



HAYWARD AREA SHORELINE PLANNING AGENCY

City of Hayward
East Bay Regional Park District
Hayward Area Recreation and Park District
Alameda County Mosquito Abatement District

October 10 , 2024

- 3:00 PM -

In-Person and Remote Participation

HASPA Board of Trustees Meeting Agenda

A Joint Powers Authority comprised of the East Bay Regional Park District, Hayward Area Recreation and Park District, the City of Hayward and Alameda County Mosquito Abatement District

Meeting location: Hayward City Hall, 777 B Street, Conference Room 2A, and online via Zoom Register for meeting link:

https://ebparks.zoom.us/webinar/register/WN_reh2Y-0tSKCg90TqORZ-PQ

Special notice regarding public participation:

The Hayward Area Shoreline Planning Agency (HASPA) intends to hold meetings through a hybrid platform of in-person and remote attendance to allow members of the public to participate via remote attendance through the East Bay Regional Park District's (EBRPD) virtual platform, Zoom. The Board of Trustees and designated staff will, with limited exceptions, participate in-person at Hayward City Hall, 777 B Street, Conference Room 2A, or other designated public facility within the HASPA service area. Occasionally, members of the Board of Trustees may attend remotely as permitted by the Brown Act.

For those members of the public not attending in-person, public comments may also be submitted one of in the following ways:

1. Send an email to haspa@ebparks.org by 12:00 p.m. the day of the meeting. Please identify the Agenda Item Number in the subject line of your email. Emails will be compiled into one file, distributed to the HASPA Board of Trustees and Technical Advisory Committee (TAC) staff, and published on the EBRPD Public Meeting Page (<https://www.ebparks.org/calendar/public-meetings>). Written comments received after 12:00 p.m. that address an item on the agenda will still be included as part of the record.

2. Live via Zoom. If you would like to make a live public comment during the meeting this option is available through the virtual meeting platform: *Note: this virtual meeting preregistration link will have you preregister for the meeting and then provide you details to the virtual meeting for the purpose of providing a public comment. Registration required:

Comments received during the meeting and up until the public comment period on the relevant agenda item is closed will be provided in writing to the HASPA Board of Trustees. All comments received by the close of the public comment period will be available after the meeting as supplemental materials and will become part of the official meeting record. If you have any questions, please contact Amanda Sanders at asanders@ebparks.org or (510) 544-2650.

How to view the meeting virtually and provide live Public Comment during the meeting: Registration is required at below link. Meeting details will be provided when registration is completed.

When: October 10, 2024 03:00 PM Pacific Time (US and Canada)

Topic: HASPA Board of Trustees Meeting

Register in advance for this webinar:

https://ebparks.zoom.us/webinar/register/WN_reh2Y-0tSKCg90TqORZ-PQ

CALL TO ORDER

ROLL CALL

Public Comments

The Public Comment section provides an opportunity to address the Board on items not listed on the agenda. The Board welcomes your comments and requests that speakers present their remarks in a respectful manner, within established time limits, and focus on issues which directly affect the Board or are within the jurisdiction of the Board. As the Board is prohibited by State law from discussing items not listed on the agenda, your item will be taken under consideration and may be referred to staff.

- 1. Approval of Minutes from the HASPA Meeting Held on July 25, 2024 - Draft Action Minutes of July 25, 2024 (Attachment 1)**
- 2. Adoption of HASPA Board of Trustees Bylaws (Action item, Attachment 2)**
- 3. Presentation by One Shoreline, Len Materman, CEO (Informational)**
- 4. Presentation by BCDC Staff: Regional Shoreline Adaptation Plan (Informational)**
- 5. City of Hayward Project Updates (City Staff, Action Item) STACK Infrastructure Data Center application – HASPA comments to be presented to Hayward Planning Commission**
- 6. Adoption of 2025 HASPA Board of Trustees Calendar (Action item, Attachment 3)**
- 7. Old Business (TAC and Board):**
 - a. Recruitment Efforts for Additional Trustee Agencies

- b. Community Engagement Activities
- c. Revised Fiscal Year 2024-2025 HASPA Budget (Informational, Attachment 4)

8. New Business (TAC and Board):

- a. Updates on Trustee Agency Capital Projects
- b. Consideration of Special Meeting in November or December 2024

9. Board Member Announcements**10. Agenda Setting for Next Meetings**

- a. Consideration of additional governance documents: Delegation of Authority Resolution; Financial Procedures; Governance Rotation procedures; Trustee Withdrawal Procedures

ADJOURNMENT

HASPA facilities and meetings comply with the Americans with Disabilities Act. If special accommodations are needed for you to participate, please contact EBRPD staff at (510) 544-2325 as soon as possible, but preferably at least three working days prior to the meeting.

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

Meeting of Board of Trustees
Hybrid Meeting: City of Hayward City Hall & Zoom
July 25, 2024

DRAFT MINUTES

HASPA TRUSTEES PRESENT:

Francisco Zermeño, City of Hayward, HASPA Chair
Dennis Waespi, East Bay Regional Park District
Lou Andrade, Hayward Area Recreation and Park District
Eric Hentschke, Alameda County Mosquito Abatement District
Cathy Roache, Alameda County Mosquito Abatement District (Alternative Trustee)

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 Discharge Authority

STAFF:

Makenna Colucci, City of Hayward
Maddie Contreras, City of Hayward
Linda Co, City of Hayward
Rick Hatcher, Hayward Area Recreation and Park District
Jason Rosenberg, East Bay Regional Park District

VISITORS:

Maria Long, Alameda County Supervisor Marquez' office
Byron Jiang, Caltrans Office of Advance Planning
Keegan Pham, Plantify

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

Public Comments: None

1. Formal Seating of New HASPA Board of Trustees

First Board of Trustees (BOT) meeting under new JPA Agreement. Welcomes Trustee Eric Hentschke.

2. Approval of Minutes from the HASPA Meeting Held on May 9, 2024 - Draft Action Minutes of May 9, 2024 (Attachment 1)

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

3. City of Hayward Project Updates (City Staff)

Taylor Richard had no new project updates for the City of Hayward. Chair Zermeño asked about the STACK Data Center proposed project; Taylor reported that as of this date, no applications have been received.

4. Adoption of HASPA Fiscal Year 2024-2025 Goals and Objectives (Attachment #2)

Devan Reiff presented that the TAC wanted the HASPA Board to agree with the goals and objectives for HASPA over the next year. Six priorities are proposed for 2024-2025:

1. Adopt budget
2. Public agency and community engagement plan
3. Comment letters for major projects
4. EPA/SFEP Pivot Points grant
5. Select and contract with administrative consultant
6. Adopt collateral documents to help organize the JPA.

Trustee Waespi agrees that we should have a budget, responded favorably to the community engagement plan and appreciates the HASPA presence at Hayward Street Parties. He also agrees that HASPA should do more comment letters on proposed projects. Chair Zermeño was at a meeting yesterday and had to explain what HASPA is to the larger community. Interested in staff for HASPA booth on August 15th Hayward Street Party. He asked if there are any other events in which to participate, and Trustee Waespi suggested Castro Valley Fall Festival to promote HASPA. Maria Long recommended an October 5 event to participate in; will send over link and

information. Chair Zermeño asked if staff can make presentation to youngsters in Hayward and will provide contact info. Hayward Planning Commission might not be familiar with HASPA and might want a 10–15-minute presentation. Trustee Andrade suggested reaching out to Alameda County and would be happy to present as a Board Trustee. Trustee Waespi suggested Earth Day events to show off the shoreline map and Master Plan. Coastal cleanup may be another option. Chair Zermeño recommended HASPA show and tell at Hayward City Hall. Staff will try to set something up, but also suggested the Library as an alternate location. A suggestion was made to present at the Alameda County Special Districts Association. Would like the community to become fluent in HASPA and sea level rise since it will affect us all. Chair Zermeño disagrees with the proposed Capitol Corridor project (“South Bay Connect”).

Moved by Trustee Hentschke Seconded by Trustee Andrade

Vote: Ayes – Zermeño, Andrade, Waespi, Hentschke. Approved unanimously.

5. Adoption of HASPA Fiscal Year 2024-2025 Budget (Attachment #3)

Devan Reiff presented the recommended annual HASPA budget and highlights that it is balanced at \$140,400 with additional funds available from the Pivot Points grant. It will allow for four trustees meetings, TAC meetings, and funding to hire a professional services contractor. This budget does not yet have a contingency. HASPA will not have a paid staff at this time and will rely on Trustee agency’s staff. Devan asked if the members of the BOT should be compensated for attending BOT meetings; and also, should the managing agency staff be compensated for holding BOT meetings? Another questions was, should TAC members pay dues to participate in HASPA? Devan displayed an overview spreadsheet of the budget. Money saved from not compensating the BOT could instead go elsewhere in the budget, contingency and ‘reserves’ were agreed upon as the budget line item for these funds. Money could be set aside for promotional materials, such as t-shirts with the HASPA logo and noting that the Agency is over 50 years old.

Trustee Hentschke suggests TAC dues should be free to attract more members, and others agree. Trustee Waespi does not want BOT to be compensated but would be willing to have the TAC pay dues, possibly down the line for non-member agencies. Taylor Richard suggested there be a sliding scale of contribution. Erik Pearson does not want to exclude any members who want to join for monetary reasons. Trustee Andrade recommends that BOT not be compensated but that there be a minimum dues amount for TAC participation, to set a precedent. Create a sliding scale to include in lieu of staff time with a voluntary contribution from TAC. Trustee Waespi felt this will be successful as HASPA grows, the grant money will grow. After discussion there was agreement that TAC dues would be put into reserves.

Moved by Trustee Waespi seconded by Trustee Andrade. Vote: Ayes – Zermeño, Andrade, Waespi, Hentschke. Approved unanimously.

6. Adoption of HASPA Fiscal Year 2024-2025 Trustee Dues (Attachment #4)

Devan Reiff presented on the FY 2024-25 agency dues. Three tiers, with EBRPD, Hayward, and HARD paying the highest dues and ACMAD paying the lowest dues. Chair Zermeño asks if new members join, will Agency dues be increased for everyone else, or would it be added on top of the overall budget? The response is dues would be paid for by the new agency, increasing the total budget, rather than each Trustee dues amount being recalculated.

Moved by Trustee Hentschke, seconded by Trustee Waespi. Vote: Ayes – Zermeño, Andrade, Waespi, Hentschke. Approved unanimously.

7. Report on U.S. Environmental Protection Agency Water Quality Improvement Grant award

EPA Water Quality Improvement Grant awarded to San Francisco Estuary Partnership (SFEP), with HASPA as a sub-awardee. Grant total to HASPA is \$550,000 over three years. HASPA scope of work is to prepare the implementation program for the Hayward Shoreline Master Plan; examine governance structures for HASPA and participate in community engagement activities. EBRPD is still negotiating the budget and grant agreement with SFEP and expects to have it ready by the October HASPA meeting. There is money in the grant award to hire consultants for technical studies, if needed. Existing staff does not have the capacity and experience to do the Master Plan implementation, and believe that it would be best to have a consultant complete this portion of the work scope. Year 1 will have a higher budget to pay a consultant. Trustee Andrade asked if Oro Loma Sanitary District knows about the grant and whether they would want to join? East Bay Dischargers Authority (EBDA) is also a grant sub-awardee to SFEP and will bring the First Mile levee project from 30% design to 100% design, and it will then be a “shovel ready” project (eligible for construction funding in the future). Brian Laczko believes that Oro Loma is aware, and they are doing their own sea level rise study. Trustee Andrade would like Oro Loma to join HASPA because of this benefit. Trustee Waespi thanks staff and the master plan for attracting grant money. Devan Reiff recognized Heidi Nutters of SFEP for her successful grant writing. Erik Pearson thanks Jackie Zipkin, General Manager of EBDA, for her work. The SFEP grant from EPA totals \$4.5 million, over three years.

This was an informational item and no vote was taken.

8. Discussion of Scope of Work and Competitive Selection Process for HASPA

TAC staff recommend competitively selecting a consultant to professionally run HASPA, eventually replacing East Bay Regional Park District (EBRPD) staff who, as managing agency, does this work now. The potential work scope consists of initial tasks such as developing a work plan and conducting background research, etc. Ongoing tasks would include holding BOT meetings, managing grants, financial reporting, communications, etc. The cost of this professional services contract may only be \$100,000, which may not enough funding to be attractive to consultants who do this type of work. One option to consider is if instead, the HASPA administration scope of work be combined with the scope of work in the SFEP grant (implementing the Hayward Master Plan), thus creating a larger budget, and therefore, be more attractive to consultants.

Trustee Andrade wants to know if the delay of six months is critical? A delay of six months would not be critical and EBRPD staff can continue to do the work, as it has been. Trustee Hentschke asks for clarification about the two options and Devan Reiff explained it would be a \$100,000 contract amount vs an approximately \$200,000 contract amount if the two scopes of work are coupled. EBRPD would act as oversight to the consultant hired in either scenario. One advantage of a administration consultant is that HASPA needs more expertise in running a JPA.

Trustee Waespi wondered if we should start with the smaller consultant contract (administration only) and add an “add alt” clause. Brian Laczko recommended it be flipped to put out SFEP Master Plan implementation contract, followed by administrative consultant. Trustee Waespi suggested that a master’s student at CSUEB take on some of this work as part of their graduate studies. Chair Zermeño asked what would happen after three years if the money runs out? Would anyone be interested in doing this work for \$100k? Devan replied that there was some interest from organizations and companies who run public agencies on a fee basis, about one year ago. Trustee Andrade thinks HASPA could ride the enthusiasm of securing the EPA grant to attract bids. Current staffing capacity for EBRPD does not allow HASPA to have the full-time attention it deserves. Trustee Waespi asked about recommendation process, and it would be handled by the TAC. He would like only dues-paying TAC members to select the consultant (in a competitive selection process). Jason Rosenberg recommended keeping Trustees separate from the staff process. Trustee Waespi questioned if BOT could see how the deliberations went via a recording or other method? This could lead to a Brown Act issue but could direct staff to look for specific input. Can the BOT get a copy of the scoring sheets to consider? Devan Reiff recommends this be readdressed closer to the decision.

Decision made by the BOT to combine the two contract scopes of work, to release an RFP in August, and bring decision of which is the selected consultant in October.

Moved by Trustee Waespi seconded by Trustee Andrade. Vote: Ayes – Zermeño, Andrade, Waespi, Hentschke. Approved unanimously.

9. Old Business (TAC and Board):

a. Recruitment Efforts for Additional Trustee Agencies

Currently no communication with additional trustee agencies. No new members choosing to join currently. Trustee Waespi asked if we have a brochure and Devan Reiff said we will produce a brochure.

b. Community Engagement Activities Recap

Eddie Willis described the June 20th Hayward Street Fair; 55 participants came to the HASPA table.

September 14th Mexican Independence celebration on B Street is a possible site for HASPA tabling.

10. New Business (TAC and Board):

a. Updates on Trustee Agency Capital Projects

ACMAD is close to finishing their “fish tank.” HARD just opened a new park called Ashland Zocalo Park, but unfortunately, it was vandalized within first week. The Hayward Shoreline Interpretive Center will benefit HARD's investments in a new roof, solar panels and new siding. EBRPD is in the process of acquiring Point Molate in Richmond, which was a former Navy fueling center and near the site of the SF Bay's last whaling operation. (The Park District is acquiring the acreage of Point Molate that had been proposed for a residential development).

b. Location for Future 2025 Board Meetings

Hayward staff will check the calendar for October 10 meeting. Devan Reiff recommended that in 2025 meeting locations rotate among the Trustee agency Board rooms.

c. Capitol Corridor South Bay Connect DEIR Comment letter (Attachment #6)

TAC staff drafted letter and signed by Chair Zermeño. HASPA concerned about the new proposed rail lines close proximity to the Oro Loma Marsh and the proposed First Mile project. Final EIR will have a formal response to the HASPA comments. Project requires 10' of expanded right-of-way for new rail line tracks, closer to the Oro Loma Marsh. Chair Zermeño asked if HARD plans to submit a letter? Trustee Andrade is not sure but would like to see a pedestrian crossing (over the existing and new rail tracks, so that the public could access the Hayward Shoreline from the San Lorenzo Community Park)

11. Board Member Announcements

Trustee Hentschke recently had surgery and is recovering. Trustee Waespi mentions that Dee Rosario will be honored as Board member of the year at event in Southern California; EBRPD hosting a National Night Out at Lake Chabot Park. Trustee Andrade is recovering from surgery. Chair Zermeño asked about the new contingency fund (\$8,000) and number of TAC members (10). Staff provided clarity on budget.

12. Agenda Setting for Next Meetings

Next meeting October 10, 2024, likely at Hayward City Hall. Presentation by Bay Area Climate Adaptation Agencies. Contract with Selected HASPA Administrative Consultant combined with implementation consultant. Adoption of HASPA “Collateral Governance Documents”. Hayward staff attended webinar on SB 272, a new state law that requires SLR planning by regions and sub-regions, and suggests bringing a presentation on this to HASPA. Trustee Waespi asks about an historic salt site at Eden Landing. HASPA staff will investigate Historic and Cultural resources on Hayward Shoreline and report back to BOT.

ADJOURNMENT at 4:28pm



HAYWARD AREA SHORELINE PLANNING AGENCY

Memorandum

DATE: October 10, 2024
TO: HASPA Board of Trustees
FROM: Devan Reiff, EBRPD
SUBJECT: HASPA Board Bylaws

In May, 2024, the Hayward Area Shoreline Planning Board of Trustees (Board) approved an Amended and Restated Agency Joint Exercise of Powers Agreement (JPA). Section 5(f) of the JPA allows the Board to adopt Bylaws, as needed:

“The HASPA Board may adopt, and from time to time amend, bylaws of the HASPA Board as necessary or convenient in the determination of the HASPA Board to achieve its purposes. The bylaws may set forth how meetings of the HASPA Board will be conducted.”¹

As prepared by legal counsel and reviewed by the staff of the Technical Advisory Committee, these Bylaws are designed solely to facilitate the Board’s conduct of its own meetings and proceedings. The Bylaws are not intended to, and do not, create procedural or substantive rights for any person. Also, the Bylaws are subordinate to state and federal law. Unless the provisions of these Bylaws are required by applicable law (i.e. the Brown Act), the Board may waive any provision in the Bylaws by action or by motion approved in accordance with JPA.

The Bylaws are composed in eight “Rules,” such as “Authority of the Board” and “Meetings of the Board.” Except as required by law, a Rule may be suspended, amended, or repealed by action or by motion approved in accordance with JPA, Section 5(a), Voting. The Managing Agency or Manager, as applicable, is authorized to update these Bylaws as needed to conform to any authorized amendments to the JPA.

Staff is looking to the Board to review the draft Bylaws, and to discuss the contents. If substantial changes are recommended by the Board on October 10th, then staff will return with revisions to the Bylaws for adoption at a future meeting; otherwise, the Bylaws could be adopted on October 10th.

¹ HASPA JPA (July 1, 2024), Section 5(f).

HAYWARD AREA SHORELINE PLANNING AGENCY

BOARD OF TRUSTEES BYLAWS

Draft

[Date Adopted by Board]

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Draft

**HAYWARD AREA SHORELINE PLANNING AGENCY
BOARD OF TRUSTEES BYLAWS**

The Board of Trustees ("Board") of the Hayward Area Shoreline Planning Agency ("Agency") adopts these Bylaws pursuant to Section 5(f) of the Amended and Restated Hayward Area Shoreline Planning Agency Joint Exercise of Powers Agreement, dated July 1, 2024 ("JPA").

These Bylaws are designed solely to facilitate the Board's conduct of its own meetings and proceedings. They are not intended to, and do not, create procedural or substantive rights for any person.

The Bylaws are subordinate to state and federal law. Unless the provisions of these Bylaws are required by applicable law (i.e. the Brown Act), the Board may waive any provision herein by action or by motion approved in accordance with JPA, Section 5(a), Voting.

RULE I. AUTHORITY OF THE BOARD

The Board may exercise all powers and authority on behalf of the Agency except as otherwise provided in the JPA. Pursuant to Sections 5(b) and 5(c) of the JPA, the Board is authorized to make any revision to the provisions of the JPA related to the operations of the Agency, which is necessary to affect the purpose of the Agency.

RULE II. OFFICERS OF THE BOARD

- A. Chairperson. The Board shall elect a Chairperson from among its members annually at the regular meeting in February, or as soon as practicable thereafter. The Chairperson shall preside at all meetings of the Board.

If the Board establishes standing or ad hoc committees of the Board, the Chairperson may appoint Trustees to such committees and may designate the chairs of such committees. The Chairperson may also appoint Trustees to serve as the representative of the Agency to other groups and organizations, unless the law requires such appointments to be made by action of the full Board.

The Chairperson shall have such other powers and duties as are provided elsewhere in these Bylaws or delegated by the Board.

- B. Vice Chairperson. The Board shall elect a Vice Chairperson from among its members annually at the regular meeting in February, or as soon as practicable thereafter. The Vice Chairperson shall perform the duties of the Chairperson in the Chairperson's absence or incapacity.

If the Chairperson and Vice Chairperson are absent, the alternate Trustees and Trustees in attendance will select someone from amongst themselves to preside over the meeting.

In the case of a vacancy of the office of the Chairperson, the Vice Chairperson shall succeed to that office. In the case of a vacancy of the office of the Vice Chairperson, an election may be held at the next regular meeting to fill the vacancy.

- C. Term. The term of officers of the Board shall commence at the close of the meeting at which they are elected. Trustees may serve successive terms and there is no limit to the number of terms a Trustee may serve.

RULE III. MEETINGS OF THE BOARD

A. Call of Meetings

1. Regular Meetings. Regular meetings of the Board shall be held on the second Thursday of February, April, July, and October at 3:00 P.M. The date and/or time of a particular regular meeting may be changed as needed to accommodate scheduling conflicts.
2. Special Meetings. Special meetings of the Board may be called by the Chairperson or by any three (3) Trustees. The notice of the meeting shall state the particular business to be conducted. The Board may not consider other business at such meetings.
3. Emergency Meetings. The Chairperson or any three (3) Trustees may call an emergency meeting in the case of an “emergency situation,” as defined in the Brown Act. The Board shall not meet in closed session during an emergency meeting.

- B. Notice of Meetings. A notice stating the time and place of the meeting shall be sent to each Trustee at least seven (7) days prior to a meeting. If the date, time or place of a regular meeting is changed, notice of the change shall be sent at least 72 hours in advance of the regular meeting date or the rescheduled date, whichever is earlier, to each Trustee and to all newspapers of general circulation and radio and television stations that have requested notice of meetings pursuant to the Brown Act.

- C. Agenda of Meetings. The Managing Agency or the Manager, as applicable and as defined in Section 1(f) of the JPA, shall prepare the agenda of all meetings of the Board, in consultation with the Chairperson.

A copy of the agenda shall be posted in a location freely accessible to the public, and delivered to each Trustee, at least 72 hours before each regular meeting and at least 24 hours before each special meeting.

A copy of the agenda, and of all documents (other than those exempt from disclosure under the California Public Records Act) distributed to the Trustees with the agenda, shall be available for public inspection at the Managing Agency’s office at least 72 hours before each regular meeting and at least 24

hours before each special meeting. A copy of the agenda and such supporting documents shall also be available for public review at the meeting.

- D. Location of Regular Meetings. All regular meetings of the Board shall be held at the office or facility of one of the member agencies of the JPA, as noted on the agenda. The meeting location must be within the territory of at least one of the JPA member agencies.
- E. Meetings Open to the Public. All meetings of the Board shall be open and public and conducted in accordance with the Brown Act.
- F. Closed Session. The Board may meet in closed session as permitted by the Brown Act.
- G. Remote Participation. Trustees may participate remotely in a meeting as permitted by the Brown Act.
- H. Order of Business. The Order of Business shall generally be as follows:

- Call to Order
- Roll Call
- Public Comment
- Approval of the Minutes
- Regular Calendar (if any)
- Closed Session (if any)
- Old/New Business
- Trustees' Announcements
- TAC or staff Announcements
- Agenda Setting for the Next Meeting
- Adjournment

The Managing Agency or the Manager, as applicable, in consultation with the Chairperson, may use a different order of business for a particular meeting agenda, as necessary.

A Trustee or the Managing Agency or the Manager, as applicable, may request that an item be taken out of order. The Chairperson may take any item out of order in response to a request by a Trustee or on his or her own initiative, subject to the right of a Trustee to appeal.

- I. Procedure.
 - 1. Role of Chairperson. The Chairperson shall be responsible for timely, fair and reasonable conduct of the meeting's business. Decisions of the Chairperson on questions of procedure are final, except that any ruling may be appealed to a vote of the Trustees.

2. Convening the Meeting. A majority of the full Board constitutes a quorum for the conduct of business, except to adjourn from time to time. The Chairperson shall be responsible for ascertaining and announcing the presence of a quorum and the due convening of the meeting.
3. General Principles for Discussion or Debate. Discussion of any issue is subject to regulation by the Chairperson to assure adequate consideration of relevant points of view in the best interests of the Agency. The objectives of discussion are to:
 - Determine the will of the Board.
 - Assure sufficient discussion and consideration of issues so that all pertinent points of view are considered.
 - Maintain the dignity of the meeting so that each recognized speaker's views are made known to the Trustees and to ensure that appropriate respect is accorded all members.
 - Present the consideration of business in a manner understood by all participants.
4. Motions. The Board prefers a flexible format for meetings and does not insist that its meetings be conducted strictly in accordance with formal rules of procedure. The following rules of motion practice are to be applied as a guide to the Chairperson in disposition of motions. If a Trustee believes that adequate order is not being maintained or that the procedures being followed do not allow for adequate and orderly discussion of an item, the Trustee may raise a point of order to the Chairperson. If the Trustee is not satisfied with the ruling of the Chairperson, the Trustee may appeal to the full Board. Points of order will be determined in accordance with JPA, Section 5(a), Voting.

All matters requiring Board action must be presented in the form of a motion. In order for a vote to be taken on a motion, the motion must be seconded by another Trustee. When a motion has been made and seconded, it shall be stated by the Chairperson for consideration by the Trustees.

Under these Bylaws, motions should be limited to those set forth on the Chart of Motion Practice (Attachment 1). Motions on Attachment 1 are listed in order of precedence. When a motion is pending, any motion listed above it on the chart is in order, but those below it are out of order.
5. Voting. Generally, the affirmative vote of a majority of all Trustees is necessary to pass any motion. A motion to limit or close debate requires the approval of 2/3 of all Trustees or 66% if the motion is subject to

weighted voting. For motions not listed in Attachment 1, the vote shall be as stated in Roberts Rules of Order.

Any Trustee may call for any motion to be subject to weighted voting (Attachment 2) as provided in these Bylaws and the JPA. The call for weighted voting must be made at the beginning of the discussion of the item. The weighted percentage of each Trustee's vote will be as set forth in Schedule C of the JPA, as may be amended, a copy of which is included as Attachment 2. An affirmative vote of at least 51% is required to adopt any motion subject to weighted voting, subject to the consent requirement in Section 8(a) of the JPA, if applicable, and any other higher vote threshold required by law or these Bylaws.

A roll call shall be taken on the vote on all main motions associated with an ordinance or resolution, on all motions subject to weighted voting, and on any other motion when requested by a Trustee.

In the event of a tie vote, the motion is defeated.

6. Time Limit on Meetings. When a meeting of the Board has lasted three hours or more, no new agenda item of business may be taken up for discussion or action unless a majority of the Trustees then present vote to extend the meeting. This provision may be invoked by the Chairperson or any Trustee. However, it has no effect on the validity of any action taken by the Board unless and until it is invoked.
7. Adjournment. Upon completion of the meeting's agenda, or upon conclusion of a meeting pursuant to Rule III.G.6, the Chairperson shall adjourn the meeting. Adjournment may be accomplished by a motion or announcement of the Chairperson.
- J. Minutes. The Managing Agency or Manager, as applicable, shall prepare minutes of each Board meeting, which shall be submitted for approval at a subsequent meeting. Minutes shall record the ayes and nays on roll call votes. Minutes should not include the text of ordinances and resolutions, which shall be maintained by the Managing Agency in separate volumes. Minutes are intended to be a record of Board action and a brief summary of discussion; they should not be an exhaustive record of deliberation.

RULE IV. COMMITTEES OF THE BOARD

- A. Standing Committees. The Board may establish standing committees that have continuing jurisdiction over a particular subject matter, or a set meeting schedule. Rules III.B, C, D, and E shall apply to all meetings of a standing committee.
- B. Ad Hoc Committees. The Board may establish ad hoc advisory committees to undertake special, limited assignments on behalf of the Board.

RULE V. STAFF RESPONSIBILITIES

- A. Staff of the Managing Agency or Manager. Staff from the Managing Agency or the Manager, as applicable, shall be responsible for introducing agenda items and for directing staff responses to Board inquiries arising during the course of a meeting. The Staff from the Managing Agency or the Manager shall record votes, take minutes, and distribute copies of documents as required.

RULE VI. COMMUNICATIONS TO THE BOARD

- A. General. Members of the public should address comments and questions to the Chairperson.
1. Agenda Items. Members of the public may speak on any item under discussion by the Board, after receiving recognition from the Chairperson.
 2. Non-Agenda Items. Members of the public may speak on matters that are within the jurisdiction of the Agency, but which are not on the agenda, during Public Comments. The Board will take no immediate action on matters which are not on the Agenda. Such items raised by the public may be referred to staff for review and analysis and may be reported back to the Board at a subsequent meeting.

If a speaker refers to any document, writing, record, picture, or other exhibit, staff from the Managing Agency or the Manager shall request a copy so that it can be included in the record.

- B. Time Limits on Public Comments. The Chairperson may impose time limits on each speaker.

RULE VII. CONFLICT OF INTEREST LAWS

Trustees are subject to, and must comply with, state conflict of interest laws, including the Political Reform Act (Government Code Section 81000 et seq.) and Government Code Section 1090 et. seq. Trustees are encouraged to consult with Agency Counsel for advice regarding such laws.

RULE VIII. SUSPENSION/AMENDMENT/REPEAL

Except as required by law, a Rule may be suspended, amended, or repealed by action or by motion approved in accordance with JPA, Section 5(a), Voting. The Managing Agency or Manager, as applicable, is authorized to update these Bylaws as needed to conform to any duly authorized amendments to the JPA.

ATTACHMENT 1

CHART OF MOTION PRACTICE				
Motion	Second Required?	Debatable?	Amendable?	Vote Required*
MEETING CONDUCT (PRIVILEGED) MOTIONS				
Point of Privilege	No	No	No	None
Point of Order	No	No	No	None
To Appeal Ruling of Chair	No	Yes	No	Majority
To Recess	Yes	Yes	Yes	Majority
To Adjourn	Yes	Yes	No	Majority
DISPOSITION (SUBSIDIARY) MOTIONS				
To Withdraw a Motion	No	No	No	None
To Postpone Consideration (Table)	Yes	Yes	Yes	Majority
To Refer to Committee	Yes	Yes	Yes	Majority
To Amend	Yes	Yes	Yes	Majority
To Limit or Close Debate (Call the Question)	Yes	Yes	Yes	2/3
MAIN MOTIONS				
To Take Action; To Reconsider	Yes	Yes	Yes	Majority of Full Board

* For privileged and subsidiary motions, required vote refers to those present and voting. Main motions require a majority of the full board, whether or not present and voting. This chart assumes weighted voting is not in effect.

ATTACHMENT 2

HASPA AMENDED AND RESTATED JPA

Schedule C: Annual Dues Table/Weighted Voting Chart¹

Agency	Weighted Voting %
ACMAD (Tier 1)	10%
HARD (Tier 3)	30%
Hayward (Tier 3)	30%
EBRPD (Tier 3)	30%
TOTALS	100%

¹ The weighted voting allocation described in this Schedule C is based on the agencies' annual operating budgets. Tier 1 agencies have an annual operating budget of less than \$10 million and Tier 3 agencies have an annual operating budget over \$30 million. The tiers described above are fixed and may not be modified except by amendment to the Agreement.



HAYWARD AREA SHORELINE PLANNING AGENCY

2025 HASPA MEETING SCHEDULE

Meeting Location: Hybrid meetings, in person location: Hayward City Hall, 777 B Street, Conference Room 2A, or other Trustee office locations as needed.

Meeting Time: 3:00 – 5:00 P.M.

Meeting Dates: The Hayward Area Shoreline Planning Agency (HASPA) meets on the second Thursday of January, April, July and October.

January 9, 2025

April 10, 2025

July 10, 2025

October 9, 2025

Special meetings will be scheduled by the Board as determined necessary.

Should there be any questions related to HASPA Trustee meeting dates, times, locations, or ADA accommodations, please contact the HASPA Managing Agency staff at the East Bay Regional Park District at haspa@ebparks.org.



HAYWARD AREA SHORELINE PLANNING AGENCY

2024-2025 HASPA Budget

Revenues	
Trustee Agency dues	\$107,400
EPA/SFEP Grant	\$33,000
Total Revenue	\$140,400
Expenditures	
Salary	\$0
Benefits	\$0
<i>Services and Supplies</i>	
Office Supplies	\$250
Food	\$400
<i>Board of Trustees and TAC</i>	
BOT Training	\$800
Board nameplates	\$200
<i>Professional Services</i>	
Third party Administrative consultant and legal services	\$125,000
<i>IS / Communications</i>	
Website design and Zoom account; HASPA promotional materials	\$3,125
Total Staff budget	\$129,575
Contingency/Reserves	\$10,575
Total Expenditures	\$140,400

Adopted by HASPA Board on July 25, 2024