

SUMMARY MINUTES

ABAG Executive Board Meeting
No. 380, May 19, 2011
MetroCenter Auditorium
101 8th Street, Oakland, California

1. CALL TO ORDER

President Green called the meeting to order at approximately 7:24 p.m. He recognized new members Malia Cohen, Supervisor, and Kate Howard, Director of Governmental Relations, both from the City and County of San Francisco.

Representatives and Alternates Present

Supervisor Susan L. Adams
Councilmember Desley Brooks
Councilmember Ronit Bryant
Councilmember David Casas
Councilmember Kansen Chu
Supervisor Malia Cohen
Councilmember Carole Dillon-Knutson
Jason Elliott, Legislative Director
Mayor Jack Gingles
Supervisor John Gioia
Councilmember Susan Gorin
Mayor Mark Green
Supervisor Scott Haggerty
Supervisor Don Horsley
Kate Howard, Government Affairs Director
Supervisor Rose Jacobs Gibson
Councilmember Beverly Johnson
Councilmember Rebecca Kaplan
Supervisor Barbara Kondylis
Supervisor Nadia Lockyer
Councilmember Julie Pierce
Mayor Harry Price
Supervisor David Rabbitt
Councilmember A. Sepi Richardson
Supervisor Gayle B. Uilkema
Mayor Joanne Ward

Jurisdiction

County of Marin
City of Oakland
City of Mountain View
City of Los Altos
City of San Jose
County of San Francisco
City of Novato
City of San Francisco
City of Calistoga
County of Contra Costa
City of Santa Rosa
City of Union City
County of Alameda
County of San Mateo
City of San Francisco
County of San Mateo
City of Alameda
City of Oakland
County of Solano
County of Alameda
City of Clayton
City of Fairfield
County of Sonoma
City of Brisbane
County of Contra Costa
City of Hercules

Representatives Absent

Supervisor John Avalos
Councilmember Jane Brunner
Supervisor David Cortese
Vice Mayor Richard Garbarino
Councilmember Ash Kalra
Councilmember Sam Liccardo
Supervisor Mark Luce
Supervisor Ross Mirkarimi
Supervisor Ken Yeager
Vice Chair Terry Young

Jurisdiction

County of San Francisco
City of Oakland
County of Santa Clara
City of South San Francisco
City of San Jose
City of San Jose
County of Napa
County of San Francisco
County of Santa Clara
RWQCB

2. PUBLIC COMMENT

The 22nd Annual Golf Outing is on July 15th at the Monarch Bay Golf Club in San Leandro.

There were no other public comments.

3. ANNOUNCEMENTS

There were no other announcements.

4. PRESIDENT'S REPORT

President Green reported on the following:

Since the last meeting the 50th Anniversary General Assembly was held. During the General Assembly luncheon awards were presented to the 2011 Growing Smarter Together Award recipients. Winning entries were received from the City of Oakland Housing Authority, the Alameda County Flood Control and Water District and San Mateo City and County Association of Governments. Alameda County Supervisor Scott Haggerty was the recipient of the Distinguished Leadership Award. Available on the ABAG website is a video of the outstanding award winning work of our communities as well as the distinguished leadership award recipient. He encouraged members to consider nominating projects from their communities in 2012.

During the General Assembly, California State Librarian Emeritus Kevin Starr and futurist Paul Saffo were featured speakers. President Green thanked Supervisor Dave Cortese for moderating a panel by San Francisco Mayor Edwin Lee, San Jose Mayor Chuck Reed, Oakland Mayor Jean Quan, and Redwood City Councilmember Barbara Pierce.

During the Business Meeting, the Annual Budget and Work Program were approved.

The Fall General Assembly is on October 14th in San Francisco at the St Francis Hotel.

President Green reported that he was appointed to the California Association of Councils of Governments Board by the Metropolitan Transportation Commission and that he attended the Regional Issues Forum along with Supervisor Rose Jacobs Gibson who is the new CALCOG President.

President Green participated in a meeting of about 45 elected officials and staff from cities in southern Alameda County to discuss the Sustainable Communities Planning process. Staff representatives from MTC, ABAG, and the Air District also participated in the meeting.

Berkeley Mayor Tom Bates, one of ABAG's representatives to the Bay Conservation and Development Commission, has selected Richmond Councilmember Tom Butt as his alternate to replace former Hercules Mayor Ed Balico who resigned from office.

5. EXECUTIVE DIRECTOR'S REPORT

Ezra Rapport, Executive Director, reported on the Governor's May Revision of the State budget and noted continuing issues regarding expected revenues and the deficit,

and commented on the proposed extension of taxes, enterprise zones, elimination and merging of programs, and redevelopment agencies.

President Green thanked Mr. Rapport for his report.

6. CONSENT CALENDAR

President Green recognized a motion by Jack Gingles, Mayor, City of Calistoga, and seconded by Harry Price, Mayor, City of Fairfield, to approve the Consent Calendar, which includes the appointment of Keith Caldwell, Supervisor, County of Napa, to the San Francisco Bay Restoration Authority's Governing Board, and Laurel Prevetti, Assistant Director, Planning, Building, and Code Enforcement, City of San Jose, and with the exception of Item 6.E., Approval of Resolution No. 07-11. The motion passed unanimously.

A. Approval of Executive Board Summary Minutes**

Approved Summary Minutes of Meeting No. 379 held on March 17, 2011.

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. Appointments to Committees

Approved appointments to the following committees:

San Francisco Bay Restoration Authority Governing Board
Keith Caldwell, Supervisor, County of Napa

Regional Planning Committee

Laurel Prevetti, Assistant Director, Planning, Building and Code Enforcement, City of San Jose

D. Authorization to Renew Agreement with Michael J. Arnold and Associates, Legislative Advocate**

Authorized renewal of the agreement with Michael J. Arnold and Associates in an amount not to exceed \$60,000 to provide legislative advocacy on behalf of ABAG in Sacramento.

E. Approval of Resolution No. 07-11 in Appreciation of Service to the Joint Policy Committee and ABAG**

Approved Resolution No. 07-11 in a separate motion.

F. Approval of Resolution No. 08-11 and Authorization to Apply and Accept Grant from State Water Resources Control Board for Clean Water State Revolving Fund for the San Pablo Avenue Green Stormwater Spine**

Authorized application for a grant and if funded to accept funding from the State Water Resources Control Board State Revolving Fund for the San Pablo Avenue Green Stormwater Spine.

- G. Approval of Resolution No. 09-11 and Authorization to Apply for and Accept Grant from State Water Resources Control Board for Clean Water State revolving Fund for Disadvantaged Communities (DAC) Trash Demonstration Project****
Authorized application for a grant and if funded to accept funding from the State Water Resources Control Board State Revolving Fund for the DAC Trash Demonstration Project.
- H. Authorization to Enter Into Agreement with U.S. Environmental Protection Agency****
Authorized application by SFEP for funds under the National Estuary Program and authorize the Executive Director or designee to enter into a new cooperative agreement with EPA on behalf of the San Francisco Estuary Partnership to provide technical, public involvement and administrative support in implementing the Comprehensive Conservation and Management Plan (CCMP). The agreement is for \$598,800 for a period through September 30, 2012.
- I. Authorization to Enter Into Contract with Aquatic Science Center Under Comprehensive Strategy to Protect and Monitor California Wetlands Development Grant****
Authorized entering into a contract with the Aquatic Science Center under the Comprehensive Strategy to Protect and Monitor California Wetlands Development Grant in the amount of \$100,000. The contract term will be through November 2012.
- J. Authorization to Enter into Agreement with California Energy Commission (CEC) and for the Executive Director or Designee to Sign Agreement and Any Amendments Thereto****
Accepted a grant award of up to \$1,493,165 (One Million Four Hundred Ninety Three Thousand One Hundred and Sixty Five Dollars), and authorized the Executive Director, to execute all necessary contracts and agreements, and amendments to implement and carry out the purposes specified in the application.

President Green recognized a motion by Scott Haggerty, Supervisor, County of Alameda, and seconded by Julie Pierce, Councilmember, City of Clayton, to adopt Resolution 07-11, in appreciation of Ted Droettboom's service to the Joint Policy Committee and ABAG. The motion passed unanimously.

President Green recognized Ted Droettboom, Program Manager, Joint Policy Committee, and presented him with Resolution 07-11.

7. SUSTAINABLE COMMUNITIES STRATEGY UPDATE**

Kenneth Kirkey, ABAG Planning Director, reported on the status of the Sustainable Communities Strategy and the Initial Vision Scenario. He described regional growth trends, including demographic, housing and employment trends, comparisons to surrounding counties, state and the nation, and housing costs and commutes.

Members discussed multi-family housing, differentiation between rental and ownership, decline in state and national population growth rate, age-related analysis of census data, inter-county commuting and vehicle miles traveled, senior

population growth and housing types, and RHNA allocations and Priority Development Areas.

Kirkey then described the Initial Vision Scenario process, reported on outreach made to local jurisdictions, and outlined policy issues. He reported on input received from advisory groups and public workshops, described the Alternative Scenarios framework and concepts, described transportation policy variables, and summarized the Alternative Scenario timeline.

Members discussed general plans and growth, funding for additional housing, alternative scenario concepts and VMT targets, facilitation of public workshops, growth rate assumptions and growth factor, presentation of information at public meetings, electric vehicle infrastructure, local control, meetings with local officials, jobs and housing balance, affordable senior housing, county analysis of growth of multi-family housing units, and distance and proximity to job centers.

President Green thanked Mr. Kirkey for his report.

8. REGIONAL HOUSING NEED ALLOCATION (RHNA) HOUSING METHODOLOGY COMMITTEE UPDATE**

Kenneth Kirkey, ABAG Planning Director, reported on the Regional Housing Need Allocation Process and the work of the Housing Methodology Committee. He described the proposed allocation approach and its rationale, described the proposed income allocation, and listed pending tasks related to the RHNA methodology concepts and funding support.

President Green thanked Mr. Kirkey for his report.

9. ENERGY UPGRADE CALIFORNIA**

Brian Kirking, ABAG Director of Information Services, and Jerry Lahr, ABAG POWER Program Manager, reported on Energy Upgrade California and ABAG's role. Lahr provided a summary of ABAG POWER, its purpose and membership, reported on the Natural Gas Program, and described the Public Goods Charge Funded Programs, Local Government Partnerships with PG&E, ABAG Green Communities, including GHG Emissions Inventory Assistance and Energy Use Benchmarking, Energy Upgrade California, and the Better Buildings Program. Kirking described ABAG's oversight and fiscal agent role in Energy Upgrade California and the program's regional call center and website, which are administered by ABAG.

President thanked Mssrs. Kirking and Lahr for their report.

10. PROPOSED PLANNED PRIORITY DEVELOPMENT AREA (PDA) IN CITY OF SANTA CLARA**

Justin Fried, ABAG Regional Planner, presented the recommendation for designation of the El Camino Real Focus Area and the Santa Clara Station Focus Area as planned and potential PDAs in the City of Santa Clara.

President Green recognized a motion by Ronit Bryant, Councilmember, City of Mountain View, which was seconded by Barbara Kondylis, Supervisor, County of Solano, to approve the designation of planned and potential PDAs in the City of Santa Clara. The motion passed unanimously.

President Green thanked Mr. Fried for his report.

11. OVERVIEW OF STRATEGIC FACILITIES PLANNING FOR JOINT REGIONAL AGENCY CO-LOCATION FACILITY**

Members heard the report on Item 11 after Item 13.

Rapport provided an overview of the strategic Facilities planning for a joint regional agency co-location facility for ABAG, the Metropolitan Transportation Commission and the Bay Area Air Quality Management District. He noted that in the closed session, CBRE will report on their findings and short list recommendations, and, upon authorization to proceed, will commence real estate negotiations with one or more of proposed properties resulting in a non-binding letter of intent. He listed the five addresses of the potential locations.

President thanked Mr. Rapport for his report.

12. LEGISLATION & GOVERNMENTAL ORGANIZATION COMMITTEE REPORT**

President Green recognized Committee Vice Chair Carole Dillon Knutsen, Councilmember, City of Novato, who reported on committee activities, including approval of minutes of March 17, 2011; review of legislation, including AB 392 (Alejo), Ralph M. Brown Act: oppose; AB 485 (Ma), Infrastructure Financing: support; AB 506 (Wieckowski), Local Government: Bankruptcy—Mediation: oppose; AB 710 (Skinner), Local Planning: Infill and Transit-oriented Development: oppose; AB 880 (Perez), Environmental Quality: CEQA—Expedited Environmental Review: watch; AB 913 (Feuer), Certified Green Business Program: support; AB 1103 (Huffman), Land Use: Housing Element: support; AB 1112 (Huffman), Oil Spill Prevention and Administration Fee: support; AB 1220 (Alejo), Land Use and Planning: Cause of Actions—Time Limitations: oppose; AB 1430 (Commission on Local Government), Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 Omnibus Bill: support; SB 184 (Leno), Land Use: Zoning Regulations: support; SB 286 (Wright), Redevelopment: oppose; SB 419 (Simitian), Solid Waste: Home Generated Sharps: support; SB 515 (Corbett), Recycling: Product Stewardship—Batteries: support; SB 555 (Hancock), Local Government: Community Facilities Districts: support; SB 582 (Emmerson), Regional Commute Benefit Policies: support; SB 653 (Steinberg), Local Taxation: Counties—School Districts—General Authorization: watch; SB 790 (Leno), Electricity: Community Choice Aggregation: support; and discussion regarding naming of the Bay Trail. The committee heard from Bruce Beyart, Trails for Richmond Action Committee, about the completion of 30 miles of Bay Trail, and from Sandra Threlfel, Executive Director, Waterfront Action, on a guide to Oakland-Alameda Waterfront Parks, Trails and Public Access.

Members discussed positions taken on SB 582, SB 286, and SB 653.

President Green recognized Dave Hudson, Councilmember, City of San Ramon, who spoke in opposition to AB 710.

President Green recognized a motion by Vice Chair Dillon Knutsen, which was seconded by Malia Cohen, Supervisor, City and County of San Francisco, to approve the committee report. The motion passed with the following exceptions: AB 710,

Green and Gioia, support; AB 392, Kondylis, support; AB 653, Kaplan, support; SB 286, Gioia, no position.

President Green thanked Vice Chair Dillon Knutsen for her report.

13. FINANCE & PERSONNEL COMMITTEE REPORT**

President Green recognized Chair Rose Jacobs Gibson, Supervisor, County of San Mateo, who reported on committee activities, including approval of minutes of March 17, 2011; review of financial reports for February and March 2011; discussion of payment of per diems to invited board members; report on ABAG fund balance and proposed reserve policies; report on the proposed regional facility; and discussion of a personnel matter in closed session.

President Green recognized a motion by Chair Jacobs Gibson, which was seconded by Jack Gingles, Mayor, City of Calistoga, to approve the committee report. The motion passed unanimously.

President Green thanked Chair Jacobs Gibson for her report.

Members heard the report on Item 11.

The Board entered closed session at 9:08 PM.

14. CLOSED SESSION

Regional Co-location Facility

Members met in closed session pursuant to Government Code Section 54956.8 to confer with real property negotiators to discuss a potential acquisition and/or lease with option to purchase of real property as follows:

Negotiating Parties:

For ABAG: Association of Bay Area Governments and CB Richard Ellis

ABAG Negotiators: Ezra Rapport, ABAG Executive Director, and Darin R. Bosch, CBRE Senior Vice President

Potential Addresses: owned by the corresponding parties as listed:

1945 Broadway Street, Oakland CA: Sears Development Company, to be developed with Phelps Development and SUDA (Owner)

1221 Broadway Street, Oakland CA: The Clorox Company (Owner)

1100 Broadway Street, Oakland CA: SKS Investments, LLC (Owner)

875 Stevenson Street, San Francisco CA: Shorestein Realty Services, LP (Owner)

390 Main Street, San Francisco, CA: Angelo, Gordon & Co., L.P. Amerimar Enterprises, Inc and Barnes RHPO Partners, LLC (Joint Venture)

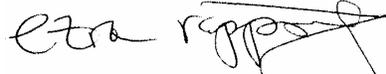
Under Negotiation:

Price and Terms

The Board re-entered open session at 9:27 PM.

15. ADJOURNMENT

The meeting was adjourned at approximately 9:27 p.m.

A handwritten signature in black ink, appearing to read "Ezra Rapport". The signature is stylized and somewhat cursive.

Ezra Rapport, Secretary-Treasurer

*** Indicates attachments.*

**** 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 these tapes, please contact Fred Castro, Clerk of the Board, at (510) 464-7913 or FredC@abag.ca.gov.