

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, September 3, 2019

C. BUSINESS BEFORE THE BOARD

7. BOARD COMMITTEE REPORTS

b. Board Executive Committee (7/11/2019) _____ (Wieskamp)

Present

Board: Ayn Wieskamp, Ellen Corbett, Dennis Waespi

Staff: Robert Doyle, Ana Alvarez, Erica Fuerst, Eric Holmes, Ruby Tumber, Carol Victor, Katherine Dudney, Carol Johnson, Becky Pheng, Matt Graul, Deborah Spaulding, Mary Mattingly, Brian Holt, Lisa Goorjian, Glenn Gilchrist

Public: Neal Colwell, Kelly Abreu

Board Executive Committee Chair Ayn Wieskamp called the meeting to order at 12:44 pm.

I. Proposed Amendments to the Board Operating Guidelines on Types of Meetings for which Board Members May Receive Compensation

District Counsel Carol Victor presented this agenda item. Ms. Victor stated that this item is to discuss and clarify the guidelines of Board compensable meetings. She outlined the current Board Operating Guidelines regarding Board compensation and compensable meetings per California Public Resources Code section 5536 and Government Code section 53232 et seq. and requested discussion and clarification on the proposed changes that were brought forth at the May 2, 2019 Board Executive Committee meeting. Ms. Victor researched and compared other agencies' compensable meeting guidelines. She ensured that a redlined draft with any conferred changes would be brought to the full Board before adoption. A discussion involving suggested edits to the draft Board Operating Guidelines followed.

Recommendation: None. This was a discussion item.

2. 2019 Performance Plan Mid-Year Review

Deputy General Manager Dr. Ana M. Alvarez and Management Analyst Katherine Dudney presented this agenda item. On December 18, 2018, the Board adopted the 2019 organizational Performance Plan via Resolution No. 2018-12-313. The Performance Plan includes key

performance indicators that illustrate progress towards eight (8) goals derived from the 2013 *Master Plan*, and one-time key objectives that demonstrate specific actions to be taken as part of the overall performance for the year. 51 Key Performance Indicators and 100 Key Performance Objectives were identified for 2019. These objectives are tied to respective staff's annual work plan and evaluated as part of the staff's annual appraisal process. The Performance Plan is one way to show the public what the Park District is doing and to measure performance. Dr. Alvarez outlined the Performance Plan Framework and Process as shown in her presentation. She talked about measuring performance and cross division collaboration on accomplishing objectives. All 2019 work objectives fold in board workshop priorities from 2018. Ms. Dudney summarized the initiatives per division and reviewed projects that are planned to be completed in 2020, and projects that have been completed in 2019. Most of the performance objectives that are not on target for completion by the end of 2019 (7%) have been delayed due to permitting, contracting, and/or construction constraints. Dr. Alvarez discussed the 2020 Performance Plan Priorities:

- Incorporate Board Priorities from 2019 Board Workshops
- Reassess Incomplete Objectives
- Use Technology to Facilitate Data Sharing
- Ensure Consistency Between Performance Plan and Budget
- Establish System for Long-Term Tracking
- Meet All Timelines

The Board Executive Committee expressed appreciation for the Performance Plan.

Recommendation: None. This was an informational item.

3. Authorization to Proceed with Phase II of KSN Contract for Coyote Hills Well Replacement Construction

Administrative Support Manager Mary Mattingly presented this agenda item. Ms. Mattingly provided a brief history of how the Park District acquired the Patterson property in 2014. She discussed the degradation of the farm well that is located on the property's prime agricultural land. On February 7, 2019, the Board Executive Committee approved Kieldsen, Sinnock and Neudeck's (KSN) contract Phase I to drill a well pilot bore to see if replacing the well is viable. Phase 2 for well design, bid period services, and construction oversight including abandonment of the irreparable farm well was tentatively approved, subject to staff returning to the Executive Committee with a pilot bore and lithography report, and a report on potential farm programs to ensure that the well would have potential beyond a small organic farm. Ms. Mattingly expressed that many possible programs could be undertaken at the farm in the future, based on staffing and relevance, with a well replacement. The pilot bore was drilled to 420 feet, and good screening areas for freshwater were found. Ms. Mattingly introduced Principal Engineer for KSN Neal Colwell, to discuss the steps in well construction that can be taken to avoid aquifer contamination. Mr. Colwell referred to the graphs located on Attachment A of the staff report and discussed the process of identifying water producing zones. KSN will work with the Alameda County Water District (ACWD) regarding the well design. Mr. Colwell discussed the well sealing process and its purpose: to ensure there is no aquifer contamination. General Manager Robert Doyle asked if the amount of fresh water received from the well would be adequate to serve the property's full agricultural uses. Mr. Colwell stated that the well is targeting a 400-700 gallon per

minute flow rate, making production suitable with no need for water storage tanks. Mr. Colwell recommended an operational and maintenance scheme be developed to encourage the well's longevity. He assured that testing of the pumped well water showed no concern for water quality. A discussion regarding the lifespan of the well and maintenance continued. Mr. Doyle shared various reasons as to why he recommends moving forward with Phase II of the KSN contract. Ms. Mattingly informed the Committee Members that staff will come back to the Executive Committee for recommendation regarding well construction funding once the new well design is completed, and construction bids have been received.

Recommendation: By motion of **Director Ellen Corbett** and seconded by **Director Ayn Wieskamp**, the Board Executive Committee voted 3-0 to approve proceeding with Phase II of KSN's contract for the current not-to-exceed amount of \$164,500 to design and oversee construction of the replacement well, with the final construction approval to be brought back to the Executive Committee and full Board for authorization.

4. Open Forum for Public Comments

Kelly Abreu commented on Glyphosate, a well near Vargas Plateau, and accounting issues.

5. Board Comments

Director Dennis Waespi thanked Public Affairs for the Prepare and Protect Fire Protection publication. Board President Wieskamp mentioned the sale of the N3 Cattle Ranch.

6. GM Comments

None.

There being no further business, Board President Ayn Wieskamp declared the meeting adjourned at 2:12 pm.

Respectfully submitted,

Erica L. Fuerst