

AGENDA  
REGULAR MEETINGS  
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, June 19, 2018

D. BUSINESS BEFORE THE BOARD

7. BOARD COMMITTEE REPORTS

d. Board Legislative Committee (4.20.18) (Rosario)

Present

Board: Dee Rosario, Dennis Waespi, Colin Coffey

Staff: Robert E. Doyle, Erich Pfuehler, Tiffany Margulici, George Manross, Carol Victor, Rick Rickard, Debra Auker, Jeff Rasmussen

Consultants: Doug Houston

Public:

This meeting was called to order at 12:31 pm.

I. STATE LEGISLATION / OTHER MATTERS

A. NEW LEGISLATION

**I. AB 1918 – Office of Sustainable Outdoor Recreation (Garcia D-Coachella)**

Legislative Advocate Doug Houston shared jobs created by the outdoor industry are more than film and wine industry combined. There are eight states that have done something about forming an Office of Outdoor Recreation, either through their Governor or legislation. These offices are being created because everyone is beginning to recognize the impact of the outdoor industry on their state's economy. Director Dennis Waespi shared he thinks it is a good idea. General Manager Robert E. Doyle emphasized Houston has been a critical advocate for this legislation. It is shocking to learn such an office does not exist. GM Doyle went on to comment if such an office had existed during the recession, it may have changed how budget cuts were done. Director Colin Coffey asked what the barriers are to the passage of this legislation. Houston shared the \$200,000 cost for its creation and the current administration is not seeking to create additional policies. Director Dee Rosario questioned how it will operate. Houston responded it will be housed in the Natural Resources Agency with likely one to two staff members and will act as an advisor to the Secretary. The full breadth of assignments are currently unknown and under discussion. Government Affairs Manager Erich Pfuehler added the outdoor industry is very active in D.C. and in the past the District has participated in conferences on this topic, but it has not gotten a lot of traction in California. Often the focus is on trade and tax policies. Given the California outdoor economy, these discussions are important for the District.

The Board Legislative Committee voted unanimously to SUPPORT.

## **2. AB 2126 – California Conservation Corps Forestry Corps Program (Eggman D-Stockton)**

Houston said this bill is seeking to establish corps within corps to focus on forestry health policies. At this time, the Assembly Member has identified two regional offices, both in economically disadvantaged communities with large youth populations. Earlier this week, Pfuehler sent an email to see if Houston could approach someone within the East Bay delegation for a Bay Area corps. Houston has since approached Assembly Member Bill Quirk's Chief of Staff. GM Doyle emphasized it is important to have an office like this in the Bay Area. Assembly Member Quirk is willing to speak to the author to amend for the benefit of the Bay Area. The cost of this effort is about \$1.5 million. Adding a Bay Area office would be about \$2 million. Pfuehler added youth corps are an investment the Governor has historically been willing to make. Director Waespi shared he feels this is important and is willing to work with Quirk to help.

The Board Legislative Committee voted unanimously to SUPPORT.

## **3. AB 2434 – Strategic Growth Council Health in All Policies Program (Bloom D-Santa Monica)**

Houston relayed in reading through the analysis of this bill, it is confusing, but the intent is noble. It is his understanding in 2011 through an executive order, the health in all policies program was established. This program seeks to provide an intersection between public health and the Strategic Growth Council (SGC). SGC is an entity composed of multiple agencies which seeks to break down silos. Thus, having multiple agencies work in collaboration on these sort of issues proved beneficial. This bill is aiming to codify this program. It would still remain under the SGC, but have an elevated profile. Pfuehler added the original intent of the program was to assist cities suffering from poor air quality. Cities such as Richmond benefit. It is important to note on behalf of the Park District, the City of Richmond references access to outdoors as a health benefit.

The Board Legislative Committee voted unanimously to SUPPORT.

## **4. AB 2534 – Environmental Education Grant Program (Limon D-Santa Barbara)**

Houston commented this is a companion to legislation discussed at the March Legislative Committee meeting, AB 2614, which aimed to establish grant programs to mobilize youth from urban settings to outdoor areas. This bill builds off the transportation efforts by encouraging meaningful educational experiences in the outdoors once the youth arrive. This bill creates a grants program for NGOs and local agencies to help fortify natural education programs, either already being offered or new programs. Additionally, in Proposition 68, there are provisions which allow for the funding to be utilized for public and community outreach. As such, this bill would assist in the use of those funds. GM Doyle shared this legislation's goals align nicely with the Park District's Mission and educational efforts. Pfuehler shared the District has been contacted to explain Parks Express and other transportation related initiatives as examples of what is possible.

The Board Legislative Committee voted unanimously to SUPPORT.

## **5. AB 2615 – Safe Routes to Parks (Carrillo D-Los Angeles)**

Houston spoke about how this legislation is asking Caltrans to work with State Parks to identify ways in which transportation can be improved to outdoor areas. They are looking at transportation corridors, specifically built in barriers such as highways, which block disadvantaged communities from green areas.

These physical barriers make grant applications less competitive. The legislation unanimously passed through the Transportation Committee.

The Board Legislative Committee voted unanimously to SUPPORT.

**6. AB 2916 – Financially Challenged Fire Districts (Grayson D-Concord)**

Houston shared Assembly Member Tim Grayson's office approached him before the bill would be introduced and indicated the issue of funding for the East Contra Costa County Fire Protection District still exists. Grayson wanted to help, but did not know what to do. Assembly Member Jim Frazier's efforts in 2017 were narrow in scope. There is a willingness in Grayson's office to work with Districts like ours to elevate the issue. The bill has gone through a few versions and will not be pursued this year. The District will reconnect with the Assembly Member's office and strive to be helpful in finding a solution. GM Doyle commented his involvement is interesting as it is outside Grayson's Assembly District.

**7. AB 3160 – Conveyance of Federal Defense Base Closure Lands (Grayson D-Concord)**

Houston recalled legislation last year, SB 50, which said the Federal government cannot convey California's public lands without going through due process with State Lands Commission. Part of that process is right of first refusal and the opportunity to find other agencies willing to have the property conveyed. The concern is some of these conveyances from the Federal government would be for resource extraction. What Grayson is trying to do with this bill would be to override blocks in the process to allow for conveyances to happen sooner than later if the conveyance is for parks and open space. GM Doyle shared historically the District has had a good relationship with State Lands Commission. However, if they have to schedule hearings often it would lead to delays. Pfuehler added the District is currently on track to have conveyance of Concord by October 2018, thus streamlining this effort would be important. This streamlining would also benefit the Oakland Army Base transfer. GM Doyle shared the District is ahead of others in the Concord area, thus we do not want to wait for the city to catch up with planning. Director Waespi confirmed it would streamline the conveyance of the Concord Naval Weapons Station.

The Board Legislative Committee voted unanimously to SUPPORT.

**8. SB 835 – Smoking Ban in State Parks (Glazer D-Orinda)**

Houston spoke to SB 835 and SB 836 together.

**9. SB 836 – Smoking Ban at State Beaches (Glazer D-Orinda)**

Houston spoke to efforts last year when Senator Steve Glazer aimed to ban tobacco products in state parks and beaches. The Governor issued a veto on the bill as he felt if people could not smoke on an empty beach he did not know where they could. Glazer then separated the effort into two bills. One for parks and the other for beaches. The logic being, if the Governor's issue is beaches, would he allow banning tobacco products in parks? This legislation is in accordance the Park District's Ordinance 38. GM Doyle commented beaches in California are crowded.

The Board Legislative Committee voted unanimously to SUPPORT.

**10. SB 1301 – State Environmental Permitting Processes (Beall D-San Jose)**

Houston shared he believes this bill seeks to increase dam safety and reduce flood risk by streamlining the permitting process. This legislation would benefit grants from the San Francisco Restoration

Authority, for which the District is eligible. It would ask the permitting agencies to assign a person to a given permit and have them work in cooperation with the other agencies. This would be for small scale projects to benefit public health and prevent flood risk. Director Rosario wondered what defines a smaller projects. Pfuehler shared, relative to Measure AA, this would allow breaking larger projects into smaller pieces and different funding cycles.

The Board Legislative Committee voted unanimously to SUPPORT.

### **11. SB 1335 – Disposable Food Service Packaging (Allen D-Santa Monica)**

Houston commented this bill is seeking to promote the use of biodegradable products and prohibit the use of non-biodegradable products in public spaces. As is pointed out in the report, the District is composting in 17 of 73 parks. This legislation is consistent with policy practices at the District. Director Waespi expressed interest in the ability of the Park District to set its own policies for waste management regardless of the states. Houston confirmed that would be possible. Pfuehler commented this bill came to the legislative division's attention from operations staff.

The Board Legislative Committee voted unanimously to SUPPORT.

### **12. SR 100 – 100<sup>th</sup> Anniversary of Save the Redwoods League (McGuire D-Healdsburg)**

Houston relayed this resolution was heard this week, but it would still be beneficial to show support.

The Board Legislative Committee voted unanimously to SUPPORT.

## **B. OTHER MATTERS**

### **1. Prop. 68 Park Bond**

Houston shared he sat in on an executive committee meeting earlier this week and the campaign team was there. A lot of interesting information was shared relative to how they want to roll out the campaign. Absentee ballots will be mailed May 5<sup>th</sup>. With a budget of \$6 million, the campaign will have the resources in place to educate folks throughout the state. Internal polling has found if voters are sufficiently educated, the proposition should do very well. The current support is about 55% without arguments, but education is still important. GM Doyle shared everyone, including the Regional Parks Foundation, has worked hard to raise funding.

### **2. Other matters**

## **II. FEDERAL LEGISLATION / OTHER MATTERS**

### **A. NEW LEGISLATION**

#### **1. H.Res. 799 – Cesar Chavez Day (Cardenas D-CA)**

Pfuehler shared this legislation seeks to make March 31<sup>st</sup> National Cesar Chavez Day, a holiday already recognized annually at the District and in California.

The Board Legislative Committee voted unanimously to SUPPORT.

#### **2. S. 2603 – Complete America's Great Trails (Blumenthal D-CT)**

Pfuehler commented the District has previously supported identical legislation. The idea of this bill would be to incentivize landowners who break a national scenic trail to provide for an easement to allow hikers to pass through.

The Board Legislative Committee voted unanimously to SUPPORT.

Support

## B. OTHER MATTERS

### I. **Other Matters**

### III. REGIONAL MEASURE 3

Pfuehler shared the District did support the enabling legislation for Regional Measure 3 to go on the ballot, which has \$150 million for safe routes to transit including bike trails. The District has submitted \$75 million in example projects. There has been significant questioning about the equity of the expenditure plan for the East Bay by the legislative delegation. The District has been having discussions with the Metropolitan Transportation Commission (MTC) about the benefits for the future Gateway Regional Shoreline. Director Coffey asked who is not supportive. GM Doyle shared Representative Mark DeSaulnier recently published an article in strong opposition as he felt there were many bad decisions made by MTC with their current funding. GM Doyle shared many who vote yes on this legislation may not pay the toll increase due to geography. Director Waespi shared he is in favor of funding the Bay Trail.

The Board Legislative Committee voted unanimously to SUPPORT.

### IV. STRATEGY RESEARCH INSTITUTE TRACKING INSTRUMENT

Dr. George Manross provided an update about the most recent survey results. GM Doyle and staff recommended to extend Measure CC from 15 to 20 years, an extension of time by an additional five years.

### V. CONSIDERATION OF MEASURE CC EXTENSION

District Counsel Carol Victor relayed recent lawsuits on differential tax rates from single and multi-family units. The court agreed taxes should be uniformed at a single rate. Because Measure CC has different rates for single and multi-family units, the recommendation is to create a Community Facilities District (CFD) within the CC Zone and a parcel tax within the district, which will be a two-step process. The CFD notice of intention will go before the Finance Committee on May 1, 2018. On June 5, 2018, the formation of the CFD and recommendation to put the measure on the ballot will go before the full board. Director Coffey asks how the District will be governed. Victor shared this would be the District's third CFD. A CFD can be best described as a boundary and financing mechanism. GM Doyle added this is a mechanism for a parcel tax and a way to continue the existing tax rates. Victor expanded this is a more conservative approach for a financing mechanism to extend the existing measure. Director Rosario questioned if the CFD has to be created before approving the extension of the Measure. Victor said they will be brought forward at the same time on June 5, 2018.

### VI. ARTICLES

### VII. OPEN FORUM PUBLIC COMMENT

### VIII. BOARD COMMENTS

This meeting adjourned at 3:36 pm.

Respectfully Submitted:

Lisa Baldinger  
Legislative Assistant