

SUMMARY MINUTES

ABAG Executive Board Meeting
No. 381, July 21, 2011
MetroCenter Auditorium
101 8th Street, Oakland, California

1. CALL TO ORDER

President Green called the meeting to order at approximately 7:05 p.m.

President Green recognized Manish Goyal, Fiscal and Policy Analyst, City and County of San Francisco, representing Edwin Lee, Mayor, City and County of San Francisco; Eric Mar, Supervisor, City and County of San Francisco, representing John Avalos, Supervisor, City and County of San Francisco; Shirley Zane, Supervisor, County of Sonoma, representing David Rabbitt, Supervisor, County of Sonoma; and Tiffany Renee, Councilmember, City of Petaluma, representing Susan Gorin, Councilmember City of Santa Rosa.

Representatives and Alternates Present

Supervisor Susan L. Adams
Councilmember Desley Brooks
Councilmember Jane Brunner
Councilmember David Casas
Supervisor Malia Cohen
Councilmember Carole Dillon-Knutson
Vice Mayor Richard Garbarino
Mayor Jack Gingles
Councilmember Pedro Gonzalez
Manish Goyal, Fiscal and Policy Analyst
Mayor Mark Green
Supervisor Scott Haggerty
Kate Howard, Government Affairs Director
Councilmember Dave Hudson
Supervisor Rose Jacobs Gibson
Councilmember Beverly Johnson
Councilmember Rebecca Kaplan
Supervisor Barbara Kondylis
Councilmember Sam Liccardo
Supervisor Nadia Lockyer
Supervisor Mark Luce
Supervisor Eric Mar
Supervisor Ross Mirkarimi
Councilmember Julie Pierce
Mayor Harry Price
Councilmember Tiffany Renee
Supervisor Gayle B. Uilkema
Vice Chair Terry Young
Supervisor Shirlee Zane

Jurisdiction

County of Marin
City of Oakland
City of Oakland
City of Los Altos
County of San Francisco
City of Novato
City of South San Francisco
City of Calistoga
City of South San Francisco
City of San Francisco
City of Union City
County of Alameda
City of San Francisco
City of San Ramon
County of San Mateo
City of Alameda
City of Oakland
County of Solano
City of San Jose
County of Alameda
County of Napa
County of San Francisco
County of San Francisco
City of Clayton
City of Fairfield
City of Petaluma
County of Contra Costa
RWQCB
County of Sonoma

Representatives Absent

Councilmember Kansen Chu
Supervisor David Cortese
Supervisor John Gioia

Jurisdiction

City of San Jose
County of Santa Clara
County of Contra Costa

Councilmember Ash Kalra
Supervisor Dave Pine
Mayor Joe Pirzynski
Supervisor Ken Yeager

City of San Jose
County of San Mateo
Town of Los Gatos
County of Santa Clara

2. CONSENT CALENDAR

President Green recognized a motion by Barbara Kondylis, Supervisor, County of Solano, and seconded by Julie Pierce, Councilmember, City of Clayton, to approve the Consent Calendar, which includes committee appointments, and Item 12, Proposed Bay Area Regional Resilience Action Plan. The motion passed unanimously.

A. Approval of Executive Board Summary Minutes**

Approved Summary Minutes of Meeting No. 380 held on May 19, 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 Committee

Approved appointments to the following committee:

Legislation and Governmental Organization Committee

Malia Cohen, Supervisor, City and County of San Francisco
David Rabbitt, Supervisor, County of Sonoma

D. Adoption of Resolution No. 10-11 Authorizing Submittal of Grant Application and Entering into Contract with Metropolitan Transportation Commission for Bridge Toll Funds to Support San Francisco Bay Trail Project**

Adopted Resolution No. 10-11 authorizing ABAG to submit a grant application for Two Percent Bridge Toll Reserve Funds and Five Percent Unrestricted State Funds and enter into contract with MTC for program and capital support of the San Francisco Bay Trail.

E. Adoption of Resolution No. 11-11 Authorizing Submittal of an Urban Greening Planning Grant from the Strategic Growth Council to Develop a Bay Trail Greening Plan and if funded for the Executive Director or designee to enter into Agreement**

Adopted Resolution No. 11-11 to submit an application to the Strategic Growth Council for the Bay Trail Greening Plan and authorization for the Executive Director or designee to enter into agreement if funded.

F. Authorization to Enter into Contract with United States Geological Survey (USGS) to Provide Support for Bay-Delta Science Program Biennial Science Conference**

Authorized the Executive Director or designee to enter into a new one-year contract on behalf of the ABAG San Francisco Estuary Partnership with the USGS for support services on the 2012 Bay-Delta Science Conference. The contract amount will not exceed \$180,000.

G. Ratification of Agreement with San Francisco Port Authority to Provide Support for Permit Review for 34th America's Cup Races**

Ratified an agreement with the San Francisco Port Authority to accept \$153,139 to cover staff services to provide technical support pertaining to required permits and agency coordination for the 34th America's Cup Races. The term of the agreement is from July 1, 2011 through June 30, 2012. No ABAG match is required. The work assists with implementation of the CCMP for the San Francisco Estuary.

H. Authorization for San Francisco Estuary Partnership/ABAG to serve as Contract Manager/Fiscal Agent for Bay Protection and Behavior Change Campaign and Procure and Manage Consultant to Develop Brand**

Authorized ABAG's San Francisco Estuary Partnership to act as contract manager/fiscal agent for the new coalition called the Bay Protection and Behavior Change Campaign, to procure through competitive bid and manage a contract consultant to develop a unified, regional brand identity for the Bay Protection and Behavior Change effort. The initial contract range would be approximately \$35,000-\$55,000 and would begin in late 2011 and be completed during 2012.

I. Adoption of Resolution 12-11 Authorizing ABAG's San Francisco Estuary Partnership (ABAG/SFEP) to Enter into Contract Amendment with Delta Stewardship Council to Provide Support for Delta Science Program (DSP)**

Authorized the Executive Director or designee to enter into contract amendment on behalf of ABAG/SFEP with the Delta Stewardship Council to continue providing support for the Delta Science Program. The Contract amount will not exceed \$1,049,258.

3. STATUS REPORT ON STRATEGIC PLANNING FOR JOINT REGIONAL AGENCY CO-LOCATION FACILITY**

Ezra Rapport, Executive Director, reported on a joint agency staff report regarding the acquisition of a condominium interest in 390 Main Street, San Francisco. He stated that ABAG has been requested to make a decision regarding the co-location site for regional agencies, which include the Bay Area Air Quality Management District and the Metropolitan Transportation Commission. He stated that the Board will hear in closed session from the consultants hired by MTC to review the different building alternatives in both Oakland and San Francisco, and from Ken Moy, ABAG Legal Counsel, regarding the proposed agreement between MTC and ABAG.

The Board heard public comments from the following:

Sharon Cornu, Deputy Mayor, City of Oakland, stated Oakland's appreciation for and interest in ABAG remaining in Oakland, and spoke in favor of the development at 1100 Broadway.

Steve Wolmark, SKS Investments, described the development at 1100 Broadway.

Naomi Schiff, Oakland Heritage Alliance, described the work of Oakland's historic preservation group with SKS Investment in planning the development at 1100 Broadway.

Scott Peterson, East Bay EDA, urged the Board to reconsider the proposal to move to San Francisco and expressed concerns about Oakland losing jobs.

Teri Green, Metropolitan Transportation Commission, described the project's process, from reviewing the feasibility of co-locating to identifying viable options in Oakland and San Francisco. She conveyed MTC's staff support of the recommendation.

Andreas Cluver, Alameda County Building Trades Council, asked the Board to reconsider the San Francisco site and to consider 1100 Broadway in Oakland, and to consider the regional economic development implications of this decision and promoting Oakland as a business hub.

Andrew Slivka, Carpenters Union Local 713, spoke in favor of and asked the Board to reconsider the Oakland site, and of the economic benefits of people building the project.

Stuart Helfer, Teamsters Local 853, spoke about bringing back the transit hub to Oakland, and about ABAG leading the way in reducing the carbon footprint in the area.

Robert Lux, Ironworkers Local 378, spoke in favor of the 1100 Broadway project and stated that the agencies that handle the problems of traffic and pollution should help eliminate these problems.

Paul Junge, Oakland Metropolitan Chamber of Commerce, urged the Board to consider the 1100 Broadway site as their new home.

Greg McConnell, Jobs and Housing Coalition, expressed disappointment over this debate. He stated Oakland has been a good host. They stand in solidarity with the Mayor's office, the economic development team, the labor organizations and business groups in favor of the 1100 Broadway project.

Members discussed the viability of the SKS project; the selection process and criteria followed; comparing finalists from Oakland and San Francisco; the tour of the San Francisco site; the occupancy or availability for ownership of 390 Main; and the current occupancy of 390 Main.

The Board entered closed session at about 7:30 p.m.

4. CLOSED SESSION

The Board met in closed session pursuant to Government Code Section 54956.8 to confer with real property negotiators to discuss the acquisition of real property:

Negotiating Parties:

For ABAG: ABAG

ABAG Negotiators: Ezra Rapport, Executive Director; Patricia Jones, Assistant Executive Director; Kenneth Moy, Legal Counsel; Herbert Pike, Finance Director

For BATA and MTC: BATA, MTC and CBRE

BATA and MTC: Steve Heminger, Executive Director; Brian Mayhew, Chief Financial Officer; and Darin R. Bosch, CBRE Senior Vice President

Under Negotiation: Price and Terms.

The Board re-entered open session at about 9:56 p.m.

OPEN SESSION

Vice President Susan Adams, Supervisor, County of Marin, chaired the remainder of the meeting.

Ken Moy, Legal Counsel, announced that there was no reportable action taken during closed session.

The Board next took up Item 11, Plan Bay Area: Alternative Scenarios, and Item 10, Regional Housing Need Allocation (RHNA) Housing Methodology Concepts.

5. PUBLIC COMMENT

The Board heard public comments from the following:

Trish Boorstein, City of Novato, spoke on behalf of Pat Eklund and informed members that a letter from the City of Novato, regarding recalculating the housing distribution sphere of influence to a 50/50 split, was distributed, as were a letter from Marin County's eleven cities on the 50/50 split and an ABAG staff memo regarding the SCS Housing Methodology on the 75/25 distribution for Marin County.

Vice President Adams commented that the County of Marin wrote a letter opposite of what was stated.

6. ANNOUNCEMENTS

There were no announcements.

7. PRESIDENT'S REPORT

There was no President's report.

8. EXECUTIVE DIRECTOR'S REPORT

Executive Director Rapport did not make a verbal report. His written report was in the agenda packet.

9. ONE BAY AREA GRANT PROGRAM**

There was no report.

10. REGIONAL HOUSING NEED ALLOCATION (RHNA) HOUSING METHODOLOGY CONCEPTS**

There was no report.

Rapport stated that this item was to be placed on the agenda for the next Board meeting.

11. PLAN BAY AREA: ALTERNATIVE SCENARIOS**

Kenneth Kirkey, ABAG Planning Director, reported on the Alternative Scenarios for the Plan Bay Area, including two under unconstrained resources (initial vision scenario, core concentration scenario), and three under constrained resources and reasonable planning (focused growth scenario, core concentration scenario, outer Bay Area growth scenario). He reviewed the relationship between three scenarios that feed into the preferred scenario that serves as basis for the Sustainable Communities Strategy and the Regional Housing Need Allocation. He described land use scenario criteria related to the Priority Development Areas (PDAs), growth outside of PDAs, and as informed by RHNA. He spoke about transportation assumptions related to the scenarios. He described equity components of all scenarios, commented on equity advocates' concerns about access to opportunities and reducing income disparities, and stated staff rationale for its recommendation. He reviewed the SCS scenarios timeline. Staff recommended Board approval of the five scenarios.

The Board heard public comments from the following:

Parisa Fatehi-Weeks, Public Advocates, called for an equity environment and jobs scenario which has a land use component that maximizes housing in all communities with jobs and transit, and a transportation component that increases local transit service.

Betty Wharton, Genesis, supports the equity environment and jobs and sustainable housing in cities where jobs are located.

Jana Lane, Genesis, stated that it is essential for the scenario to include equity as a central focus. A priority to achieve the goal for the environment, jobs, and equity is developing improved access to jobs by providing increased and improved public transit.

Sam Tepperman-Gelfant, Public Advocates, commented on fundamental flaws of the scenarios that marginal adjustments will not fix, and on the distinction of inner Bay Area and outer Bay Area which does not reflect how the transportation system is put together and how jobs are distributed in the region. He asked for a scenario that is built upon this on-the-ground reality that puts housing which workers need in all the transit-connected job centers. He suggested that the Focus Growth scenario can be modified to include maximizing housing growth near jobs in transit connected areas.

Kathy Vaquilar, Alliance of Californians for Community Empowerment, asked that staff be directed to develop a scenario that combines the land use component focused on allocating affordable housing to all job-rich transit-connected cities and a transportation component that emphasizes running more frequent, local transit reliable service.

Mahasin Abdul Salaam, Genesis, Gamaliel of CA, and Alliance of Californians for Community Empowerment, asked for a big picture focus and due diligence with the communities and residents represented on the issue of equity.

V Virtuous, Genesis, recited a poem describing growing up in Oakland and a community with limited resources.

Amy Petre Hill, Unitarian Universalist Legislative Ministry, commented on businesses wanting affordable housing and on commuting by low income workers. She suggested looking at the numbers in a sixth scenario or in the five scenarios. She commented that California and the United States will be looking for leadership on this issue.

Lindsay Imai, Urban Habitat, supports the equity, environment and jobs scenario. None of the scenarios get far enough. She stated that none place growth and workplace housing in places that are job-rich and transit-connected. She asked to create a sixth scenario that does that or to modify the Focus Growth scenario.

Trish Boorstein, City of Novato, spoke about two Priority Development Areas, the County of Marin and the City of San Rafael. She commented on the City of San Rafael's letter asking that some of their new PDA housing be shared with other Marin County cities. She said Novato requests that ABAG hold the County of Marin and the City of San Rafael responsible for 100 percent of their new PDA housing allocation. She stated that Novato which represents 20 percent of Marin County population provides 33 percent of the affordable housing.

Rapport stated that staff will continue to work with the social equity community on the scenarios and to build equity components into the scenarios which are still under construction.

Members discussed fixed transit in areas outside PDA and Growth Opportunity Areas (GOAs) and including explicit criteria on allocating growth outside PDAs and GOAs; allocating affordable housing to all cities; the RHNA methodology in allocating affordable housing; funding going to cities with PDAs; and the jobs-housing balance and jobs as a factor in the scenario.

Vice President Adams recognized a motion by Mark Luce, Supervisor, County of Napa, which was seconded by Dave Hudson, Councilmember, City of San Ramon, to accept the modified amendments submitted for the Focus Growth scenario [see attached "Proposal to Redefine the Focused Growth Scenario," 6 Wins Coalition, July 20, 2011] and to accept the five scenarios to be studied. Luce stated that the proposed modifications submitted by the various interest groups are consistent with what is intended which is more proximity housing focused not only with the PDAs but also with job centers. The motion passed unanimously.

Under Item 10, Rapport stated that staff will return in September to discuss the Regional Housing Need Allocation housing methodology concepts and that staff is working on developing a RHNA methodology consistent with the Sustainable Communities Strategy.

Vice President Adams recognized a motion by Rebecca Kaplan, Councilmember, City of Oakland, which was seconded by Mark Luce, Supervisor, County of Napa, to approve Item 13, Legislation and Governmental Organization Committee Report; and Item 14, Finance and Personnel Committee Report, except for the Conference

with Leal Counsel—Anticipated Litigation (see description below). The motion passed unanimously.

The Board next took up Item 5, Public Comments.

12. PROPOSED BAY AREA REGIONAL DISASTER RESILIENCE ACTION PLAN INITIATIVE**

This item was considered and approved under the Consent Calendar.

13. LEGISLATION & GOVERNMENTAL ORGANIZATION COMMITTEE REPORT**

The following was submitted:

The committee approved minutes of the meeting on May 19, 2011; reviewed new bills for consideration, including AB 255 (Wieckowski), Hazardous Waste: Latex Paint—Collection Facility: support; AB 343 (Atkins), Redevelopment Plans: Environmental Goals: support; AB 723 (Bradford), Energy: Public Goods Act: support; AB 809 (Feuer), Firearms: Long Gun Transfer Records: support; AB 144 (Portatino/Ammiano), Firearms: Open Carrying of Unloaded Handguns: support; AB 310 (Hancock), Local Development: support (for in favor; three oppose); SB 878 (DeSaulnier), Regional Planning: Bay Area: watch; HR 1825 (Bluemenauer), Commuter Relief Act: support; reviewed status and updates on bills previously considered; requested staff to report on past legislative receptions.

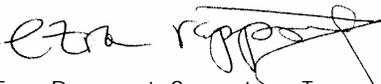
14. FINANCE & PERSONNEL COMMITTEE REPORT**

The following was submitted:

The committee approved minutes of the meeting on May 19, 2011; accepted the financial reports for April and May 2011; reviewed a proposed resolution to establish a contingency reserve policy; discussed process for evaluation of Legal Counsel; heard a report on the strategic planning for a joint regional agency co-location facility; met in closed session with Legal Counsel on anticipated litigation; met in closed session on personnel matter.

15. ADJOURNMENT

The meeting was adjourned at approximately 10:40 p.m. in memory of Ron Swegles, Councilmember, City of Sunnyvale.


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.

Summary Minutes
ABAG Executive Board Meeting
No. 381, July 21, 2011

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.