



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

DATE	February 20, 2024
TITLE	Approval of the Minutes for the Board Meeting December 19, 2023
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 December 19, 2023.

BOARD MINUTES DECEMBER 19, 2023

The Closed Session Board Meeting, which was held December 19, 2023, 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 Dennis Waespi.

The December 19, 2023, the Board of Directors meeting was video recorded and may be viewed by clicking the following link <https://ebparks.new.swagit.com/videos/291723>

I. ROLL CALL

Directors Present:

Dennis Waespi, President

Dee Rosario, Secretary

Ellen Corbett, Treasurer

John Mercurio

Colin Coffey

Directors Remote: None.

Directors Absent: Elizabeth Echols, Vice President

Olivia Sanwong

Staff Present: Sabrina Landreth General Manager, Lynne Bourgault General Counsel, Yolande Barial Knight, Debra Fuller, Yulie Padmore

Guests: None.

II. PUBLIC COMMENTS ON CLOSED SESSION AGENDA ITEMS

None.

III. CLOSED SESSION ITEMS

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

(Pursuant to Gov. Code Section 54956.8)

APNs: 507-0676-008-00, 507-0676-009-00, 507-0781-001-01, and 507-0781-001-02

(Alameda County)

Agency Negotiators: Ken Wysocki, Michael Reeves
Negotiating Parties: William Hartkopf, Jr., Trustee
Under Negotiation: Price and terms of payment

The Board Meeting, which was held December 19, 2023, at East Bay Regional Park District, 2950 Peralta Oaks Court, Oakland, CA 94605 called the Open Session of the Board Meeting to order at 1:04 p.m. by Board President Dennis Waespi.

The December 19, 2023, Board of Directors meeting was video recorded and may be viewed by clicking the following link: <https://ebparks.new.swagit.com/videos/291723>

I. ROLL CALL

Directors Present:

Dennis Waespi, President
Elizabeth Echols, Vice President
Dee Rosario, Secretary
Ellen Corbett, Treasurer
Olivia Sanwong
John Mercurio
Colin Coffey

Directors Remote: None.

Directors Absent: None.

Directors Remote: None.

Directors Absent:

Staff Present: Sabrina Landreth, Lynne Bourgault, Ana M. Alvarez, Yolande Barial Knight, Debra Fuller, Yulie Padmore, Erich Pfuehler, Lisa Baldinger, Ren Bates, Ross Mitchell, José G. González, Lisa Goorjian, Jason Rosenberg, David Phulps, Joe Cotcher, Jim Devlin, Ren Bates, Sara Fetterly, Michael Moran, Lauren Bernstein, Deborah Spaulding, Pete DeQuincy

I. PLEDGE OF ALLEGIANCE

Director Corbett led the Pledge of Allegiance.

II. LAND ACKNOWLEDGEMENT

Director Rosario read the Native American land acknowledgment.

III. APPROVAL OF AGENDA

By motion of Director Echols, and seconded by Director Rosario, the Board voted unanimously to approve the agenda.

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

Directors Against: None.

Directors Absent: None.

Abstain: None.

IV. PUBLIC COMMENTS

Renee Patterson reminded the Board about the PERS filing.

V. ANNOUNCEMENTS

General Manager Landreth formally introduced the Park District's inaugural Equity Officer José G. González.

VI. BUSINESS BEFORE THE BOARD

A. CONSENT CALENDAR

Moved by Director Ellen Corbett seconded by Director Elizabeth Echols

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

AGAINST: None.

ABSENT: None.

ABSTAIN: None.

1. Approval of the Board Meeting Minutes of November 21, 2023
2. Approval of Park District Check Listing for the Period of November 7, 2023 through November 21, 2023
Resolution No. 2023 – 12 – 261 (attached)

3. Appointment of Board Officers for 2024 Year

Director Rosario pulled Appointment of Board Officers for the 2024 to announce he is not running for another term in 2024. Rosario offered to acquiesce his seat as treasurer.

4. Amendment of a Donation Agreement with Chevron U.S.A. for a Recreational Trail Easement: San Francisco Bay Trail
Resolution No. 2023 – 12 – 262 (attached)
5. Authorization to Establish a Fine Schedule for Administrative Citations and Nuisance Abatement Citations
Resolution No. 2023 – 12 – 263 (attached)

Director Coffey recognized this update to the Fine Schedule permits Operations designated staff to administer citations. Asst. General Counsel Jason Rosenberg responded the Director is correct and as needed this policy can be revisited. Rosenberg added different types of mechanisms can be developed. Director Corbett asked for the potential for this item to return in approximately six-months or a date that works for staff to review this program's functionality. GM Landreth responded staff will need to gather a full six-months of information to present substantial data collection and can return with an actual date when staff can present these results in approximately another year. Director Sanwong asked staff, as a part of the study, to collect insights on enforcement results that include outcomes for unsanctioned trails, litter, and dog waste.

6. Authorization to Award a Contract for Landscaping Services for Peralta Oaks Administration Building, Peralta Oaks North and the Trudeau Training Center to Gachina Management Inc. in the Amount of \$75,560
CEQA Determination: Exempt per 14 Cal Code Regs §15301, §15304, §15061(b)(3)
Resolution No. 2023 – 12 – 264 (attached)

Ross Mitchell responded commented that AFSCME would like to see alternative analysis presented to the Board of Directors and to be included in discussions that returns work to AFSCME employees. Traditional gardener staff or additional staffing potential through the workforce development or other creative solutions.

Director Rosario commented he would like to see Trudeau Conference Center uncoupled from this contract and return to AFSCME workers. Rosario left it with the Operations office to determine how this work could be distributed.

Director Coffey asked whether this would be an appropriate item for the Operations Committee. Director Rosario agreed there should be an analysis of this item to decouple the landscaping contract.

Director Coffey asked General Counsel Lynne Bourgault if whether moving forward with the contract would preclude the Board from investigating this proposal. Bourgault commented most of the Park District contracts can be terminated with 30-days' notice and it is unlikely they would prevent the Board from seeking amendments. Director Coffey noted this item as a potential item for Operations Committee. Director Corbett requested confirmation that garden work would not be impacted in the interim. Bourgault confirmed the contract will remain as is until the Board implements an amendment. Director Corbett confirmed with General Counsel the Board can make amendments later as needed.

President Waespi supported Director Rosario's proposal to decouple the landscaping contract and added this would be a perfect enhancement to the youth employment opportunity with potential to include Civicorps. President Waespi confirmed the Members of the Board understand the terms of the landscaping contract and were okay leaving the current contract on consent.

7. Authorization to Execute a Consultant Contract with WRA, Inc. in the Amount of \$98,653 for Oak Woodland Restoration in Fuelbreak Areas and Transfer and Appropriate \$60,000 to the Oak Woodlands Restoration Project: Tilden Regional Park
CEQA Determination: Exempt per 14 Cal Code Regs §15304, §15307, §15308, §15061(b)(3)
Resolution No. 2023 – 12 – 265 (attached)
8. Authorization to Enter into a Contract for Services Houston Magnani and Associates in the Amount of \$60,000 for State Advocacy Resources / Climate Bond Consulting Services
Resolution No. 2023 – 12 – 266 (attached)
9. Authorization to Execute a Contract with SHI, Inc. for Purchase of Adobe Software in the Amount of \$175,000
Resolution No. 2023 – 12 – 267 (attached)
10. Authorities to Enter into a Contract for Services with Environmental and Energy Consulting in the Amount of \$96,000 for General State Advocacy Consulting Services
Resolution No. 2023 – 12 – 268 (attached)
11. Authorization to Enter into a Contract with DirtMarket, LLC to Import Soil for the Restore Hayward Marsh Project: Hayward Regional Shoreline
CEQA Determination: Cal. Pub. Resources §21080.56(e)
Resolution No. 2023 – 12 – 269 (attached)
12. Authorization to Execute a Five-year Grazing License with Two Five-Year Extension Options to Licensee Smith Livestock, LLC for Use of 1695-acre Portion of Wildcat Canyon Regional Park, Grazing Unit 1: Wildcat Canyon Regional Park
CEQA Determination: Exempt per 14 Cal Code Regs §15304, §15307, §15308, §15061(b)(3)
Resolution No. 2023 – 12 – 270 (attached)

13. Authorization to Execute an Amendment of the AMS.net Contract to Increase the Total Contract Amount by \$800,000 to \$1,600,000
Resolution No. 2023 – 12 – 271 (attached)
14. Authorization to Amend Consultant Contract with Consor North America, Inc. by \$150,000 for the Improve Access and Habitat Project: Coyote Hills Regional Park
Resolution No. 2023 – 12 – 272 (attached)
15. Authorization to Execute an Amendment to Increase the Total Amount of the Contract with Perficient to \$450,000 for Microsoft Azure Cloud Services
Resolution No. 2023 – 12 – 273 (attached)
16. Authorization Approving Application for Federal Funds from the Department of Housing and Urban Development's Economic Development Initiative Community Project Funding for the Concord Port Chicago Building Restoration Project in the Amount of \$3 Million
Resolution No. 2023 – 12 – 274 (attached)
17. Authorization to Apply for Grant Funds from California Department of Forestry and Fire Protection's Wildfire Prevention Grant Program for Fuels Management projects District-Wide in an Amount up to \$2,200,000
Resolution No. 2023 – 12 – 275 (attached)
18. Authorization to Enter into Special Use Agreement with Oyster Bay Disc Golf Club CEQA Determination: Exempt per 14 Cal Code Regs §15301, §15304, §15061(b)(3)
Resolution No. 2023 – 12 – 276 (attached)
19. Acceptance of the Third Quarter 2023 General Fund and Other Governmental Funds Financial Reports
Resolution No. 2023 – 12 – 277 (attached)
20. Acceptance of 2023 Investment Report and Market Review for September 30, 2023
Resolution No. 2023 – 12 – 278 (attached)

Moved by Director Dee Rosario seconded by Director John Mercurio

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

3. Appointment of Board Officers for 2024 Year
Resolution No. 2023 – 12 – 279 (attached)

21. Approval of the 2024 Appropriations Limit

Resolution No. 2023 – 12 – 281 (attached)

Motion to Adopt the 2024 Article XIII-B California Appropriation Limit (Gann Limit) was moved by Director Ellen Corbett seconded by Director John Mercurio

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

IX. ACQUISITION, STEWARDSHIP AND DEVELOPMENT DIVISION

A. Informational Project Update on the Replace Environmental Education Center (EEC) Project at Tilden Nature Area: Tilden Regional Park

Director Corbett thanked staff for their work.

Director Rosario expressed interest in viewing the schematics. Director Rosario asked for the timeline is in comparison to Coyote Hills. Ren Bates, Chief of Design & Construction responded this project is further along than Coyote Hills. Currently Coyote Hills has preliminary siting designs for the visitor center which is the extent of project work completed. Director Rosario asked if the Point Pinole Visitor Center work will follow the work completed at Coyote Hills. GM Landreth commented the prioritization is at the discretion of the Board and if there is interest there will be an opportunity to adjust the priorities.

Director Echols expressed appreciation to staff for making the connection between the building space and the natural and cultural resources as well as making creating an inviting, accessible space for all and the thoughtful consideration for art education and exhibits and the thorough review of the design of the building and exhibits.

Director Echols asked for the estimated size of the budget and timeline. Bates responded it is between \$25 to \$30 per square foot for the entire site at least a couple of years before construction.

Director Mercurio expressed appreciation for the work on this project.

President Waespi asked whether this project is lead silver, lead gold or lead platinum. Jim Devlin responded the project is lead gold. Waespi highlighted the need to hardscape to prevent fires by building a concrete structure and taking into consideration there is a farm onsite.

X. FINANCE AND MANAGEMENT SERVICES DIVISION

A. Adoption of the 2024 Operating, Project and Program Budget & Approval of the 2024 Article XIII-B California Appropriation Limit (Gann Limit)

Adoption of the 2024 Operating, Project and Program Budget
Resolution No. 2023 – 12 – 280 (attached)

Motion to Adopt the 2024 Operating, Project and Program Budget was moved by Director Ellen Corbett seconded by Director Elizabeth Echols

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

Approval of the 2024 Appropriations Limit
Resolution No. 2023 – 12 – 281 (attached)

Motion to Adopt the 2024 Article XIII-B California Appropriation Limit (Gann Limit) was moved by Director Ellen Corbett seconded by Director John Mercurio

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

Director Mercurio shared appreciation to Assistance Finance Officer Deborah Spaulding and stated about a request to include maps in the presentation for the future.

Ross Mitchell AFSCME 2428 President commented staff is appreciative of the added Park District AFSCME positions and are concerned about the deletion of the Administrative Analyst II in conversion to a Management Analyst. Mitchell clarified staff are not opposed to additional Trail Crew Leaders. Mitchell highlighted that despite the Park District denying interest to delete the Alternative Work Program (AWP) Supervisor positions and that staff has identified the AWP Supervisor position have been reduced from two positions to one position. Staff are concern this will not support the expansion of the future youth employment programs.

Motion to Adopt the 2024 Operating, Project and Program Budget was moved by Director Corbett seconded by Director Echols

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

XI. GENERAL MANAGER'S COMMENTS

A. Pete DeQuincy, Lifeguard Services Manager, will provide an update on Lifeguard Services

The Park District Directors expressed appreciation to Pete DeQuincy for Lifeguard Service's outreach to the community.

XII. ANNOUNCEMENTS FROM CLOSED SESSION

There were none.

XIII. BOARD COMMENTS

Director Mercurio reported on meetings attended. Director Mercurio:

- Attended the Holiday Luncheon at the Bridge Yard Building on December 6th;
- Attended Mike Reeve's retirement event at Peralta Oaks December 7th;
- Attended Mount Diablo Beacon Lighting ceremony on December 7th ;
- Attended Contra Costa County Mayors' Conference in San Ramon on December 7th;
- Attended the Save Mount Diablo Range Colloquium event via Zoom on December 8th
- Attended the Radke Award Presentation for Congress Member Mark DeSaulnier at the Iron Horse Trail December 8th;
- Attended a lunch meeting with Josh Rodin on December 11th;
- Attended the Sharing the Spirit Luncheon in Danville on December 12th ;
- Attended a land banked properties meeting with Neome LaValle and Rachel Lem at Finley Ranch and Doolan Canyon on December 13th;
- Attended the Legislative Committee on December 15TH;
- Attended the Board Meeting on December 19th .

Director Sanwong reported on meetings attended. Director Sanwong:

- Attended the Fremont Liaison Meeting at Ardenwood December 7th;
- Attended the Park Advisory Committee and Regional Parks Foundation Annual Dinner on December 11th;
- Attended the Operations Committee on December 12TH
- Attended the Alameda County Water District Liaison Meeting ;on December 14th;
- Attended the Legislative Committee on December 15TH;
- Attended a local Bookstore event in the City of Pleasanton on December 16TH ;
- Attended the Board Meeting on December 19th ;
- Participated in a KQED Podcast with President Dennis Waespi about the Newark Wetlands.

Director Corbett reported on meetings attended. Director Corbett:

- Attended the Board Meeting at 6:00 PM on December 5th;
- Attended the Park District's Holiday Luncheon on December 6th;
- Attended the Democratic Central Committee Meetings Holiday Party on December 7th;
- Attended the retirement event for Michael Reeves on December 7th ;
- Attended the Park Advisory Committee and Regional Parks Foundation Annual Dinner on December 11th;
- Attended the San Leandro Democratic Club Holiday Party on December 14th;
- Attended the Board Meeting on December 19th.

Director Corbett invited the other Board Members to attend the Martin Luther King Celebration at the Veterans Hall on 99 Hegenberger Road, Oakland, at 10:00 AM on January 15th

Director Coffey reported on meetings attended. Director Coffey:

- Attended the Contra Costa County Bar Association Port Chicago Task Force meeting on December 1;
- Attended an evening event with Assembly Member Grayson in Concord on December 1'
- Attended the Board Meeting at 6:00 PM December 5th;
- Attended the Park District's Holiday Luncheon on December 6th;
- Attended the retirement event for Michael Reeves on December 7th;
- Attended the Radke Award Presentation for Congress Member Mark DeSaulnier at the Iron Horse Trail December 8th;

- Attended the Park Advisory Committee and Regional Parks Foundation Annual Dinner on December 11th;
- Attended the Executive Committee Meeting ; on December 13th;
- Attended the Legislative Committee Meeting ; on December 15th;
- Attended the Brentwood Holiday Party on December 17th;
- Attended the Board Meeting on December 19th.

Director Rosario reported on meetings attended. Director Rosario:

- Attended the Park District's Holiday Luncheon on December 6th;
- Attended the retirement event for Michael Reeves on December 7th;
- Attended the Park Advisory Committee and Regional Parks Foundation Annual Dinner on December 11th;
- Attended the Operations Committee Meeting on December 12th ;
- Attended the Alameda County Mayors Conference in Piedmont on December 13th;
- Attended the Board Meeting on December 19th.

President Waespi reported on meetings attended. Director Waespi:

- Attended the Board Meeting at 6:00 PM on December 5th;
- Attended the Park District's Holiday Luncheon on December 6th
- Attended the Radke Award Presentation for Congress Member Mark DeSaulnier at the Iron Horse Trail on December 8th;
- Attended the Alameda County Water District Liaison Meeting on December 14th;
- Attended the Board Meeting on December 19th;
- Participated in a KQED Podcast with President Dennis Waespi about the Newark Wetlands.

XIV. ADJOURNMENT

President Waespi adjourned the meeting at 3:45 p.m.