



**EAST BAY REGIONAL PARK DISTRICT
BOARD OF DIRECTORS MEETING
AGENDA STAFF REPORT**

DATE	September 3, 2024
TITLE	Approval of the Minutes for the Board Meeting July 16, 2024
DIVISION	General Manager's Office
FROM	Yolande Barial Knight, Clerk of the Board

RECOMMENDATION

The General Manager recommends the Board of Directors approve the attached minutes for the Board Meeting of July 16, 2024.

COMMITTEE MINUTES

The Closed Session Board Meeting, which was held July 16, 2024, at East Bay Regional Park District, 2950 Peralta Oaks Court, Oakland, CA 94605 was called to order at 11:06 a.m. by Board President Elizabeth Echols.

The July 16, 2024 the Board of Directors meeting was video recorded and may be viewed by clicking the following link: <https://ebparks.new.swagit.com/videos/310306>

I. ROLL CALL

Directors Present:

Elizabeth Echols, President

John Mercurio, Treasurer

Olivia Sanwong, Secretary

Colin Coffey

Dennis Waespi

Dee Rosario

Directors Remote: None

Directors Absent: Ellen Corbett, Vice President

Staff Present: Sabrina Landreth, General Manager; Lynne Bourgault, General Counsel

Guests: None.

II. PUBLIC COMMENTS ON CLOSED SESSION AGENDA ITEMS

Robert Cheasty commented on the Point Molate project and congratulated as well as thanked the Board and staff on the project. Tarnell Abbott and Alex Mesuate commented on Point Molate.

III. CLOSED SESSION ITEMS

a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Pursuant to Gov. Code Section 54956.9(d)(1))

EBRPD v. City of Richmond et al. Contra
Costa Superior Court Case No. MSC19-
00434

b. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Pursuant to Gov. Code Section 54956.8)

Properties: Contra Costa County – 561-100-050 through -055, 561-420-001 and -002, 561-430-001, 561-440-001 through -004, and 561-450-001 through -031;
Stenmark Drive, Richmond

Agency Negotiators: Sabrina Landreth, Ken Wysocki, Becky Bremser
Negotiating Parties: Point Molate Futures, LLC Under Negotiation: Price and terms of payment

The Board Meeting, which was held July 16, 2024, at East Bay Regional Park District, 2950 Peralta Oaks Court, Oakland, CA 94605 called the Open Session of the Board Meeting to order at 1:09 p.m. by Board President Elizabeth Echols.

The July 16, 2024, Board of Directors meeting was video recorded and may be viewed by clicking the following link: <https://ebparks.new.swagit.com/videos/310306>

I. ROLL CALL

Directors Present:

Elizabeth Echols, President

John Mercurio, Treasurer

Olivia Sanwong, Secretary

Colin Coffey

Dennis Waespi

Dee Rosario

Directors Remote: None

Directors Absent: Ellen Corbett, Vice President

Staff Present: Sabrina Landreth, Lynne Bourgault, Dr. Ana Alvarez, Yolande Barial Knight, Debra Fuller, Yulie Padmore, Allyson Cook, Ken Wysocki, Renee Patterson, Matt Gaul

II. PLEDGE OF ALLEGIANCE

Director Sanwong led the Pledge of Allegiance.

III. LAND ACKNOWLEDGEMENT

Director Rosario read the Native American Land Acknowledgment.

IV. APPROVAL OF AGENDA

By motion of Director Rosario, and seconded by Director Waespi, the Board voted unanimously to approve the agenda 6-0.

Directors Present: Colin Coffey, Elizabeth Echols, John Mercurio, Dee Rosario, Olivia Sanwong, Dennis Waespi.

Directors Against: None

Directors Absent: Ellen Corbett

Abstain: None

V. SPECIAL PRESENTATIONS

None

VI. PUBLIC COMMENT

Renee Patterson reminded the Board about PERS filing.

VII. ANNOUNCEMENTS

President Echols announced and congratulated Director Rosario on being named 2024 California Special Districts Association Board Member of the Year.

VIII. BUSINESS BEFORE THE BOARD

a. CONSENT CALENDAR

The Board of Directors made a motion to approve the consent calendar.

Moved by Director Waespi seconded by Director Rosario, the Board voted unanimously 6-0.

FOR: Colin Coffey, Elizabeth Echols, John Mercurio,
Olivia Sanwong, Dennis Waespi, Dee Rosario

AGAINST: None

ABSENT: Ellen Corbett

ABSTAIN: None

1. Approval of Park District Check Listing for the Period of April 22, 2024 through May 5, 2024
Resolution No. 2024-07-139
2. Adopt Resolution to Support Federal Legislation: H.Res. 1234, H.R. 7770, H.R. 8092, and S. 4228 and H.R. 8258.
Resolution No. 2024-07-140
3. Authorization to Apply for Grant Funds from the Priority Conservation Area Program in an Amount up to \$1,000,000 for the Tidewater Day Use Area Expansion Project
Resolution No. 2024-07-141
4. Authorization to Accept Dedication of Trail Access Parking Easement from Toll West Coast LLC: Calaveras Ridge Trail CEQA Determination: No further review per 14 Cal Code Regs §15162
Resolution No. 2024-07-142
5. Authorization to Enter into a Cooperative Agreement with Alameda Point Collaborative for Educational and Aquatic Services
Resolution No. 2024-07-143
Director Mercurio asked about who will be responsible for maintenance and repairs of the parking area. Kim Thai, Senior Planning with Acquisition, Stewardship and Development Division stated it will be owned and maintained by the HOA as part of the settlement agreement with the City of San Ramon.
6. Authorization to Enter into an Amendment and Restatement of Lease Between Park District and SpectraSite Communications, LLC for Telecommunications Tower CEQA Determination: Exempt per 14 Cal Code Regs §15301, §15302, §15304
Resolution No. 2024-07-144
7. Authorization to Amend Contracts with BioMaA's Inc. and Nomad Ecology to Increase the On-call Biomonitoring Services Contracts by \$100,000 Per Year: District-wide CEQA Determination: Exempt per 14 Cal Code Regs §15301, §15302, §15304, §15307, §15308, §15061(b)(3)
Resolution No. 2024-07-145

8. Authorization to Amend Contract with 2Air, Inc., to Provide Telecommunication Services in the Amount of \$75,000
Resolution No. 2024-07-146
9. Authorization to Amend Contract with ENT, Inc., to Provide Technical Project and Support Services in the Amount of \$185,000
Resolution No. 2024-07-147
Director Rosario asked if it is strictly high band or is it a combination of high and low band. Chief Information Officer, David Rusting responded that Two Air is a company that provides leasing of certain powers as well as the infrastructure for equipment. It is a high-band micro level internet connection to support Del Valle and other sites.

XI. GENERAL MANAGER'S OFFICE

General Manager Sabrina Landreth presented a Powerpoint on recommending Acquisition of Property at Point Molate located in the City of Richmond. It's to authorize staff to execute a letter of intent with the Guidiville Rancheria of California. Director Rosario thanked the staff, City of Richmond and Guidiville Tribe. Director Waespi thanked Senator Nancy Skinner, The Sierra Club, The Point Molate Alliance. Director Mercurio commented on the opportunity for more collaboration. President Echols shared the goal of equitable access, preserving the natural and cultural history. She also thanked partners, elected leaders, community members, all who have shared the vision for a regional park at Point Molate.

Tarnell Abbott, Norm Laforce, Marilyn Lang, Gail McLaughlin and Robert Chaste thanked the Board, GM Landreth and Asst. General Counsel Rosenberg. Director Sanwong suggested a summary of the next steps with the California Coastal Commission. GM Landreth, responded with next steps that will come to the Board meeting in September.

Moved by **Director Echols**, seconded by **Director Coffey**, and adopted July 16, 2024 by the following vote, 6-0:

FOR: Colin Coffey, Elizabeth Echols, John Mercurio,
Olivia Sanwong, Dennis Waespi, Dee Rosario
AGAINST: None
ABSTAIN: None
ABSENT: Ellen Corbett

Authorization to Execute a Letter of Intent with the Guidiville Rancheria of California and the City of Richmond for the Acquisition of Property at Point Molate, located in the City of Richmond on the Point San Pablo Peninsula
Resolution No. 2024-07-148

President Echols thanked Erich Pfuehler and Lisa Baldinger for preparing the presentation. The Board requested to move this report to another agenda.

X. Acquisition, Stewardship and Development Division

Philip Coffin, Real Property Specialist, Land Acquisition Department presented a PowerPoint on proposed grant of fee title and temporary construction easement to the City of Dublin for the upcoming Tassajara Road widening and beautification project. Director Sanwong asked about a grant through Measure RR with BART for Tassajara Creek Regional Trail. She would like to see collaboration with City of Dublin. Director Waespi asked about the interface of the parking lot. Director Mercurio commented on the fencing and tree removal.

Moved by **Director Sanwong**, seconded by **Director Mercurio**, and adopted July 16, 2024 by the following vote:

FOR: Colin Coffey, Elizabeth Echols, John Mercurio,
Olivia Sanwong, Dennis Waespi, Dee Rosario
AGAINST: None
ABSTAIN: None
ABSENT: Ellen Corbett

Authorization to Grant Fee Title and Temporary Construction Easement to the City of Dublin for Tassajara Road Widening Project: Tassajara Creek Regional Trail
CEQA Determination: No further review per 14 Cal Code Regs §15162
Resolution No. 2024-07-149

Drake Hebert, Senior Planner, Acquisition, Stewardship and Development presented. Director Mercurio thanked the staff and requested to be included in future community engagement. He also thanked his predecessor former Director Beverly Lane for her work and efforts into promoting the project. Director Rosario asked how much money is in the trust from the sale of the adjacent property. Drake Hebert responded that there is \$21,965,330 left in the trust. Director Sanwong stated it's positive to see how everything continues to move forward. Director Waespi asked about Placeworks' quality of work and their use of their budget.

Moved by **Director Mercurio**, seconded by **Director Sanwong**, and adopted July 16, 2024 by the following vote, 6-0:

FOR: Colin Coffey, Elizabeth Echols, John Mercurio,
Olivia Sanwong, Dennis Waespi, Dee Rosario
AGAINST: None
ABSTAIN: None
ABSENT: Ellen Corbett

Award and Execute a \$565,000 Consultant Contract with Placeworks, Inc. and Appropriate \$615,000 for the Borel Agricultural Park Project: Las Trampas Wilderness Regional Preserve
Resolution No. 2024-07-150

President Echols calls for a 10-minute break.

Ren Bates, Chief of Design and Construction provided an informational update on the Improve Peralta Oaks North Project. Director Rosario asked about dispatch and wanted to know if the project will still need to construct a big tower for communications. Toby Perry, Project Manager, responded with there will be an antenna with a dish on the back, not viewable from the street and will be located in the rear part of the building. Director Mercurio asked if there will be EV chargers. Bates responded with yes, but still in the process of determining upon City of Oakland's approvals. Director Waespi asked about how much of the 65,000 square footage will be Public Safety and what amount will be the administrative. Bates responded 45,000 sq. ft. for Public Safety and 20,000 sq. f. for administrative. Director Sanwong asked about public transit options to the campus and the options of partnering with other agencies.

XI. Finance and Management Services Division

Deborah Spaulding, AGM/CFO presented on authorizing the issuance of 2024 promissory notes in an aggregate amount not to exceed \$47.5 million. Spaulding provided a primary, alternative A and alternative B option. There was a very robust discussion held on this report and detail video and the

closed caption transcript discussion can be found on the District's website at <https://ebparks.new.swagit.com/videos/310306>.

President Echols proposed a motion to forward the resolution to not exceed \$43.5 with the primary recommendation. Clerk Barial-Knight calls the roll, the vote was tied 3-3. The board went to take up an alternative motion. Katie Dobson from Jones Hall stated they can have a motion to approve the resolution with a different not to exceed amount. The alternative is authorizing the issuance of 2024 promissory notes in an aggregate principal amount not to exceed \$39.5 million and directing the execution of an indenture of trust and authorizing other official actions related thereto.

Moved by **Director Mercurio**, seconded by **Director Rosario**, and adopted July 16, 2024 by the following vote, 5-1:

FOR: Colin Coffey, Elizabeth Echols, John Mercurio,
Dennis Waespi, Dee Rosario
AGAINST: Olivia Sanwong
ABSTAIN: None
ABSENT: Ellen Corbett

Authorizing the Issuance of 2024 Promissory Notes in an Aggregate Principal Amount not to Exceed \$39,500,000 and Directing the Execution of an Indenture of Trust and Authorizing other Official Actions Related Thereto
Resolution No. 2024 – 07 – 151

XII. Human Resources Division

Allyson Cook, AGM Human Resources requested authorization to approve a resolution waiving the 180-day waiting period to hire retired CALPERS member as a police sergeant/chief helicopter pilot. It is a procedural requirement from CALPERS.

Moved by **Director Echols**, seconded by **Director Waespi**, and adopted July 16, 2024 by the following vote, 6-0:

FOR: Colin Coffey, Elizabeth Echols, John Mercurio,
Olivia Sanwong, Dennis Waespi, Dee Rosario
AGAINST: None
ABSTAIN: None
ABSENT: Ellen Corbett

Authorization to Approve a Resolution Waiving the 180-day Waiting Period to Hire Retired CALPERS Member Ernie Haga as a Police Sergeant/Chief Helicopter Pilot
Resolution No. 2024 – 07 – 152

GM Sabrina Landreth announced the promotion of Giorgio Chavez to Captain.

XIV. Board Comments

Director Rosario reported on meetings attended. Director Rosario:

- Attended the Board Site Tour at Briones on June 21;
- Attended the Employee Service Awards at Roberts on June 25;
- Attended the Alameda County Mayors Conference on July 10;
- Attended the Volunteer Appreciation Event at Little Hills July 14.

Director Mercurio reported on meetings attended. Director Mercurio:

- Attended Board Ward tour and went to Thurgood Marshall, Home of the Port Chicago 50 on June 24;
- Attended the Contra Costa County Board of Supervisors meeting on June 25;
- Recorded a podcast for an episode of The Capstone Conversation on June 26;
- Attended meeting with Luz Gomez, newest EBMUD Board Member on June 28;
- Toured the Civic Corp offices and Civic Corp Yard in Oakland on July 2;
- Attended Danville 4th of July Parade on July 4;
- Attended the California Recreational Trails Advisory Committee Meeting July 8;
- Attended meeting with Councilmember Carolyn Obringer July 8;
- Attended Executive Committee Meeting, had lunch with AGM Spaulding and attended the Special Finance Committee Meeting July 9;
- Attended a meeting with Colin Clarke, Contra Costa Transportation Authority staff member on July 11;
- Attended Contra Costa Mayors Conference in Orinda on July 11;
- Attended the Volunteer Appreciation Event on July 14.

Director Waespi reported on meetings attended. Director Waespi:

- Attended the Bike Board Site Tour at Briones Pilot Project June 21;
- Attended the Alameda County Special Districts Association meeting on July 8;
- Attended the Legislative Committee Meeting July 10;
- Attended the Hayward Street Fair end of June.

Director Sanwong reported on meetings attended. Director Sanwong:

- Attended the Board Site Tour at Briones on June 21;
- Attended the Alameda County Contra Costa County CSDA meeting on July 8;
- Attended the Finance Committee Meeting July 9.

Director Coffey reported on meetings attended. Director Coffey:

- Attended the Marsh Creek Watershed Council Organizational Bylaws Committee meeting June 18;
- Attended informal gathering with the Contra Costa County Community Development Director, Maureen Toms and the Contra Costa County Resource Conservation District Field Director for Rodeo, Heidi Petty on June 20;
- Attended the Board Site Tour at Briones June 21;
- Attended meeting with the PAC on June 24;
- Attended the Employee Service Awards at Roberts on June 25;
- Attended 1:1 with GM June 28;
- Recorded a Podcast episode for The Capstone Podcast June 29;
- Attended an event with the new EBMUD Director, Luz Gomez June 29;
- Attended the Martinez Beaver Festival June 29;
- Attended an event for former PAC Chair Carolyn Obringer June 30;
- Attended a meeting with developers of Zika Ranch in Antioch July 2;
- Attended meeting with Erich Pfuehler and Lisa Baldinger July 8;
- Virtually attended the Finance Committee Meeting on July 9;
- Attended the Alameda Mayors Conference in Newark July 9;
- Attended the Contra Costa Mayors Conference July 10;
- Attended the Richmond City Council Meeting on July 12;
- Attended the Volunteer Appreciation Event in Little Hills July 14.

President Echols reported on meetings attended. President Echols:

- Attended meeting with families who have kids in the Junior Ranger Program on June 19;
- Attended Board Site Tour June 21;
- Attended meeting with staff on the Board Operating Guidelines June 27;
- Attended a meeting with the Berkeley Fire Safe Council July 15.

Echols received a large physical check for \$900,000 to help close the gap in the Bay Trail June 21.

XV. Adjournment

President Echols adjourned the meeting at 5:10 pm.