

SUMMARY MINUTES

ABAG Executive Board Meeting
No. 351, September 21, 2006
MetroCenter Auditorium
101 8th Street, Oakland, CA

1. CALL TO ORDER

The meeting was called to order by President David Cortese, Councilmember, City of San Jose, at approximately 7:07 p.m. Quorum was reached at 7:11 p.m. President Cortese announced that the revised agenda includes the addition of Item M on the consent calendar.

Representatives and Alternates Present

Supervisor Susan Adams
Amiee Albertson, Dir., Intergovernmental Affairs
Councilmember Jane Brunner
Councilmember David D. Cortese
Supervisor Chris Daly
Mayor Mark Green
Supervisor Scott Haggerty
Supervisor Rose Jacobs Gibson
Vice Mayor Aileen Kao
Supervisor Mike Kerns
Councilmember Carol L. Klatt
Supervisor Barbara Kondylis
Supervisor Mark Luce
Councilmember John Marquez
Vice Mayor Jean Quan
Councilmember Steve Rabinowitsh
Councilmember Gwen Regalia
Councilmember A. Sepi Richardson
Mayor Cecil Shaver
Mayor James P. Spering
Supervisor Gail Steele
Mary C. Warren
Councilmember Forrest Williams
Mayor Shelia Young

Representatives Absent

Supervisor Blanca Alvarado
Supervisor Mark DeSaulnier
Mayor Carole Dillon-Knutson
Mayor Jose Esteves
Supervisor John Gioia
Councilmember Linda J. LeZotte
Supervisor Peter McHugh
Supervisor Ross Mirkarimi
Councilmember Nancy Nadel
Mayor Gavin Newsom
Supervisor Adrienne Tissier

Jurisdiction

County of Marin
City of San Francisco
City of Oakland
City of San Jose
County of San Francisco
City of Union City
County of Alameda
County of San Mateo
City of Saratoga
County of Sonoma
City of Daly City
County of Solano
County of Napa
City of Richmond
City of Oakland
City of Santa Rosa
City of Walnut Creek
City of Brisbane
City of American Canyon
City of Suisun City
County of Alameda
RWQCB
City of San Jose
City of San Leandro

Jurisdiction

County of Santa Clara
County of Contra Costa
City of Novato
City of Milpitas
County of Contra Costa
City of San Jose
County of Santa Clara
County of San Francisco
City of Oakland
City of San Francisco
County of San Mateo

2. PUBLIC COMMENT

There was no public comment.

3. ANNOUNCEMENTS

President Cortese informed members that Fiona Ma, Supervisor, City and County of San Francisco, has resigned from the Executive Board. He welcomed Cecil Shaver, Mayor, City of American Canyon, representing the cities in Napa County, and Aileen Kao, Vice Mayor, City of Saratoga, who is an alternate for Vice Mayor Furtado, City of Campbell.

There were no other announcements.

4. PRESIDENT'S REPORT

President Cortese called on James Spering, Mayor, City of Suisun City, to receive an award in recognition of his service to ABAG and the Executive Board.

President Cortese reported that the Fall General Assembly, on *Environmental Challenges: Local Solutions*, will be held on Thursday, October 26th, at the Marriott City Center in Oakland. ABAG and MTC hosted the statewide Blueprint Learning Network workshop held in the MetroCenter on September 13th and 14th. The San Francisco Estuary Project is updating the Comprehensive Conservation and Management Plan with targeted completion in August 2007. ABAG will hold a symposium, *Homeland Security: What Every Elected Official Should Know*, on October 12th.

5. EXECUTIVE DIRECTOR'S REPORT**

Executive Director Henry Gardner highlighted recent activities including an update on the Regional Housing Needs Allocation, Focusing Our Vision, and Strategic Planning. He reported that the Housing Methodology Committee has had numerous meetings with local officials and interested groups regarding the methodology, process, and opportunity to form subregions under RHNA. He also reported that the Focusing Our Vision's Technical Advisory Committee has been meeting regularly and is engaged in a mapping exercise to create draft priority development and conservation areas. The Strategic Plan member survey, interviews and focus groups have been completed and a preliminary report will be presented; these results will be used to develop a long term strategic plan and financial strategy.

Mr. Gardner reported that ABAG sponsored a symposium on August 18th on implementation of GASB 45, standards for public agencies reporting unfunded liabilities for post-retirement benefits, attended by over 100 finance professionals and administrators from throughout the Bay Area (a similar symposium for elected officials, city managers, and county administrators is being planned), and a day-long training session on August 10th covering the technology and business models of municipal wireless networks. He also announced that ABAG signed an agreement with PG&E to implement the ABAG Energy Watch Program which will assist local governments to implement cost-effective, energy saving projects in public facilities and to generate community-wide energy savings. And, he noted that ABAG provided capital funding for four projects through the ABAG Finance Authority for Nonprofit Corporations.

Mr. Gardner announced that Janet McBride, ABAG Planning Director, will be assuming the position of Executive Director at the Bay Area Ridge Trail Council in early October.

Susan Adams, Supervisor, County of Marin, inquired whether the Energy Watch Program will provide matching funds to local jurisdictions. Mr. Gardner replied that the program will provide incentive funds on a competitive basis to subsidize installation of energy efficiency projects.

President Cortese thanked Executive Director Gardner for his report.

6. CONSENT CALENDAR

President Cortese recognized Supervisor Adams who requested that Item J be considered separately. President Cortese recognized a motion by A. Sepi Richardson, Councilmember, City of Brisbane, and seconded by Barbara Kondylis, Supervisor, County of Solano, to approve the consent calendar, including the addition of Item M and excluding Item J. The motion passed unanimously.

A. Approval of Executive Board Summary Minutes**

No. 350, July 20, 2006.

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

The Board approved the appointment to the following committee:

San Francisco Bay Subtidal Goals Project

Mayor Steve Messina, City of Benicia

D. Authorization to Enter into Agreement with California Department of Transportation (Caltrans) and Authorization to Enter into Subcontract with Aqua Terra Consultants**

The Board authorized the Executive Director or designee to enter into an interagency agreement with Caltrans on behalf of the SFEP and Brake Pad Partnership to provide technical, scientific and contract support for watershed modeling research. The amount of the agreement will not exceed \$100,000 over the period October 1, 2006, through June 30, 2008. Under terms of this agreement, the Board authorizes the Executive Director or designee to enter into a pass through agreement with Aqua Terra Consultants for a total amount of \$90,000 to provide technical assistance with the watershed modeling. The contract period is October 1, 2006 to June 30, 2008.

E. Authorization to Enter into Agreement with California Department of Transportation (Caltrans) to Continue Providing Technical Support for Permit Processing**

The Board authorized the Executive Director or designee to enter into a three-year interagency agreement with Caltrans to continue providing technical and permitting support to the San Francisco Bay Regional Water Quality Control Board. The agreement will not exceed \$390,000. The agreement term is October 1, 2006 to September 30, 2009.

F. Request for Authorization to Enter into Contract with San Francisco Public Utility Commission (SFPUC) to Provide Technical Permitting Support for Its Water System Improvement Program (WSIP)**

The Board authorized the Executive Director or designee to enter into a five-year

contract with the SFPUC for an amount not to exceed \$500,000 to provide technical permitting support for its WSIP. The contract term is October 1, 2006, to December 31, 2011.

G. Request for Authorization to Amend Contract with Joan Patton, Consultant**

The Board authorized the Executive Director or designee to amend the contract with Joan Patton by increasing not to exceed amount from \$100,000 to \$120,000. Under agreements with the U.S. Environmental Protection Agency, Department of Boating and Waterways, U.S. Geological Survey, and the Pacific Marine Fisheries Commission implementing the Comprehensive Conservation and Management Plan for the Estuary, funding supports education and outreach for recreational boaters, conference organizing, updating the CCMP, and communications and marketing support. The contract end date remains the same, December 31, 2006.

H. Request for Authorization to Enter into Inter-jurisdictional Agreement (IEA) with State Water Resources Control Board to Assign Two ABAG/SFEP Employees to the San Francisco Bay Regional Water Quality Control Board**

The Board authorized the Executive Director or designee to enter into an IEA to assign two ABAG/SFEP employees to the San Francisco Bay Water Board to provide part-time assistance with implementing the Comprehensive Conservation and Management Plan. The contract amount will not exceed \$90,000. The contract term is September 15, 2006, to December 31, 2007.

I. Authorization to Enter into Agreement with B&C Janitorial Service, Inc.**

The Board authorized the Executive Director or designee to enter into an agreement with B&C Janitorial Service, Inc., with a not-to-exceed amount of \$27,466.20, to perform janitorial services for ABAG Offices. The initial term of the contract is October 1, 2006, to June 30, 2006, with four optional one-year extensions. B&C Janitorial Services, Inc., will also provide janitorial services to MTC and the public spaces in the building under separate agreements.

J. Authorization to Submit Grant Proposal to California Resources Agency for California River Parkways Program**

The Board authorized the submission of a proposal in the amount of \$5.0 million to the State of California Resources Agency for subregional planning studies and implementation under the Proposition 50 California River Parkways Program. The Board authorized the request to accept funding, and, if awarded, to carry out the project proposal.

K. Authorization to Submit Proposal to U.S. Environmental Protection Agency, Region IX**

The Board authorized the submission of a proposal in the amount of \$950,000 to the U.S. Environmental Protection Agency pursuant to the Targeted Watersheds Grant Program for a cooperative planned alternative futures and low impact development proposal aimed at reducing nonpoint sources of pollution to the Bay Delta and the region's over 400 watersheds. The grant program is for capacity building, training, and education services to watershed organizations within the Bay Eco-region.

L. Technical and Policy Analysis Assistance to Local Governments Preparing Annexes to the Bay Area Multi-Jurisdictional Local Hazard Mitigation Plan – Proposal for a Hazard Mitigation Grant Program - DR-1628/DR-1646**

The Board adopted Resolution No. 10-06 authorizing ABAG's Executive Director to execute applications for federal financial assistance administered through the State of California. ABAG is proposing to provide technical and policy analysis assistance to Bay Area local governments as an extremely efficient mechanism for getting their Local Hazard Mitigation Plans and LHMP Annexes completed in a comprehensive and timely manner.

M. Authorization to Submit Grant Proposal to State Water Resources Control Board for U.S. Environmental Protection Agency's Targeted Watersheds Grant Program

The Board authorized the submission of a proposal in the amount of \$950,000 to the State Water Resources Control Board for consideration by the U.S. Environmental Protection Agency Targeted Watersheds Grant program and, if funded, for the Executive Director or designee to enter into a contract. The purpose of the project is to design and develop science-based implementation performance measures and water quality pilot trading elements for Delta and Delta-linked communities with existing watershed planning and management programs and Delta levee maintenance and rehabilitation programs.

Supervisor Adams asked how the application for Proposition 50 funds in Item J will affect local governments' applications for the same funds and about the process for distributing those funds. Mr. Gardner responded that the intent is not to compete with local jurisdictions for these funds and that the proposal is for funding a pilot program in partnership with others. President Cortese recognized a motion by Supervisor Kondylis, and seconded by Scott Haggerty, Supervisor, County of Alameda, to approve Item J. The motion passed unanimously.

7. PRELIMINARY MEMBER SURVEY RESULTS

President Cortese recognized Matt Stevens of The Results Group who presented the preliminary findings from the member survey, interviews and focus groups, including a review of the background and process, key findings on programs, initiative and services, key findings on major issues and challenges, conditions and trends, internal issues, usefulness of programs and services, sources of satisfaction and dissatisfaction, additional programs or services, business processes, and activities for which members would be willing to pay.

Members discussed regional leadership on policy issues, next steps in strategic planning, differences in ratings of programs and services among survey, interviews and focus groups, socio-economic gaps, cause of crime, past economic disparity studies, and elected officials and staff questioning their own competency in addressing cultural differences in their communities.

Mr. Stevens noted that the preliminary findings suggest ABAG is uniquely positioned to provide opportunities of scale and skills to local jurisdictions, provide information as a product or service, provide pooled purchasing, respond to state and federal regulatory policies. He also noted that one size does not fit all in ABAG's outreach to its members.

President Cortese thanked Mr. Stevens for his presentation.

8. DRAFT PROJECTIONS 2007 FORECAST**

President Cortese recognized Paul Fassinger, ABAG Research Director, who presented the draft Projections 2007 Forecast, which included a review of the process, local review, draft household forecast, and draft jobs forecast. Comments

from local jurisdictions are due October 20th. Following the data collection, modeling, and review, a revised forecast will be presented for approval at the next Executive Board meeting in November.

Members discussed policy implications of the forecasts, Board support for the Projections process, the relation between ABAG's forecast and the state's housing need allocation, the rate of change in the draft household forecast, the accuracy of the Projections, voter mandated growth boundaries, using alternate boundaries to identify trends, the basis of jobs and housing projections, purpose for doing the Projections, and the jobs/housing balance at the local and regional levels.

President Cortese recognized a motion by Supervisor Kondylis, and seconded by Mike Kerns, Supervisor, County of Solano, to accept the staff report on the Draft Projections 2007 Forecast. Councilmember Richardson inquired about school enrollment and corrections for migration. The motion passed unanimously.

President Cortese thanked Mr. Fassinger for his report.

9. ACKNOWLEDGMENT OF RHNA SUBREGIONS AND AUTHORIZATION TO EXECUTE DELEGATION AGREEMENT**

President Cortese commented on activities around subregional planning under RHNA and posed a question on ABAG's role in subregional processes. He recognized Rose Jacobs Gibson, Supervisor, County of San Mateo, who briefed members on the cities in San Mateo County and the County of San Mateo's formation of a subregion under RHNA. Mr. Richard Napier, Executive Director, San Mateo Cities/County Association of Governments, and Mr. Duane Bay, Housing Director, County of San Mateo, spoke on the formation of a subregion.

President Cortese asked whether the Board should take a position on subregional planning but no firm position was taken. Members offered their support and best wishes for San Mateo's undertaking of a RHNA subregion and discussed subregions based on criteria other than housing, supporting subregional planning, using San Mateo as a pilot on subregional planning, and supporting local jurisdictions.

Mr. Fassinger noted that state law allows the formation of subregions and that San Mateo County and its cities provided documentation to ABAG to be certified as a subregion. Staff recommended that the Board give its assent to the formation of a subregion in San Mateo County, as well as any others that may form prior to the September 30th deadline. Kenneth Moy, ABAG Legal Counsel, informed members of the statutory requirements and delegation agreement, and reviewed the RHNA process and subregional allocations.

President Cortese recognized a motion by Supervisor Kondylis, which was seconded, to approve Resolution No. 08-06 and to direct staff to report on any subregions that may form outside the current cycle. Members discussed the formation of subregions outside the current cycle. The motion passed unanimously.

President Cortese thanked Supervisor Jacobs Gibson, Mr. Napier, Mr. Bay, and staff for their presentation.

10. PROPOSED ABAG AWARDS PROGRAM

President Cortese recognized Steve Rabinowitsh, Councilmember, City of Santa Rosa, who presented the proposed ABAG awards program, *Growing Smarter Together*

Awards, which was initiated at the last Administrative Committee retreat. He spoke of the intent to celebrate successes in implementing Smart Growth and Focusing Our Vision and to make ABAG a high profile entity in the region. The first award cycle will be at the Spring General Assembly. Supervisor Jacobs Gibson commented on the intent to raise ABAG's visibility, promote Smart Growth, and increase attendance at the General Assemblies. She described each of the award categories.

President Cortese recognized a motion by Forrest Williams, Councilmember, City of San Jose, and seconded by Carol Klatt, Councilmember, City of Daly City, to approve the award categories and accept the report on the ABAG Awards Program. The motion passed unanimously.

11. DISCUSSION AND APPROVAL OF RESOLUTION NO. 09-06 REGARDING CLIMATE CHANGE**

President Cortese recognized Councilmember Rabinowitsh who presented Resolution No. 09-06 on Climate Change Response. He reported on the concern about climate protection, activities around the Bay Area by different agencies, and targets adopted by local governments and the state for greenhouse gas reductions. He announced that the Regional Climate Protection Summit will be held on November 10th and is sponsored by the Bay Area Air Quality Management District.

Members discussed including biodiesel and renewable energy implementation as steps to reduce greenhouse gas emissions, coordinating with other agencies to demonstrate the impact of global warming on local cities, and adding a clause noting the work of the San Francisco Bay Conservation and Development Commission.

President Cortese recognized a motion by Supervisor Adams, and seconded by Supervisor Kerns, to approve Resolution No. 09-06, with amendments adding biodiesel and renewable energy implementation in the second resolved clause and a clause on the San Francisco Bay Conservation and Development Commission. Members discussed the conclusion of the International Panel on Climate Change mentioned in the first clause of the resolution. The motion passed with one nay vote.

12. LEGISLATION AND GOVERNMENTAL ORGANIZATION COMMITTEE (L&GO) REPORT**

President Cortese recognized Chair Shelia Young, Mayor, City of San Leandro, who reported on the activities of the Legislation and Governmental Organization Committee. Chair Young reported that the Committee reviewed bills from the last legislative session; recommended that ABAG issue a legislative report card to call attention to voting records of legislators on critical issues; discussed AB 32 (Nunez), Air Pollution: Greenhouse Gases—California Global Warming Solutions Act of 2006; distributed a letter from the League of California Cities on HR 5252, The Advanced Telecommunications and Opportunity Reform Act; discussed issues to be tracked during the next legislative session, including eminent domain, housing, infrastructure, Delta levees, water quality management, transportation and land use, telecommunications, and global warming; and discussed hosting a reception or other event for legislators in Sacramento.

President Cortese recognized a motion by Supervisor Jacobs Gibson, and seconded by Gwen Regalia, Councilmember, City of Walnut Creek, to approve the Legislation and Governmental Organization Committee report. Members discussed AB 2572, which would require colleges and private universities to be included in housing allocation methodology, and group housing. The motion passed unanimously.

President Cortese thanked Mayor Young for her report.

13. FINANCE AND PERSONNEL COMMITTEE (F&P) REPORT**

President Cortese recognized Co-Chair Mark Green, Mayor, City of Union City, who reported on the activities of the Finance and Personnel Committee. Co-Chair Green reported that the Committee heard a report on the long-term strategic plan by Dr. Rick Brown and Mr. Stevens from The Results Group, reviewed and approved the July 2006 financial reports, and reviewed and approved the Diversity and Business Opportunity for Fiscal Year 2005-06.

President Cortese recognized a motion by Co-Chair Green, and seconded by Scott Haggerty, Supervisor, County of Alameda, to approve the Finance and Personnel Committee report. The motion passed unanimously.

President Cortese thanked Co-Chair Green for his report.

President Cortese asked that the Board reconsider the Summary Minutes of the meeting on July 20, 2006, to include a report on the evaluation of Legal Counsel. He recognized a motion by Supervisor Jacobs Gibson, which was seconded, to approve the Summary Minutes of the meeting on July 20, 2006, to include a report on the evaluation of Legal Counsel. The motion passed unanimously.

14. ADJOURNMENT

Meeting adjourned at about 9:19 PM.


Henry L. Gardner, Secretary-Treasurer

** Indicates attachments.

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.