




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

DATE	November 5, 2024
TITLE	Adoption of Findings and Affirming the Park District's Written Policy Regarding the Need for Up to Ten Compensable Meetings per Month
DIVISION	General Counsel's Office
FROM	Lynne Bourgault, General Counsel
APPROVED	Sabrina Landreth, General Manager 

RECOMMENDATION

The General Manager recommends that the Board of Directors adopt the attached resolution making findings and affirming the Park District's written policy regarding the need for up to ten (10) compensable meetings per month.

BACKGROUND

Public Resources Code section 5536 governs compensation for boards of directors for certain public agencies, including the East Bay Regional Park District ("Park District"). The law requires that if the Park District compensates members of its Board of Directors for more than five meetings in a calendar month, the Board of Directors will annually reaffirm its written policy and make findings describing why more than five meetings per month are necessary for the effective operation of the Park District. On June 4, 2019, the Board adopted Resolution No. 2019-06-122 setting forth its policy and finding the need for up to ten compensable meetings per month for the effective operation of the Park District. Subsequently, the Board has annually adopted such findings each year, most recently on November 7, 2023 (Resolution No. 2023-11-229).

In addition to regular meetings of the Board of Directors, Public Resources Code section 5536 provides that the following types of meetings are compensable: closed sessions of the board, board field trips, district public hearings, and meetings of a committee of the board.

FISCAL IMPACT

Funding for board member compensation will be made available in the Park District's 2025 budget.



**EAST BAY REGIONAL PARK DISTRICT
RESOLUTION NO. 2024 – 11 -
NOVEMBER 5, 2024**

**ADOPTION OF FINDINGS AND AFFIRMING THE PARK DISTRICT'S WRITTEN
POLICY REGARDING THE NEED FOR UP TO TEN COMPENSABLE MEETINGS
PER MONTH**

WHEREAS, effective January 1, 2019, California Public Resources Code section 5536(b) requires the Board of Directors of the East Bay Regional Park District (Park District) to adopt a written policy, make initial findings, followed by subsequent annual findings, supported by substantial evidence, as to why more than five (5) compensable Board meetings per month are necessary for the effective operation of the Park District; and

WHEREAS, on June 4, 2019, the Board of Directors adopted Resolution No. 2019-06-122 to make findings regarding the necessity for more than five and up to ten compensable meetings per month and amending its Board Operating Guidelines, Section IX "Rules and Provisions for Board member Compensation and Reimbursement for Expenses While Performing Official District Business," Subsection A: Compensation of Board Members"; and

WHEREAS, Public Resources Code section 5536(b) provides that the Board shall revisit and readopt annually, if appropriate, findings supporting the ongoing necessity of having more than five compensable meetings per month; and

WHEREAS, the Board of Directors finds, based on substantial evidence, that the following represents a non-exhaustive cross-section of the broad scope of responsibilities held by the Board of Directors, administered and managed through a process requiring more than five and up to ten compensable Board meetings per calendar month:

- Providing 73 Regional Parks and more than 1,330 miles of trails for all of Alameda and Contra Costa counties;
- Managing, maintaining and restoring 126,000 acres of public lands for present and future generations so the parks retain their important scenic, natural, and cultural values;
- Providing outdoor recreational opportunities for approximately 2.8 million local residents;
- Stewardship of and the enhancement of natural habitat for rare, threatened, endangered and locally important species of plants and animals;
- Providing parks and open space for approximately 25 million visitors per year;
- Adopting an annual budget of over \$290 million;
- Employing more than 1,000 public employees;
- Providing 225 family campsites, 5 cabins, 42 youth campsites, 24 backpacking camps for park users;
- Providing freshwater swimming areas, 8 freshwater lakes, fishing piers and docks, boating, lagoons, and swimming pools for the public;
- Providing seven equestrian centers;

- Providing two public golf courses and one disc golf course;
- Providing ten interpretive and education centers and a mobile education center;
- Providing wedding, meeting, and banquet facilities;
- Liaising with elected officials in Alameda and Contra Costa counties, 33 cities, six Congressional Districts, seven Assembly Districts, and four Senate Districts;
- Holding two regular Board meetings each month and special meetings as needed;
- Holding five public Board meeting site visits and six public Board study sessions annually;
- Participating in five Board standing committees, which typically meet monthly;
- Participating in several liaison committee meetings with other local public agencies; and

WHEREAS, the average Board member attends between five and nine compensable meetings monthly and spends 35 or more hours per month on Park District business; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby makes the findings contained in this Resolution and finds that there is an ongoing necessity of having more than five compensable meetings her month as required by Public Resources Code section 5536; and

BE IT FURTHER RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby affirms and readopts the written policy contained in the Board Operating Guidelines, Section IX "Rules and Provisions for Board member Compensation and Reimbursement for Expenses While Performing Official District Business," Subsection A: Compensation of Board Members," as amended by Resolution No. 2019-06-122, regarding the necessity for more than five meetings and up to a maximum of ten compensable days per month; and

BE IT FURTHER RESOLVED, that the General Manager is hereby authorized and directed, on behalf of the Park District and in its name, to execute and deliver such documents and to do such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

Moved by Director _____, and seconded by Director _____, and adopted November 5, 2024, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT: