

# SUMMARY MINUTES

ABAG Executive Board Meeting No. 390  
Thursday, January 17, 2013  
Joseph Bort MetroCenter  
101 8<sup>th</sup> Street, Oakland, California

## 1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

President Mark Luce, Supervisor, County of Napa, called the meeting to order at approximately 7:00 p.m.

A quorum of the Board was present.

### **Representatives and Alternates Present**

Councilmember Ronit Bryant  
Jeff Buckley, Office of the Mayor  
Councilmember Kansen Chu  
Supervisor David Cortese  
Mayor Pat Eklund  
Supervisor John Gioia  
Councilmember Pedro Gonzalez  
Mayor Leon Garcia  
Supervisor Scott Haggerty  
Councilmember Dave Hudson  
William Kissinger  
Councilmember Sam Liccardo  
Supervisor Mark Luce  
Supervisor Eric Mar  
Supervisor Karen Mitchoff  
Mayor Julie Pierce  
Supervisor Dave Pine  
Councilmember Joe Pirzynski  
Kelly Pretzer, Office of the Mayor  
Supervisor David Rabbitt  
Councilmember Libby Schaaf  
Supervisor Linda Seifert  
Joaquin Torres, Office of the Mayor  
Supervisor Richard Valle  
Supervisor Mike Wasserman

### **Jurisdiction**

City of Mountain View  
City of San Francisco  
City of San Jose  
County of Santa Clara  
City of Novato  
County of Contra Costa  
City of South San Francisco  
City of American Canyon  
County of Alameda  
City of San Ramon  
RWQCB  
City of San Jose  
County of Napa  
County of San Francisco  
County of Contra Costa  
City of Clayton  
County of San Mateo  
Town of Los Gatos  
City of San Francisco  
County of Sonoma  
City of Oakland  
County of Solano  
City of San Francisco  
County of Alameda  
County of Santa Clara

### **Representatives Absent**

Councilmember Desley Brooks  
Supervisor Carmen Chu  
Mayor Bill Harrison  
Councilmember Ash Kalra  
Mayor Harry Price  
Mayor Jean Quan  
Mayor Tim Sbranti  
Supervisor Warren Slocum

### **Jurisdiction**

City of Oakland  
County of San Francisco  
City of Fremont  
City of San Jose  
City of Fairfield  
City of Oakland  
City of Dublin  
County of San Mateo

President Luce led the Board and the public in the Pledge of Allegiance.

He welcomed new Board members: Supervisor Katie Rice, Marin County Board of Supervisors; American Canyon Mayor Leon Garcia, former Alternate to former Mayor Jack Gingles, representing Napa County Cities; Solano County Supervisor Linda Seifert, former Alternate to Barbara Kondylis, who is now the new Solano County representative to the Executive Board; Oakland Councilmember Libby Schaaf; and William Kissinger from the Regional Water Quality Control Board.

**2. PUBLIC COMMENT**

David Grabill, Santa Rosa, commented on the RHNA process.

President Luce commented on work proximity housing in Napa County.

There was no other public comment.

**3. ANNOUNCEMENTS**

President Luce recognized past Board members Susan Adams, Jack Gingles, Rose Jacobs Gibson, Susan Gorin, and Barbara Kondylis for their service to ABAG and the region. He also recognized Jane Brunner and Sepi Richardson who were not present. Mark Green was recognized later in the meeting.

There were no announcements.

**4. PRESIDENT'S REPORT**

President Luce welcomed new Board members and alternates attending their first meeting and wished all a happy and prosperous New Year. He and Vice President Julie Pierce look forward to working with members over the next year to tackle the issues facing cities and counties in the region. In the spring will begin another round of public hearings on Plan Bay Area, which includes first sustainable communities strategy for the region before action by the Executive Board in July. On February 27th we will host a Legislative Workshop and Reception in Sacramento. The annual Administrative Retreat will be in Napa February 28th-March 1st. The General Assembly and Business Meeting is on April 18th.

**5. EXECUTIVE DIRECTOR'S REPORT**

Ezra Rapport, ABAG Executive Director, noted that the agenda included an update on the Sustainable Communities Strategy.

**6. ABAG CONSENT CALENDAR**

President Luce recognized a motion by Karen Mitchoff, Supervisor, County of Contra Costa, which was seconded by Dave Cortese, Supervisor, County of Santa Clara, to approve the Consent Calendar, with the following changes: under Item 6.C., removing Sepi Richardson, Councilmember, City of Brisbane, from the Administrative Committee and Joint Policy Committee; and adding Desley Brooks, Councilmember, City of Oakland, and Eric Mar, Supervisor, City and County of San Francisco, to the RHNA Appeals Committee, whose members are eligible for per diem; adding Supervisor Mar to the Regional Prosperity Plan Steering Committee; and adding Supervisor Mar to the Administrative Committee, pending his appointment as a Representative from the City and County of San Francisco. The motion passed by consensus, with new members abstaining from voting on the Item 6.A., and with Pat Eklund, Mayor, City of Novato, abstaining from voting on Item 6.B.

**A. Approval of Executive Board Summary Minutes\*\***

Summary of Minutes of Meeting No. 389 held on November 15, 2012.

**B. Grant Applications\*\***

A list of grant applications was approved for submission to the State Clearinghouse, having been circulated in ABAG's "Intergovernmental Review Newsletter" since the last Executive Board meeting.

**C. Appointment to Committees**

President Luce requests Board approval of appointments to the following committees:

San Francisco Bay Restoration Authority—West Bay Seat:

San Mateo County Supervisor David Pine (Replaces Phil Ting, former SF Assessor)

Regional Planning Committee:

Walnut Creek Councilmember Kristina Lawson  
Dublin Mayor Tim Sbranti  
Oakland Councilmember Desley Brooks  
Solano County Supervisor Erin Hannigan

Legislation and Governmental Organization Committee:

Fremont Mayor Bill Harrison

Finance and Personnel Committee:

Fremont Mayor Bill Harrison  
Contra Costa County Supervisor Karen Mitchoff  
San Mateo County Supervisor Dave Pine  
Mountain View Councilmember Ronit Bryant

Administrative Committee:

San Mateo County Supervisor Dave Pine, Executive Board Alternate  
San Francisco Supervisor Eric Mar (pending formal appointment as Executive Board member)

Metropolitan Transportation Commission:

Napa County Supervisor Mark Luce, ABAG President

California Council of Governments (CalCOG):

Napa County Supervisor Mark Luce, ABAG President

RHNA Appeals Committee:

Novato Mayor Pro Tem Pat Eklund  
Napa County Supervisor Mark Luce  
Clayton Mayor Julie Pierce  
Palo Alto Mayor Greg Scharff  
Oakland Councilmember Desley Brooks  
San Francisco Supervisor Eric Mar (alternate)

Regional Prosperity Plan Steering Committee:

San Francisco Supervisor Eric Mar

**D. Approval of Resolution No. 01-13 Authorizing Submittal of Grant Application to California Dept. of Water Resources for San Francisco Bay Region Integrated Regional Water Management Plan (IRWMP) Prop 84 Round 2 Implementation Projects**

Authorized the Executive Director or designee to file IRWMP application, and, if funded to execute a grant agreement with the California Department of Water Resources for Prop 84 Round 2 Implementation Projects.

**7. EXTENDED PRODUCER RESPONSIBILITY**

Heidi Sanborn, Executive Director, California Product Stewardship Council briefed the Board on extended producer responsibility issues and requested Board support in obtaining resolutions and letters of support from cities, towns, and counties in the region. The Council is a coalition of local governments founded in 2007 to promote producer responsibility for discarded computers, batteries, paints, and similar products with hazardous or toxic properties. Ms. Sanborn reported on the Council's work, including legislative advocacy, implementation support for recently enacted stewardship laws and support for the Council's strategic initiatives for 2013 and beyond.

President Luce recognized a motion by Mayor Eklund, and seconded by Dave Rabbitt, Supervisor, County of Sonoma, to endorse extended producer responsibility and to authorize sending a letter encouraging support of extended producer responsibility to member jurisdictions. The motion passed by consensus, with Mike Wasserman, Supervisor, County of Santa Clara, abstaining.

**8. OVERVIEW OF ABAG FINANCIAL SERVICES**

Clarke Howatt, ABAG Public Finance Director, presented a brief overview of the Agency's Financial Services Program with focus on the activities of the ABAG Finance Authority for Nonprofit Corporations and highlighting the Authority's highly successful program for financing affordable multi-family housing. Case studies of mixed-use, multi-family housing capital financing projects completed by the Authority on behalf of the City and County of San Francisco was presented.

**9. REGIONAL PLANNING PROGRAM UPDATE**

Miriam Chion, ABAG Acting Planning Director, provided an update on the Regional Priority Development Plan (PDA) Implementation Program and Priority Conservation Plan (PCA) Grant proposals, including SCS implementation funding, policies and strategies, coordination and advocacy, and regionally administered grants; and the

Members discussed alignment with jurisdictions, and opportunities and constraints; entitlement process and streamlining; in-fill development and grants; emphasis on open space and Priority Conservation Areas; advanced in-fill development related to jobs; elimination of Redevelopment resources.

JoAnna Bullock, ABAG Senior Regional Planner, reported on the Public Engagement Strategy for Plan Bay Area which includes open houses and formal comments, local elected official briefings, EIR public hearings, and other engagement opportunities.

Members discussed participation of elected officials at meetings; posting questions and answers on website; media open house; coordinating and scheduling open

houses, public hearings and meetings with elected officials; online engagement; timeframe and format of meetings.

Members directed staff to communicate with the Metropolitan Transportation Commission regarding coordinating with public officials when scheduling Plan Bay Area meetings.

President Luce announced a recess at 9:06 p.m.

#### **10. BAY AREA REGIONAL PROSPERITY PLAN**

Vikrant Sood, Program Manager, Regional Prosperity Plan, provided an overview of the three-year regional initiative grant from the U.S. Department of Housing and Urban Development (HUD) to the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC).

#### **11. LEGISLATION & GOVERNMENTAL ORGANIZATION COMMITTEE REPORT**

Committee Chair David Rabbitt, Supervisor, County of Sonoma, reported on Committee activities and asked Board approval of Committee recommendations and pending legislation, including the following: election of Supervisor Rabbitt as Chair and Scott Haggerty, Supervisor, County of Alameda, as Vice Chair; report on new bills for consideration in the 2013 state legislative session, including SB 1 (Steinberg), sustainable communities investment authority—watch, SB 33 (Wolk), infrastructure financing districts, voter approval, repeal—support, SCA 9 (Corbett), local government, economic development, special taxes, voter approval—watch, SCA 4 (Liu), local government, transportation projects, special taxes, voter approval—support, SCA 8 (Corbett), transportation projects, special taxes, voter approval—support, AB 39 (Skinner/Perez), Proposition 39, implementation—watch, AB 48 (Skinner), firearms, ammunition, sales—watch, AB 22 (Blumenfeld), sidewalks, repairs—oppose; report on finalized legislation priorities for 2013 legislative session, including lowering the 2/3 supermajority vote threshold, and focus on SB 375 implementation; a report on 2013 legislative workshop and reception; and discussion on a proposal to Assemblymember Skinner relating to a Bay Area Regional Quality of Life/Sustainable Communities Initiative Funding Measure.

Members discussed supermajorities and upcoming statewide bonds.

President Luce recognized a motion Chair Rabbitt, which was seconded by Dave Pine, Supervisor, County of San Mateo, to accept the committee report. The motion passed unanimously.

#### **12. FINANCE & PERSONNEL COMMITTEE REPORT**

John Gioia, Supervisor, County of Contra Costa, reported on Committee activities and asked Board approval of Committee recommendations, including the following: approval of minutes of November 15, 2012 meeting; report on financial reports for October and November 2012; review of proposed Work Program, Budget and Membership Dues for Fiscal Year 2013-14; update on achieving more timely FPPC Form 700 compliance; and, in closed session, discussion of public employee performance evaluation for Executive Director.

President Luce recognized a motion by Supervisor Gioia, which was seconded by Joe Pirzynski, Councilmember, City of Los Gatos, to accept the committee report,

including FY 2013-14 Budget and Work Program and membership dues. The motion passed unanimously.

**13. REPORT ON THE STATUS OF THE DESIGN AND RENOVATION OF 390 MAIN STREET**

Andrew Fremier, Deputy Executive Director, Bay Area Headquarters Authority, gave a presentation on the 390 Main Street, San Francisco, focusing on the design of the physical plant and the status of the development project, as background for the closed session on the proposed real estate transaction.

The Board entered Closed Session.

**14. CLOSED SESSION**

The following item was discussed in closed session pursuant to the requirements of the Ralph M. Brown Act:

The ABAG Executive Board will meet in closed session pursuant to Government Code Section 54956.8 to confer with real property negotiators to discuss building co-location and the acquisition of real property:

Agency Negotiators: Ezra Rapport, Executive Director; Pat Jones, Assistant Executive Director; Kenneth Moy, Legal Counsel; Herb Pike, Finance Director; Brian Kirking, Information Services Director; and Administrative Committee.

MTC Negotiating Parties: Steve Heminger, MTC Executive Director; Adrienne Tissier, MTC Chair; Amy Worth, MTC Vice Chair; James Spring, MTC Commissioner; Bay Area Headquarters Authority/Metropolitan Transportation Commission.

Under negotiation: Terms and conditions regarding proposed real estate exchange of ABAG Condominium interest at MetroCenter, 101 8th Street, Oakland for condominium interest at Regional Facility, 390 Main Street, San Francisco.

The Board returned to Open Session.

**15. ADJOURNMENT**

President Luce adjourned the meeting of the Board at approximately 9:48 p.m.

Submitted:

  
Ezra Rapport, Secretary-Treasurer

*\*\* Attachments sent to ABAG Executive Board Members.*

*For information on the L&GO Committee, contact Patricia Jones at (510) 464 7933 or PatJ@abag.ca.gov, or Kathleen Cha at (510) 464 7922 or KathleenC@abag.ca.gov.*

*All ABAG Executive Board meetings are recorded. To arrange for review of audio recordings, please contact Fred Castro, Clerk of the Board, at (510) 464-7913 or [FredC@abag.ca.gov](mailto:FredC@abag.ca.gov).*