

ii. Approval of the Board Meeting Minutes of September 19, 2023 and October 3, 2023



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

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<b>DATE</b>	November 7, 2023
<b>TITLE</b>	Approval of the Minutes for the Board Meeting September 19, 2023
<b>DIVISION</b>	General Manager's Office
<b>FROM</b>	Yolande Barial Knight, Clerk of the Board

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**RECOMMENDATION**

The General Manager recommends that the Board of Directors approve the attached minutes for the Board Meeting of September 19, 2023.

**BOARD MINUTES SEPTEMBER 19, 2023**

The Closed Session Board Meeting, which was held September 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 11:04 a.m. by Board President Dennis Waespi.

September 19, 2023, the Board of Directors meeting was video recorded and may be viewed by clicking the following link: <https://youtu.be/BNw54ueE4mQ> - YouTube.

**A. ROLL CALL**

Directors Present:

Dennis Waespi, President

Dee Rosario, Secretary

Ellen Corbett, Treasurer

Olivia Sanwong

Colin Coffey

John Mercurio

Directors Remote: Elizabeth Echols, Vice President

Directors Absent: None.

Staff Present: Sabrina Landreth, Lynne Bourgault

Guests: None.

**B. PUBLIC COMMENTS ON CLOSED SESSION AGENDA ITEMS**

None.

**C. CLOSED SESSION ITEMS**

**a. CONFERENCE WITH LABOR NEGOTIATORS**

(Pursuant to Gov. Code Section 54957.6)

Agency Designated Representatives: Sabrina B. Landreth, Allyson Cook

Employee Organizations: Police Association; AFSCME Local 2428

The Board Meeting, which was held September 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 1:21 p.m. by Board President Dennis Waespi.

#### ROLL CALL

Directors Present:

Dennis Waespi, President

Dee Rosario, Secretary

Ellen Corbett, Treasurer

Olivia Sanwong

Colin Coffey

John Mercurio

Directors Remote: Elizabeth Echols, Vice President

Directors Absent: None

Staff Present: Sabrina Landreth, Dr. Ana M. Alvarez, Lynne Bourgault, Debra Auker, Jeff Rasmussen, Yolande Barial Knight, Allyson Cook, Mona Koh, Susan Shiu, Ken Wysocki, Lisa Goorjian, Brian Holt, Patrick Demons, Eric Bowman, Sandra White, Monica Hernandez-Juarez, Ren Bates, Ross Mitchell, Kay Hornbeck, Robert Kennedy, Joseph Kreins, Renee Patterson, Erich Pfuehler, Deborah Spaulding.

Guests: None

#### PLEDGE OF ALLEGIANCE

Director Echols led the Pledge of Allegiance.

Director Mercurio read the Native American land acknowledgment.

President Waespi read a statement honoring and celebrating Hispanic Heritage Month from September 15, 2023 – October 15, 2023.

President Waespi opened the meeting.

#### A. APPROVAL OF THE AGENDA

By motion of Director Rosario, and seconded by Director Mercurio, the Board voted unanimously to approve the agenda which was amended to move the order of the agenda.

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

Directors Remote: Elizabeth Echols

Directors Against: None.

Directors Absent: None.

#### PUBLIC COMMENTS

Renee Patterson, commented on the PERS filing that was filed in August 2022. Ross Mitchell said that AFSCME is committed to discuss the telecommute policy and Mitchell commented on the vacancy rate at the District which impacts current staff. Michael Roy talked about flat water foil pumping and his interest in the District allowing it at the District's lakes in particular Shadow Cliffs. Kelly Abreu commented on the repair of the missing part of the pole at Mission Peak. Abreu announced the Niles Canyon Stroll and Roll. Discussed the Coyote Hills Restoration and Public Access Project, Patterson Ranch which has been delayed in opening.

B. ANNOUNCEMENTS

No announcements.

D. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

Moved by Director Corbett, seconded by Director Mercurio.

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

Directors Remote: Elizabeth Echols

Directors Against: None.

Directors Absent: None.

- a. Approval of Park District Check Listing for the Period of June 5, 2023 through June 25, 2023  
Resolution No. 2023 – 09 – 197 (attached)
- b. Resolution to Support Federal Bills S. 1764, S. 1715, H.R. 3439, H.R. 4561, H.R. 3655 and State Bills AB 817, AB 57, SB 378, AB 1212, AB 809 for Legislative Session 2023-2024  
Resolution No. 2023 – 09 – 198 (attached)
- c. Authorization to Amend Consultant Contract with Esherick Homsey Dodge and Davis, A Professional Corporation (EHDD) by \$255,476 for the Replace Environmental Education Center Project: Tilden Nature Area  
Resolution No. 2023 – 09 – 199 (attached)
- d. Authorization to Apply to Division of Boating and Waterways' Quagga and Zebra Mussel Infestation Prevention Grant Program for Shadow Cliffs Regional Recreation Area and Quarry Lakes Regional Recreation Area in the of Amount \$379,890  
Resolution No. 2023 – 09 – 200 (attached)
- e. Authorization to Apply to Division of Boating and Waterways' Quagga and Zebra Mussel Infestation Prevention Grant Program for Del Valle Regional Park in the amount of \$218,130  
Resolution No. 2023 – 09 – 201 (attached)
- f. Authorization to Use Up To \$6,100 in Board Contingency Funds for Deferred Compensation Advisory Committee Members to Attend the National Association of Government Defined Compensation Administrators (NAGDCA) Conference in Seattle, Washington October 2023  
Resolution No. 2023 – 09 – 202 (attached)

2. ACQUISITION, STEWARDSHIP AND DEVELOPMENT DIVISION

- a. Adoption of a New Design-Build Policy  
Resolution No. 2023 – 09 – 203 (attached)

Ren Bates, Chief of Design and Construction presented comprehensively on this policy. Bates explained the Legislation AB 2789 that was amended, and extended the use of Design Build which

allows us to utilize best value for the project team selection. Bates clarified the procurement process and methods, the bridging documents, and the benefits of design build and the delivery time.

Director Rosario wanted to know if the conflict-of-interest checklist had to go to all those individuals. Lynne Bourgault, General Counsel replied that this legislation requires that the District have a Conflict of Interest Code (COIC) and they meet our COIC requirements. Rosario asked for an example of projects that were done in the past that would lend themselves to design build. Bates said that McCosker Stream Restoration would be one. Director Mercurio asked if there was a scenario for starting construction before design is 100 percent complete. Bates said we would not go to construction before we have permits and 100 percent construction documents in place. Director Sanwong requested that staff come back to the Board in a year or two on this process. President Waespi asked how many projects do you think we'll be able to do this year? Bates said that we will get started on some however will not be able to complete any by next year.

Comment: Ross Mitchell, AFSCME President said that with any administrative policy that's going to utilize contracting out. The union would like to see a thorough vetting as these projects move forward to ensure we use AFSCME workers and not contract out their work. Kelly Abreu commented on building parking spaces at Coyote Hills and in the design build projects are their resources for delayed projects.

Moved by Director Rosario, second by Director Coffey.

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

Directors Remote: Elizabeth Echols

Directors Against: None.

Directors Absent: None.

### 3. GENERAL MANAGER'S COMMENTS

a. Chief of MAST Robert Kennedy provided an update on the 2023 storm impacts on public lands under the Park District's jurisdiction.

Assistant General Manager, Operations, Lisa Goorjian, introduced Robert Kennedy, Chief of Mast, to present this topic. Goorjian gave some background to the Board on the 13 atmospheric rivers impacts and the types of damages the District has had to manage. FEMA is allowing us to build back to withstand the changes that come with climate change. There are regulatory windows when we cannot work however by the end of this year about 65% of the areas that have been damaged will have been repaired. President Waespi asked what percentage of these restoration projects or fixes took place or were done with regional park district staff? Goorjian said all of it. Director Corbett asked if there are any other projects that need to be completed at Lake Chabot. Goorjian will follow up with Corbett. Director Mercurio said that it is predicted to be another heavier than average rainfall year and are we prepared for additional damage. Goorjian said their team has met and have identified some ways to be more proactive to get processes in place so that we can more quickly respond. Director Sanwong commented that the top locations that have the most damage tend to be interior parks. We need to continue to think about sea level rise and wildfire resilience. Director Rosario continues to advocate for a second roads and trails crew and training. Waespi said we should form crews to be prepared for more erratic weather behavior. Sanwong added that FEMA now has these resilience zones and the funding to prepare for flooding, fires and heat waves. GM Landreth added that pre-disaster funds from FEMA is something that the Park District's been advocating for for a long time.

Comment: Kelly Abreu commented on a neighborhood park in gated community near Pleasanton Ridge. They have their own parking lot, restrooms, horse watering and they make a mesh of concrete

blocks in the bottom of the trails that are more resilient to washouts. Waespi replied that the District also utilizes this system that is effective, time consuming and expensive.

President Waespi called for a 15-minute break.

b. Chief of MAST Robert Kennedy will provide an update on the Park District's Workforce Development Program in partnership with Oakland CiviCorp.

Robert Kennedy, Chief of MAST, presented on building community through strong partnerships, cultivating skills and ability to foster career opportunities. Kennedy believe that with the addition of the small trails crew and partnership with Oakland CiviCorps the District can make a lasting impact on the greater Bay Area communities that we serve for generations to come. Kenedy talked about the evolution of the district's Youth Employment Program (YEP) and the transition to a youth workforce development program that enhances the YEP by investing and building up the program that creates a pipeline of employment to the District. This next iteration of youth employment program will focus on the creation of a long-lasting partnership with an agency known for improving the lives of participants from the East Bay's inner city. I want to highlight that this partnership with MAST and the small trail crew gives CiviCorp participants one point of contact during the duration of their assignment and the ability to work alongside a wide variety of classification and employees within the District. Kennedy introduced Maintenance Superintendent Eric Bowman, Small Trails Crew Supervisor Patrick Demmons, and Executive Director Civicorp Tessa Nicholas, acknowledge working colleagues in the Black Employee Collective, started the conversation with the city of Oakland's Metro Chamber of Commerce Board President Ken Maxey. To discuss workforce development, creating empowering opportunities for Bay Area residents and communities of color.

#### 4. ANNOUNCEMENTS FROM CLOSED SESSION

No announcements.

#### 5. BOARD COMMENTS

Director Rosario reported on meetings attended. Director Rosario

- Attended the CSDA Annual Conference, Monterey 8/28 – 8/31;
- Attended the Board Meeting 9/5;
- Attended the Finance Committee 9/6;
- Attended meeting with Local 2428 9/8;
- Attended meeting with Director Echols and Local 2428 9/11;
- Attended Operations Committee 9/12;
- Attended UN International Day of Peace. Lake Chabot, 9/16;
- Attending Service Awards, Tilden 9/21;
- Attended Board Site Tour, Delta Access 9/22.

Rosario attended an event in Oakland and ran into the Mayor of Oakland Thao regarding her interest in the District acquiring or running Joaquin Miller Park.

Director Echols reported on meetings attended. Director Echols

- Attended a meeting with Norman LaForce from Sierra Club and Jim Hansen from California Native Plant Society on trails 8/14;
- Attended the Natural and Cultural Resources Committee 8/16;
- Attended the Alameda Labor Council Unionist of the Year dinner 8/18;
- Attended briefing with GM and staff on the Environmental Education Center in Tilden 8/23;
- Attended Preboard meeting 9/1;
- Attended I-on-I walk & talk with GM 9/6;
- Attended meeting with Director Lane 9/8;

- Attended Moonlight on the Mountain 9/9;
- Attended meeting with Director Echols and Local 2428 9/11;
- Attended Executive Committee 9/13;
- Attended a meeting with TM and ASD Chiefs of Miller Knox and Point Pinole 9/15;
- Attended UN International Day of Peace. Lake Chabot, 9/16;
- Attended preboard meeting 9/18.

Director Coffey reported on meetings attended. Director Coffey

- Attended Legislative Committee 8/11;
- Attended Greenbelt Alliance 8/14;
- Attended meeting at Dutch Slough Project with GM 8/15;
- Attended Natural & Cultural Resources Committee 8/16;
- Attended MLK Bay Trail Dedication 8/18;
- Attended a meeting with the Port Chicago Task Force of the Contra Costa Bar Association on the 8/25;
- Attended John Muir Land Trust's Annual update 8/26;
- Attended the CSDA Annual Conference, Monterey 8/28 – 8/31;
- Attended Congressman Desaulniers annual event out at Shadelands in Walnut Creek.
- Attended the Garin Apple Festival, 9/8;
- Attended Moonlight on the Mountain 9/9;
- Attended campfire at Big Break 9/10;
- Attended Executive Committee 9/13;
- Attended UN International Day of Peace Lake Chabot 9/16.

Director Sanwong reported on meetings attended. Director Sanwong

- Attended a meeting with ASD Chiefs and GM at Pleasanton Ridge 8/11;
- Attended the Legislative Committee meeting 8/11;
- Attended a meeting with Director Lane at the San Ramon Valley Museum;
- Attended Zone 7 Ribbon Cutting 9/13;
- Attended Operations Committee 9/12;
- Attended UN International Day of Peace Lake Chabot 9/16.

Director Mercurio reported on meetings attended. Director Waespi

- Attended installation dinner for the East Bay Leadership Council 8/9;
- Attended coffee meeting with General Counsel 8/10;
- Attended a coffee meeting with Concord Mayor Aliano 8/14;
- Attended lunch meeting with AGM Goorjian 8/14;
- Attended a meeting with Greenbelt Alliance 8/14;
- Attended Natural and Cultural Resources Committee meeting 8/16;
- Attended a meeting with Acting Chief Kreins 8/18;
- Attended a trail ribbon cutting at Martin Luther King Jr. Shoreline 8/18;
- Attended a meeting and gave a presentation to the Concord City Council 8/22;
- Attended a site visit with GM and staff visiting Las Trampas and Bishop Ranch 8/24;
- Attended Finance Committee meeting 9/6;
- Attended the Mayor's Conference in Clayton 9/7;
- Attended Moonlight on the Mountain 9/9;
- Attended the Pleasant Hill City Council and gave a presentation 9/12;
- Attended site visit with GM and staff at Clayton Ranch and Vasco;
- Attended a CCTA meeting 9/14;
- Attended meeting of the East Bay Leadership Council 9/15;

Director Waespi reported on meetings attended. Director Waespi

- Attended meeting with General Counsel at Lake Chabot;
- Attended the CSDA Annual Conference, Monterey 8/28 – 8/31;
- Attended Regional Parks Foundation meeting 9/7;
- Attended meeting at Lake Chabot with Lauren Bernstein, Executive Director Regional Parks Foundation;
- Attended the Executive Committee 9/13;
- Attended UN International Day of Peace Lake Chabot 9/16;
- Attended preboard meeting 9/18.

Waespi bid a fond farewell to Monique Salas and Elizabeth Tucker.

Director Corbett reported on meetings attended. Director Corbett

- Attended UN International Day of Peace Lake Chabot 9/16;

Corbett will send in her report to the Clerk's office.

## H. ADJOURNMENT

President Waespi adjourned the meeting at 4:35 pm.



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

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<b>DATE</b>	November 7, 2023
<b>TITLE</b>	Approval of the Minutes for the Board Meeting October 3, 2023
<b>DIVISION</b>	General Manager's Office
<b>FROM</b>	Yolande Barial Knight, Clerk of the Board

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**RECOMMENDATION**

The General Manager recommends that the Board of Directors approve the attached minutes for the Board Meeting of October 3, 2023.

**BOARD MINUTES OCTOBER 3, 2023**

The Closed Session Board Meeting, which was held October 3, 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 11:07 a.m. by Board President Dennis Waespi.

The October 3, 2023, the Board of Directors meeting was video recorded and may be viewed by clicking the following link: <https://www.youtube.com/watch?v=uVyZVaz5B0w> -YouTube.

**A. 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

Staff Present: Ana M. Alvarez, Lynne Bourgault

Guests: None.

**B. PUBLIC COMMENTS ON CLOSED SESSION AGENDA ITEMS**

None.

**C. CLOSED SESSION ITEMS**

**a. CONFERENCE WITH LABOR NEGOTIATORS**

(Pursuant to Gov. Code Section 54957.6)

Agency Designated Representatives: Sabrina B. Landreth,

Allyson Cook Employee Organizations: Police Association

The Board Meeting, which was held October 3, 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 1:08 p.m. by Board President Dennis Waespi.

The October 3, 2023, Board of Directors meeting was video recorded and may be viewed by clicking the following link: <https://www.youtube.com/watch?v=uVyZVaz5B0w> YouTube.

#### A. 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

Staff Present: Ana M. Alvarez, Lynne Bourgault, Yolande Barial Knight, Debra Fuller. Yulie Padmore, Dave Butler, Lisa Goorjian, Katy Hornbeck, Scott Stoller, Ren Bates, Deborah Spaulding, Robert Kennedy, Meadow D'Arcy, Renee Patterson, Mona Koh, Dave Mason, Jen Vanya, Nicola Shihab.

Guests: None.

#### B. PLEDGE OF ALLEGIANCE

Director Rosario led the Pledge of Allegiance.

President Waespi opened the meeting.

#### C. LAND ACKNOWLEDGEMENT

Director Sanwong read the Native American land acknowledgment.

President Waespi recognized Hispanic/Latine Heritage Month and acknowledged the celebration continues on through October 15, 2023.

#### D. APPROVAL OF AGENDA

By motion of Director Rosario, and seconded by Director Echols, the Board voted unanimously to approve the agenda which was amended to move the order of the agenda.

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

Directors Against: None.

Directors Absent: None.

Directors Abstain: None.

#### E. PUBLIC COMMENTS

Renee Patterson reminded the Board about the PERS filing. Sunil Singh appealed for support to increase attendee limit for "Chhath 2023" special park event from 1000 to 2500 participants. Kelly Abreu urged the Park District to permit the people of Nepal and Northern India and other wanting

to exercise their religious freedom to go to the top of Mission Peak at sunrise on their particular holy day. Abreu closed by thanking the Board for fixing the pole at Mission Peak.

#### F. ANNOUNCEMENTS

No announcements.

#### G. BUSINESS BEFORE THE BOARD

##### 1. CONSENT CALENDAR

Moved by Director Corbett, seconded by Director Mercurio,

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

Directors Against: None.

Directors Absent: None.

Directors Abstain: None.

- a. Approval of Park District Check Listing for the Period of June 26, 2023 through July 17, 2023  
Resolution No. 2023 – 10 – 204 (attached)
- b. Approval of Board of Directors Minutes for September 5, 2023
- c. Approval of Out-of-State Travel for Director John Mercurio to Attend the National Park and Recreation Association in Dallas, Texas from October 10-12, 2023  
Resolution No. 2023 – 10 – 205 (attached)
- d. Resolution to Support Federal Bills S. 1776, S. 2383, H.R. 4733, S. 2387, H.R. 5329, H.R. 4584 and State Bills ACA 1, AB 557, AB 720, SCR 82, SB 537, SB 620, SB 675 for LEGISLATIVE SESSION 2023-2024  
Resolution No. 2023 – 10 – 206 (attached)
- e. Authorization to Apply for Federal Grants Funds from the National Oceanic and Atmospheric Administration's Restoring Fish Passage through Barrier Removal Grants Under the Bipartisan Infrastructure Law and Inflation Reduction Act for the Wildcat Creek Restoration and Replace Crossing at Brook Road in the Amount of \$1 million: Tilden Regional Park  
Resolution No. 2023 – 10 – 207(attached)
- f. Authorization to Apply for Federal Grants Funds from the Land and Water Conservation Fund for the Oyster Bay Public Access Improvements Project in the Amount of \$1.3 million: Oyster Bay Regional Shoreline  
Resolution No. 2023 – 10 – 208 (attached)
- g. Authorization to Apply for Measure AA Grant Funds from the San Francisco Bay Restoration Authority for Multiple Projects in the Amount of \$2.5 million: District-wide  
Resolution No. 2023 – 10 – 209 (attached)
- h. Authorization to Apply for Federal Grants Funds from the Land and Water Conservation Fund for the Crandall Creek Bridge at DUST Marsh Project in the Amount of \$750,000: Coyote Hills Regional Park  
Resolution No. 2023 – 10 – 210 (attached)
- i. Approval of June 30, 2023, Investment Report and Portfolio Review  
Resolution No. 2023 – 10 – 212 (attached)

- j. Authorization to Amend Consultant Contract with TRC Solutions by \$32,700 for the South of Bailey Road Staging Area Project: Thurgood Marshall Regional Park - Home of the Port Chicago 50  
CEQA DETERMINATION: NO FURTHER REVIEW PER 14 CAL CODE REGS §15162  
Resolution No. 2023 – 10 – 213 (attached)

Motion moved by Director Sanwong, seconded by Director Echols.

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

Directors Against: None.

Directors Absent: None.

Directors Abstain: None.

The following items were pulled from the Consent Calendar :

- k. Authorization to Enter Into a Contract for Services with Civicorps in the Amount of \$125,000 CEQA Determination: Exempt per 14 Cal Code Regs §15301, §15302, §15304  
Resolution No. 2023 – 10 – 214 (attached)

Comment: Meadow D'Arcy commented the Park District has had a partnership with Civicorp for approximately 40 years. As a part of the partnership the union included a provision, Article 19, to support Park District trails crew opportunities. The union supports Civicorp partnerships; and asks for particular labor program items be addressed.

Director Echols asked staff whether this item is to support the existing Civicorp crew. Chief of Maintenance and Skilled Trades Robert Kennedy responded this is a renewal of the existing contract with Civicorp. Director Coffey asked Kennedy whether the contract will include access to Civicorps' Pittsburg site. Kennedy confirmed it is staff's goal to have access to Civicorp's Pittsburg site once it is online and functional.

Motion moved by Director Coffey, seconded by Director Echols.

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

Directors Against: None.

Directors Absent: None.

Directors Abstain: None.

- l. Authorization to Approve and Adopt an Amendment to the East Bay Regional Park District's Salary Schedule to Add a New Chief Communications Officer Position

Comment: Jen Vanya commented this position will take away 1/3 of the duties from the AGM of Public Affairs and added, with recent vacancies, support is urgently needed at a staff level. Nicola Shihab commented, notice was not provided to managers or staff in Public Affairs and does not address staffing or workload concerns. Dave Mason commented this item was not communicated with any Public Affairs staff before bringing it before the Board of Directors. Meadow D'Arcy called the Board's attention to section 5.4 of AFSCME 2428 Memorandum of Understanding which highlights the Park District will "...meet and confer with the union on all matters of job classification, hiring, promotions, and transfers which require Board action which would be referred to the Board." Mona Koh commented staff are afraid to speak up out of fear of retribution, not receiving clear communications, and staff have been advised they are not permitted to talk to the Board of Directors.

Motion moved by Director Echols, seconded by Director Coffey, to pull this item for discussion and to obtain feedback on the meet and confer issue.

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

- m. Authorization to Approve and Adopt an Amendment to the East Bay Regional Park District Salary Schedule to Implement the Reallocation of the Vacant Executive Assistant Position in the General Manager's Office to the Executive Assistant to the General Manager

Comment: Meadow D'Arcy commented AFSCME 2428 was not noticed about this position and asked for future notifications.

Motion moved by Director Sanwong, seconded by Director Corbett, to pull this item for discussion and to obtain feedback on the meet and confer issue.

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

- n. Authorization to Enter into an Agreement with Empower Personal Wealth, LLC for Deferred Compensation Administration Services  
Resolution No. 2023 – 10 – 215 (attached)

Director Rosario asked how the transition of funds will operate and whether investments from existing accounts will carry over. Assistant Finance Officer Deborah Spaulding responded the next phase of this project is to map out existing funds to meet the funds available. Spaulding added the consultant has a suggested investment package available; however, if there is interest, the Park District and the Deferred Comp Advisory Committee can access any funds in the world that are of interest. Director Sanwong asked for clarification on whether the Board will sustain the fiduciary responsibility. Spaulding confirmed the Board are still the ultimate fiduciary and the consultant would provide additional protection. Director Echols asked for a more detailed description of the protections the consultant provides. Spaulding responded the consultant will meet quarterly with the Park District to act as a fiduciary who can determine, advise, and review investments for employee, the Deferred Comp Advisory Committee, and administrators to support the Park District's selections. President Waespi praised the significant cost the savings of \$206,704 for participants and asked how many employees are participating in the plan. Spaulding responded approximately 800 employees.

Motion moved by Director Rosario, seconded by Director Corbett,

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

- o. Acceptance of East Bay Regional Park District's Grant Schedule and Measure WW Local Grant Program  
Resolution No. 2023 – 10 – 216 (attached)

President Waespi moved this item to the General Manager's comment section.

## 2. ACQUISITION, STEWARDSHIP AND DEVELOPMENT DIVISION

- a. Authorization to Enter into a Contract with Moffat and Nichol for \$581,567 for the Study Big Break Climate Adaptation Project: Big Break Regional Shoreline  
CEQA DETERMINATION: EXEMPT PER 14 CAL CODE REGS §15262  
Resolution No. 2023 – 10 – 217 (attached)

Director Rosario asked whether the contract would include studies about sea level rise. Scott Stoller, Civil Engineer, responded sea level rise will be developed as part of the preliminary design plan. Rosario asked whether this plan will be rolled out to the shorelines District-wide. Chief of Design Ren Bates responded at this point staff are still gathering data. The Park District does not own all of the shorelines and will need to conduct further research. Director Corbett requested staff's plan to gather information from other entities that own the land nearby. Bates responded staff are approaching this project plan incrementally. Corbett expressed interest to see this become a common practice for staff moving forward. Director Coffey addressed the Dutch Slough project near Big Break Shoreline as having completed a similar study and expressed interest in comparable remediation efforts. Director Sanwong is recommended, in addition to addressing sea-level rise, that staff include interior flooding as part of the planning report. Bates confirmed staff will highlight regional context and reference relative Delta information as a preface to this proposal.

Restoration Projects Manager Chris Barton commented the project outcome is unpredictable and confirmed staff will aim to highlight the different variables upfront to set expectations.

Motion moved by Director Coffey, seconded by Director Sanwong.

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

Directors Against: None.

Directors Absent: None.

Directors Abstain: None.

## 3. HUMAN RESOURCES DIVISION

- a. Authorization to Award and Execute a Five-Year Contract with Bay Alarm Company for District-Wide Alarm Installation, Monitoring, and Maintenance Services  
FOR A TOTAL AMOUNT NOT TO EXCEED \$850,000  
CEQA DETERMINATION: EXEMPT PER 14 CAL CODE REGS §15301, §15302, §15304  
Resolution No. 2023 – 10 – 218 (attached)

Management Analyst Catherine Bernal provided a verbal presentation to authorize a contract with Bay Alarm. Director Rosario expressed support to consolidate Bay Alarm services and asked how the services are connected to dispatch. Public Safety Communications Records and Property Manager Patty Gershaneck commented there is currently an alarm monitoring center where the alarms are transmitted through plain telephone lines or cellular connections to the monitoring center in Concord and Bay Alarm conducts checks and balances and then contacts the Park District after the checks and balance process. Rosario asked if there are set priorities for the different alarms. Gershaneck confirmed there are different alarms with varying degrees of priorities.

## 4. GENERAL MANAGER'S COMMENTS

AGM of Operations Lisa Goorjian thanked Tiffany Margulici for acting as the Chief of Interpretation and Recreation and introduced the new Chief of Interpretation and Recreation Sandi Funke.

- a. Acceptance of East Bay Regional Park District's Grant Schedule and Measure WW Local Grant Program  
Resolution No. 2023 – 10 –219 (attached)

Deputy General Manager Dr. Ana M. Alvarez recognized Acting Chief Assistant Finance Officer Katy Hornbeck for stepping up to the role.

Director Coffey stated that Executive Director Abby Fateman of the East Contra Costa Habitat Conservancy (ECCHC) is raising \$36 million for the Nunn Ranch project. Coffey mentioned the funds are beneficial to the Park District and asked how we track these resources. Hornbeck responded Grants currently tracks funds and acknowledged the need to address resources spent on District properties. Hornbeck commented the Park District has a cooperative funding agreements with ECCHC where they send us money to complete the project. Deputy General Manager Dr. Ana M. Alvarez replied the ECCHC is an asset. President Waespi asked whether staff audits the \$125 million worth of grants distributed to the cities. Hornbeck commented staff currently audits WW recipients.

Motion moved by Director Mercurio, seconded by Director Echols,

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

Directors Against: None.

Directors Absent: None.

Directors Abstain: None.

## 5. ANNOUNCEMENTS FROM CLOSED SESSION

No announcements.

## 6. BOARD COMMENTS

Director Mercurio reported on meetings attended. Director Mercurio

- Attended the Service Awards at Tilden Regional Park on 9/21;
- Attended the Walk and Talk with Congressman Mark DeSaulnier at Castle Rock on 9/23;
- Attended the Brown Act Special Meeting on 9/25;
- Attended lunch with DGM Alvarez on 9/25;
- Attended the Park Advisory Committee meeting on 9/25;
- Attended Board Study Session on Trails on 9/26;
- Met with Beverly Lane on 9/27;
- Met with Mike Reeves on 9/28;
- Attended Sacramento Legislative Appreciation Luncheon on 9/29;
- Met with Council Member Carlyn Obringer on 9/29;
- Attended Roberts Regional Park Pool Event on 9/30;
- Attended Gathering of the Ohlone People 10/1.

Director Sanwong reported on meetings attended. Director Sanwong

- Met with Ricky B. and Coyote Hills Naturalist Erin Blackwood for the [Fremont Podcast](#) about Coyote Hills and all the parks in Fremont on 9/20;
- Board Site Tour at Delta Access on 9/22;
- Attended the Brown Act Special Meeting on 9/25;
- Attended the Board Study Session on Trails on 9/26;
- Attended the Legislative Committee Meeting on 9/27;
- Attended Gathering of the Ohlone People 10/1;

Sanwong requested an agenda item about Mosquito Abatement from Alameda and Contra Costa counties.

Director Echols reported on meetings attended. Director Echols

- Attended the Service Awards at Tilden Regional Park on 9/21;
- Attended the Brown Act Special Meeting on 9/25;
- Attended the Board Study Session on Trails on 9/26;
- Met with Pinole City Council Member Cameron Sasai on 9/27;
- Attended Pre-Board Meeting on 10/2.

Director Coffey reported on meetings attended. Director Coffey

- Attended the Service Awards at Tilden Regional Park on 9/21;
- Attended Antioch's Annual Big Trucks Day on 9/21;
- Attended Board Site Tour at Delta Access on 9/22;
- Attended Contra Costa Resource Conservation District's Coastal Clean-up at the Crockett Shoreline on 9/23;
- Speaker for *A Thousand Friends of Martinez* on 9/24;
- Attended the Brown Act Special Meeting on 9/25;
- Attended the Board Study Session on Trails on 9/26;
- Attended the Legislative Committee Meeting on 9/27;
- Attended Annual Birthday Event for Contra Costa County Supervisor Ken Carlson on 9/28.

Director Corbett reported on meetings attended. Director Corbett

- Attended Board Site Tour at Delta Access on 9/22;
- Attended Shoreline Clean-up at Martin Luther King Shoreline and Arrowhead Marsh on 9/23;
- Attended Roberts Regional Park Pool Event on 9/30;

Corbett request the Board Meeting be adjourned to honor the late Senator Dianne Feinstein.

Director Rosario reported on meetings attended. Director Rosario

- Attended the Service Awards at Tilden Regional Park on 9/21;
- Attended Board Site Tour at Delta Access on 9/22;
- Toured Oakland Waterfront and Lake Temescal with AGM Wysocki and GM Landreth on 9/21;
- Attended California Department of Fish and Wildlife BBQ on 9/24;
- Attended Shoreline Clean-up at Arrowhead Marsh on 9/23;
- Attended the Brown Act Special Meeting on 9/25;
- Attended the Board Study Session on Trails on 9/26;
- Attended the Legislative Committee Meeting on 9/27;
- Attended Sacramento Legislative Appreciation Luncheon on 9/29;
- Attended Roberts Regional Park Pool Event on 9/30;
- Met with Lisa Goorjian and Robert Kennedy.

President Waespi reported on meetings attended. Director Rosario

- Attended Board Site Tour at Delta Access on 9/22;
- Attended the Brown Act Special Meeting on 9/25;
- Attended the Board Study Session on Trails on 9/26;
- Attended the Legislative Committee Meeting on 9/27;
- Met with GM Landreth and AGM Wysocki at Chouinard Vineyards & Winery in Castro Valley on 9/28;
- Attended Regional Parks Foundation Board Meeting on 9/28;
- Attended Sacramento Legislative Appreciation Luncheon on 9/29;
- Attended Roberts Regional Park Pool Event on 9/30;
- Attended Gathering of the Ohlone People 10/1;

- Attended Pre-Board Meeting on 10/2;

Waespi said that Redwood Canyon Golf Course has affordable programs for youth. He supports continuing the investigation to find the stolen cultural resource which was taken from Mission Peak.

#### H. ADJOURNMENT

President Waespi adjourned the meeting at 3:39 p.m. in honor of the late Senator Dianne Feinstein.