



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

DATE	October 1, 2024
TITLE	Approval of the Minutes for the Board Meeting September 3, 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 September 3, 2024.

BOARD MINUTES SEPTEMBER 3, 2024

The Closed Session Board Meeting, which was held September 3, 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.

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: None

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

Guests: None.

II. PUBLIC COMMENTS ON CLOSED SESSION AGENDA ITEMS

None

III. CLOSED SESSION ITEMS

A. CONFERENCE WITH LABOR NEGOTIATORS

(Pursuant to Gov. Code Section 54957.6)

Agency Designated Representatives: Sabrina Landreth, Allyson Cook

Employee Organization(s): Unrepresented and Police Association

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

(Pursuant to Gov. Code Section 54956.8)

Properties: Contra Costa County APN 357-020-010-9, Rodeo, CA
Agency Negotiators: Sabrina Landreth, Ken Wysocki, Becky Bremser
Negotiating Parties: Josephs Revitalization LLC Under Negotiation: Price and terms of payment

The Board Meeting, which was held September 3, 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 1:07 p.m. by Board President Elizabeth Echols.

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: None

Staff Present: Sabrina Landreth, Lynne Bourgault, Debra Fuller, Yolande Barial Knight, Allyson Cook, Robert Filice, Ken Wysocki, Erich Pfuehler, Neoma Lavalley, Robert Kennedy, Sean Dougan, Brian Holt, Ren Bates, Aileen Theile, Khari Helae

II. PLEDGE OF ALLEGIANCE

Director Mercurio led the Pledge of Allegiance.

III. LAND ACKNOWLEDGEMENT

Director Sanwong read the Native American land acknowledgment.

IV. APPROVAL OF AGENDA

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

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

Directors Against: None

Directors Absent: None

Directors Abstain: None

V. SPECIAL PRESENTATIONS

A. Celebrating the Public Service Legacy of Director Ellen Corbett

Erich Pfuehler, Chief of Government and Legislative Affairs presented a slide show honoring Director Ellen Corbett.

VI. PUBLIC COMMENT

Mayor Marilyn Ezzy Ashcraft, City of Alameda; City Council Member Pete Ballew, City of San Leandro; Joseph Hansen, Congressional Aide, US Rep. Barbara Lee's; Senator Aisha Wahab, CA District 10 joined via ZOOM; Kaylee Deland, Senior Outreach Coordinator of Congressman DeSaulnier's; Rosa Rodriguez, Field Representative of Assemblymember Liz Ortega's and Mona Favorite-Hill, East Bay Municipal Utility District Board highlighted Director Ellen Corbett's

contributions, experiences and memories they shared together. Directors Rosario, Mercurio, Coffey, Sanwong and Waespi shared their memories of Director Corbett each adding that it was an honor and privilege to work with her. Her advocacy in Ward 4, her groundbreaking election as the first woman Mayor of San Leandro and her service as a California State Senator. President Echols recognized Director Ellen Corbett as a friend and mentor. Echols shared Corbett's visionary leadership and the impact as a council member, mayor, legislator and at the East Bay Regional Park District.

President Elizabeth Echols called for a 5-minute recess.

Renee Patterson, Administrative Analyst II, Business Services reminded the Board about the PERS filing. Sunil Kumar Singh, resident of City of Fremont asked the Board to increase the maximum allowable limit for their special event called Chhath at Quarry Lake. Director Waespi commented that the Chhath is a beautiful cultural experience and would like staff look into their request. Joel Schrock, Bay Area Mountain Bikers joined the meeting via ZOOM and expressed gratitude for the continued support of the Briones Pilot Program.

VII. ANNOUNCEMENTS

President Echols announced the appointments of several board members to fill in the vacancies left by the passing of Director Corbett. Echols appointed Director Mercurio to the Board Executive Committee and Director Sanwong as an alternate to on this committee. She appointed Director Coffey to the Board Operations Committee, Mercurio to serve as alternate for the Board Legislative Committee and Waespi will be an alternate for the Board Operations Committee meeting.

VIII. BUSINESS BEFORE THE BOARD

a. CONSENT CALENDAR

Moved by Director Mercurio seconded by Director Rosario minus items #12 and #15.

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

AGAINST: None

ABSENT: None

ABSTAIN: None

1. Approval of Park District Check Listing for the Period of April 1, 2024 through April 21, 2024.
Resolution No. 2024 – 06 – 129
2. Approval of Board Meeting Minutes for July 16, 2024
3. Approval of Out of State Travel from September 21st – 26th for Attendance at the 2024 International City/ County Management Association (ICMA) Annual Conference, Pittsburgh, Pennsylvania for General Manager Landreth
Resolution No. 2024 – 09 – 170
4. Authorization to Enter into Contract with Cintas for Districtwide Fleet Uniform and Supply Services in the Amount of \$122,145: District-wide
Resolution No. 2024 – 09 – 171

5. Authorization to Award a Contract for Consulting Services for Enterprise Resource Planning (ERP) System Assessment and Selection to SDI Presence LLC in the Amount of \$87,945
Resolution No. 2024 – 09 – 172
6. Authorization to Award a Contract to Maze & Associates to Serve as the East Bay Regional Park District's Independent External Auditor for the Fiscal Years Ending December 31, 2024, 2025, and 2026 with the Option to Extend for Two Additional Years in the Amount of \$334,643
Resolution No. 2024 – 09 – 173
7. Authorization to Award and Execute a Contract for Services with BKF Engineers in the Amount of \$455,000 and Transfer and Appropriate \$390,666 from the Iron Horse Trail /TOSCO – Walnut Creek Mitigation Fund Account to Project No. I55400 for Planning and Design Services for the Build Trail Marsh Drive to Benicia Project: Iron Horse Trail
CEQA Determination: Exempt per I4 Cal Code Regs §15262
Resolution No. 2024 – 09 – 174
8. Authorization to Execute a License Agreement with a Term of Ten Years with the City of Walnut Creek to Permit Park District Grazing Tenant Access to Adjacent Portions of Shell Ridge Open Space: Diablo Foothills Regional Park
Resolution No. 2024 – 09 – 175
9. Authorization to Increase the Construction Contract Contingency by \$150,000 with Preston Pipelines, Inc. for the Develop Tidewater Day Use Area Project: Martin Luther King, Jr. Regional Shoreline
CEQA Determination: No further review per I4 Cal Code Regs §15162
Resolution No. 2024 – 09 – 176
10. Authorization to Accept Trail Easement Donation from Gonsalves & Santucci Inc. and to Enter into an Easement Agreement: Iron Horse Trail
Resolution No. 2024 – 09 – 177
11. Authorization to Amend a Grazing License with Smith Cattle, LLC for a Five-Year Term with a Five-Year Option to Renew: Diablo Foothills Regional
CEQA Determination: Exempt per I4 Cal Code Regs §15304, §15307, §15308, §15061(b)(3)
Resolution No. 2024 – 09 – 178

This item #12 was pulled from the consent calendar for discussion and separate vote.

12. Reject All Bids Received for the San Francisco Bay Trail at Point Molate Project: San Francisco Bay Trail
Resolution No. 2024 – 09 – 183

Moved by **Director Rosario**, seconded by **Director Mercurio** and adopted September 3, 2024 by the following vote 5 - 1:

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

AGAINST: Colin Coffey
ABSTAIN: None
ABSENT: None

Board President Echols asked to hear more details on the plan for a trail at Pt. Molate. Sean Dougan, Trails Program Manager provided a brief background. Sabrina Landreth, General Manager stated that staff is recommending to press pause to address some scope issues and therefore recommend the Board reject all the bids adding that she wanted to be on the record that this project is going to happen. Director Coffey asked what role the City of Richmond has in the decision to reject the bids. Dougan responded that the Park District and City of Richmond entered into a cooperative funding agreement and the Park District is the lead. Echols shared concerns about the financial implications of pausing the project, especially since costs could increase beyond the current estimates. Dougan shared that a significant issue is a 200-foot gap between the Beach Park and Richmond's section that the City of Richmond cannot fund due to a shortfall of about \$1.5 million. Coffey expressed that if the current bids are rejected, there's a likelihood that prices will increase by the time they rebid in eight months

13. Authorization to Apply for Grant Funds from the California Department of Fish and Wildlife's Office of Spill Prevention and Response's Environmental Enhancement Fund for the Owl Alley Watershed Restoration Project at Point Pinole Regional Shoreline in an Amount Up to \$1.2 Million

Resolution No. 2024 – 09 – 179

14. Authorize the 2024/2025 Tax Rate to be Levied by Alameda and Contra Costa Counties for the Payment of East Bay Regional Park District Measure WW General Obligation Bonds

Resolution No. 2024 – 09 – 180

15. Authorization to Consolidate Unappropriated Measure AA Project Area Allocations into Separate Metro-area Allocations

This item was pulled from the consent calendar after much discussion the title of the report was amended. Resolution title was amended reflected below.

Director Sanwong expressed concerns about this item. Sanwong agreed with the consolidation within Diablo Metro and West Metro but did not agree with the consolidation in South Metro. Director Mercurio asked staff if consolidating funds away from being identified separately into a consolidated account doesn't preclude those projects listed from being funded from the consolidated account? Deborah Spaulding, Assistant General Manager, Finance and Management Services/CFO clarified that consolidating these funds into the South Metro Area would not prevent the District from spending the funds in these particular areas and if an acquisition would come up in these areas the District would still be able to take action. Mercurio stated that consolidation could create more funding. Spaulding said this would create flexibility. Waespi asked if Pt. Molate was in West Metro and Spaulding agreed. Waespi stated \$2.8 million could be realized by consolidating the West Metro however people could be left out and I will be voting against it. Spaulding clarified funds are for acquisition only and once could be used on different projects. Director Sanwong added that with the momentum at Oyster Bay, it could get consolidated. Spaulding said again only acquisition projects that have not been active since 1988. GM Landreth added that even if there was a consolidation it would be subject to board approval. Coffey commented that we

did discuss doing the same thing with WW funds and I am ok with this one. Rosario reminded everyone that the AA program has had money sitting since 1988. Consolidation makes more sense. Sanwong said that she sees momentum in other parts of our District and not in Tri Valley area. Rosario asked staff for additional clarity on consolidation, Spaulding said the funds would stay in each Metro referring to page 78 table. Echols commented that more money would be available if it is consolidated.

Director Sanwong moved to not accept this resolution as it is written.

Moved by **Director Sanwong**, seconded by **no one** and therefore the motion did not pass.

Sanwong made a follow-up motion below:

Authorization to Consolidate Unappropriated Measure AA Project Area Allocations into Separate Metro-area Allocations (not to include South Metro)

Resolution No. 2024 – 09 – 184

Moved by **Director Sanwong**, seconded by **Director Echols** and adopted September 3, 2024 by the following vote 4 - 2:

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

Due to confusion of votes spoken during this final vote above. Clerk re-read the motion above and called the roll again and the results were the same.

16. Approval of 2024 Internal Audit Work Plan

Resolution No. 2024 – 09 – 181

17. Authorization to Execute Nine (9) Three-Year Contracts for On-Call Conservation Land Management and Monitoring Services: District-wide CEQA Determination: Exempt per 14 Cal Code Regs §15301, §15304, §15307, §15308, §15061(b)(3)

Resolution No. 2024 – 09 – 182

B. GENERAL MANAGER'S OFFICE

I. Discussion on Filling Ward 4 Vacancy on the East Bay Regional Park District Board of Directors

General Manager Landreth stated that the General Manager's office and legal presented flexibility in this report should the Board choose to move forward with filling the temporary vacancy before January adding that there is no obligation to do so. Director Coffey stated the Board has been briefed extensively on the various options and was able to review the legal background and hypotheticals presented. Directors Coffey, Mercurio, Waespi and Rosario agreed to take no action. Director Sanwong said there are about 400,000 people in Ward 4 and need to consider that board members on this board consider serving as caretakers. Rosario said the board members here can support that area. Board President Echols stated the Board can carry out the vision through the end of the year.

B. ACQUISITION, STEWARDSHIP AND DEVELOPMENT DIVISION

I. Authorization to Enter into an Omnibus Memorandum of Agreement (MOA) with the City of Livermore and Transfer Park District-Held Funds (Doolan Canyon Regional Preserve Conservation Easement): Doolan Canyon Regional Preserve
CEQA Determination: No further review per 14 Cal Code Regs §15162
Resolution No. 2024 – 09 – 185

Moved by **Director Sanwong**, seconded by **Director Mercurio**, and adopted September 3, 2024 by the following vote:

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

D. HUMAN RESOURCES DIVISION

I. Adoption of Resolution Memorializing Certain Special Compensation Benefits for Public Safety Unrepresented Managers to Satisfy CalPERS Reporting Requirements
Resolution No. 2024 – 09 – 186

Moved by **Director Waespi**, seconded by **Director Rosario**, and adopted September 3, 2024 by the following vote 6 - 0:

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

E. PUBLIC SAFETY DIVISION

I. Awarding and Authorizing Execution of Seven One-Year Specialty Contracts for On-Call Fuels Reduction Services for a Combined Annual Maximum of \$4,000,000 and a Combined Maximum of \$12,000,000 Over a Potential Three-Year Period: District Wide
CEQA Determination: No further review per 14 Cal Code Regs §15162
Resolution No. 2024 – 09 – 187

Fire Chief Theile and Deputy Chief Haele gave this PowerPoint presentation. Director Waespi asked if a portion of the \$4 million can go to Civicorps' Fuels or Restoration Crew in the next two years. Haele said they welcome partners. Director Rosario asked if this went through meet and confer and Haele said it did adding that some of the grant money that was received can't go to employees and therefore the need for these contractors. Board President Echols shared appreciation for the work and the in-depth explanations. Echols asked how come the grant money can't go to employees. Haele replied that it is a condition of the grant.

Moved by **Director Rosario**, seconded by **Director Waespi**, and adopted September 3, 2024 by the following vote 6 - 0:

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

IX. GENERAL MANAGER'S COMMENTS

No comment.

X. ANNOUNCEMENTS FROM CLOSED SESSION

No announcements.

XI. PROPOSED FUTURE AGENDA ITEMS

- a. Director Sanwong proposed that the Del Valle Kiosk pilot project which ended yesterday would come to the Board for review and possibly hold that meeting in the Livermore area.

Clerk Knight announced that she was just informed by our Swagit team that the camera's for this meeting have just stopped working however the audio and the zoom link were still operational and therefore the meeting is streaming. Counsel Bourgault advised since the meeting was still streaming the meeting could continue.

XII. BOARD COMMENTS

Director Coffey reported on meetings attended. Director Coffey:

- Attended the Marsh Creek Watershed Council Organizational Meeting July 30;
- Attended the Contra Costa Mayors' Conference August 1;
- Attended a tour of potential development in Ward 6 August 2;
- Attended the Marsh Creek Restoration Project at Oakley Community Park August 3;
- Attended the CC County Board of Supervisors recognition of the Port Chicago Exoneration event August 6;
- Attended the Public Safety Department's Night Out at Lake Chabot August 6;
- Attended vegetation management issues meeting with Stewardship via ZOOM August 7;
- Attended the Contra Costa County Northern Waterfront Initiative Meeting August 7;
- Attended Annual Dinner of the Democratic Party of Contra Costa County August 9;
- Attended the Big Break Community Campfire for the neighborhood August 10;
- Attended the Police Department's promotion ceremony at Trudeau Center August 12;
- Attended a presentation by Director Mercurio on the American Discovery Trail August 13;
- Attended the Service Awards at Kennedy Grove August 14;
- Attended a tour of Winehaven, City of Richmond Terminal 4 August 16;
- Attended the Oakley Library Fundraiser August 16;
- Attended the Contra Costa County Historical Society's lecture and book signing August 25;
- Attended a meeting with Mayor Anissa Williams of Oakley regarding the future Marsh Creek Regional Trail extension August 26;
- Attended the Greenbelt Alliance Annual event August 28;
- Attended Annual Bay Area Ridge Trail Hike and Dinner on August 31.

Director Sanwong reported on meetings attended. Director Sanwong:

- Attended luncheon in Emeryville for elected persons of Asian Heritage Aug 9;
- Attended meeting with a member of Pleasanton Planning Commission August 13;

- Attended the Livermore Area Recreation and Parks District meeting August 14;
- Attended a meeting with Livermore City Council Member August 15;
- Attended Alameda County Agricultural Trails Subcommittee meeting at LARPD August 19;
- Attended Naturalist Program: Del Valle Sunset Hike August 23;
- Attended I:I meeting with General Manager Sabrina Landreth August 26;
- Attended Environmental Roundtable meeting August 28;
- Attended Board Tour August 30.

Director Waespi reported on meetings attended. Director Waespi:

- Attended the Natural and Cultural Resources Committee Meeting July 31st
- Attended National Night Out August 6.

Director Mercurio reported on meetings attended. Director Mercurio:

- Attended the Ecology Committee Meeting July 30;
- Attended the Natural and Cultural Resources Committee Meeting July 31;
- Attended a meeting with Contra Costa County Supervisor Carlson July 31;
- Attended a meeting with DGM Dr. Ana Alvarez August 1;
- Attended the East Bay Leadership Council Installation Dinner August 1;
- Attended tour of Ward 6 to look at potential trail projects with Director Coffey August 2;
- Attended a meeting with Contra Costa Public Works Director August 7;
- Attended the service awards at Kennedy Grove August 14;
- Attended tour of Winehaven August 16;
- Attended the Greenbelt Alliance Hidden Heroes Celebration August 28;
- Attended a meeting with Pamela Miller, Municipal Resources Group August 30;
- Attended Board Tour August 30.

Director Rosario reported on meetings attended. Director Rosario:

- Attended the Regional Parks Foundation Annual Picnic on July 30;
- Attended World Ranger Day at the Bridge Yard on July 31;
- Attended the East Bay Leadership Council Leadership Awards on August 1;
- Attended the Fukuoka Sister City Association Picnic at Lake Temescal on August 4;
- Attended the Employee Service Awards on August 14;
- Attended a I:I meeting with General Manager Sabrina Landreth on August 19;
- Attended a I:I meeting with Allyson Cook, AGM Human Resources on August 20;
- Attended the EBMUD Community Engagement on August 22;
- Attended the 90th Anniversary Special Fish Festival at Crown Beach on August 31.

President Echols reported on meetings attended. President Echols:

- Attended the Regional Parks Foundation Annual Picnic on July 30;
- Attended the Employee Service Awards on August 14;
- Attended a meeting with Pamela Miller, Municipal Resources Group August 15;
- Attended a meeting with EBMUD Community Engagement August 22;
- Attended a meeting with DGM Dr. Ana Alvarez on August 23;
- Attended the Crab Cove Fish Festival at Crown Beach on August 31.

XIII. ADJOURNMENT

Board President Echols adjourned the meeting at 4:39 pm.