

SUMMARY MINUTES

ABAG Executive Board Meeting No. 425
Thursday, May 18, 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 7:01 p.m.

A quorum of the ABAG Executive Board was present at about 7:01 p.m.

Representatives and Alternates Present

Supervisor Candace Andersen
Director Laurel Arvanitidis, Industry Programs
Supervisor David Canepa
Supervisor David D. Cortese
Mayor Pat Eklund
Director Nicole Elliott, Leg and Gov Affairs
Mayor Leon Garcia
Mayor Liz Gibbons
Councilmember Lynette Gibson McElhaney
Supervisor Scott Haggerty
Mayor Barbara Halliday
Supervisor Erin Hannigan
Councilmember Dave Hudson
Mayor Wayne J. Lee
Supervisor Karen Mitchoff
Councilmember Julie Pierce
Supervisor David Rabbitt
Director John Rahaim, Planning
Supervisor Dennis Rodoni
Councilmember Carlos Romero
Vice Mayor Greg Scharff
Mayor Trish Spencer
Supervisor Norman Yee

Jurisdiction

County of Contra Costa
City and County of San Francisco
County of San Mateo
County of Santa Clara
City of Novato
City and County of San Francisco
City of American Canyon
City of Campbell
City of Oakland
County of Alameda
City of Hayward
County of Solano
City of San Ramon
City of Millbrae
County of Contra Costa
City of Clayton
County of Sonoma
City and County of San Francisco
County of Marin
City of East Palo Alto
City of Palo Alto
City of Alameda
City and County of San Francisco

Representatives Absent

Mayor Len Augustine
Councilmember Annie Campbell Washington
Supervisor Cindy Chavez
Councilmember Lan Diep
Councilmember Abel J. Guillen
Councilmember Sergio Jimenez
Director William Kissinger *
Vice Mayor Jake Mackenzie
Supervisor Nathan Miley

Jurisdiction

City of Vacaville
City of Oakland
County of Santa Clara
City of San Jose
City of Oakland
City of San Jose
RWQCB
City of Rohnert Park
County of Alameda

Councilmember Raul Peralez
Supervisor Dave Pine
Supervisor Belia Ramos

City of San Jose
County of San Mateo
County of Napa

[* Non-voting Advisory Member]

2. PUBLIC COMMENT

The following individual gave public comment: Ken Bukowski.

3. ANNOUNCEMENTS

Pak Eklund, Mayor, City of Novato, invited members to attend the Plan Bay Area 2040 public workshop and open house in Marin County.

4. PRESIDENT'S REPORT

President Pierce reported on the following:

The ABAG General Assembly and Business Meeting is on June 5, 2017.

The joint meeting of the ABAG Executive Board and the MTC Commission to adopt the Plan Bay Area 2040 and the Environmental Impact Report on Plan Bay Area 2040 will be in July.

President Pierce recognized a motion by Candace Andersen, Supervisor, County of Contra Costa, which was seconded by David Rabbitt, Supervisor, County of Sonoma, to add the following late-breaking items to the Consent Calendar: Ratification of Committee Appointment, Thom Bogue, Mayor, City of Dixon, to the Regional Planning Committee, and Adoption of Resolution No. 03-17, Accepting Grant from Metropolitan Transportation Commission for the San Francisco Bay Trail.

There was no discussion.

There was no public comment.

The aye votes were: Andersen, Arvanitidis, Canepa, Cortese, Eklund, Elliott, Garcia, Gibbons, Haggerty, Halliday, Hannigan, Hudson, Lee, Mitchoff, Pierce, Rabbitt, Rahaim, Rodoni, Romero, Scharff (20).

The nay votes were: None.

Abstentions were: None.

Absent were: Augustine, Campbell Washington, Chavez, Diep, Gibson McElhaney, Guillen, Jimenez, Mackenzie, Miley, Peralez, Pine, Ramos, Spencer, Yee (14).

The motion passed unanimously.

5. ACTING EXECUTIVE DIRECTOR'S REPORT

Brad Paul, Acting Executive Director, reported on the schedule of Spring 2017 Open Houses and Public Workshops on Plan Bay Area 2040.

6. CONSENT CALENDAR

President Pierce recognized a motion by Karen Mitchoff, Supervisor, County of Contra Costa, which was seconded by David Rabbitt, Supervisor, County of Sonoma, to approve the Consent Calendar, excluding Item 6.D., Adoption of Resolution No. 01-17, Authorizing Execution of Documents in Connection with Refunding of ABAG FAN Revenue Bonds for Windemere and Use of Funds to Discharge a Reassessment; and including Ratification of

Committee Appointment, Thom Bogue, Mayor, City of Dixon, to the Regional Planning Committee, and Adoption of Resolution No. 03-17, Accepting Grant from Metropolitan Transportation Commission for the San Francisco Bay Trail.

There was no discussion.

There was no public comment.

The aye votes were: Andersen, Arvanitidis, Canepa, Cortese, Eklund, Elliott, Garcia, Gibbons, Haggerty, Halliday, Hannigan, Hudson, Lee, Mitchoff, Pierce, Rabbitt, Rahaim, Rodoni, Romero, Scharff (20).

The nay votes were: None.

Abstentions were: None.

Absent were: Augustine, Campbell Washington, Chavez, Diep, Gibson McElhaney, Guillen, Jimenez, Mackenzie, Miley, Peralez, Pine, Ramos, Spencer, Yee (14).

The motion passed unanimously.

Staff reported on Item 6.D., Adoption of Resolution No. 01-17, Authorizing Execution of Documents in Connection with Refunding of ABAG FAN Revenue Bonds for Windemere and Use of Funds to Discharge a Reassessment.

President Pierce recognized a motion by Scott Haggerty, Supervisor, County of Alameda, which was seconded by David Rabbitt, Supervisor, County of Sonoma to adopt Resolution No. 01-17, Authorizing Execution of Documents in Connection with Refunding of ABAG FAN Revenue Bonds for Windemere and Use of Funds to Discharge a Reassessment.

There was no discussion.

There was no public comment.

The aye votes were: Arvanitidis, Canepa, Cortese, Eklund, Elliott, Garcia, Gibbons, Haggerty, Halliday, Hannigan, Lee, Pierce, Rabbitt, Rahaim, Rodoni, Romero, Scharff (17).

The nay votes were: None.

Abstentions were: None.

Absent were: Andersen, Augustine, Campbell Washington, Chavez, Diep, Gibson McElhaney, Guillen, Hudson, Jimenez, Mackenzie, Miley, Mitchoff, Peralez, Pine, Ramos, Spencer, Yee (17).

The motion passed unanimously.

- A. Approval of Executive Board Summary Minutes of Meeting No. 424 held on April 20, 2017**
- B. Adoption of Resolution No. 02-17 Authorizing Conveyance of Real Property Interest to City of South Lake Tahoe in Connection with Retirement of Lease Revenue Bonds**
- C. Adoption of Debt Issuance Policy**
- D. Adoption of Resolution 01-17 Authorizing Execution of Documents in Connection with Refunding of ABAG FAN Revenue Bonds for Windemere and Use of Funds to Discharge a Reassessment**

E. Approval of Contract with The Civic Edge

7. ABAG LEGISLATION AND GOVERNMENTAL ORGANIZATION COMMITTEE REPORT

Committee Chair Scott Haggerty, Supervisor, County of Alameda, reported on Committee activities, including the following: approval of summary minutes of meeting on April 18, 2017; report on AB 494 (Bloom), Land use: accessory dwelling units—watch, and SB 167 (Skinner), Housing Accountability Act—oppose; report on MTC and ABAG joint housing principles, and AB 686 (Santiago), Housing discrimination: affirmatively further fair housing—oppose; report on AB 1088 (Eggman), Multifamily residential housing: energy programs—support; report on legislation—bill status update, including AB 71 (Chiu), Taxes: credits: low-income housing: allocation increase—oppose, AB 1585 (Bloom), Planning and zoning: affordable housing: single application—oppose, AB 184 (Berman), Sea level rise planning: databases—support, AB 1250 (Jones-Sawyer), contract services for local governments—add to next agenda, SB 435 (Dodd), changes to Williamson Act—request for information; report on legislative workshop and reception—highlights.

President Pierce recognized a motion by Haggerty, which was seconded by Karen Mitchoff, Supervisor, County of Contra Costa, to approve the committee report, excluding SB 167 and AB 71.

There was no discussion.

There was no public comment.

The aye votes were: Andersen, Arvanitidis, Canepa, Cortese, Eklund, Elliott, Garcia, Gibbons, Haggerty, Halliday, Hannigan, Hudson, Lee, Mitchoff, Pierce, Rabbitt, Rahaim, Rodoni, Romero, Scharff, Spencer, Yee (22).

The nay votes were: None.

Abstentions were: None.

Absent were: Augustine, Campbell Washington, Chavez, Diep, Gibson McElhaney, Guillen, Jimenez, Mackenzie, Miley, Peralez, Pine, Ramos (12).

The motion passed unanimously.

President Pierce recognized a motion by Haggerty, which was seconded by Greg Scharff, Mayor, City of Palo Alto, to take an oppose position on SB 167.

Members discussed SB 167; Bay Area Housing Production; meaning of bill language; local control, affordable housing and RHNA; cities do not build housing; number of housing bills; redevelopment; committee process in taking positions on legislation.

There was no public comment.

The aye votes were: Andersen, Canepa, Cortese, Eklund, Garcia, Gibbons, Haggerty, Halliday, Hannigan, Hudson, Lee, Mitchoff, Pierce, Rabbitt, Rodoni, Romero, Scharff, Spencer, Yee (19).

The nay votes were: Arvanitidis, Elliott, Rahaim (3).

Abstentions were: None.

Absent were: Augustine, Campbell Washington, Chavez, Diep, Gibson McElhaney, Guillen, Jimenez, Mackenzie, Miley, Peralez, Pine, Ramos, (12).

The motion passed.

President Pierce recognized a motion by Haggerty, which was seconded by Dave Hudson, Vice Mayor, City of San Ramon, to take an oppose position on AB 71.

There was no discussion.

There was no public comment.

The aye votes were: Andersen, Canepa, Cortese, Eklund, Garcia, Gibbons, Haggerty, Halliday, Hannigan, Hudson, Lee, Mitchoff, Pierce, Rabbitt, Rodoni, Romero, Scharff, Spencer, (18).

The nay votes were: Arvanitidis, Elliott, Rahaim, Yee (4).

Abstentions were: None.

Absent were: Augustine, Campbell Washington, Chavez, Diep, Gibson McElhaney, Guillen, Jimenez, Mackenzie, Miley, Peralez, Pine, Ramos (12).

The motion passed.

8. ABAG FINANCE AND PERSONNEL COMMITTEE REPORT

Committee Chair Karen Mitchoff, Supervisor, County of Contra Costa, reported on Committee activities, including the following: approval of summary minutes of meeting on April 18, 2017; report on contracts between \$20,000 and \$50,000; update of proposal to create a new conduit financing Joint Powers Authority—proposed timetable; report on the Financial Reports for March 2017; deferred report on proposed Budget and Work Program for Fiscal Year 2017-2018—proposed revisions and Audited Financial Reports for June 2016 to the Executive Board.

President Pierce recognized a motion by Mitchoff, which was seconded by David Rabbitt, Supervisor, County of Sonoma, to approve the committee report.

There was no discussion.

There was no public comment.

The aye votes were: Andersen, Arvanitidis, Canepa, Cortese, Eklund, Elliott, Garcia, Gibbons, Haggerty, Halliday, Hannigan, Hudson, Lee, Mitchoff, Pierce, Rabbitt, Rahaim, Rodoni, Romero, Scharff, Spencer, Yee (22).

The nay votes were: None.

Abstentions were: None.

Absent were: Augustine, Campbell Washington, Chavez, Diep, Gibson McElhaney, Guillen, Jimenez, Mackenzie, Miley, Peralez, Pine, Ramos (12).

The motion passed unanimously.

Kenneth Moy, Legal Counsel, commented on parliamentary procedures regarding calling the question which is a motion requiring a second and a two-thirds vote to approve.

9. UPDATE ON PROPOSAL TO CREATE A NEW CONDUIT FINANCING JOINT POWERS AUTHORITY—PROPOSED TIMETABLE

Kenneth Moy, Legal Counsel, reported on the proposed timetable for the proposal to create a new conduit financing Joint Powers Authority. Michael Hurtado, Financial Services

Manager, presented an update on the proposal to create a new conduit financing Joint Powers Authority. Sheelagh Flanagan, Senior Advisor, ABAG Finance Authority, reported on strategic objectives and marketing plan.

Members discussed fee schedule and marketing; naming of the new conduit financing joint powers authority; resilience program described in Budget and Work Program; the new conduit financing Joint Powers Authority organization and staffing; bringing back the naming of the new conduit financing authority to the Finance and Personnel Committee; additional revenue for ABAG; proposed timetable.

10. REPORT ON PLAN BAY AREA 2040

A. Report on Public Hearing on the Draft Plan Bay Area 2040

Staff reported on schedule of public hearings to receive oral comments on the Draft Plan Bay Area 2040, and two additional public hearings scheduled for Tuesday, May 16, 2017 from 6 p.m. to 8 p.m. in San Jose and Thursday, May 18, 2017 from 6 p.m. to 8 p.m. in Vallejo.

B. Report on Public Hearing on the Draft Environmental Impact Report for Plan Bay Area 2040

Staff reported on schedule of public hearings to receive oral comments on the Draft Environmental Impact Report, and two additional public hearings scheduled for Tuesday, May 16, 2017 from 6 p.m. to 8 p.m. in San Jose and Thursday, May 18, 2017 from 6 p.m. to 8 p.m. in Vallejo.

Members discussed calendaring the public hearings.

11. REPORT ON PROPOSED BUDGET AND WORK PROGRAM FOR FISCAL YEAR 2017-2018—PROPOSED REVISIONS AND AUDITED FINANCIAL REPORTS FOR JUNE 2016

Courtney Ruby, Director, Finance and Administrative Services, reported on the proposed Budget and Work Program for Fiscal Year 2017-2018, including proposed revisions and financial considerations, Audited Financial Reports for June 2016, and Financial Reports for March 2017.

Members discussed proposed revisions and budget highlights; federal or state impacts on revenue assumptions; changes to membership dues; planning positions, local engagement, and committee staffing; integrated staff; small cities representation; work plans; staff organizational chart.

The following individual gave public comment: Kirsten Snow Spaulding.

President Pierce recognized a motion by Greg Scharff, Mayor, City of Palo Alto, which was seconded by Scott Haggerty, Supervisor, County of Alameda, to forward and recommend approval of the Proposed Budget and Work Program for Fiscal Year 2017-2018, including proposed revisions, to the General Assembly.

There was no discussion.

The aye votes were: Andersen, Arvanitidis, Canepa, Cortese, Eklund, Elliott, Garcia, Gibbons, Haggerty, Halliday, Hannigan, Hudson, Lee, Mitchoff, Pierce, Rabbitt, Rahaim, Rodoni, Romero, Scharff, Yee (21).

The nay votes were: None.

Abstentions were: Spencer (1).

Absent were: Augustine, Campbell Washington, Chavez, Diep, Gibson McElhaney, Guillen, Jimenez, Mackenzie, Miley, Peralez, Pine, Ramos (12).

The motion passed.

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

A. Report on Contract for Services

B. Report on Memorandum of Understanding

Brad Paul, Acting Executive Director, reported on updates regarding the Contract for Services and Memorandum of Understanding, including changes by the ABAG Executive Board and the MTC Commission, proposed new conduit financing authority Joint Powers Authority, ABAG unfunded liabilities, CalPERS audit of employees, selection committee for new Executive Director, facilitation of labor issues.

Members discussed selection committee for new Executive Director; ABAG's contract with CalPERS; labor union negotiations.

President Pierce made a motion by, which was seconded by Greg Scharff, Mayor, City of Palo Alto, to approve the Memorandum of Understanding, including the composition of the Interview Committee for the successor Executive Director to include the ABAG representative to MTC, at a minimum, and with the understanding that ABAG can still have an *ad hoc* committee to interview candidates and provide comments to MTC, as reported.

Members discussed the change to the Memorandum of Understanding and reviewing a strike-through/added-in document.

The following individuals gave public comment: Ken Bukowski; Michael Brinton, MTC Committee for Staff Representation.

The aye votes were: Andersen, Arvanitidis, Canepa, Cortese, Elliott, Garcia, Gibbons, Haggerty, Halliday, Hannigan, Hudson, Lee, Mitchoff, Pierce, Rabbitt, Rahaim, Rodoni, Scharff, Yee (19).

The nay votes were: Eklund, Romero, Spencer (3).

Abstentions were: Gibson McElhaney (1).

Absent were: Augustine, Campbell Washington, Chavez, Diep, Guillen, Jimenez, Mackenzie, Miley, Peralez, Pine, Ramos (11).

The motion passed.

13. ADJOURNMENT

President Pierce adjourned the meeting of the ABAG Executive Board at about 9:08 p.m.

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

Submitted:

/s/ Frederick Castro, Clerk of the Board

Date Submitted: June 21, 2017

Approved: July 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.