

AGENDA  
REGULAR MEETING  
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, June 19, 2018

D. BUSINESS BEFORE THE BOARD

7. BOARD COMMITTEE REPORTS

f. Board Executive Committee (5/3/2018) (Waespi)

Present

Board: Dennis Waespi, Ayn Wieskamp, Beverly Lane

Staff: Carol Victor, Becky Pheng, Erich Pfuehler, Alan Love, Kip Walsh, Jim O'Connor, Dan Sykes, Steve Castile, Brian Holt, Debra Auker, Bart O'Brien

Public: Bruce Kern, Julie Bueren, Cole Sanchez, Eri Suzuki, Dave Worley

Board Executive Committee Chair Dennis Waespi called the meeting to order at 12:40 pm.

**I. Dog Use Study Findings and Recommendations from the Park Advisory Committee**

Erich Pfuehler, Government Affairs Manager, introduced this agenda item and Park Advisory Committee (PAC) members Bruce Kern and Julie Bueren.

Mr. Kern presented a summary of the PAC's findings and recommendations on dog use in the Park District. The scope of review includes an evaluation of the Park District's existing dog policy, planning for dogs in the parks, and community engagement and education regarding dog use in the parks. Mr. Kern summarized the report's key findings:

- Dog use in parks is increasing and represents a significant user group.
- The number of professional dog walkers using the parks has increased.
- The Park District is considered "dog friendly".
- Problems observed by Operations Division include streamside erosion caused by dogs and aggressive behavior between dogs, dogs and humans, and dogs and wildlife.
- Volunteer Trail Safety Patrol members estimated 80-90% compliance by dog owners.
- Trails with high user congestion are most prone to conflict.
- Grazing tenants reported instances of dogs chasing cattle.
- Professional dog walkers were concerned as to the number of independent contractors not professionally trained to control their pack of dogs.

The report makes several recommendations:

- Continue to target dog use compliance enforcement.
- Require park users who violate Ordinance 38, section 801 to take a dog training class on trail etiquette and impacts on natural resources.
- Pilot a training program for off-leash dog owners on “voice and sight control”.
- Place more dog disposal waste cans on trails heavily used by dog owners.
- Evaluate increasing permit fee for trails heavily used by professional dog walkers.
- Review and add signage at trailhead where cattle grazing is authorized.
- Sponsor “adopt a trail” program for trash cleanup on trails.
- Review dog-oriented signage and consider new key messaging.
- Produce dog brochures in different languages.

The Committee thanked the PAC for undertaking the study. Director Beverly Lane asked if dog walkers are certified. Mr. Kern replied that they do not have to be certified. Professional dog walkers who use the Park District are required to have a permit which must be visible and on them at all times. The Committee talked about dog and cattle conflicts, and the need to have dogs on leash around cattle. Carol Victor, District Counsel, commented that Ordinance 38 will be reviewed and updated this year. Staff will look at revising Ordinance 38 to require that dogs be on leash around cattle. Director Dennis Waespi commented that he was pleased with the study, supports the idea of signage in areas where cattle grazing is permitted, and training classes for dog walkers.

**Recommendation: None. This was an informational item.**

## **2. Approval of Human Resources Policy #18 – Prohibition of Harassment, Discrimination, and Retaliation Policy**

Kip Walsh, Chief Human Resources Officer, presented this agenda item.

This item was presented to the Committee on April 5, 2018 as an informational item. Since that time, staff has met with both AFSCME Local 2428 and the Police Association. The policy has been updated to incorporate comments from the union. The Park District is committed to providing a work environment free of harassment and discrimination. Ms. Walsh talked about the legal framework for the Park District’s procedures and prohibiting harassment or discrimination based on “protected characteristics” (e.g., race, religion, color, national origin, etc.). The Park District will take an affirmative role to protect its employees from harassment and discrimination. Employees who receive or witness the inappropriate conduct have a duty to report the conduct to management. Any manager or supervisor who receives a complaint of harassment or discrimination must immediately report it to the Chief Human Resources Officer. Retaliation is strictly prohibited. The Chief Human Resources Officer shall either investigate or ensure a fair and thorough investigation of the allegations.

**Recommendation: By motion of Director Ayn Wieskamp and seconded by Director Beverly Lane, the Board Executive Committee voted 3-0 to approve the updated**

**Human Resources Policy #18 – Prohibition of Harassment, Discrimination, and Retaliation Policy and to forward it to the full Board for consideration.**

**3. Approval of Human Resources Policy #19 – Transgender Employment Policy**

Kip Walsh, Chief Human Resources Officer, presented this agenda item.

This item was presented to the Committee on April 5, 2018 as an informational item. Since that time, staff has met with both AFSCME Local 2428 and the Police Association. The policy has been updated to incorporate comments from the union. Ms. Walsh gave a short overview of the changes which includes adding “queer” to LGBT to be more inclusive and rephrasing “most records” to “almost all Park District records” under the section Official Records. The draft policy will be presented to the full Board on May 15, 2018 for approval. Assuming the policy is adopted by the Board, staff will work on developing and updating training for employees. Supervisors and managers will be trained on the new policy, a “bystander” training and tips will be developed, and the online harassment prevention training will be updated. Ms. Walsh emphasized that for both Human Resources Policy #18 and #19, training is important. The roles and responsibilities of supervisors and managers will be addressed at the new training workshops.

Public Comment: Dave Worley commented that AFSCME Local 2428 appreciates the work of management and union on Human Resources Policy #18 and #19.

**Recommendation: By motion of Director Ayn Wieskamp and seconded by Director Beverly Lane, the Board Executive Committee voted 3-0 to approve Human Resources Policy #19 – Transgender Employment Policy and to forward it to the full Board for consideration.**

**4. Update on Brickyard Phase I Improvements: McLaughlin Eastshore State Park**

Marvin Yee, Project Manager, presented this agenda item. The project is located at McLaughlin Eastshore State Park in the City of Berkeley. The project goal is to increase public access to the Brickyard site visually and physically. The Park District operates the land under an operating agreement with the State of California. In March 2017, the Board awarded a \$282,500 contract to Adrienne Wong Associates to produce construction documents for Phase I improvements. The site was used for storage and brokerage of soil and fill materials. Over the past two years, the site has been cleaned up and plans for Phase I were developed. Mr. Yee showed pictures of the current conditions and Phase I improvement drawings, including a parking area, entry plaza with restrooms, signage, drinking fountains, picnic sites, and meadow area. This project will become the Park District’s first Bay-Friendly rated landscape. The Bay-Friendly Rated Landscapes program is a rating system developed by StopWaste, a public agency responsible for reducing waste in Alameda County, and administered by ReScope California, a non-profit organization that promotes sustainable landscape and gardening practices. Project funding consists of grants from the California State Parks and StopWaste. Project construction will continue in 2018 with the site expected to reopen to the public in summer 2019.

Director Beverly Lane commented that she hoped the project will proceed as scheduled and inquired if the public will have access to the beach. Mr. Yee responded that people will still be able to access the beach, but there is no formal path. Director Dennis Waespi commented that there should be signage indicating that the project is Bay-Friendly rated landscape.

**Recommendation: None. This was an informational item.**

## **5. Regional Parks Botanic Garden Current Activities and Projects**

Bart O'Brien, Botanic Garden Manager, presented this agenda item.

The Botanic Garden (Garden) is located at Tilden Regional Park. It is home to 65 California and 41 federally listed rare and endangered plants. Mr. O'Brien showed a PowerPoint of the various plants in the Garden. The Garden has a total of nine staff, docents, and numerous volunteers, including the Friends of the Regional Parks Botanic Garden. The Garden holds several plant sales throughout the year, with the first plant sale taking place in 1978. The nine recent sales have generated \$134,500 in revenue, with over 26,000 plants sold. An average plant sale generates approximately \$15,000 in revenue. Docents play a big role at the Garden. They help with weekend, holiday and school tours. The Friends of the Regional Parks Botanic Garden provide financial and volunteer support and promotes outreach through the website, docent programs and classes, publications, and membership. A monthly e-newsletter is produced and sent to over 2,000 subscribers. The *Manzanita* is a quarterly publication by the Friends of the Regional Parks Botanic Garden. It is sent to over 500 subscribers. The *Four Seasons* is an annual technical publication, which was first released in 1964. The Committee requested that the full Board be added to the subscribers list for these three publications. Over the past several years, several maintenance projects have been undertaken at the site including re-roofing of the Juniper Lodge, new shade structure, and renovation of the glasshouse. Staff has collaborated with Stewardship to enhance conditions for aquatic plant collection. Several tree maintenance projects were undertaken the past two years.

The Committee inquired about plans for the visitor center. Staff responded that Design staff is still working on the plans and has only provided a preliminary sketch. The Committee thanked staff for all their work and was impressed by the plant collections and the work that it takes to maintain the Garden.

**Recommendation: None. This was an informational item.**

## **6. Open Forum for Public Comments**

None.

## **7. Board Comments**

Director Beverly Lane commented that Denise Defreeze will be speaking on grasses at the Oakland Museum's Gallery of California Natural Sciences in the spring.

There being no further business, Chair Dennis Waespi declared the meeting adjourned at 3:05 pm.

Respectfully submitted,

Becky K. Pheng

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