

The Board Meeting, which was held December 18, 2018 at the East Bay Regional District, 2950 Peralta Oaks Court, Oakland, CA 94605 was called to order at 11:30 a.m. by Board President Dennis Waespi.

ROLL CALL

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

Directors Absent: None.

The **Open Session** of the Board Meeting was called to order at 1:00 p.m. by President Waespi.

Staff Present: Robert Doyle, Ana Alvarez, Debra Auker, Carol Victor, Carol Johnson, Dave Mason, Matt Graul, Jim O'Connor, Alan Love, Anthony Ciaburro, Mona Koh, Chris Newey, Lance Brede, Kristina Kelchner, Bev Ortiz, Jason McCrystle, Brian Holt, Pam Burnor Anne Kassebaum, Jeff Rasmussen, Ruby Tumber, Aileen Theile, Michael Reeves, Michael McNally, Steve Castile, Deborah Spaulding, Ren Bates, Clay Simmons, Michelle Strawson O'Hara, Tyrone Davis, Sean Dougan, Nadine Vargas, Brad Gallup, Erich Pfuehler, Kelly Barrington.

Guests: None.

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

None.

C. BUSINESS BEFORE THE BOARD

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.

- a. Approval of District Check Listing for the Period of November 5, 2018 to November 18, 2018  
Resolution No. 2018 – 12 - 296 (attached)
- b. Approval of the Minutes for the Board Meeting of December 4, 2018
- c. Certification of November 2018 Election Results and Resolution Declaring Four Candidates Elected/Appointed as Directors of the East Bay Regional Park District  
Resolution No. 2018 – 12 - 297 (attached)
- d. Approval of Reappointments to the Park Advisory Committee  
Resolution No. 2018 – 12 - 298 (attached)
- e. Resolution of the Board of Directors of the East Bay Regional Park District in Support of Strong Unions Post the United States Supreme Court's Decision in Janus v. AFSCME, Council No. 31, et al.  
Resolution No. 2018 – 12 - 299 (attached)

Chris Newey, President AFSCME Local 2428, spoke in support of strong unions and appreciates the leadership in bringing this item forward. Organized labor and collective bargaining has a long history of promoting pay equity, safe working conditions and equal opportunity.

- f. Acceptance of Third Quarter 2018 General Fund and Other Governmental Funds Financial Report  
Resolution No. 2018 – 12 - 300 (attached)
- g. Authorization to Amend and Extend Communication License Agreement with Bay Area Rapid Transit District: Tilden Regional Park  
Resolution No. 2018 – 12 - 301 (attached)
- h. Acceptance of the East Bay Regional Park District Investment Report for the Quarter Ended September 30, 2018  
Resolution No. 2018 – 12 - 302 (attached)
- i. Authorization to Partner with San Francisco Estuary Institute and Approve a Grant Application to the Environmental Protection Agency for Federal Grant Funds from the San Francisco Bay Water Quality Improvement Fund for the Restore McCosker Creek Project: Sibley Volcanic Regional Preserve  
Resolution No. 2018 – 12 - 303 (attached)
- j. Authorization to Execute a Contract with WSP USA, Inc. for Construction Management Services and Appropriate Measure AA Development Funds for the Lone Tree Point Trail Segment: San Francisco Bay Trail  
Resolution No. 2018 – 12 - 304 (attached)
- k. Authorization to Appropriate Measure CC Funds and Amend a Contract with Ascent Environmental, Inc. for California Environmental Quality Act Support for the Land Use Plan Amendment Environmental Impact Report: Miller/Knox Regional Shoreline  
Resolution No. 2018 – 12 - 305 (attached)

- L. Authorization to Execute the Renewal of the Contract with Strategy Research Institute  
Resolution No. 2018 – 12 - 306 (attached)
- m. Authorization to Renew the Contract with E2 Strategies LLC for Advocacy Services  
Resolution No. 2018 – 12 - 307 (attached)
- n. Award of Contract to Print and Distribute Regional in Nature (RIN) Activity Guide  
and up to Two Editions of Wildfire Prevention Guide  
Resolution No. 2018 – 12 - 308 (attached)
- o. Authorization to Renew Contract for Youth Employment Services with Civicorps  
Schools for 2019  
Resolution No. 2018 – 12 - 309 (attached)
- p. Authorization to Amend the 2018 Budget and Transfer General Funds to an Other  
than Asset Project Account for Bridge Yard Building: Gateway Regional Park  
Resolution No. 2018 – 12 - 310 (attached)

Director Lane inquired on the plans to improve the building and adding additional restrooms.

Jim O'Connor, AGM Operations, replied that there are two elements of tenant improvements. The Bay Area Toll Authority (BATA) /Metropolitan Transportation Commission (MTC) approved in their budget \$500,000 for future tenant improvements which is in process. The Board approved \$450,000 from WW funds with half going towards restroom facilities out near the pier and in the new parking lot with the remaining funds to be applied for the design of the future tenant improvements. Staff hopes to complete the design process by May and submit a funding request to BATA.

Lane asked if there was discussion in the design plan of the buildings uses. O'Connor replied there is more concern about making the existing portion of the building more functional. Staff are looking at restroom, kitchen space and office space, but not at the west end of the building. GM Doyle added that there is a lot of office space on the side building that isn't in use, and it hasn't been programmed yet either. Doyle stated that any ideas for the bigger part of that building will come back to the Board. Director Rosario inquired about the type of security and if it tied to Public Safety. O'Connor replied that there is an alarm and cameras and it is connected to Public Safety. GM Doyle asked when will the parking lot area be cleared. O'Connor replied the intent is to have the Bridge Yard concession operational by March/April. The pier should be done in July 2019, and the parking lot in the fall of 2019.

- q. Authorization to Transfer and Appropriate Major Infrastructure Renovation and  
Replacement Funds for the Replace Boat Concession Building Project: Shadow Cliffs  
Regional Recreation Area  
Resolution No. 2018 – 12 - 311 (attached)

Director Rosario asked if the existing buildings are owned by the District. O'Connor answered that various District staff over many years installed the buildings. Director Wieskamp said she is glad to see the improvements because staff and public deserve them.

- r. Authorization to Transfer and Appropriate Funds for the Replace Playground Equipment  
Project: Kennedy Grove Regional Recreation Area  
Resolution No. 2018 – 12 - 312 (attached)

Director Lane commented that she was glad to see this project moving forward and thanked staff for the swings at Kennedy Grove.

## 2. GENERAL MANAGER

### SECOND PUBLIC HEARING

- a. Adoption of the 2019 Operating Program and Project Budgets for the East Bay Regional Park District and Approval of the 2019 Appropriations Limit  
Resolution No. 2018 – 12 - 313 (attached)

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

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

Directors Against: None.

GM Doyle introduced Debra Auker, AGM FMS/CFO. Doyle stated staff recommend the proposed budget, and this is the second hearing. Auker walked the Board through the details of the budget. She went through the 2019 Proposed Budget Highlights, the Budget Process, the Performance Plan, and District Resources and Appropriations. The budget is in two volumes.

President Waespi opened the Public Hearing for comments and questions.

Director Lane said the District should be candid about what is happening in EBRPD parks around Sudden Oak Death (SOD). Lane referred to page 19, volume 2 where there is a list that indicates where trail maintenance funds come from. Lane asked if Alameda County Transportation Commission (ACTC) has given any funds for the trail. ACTC has not. Lane encouraged the ACTC Directors from Alameda County to reach out to the ACTC Board about this issue. Lane stated that Alameda County is not doing what they agreed to do during the election, and what was promised by them is not being delivered.

GM Doyle said Government Legislative Manager Erich Pfuehler is already working on identifying meetings with their staff to work on this. Doyle added that Public Affairs has budgeted several fire-related educational mailings, and SOD can be included. Lane said she appreciates the work Finance staff put into compiling this budget. Director Wieskamp added Finance does a great job, and the greater community appreciates the fact that the District is fiscally careful; spending wisely and putting funds aside. Director Rosario appreciated the night meeting allowing public access to the hearing. He would like the District to track visitation numbers and include this information on the chart along with acreage in next years' budget. In 2019, he would like staff to track the yield curves for three year and ten year treasury bonds, because that seems to be an indicator for recession. The curve has been inverted and it seems inevitable the District will be headed in that direction. Director Rosario extended congratulations to the Finance staff on this budget. Director Corbett added her appreciation for the work and commented that the District has a budget to be proud of. The District is conservative where needed, and good stewards of taxpayer funds. Corbett thanked the Finance staff for their good work. Director Coffey seconded Corbett's remarks, adding that the budget was fun to read. Director Coffey commented he and Director Dotson are pleased to see funding allocated for the feasibility study for closing the final gap between Richmond and Rodeo on the Bay Trail. Director Coffey mentioned he didn't attend the evening meeting but did see the presentation at the PAC and on the Finance committee. President Waespi thanked staff and said he is amazed at how the District continues to grow.

President Waespi closed the Public Hearing.

b. Approval of 2019 Appropriations Limit

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

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

Directors Against: None.

3. ACQUISITION, STEWARDSHIP & DEVELOPMENT DIVISION

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

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

Directors Against: None.

- a. Authorization to Enter into and Exercise the Option, Purchase and Sale Agreement, and Transfer and Appropriate Funds for the Acquisition of 1.83± Acres of Real Property from Frank Albanese and Maydo Lorimer: Redwood Regional Park  
Resolution No. 2018 – 12 – 315 (attached)

Michael Reeves, Acting Chief of Land Acquisition oriented the Board to the location of the house in the park. He explained that this purchase completes the Measure WW goal to protect rare native trout habitat within Redwood Creek watershed, removes private inholding and potential use conflicts at park trail entrance, establishes a more logical boundary to Redwood Park and the large residence offers reuse possibilities for Park District purpose.

GM Doyle said this is a significant public investment in this watershed, and it is a significant watershed commitment. Director Rosario commented the retaining wall needs to be shored up near the creek which is a spawning ground; the house is a potential for office space and residence. Director Wieskamp thinks this can be operated as two separate units and she supports it. Director Lane asked if EBMUD could help with the purchase since the District is helping to protect the creek. Lane asked if the District contacted EBMUD to give them the opportunity to help purchase this with the District. Reeves replied that staff has not contacted EBMUD but has reached out on other acquisitions. Reeves said the EBMUD staff says the watershed is important to them, however they are looking to the District to put the final pieces of conservation effort into the canyon. Director Lane commented on the possible use of this building for staff. President Waespi asked if there are any persons of historical significance in the Canyon. Bev Ortiz is will research. Waespi supports keeping the residence.

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

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

Directors Against: None.

Directors Absent: None.

- b. Authorization to Execute a Contract with Anchor CM for Construction Management Services for the Restore McCosker Creek Project: Robert Sibley Volcanic Regional Preserve  
Resolution No. 2018 – 12 – 316 (attached)

Matt Graul, Acting AGM ASD said that this is an important milestone in implementing the plan. Ren Bates, Capitol Program Manager began by telling the Board the culvert is failing, and it has resulted in sinkholes. This project will remove the culverts and reestablish the surrounding banks. The construction management recommendation was a need to hire a consultant. The repair will take two years to construct and hiring this firm will allow staff time to deliver other projects.

Director Wieskamp said she understands the need to use an outside company used to working on restoring creeks. Director Lane asked if this was the full project. Bates said it is, and the design was done by CEQA. Lane asked if they are using the soil removed to elevate the campground by 15-20 ft. She asked if this will affect the grade of the road. Bates said it will not be as steep. GM Doyle said this is significant and staff are looking at additional grants to fund this project. Director Corbett asked about the alignment of trails, and if those trails are off this site. Bates replied they are. Director Coffey has been asked if there were any significant creek restoration projects in Contra Costa County by the Contra Costa Watershed Forum, and this project is perfect. GM Doyle said this will be a poster project. GM Doyle stated that the former quarry company buried this creek. Director Rosario said he is looking forward to this project, and restoration is what the District should be doing. Director Waespi asked if cost is a factor in the ranking of the contractors? Bates answered this company's price is standard for the industry. Lane asked if the parking lot for the campground area is in the design and Bates replied it is. Lane asked about whether equestrians can park at the parking lot. Bates said the LUP does not speak to parking at this parking lot, but equestrians can park at the other lot.

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

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

- c. Authorization to Appropriate Grant Funds and Execute a Contract with Kjeldsen, Sinnock & Neudeck, Inc. for the Renovate Water System Project: Del Valle Regional Park  
Resolution No. 2018 – 12 – 317 (attached)

Matt Graul, Acting AGM ASD introduced this item. Clay Simmons, Civil Engineer, ASD opened with history on this plant. A few years ago, a master study was completed by Kjeldsen, Sinnock & Neudeck, Inc. (KSN). The purpose of the study was to evaluate and assess the condition of the existing water treatment and distribution systems. and the second purpose was to evaluate the considerations. Del Valle received five million dollars from the State of California Parks and Recreation Department for use at Del Valle. Simmons explained that this project needs to be completed by the end of 2020. The grant scope of work includes one million dollars for the Visitor Center remodel, and four million dollars for infrastructure improvements. KSN did a pilot study which determined the guiding principles are to improve reliability, provide redundancy, improve water treatment, reuse components and includes technical support.

Director Corbett remarked that this is great news and will benefit the park. She inquired if there will be opportunities for additional energy efficiencies. Simmons answered there is a proposal to have solar

panels placed at both of the storage tanks. Director Corbett asked if there are issues with transit pipelines. Simmons replied it is asbestos concrete pipe and there are no health issues when it is in a solid state. Director Wieskamp commented that Kelly Barrington has convinced her of the need to replace this, and she thinks it is a great project. Director Wieskamp acknowledged Assembly Member Catharine Baker as a friend of the parks. Director Waespi asked about a less expensive way to pump the water. Simmons replied reducing costs for pumping was researched and he explained how staff decided on this plan. Waespi asked if the water agency has commented about raising the water level. GM Doyle announced the District would not be before the Board with this project without the efforts of Assembly Member Catherine Baker and Doug Houston, because it is a state budget allocation with time limits. GM Doyle is pleased to see this project move forward because the grant was awarded this year. Director Dotson asked if this is galvanized pipe. Simmons said it has some, but it is mainly a high density polyethylene plastic. GM Doyle would like to send this board material to Baker and Houston with a thank you card.

#### 4. BOARD AND STAFF REPORTS

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

GM Doyle discussed the actions in this report regarding the City of Alameda – McKay Avenue Wellness Center Project. Carol Victor, District Counsel, stated that the city had first reading of mitigated NegDec and approval zoning. This would remove the government overlay that the District calls the northern parcel. There was a citizen's initiative to rezone the property to open space and the city will have to decide in January on whether to approve, hold a special election, or hold it over until the regular election in 2020.

#### 5. GENERAL MANAGER'S COMMENTS

GM Doyle introduced Public Safety. Anthony Ciaburro, AGM Public Safety/Chief of Police. Introduced the seven new police officers who recently graduated from the Police Academy. GM Doyle introduced Kyle Maxwell, Aquatic Assistant to talk about lifeguard service and the Academy. There were 92 applicants for the Academy and 40 lifeguards graduated. Maxwell talked about the Academy and the trainings which consist of American Red Cross Lifeguarding, CPR/AED, administering emergency oxygen, open water lifeguard US lifesaving association, and first aid for public safety personnel. The lifeguards are certified as open water lifeguards.

Director Wieskamp extended congratulations on the excellent recruitment and the training that lifeguards are given are given at the District. Director Rosario asked if there is still a dive team. Maxwell said lifeguards are certified to dive. GM reminded the Board that many agencies have closed swimming and there is no training for lifeguards. GM thanked former GM Pat O'Brien for his leadership and help to form the Junior Lifeguards.

GM Doyle announced The Shift Award which highlights the great work of Public Affairs and Mona Koh. The award acknowledges the District's innovation with Healthy Parks Healthy People, UC Benioff Hospital efforts, and the District's, Shaping How We Invest for Tomorrow Conference, which highlights the different outreach programs. GM Doyle thanked the Board, staff and Executive team for all the great work that has been done and wished everyone happy holidays. President Waespi thanked Matt Graul for the emergency levee repairs on the Hayward Shoreline.

#### 6. ANNOUNCEMENTS FROM CLOSED SESSION

District Counsel said there are none.

## 7. BOARD COMMITTEE REPORTS

- |                               |           |            |
|-------------------------------|-----------|------------|
| a. Natural/Cultural Committee | (9-19-18) | (Lane)     |
| b. Operations Committee       | (9-13-18) | (Wieskamp) |
| c. Operations Committee       | (8-09-18) | (Wieskamp) |

## 8. PUBLIC COMMENTS

There were none.

Director Wieskamp departed the meeting at this time.

## 9. BOARD COMMENTS

Director Lane reported on meetings attended. Director Lane

- Attended Danville's Installation and Community Awards event;
- Attended the District Holiday Charity Luncheon at the Bridge Yard;
- Attended the Executive Committee meeting;
- Attended the Contra Costa County Mayors' Conference in Walnut Creek;
- Met with Alamo MAC members;
- Attended a Reception at City Center Bishop Ranch;
- Attended Walnut Creek Watershed Council meeting;
- Attended the Old Growth Redwood Heritage event at Redwood Regional Park.

Director Lane asked Public Affairs for an event page to send or email to folks for the swearing-in ceremony on January 15, 2019.

Director Waespi reported on meetings attended. Director Waespi

- Attended the District Holiday Charity Luncheon at the Bridge Yard;
- Attending the PAC Holiday Dinner;
- Toured the Golden Gate Fields Trails Project;
- Attended the Executive Committee meeting;
- Attended the December All Manager's meeting where Sam Hodder, GM of Save the Redwoods League;
- Met with Supervisor Nate Miley, CalFire Chiefs and concerned neighbors on the Ten trails;
- Attended an agricultural meeting at Supervisor Miley's office;
- Attended Castro Valley, Hayward and San Leandro Chamber of Commerce;
- Attended the Legislative committee meeting;
- Attended and swore in HARD Directors;

Director Rosario reported on meetings attended. Director Rosario

- Attended the District Holiday Charity Luncheon at the Bridge Yard;
- Attended the Oakland Estuary Park planning at Jack London Square Aquatic Center;
- Attended the PAC Annual Holiday dinner;
- Attended the Alameda County Mayors' Conference;

- Attended the Legislative Committee meeting;
- Attended Mark Hertz's Retirement party;
- Attending a tour of San Leandro Creek Alliance;
- Attended the Old Growth Redwood Heritage event at Redwood Regional Park.

Director Rosario thanked everyone who helped with Measure FF, attended Laurie Earp's holiday event; attended Leslie Estes, City of Oakland's retirement.

Director Dotson reported on meetings attended. Director Dotson

- Attended the Centennial Park Ribbon Cutting in El Cerrito;
- Attended the Richmond Liaison committee meeting;
- Attended the District Holiday Charity Luncheon at the Bridge Yard.

Director Corbett reported on meetings attended. Director Corbett

- Attended the planning committee meeting for the annual MLK celebration;
- Attended the Alameda County Building Trades Luncheon;
- Attended the Old Growth Redwood Heritage event at Redwood Regional Park.

Director Corbett attended Laurie Earp's holiday event; thanked the Board for her birthday celebration and invited the Board to the January 21 MLK event at the Longshoreman's Hall in Oakland.

Director Coffey reported on meetings attended. Director Coffey

- Attended the November PAC meeting;
- Attended the Finance committee on November 28;
- Attended the District Holiday Charity Luncheon Bridge Yard;
- Attended a Miner's Christmas at Black Diamond;
- Attended the Richmond Liaison committee;
- Attended the PAC Holiday dinner;
- Attended Legislative Committee meeting as Alternate;
- Attended the Philippine Annual Installation dinner;
- Attended the Contra Costa County Watershed Forum.

Director Coffey attended the Salmon Walk with Naturalist Cat Taylor, and explored the Nunn Ranch along Byron Highway. Director Coffey said the performance evaluations transcended the GM and encompassed the entirety of the management staff. He and the Board are proud to be associated with this staff and organization and join in the great success of this year.

## D. ADJOURNMENT

President Waespi adjourned the meeting at 4:40 p.m.

In memory of Neil Sparger, former Park Ranger at Mission Peak and Ed Bennett a former champion and hero of the Sierra Club where an award now carries his name and advocate for parks and open space, and co-founder of CESP. GM Doyle commented that Ed Bennett was a gentleman, was respectful, and a leading advocate for conservation.