



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

DATE	May 7, 2024
TITLE	Approval of the Minutes for the Board Meeting March 19, 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 March 19, 2024.

BOARD MINUTES MARCH 19, 2024

The Closed Session Board Meeting, which was held March 19, 2024, at East Bay Regional Park District, 2950 Peralta Oaks Court, Oakland, CA 94605 was called to order at 11:10 a.m. by Board President Elizabeth Echols.

The March 19, 2024, Board of Directors meeting was video recorded and may be viewed by clicking the following link <https://ebparks.new.swagit.com/videos/296591>

I. ROLL CALL

Directors Present:

Elizabeth Echols, President

Ellen Corbett, Vice President

Olivia Sanwong, Treasurer

Colin Coffey

Dennis Waespi

Dee Rosario

Directors Remote: None

Directors Absent: John Mercurio, Secretary

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

Guests: None

II. PUBLIC COMMENTS ON CLOSED SESSION AGENDA ITEMS

III. CLOSED SESSION ITEMS

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Pursuant to Gov. Code Section 54956.9(d)(1))

Workers' Compensation Claim of William Probets

WCAB Case No.: ADJ14845460

B. PUBLIC EMPLOYEE APPOINTMENT
(Pursuant to Gov. Code Section 54957)
Title: General Manager

C. CONFERENCE WITH LABOR NEGOTIATORS
(Pursuant to Gov. Code Section 54957.6)
Agency Negotiator: Allyson Cook
Unrepresented Employee: General Manager

CONFERENCE WITH LABOR NEGOTIATORS
(Pursuant to Gov. Code Section 54957.6)
Agency Negotiator: Allyson Cook
Represented Employees: AFSCME Local 2428

D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Regarding Price and/or Terms of Payment
(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
Negotiating Parties: Point Molate Futures, LLC
Under Negotiations: Price and terms of payment

The Board Meeting, which was held March 19, 2024, at East Bay Regional Park District, 2950 Peralta Oaks Court, Oakland, CA 94605, the Open Session of the Board Meeting was called to order at 1:05 p.m. by Board President Elizabeth Echols.

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I. ROLL CALL

Directors Present:

Elizabeth Echols, President

Ellen Corbett, Vice President

Olivia Sanwong, Treasurer

Colin Coffey

Dennis Waespi

Dee Rosario

Directors Remote: None

Directors Absent: John Mercurio, Secretary

Staff: Sabrina Landreth, Lynne Bourgault, Dr. Ana M. Alvarez, Kim Thai, Lauren Bernstein, Yolande Barial Knight, Debra Fuller, Yulie Padmore, Amir Aziz, Sean Dougan, Renee Patterson, Lisa Goorjian, Allyson Cook, Bruce Kern, Brian Holt, Suzanne Wilson, Amanda Gallo, Ken Wysocki, Becky Bremser, Matt Graul, Susan Shui

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.

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

Directors Against: None

Directors Absent: John Mercurio

Abstain: None

V. SPECIAL PRESENTATIONS

VI. PUBLIC COMMENTS

Renee Patterson reminded the Board about the PERS filing.

VII. ANNOUNCEMENTS

VIII. BUSINESS BEFORE THE BOARD

A. CONSENT CALENDAR

Moved by **Director Corbett**, seconded by **Director Rosario** to approve the Consent Calendar with the exception of Items 2, 9 and 10.

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

AGAINST: None

ABSENT: John Mercurio

ABSTAIN: None.

1. Approval of Park District Check Listing for the Period of December 18, 2023 through December 31, 2023

Resolution No. 2024 – 03 - 054 (attached)

3. Authorization to Enter into a Reserve Fund Agreement with National Fish and Wildlife Foundation and Transfer \$125,000 to the National Fish and Wildlife Foundation to be held in a Reserve Fund as part of Mitigation Funding Agreement with California Department of Fish and Wildlife

Resolution No. 2024 – 03 - 055 (attached)

In response to Director Rosario, Chief of Stewardship Matt Graul explained that this agreement is execution of the original agreement contemplated in 2020.

4. A Resolution Certifying the Addendum to the Approved Routine Maintenance and Restoration Program Initial Study/Mitigated Negative Declaration to Add Nutrient Remediation as an Activity of the Program: District-Wide
Resolution No. 2024 – 03 - 056 (attached)
In response to Director Rosario, Chief of Stewardship Matt Graul, explained that the agreement modified the CEQA document to include aeration, use of light dye, and alum treatment.
5. Authorization to Purchase One Closed-Circuit Television (CCTV) Inspection Trailer in the Amount of \$99,674 from Jack Doheny Company as an Addition to the Fleet
Resolution No. 2024 – 03 - 057 (attached)
In response to Director Rosario, Assistant General Manager of Operations Lisa Goorjian discussed pilot testing, consideration of rental, and the purchase recommendation. In response to Director Waespi, Goorjian stated she would provide the annual miles of sewer lines.
6. Authorization to Execute a Contract with NBS Government Finance Group for Assessment District Engineering, Community Facilities District Formation and Professional Administration Services
Resolution No. 2024 – 03 - 058 (attached)
7. Approval of Resolution Initiating Proceedings and Ordering Filing of Annual Report for East Contra Costa County Landscaping and Lighting Assessment District
Resolution No. 2024 – 03 - 059 (attached)
8. Approval of Resolution Initiating Proceedings and Ordering Filing of An Annual Report for Alameda County/Contra Costa County Regional Trails Landscaping and Lighting Assessment District
Resolution No. 2024 – 03 - 060 (attached)
11. Authorization to Execute an Amended and Restated Operating Agreement with the City of Martinez for the Park District’s Continued Operation of 203± Acres of Parkland: Carquinez Strait Regional Shoreline
CEQA Determination: Exempt per 14 Cal Code Regs §15301, §15304, §15061(b)(3)
Resolution No. 2024 – 03 - 061 (attached)
12. Authorization to Execute a License Agreement with the City of Martinez for the Park District’s Continued Operation of a Gate for Nighttime Closure of Carquinez Scenic Drive: Carquinez Strait Regional Shoreline
CEQA Determination: Exempt per 14 Cal Code Regs §15301, §15304, §15061(b)(3)
Resolution No. 2024 – 03 - 062 (attached)

PULLED ITEMS

Director Coffey pulled Items 2, 9 and 10 to express the positive aspects of the three major contracts.

Moved by **Director Corbett**, seconded by **Director Sanwong**

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

ABSENT: John Mercurio
ABSTAIN: None.

2. Authorization to Approve an Employment Agreement for a Term of Five Years for General Manager Sabrina Landreth and Adopt a Salary Schedule for the General Manager Classification Resolution No. 2024 – 03 - 063 (attached)

President Echols summarized the actions to increase the General Manager’s salary by 8.9% to \$409,988.80 annually.

Comments from the Public: Scott Bartlebaugh, Advocacy Director for Bicycle Trails Council for the East Bay, indicated support for the five-year agreement with General Manager Landreth.

General Manager Sabrina Landreth thanked the Board and Staff for its support.

Moved by **Director Rosario**, seconded by **Director Corbett**

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

9. Authorization to Approve a Successor Memorandum of Understanding (MOU) Between the East Bay Regional Park District and AFSCME Local 2428 Effective April 1, 2024 Through March 31, 2027 and Adopt an Amendment to the Salary Schedule Consistent with the MOU Resolution No. 2024 – 03 - 064 (attached)

Director Rosario commended staff and union members for having the contract before the Board prior to expiration of the existing contract. Director Coffey and President Echols congratulated the work of staff and AFSCME.

Comment from the Public: William Hough, Vice President of AFSCME Local 2428, thanked staff and the Board that participated in recent contract negotiation.

Moved by **Director Sanwong**, seconded by **Director Waespi**

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

10. Authorization to Implement Wage Increases for Certain Unrepresented Employees, Adopt an Amendment to the Salary Schedule Consistent with the Approved Wage Increases, Approve an Additional Half Day Holiday (Christmas Eve), and Increase Vacation Leave Accrual for Certain Unrepresented Employees Resolution No. 2024 – 03 - 065 (attached)

In response to Director Sanwong, Assistant General Manager of Human Resources Allyson Cook, explained represented and unrepresented employees. Director Coffey expressed concern with coupling of wage adjustments with AFSCME wages and addressing the unrepresented wage

adjustments without comparable data. He asked if it was justified by a classification and compensation study and studied against comparable agencies. Assistant General Manager of Human Resources Allyson Cook explained that AFSCME and unrepresented employees had been decoupled as they were two separate items; they were not seeking “me too”; and comparable agencies applied represented wage increases to unrepresented staff. She stated staff continued to review equity status of unrepresented employees which would be brought to the Board later in the year. Director Rosario discussed the prior unrepresented equity and suggested all employees be paid equitable wages. President Echols discussed the unrepresented employees and expressed appreciation for their service.

IX. ACQUISITION, STEWARDSHIP AND DEVELOPMENT DIVISION

Moved by **Director Rosario**, seconded by **Director Waespi**

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

AGAINST: None

ABSENT: John Mercurio

ABSTAIN: None

Senior Planner Kim Thai presented a PowerPoint outlining the Donation Fund background; appropriation of Gift Funds to McCosker projects; appropriation of the PG&E claim to restore McCosker Creek Project; and staff recommendations.

Director Rosario thanked staff for its work and asked when Western Hills would be incorporated. Thai explained that staff was working with the City of Orinda, developer and resource agencies to ensure the developer could complete necessary obligations before accepting the land. Director Waespi thanked staff for the presentation and proposed project and confirmed the Grand Opening Celebration on May 23. Director Sanwong discussed the importance of the project and expressed excitement for the project.

Comment from the Public: Scott Bartlebaugh stated he was glad to see funding and urged the Board to support bicycle access on the McCosker Trails.

- A. Authorization to Appropriate \$865,000 from a Developer-Provided Gift Fund for McCosker Property Projects and Appropriate \$12,998 from PG&E Claim to the Restore McCosker Creek Project: Robert Sibley Volcanic Regional Preserve
Resolution No. 2024 – 03 - 066 (attached)

X. FINANCE AND MANAGEMENT SERVICES DIVISION

Moved by **Director Waespi**, seconded by **Director Rosario**

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

AGAINST: None

ABSENT: John Mercurio

ABSTAIN: None

- A. Approval of Borel Accounting and Authority to Disburse Property Sale Proceeds Accordingly
Resolution No. 2024 – 03 - 067 (attached)

Finance and Management Services Assistant General Manager Deborah Spaulding presented a

PowerPoint outlining the location; background; sale of the northern parcel; Trumark Purchase and Sale Agreement (PSA); net sale proceeds accounting; and recommendation. Director Rosario referenced the email from Ted Radosevich, \$9 million payback and thanked staff. Director Corbett expressed enthusiasm at the opportunity to share the agricultural history. Director Sanwong discussed the potential of the park and looked forward to the next stages.

XI. PUBLIC AFFAIRS DIVISION

A. 2023 Year in Review for the Regional Parks Foundation (Informational)

Assistant General Manager of Public Affairs Susan Shiu, Regional Parks Foundation Executive Director Lauren Bernstein and Regional Parks Foundation Treasurer Bruce Kern presented a PowerPoint outlining the fundraising achievements; initiatives; appeals; membership highlights; RFP grant highlights; planned giving, East Contra Costa Habitat Conservancy Endowment Fund; Foundation impact; Impact areas; program support; diversity, equity and inclusion; media highlights; Board of Directors; 2024 priorities.

In response Director Rosario, Bernstein addressed bus capacity and efforts to support transportation programs. Assistant General Manager of Operations Lisa Goorjian stated staff recognized the need and had requested a transportation supervisor. Director Corbett stated she was impressed with the work done by the Foundation. Kern discussed efforts to most effectively utilize volunteers. Director Sanwong thanked Mr. Kern for his service. She discussed the possibility of partnering with the Foundation on a fundraising campaign for Tilden EEC; Pleasanton Chamber of Commerce Leadership Day of Shadow Cliffs; and networking opportunities in the Tri-Valley. Director Coffey discussed prior Foundation fundraisers and asked if the Foundation had considered a gala for the 90th Anniversary. Bernstein explained a race is more inclusive, allowing more participation. She discussed the digital fundraiser for the 90th Anniversary. Director Waespi thanked Mr. Kern for his service and asked about term limits. Kern discussed the Foundation's review of its bylaws and opportunities to bring back termed out Board members. Shiu encouraged the Board to provide her with suggestions for Board recruitment, event ideas and advisory committee members. Bernstein announced there will be a race on July 20 at Lake Chabot.

RECESS

President Echols called a recess at 2:47 p.m. The meeting reconvened at 3:00 p.m. with all members present, except Director Mercurio.

XII. GENERAL MANAGER'S COMMENTS

A. Wildcat Bike Trail – Update on Route Selection and Analysis

Chief of Planning, Trails and GIS Brian Holt introduced the proposed Wildcat Bike Trail including community interest and input; how the proposal came to be; baseline studies; Wildcat Canyon Master Plan; existing mountain biking; consistency with existing land use plan and uses; suggestions for additional locations which did not meet project objectives; and proceeding with environmental analysis, and additional community outreach.

Senior Planner Suzanne Wilson presented a PowerPoint outlining the response to public interest; project objectives; proposed location; Santa Cruz Tar Plant special status species; consideration of Tilden Regional Park; evaluation process; suggestions for additional locations; future considerations for bike facilities; CEQA analysis; and next steps. In response to Director Sanwong, Wilson stated bikes were not allowed in East Bay MUD but might be allowed in UC Berkely Open Space. Sanwong suggested understanding bike access in adjacent properties, understanding protection of wild lands and discussed excitement amongst youth to experience outdoor spaces. Director Rosario asked if cultural

resources precluded building the parking lot on the Alvarado site. Wilson stated she would have to consult with the Cultural Resources Coordinator. She explained that the proposed corridor was more geologically stable; therefore, recommended staff would look into the possible use of the trail. Director Coffey discussed his attraction to the Alvarado site based on stakeholders' proposed use. Chief of Planning, Trails and GIS Brian Holt reiterated that the Alvarado area did not meet the project objectives. Director Waespi thanked staff for its professional analysis and indicated support for the proposal. President Echols thanked staff for the presentation, particularly the summary of proposed alternatives. She discussed the need for access to trails and indicated support for the proposal. Director Coffey added that he was enthusiastic about future consideration of bike facilities at other parks and commented that the letter from Sierra Club indicating their support. Chief of Planning, Trails and GIS Brian Holt explained the need to identify demand, strategies to meet demand and efforts to develop trails strategic plan including mountain bike feasibility study. Holt stated letters of support from Rich City Rides for the Wildcat Trail had been received. Wilson discussed loaner bikes and earn a bike programs. Director Sanwong stated the feasibility study should include Zone 7 and East Bay MUD e-bike issues.

Comments from the Public: Barbara Smith, Mountain Bike Coach, discussed their 2020 proposal for a trail in Wildcat; volunteer labor and funding commitments; growing interest by youths; and diverse community engagement. Cort Cooper, Wildcat Composite Team Head Coach, clarified the opponent comments related to the cost to maintain the trail, volunteer maintenance, and anonymous donor. Norm La Force, Sierra Club, stated there had been no engagement with the environmental community; no documentation or information about why the other locations were not appropriate; lack of transparency, and secret meetings with the mountain bike community; no response from the Parks District as to why it would not be processed through a land use plan amendment process; and that the donors should be disclosed. Scott Bartlebaugh thanked staff for its work on considering the proposed site and other suggested locations and indicated support for the proposal. He stated it was good that staff was working with EBMUD. Jim Hansen, Conservation Committee East Bay CMPS, discussed the need for inclusive public planning for major decisions regarding trails and need to respond to specific interests of youth mountain bike teams.

XIII. ANNOUNCEMENTS FROM CLOSED SESSION

None.

XIV. BOARD COMMENTS

Director Rosario reported on meetings attended. Director Rosario:

- Attended the Board Special Closed Session for General Manager negotiations on March 11
- Attended the inaugural grass restoration effort at Sibley on March 16;
- Attended the Board meeting on March 19;
- Looked forward to the Operations Committee Reorganization on March 20; and
- Noted the COP 28 Conference indicating the climate had changed.

Director Corbett reported on meetings attended. Director Corbett:

- Celebrated March as Women's History Month;
- Attended the Board Trail Workshop Meeting on March 8;
- Announced Daylight Changing Time on March 10;
- Attended the Board Special Closed Session on March 11;
- Announced Election Day on March 4.

Director Waespi reported on meetings attended. Director Waespi:

- Attended the Board Special Closed Session on March 11;
- Met with General Manager on March 12;
- Attended the Legislative Committee meeting on March 13;

- Announced the NBS contract extension;
- Thanked Beverly Lane for advocacy throughout the years on the Borel Property;
- Noted the Women in Leadership Conference on March 20;
- Announced the Retiree Brunch on March 20; and

Waespi requested adjourning the meeting in Memory of Randy Bell.

Director Sanwong reported on meetings attended. Director Sanwong:

- Attended the Board Special Closed Session on March 11;
- Attended a walk at Shadow Cliffs with former Zone 7 Water Resources Water Manager David Lund on March 15;
- Highlighted United Nations World Water Day on March 22;
- Announced Del Valle Day on the Water on March 23; and

Sanwong: Announced that she would be recommending discussion of the process of how future agenda items were added to agendas.

Director Coffey reported on meetings attended. Director Coffey:

- Attended tour of Pittsburg Civic Corp Facility on March 7;
- Attended the Contra Costa County Mayor's Conference in Martinez on March 7;
- Attended the meeting on formation of the Delta Chapter of the Sierra Club in Oakley on March 8;
- Met with Supervising Park Ranger Tim Motley at Contra Loma on March 9;
- Attended the Board Special Closed Session Meeting on March 11;
- Attended the Legislative Committee on March 13;
- Attended the Contra Costa County Quarterly Watershed Forum on March 14;
- Attended the Contra Costa Bar Association Port Chicago Task Force on March 15;
- Attended outing at Grangers Wharf in Martinez to bring the Mayor and Councilmembers up to date on regional trail connections on March 15;
- Attended St. Patrick's Day Celebration hosted by CC Supervisor Carlson on March 15;
- Hiked with Big Break Naturalists on March 17;
- Represented the Parks District at the CCCSDA's on March 18; and
- Met with Govt. Relations Dept. on planning for a workshop on March 18.

President Echols reported on meetings attended. President Echols:

- Met with the President of the Regional Parks Foundation on March 8;
- Attended Special Closed Session March 11;
- Attended Legislative Committee Meeting on March 13;
- Attended the Pre-Board Meeting on March 18;
- Attended the Board meeting on March 19; and
- Announced the Spring Equinox at 8:06 pm and start of Persian New Year.

XV. ADJOURNMENT

President Echols adjourned the meeting at 4:22 p.m. in honor of Randy Bell.