

## Unapproved Meeting Minutes

### PARK ADVISORY COMMITTEE

February 26, 2024

MEMBERS  
IN PERSON: Chang, Claxton, Espana, Farmer, Henry, Lopez, Mahadevan, Mendoza, Obringer, Peoples,  
Reid, Simmons, Skaredoff, Tsutsui, Valenzuela

MEMBERS  
REMOTE: Marsh

ABSENT: Deschambault, Dieter, Williams

STAFF: Padmore, Pfuehler, Baldinger, Blanchard, Tumber, Goorjian

BOARD: Director Waespi

PUBLIC: None

*The East Bay Regional Park District (Park District) 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 Park District's virtual platform, Zoom. The Board of Directors and designated staff will, with limited exceptions, participate in-person at the Park District Headquarters (2950 Peralta Oaks Court, Oakland, California). Occasionally, members of the Board of Directors may attend remotely pursuant to the Brown Act, as amended by AB 2449.*

The February 26, 2024, Park Advisory Committee (PAC) meeting was held in-person and via video conference. Chair Tsutsui called the meeting to order at 4:00 p.m.

The Park Advisory Committee meeting was video recorded and may be viewed by clicking the following link: [Feb 26, 2024 Park Advisory Committee - East Bay Regional Park District, CA \(swagit.com\)](https://www.swagit.com/2024-Park-Advisory-Committee-East-Bay-Regional-Park-District-CA)

#### 1. **Roll call**

Recording Clerk, Lauren Blanchard, conducted a roll call of the PAC members and staff.

#### 2. **Approval of the Minutes**

Discussion: Chair Tsutsui provided PAC Members the opportunity to make edits to the January 22, 2024, PAC meeting minutes.

Vote: Member Peoples made a motion to approve the minutes and forward them to the East Bay Regional Park District Board of Directors. The motion was seconded by Member Obringer. The motion passed unanimously with two abstentions as the members were absent from the January meeting.

#### 3. **Public Comments on Items Not on the Agenda** – None

#### 4. **Actions Items** – None

#### 5. **Informational Items**

##### a. **Board Member Comments**

East Bay Regional Park District Board Member Waespi made comments about the Trails Challenge, the State Legislative Advocacy Conference, and Lifeguard Services.

PAC Comments:

Member Peoples thanked Waespi for taking the time to go to Sacramento for the State Advocacy Conference.

Member Obringer inquired about lifeguard recruitment events and how to get the information to youth in her community. Waespi responded he would get back to her after the PAC meeting. He commented lifeguards start at \$21/hour and a month of paid training is also provided.

Public Comment: None.

**b. Presentation(s):**

**I. Informational Update on the Park District's Fee Study**

Ruby Tumber, Acting Business Services Manager, provided an informational update on the Park District's Fee Study. In January 2023, the Park District employed the services of locally based Matrix Consulting Group for a Cost Allocation ("CAP") and Fee Study. The focus of the CAP and Fee Study was to better understand costs associated with fees charged by the Park District, recognize cost recovery levels, and to utilize the findings to inform future fee revisions and updates. The objectives of the project included:

- Reviewing the Park District's Fee Structure
- Identifying Costs Associated with Fees, analyzing both direct and indirect costs
- Calculating the "Full Cost" of providing fee-backed services
- Providing deliverables and recommendations resulting from the Cost Allocation Plan and Fee Study.

A primary finding of the study is the Park District is recovering 36% of its costs or under-recovering its costs by approximately \$10.4 million (based on an analysis of fiscal year 2023 expenditures and fiscal year 2022). This shortfall, however, is consistent with comparable agencies that provide Parks and Recreation Services. Generally, these fall within the 20-50% cost recovery range. A recovery of 36% is within this range. The Park District has the option of increasing fees in select areas to help alleviate the under-recovery or making a formalized decision or policy as to which fees will be subsidized. A general rule of thumb for governing bodies is to craft a cost recovery policy that revolves around a community benefit factor. Activities or services with the largest community benefit will have the least cost recovery (potentially full subsidization), and those with high individual benefit will have the most recovery (or no subsidy). An example of a community benefit fee would be a park entry fee, versus one with a largely individual benefit – such as a Day Camp Operator permit.

The presentation can be found here:

<https://ebparks.primegov.com/Portal/viewer?id=0&type=7&uid=5215870c-4938-4fb4-872f-0b52fb538705>

PAC Comments:

Chair Tsutsui asked what the metric was for measuring the number of people using a particular resource and how is the data obtained. Tumber responded for every fee the District levies, there's a tabulation in the revenue schedule so the District knows exactly how many swim fees were charged last year. Because the total amount of swim-fee revenue is known, it can be divided by the per-person charge. There are various methods being used to collect and analyze fee data across departments.

Member Obringer inquired as to what laws apply to the setting of the fees. Tumber replied the District has to follow government accountability standards. The District is not allowed to charge fees that would exceed a certain amount of profit for the services provided. Obringer then inquired as to the ceiling of what can be charged for certain services. She wondered if the District subsidizes the cost of some services. Tumber commented the study doesn't delve into equity. It is starting the conversation with the Board by providing them with the financial information.

Member Peoples commented this is a very important initiative and a well-done study. He then suggested it would be helpful to add a column to appendix 2 which shows the basis for setting fees. He also noted the California Special Districts Association announced, if passed, Initiative 1935 on the November ballot will restrict special districts from increasing fees retroactive to 2022. This could be a threat to the fee structure. Erich Pfuehler, Chief of Government and Legislative Affairs commented the District is aware of the initiative and the Board has taken an opposition position on it.

Member Henry asked if revenue recovery is becoming more important considering the State is in a dire financial situation. Tumber replied it is difficult to answer but the District is mostly reliant on property tax revenue rather than fees. Henry asked if it makes sense to have objectives around how much revenue the District would like to recover. Tumber responded it would be the Board's decision. The District's fee recovery rate is on par with other agencies. Subsidization is a large part of what we do. Henry also commented inclusiveness and environmental impact should be considered when setting fees.

Member Skaredoff inquired about the District's official policies in setting fees. Board Member Waespi responded this is an ongoing process. The District does research on the market rate of particular fees in the region. Waespi also indicated his personal opinion is he believes the District should be run on tax revenues alone instead of supplementing with fees. He does not wish to raise fees.

Member Simmons inquired if there's a recommendation to the Board as to where the District should be in percentage of fee recovery. Tumber responded there will be additional processes staff will undertake to inform the Board. Lisa Goorjian, Assistant General Manager of Operations commented this is step one. Presenting to the PAC is part of information gathering and community engagement prior to making a recommendation to the Board.

Member Valenzuela inquired if the cost recovery of 36% is trending up from previous year. Tumber responded the District would need to do the study again for her to be able to answer.

Vice Chair Espana recommended adding legal columns as to how fees are set to better identify opportunities in changing fees. She also recommended adding more detail as to how an acceptable fee recovery rate is determined, breaking it down per fee/item. She also suggests a chart that demonstrates how the District's fees compare to other agencies' fees. Areas in which there are higher staff costs may indicate inefficiencies. The District may also wish to examine how the Regional Parks Foundation pass, which provides parking and other benefits on an annual basis, effects fee recovery.

Member Farmer inquired how the Board anticipates revenue during the budget process. Tumber replied the Operations and Finance department work together on a revenue model based on the previous year. Farmer asked if there is a separate funding source for the Trudeau Training Center as it is listed as producing zero revenue and zero cost. Tumber responded she would follow up with Farmer but guessed it is because it is not a publicly reservable facility. Farmer commented as to the irregularity of fee collection at the District's parks.

Member Mahadevan commented it is better to charge the fees regularly than sporadically.

Member Peoples commented the issue as to whether there should be fees will be for the Board to address. He feels the fees can be used to reduce overcrowding and environmental impacts. Fees serve a number of different purposes.

Member Skaredoff expressed concern fees would be used to reduce park usage as it appears unequitable. Member Peoples commented the alternative is to limit the number of users on a particular trail. Skaredoff responded the District should be looking for alternative ways to include and expand access rather than restrict, in order to fulfill the goal or "all parks for all people."

Member Farmer commented equity is extremely important and should be prioritized in fee setting. She then inquired what the dog permit covers. Tumber responded the District charges a fee for dog walkers or for those wishing to walk more than 3 dogs at a time.

Public Comment: None.

## **2. Informational Update on the Park District's Legislative Program**

Erich Pfuehler, Chief of Government and Legislative Affairs, and Lisa Baldinger, Legislative and Policy Management Analyst, provided an informational update on the Park District's Legislative Program. Governed by the Board Legislative Committee, the Legislative Program includes multi-year goals and annual objectives.

The goals identified enable the Park District to act nimbly in response to new opportunities as they arise at the local, state and Federal level. The Park District's identified advocacy goals are as follows:

- Climate - Friendly Transportation: To expand accessible active and public transportation to and within East Bay parks and trails.
- Community Health: To ensure equitable access to parks so all East Bay communities can enjoy the physical and psychological benefits of nature.
- Ecosystem Stewardship: To support ecosystem health through restoration, acquisition and habitat enhancement, and improved efficiencies in regulatory approvals.
- Green Jobs: To guide the development of career pathways for all in the parks, recreation, outdoor and environmental fields.
- Sea Level Rise Preparedness: To address sea level rise with nature-based infrastructure and initiate mitigation strategies regarding climate change.
- Welcoming Visitor Use Facilities: To be sure all visitors are welcomed to the East Bay parks and trails by providing facilities which are safe, accessible, inclusive and sustainable.
- Wildfire Resilience: To minimize the risk of catastrophic wildfire in the East Bay by using proactive vegetation management which is ecologically sound.

In compliment, the 2024 Legislative Program includes objectives at the local, state and Federal level in support of pro-active engagement with elected officials and agency leadership to advance priorities of the Park District's Board of Directors and General Manager.

The presentation can be found here:

<https://ebparks.primegov.com/Portal/viewer?id=0&type=7&uid=9cf8c460-716a-4505-8340-340047416d37>

Member Valenzuela asked if walk-and-talks are scheduled. Baldinger responded the GLA team is currently scheduling the walk-and-talks. The PAC will be informed once those are finalized.

Member Simmons inquired as to how the legislative plan may shift after the upcoming election should there be a change in the Administration. Pfuehler responded the GLA team is looking at a two year work plan in the future as the workflow changes with every election. The District would be looking to defend the Land and Water Conservation Fund, as there is currently an effort to rescind some of that funding. At the State level, we're seeing a change in leadership as well. Effects of climate change are very evident in the parks and recovering costs from agencies like FEMA takes a considerable amount of time.

Member Obringer inquired about the types and need for green jobs with the Conservation Corps. Baldinger responded the Conservation Corps provides a career ladder for 28 youth with no experience needed. They would be trained alongside District staff.

Member Mendoza inquired as to whether those in Civicorps are union. He also recommended walk-and-talks be conducted with sovereign indigenous tribes. Baldinger responded she could not confirm the make-up of Civicorps, but the District is interested in expanding walk-and-talks to include nonprofit and indigenous representation.

Member Lopez inquired from where the participants in the program be recruited. Baldinger responded California Conservation Corps will recruit local, urban youth here in the Bay Area where housing costs are prohibitively high.

Member Farmer inquired about the Federal Legislation the GLA team is looking to support on wildfire resilience. Pfuehler responded the District has 80,000 acres of grassland, the main method of reducing wildfire risk is grazing. There is a lot of infrastructure required for water cisterns and fencing. This is an expense to the District. The legislation could provide additional funding through a grant program to cover those associated costs. Prescribed grazing legislation is also an effort at the state level.

Member Peoples commented there are current grant programs available through NCRS for grazing and water systems for grazing. Pfuehler commented the District is not often eligible for those funds. The funds are targeted to the ranchers directly.

Public Comment – None.

**c. PAC Member Comments**

Chair Tsutsui reminded the PAC of a Community Meeting to take place virtually on Friday, March 1 at 6:30pm to discuss the rebuild of the Tilden Environmental Education Center.

Member Obringer announced the Concord Watershed Day will be on Saturday, March 2 from 2-4pm at Ignacio Valley Library sponsored by the Friends of Concord Creek. The friends group hopes to grow their membership.

Member Simmons commented the Walnut Creek Watershed Council has had two large public meetings with the Flood Control District and the Resource Conservation District to create a Walnut Creek Watershed Conservation Plan. They are currently in the process of outreach. The next set of meetings is to discuss kids activities related to creeks.

Member Valenzuela announced on March 26, 10am-1pm Big Break Regional Park will hold an “All Abilities Day.”

Member Mendoza announced he is now working at Save California Salmon. The Klamath River Damns have all come down.

**d. Report from Chair – No report.**

6. **Announcements** – covered in PAC member comments.

7. **Adjournment**

Chair Tsutsui adjourned the meeting at 5:56 p.m.