

AGENDA
REGULAR MEETINGS
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, November 15, 2016

C. BUSINESS BEFORE THE BOARD

6. BOARD COMMITTEE REPORTS

c. Board Legislative Committee (09.19.16) _____ (Burgis)

Present

Board: Diane Burgis (Chair), John Sutter, Dennis Waespi

Staff: Robert E. GM Doyle, Erich Pfuehler, Lisa Baldinger, Yulie Padmore, Xiaoning Huang

Consultants: Doug Houston, Houston Magnani & Associates

Public: Rick Rickard

This meeting was called to order at 12:45 p.m.

I. STATE LEGISLATION / ISSUES

A. NEW LEGISLATION – N/A

B. ISSUES

I. Park Bond Update (AB 2444)

Advocate Doug Houston updated the committee about the status of the California Statewide Park Bond, AB 2444. General Manager Robert E. Doyle referenced a memo sent to the East Bay Regional Park District Board regarding the park bond. With less than a 1% of chance to get out of the house of origin, initially the bond was poised for vote on the Senate floor right up to the last day of session this August. However, Senate leadership elected to suppress the bill and not allow a vote. Houston speculated the park bond was part of a negotiation exchange between the California State Assembly and Senate leadership. Houston did not fully understand the logic behind why the Senate failed to vote on the park bond. The Pro Tempore Kevin De Leon's office issued a statement indicating the park bond was likely to proceed. District staff kicked into high gear efforts to demonstrate the importance of the park bond, causing the Pro Tempore's office to request incoming messages stop and implied there was an agreement to vote on the park bond. This vote did not occur. Going forward, Houston plans to have meetings with large non-profits and elected officials to rally support for a future park bond. Author Assembly Member Eduardo Garcia (D-56) is committed to reintroducing his park bond language next year, stating it's his number one priority for 2017.

Director John Sutter questioned the main reason for the park bond being held by Senate leadership. Houston explained the Pro Tempore had been the author of past park bonds. He

was likely not involved in the current park bond to a satisfying level. GM Doyle commented this was an accomplishment for Houston and the District to have moved a park bond this far along. Past skepticism affected by the recession caused this to be an uphill battle with other park agencies, but Government Affairs Manager Erich Pfuehler and Houston have been providing outreach to educate the community about the necessity of a park bond. Director Sutter expressed his support for continuing to work on a park bond as a District priority. Pfuehler stated the work towards this effort has built a stronger foundation for next year. He particularly singled out Houston's relationship with the author and the District's influence on the Bay Area Open Space Council to develop more regional support.

2. Cap and Trade

Houston referred the Committee to January when the Governor's budget proposed \$1.2 billion in expenditures of cap and trade auction proceeds. 60% of the allocations are pre-determined and 40% are determined by the budget process over a three year time period. In anticipation of upcoming 2016 auctions, many believed the \$1.2 billion would increase to \$2 billion in expenditures. The two 2016 auctions, however, came in only at \$10 million each. This caused a scramble to determine how best to make the existing proceeds last. The legislature and governor determined \$900 million would be spent, with about \$500 million remaining in the cap and trade account for future appropriation. The programs which could potentially benefit the District include urban greening, healthy forests for fuel reduction purposes, urban forestry and active transportation. In addition, \$135 million would be available to the transformational climate communities program which is only available to the most disadvantaged of the disadvantaged communities in California. Pfuehler added the District has updated a study about the carbon sequestration value of District lands. In the future, this information is valuable when the District seeks cap and trade funding. Houston continued the passage of SB 32 will add more stability to the program. In addition, the new greenhouse gas reduction goal is set 40% lower by 2020. More credits will likely be sold because of this change, adding more funds to the account.

Director Sutter asked about the urban greening program's definition of disadvantaged communities. Houston shared disadvantaged communities are determined by the Sustainability Growth Council who administers the grants. Through a public hearing process, they will determine guidelines for the definition of disadvantaged communities either through Cal EnviroScreen or median household income. At such public hearings, the District will have the opportunity to weigh in on this decision. Director Dennis Waespi asked if there was funding for dying trees. GM Doyle noted that mills are at capacity. Houston indicated CAL FIRE received some allocations.

3. Other Issues – N/A

II. FEDERAL LEGISLATION / ISSUES

A. NEW LEGISLATION – N/A

B. ISSUES

I. Other Issues

Budget: Pfuehler stated the budget will be in flux until after the November 2016 election. Both the House and Senate adjourn at the end of the month. Significant decisions will be made post-election.

Land and Water Conservation Fund (LWCF): Pfuehler shared the LWCF will be another post-election discussion to determine both funding for next year and the future of the program. It

will potentially be included in the budget, but the differences in the Senate and House bills are significant.

Water Resources Development Act (WRDA): Pfuehler stated the WRDA is moving forward. Senator Barbra Boxer is pushing for passing WRDA before her retirement. Congressman Eric Swalwell's (D-15) office is working on an amendment calling for streamlining the permitting process for pre-disaster mitigation projects. The Congressman's office is prepared to offer language on the floor.

III. BALLOT MEASURES

A. **Measure RR – BART General Obligation Bond**

GM Doyle acknowledged the concerns expressed by Board Members about Measure RR. The controversy regarding the measure, including East Bay Times stance against, is recognized by staff. Staff, however, continues to recommend a supporting position. Pfuehler shared more details about the discussion between GM Doyle and the BART General Manager. Staff from both agencies have been assigned to work together on the following issues: increasing information about trail safety, wayfinding signage, last mile trail gap closures, getting the “green” back on the maps and having District parks featured as part of the “BARTable” campaign. Director Sutter cautioned this measure is far from perfect, but acknowledged the system truly needs improvement and there are currently no funding alternatives. With commuters using District trails to access BART, it is in the District's interest to maintain a positive relationship. Chair Director Diane Burgis shared the community is dependent on the BART system. It is important to invest in it. She requested BART actively work with the District going forward.

The Board Legislative Committee voted unanimously to SUPPORT.

B. **Measure CI – AC Transit Parcel Tax**

Pfuehler reported this measure is not an increase, but an extension of AC Transit's existing parcel tax which currently sunsets in 2018. The measure would extend the parcel tax by 20 years. District staff surveys have found transportation is frequently a barrier to visitation of parks, particularly for disadvantaged communities. With AC Transit serving parks, it would be beneficial to park users to support this ballot measure.

The Board Legislative Committee voted unanimously to SUPPORT.

C. **Measure C – City of Lafayette Sales Tax**

Pfuehler shared part of this measure would fund the protection of open space. District access to funding is unknown at this time. Director Sutter questioned the goals for this funding. Pfuehler shared the majority of funding is planned for the historic Park Theater revitalization. Director Waespi asked if the City requested the District to take a position. Pfuehler responded to his knowledge, they have not.

The Board Legislative Committee will WATCH.

D. **Measure K – City of Pleasant Hill Sales Tax**

Pfuehler stated this measure includes funding for bike paths and sidewalks. As Contra Costa Centre and the Iron Horse Trail are the connectors for the City to the BART station, there could be some trail gap closure benefit to the District. Accessibility of funds for the District is unknown to staff at this time.

The Board Legislative Committee will WATCH.

E. Measure KI – City of Alameda Utilities Modernization Act (UMA)

Pfuehler announced this ballot measure by the City of Alameda could have the potential to help facilitate the upgrades on McKay Avenue and facilities at the old General Services Administration (GSA) property. If the Northwest Territories of the Alameda Naval Air Station are transferred to the District, there could also be possible benefits. Director Sutter asked what modernization means in this context. He wondered if it would alter the tax collection process. Pfuehler responded this is likely an electronic upgrade.

The Board Legislative Committee will WATCH.

F. Measure PP – San Leandro Occupancy Tax

Pfuehler shared this measure by the City of San Leandro is worth having on the radar being that Oyster Bay Regional Shoreline is within the city.

The Board Legislative Committee will WATCH.

IV. ARTICLES

Provided in Board Legislative Committee packet.

V. OPEN FORUM PUBLIC COMMENT

None.

VI. BOARD COMMENTS

Director Waespi noted the Hayward Regional Shoreline meeting with Congressman Eric Swalwell (D-15). The focus was on the regulatory permits regarding the Shoreline's levee system. He felt it was a productive discussion and, going forward, the Congressman and his staff would help the District and other agencies facilitate the permitting process. Congressman Swalwell was awarded National Recreation and Park Association's Park Champion Award at this event.

The meeting adjourned at 1:35 p.m.

Respectfully Submitted:



Erich Pfuehler
Government Affairs Manager