

SUMMARY MINUTES

ABAG Executive Board Meeting
No. 356, July 19, 2007
MetroCenter Auditorium
101 8th Street, Oakland, CA

1. CALL TO ORDER

Vice President Rose Jacobs Gibson called the meeting to order at approximately 7:10 p.m. She announced that the resolution for agenda Item 9 was revised to include the correct date for staff to report to the Executive Board on requests for revisions to RHNA.

Representatives and Alternates Present

Supervisor Susan Adams
Amiee Albertson, Dir., Intergovernmental Affairs
Councilmember Jane Brunner
Councilmember Paul Cohen
Mayor Jose Esteves
Mike Farrah, Senior Advisor to the Mayor
Mayor Dan Furtado
Mayor Jack Gingles
Supervisor John Gioia
Mayor Mark Green
Supervisor Scott Haggerty
Vice Mayor Nadia Holober
Supervisor Rose Jacobs Gibson
Supervisor Barbara Kondylis
Councilmember Sam Liccardo
Mayor Janet Lockhart
Supervisor Mark Luce
Councilmember John Marquez
Supervisor Peter McHugh
Mayor Steve Messina
Vice Mayor Jean Quan
Mayor Pro Tem Gwen Regalia
Supervisor Gail Steele
Mayor Pamela Torliatt
Supervisor Gayle B. Uilkema
Councilmember Forrest Williams
Supervisor Ken Yeager

Jurisdiction

County of Marin
City of San Francisco
City of Oakland
City of San Rafael
City of Milpitas
City of San Francisco
City of Campbell
City of Calistoga
County of Contra Costa
City of Union City
County of Alameda
City of Millbrae
County of San Mateo
County of Solano
City of San Jose
City of Dublin
County of Napa
City of Richmond
County of Santa Clara
City of Benicia
City of Oakland
City of Walnut Creek
County of Alameda
City of Petaluma
County of Contra Costa
City of San Jose
County of Santa Clara

Representatives Absent

Vice Mayor David D. Cortese
Supervisor Chris Daly
Supervisor Jerry Hill
Supervisor Mike Kerns
Supervisor Ross Mirkarimi
Councilmember Nancy Nadel
Councilmember A. Sepi Richardson
Mary C. Warren

Jurisdiction

City of San Jose
County of San Francisco
County of San Mateo
County of Sonoma
County of San Francisco
City of Oakland
City of Brisbane
RWQCB

2. PUBLIC COMMENT

There was no public comment.

3. ANNOUNCEMENTS

Vice President Jacobs Gibson welcomed new Board members John Marquez, Councilmember, City of Richmond, representing the Cities of Contra Costa County, and Nadia Holober, Vice Mayor, City of Millbrae, representing the Cities in San Mateo County, to the Executive Board. Pamela Torliatt, Mayor, City of Petaluma, introduced Susan Gorin, Councilmember, City of Santa Rosa, who is the alternate representing the Cities in Sonoma County.

Scott Haggerty, Supervisor, County of Alameda, announced that at the National Association of Counties Conference, Alameda County was recognized by City and County Magazine for its fuel cell project which is a 1-megawatt system supplying 50% of the jail's electricity and 18% of its hot water. Alameda County signed onto an initiative to reduce emissions 80% by 2050 and to improve gas mileage to 35 mpg.

There were no other announcements.

4. PRESIDENT'S REPORT

Vice President Jacobs Gibson stated that the President's Report will be presented at the next meeting by President Dave Cortese. She announced that she and Henry Gardner, ABAG Executive Director, attended the Blueprint Learning Network meeting in San Diego on June 20th and 21st. Together we represented the Bay Area at a workshop with other elected officials and staff from around the state who have Blueprint Planning Grants. She stated that she found the conference to be informative.

5. EXECUTIVE DIRECTOR'S REPORT**

Executive Director Gardner reported that the state still did not have a budget. Until the budget is adopted, ABAG will not have any indication of whether it will be successful in getting support for on a variety of its initiatives.

On June 28, 2007, ABAG hosted its second annual housing conference. This year's conference, *FOCUS on Affordable Housing*, was co-sponsored by the Bay Area Air Quality Management District, Bay Conservation and Development Commission, Metropolitan Transportation Commission, Silicon Valley Leadership Group, Urban Land Institute, East Bay Community Foundation, Bay Area Council, and attended by 175 elected officials, planners, housing developers, and other interested parties. Conference attendees received a copy of *A Place to Call Home: Housing in the San Francisco Bay Area 2007*. Executive Director Gardner recognized Paul Fassinger, ABAG Research Director, and Gillian Adams, ABAG Planner, for their work on the conference and publication.

Regarding the proposed funding criteria for allocation of Proposition 1C Bonds, implementation of blueprints is made one of several factors in the evaluation of projects in a single competitive grant program under SB 46 (Perata), and, in AB 1053 (Nunez), \$400 million is pulled out from the competitive grant program and earmarked for each of several separate programs with the remaining \$450 million requiring consistency with local land use plans and policies. This arguably includes consistency with regional blueprints but it is not stated explicitly. As to the Proposition 84 planning funds, there are various proposals in the Assembly and the Senate

regarding the allocation of \$90 million dollars for planning, regional blueprint, and local government action to implement the blueprints. These funds are necessary to successfully implement the work ABAG is doing under Focusing Our Vision, particularly in respect to Priority Development Areas and Priority Conservation Areas.

On August 24th, ABAG has scheduled the second GASB Symposium that will address the policy implications of reporting requirements for post employment benefits offered by public agencies.

The Green Business Program is 10 years old. Effective July 1st, San Mateo County has joined the ABAG Green Business Program. July also marks the addition of the 1000th business to join the Green Business Program.

ABAG staff has met twice with Chevron representatives to discuss security concerns regarding a segment of the Bay Trail between Point Richmond and Point Molate on Chevron property. In addition, a meeting with the Coast Guard is scheduled in July.

On June 7th, Gwen Regalia, Mayor Pro Tem, City of Walnut Creek, Pat Jones, ABAG Assistant Executive Director, and the Executive Director met with Dale Bonner, Secretary of Business Transportation and Housing, in Oakland to discuss ABAG priorities and ways that BTH can be more supportive of ABAG's goals.

Since the last Executive Board Meeting ABAG Finance Authority has issued tax exempt capital financing, including Hamlin School, Series 2007, \$20 million in additional Variable Rate Revenue Bonds on behalf of the City and County of San Francisco for acquisition, construction and renovation of educational facilities; Windemere Ranch Infrastructure Financing Program, \$158 million in Revenue Bonds on behalf of Contra Costa County for new public capital improvements and property tax reduction for this 5,400-home development in the southern portion of the County; La Jolla Country Day School, Series 2007-2, \$20 million in additional Variable Rate Demand Revenue Bonds on behalf of the County of San Diego for construction and rehabilitation of Educational Facilities; Catherine Delmar Burke School, \$17 million in Variable Rate Revenue Bonds on behalf of the City and County of San Francisco for construction and renovation of educational facilities; Marin Country Day School, \$25 million in Variable Rate Demand Revenue Bonds on behalf of the County of Marin for construction and rehabilitation of Educational Facilities; Heritage Park Apartments, \$6.5 million in Multifamily Housing Revenue Bonds on behalf of the City of Norco for acquisition and renovation of this 86-unit affordable apartment project.

Vice President Jacobs Gibson thanked Mr. Gardner for his report.

6. CONSENT CALENDAR

Vice President Jacobs Gibson recognized a motion by Susan Adams, Supervisor, County of Marin, and seconded by Pete McHugh, Supervisor, County of Santa Clara, to approve the consent calendar. The motion passed unanimously.

A. Approval of Executive Board Summary Minutes**

No. 355, May 17, 2007.

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:

A. Sepi Richardson, Councilmember, City of Brisbane, and Janet Kennedy, Mayor Pro Tem, City of Martinez, were appointed to the Regional Planning Committee.

D. Authorization to Execute Contract Amendment with Bio-Integral Resource Center**

Authorized the Executive Director or designee to Execute a Contract Amendment with the Bio-Integral Resource Center, to extend the term to March 31, 2008, and to increase the not-to-exceed amount from \$324,000 (including expenses) to \$341,500 for specified duties outlined in their Scope of Work pursuant to Agreement No. 04-077-552-1 between the SWRCB and the Association of Bay Area Governments for the Proposition 13 PRISM Grant Agreement for: Making IPM Mainstream: Tools and Market-Based Incentives for Improving Urban Water Quality.

E. Authorization to Amend Contract with Consultant Ted Shapas**

Authorized the Executive Director or designee to amend the contract with consultant Ted Shapas to extend the term to March 31, 2008, and to increase the not to exceed amount to \$155,000 so that he may continue to support the further development and implementation of EcoWise Certified, the IPM Certification Program developed pursuant to the Proposition 13 PRISM Grant Agreement No. 04-077-552-1 between the SWRCB and the Association of Bay Area Governments.

F. Authorization to Modify Contract with Alameda County and Alameda County Flood Control and Water Conservation District to Provide Technical Support for Permit Processing**

Authorized the Executive Director or designee to modify the contract by extending it for two years to August 10, 2009, with the option to extend it a third year to August 10, 2010. The total amount of the contract is increased from \$264,300 to \$644,800. The funds cover a full-time position to provide technical assistance with permit processing. No ABAG match is required.

G. Authorization to Enter into a Memorandum of Understanding (MOU) with the North Coast Regional Water Quality Control Board to Provide Technical Support for Permit Processing in the California Dept. of Transportation's (Caltrans) North Coast District and to Modify an Interagency Agreement with Caltrans to Provide Funds for Support**

Authorized the Executive Director or designee to enter into an MOU with the North Coast Water Board for ABAG to provide technical staff support for permit processing in Caltrans' North Coast District. The term of the MOU will be July 19, 2007 until July 18, 2012. Authorization is requested to modify the three-year interagency agreement with Caltrans to include a task that will provide technical staff support to the North Coast Regional Water Board. The total amount of the agreement will increase from \$386,038 to \$637,367 and the agreement term remains the same February 1, 2007 to September 30, 2009. No ABAG match is required.

H. Ratification of Contract with Carol Thornton, Consultant**

ABAG/SFEP issued a Request for Qualifications to provide oversight and project management of the San Francisco Bay Regional Water Board's Supplemental Environmental Projects (SEP) Program. Ratified the contract with the responsive consultant, Carol Thornton. The contract will not exceed \$35,000 and the contract term is June 1, 2007 to May 31, 2008.

I. Authorization to Enter Into Interagency Agreement with U.S. Department of Commerce, National Marine Fisheries Service (NMFS) to Provide Support for the San Francisco Bay Subtidal Habitat Goals Project**

Authorized the Executive Director or designee to enter into an interagency agreement on behalf of ABAG/SFEP with NMFS to perform necessary technical and administrative support for the completion of the Subtidal Habitat Goals Project. The agreement will not exceed \$70,000 and the term of the agreement will be June 2006 to December 2009. No ABAG match is required.

J. Authorization to Extend Agreement with Michael J. Arnold and Associates**

Authorized the extension of the agreement between ABAG and Michael J. Arnold and Associates as ABAG's State Legislative Representative in Sacramento, for an amount not to exceed \$60,000 through June 30, 2008.

7. BAY CONSERVATION AND DEVELOPMENT COMMISSION (BCDC) BRIEFING

Information: Will Travis, Executive Director, BCDC, provided background information on the role of BCDC and how the Commission's work relates to ABAG. He described the developments leading to the creation of the BCDC and its efforts to preserve the San Francisco Bay through regional oversight and mitigation to ensure public access and reclamation. He called for further collaboration among the Bay Area Air Quality Management District, Metropolitan Transportation Commission, ABAG, and BCDC to address global warming and the effects of climate change on the Bay.

Members inquired about the availability of regional maps showing sea level rise, and discussed cooperation among regional agencies and local land use authority.

Vice President Jacobs Gibson thanked Mr. Travis for his presentation.

8. UPDATE ON ABAG STRATEGIC PLANNING EFFORT

Information/ACTION: Executive Director Gardner provided an overview of the strategic planning effort. He presented the findings from the a survey of employees which included focus groups to gather data on employees' perceptions and experience about the organization and its programs and services. He reported on the major strengths and positive attributes and the major issues and challenges which were raised by the survey and focus groups.

Members inquired about staff work culture, the condition of facilities and equipment, and needed funding to cover costs to correct problems identified.

Vice President Jacobs Gibson thanked Mr. Gardner for his report.

9. DRAFT REGIONAL HOUSING NEED ALLOCATION (RHNA)**

Information/ACTION: Paul Fassinger, ABAG Research Director, presented the draft RHNA numbers for each jurisdiction and recommended Executive Board approval of Resolution No. 10-07. Members discussed the draft housing allocation figures and the San Mateo County Sub-region allocation.

Members discussed concerns over housing allocations for jurisdictions, including the share to large cities, the impact on small cities, accountability for past performance, the state's responsibility for planning growth, impact of growth on infrastructure, and resources for growth.

Vice President Jacobs Gibson recognized a motion by Barbara Kondylis, Supervisor, County of Solano, and seconded by Jane Brunner, Councilmember, City of Oakland, to approve Resolution No. 10-07, adopting the draft allocation of the 2007-2014 Regional Housing Need and authorizing beginning the formal 60-day local review process.

On the motion, the ayes were 24 and the nays were 3 (Adams, Albertson, Farrah).

Vice President Jacobs Gibson thanked Mr. Fassinger for his report.

10. FOCUSING OUR VISION (FOCUS) AND THE PRIORITY DEVELOPMENT PROCESS**

Information: Kenneth Kirkey, ABAG Planning Director, reported on the status of the Focusing our Vision Initiative and provided a progress report on Priority Development Area (PDA) submissions. Over 50 jurisdictions submitted applications for PDA designation, representing over 100 PDAs in the region. A FOCUS working group will assist in reviewing the PDA applications. County-level public workshops will be scheduled in the Fall to discuss the PDA and PCA processes. An initial report will be prepared for the Joint Policy Committee for its September meeting. The JPC's recommendations will then be presented at the ABAG/MTC Fall Forum on October 26th. He noted that state incentives and resources are still under discussion. A final staff recommendation will be presented to the Executive Board in November.

Mr. Kirkey described the Priority Conservation Area (PCA) process and noted the support of the State Coastal Conservancy. A draft report on PCAs will be presented at the ABAG/MTC Fall Forum, with a final recommendation presented to the Executive Board in November.

Members discussed the need to receive a briefing sheet for use by members when speaking with state legislators.

Vice President Jacobs Gibson thanked Mr. Kirkey for his report.

11. LEGISLATION & GOVERNMENTAL ORGANIZATION COMMITTEE REPORT**

Committee Chair McHugh reported on Committee activities, including positions recommended on AB 5, AB 739, AB 1066, AB 1452, AB 732, AB 1053, SB 46, AB 1322, SB 966, SB 375, SB 303, AB 414.***

Vice President Jacobs Gibson recognized a motion by Chair McHugh, and seconded by Supervisor Kondylis, to accept the committee report. The motion passed unanimously.

Vice President Jacobs Gibson thanked Chair McHugh for his report.

12. FINANCE AND PERSONNEL COMMITTEE REPORT**

Committee Chair Mark Green reported on Committee activities, including recommendation for approval of Resolution 12-07 establishing an OPEB Trust Fund and review of the financial report for May.

Vice President Jacobs Gibson recognized a motion by Chair Green, and seconded by Mayor Torliatt to accept the committee report, including approval of Resolution No. 12-07 establishing OPEB Trust Fund. The motion passed unanimously.

CLOSED SESSION

The Executive Board entered closed session at approximately 8:47 p.m. to confer with Legal Counsel on existing litigation regarding Doellstadt, et al. v. State of California, et al., and to finalize the public performance evaluation of Legal Counsel.

The Executive Board exited closed session at approximately 8:55 p.m.

Vice President Jacobs Gibson announced that the Board concluded the evaluation of Legal Counsel. She recognized a motion to approve the recommendation from the Finance and Personnel Committee on Legal Counsel's evaluation and compensation discussed in closed session. The motion passed unanimously.

Vice President Jacobs Gibson thanked Chair Green for his report.

13. ADJOURNMENT

Meeting adjourned at approximately 9:00 p.m.


for Henry L. Gardner, 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.