

The Board Meeting, which was held February 6, 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.

The **Open Session** of the Board Meeting was called to order at 1:05 p.m. by President Waespi.

Staff Present: Robert Doyle, Ana Alvarez, Debra Aufer, Carol Victor, Carol Johnson, Steve Castile, Dave Mason, Matt Graul, Jim O'Connor, Captain Al Love, Mona Koh, Deborah Spaulding, Michael McNally, Becky Tuden, Kip Walsh, Bob Nisbet, Mimi Waluch, Renee Patterson, Lisa Baldinger, Rick Seal, Sean Dougan, Ruby Tumber, Mona Palacios, Ren Bates, Ira Bletz, Brian Holt, Tiffany Margulici, Anne Kassebaum, Josh Sosine

### 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

### C. BUSINESS BEFORE THE BOARD

- d. Approval of Employment Agreement of the General Manager for the East Bay Regional Park District  
Resolution No. 2018 – 02 - 012 (attached)

By motion of Director Coffey, and seconded by Director Wieskamp, the Board voted unanimously to approve the **item d**.

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

Directors Against: None.

Directors Absent: None.

Carol Victor, District Counsel, stated that per government code an oral report is required before approving executive compensation. Victor went over the details of the proposed employment agreement. Director Rosario asked if there was a change to the administrative leave. Victor said the addition was that the Board could award up to 40 hours in 2019-2020. Director Coffey and President Waespi expressed the value the GM brings to the District.

## I. CONSENT CALENDAR

By motion of Director Corbett, and seconded by Director Lane, 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 18, 2017 to January 7, 2018  
Resolution No. 2018 – 02 - 009 (attached)
- b. Approval of the Minutes for the Board Meeting of January 16, 2018  
Resolution No. 2018 – 02 - 010 (attached)
- c. Authorization to Negotiate with Various Property Owners  
Resolution No. 2018 – 02 - 011 (attached)
- e. Approval of Out-of-State Travel for Directors Beverly Lane, Dennis Waespi, Dee Rosario, Ellen Corbett, Colin Coffey and General Manager Robert E. Doyle to Attend the Partnership for the National Trails System Conference in Washington, DC and Meetings on Capitol Hill, Washington, DC  
Resolution No. 2018 – 02 - 013 (attached)
- f. Authorize the General Manager to Exceed Contract Limit and Pay \$37,000 to the East Bay Municipal Utilities District for Laboratory Services Rendered in 2017: District-wide  
Resolution No. 2018 – 02 - 014 (attached)

Director Corbett asked about the types of services that EBMUD provides. Matthew Graul, Chief of Stewardship, said that this MOA has been in effect for many years with the District. EBMUD has a laboratory that the District uses to test water. The District takes the samples and EBMUD performs the tests. GM, Doyle encouraged Graul to send a letter to EBMUD expressing the District's gratitude. Director Rosario asked how often during the swim season is the water monitored. Graul replied at least once a week and sometimes more, adding it takes 24-48 hours to get results. Rosario asked with the recent disclosures of sewage dumps at Lake Temescal, would it be wise to do it more than once a week. Graul said that when there is evidence of a spill the test is done right away and often until the samples return to normal levels. GM Doyle said District staff is drafting a letter to express concerns regarding the accuracy of the notification to the District, and sending it to the Mayor.

- g. Authorize an Amendment to Extend the Adrienne Galvin Residential Rental Lease: Morgan Territory Regional Preserve  
Resolution No. 2018 – 02 - 015 (attached)
- h. Authorization to Apply for Grant Funds from the California Department of Transportation for Trail Planning: District-wide  
Resolution No. 2018 – 02 - 016 (attached)

Director Coffey asked for clarification on the sustainable communities' grant funding, what its focus is on, and why the District believes the Iron Horse trail extension is eligible for this grant. Tiffany Margulici, Grants Manager, explained that this grant is focused on non-motorized transportation projects that promote bicycle and pedestrian transportation, with the potential for a high volume of traffic once the District closes the gap. GM Doyle commented that staff has been counting the types of uses, bicycle or pedestrian, which has impressed the granting agencies. Sean Dougan, Trails Development Program Manager, said that the District has 25 counters in shoreline parks, and 25 in the parkland parks which do not differentiate between the users. There are 4 eco-counters which separate bicycles and pedestrians; this is the data that agencies want. Carol Victor, District Counsel, added that having this trails data helps with cost recovery for trail closures such as the Cosco Busan Oil spill. Lane said that she is glad that staff is moving forward to address this segment of the Iron Horse Trail.

- i. Approval of the District's 2018 Investment Policy  
Resolution No. 2018 – 02 - 017 (attached)
- j. Approval of the East Bay Regional Park District Retirement Plans Investment Policy  
Resolution No. 2018 – 02 - 018 (attached)
- k. Authorization to Apply for Federal Grant Funds to Remodel the Rocky Ridge Visitor Center: Del Valle State Recreation Area  
Resolution No. 2018 – 02 - 019 (attached)

## 2. ACQUISITION, STEWARDSHIP & DEVELOPMENT DIVISION

- a. Authorization to Execute Contracts for a Maximum Annual Amount of \$100,000 per Firm to ESA, Inc., Sequoia Ecological Consulting, Inc., Swaim Biological Inc., AECOM, and Nomad Ecology for Biological Services: District-wide  
Resolution No. 2018 – 02 - 020 (attached)

By motion of Director Lane, 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.

Matt Graul, Chief of Stewardship, presented extensively on the scope of the proposed biological services contract. Graul reported the District is close to getting the routine maintenance permits from FWS. About 80% of the projects are inside endangered species habitat and need to be monitored. Staff expects 2018 to have 40 projects within the timeframe of August, September, and October that must be monitored. Last year, 5,280

staff hours were used and still couldn't keep up with the workload. After the project is done, there may be an additional 5-10 years of monitoring before the agency signs off. Director Rosario asked if the monitors need to be biologists. Graul replied yes. The District selected 5 of the 11 firms to bio-monitor. There will be a maximum cost of \$100,000 per year over two years; they will be on call if there is the need, and if the budget is available. Director Corbett inquired how the on-call contracts operate. Graul replied it is a total of \$1million if the District does the maximum amount. Graul explained the authorization is to spend up to \$1million if the District has funds available. Graul described the process adding that the District hasn't done this before, nor has this been done in the past with this many projects. GM Doyle added that the issue of permitting is a long-term concern of the Board and this is an accelerated rate. Corbett added that the story of the amazing work the District does to protect the species and the habitat in our parks needs to be told. Director Lane asked how will staff manage the contract. Graul replied that Becky Tuden, Environmental Services Manager, will manage the contract, and each project will have a project manager. Director Wieskamp congratulated Graul on his efficiency. Director Rosario said that this shows that in the future more biologists will be needed to be on staff to accommodate the many projects. Bob Nisbet, AGM ASD congratulated Matt Graul and his Stewardship team on this broad approach. Graul thanked Becky Tuden and Doug Bell for their efforts. President Waespi inquired how many of the 11 firms have worked for the District before. Graul replied that most of them have, but in other capacities.

Public Comment:

David Bingham, California Native Plant Society East Bay Chapter, stated that this action is a good effort to close gaps and let the Board know what the commitment represents. Bingham thanked stewardship staff.

**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**

GM Doyle presented a thorough review of the Districts 2017 Year in Review. DGM Alvarez announced the promotion of Brian Holt, as the new Chief of Planning and GIS, and introduced Mona Palacios as Management Analyst in the General Manager's office.

GM Doyle announced that staff met with the Region of FEMA this morning and was assured that the fuel management projects are secure. FEMA gave the District the \$2.8 million grant because Oakland didn't have an environmental plan. FEMA's Regional Director respects and appreciates the District's expertise and credibility. Director Coffey asked if this augmentation expands the scope of the District's plan. Doyle replied it does not, it is for the District's existing approved project in the Oakland hills.

GM Doyle thanked the Board for their leadership. He praised the staff for the great work they are doing.

**5. ANNOUNCEMENTS FROM CLOSED SESSION**

District Counsel Victor announced that the Board authorized a settlement of \$557,500 in the case of Stevenson vs. East Bay Regional Park District by unanimous vote.

**6. BOARD COMMITTEE REPORTS**

- a. Operations Committee (12-14-17) (Waespi)
- b. Executive Committee (1-11-18) (Lane)
- c. Operations Committee (1-18-18) (Wieskamp)

## 7. BOARD COMMENTS

Director Lane reported on meetings attended. Director Lane

- Attended the Legislative Committee meeting;
- Attended the Executive Committee meeting;
- Attended Board Workshop at Kennedy Grove;
- Attended dinner with the Board and GM Doyle;
- Attended the East Bay Leadership Council reception;
- Attended the Asian Indian Health Walk organization set up;
- Toured Tilden with Dan Sykes and Sergio Huerta.

Lane is interested in a report on sudden oak death in the parks; met with San Ramon Open Space park folks and the county about children and the Iron Horse Trail, Went on Women's March in Walnut Creek, met with friends involved in San Ramon Creek on orondo removal. Thanked staff for the stats book. Announced Board to have a field trip to Tilden. Asked for a list of events for the year. Visited Black Diamond Mines.

Director Waespi reported on meetings attended. Director Waespi

- Attended the Hayward Chamber of Commerce's Ag May mixer;
- Attended the Operations Committee meeting;
- Attended the Retiree Annual Luncheon;
- Attended the PAC meeting;
- Attended the Castro Valley Chamber of Commerce's installation event;
- Attended the Legislative Committee meeting;
- Attended the Executive Committee meeting;
- Attended the Hayward Chamber of Commerce Awards Gala;
- Attended the microbrewery meeting;
- Attended City of Hayward and HARD joint meeting;
- Attended Board Workshop at Kennedy Grove;
- Attended dinner with the Board and GM Doyle.

Waespi announced that the city of San Leandro and EBMUD agreed on access to Lake Chabot and Jack Kenny's Film Festival in March.

Director Wieskamp reported on meetings attended: Director Wieskamp

- Attended the Operations Committee meeting;
- Attended the District's Job Fair in Livermore;
- Attended MLK Breakfast in Pleasanton;
- Attended the Executive Committee meeting;
- Attended Board Workshop at Kennedy Grove;
- Attended dinner with the Board and GM Doyle.

Wieskamp commented on hikers who are interested in land bank tours, on a picture in the Valley Sentinel taken by a teenager and welcomed Mona Palacios. Outreach with Ben Yee regarding Healthy Parks, Healthy People in hospitals, outreach to Tesla and Coyote Hills.

Director Rosario reported on meetings attended. Director Rosario

- Attended Retiree's Annual Luncheon;
- Attended the Finance Committee meeting;
- Attended Regional Park Foundation meeting;

- Attended dinner with the Board and GM Doyle;
- Met with Kip Walsh and DGM Alvarez on workforce diversity;
- Attended the Legislative Committee meeting;
- Attended the District's Richmond Job Fair;
- Met with Chabot Space & Science Center – Tobin and Tong;
- Attended CCC Mayors Conference, San Pablo;
- Attended the Board Workshop at Kennedy Grove.

Rosario went to Redwood Bowl Archery Range with the Richmond Jr. Rangers, met with AGM Nisbet, Waespi and Lane.

Director Dotson reported on meetings attended. Director Dotson

- Attended dinner with the Board and GM Doyle;
- Attended the Board Workshop at Kennedy Grove.

Dotson walked Dotson Marsh.

Director Corbett reported on meetings attended. Director Corbett

- Attended the Finance Committee meeting;
- Attended the Board Workshop at Kennedy Grove;
- Attended the Operations meeting;
- Attended the opening of Encinal Park in Alameda.

Corbett hiked the trails at Lake Chabot.

Director Coffey reported on meetings attended. Director Coffey

- Attended CCSDA meeting;
- Attended the Finance Committee meeting;
- Attended the Martinez Town Hall;
- Attended the Board Workshop at Kennedy Grove;
- Attended the East Bay Leadership Council.

Coffey went to Black Diamond Mines, walked the Pinole Shores Bridge project with Congressman Mike Thompson, hiked from Kennedy Grove along reservoir and into Wildcat.

## 8. PUBLIC COMMENT

There were none.

### D. WORKSHOP TO REVIEW DISTRICT PRIORITIES FOR 2018 PARTNERSHIP FOR THE NATIONAL TRAIL SYSTEM CONFERENCE IN WASHINGTON, DC

Erich Pfuehler, Government Relations Manager and Lisa Baldinger, Legislative Assistant went through the packet which included flyers and background material for the Board's annual visit to Washington, D.C.

### E. ADJOURNMENT

President Waespi adjourned the meeting at 5:00 p.m.