

HAYWARD AREA SHORELINE PLANNING AGENCY



City of Hayward
East Bay Regional Park District
Hayward Area Recreation and Park District

Meeting of Board of Trustees
Special Meeting Held Remotely Via Zoom Webinar

June 8, 2022

DRAFT ACTION MINUTES

HASPA TRUSTEES PRESENT:

Dennis Waespi, East Bay Regional Park District, HASPA Chair
Elisa Márquez, City of Hayward
Paul Hodges, Hayward Area Recreation and Park District

HASPA PROSPECTIVE TRUSTEES PRESENT:

Rita Duncan, Oro Loma Sanitary District
Eric Hentschke, Alameda County Mosquito Abatement District

HASTAC MEMBERS PRESENT:

John Holder, East Bay Regional Park District
Devan Reiff, East Bay Regional Park District
Taylor Richard, City of Hayward
Erika Castillo, Alameda County Mosquito Abatement District
Vishal Ream-Rao, Caltrans
Jackie Zipkin, EBDA
Brian Laczko, Hayward Area Recreation and Park District
Jason Warner, Oro Loma Sanitary District

STAFF:

Amanda Sanders, East Bay Regional Park District
Tonya Covarrubias, East Bay Regional Park District
Matt James, East Bay Regional Park District
Nicole Espinoza Roa, Hayward Area Recreation and Park District (HARD)
Jimmy Dang, Oro Loma Sanitary District

VISITORS:

None present

CALL TO ORDER: A regular meeting of the Hayward Area Shoreline Planning Agency (HASPA) was called to order at 3:14 P.M. and role was taken by Chair Waespi.

ACTIONS:

1. Approval of Minutes from the HASPA Meeting held on April 14, 2022 - Draft Action Minutes of April 14, 2022

Change Requested - Brian Laczko to be listed as TAC instead of staff.

Trustee Márquez motioned the vote, Trustee Hodges seconded. Vote: 3 ayes, approved unanimously

Public Comments: None

2. Introductions of Trustees and Prospective Trustees from Oro Loma Sanitary District and Alameda County Mosquito Abatement District

Trustee Márquez introduced herself, serves on City of Hayward Council. Trustee Hodges introduced himself, is on the HARD Board. Chair Waespi introduced himself, he is with the EBRPD Board. Rita Duncan of Oro Loma Sanitary District introduced herself. Eric Hentschke with AC Mosquito Abatement District introduced himself.

3. Background on JPA Expansion Efforts and Timeline

John Holder gave a general background of the HASPA JPA, the current groups that are included, and the current boundary of HASPA. The expansion efforts for HASPA were reviewed. The HASPA Technical Advisory Committee (TAC) has been developing a draft Term Sheet to guide future JPA agreement development.

4. Summary of East Bay Dischargers Authority (EBDA) Term Sheet and JPA extension

EBDA recently went through a JPA renewal process. EBDA is responsible for discharge of treated wastewater to SF Bay, members include City of San Leandro, Oro Loma Sanitary District, Castro Valley Sanitary, City of Hayward, Union Sanitary District. Their JPA was set to expire on 1/1/2020. Timeline was as follows: 2018 renewal discussions, March 2019 reached conceptual agreement on business terms (term sheet), March – April 2019 member agency boards reviewed term sheet, May 2019 commission adopted term sheet & attorney workshop held, May – October 2019 JPA drafting, November – December 2019 board/councils adopt new JPA & extend current JPA 6 months, July 2020 new JPA effective. After adopted term sheet, an outside council led drafting using existing JPA as the base document.

Trustee Márquez asked how the outside council was chosen. There was an ad-hoc committee that helped to choose. Trustee Márquez asked if there are only elected bodies on the JPA. The answer is yes. Trustee Márquez asked how the 20-year term of JPA was chosen. Jackie said it was debated during term sheet drafting.

ACTION ITEMS:

5. Draft HASPA JPA Term Sheet Review and Discussion

Multiple drafts were circulated and discussed amongst the TAC members. Draft was shared with Trustees prior to 6/8 meeting. Basic updates to various JPA agreement sections include purpose/mission, term, governance, powers, finance.

Discussion Point 1: TAC Dues to Support Future HASPA Project Implementation: Suggested \$6,000 for TAC members

Trustee Márquez is glad the suggested fee is less than for the full JPA members. Would like details on what the money will be spent on, what consultants would do. Would like to have ability to allow TAC members lower fees or waive fees if members unable to pay. Brian Laczko said that a consultancy could be helpful if the workload increases. Trustee Hodges said that \$6,000 is a good starting point that may need to be adjusted in the future. Rita Duncan asked Jackie if EBDA would be willing to pay the suggested TAC fees. Jackie replied that there seems to be support, not sure at what money level.

Discussion Point 2: Add Language to Allow for Flexibility in Changing HASPA Boundary (as identified in SAMP)

Chair Waespi doesn't have a problem with that, but was curious what suggestions were from TAC. Trustee Hodges said that the boundary is stretched by saying Hayward Area. Rita Duncan said it could be a broader name. Trustee Márquez mentioned that maybe this point could be revisited as HASPA grows. Trustee Hodges agreed.

Discussion Point 3: Audit or General Financial Statement Presentation Annually

Trustee Márquez would like to discuss with finance if an audit is needed. General financial statement annually would be good. Chair Waespi said he thinks that the outside council who will be doing rewrite could let us know if we need to do audits or if annual statement is enough. Jackie mentioned that she believes there are audit requirements for JPA's, but suggests checking with council.

Discussion Point 4: Mission and Vision Statement – Expand to Include Items Listed on the Draft Term Sheet (broader adaptation planning)

Trustee Márquez's first priority is completing the projects in the SAMP. Chair Waespi said it would be good to change focus from only sea level rise to expand focus to climate adaptation. Erika Castillo mentioned that the wording could be stated to maintain/ensure public health.

General Discussion:

Chair Waespi asked if we engaged the public on the draft term sheet. John Holder mentioned that the HASPA meetings are public and there was community engagement with the Shoreline Adaptation Management Plan (SAMP) creation.

Rita Duncan asked what work is planned to be done by TAC group? The current chair of the TAC is the Park District. The TAC convenes meetings to discuss master plan projects, administrative duties, meet monthly to facilitate expansion. Adding a fee for the TAC would help fund administrative costs moving forward. Rita Duncan asked what is expected of the Trustees when meeting? Chair Waespi mentioned that the JPA was created by people in the 1970's that wanted to preserve the Shoreline from development. The JPA created a SAMP working together, now have suggested projects worth around \$1 billion in costs. The trustees are the governance end of it. Trustee Hodges said that the JPA needs more members because it gives the JPA a bigger voice when trying to get grants. Rita Duncan is looking for details on what are requirements for trustees, including defining tasks and commitment, and what the benefits are for joining the JPA and believes this should be added to term sheet. Trustee Márquez said the common goal is protecting the shoreline, but we need strength in numbers. Trustee Márquez said we need to work on identifying alternates for each Trustee. The JPA members have voting privileges whereas TAC-only members do not. Rita Duncan said that there should be something in the term sheet that it says the SAMP projects are the main priority.

Trustee Márquez suggested that we obtain a neutral outside council for the JPA rewrite.

Trustee Hodges said that we need to work on shortening the permit process.

Chair Waespi stated that the coordinating term of three years is an improvement over every five years. In regard to Governance section, need to define everyone's roles – what trustees and TAC are expected to do. Regarding the Powers section feels that there is a need for an annual budget in review. Under the Finance section feels that \$12,000 for Trustees and \$6,000 TAC is appropriate. Unanimous vote is good.

Trustee Márquez has a concern under Governance section, is it legal to require a unanimous vote? Should the term sheet say a majority vote? When are we planning on voting on the draft term sheet – July? Trustee Márquez suggests that internal council review the draft term sheet prior to the July meeting. EBDA's JPA does require unanimous voting for some issues.

6. Next Steps

The TAC will meet again in early July. Chair Waespi would like to be invited to a TAC meeting. At the July 14th meeting the Board of Trustees will review the updated draft term sheet.

AGENDA SETTING:

- Standing update on Term Sheet progress
- Standing update on what projects in the Shoreline Adaptation Plan we have funding for, and what items have pending applications for grant funding
- Would like to have a field trip or orientation for the new members to see the whole Hayward Shoreline

ADJOURNMENT @ 4:54 pm