



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

DATE	May 21, 2024
TITLE	Approval of the Minutes for the Board Meeting April 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 April 16, 2024.

BOARD MINUTES APRIL 16, 2024

The Closed Session Board Meeting, which was held April 16, 2024, at East Bay Regional Park District, 2950 Peralta Oaks Court, Oakland, CA 94605 was called to order at 11:07 a.m. by Board President Elizabeth Echols.

The April 16, 2024, Board of Directors meeting was video recorded and may be viewed by clicking the following link <https://ebparks.new.swagit.com/videos/302791>

I. ROLL CALL

Directors Present:

Elizabeth Echols, President

Ellen Corbett, Vice President

John Mercurio, Treasurer

Olivia Sanwong, Secretary

Colin Coffey

Dee Rosario

Directors Remote: None

Directors Absent: Dennis Waespi

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): AFSCME Local 2428

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, CA

Agency Negotiators: Sabrina Landreth, Ken Wysocki Negotiating Parties: Point Molate Futures, LLC

Under Negotiation: Price and terms of payment

Properties: Alameda County – 704 Terminal Circle, Livermore, CA

Agency Negotiators: Becky Bremser, Terrence Cotcher

Negotiating Parties: Five River Hangars, LLC

Under Negotiation: Price and terms of payment

The Board Meeting, which was held April 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 1:18 p.m. by Board President Elizabeth Echols.

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I. ROLL CALL

Directors Present:

Elizabeth Echols, President

Ellen Corbett, Vice President

John Mercurio, Treasurer

Olivia Sanwong, Secretary

Colin Coffey

Dee Rosario

Directors Remote: None

Directors Absent: Dennis Waespi

Staff: Sabrina Landreth, Lynne Bourgault, Dr. Ana M. Alvarez, Yolande Barial Knight, Debra Fuller, Amir Aziz, Renee Patterson, Aileen Theile, Allyson Cook, Ren Bates, Michelle Strawson O’Hara, David Rusting, Sean Dougan, Matt Graul, Deborah Spaulding, and Erich Pfuehler.

Guests: Consultants Monique Spyke, Justin Reseullo, Allison Kaune

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 Rosario**, and seconded by **Director Sanwong**, the Board voted 6-0, to approve the agenda.

Directors Present: Colin Coffey, Ellen Corbett, Elizabeth Echols, John Mercurio, Dee Rosario,
Olivia Sanwong
Directors Against: None
Directors Absent: Dennis Waespi
Abstain: None

V. SPECIAL PRESENTATIONS

A. Resolution to Recognize National Public Safety Telecommunicators Week: April 14-20, 2024

President Echols acknowledged and expressed appreciation to the Telecommunications personnel and read the proclamation recognizing National Public Safety Telecommunicators Week.

B. Special Recognition of Police Officer of the Year, Detective Dave Haro, and Public Safety Dispatcher of the Year, Dispatch Supervisor Brian Hagebusch

Chief Filice, AGM Public Safety, thanked the dispatchers and recognized the employees of the year. Lt. Chavez recognized Dispatcher of the Year Hagebusch and Officer of the Year Haro.

The Board congratulated and thanked them for their work.

C. Recognition of Acting Police Captain David Phulps for 25 years of Public Service with East Bay Regional Park District

President Echols presented the proclamation to Captain Phulps.

Captain Phulps thanked his family and colleagues and expressed his gratitude to the Board.

VI. PUBLIC COMMENT

Garrett Bamsch expressed concern with people netting fish at the Lake Chabot without licenses. Chair Echols requested Management follow up. Leora Whit concurred with issues expressed regarding fishing at Lake Chabot. Paul Rankin, former EBRPD CFO, expressed concern with the transition to Empower retirement. Peter Volin, former EBRPD Benefits Manager, addressed the Board regarding the recent transfer of the deferred compensation plan provider. Renee Patterson reminded the Board about the PERS filing. Jim Frerking, Buckeye Springs Ranch, indicated his property shared the fence line with Lake Del Valle and he expressed concern about traffic on holiday weekends due to the kiosk. Ms. Livingston discussed limited access to her home due to weekend traffic on Del Valle Road and expressed concern about emergency access. Karen Lesiko expressed concern about the traffic caused by the Del Valle kiosk and suggested the Park District revise the park entrance to allow residents and property owners unimpeded access. She thanked Director Sanwong for her time and attention to the matter.

VII. ANNOUNCEMENTS
None.

VIII. BUSINESS BEFORE THE BOARD

A. CONSENT CALENDAR

Moved by Director Corbett, seconded by Director Mercurio, the Board voted 6-0, to approve the Consent Calendar.

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

1. Approval of Park District Check Listing for the Period of January 15, 2024, through February 4, 2024
Resolution No. 2024 – 04 - 077
2. Approval of Board Meeting Minutes for February 20, 2024 and March 5, 2024
3. Authorization to Add a Legislative Assistant in the Executive and Legislative Division and an Accounting Specialist in the Finance Management Services Division and Approve and Adopt an Amendment to the East Bay Regional Park District’s Salary Schedule to Adjust the Salary Range for Trails Program Manager
Resolution No. 2024 – 04 - 078
5. Authorization to Execute an Agreement for Actuarial Services Related to Retirement Costs with VIA Actuarial Solutions in the Amount of \$124,900
Resolution No. 2024 – 04 - 079
6. Authorization to Amend Contract with Helient, Inc. to Provide Network and Server Monitoring in the Amount of \$175,000
Resolution No. 2024 – 04 - 080
7. Authorization to Appropriate \$125,000 from Measure WW for CEQA and Cultural Resource Studies for the Calaveras Ridge Trail Project: Calaveras Ridge Regional Trail
Resolution No. 2024 – 04 - 081
8. Authorization for a Direct Payment to the State Water Resources Control Board for a Regulatory Permit in the Amount of \$79,824: District-wide
Resolution No. 2024 – 04 - 082
9. Approval of Quarterly Investment Report for December 31, 2023 and 2024 Investment Policy
Resolution No. 2024 – 04 – 083

IX. GENERAL MANAGER’S OFFICE

A. Informational Update on the 2024 Federal Advocacy Conference

Erich Pfuehler, Chief of Government and Legislative Affairs provided an update on the 2024 Federal Advocacy Conference from May 13 – May 16, 2024, indicating the purpose to engage with delegates and members of the administration. He provided an overview of the schedule of events.

Lisa Baldinger, Policy and Legislative Management Analyst, summarized the meetings scheduled with the Offices of Senators Laphonza Butler and Alex Padilla and Representatives John Garamendi and Josh Harder, Representatives Mark DeSaulnier, Barbara Lee, Eric Swalwell, and Ro Khanna.

In response to Director Rosario, Baldinger, explained the seven-year timeframe for receipt of funds from the Land Water Conservation Fund. Director Corbett requested a copy of dates and times for the meetings. Director Sanwong discussed the need to prepare for connections with the representatives. Pfuehler indicated staff would gather additional information on the Army Corp of Engineers Delta Project and Newark Wetlands and America the Beautiful Program and be prepared to pivot during the meetings. President Echols suggested providing information on ways the Board could express its gratitude to the representatives.

X. FINANCE AND MANAGEMENT SERVICES DIVISION

A. General Fund Reserve Unassigned Fund Balance Policy and Committed Fund Balance Review and Appropriation of \$21.6 Million to Future Office Needs Project

Deborah Spaulding, Assistant General Manager of Finance and Management Services, presented a PowerPoint outlining the purpose of reserves; types of reserves in the General Fund; 2022 Annual Comprehensive Financial Report (ACFR); General Fund Committee Fund Balances; General Fund Reserve Unassigned Fund Balance Policy; Unassigned Reserve Amount; Reserves for emergencies. Recommendation for funds previously set aside as Committee Fund Balances; and Requested Actions.

Sabrina Landreth, General Manager, recognized the Finance and Management Services team and indicated support for the recommendation. Director Rosario congratulated Finance and Management Services for reviewing the budget and removing the redundancies. Assistant General Manager of Finance and Management Services (AGM) Spaulding explained the place holder, available for other appropriations but Peralta Oaks North was the biggest need. Director Rosario noted the Finance Committee received an overview on the infrastructure needs. Director Corbett expressed her appreciation to the Finance and Management Services team. Director Sanwong discussed the name of the fund and suggested naming it Future Projects. She clarified her dissenting vote at the Finance Committee due to needing additional information. (AGM) Spaulding explained the benefits of borrowing less to pay for the project Sanwong discussed budget forecasting and revenue measure options and recommended tracking actions in the East Bay. She discussed the Mid Pen office space project and urged careful preparation for potential scrutiny. General Manager Landreth clarified the recommendation as a placeholder and ongoing efforts to work with the District's financial advisors and rating agencies to determine the most fiscally prudent means of funding the project. Sanwong reminded staff of the additional considerations mentioned at the Board retreat. Director Coffey stated he was uncomfortable allocating funds towards an office project without financial advisors and Finance staff presenting the major public works project including funding sources. He suggested removing labels for reserve funds and provided an overview of the takeaway committed reserve fund and threat of unforeseen take aways. (AGM) Spaulding explained the 32% unassigned reserve amount and committee fund balances. President Echols clarified the redundancy of funds. In response to Director Mercurio, (AGM) Spaulding confirmed the allocation showed the commitment to the rating agencies. Mercurio indicated support for reducing the amount borrowed and debt service cost. He thanked staff for reviewing the budget and indicated support for the additional flexibility and discussed the need for the improvements for the public safety facility. He indicated support for the reserves and recommendation. Sabrina Landreth, General Manager discussed recent cases of financial advisors being sanctioned for allowing borrowing for funds while retaining large reserves. She discussed work on capital projects and efforts to determine long term needs and funds, triggering the move of the capital projects study session and work on additional fund balance recommendations. Director Rosario discussed the greater risk of being a target for takeaways based on high reserves. He reminded the Board of the passage of Measure AA in 1988 for the purchase of the existing building and justification for upgrades based on growth.

Moved by **Director Mercurio** seconded by **Director Rosario**

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

General Fund Reserve Unassigned Fund Balance Policy and Committed Fund Balance Review and Appropriation of \$21.6 Million to Future Office Needs Project
Resolution No. 2024 – 04 – 084

VIII. BUSINESS BEFORE THE BOARD

B. CONSENT CALENDAR (CONTINUED)

The following item was pulled from the Consent Calendar for individual consideration:

Moved by **Director Coffey** seconded by **Director Mercurio**

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

4. Authorization to Execute a Cooperative Agreement Between the East Bay Regional Park District and Ambrose Recreation and Park District
Resolution No. 2024 – 04 – 085

XI. GENERAL MANAGER'S COMMENTS
None.

XII. ANNOUNCEMENTS FROM CLOSED SESSION

Lynne Bourgault, General Counsel, announced that the Board approved a settlement agreement, by a vote of 6-0, with Director Waespi absent, with AFSCME Local 2428 to provide retroactive pay in the amount of \$2284.67 to Alexander Collins for docent incentive pay; approved providing up to four months of health and disability benefits on approved military leave; and entering into a side letter with AFSCME Local 2428 to add the Water Management Supervisor and Water Management Technician to the classifications entitled to receive a uniform allowance under the MOU.

XIII. BOARD COMMENTS

Director Coffey asked about the cancellation of the Capital Projects Workshop. General Manager Landreth indicated she would follow-up with Director Coffey.

Director Coffey reported on meetings attended. Director Coffey:

- Watched the Executive Committee Meeting on April 3;
- Attended the Legislative Committee Meeting on April 10;
- Met with ASD Staff on April 10;
- Met Director Emeritus Lane in Danville with Director Mercurio;

- Attended a Black-Tie Gala celebrating the 90th Anniversary of the Contra Costa Bar Association on April 13;
- Attended the National Park Service Lecture in Martinez on John Muir and his impact on Alhambra Valley Agriculture Industry on April 14.

Director Sanwong reported on meetings attended. Director Sanwong:

- Led a bus tour around Pleasanton for Leadership Pleasanton from the Pleasanton Chamber of Commerce on April 11;
- Met with the Del Valle neighbors on April 15;
- Joined the Alameda Creek Alliance California Volunteer Naturalists Program;
- Attended Operations Committee meeting on April 17.

Sanwong suggested improving calendaring and scheduling.

Director Mercurio reported on meetings attended. Director Mercurio:

- Met with Concord City Engineer to discuss the opportunity for the City of Concord to assist in its project to build a multiuse trail to Thurgood Marshal Regional Park Home of the Port Chicago 50;
- Attended the Board Meeting on April 2;
- Attended, via Zoom, the Executive Committee Meeting on April 3;
- Met with the General Manager on April 4;
- Attended the Contra Costa Mayors Conference in Danville on April 4;
- Attended, with Directors Rosario and Waespi, the Bay Nature 2024 Hero Awards April 7;
- Attended, as a guest, the Regional Parks Association Meeting on April 8;
- Attended a lecture of East Bay Leadership Council on April 9;
- Met with Director Emeritus Beverly Lane on April 11;
- Met with Chief of Land Acquisition Becky Bremer on April 12;
- Attended the Sheep Shearing Day on April 13.

Director Rosario reported on meetings attended. Director Rosario:

- Attended the Bay Nature Urban Heroes event on April 7;
- Met with and hiked with Dr. Ana Alvarez on April 9;
- Attended the Alameda County Mayor's Conference in San Leandro on April 10;
- Attended the panel discussion of the Lake Merritt Conservancy on April 12;

Rosario said encouraged staff to assist on comments raised under public comment regarding fish plants; assisting retirees as much as possible. Rosario announced red flag warnings for fires and discussed environmental challenges.

Director Corbett reported on meetings attended. Director Corbett:

- Attended the Executive Committee Meeting on April 3;
- Attended the Sheep Shearing Day on April 13.

Director Echols reported on meetings attended. Director Echols

- Attended the Executive Committee Meeting on April 3;
- Attended the Legislative Committee Meeting on April 10;
- Attended the Pre-Board Meeting on April 15.

Echols concurred with Director Rosario regarding fishing issues and assisting retirees; and Commended the work on the Del Valle facilities and encouraged fixing the kiosk situation.

XIV. ADJOURNMENT

President Echols adjourned the meeting at 3:50 p.m.