


**EAST BAY REGIONAL PARK DISTRICT
EXECUTIVE COMMITTEE MEETING
AGENDA STAFF REPORT**

DATE	April 3, 2024
TITLE	Update on New Joint Powers Authority Agreement for the Hayward Area Shoreline Planning Agency (HASPA)
DIVISION	Acquisition, Stewardship, and Development
FROM	Brian Holt – Chief of Planning, Trails and GIS Ken Wysocki – Assistant General Manager
APPROVED	Sabrina Landreth, General Manager 

RECOMMENDATION

The General Manager recommends the Executive Committee receive a report on the draft HASPA Joint Powers Authority Agreement from staff and forward for review by the full Board of Directors .

BACKGROUND

The Hayward Area Shoreline Planning Agency (HASPA) is a Joint Powers Authority (JPA) consisting of three trustee agencies: the East Bay Regional Park District (Park District), the City of Hayward and the Hayward Area Recreation and Park District (HARD). Formed in 1970, HASPA's original purpose, which has been fulfilled, was to study, plan, and adopt policies concerning the land uses in the Hayward Shoreline area, in order to develop a comprehensive plan for the governing bodies of the original parties, so that the plans and actions of each party would be compatible with those of the other parties.

Today, with the presence of climate change impacts, such as projected sea-level rise, groundwater intrusion, and storm surge, protecting infrastructure as well as natural and recreational resources of the Hayward Shoreline requires a renewed commitment between public agencies. In 2021, HASPA adopted the Hayward Regional Shoreline Adaptation Master Plan (Master Plan), which creates a framework for a response to these climate change impacts on a region-wide scale.

The three trustee agencies of HASPA wish to continue the existence of the JPA, expand participation in the agency, and have its powers and functions reflect the new mission of responding to climate change impacts at the shoreline.

Since 2022, the Park District has served as administrative lead (or “managing agency”) of HASPA. Staff has worked with staff at the other trustee agencies to develop a JPA that allows the addition of new agencies to the HASPA Board of trustees. Initially, two prospective agencies, the Oro Loma Sanitary District, and the Alameda County Mosquito Abatement District (ACMAD), have expressed interest in joining HASPA.

Staff will provide an overview of the proposed JPA Agreement.

ANALYSIS

The goals of the new HASPA JPA Agreement are to meet HASPA's evolving needs for the next 20+ years and to give the agency maximum flexibility to address possible future expansion in operations and management. This JPA Agreement seeks to balance the efficient functioning of the agency with adequate protections for the parties.

The JPA Agreement consists of 20 sections and four attachments, called “Schedules”. Of the JPA Sections, #5, “Organization” and #8, “Budget,” are the most pertinent to the recent discussions between the parties.

Due to the varying sizes (and operating budgets) of the current HASPA trustee agencies and the prospective trustees, the parties negotiated a tiered membership structure for the purpose of assessing dues to pay for an annual budget. The three tiers are based on size of the trustee agency operating budget.

After consideration by the HASPA trustees on March 21, 2024 and a possible vote to approve the JPA Agreement (scheduled for a HASPA meeting on April 11, 2024), each HASPA trustee agency and the two prospective trustee agencies will have the opportunity to review the JPA Agreement at a public hearing and consider approving the Agreement. Following this schedule, Park District staff will bring the JPA Agreement to the full Park District Board at a time to be determined, but before June 30, 2024.

FISCAL IMPACT

None. Future fiscal impact to the Park District, should the full Park District Board agree to join HASPA, will be Trustee dues for Fiscal Year 2025, currently projected to be approximately \$31,000. Dues for future years after 2025 are to be determined by the HASPA Trustees.

ATTACHMENTS

1. Board Map
2. 2024 HASPA Presentation
3. JPA Agreement Draft