

The Board Meeting, which was held January 15, 2019 at the East Bay Regional District, 2950 Peralta Oaks Court, Oakland, CA 94605 called its **Closed Session** to order at 11:00 a.m. by Board President Ayn Wieskamp.

ROLL CALL

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

Directors Absent: None.

The **Open Session** of the Board Meeting was called to order at 1:19 p.m. by President Wieskamp.

Staff Present: Robert Doyle, Ana Alvarez, Debra Auker, Carol Victor, Carol Johnson, Brian Holt, Anthony Ciaburro, Jim O'Connor, Michael McNally, Matt Graul, Kristina Kelchner, Erich Pfuehler, Lisa Baldinger, Dale McCourt, Michelle Strawson O'Hara, Al Love, Michael Reeves, Mimi Waluch, Lisa Goorjian, Julie Bondurant, Lance Brede, Chris Barton, Ruby Tumber

Guests: Judge John Sutter, Tom Seufert NBS, Ben Yee, Greg Lane, Linda Best, Bick and Jenny Hopper, John and Tina Gallagher, Paul and Pat Hodges and grandson Grayson, Lou Andrade, Minane Jameson, Susan Waespi, Sam Schuchat and Amy Hutzel

A. SWEARING-IN CEREMONY OF RE-ELECTED BOARD MEMBERS

Judge John Sutter administered the Oaths of Office to Directors Wieskamp, Lane, Waespi, and Coffey. There was a 15-minute break for refreshments.

B. ANNUAL ROTATION OF BOARD OFFICERS

Board members assumed their new positions at the dais: Director Wieskamp: President, Director Corbett: Vice President, Director Rosario: Treasurer and Director Coffey: Secretary. President Wieskamp presided over the meeting.

C. APPROVAL OF AGENDA

By motion of Director Lane, 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.

D. PUBLIC COMMENTS

Chris Newey, President of AFSCME, commented that information is being withheld at Meet and Confer, misleading information has been given to the Class/Comp Task Force, and withholding the uniform allowance erodes the Union's trust in District Management.

Larry Nagel, Director of the Kensington Fire Protection District introduced himself and expressed appreciation for District employees Patrick McIntyre and Kent Simpson who met with citizens on the fire trail that divides EBRPD and Kensington to talk about fire protection.

E. 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.
Directors Absent: None.

- a. Approval of District Check Listing for the Period of November 19, 2018 to December 2, 2018
Resolution No. 2019 – 01 - 001 (attached)
- b. Approval of the Minutes for the Board Meeting of January 15, 2019
- c. Resolution to Support AB 65 – Coastal Conservancy Climate Adaptation Funds
(Petrie-Norris D-Laguna Beach)
Resolution No. 2019 – 01 - 002 (attached)
- d. Resolution to Support H.R. 7154 – Safe Drinking Water in Playgrounds and Parks
(Meng D-NY)
Resolution No. 2019 – 01 - 003 (attached)

Director Rosario asked if the water fountains have been tested for lead content and if the District intends to test. Matt Graul, Chief of Stewardship said the District only tests for the water it provides. He continued that if it is from a municipal water source, that agency will do the testing. Rosario commented on the District's eligibility for grants. GM Doyle said that staff will look into it.

- e. Resolution to Support a Resolution of Honor for Nonette Hanko
Resolution No. 2019 – 01 - 004 (attached)
- f. Resolution to Support S.3499 – Outdoors For All Act
(Harris D-CA)
Resolution No. 2019 – 01 - 005 (attached)
- g. Resolution to Support S. 3515 - Wildfire-Resilient Communities
(Merkley D-OR)

Resolution No. 2019 – 01 - 006 (attached)

- h. Resolution to Support SB 8 – State Park and Coastal Beaches Smoking Ban (Glazer D-Orinda)
Resolution No. 2019 – 01 - 007 (attached)
- i. Resolution to Support SB 20 – Napa County Regional Park and Open Space District (Dodd D-Napa)
Resolution No. 2019 – 01 - 008 (attached)
- j. Authorization to Accept a 1.06-acre Recreational Trail Easement from McAvoy Yacht Harbor LLC: Bay Point Regional Shoreline
Resolution No. 2019 – 01 - 009 (attached)
- k. Authorization to Amend a Contract with LSA Associates, Inc. for Professional Services for the Robert Sibley Volcanic Regional Preserve Land Use Plan Amendment: Robert Sibley Volcanic Regional Preserve
Resolution No. 2019 – 01 - 010 (attached)
- L. Authorization to Extend the Contract for Services for Concession Expansion Study at Redwood Canyon Public Golf Course with Touchstone Golf, LLC: Lake Chabot Regional Park
Resolution No. 2019 – 01 - 011 (attached)

Director Waespi asked if there is a possibility of community input. Jim O'Connor, AGM Operations said they will bring it forward. GM Doyle added that after the study there will be a public process.

- m. Authorization to Purchase Two Vault Restrooms from CXT Inc: Black Diamond Mines Regional Preserve
Resolution No. 2019 – 01 - 012 (attached)

Director Lane questioned why this item didn't go through a board committee. Jim O'Connor, AGM Operations replied that this project originated as a budget request in 2017. Staff is coming back because the cost of that study will exceed the \$50,000 limit. Director Waespi requested the study consider a full-service restaurant and asked if there is a possibility to include community input. O'Connor said he will bring it forward and get back to Director Waespi. GM Doyle added that after the study there will be a public process.

- n. Authorization to Accept and Appropriate Grant Funds from the East Contra Costa County Habitat Conservancy Science and Research Grant Program and Amend a Contract with Patrick Kolar for Golden Eagle Research: East Contra Costa County Area
Resolution No. 2019 – 01 - 013 (attached)

Director Lane asked why this item didn't go through a board committee. Debra Auker, AGM FMS said that this item is accepting and appropriating grant funds which come directly to the Board for approval when they are being accepted. The practice is not to bring grants to committees; instead research of results comes to the committees.

By motion of Director Corbett, and seconded by Director Lane, the Board voted unanimously to approve the **item o.**

Directors For: Colin Coffey, Ellen Corbett, Whitney Dotson, Beverly Lane, Dee Rosario,

Ayn Wieskamp, Dennis Waespi.

Directors Against: None.

Directors Absent: None.

- o. Acceptance of Regional Parks Foundation 2018 Donations and Commitments Report and the Continuance of the Donation Procedure for 2019
Resolution No. 2019 – 001 - 014 (attached)

Juliana Schirmer, Foundation's Development Director thanked the Board for their support. President Wieskamp commented on the Foundation's excellent work. GM Doyle commented on an extraordinary year by the Foundation. Directors Rosario and Coffey commented on their appreciation of the Foundation.

2. PARK ADVISORY COMMITTEE

- a. Approval of Park Advisory Committee Goals For 2019
Resolution No. 2019 – 01 - 015 (attached)

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

Directors Against: None.

Erich Pfuehler reported on the Park Advisory Committee's five ongoing goals for 2018 and the proposed goals for 2019. Director Corbett thanked Julie Bueren, PAC Chair, and the Park Advisory Committee for their dedication and work that assists the Board and staff with their work. Director Rosario thanked the PAC for their dedication and asked them to review the IPM report. Director Waespi thanked Bruce Kern for his leadership and the Park Advisory Committee for their work. Waespi asked about the wildfire plan. Bueren replied that the action taken was reflected in the minutes.

3. FINANCE AND MANAGEMENT SERVICES DIVISION

- a. A Resolution Declaring the Results of the 2018 Measure FF Election, Directing the Recordation of a Special Tax Lien, and Approving the Ordinance Authorizing the Levy of Special Taxes in Community Facilities District No. A/C-3
Resolution No. 2019 – 01 - 016 (attached)

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

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

Directors Against: None.

Debra Auker affirmed the over 85% approval of Measure FF for an additional 20 years will supply the District with over \$3.3 million. Deborah Spaulding, Assistant Finance Officer, walked the Board through the formal steps to levy the tax. Directors Rosario and Coffey asked about the results and how they break down in the counties. Spaulding said that both counties are represented, and the results are consolidated by Alameda County.

- b. An Ordinance of the Board of Directors of the East Bay Regional Park District, California Authorizing the Levy of Special Taxes in Community Facilities District No. A/C-3 East Bay Regional Park District Community Facilities District No. A/C-3
Resolution No. 2019 – 01 - 017 (attached)

By motion of Director Rosario, and seconded by Director Corbett, the Board voted unanimously to approve this item.

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

Directors Against: None.

4. ACQUISITION, STEWARDHIP & DEVELOPMENT DIVISION

- a. Authorization to Enter into a Five-Year Memorandum of Agreement with the San Francisco Bay Restoration Authority to Partially Fund the Bay Restoration Regulatory Integration Team: District-wide
Resolution No. 2019 – 001 - 018 (attached)

By motion of Director Waespi, and seconded by Director Rosario, the Board voted unanimously to approve **Item 4a**.

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

Directors Against: None.

Dr. Ana Alvarez, DGM acknowledged the work and tenacity of staff to secure two permits which allowed the completion of 40 projects in our ponds and creeks. Alvarez acknowledged the presence of Sam Schuchat and Amy Hutzel of the San Francisco Bay Restoration Authority (SFBRA) in the audience.

Matt Graul, Chief of Stewardship, gave a PowerPoint overview of this item. Graul discussed Measure AA, regulatory permitting challenges, regional initiatives to examine and create pathways, bay restoration regulatory integration team, and the recommendation to support and approve partial funding. GM Doyle invited Sam Schuchat, Executive Director of the San Francisco Bay Restoration Authority to make some comments. Schuchat thanked the Board and staff for their support.

Graul discussed the permitting approval timelines of 15, 30, 120 and 210 days. GM reminded the Board that they approved the \$75,000 for this year and staff will come back at a future date for the remaining four years. Lane thanked staff for this presentation. Corbett asked about the new shortened timelines and what is the enforcement? Graul replied that the policy management team will provide oversight on this process.

GM Doyle acknowledged the work of Matt Graul and DGM Alvarez and other staff adding that this is a unique process. Wieskamp asked for an update and a focused presentation. GM Doyle thanked the Coastal Conservancy for their leadership. DGM Alvarez stated that the SFBRA's advisory committee has established a subcommittee to discuss economically disadvantaged communities along the Bay. There will be a consultant hired this week to work with the subcommittee of the advisory committee to understand where the gaps may reside, printing materials in multiple languages and how to better engage these communities in the local area, and how to engage communities of color and allow them to participate in making decisions.

5. BOARD AND STAFF REPORTS

a. Actions Taken by Other Jurisdictions Affecting the Park District

GM Doyle discussed the items in the report.

Director Coffey asked about the jurisdiction of the Bay Trail. Brian Holt, Chief, said the properties would be under the City of Richmond's jurisdiction. Director Rosario asked about the height of the buildings and if they would affect the viewshed. Holt will look into this and address with Richmond. Director Dotson said the community is concerned about the views being affected.

District Counsel discussed the special election on April 9 in Alameda. There will be two measures which will change the land use and zoning for the federal property near Crab Cove. One will change the zoning to open space, and the second will approve the zoning change to remove the federal overlay which would have allowed the proposed wellness center to go forward.

Director Corbett left the board meeting at this time.

Director Lane commented that she appreciates Public Affairs listing news articles.

GM Doyle expressed to AFSCME Union President Chris Newey that the comments he made related to transparency would be fully looked into with DGM Alvarez and HR Director Walsh. GM Doyle will dig into the facts and get to the bottom of this. It is important that we act on a fact basis. Rosario said he was glad to hear what GM Doyle said about looking into Newey's comments and asked if a board member can attend Meet and Confer. GM Doyle said he wasn't sure and will look into whether staff can provide meet and confer minutes.

6. GENERAL MANAGER'S COMMENTS

Jim O'Connor, AGM Operations introduced Ira Bletz, Regional Interpretive and Recreation Services Manager, who presented on interpretation. Bletz explained that the National Association for Interpretation (NAI) is the leading organizations for naturalists and training. Linda Yemoto received the first award in 2005. Bletz stated that staff has presented at this national conference which is an honor. The District has Certified Interpretive Trainers. The District will also have Certified Interpretive Host training. Director Rosario inquired if the training is voluntary or required? Bletz answered it is not and the training is given during regular meetings. Director Rosario said it is a great program and staff should be incentivized in some way, whether the training is required or not. Jim O'Connor, AGM of Operations added that this is not a probationary issue.

Director Lane said she appreciated that student aids receive training. Lane asked about the percentage of staff that chose historic vs natural training. Bletz said that each individual decides on their own and it is probably a 60/40 split. Bletz added that each student decides what their 10-minute presentation will be. Lane was impressed that training is available for people hired as naturalists and other employees to explore this profession.

Director Coffey mentioned the letter in the packet about Prop 68. GM Doyle gave some background to the Board. Director Rosario asked for additional info on the lady who bit the human. AGM Public Safety Ciaburro said they received a tip on her. Director Waespi commented on the current retirements.

7. ANNOUNCEMENTS FROM CLOSED SESSION

District Counsel stated that by a vote of 7 to 0 the Board authorized an initiation of litigation; the particulars will be made public when the matter is on file.

8. BOARD COMMITTEE REPORTS

- a. Legislative Committee (12-14-18) (Rosario)

Director Rosario asked if there an update on the status of our FEMA funds. GM Doyle replied Legislative and Public Relations staff are looking at how they can best show the importance of these funds. So far, grants are being received unabated. GM Doyle commented on the furlough of some of District staff's husbands, wives or partners during the government shut down and its impact on staff. could do to support them.

- b. Executive Committee (12-06-18) (Waespi)

9. PUBLIC COMMENTS

There were no comments.

10. BOARD COMMENTS

Director Lane reported on meetings attended. Director Lane

- Attended the Natural and Cultural Resources Committee meeting;

Lane commented that Terry Noonan had an article in the Diablo Magazine. Lane thanked staff for the Morgan Territory picture and mentioned how cleaning boots was important.

Director Waespi reported on meetings attended. Director Waespi

- Attended the Alameda County Special District meeting;
- Attended the Board Executive Committee meeting;
- Attended the Hayward Area Shoreline Planning Agency (HASPA) meeting.

Waespi made his annual trek up Mission Peak on January 1. He thanked Sandra Hamlet and Mark Taylor for their work on HASPA.

Director Rosario reported on meetings attended. Director Rosario

- Attended the Multicultural Advisory Committee;
- Attended the Friends of San Leandro Creek meeting;
- Attended the Youth Engagement through Interpretive and Recreation Dept.;
- Attended the inauguration for new Oakland City Council members;
- Attended the Alameda County Mayors' Conference;
- Attended the Dublin police program where people can upload their personal video;
- Attended the Contra Costa Mayors' Conference in Richmond.

Rosario commented on how impressed he is with Mona Koh and the Multicultural Advisory Committee, he talked about a connection in East Oakland. GM Doyle mentioned the new indigenous people park that staff is looking into because it is a local access to MLK shoreline.

Director Dotson reported on meetings attended. Director Dotson

- Attended the Natural and Cultural Resources committee;
- Attended a meeting with DGM Alvarez.

Director Wieskamp reported on meetings attended. Director Wieskamp

In December:

- Attended the District Holiday Luncheon;
- Attended the Elected Women's luncheon in San Ramon;
- Attended the Operations Committee meeting.
- Took the online Ethics Training webinar and received a certificate of completion.

In January:

- Attended the Alameda County Special District meeting;
- Attended the Board Executive Committee meeting;
- Attended the Elected Women's luncheon in Pleasanton;
- Attended the LAFCo meeting.

Wieskamp commented on the Alameda County Water Districts fish ladders. She thanked staff for the 2019 EBRPD calendars.

Director Coffey reported on meetings attended. Director Coffey

- Attended the Natural and Cultural Resources committee;
- Attended the Contra Costa Mayors Conferences;

Coffey attended Somersville Historic Hike and a Fungus Amongst Us Hike at Briones.

D. ADJOURNMENT

President Wieskamp adjourned the meeting at 4:30 p.m. in honor of Thelma Myles former employee and Judi Bank former member of the PAC.