

The Board Meeting, which was held March 5, 2019 at the East Bay Regional Park District, 2950 Peralta Oaks Court, Oakland, CA 94605 called its **Closed Session** to order at 11:09 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 1:03 p.m. by President Wieskamp.

Staff Present: Robert Doyle, Debra Aufer, Carol Victor, Carol Johnson, Anthony Ciaburro, Jim O'Connor, Matt Graul, Chris Newey, Michael McNally, Jeff Rasmussen, Tiffany Margulici, Tyrone Davis, Kristina Kelchner, Brian Holt, Michael Reeves, Anne Kassebaum, Lisa Goorjian, Al Love, Dave Mason, Steve Castile, Ren Bates, Katy Hornbeck, Kip Walsh, Mona Koh, Sabrina Pinell

Guests: None.

A. APPROVAL OF AGENDA

By motion of Director Waespi, and seconded by Director Rosario, 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

There were no public comments.

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, Dennis Waespi, Ayn Wieskamp.

Directors Against: None.

Directors Absent: None.

Approval of District Check Listing for the Period of January 28, 2019 Through February 10, 2019

a. Resolution No. 2019 – 03 -033 (attached)

- b. Approval of the Minutes for the Board Meeting of February 19, 2019
- c. Authorization to Negotiate with Various Property Owners
Resolution No. 2019 – 03 - 034 (attached)
- d. Adoption of Amended Human Resources Policy and Procedure #3: Fingerprinting and Criminal Background Check Policy
Resolution No. 2019 – 03 - 035 (attached)

Director Lane remarked she hopes that HR takes the ages of people into consideration, when a misdemeanor was committed as teenagers into whether or not to hire. Kip Walsh, Chief of HR explained the same standard is applied across the board: convicted vs. arrested/accused, seriousness of offense, job applying for, and the age when the offense occurred. Director Corbett asked if the applicant is not hired, how are they notified, and can they submit clarifying information to mitigate the offense. Walsh answered the applicant is notified by a letter when the criminal background has come back with a conviction, and the applicant has the option within a defined period of time, to submit clarifying information. Walsh added there was an inadvertent omission in the staff report. Walsh submitted the correction to the Board via hard copy. and stated she will provide the Clerk with a revised and updated staff report. Walsh explained the omission is in reference to the Levels of Background on page 28 of the Board packet. Director Waespi asked in which level would an on-call firefighter fall? Walsh replied that it would be their primary assignment and when they move into the Fire department there is another level of enforcement. Alan Love, Public Safety Support Services said there is no specific background check done for an on-call firefighter. Director Rosario seconded Director Lane's comments about a misdemeanor when young and asked if the 5-day limit to respond to HR about anything negative in the background was negotiable. Director Rosario added that acquiring a response by the Department of Justice (DOJ) can be difficult. Walsh replied that 5 days is the minimum, and if notified by the applicant HR will work with them on a timeline for response.

- e. Authorization to Appropriate Measure WW Development Funds and Amend a Contract with BKF Engineers to Develop the Tyler Ranch
Resolution No. 2019 – 03 -036 (attached)

Director Lane and President Wieskamp asked for dates of project completion. Ren Bates, Capital Programs Manager responded when funding becomes available, the date for Tyler and Garms completion is 2021. Wieskamp stated there is interest from the community to make this park accessible. GM Doyle added that in 2012, the Tyler property LUP was approved, Garms will take several million dollars to do the traffic signal and parking lot improvements. Director Coffey asked if the District is using the existing consultant due to timing? Bates replied timing and permitting which was separate and now are together; would be beneficial because habitat and scope are very similar. Coffey asked if there is a benefit to putting it out to bid again. Bates said there is no cost savings because we are receiving benefit because they already know the scope of the project.

- f. Authorization to Transfer and Appropriate Major Infrastructure Renovation and Replacement Funds for the Replace Glenside-Oliveira Bridge Project: Lafayette-Moraga Regional Trail
Resolution No. 2019 – 03 - 037 (attached)
- g. Authorization to Accept and Appropriate Funds for Improvements to the Bridge Yard Building from the Bay Area Toll Authority: East Bay Gateway Regional Shoreline
Resolution No. 2019 – 03 - 038 (attached)

Director Lane commented that noise attenuation is an important part of the building and wanted some reassurance that it was being addressed. Jim O'Connor, AGM Operations, said staff are going through a 2-

stage process in terms of tenant improvements. Part of funding includes a study on sound systems and sound attenuation. The second phase will look at long term tenant improvements and see if the District can obtain funding from BATA for next year's budget. These funds will be used for a catering kitchen, office space, restroom expansion, and sound attenuation. GM Doyle commented that BATA has stepped up by helping to fund this park.

- h. Authorization to Apply for Grant Funds from the Wildlife Conservation Board for the McCosker Stream Restoration and Recreational Infrastructure Project: Robert Sibley Volcanic Regional Preserve
Resolution No. 2019 – 03 - 039 (attached)
- i. Authorization to Apply for Grant Funds from the California Coastal Conservancy for Public Access Improvements: Martin Luther King Jr. Regional Shoreline
Resolution No. 2019 – 03 - 040 (attached)
- j. Authorization to Purchase Palo Alto Network Security Firewall Device from AMS.Net for District-wide Information Technology Infrastructure Replacements
Resolution No. 2019 – 03 - 041 (attached)
- k. Authorization Transfer Funds and Award Construction Contract to ECAST Engineering Inc. to Grade Trail and Install Waterline Project: Redwood Regional Park
Resolution No. 2019 – 03 - 042 (attached)

Director Rosario commented that he was happy to see that the lady beetle hibernation and aestivation periods would be taken into consideration.

2. ACQUISITION, STEWARDSHIP & DEVELOPMENT DIVISION

- a. Authorization to Purchase Real Property at 2955 Peralta Oaks Court in Oakland, California for Additional Administrative Office Space Including the Park District's Public Safety Headquarters and to Transfer and Appropriate the Funds Necessary to Complete the Purchase
Resolution No. 2019 – 03 - 043 (attached)

By motion of Director Corbett, and seconded by Director Lane, the Board voted unanimously to approve **item 2a**. Corbett requested an addition to the minutes which states, the entire Board agreed to move and to second, and this decision was unanimous.

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

Kristina Kelchner, Acting AGM ASD, opened this presentation with an overview of the current administrative building, the increase in staff levels over the years, and the required additional space needed for staff and for the Public Safety Division. Kelchner stated the purchase price will be \$14.4M. The building needs several upgrades including the alarm system, network, electrical systems, HVAC, seismic, exterior and entry improvements, and reconfiguration of walls. It is expected to take 30 days to close escrow. Director Rosario commented the District should ensure that the public knows Measure FF did not fund this building. The General Manager GM and Public Affairs will make certain that that message is clear in board material and in press.

Rosario added that electric charging stations for electric vehicles for both the employees and public should be considered in the design. Director Lane thanked staff for the presentation and building tour. Director Lane said she supports the campus feel the building's proximity will provide. Lane commented that her one reservation is that the Park District encompasses two counties and this location is no longer the center. She commented that the pros for this building, and the experience the District had looking at other buildings for years, outweighs her concern. Director Corbett stated the Board acknowledges the volume of work that has gone into this project and agreed with Director Lane on the campus and her concern the District will continue to provide all services throughout the District. Kelchner acknowledged the team effort by staff. President Wieskamp said this is a great campus setting and is concern over in East County and Contra Costa for public safety.

Chief Anthony Ciaburro, AGM Public Safety commented on the use of a centralized hub and the positive ways to distribute resources. Ciaburro stated there are deployment points/offices at Contra Loma, and one on San Pablo Dam Road and utilized in conjunction with the contract with EBMUD a potential fire facility at Del Valle. Ciaburro explained that there are officers with specific assignments which allow them to deploy from their homes with an assigned District vehicle and after a phone briefing can begin work. Wieskamp emphasized that thorough consideration was taken for the employees and the public. GM Doyle added that this has been about a 22-year effort.

GM Doyle stated it is important the building has a public park façade and looks inviting. There is an opportunity for additional space at Concord Hills for Public Safety and providing polices services is a requirement under the District's contract with EBMUD. This building will not only house Public Safety, but also the administrative staff which includes 2428 and those who do the work of the District. It will also allow for more training possibilities as the Trudeau building is in constant use. GM Doyle complimented the Land Division for this ongoing search. Wieskamp commented that the Ficus tree in the atrium of the building has survived since 2007 adding that Public Safety deserves it.

- b. Authorization to Enter into an Option, Purchase and Sale Agreement and Transfer and Appropriate Funds for the Acquisition, in Partnership with the East Contra Costa County Habitat Conservancy, of 120.09+ Acres of Real Property from Orville and Betty E. Olesen, Trustees and Tenants in Common, and Lawrence H. Duke, Successor Trustee: Deer Valley Regional Park
Resolution No. 2019 – 03 - 044 (attached)

By motion of Director Coffey, and seconded by Director Lane, the Board voted unanimously to Approve **Item 2b**.

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

Directors Against: None.

Directors Absent: None.

Michael Reeves, Chief of Land gave a presentation on this item. Reeves oriented the Board via a map of the property. Reeves explained that this acquisition prevents fragmentation of Upper Briones Valley, and is a high priority conservation area for East Contra Costa County Habitat Conservancy (ECCCHC). It provides foraging and nesting habitat for raptors, expands and creates a more logical boundary for Deer Valley Regional Park. Director Coffey toured this property with the GM last year and commented there is value in preventing future fragmentation of these parklands. Director Lane said that this park will serve many people and is not far from Round Valley. Reeves added that staff will come back to the Board after due diligence has been done and funding resources have been confirmed.

3. BOARD AND STAFF REPORTS

a. Actions Taken by Other Jurisdictions Affecting the Park District

Director Lane inquired about the odds of getting this grant at Pt. Molate Beach Park. Brian Holt, Chief of Planning replied this is a city of Richmond proposal and isn't sure of the odds of them getting it. Director Coffey commented he read in newspaper that the city is considering six different business proposals.

Holt said that Pt. Molate is identified as potential parkland and District staff have worked with Richmond and continue to monitor the current development proposals. Holt stated that Richmond needs to determine their future land use for the site. Director Coffey commented that when he and Director Dotson attend the Richmond Liaison meetings, they point out that the District is interested in a park at the site. GM Doyle added that the District has a long history and is one of the original litigants to oppose the casino development. The scale of development has to be so big to afford the infrastructure cost. The District is proceeding with the development of Phase I of the SF Bay Trail spur and GM Doyle complimented the city of Richmond for being proactive with the District. Staff are finalizing the easements given to the District by Chevron. President Wieskamp asked if it is public knowledge what the city must do and the penalty. GM Doyle said it is public knowledge, and Holt added that the penalty is severe with Richmond selling back the property at a significantly reduced price. Director Rosario asked about the hint of erosion project. GM Doyle answered that this is Richmond's project not the District's.

4. GENERAL MANAGER'S COMMENTS

a. Government Affairs Manager Erich Pfuehler and Legislative Assistant Lisa Baldinger will provide a Presentation about Federal, State and Local Legislative and Governmental Priorities for 2019.

Erich Pfuehler, Government Affairs Manager, began with the map of the legislative districts and discussed the 2019 Legislative and Government Priorities. Pfuehler and Lisa Baldinger, Legislative Assistant, gave a very detailed report.

Director Corbett thanked Erich and Lisa for a thorough report. Corbett asked if on the Sacramento trip did any individual emerge as the Cap and Trade person. Pfuehler said it was perceived that there is competition for that space by Senator Bob Wieckowski and Assemblymember Rob Bonta, Senator Ben Allen, and Assemblymember Cristina Garcia. Corbett thought the idea of working more closely with the Park Commissioner is a good idea, and asked Pfuehler to find out who is the appointing person. Corbett commented on the importance of building relationships with the new councilmembers and mayors. Director Lane asked what is the acronym for BUILD? Pfuehler said it is Better Utilizing Investments to Leverage Development. Lane commented that San Ramon was interested in BUILD and have two Ironhorse Trail bridges they are interested in and perhaps they need to be re-contacted. Director Lane commented she would appreciate District communication with them. Pfuehler said he will come back to the Board and communicate with San Ramon. Director Rosario commented that efforts in Sacramento and DC were productive and it was a great opportunity to meet with the newly electeds. Regarding Measure BB, Rosario asked if there is funding for the Bay Trail on the Oakland side. Pfuehler replied yes and it is identified in Measure BB. Director Waespi thanked Erich and Lisa for both trips, and commented it was great to interface with the newly electeds. He thanked Erich for following up on the Bay Area Quality Air Management (BAQA) management board meetings and plans to include the District Fire Department and hopefully the Division Chief for CalFire Santa Clara Ranger Unit. Director Waespi would like grasslands in the forest fire mitigation bills to be part of the discussion. Pfuehler said there are plans for more Sacramento trips in future. He commented that staff also met with Assemblymember Rebecca Bauer-Kahan in her District office.

Pfuehler said that on March 12 the District has been invited to testify at a hearing on SB 45. SB 45 is a fire drought climate bond measure and the District is one of two agencies invited to testify. Fire Chief Aileen Theile will testify before the Senate Environmental Quality Committee. President Wieskamp asked if Dublin is doing monitoring and commented it makes sense to have an overcrossing on Dublin Blvd. Wieskamp asked if Alameda County Landfill Committee is supportive of using funds for Tesla. Pfuehler said they are, and District staff have had conversations with Friends of Tesla. Pfuehler will double check and come back to the Board.

5. ANNOUNCEMENTS FROM CLOSED SESSION

Carol Victor, District Counsel said there were no announcements.

6. BOARD COMMITTEE REPORTS

- a. Operations Committee (02-21-2019) (Wieskamp)

Director Lane reminded the Board to take note of changes to the Unit Manager and Acting Unit Managers on page 102.

- b. Operations Committee (01-30-2019) (Wieskamp)
c. Finance Committee (01-23-2019) (Rosario)
d. Natural/Cultural Resources (12-19-2018) (Lane)

Director Waespi requested the report from Becky Tuden on cyanobacteria. Director Rosario asked if there is a possibility that a member of staff can meet with one of his active groups. Staff will follow up.

7. PUBLIC COMMENTS

There were none.

8. BOARD COMMENTS

Director Wieskamp reported on meetings attended. Director Wieskamp

- Attended the Board field trip to the new administrative building;
- Attended the Alameda County Resource Conservation District;
- Attended the Operations Committee meeting;
- Attended the State of City of Pleasanton.

Wieskamp said the Niles Canyon Roll and Stroll will be held on September 22nd. Wieskamp inquired about the date for the formal opening of the Iris Garden. She mentioned that on April 13 Ohlone College is putting on the first street fair in the Mission District. Wieskamp extended her condolences to Director Dotson on the sudden loss of his son.

Director Corbett reported on meetings attended. Director Corbett

- Attended the Board field trip to the new administrative building;
- Attended the Operations Committee.

Corbett looking forward to the festivities for Earth Day.

Director Rosario reported on meetings attended. Director Rosario

- Met with Park Supervisor Bridget Calvey at Redwood.
- Attended the San Leandro Creek Alliance meeting;
- Attended District 4 Councilmember Sheng Thao;
- Attended the Hike the Hill Conference, DC;
- Met with Pat O'Brien;
- Attended the Natural/Cultural Resources Meeting;

- Attended the Finance Committee;
- Met with Dave Brown on DD subcommittee;
- Met with a constituent at Montclair.

Director Coffey reported on meetings attended. Director Coffey

- Attended the Board field trip to the new administrative building;
- Attended the State Lands Commission Forum;
- Attended Natural/Cultural Resources Meeting;
- Hiked Crockett Watershed with citizens in the community.

Coffey attended the celebration of life of Director Dotson's son and extended his condolences. Walked the San Pablo Bay Shore and explored the new trail.

Director Lane reported on meetings attended. Director Lane

- Attended the Board field trip to the new administrative building;
- Attended the Natural/Cultural Resources Meeting;
- Attended the Operations Committee meeting;
- Attended the PAC meeting;
- Attended the Elected Women's Lunch in Concord;
- Met with two San Ramon councilmembers and District staff regarding open space.

Lane commented on the nice article on Doolan Canyon. She extended condolences to Director Dotson. Lane will meet with Contra Costa County Supervisor Candace Andersen. Lane said she is speaking at Mt. Diablo Audubon Club and attending town hall meeting in Danville.

Director Waespi reported on meetings attended. Director Waespi

- Attended the Board field trip to the new administrative building;
- Attended the ALCO Fire Commission meeting;
- Attended the Wellness Walk at Quarry Lakes;
- Attended a CARPD Legislative Committee Meeting.

Waespi extended well wishes to Contra Costa County Supervisor Diane Burgis. Waespi complimented the GM on the article on managing wildfires and parklands in the District.

Director Dotson reported on meetings attended. Director Dotson

- Attended the Board field trip to the new administrative building.

Dotson did not attend meetings due to the sudden death of his son and family obligations.

D. ADJOURNMENT

President Wieskamp adjourned the meeting at 3:32 p.m.