

SUMMARY MINUTES

ABAG Executive Board Meeting No. 423
Thursday, March 16, 2017
Bay Area Metro Center
375 Beale Street, Board Room
San Francisco, California

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

ABAG President Julie Pierce, Councilmember, City of Clayton, called the meeting of the Executive Board of the Association of Bay Area Governments to order at about 7:02 p.m.

A quorum of the ABAG Executive Board was present at about 7:02 p.m.

Representatives and Alternates Present

Supervisor Dave Canepa
Supervisor Cindy Chavez
Councilmember Chris Clark
Supervisor David Cortese
Councilmember Lan Diep
Councilmember Pat Eklund
Dir Nicole Elliott, Leg and Gov Affairs
Mayor Leon Garcia
Councilmember Lynette Gibson McElhaney
Supervisor Susan Gorin
Mayor Pradeep Gupta
Supervisor Scott Haggerty
Mayor Barbara Halliday
Supervisor Erin Hannigan
Vice Mayor Dave Hudson
Councilmember Sergio Jimenez
Director William Kissinger *
Mayor Jake Mackenzie
Supervisor Nathan Miley
Supervisor Karen Mitchoff
Councilmember Raul Peralez
Councilmember Julie Pierce
Dir John Rahaim, Planning
Supervisor Belia Ramos
Supervisor Dennis Rodoni
Councilmember Carlos Romero
Dir Todd Rufo, Economic and Workforce Dev
Mayor Greg Scharff
Mayor Trish Spencer

Jurisdiction

County of San Mateo
County of Santa Clara
City of Mountain View
County of Santa Clara
City of San Jose
City of Novato
City of San Francisco
City of American Canyon
City of Oakland
County of Sonoma
City of South San Francisco
County of Alameda
City of Hayward
County of Solano
City of San Ramon
City of San Jose
RWQCB
City of Rohnert Park
County of Alameda
County of Contra Costa
City of San Jose
City of Clayton
City of San Francisco
County of Napa
County of Marin
City of East Palo Alto
City of San Francisco
City of Palo Alto
City of Alameda

Representatives Absent

Supervisor Candace Andersen
Mayor Len Augustine
Councilmember Annie Campbell Washington

Jurisdiction

County of Contra Costa
City of Vacaville
City of Oakland

Councilmember Abel Guillen
Supervisor Dave Pine
Supervisor Norman Yee

City of Oakland
County of San Mateo
County of San Francisco

[* Non-voting Advisory Member]

2. PUBLIC COMMENT

The following individual gave public comment: Ken Bukowski.

3. ANNOUNCEMENTS

President Pierce announced that the Legislative Workshop and Reception is on March 22, 2017, 2:00 p.m., CSAC Conference Center, Sacramento.

4. PRESIDENT'S REPORT

President Pierce reported on the following:

The Executive Board was requested to ratify appointments to the Governing Board of the San Francisco Bay Restoration Authority under the Consent Calendar.

5. ACTING EXECUTIVE DIRECTOR'S REPORT

There was no Acting Executive Director's report.

Members requested a status update on Plan Bay Area and the Environmental Impact Review.

Miriam Chion, ABAG Planning and Research Director, reported that the draft Plan Bay Area is being completed for release and that more work is to be done on the Environmental Impact Review.

6. CONSENT CALENDAR

Chris Clark, Councilmember, City of Mountain View, requested that Item 6.B., Committee Appointments, be pulled from the Consent Calendar.

The following individual gave public comment: Pat Showalter, Councilmember, City of Mountain View.

Members discussed the appointments to the Governing Board of the San Francisco Bay Restoration Authority.

President Pierce recognized a motion by Jake Mackenzie, Councilmember, City of Rohnert Park, which was seconded by Dave Hudson, Vice Mayor, City of San Ramon, to approve the Consent Calendar, including the ratification of committee appointments.

There was no discussion.

There was no public comment.

The aye votes were: Canepa, Chavez, Clark, Diep, Eklund, Elliot, Garcia, Gibson McElhaney, Gorin, Gupta, Halliday, Hannigan, Hudson, Jimenez, Mackenzie, Miley, Mitchoff, Peralez, Pierce, Rahaim, Ramos, Rodoni, Romero, Rufo, Scharff, Spencer.

The nay votes were: None.

Abstentions were: None.

Absent were: Andersen, Augustine, Campbell Washington, Cortese, Guillen, Haggerty, Pine, Yee.

The motion passed unanimously.

A. Approval of Executive Board Summary Minutes of Meeting No. 422 held on February 16, 2017

The ABAG Executive Board approved its Summary Minutes of the meeting on February 16, 2017.

B. Ratification of Committee Appointments

The Executive Board ratified the following committee appointments:

San Francisco Bay Restoration Authority Governing Board

Dave Pine, Supervisor, County of San Mateo—Chair

John Gioia, Supervisor, County of Contra Costa—East Bay

Vinnie Bacon, Councilmember, City of Fremont—South Bay

Susan Gorin, Supervisor, County of Sonoma—Bayside City/County/Park District

C. Ratification of the Submittal of the Proposal to the California Energy Commission as the Program Administrator for the Statewide Benchmarking Collaborative Project

The Executive Board ratified the submittal of the proposal by ABAG to the California Energy Commission as the Program Administrator for the Statewide Benchmarking Collaborative Project, and, if approved, authorized the ABAG Acting Executive Director to enter negotiations and execute the necessary agreements in an amount not to exceed \$2 million.

D. Authorization to Enter into New Contract with Canopy for the *Healthy Watersheds, Resilient Baylands* Project

The Executive Board authorized the Acting Executive Director or designee to enter into a new Subrecipient Agreement with Canopy for the *Healthy Watersheds, Resilient Baylands* Project in the amount not to exceed \$38,000.

E. Ratification of Website Support Contract Modification No. 7 with San Francisco Estuary Institute

The Executive Board ratified Contract Modification No. 7 to the agreement with San Francisco Estuary Institute to provide website support to San Francisco Estuary Partnership in the amount of \$57,000 for the contract term from March 1, 2011 through September 30, 2017.

F. Approval of ABAG Management Pay Schedules and Monthly Salary Schedule for Represented Staff

The Executive Board approved the ABAG Management Pay Schedule listing existing management salaries and ABAG Monthly Salary Schedule listing existing represented staff salaries.

7. ABAG LEGISLATION AND GOVERNMENTAL ORGANIZATION COMMITTEE REPORT

President Pierce reported on committee activities, including the following: approved summary minutes of meeting on January 19, 2017; received report on Housing Bills, including AB 71 (Chiu), Taxes: Credits: Low-income housing: allocation increase—watch; AB 73 (Chiu), Planning and Zoning: Housing sustainability districts—watch; AB 74 (Chiu), Housing for a Healthy California Program—watch; AB 1423 (Chiu), Housing data—watch, seek amendments; SB 2 (Atkins), Building Homes and Jobs Act—watch; SB 3 (Beall), Affordable Housing Bond Act of 2018—support; SB 540 (Roth), Workforce Housing Opportunity Zone—watch; SB 35 (Wiener), Planning and Zoning: Affordable housing: Streamlined approval process—watch; received report on Water Bills Savings Act, SB 564 (McGuire), Joint powers authorities: Water Bill Savings Act—support.

President Pierce further reported as follows: received report on legislation, including the following AB 18 (Garcia), California Clean Water, Climate, and Coastal Protection and Outdoor Access for All Act of 2018—support; AB 30 (Caballero), Planning and Zoning: Specific plan: Housing—watch; AB 59 (Thurmond), Local Housing Trust Fund Matching Grant Program—watch; AB 184 (Berman), Sea level rise planning: Databases—watch; AB 358 (Grayson), Regional economic development areas—watch; AB 890 (Medina), Local land use initiatives: Environmental review—watch; AB 915 (Ting), Planning and zoning: Housing—watch; AB 932 (Ting), Housing: Affordable housing—watch; AB 1086 (Daly), Local government: Housing—watch; AB 1397 (Low), Local planning: Housing element: Inventory for land for residential development—watch; AB 1404 (Berman), California Environmental Quality Act: Categorical exemption: Infill development—watch; AB 1433 (Wood), Climate Adaptation and Resilience Based on Nature Act—watch; AB 1585 (Bloom), Planning and zoning: Affordable housing: Single application—watch; SB 5 (De Leon), California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018—watch; SB 435 (Dodd) Williamson Act: payments to local governments—watch.

President Pierce further reported as follows: received report on development of joint ABAG and MTC statement of housing principles from Rebecca Long, MTC Government Relations Manager; received report on Legislative Workshop and Reception.

President Pierce recognized a motion by Dave Hudson, Vice Mayor, City of San Ramon, which was seconded by Karen Mitchoff, Supervisor, County of Contra Costa, to approve the committee report.

There was no discussion.

There was no public comment.

The aye votes were: Canepa, Chavez, Clark, Diep, Eklund, Elliot, Garcia, Gibson McElhaney, Gorin, Gupta, Halliday, Hannigan, Hudson, Jimenez, Mackenzie, Miley, Mitchoff, Peralez, Pierce, Rahaim, Ramos, Rodoni, Romero, Rufo, Scharff, Spencer.

The nay votes were: None.

Abstentions were: None.

Absent were: Andersen, Augustine, Campbell Washington, Cortese, Guillen, Haggerty, Pine, Yee.

The motion passed unanimously.

Members discussed SB 35 and local control.

8. ABAG FINANCE AND PERSONNEL COMMITTEE REPORT

Committee Chair Karen Mitchoff, Supervisor, County of Contra Costa, reported on committee activities, including the following: approved summary minutes of meeting on January 19, 2017; received report on financial reports for January 2017; received report on payment of membership dues for Fiscal Year 2016-2017; received report on audited financial statements for Fiscal Year 2015-2016; received report on proposed new Joint Powers Authority—ABAG Finance Authority; held Closed Session on Conference with Labor Negotiators, Employee organization: SEIU Local 1021; held Closed Session on Public Employee Appointment, Title: Post Consolidation Legal Counsel.

President Pierce recognized a motion by Karen Mitchoff, Supervisor, County of Contra Costa, which was seconded by Greg Scharff, Mayor, City of Palo Alto, to approve the committee report.

There was no discussion.

There was no public comment.

The aye votes were: Canepa, Chavez, Clark, Diep, Eklund, Elliot, Garcia, Gibson McElhaney, Gorin, Gupta, Halliday, Hannigan, Hudson, Jimenez, Mackenzie, Miley, Mitchoff, Peralez, Pierce, Rahaim, Ramos, Rodoni, Romero, Rufo, Scharff, Spencer.

The nay votes were: None.

Abstentions were: None.

Absent were: Andersen, Augustine, Campbell Washington, Cortese, Guillen, Haggerty, Pine, Yee.

The motion passed unanimously.

9. REPORT ON PLANNING AND RESEARCH OVERVIEW

Miriam Chion, ABAG Planning and Research Director, and Duane Bay, ABAG Assistant Planning Director, presented an overview of the Planning and Research Department, including describing how it fulfills its legal mandates, serves our cities, and brings new knowledge and innovation, and sought input on actions needed to ensure continuity for current planning work, meet its legal mandates, and identify greatest opportunities for the Council of Governments in the staff consolidation.

Members acknowledged staff for their planning and research work; and discussed continuing work in the merged agencies, Council of Government responsibilities, value of good planning, land use and transportation planning, complete communities, housing and jobs imbalance, merging work philosophies and integrating work, organizational development.

The following individual gave public comment: JoAnna Bullock, ABAG Senior Regional Planner.

10. REPORT ON ABAG/MTC OPTION 7 IMPLEMENTATION ACTION PLAN

A. REPORT ON CONTRACT FOR SERVICES

B. REPORT ON MEMORANDUM OF UNDERSTANDING

Brad Paul, ABAG Acting Executive Director, reported on the Contract for Services and the Memorandum of Understanding, including key dates and schedule; overview of final

documents; Contract for Services; Memorandum of Understanding; employment transition plan; consolidated staff organizational chart; and budget and work plan.

The following individuals gave public comment: Ken Bukowski; Atti Williams, ABAG IT Operations Manager; Lee Huo, Bay Trail Planner and SEIU Local 1021 Chapter President; James Muller, SFEP Environmental Planner and SEIU Local 1021 Chapter.

Members requested that the staff comments be entered into the record. [See attachments.]

The following individuals gave public comment: Gillian Adams, ABAG Senior Regional Planner; Ada Chan, ABAG Regional Planner; Bobby Lu, ABAG Regional Planner; Mark Shorrett, ABAG Senior Regional Planner; Ben Botkin, Water Trail/Bay Trail Planner; JoAnna Bullock, ABAG Senior Regional Planner; Julio Corral, SEIU 1021; Leah Zippert, ABAG Senior Communications Officer.

Paul commented on Communications staff work and consolidated staff organizational chart.

Courtney Ruby, ABAG Finance and Administrative Services Director, commented on employee parity issues, vacation leave, staff organizational chart, organizational development workshops.

Members discussed document approval process, integrated Planning Department, employment issues, ABAG resolution and principles, General Assembly approval of Contract for Services and Memorandum of Understanding; employee equity and parity and career path issues; represented and executive staff; written information from employees and staff response; staff participation at meetings; ABAG and MTC planning staffs differences over Plan Bay Area and Board control over staff; dispute resolution; trust among ABAG and MTC elected officials; ABAG retiree benefits; governance; organization as employer of choice; organizational chart; service to Bay Area and its residents; land use and collaborative decision making; independent housing program; ABAG staff managing ABAG programs; additional time for process, clarification of intentions, contracting services from MTC, and integrating services; equity and fairness in treating employees; management staff direction; Ad Hoc Committee documents and comments review.

The Executive Board entered into Closed Session at about 10:15 p.m.

11. CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: Brad Paul, Acting Executive Director; Kenneth Moy, Legal Counsel; Courtney Ruby, Finance and Administrative Services Director; Marti Paschal, Interim Assistant Director of Administrative Services

Employee organization: SEIU Local 1021

The Executive Board returned into Open Session at about 10:30 p.m.

President Pierce announced that no reportable action was taken in Closed Session.

12. ADJOURNMENT

President Pierce adjourned the meeting of the ABAG Executive Board at about 10:30 p.m.

The next meeting of the ABAG Executive Board will be on April 20, 2017.

Submitted:

/s/ Brad Paul, Acting Secretary-Treasurer

Date Submitted: April 6, 2017

Approved: April 20, 2017

For information or to review audio recordings of ABAG Executive Board meetings, contact Fred Castro, Clerk of the Board, at (415) 820 7913 or FredC@abag.ca.gov.