

SUMMARY MINUTES

ABAG Executive Board Meeting
No. 358, November 15, 2007
MetroCenter Auditorium
101 8th Street, Oakland, CA

1. CALL TO ORDER

President Cortese called the meeting to order at approximately 7:09 p.m. Quorum was present at 7:15 p.m. He noted that the Finance and Personnel Committee report will be heard after the Executive Director's report.

Representatives and Alternates Present

Supervisor Susan Adams
Amiee Albertson Alden, Dir., Intergovernmental Affairs
Vice Mayor David D. Cortese
Supervisor Chris Daly
Councilmember Carole Dillon-Knutson
Mayor Jose Esteves
Mayor Jack Gingles
Supervisor John Gioia
Mayor Mark Green
Supervisor Scott Haggerty
Vice Mayor Nadia Holober
Supervisor Rose Jacobs Gibson
Mayor Aileen Kao
Supervisor Mike Kerns
Councilmember Sam Liccardo
Mayor Janet Lockhart
Supervisor Mark Luce
Supervisor Peter McHugh
Mayor Pro Tem Gwen Regalia
Councilmember A. Sepi Richardson
Mayor Pamela Torliatt
Supervisor Gayle B. Uilkema
Councilmember Forrest Williams
Supervisor Ken Yeager

Representatives Absent

Councilmember Jane Brunner
Supervisor Jerry Hill
Supervisor Barbara Kondylis
Councilmember John Marquez
Mayor Steve Messina
Supervisor Ross Mirkarimi
Councilmember Nancy Nadel
Julian Potter, Director of Public Policy
Vice Mayor Jean Quan
Supervisor Gail Steele

Jurisdiction

County of Marin
City of San Francisco
City of San Jose
County of San Francisco
City of Novato
City of Milpitas
City of Calistoga
County of Contra Costa
City of Union City
County of Alameda
City of Millbrae
County of San Mateo
City of Saratoga
County of Sonoma
City of San Jose
City of Dublin
County of Napa
County of Santa Clara
City of Walnut Creek
City of Brisbane
City of Petaluma
County of Contra Costa
City of San Jose
County of Santa Clara

Jurisdiction

City of Oakland
County of San Mateo
County of Solano
City of Richmond
City of Benicia
County of San Francisco
City of Oakland
City of San Francisco
City of Oakland
County of Alameda

2. PUBLIC COMMENT

There was no public comment.

3. ANNOUNCEMENTS

President Cortese announced that members should have received a revised

Executive Board agenda which includes Item P on the Consent Calendar regarding a resolution proclaiming November to May "Sewer Smart Season." Also, a list of committee nominees including Sophie Maxwell, Supervisor, City and County of San Francisco, and Bob Wiekowski, Vice Mayor, City of Fremont, to the Bay Conservation and Development Commission, and Dan Furtado, Mayor, City of Campbell, who will be appointed to the Legislation and Governmental Organization Committee, has been distributed.

There were no other announcements.

4. PRESIDENT'S REPORT

President Cortese reported that on October 26 ABAG joined with the Metropolitan Transportation Commission for the first time in the history of the two organizations to conduct a joint General Assembly and Transportation 2035 Summit. Almost 800 elected officials, staff, community and civic leaders, and community based organizations participated in the program, called, "Bay Area on the Move." MTC Commissioner Bill Dodd and President Cortese were co-Masters of Ceremony for the day. Supervisor Susan Adams, and Councilmember Jane Brunner were panelists, along with Carl Guardino of the Silicon Valley Leadership Group and Stuart Cohen of the Transportation and Land Use Coalition. ABAG Vice President Supervisor Rose Jacobs Gibson introduced the morning keynote speaker Manuel Pastor of USC.

During his luncheon address, San Francisco Mayor Gavin Newsom spoke about the responsibility of those present as stewards of smart change to address climate change with social equity and environmental justice.

ABAG Executive Director Henry Gardner and MTC Executive Director Steve Heminger played a key role in the joint GA/Summit by exploring with the audience "Challenges and Choices" that must be made related to land use, climate change, and transportation. A key component of the program was electronic keypad voting by the audience on the issues. Both ABAG and MTC's websites have the program and polling results.

President Cortese thanked Executive Director Gardner and ABAG staff involved in producing the GA/Summit.

5. EXECUTIVE DIRECTOR'S REPORT

Executive Director Gardner reported that on November 13 and 14, ABAG, along with MTC, the California Department of Transportation, and the Governor's Office of Planning and Research, hosted the Blueprint Learning Network workshop focused on "Making it Real: Housing, Public Engagement, Environmental Justice and Blueprint Planning." In 2005, the California Business, Transportation, and Housing Agency launched the California Regional Blueprint Planning Program to support federally designated Metropolitan Planning Organizations and Councils of Governments in their efforts to conduct long-range, comprehensive planning. The comprehensive planning efforts will result in a Blueprint Plan for the region. Throughout 2006 and 2007, a series of workshops were held around the state. This workshop was the second hosted by the Bay Region and took place at Preservation Park in Oakland.

The October 30 earthquakes near San Jose and the southern California fire storms are reminders that disasters can and do happen. While many organizations and all local governments are improving their response to disasters, the recovery process is in need of improvement. Recovery is that period from a few hours to several years after the

disaster during which buildings, infrastructure, and communities are rebuilt. ABAG will be holding a series of informal lunches prior to Regional Planning Committee meetings to discuss several key issues that should be of concern to local elected officials and city managers. The first of these meetings will be held on Wednesday, December 5, in the MetroCenter Auditorium and will address "Financing Recovery: How the Money Flows (or doesn't flow)".

Almost 800 people attended "Bay Area on the Move" on October 26, the General Assembly/Transportation 2035 Summit, the first joint conference planned and sponsored by ABAG and MTC in their history. Based on the comments received regarding the conference, it was very successful. There is clear evidence that Bay Area policy makers and residents are committed to engaging in productive dialogue regarding long term strategic solutions to the problems of traffic congestion, land use, and housing. MTC will be following up the conference with a series of meetings throughout the region to solicit input on the proposed Regional Transportation Plan, and ABAG will continue the FOCUS meetings with major emphasis on proposed Priority Development Areas and Priority Conservation Areas.

The 8th Biennial State of the Estuary Conference was held October 16 to 18 at the Oakland Scottish Rite Center on Lake Merritt. Over 850 people attended the conference, which provides a biennial assessment of the ecological health of the San Francisco Bay-Delta Estuary. Additionally 200 posters were submitted including 25 from students from Bay Area universities and colleges. This year's theme was, "A Greener Shade of Blue" and presented the latest information about the estuary's changing conditions, including impacts from major stressors, recovery programs for species and habitats, and an examination of emerging issues. Executive Director Gardner chaired the morning session on October 16 focusing on the value a healthy estuary brings to the local economy and the importance of integrating environmental, economic, and social equity goals to advance regional sustainability. The conference was sponsored by the San Francisco Estuary Project, ABAG, CALFED Science Program, Friends of the San Francisco Estuary, San Francisco Estuary Institute, the San Francisco Regional Water Board, and over 60 other federal, state and local agencies, organizations and businesses.

ABAG staff, working with the Census Bureau, has completed a second round of workshops on LUCA, the local address review program that is crucial to an accurate count in the 2010 Census. As a member service, ABAG and MTC are holding a Census Update Workshop at the MetroCenter on November 29. Two Census Bureau experts are coming to the Bay Area to brief cities and counties on what to expect going into the 2010 Census.

Councilmember Rich Garbarino of South San Francisco, an ABAG appointee to the Regional Airport Planning Committee, will be assuming the chairmanship of RAPC in 2008. Councilmember Garbarino has recently completed serving a two-year term as vice chair. ABAG is receiving \$85,000 from the FAA and MTC to conduct a study of the need to protect land around general aviation airports in the region. This project is part of an update of the Regional Airport Systems Analysis which is underway. Phase 1 has just concluded and Phase 2 is about to commence.

Municipal financings closed through ABAG-sponsored programs since the last report include: \$35,075,000 in Revenue Bonds for The Jackson Laboratory in Sacramento for acquisition, rehabilitation and improvements to its new research facilities; \$60,100,000 in Refunding Revenue Bonds for Children's Hospital and Research Center at Oakland;

\$11,000,000 in Special Tax Bonds on behalf of the City and County of San Francisco for Seismic Safety Improvements to buildings located at 690 and 942 Market Street; \$3,270,000 in Special Tax Bonds on behalf of the City and County of San Francisco for Public Capital Improvements to the Mint Plaza.

6. CONSENT CALENDAR

President Cortese recognized a motion by Susan Adams, Supervisor, County of Marin, and seconded by Scott Haggerty, Supervisor, County of Alameda, to approve the consent calendar. The motion passed unanimously.

A. Approval of Executive Board Summary Minutes**

No. 357, September 20, 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. Appointment to Committees

Bay Conservation and Development Commission

West Bay Seat

Sophie Maxwell, Supervisor, City and County of San Francisco – Representative
Mark Addiego, Councilmember, City of South San Francisco – Alternate

South Bay

Bob Wiekowski, Vice Mayor, City of Fremont – Representative
Peter Drekmeyer, Councilmember, City of Palo Alto – Alternate

Legislation and Governmental Organization Committee

Daniel Furtado, Mayor, City of Campbell (for confirmation at the January Executive Board meeting)

D. Authorization to Amend a Contract with Lisa Owens-Viani, Consultant**

Authorized the Executive Director or designee to amend a contract with Consultant Lisa Owens-Viani by extending the contract term to December 31, 2008, and increasing the amount from \$83,000 to \$125,000 to provide additional writing/editing assistance with publications and reports funded by several grants.

E. Authorization to Amend a Contract with Roberta Sloan, Consultant**

Authorized the Executive Director or designee to amend a contract with Consultant Roberta Sloan by extending the contract term to December 31, 2008, and increasing the amount from \$17,000 to \$35,000 to provide graphic design services with publications and reports funded by several grants.

F. Authorization to Amend a Contract with Campeau Communications**

Authorized the Executive Director or designee to amend a contract with Consultant Campeau Communications by extending the contract term to December 31, 2008, and increasing the amount of the contract from \$11,750 to \$22,000 to provide graphic design services with publications and reports funded by several grants.

- G. Authorization to Amend a Contract with San Francisco Estuary Institute (SFEI)****
Authorized the Executive Director or designee to amend a contract with SFEI by extending the contract term to December 31, 2008 and increasing the amount from \$33,200 to \$56,300 to provide additional technical assistance for the Subtidal Goals Project funded by several grants.
- H. Authorization to Extend a Contract with Eleanor Ely, Consultant****
Authorized the Executive Director or designee to amend a contract with Consultant Eleanor Ely by extending the contract term to December 31, 2008 to provide technical writing/editing assistance for the Subtidal Goals Project funded by several grants. The contract amount remains the same \$41,800; no additional funds are provided.
- I. Authorization to Amend an Agreement with the San Francisco Bay Regional Water Quality Control Board (Water Board) to Provide Technical Support for the Gambonini Mercury Mine Site, Cleanup and Abatement Account (CAA)****
In March 2007 the Executive Board authorized the Executive Director or designee to enter into an agreement with the Water Board to provide staff services for work related to the Gambonini Mercury Mine site. Authorized extending the agreement from December 31, 2007, to June 30, 2008, for ongoing services. The agreement amount remains \$100,000; no additional funds are being provided.
- J. Authorization to Amend a Contract with the State Water Resources Control Board (State Water Board)****
In March 2007 the Executive Board authorized the Executive Director or designee to enter into a contract with the State Water Board to provide technical and communication support for the Lagunitas and Walker Creek Sediment Total Maximum Daily Loads (TMDLs). Authorized increasing the amount of the contract from \$207,312 to \$245,000 to provide data collection services. The contract term remains the same June 30, 2009.
- K. Authorization to Send Letter to ABAG Members Recommending Support for Extended Producer Responsibility Initiatives****
At the September meeting, Carol Misseldine, Director of the California Product Stewardship Council, described the challenges and costs to local government for the legal disposal of electronic devices, batteries, fluorescent tubes, and other hazardous or toxic products. The CPSC advocates for Extended Producer Responsibility (EPR), to shift the management of these products from government to the manufacturer. The Executive Board directed Hazardous Waste Management Facility Allocation Committee (Committee) staff to draft a letter to ABAG members encouraging them to adopt EPR resolutions and support proposed EPR legislation. Approved the committee request and directed staff to send the letter and California Product Stewardship Council Fact Sheet to ABAG's 110 members.
- L. Authorization to Apply for US Environmental Protection Agency Grant for West Coast Estuaries Initiative for California Coast****
Authorized the Executive Director or designee to apply for one million dollars in grant funding from US EPA's West Coast Estuaries Initiative for the California Coasts, and, if awarded, to enter into an agreement with US EPA. The grant period is three to five years (with awards being announced in April 2008) and matching funds of \$250,000 will be provided by participating agencies. The grant is entitled *Green Infill – Clean Stormwater* and seeks to help implement land use

actions of the Comprehensive Conservation and Management Plan and assist in funding FOCUS Priority Development Areas.

M. Adoption of Resolution No. 15-07 authorizing ABAG to enter into a Contract with the Metropolitan Transportation Commission for the Purpose of Funding and Managing a Land Inventory Project around General Aviation Airports**

Authorized the Executive Director or designee to enter into a contract with the Metropolitan Transportation Commission in an amount not to exceed \$85,000 to manage a project that will inventory land around general aviation airports, particularly in the runway approach and departure zones, and to recommend protection priorities.

N. Authorization to Enter into Contract with the California Department of Transportation (CalTrans) for an Environmental Justice Grant**

Authorized the Executive Director or designee to enter into a contract with CalTrans in the amount of \$198,000 for an environmental justice planning grant to undertake a study of "Development without Displacement." A 10% in-kind match is required by ABAG.

O. Authorization to Extend a Contract with the State Water Resources Control Board (State Water Board)

Authorized the Executive Director or designee to amend a contract with the State Water Board by extending the contract term to December 31, 2008, to provide technical staff support for the development of the Stream and Wetlands System Protection Policy. The contract amount remains the same \$150,000, no additional funds are provided.**

P. Resolution Proclaiming November-April 2007 As Sewer Smart Season

Adopted Resolution No. 18-07 proclaiming November through April 2007 as Sewer Smart Season. Sewer Smart is a three-pronged effort by ABAG PLAN to reduce the frequency and severity of sewer backups and backflows into homes and businesses through: system maintenance and capital improvements, fast and effective response to backflows, and public education campaign.

7. INTERNATIONAL CHILDREN'S GAMES**

President Cortese recognized Brad Solso, Chairman of the Board, and Scott Thompson, Executive Director, of the International Children's Games, San Francisco, who presented information about the 2008 Games in San Francisco and appealed to the region's cities and counties to support the games.

Mr. Solso provided background information about the games' history, participants, venues, the educational and environmental program, supporters and key partners. The International Children's Games is the only global, youth athletic event that combines sports, educational programs and peace-motivated cultural exchanges. The 42nd International Children's Games will be held July 10 to 15, 2008, and is endorsed by the International Olympic Committee. The San Francisco Games will bring together 1,500 athletes, 12 to 15 years of age, from 100 cities representing 50 countries from around the world, to put forth their personal best in track and field, tennis, swimming, volleyball, soccer, table tennis, basketball and golf. Mr. Thompson described the process for forming a team, county requirements, and delegation requirements.

Members discussed the health and recreational benefits of participating in the program, selection qualifications, outreach to other U.S. counties and cities and to other countries, and county delegations.

President Cortese recognized a motion by Sepi Richardson, Councilmember, City of Brisbane, and seconded by Carole Dillon Knutson, Councilmember, City of Novato, to endorse the International Children's Games, disseminate information, and provide a letter of support. The motion passed unanimously.

President Cortese thanked Mr. Solso and Mr. Thompson for their presentation.

8. DRAFT REGIONAL HOUSING NEEDS ALLOCATION**

Executive Director Gardner commented on the RHNA process, discussions with the Housing and Community Development, the allocation received, the methodology for assigning the regional housing needs numbers, and the assignments to Oakland, San Francisco, and San Jose.

President Cortese recognized Paul Fassinger, ABAG Research Director, who reported on the RHNA process, described the work of the Housing Methodology Committee, and noted the outreach conducted. Director Fassinger reviewed the RHNA methodology and Projections 2007 approved by the Executive Board, the final housing allocation received from HCD, draft allocations and comments. Staff received 19 comments. He described comments and staff responses regarding Palo Alto, Mountain View, and Belvedere. He asked the Executive Board to adopt the Draft Regional Housing Needs Allocation as submitted by staff, with the revision to the allocation for Palo Alto, authorize to begin the 60 day appeals period, and form a RHNA Appeals Committee.

Members discussed the comments submitted by the Cities of Palo Alto, Mountain View, and Belvedere. Members also discussed concerns of small cities about meeting allocations; a legislative program in response to RHNA; the appeals process; penalties resulting from not meeting allocations; certified housing elements. Supervisor McHugh stated that the Santa Clara County Planning Department accepts, but neither agrees nor disagrees with their allocation.

Ronit Bryant, Councilmember, City of Mountain View, requested that the Executive Board not approve the staff recommendation for Mountain View, which includes an allocation based on development of Moffett Federal Air Field. She asked that Mountain View's relationship with Moffett be addressed. She stated that it is inappropriate for 280 housing units to be required of Mountain View because of development activity on Moffett Federal Air Field over which the city has no control.

Margret Abe-Koga, Councilmember, City of Mountain View, on behalf of the City of Mountain View City Council, requested adjustments to the allocation for the city based on the following: Mountain View lacks control over Moffett Field which is almost entirely in unincorporated county territory and under federal jurisdiction, and the city has no control over jobs and housing there; NASA Ames is committed to providing housing on Moffett, and the city has urged the construction of 1,930 housing units on Moffett. She referenced the City of Palo Alto's relationship with Stanford University and said that based on consistency and equity Mountain View should be treated similarly. She asked for assurance that housing on Moffett be credited to Mountain View.

Zelda Bronstein, former chair of the Berkeley Planning Commission, spoke on the allocation for Berkeley. She inquired about the state requirement to consider the impact of colleges and universities and a city's sphere of influence.

Director Fassinger responded that staff's recommendation, accepted by the Housing Methodology Committee and the Executive Board, regarding the influence of universities in individual jurisdictions was that the influence was not differentiated enough for there to be an explicit factor in the methodology for the Bay Area. A city's sphere of influence would include its jurisdiction.

Members discussed the allocations to Mountain View, Palo Alto, and Belvedere.

President Cortese recognized a motion by Mike Kerns, Supervisor, County of Sonoma, and seconded by Gayle B. Uilkema, Supervisor, County of Contra Costa, to approve the draft Regional Housing Need Allocation, with the revision to the allocation for Palo Alto, begin the sixty-day appeal period, and form an appeals committee. On a roll call vote, the ayes were 17, and the nays were 6 (Albertson-Alden, Adams, Daly, Dillon-Knutson, Esteves, Haggerty). The motion passed.

President Cortese accepted nominations and self-nominations for membership on the appeals committee. The nominees were Pete McHugh, Supervisor, County of Santa Clara; Gayle B. Uilkema, Supervisor, County of Contra Costa; Gwen Regalia, Mayor Pro Tem, City of Walnut Creek; Susan Adams, Supervisor, County of Marin; and Sepi Richardson, Councilmember, City of Brisbane.

President Cortese recognized a motion from Supervisor Haggerty, which was seconded by Supervisor McHugh, to approve the nominees to the appeals committee. The motion passed unanimously.

President Cortese thanked Mr. Fassinger for his report.

9. APPROVAL OF FOCUS PRIORITY DEVELOPMENT AREAS**

President Cortese recognized Kenneth Kirkey, ABAG Planning Director, who reported on the status of the Focus Priority Development Areas. A total of 120 PDA nominations from 50 jurisdictions were received. MTC has opened the Station Area Planning Grant program to the PDAs for \$7.5 million and up to \$20 million in planning grants in the coming year. Housing and Community Development has included criteria covering PDAs under Proposition 1C funding for capital programs. He reviewed the objectives of FOCUS and noted the collaboration among regional agencies, and described the work of the FOCUS Working Group and the criteria for Planned and Potential Development Areas. He noted that Santa Rosa should be categorized as planned in the staff recommendation. Next steps include a review of Priority Conservation Area nominations, evaluating planning grants and criteria, continued outreach, and developing technical assistance programs. He commented on the Regional Transportation Plan and the link between land use and transportation. He requested that the Executive Board adopt the Planned and Potential Priority Development Areas and authorized moving PDAs from potential to planned status as they meet the requirement(s) for planned status.

President Cortese recognized a motion by Pamela Torliatt, Mayor, City of Petaluma, and seconded by Supervisor Haggerty, to adopt the Planned and Potential Priority Development Areas and authorize moving PDAs from potential to planned status as they meet the requirement(s) for planned status. A friendly amendment was

accepted regarding the PDA nomination from the City of Richmond and the County of Contra Costa related to that portion of the PDA nomination being moved from potential to planned when either the city adopts a general plan or the county adopts a specific plan to meet the requirement as a planned PDA. The motion passed unanimously.

President Cortese thanked Mr. Kirkey for his report.

10. LEGISLATION & GOVERNMENTAL ORGANIZATION COMMITTEE REPORT**

President Cortese recognized Committee Chair Pete McHugh, Supervisor, County of Santa Clara, who reported on Committee activities. Supervisor McHugh reported that the committee discussed the priorities and action items for the 2007 Legislative Session, including legislation on housing, housing element reform, transportation, land use and related incentives, infrastructure needs, hazard mitigation, water quality management, eminent domain, and global warming; discussed the 2007 bills chaptered and vetoed, and looked at bills carried over into the 2008 session; agreed that an effective outreach strategy for gaining support for policies and priorities was to hold a 2008 Legislative Reception in Sacramento in January with the Joint Policy Committee. The League of California Cities and CSAC to be contacted and requested to be co-sponsors.

President Cortese recognized a motion by Chair McHugh, and seconded by Aimee Albertson Alden, Intergovernmental Affairs Director, City and County of San Francisco, to approve the committee report. The motion passed unanimously.

11. FINANCE & PERSONNEL COMMITTEE REPORT**

President Cortese recognized Committee Chair Mark Green, Mayor, Union City, who reported on Committee activities, including a review and recommended approval of the Audited Financial Reports for 2006-2007 and Authorization of Resolution No. 16-07 for issuance of up to \$60.4 million in insured revenue bonds on behalf of jurisdictions under the California Redevelopment Agency Pool (Cal-RAP Program).

President Cortese recognized a motion by Chair Green, and seconded by Supervisor McHugh, to approve the committee report. The motion passed unanimously.

12. ADJOURNMENT

Meeting adjourned at approximately 9:16 p.m.


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.