland Williams, GM of CVSD, to the PAC in Mona Palacio's stead.

Waespi hiked Mission Peak.

Director Wieskamp reported on meetings attended: Director Wieskamp

- Attended a special LAFCo meeting;
- Toured Brushy Peak and Vasco Corridor tour with Chris Lyle and Director Lane;
- Attended the Tri-Valley Liaison meeting;
- Attended LAFCO Special District meeting at Eden Township;
- Attended the Executive Committee meeting;
- Toured the future campgrounds with Frances Mendoza;
- Attending the District's job fair in Livermore.

Wieskamp announced Pat Danielson has been ill and she passed out a get-well card.

Director Rosario reported on meetings attended. Director Rosario

- Attended the HASPA meeting;
- Attended Joe Dahl's retirement;
- Met with AFSCME 2428;
- Attended the Legislative Committee meeting;
- Attended Alameda County Board of Supervisors meeting;
- Attended the Alameda County Mayors Conference;
- Attended MLK Day of Service at MLK Shoreline;
- Attended Oakland DD Coalition meeting.

Director Dotson reported on meetings attended. Director Dotson
Dotson been working on his physical needs, and walking at Dotson Marsh.

Director Corbett reported on meetings attended. Director Corbett

- Lunch meeting with Director Lane;
- Attended MLK Day of Service at MLK Shoreline;
- Attended the MLK event at Longshoreman's Hall;
- Attended the MLK event at Chabot College.

Director Coffey reported on meetings attended. Director Coffey

- Attended the Contra Costa Watershed Forum;
- Attended the Adaptive Rising Tides Conference;
- Attended the Hercules Oversight meeting;
- Attended the Contra Costa County Mayors Conference in Pinole.

E. PUBLIC COMMENTS

Marla Schmalle commented that having signs that read 'cattle grazing in this area' and 'no cattle grazing in this area' are good ideas. The grazer would then be responsible for putting them up and taking them down as the cattle are moved.

F. ADJOURNMENT

President Waespi adjourned the meeting in memory of Afton Crooks at 6:02 p.m.

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