



Oakland Measure DD Trust for Clean Water and Safe Parks Community Coalition

Meeting Minutes - March 18, 2024, 7:10 p.m.

A [video recording of this meeting is available here](#).

Additional [meeting files are available here](#).

Welcome by Agenda Committee: Adrian Cotter (facilitator), Myra Redman, & John Bowers

1. Introductions of Coalition meeting participants [Note: Coalition is open to the public]

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|-------------------------|--|
| Adrian Cotter | Measure DD (MDD) Coalition Agenda Committee |
| David Wofford | Rotary Nature Center Friends (RNCF) |
| Bill Threlfall | Waterfront Action |
| John Bowers | MDD Coalition Agenda Committee & Lake Merritt Institute (LMI) |
| John Klein | Coalition of Advocates for Lake Merritt (CALM) & Brooklyn Basin Resident |
| Mandolin Kadera-Redmond | Oakland Parks and Recreation Foundation (OPRF) |
| Hazel Tesoro | OPRF & MDD Coalition Administrative Support |
| Myra Redman | MDD Coalition Agenda Committee, LMI, & Weed Warrior |
| Bob Redman | Essex Community Action Committee & Lake Merritt Conservancy Coalition (LMCC) |
| Katie Noonan | RNCF & LMI |
| Rick Rickard | Bike East Bay |
| Vince Geronimo | Resident & Interested Citizen |
| James Vann | CALM |
| Charles | No introduction |
| Jennie Gerard | MDD Coalition, LM Advocates, LM Weed Warriors, & LMCC |

City of Oakland Attendees

| | |
|------------------|--|
| Rebecca Darr | Project & Grant Manager, Oakland Public Works (OPW), |
| Stephen Acker | Finance Department |
| G. Harold Duffey | Director, OPW |
| Terri Fashing | Acting Manager, Watershed & Stormwater Management Division & Acting Manager for MDD Bond |

2. Changes to meeting agenda – No agenda changes / additions

3. Review of minutes for November 2023 and January 2024 – Approved and seconded

4. Recommendations or vote for new/current Agenda Committee Members

James Vann moved to reelection of current Agenda Committee, seconded by David Wofford

5. Early announcements/discussion while waiting for Dept. of Transportation presenters

David Wofford: Recommended inviting Horton Development to MDD Coalition and looking into how to present accomplishments of MDD Coalition to the general public – put on May agenda.

John Klein: Brooklyn Basin Developer Signature will be meeting with the City of Oakland re: submitting an application to use part of land (parcel N) designated for Estuary Park to build additional housing units. He recommended that the MDD Coalition identify 2-4 members to get involved now to let the City of Oakland know that the plan to build Estuary Park on parcel N as a multipurpose park has been going on for a long time. James Vann said that while the City Council had approved the development of 600 additional housing units approx. one year ago, there was no mention of building on parcel N in the approval documents (This comment refers to the May 2, 2023 Oakland City Council Meeting – [link to meeting minutes](#)). He requested a task force be put together to work with the City. Myra Redman nominated James Vann and Bill Threlfall. James Vann has also been in communication with John

Klein and Naomi Schiff of CALM. OPW Director G. Harold Duffey said this is still just a potential application, and nothing has been decided yet. The MDD Coalition should find out what is the full proposal and strategize to make sure it is consistent with the overall goals of MDD and [OSCAR](#). Terri will give more details in her presentation. Dir. Duffey advised MDD Coalition to please consider all information and to have flexibility as the economy has changed from what it was several years ago. More discussion below during DD Program Manager's presentation.

[6. Lakeshore Ave Separated Bike Lane Project, Presentation by Jane Mei and Charlie Ream, Department of Transportation](#)

[Link to slides](#)

The last Lakeshore Avenue improvement was a MDD project that made improvements to the Lake Merritt path and reduced Lakeshore Avenue from 2 lanes going in each direction (total 4 lanes) to 3 lanes (one each direction and one middle turning lane). OakDOT wants to lean on community input but also this project is a rapid response to a [tragic incident](#). Project was initially scheduled for 2027 but accelerated. OakDOT to do community outreach through early April. OakDOT is seeking recommendations for other important stakeholders to speak with.

Project will reduce the current middle turning lane to a median, retain parking on both sides, and create an approx. 12-foot wide two-way separated bike path on the lakeside of Lakeshore Avenue between El Embarcadero and East 18th Street. OakDOT does not foresee any big impacts to parking; however, parking on the lake side will be moved away from the current curb to make room for the bike path. Project will include a raised bus board island at the intersection of Lakeshore Avenue and E. 18th Street. Left turn lanes at E. 18th and Hanover Avenue will be retained. OakDOT is currently working on a conceptual design. Due to the fast timeline and this being a paving coordination, OakDOT is looking to limit the amount of excavation, greening infrastructure, and utility work. Constraints also don't allow for extension of bike path beyond E. 18th on the southern end. OakDOT will consult OPW, Environmental Services, and other relevant departments regarding garbage, street cleaning, and larger vehicle access to bike path. OakDOT will look at adding some greenery but subsurface water retention green infrastructure is out of the project's scope, and they will perform traffic counts of intersections and use speed data to optimize signals. OakDOT confirmed that all current crosswalks will be maintained. They will also consider speed cushions to address speeding. Further, they will consider additional white zones or open curb spaces due to the possibility of the narrowed middle lane making it more difficult for temporary parking for unloading deliveries. OakDOT will need to consult with OPW and stewardship groups regarding any landscaping. OakDOT has just recently started attending the Lake Merritt Working Group which is mostly attended by City staff.

[7. DD Program Manager's Report](#).....Terri Fashing, Oakland Public Works, Acting Manager for Watershed & Storm Water Management Division, Measure DD Bond

[Administration](#) - Names of OPW & Finance dept staff involved in administering MDD, including Stephen Acker and G. Harold Duffey who are present at the meeting.

[Estuary Park](#) (EP) - 90% design is complete. Draft CEQA is complete. But project is on pause because Brooklyn Basin developer (Signature) is exploring building housing on parcel N. See map provided in this [article](#). Terri shared a Google map of land designated for EP as well as Conceptual Master Plan. OPW is looking into options for phasing work on EP while waiting for more information on the status of Parcel N. When OPW did public outreach through online survey and community meeting #4, there was a high level of interest in the Bay Trail, resilient shoreline improvements, waterfront activities and picnic areas, etc. The area outlined in blue in the Conceptual Master Plan (JLAC area north to Embarcadero West) is not currently part of EP 90% design. OPW is considering possibilities for this section if housing were to be built on parcel N, how to spend series D, and how to phase out the project. OPW does not want construction to be paused for too long because the spending deadline for series C is approaching.

Director Duffey: Project requires developer to remediate property but cannot do it in a way that meets OPW's timeframe. MDD has resources in the form of the bond \$, but this has an expiration date. Significant delays will limit OPW's ability to use the bond \$, which is why

OPW is looking into ways to phase out the project. Since the developer cannot remediate the property now, OPW cannot clear the site to implement the current 90% design.

James Vann: Approved development plan for Brooklyn Basin requires 30 acres for the parks as [displayed on the screen](#). The developer cannot land grab or swap without a plan change, and can be sued if they do not fulfill remediation according to the timeline in the approved plan. Estuary Park would become an invisible park if 600 units of housing were built between it and Embarcadero. MDD Coalition needs to put together a working group, to have a firm position on the issue, and to take action before the City Council on the developer's proposal. This is to be a public park, and there is no park of the size or magnitude that serves the need this park would serve. We should continue forward with the current plan.

Dir. Duffy agrees that the MDD Community Coalition should form a working group but advises that members become as informed as possible, starting with finding out what Signature's full proposal is. Dir. Duffy does not believe the housing will include 600 market rate housing units on parcel N when it is not a high-rise product.

John Klein agrees with James Vann, particularly that putting housing on parcel N will render the park invisible. John expressed concern that the EP project was paused without communication to the MDD Coalition. It was an MDD Coalition participant who found the [article](#) and asked for it to be put on the meeting agenda, and 600 units is the number that was mentioned in the article.

Dir. Duffey clarified that he had not known of the 600 figure and that OPW was told by the City Administrator's office to pause after presenting the 90% design. OPW supports MDD and is an advocate of maximizing use of the MDD funds. Terri Fashing: OPW does not want to keep the project on pause too long because of the spending deadline and wants to maximize MDD funds which is why OPW is thinking of alternative ways to move the project along.

James Vann clarified that Signature requested to increase the number of units by 600 from 3100 to 3700 and that the developer did get City Council approval. The developer also came up with the letter 'N' to identify the parcel. There was no 'N' before, as the designated parcels end at M. James emphasized that this is all the more reason to form a working group to meet with OPW and the Administrator's office.

Dir. Duffy clarified, due to questions, that if parcel N were to be removed from EP, there would be remaining funds that could be put towards the area outlined in blue, where MDD had not initially planned on doing much work.

Bill Threlfall: We already spent lots of time/money developing EP plans based on understanding that parcel N land would be available. This understanding was based on documents. In order to respond to this, the MDD Coalition needs to know what are the governing documents that determine how parcel N can be used. James Vann asked Bill Threlfall to be part of the working group. Bill will wait to see how things evolve.

Dir. Duffey recommends that the working group, once formed, work with the City planning and development to get the exact documentation. Find out if there is a development agreement that binds the developer to complete specific tasks. EP was arrived at as part of a compromise for overall development. In the development process, if you're going to make a change, make sure you get what you want out of the project. It's very important to get all the information, including the amount of money that MDD has already spent to get to the 90% design.

[In-person meetings research](#): The Garden Center (located at 666 Bellevue Ave, Oakland 94610) will cost about \$446 per meeting. [But Dir. Duffey said](#) that the MDD Coalition, who volunteers their time to provide guidance for MDD, should not have to pay to meet at a City

facility. Dir. Duffey will work with Terri on this. Hybrid meetings are available at City Hall, and this facility is free. Hybrid meetings can also be done at the Garden Center, but internet connectivity is slow, and there is no support for technical issues. Action item to continue to look at the options and revisit at next meeting.

[East Bay Regional Park District \(EBRPD\) Waterfront Trail Sites](#) No updates on current projects.

[Decomposed Granite Path around LM](#) (DGP) PM is making progress on this project. Most degraded parts of the path will be prioritized since the \$300k budget cannot cover the initial \$660k quote. Lightweight concrete would require demolition to the base, hiring an on-call contractor instead of the vendor OPW is looking to hire, and depending on the condition of the base this may end up costing more. PM does not want to pursue the lightweight concrete. Per a MDD Coalition request, Terri will make a recommendation to the Capital Improvement Program (CIP) to create a long term plan for the DGP as there currently is not one. Per Dir. Duffey, recommendation to add in next MDD Coalition meeting's agenda time to discuss how Measure Q funds can be towards repairing the DGP at the original repair cost. Dir. Duffey knows of the DGP's state and danger. Terri to follow up re: Measure Q funds for the DGP.

[Snow Park](#) No updates

[LM Channel 10th street/Peralta Park](#) Rebecca Darr, PM, presented. There have been challenges to completing mitigation requirements under the permits the City has with SF Bay Regional Water Quality Control Board and CA Fish and Wildlife Dept. Challenges include 10 years of monitoring/reporting for any replanting and compliance to meet permit requirements but this time frame is difficult at this location due to vandalism and encampments. OPW is looking into installing fencing to prevent free access to the project site. Fence would wrap around from LM Blvd bridge to the 10th Street bridge and will be adjacent to the Kaiser Convention Center parking lot. There will be 4 gates that will have open/close hours, signage will be placed to show hours. Intention is for security service to make a sweep of the park in the evening to make sure no one is there and then to lock the gates for the night. Rebecca went to the Parks and Recreation Advisory Committee (PRAC) on March 13th and got unanimous recommendation for the proposed fencing. OPW is out to bid now for a fencing contract, looking into early to mid-summer to start fence installation, will work with the City's encampment management team to coordinate closing encampments. Once done irrigation and replanting can be done to close out permits. Aim is to have all work completed by the end of 2024.

Terri: OPW estimates that approx. \$1.5 million of MDD funds are needed to complete this work. The funds would be taken from leftover series C funds from either completed MDD projects or others that will not be completed. However, this means that the funds would not go towards wish list projects. But Terri proposes using the available funds for the fencing because of the approaching deadline for series C and the need to close out permits.

James Vann wants to delegate the work of getting City Council approval for the fencing project to the MDD Agenda Committee so that it doesn't wait until the next MDD Coalition meeting.

David Wofford requested keys to the gates of current fencing due to the Rotary Nature Center Friends's educational programming which complements the permit requirements. Rebecca Darr clarified that David is referring to the fence that was installed in 2022. This fence would become the inner fence and once the new proposed fencing is up, it may not be necessary to lock this inner fence. The proposed fencing would make educational and community stewardship programs much easier. Terri will still check on how to get keys to David.

Dir. Duffey: The purpose of the proposed fencing is to preserve the classroom setting and giving educators access to it is in line with what OPW is trying to accomplish. Rebecca Darr: Issue of safety during programming goes away with the proposed external fencing.

Terri asked for the MDD Coalition's approval tonight to use the funding towards the fencing and reminded participants that the series C funds need to be spent. The proposed fencing project is the only one that is ready. James Vann moved to approve spending for the fence.

Myra Redman: Seems like a lot of money for fencing to keep encampments out. Could it be a temporary fence instead, like a chain link fence?

Rebecca: The specific fence style is ornamental and in line with a park setting, will be durable for the 10 year period that it needs to be up, and it's high enough to prevent illegal entry into the park. Further, the cost estimate reflects worst case scenarios that take into account increased construction costs and the need to provide safe work zones for workers until the fencing is installed. The need for fencing is to guarantee protection of the plants. When plants are destroyed for various reasons, the 10-year timeline starts again. OPW must be able to establish an 80% survival rate for the plants within a 10-year period.

Jennie Gerard seconded the approval for funds to be spent on the fence but is not happy about wish list projects not being funded by MDD.

John Bowers: All the fencing will make it look like a prison yard. He recommended getting rid of the inner fence or replacing it with a less obtrusive barrier, like the steel cable fence that the City installed at Dimond Park to protect Sausal Creek, once the exterior fence is up.

Rebecca wants to keep the inner fence up for at least 5 more years because doing a security sweep at night of the upper area is different from having to do a security sweep of the wetlands. The inner fence will protect the wetlands and also address issues of public safety. John and Rebecca agreed that in 3-4 years, after the exterior fence is put up, if the desired results are achieved for the project site to revisit the idea of taking the interior fence down. Terri asked Rebecca to keep track of this. Dir. Duffey said that it would be good for the MDD Coalition to also keep track and agreed that if things turn around getting rid of the internal fencing would be a good idea.

Katie Noonan expressed support for OPW's work to try to resolve the homeless encampment issue. She has done educational programming on the site and knows the value of it. Rotary Nature Center Friends hopes for day when they can bring in the public to do stewardship programming.

Vince Geronimo: Consider making the area more family friendly to make the fence an intentional part of the design, including extending the playground. Parents will support a fence that is up to keep kids in, and the hours also indicate times of when kids will not be there.

There were no objections from the MDD Coalition for the fencing, and since the motion was seconded, the MDD Coalition supported use of MDD funds for the fencing.

Finances: Terri cannot present on a conceptual plan for series D funding at this time because OPW still needs to plan out how to spend the remaining series C funds. Terri will continue to work with Stephen Acker to plan for series C.

Fruitvale Land Crossing Bay Trail Segment: Construction completed. Trail is now open to the public.

Union Point Park to 23rd Avenue Trail: Per 11/20/2023 MDD Coalition meeting, it was determined that the project would be canceled due to high cost and long time commitment.

Further, discussion at the [01/22/2024 MDD Coalition meeting](#) led to a general consensus to cancel the project but to look out for opportunities in the longer term to establish a trail in the same location, and to look now for bikeways via city streets and sidewalks for pedestrians. Per MDD Coalition request, OPW got order of magnitude cost estimates from the consultant ARWS for trail options at the originally planned location. ARWS shows estimates around \$51.4 million for an over-water-trail and \$54.5 million for a land-based trail. These estimates consider costs of acquiring property, easements, rights-of-way. Hard to determine whether these estimates are on the high or low end. But the costs are why OPW does not think this is the right time to pursue this location and supports the city streets and sidewalks route. Terri spoke with Jason Patton (Link to DOT's planned projects [Dept. of Transportation](#)). OakDOT has a project idea for this area but no funding or plan to build it at this time. Terri wants to talk with Jason more about what a potential collaboration with OakDOT could look like for an upland trail project using MDD funds and requests this item to be included in agenda for the next MDD Coalition meeting. She asked that the upland trail alternative be a continuing conversation with the MDD Coalition. Although the MDD Coalition had general consensus to cancel the original project, she requested another confirmation from the MDD Coalition that the initial project (Union Point Park to 23rd Avenue Bay Trail) be canceled so that Terri can finalize the closure. Rebecca Darr said the cancellation would also include the Park Street Bridge connection because the two projects go together (as cost estimate shows); one project cannot move forward without the other. James Vann moved for the temporary cancellation of the project. Adrian Cotter recommended having this item again for the May meeting. John Bowers wants to review the cost estimate figures and possibly ask Terri some questions, recommended voting on this at the May meeting. Terri agreed to wait until May meeting for MDD Coalition to vote. Jennie Gerrard recommended scheduling a field trip with OPW and the MDD Coalition for before the May meeting to walk the bike/pedestrian route, so the Coalition can have an idea of what the alternative route would look like. Terri supported this idea and said she would meet Coalition members for a walk. Agenda Committee was asked to schedule the field trip. James Vann withdrew motion to temporarily cancel the current project. Terri said that postponing the MDD Coalition's decision until May meeting does not create a time pressure for her. Rebecca Darr added that the consultant's cost-estimate for the original concept (land-based trail) of \$54.5 million does not include the cost of a full property purchase from Outboard Motors (current landowner) who absolutely does not want a trail going through their property. She thinks the cost-estimate may actually be on the conservative side when also considering the amount of time, permitting, and other legal procedures it would take for land acquisition. James Vann added that the City Council is reluctant to use Eminent Domain to purchase property. Rebecca agreed and added that there will be pushback from the Port of Oakland and other parties to have the industrial property re-zoned for public use.

[Courtland Creek](#) is on schedule to wrap up summer/fall 2024. There are some challenges that OPW is working on with contractor. OPW is making progress.

[Beaconsfield Branch Sausal Creek and Glen Echo Creek](#) These creek restoration projects continue to be on hold and there are no updates. OPW hopes to pick up soon.

[Acquisitions](#) For short term, OPW is working on a short list of possible purchases including Sausal Creek headwaters, serpentine site, and strategic tax-defaulted sites. For long term, OPW is continues to look into resuming a landfill closure at Dunsmuir/Chabot, coordinating with City partners on reducing development pressure on vacant creekside and other lands with natural resource value, and will need to talk with Stephen Acker on whether MDD funds can be used for monitoring conservation easement or if OPW needs to look for other funding sources.

[Series C Remaining Funds](#), Approx. \$6.35 million remains. See slide shown on recording for breakdown by category. Terri wants to look at the wish list for Lake Merritt category to see how to spend the remaining \$1.25 million for category 1. For Estuary Waterfront Access, there will be about \$3.35 million left if the 7th to 23rd and Park Street bridge projects are

canceled. If those projects are not canceled, Terri will subtract the remaining funds from category 2 and will have to discuss with the MDD Coalition how to spend them. Fastest way to spend remaining category 2 funds is to use them on Estuary Park, which is why OPW does not want to stall the EP project for too long as discussed earlier in the meeting. Remaining for category 3 will be spent on the LM Estuary connection. Terri proposes putting remaining \$75.8k in Creeks & Waterway Restoration category towards acquisitions if the PM finds a need for the funds, and they aren't needed for other active creek projects. Otherwise, she thinks they can go toward Glen Echo Creek. There's also \$387k left for public art and \$298.4k left for DD Administration.

John Bowers said that Friends of Sausal Creek is co-sponsoring a restoration effort at William Wood Park. Mike Perlmutter (PM for Acquisitions) presented on acquisition opportunities at William Wood Park. John said he just wanted to make people aware of this. Terri said she may invite Mike to speak at the May meeting if he has updates to bring to the MDD Coalition.

James Vann moved to authorize Terri to decide on how to spend remaining category 1 series C funds on [Lake Merritt wish list](#). Terri believes she ordered the wish list projects shown on the slide according to the Capital Improvement Program's prioritization scoring criteria. She will double-check. She will also communicate with the Agenda Committee and City Facilities to see which projects can be done quickly with remaining funding. James Vann added to his motion that after Terri completes her analysis that the final authority be given by the MDD Agenda Committee. Jennie Gerard seconded James Vann's motion.. No objections.

Terri thanks the MDD Coalition's patience with her. She is holding multiple jobs and trying her best to put time into MDD.

James Vann moved to discuss the rest of the agenda items at the May meeting. Adrian Cotter seconded.

[Formation of Estuary Park Work Group to address Signature's housing development proposal](#)

Discussed in more detail earlier in the meeting. Myra nominated James Vann and Bill Threlfall to lead. James accepted half of leadership role.

8. Announcements

[Rotary Nature Center Friends](#)

[Lake Merritt Weed Warriors](#)

9. Assigned tasks & agenda suggestions for next meeting, May 20, 2024

Terri Fashing:

- Work with Dir. Duffey to look into all options for free meeting space for hybrid meetings
- Make recommendation to CIP to develop a long-term plan for the LM decomposed granite path (DGP).
- Per Dir. Duffey, look into asking Council how to direct Measure Q funds towards the DGP.
- Check on getting a key to the current fence at LM Channel to give to David Wofford, RNF, for educational programming.
- Invite Mike Perlmutter to May meeting to give update on Acquisitions.
- Continue to work with Finance to plan on using remaining series C funds.
- Double check that Category I (Lake Merritt) wish list projects are listed in order of CIP prioritization and contact Agenda Committee when list is ready.

Agenda Committee:

- Per James Vann, delegate work to Agenda Committee re: LM Channel improvements at 10th to get City Council approval for fencing project.
- Per Terri, add Union Point Park further discussion/vote on May agenda
- Schedule time for MDD Coalition walk with OPW for possible upland bike route alternative in place of Union Point Park to 23rd Avenue trail.
- Work with David Wofford re: inviting Horton Development to MDD Coalition and how to present accomplishments of MDD Coalition to the general public.
- Check with Terri on Lake Merritt wish list projects and grant final authorization to her on how to spend remaining series C Lake Merritt funds once all information is reviewed.

OPRF:

- Prepare March MDD Coalition meeting minutes and work with OPW and Agenda Committee to finalize a final draft to post on the MDD Coalition website.
- Work with OPW and Agenda Committee to create a May 2024 meeting agenda.

James Vann and John Klein take lead on forming a MDD Coalition work group for EP to address Signature developer's proposal to build additional housing on designated park land. Get contact for Planning from OPW.