

SUMMARY MINUTES

ABAG Executive Board Meeting No. 335
January 15, 2004 ■ MetroCenter Auditorium

1. **CALL TO ORDER**

Meeting called to order at 7:45 p.m. by President Scott Haggerty, MetroCenter, 101 Eighth Street, Oakland.

Representatives and Alternates Present

Supervisor Gail Steele
Supervisor Scott Haggerty
Supervisor Susan Adams
Supervisor Mike Rippey
Supervisor Pete McHugh
Supervisor Barbara Kondylis
Supervisor Mike Kerns
Mayor Shelia Young
Mayor Mark Green
Mayor Gwen Regalia
Mayor Maria Alegria
Councilmember Carol Dillon-Knutson
Mayor Ken Slavens
Councilmember Donald Eaton
Mayor Julia Miller
Mayor Jose Esteves
Mayor James P. Spering
Councilmember Steve Rabinowitsh
Councilmember Jane Brunner
Mary Warren

Jurisdiction

Alameda County
Alameda County
Marin County
Napa County
Santa Clara County
Solano County
Sonoma County
Alameda County Cities
Alameda County Cities
Contra Costa County Cities
Contra Costa County Cities
Marin County Cities
Napa County Cities
San Mateo County Cities
Santa Clara County Cities
Santa Clara County Cities
Solano County Cities
Sonoma County Cities
City of Oakland
Regional Water Quality Control Board

Following Representatives and Alternates Absent

Supervisor Mark DeSaulnier
Supervisor John Gioia
Supervisor Federal Glover
Supervisor Gayle Uilkema
Supervisor Matt Gonzalez
Supervisor Fiona Ma
Supervisor Gerardo Sandoval
Supervisor Richard Gordon
Supervisor Michael Nevin
Supervisor Mark Church
Supervisor Rose Jacobs Gibson
Supervisor Blanca Alvarado
Supervisor Don Gage
Ms. Maria Ayerdi
Ms. Alicia Bert
Ms. Karin Carlson
Councilmember Carol L. Klatt
Councilmember Duane Bay
Councilmember Jean Quan
Vice Mayor Nancy Nadel
Councilmember Danny Wan
Councilmember Henry Chang, Jr.
Councilmember Dave Cortese
Councilmember Linda J. LeZotte
Councilmember Forrest Williams

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

Councilmember Ken Yeager
Councilmember Nora Campos
Councilmember Terry Gregory

City of San Jose
City of San Jose
City of San Jose

2. PUBLIC COMMENT

There was no public comment.

3. ANNOUNCEMENTS

There were no announcements.

4. PRESIDENTS REPORT

President Scott Haggerty commented on a historic event stating that this was the first time in eight years that there was another Immediate Past President other than Dick Spees. President Haggerty presented Immediate Past President Gwen Regalia with an engraved gavel acknowledging her work for the past two years as ABAG's President. Immediate Past President Regalia thanked the Board, stating she enjoyed serving as President. President Haggerty presented Executive Director, Eugene Leong with a wood puzzle plaque from the County of Alameda symbolizing 150 years of service to the residents of Alameda County. President Haggerty also noted that he was honored to be elected President stating that the next two years are going to be tough as new President. He wants to continue the tradition of ABAG lobbying state legislators and plans to spend more time in Sacramento. President Haggerty stated that it was important for other ABAG members to send letters to Sacramento, telling them they must change the way they are doing business in Sacramento.

5. EXECUTIVE DIRECTOR'S REPORT

Executive Director Eugene Leong reported on the LAO report on the state budget regarding local government funding and the framework for the proposed ERAF II shift. Leong referenced proposition 13 and the STOP (Stop Taking Our Property taxes) campaign held at the MetroCenter during the 1980's in which Senator Torlakson, then ABAG President, and Sunne McPeak, two former local government officials who headed the campaign and who are now in Sacramento. He compared that time to what is happening in Sacramento today.

6. CONSENT CALENDAR

A. Approval of Executive Board Summary Minutes

The Board approved the Summary Minutes of Meeting No. 334 held on November 20, 2003.

B. Grant Applications

The Board approved transmittal of federal grant applications to the State Clearinghouse.

C. Appointment to Committees

The Board approved the following Committee appointments:

Finance and Personnel Committee

- Supervisor Rose Jacobs Gibson, San Mateo County

Regional Planning Committee

- Councilmember Jennifer Hosterman, City of Pleasanton
- Supervisor Valerie Brown, Santa Rosa County

Legislation & Governmental Organization Committee

- Councilmember Ken Slavens, City of St. Helena

Regional Airport Planning Committee

- Councilmember Marland Townsend, City of Foster City

Bay Area Economic Forum

- Supervisor Scott Haggerty, Alameda County

- Councilmember Dave Cortese, City of San Jose

D. Authorization to Continue the Assignment of an ABAG Employee to the San Francisco Bay Regional Water Quality Control Board (RWQCB) Under an Intergovernmental Personnel Agreement (IPA)

The Board approved the Executive Director or designee to continue an interagency agreement with the State Water Resources Control Board to assign ABAG employee Debbi Nichols to the San Francisco Estuary Project at the RWQCB. Although supervised by RWQCB personnel, Ms. Nichols continues to be an ABAG employee, with salary and benefits paid by the RWQCB for January 1 - December 31, 2004.

E. Authorization to Enter into a Contract with Bay Area Clean Water Agencies (BACWA) to Provide Support for Development of Strategies for Water Quality Improvement for San Francisco Bay

The Board approved the Executive Director or designee to enter into a contract with BACWA on behalf of the Clean Estuary Partnership to provide staff and technical resources to the San Francisco Bay Regional Water Quality Control Board for the development of Total Maximum Daily Loads for pollutants in SF Bay. The contract will not exceed \$125,000 and the contract period is January 2004 through June 2005. No ABAG match is required. The project will assist with implementation of the CCMP for the San Francisco Estuary.

F. Authorization to Amend Agreement with URS, Corp.

The Board approved the Executive Director or designee to increase the subcontract with URS Corp., a partner in the Brake Pad Partnership Project funded by the State Water Resources Control Board in November 2003. The subcontract will be increased from \$85,000 to \$125,000 and the term of the subcontract remains August 2003 to February 2006.

G. Authorization to Enter into Agreements with Atmospheric and Environmental Research, Inc. (AER) and Clemson University

Under terms of the Brake Pad Partnership grant, competitive bid solicitation processes were carried out. The Board approved the Executive Director or designee to enter into subcontracts with the responsive consultants, AER for \$75,000 and Clemson University for \$40,000. The terms of the subcontracts are August 2003 to February 2006.

H. Approval of Resolution 01-04 Authorizing ABAG to Enter Into Contract with the State Water Resources Control Board (SWRCB)

The Board approved resolution 01-04 authorizing the Executive Director or designee to enter into a contract for the San Francisco Estuary Project to implement the grant funded Urban Pesticide Pollution Prevention Project as described in the accompanying memo. The SWRCB awarded the grant of \$572,000 to the San Francisco Estuary Project in November 2003.

I. Approval of Resolution No. 02-04 Authorizing ABAG to Enter Into Contract with the State Water Resources Control Board (SWRCB)**

The Board approval resolution 02-04 authorizing the Executive Director or designee to enter into an agreement with SWRCB for the San Francisco Estuary Project to Develop Testing procedures for Diazinon and Chlorpyrifos Replacement Pesticides Project as described in the accompanying memo. A \$190, 000 grant was awarded for the project in November 2003.

J. Authorization to Enter into Contract with Design, Community and Environment to Prepare a State-Required Report on the Inter-Regional Partnership State Pilot Project**

The Board approved the Executive Director or designee to enter into a Contract in an amount not to exceed \$25,000 with Design, Community and Environment (DC&E) to prepare a report on the Inter-Regional Partnership (IRP) State Pilot Project.

It was moved by Supervisor Pete McHugh/S/Supervisor Kerns/C/. Motion was passed without objection.

7. BAY AREA ECONOMIC FORUM SUPER CENTER REPORT

Bay Area Economic Forum President, Sean Randolph, PHD, briefed the Board on the recently released report “*Downturn and Recovery: Restoring Prosperity*,” the latest regional economic report in a series that has been reported every 2 years since 1996 with support from McKinsey & Company. Randolph focused on three major points, A) inadequate land use, B) insufficient transportation infrastructure, and C) unhelpful state policies. Randolph reported that despite the hit the economy has taken over the last 3 years, the basic economic advantages are still intact. Randolph reported that the Bay Area has the highest concentration of knowledge workers in the world, the most educated technically trained workforce in the world, and we continue to hold 1/3 share of all the venture capital invested in the US, and the Bay Area’s share of fortune 500 companies over the last 10 years has increased. 340,000 jobs were lost in the last 2 years, market capitalization of major companies in the Bay Area has dropped, the Bay Area has lost a net outflow of 20,000 people per year and growth of housing costs continues to outpace the growth of income in the Bay Area.

A draft Executive Summary of the super center report, “*Super Centers and the Transformation of the Bay Area Grocery Industry: Issues, Trends and Impacts*,” was available to the Board to serve as an aid to use in evaluating the super center proposals as they come forward. Super centers are big box retail stores that include a full scale grocery with total floor space up to 3 to 4 times the size of a conventional super market. Major companies controlling super centers include K-Mart, Target and Wal-Mart, who is now the number one grocery retailer in the U.S. Super centers are reported to be driven by economics, a mix of competitive forces and by consumers moving toward discount retail seeking value. Randolph’s report indicates that super centers are located mostly in rural areas and in the fringes of major urban areas. Wal-Mart is planning to build at least 40 super centers in California over the next few years. The impacts of these super centers are consumer prices, comparable wage and benefit packages, and fiscal and land use issues. More information can be found at www.bayeconfor.org.

8. INTER-REGIONAL PARTNERSHIPS AND STATE PILOT PROJECT UPDATE

Alex Amoroso, ABAG Principal Planner provided a status report and updated the Board on recent and future activities of the three inter-regional partnerships. Amoroso reported that the IRP’s are structures created through ABAG in 1997 with the first IRP, currently recognized by the state for an additional four years, with San Joaquin and Stanislaus Counties as well as Santa Clara, Alameda and Contra Costa Counties, working on jobs-housing balance issues. Amoroso reported that as a result of this IRP being developed, the state became interested in the idea of jobs-housing balance and inter-regional partnerships and in 1999 funded \$5 million to create more inter-regional partnerships throughout the state. Amoroso reported that to date, 7 have been created and ABAG is the first Council of Governments to create a set of Inter-Regional Projections, looking at the imbalances and the relationship of those imbalances across regional boundaries. Amoroso commented that the State is also looking at producing Inter-Regional Projections for other regions as well. The second IRP includes Monterey Bay and the Silicon Valley and the third, the Wine Country IRP that includes Mendocino and Lake Counties from outside the ABAG region and Sonoma and Napa Counties, inside the region. The Board approved entering into a MOU with the Lake County/City Area Planning Council and the Mendocino Council of Governments to create a Wine Country IRP. It was moved by Mayor Slavens/S/Mayor Miller/C/ to approve the MOU.

9. FINAL REPORT OF ABAG/MTC TASK FORCE

Immediate Past President Regalia reported the Task Force conducted a series of six meetings that included seven members from MTC and seven members from ABAG. She commended the ABAG members for making the time to attend the meetings. Regalia reported that a number of issues were discussed and it became clear early on that the issue of the merger was clearly not going to move forward at this time. However, the Task Force did agree on improved comprehensive regional planning. Discussions included the possibility of joining the staffs of the agencies and keeping both of the boards in place; however, the Task Force agreed to establish a Joint Policy Committee and to hire a Planning Manager from outside both agencies who will report to the two Executive Directors. The role of the Planning Manager will be to develop a work program on how to better integrate the planning between the two agencies and other things that need to be considered such as water quality, air quality and other aspects of the environment. This individual will work with existing planning staff to improve the regional land use and transportation planning for the region between ABAG and MTC. It is recommended that the Task Force remain together and it was also suggested that as many members as possible remain on the committee as they have the background of what has taken place. All Task Force members were asked to notify President Haggerty if they wish to be appointed to the Joint Policy Committee or replaced. Regalia also reported that there will be a final meeting of the Task Force that will include Senator Torlakson. The meeting is scheduled for Friday January 16, 2004. President Haggerty stated that the current members of the Task Force will continue as members of the JPC during this interim period. Mayor Sperring announced that the Air District should be engaged in this process and that he would represent the comment to the MTC Commission as well. A motion to accept the report of the Task Force and to continue the work of the Task Force until it is replaced by the Joint Policy Committee was moved by Councilmember Regalia/S/Supervisor Kondylis/C/.

10. LEGISLATION & GOVERNMENTAL ORGANIZATION COMMITTEE REPORT**

Vice Chair Maria Alegria reported on Committee activities. 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. The Board approved the actions of the Committee. It was moved by Alegria/S/Young/C/.

11. FINANCE AND PERSONNEL COMMITTEE REPORT**

Past Chair, Councilmember Steve Rabinowitsh introduced Mayor Julia Mayor as the newly elected Chair for the Finance and Personnel Committee. Miller reported on the actions of the F&P Committee, which included the Financial Report for September & October 2003 and the ABAG Basic Financial Statements and Single Audit Report for FY June 30, 2003. The Board approved the actions of the Committee with one objection. It was moved by Mayor Miller/S/Supervisor Kerns/C/ with one objection from Mayor Green.

1. PROPOSED WORK PROGRAM AND BUDGET FOR FY 2004-05 (INCLUDES MEMBER DUES)

The Following Items will be Discussed in Closed Session Pursuant to the Requirements of the Ralph M. Brown Act. All Actions Taken Will be Announced in Open Session Prior to Meeting Adjournment.

2. PERSONNEL MATTER

CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: Patricia Jones, Henry Gardner, Austris Rungis
Employee organization: SEIU 790

3. CONFERENCE WITH LEGAL COUNSEL–EXISTING LITIGATION

(Government Code Section 54956.9) – Redwood City v. ABAG

12. ADJOURNMENT



Eugene Y. Leong, Secretary-Treasurer