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BOARD EXECUTIVE COMMITTEE

Thursday, April 5, 2018

12:30 p.m.

EBRPD - Administrative Headquarters
2950 Peralta Oaks Court
Oakland, California 94605

The following agenda items are listed for Committee consideration. In accordance with the Board Operating Guidelines, no official action of the Board will be taken at this meeting; rather, the Committee's purpose shall be to review the listed items and to consider developing recommendations to the Board of Directors.

A copy of the background materials concerning these agenda items, including any material that may have been submitted less than 72 hours before the meeting, is available for inspection on the District's website (www.ebparks.org), the Headquarters reception desk, and at the meeting.

Public Comment on Agenda Items

If you wish to testify on an item on the agenda, please complete a speaker's form and submit it to the recording secretary. Your name will be called when the item is announced for discussion.

Accommodations and Access

District facilities and meetings comply with the Americans with Disabilities Act. If special accommodations are needed for you to participate, please contact the Clerk of the Board at 510-544-2020 as soon as possible, but preferably at least three working days prior to the meeting.

AGENDA

<u>TIME</u>	<u>ITEM</u>	<u>STATUS</u>	<u>STAFF</u>
12:30 pm	1. Award of Measure WW Urban Creeks Grants	R	Jeff Rasmussen
1:00 pm	2. Human Resources: Prohibition of Harassment, Discrimination, and Retaliation Policy	I	Kip Walsh
1:25 pm	3. Human Resources: Transgender Employment Policy	I	Kip Walsh
1:45 pm	4. San Francisco Bay Trail at Point Molate – Mitigated Negative Declaration	I	Sean Dougan
2:20 pm	5. Open Forum for Public Comments <i>Individuals wishing to address the Committee on a topic not on the agenda may do so by completing a speaker's form and submitting it to the recording secretary.</i>		
	6. Board Comments		

Board Executive Committee Members

Dennis Waespi (Chair), Ayn Wieskamp, Beverly Lane
Ellen Corbett, Alternate
Robert E. Doyle, Staff Coordinator

2018 Meeting Dates

January 11	July 5
February 1	August 2
March 1	September 6
April 5	October 4
May 3	November 1
June 7	December 6

R - Recommendation for Future Board Consideration
I - Information
D - Discussion

EAST BAY REGIONAL PARK DISTRICT

BOARD EXECUTIVE COMMITTEE

Meeting of April 5, 2018

TO: Board Executive Committee

FROM: Robert E. Doyle, General Manager

STAFF REPORT
PREPARED BY: Jeff Rasmussen, Assistant Finance Officer

SUBJECT: Award of Measure WW Urban Creeks Grants

Jeff Rasmussen, Assistant Finance Officer, will make a presentation on this agenda item.

BACKGROUND

On November 4, 2008, the voters of the East Bay Regional Park District (Park District) approved Measure WW, Regional Open Space Wildlife, Shoreline and Parks Bond Extension. Of the \$500 million bond extension, \$8 million of the bond proceeds are allocated to urban creek projects. On March 21, 2017, the Board approved the Measure WW Urban Creeks Grant Program Procedural Guidelines which established the policies and procedures under which the Park District would award and reimburse agencies for up to \$1.6 million in eligible expenses for local urban creek projects. The scoring criteria used in the selection process are as follows:

1. Population within ½ mile of project site. (5 points per 1,000)
2. Project connects with Park District property. (10 points max)
3. Project is identified and/or consistent with other plans. (25 points max)
4. Percent match. (1 point per percent over required 50%)
5. Number of permits in hand or satisfied. (35 points max)
6. Removes barriers to fish passage. (25 points max)
7. Improves habitat for endangered species. (25 points max)
8. Improves water quality. (25 points max)
9. Climate resiliency. (10 points max)
10. Provides public access. (15 points max)

On February 28, 2018, the Park District received grant applications totaling \$1,589,433 from three agencies for projects as follows:

I. Grant to City of San Pablo, (Score 182) Wildcat Creek Restoration - \$800,000

The City of San Pablo's Wildcat Creek Restoration and Greenway Trail project will restore an approximately 2,200 linear foot section of Wildcat Creek, and build an adjacent Class I pedestrian and bicycle greenway trail. The riparian restoration will improve sediment transport throughout the project reach, provide improved refuge areas for steelhead trout, widen the creek corridor, modify the floodplain to accommodate larger flow volumes, and restore native vegetation along the banks. This project also aims to correct a public deficit in access to green space and connect

local citizens to their natural environment by creating a greenway trail along the restored creek. This trail will be part of the larger Wildcat Creek Trail, which will eventually connect Wildcat Canyon Regional Park to the San Francisco Bay Trail. \$4,376,774 total project cost with matching funds from the Urban Rivers Grant, Coastal Conservancy, Measure J, and local funds.

2. Grant to Town of Moraga, (Score 115) Laguna Creek Restoration - \$599,743

This project would restore a portion of Laguna Creek by “daylighting” it: replacing an existing culvert with a new channel to improve the habitat for wildlife and restoration of the wetted channel, floodplains, and riparian corridor of Laguna Creek. Replacement of non-native, invasive vegetation with complex riparian and aquatic habitat features will increase the complexity of the riparian corridor, providing plentiful opportunities for a variety of species. \$1,199,486 total project cost with matching funds from River Parkways Grant and local funds.

3. Grant to City of Lafayette, (Score 70) Golden Gate Way Creek Restoration - \$189,700

This project is to install a viewing and seating area in newly restored riparian environment and use interpretive panels to engage and inform the public on various aspects of urban creek environments. \$379,700 total project cost with matching funds from local funds.

RECOMMENDATION

Staff requests that the Board Executive Committee recommend to the full Board the award of grants totaling \$1,589,443 to the three agencies listed below:

1. \$800,000, grant to the City of San Pablo for the Wildcat Creek Restoration project;
2. \$599,743, grant to the Town of Moraga for the Laguna Creek Restoration project;
- and
3. \$189,700, grant to the City of Lafayette for the Golden Gate Way Creek Restoration project.

EAST BAY REGIONAL PARK DISTRICT

BOARD EXECUTIVE COMMITTEE

Meeting of April 5, 2018

TO: Board Executive Committee

FROM: Robert E. Doyle, General Manager

STAFF REPORT
PREPARED BY: Kip Walsh, Chief Human Resources Officer

SUBJECT: Prohibition of Harassment, Discrimination, and Retaliation Policy

Kip Walsh, Chief Human Resources Officer, will make a presentation on this agenda item.

BACKGROUND

It has long been the East Bay Regional Park District's (Park District) policy that as an employer, the Park District seeks to create and sustain an environment of mutual respect among its employees. The Park District will not tolerate harassment and expects all employees to take all steps necessary to maintain a workplace free from discrimination and harassment. To support that framework, the Prohibition of Harassment, Discrimination and Retaliation Policy (Human Resources Policy #18) is being presented. This newly created document provides the legal framework and is a preliminary step in beginning the larger and more important body of work of bringing awareness to these issues, building organizational capacity through training, and providing guidance and correction when needed.

RECOMMENDATION

None. This is an informational item.

ATTACHMENT

Attachment A: Human Resources Policy and Procedures #18, Prohibition of Harassment, Discrimination and Retaliation

**EAST BAY REGIONAL PARK DISTRICT
HUMAN RESOURCES POLICY & PROCEDURES #18
PROHIBITION OF HARASSMENT, DISCRIMINATION AND RETALIATION**

DATE: April xx, 2018

OVERVIEW

Introduction: It is the policy of the East Bay Regional Park District (District) to hire qualified personnel to perform the many tasks necessary to provide high quality, cost-efficient District park services, without regard to an employee or applicant’s race, religion, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender (including pregnancy, childbirth, breastfeeding or related medical conditions), gender identity, gender expression, age (over 40), sexual orientation, military/veteran status, or use of or request to use medical and family care leave or pregnancy disability leave. This policy applies to all aspects of employment, including, but not limited to, hiring, job assignment, compensation, promotion, benefits, training, discipline and termination. Reasonable accommodation may be available for qualified individuals with disabilities, as defined by law.

The District seeks to create and sustain an environment of mutual respect among its employees. The District will not tolerate harassment and expects all employees to support its equal employment opportunity policy and to take all steps necessary to maintain a workplace free from discrimination and harassment.

In this policy: This policy and procedure covers the following topics:

Topic	See Page
POLICY STATEMENT	2
A. Prohibition of Harassment and Discrimination	2
B. Discrimination Prohibition	2
C. Harassment Prohibition	2 - 3
PROCEDURES	3
A. Employee Complaints	3
B. Retaliation Prohibition	3
C. Investigation of Alleged Harassment, Discrimination, or Retaliation	4
D. Disciplinary Action	4
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**EAST BAY REGIONAL PARK DISTRICT
HUMAN RESOURCES POLICY & PROCEDURES #18
PROHIBITION OF HARASSMENT, DISCRIMINATION AND RETALIATION**

**DATE: April xx, 2018
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POLICY STATEMENT

A. Prohibition of Harassment and Discrimination: The District is committed to providing a work environment free of harassment or discrimination, including sexual harassment. To further this commitment, the District provides harassment and discrimination training to its employees. In addition, all supervisors are required, as a condition of employment in such position, to complete at least two hours of sexual harassment training every two (2) years. New supervisors must complete the initial sexual harassment training within six (6) months of assuming a supervisory position.

Harassment or discrimination against individuals on the basis of race, religion, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender (including pregnancy, childbirth, breastfeeding or related medical conditions), gender identity, gender expression, age (over 40), sexual orientation, military/veteran status, or use of or request to use medical and family care leave or pregnancy disability leave ("Protected Characteristic") is prohibited by this policy. Such conduct by or towards any employee, manager, supervisor, contract worker, client, vendor or anyone who comes into contact with a District employee in the course of her/his employment will not be tolerated. Any employee who violates this policy will be subject to disciplinary action, up to and including termination of her or his employment. To the extent a contract, vendor, or other person with whom the East Bay Regional Park District does business engages in harassment or discrimination, the District will take appropriate corrective action.

Harassment of the public, an applicant for employment or an employee by a District manager, supervisor or co-worker because of a Protected Characteristic is unacceptable behavior and will not be tolerated by the District.

B. Discrimination Prohibition: Prohibited discrimination includes any adverse employment action or differential treatment of an employee or other person doing business with the District based on the individual's Protected Characteristic.

C. Harassment Prohibition: Harassment is a form of discrimination and is an unlawful employment practice under federal and state law. Sexual or other prohibited harassment includes any unwelcome verbal, physical, or visual conduct based on a Protected Characteristic if:

- I. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or engagement;

**EAST BAY REGIONAL PARK DISTRICT
HUMAN RESOURCES POLICY & PROCEDURES #18
PROHIBITION OF HARASSMENT, DISCRIMINATION AND RETALIATION**

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2. submission to or rejection of such conduct by an individual is used as a basis for decisions concerning that individual's employment or engagement; or
3. it creates a hostile or offensive work environment.

Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors and lewd, vulgar or obscene remarks, jokes, posters or cartoons, suggestions or innuendoes, suggestive looks or leering, and any unwelcome touching, pinching or other physical contact.

Other forms of prohibited harassment may include racial epithets, slurs and derogatory remarks, stereotypes, jokes, posters or cartoons based on race, national origin, age, disability, marital status or any other Protected Characteristic. The District's prohibition of harassment applies to employees' use on the District's computer, e-mail, internet, telephone and other electronic communications systems and resources.

PROCEDURES

A. Employee Complaints: The District will take an affirmative role to protect its employees from harassment and discrimination. Employees who receive or witness the inappropriate conduct are required to report the conduct to management, the Department, Human Resources, and/or the Chief Human Resources Officer. Any complaint will be treated as confidential to the greatest extent possible. If an employee believes he/she has witnessed or experienced conduct that violates this policy, the following actions should be taken:

1. Employees are encouraged to identify the offensive behavior to the offending employee or other person and request that the behavior cease.
2. Employees shall report the offensive behavior either orally or in writing to the employee's supervisor or manager or the Chief Human Resources Officer. Any manager or supervisor who receives a complaint of harassment or discrimination must immediately report the complaint to the Chief Human Resources Officer. The Chief Human Resources Officer shall function as follows:
 - a. Counsel the complaining employee and outline the options available.
 - b. Obtain a factual written statement of the complaint for processing.
 - c. With the assistance of the concerned Department, investigate and recommend

**EAST BAY REGIONAL PARK DISTRICT
HUMAN RESOURCES POLICY & PROCEDURES #18
PROHIBITION OF HARASSMENT, DISCRIMINATION AND RETALIATION**

**DATE: April xx, 2018
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appropriate disposition of the complaint.

- d. Provide the complaining employee updates on the progress of an investigation and completion of the investigation.

B. Retaliation Prohibition: The District strictly prohibits any adverse employment actions against an employee who makes a good faith complaint of any discrimination or harassment under this policy. The Department shall investigate allegations of retaliation per the procedures outlined in this policy and shall take appropriate disciplinary action against any employee who violates this anti-retaliation policy.

C. Investigation of Alleged Harassment, Discrimination, or Retaliation: Upon receipt of allegations of discrimination, harassment, or retaliation in violation of this policy, the Chief Human Resources Officer shall either investigate or ensure a fair, thorough investigation of the allegations. The investigation shall be conducted by a qualified person without any bias. The investigation shall be treated as confidential, to the greatest extent possible.

The investigation may include interviews with the directly involved parties and, where necessary, employees who may have observed or may be knowledgeable of the alleged harassment or discrimination or retaliation or who may be similarly situated with the complaining employee and who may be able to testify to their experience with the accused employee. In cases of alleged discrimination in the Public Safety Department, such investigation may take the form of an Internal Affairs investigation instead of a Human Resources Division investigation.

The Chief Human Resources Officer or her/his designee shall document and track the progress of the investigation. Upon completion of the investigation, the Chief Human Resources Officer shall ensure that the complainant(s) and the subject(s) receive a written notice informing them of the investigation's completion.

In no circumstance will the District tolerate retaliation against an employee who made a complaint of discrimination, harassment or retaliation, or against an employee who participated as a witness in the investigative process.

D. Disciplinary Action: The District will take prompt corrective action with respect to substantiated complaints of discrimination, harassment, or retaliation. The District will issue discipline, up to and including termination of employment, against employees who violate this policy. Discipline shall be administered in accordance with the District's disciplinary policies and procedures, consistent with any applicable MOUs.

**EAST BAY REGIONAL PARK DISTRICT
HUMAN RESOURCES POLICY & PROCEDURES #18
PROHIBITION OF HARASSMENT, DISCRIMINATION AND RETALIATION**

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E. Reasonable Accommodation: The District is committed to providing equal employment opportunities to persons with disabilities and will provide reasonable accommodations to any qualified employee or applicant with a disability to the extent required by the Americans with Disabilities Act and the California Fair Employment and Housing Act. In general, a reasonable accommodation is any change in the work environment or in the way things are customarily done that enables a qualified individual with a disability as defined by law to perform the essential functions of the employee's classification and enjoy equal employment opportunities, without creating an undue burden on the employer.

Employees or applicants who desire or feel they need a reasonable accommodation to participate in the job application process, to perform the essential duties of their position, or to enjoy equal benefits and privileges of employment as are enjoyed by other similarly situated employees without disabilities, should contact the Human Resources Department to request a reasonable accommodation. Supervisors who are aware of an employee or applicant's need or request for a reasonable accommodation should promptly notify the Human Resources Department. Where appropriate, the District will engage in an interactive process with the employee or applicant to identify whether the employee's physical or mental health/medical condition constitutes a disability under applicable federal and state law and to identify the barriers that interfere with the ability of the applicant or employee to participate in the application process, perform the essential functions of his or her job, or enjoy the benefits and privileges of employment. As part of this process, employees may be required to provide medical documentation and other information that the District will use to assess the reasonable accommodation request.

The District will work with employees and applicants with qualifying disabilities to identify potential reasonable accommodations that effectively permit a qualified disabled employee or applicant to participate in the application process, perform the essential duties of his or her position, or equally enjoy the benefits and privileges of employment, provided that such accommodation does not impose an undue hardship on the District.

EAST BAY REGIONAL PARK DISTRICT

BOARD EXECUTIVE COMMITTEE

Meeting of April 5, 2018

TO: Board Executive Committee

FROM: Robert E. Doyle, General Manager

STAFF REPORT
PREPARED BY: Kip Walsh, Chief Human Resources Officer

SUBJECT: Transgender Employment Policy

Kip Walsh, Chief Human Resources Officer, will make a presentation on this agenda item.

BACKGROUND

In October 2017, California Governor Jerry Brown signed into law the Gender Recognition Act (SB 179). To keep pace with the needs of the East Bay Regional Park District's workforce and state law, Human Resources developed a Transgender Employment Policy (Human Resources Policy #19) based on a sample policy provided by the Transgender Law Center in San Francisco. Adoption of the proposed policy will help guide employees, supervisors, and managers regarding the specific rights and appropriate treatment of transgender employees.

RECOMMENDATION

None. This is an informational item.

ATTACHMENT

Attachment A: Human Resources Policies and Procedures #19, Transgender Employment Policy

**EAST BAY REGIONAL PARK DISTRICT
HUMAN RESOURCES POLICIES & PROCEDURES #19
TRANSGENDER EMPLOYMENT POLICY**

DRAFT

DATE: APRIL XX, 2018

OVERVIEW

Introduction This document contains the East Bay Regional Park District's Transgender Employment Policy.

In this policy This policy procedure covers the following topics:

Topic	See Page
PURPOSE	1
DEFINITIONS	2
SPECIFIC POLICIES	3
Privacy	3
Official Records	3
Names/Pronouns	4
Transitioning On the Job	4
Restroom Accessibility	4
Locker Room Accessibility	5
Dress Codes	5
Discrimination/Harassment	5

PURPOSE

East Bay Regional Park District does not discriminate in any way on the basis of sex, sexual orientation, gender identity, or gender expression. This policy is designed to create a safe and productive workplace environment for all employees.

This policy sets forth guidelines to address the needs of transgender and gender non-conforming employees and clarifies how the law should be implemented in situations where questions may arise about how to protect the legal rights or safety of such employees. This policy does not anticipate every situation that might occur with respect to transgender or gender non-conforming employees, and the needs of each transgender or gender non-conforming employee must be assessed on a case-by-case basis. In all cases, the goal is to ensure the safety, comfort, and health of transgender or gender non-conforming employees while maximizing the employee's workplace integration and minimizing stigmatization of the employee.

**EAST BAY REGIONAL PARK DISTRICT
HUMAN RESOURCES POLICIES & PROCEDURES #19
TRANSGENDER EMPLOYMENT POLICY**

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DEFINITIONS

The definitions provided here are not intended to label employees but rather to assist in understanding this policy and the District's legal responsibilities. Employees may or may not use these terms to describe themselves.

- **Gender identity:** A person's internal, deeply-felt sense of being male, female, or something other or in-between, regardless of the sex they were assigned at birth. Everyone has a gender identity.
- **Gender expression:** An individual's characteristics and behaviors (such as appearance, dress, mannerisms, speech patterns, and social interactions) that may be perceived as masculine or feminine.
- **Transgender:** An umbrella term that can be used to describe people whose gender identity and/or expression is different from their sex assigned at birth.
 - A person whose sex assigned at birth was female but who identifies as male is a transgender man (also known as female-to-male transgender person, or FTM).
 - A person whose sex assigned at birth was male but who identifies as female is a transgender woman (also known as male-to-female transgender person, or MTF).

Some people described by this definition don't consider themselves transgender – they may use other words, or may identify simply as a man or woman. A person does not need to identify as transgender in order for an employer's nondiscrimination policies to apply to them.

- **Gender non-conforming:** This term describes people who have, or are perceived to have, gender characteristics and/or behaviors that do not conform to traditional or societal expectations. Keep in mind that these expectations can vary across cultures and have changed over time.
- **Transition:** The process of changing one's gender from the sex assigned at birth to one's gender identity. There are many different ways to transition. For some people, it is a complex process that takes place over a long period of time, while for others it is a one- or two-step process that happens more quickly. Transition may include "coming out" (telling family, friends, and coworkers); changing the name and/or sex on legal documents; and, for many transgender people, accessing medical treatment such as hormones and surgery.
- **Sexual orientation:** A person's physical or emotional attraction to people of the same and/or other gender. Straight, gay, and bisexual are some ways to describe sexual orientation. It is important to note that sexual orientation is distinct from gender identity

EAST BAY REGIONAL PARK DISTRICT HUMAN RESOURCES POLICIES & PROCEDURES #19 TRANSGENDER EMPLOYMENT POLICY

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and expression. Transgender people can be gay, lesbian, bisexual, or straight, just like non-transgender people.

- **LGBT:** A common abbreviation that refers to the lesbian, gay, bisexual, and transgender community.

EVERYONE HAS A . . .

Sex Assigned at Birth
Gender Identity
Gender Expression
Sexual Orientation

SPECIFIC POLICIES

Privacy

Transgender employees have the right to discuss their gender identity or expression openly, or to keep that information private. The transgender employee gets to decide when, with whom, and how much to share their private information. Information about an employee's transgender status (such as the sex they were assigned at birth) can constitute confidential medical information under privacy laws like HIPAA.

Management, human resources staff, or coworkers should not disclose information that may reveal an employee's transgender status or gender non-conforming presentation to others. Personal or confidential information may only be shared with the transgender employee's consent or with District employees responsible for confidential personnel information (e.g. Human Resources or Finance/Payroll staff).

Official Records

The District will change an employee's official record to reflect a change in name or gender upon request from the employee. Certain types of records, like those relating to payroll and retirement accounts, may require a legal name change before the person's name can be changed. Most records, however, can be changed to reflect a person's preferred name without proof of a legal name change.

A transgender employee has the right to be addressed by the name and pronoun corresponding to the employee's gender identity. Official records will also be changed to reflect the employee's new name and gender upon the employee's request.

**EAST BAY REGIONAL PARK DISTRICT
HUMAN RESOURCES POLICIES & PROCEDURES #19
TRANSGENDER EMPLOYMENT POLICY**

**DATE: APRIL XX, 2018
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At employee's request, the District will make every effort to update any photographs at the transitioning employee's workplace so the transitioning employee's gender identity and expression are represented accurately.

If a new or transitioning employee has questions about District records or ID documents, the employee should contact Human Resources at x2154.

Names/ Pronouns

An employee has the right to be addressed by the name and pronoun that correspond to the employee's gender identity, upon request. A court-ordered name or gender change is not required. The intentional or persistent refusal to respect an employee's gender identity (for example, intentionally referring to the employee by a name or pronoun that does not correspond to the employee's gender identity) can constitute harassment and is a violation of this policy. If you are unsure what pronoun a transitioning coworker might prefer, you can politely ask your coworker how they would like to be addressed.

Transitioning on the Job

Employees who transition on the job can expect the support of management and human resources staff. HR will work with each transitioning employee individually to ensure a successful workplace transition. HR will also work with the employee's department to put a plan in place for managing the transition.

Restroom Accessibility

Employees shall have access to the restroom corresponding to their gender identity. Any employee who has a need or desire for increased privacy, regardless of the underlying reason, will be provided access to a single-stall restroom, when available. No employee, however, shall be required to use such a restroom. All employees have a right to safe and appropriate restroom facilities, including the right to use a restroom that corresponds to the employee's gender identity, regardless of the employee's sex assigned at birth. In other words, transgender women must be permitted to use the women's restroom, and transgender men must be permitted to use the men's restroom. A transgender employee has the right to determine the most appropriate and safest restroom option for themselves.

Some employees – transgender or non-transgender – may desire additional privacy. Where practicable, the District will make available a unisex single-stall restroom that can be used by any employee who has a need for increased privacy, regardless of the underlying reason. For example, if any employee does not want to share a multi-person restroom with a transgender coworker, they can make use of this kind of option, if available.

**EAST BAY REGIONAL PARK DISTRICT
HUMAN RESOURCES POLICIES & PROCEDURES #19
TRANSGENDER EMPLOYMENT POLICY**

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Locker Room Accessibility

All employees have the right to use the locker room that corresponds to their gender identity. Any employee who has a need or desire for increased privacy, regardless of the underlying reason, can be provided with a reasonable alternative changing area such as the use of a private area, or using the locker room that corresponds to their gender identity before or after other employees. Any alternative arrangement for a transgender employee will be provided in a way that allows the employee to keep their transgender status confidential.

Dress Codes

The District does not have dress codes that restrict employees' clothing or appearance on the basis of gender. Transgender and gender non-conforming employees have the right to comply with company dress codes in a manner consistent with their gender identity or gender expression.

Discrimination/ Harassment

It is unlawful and violates District policy to discriminate in any way (including, but not limited to, failure to hire, failure to promote, or unlawful termination) against an employee because of the employee's actual or perceived gender identity. Additionally, it also is unlawful and contrary to this policy to retaliate against any person objecting to, or supporting enforcement of legal protections against, gender identity discrimination in employment.

The District is committed to creating a safe work environment for transgender and gender non-conforming employees. Any incident of discrimination, harassment, or violence based on gender identity or expression will be given immediate and effective attention, including, but not limited to, investigating the incident, taking suitable corrective action, and providing employees and staff with appropriate resources.

For details on the Park District's policy governing discrimination and harassment, please reference HR Policy #18 – Prohibition of Harassment, Discrimination and Retaliation.

EAST BAY REGIONAL PARK DISTRICT

BOARD EXECUTIVE COMMITTEE

Meeting of April 5, 2018

TO: Board Executive Committee

FROM: Robert E. Doyle, General Manager

STAFF REPORT
PREPARED BY: Suzanne Wilson, Senior Planner

SUBJECT: San Francisco Bay Trail at Point Molate - Mitigated Negative Declaration

Sean Dougan, Trails Development Manager, will make a presentation on this agenda item.

BACKGROUND

The project consists of a 2.5-mile section of the San Francisco Bay Trail (Bay Trail) along the shoreline of the San Pablo peninsula (Point Molate). The trail would be constructed in a previously disturbed area within or adjacent to the old Richmond Belt Railway corridor. Approximately 1-mile would be constructed within a surface easement granted by Chevron to the East Bay Regional Park District (Park District) in 2009 for construction, operation, and maintenance of the trail. The remaining 1.5 mile is within the former Naval Fuel Depot and historic Winehaven District owned by the City of Richmond. The Park District prioritized design and construction of the Bay Trail at Point Molate to provide a trail connection to the Bay Area Toll Authority's bike and pedestrian path across the Richmond-San Rafael Bridge project currently underway.

In 2016, the Park District hired Nichols Consulting Engineers for final design and environmental services. To satisfy CEQA requirements, a Mitigated Negative Declaration (MND) was drafted and released for a 30-day public review period on March 14, 2018. The proposed project analyzed in the MND begins near Stenmark Drive on the north side of the Richmond-San Rafael Bridge, extends through the Point Molate Beach Park, and will connect back to Stenmark Drive at the northern boundary of the Winehaven District property. The public review period will close on April 13, 2018, at which time staff will respond to comments and recommend Board adoption of the MND.

The total project cost estimate is approximately \$7.5 million. The project is not fully funded. Staff recommends splitting construction into two phases: Phase 1 will be constructed by the Park District from the Richmond-San Rafael Bridge to the Point Molate Beach Park staging area within the Park District's easement; Phase 2 will be constructed by the City of Richmond from the Point Molate Beach Park staging area to Stenmark Drive near the Winehaven Building. Trails and Grants Department staff are currently working to acquire grant funding for Phase 1 with the goal of starting construction in 2020.

RECOMMENDATION

None. This is an informational item.