

Attachment 1: 2.8.2024 HASPA BOT Minutes

HAYWARD AREA SHORELINE PLANNING AGENCY
City of Hayward
East Bay Regional Park District
Hayward Area Recreation and Park District

Meeting of Board of Trustees
Hybrid Meeting: Hayward Area Park & Recreation District & Zoom
February 8, 2024

DRAFT MINUTES

HASPA TRUSTEES PRESENT:

Dennis Waespi, East Bay Regional Park District, HASPA Chair (Remote Attendance)
Lou Andrade, Hayward Area Recreation and Park District
Francisco Zermeño, City of Hayward

HASPA PROSPECTIVE TRUSTEES PRESENT:

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

HASPA TAC MEMBERS PRESENT:

Devan Reiff, East Bay Regional Park District
Eddie Willis, East Bay Regional Park District
Taylor Richard, City of Hayward
Erik Pearson, City of Hayward
Brian Laczko, Hayward Area Recreation and Park District
Erika Castillo, Alameda County Mosquito Abatement District
Jackie Zipkin, East Bay Dischargers Authority
Jimmy Dang, Oro Loma Sanitary District

STAFF:

Amanda Sanders, East Bay Regional Park District
Jason Rosenberg, East Bay Regional Park District
Elizabeth Blanton, City of Hayward
Makenna Colucci, City of Hayward

VISITORS:

Maria Long, Alameda County Supervisor Marquez' office
Nicole Witt, Hanson Bridgett
Jack Alcorn, Tri City Voice
Kate Kafka

CALL TO ORDER: A special meeting of the Hayward Area Shoreline Planning Agency (HASPA) was called to order at 3:00 P.M. by Devan Reiff, HASPA Lead Staff, and role was taken by Devan Reiff.

Emergency Remote Meeting Attendance was requested by Chair Waespi due to a contagious illness. Devan Reiff asked Trustees Zermeño and Andrade if there was a motion to allow for Chair Waespi to attend remotely. Motioned the vote by Trustee Zermeño, seconded by Trustee Andrade. Unanimously passed.

**1. Approval of Minutes from the HASPA Meeting held on December 7, 2023
- Draft Action Minutes of December 7, 2023**

Trustee Andrade motioned the vote and Trustee Zermeño seconded. Vote: Ayes – Zermeño, Andrade, Waespi. Approved unanimously.

Public Comments: None

2. Election of 2024 HASPA Chairperson

Chair Waespi nominated Trustee Zermeño, Trustee Andrade seconded. Passed unanimously. Newly elected Chair Zermeño, will take up Chair responsibilities at the March 21st Board of Trustees meeting.

3. City of Hayward Project Update – Data Center

Elizabeth Blanton with City of Hayward gave an update on application from STACK Data Center. Project area is located just south of Hwy 92 on Eden Canyon Road. It is just outside of the 100-year flood event zone. The property is zoned industrial park which allows for a data center. Project requests to demolish nine single buildings on the site to construct two data centers. The tallest building would be 115-feet, which requires approval from the Planning Commission. Public benefits are required to get approval for height in excess of what is allowed by the zoning. Data centers require a significant amount of power, the proposal shows two generator yards, with 28 generators with a substation and a PG&E switching yard. Public benefits to balance visual impact, suggested package includes artistic screening around substation and switching yard. Other suggestions include a small parklet style park at the corner of Eden Landing and Production, a bike repair area, a bike shelter and additional public amenities. Staff has requested one or more of the following additions be added to the proposal: a half-basketball court, walking trail, climate change signs, meeting space that can be rented by public, or small business space that can be rented. Public review comment time will allow for feedback. The project will be subject to CEQA.

Trustee Andrade stated that HARD is having a reception to raise money for the Hayward Shoreline Interpretive Center. Some funding towards the Hayward Shoreline Interpretive Center

might be a good project to be added as a public benefit enhancement for the Data Center project. He suggests that it is added as an option. Trustee Zermeño said the ideas are good, would like to add more suggestions of public art, perhaps a statue, likes to add Hayward Shoreline Center as suggested by Trustee Andrade. Trustee Zermeño mentioned that the bike repair shop is out of the way. Elizabeth replied that the idea was to have the bike repair shop connected to a pocket park there, that it would serve that industrial area and is also close to the SF Bay Trail. Prospective Trustee Duncan stated that she isn't familiar with STACK Data, is it new to Hayward? Elizabeth said this would be first time City of Hayward is working with them. The company is not connected to Stack Youth and Family Center on Tennyson Road. Prospective Trustee Duncan stated that AC Transit is reducing some of their routes. Is there public transportation available to get the public to the site? Trustee Andrade replied that the parklet would be mostly used by the employees on lunch break.

Prospective Trustee Duncan asked if the applicant is worried about sea level rise. Elizabeth responded that while the site is close to some of the mapped inundation areas, it is outside of it, so that would be a risk that the company would be taking on. Prospective Trustee Duncan asked if the public benefits would be mostly for the immediate area employees, would the public meeting area would it be for the public at large? Elizabeth said all the public amenities could be for the wider public, especially a public meeting room, and if the amenities are connected to existing facilities (ex. SF Bay Trail) it would make it more accessible for the larger public. Hoping that it will benefit the larger Hayward community. Chair Waespi asked what the cost of the project is. Elizabeth stated that she hasn't seen any cost estimates yet, and that it is the most significant project on the shoreline in Hayward in regard to height. Chair Waespi said that there needs to be a lot more public benefits than what currently suggested. It will be the first thing seen when entering Hayward from Hwy 92. He approves of the idea of Hayward Shoreline Center being included, and some SF Bay Trail connections. Chair Waespi thinks HASPA should put in comments requesting more public benefit conveyances. Elizabeth said that it is always a negotiation with the applicant to warrant the additional impacts from the project versus the public benefits. This will also be going to a work session with the Planning Commission.

4. Update on JPA Agreement

Devan Reiff introduced Nicole Witt, attorney with Hanson Bridgett, assisting HASPA with creating new JPA agreement. At the last meeting in December there was discussion about the JPA Agreement. After receiving comments, a final draft version was provided to the TAC. After the revised drafts were provided to the legal counsel of all JPA Trustees and prospective Trustees, there was additional feedback received. Staff is suggesting an additional special Trustee meeting in March 2024 to consider the JPA Agreement.

Nicole noted the recent proposal from HARD (to voluntarily join as a Tier 3 agency) was optimistic, but we would like to pursue it and get back to the group. The suggestion was that members could join at a higher tier if they wanted. The JPA Agreement, as currently worded, has three tiers of membership based on agency operational budgets. The new suggestion would allow agencies to join at different Tiers than those assigned by operational budget. The HARD proposal would create three Tier three agencies, to include EBRPD, Hayward and HARD. Trustee Zermeño said that he likes the idea of majority voting of 50% plus one. Nicole said that