

AGENDA
REGULAR MEETINGS
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, August 14, 2018

D. BUSINESS BEFORE THE BOARD

7. BOARD COMMITTEE REPORTS

b. Board Legislative Committee (07.20.2018) _____ (Rosario)

Present

Board: Dee Rosario, Dennis Waespi, Ayn Wieskamp

Staff: Robert E. Doyle, Carol Victor, Carol Johnson, Tiffany Margulici, Jeff Rasmussen, Aileen Theile, Jim O'Connor, Debra Auker, Ana M. Alvarez, Erich Pfoehler, Lisa Baldinger, Bob Nisbet

Consultants: Doug Houston

Public: Vic Valbuena, Rick Rickard

This meeting was called to order at 12:34 pm.

I. STATE LEGISLATION / OTHER MATTERS

A. NEW LEGISLATION

I. **AB 2329 – Special Districts Board of Directors Compensation (Obernote R-Big Bear Lake)**

Advocate Doug Houston stated the author previously served on the board of a special district and was interested in increasing compensation for board members state-wide. This bill was intended to increase the number of compensated meetings permitted per month for special district board members. A policy needs to be established by individual districts annually to provide public transparency for the increase in compensated meetings. At this time, the East Bay Regional Park District board members are permitted to be compensated up to 10 meetings. There is also the potential to increase the compensation by 5% annually. There would be additional administrative hurdles in order to approve additional meetings and compensation, but these would increase the level of public transparency and accountability. Director Ayn Wieskamp commented this could help future young elected officials who may need child care. Director Dee Rosario shared he is not serving on the EBRPD board for the money, but is pleased this could help future recruitment of elected officials. Director Dennis Waespi added the transparency is important and will be beneficial. General Manager Robert E. Doyle concluded the annual reporting is an opportunity to share the importance of the high number of monthly meetings with the public.

The Board Legislative Committee voted unanimously to SUPPORT.

2. **AB 2470 – Invasive Species Fund (Grayson D-Concord)**

Advocate Houston shared this legislation seeks to create an invasive species fund within the state budget. At this time, a one-time appropriation has been made in the budget for such a fund. The goal of this bill's funding is to reduce, control and eradicate invasive plants, and to educate the public at large regarding the effects of invasive species on habitat. Legislative Assistant Lisa Baldinger added she spoke with the Assembly Member's staff about this legislation and confirmed EBRPD can apply to two of the three funding categories. The District is eligible for the 20% funding category for research and the 20% funding category for developing new strategies to control invasive species. General Manager Doyle commented the 60% for agricultural control and abatement of invasive species will indirectly benefit the District's lands.

The Board Legislative Committee voted unanimously to SUPPORT.

3. **ACR 248 – Parks Make Life Better! Month (Garcia D-Coachella)**

Advocate Houston highlighted this is the annual "Parks Make Life Better! Month" resolution. This legislation has been sponsored by the California Park and Recreation Society (CPRS). Annually CPRS endeavors to ensure this resolution is adopted by the end of July.

The Board Legislative Committee voted unanimously to SUPPORT.

4. **SB 1072 – Regional Climate Collaborative Program Grants (Leyva D-Chino)**

Advocate Houston shared previous allocations of the Greenhouse Gas Reduction Funds (GGRF) have demonstrated some areas, such as the Los Angeles region, could benefit from additional technical assistance. This bill helps underwrite collaboratives between communities for such technical support and general capacity. Government Affairs Manager Erich Pfuehler added this allows EBRPD to potentially be a part of local collaboratives in cities such as Richmond and Oakland who could benefit from this bill. These are regions for which the District could not independently qualify. Director Wieskamp shared the greater Bay Area could likely benefit and use the District's assistance.

The Board Legislative Committee voted unanimously to SUPPORT.

B. OTHER MATTERS

1. **Update on SB 1316 – Carnegie State Vehicular Recreation Area Alameda-Tesla Expansion Area (Glazer D-Orinda)**

Advocate Houston affirmed legislation SB 1316 is moving through the process. The legislature is stipulating that the Tesla property cannot be sold for less than the cost the state originally paid for it. The bottom line is the bill continues to advance and the authors' offices has drafted some amendments to which the Chair has agreed. General Manager Doyle shared he spoke with Assembly Member Catherine Baker and Senator Steve Glazer recently about this issue. With the lengthy experience of land acquisition in mind, the cost must be fully justified, not pulled out of the air. An independent appraiser is needed. The District, by law, can purchase at less than market value. Director Wieskamp shared, in a world of instant news, such a situation could easily gain traction. It is important to have a justifiable figure. Pfuehler added the authors are engaged. Director Rosario asked if an appraisal occurred when they first bought the property. General Manager Doyle replied it was a part of a parcel appraisal based off the number of buildable sites on the property.

2. **Update on AB 2137 – Regional Parks and Open Space District General Manager Powers (Mayes R- Yucca Valley)**

Advocate Houston relayed this bill originally extended the \$50,000 informal bid authority to the General Manager of Riverside Park and Open Space District. This is similar to the authority held by

EBRPD and Midpeninsula Regional Open Space District's General Managers. This legislation has now been amended to include up to all 5500 agencies with the potential of a 2% annual increase in informal bid authority.

3. Legislative Activities Pertaining to Wildfire Prevention and Mitigation

Advocate Houston began, for the District, a few things are important to consider regarding prescribed burnings: risks associated with burns and reduction of forest fires. The other big question is moving forward with utility infrastructure, to make facilities more resilient, and when is it appropriate to de-energize powerlines. EBRPD is working closely with PG&E to address such issues locally. Creating markets around removed vegetation will likely be a big topic for discussion. General Manager Doyle added, already this year, we have seen more fires than all of 2017 and we are not yet through the fire season. EBRPD fire crews are working with CAL FIRE to help them without leaving the District short on staff. One of the biggest problems is every lumber mill is overburdened with wood. Air quality is also important to discuss. There is potential for urban fire crews to proactively remove vegetation. Pfuehler added the Conservation Corp legislation, introduced by Susan Eggman, Assembly Member Bill Quirk has asked about including an East Bay crew. The issue will be cost. However, the current Governor believes in the work of the corps. The pattern of legislation shows a focus more on pre-disaster mitigation funding, upfront grant funding, and a significant tie to GGRF as appropriate, so there is a source of funding. Director Rosario asked about Bio Mass generators. Advocate Houston responded the generators involve trucking the waste and the legislature is looking into funding smaller scale endeavors. General Manager Doyle acknowledged EBRPD did apply for a grant, but did not receive funding. The mass volume of waste from vegetation removal is a lot. However, when a fire begins the environmental impact will always be much worse. Director Wieskamp questioned, if most of the wood is dead, is anything marketable or is burning the waste the only option. Advocate Houston responded, in the Sierras, they are marketable for the Southern Oregon forestry industry, but not yet in the state of California.

4. Update on SB 866 – Employment Law

District Counsel Carol Victor announced the Supreme Court at the end of June made a decision on Janus v. AFSCME. This case determined that requiring agency fees by non-union member employees infringe on the First Amendment rights of those employees. In anticipation of this decision, the Legislature signed into law SB 866 which goes into effect immediately. Under SB 866, the Park District is no longer required to receive dues deduction forms from individual employees. All deductions will now go directly through the union and canceling or changing deduction goes directly through the union. Meet and confer is occurring with AFSCME 2428 to best understand the impacts on the union and the Park District.

5. Prop. 68 Park Bond Results

Government Affairs Manager Erich Pfuehler and Legislative Assistant Lisa Baldinger provided an overview of Proposition 68, the California Park and Water Bond, results from the June 2018 election.

6. Other Matters

None.

II. FEDERAL LEGISLATION / OTHER MATTERS

A. NEW LEGISLATION

- I. S. 3001 and H.R. 6040 – Contra Costa Canal Transfer Act (Feinstein D-CA and DeSaulnier D-CA)**

Pfuehler recalled conversations in Washington, D.C. with Representative DeSaulnier, Representative McNerney and others regarding this transfer. Such a transfer takes an act of Congress. This legislation is moving forward as part of a larger Water Resources Development Act, primarily dealing with the Army Corps properties and projects.

The Board Legislative Committee voted unanimously to SUPPORT.

2. H. Res. 941 – July as Park and Recreation Month (Thompson R-PA)

Pfuehler shared this legislation is similar to the state bill, “Parks Make Life Better! Month,” but this is a national resolution for July.

The Board Legislative Committee voted unanimously to SUPPORT.

3. S. 2831 and H.R. 5751 – Golden Spike 150th Anniversary Act (Hatch R-UT and Bishop R-UT)

Pfuehler acknowledged these bills may be part of an overall lands package. These bills specifically designate a unit of the National Park Service at the Golden Spike National Historic Site as a Historical Park. Along with this designation, any site along the former railroad can now become a unit of the NPS. This comes into play locally with the Niles Canyon Railroad and at Miller/Knox. The District has spoken with Washington, D.C. Advocate Peter Umhofer to help ensure trails adjacent, next to, etc. would be an allowable act under the network. Director Wieskamp shared it is amazing the need to think ahead. Director Rosario asked if it must be directly related to the transcontinental railroad or if other connectors could be considered. Pfuehler did not believe others would be considered at this time.

4. Other Matters

None.

B. OTHER MATTERS

I. Other Matters

None.

III. MEASURE CC EXTENSION UPDATE

Government Affairs Manager Erich Pfuehler and Legislative Assistant Lisa Baldinger provided an overview of potential Measure CC extension messaging.

IV. ARTICLES

None.

V. OPEN FORUM PUBLIC COMMENT

None.

VI. BOARD COMMENTS

None.

This meeting adjourned at 2:08 PM.

Respectfully Submitted:

Lisa Baldinger
Legislative Assistant