

AGENDA  
REGULAR MEETINGS  
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, August 8, 2017

C. BUSINESS BEFORE THE BOARD

7. BOARD COMMITTEE REPORTS

- b. Board Legislative Committee (5.30.17) (Corbett)

Present

Board: Ellen Corbett, Dennis Waespi, Beverly Lane

Staff: Robert Doyle, Erich Pfoehler, Lisa Baldinger, Xiaoning Huang, Debra Auker, Jim O’Conner, Jeff Rasmussen, Mona Koh, Tiffany Margulici

Consultants: Doug Houston, Houston Magnani & Associates

Public: Rick Rickard

This meeting was called to order at 12:43 pm.

I. STATE LEGISLATION / ISSUES

A. NEW LEGISLATION

1. **ACR 85 (Garcia D-Coachella) – Parks Make Life Better! Month**

Legislative Advocate Doug Houston mentioned this is an annual push by the California Parks and Recreation Society (CPRS) for their statewide branding efforts. This resolution declares July “Parks Make Life Better!” Month. In some previous years this resolution was not enacted before July. At this time, CPRS is asking for support from members for this uncontroversial bill. Director Beverly Lane commented that parks do make life better. Director Dennis Waespi agreed and asked about the outdoor industry’s lobbying efforts. Houston shared he has taken part in discussions for the creation of an outdoor industry advocacy group.

The Board Legislative Committee voted unanimously to SUPPORT.

2. **AB 890 (Medina D-Riverside) – California Environmental Quality Act (CEQA) Loophole Closure**

Houston stated Assembly Member Jose Medina introduced this legislation to require development projects undergo a full environmental review prior to gathering signatures from the public. This effort seeks to prevent developers from using ballot initiatives to sidestep state environmental laws. In a typical city-wide initiative, once 15% of eligible voters have signed a petition, the proposal qualifies for the ballot and local elected officials

can either call a special election or accept the proposal without negotiating changes. Officials will often approve the initiative because a special election could strain an already tight budget. Thus, developers are increasingly using the ballot initiative process to force the quick approval of land use development projects. Plans for a stadium in Carson, a shopping center north of San Diego and a vast warehouse complex in Moreno Valley were approved last year using the ballot initiative process. Another ballot measure petition hastened construction of a stadium in Inglewood, where the Los Angeles Rams will play. Government Affairs Manager Erich Pfuehler commented a similar scenario was used in Pleasanton for a Costco. The advantage for the developers is projects approved by ballot measures avoid legal challenges under the California Environmental Quality Act (CEQA). A recent court decision held the loophole to bypass environmental protections is technically legal, but could be addressed by the Legislature. Director Lane asked about the support in the legislature. Houston shared it is partisan, supported by Democrats.

The Board Legislative Committee voted unanimously to SUPPORT.

**3. AB 1129 (Stone D-Monterey Bay) – Protect California’s Coast from a Changing Climate**

Houston stated this legislation will provide the California Coastal Commission administrative tools and greater ways to mitigate for sea level rise by promoting natural alternatives to seawalls and other defense structures. Pfuehler shared the Bay Conservation and Development Commission (BCDC) ensures such best practices are utilized in the San Francisco Bay, but this legislation would expand it to the state at large. Houston added this legislation would encourage using something other than sea wall to protect from sea level rise. Director Waespi asked what infrastructure this would entail and if it would affect Hayward Shoreline. General Manager Robert E. Doyle responded BCDC is already ensuring best practices for work at the Hayward Shoreline.

The Board Legislative Committee voted unanimously to SUPPORT.

**4. AB 1530 (Gonzalez Fletcher D-San Diego) – Maintenance of Urban Forests**

Houston shared the Urban Forest Act has been on the books for quite some time. Urban forest grants have been available from the Greenhouse Gas Reduction Fund (GGRF) through a couple of cap-and-trade cycles. This bill would expand upon the practices associated with the Urban Forest Act to make them more consistent with climate change goals. This bill also incorporates the new definition of disadvantaged communities. This legislation would expand eligibility and provide the District a better ability to compete for funds. Director Lane asked where the money to implement this program would come from. Houston replied the money is in the Governor’s budget for GGRF.

The Board Legislative Committee voted unanimously to SUPPORT.

**5. SB 595 (Beall D-San Jose) – Bay Area Toll Authority Bridge Fees (Regional Measure 3)**

Houston shared this bill would authorize the Bay Area Toll Authority (BATA) to place a toll increase on the ballot. The specific increase has not been determined at this time. The proceeds would go toward transportation improvements in the nine-county Bay Area. It has yet to be determined if this would include active transportation improvements. Director Lane asked if a vote is necessary to increase tolls. Doyle confirmed it is. Pfuehler

pointed out votes have occurred twice in history already. In addition, it is critical to ensure funding is distributed fairly throughout the Bay Area. At this time, a list of potential District Green Transportation projects have been shared with BATA.

Doyle reflected on the efforts in Measure AA to ensure equitable distribution by population and emphasized that's what should happen with this measure. Director Lane asked if any funding could go toward Gateway Park. Doyle and Pfuehler responded that projects should show evidence of reducing traffic congestion, and the District will make that case for Gateway and the Bay Trail. The District will be looking to improve bike/ped access to East Bay bridges. Director Lane asked if we could request a specific percentage to go to the East Bay. Pfuehler replied we could certainly request. Director Ellen Corbett asked if discussions with Assembly Member Rob Bonta and Senator Nancy Skinner included their recommendations about how best to ask for trail funding so it would be well received. Pfuehler said yes he is following up with them.

The Board Legislative Committee voted unanimously to SUPPORT.

**6. SB 775 (Wieckowski D-Fremont) – Cap-and-Trade Market-Based Compliance Mechanisms**

Houston shared this bill seeks to extend cap and trade beyond 2020 with new elements in the program to expedite reduction in carbon. This bill proposes floor and ceiling prices for the carbon allowances. It also creates a carbon fine system for overseas products. Director Lane questioned who enforces this. Houston responded the California Air Resources Board. Pfuehler added the bill would distribute auction proceeds to three funds: California Climate Dividend Fund, which will provide dividends to all California residents, the California Climate Infrastructure Fund and the California Climate and Clean Energy Research Fund. The District could benefit from the infrastructure funds.

The Board Legislative Committee voted unanimously to SUPPORT.

**B. ISSUES**

**I. Park Bond Update**

Houston shared AB 18 has been sitting in the Senate for over sixteen weeks waiting for the advancement of SB 5. In the last week and a half, a lot of activity has occurred on SB 5. For the purposes of the Park District, there have been some positive modifications to the fund allocations. The per capita block grant has been added to SB 5. This has been a priority for the Park District. Director Corbett asked if the District could be identified in the measure as a benefit to the urban communities included within. Houston shared at this time the perception of the District, East Bay and entire Bay Area by the supporters of SB 5 is the need for funding to disadvantaged communities is much greater in the south. Doyle shared this has been a broad discussion with other entities throughout the state. The park poor communities' calculator is a hard formula to alter. At this time, it does not suite the Bay Area well. Director Corbett emphasized the importance of parks for park-poor communities, including those in the East Bay. Doyle described Bay Point and how the funding could benefit the unincorporated surrounding community. Director Corbett asked when the fusion process to combine the bills will begin. Houston shared if SB 5 gets out this week, it will be ready to be heard in the Assembly in a few weeks.

## 2. **AB 898 Update**

Houston shared this bill has not moved. Doyle cautioned it is good to stay apprised and keep an ear to the ground to ensure we are ready if anything changes.

## 3. **Governor's May Revise Budget**

Houston shared the May Revise came out on May 11, 2017. The budget did increase revenue projections. A provision contained in the Governor's Budget Summary included the creation of a Natural Resources and Parks Preservation Fund. A one-time fund for state parks and open spaces, including \$31.5 million in Fix Our Parks, to repair and maintain parks, and \$15 million to establish a pilot project to provide transportation to parks for urban areas and schools. This is widely viewed as a statement against incurring more indebtedness through a park bond. Pfuehler shared a large portion of this budget is contingent on the federal healthcare situation and possible cuts to MediCal.

## 4. **Other Issues**

# II. FEDERAL LEGISLATION / ISSUES

## A. NEW LEGISLATION

### 1. **H.R. 2206 (Kaptur D-OH) – 21<sup>st</sup> Century Civilian Conservation Corps Act**

Pfuehler shared this is the reintroduction of legislation the District has supported in the past. It is an effort to reintroduce the Civilian Conservation Corps.

The Board Legislative Committee voted unanimously to SUPPORT.

### 2. **S. 751 (Warner D-VA) – National Park Service Legacy Act**

Pfuehler stated this is a bipartisan effort, appearing to have some legs in Congress, to provide a funding mechanism to reduce the backlog in park maintenance. This fund would help the Park Service create restrooms and fulfill other restoration projects.

The Board Legislative Committee voted unanimously to SUPPORT.

### 3. **S. 896 (Burr R-NC) – Permanent Reauthorization of the Land and Water Conservation Fund**

Pfuehler shared this bill would reauthorize the Land and Water Conservation Fund in perpetuity, but doesn't establish a funding floor.

The Board Legislative Committee voted unanimously to SUPPORT.

### 4. **S. 569 (Cantwell D-WA) – Permanent Reauthorization and Full Funding of the Land and Water Conservation Fund**

Pfuehler shared this bill would reauthorize the Land and Water Conservation Fund and require full funding of \$900 million annually.

The Board Legislative Committee voted unanimously to SUPPORT.

## B. ISSUES

### I. **Other Issues**

# III. MEASURE CC UPDATE

Doyle shared a full report about Measure CC will be provided to the Legislative Committee in the future. Pfuehler added initial conversations about polling in the Measure CC zone have occurred. Director Waespi requested the Environmental Community be included in Measure CC discussions. Doyle assured it is absolutely the intent of the Park District to include them. At this time, staff is coordinating initial materials to bring forward for discussion. Director Lane shared it is good the District is planning to bring organized priorities forward. Discussions about interest groups' priorities need to have parameters which are true to the District's mission and values.

#### IV. ARTICLES

None.

#### V. OPEN FORUM PUBLIC COMMENT

None.

#### VI. BOARD COMMENTS

The Board Legislative Committee requested a tour of Measure CC projects for the Board.

This meeting adjourned at 2:19 pm.

Respectfully Submitted:

Lisa Baldinger  
Legislative Assistant

