



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

Meeting Minutes
Monday, May 20, 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

Review of Zoom meeting protocol: recording, chat, mute, and raise hand. Adrian Cotter asked that people help keep meeting to the 2-hour time limit as it has gone over time with the last few meetings.

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

Adrian Cotter	Measure DD (MDD) Coalition Agenda Committee
Bill Threlfall	Waterfront Action
Robert Kidd	Interested Citizen
John Bowers	Lake Merritt Institute (LMI), MDD Coalition Agenda Committee
James Vann	Coalition of Advocates for Lake Merritt (CALM), Homeless Group
Myra Redman	LMI, MDD Coalition Agenda Committee
Bob Redman	Essex Community Action Committee, Lake Merritt Conservancy Coalition (LMCC)
Kira Pascoe	Oakland Parks and Recreation Foundation (OPRF)
David Wofford	Rotary Nature Center Friends
Katie Noonan	Rotary Nature Center Friends, LMI
Hazel Tesoro	OPRF, MDD Coalition Admin & Meeting Support
Robert Prinz	Bike East Bay, Walk Oakland Bike Oakland
Rick Rickard	Bike East Bay
John Klein	Brooklyn Basin Resident, present re: Estuary Park updates
Lee Aurich	Lake Merritt Resident, Interested Citizen
Natalie Orenstein	Reporter, OaklandSide
Vince Geronimo	Cleveland Heights Resident, Interested Citizen
Lori	Interested Citizen
City of Oakland	
Terri Fashing	Oakland Public Works (OPW), Acting Manager, Watershed & Stormwater Management Division & Acting Manager for MDD Bond
Rebecca Darr	OPW, Project Manager, Peralta Park Project
G. Harold Duffey	Assistant City Administrator, OPW, Acting Director, & Assistant Director, Building Design and Construction
Patrick Phelan	Oakland Dept. of Transportation (OakDOT), Transportation Planner, Bicycle & Pedestrian Program
Jason Patton	OakDOT, Section Lead Bicycle & Pedestrian Program, Safe Streets Division

2. Changes to meeting agenda - No changes / additions

3. Review of minutes for March 18, 2024 meeting - Changes need to be made. Keep on agenda for July meeting

4. Announcements

- a) [Love Our Lake Initiative](#).....Kira Pascoe
- b) [Rotary Nature Center Friends](#) on-line events.....David Wofford

- [Next Lakeside Chat: “Putting Oxygen into the Lake,” with Eli Kersh, Lake Tech, Inc, 5/31/24](#)
- [State of the Estuary Conference, 5/28-5/29/24](#)
- [Updates on Rotary Nature Center and Junior Center of Art & Science Buildings](#)

c) [Lake Merritt Conservancy](#).....Bob Redman

5. [DD Project Update Report](#).....Terri Fashing, Oakland Public Works, Acting Manager for Watershed & Storm Water Management Division, Measure DD Bond

[Update on Action items from 3/18/24 meeting minutes](#) – Terri will look into free meeting spaces with hybrid capability. The Measure DD Coalition recommends that the City develop a long-term Lake Merritt trails management plan and Terri agreed to communicate this recommendation to appropriate City staff. . More funding for the repair of the decomposed granite path around Lake Merritt will be considered by the City Council in June. Terri will check with the Acquisitions project manager (PM) for when they can attend/provide updates at a MDD Coalition meeting. She continues to work with Finance to plan for remaining series C spending. Lake Merritt (LM) wish list projects were discussed during her report..

[Estuary Park](#) (EP) – CEQA draft and 90% design complete. Additional discussion on EP below.

[EBRPD Waterfront Trail Sites](#) – No updates

Lake Merritt [Decomposed Granite Path](#) (DGP) – Current Measure Q \$300k budget can only fund most degraded parts of path. Additional Measure Q funds will be included in the mid-cycle budget request to be reviewed by the City Council in June. DGP was originally a MDD-funded project. Measure Q funding was identified several years ago to fund the repairs. MDD Coalition participants expressed concern about the safety hazards of the DGP and would like to continue to receive updates every two months. Terri agreed to continue to ask the Project Manager (PM) for updates. ACA Duffey said the project will be done this year and is working with the Maintenance Division (Bureau of Maintenance and Internal Services) to prioritize it based on dollar amounts they have included in the budget.

[Funding Category I: Lake Merritt Restoration & Water Quality Improvements](#) – No project to update in Cat. I

Funding Category III: Lake Merritt to Estuary Connection (LM Channel)

[Improvements at 10th Street](#) – New exterior fencing authorized to secure Peralta Park and protect infrastructure and habitat. Project was on hold starting mid-April while City staff from OPW and Department of Finance looked into whether MDD series B and C funds could be spent since more than five years have passed since the bond funds were issued. Approval to spend the funds on this Measure DD project was granted by Department of Finance, and the project is in progress. The project manager, Rebecca Darr, provided details on fence contracting challenges but indicated that once contracting and fence fabrication phases are complete, fence installation will proceed quickly.

Funding Category II: Oakland Waterfront Access, Parks, and Cleanup

[Fruitvale Land Crossing Bay Trail Segment](#) – Project completed, and PM finalizing invoicing. Terri will remove the slide for the July meeting.

[Union Point Park to 23rd Ave Trail \(aka Miller Milling to Cemex\)](#) – Per 11/20/23 meeting, OPW & MDD Coalition recommended to not proceed with the current project but to look into the possibility of an inland route. Terri will ask Department of Finance staff if MDD funds can fund an inland route. If the Union Point Park to 23rd Ave Trail is not completed through Measure DD, the Waterfront Trail Connection at Park Street Bridge cannot proceed either since they must go hand in hand. OPW’s cost estimates for the land-based project alternative and for the over water trail alternative are each above \$50 million (this cost includes the Waterfront Trail Connection at Park Street Bridge project).

Funding Category V: Creek & Waterway Restorations

[Courtland Creek Restoration](#) – Two areas of severe bank erosion delayed project completion, but project manager is working towards completing in-stream work by October 15th. All remaining work will be completed by the end of 2024 (installation of trails, benches, fences, and signs and planting remaining 20% of the riparian corridor).

[Glen Echo Creek & Beaconsfield Branch of Sausal Creek](#) – No updates

[Acquisitions](#) – For short term, PM is working on a list of possible purchases, including Sausal Creek headwaters, serpentine site, and strategic tax-defaulted sites. Longer term Acquisitions Program goals were also mentioned.

[Series C Remaining Funds](#) – Terri shared spreadsheet for series B and C projects that were not completed within 5 years. Department of Finance and OPW sought legal opinion from outside counsel and received clearance to focus on projects that can be completed as soon as possible which in some cases may still take years. Table includes encumbered and remaining funds with total of about \$9 million that must be spent. Projects include the following:

- Cat II: Completed Fruitvale Land Crossing project has about \$86k that will be used to pay off incoming invoices.
- Cat. III: 10th Street Channel Improvements. OPW proposes to use remaining \$1.58 million for fencing, replanting, & ongoing monitoring.
- Cat V: Remaining series C to be spent on Acquisitions (~\$850k) and also to cover completion of Courtland Creek if needed for unanticipated bank repairs (~\$237k). For remaining series B, OPW proposes using towards either Courtland Creek Restoration, Glen Echo Creek, or Acquisitions (~ \$288k).
- 5% Administrative costs, ~\$298k remaining series C. This would cover period of time to complete Estuary Park, which OPW estimates will go to the 2nd quarter in 2027.
- Estuary Park: OPW proposes moving \$1.4 million from category I, series C because the City is not ready to take on any category I wish list projects at this time. However, Estuary Park is ready to proceed. It will take City Council approval to move funds from one funding category to another (EP is in Cat II).

Terri recommends focusing remaining series B and C funds on Estuary Park and other projects listed above. Stephen Acker (Department of Finance) indicated that series D funds can go toward [Cat I & III wish list projects](#). City staff will work on a series D conceptual spending plan to present at July's meeting.

Comment from Rick Rickard that City should eventually complete the segment of Bay Trail (to connect Union Point Park to the opposite side of the Park Street Bridge) even if the projects (#1001661 E. 7th to 23rd Ave and #1004295 Waterfront Trail Connection at Park Street Bridge) are postponed and not completed using any additional Measure DD funds.

6. [Status Report: Inland path between Union Point Park & Fruitvale](#)

Robert Prinz, Bike East Bay, stated that bicyclist/pedestrian safety has been an issue in Jingtletown for a long time. He encourages the MDD Coalition to support the City to invest in near-term inland connectivity while continuing to support the goal of a continuous Bay Trail. He showed a [Jingtletown Bay Trail Map](#). There is a current City project in construction on Fruitvale Ave creating a separated bike lane from Fruitvale BART to the Bay Trail. Robert thinks that E. 7th Street (designated with a dotted purple line on the map) could be an inland route connecting 23rd Ave to Fruitvale Ave. E. 7th Street is scheduled for repaving in 2027 according to the City's [5-year paving plan](#). Robert also referred to upcoming funding opportunity: [Regional Measure 3](#).

Robert pointed to another inland option: Kennedy Street (dotted red line on Robert's map). This connects 23d Ave to the Park Street bridge. Kennedy Street is not included in the 5-year repaving plan, but there are some proposed improvement projects for it. However, Kennedy Street passes through an industrial area (Cemex driveways) which poses a challenge to building a low-stress all-ages-and-abilities bike lane there. Conversely, E. 7th goes through a residential area, and Robert discussed ways to create an all-ages-and-abilities bike lane in this location, including E.7th Street intersection upgrades, which could be funded by Regional Measure 3 with support from community groups including MDD Coalition and Bay Trail.

Terri Fashing is looking into whether MDD funds can be used towards creating an inland route but indicated that OakDOT would need to implement the project (Jason Patton with OakDOT addressed this question later in the meeting). She will also look into how to remove the waterfront trail projects from the list of MDD projects while preserving the project information so they can be pursued by the City in the

future. At the recommendation of the MDD Coalition, for historical documentation the City will refrain from stating that the projects (#1001661 E. 7th to 23rd Ave and #1004295 Waterfront Trail Connection at Park Street Bridge) are 'canceled': the project will be put on hold until opportunities arise in the future. The PM emphasized the need for clear approval to close out contracts with engineers and consulting firms for both projects. Per Terri, these projects will no longer be MDD projects going forward.

Lee Huo, Senior Planner for the Bay Trail Project at the Metropolitan Transportation Commission, supports putting a pin in these waterfront trail connection projects for now and understands that a near-term alternative inland route may be necessary given the ongoing challenges. He encouraged City staff to look for opportunities to complete the waterfront connection. His goal is to see the 500-mile Bay Trail completed, including the waterfront connection, which will depend on partners such as the City of Oakland. He understands it can take years to complete challenging sections (for example Moffett Field took 25 years and the bridge between Bay Front Park and Pinole took 30).

John Bowers expressed concern that he did not receive information requested at the March meeting for estimated costs to pursue the on-water trail and is not confident that the City's decision to discontinue the project is based on completely accurate information regarding property ownership. Terri agreed to work with Rebecca Darr to give John the information he seeks, but she emphasized that OPW will still move forward with removing the two projects from the MDD list of projects due to the costs and ongoing project challenges.

Jason Patton (OakDOT) stated that he appreciated the discussion, is confident the waterfront trail connection will be built due to the planning and regulatory frameworks in place, and does not believe the alternative route will detract from eventually completing the waterfront trail connection. While he supports the upcoming repaving work for E. 7th Street, he thinks Kennedy Street work is even more crucial because it is the main route for bicyclists traveling between Alameda and downtown Oakland. He thinks staffing is more an issue for this project than funding. He encourages this group to advocate for prioritizing this as a project with one method being through CIP which is reviewed by the City every two years.

7. Estuary Park (EP) Update

Terri shared responses from the City Planning Dept. The EP draft master plan that includes parcel N (location of former Cash and Carry) will continue to proceed through City's review process. However, parcel N is owned by the developer Signature, and the City is anticipating an application from the developer to build additional housing on it. Therefore, OPW wants to proceed with spending remaining series B and C funds to build out EP in phases that do not include parcel N.

ACA Duffey reiterated that the 90% design can proceed but that nothing can be done with parcel N at this time because the developer has not completed the required remediation of the property. The developer must remediate the property and then transfer ownership to the City. Mr. Duffey said he would provide the document that confirms this agreement between the developer and the City. There was some discussion between when ownership would be transferred to the City based on language in the EIR application that says ownership would be transferred once improvements are completed. One MDD participant, John Klein, took the 'improvements' to mean Estuary Park, while Mr. Duffey believes it means the remediation.

Mr. Duffey further clarified that the administrative hold on the EP project that had been in place when the MDD Coalition met in March has been lifted. Bill Threlfall recommended that City staff consider the MDD Coalition members as a community resource and partners who can provide input on decisions. Mr. Threlfall asked that the Coalition be included in the decision making process rather than left out. OPW staff agreed to set up a meeting with the MDD Coalition Working Group focused on EP and City Planning and Building Department staff within the next two weeks.

Remaining meeting participants supported the Working Group's holding off on sending out a press release until after they met with OPW and the Planning Department. Another comment was made that Natalie Orenstein from OaklandSide (signed off at this point) may already be planning to report on the meeting.

8. Assigned tasks & agenda suggestions for next meeting, July 15, 2024

Terri Fashing:

- a. Complete action items from last meeting
 - i. Look into options for free meeting space for hybrid meetings – consult with

ACA Duffey.

- ii. Keys for David Wofford – find right people and move this off the Coalition Meeting action item list.
- iii. Add Acquisitions to July meeting agenda if appropriate timing – invite Mike Perlmutter
- iv. List Category I (Lake Merritt) wish list items in order of CIP prioritization and contact Agenda Committee when ready.
- v. Recommend long term planning for trail management Lake Merritt to appropriate City staff

b. Conceptual plan for Series D – have ready for July meeting

c. Correct slides in presentation

- i. 7th – 23rd & Park St. Bridge

d. Coordinate with ACA Duffey to provide document that describes the agreement between the City and the Brooklyn Basin Developer regarding Parcel N and provide to Estuary Park (EP) work group and help set up meeting with EP work group (in-person hybrid) in next two weeks to discuss. Invite ACA Duffey, Planning staff, EP work group.

e. Project #1001661 E. 7th to 23rd Ave and Project #1004295 Waterfront Trail Connection at Park Street Bridge

- i. Determine formal process to stop work on projects.
- ii. Meet with John Bowers week of 5/20. Staff will describe information used to determine that the City will not proceed with Project #1001661 E. 7th to 23rd Ave and Project #1004295 Waterfront Trail Connection at Park Street Bridge at this time.
- iii. Determine if Measure DD funds can be used on an alternate inland route
- iv. Make sure project files are preserved so that in the future the City or another entity can use the files to move the project forward

8. Follow up with ACA Duffey regarding Rotary Nature Center Update

9. Give brief update on Lake Merritt Dissolved Oxygen TMDL Alternative at next meeting

G. Harold Duffey:

Provide Signature/City agreement document re: transfer of Parcel N to MDD Coalition Estuary Park working group and meet with them to review document and working group's documents within next 2 weeks.

Estuary Park Working Group:

Prepare questions before meeting with OPW and confirm members of the group with Terri

OPRF:

Prepare Meeting minutes. Follow up with Terri regarding how minutes should be prepared.