



## **HAYWARD AREA SHORELINE PLANNING AGENCY**

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

Meeting of Board of Trustees  
City of Hayward City Hall  
Second Floor, Conference Room 2-A  
777 B Street  
Hayward, CA 94541

October 13, 2016

### **DRAFT MINUTES**

#### **HASPA TRUSTEES PRESENT:**

Al Mendall, City of Hayward, Chair  
Dennis Waespi, East Bay Regional Park District  
Minane Jameson, Hayward Area Recreation and Park District

#### **HASTAC MEMBERS PRESENT:**

Damon Golubics, City of Hayward  
Mark Taylor, East Bay Regional Park District  
Adrienne De Ponte, Hayward Area Recreation and Park District  
Erik Pearson, City of Hayward (Alternate)  
Kevin Takei, East Bay Regional Park District (Alternate)

#### **STAFF:**

Bob Nisbet, East Bay Regional Park District  
Sandra Hamlat, East Bay Regional Park District  
Karl Zabel, Hayward Area Recreation and Park District  
Helena Graves, City of Hayward

#### **VISITORS:**

Allen Bertillion, Hayward Shoreline Advocates  
Betty Moose, Hayward Shoreline Advocates  
Jackie Bertillion, Hayward Shoreline Advocates  
Joseph Huston, Alameda County Mosquito Abatement District  
Laurel King, Hayward Area Shoreline Advocates  
Carl Moose, Citizen  
Mr. & Mrs. Tulio, Citizens

#### **1. Call to Order**

A regular meeting of the Hayward Area Shoreline Planning Agency was called to order at 5:00 p.m. by Chair Mendall.

#### **2. Introductions**

Round robin introductions of those present were made.

3. **Changes to Agenda**

A correction to the spelling of Sandra Hamlat's last name on the agenda was noted and the agenda was approved without objection.

4. **Agenda Approval**

The agenda was approved without objection.

5. **Approval of HASPA Minutes for July 7, 2016**

Moved by Trustee Waespi and seconded by Trustee Hodges, without objection, to approve the minutes of the Hayward Area Shoreline Planning Agency (HASPA) meeting of April 14, 2016 with the correction noted.

6. **Public Comments**

Betty Moose, member of the Hayward Shoreline Advocates stated that in the past a large map showing the Hayward Shoreline was displayed at HASPA meetings and she recommended that one be posted at future HASPA meetings.

Damon Golubics, HASTAC, addressed the question and stated that staff will work with the City's graphic artist to produce one for the next meeting.

Chair Mendall mentioned, as an option, a map to project as a display would also be an option.

**NEW BUSINESS**

7. **Presentation of possible funding option/opportunities (Lowe/Hamlat)**

Sandra Hamlat, from EBRPD, made the presentation to provide an update on the Clean and Healthy Bay Initiative and Measure AA implications. In June 2016, the nine Bay Area counties passed a \$12 parcel tax by two thirds majority, which will generate \$500,000,000 over 20 years for shoreline resiliency projects.

Lindy Lowe, Acting Planning Manager at BCDC, was unable to attend the meeting.

The Joint Powers Authority (JPA) has been formed to oversee all shoreline resiliency projects and in November, 2017, the tax collection will begin for funding of projects. January 2018 is the date that the JPA will be looking to fund shovel ready projects. The structure includes an advisory committee that will have a geographical representation from all nine counties and will meet quarterly. The San Francisco Bay Restoration Authority appoints the chair. They also have an independent citizens oversight committee, which has also been the case with

others such as Measure BB, Measure J and Measure X. This independent oversight committee is comprised of a diverse group that oversees expenditures and provides extra eyes on the process, which provides a good check and balance system.

The process for project selection occurs through an RFP process. Currently the Authority is staffed by the State Coastal Conservancy staff who will draft RFPs and the Authority board reviews it according to evaluation guidelines. Projects are ranked based on urgency and if they have already gone through environmental review. They are reviewed and approved at a public meeting. The process is a lengthy one that includes the review by an outside independent oversight committee reviewing the whole process along with proposed expenditures.

The Hayward Shoreline is experiencing many vulnerabilities, including overtopping at the Franks Tract Bay Trail, storm damage at the Oro Loma Marsh and the levee failures all of which would benefit from the Measure AA funds to address these issues.

Restoration projects could also benefit the Brunner Marsh, soon to be renamed the Dodson Family Marsh. A project like this allows for mitigation and adaption. It has been found that it sequesters carbon, which helps to mitigate the damage and help shorelines adapt to sea level rise. There was a list of examples/sample projects that were included as part of the ballot initiative for Measure AA and a number of them are projects within the HASPA JPA area. The key for any HASPA project would be to ensure each project is "shovel ready" and has already passed through many of the criteria that the Authority would be looking for during their review. These types of projects would have a good chance of being funded in the first year of the program.

There was a recent event at the Hayward Shoreline that Representative Swalwell attended and he was able to see and experience firsthand what is going on at the shoreline. He was particularly interested in how state and local funds could be used for climate resiliency. He was given a Park Champion Award and was told that would mean he was also a Climate Resiliency Champion.

Betty Moose, Hayward Shoreline Advocate, inquired who the (Authority) Board Members are and Sandra Hamlat responded that they are representatives from local elected officials that represent the geographical areas of the 9 Bay Area counties. More information can be found on the SF Bay Restoration Authority website.

Dennis Waespi, Trustee, said that each of the Board Members represent different geographical areas. For example, John Sutter, from the East Bay Regional Park District, represents cities and parks in a geographical area that includes Hayward.

Betty Moose asked if a list of the Board Members could be created and Damon Golubics, HASTAC, indicated that the information would be distributed to the entire HASPA distribution.

Carl Moose, citizen, asked the question of Sandra Hamlat if as an EBRPD Planner had she had experience with the Oro Lomo Slough design and he also expressed concerned that a levy made of dirt will lose its (structural) benefit during a storm.

Sandra Hamlat affirmed that she had experience with the Oro Lomo Slough but that Mark Taylor, as Park Supervisor, has had more experience. Sandra indicated it is an untested solution and that it could have some benefit at the Hayward Shoreline but it would have to be balanced with habitat design. She also indicated that levee provides some protection but also the habitat will buffer some of the storm surge. Coastal resiliency projects will take into consideration different types of extreme weather episodes during development as well as will include input from neighboring agencies.

Dennis Waepsi, Trustee, asked the question if shovel ready projects consist of only those have all permits in place. He also inquired if the list of projects can be found on the website.

Sandra Hamlat, EBRPD, discussed that the permitting process is a barrier that all agencies face and that everyone will have to work against these obstacles. She will work with Damon Golubics to get a list of example projects, a link to the (Authority) website and list of Board Members out to the HASPA group.

Kevin Takei, EBRPD, asked if there are any representative on the Authority from the Hayward area. Sandra Hamlat responded that the representation is more shoreline and bay focused than specifically regionally based.

Betty Moose also asked the question if public input will be part of the process and if so, how will the meetings be publicized to which Sandra Hamlat responded in the affirmative that public meeting will be well noticed but is not aware at this time of the specifics of how and when public meetings will be held.

Chair Mendall also requested that an ongoing update should be provided as well as noticing of Board meetings to the HASPA distribution. He encouraged the TAC team to find answers to the definition of shovel ready to be in ready position when funding becomes available. HASPA can assist as needed and endorse applications if needed. If the need for brief meetings between meetings is required, then that can be noticed as needed and there will be a need to continue this discussion at future meetings as well.

Mark Taylor asked about matching funds for projects and how that might impact a project's acceptance.

Sandra Hamlat responded that Measure AA will not be able to provide all needed funding. She also reiterated that the further along a project is with its planning documents ready to go, the better poised it will be when the funding become available. The determination of whether all permits need to be in place before application for projects will be critical.

## 8. **Discussion & endorsement of HARD's Measure F1 (De Ponte/Zabel)**

Adrienne De Ponte, HASTAC (HARD), introduced the presentation and wanted to provide an update and officially ask for an endorsement from HASPA for HARD's Measure F1 bond measure for the November, 2016 ballot.

The measure will help fund projects in various geographical areas of the Hayward Area Recreation and Park District, including Mia's Dream, an all-inclusive playground at Tennyson Park in South Hayward, Weekes Park renovation, La Vista Park, Valle Vista Park, Bidwell Park, Hayward Senior Center, joint-use park projects with the school district and preservation of historical sites (Mt. Eden Mansion and Meek Estate).

Trustee Jameson asked about HARD needs at the Shoreline and suggested putting solar on the roof of the Hayward Area Shoreline Interpretive Center.

Adrienne De Ponte said that the Interpretive Center was built in 1986 and has the need for a new roof as it still has the original roof. Also, the funds will assist in the renovation of a new \$300,000 habitat room named after Frank and Janice Delfino, which is only partially funded at this point, and will include new tank and more animal enclosures.

Karl Zabel, HARD, said the district was formed in 1944 and many of the facilities were not built with ADA amenities, which is very important, and these funds will help these aging facilities. He recommended that HASPA approve an endorsement of Measure F1.

Per Minane Jameson, Trustee, the parcel tax will be approximately \$29.95 per \$100,000 of assessed value of a home, which is approximately \$101.79 per year for the average homeowner in Hayward. The San Lorenzo Community Park will also be a recipient of these funds to complete Phase 2 of this project. Another noteworthy project in the Master Plan is the renovation of Kenney Park. More information and pictures can be found on the HARD website. <http://www.haywardrec.org/664/Measure-F1>

Betty Moose asked about Marvin Park and wanted it to be strongly considered since it was near a school and is in a well-traveled area. Trustee Jameson responded that it was not on the Master List at this time but that all parks will be looked at in the future.

HARD, The City of Hayward, and EBRPD have all endorsed Measure F1. Trustee Minane Jameson made the motion that HASPA endorse Measure F1. Trustee Dennis Waespi seconded the motion and it passed unanimously.

## **UNFINISHED BUSINESS**

## 9. **HASPA shoreline levees – follow-up (Taylor/De Ponte)**

Mark Taylor, HASTAC, began the discussion by saying that Representative Eric Swalwell was presented an award as a Park Champion at a Shoreline event on September 19, 2016. The

tour group filled four vans and the discussion topics included levee problems, problems with the Hayward Marsh and mosquito abatement. The tour culminated with an award ceremony at the Hayward Interpretive Center. Good comments have been received back from Representative Swalwell's office in Washington D.C. after the event. The event was well attended and well received.

Adrienne De Ponte commented that after the event, the Silicon Valley Leadership Foundation contacted HARD who wanted to get in touch with EBRPD because they want to put their funding behind assisting with the permitting issues and were involved in the passage of Measure AA. They were put in touch with Matt Graul, Chief of Stewardship, at EBRPD. Mark Taylor indicated that the issues with permitting continue to be a problem at the federal level but not the local level.

Al Mendall, Trustee, indicated that continued follow-up with Representative Swalwell's office if permit applications are being held up would be needed as well as with other (local) elected official's staffs as well.

Betty Moose wanted to say that if the public is made aware of the permitting issues it would give them an opportunity to also contact Representative Swalwell's office and any additional help might be worthwhile. She requested that the public be notified of permitting issues.

Dennis Waespi, Trustee, agreed that it was a productive event with Representative Swalwell and the follow-up article by Darin Moriki in the East Bay Times and photo op helped bring attention to these issues. Assemblyman Quirk has offered support and Senator Bob Wieckowski are resources that could be also used in the effort (contacting their offices).

#### **10. Development project(s) (Golubics)**

Damon Golubics talked about two development projects that have been viewed and discussed at prior meetings located on Depot Road and 4150 Point Eden Way. The applicants have not been heeding staff comments and at this point it appears that both projects could be denied at the administrative level and will most likely be taken to the Planning Commission. The City Council has the ability to "call up" the matter should they feel the need to do so. These projects are not the high quality project sought by City staff.

Minane Jameson, Trustee, brought up the concern about shiny glass and the impact on birds, especially at sunset on the Depot Road project. This comment has come up before and the direction for darker glass has been brought to the applicant's attention.

Mark Taylor asked about the deadline for comments for the Depot Road project. It is a very visible project. Damon Golubics indicated that if everyone has questions or would like to comment on the project, please contact him directly and he can give you the date that comments will need to be received by. Plans, colored elevations and color boards were brought to the meeting for review.

Chair Mendall confirmed that if either of the projects are appealed or called up to the Planning Commission or City Council, folks on the HASPA distribution list will be notified in advance of the meeting with the date, time and location of the meeting.

Betty Moose asked if either of the projects are located on a historic site. The Depot Road site is a historic site but the Point Eden Road site is not historic. The Point Eden site will be formally evaluated as a historic site/building as part of the review of the project. At this point, there has been no environmental review of either project at this time. (No CEQA).

Minane Jameson, Trustee, asked if there have been changes to these plans than were shown several meetings ago to which Damon Golubics responded that there have been changes but not to the point that they are heeding advice so that is why the projects are not moving forward. It has been such a lengthy process to this point.

Regarding the Whitesell Extension, the update, per Public Work's staff, is that the project completion is pending landscaping, fencing and road striping. The anticipated opening is November but it will not be deemed completed and the road will be not open in both directions until all the items are completed.

## **REPORTS**

### **11. Shoreline Adaptation Master Plan (Golubics/Pearson)**

Damon Golubics introduced the topic and the name has been changed from the Shoreline Realignment Plan to the Shoreline Adaptation Master Plan to more accurately reflect the focus and goal. Also article from SF Gate which is the online version of their news and BCDC is moving forward with a regional plan which HASTAC is watching closely Lindy Lowe is looking for more information speed up the process not to duplicate efforts between agencies but instead to work with other agencies collaboratively. Hayward has allocated the funds for this staff person but the budget approval has not occurred as of yet from EBRPD and HARD for the staff person.

Erik Pearson, HASTAC, spoke to the \$36,000 allocation for a HASPA staff person that might represent us or a specific task that can fit in with the overall regional plan. First, there is a need to find out what BCDC's overall plan is. HASPA has not yet allocated the money since the Trustees need to approve and vote on this matter.

Sandra Hamlat is in regular contact with BCDC and there have been discussions amongst the agencies about proposed projects but nothing in relationship to implementation of any projects.

Chair Mendall suggested that if Lindy Lowe cannot attend the HASPA meetings it would be a good idea to meet offline so as to not delay due to scheduling conflicts.



Betty Moose expressed concern about the time lag between October and next scheduled meeting in January of time being lost. Adrienne De Ponte and Chair Mendall addressed Betty Moose's question by telling her that the HASTAC meets more regularly than that and they will inform the public about what is discussed at the TAC meetings at the HASPA meetings or at a special shorter meeting that could be called and noticed prior to a regularly scheduled meeting to address any pressing items.

## **12. Report from Technical Advisory Committee (TAC)**

Damon Golubics brought to the attention of the Trustees that the format of the agenda and agenda packet is a work in progress at this time and that staff is working with the City Clerk's Office to incorporate representation of the three agencies while working within the Legistar system.

Chair Mendall mentioned the only change he would provide at this time is to consolidate "Changes to the Agenda" and "Approval of the Agenda".

Adrienne De Ponte invited everyone to the dedication of the Archimedes Screw Pump event on October 21<sup>st</sup>. Karl Zabel, HARD is also going to announce the donation received to launch a mobile app that will allow you to go out into the Marsh and learn about the history of the site. The site is a historical mechanical and historical landscape site. HARD has been working with the American Society of Mechanical Engineers. Representative Eric Swalwell will be attending the event.

Adrienne De Ponte also spoke about a grant that Karl Zabel wrote and HARD received the funding for a mobile app along the Bay Trail and they are working with Doug McConnell, formerly of Bay Area Backroads, where he went for a walk with Adrienne De Ponte, Phil Gordon, some representatives from the Bay Trail Project and his crew. There are 12 stops along the trail and it also points out geographical features like Mt. Diablo. The recording has been done and now the pictures are the next steps to go along with it and the hope is to use some of the grant money to expand into the Salt Pond areas as well. Another project is called Restoration Rangers for high school students to come to the shoreline and work on stewardship projects.

Adrienne De Ponte also indicated that Jason Warner, General Manager of Oro Lomo Sanitary District, is very enthusiastic about coming to a HASPA meeting. He is currently on a sabbatical and an invitation will be extended to him for the next Trustee's meeting.

Mark Taylor said EBRPD is working under contract to remove bull rush from a fresh water marsh because it is causing a mosquito entrapment situation. The process will take about two months and it will take place off the trail. Since it is an emergency public health situation no permits are required. Public health takes precedence over the usual permitting process.

## **13. Reports from Board Members (Trustees)**

Dennis Waespi, Trustee, was very pleased that Representative Swalwell was able to come to the recent event. The hope is that in the future for HASPA to work with Representative Swalwell, Assemblyman Quirk, Senator Bob Wieckowski, and Hayward City Council



members to give them the opportunity to see what is going on at the shoreline and how they can help. The horizontal levee is a great example of what can be done and he recommend that a field trip in the future would be beneficial.

**14. Setting Meeting Dates for 2017 (Trustees/TAC)**

Chair Mendall made the suggestion that the regular scheduled quarterly meetings of HASPA be changed from a start time of 5:00 p.m. to 3:00 p.m. due to scheduling conflicts with the Airport Committee meetings. The regularly scheduled meeting would continue on a quarterly basis on the second Thursday of every third month unless noticed otherwise in advance of the meeting.

Minane Jameson, Trustee made the motion to hold the HASPA meetings at 3:00 P.M on the second Thursday of the month each quarter. Dennis Waespi, Trustee, seconded the motion and it passed unanimously.

The noticing will go out with this time change for the 2017 meeting schedule multiple times.

**15. Setting Agenda for Next Meeting on Thursday, January 12, 2017 at 3:00 P.M.**

An invitation will be extended to Matt Graul, EBRPD to attend the next meeting to talk about the status of the permits in the pipeline for EBRPD and talk about how the process works and what the issues and problems are.

An invitation will be extended to Deputy General Manager, Ana Alvarez, EBRPD to attend the next meeting as she has expressed interest in coming to a HASPA meeting. She has past shoreline experience, including working with sea level rise.

The use of electric bikes on the Bay Trail and is it permissible and/or what are the restrictions Damon Golubics indicated he would research this topic

SF Bay Authority and Measure AA update for both the next meeting and as a standing item Damon Golubics and Sandra Hamlat will work together on this topic

Chair Mendall suggested a tour of the Hayward Interpretive Center after the April 13, 2017 HASPA meeting.

**ADJOURNMENT**

Chair Mendall adjourned the meeting at 6:14 p.m.

(Minutes Submitted by Helena Graves, City of Hayward)