

The Board Meeting, which was held on May 15, 2018 at the East Bay Regional District, 2950 Peralta Oaks Court, Oakland, CA 94605 was called to order at 11:20 a.m. by Board President Dennis Waespi.

## ROLL CALL

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

Directors Absent: None.

The **Open Session** of the Board Meeting was called to order at 1:08 p.m. by President Waespi.

All board members present for the Open Session.

Staff Present: Robert Doyle, Ana Alvarez, Carol Victor, Jim O'Connor, Debra Auker, Bob Nisbet, Carol Johnson, Alan Love, Michael Reeves, Anne Kassebaum, Lance Brede, Sean Dougan, Tiffany Margulici, Suzanne Wilson, Dave Mason, Deborah Spaulding, Erich Pfuehler, Brian Holt, Anthony Ciaburro, Matt Graul, Steve Castile, Suzanne Wilson, Eri Suzuki, Juliana Schirmer, Lance Brede, Aileen Thiele, Rachel Slater, Lisa Goorjian

Guest: None.

## A. APPROVAL OF AGENDA

President Waespi announced that **Item 2b** will be removed from the agenda: Authorization to Award a Contract to Gordon N. Ball, Inc. for Construction of Albany Beach Restoration and Public Access Project Phases II and III, Approve a Construction Contingency, Award a Professional Services Contract to Anchor CM, Amend Professional Services Contract with Questa Engineering Corporation, Authorize Funding for Staff Time and Post Construction Permit Compliance, and Transfer and Appropriate Funds: McLaughlin Eastshore State Park

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

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

Directors Against: None.

Directors Absent: None.

## B. PUBLIC COMMENTS

Dave Bonini, a resident of Pleasanton and park user for over 20 years, received a ticket for his dog being off leash. He was directed by the Walnut Creek court to contact the Park District regarding a citation he received for his dog off leash in the Canyon because he wanted to be relieved from the fine of \$300.00 President Waespi

thanked Mr. Bonini for his comments and stated the rules and the letter of the law and enforcement, are in conflict. GM Doyle recommended that Bonini speak with the Park District Captain, adding that the District has the most liberal dog policy in the bay area.

Angela Fawcett, a resident of Alameda, who lives across from Crab Cove is a longtime advocate for this park. Fawcett remarked that having a proposed 140-medical bed facility in this location that will include 200 walk-in patients per month and is not consistent with the park. Fawcett has started the 'Friends of Crab Cove', and they are in the process of doing a ballot initiative to rezone the zoning designation to open space. Fawcett asked that the District not interfere. She said that there will be an environmental report by the Alameda Point Collaborative. Director Corbett thanked Fawcett for coming and acknowledging the emails being received. GM Doyle stated that the District has not taken any position and will express concerns about utilities, access, and potential impacts. To correct the record, the District is sending a letter clarifying that it is not the intention of Measure WW to acquire the improved property, but the 3 acres of unimproved property. Doyle thanked Ms. Fawcett for her help.

Eduardo Vargas personal trainer, dog owner, and park user said that the Alameda Point Collaborative wants to turn the building into a homeless shelter/clinic and this is not the right area because of the school across the street and daily park activities. The Collaborative has made a statement that the District does not have an interest in the property and Vargas asked the District to help by not opposing their actions.

Lisa Morse, a 4<sup>th</sup> generation Alameda resident and a longtime user of the park, thanked the District for sponsoring Measure WW. Morse briefly touched on the environmental impact, adding that she wants to preserve this estuarine preserve for the elderly and families.

Marla Schmale remarked that her comments had been deleted from recorded May 1 Board meeting. She said that she read 'comments were disabled from the track' on the website and her comments were not recorded. She asked that citizen comments not be negated. President Waespi replied that this is a new process and is the first time the District recorded the Board meetings. There is no censoring or deleting of the recording. Director Corbett asked for a full report back at the next meeting.

## C. BUSINESS BEFORE THE BOARD

### I. CONSENT CALENDAR

By motion of Director Corbett, 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, Dennis Waespi, Ayn Wieskamp.

Directors Against: None.

Directors Absent: None.

- a. Approval of District Check Listing for the Period of April 2, 2018 to April 15, 2018  
Resolution No. 2018 – 04 – 101 (attached)
- b. Approval of the Minutes for the Board Meeting of May 15, 2018  
Resolution No. 2018 – 04 – 102 (attached)
- c. Authorization to Negotiate with Various Property Owners  
Resolution No. 2018 – 04 – 103 (attached)

- d. Authorization to Appropriate Measure WW Development Funds to Initiate Planning, Design, and Initial Public Access Improvements: East Bay Gateway Regional Shoreline  
Resolution No. 2018 – 04 – 104 (attached)

Director Lane asked Jim O'Connor, AGM Operations, for a brief presentation with a map for orientation. Lane thanked O'Connor for his report. Director Rosario asked what types of restrooms will be installed. O'Connor answered a vault toilet near the pier, and a flush toilet near the parking lot. Rosario asked if there will be a kayak launch. O'Connor responded that it is not part of the current pier design. GM Doyle pointed out the location of the toilets and answered the kayak question using a map with an aerial view of the area. GM Doyle explained that the Bridge Yard is an \$8 million investment and District funds were not used on this project. Bay Area Toll Authority (BATA) will consider doing improvements to increase capacity and for a possible kitchen. District staff will manage the property. Waespi inquired if the pier is being done by BATA. Brian Holt, Chief of Planning, replied Caltrans, contractors are on site, construction is in progress, and the goal is to complete the project by later this year.

- e. Approval of the Procedure 5.4a Regional Parks Foundation Donation and Budget Adjustments Up to \$50,000  
Resolution No. 2018 – 04 - 105 (attached)

Director Rosario had questions that were answered by staff.

- f. Approval of a Donations and Gifts Policy: District-wide  
Resolution No. 2018 – 04 - 106 (attached)
- g. Authorization to Apply to the California Office of Emergency Services for Funds from the Federal Emergency Management Agency for Hazardous Fuels Management: Tilden Regional Park and Claremont Canyon Regional Preserve  
Resolution No. 2018 – 04 – 107 (attached)

Director Rosario had questions that were answered by staff.

- h. Resolution to Amend the East Bay Regional Park District's Deferred Compensation Plan to Add Roth 457, Roth IRA and Other Enhancements  
Resolution No. 2018 – 04 - 108 (attached)

President Waespi thanked Finance staff and the Board Finance committee for being creative in these enhancements to the compensation plan and to better retirements.

- i. Resolution to Support AB 2126 – California Conservation Corps Forestry Corps Program (Eggman D-Stockton)  
Resolution No. 2018 – 04 - 109 (attached)
- j. Resolution to Support AB 2434 – Strategic Growth Council Health in All Policies Program (Bloom D-Santa Monica)  
Resolution No. 2018 – 04 - 110 (attached)
- k. Resolution to Support AB 2441 - Sacramento-San Joaquin Delta Abandoned Vessel Removal Account (Frazier D-Discovery Bay)  
Resolution No. 2018 – 04 - 111 (attached)

- L. Resolution to Support AB 2534 – Environmental Education Grant Program (Limon D-Santa Barbara)  
Resolution No. 2018 – 04 - 112 (attached)
- m. Resolution to Support AB 2615 – Safe Routes to Parks (Carrillo D-Los Angeles)  
Resolution No. 2018 – 04 - 113 (attached)
- n. Resolution to Support AB 2615 – Safe Routes to Parks (Carrillo D-Los Angeles)  
Resolution No. 2018 – 04 – 114 (attached)
- o. Resolution to Support S. 2350 – Forest Incentives Program Act (Shaheen D-NH)  
Resolution No. 2018 – 04 - 115 (attached)
- p. Resolution to Support S. 2395 – Explore America Act (Schatz D-HI)  
Resolution No. 2018 – 04 - 116 (attached)

## 2. ACQUISITION, STEWARDSHIP & DEVELOPMENT DIVISION

### a. PUBLIC HEARING

Resolution of the Board of Directors of the East Bay Regional Park District Declaring the Acquisition of Certain Real Property Rights Necessary for Constructing an Extension of the San Francisco Bay Trail at Point San Pablo Peninsula, and Authorizing the Acquisition Thereof and the Transfer and Appropriation of Funds Therefor (Portion of Contra Costa County Assessor's Parcel Number 561-400-004): San Francisco Bay Trail  
Resolution No. 2018 – 04 - 117 (attached)

By motion of Director Dotson, and seconded by Director Wieskamp, the Board voted unanimously to approve **Item 2a**.

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

Michael Reeves, Acting Chief of Land Acquisition, stated staff has been working for several years to establish the right-a-way for the proposed trail along the former railroad corridor, located along the shoreline of the peninsula, which is mainly owned by Chevron USA. Over the years, Chevron has granted the District easements. The project is currently 65% designed. Castro Point is where the remaining gap is located, and is about 80 feet in length. Two trail alignments were proposed, and one was recommended by staff. Staff approached the new owners to purchase the parcel and the owners rejected one offer, and no response has been received on the remaining offer. Staff recommends the above resolution to acquire the property by eminent domain action. Reeves enumerated the 4 requirements for eminent domain to proceed. Director Lane asked the location of the train track in the photo. Reeves explained it is further in the flat area. Sean Dougan, Trails Programs Manager, reported the District completed a coastal erosion and shoreline impact assessment,

and it was determined the land will not be impacted by sea level rise. Dougan explained that it is quite a bit above the shoreline, and is on what looks to be fill from decades ago.

Director Rosario asked if a retaining structure will be necessary because of the slides that occurred there. Dougan said the trail will be far enough away from the hillside that it won't be impacted by smaller slides. Staff are trying to take as little space from the private property as possible, but need to have enough distance from the hillside. Director Wieskamp asked if the Castro Point property is zoned in the city of Richmond. Reeves replied it is located in Richmond. GM Doyle said this is the old ferry terminal approved by the San Francisco Bay Conservation and Development Commission (BCDC) many years ago for a marina, and it still stands as a potential marina site.

### PUBLIC HEARING OPENED

Director Wieskamp inquired if the District heard from the owner of the property. Reeves replied as required by the California statute in initiation of this action, the owners were notified by certified mail, did not respond, and did not come before the Board to speak.

### PUBLIC HEARING CLOSED

President Waespi stated that item 2a needs a 2/3 majority of the entire Board which is 6 votes to pass.

## 3. FINANCE AND MANAGEMENT SERVICES DIVISION

- a. Adoption of Resolution of Intention to Order Improvements, Grant Preliminary Approval to the Draft Engineer's Report, Establish Date of Public Hearing and Instruct the Clerk of the Board to Provide Appropriate Public Notice of Hearing: Alameda County/Contra Costa County Regional Trails Landscaping and Lighting Assessment District No. 1 (Two County LLD), including Zones of Benefit: ZB-1 (Five Canyons), ZB-2 (Dublin Hills), ZB-3 (Walpert Ridge), ZB-4 (San Ramon Hills), ZB-5 (Stone Valley), and ZB-6 (Gateway Valley/Sibley Volcanic)  
Resolution No. 2018 – 04 -118 (attached)

By motion of Director Lane, and seconded by Director Rosario, the Board voted unanimously to approve the **Item 3a**.

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

Debra Auker, AGM Finance and Management Services said that this is the second step of a three-step process for the District's annual Lighting and Landscaping District process and is in accordance with the Lighting and Landscaping Act of 1972. This is the two-county assessment and 6 zones of benefit. Auker outlined the 8-step process. This original formation language is to maintain the District's trail system and the revenue is a special assessment to maintain and operate the existing trail system and additional trails. Auker pointed out on a map that there is a zero assessment in Liberty High School District and Murray Township. Auker went over the amount of tax levied per dwelling unit and multifamily unit per year.

GM Doyle stated that the dedication of the property through a subdivision allows the District to have one vote as the property owner. It requires city and property owner cooperation allowing the District to make a decision on what the District protects and its value. Auker corrected the staff report on page 102 – FTE's should be 34 and .55 for zone of benefit. Director Lane thanked Auker for the maps which clarified the

language, and made the suggested that the map be included in the final report, or included in next year's report. Lane asked that the Mount Diablo Regional Trail and Las Trampas trail be added to the report.

- b. Adoption of Resolution of Intention to Order Improvements, Grant Preliminary Approval to the Draft Engineer's Report, Establish Date of Public Hearing and Instruct the Clerk of the Board to Provide Appropriate Public Notice of Hearing: East Contra Costa County Landscaping and Lighting Assessment District (ECCC-I LLD)  
Resolution No. 2018 – 04 - 119 (attached)

By motion of Director Coffey, and seconded by Director Lane, the Board voted unanimously to approve the **Item 3b**.

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

Debra Auker, AGM Finance and Management Services explained that the second part of step two is for the East Contra Costa County LLD. This is different because the Park District didn't encompass this area within boundaries until annexed in 1981, and it was annexed without the benefit of property tax. In 1991, an LLD was formed to maintain this area, and the single and multi-family assessment was approved, and it encompasses Liberty Union District. Director Coffey asked if the District ever considered asking the residents of Discovery Bay to join this District. GM Doyle replied the District does annual polling, and if the District got to a threshold that was feasible, it would be considered. Auker interjected that the area does include Discovery Bay. Director Rosario asked for the total number of FTEs in that LLD. Auker replied that staff will have more detail at the next meeting. Director Lane commented that it would be helpful to connect that the citizen committee met and they were the ones that recommended an LLD. Lane would have a map without the fire district boundaries. As far as staff, the District should include all Operations staff in the east county along with those identified in this LLD. Director Lane asked if Morgan Territory is in East County. Doyle said physical boundaries are different than political boundaries. Director Lane said at one point staff considered putting together a booklet that reflected what the Park District offers in East County; Director Lane still thinks it is a good idea. AGM Johnson said the requested brochure is in the hopper and being worked on. Public Affairs has also been distributing the RIN and other publications throughout East Contra Costa County news agencies. Director Wieskamp added that a map is to clarify issues, and this map does not.

- c. Authorization to Amend the 2018 Budget, Appropriate Funds, Approve Time Extension and Close Measure WW Local Grant Program Projects  
Resolution No. 2018 – 04 - 120 (attached)

By motion of Director Wieskamp, and seconded by Director Corbett, the Board voted unanimously to approve the **Item 3c**.

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

Tiffany Margulici, Grants Manager provided an annual update for the WW Local Grant program. This \$125,000,000 program was established in 2009, and is set to expire December 31, 2018. Staff is asking for a 3-year time extension. Margulici outlined the grant process. Currently, there are 9 new project applications from 7 agencies, and 3 budget requests from 2 agencies. Margulici reviewed projects types: building, athletic field, acquisition, playground and play structures, and other improvements to municipal projects, totaling 240

projects. GM Doyle asked that this chart be broken out in wards for the Board members. GM Doyle stated that the District wants to extend the program to give the agencies time to close out their projects. Director Lane was in Heather Farms and saw the All Abilities Playground project which is extraordinary. Director Wieskamp commented that the sports court project at a school in Sunol has been well received by the community. Director Corbett said the people of Union City were thrilled that they can refurbish their teen center. Director Rosario asked if the extension is for specific metros. Margulici replied it is for uncompleted projects. GM Doyle said the District should publish a document and show the pictures of what WWV has done.

#### 4. BOARD AND STAFF REPORTS

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

GM Doyle discussed the items in this report.

#### 5. GM COMMENTS

GM Doyle announced that the Fishing Derby to be held at Lake Temescal has been postponed because the water testing is not at a safe enough level, and the kids would be handling the fish. Plans are to reschedule the event and the District will notify the City of Oakland of the cancellation. GM Doyle announced that the District has received its Transparency Certificate from the Special Districts Association and DGM Alvarez gave brief remarks thanking Mona Palacios for her work on this project. President Waespi asked that this be publicized in all of our media.

Michael McNally, Facility Manager, provided a 2017 Office Services Update. Office Services consists of the Switchboard/Reception Desk, Facility Services/Building Ground Aides, Copy Room, Messenger Service, Mail Room and Central Stores. In a PowerPoint, McNally described what each of his staff members responsibilities entail. Director Wieskamp complimented McNally for his hard work. Director Corbett thanked him for the charging stations. Director Rosario asked about the solar panels and if they degrade over time. McNally replied that staff cleans the panels, and they are expected to last another 5 years. Director Rosario asked for a report on how the panels are doing. Director Rosario asked if there is a commercial kitchen in Trudeau. McNally said there is no kitchen and it is not meant for cooking.

#### 6. ANNOUNCEMENTS FROM CLOSED SESSION

Carol Victor, District Counsel, announced there were no announcements.

#### 7. BOARD COMMENTS

Director Waespi reported on meetings attended. Director Waespi

- Attended the Executive Committee meeting;
- Attended the Alameda County Parks, Recreation & Historical Commission;
- Attended the Board field trip to Garin/Dry Creek;
- Attended the Drakes Fundraiser;
- Attended the Retiree Luncheon at Treasure Island;
- Attended the Alameda County Special Districts breakfast;
- Attended the Alameda County Mayors Conference, Oakland Zoo;
- Attended EBRPD Golf Tournament;
- Attended the Rowell Ranch Chili Cook-off;
- Attended the Board Capital Trails Workshop;
- Attended an EBMUD update.

Waespi attending the Special Park District Forum (SPDF) in South Carolina.

Director Wieskamp reported on meetings attended: Director Wieskamp

- Attended Executive Committee meeting;
- Attended the Alameda County Special Districts breakfast;
- Attended LAFCo;
- Attended the Elected Womens' Luncheon;
- Attended the Board Capital Trails Workshop.

Wieskamp commented on a contest that Special Districts has for local school kids to make a video of their special district. Commented on the Habitat for Home Poster contest results. Looking forward to the Cull Canyon Volunteer Dinner.

Director Rosario reported on meetings attended. Director Rosario

- Attended Local2428 meeting;
- Attended Contra Costa County Mayors Conference;
- Attended the Board field trip to Garin/Dry Creek;
- Attended the Drakes Fundraiser;
- Attended the Alameda County Special Districts breakfast;
- Attended the Alameda County Mayors Conference, Oakland Zoo;
- Attended the Bay Area Open Space Conference (BAOSC);
- Attended the Rowell Ranch Chili Cook-off;
- Attended the Board Capital Trails Workshop.

Rosario asked for an update on solar panels/electricity.

Director Corbett reported on meetings attended. Director Corbett

- Attended Local 2428 meeting;
- Attended the Board field trip to Garin/Dry Creek;
- Attended the Drakes Fundraiser;
- Attended the Alameda County Mayors Conference;
- Attended the Bay Area Open Space Conference (BAOSC);
- Attended on behalf of Director Waespi the Kennedy Park Youth Center in Union City, WW projects;
- Attended Rowell Ranch Chili Cook-off;
- Attended the Board Capital Trails Workshop;
- Attended San Leandro Town Hall for their city council districts, and thanked Carol Johnson and Public Affairs for the information table.

Director Lane reported on meetings attended. Director Lane

- Attended the Executive Committee meeting;
- Attended the Board field trip to Garin/Dry Creek;
- Attended the Board Capital Trails Workshop;
- Visited Las Trampas on Mother's Day to check overflow parking;
- Attended the opening of the Tri-City Martinez horse arena event;
- Attended the Bay Area Open Space Conference (BAOSC);
- Attended the Contra County Mayors Conference, Martinez;
- Visited the Veterans Hall in Danville where Randy Parent was acknowledged.

Lane commented on the need to need to make some decisions on Clayton Ranch and finish Black Diamond Mines LUP. Looked for access to Las Trampas. When staff look for a location for equestrians to access Wildcat at the Clark/Boas entrance, some conversations with that school may be in order. Looking forward to the Cull Canyon Volunteer Dinner. Looking forward to going to San Ramon Valley Historical Society meeting on trails. Lane would like that there be a discussion of Glyphosate Round-Up use in high-use picnic areas.



Director Dotson reported on meetings attended. Director Dotson

- Attended the Board Capital Trails Workshop;
- Attended the Board field trip to Garin/Dry Creek;
- Attended the Richmond Liaison meeting.

Dotson walked at Pt. Pinole Regional Shoreline.

Director Coffey reported on meetings attended. Director Coffey

- Attended the Contra Costa Watershed Forum in Brentwood;
- Attended the Richmond Liaison meeting;
- Attended the Measure WW Lefty Gomez Ball Field ribbon cutting;
- Attended the Black Diamond Mine open house – all day as an ambassador;
- Attended the Board Capital Trails Workshop.

## 7. PUBLIC COMMENT

## D. ADJOURNMENT

President Waespi adjourned the meeting at 4:30 pm.