



A G E N D A

REVISED

ABAG EXECUTIVE BOARD MEETING NO. 384

Thursday, January 19, 2012, 7:00 PM

METROCENTER AUDITORIUM

101 8th Street (at Oak Street)

Oakland, California

For additional information, please call:
Fred Castro, (510) 464 7913

Agenda and attachments available at:
<http://www.abag.ca.gov/meetings/>

1. CALL TO ORDER

2. PUBLIC COMMENT

3. ANNOUNCEMENTS

4. PRESIDENT'S REPORT

5. EXECUTIVE DIRECTOR'S REPORT

6. CONSENT CALENDAR

ACTION: Unless there is a request by a Board member to take up an item on the consent calendar separately, the calendar will be acted upon in one motion.

A. Approval of Executive Board Summary Minutes**

Summary Minutes of Meeting No. 383 held on November 17, 2011.

B. Grant Applications

There were no federal grant applications received for transmittal to the State Clearinghouse.

C. Approval of Resolution No. 01-12 Supporting Sustainable Communities Planning Grant and Incentive Program Funded by Safe Drinking Water, Water Quality and Supply, Flood control, River and Coastal Protection Bond Act of 2006 (Proposition 84) Managed by California Strategic Growth Council**

Staff requests Executive Board Approval of Resolution No. 01-12 supporting submission of grant application for One million dollars to evaluate the development of the first Sustainable Communities Grant in the Bay Area.

Please Note: The Board may act on any item on this agenda. **Attachment included.



D. Authorization to Accept Grant from Department of Water Resources for IRWMP Funding for Water Quality Improvement, Flood Management and Ecosystem Restoration in Bay Area Disadvantaged Communities**

Authorization is requested for the Executive Director or designee, to enter into agreement with DWR for IRWMP funding. The project assists with implementation of the Comprehensive Conservation and Management Plan for the San Francisco Estuary.

E. Authorization to Enter Into Contract for Land Use Analysis**

Authorization is requested to enter into Contract with Paul Fassinger for an amount not to exceed \$50,000 to conduct land use analysis.

F. Authorization to Apply for and Accept a Grant from the State Water Resources Control Board for Proposition 84 Planning and Monitoring Funding for Bay Area Green Infrastructure Master Planning Project**

Authorization is requested to apply for and if funded, for the Executive Director to enter into agreement with the State Water Resources Control Board for Proposition 84 Planning and Monitoring Funding for a Bay Area Green Infrastructure Master Planning Project.

7. JOINT POLICY COMMITTEE UPDATE**

Information/ACTION: Ezra Rapport, ABAG Executive Director, will provide the Board with an update on the last Joint Policy Committee meeting and recommendation regarding selection and appointment of Committee Consultant to replace Ted Droettboom.

8. ABAG PLAN UPDATE**

Information: James Hill, ABAG PLAN Risk Manager, will provide the Board with an update on the status on ABAG PLAN.

9. REGIONAL HOUSING NEED ALLOCATION (RHNA)—SPHERE OF INFLUENCE IN MARIN COUNTY**

Information/ACTION: Ken Kirkey, ABAG Planning Director, will provide the Board with an overview of the previous RHNA process and ask Board approval of the Sphere of Influence rules for the current RHNA cycle.

10. SUSTAINABLE COMMUNITIES STRATEGY**

Information: Kenneth Kirkey, ABAG Planning Director, will provide the Board with updates on the development of the Preferred Scenario and the OneBayArea grant proposal.

11. LEGISLATION & GOVERNMENTAL ORGANIZATION COMMITTEE REPORT**

Information/ACTION: The Committee Chair will report on Committee activities and ask Board approval of Committee recommendations.

12. FINANCE & PERSONNEL COMMITTEE REPORT**

Information/ACTION: Committee Chair Rose Jacobs Gibson, Supervisor, County of San Mateo, will report on Committee activities and ask Board approval of Committee recommendations including:

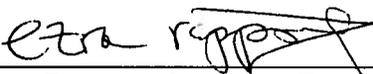
- A. FY 2012-13 Budget and Work Program
- B. Approval of Resolution No. 03-12 CALGOVEBA

13. CLOSED SESSION

The following item will be discussed in closed session pursuant to the requirements of the Ralph M. Brown Act:

- A. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Section 54956.9(b):
Crandall v ABAG—Notice of Claim received and available for inspection at
101 8th Street, Oakland, California
- B. Public Employee Performance Evaluation
Title: Executive Director

14. ADJOURNMENT



Ezra Rapport, Secretary-Treasurer

ABAG CALENDAR – JANUARY & FEBRUARY 2012

ASSOCIATION OF BAY AREA GOVERNMENTS [ABAG]

Joseph P. Bort MetroCenter, 101 Eighth Street, Oakland, CA 94607-4756

ABAG Receptionist: 510/464-7900

ABAG FAX: 510/464-7985

E-mail: info@abag.ca.gov

URL: <http://www.abag.ca.gov>

JANUARY

Bay Trail Steering Committee

1/12 @ 1:30 pm, MetroCenter, ABAG Conference Room B

Legislation & Governmental Organization

1/19 @ 3:30 pm, MetroCenter, ABAG Conference Room B

Finance & Personnel Committee

1/19 @ 5:00 pm, MetroCenter, ABAG Conference Room B

EXECUTIVE BOARD

1/19 @ 7:00 pm, MetroCenter, Auditorium

ABAG / BAAQMD / MTC Joint Policy Committee

1/20 @ 10:00 am, MetroCenter, Auditorium

San Francisco Restoration Authority Governing Board

1/25 @ 12:00 Noon, MetroCenter, Room 171

Regional Airport Planning Committee (RAPC)

1/27 @ 9:30 am, MetroCenter, Auditorium

FEBRUARY

ABAG Power Executive Board

2/5 @ 12:00 pm., MetroCenter, ABAG Conference Room B

Regional Advisory Working Group

2/7 @ 9:30 am, MetroCenter, Auditorium

Claim Committee

2/15 @ 10:00 am., TBD

Housing Methodology

2/23 @ 10:00 am., BCDC, 50 California Street, Ste 2600, SF

** ABAG programs for which a fee is charged and pre-registration is required. To register or for further information, contact
ABAG Receptionist at 510/464-7900.

For ABAG Training Center information contact Chanell Gumbs at 510/464-7964.

SUMMARY MINUTES

ABAG Executive Board Meeting
No. 383, November 17, 2011
MetroCenter Auditorium
101 8th Street, Oakland, California

1. CALL TO ORDER

President Green called the meeting to order at approximately 7:08 p.m.

Representatives and Alternates Present

Supervisor Susan L. Adams
Councilmember Ronit Bryant
Councilmember David Casas
Supervisor Malia Cohen
Supervisor David Cortese
Councilmember Carole Dillon-Knutson
Legislative Director Jason Elliott
Mayor Jack Gingles
Supervisor John Gioia
Councilmember Susan Gorin
Mayor Mark Green
Supervisor Scott Haggerty
Councilmember Nadia Holober
Government Affairs Director Kate Howard
Councilmember Dave Hudson
Supervisor Rose Jacobs Gibson
Councilmember Beverly Johnson
Councilmember Rebecca Kaplan
Supervisor Barbara Kondylis
Councilmember Sam Liccardo
Supervisor Nadia Lockyer
Supervisor Mark Luce
Councilmember Julie Pierce
Supervisor Dave Pine
Mayor Harry Price
Supervisor David Rabbitt
Councilmember A. Sepi Richardson
Supervisor Gayle B. Uilkema

Jurisdiction

County of Marin
City of Mountain View
City of Los Altos
County of San Francisco
County of Santa Clara
City of Novato
City of San Francisco
City of Calistoga
County of Contra Costa
City of Santa Rosa
City of Union City
County of Alameda
City of Millbrae
City of San Francisco
City of San Ramon
County of San Mateo
City of Alameda
City of Oakland
County of Solano
City of San Jose
County of Alameda
County of Napa
City of Clayton
County of San Mateo
City of Fairfield
County of Sonoma
City of Brisbane
County of Contra Costa

Representatives Absent

Supervisor John Avalos
Councilmember Desley Brooks
Councilmember Jane Brunner
Councilmember Kansen Chu
Councilmember Ash Kalra
Supervisor Ross Mirkarimi
Supervisor Ken Yeager
Vice Chair Terry Young

Jurisdiction

County of San Francisco
City of Oakland
City of Oakland
City of San Jose
City of San Jose
County of San Francisco
County of Santa Clara
RWQCB

2. ANNOUNCEMENTS

There were no announcements.

3. PUBLIC COMMENTS

There were no public comments.

4. PRESIDENT'S REPORT

President Green stated he was pleased to serve as ABAG's President for the last two years. He was also pleased to attend all of the Mayors and Councilmembers Association meetings throughout the region, getting to know our members, and providing insight about ABAG and the work that we do on behalf of our membership. He was proud for taking our General Assembly to San Jose and hopes that this practice of holding our meetings in locations that make the meetings accessible to all of our membership will continue.

President Green was pleased to serve as President during our 50th anniversary year and co-presiding over the Gala Anniversary event with Scott Haggerty, Supervisor, County of Alameda, representing the Metropolitan Transportation Commission celebrating their 40th anniversary.

President Green commented on the challenges that we faced over the last two years including our fragile fiscal situation and reliance on MTC for a major part of our funding. He has worked with MTC and our Administrative Committee to begin discussions with MTC about the need to work out an appropriate funding level commensurate with the work that we do for them and the region, and to begin to look at possible legislative solutions for funding options. ABAG's decision not to participate in the move from Oakland to 390 Main in San Francisco has complicated our discussions with MTC; however, they have reached out to us to try to understand our position regarding the move.

President Green thanked Susan Adams, Supervisor, County of Marin, who has been a great asset to ABAG during these last two years in her role as Vice President.

President Green stated he enjoyed his term serving as President and looks forward to working with the new slate of officers, Mark Luce, Supervisor, County of Napa, who will assume the Presidency in January, and Julie Pierce, Councilmember, City of Clayton, who will assume the Vice Presidency.

5. EXECUTIVE DIRECTOR'S REPORT

Executive Director Rapport reported on recent activities, including the award of a Housing and Urban Development Sustainability Grant in the amount of \$5 million to both ABAG and MTC; the scheduling of Electric Vehicle workshops in Contra Costa and Alameda Counties; and the announcement of the Smart Growth Awards.

Sepi Richardson, Councilmember, City of Brisbane stated that the deadline for submitting nominations for the Smart Growth Awards should be respected.

Kenneth Moy, ABAG Legal Counsel, reported on the results of the election of ABAG President and Vice President. Only one candidate was nominated for the office of President and two candidates were nominated for Vice President. The candidates for Vice President were Julie Pierce, Councilmember, City of Clayton, who received 153 votes; and Sepi Richardson, Councilmember, City of Brisbane, who received 137 votes. He announced Mark Luce, Supervisor, County of Napa, as the incoming

President, and Julie Pierce, Councilmember, City of Clayton as incoming Vice President.

Sepi Richardson, Councilmember, City of Brisbane, commented on the election process.

Supervisor Adams stated she will continue her service on the Board and announced that Marin County and the cities and towns in Marin County have joined the Clean Energy Authority.

6. CONSENT CALENDAR

President Green recognized a motion by Barbara Kondylis, Supervisor, County of Solano, and seconded by Rebecca Kaplan, Councilmember, City of Oakland, to approve the Consent Calendar. The motion passed unanimously.

A. Approval of Executive Board Summary Minutes**

Approved Summary Minutes of Meeting No. 382 held on September 15, 2011.

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. Approval of Resolution No. 13-11 Authorizing Execution of Agreement with State of California Department of Conservation Resources Agency**

Authorized the Executive Director or designee to enter into an agreement with the State of California Department of Conservation Resources Agency for the Sustainable Communities Planning Grant in the amount of \$1,000,000.

7. ABAG CELEBRATES 50 YEARS OF REGIONAL SERVICE: BAY AREA CITIES AND COUNTIES UNITED –VIDEO

Mark Luce, Supervisor, County of Napa, and ABAG President Elect, introduced a video chronicling ABAG's accomplishments and service to the region over the last 50 years.

8. UPDATES ON SUSTAINABLE COMMUNITIES STRATEGY (SCS) ALTERNATIVE LAND USE SCENARIOS AND ONEBAYAREA GRANT**

Executive Director Rapport gave a summary of the SCS process. Ken Kirkey, ABAG Planning Director, provided the Board with updates on the revised schedule for the SCS; the development of the Alternative Land Use Scenarios; and the OneBayArea grant proposal concepts and feedback.

9. REGIONAL HOUSING NEED ALLOCATION (RHNA) UPDATE**

Miriam Chion, ABAG Principal Planner, provided an update on the draft Regional Housing Need Determination to the Bay Area and the work of the Housing Methodology Committee to inform the development of the next Regional Housing Need Allocation, including the proposed conceptual methodology, and the sustainability and fair share components.

Members discussed public perception of high density housing, funding for conservation areas, housing population criteria in housing production, housing projects eligible for funding, transportation assumptions, county and cities sphere of influence in Marin County, housing assigned in unincorporated areas, urban growth boundaries and transit corridors.

10. BAY AREA REGIONAL DISASTER RESILIENCE ACTION PLAN INITIATIVE**

Danielle Hutchings, ABAG Earthquake Coordinator, presented an overview of the ABAG managed Bay Area Regional Disaster Resilience Action Plan Initiative and recent activities, including initiative objectives, project scope, organization and activities, and action plan implementation; and the initial draft action plan framework.

Members discussed San Francisco's disaster response action plan, financial and other resources needs, agency responsibility for implementation, disaster resilience initiative workshops, public safety participation, communications interoperability, mental health care, and recovery actions following a disaster.

11. LEGISLATION & GOVERNMENTAL ORGANIZATION COMMITTEE REPORT**

Committee Chair Mark Luce, Supervisor, County of Napa, reported on Committee activities and asked Board approval of Committee recommendations, including approval of minutes; final outcomes of bills considered during 2011 legislative session; establishing legislative priorities for 2012; discussion of proposed pilot funding bill to implement SB 375; update on research of "gut and amend" practices in other states; and update on recommendations for 2012 legislative reception.

President Green recognized a motion by Committee Chair Mark Luce, Supervisor, County of Napa, and seconded by Councilmember Kaplan, to accept the committee report. The motion passed unanimously.

12. FINANCE & PERSONNEL COMMITTEE REPORT**

Committee Chair Rose Jacobs Gibson, Supervisor, County of San Mateo, reported on Committee activities and asked Board approval of Committee recommendations, including approval of minutes; approval of August and September financial reports; report on audited financial reports; update on ABAG membership dues; update on proposed regional facility; resolution to clarify intent of 1994 ABAG resolution and to conform to updated CalPERS and IRS regulations; authorization to retain Norm Roberts search firm for Deputy Executive Director recruitment; and discussion in closed session about public employee performance evaluation of the Executive Director.

President Green recognized a motion by Committee Chair Rose Jacobs Gibson, Supervisor, County of San Mateo, and seconded by Julie Pierce, Councilmember, City of Clayton, to adopt Resolution No. 14-11, Resolution to Tax Defer Member Paid Contributions IRC Section 414(h)(2) Employer Pick-up. The motion passed unanimously.

President Green recognized a motion by Committee Chair Rose Jacobs Gibson, Supervisor, County of San Mateo, and seconded by Carole Dillon-Knutson,

Councilmember, City of Novato, to accept the committee report. The motion passed unanimously.

The Board entered closed session at approximately 8:37 p.m.

13. CLOSED SESSION

The following items were discussed in closed session pursuant to the requirements of the Ralph M. Brown Act:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

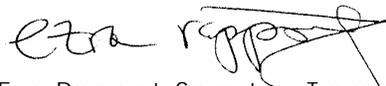
Title: Executive Director

The Board re-entered open session at about 8:44 p.m.

There was no reportable action from the closed session.

14. ADJOURNMENT

The meeting was adjourned at approximately 8:45 p.m.


Ezra Rapport, 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.



January 5, 2012

M E M O

TO: ABAG Executive Board

FROM: Kenneth Kirkey, Planning Director

SUBJECT: Resolution 01-12 in Support of Grant Application: Sustainable Communities Planning Grant and Incentive Program funded by the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) managed by the California Strategic Growth Council

Executive Summary

The California Strategic Growth Council's Sustainable Communities Planning Grant and Incentive Program has released the round two Sustainable Communities Planning Grant Request for Proposals funded through the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Act of 2006 (Proposition 84). ABAG, in collaboration, with the Metropolitan Transportation Commission would like to apply for this grant opportunity, which requires a resolution of support from ABAG's Executive Board.

The grant proposal will request the maximum grant award of one million dollars to evaluate the development of the first Sustainable Communities Strategy (SCS) in the San Francisco Bay Area. Lessons learned will improve the process and scope of the next update of the Regional Transportation Plan (RTP) and provide strategic support for continued implementation at the local level. ABAG and MTC will continue to coordinate among the "Big Four" MPOs (SCAG, SACOG and SANDAG) that collectively comprise over 80% of California's population. By cooperating together, we can learn what strategies worked better than others to advance implementation of SB 375.

The grant application is due February 15, 2012. Staff will be sorting out the details of the workscope but will plan for work to commence in the spring of 2013, which will be ideal timing for taking a retrospective look of what work well and what could be improved in the development of the next SCS/RTP and monitor how programs supported through Plan Bay Area perform.

Recommended Action

Staff recommends that the ABAG Executive Board adopt the attached resolution authorizing staff to submit a grant application for the Proposition 84 funded Sustainable Communities Planning Grant.



Next Steps

Submit grant application along with adopted resolution to the Strategic Growth Council.

Attachment

Resolution

**ASSOCIATION OF BAY AREA GOVERNMENTS
EXECUTIVE BOARD**

RESOLUTION NO. 01-12

**RESOLUTION APPROVING SUBMISSION OF APPLICATION FOR A SUSTAINABLE
COMMUNITIES PLANNING GRANT UNDER THE STATE'S SAFE DRINKING
WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND
COASTAL PROTECTION BOND ACT OF 2006, AND AUTHORIZING EXECUTION OF
GRANT CONTRACT AND RELATED DOCUMENTS—
PLAN BAY AREA IMPLEMENTATION**

WHEREAS, the Legislature and Governor of the State of California have provided funds for the Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84); and

WHEREAS, the Association of Bay Area Governments is eligible to receive such funds; and

WHEREAS, staff of ABAG and the Metropolitan Transportation Commission have collaborated on a proposal to evaluate the development of the first Sustainable Communities Strategy (SCS) in the San Francisco Bay Area (Proposal); and

WHEREAS, the Strategic Growth Council has been delegated the responsibility for the administration of this grant program, establishing necessary procedures; and

WHEREAS, said procedures require all award recipients commit to threshold requirements; and

WHEREAS, said procedures established by the Strategic Growth Council require a resolution certifying the approval of application(s) by the Applicant's governing board before submission of said application(s) to the State; and

WHEREAS, the applicant, if selected, will enter into an agreement with the State of California to carry out the development of the proposal.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Board of the Association of Bay Area Governments hereby:

1. Approves the filing of an application for Plan Bay Area Implementation in order to become a more sustainable community.
2. Certifies that ABAG will have sufficient funds to develop the Proposal or will secure the resources to do so.

**ASSOCIATION OF BAY AREA GOVERNMENTS
RESOLUTION NO. 01-12**

3. Certifies that the Proposal will comply with any applicable laws and regulations including being consistent with the State's Planning Priorities identified in Government Code section 65041.1 and summarized below:
 - a) Promote infill development and invest in existing communities.
 - b) Protect, preserve and enhance agricultural land and natural resources.
 - c) Encourage location and resource efficient new development.
4. Certifies that threshold requirements outlined in the guidelines, including consideration of Ocean Protection Council Sea Level Rise Guidance will be met.
5. Agrees to reduce, on as permanent a basis as feasible, greenhouse gas emissions consistent with California Global Warming Solutions Act of 2006 (Division 25.5, commencing with Section 3850) of the Health and Safety Code) and any applicable regional plan.
6. Agrees to meet the Collaboration Requirements of the focus area applicable to the Proposal and includes all required documents in the application package.
7. Appoints the Executive Director of ABAG, or designee, as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for the completion of the aforementioned project.

The foregoing adopted by the Executive Board this 19th day of January, 2012.

Mark Luce
President

Certification of Executive Board Approval

I, the undersigned, the appointed and qualified Secretary-Treasurer of the Association of Bay Area Governments (Association), do hereby certify that the foregoing resolution was adopted by the Executive Board of the Association at a duly called meeting held on the 19th day of January, 2012.

Ezra Rapport
Secretary-Treasurer

Approved as To Legal Form

Kenneth K. Moy
Legal Counsel

MEMO

Submitted by: Judy Kelly
Director, San Francisco Estuary Partnership

Subject: Authorization to Accept a Grant from the Dept of Water Resources for IRWMP Funding for Water Quality Improvement, Flood Management and Ecosystem Restoration in Bay Area Disadvantaged Communities

Date: January 6, 2012

Executive Summary

To address critical water quality needs of disadvantaged communities in the Bay Area, a suite of projects were submitted for funding from the Department of Water Resources for Integrated Regional Water Management Plan (IRWMP) funding. The projects were identified through a collaborative effort among the San Francisco Estuary Partnership (SFEP), the Bay Area Flood Protection Agencies Association, the Bay Area Watershed Network, the Environmental Justice Coalition for Water, and the Watershed and Habitat Protection and Restoration functional area of the Bay Area IRWMP Coordinating Committee. Partners for the project include local jurisdictions and non-profits from around the Bay.

Implementation of the projects would result in: 1) a series of riparian restoration projects with student and teacher participation from local schools in the North Bay to restore ecosystem health, address water quality impacts from flooding and minimize effects of climate change in vulnerable communities; 2) strategies involving the local communities to address flooding problems in Pescadero and North Richmond; 3) detailed mapping of the Bay region's flood infrastructure within vulnerable and high-risk areas to improve planning and mitigation for flooding, storm surges and sea level rise; 4) a set of schematic stream restoration design parameters to increase restoration success and meet flood protection goals for the North Richmond shoreline, East Palo Alto and Pescadero; 5) compilation of data on the health of several watersheds around the Bay via monitoring of outmigrating salmonids; and, 6) a new program of coordination and collaboration among agencies and organizations working to improve watershed-level habitat and water quality in the region, including providing support for local watershed groups.

The total amount of state funding requested under this grant application is \$2,201,026. An additional \$675,940 in project match will be met by project partners and SFEP from compatible grants or in-kind services. SFEP applied for the grant in January, 2011 and has received initial acceptance from the Department of Water Resources for the funding. The award is expected in March, 2012.

Recommended Action

The Board is requested to authorize the Executive Director or designee, once the grant is received, to sign the agreement with DWR for IRWMP funding. The project assists with implementation of the Comprehensive Conservation and Management Plan for the San Francisco Estuary.

Item 6.D.

**ASSOCIATION OF BAY AREA GOVERNMENTS
EXECUTIVE BOARD**

RESOLUTION NO. 02-12

**AUTHORIZING THE EXECUTIVE DIRECTOR, OR DESIGNEE, TO SUBMIT AN
APPLICATION AND EXECUTE AN AGREEMENT WITH THE STATE OF
CALIFORNIA FOR AN IRWM IMPLEMENTATION GRANT**

WHEREAS, the Association of Bay Area Governments (ABAG) is the home agency for the San Francisco Estuary Partnership SFEP, a coalition of resource agencies, non-profits, citizens, and scientists working to protect, restore, and enhance water quality and fish and wildlife habitat in and around the San Francisco Bay Delta Estuary; and

WHEREAS, ABAG is eligible to apply, and has applied, to the California Department of Water Resources to obtain an Integrated Regional Water Management Implementation Grant pursuant to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Public Resource Code Section 75001 *et seq.*); and

WHEREAS, SFEP has identified projects for such grant funding through a collaborative effort among the Bay Area Flood Protection Agencies Association, the Bay Area Watershed Network, the Environmental Justice Coalition for Water, and the Watershed and Habitat Protection and Restoration functional area of the Bay Area IRWMP Coordinating Committee as described in the staff report dated January 6, 2012; and

WHEREAS, the total amount of state funding requested under the grant application is \$2,201,026 and \$675,940 in project match will be met by project partners and SFEP from compatible grants or in-kind services.

**ASSOCIATION OF BAY AREA GOVERNMENTS
RESOLUTION NO. 02-12**

NOW, THEREFORE, BE IT RESOLVED, by the Executive Board of the Association of Bay Area Governments to ratify the application made to the California Department of Water Resources to obtain an Integrated Regional Water Management Implementation Grant pursuant to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Public Resource Code Section 75001 *et seq.*), and to enter into an agreement to receive a grant for the Water Quality Improvement, Flood Management and Ecosystem Restoration in Bay Area Disadvantaged Communities Project; and that the Executive Director or designee of the Association of Bay Area Governments is hereby authorized and directed to execute a grant agreement with California Department of Water Resources.

The foregoing adopted by the Executive Board this 19th day of January, 2012.

Mark Luce
President

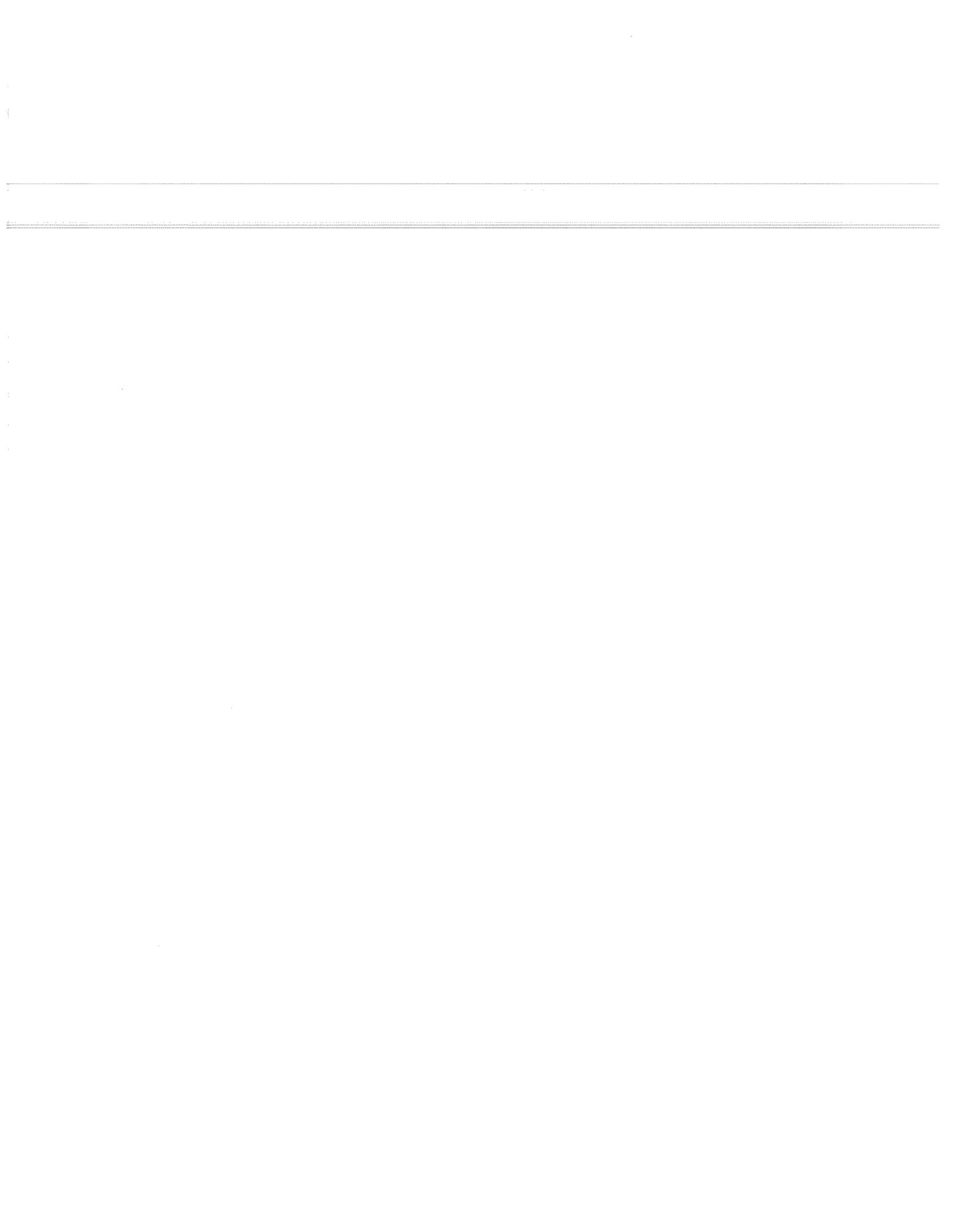
Certification of Executive Board Approval

I, the undersigned, the appointed and qualified Secretary-Treasurer of the Association of Bay Area Governments (Association), do hereby certify that the foregoing resolution was adopted by the Executive Board of the Association at a duly called meeting held on the 19th day of January, 2012.

Ezra Rapport
Secretary-Treasurer

Approved as To Legal Form

Kenneth K. Moy
Legal Counsel



ASSOCIATION OF BAY AREA GOVERNMENTS

Representing City and County Governments of the San Francisco Bay Area



MEMO

Date: December 6, 2012
To: ABAG Executive Board
From: Ezra Rapport, Executive Director
Subject: Authorization to Approve Contract With Paul Fassinger

As of January 1, 2012, ABAG has consolidated two departments, the Planning Department and the Research Department into one department, the Planning and Research Department. This consolidation resulted in both operational savings and organizational efficiency. One position was eliminated, and two positions have undergone reclassification.

The reorganization requires a transition of certain skills and modeling work to the new positions. In order to provide the greatest continuity of services, ABAG has requested Paul Fassinger, previous Research Director, to assist the staff in facilitating land use modeling capacity and housing analysis. These tasks include an analysis of internal and external models, including an analysis of the Sacramento Council of Governments (SACOG) state of the art land use model, I-PLACE³S, and research regarding multifamily housing production cost and income levels needed to support the projected level of units in the Sustainable Communities Strategy.

The evaluation of the I-PLACE³S model will provide insights on land use modeling efforts in another region, potential approaches to link transportation and land use analysis, and potential methodologies to analyze complete communities. The analysis of multifamily housing production cost will inform the policies and investments required for the implementation of the Sustainable Communities Strategies, given that a large share of the forecasted housing production will be multifamily, infill development in Priority Development Areas.

The budget for this transitional consultant work was anticipated in the reorganization of the departments and sufficient funds are available.

Recommended Action:

The Board is requested to authorize the Executive Director to approve a contract with Paul Fassinger for an amount not to exceed \$50,000 for a scope of work associated with supporting the reorganization of Planning and Research in FY 2012.

MEMO

Submitted by: Judy Kelly
Director, San Francisco Estuary Partnership

Subject: Authorization to Apply for and Accept a Grant from the State Water Resources Control Board for Proposition 84 Planning and Monitoring Funding for Bay Area Green Infrastructure Master Planning Project

Date: January 9, 2012

Executive Summary

In this project, SFEP will coordinate with the County of San Mateo, Cities of Fremont, El Cerrito, San Jose and Redwood City, as well as San Francisco Estuary Institute, Watearth, and Dan Cloak Environmental to develop a geographic information system (GIS) screening tool to identify opportunity locations for low impact development (LID) features within public rights-of-way. The screening tool will be beta-tested and refined. SFEP and collaborators will also develop LID-oriented plans and/or municipal LID implementation programs. Lastly, SFEP will work with municipalities to develop Alternative Compliance/In-Lieu Programs.

The total amount of state funding requested under this grant application is approximately \$900,000; SFEP will receive approximately \$100,000 of the total. San Mateo County and participating cities will provide in-kind match as staff time to assist in the design and review of the GIS-screening tool and actively participate in the development of a Green Infrastructure Master Plan (covering at least 10 percent of the cost of the grant). Application is due to the State Water Resources Control Board by January 31, 2012, expected award would be Fall 2012.

Recommended Action

The Board is requested to approve the application to State Water Resources Control Board for Proposition 84 funding. Should ABAG receive the grant, a resolution authorizing approval for the Executive Director or designee to sign the agreement will be requested. The project assists with implementation of the San Francisco Estuary Partnership's Comprehensive Conservation and Management Plan.

Submitted by: Ezra Rapport, Executive Director

Subject: Joint Policy Committee Update

Date: January 6, 2012

Executive Summary

The Joint Policy Committee (JPC) is composed of representatives from the Bay Area Air Quality Management District (BAAQMD), the Metropolitan Transportation Commission (MTC), the San Francisco Bay Conservation and Development Commission (BCDC), and ABAG, and serves as a forum for coordinating regional planning efforts.

At the JPC's last meeting of December 2, 2011, members considered a proposal to hire a JPC staff coordinator and policy advisor; and a proposal regarding the JPC's potential role in facilitating the planning of a Bay Area regional sea level rise adaptation strategy. The JPC members referred both items back to each agency for discussion prior to the next JPC meeting on January 20, 2012.

Recommended Action

Staff recommends the following:

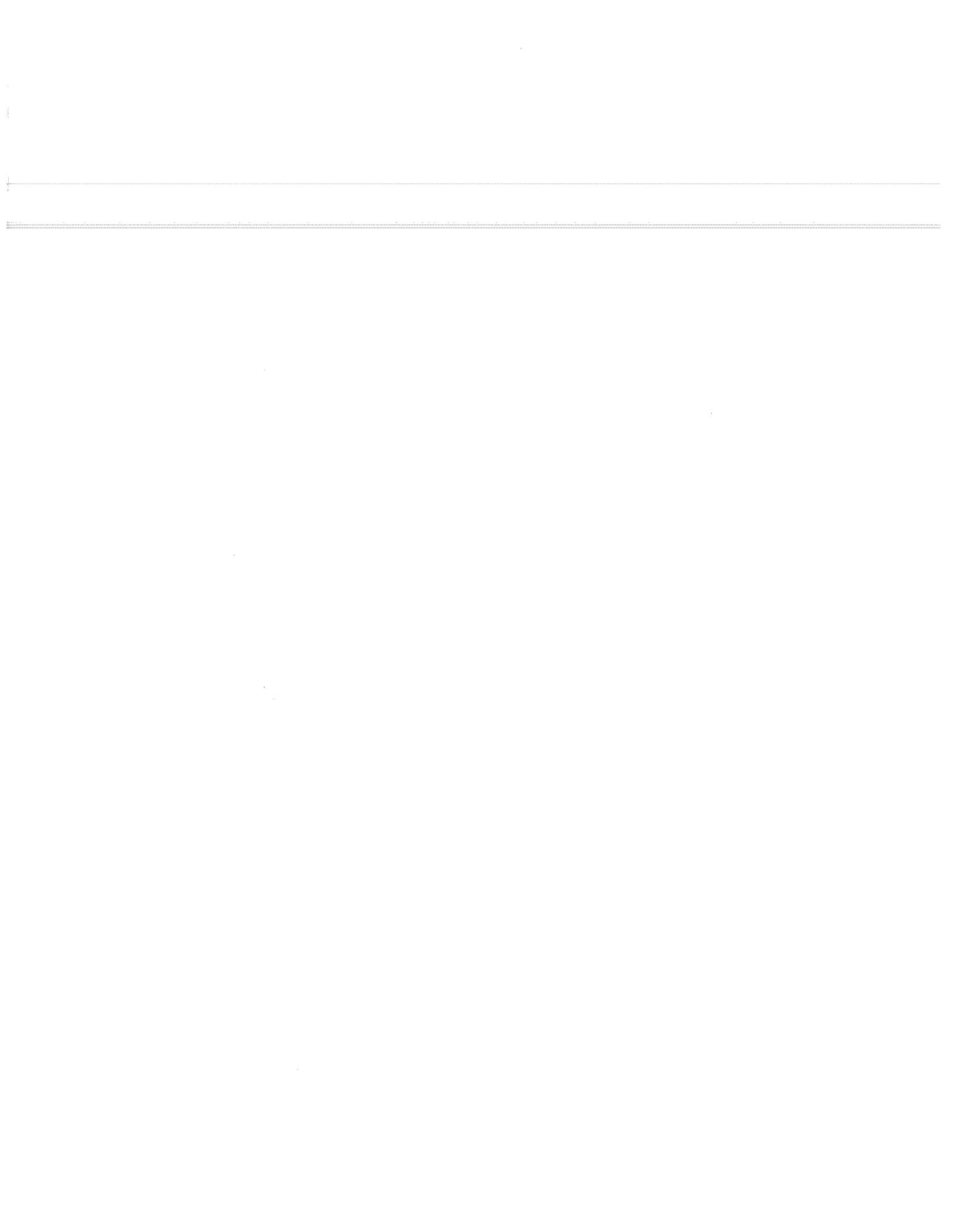
- 1) Support Will Travis as the new JPC coordinator and policy advisor through a contract with MTC.
- 2) Support the JPC facilitating the development of a regional sea level rise adaptation strategy, with the understanding that discussions among the JPC members will continue regarding further refining the role and direction of the JPC.

Next Steps

The next JPC meeting will be held on January 20, 2012. At that meeting, the ABAG representatives on the JPC will report on the outcomes of the January 19, 2012 ABAG Executive Board meeting.

Attachment

Staff report





M E M O

Date: January 6, 2012
To: Executive Board
From: Ezra Rapport
Executive Director
Subject: **Joint Policy Committee Update**

Background

The Joint Policy Committee (JPC) is composed of representatives from the Bay Area Air Quality Management District (BAAQMD), the Metropolitan Transportation Commission (MTC), the San Francisco Bay Conservation and Development Commission (BCDC), and ABAG. The JPC serves as a forum for coordinating regional planning efforts among the four agency partners. Councilmember Jane Brunner, Supervisor Dave Cortese, Mayor Mark Green, Supervisor Scott Haggerty, and Supervisor Rose Jacobs Gibson represent ABAG on the JPC. The JPC's recently-approved work plan includes actions to address regional economic development, energy use, and climate change.

At the JPC's last meeting of December 2, 2011, members were briefed on various work plan projects including: the regional status of electric vehicle readiness; the status of the economic evaluation being undertaken by the Bay Area Economic Council; a proposal to backfill Ted Droettboom's position for JPC staff coordinator and policy advisor; and a proposal regarding the JPC's potential role in facilitating the planning of a Bay Area regional sea level rise adaptation strategy.

During discussion, the JPC referred two items--the replacement hire, and the JPC's role in the regional sea level rise strategy-- back to each agency for discussion prior to the next JPC meeting on January 20, 2012.

JPC Staff Coordinator

At the December 2nd meeting, the Executive Directors of the regional agencies recommended that the staff coordinator position vacated by Ted Droettboom be filled in order to better support the JPC's efforts to implement the respective agencies' policies and to facilitate regional planning initiatives. The Directors recommended that Will Travis be selected as the new coordinator and policy advisor to the JPC under an MTC contract. The Directors noted that Mr. Travis retired as Executive Director of BCDC at



the end of 2011 thus providing a unique opportunity for the JPC to retain him as an independent consultant. Mr. Travis' experience over the past four decades has focused on regional environmental and development issues along the Bay shoreline. Mr. Travis in recent prior years has focused on the need of the Bay Area to develop a sea level rise adaptation strategy, a subject that the JPC has agreed to now address. The Executive Directors believed that the qualifications of Mr. Travis could not be matched in the marketplace, and desired to retain Mr. Travis on a consulting contract immediately.

The recommendation to the JPC was that Mr. Travis be retained by MTC as a consultant for an 18 month period. Consistent with past practice, funding for the contract would be shared by the four JPC agencies subject to available funds. ABAG has disclosed to the other regional agencies that ABAG has no available funds at this time to support the JPC consulting contract. However, ABAG will provide office space and support for the position.

Bay Area Sea Level Rise Adaptation Strategy

On October 6, 2011, BCDC voted 24-0 to amend the *San Francisco Bay Plan* (Bay Plan) to address climate change. Among the many revisions to the Bay Plan made by the amendment is a policy regarding a regional sea level rise strategy for the Bay Area. In part, that policy states:

“The Commission, in collaboration with the Joint Policy Committee, other regional, state and federal agencies, local governments, and the general public, should formulate a regional sea level rise adaptation strategy for protecting critical developed shoreline areas and natural ecosystems, enhancing the resilience of Bay and shoreline systems and increasing their adaptive capacity.”

The JPC provides a framework for regional planning to address climate change through consistent and effective region-wide policy and can collaborate with local governments and special districts in addressing the impacts of climate change.

As described in the BCDC policy, the proposed regional sea level rise adaptation strategy should include maps of shoreline areas that are vulnerable to flooding based on projections of future sea level rise and shoreline flooding that are regularly updated in consultation with government agencies with authority over flood protection. In addition, the strategy should identify and encourage the development of long-term regional flood protection strategies that may be beyond the fiscal resources of individual local agencies. Local governments have broad authority over shoreline land use, but often limited resources to address climate change adaptation.

ABAG's Earthquake and Hazards Program identifies sea level rise as a result of climate change as a natural hazard. An estimated 270,000 people and \$62 billion in economic resources in the Bay Area are at risk of flooding by the end of the century under a 55 inch sea level rise scenario. Some critical facilities at risk from sea level rise include the

Oakland and San Francisco Airports, and the Port of Oakland. Some cities are particularly vulnerable to sea level rise due to their location along the Bay and low elevations. Residential and commercial properties along the entire bay and ocean coastline are at risk, especially marinas, piers, walking and biking trails, and natural habitat.

With ABAG's participation, a regional sea level rise adaptation strategy, facilitated by the JPC, will support collaboration with local governments and a broad range of stakeholders to share information, optimize scarce resources, and create the flexibility needed to plan a course of action amidst a high degree of uncertainty.

In addition, one of the objectives of the sea level rise adaptation strategy is to facilitate implementation of the Sustainable Communities Strategy (SCS). Many identified Priority Development Areas, public infrastructure projects, and natural systems line the bay shores and are vulnerable to flooding. Ideally, the regional sea level rise adaptation strategy will determine: 1) where and how existing development should be protected and infill development encouraged; 2) where new development should be permitted; 3) where natural areas should be conserved and restored, and; 4) where the rising Bay should be allowed to migrate inland.

ABAG's active involvement through the JPC in facilitating the development of the sea level rise adaptation strategy would assist the implementation of the SCS by addressing how to protect the Bay Area's economy, public health and ecosystems from climate impacts.

At the December 2, 2011 meeting, the Executive Directors recommended that the JPC agree to take the lead in facilitating the formulation of a regional sea level rise adaptation strategy as recommended by BCDC. The members voted unanimously in support of the JPC facilitating the regional strategy, and, as with the staff hiring item, agreed to bring that recommendation back to each of their respective agencies for discussion prior to the next JPC meeting on January 20, 2012.

Subsequent Agency Actions

BAAQMD: On December 19, 2011, the Executive Committee approved the hire of Mr. Travis and agreed to expend the funds necessary to do so. The BAAQMD Executive Committee also discussed the issue of the JPC's role in climate change and sea level rise adaptation but did not bring forward any motions for a vote.

MTC: On December 21, 2011, the Executive Committee of MTC unanimously approved moving forward with Mr. Travis' contract, subject to refinements of the contract amount and the scope of work. The Executive Board of MTC also discussed the issue of the JPC role in climate change and, similarly to the BAAQMD, did not put forth any motions for a vote. The MTC Executive Board agreed to form a subcommittee of the JPC

representatives of MTC to further discuss the issue in advance of the next JPC meeting on January 20th.

ABAG Staff Recommendations

- 1) Staff recommends the Board approve moving forward with an MTC contract with Will Travis as the new JPC coordinator and policy advisor. MTC is currently engaged in an effort to further refine the contract amount and scope of work. No ABAG funds are available to support this contract at this time.

- 2) Staff recommends the Board support the JPC undertaking a lead role in facilitating the development of a regional sea level rise adaptation strategy, with the understanding that discussions among the JPC members will continue regarding further refining the role, process for regional engagement on the strategy, and future direction of the JPC.



Date: January 5, 2012

To: ABAG Board of Directors

From: James Hill
PLAN Risk Management Officer

Subject: Pooled Liability Assurance Network (PLAN) - Annual Overview

ABAG PLAN Corporation provides property, liability and crime coverage to 30 cities and towns in the greater Bay Area. ABAG PLAN has over \$47 million in assets and has returned over \$20 million in dividends to its members since inception. ABAG PLAN has afforded its members significant premium savings over time. The program has invested over \$5 million dollars in Loss Control and Safety programs in the past three years. In addition, the SHARP (Shared Risk Pool) program provides affordable Workers Compensation coverage to its member cities.

The ongoing success of ABAG PLAN has enabled its members to improve their organization's financial performance and also improve the lives of those within their communities. By focusing on key areas of municipal exposure to loss and by placing emphasis on the cost/benefit of our Risk Management grant program(s), we have assisted members in hazard mitigation and in the implementation of loss control techniques to reduce losses in public playgrounds, parks, police operations and those related to sidewalks, sewers and trees.

In 2012, ABAG PLAN will continue to work with its members providing Risk Management and Loss Control consulting services, as well as, superior Claims Administration services. Our goal is to provide high quality service to PLAN members which will allow them to effectively manage the complex risk they face as municipal enterprises.

PLAN Service Components

Through ABAG PLAN, members have at their disposal, a wide array of resources to assist them in maintaining or improving the health and safety of their citizens and employees. ABAG and its members are working together to share resources and best practices that will help members rise to meet the challenges they face.

Following is the wide array of services offered to PLAN members:

Claims Administration

1. Claims Adjusting
2. Claims Investigation (including Field Examination)
3. Claim Valuation (Liability and Property)
4. Claim Recoveries (Subro, Salvage and Deductible Reimbursements)
5. Defense Counsel Management and Administration
6. Governance (Claims Committee)

Claims MIS (Reporting)

1. Member Claims Activity Reports (Periodic)
2. Member Claims ADHOC Reports (Audit, Financial, etc)
3. Member Deductible Billing reports (Invoicing)
4. Indexing and CMS Reporting (Regulatory)

Risk Management and Insurance

1. Risk Management and PLAN program consultation
2. Excess Insurance Placements and Broker Relations
3. Contractual Risk Transfer (Certificate Reviews and Coverage Analysis)
4. Loss Control and Safety Consultation
5. Best Practices (Procedures, position papers, protocol)
6. Best Practices Audit Program
7. Grant Program management and administration
8. Training and Education workshops and resources
9. Governance (Boards and Committees)

RMIS/Website

1. PLAN Website
2. Automated Certificate processing
3. Automated Property reporting and tracking (OASYS)
4. Member Portal – Online Best Practices, procedures, documents, papers.
5. Special Events Program/Contractor's Program
6. Customized Management Data Reports (MDRs)
7. Customized Internal Management Reports (Aggregate tracking, reserve analysis, activity reports, trend analyses)

Financial Highlights – Fiscal Year Ending June 30, 2011

ABAG PLAN is a well managed, fiscally sound and adequately funded risk sharing pool demonstrated by the following financial highlights:

- Total PLAN Assets were \$47.2 million.
- Total Revenue, including program and general revenues, were \$9.7 million
- Total Net Assets (Member Equity) was \$26.5 million.
- The PLAN program is funded at the 90% (high) confidence level.

Claims Highlights – Fiscal Year Ending June 30, 2011

ABAG PLAN claims examiners are highly qualified and seasoned claims professionals who handle an average claims load of approximately 600 claims annually. The claims examiners have been rated “superior” as evidenced by their most recent audit (June 2011). The current total case load is declining a result of a downward trend in losses.

- General Liability claims paid in FY were \$6.6 million.
- Property Claims paid in FY were \$375 thousand.
- Open claim inventory at FYE was approximately 400 claims.

PLAN claim frequency over the past five years, by type of claim, can be illustrated as follows (% of total claims over 5 year period – FY 2006 thru 2011):

- Auto (1st and 3rd Party) - 13.4%
- Trees - 12%
- Sewers – 10.3%
- Police – 10.1%
- Sidewalks – 10%

Police claims rank the 4th highest in terms of claims frequency and also rank the highest in claims severity (total paid per claim). The total number of claims adjusted over the five year period was approximately 3,500.

Major Accomplishments in FY 2011

PLAN notes the following activities as significant accomplishments in FY 2011. These activities were all focused on improving operating efficiency and enhancing customer service delivery.

- Introduction of “Guest Link” – Deductible Billing System Interface (test group)
- 2011 Sewer Summit – Record Attendance (+140 attendees)
- Training Seminars – 2010 ADA Regulations; Workplace Violence; Sexual Harassment; Risk Management 101; Contractual Risk Transfer.
- Cost Allocation Study and Comparative Cost Analysis
- Board Retreat and Strategic Planning Session

Fiscal Year 2012-2013 Objectives:

ABAG PLAN has established the following objectives for 2012-2013.

Insurance Programs

- Provide stable loss funding rates for the Liability Program
- Provide stable premium and broad coverage for the Property Program
- Explore risk transfer mechanisms for Employment Practices Liability

Risk Management Program

- Provide a broad range of training focused on the unique needs of our members.
- Continue our award-winning Sewer Smart Summit program and expand to include Storm Water Management.
- Provide grants supporting Risk Management Best Practices and Loss Control programs
- Work closely with members to ensure they have developed a Local Hazard Mitigation Plan and Business Continuity Plans for disaster (EQ) recovery.
- Encourage members to become a part of the Bay Area Regional Disaster Resilience Action Plan Initiative.

Claims Administration

- Full implementation of an automated deductible billing process, including on-line client access to our iVOS claims system
- Improved MIS platform with enhanced reporting capabilities.
- Maximize recovery and subrogation opportunities to reduce “net” loss and save members significant claim dollars.
- Continue our ongoing claim file reviews for member cities0
- Continue to manage the ITC portfolio for pre 7-1-08 claims
- Conduct ongoing efficiency study to maximize operating efficiencies.

MEMO

Date: January 10, 2012

To: ABAG Executive Board

From: Ken Kirkey, ABAG Planning Director

Subject: Regional Housing Need Allocation (RHNA) - Spheres of Influence in Marin County

Overview

This memo provides a proposal for addressing the Spheres of Influence (SOI) in Marin County. The SOI is a component of the Regional Housing Need Allocation (RHNA) methodology.

Spheres of Influence in Marin County

RHNA is a state mandate that requires each community to plan for its share of the state's housing need, for people at all income levels. The California Department of Housing and Community Development (HCD) determines the total housing need for each region in the state and, as the Council of Governments for the San Francisco Bay Area, it is ABAG's responsibility to distribute this need to local governments. Spheres of influence (SOI) must be considered in the RHNA methodology if there is projected growth within a city's SOI. Most SOI areas within the Bay Area are anticipated to experience growth.

At the September 2011 Executive Board meeting, staff proposed to use the same approach regarding SOI for the 2014-2022 RHNA that was included in the 2007-2014 RHNA. This resulted in the allocation of housing need generated by the unincorporated SOI assigned to the cities in Napa, San Mateo, Santa Clara, Solano, and Sonoma counties. In Alameda and Contra Costa counties, the allocation of housing need generated by the unincorporated SOI was assigned to the county.

In Marin County, based on the factors discussed below, staff has developed a proposal for Board consideration. Staff proposes that 75 percent of the allocation of housing need generated by the unincorporated SOI be assigned to the respective city; with 25 percent being assigned to the county.

Factors under consideration:

- SOI rules are based on the premise that each local jurisdiction with land use permitting authority over its SOI should plan for the housing need generated within that area.
- The Bay Area's first Sustainable Communities Strategy will build upon momentum in the region in support of a focused growth land use pattern where new residents have access to services and transit rather than the expansion or formation of new greenfield subdivisions.
- Cities in Marin County provide appropriate services and amenities for the existing population.

- In the upcoming RHNA 2014-2022 cycle, most Marin cities and towns are likely to have a smaller housing allocation when compared to RHNA 2007-2014. This is related to a smaller regional allocation (214,500 for 2007-2014 vs. 197,000 for 2014-2022) and the likely land pattern for the SCS that will inform the RHNA and direct more growth to urban, transit-served locations.
- For the 2007-2014 RHNA cycle there were staff errors regarding the Executive Board's recommendation for the Marin County SOI. Resolution 02-07 adopted by the ABAG Executive Board on January 17, 2007 encompasses what appear to be track change errors resulting in a recommendation for a 50/50 sphere of influence (SOI) split between cities in Marin and the County of Marin, instead of the 75 city/25 county split recommended by the Board.
- Data analysis of the Marin County SOI split for the 2007-2014 period indicates that HCD utilized a 50/50 split in its allocation distribution for Marin County.
- The difference between a 50-50 split and a 75-25 split in sphere allocation showed that the County received an extra 101 units while eight of the eleven Marin cities received fewer units through the 50/50 split utilized by HCD in comparison to a 75 city/25 county split. For three cities the split does not impact allocations at all. See attached table.

Regional Housing Need Allocation – Marin

Example to illustrate differential between Spheres of Influence (SOI) scenarios

	DRAFT RHNA 2014 -2022			RHNA 2007-2014			Difference between RHNA 2007-14 and 2014-22
	50/50	75/25 (*)	Difference	50/50(**)	75/25	Difference	75/25
Belvedere	16	16	0	17	17	0	-1
Corte Madera	183	185	2	244	246	2	-61
Fairfax	73	76	3	108	112	-4	-36
Larkspur	168	173	5	382	395	-13	-122
Mill Valley	131	132	1	292	301	-9	-69
Novato	412	412	0	1,241	1,267	-26	-855
Ross	18	18	0	27	27	0	-9
San Anselmo	128	130	2	113	117	-4	-13
San Rafael	763	786	23	1,403	1,444	-41	-658
Sausalito	89	89	0	165	165	0	-76
Tiburon	148	181	33	117	119	-2	62
Unincorporated	818	750	-68	773	672	101	78
	2,948	2,948		4,882	4,882		

(*) staff recommendation for 2014-2022; (**) split utilized by HCD for 2007-2014

Staff Recommendation

In the DRAFT RHNA methodology discussed by the Housing Methodology Committee (HMC) since January 2011 and slated for adoption by the Executive Board in March 2012, Marin County will likely see a significant reduction in its RHNA numbers for 2014-2022 (an eight year period) in comparison to 2007-2014 (a seven period). This is related to the fact that as proposed the DRAFT RHNA methodology will be closely linked to the household distribution of the Sustainable Communities Strategy.

The SCS will likely encompass a focused growth, transit- and infill-oriented land development pattern resulting in a lower RHNA for less urban counties. This is in addition to the impact of a lower Regional Housing Need Determination (RHND) for the upcoming period relative to the last period for the nine-county Bay Area. Although the draft allocation numbers will change based upon the details of the DRAFT RHNA methodology and the DRAFT SCS that will be adopted in Spring 2012, it is likely that many Marin jurisdictions will see a reduction in their Regional Housing Need Allocations for the upcoming 2014-2022 period relative to 2007-2014.

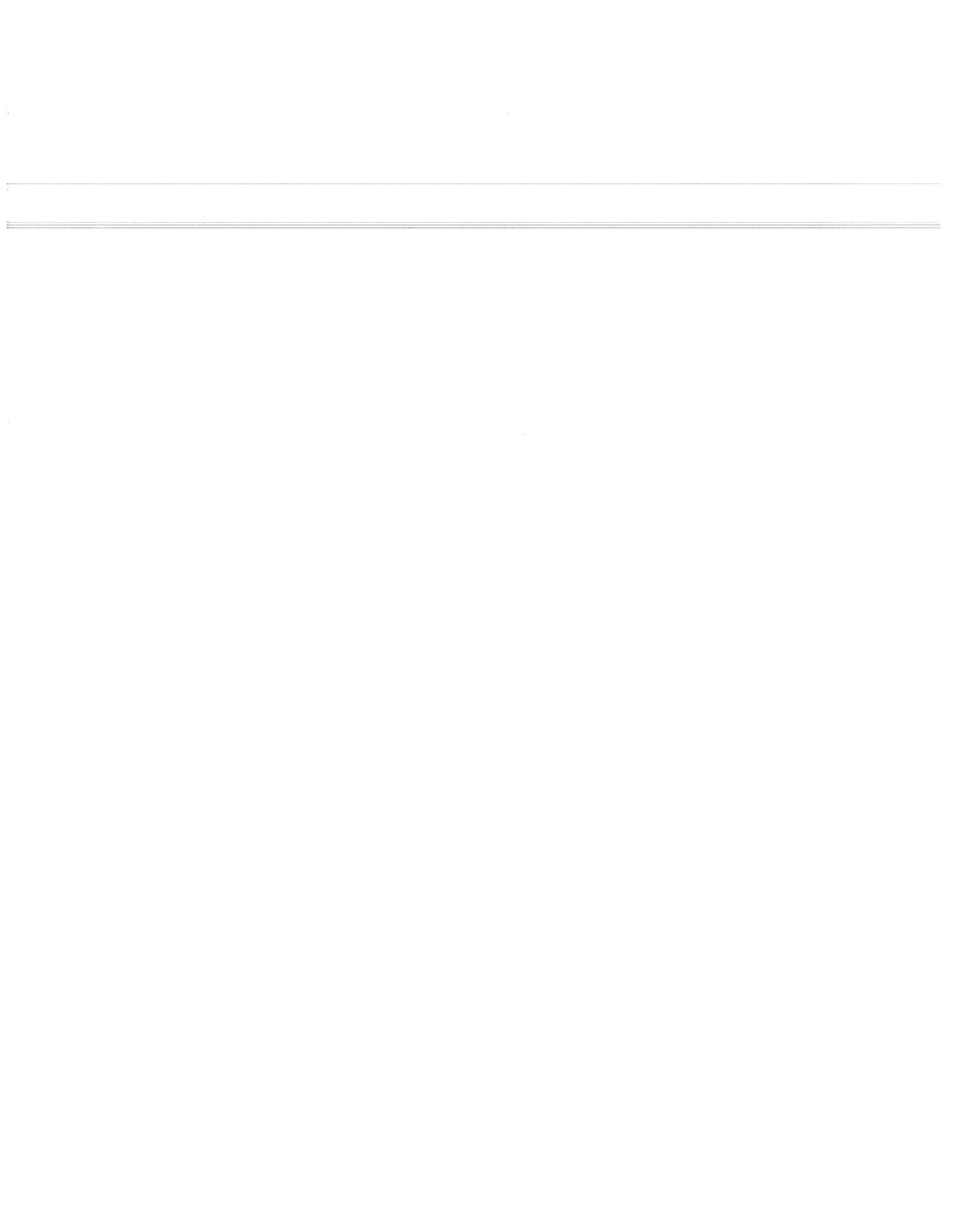
The County of Marin's growth policies directing most growth to the Highway 101 Corridor, the more urbanized portion of unincorporated Marin that is home to a Priority Development Area and toward incorporated cities is consistent with the objectives of SB 375. The draft RHNA methodology under development combined with staff's recommendation for application of a 75 city/25 county SOI split for the 2014-2022 period would result in reductions in the allocations for ten of the eleven cities in Marin County relative to the 2007-2014 period. Conversely the County of Marin would still see a modest increase in its allocation.

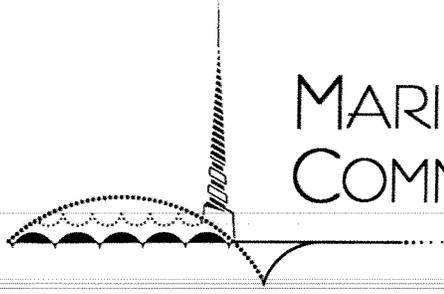
Recommended Action

Staff is requesting Executive Board approval for the SOI rules for the 2014-2022 RHNA for Marin County that direct 75 percent of the SOI allocation to the cities and 25 percent to the county.

Attachments

June 21, 2011 letter from the Marin County Council of Mayors and Councilmembers supporting a 50/50 SOI split; December 8, 2011 letter from the Marin County Community Development Agency supporting a 75 city/25 county SOI split





MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY

BRIAN C. CRAWFORD, DIRECTOR

December 8, 2011

Mr. Ken Kirkey
Association of Bay Area Governments
101 Eighth Street
Oakland, CA 94607

RE: Distribution of Regional Housing Needs Allocation in the Spheres of Influence of Marin Cities and Towns

Dear Mr. Kirkey:

On December 6, 2011, the Marin County Board of Supervisors adopted the enclosed resolution recommending that the Executive Board of the Association of Bay Area Governments continue the prior Regional Housing Needs Allocation methodology for Marin County. This methodology places planning responsibility for 75% of the projected future housing need attributable to Spheres of Influence with cities and towns of Marin, and assigns the remaining 25% of the planning responsibility to the County.

Please contact me with any questions or if you would like to discuss the Board action.

Very truly yours,



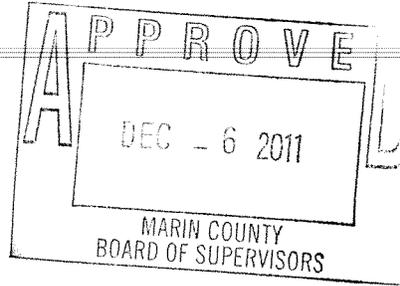
Brian C. Crawford
Director

Enclosure: Board of Supervisors Staff Report and Resolution, December 6, 2011

MARIN COUNTY
COMMUNITY DEVELOPMENT AGENCY
BRIAN C. CRAWFORD, DIRECTOR

December 6, 2011

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903



SUBJECT: Distribution of Regional Housing Needs Allocation (RHNA) in the Spheres of Influence (SOI) of Marin cities and towns.

Dear Supervisors:

RECOMMENDATION: Consider adopting resolution endorsing a 75% City, 25% County distribution of housing need in the SOIs for the 2014-2022 RHNA methodology.

SUMMARY: In May 2011, the Board of Supervisors authorized staff to send a letter to the Association of Bay Area Governments (ABAG) recommending that ABAG adopt a RHNA methodology that places planning responsibility for 75% of the projected future housing need attributable to SOIs with cities and towns in Marin, and assigns the remaining 25% of the planning responsibility to the County. (See Attachment 2.)

At the request of Supervisor Adams, staff has prepared the attached resolution reaffirming the County's position on this matter. (See Attachment 1.) The attached resolution is intended to be transmitted to ABAG staff and the Executive Board of ABAG for consideration prior to ABAG's adoption of the methodology for the next RHNA cycle (2014-2022). A decision on the Draft RHNA methodology is scheduled for March 2012.

FISCAL IMPACT: Impact unknown at this time.

REVIEWED BY:

<input type="checkbox"/>	Auditor Controller	<input checked="" type="checkbox"/>	N/A
<input type="checkbox"/>	County Counsel	<input checked="" type="checkbox"/>	N/A
<input type="checkbox"/>	Human Resources	<input checked="" type="checkbox"/>	N/A

Respectfully submitted,


Brian C. Crawford
Director

- Attachments: 1. Draft resolution
2. Letter to Ezra Rapport, Executive Director, ABAG, July 12, 2011

CA-26

RESOLUTION NO. 2011-139

RESOLUTION OF THE MARIN COUNTY BOARD OF SUPERVISORS
PERTAINING TO THE DISTRIBUTION OF REGIONAL HOUSING NEEDS
ALLOCATION (RHNA) IN THE SPHERES OF INFLUENCE OF MARIN CITIES AND
TOWNS

WHEREAS, the Association of Bay Area Governments (ABAG) is the council of governments statutorily responsible for establishing the Regional Housing Need Allocation (RHNA) methodology in the San Francisco Bay Area pursuant to Government Code Section 65584; and

WHEREAS, pursuant to Government Code Section 65584.04.d.5, the methodology for developing the RHNA should include consideration of county-city agreements to *direct growth toward incorporated areas* of the county; and

WHEREAS, the County of Marin promotes city-oriented growth policies that are consistent with smart growth principles, the objectives of Senate Bill 375 and the Sustainable Communities Strategy, and has adopted County policies that discourage housing from being pushed into rural areas; and

WHEREAS, by requiring densities to be maintained at the lowest end of the density range for land within Spheres of Influence (SOI), the Marin Countywide Plan (general plan) discourages housing from being pushed into unincorporated communities intended to be rural or serve as transitional areas between unincorporated rural communities and more urbanized cities and towns; and

WHEREAS, by allowing less intensive development than neighboring cities and towns, the above policy serves to encourage annexation of lands proposed for urban level development within SOIs; and

WHEREAS, Marin Local Agency Formation Commission's (LAFCO) Dual Annexation Policy similarly states that lands annexed to special districts for services must also concurrently or subsequently annex to a city if the land is located within a city's sphere of influence; and

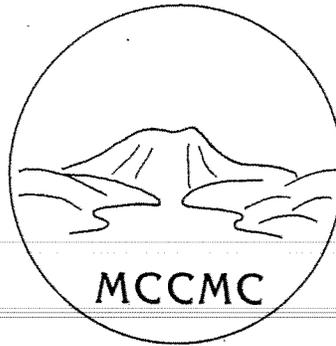
WHEREAS, the Marin Countywide Plan growth management policies are similar to policies in other counties where ABAG has previously determined that cities should be responsible for 100% of the RHNA generated by the unincorporated SOI; and

WHEREAS, ABAG previously adopted methodologies for the third and fourth RHNA cycles that placed 75% of the planning responsibility for units attributable to Marin's SOIs with cities and towns, and assigned the remaining 25% of the responsibility to unincorporated Marin County; and

WHEREAS, in 2004, the contraction of SOIs for several cities in Marin contributed to the County of Marin's RHNA increasing substantially by 50% while allowing some cities to reduce their RHNA allocation; and

WHEREAS, the County of Marin has elected to participate in the FOCUS Priority Development Area (PDA) program by identifying areas of potential growth opportunity in

BELVEDERE · CORTE MADERA · FAIRFAX
SAN ANSELMO · SAN RAFAEL



LARKSPUR · MILL VALLEY · NOVATO
ROSS · SAUSALITO · TIBURON

June 23, 2011

Ezra Rapport, Executive Director
Association of Bay Area Governments
101 Eighth Street
P.O. Box 2050
Oakland, CA 94604-2050

Dear Mr. Rapport:

We understand that the Housing Methodology Committee will be recommending a new allocation formula for the Regional Housing Needs Allocation (RHNA) for 2014 to 2022.

After considerable thought and discussion, the Marin County Council of Mayors and Councilmembers voted on June 22, 2011 to support a 50/50 split of the housing and jobs within the sphere of influence between the cities and county.

We recognize that the County of Marin supports a 75/25 (city/county) split of the housing and jobs within the sphere of influence. However, the 11 cities in Marin believe it is only fair and reasonable to have a 50/50 split. The cities do not have control over the SOI and only provide input to the County when feedback is requested. It is very unlikely that the existing SOI will be annexed to the adjacent cities especially in the City of Novato with their voter adopted Urban Growth Boundary. The County of Marin has opportunities for increasing residential development within the unincorporated areas of the city centered corridor.

If you have any questions, please call me at 415-786-9118, or Pat Eklund, City of Novato Councilmember, at 415-883-9116.

Thank you.

Regards,

A handwritten signature in cursive script that reads "Shawn Marshall s/". The signature is written in black ink and is positioned above the typed name and title.

Shawn Marshall, President
Marin County Mayors and Councilmembers
Councilmember, City of Mill Valley

CC: Ken Kirby, AGAG
City Clerks

MEMO

Date: December 6, 2012
To: ABAG Executive Board
From: Ken Kirkey, ABAG Planning Director
Subject: Sustainable Communities Strategy (SCS) Update

ABAG staff is currently working on the development of the SCS Preferred Scenario based on the SCS Alternative Scenarios and local input. This Preferred Scenario is developed in coordination with the Regional Housing Need Allocation and the OneBayArea Grant.

SCS Alternative Scenarios

ABAG and MTC staff have released five SCS Land Use Scenarios. The land use scenarios proposed criteria for a pattern of sustainable growth and a distribution of housing and jobs by Priority Development Area, city, and county. Four land use scenarios were released at the end of August 2011 and one scenario in December 2011. The transportation network scenarios and performance targets were release December 2011. We have had a continuous dialogue with planning staff and elected officials since the release of the first Initial Vision Scenario March 2011. During January 2012 we are conducting public workshops and community workshops that will provide additional input for the development of the SCS Scenario.

Preferred Scenario

The Preferred Scenarios will include a proposal of policies and strategies to implement the SCS, a definition of reasonable regional housing and job growth by 2040, and the distribution of growth by Priority Development Area and city. This Preferred Scenario will be developed based on discussion and input on the Alternative Scenarios.

Local jurisdictions and stakeholders have identified key issues to inform the Preferred Scenario that staff is currently analyzing:

- Economic growth in light of current recession and changes in the regional economy.
- Housing and neighborhood needs for a large older population and increasing ethnic diversity
- Link between jobs, housing and income distribution
- Housing production cost, strategies and policies
- Development of complete communities

OneBayArea Grant

Based on local input, MTC and ABAG staff have revised the OneBayArea Grant proposal to address the implementation of the SCS and local plans. Staff will present an overview of the proposed changes at the meeting.

Recommended Action: None

LEGISLATION & GOVERNMENTAL ORGANIZATION COMMITTEE

Committee Chair: Supervisor Mark Luce—Napa County

Committee Vice Chair: Councilmember Carole Dillon-Knutson—City of Novato

Staff: Patricia Jones – Assistant Executive Director 510/ 464-7933; FAX 510/464-7970; PatJ@abag.ca.gov

Kathleen Cha – Senior Communications Officer 510/ 464-7922; KathleenC@abag.ca.gov

Thursday, January 19, 2012 – 3:30 p.m. to 5:00 p.m.

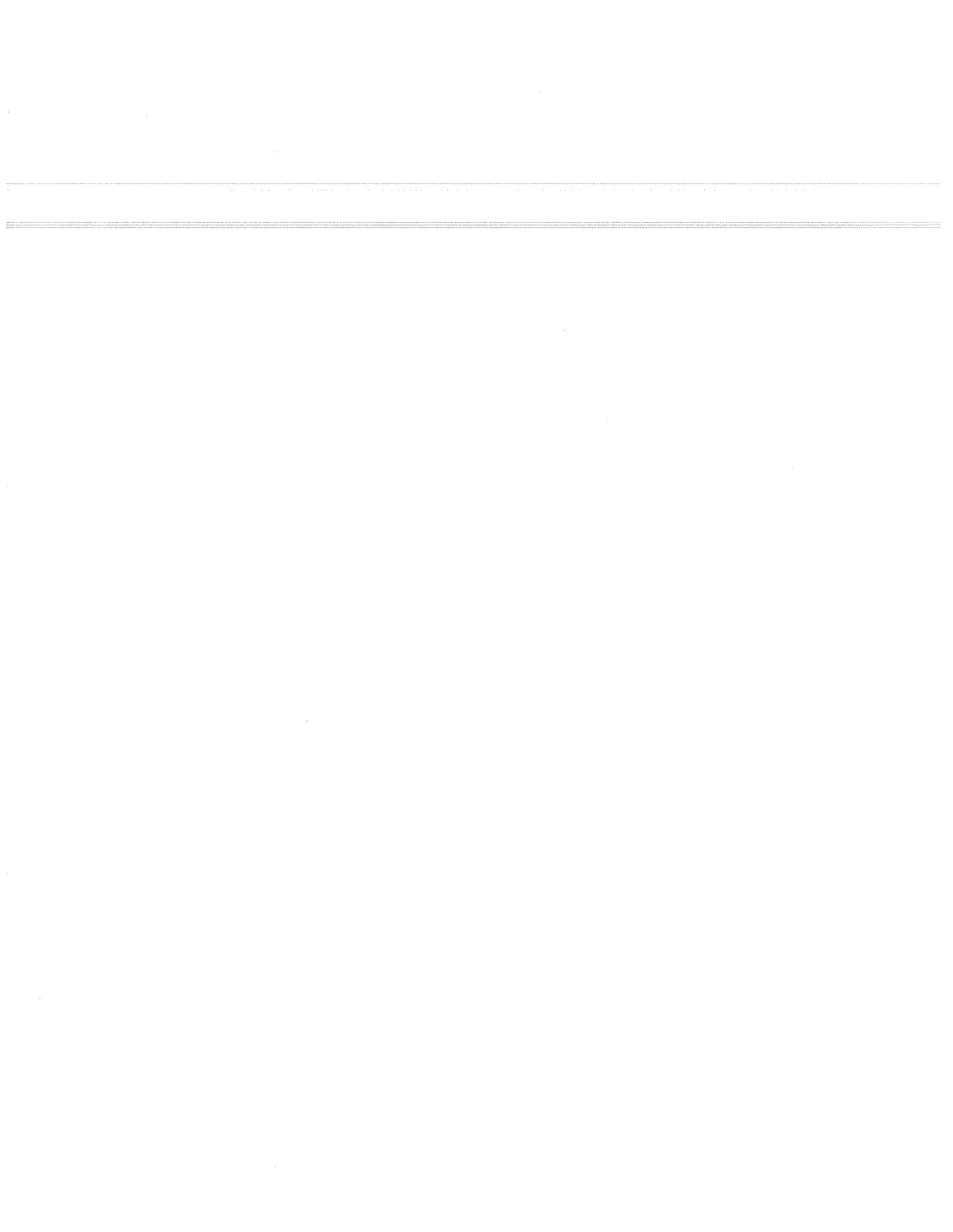
ABAG Large Conference Room B, MetroCenter, 101 Eighth Street, Oakland

AGENDA*

1.	OPEN AGENDA Committee members may raise issues for consideration; members of the public may speak.	Information/ Action
2.	APPROVAL OF MINUTES Committee will review and approve the minutes of the November 17, 2011, L&GO meeting.	Information/ Action
3.	ELECTION OF 2012 L&GO CHAIR AND VICE CHAIR	Information/ Action
4.	REPORT ON STATE SENATOR MARK DESAULNIER'S PUBLIC HEARING ON REGIONAL GOVERNMENT STRUCTURE	Information
5.	2012 NEW AND RETURNING LEGISLATION FOR CONSIDERATION: SB 654 (Steinberg) Redevelopment SB 878 (DeSaulnier) Regional Planning: Bay Area AB 57 (Beall) Metropolitan Transportation Commission Proposals for other new bills addressing suspension of redevelopment agencies, funding and infrastructure financing, land use planning and EIR will be provided, as available, for review and discussion.	Information/ Action
6.	STATUS OF PROPOSED PILOT FUNDING BILL TO IMPLEMENT SB 375	Information/ Action
7.	2012 LEGISLATIVE WORKSHOP AND RECEPTION Update on Workshop Plans with Co-Sponsor CALCOG	Information/ Action
	ADJOURNMENT Next meeting is scheduled for March 15, 2012.	Action
	Agenda and other written materials are available at ABAG/Front Desk, 101 8th Street, Oakland, or at http://www.abag.ca.gov/meetings --	

* The Committee may take any action on any item on the agenda

** Full California Bill Texts and actions can be read and printed out from state website: www.leginfo.ca.gov.





ABAG

ASSOCIATION OF BAY AREA GOVERNMENTS
Representing City and County Governments of the San Francisco Bay Area

LEGISLATION
2012 State Legislative Session
Legislation & Governmental Organization Committee
January 6, 2012

Bill Author	Subject	Status	Staff Recommendation	L&GO Position	Legislation Summary
*NEW BILLS					Redevelopment

Bills to be reviewed are listed in numeric order with Assembly bills listed first, followed by Senate bills

	New Bills				
SB 654 Steinberg	Redevelopment	SEN Transportation and Housing Hearing 1/10	Watch		<p>Would revise the definition of the term "enforceable obligation" and modify provisions relating to the transfer of housing funds and responsibilities associated with dissolved redevelopment agencies. The bill would provide that any amounts on deposit in the Low and Moderate Income Housing Fund of a dissolved redevelopment agency be transferred to specified entities, such as city, county, or city and county. Bill would make conforming changes</p> <p>Would require the Joint Policy Committee – a subcommittee of representatives from the Metropolitan Transportation Commission, the Association of Bay Area Governments, the Bay Area Air Quality Management District and the Bay Conservation & Development Commission — as well as its individual member agencies — to prepare a number of new reports related to the Sustainable Communities Strategy (SCS), including recommendations on organizational reform (such as the creation of a new agency by statute or through a joint exercise of powers agreement or another institutional arrangement), regional economic development, and public and community outreach.</p> <p>Specifically Report on strategies for</p> <p>a. Developing and implementing a multiagency set of policies and guidelines for implementing the Bay Area's sustainable communities strategies.</p> <p>b. Improving the efficiency and effectiveness of policy setting and managerial coordination among the regional agencies that constitute the JPC.</p> <p>c. Ensuring that the public in the nine county region has an opportunity to comment on the proposed policies and standards that</p>
*SB 878 DeSaulnier	Regional Planning: Bay Area	SEN Transportation and Housing Hearing 1/10	Watch		

Bill Author	Subject	Status	Staff Recommendation	L&GO Position	Legislation Summary	Page 2
AB 57 Beall	Metropolitan Transportation Commission	SEN Transportation and Housing	Support	Had Support Position in 2011 Legislative cycle	<p>the JPC will promulgate for implementing the sustainable communities strategies.</p> <p>d. Recommend organizational reform to implement the proposed methods and strategies, including creating a regional organization by legislation, a joint powers agreement or some other institutional arrangement specifying the terms of interagency collaboration.</p>	
SCA 4 DeSaulnier and Volk	Initiative Measures: Funding Source	SEN Third Reading Last Action: 5/27	Support CSAC Support	Had Support Position in 2011 Legislative cycle	<p>This bill would, instead, require the Metropolitan Transportation Commission to consist of 21 members, including one member appointed by the Mayor of the City of Oakland and one member appointed by the Mayor of the City of San Jose. The bill would require the initial term of those 2 members to end in February 2015. The bill would, effective with the commission term commencing February 2015, prohibit more than 3 members of the commission from being residents of the same county, as specified. By imposing new requirements on a local agency, this bill would impose a state-mandated local program.</p>	<p>This measure would prohibit an initiative measure that would result in a net increase in state or local government costs, (other than costs attributable to the issuance, sale, or repayment of bonds), from being submitted to the electors or having any effect unless and until the Legislative Analyst and the Director of Finance jointly determine that the initiative measure provides for additional revenues in an amount that meets or exceeds the net increase in costs.</p>
Federal Legislation						

ABAG FINANCE AND PERSONNEL COMMITTEE

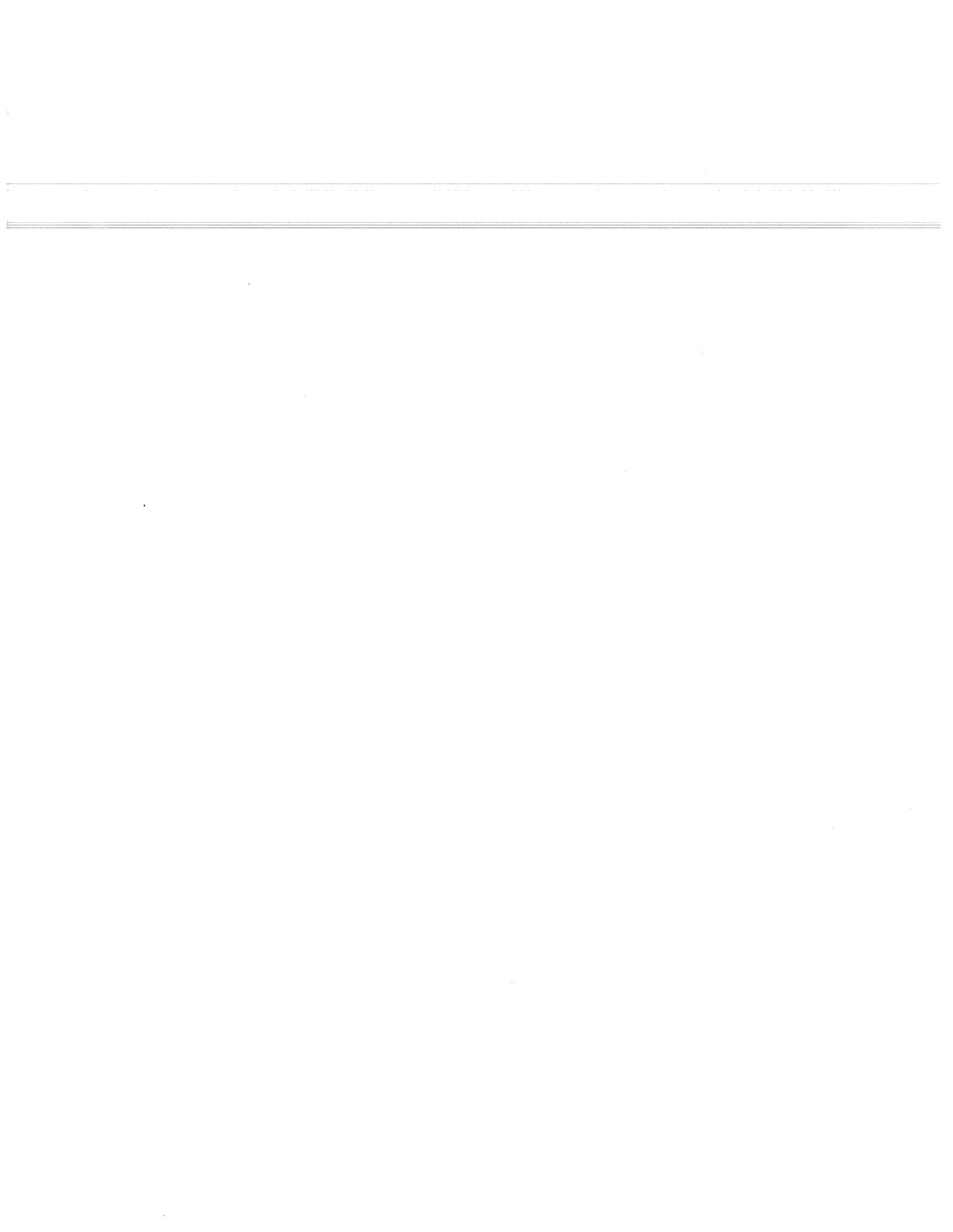
Thursday, January 19, 2012, 5:00 p.m.

ABAG Conference Room
 MetroCenter—8th and Oak Streets
 Oakland, CA

<u>Est. Time in Minutes</u>		<u>Recommendation</u> ***
2	1. Public Comments	Information
5	2. Election of Officers <i>Following ABAG's Committee Rules and Procedures, the Committee will elect a Chair and Vice Chair.</i>	Action
3	*3. Minutes of the November 17, 2011 Meeting	Action
5	*4. Financial Reports – ABAG <i>The October and November 2011 Financial reports are enclosed with the agenda packet. .</i>	Action
10	**5. Review of Proposed Work Program, Budget and Membership Dues-- FY 2012-13 <i>The Committee will make a recommendation to the Executive Board on the proposed FY 12-13 operating budget and membership dues.</i>	Action
10	*6. Resolution to Establish a Trust for ABAG Employees through the California Government Voluntary Employees Beneficiary Association (CALGOVEBA) <i>A resolution is required to enable ABAG to adopt and approve the CALGOVEBA Master Trust agreement.</i>	Action
THE FOLLOWING ITEMS WILL BE DISCUSSED IN CLOSED SESSION PURSUANT TO THE REQUIREMENTS OF THE RALPH M. BROWN ACT.		
15	7. Public Employee Performance Evaluation <i>Title: Executive Director</i> <i>Materials for this item will be mailed under separate cover.</i>	Action/ Information
	8. Adjournment	Action

* Attachments enclosed with packet.

*** The Committee may take action on any item on the agenda, which action may be the recommended action, any other action or no action.



- 5) Pike updated the Committee as to the status of current year dues collection to-date.
- 6) Rapport updated the Committee as to the current status of the facility MTC has purchased and making plans to occupy.
- 7) The Committee reviewed the proposed resolution necessary to treat employer-paid employee retirement contributions to CalPERS non-taxable, as had been practice for 17 years.
/M/Gioia/S/Haggerty/approved forwarding to the Executive Board with recommendation to approve.
- 8) Rapport reported on intent to retain Norm Roberts Search Firm to recruit a Deputy Director in an amount not to exceed \$40,000.
- 9) CLOSED SESSION – Conference with Labor Negotiators re SEIU 1021
No reportable action.
- 10) CLOSED SESSION --Public Employee Performance Evaluation—Executive Director
No reportable action.
- 11) Meeting adjourned at 6:05 p.m.

TO: Finance and Personnel Committee

DT: November 31, 2011

FM: Herbert Pike, Finance Director

Re: Financial Reports
--October 2011

The following are highlights of the financial reports for October 2011.

Overall Summary (Figures 3, 4, 7 & 8)

Through October 31st, the Agency's net financial operating gain of about \$254 thousand is higher than in previous years, the largest factor being the surplus in indirect overhead to-date attributed to the diversion of accounting personnel away from indirect overhead and charging directly to several new energy projects. The Association's cash balance is almost \$1.8 million higher than the end of October the prior year.

Cash on Hand (Figure 1)

Cash on hand increased to \$3.29 million as of October 31st from \$3.07 million on September 30th. The increase of \$219 thousand is attributed primarily to the cyclical increase in accounts receivable that derives from quarterly billing. The October balance includes approximately \$1.88 million invested in the Local Agency Investment Fund (LAIF). Currently, ABAG does not hold any other investments. The October 31st cash balance is approximately \$1.795 million greater than the prior year.

Receivables (Figure 2)

Receivables from grant and service programs amounted to about \$4.45 million on October 31st, an increase of \$754 thousand from the month prior. The month to month increase reflects a \$1.59 million increase in billed grants receivables offset by a \$916 thousand decrease in unbilled receivables. Now into the fourth month of the new fiscal year, the impact of the annual cycle of fiscal year-end close and re-open is subsiding, but the cyclical billing patterns are still in place creating this up and down trend pattern. Receivables are approximately \$1.21 million higher than they were a year prior reflecting the higher activity level in the current fiscal year, especially in energy-related grant activity.

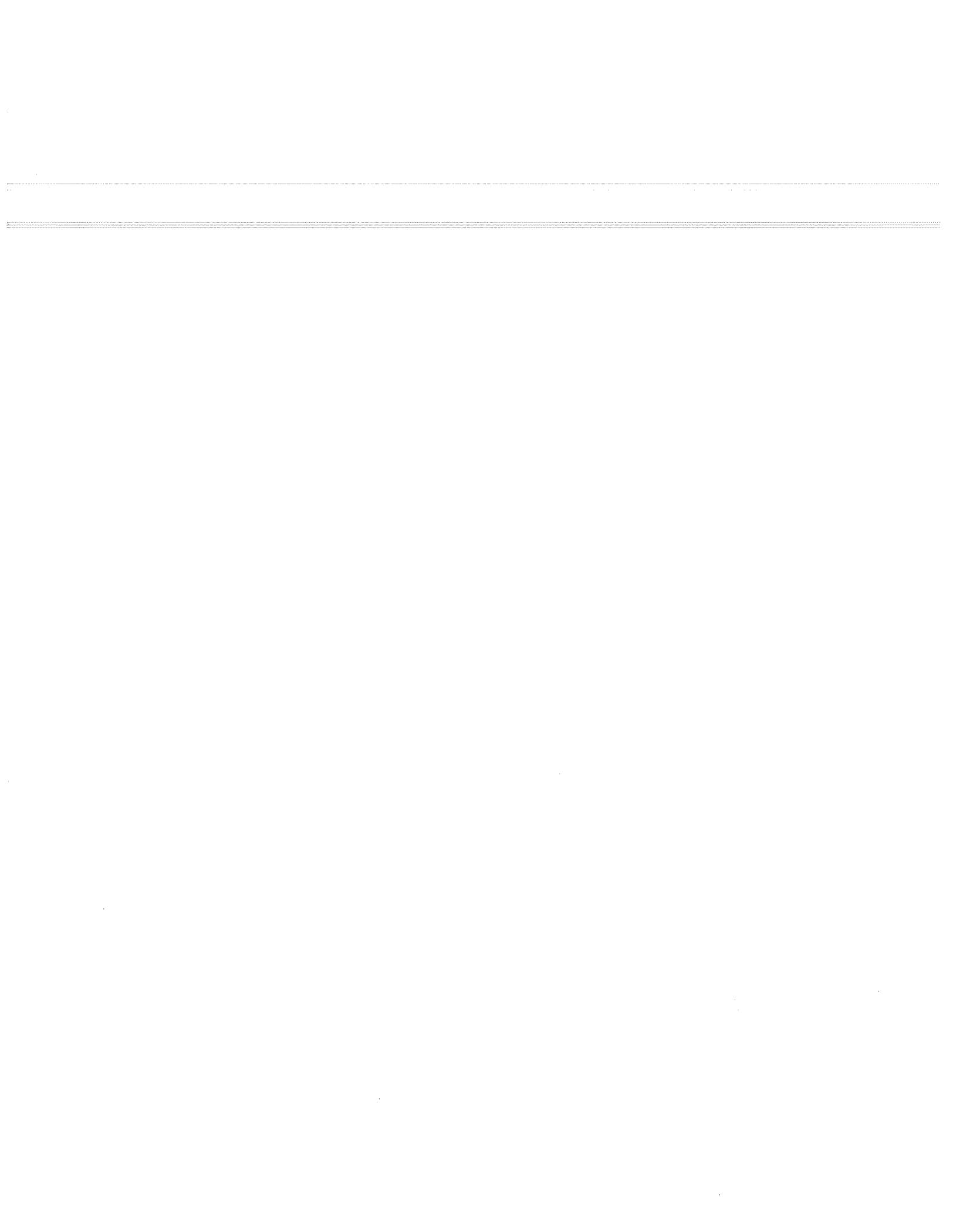
Actual vs. Budgeted Expenses (Figure 9)

Total expenses through October 31st, the fourth month (first third) of the new fiscal year, amounted to about \$7.71 million, or 27.5 percent, of the adjusted budgeted annual expense of \$28.0 million for FY 2011-12. The substantial upward adjustment is due to some large grants (funded through ARRA) that have strict requirements to spend the funds, primarily to contractors, before the end of the current fiscal year.

Actual vs. Budgeted Revenues (Figure 10)

As of October 31st, total revenues amounted to about \$7.96 million, or 28.4 percent, of the revised budgeted annual revenue of \$28.05 million for FY 11-12.

F&PC AGENDA ITEM #4-A



As of October 31st, both revenues and expenses are below projections for the first four months of FY 2011-12 (33.3 percent). These positions are largely due to the timing of consultant and sub-contractor expenses that are grant funded and for which there is a customary lag between the rendering of the service and the conversion to an expense and receivable when the contractors submit their bills.

Fund Equity (Figure 5)

As of October 31st, general fund equity was approximately \$1.33 million, a decrease of \$16 thousand from September 30th totals. The Agency's restricted fund equity, consisting of capital, self-insurance, building maintenance and reserves, remained unchanged at \$560 thousand. That is \$50 thousand over the previous year to reflect the discussed minimum annual reserve increase in reserves of \$50 thousand per year.

Indirect Cost (Figure 6)

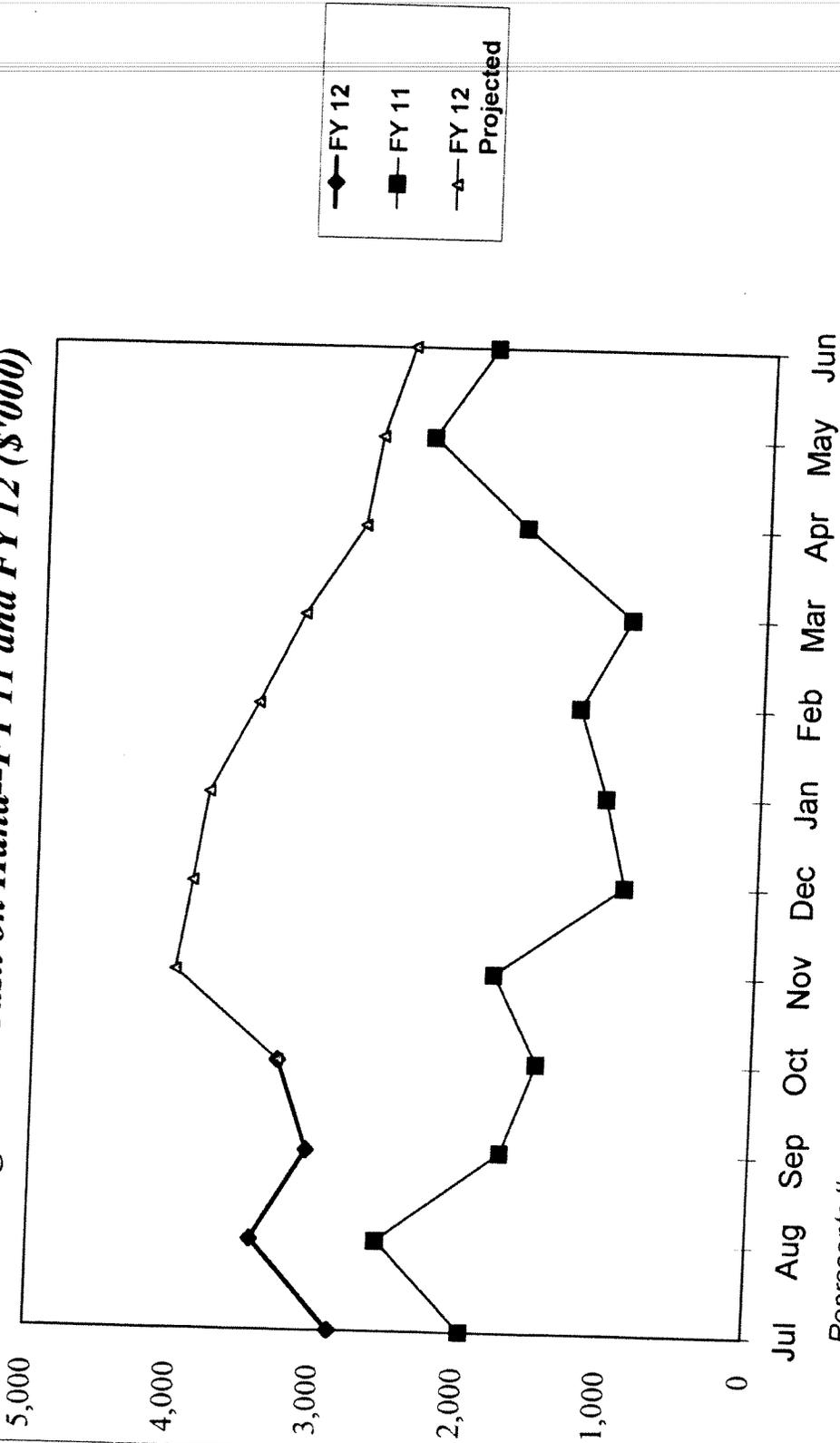
The Agency's actual indirect cost (overhead) rate was 37.56 percent, or 5.39 percent below target. The lower than expected rate reflects the diversion of substantial central services efforts toward new grants, especially energy grants. Unless new grants are awarded later in the year, it is expected that the grants will end and staff will move toward allocable overhead costs that will cause the rate to rise.

ABAG FINANCIAL REPORTS

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* Cash on Hand	Figure 1
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ABAG Financial Indices
Figure 1--Cash on Hand--FY 11 and FY 12 (\$'000)



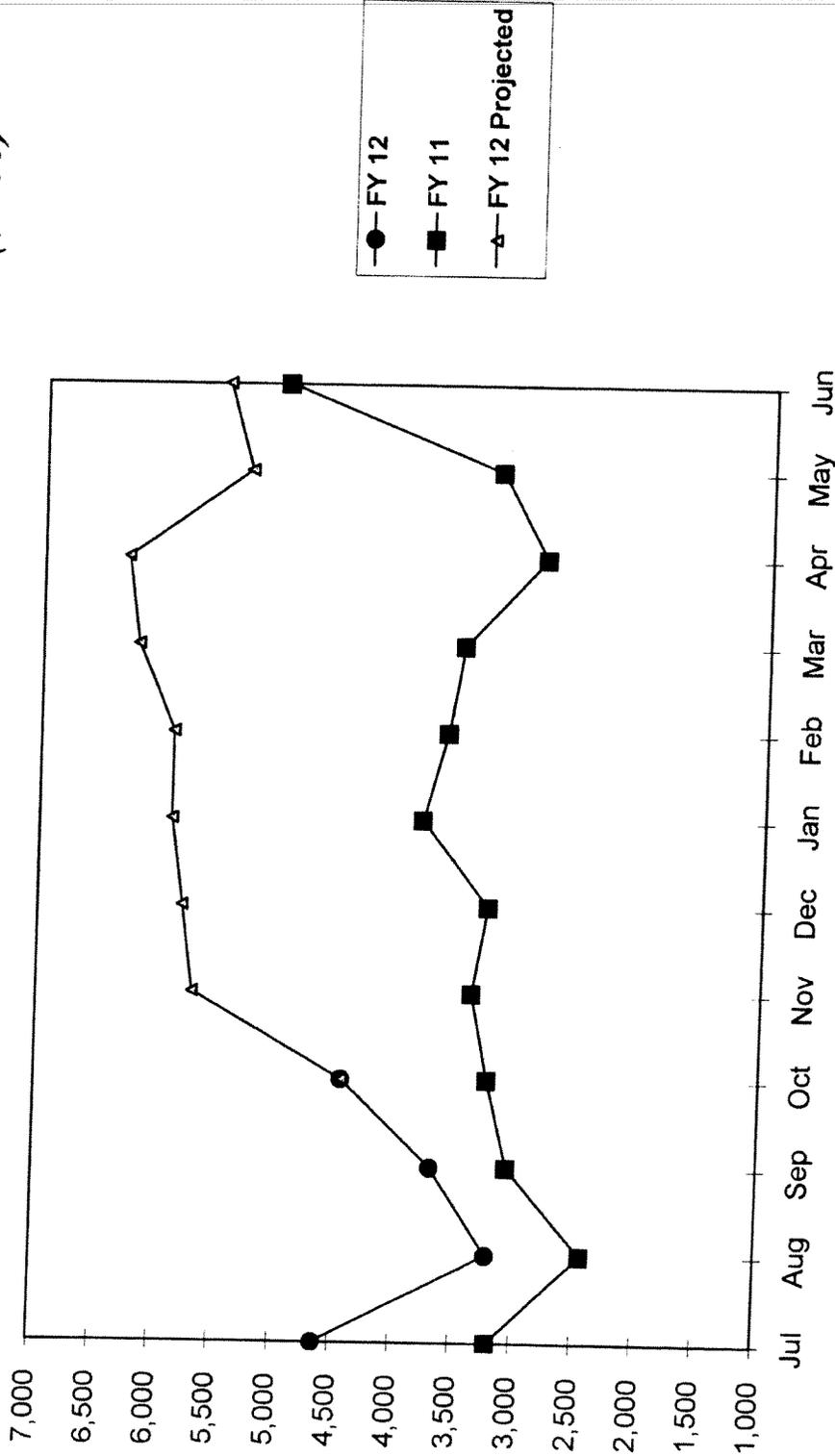
Represents the sum total of cash deposited at our bank and the Local Agency Investment Fund.
 This chart shows fluctuation patterns of cash on hand for the current and prior fiscal years.

Source: ABAG -INDICES 2011-10.xls

Figure 1

ABAG Financial Indices

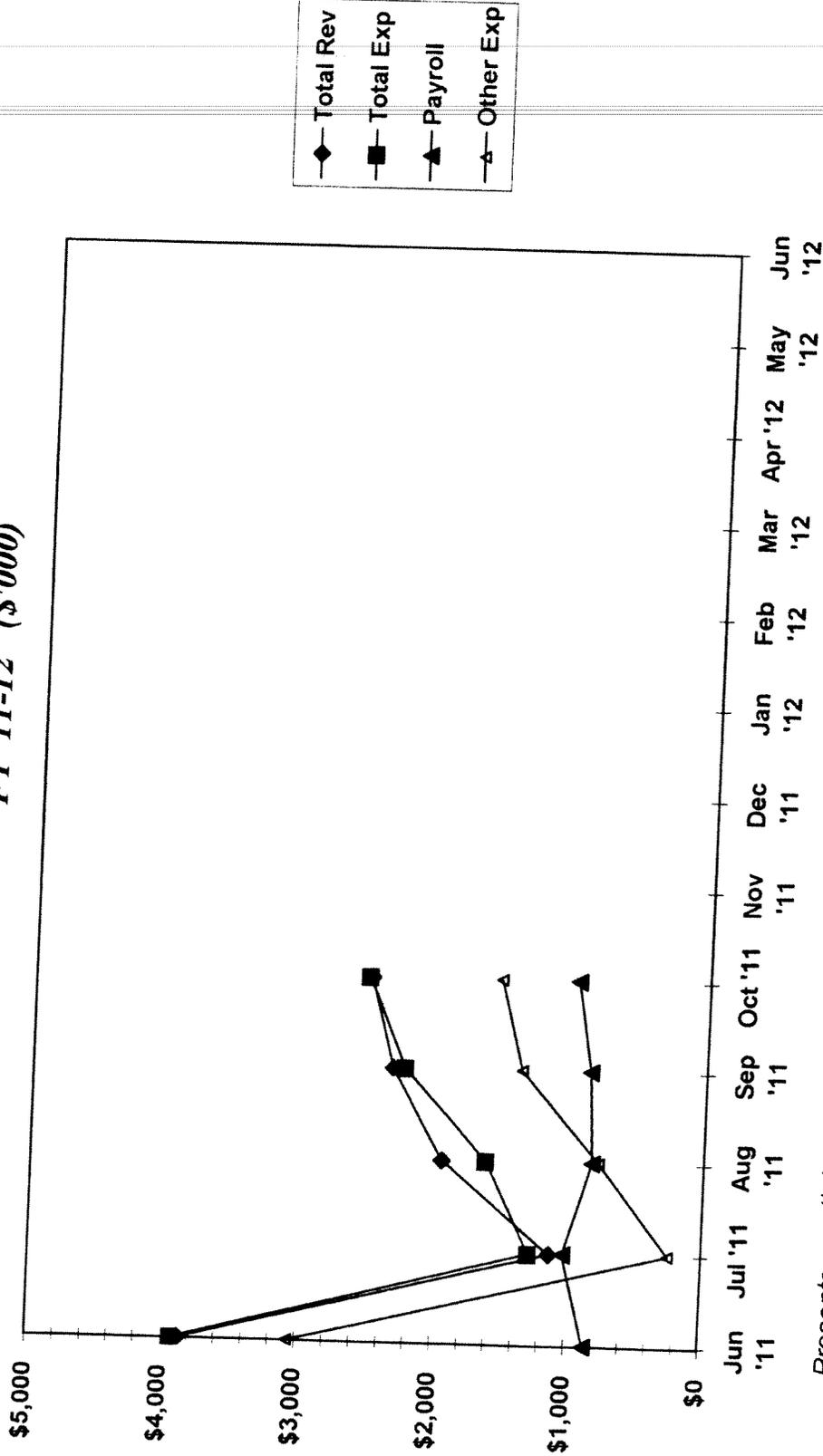
Figure 2--Accounts Receivable--FY 11 and FY 12 (\$'000)



Accounts receivable include receivables generated by grants and service programs over two fiscal years. Reflects the reasonableness of our receivable levels; usually have about six weeks' worth of annual revenues in receivables.

ABAG Financial Indices

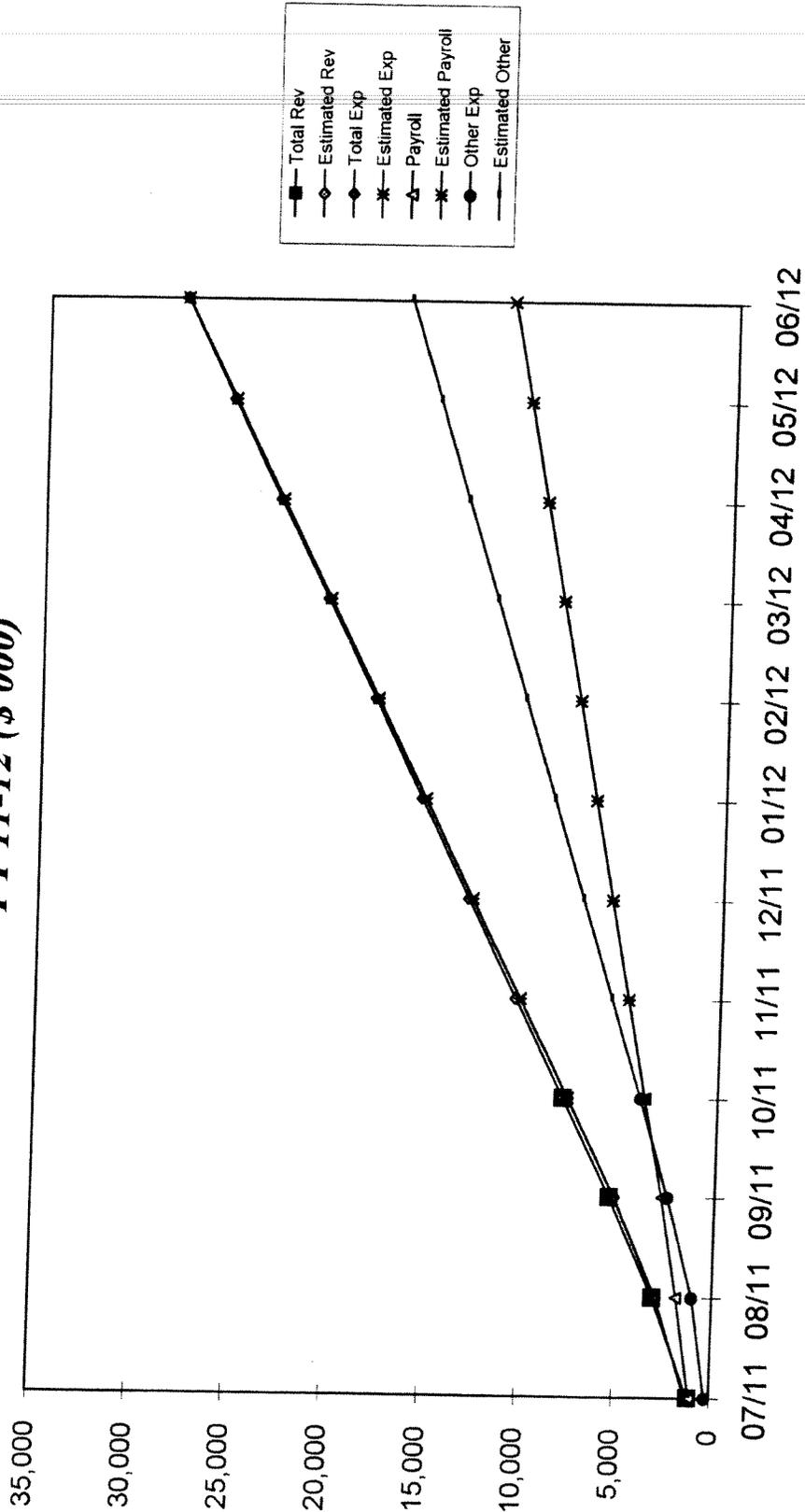
Figure 3--Current Month Revenues & Expenses
FY 11-12 (\$'000)



Presents month by month total revenues, total expenses, payroll and other expenses for the current fiscal year. The difference between total revenues and total expenses lines represents the overall current month net surplus (or deficit) for the Association.

Source: ABAG- INDICES 2011-10.xls

ABAG Financial Indices
Figure 4-- Year-to-date Revenues & Expenses
FY 11-12 (\$'000)



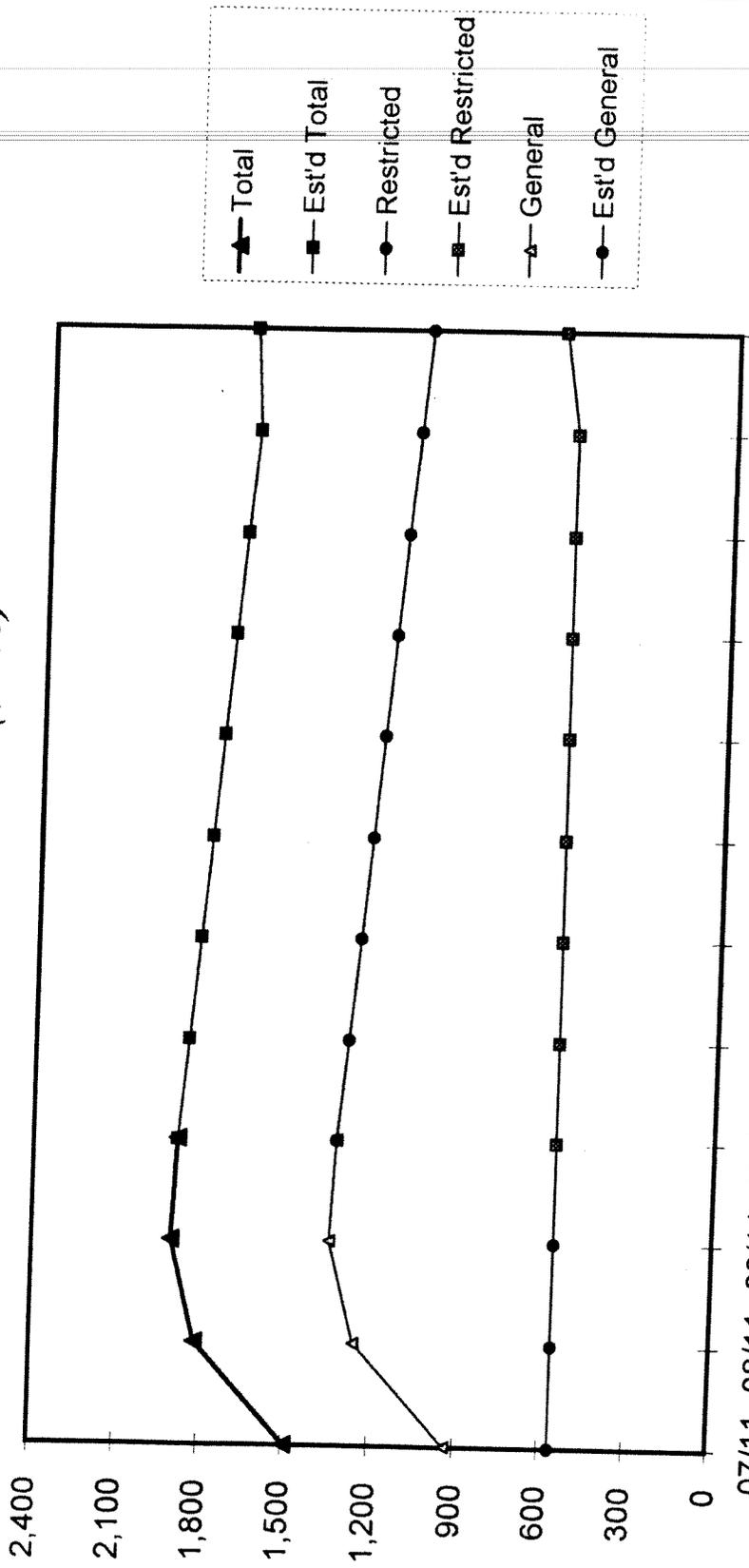
Presents year-to-date total revenues, total expenses, payroll and other expenses for the current fiscal year. The difference between total revenues and total expenses lines represents the overall year-to-date net surplus (or deficit) for the Association.

Source: ABAG - INDICES 2011-10.xls

Figure 4

ABAG Financial Indices

Figure 5--Fund Equity
FY 11-12 (\$'000)

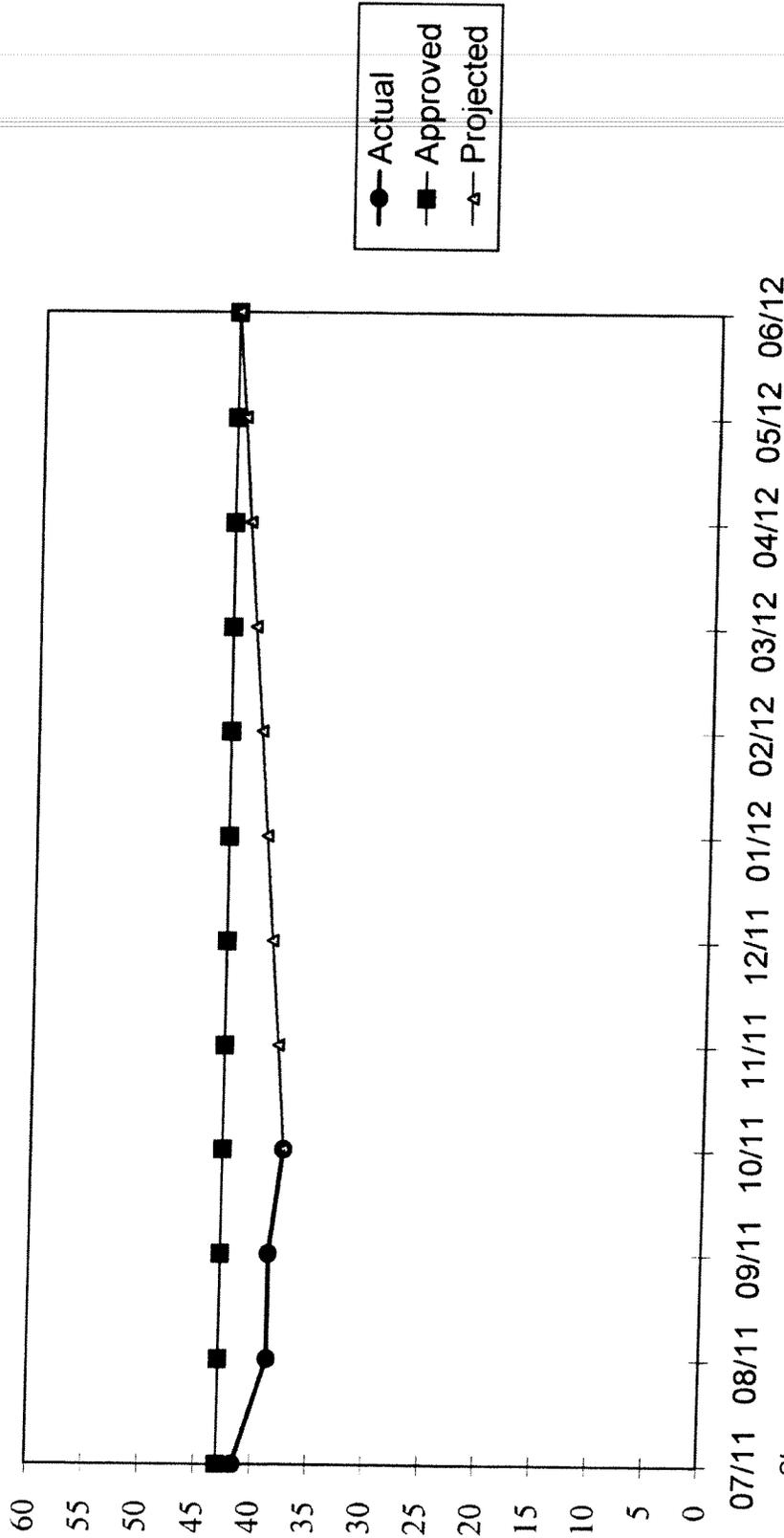


Presents general, restricted and total fund equities for the current fiscal year. General fund equity represents unrestricted equity. Restricted equities include building improvement interest, building maintenance, self-insurance, capital and contingency reserve. These restricted equities represent the Association's equities set aside for specific purposes. Total equity is the sum total of general and restricted equities.

Source: ABAG - INDICES 2011-10.xls

Figure 5

ABAG Financial Indices
Figure 6--Indirect Cost Rate (% of Direct Labor Cost)
FY 11-12

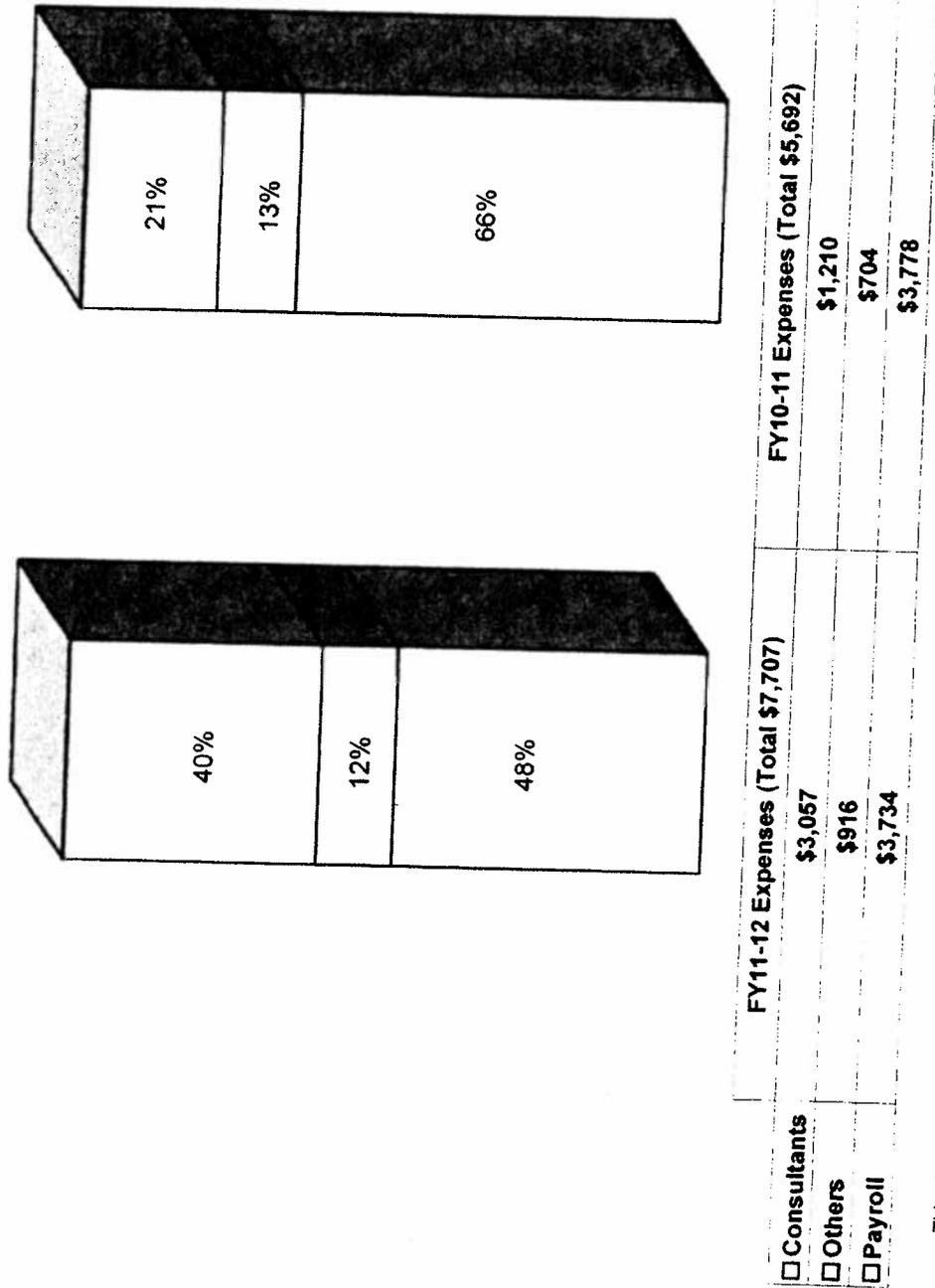


Shows a comparison between the actual indirect cost rate and the approved rate. The approved indirect cost rate is computed by dividing total estimated overhead expenses by total projected direct labor cost for a fiscal year. This rate is used as a standard overhead cost rate to allocate indirect costs to all projects. This process is performed in accordance with an indirect cost plan, which is prepared annually in accordance with OMB Circular A-87.

Source: ABAG- INDICES 2011-10.xls

Figure 6

ABAG Financial Indices
Figure 7-- Composition of Expenses FY 11--FY 12
Year to Date
 (\$'000)

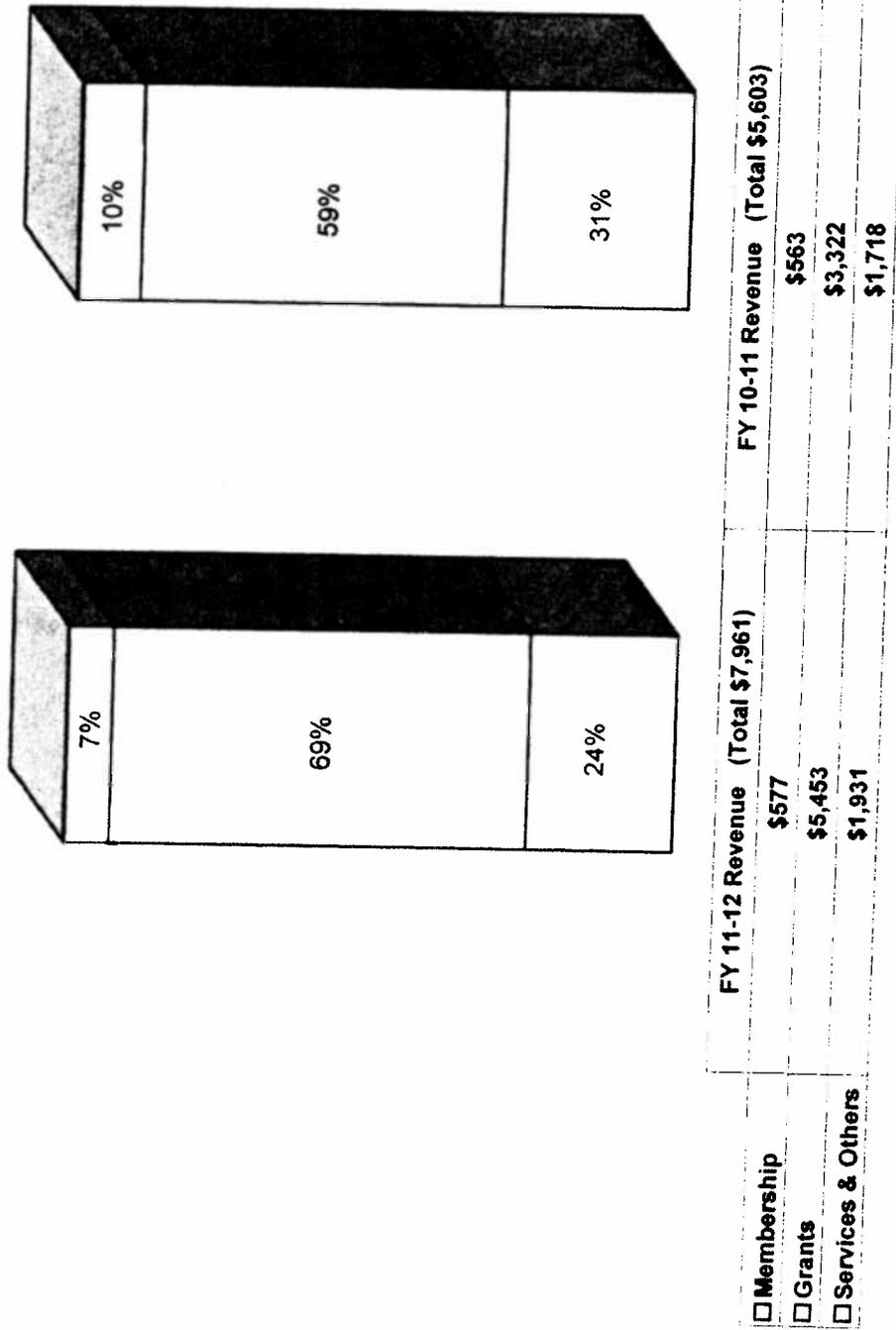


This chart compares expenses for current and prior fiscal year. It groups expenses into three broad categories--payroll costs, consultants and other expenses.

Source: ABAG-INDICES 2011-10.xls

Figure 7

ABAG Financial Indices
Figure 8-- Composition of Revenues FY 11--FY 12
Year to Date
(\$'000)



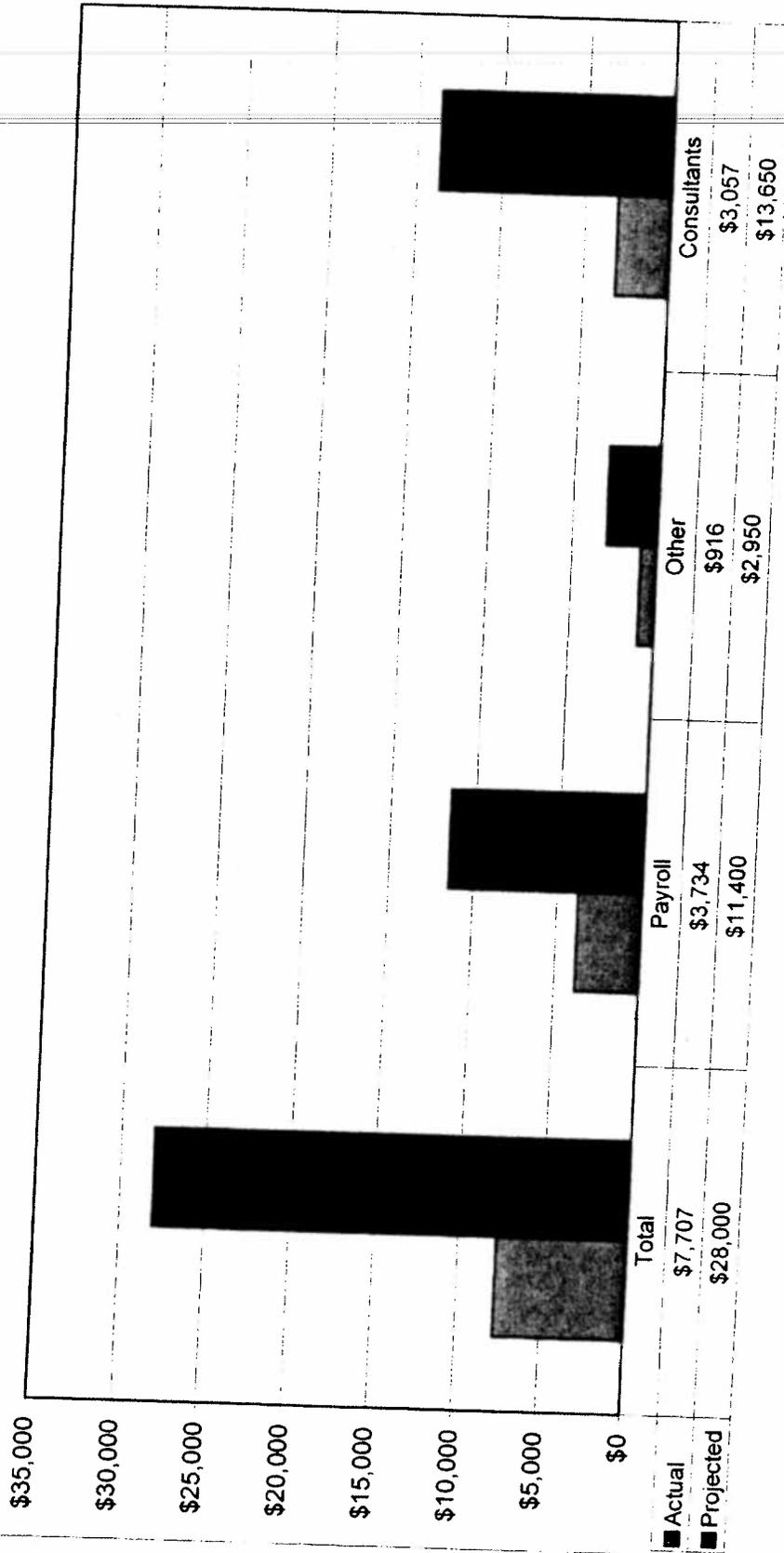
Presents a breakdown of total revenues into four main sources--membership, grants, services and others. This chart compares revenue sources between current and prior fiscal year.

Source: ABAG --- INDICES 2011-10.xls

Figure 8

ABAG Financial Indices

Figure 9--Actual vs Projected Expenses--FY 11-12 Year to Date (\$'000)

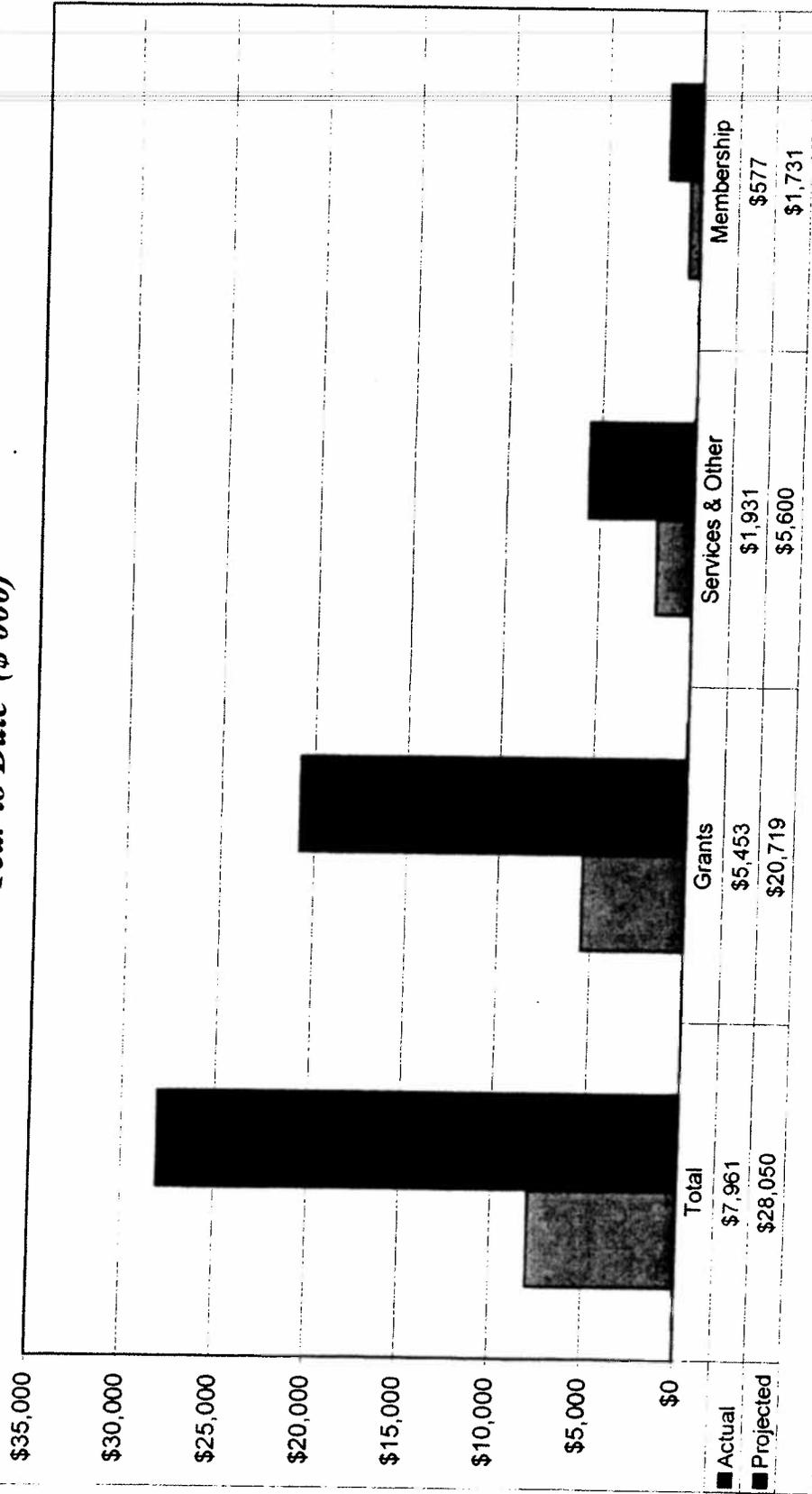


Presents a comparison of actual and budgeted/projected total expenses as well as component categories: payroll costs, consultants and other expenses.

Source: ABAG -- INDICES 2011-10.xls

Figure 9

ABAG Financial Indices
Figure 10--Actual vs Projected Revenues--FY 11-12
Year to Date (\$'000)



Presents a comparison of actual and budgeted/projected total revenues as well as component categories: membership dues, grants, services and other.

Source: ABAG --INDICES 2011-10.xls

Figure 10

TO: Finance and Personnel Committee

DT: January 3, 2012

FM: Herbert Pike, Finance Director

Re: Financial Reports
--November 2011

The following are highlights of the financial reports for November 2011.

Overall Summary (Figures 3, 4, 7 & 8)

Through November 30th, the Agency's net financial operating gain of about \$197 thousand is higher than in previous years, the largest factor being the surplus in indirect overhead to-date attributed to the diversion of accounting personnel away from indirect overhead and charging directly to several new energy projects. The Association's cash balance is almost \$2.2 million higher than the end of November the prior year, but significant declines are expected over the next one to two months as CalPERS liabilities are reconciled.

Cash on Hand (Figure 1)

Cash on hand increased to \$4.02 million as of November 30th from \$3.29 million on October 31st. The increase of \$734 thousand is attributed primarily to the cyclical increase in accounts receivable that derives from quarterly billing. The November balance includes approximately \$1.68 million invested in the Local Agency Investment Fund (LAIF). Currently, ABAG does not hold any other investments. The November 30th cash balance is approximately \$2.21 million greater than the prior year. However, because of some anticipated large expenses in December led by payment to CalPERS for ABAG's FY 2011-12 OPEB liability of over a half million dollars, delayed payment of CalPERS payments due to their implementation difficulties, and the seasonal decline in billable hours due to a spike in holidays and other leave usage, cash is expected to decline significantly in December.

Receivables (Figure 2)

Receivables from grant and service programs amounted to about \$5.67 million on November 30th, an increase of \$1.22 million from the month prior. The month to month increase reflects a \$912 thousand increase in billed grants receivables in addition to a \$341 thousand increase in unbilled receivables. Now into the fifth month of the new fiscal year, most of which is attributed to an influx of contract billings that are working through some energy-related grants. Receivables are approximately \$2.28 million higher than they were a year prior reflecting the higher grant activity level in the current fiscal year, especially in energy-related grant activity.

Actual vs. Budgeted Expenses (Figure 9)

Total expenses through November 30th, the fifth month of the new fiscal year, amounted to about \$10.42 million, or 37.2 percent, of the adjusted budgeted annual expense of \$28.0 million for FY 2011-12. The substantial upward adjustment is due to some large grants (funded through ARRA) that have strict requirements to spend the funds, primarily to contractors, before the end of the current fiscal year.

Actual vs. Budgeted Revenues (Figure 10)

As of November 30th, total revenues amounted to about \$10.62 million, or 37.9 percent, of the revised budgeted annual revenue of \$28.05 million for FY 11-12.

As of November 30th, both revenues and expenses are below projections for the first five months of FY 2011-12 (41.7 percent). These positions are largely due to the timing of consultant and sub-contractor expenses that are grant funded and for which there is a customary lag between the rendering of the service and the conversion to an expense and receivable when the contractors submit their bills.

Fund Equity (Figure 5)

As of November 30th, general fund equity was approximately \$1.28 million, a decrease of \$57 thousand from October 31st totals. The Agency's restricted fund equity, consisting of capital, self-insurance, building maintenance and reserves, remained unchanged at \$560 thousand. That is \$50 thousand over the previous year to reflect the discussed minimum annual reserve increase in reserves of \$50 thousand per year.

Indirect Cost (Figure 6)

The Agency's actual indirect cost (overhead) rate was 38.73 percent, or 4.22 percent below target. The lower than expected rate reflects the diversion of substantial central services efforts toward new grants, especially energy grants. Unless new grants are awarded later in the year, it is expected that the grants will end and staff will move toward allocable overhead costs that will cause the rate to rise.

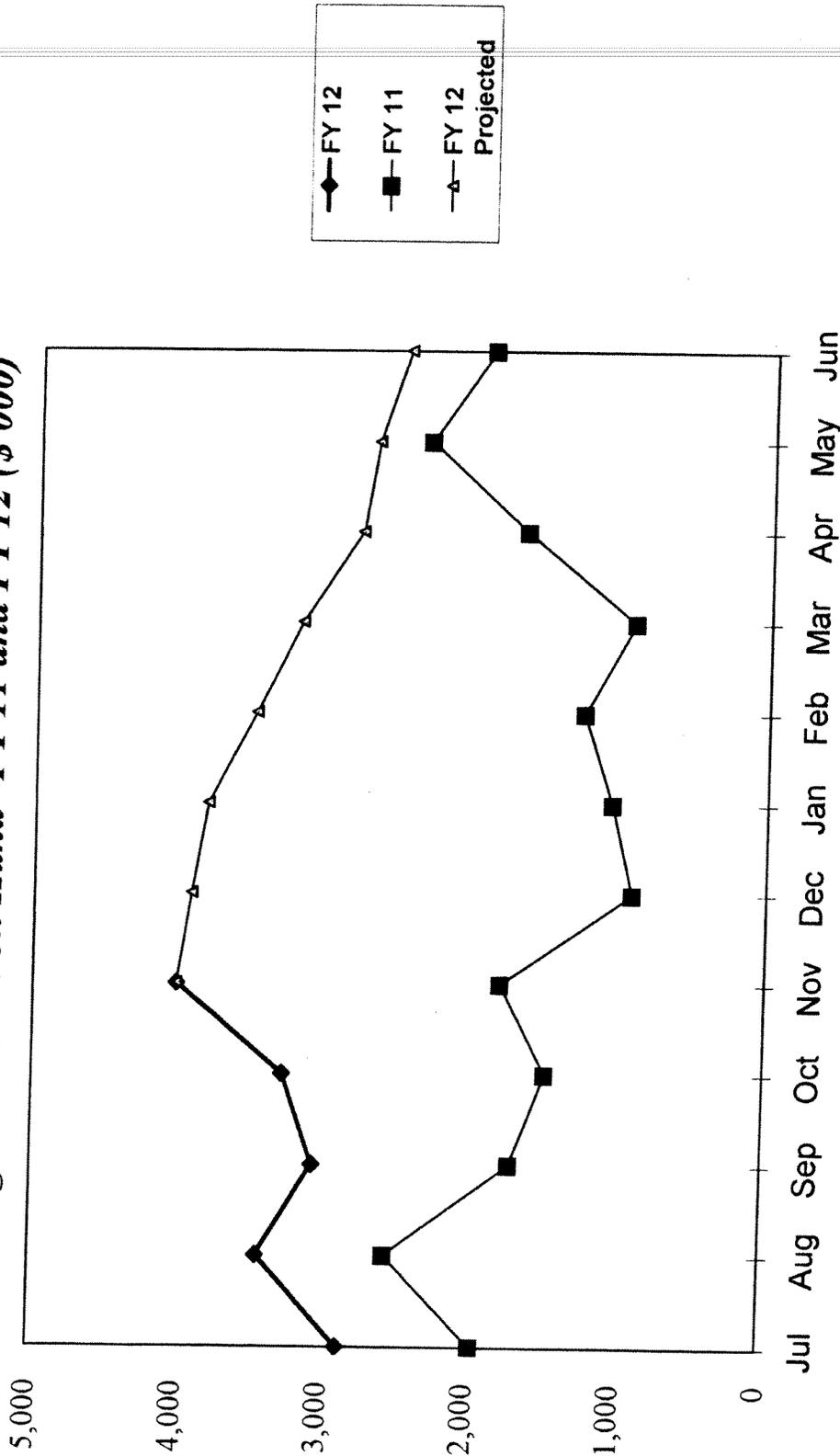
ABAG FINANCIAL REPORTS

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ABAG Financial Indices

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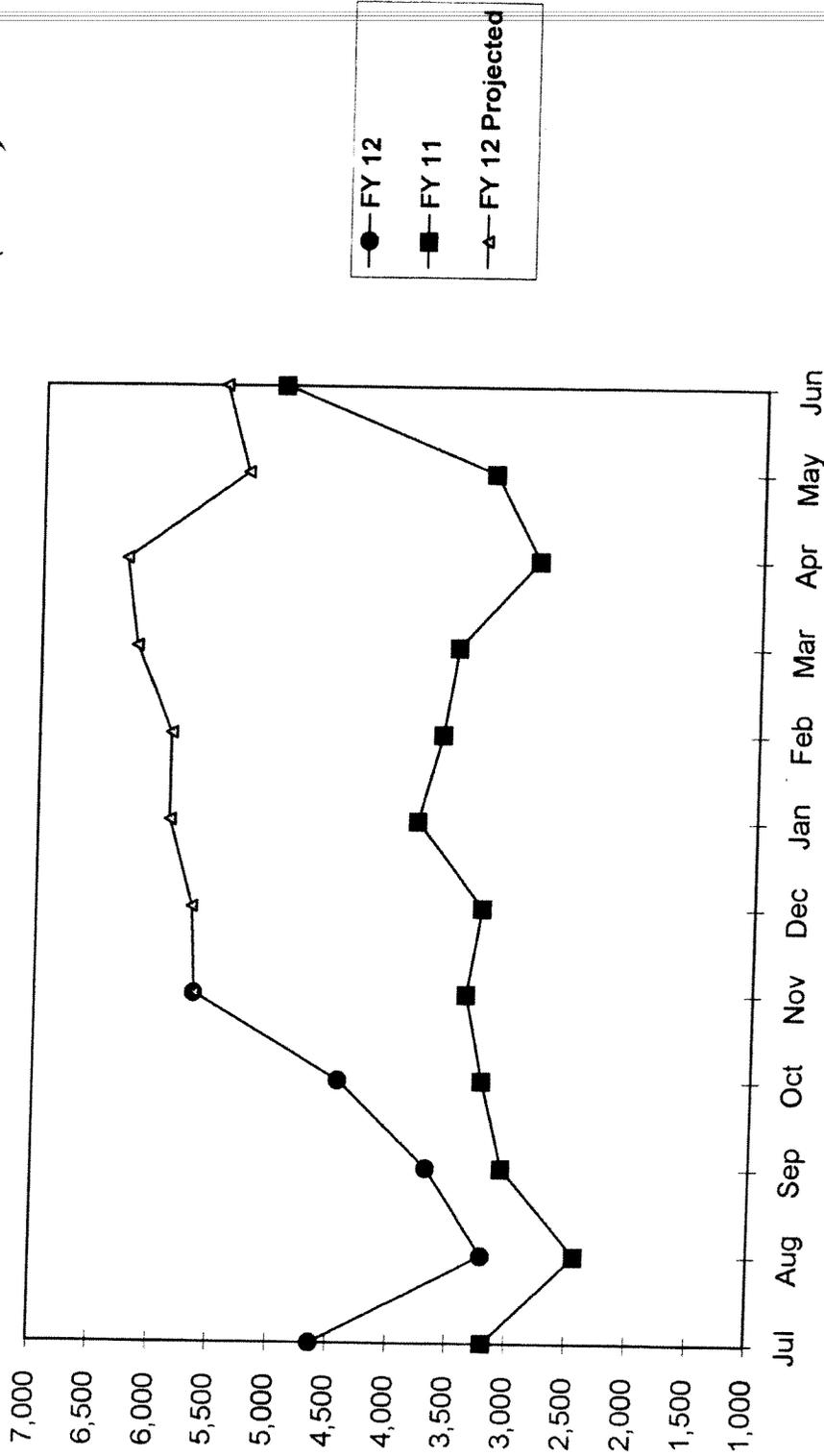
Represents the sum total of cash deposited at our bank and the Local Agency Investment Fund. This chart shows fluctuation patterns of cash on hand for the current and prior fiscal years.

Source: ABAG -INDICES 2011-11.xls

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ABAG Financial Indices

Figure 2--Accounts Receivable--FY 11 and FY 12 (\$'000)



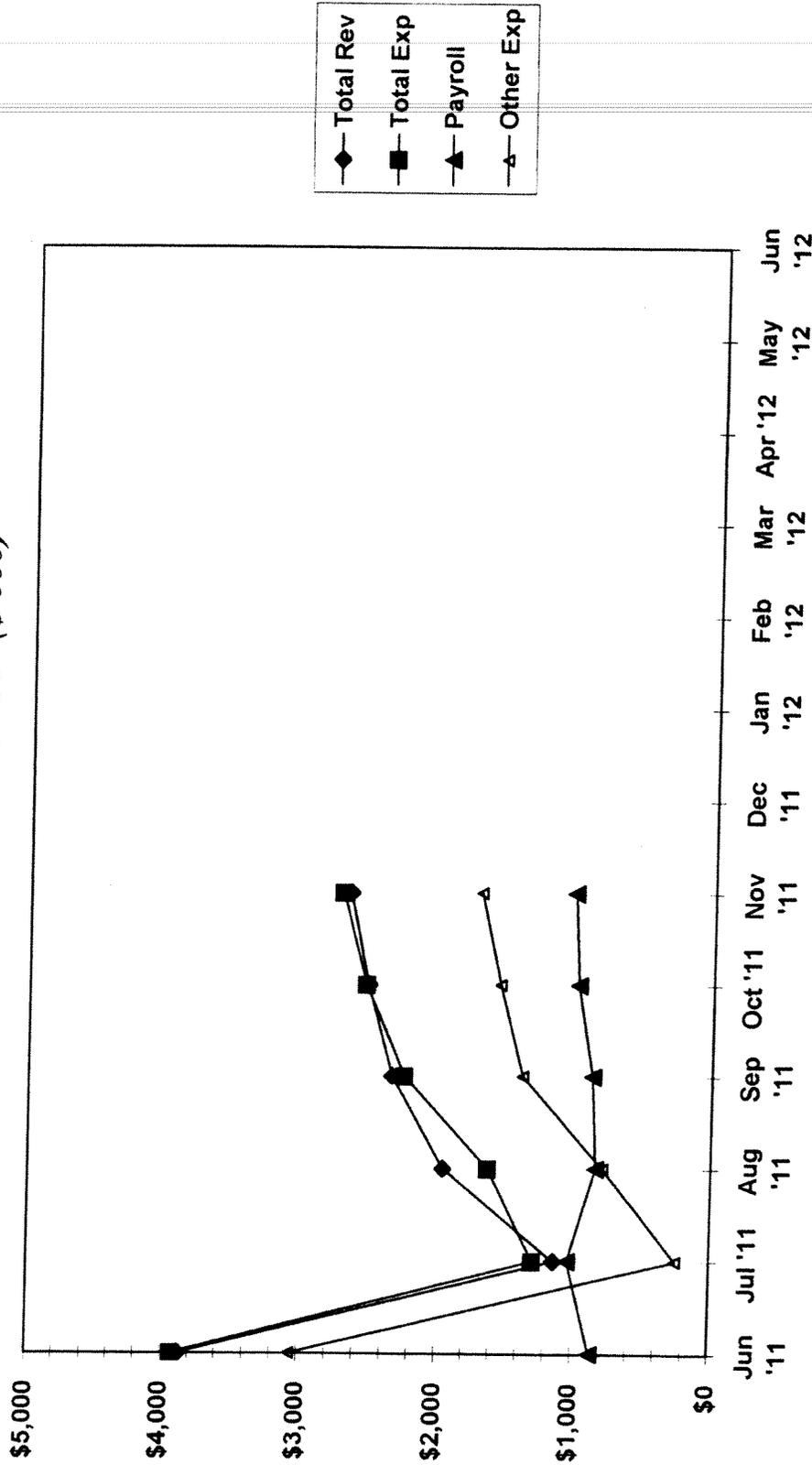
Accounts receivable include receivables generated by grants and service programs over two fiscal years. Reflects the reasonableness of our receivable levels; usually have about six weeks' worth of annual revenues in receivables.

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Figure 2

ABAG Financial Indices

Figure 3--Current Month Revenues & Expenses
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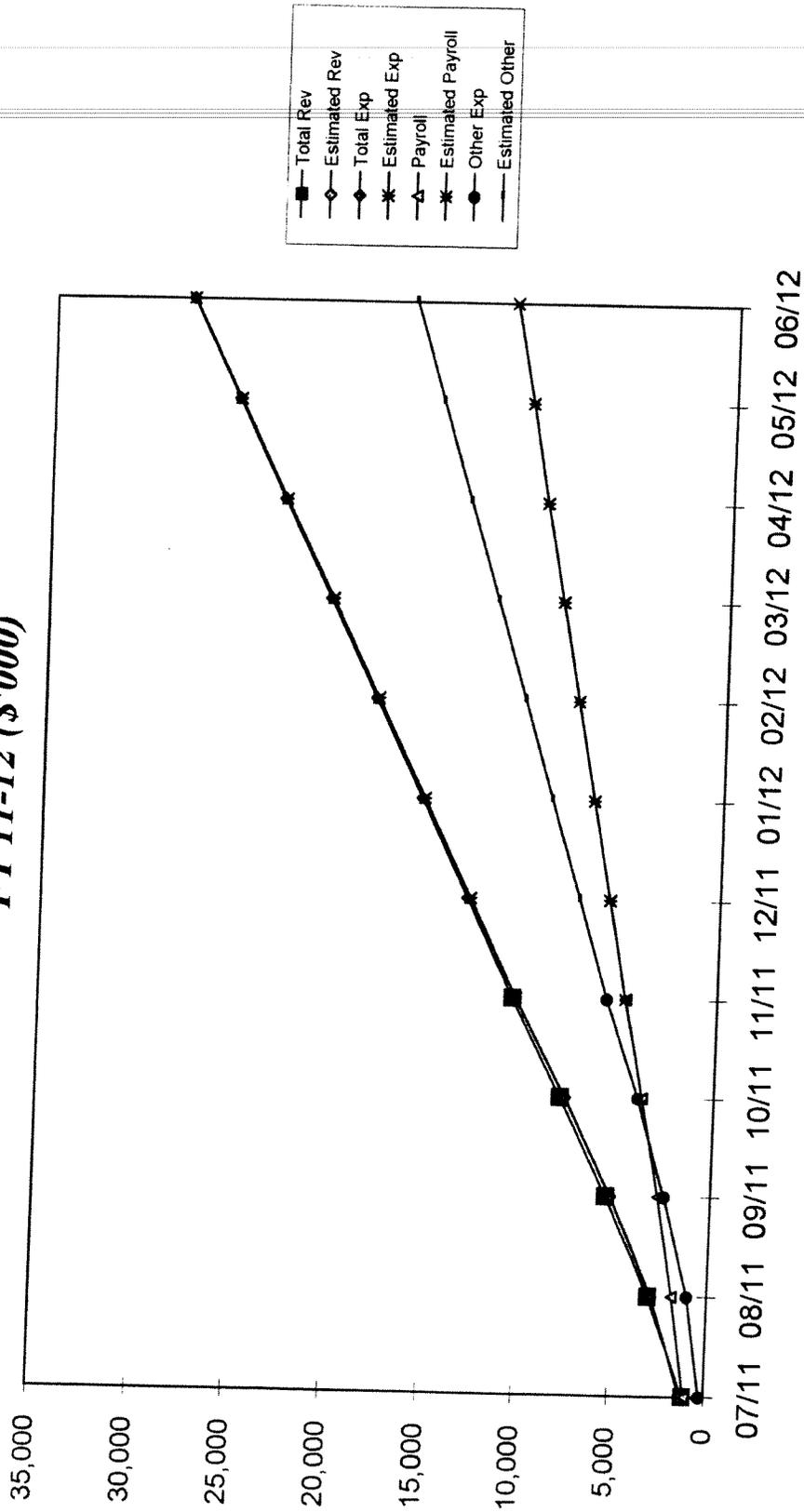


Presents month by month total revenues, total expenses, payroll and other expenses for the current fiscal year. The difference between total revenues and total expenses lines represents the overall current month net surplus (or deficit) for the Association.

Source: ABAG- INDICES 2011-11.xls

Figure 3

ABAG Financial Indices
Figure 4--Year-to-date Revenues & Expenses
FY 11-12 (\$'000)

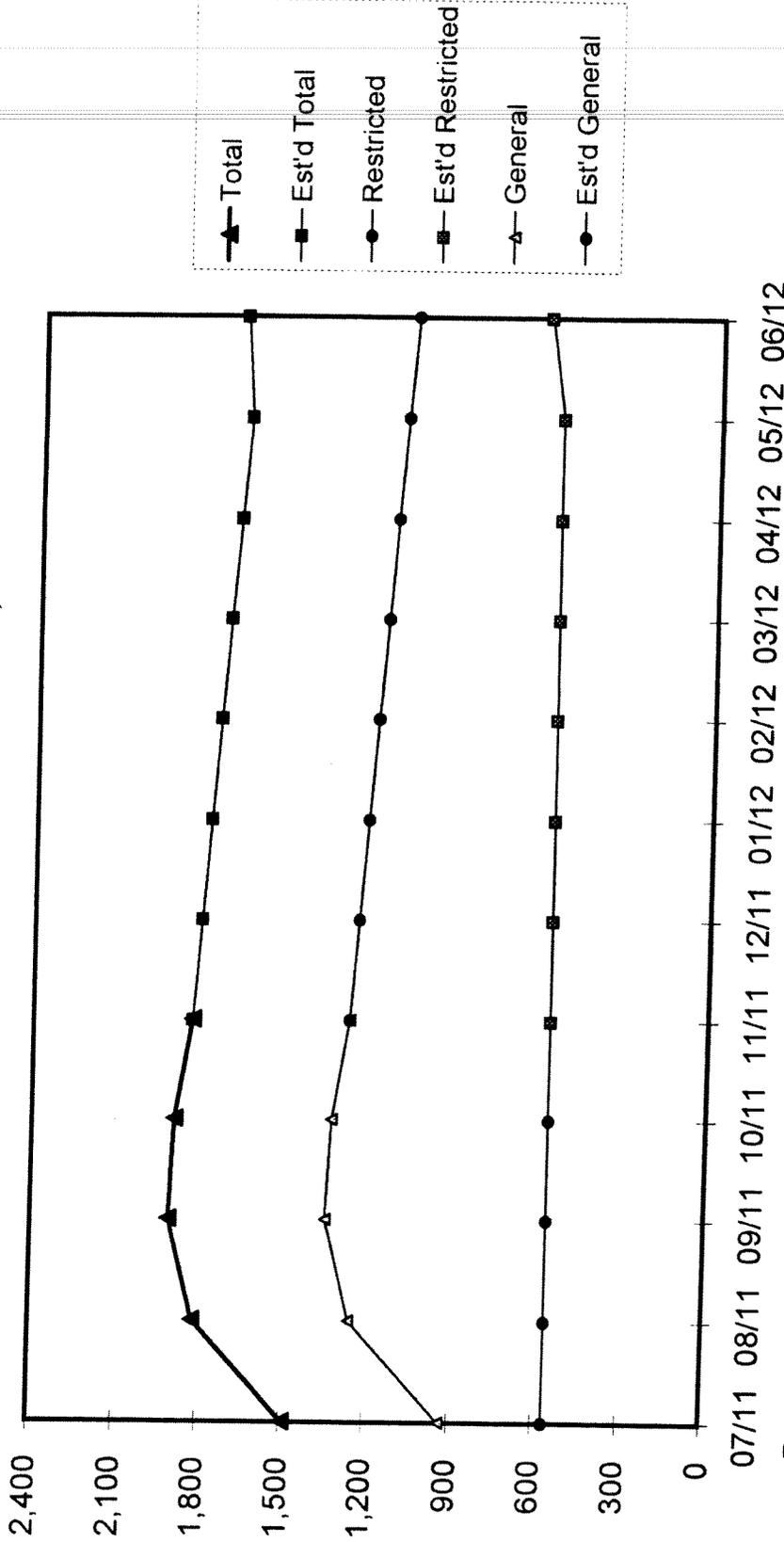


Presents year-to-date total revenues, total expenses, payroll and other expenses for the current fiscal year. The difference between total revenues and total expenses lines represents the overall year-to-date net surplus (or deficit) for the Association.

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ABAG Financial Indices

Figure 5--Fund Equity
FY 11-12 (\$'000)

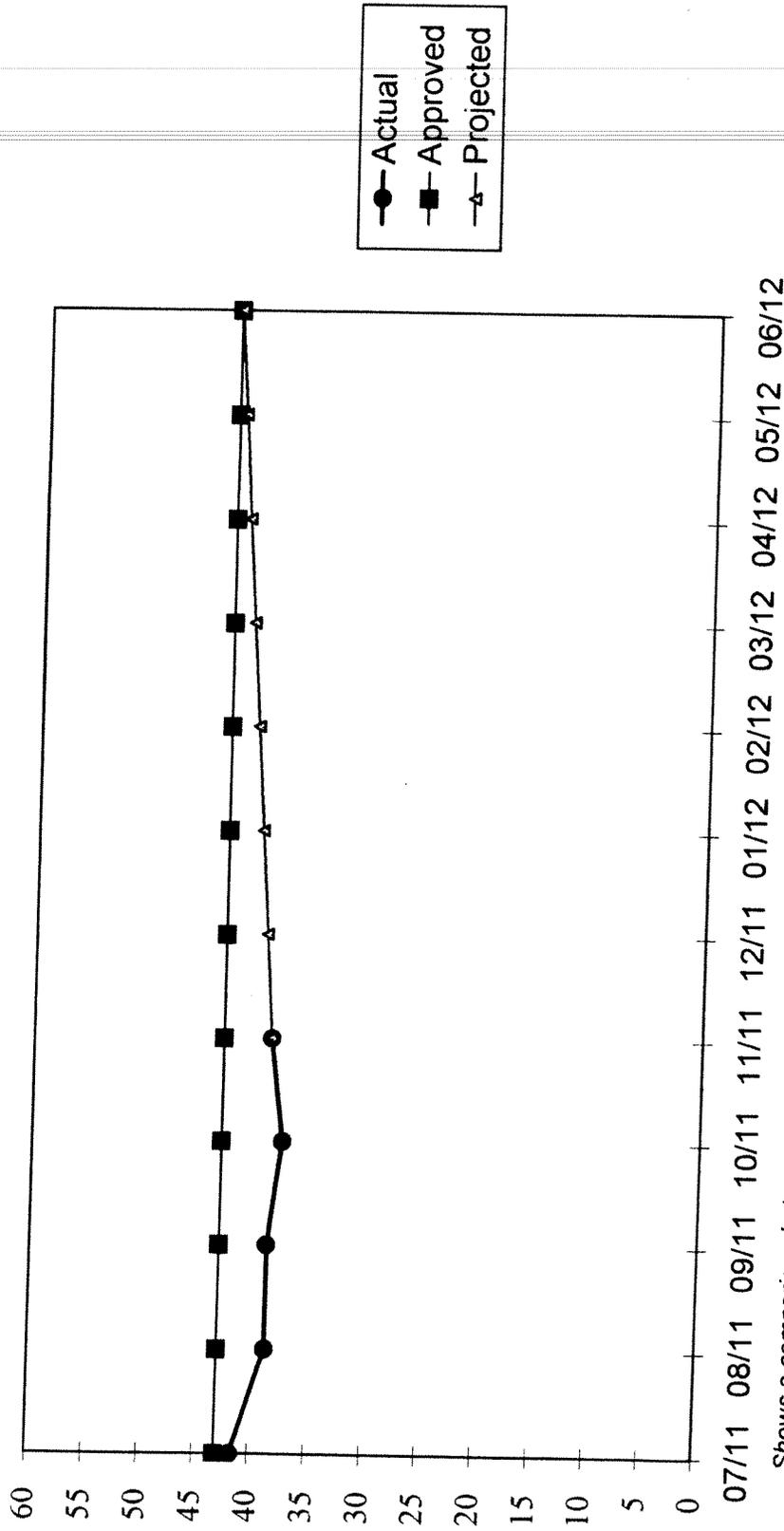


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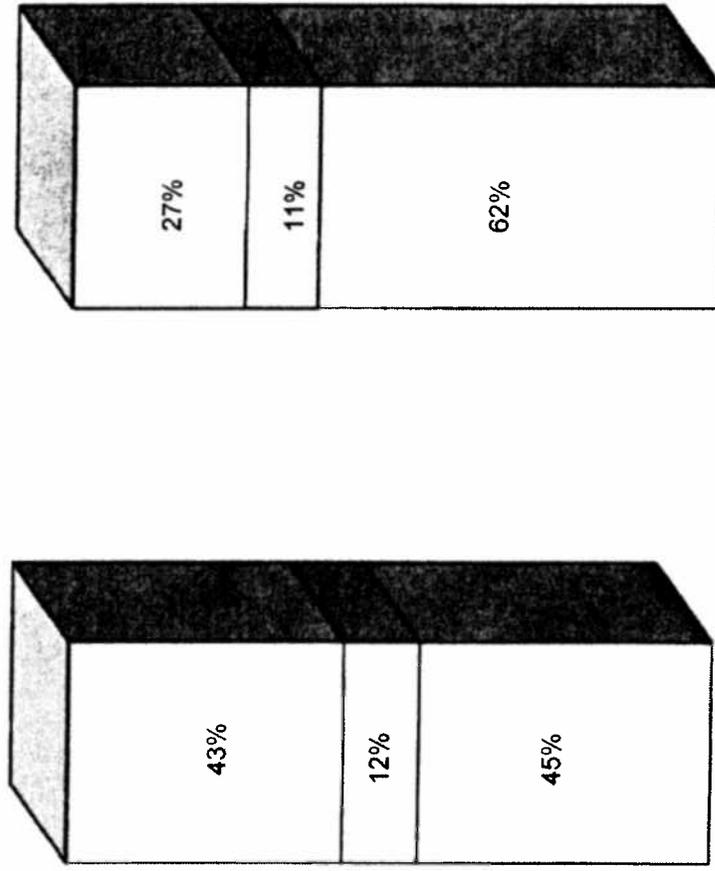


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Source: ABAG- INDICES 2011-11.xls

Figure 6

ABAG Financial Indices
Figure 7-- Composition of Expenses FY 11--FY 12
Year to Date
(\$'000)



	FY11-12 Expenses (Total \$10,423)	FY10-11 Expenses (Total \$7,419)
□ Consultants	\$4,458	\$1,979
□ Others	\$1,217	\$841
□ Payroll	\$4,748	\$4,599

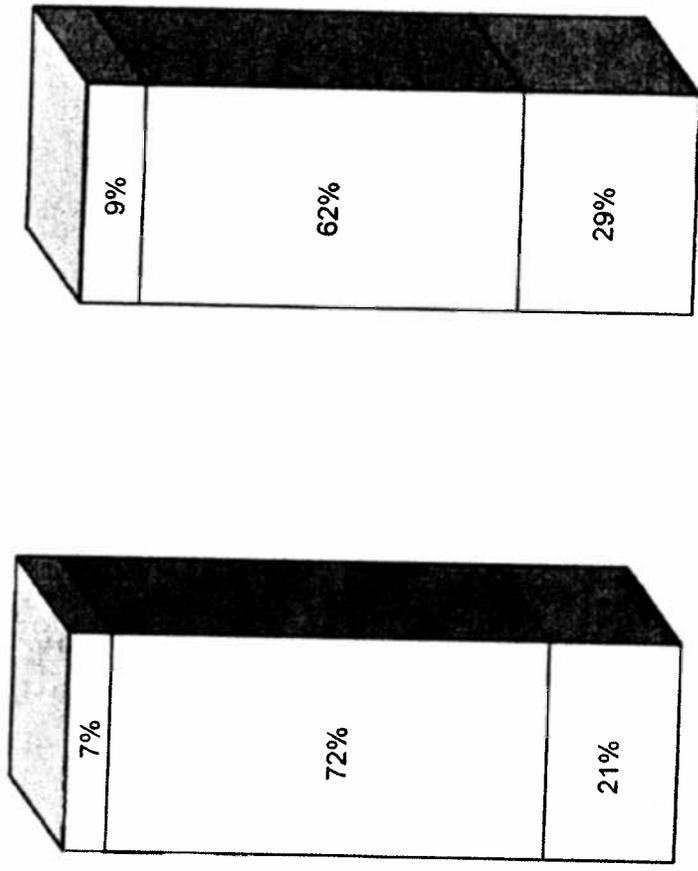
This chart compares expenses for current and prior fiscal year. It groups expenses into three broad categories--payroll costs, consultants and other expenses.

Source: ABAG -INDICES 2011-11.xls

Figure 7

ABAG Financial Indices

Figure 8-- Composition of Revenues FY 11--FY 12
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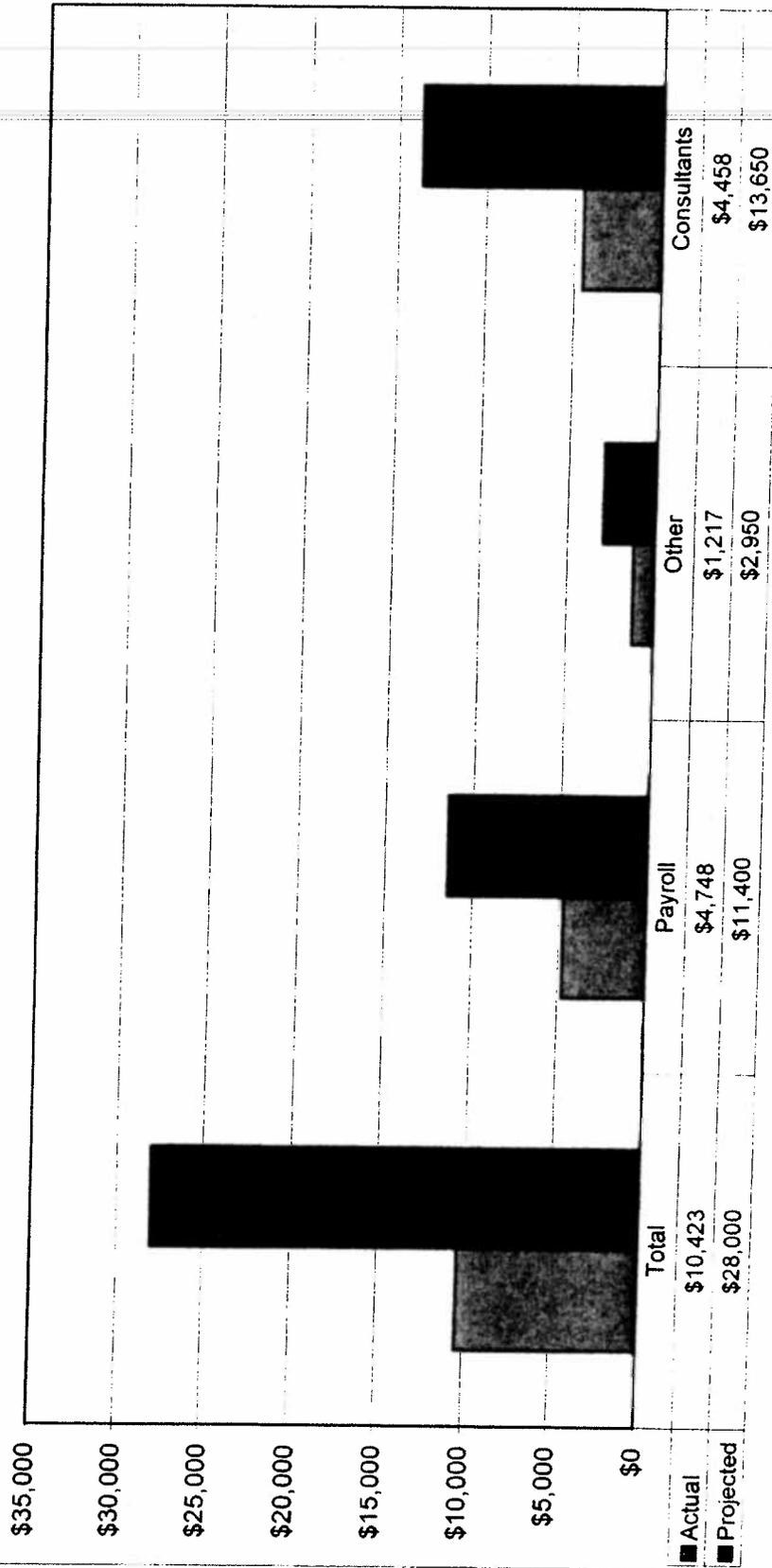
	FY 11-12 Revenue (Total \$10,620)	FY 10-11 Revenue (Total \$7,320)
Memberships	\$721	\$704
Grants	\$7,611	\$4,523
Services & Others	\$2,288	\$2,093

Presents a breakdown of total revenues into four main sources—membership, grants, services and others. This chart compares revenue sources between current and prior fiscal year.

Source: ABAG -- INDICES 2011-11.xls

ABAG Financial Indices

Figure 9--Actual vs Projected Expenses--FY 11-12 Year to Date (\$'000)

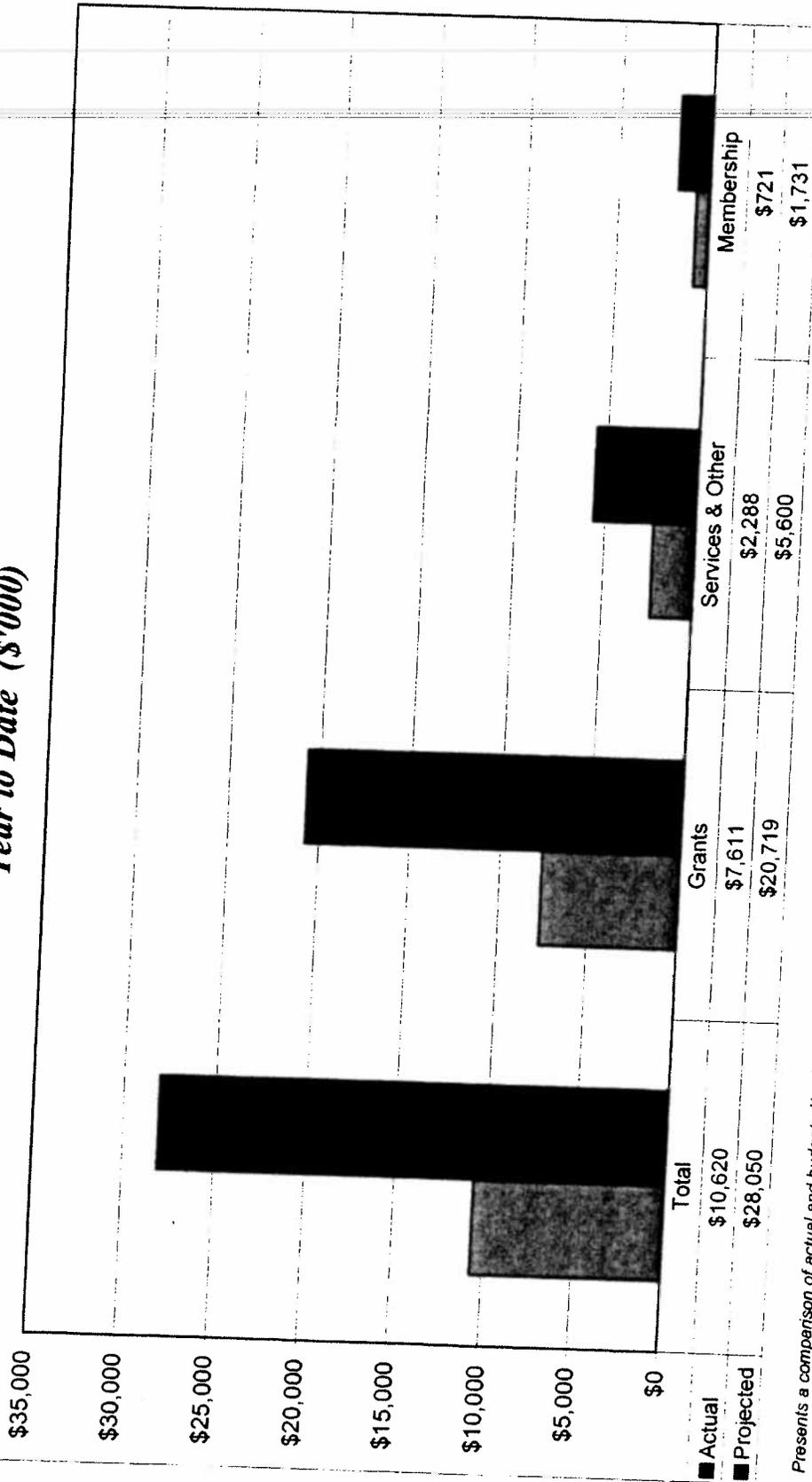


Presents a comparison of actual and budgeted/projected total expenses as well as component categories: payroll costs, consultants and other expenses.

Source: ABAG -- INDICES 2011-11.xls

Figure 9

ABAG Financial Indices
Figure 10--Actual vs Projected Revenues--FY 11-12
Year to Date (\$'000)



Presents a comparison of actual and budgeted/projected total revenues as well as component categories: membership dues, grants, services and other.

Source: ABAG -INDICES 2011-11.xls

Figure 10

**ASSOCIATION OF BAY AREA GOVERNMENTS
FINANCE & PERSONNEL COMMITTEE**

**TABLE OF FINANCIAL REPORT DATA ELEMENTS
(thousands of dollars)**

<u>Index Description</u>	<u>Nov-11</u>	<u>Oct-11</u>	<u>Sep-11</u>	<u>Nov-10</u>	<u>Oct-10</u>
Cash	4,022	3,288	3,069	1,808	1,493
Receivables	5,671	4,451	3,697	3,389	3,244
Payroll Cost-YTD	4,748	3,734	2,750	4,599	3,778
-Month	1,014	984	873	821	865
Total Other Expense-YTD	5,675	3,973	2,420	2,820	1,914
-Month	1,702	1,553	1,379	906	762
Total Expenses-YTD	10,423	7,707	5,170	7,419	5,692
-Month	2,716	2,537	2,252	1,727	1,627
Total Revenues-YTD	10,620	7,961	5,440	7,320	5,603
-Month	2,659	2,521	2,343	1,717	1,594
Fund Equity-General	1,276	1,333	1,349	922	932
Total Restricted	560	560	560	510	510
Total Fund Equity	1,836	1,893	1,909	1,432	1,442
Approved Overhead	42.95%	42.95%	42.95%	42.95%	42.95%
Overhead Rate %	38.73%	37.56%	38.73%	45.51%	46.09%

F&PC AGENDA ITEM #4-C

To: ABAG Finance and Personnel Committee

From: Herbert L. Pike, Finance Director

Date: January 19, 2012

Subject: **Adoption of California Government Voluntary Employees Beneficiary Association Restated Master Trust**

Staff Recommendation

Staff recommends that the Finance & Personnel Committee refer the attached resolution to the Executive Board with a recommendation to approve.

Background

Under the current Memorandum of Understanding between ABAG and SEIU Local 1021 representing its employees, ABAG established a new tier for the provision of retiree medical benefits. To transition from the previous designated benefit toward a designated contribution plan for retiree health benefits, it was agreed that for any employee hired on or after July 1, 2009, ABAG would "contribute 1.5% of the employee's base salary toward a Medical After Retirement Account (MARA) for each full month the employee is employed with ABAG." Existing employees hired prior to July 1, 2009 would be offered a one-time opportunity to opt into the new plan.

Because of the very small number of initial participants, it was difficult identifying providers to consider providing services to ABAG, and for those that did, the minimum monthly administrative fees required by the providers were prohibitive. After considerable search, the California Government Voluntary Employees Beneficiary Association (CALGOVEBA) appears to offer the services desired at a reasonable price.

In negotiating with CALGOVEBA, the initial administrative fee to set up the plan for ABAG would be \$3,500 with the on-going monthly administrative fees funded entirely from the individual employees' accounts. ABAG would be a member of CALGOVEBA and would have a voice with other government agencies regarding CALGOVEBA policies and programs.

The only complication resulting from the negotiations was that the Internal Revenue Service, in discussions about the prospective plan, indicated they would not approve a percentage of income basis of contribution. In lieu thereof, we are suggesting that ABAG negotiate with the union an amendment through a side-letter agreeing that a rate of \$100 per month which equates to the 1.5% previously committed.

ABAG has been holding as an accounts payable the 1.5% collected to date, and we will deposit those proceeds, with interest, to the individual accounts under CALGOVEBA as soon as the agreement is ratified.

Attachments:

- Resolution re Adoption of CALGOVEBA Restated Master Trust
- CALGOVEBA Restated Master Trust document
- Benefits Trust Plan Document

**ASSOCIATION OF BAY AREA GOVERNMENTS
EXECUTIVE BOARD**

RESOLUTION NO. 03-12

**ADOPTION OF CALIFORNIA GOVERNMENT VOLUNTARY EMPLOYEES
BENEFICIARY ASSOCIATION RESTATED MASTER TRUST (MASTER TRUST)**

WHEREAS, the Association of Bay Area Governments (ABAG) is a joint powers agency formed pursuant to the Joint Powers Act, California Government Code §§ 6500, et seq.; and

WHEREAS, the current Memorandum of Understanding between ABAG and SEIU Local 1021 established a Medical After Retirement Account (MARA) plan to replace the preexisting retiree medical benefit plan; and

WHEREAS, California Government Voluntary Employees Beneficiary Association (CALGOVEBA) provides services that would support and implement ABAG's MARA.

**ASSOCIATION OF BAY AREA GOVERNMENTS
RESOLUTION NO. 03-12**

NOW, THEREFORE, BE IT RESOLVED, that the Executive Board of the Association of Bay Area Governments herby:

- 1) adopts and approves the California Government Voluntary Employees Beneficiary Association Restated Master Trust (Master Trust); and
- 2) authorizes the Executive Director of ABAG, or his designee, to execute the Master Trust, the California Government Voluntary Employee Benefits Trust Plan Document, and any other document reasonably necessary to implementing the MARA, and to appoint ABAG's representative to the Trust Committee of the Master Trust.

The foregoing adopted by the Executive Board this 19th day of January, 2012.

Mark Luce
President

Certification of Executive Board Approval

I, the undersigned, the appointed and qualified Secretary-Treasurer of the Association of Bay Area Governments (Association), do hereby certify that the foregoing resolution was adopted by the Executive Board of the Association at a duly called meeting held on the 19th day of January, 2012.

Ezra Rapport
Secretary-Treasurer

Approved as To Legal Form

Kenneth K. Moy
Legal Counsel

CALIFORNIA GOVERNMENT
VOLUNTARY EMPLOYEES BENEFICIARY ASSOCIATION
RESTATED MASTER TRUST

TRUST restated in its entirety as of the _____ by and between The Association of Bay Area Governments, a forming public agency in the State of California (hereinafter referred to as the "Plan Sponsor "), and the Trust Committee of the California Government VEBA", (hereinafter referred to as the "Trustee").

WITNESSETH:

WHEREAS, the Plan Sponsor adopts the California Government VEBA hereinafter referred to as the "Plan", and

WHEREAS, the Plan constitutes the California Government Voluntary Employees Beneficiary Association ("California Government VEBA"); and

WHEREAS, under the Plan, funds will from time to time be contributed to the Trustee, which funds, as and when received by the Trustee will constitute a trust fund to be held for the benefit of the Members and retirees of the Plan of the Plan Sponsor having a right to benefits, pursuant to the provisions of the Plan, and such funds will be invested by the Trustee pursuant to directions by the Plan Sponsor and/or Investment Manager as provided herein; and

WHEREAS, other Plan Sponsors may adopt this Trust as a Master Trust, subject to the provisions of this Trust, to hold assets for the purpose of funding plans that are a part of the California Government VEBA; and

WHEREAS, the Plan Sponsor having entered into this Master Trust with the Trustee for the purpose of holding the assets under the Master Trust attributable to the Plan and other amounts contributed thereunder; and

WHEREAS, the assets and funds to be held in the Master Trust established hereby, as and when received by the Trustee, will constitute a trust fund to be held for the benefit of the members of the Plan and their beneficiaries; and

WHEREAS, the Plan Sponsor desires the Trustee to hold such assets and funds and the Trustee is willing to hold such assets and funds pursuant to the terms of this trust; and

WHEREAS, the master trust is intended to qualify as a "Voluntary Employees Beneficiary Association" within the meaning of Section 501(c)(9) of the Internal Revenue Code, and

WHEREAS, the master trust is intended for the purpose of creating a fund to provide for the payment of benefits that qualify under Section 501(c)(9) of the Internal Revenue Code to participating Members, including their dependents, and their designated beneficiaries.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants herein contained, the Plan Sponsor and the Trustee do hereby agree as follows:

1. The Plan Sponsor hereby adopts the California Government Voluntary Employees Beneficiary Association (VEBA) Trust (the "Master Trust") as a trust to fund the benefits provided by the Plan. All such money and property, all investments made therewith and proceeds thereof and all earnings and profits thereon, less the payments or other distributions which, at the time of reference, shall have been made by the Trustee, as authorized herein, are referred to herein as the "Fund" and shall be held by the Trustee, in trust, and dealt with in accordance with the provisions of this Trust.
2. Any other California public agency may become a Plan Sponsor and adopt the Master Trust to fund benefits provided under the California Government VEBA Plan if the Plan Sponsor adopts the Master Trust and the Plan in order to provide benefits that are funded from the Master Trust and the Trustee agrees to such adoption. The assets of each Plan Sponsor and the investment earnings thereon shall be available only to pay benefits to employees of that Plan Sponsor and any costs or fees associated with the administration of the Plan covered under this Trust.
3. It is intended that the Master Trust shall meet the requirements of Internal Revenue Code section 501(c)(9). All contributions hereunder and all assets and earnings of the Master Trust are solely and irrevocably dedicated to the payment of benefits that qualify under section 501(c)(9) of the Internal Revenue Code.

Effective January 1, 2008 and as referenced herein, the Trustee shall consist of a Trust Committee. The Trust Committee shall consist of one person designated by each Plan Sponsor. Such designated individual shall assume the responsibility of Trustee. Executive Trustees shall review all information and documents related to the daily activities and operation of the Trust and Plan and shall make recommendation(s) to the full body of Trustees forming the Trust Committee on such related matters. Such Executive Trustees shall consist of the ten original Plan Sponsors and five additional Trustees voted by the full body of Trustees to such position. A vote to fill the five additional positions shall occur every three years. Procedures to fill vacancies which occur in the interim periods shall be developed by the Trust Committee.

4. Trustee shall appoint a Trust Administrator and any and all successor Trust Administrators which shall have the authority to act for a Plan Sponsor in all matters relating to the establishment and maintenance of the Plan and Trust except those relating to the investment and management of the assets of the Trust and such other matters as are reserved to the Plan Sponsor or the Trustee under the provisions of this Trust. Without limiting the generality of the foregoing, the Trust Administrator shall have the following specific powers:
 - A. To contract for and delegate the administration of the Plan to one or more administrators, subject to approval of the Trustee.
 - B. To determine from time to time the benefits to be provided for participants under the Plan.
 - C. To retain professional advisors, including auditors and legal advisors to provide services to the Trust.
 - D. To prepare necessary filing with the state and federal government.
5. Responsibility for the management and control of the assets of the Plans which are held under the Master Trust as a funding medium (including the power to acquire or dispose of such assets) is vested in the Plan Sponsor, and/or in such one or more investment managers described in Article 13a who are appointed by the Plan

Sponsor. That portion of the Fund for which the Plan Sponsor shall have such responsibility is hereinafter referred to as the "Plan Sponsor-Directed Fund." Any portion of the Fund over which an Investment Manager shall have such responsibility is hereinafter referred to as an "Investment Manager-Directed Fund." Allocations of assets of the Fund between or among any Plan Sponsor-Directed or Investment-Manager Directed Funds shall be determined by the Plan Sponsor. For efficiency or convenience of investment or administration, the Fund or any such Plan Sponsor-Directed or Investment Manager-Directed Fund may be divided into such one or more sub-funds as the Plan Sponsor or the Trustee may deem advisable.

6. The Trust Administrator shall maintain a separate account reflecting the equitable share in the Fund of each Plan Sponsor. For this purpose, the Trustee shall determine the value of the assets of the Fund as of the last day of each calendar quarter and as of such other dates as the Trustee may deem appropriate or on which the Plan Sponsor and the Trustee may agree. Assets shall be valued at their market values at the close of business on the date of valuation, or, in absence of readily accessible market values, at such values as the Trustee shall determine in accordance with methods consistently followed and uniformly applied. Anything herein to the contrary notwithstanding, with respect to assets constituting part of a Directed Fund hereunder, the Trustee may rely, for all purposes of this Trust, including for the purpose of determining the value of such assets as of any quarterly or other valuation date, on any certified appraisal or other form of valuation submitted to it by the Investment Manager(s). The Trustee may also rely on Assets reported by an Insurer in conjunction with contracts issued by that Insurer. Any amount paid from the Master Trust which is specifically allocable to a particular Plan Sponsor shall be charged against the equitable share of such Plan Sponsor; any amount paid from the Master Trust which is allocable to all of the Plan Sponsors shall be charged against the individual Plan Sponsor assets on a pro-rata basis.
7. The Trustee shall not be required to maintain any separate records or accounts with respect to any Plan Sponsor or any participant in (or beneficiary of) any Plan Sponsor, and any such records or accounts required to be maintained pursuant to the

terms of any such Plan shall be maintained by the Plan Sponsor or by the appropriate committee directly charged with such responsibility.

8. By entering into this Trust, the Trustee does not assume any responsibility or undertake any duty to enforce payment of any contribution under any collective bargaining agreement, any responsibility for the adequacy of the Fund or the funding standards adopted by any Plan Sponsor to meet or discharge any liabilities under such agreement or standard, or any responsibility under the terms of this Trust for the management or control of any Discretionary or Directed Funds. Except as may otherwise be required by law, no duties or obligations shall be imposed upon the Trustee unless they have been specifically undertaken by the express terms of this Trust.
9. The Trustee shall receive any contributions paid to it in cash or in other property acceptable to it. All contributions so received, together with the income therefrom and any other increment thereon, shall be held by the Trustee pursuant to the terms of this Trust without distinction between principal and income. The Trustee shall not be responsible for the collection of any contributions to the Plans.
10. The Trustee may from time to time consult with counsel, who may be counsel to the Plan Sponsor, with respect to any question arising as to the construction of this Trust or any action to be taken hereunder and the Trustee shall be fully protected, to the extent permitted by law, in acting in good faith upon the advice of counsel.
11. Subject to the provisions of Article 12 hereof, the Trustee from time to time upon receipt of written notice from the Trust Administrator, may make payments out of the Trust Fund to such persons, in such manner, in such amounts and for such purposes, including the payment of expenses of the Plan and the purchase of life insurance and/or annuity contracts, as may be specified by the Trust Administrator. Except as may otherwise be required by law, the Trustee shall be under no liability for any payment made by it pursuant to a written direction of the Trust Administrator and

shall be under no duty to make inquiries as to whether any payment directed by the Trust Administrator is made pursuant to the provisions of the Plan.

12. Notwithstanding anything to the contrary contained in this Trust or in any amendment thereto, it shall be impossible, at any time prior to the satisfaction of all liabilities with respect to the members under the Plans or their beneficiaries, for any part of the Fund, other than such part as is required to pay taxes and expenses of administration, to be used for or diverted to purposes other than for the exclusive benefit of the members under the Plans or their beneficiaries.
13. Unless otherwise prohibited by law or otherwise specified herein, the Trustee shall have the following powers and authority with respect to the Trust Fund:
 - a. To invest and reinvest, as directed by the Plan Sponsor and/or the Investment Manager, the principal and income of the Fund and keep the Fund invested without distinction between principal and income, in such securities or in such property, real or personal (whether or not income producing), wherever situated, including, but not limited to, life insurance, contracts, stocks, common or preferred; any mutual or other funds maintained or established by the Trustee or any affiliate thereof; bonds and mortgages and other evidence of indebtedness or ownership in any common, collective or commingled trust fund maintained by the Trustee, as the same may be amended from time to time, and during any period when such funds are used, the instrument establishing such fund shall constitute a part of this Trust. In making such directed investments, the Trustee shall not be restricted to securities or other property of the character authorized or required by applicable law from time to time for trust investments. The Plan Sponsor and/or Investment Manager shall direct the Trustee in writing as to the asset allocation or percentage mix of types of investments to be used by the Trustee for the investment of the Trust Fund, and as to specific investments to be made by the Trustee of amounts in the Trust Fund. To the extent permitted by law, the Trustee shall not be liable and shall be held harmless and indemnified by the Plan Sponsor for any losses

incurred in connection with the Trust Fund caused by its reliance thereon. Such losses may be either actual realized losses or losses in the nature of "lost investment opportunity."

- b. To settle, compromise or submit to arbitration any claims, debts or damages, due or owing to or from the Master Trust, to commence or defend suits or legal proceedings and to represent the Master Trust in all suits or legal proceedings in any court of law or before any other body or tribunal.
- c. To exercise any conversion privilege and/or subscription right available in connection with any securities or other property at any time held by it; to oppose or to consent to the reorganization, consolidation, merger or readjustment of the finances of any corporation, company or association, or to the sale, mortgage, pledge or lease of the property of any corporation, company or association any of the securities of which may from time to time be held by it and do any act with reference thereto, including the exercise of options, the making of trusts or subscriptions, and the payment of expenses, assessments or subscriptions, which may be deemed necessary or advisable in connection therewith, and to hold and retain any securities or other property which it may so require.
- d. To exercise, personally or by general or by limited power of attorney, any rights, including the right to vote, appurtenant to any securities or other property held by it at any time.
- e. To hold part or all of the Funds uninvested.
- f. To employ and unemploy agents, including the Trust Administrator, counsel, and auditor and to pay from the Trust Fund their reasonable expenses and compensation.
- g. To register any securities held by it hereunder in its own name or in the name of a nominee with or without the addition of words indicating that such securities are held in a fiduciary capacity and to hold any securities in bearer form.
- h. To make, execute and deliver, as Trustee, any and all deeds, leases, mortgages, conveyances, waivers, releases or other instruments in writing necessary or desirable for the accomplishment of any of the foregoing powers.

- i. To deposit any part of the Fund in interest bearing account deposits maintained by the Trustee.
 - j. Generally to do all acts, whether or not expressly authorized, which the Trustee may deem necessary or desirable for the protection of the Trust Fund.
14. The Plan Sponsor reserves the right to retain the services of one or more persons or firms for the management of (including the power to acquire and dispose of) all or any part of the Fund, provided that each of such persons or firms is registered as an investment advisor under the Investment Advisors Act of 1940, is a bank (as defined in that Act), or is an insurance company qualified to manage, acquire or dispose of trust assets under the laws of more than one state, and provided that each of such persons or firms has acknowledged in writing that he is a fiduciary with respect to the Plan; in such event, the investment manager or managers so retained (the "Investment Manger(s)") shall have the same investment powers and duties as the Trustee, and the Trustee shall not be liable for the acts or omissions of such Investment Manager(s), nor shall it be under any obligation to invest or otherwise manage any Trust Fund assets which are subject to the management of such Investment Manager(s).
15. The Trustee shall pay out of the Fund all personal property taxes, income taxes and other taxes of any and all kinds levied or assessed under existing or future laws against the Trust Fund.
16. The Trustee shall, within 90 days after the close of each calendar year, and within 90 days after the removal or resignation of the Trustee or the termination of the Trust or Plan, render accounts of its transactions to the Trust Administrator and Plan Sponsor. The Trust Administrator and Plan Sponsor may make exceptions to such accounts by an instrument in writing delivered to the Trustee. In the absence of the filing in writing with the Trustee of exceptions or objections to any such account within ninety (90) days of the rendering, shall be deemed to have been approved, the Trustee shall be released, relieved and discharged with respect to all matters and things set forth in such account as though such account had been settled by the decree of a court of competent jurisdiction. The Trustee shall keep accurate and detailed accounts of all

investments, receipts, disbursements and other transactions hereunder for the Fund (including any Discretionary or Directed Fund) and all accounts, books and records relating thereto shall be open to inspection and audit at all reasonable times by any persons designated by the Trustee or Trust Administrator. Except as the Retirement Security Act of 1974, as amended ("ERISA"), provides otherwise, no person other than the Plan Sponsor may bring any action against the Trustee with respect to the Trust or their actions as Trustee. The Trustee shall from time to time permit an independent public accountant selected by the Plan Administrator (except one to whom the Trustee has reasonable objection) to have access during ordinary business hours to such records as may be necessary to audit the Trustee's accounts.

17. The Trustee shall be fully protected in relying upon notice from the Trust Administrator with respect to any instruction, direction or approval of the Trust Administrator, and protected also in relying upon a notice from the Trust Administrator as to the person or persons who are authorized to direct payments from the Trust Fund and in continuing to rely upon such notice until a subsequent notice is filed with the Trustee.

The Trustee shall be fully protected in acting upon any instrument, certificates or paper believed by it to be genuine and to be signed or presented by the proper person or persons, and the Trustee shall be under no duty to make any investigation or inquiry as to any statement contained in writing, but may accept the same as conclusive evidence of the truth and accuracy of the statements therein contained.

The Trustee shall not be liable for the application of any part of the Fund if payments are made in accordance with the approved written instructions of the Trust Administrator as herein provided, nor shall the Trustee be responsible for the adequacy of the Fund to meet and discharge any and all payments and liabilities under the Plan. All persons dealing with the Trustee are released from inquiry into the decision or authority of the Trustee and from seeing to the application of any moneys, securities or other property paid or delivered to the Trustee.

The Trust Administrator and Plan Sponsor hereby agree to hold the Trustee harmless from and against all taxes, expenses (including counsel fees), liabilities, claims, damages, actions, suits or other charges incurred by or assessed against it as a successor Trustee, as a direct or indirect result of any act or omission of a predecessor Trustee or any other person charged under any trust affecting Fund assets for investment responsibilities with respect to such assets.

The Plan Sponsor agrees to hold harmless and indemnify the Trustee, to the fullest extent permitted under applicable law, for any and all liabilities of any kind incurred by the Trustee in connection with the Plans and Trust (a) relating to periods of time prior to the Trustee's becoming Trustee, or (b) relating to periods of time while the Trustee is Trustee if such liability is not due to the Trustee's negligence, willful misconduct, or breach of its fiduciary duties.

18. The Trustee may resign at any time by giving sixty (60) days written notice to the Trust Administrator. In the case of the resignation or removal of the Trustee, the Trust Administrator immediately shall appoint a successor Trustee. If for any reason the Trust Administrator cannot or does not act in the event of the resignation or removal of the Trustee, as hereinabove provided, the Trustee may apply to a court of competent jurisdiction for the appointment of a successor Trustee. Any expenses incurred by the Trustee in connection therewith shall be paid from the Fund as an expense of administration. Any successor Trustee shall have the same powers and duties as those conferred upon the Trustee named in this Trust. The removal of the Trustee and the appointment of a new Trustee shall be by written instrument delivered to the Trustee.

19. This Trust, subject to the provisions of Article 1 may be amended by the Trustee at any time or from time to time and in any manner and the provisions of any such amendment may be made applicable to the Fund as constituted at the time of the amendment as well as to the part of the Fund subsequently acquired; provided, however, that no such amendment shall increase the duties of the Trustee without its

consent. Any amendment shall be by a written instrument adopted by the Trustee.

20. This Trust and the trust created hereby may be terminated at any time by the Trustee, and upon such termination, the Fund shall be paid out by the Trustee as and when directed by the Trust Administrator in accordance with the provisions of Article 12 hereof.
21. The Trust Administrator shall provide the Trustee with copies of all documents constituting a Plan at the time the Trust is executed by a Plan Sponsor, as provided in Article 2, and all other documents amending or supplementing a participating Plan promptly upon their adoption. The Trustee shall be entitled to rely upon the Trust Administrator's attention to this obligation and shall be under no duty to inquire of the Trust Administrator as to the existence of any documents not provided by the Trust Administrator hereunder. The Trustee is bound and acknowledges that it is a fiduciary with respect to the Master Trust and the participating Plans and by the fiduciary responsibility provisions of ERISA as applicable to governmental plans. The provisions of ERISA are expressly made applicable to the provisions of this Master Trust in order to ensure that the Master Trust meets the control requirements for a VEBA under the provisions of 501(c)(9) of the Internal Revenue Code.
22. To the extent consistent with the provisions of ERISA, this Agreement and the trust created hereby shall be construed, regulated and administered under the laws of the State of California, and the Trustee shall be liable to account only in the courts of the State. All contributions to the Trustee shall be deemed to take place in the State of California. Unless the provisions of ERISA provide otherwise, the Trustee may at any time initiate an action or proceeding for the settlement of its accounts or for instructions, and the only necessary party defendant to such action or proceeding shall be the Employer except that the Trustee may, if it so elects, bring in as parties defendant any person or persons.

IN WITNESS WHEREOF, this instrument has been executed as of the day and year first
above written.

SPONSOR

ATTEST:

By: _____

Name:

Title:

Date: _____

TRUSTEE:

ATTEST:

Trust Committee

By: _____

Name:

Title:

Date:

**CALIFORNIA GOVERNMENT VOLUNTARY EMPLOYEE
BENEFITS TRUST PLAN DOCUMENT**

This Plan is adopted as restated as of _____ by _____, (the "Plan Sponsor") and, together with the trust established to hold the assets of the Plan, evidences the Voluntary Employees' Beneficiary Association established by the Plan Sponsor for the benefit of its eligible employees.

RECITALS

WHEREAS, the Plan Sponsor wishes to establish a comprehensive integrated program under which the Plan Sponsor, other Plan Sponsors, and collective bargaining units can negotiate for a variety of health and welfare benefits for its Employees; and,

WHEREAS, such comprehensive program, known as the California Government Voluntary Employee Beneficiary Association was implemented to effect economies of scale through the commingling of assets for investment purposes and centralizing of administrative services to provide the Plan Sponsors with a cost effective vehicle through which to offer benefits to their Employees; and,

WHEREAS, it is the intent of the Plan Sponsor to establish a Voluntary Employees' Beneficiary Association ("VEBA") Plan as an integral part of California Government Voluntary Employees' Beneficiary Association Trust; and,

WHEREAS, the Plan Sponsor will provide for a Trust to hold the funds of the VEBA for the benefits specified in this Plan under and in accordance with this Plan and,

WHEREAS, the Plan Sponsor intends that the Plan hereby established, when taken together with the Trust, shall constitute a Voluntary Employees' Beneficiary Association under Section 501(c)(9) of the Internal Revenue Code of 1986, as amended (the "Code");

NOW, THEREFORE, in consideration of the foregoing, the Plan Sponsor adopts the following Plan:

**Article I
Name & Documents**

- 1.1 Name. The name of this Plan shall be the California Government VEBA Plan (the "Plan"). It is established pursuant to the provisions of Code Section 501 (c)(9), and together with the Trust adopted to fund the benefits evidences the Plan Sponsor's intent to form a VEBA.
- 1.2 Plan Documents. This Plan, together with the Trust Agreement shall constitute the entire Plan. This Plan document together with such negotiated collective bargaining agreement(s), political body resolutions, and/or other documents establishing rates of contribution, eligibility and participation within the Plan shall compose the entire plan.

Article II
Definitions

- 2.1 “Beneficiary”: A person or persons who are entitled to receive benefits under the Plan and who are identified in a form prescribed by the Trust Administrator.
- 2.2 “Contributions”: Amounts deposited in the Trust pursuant to the terms of a collective bargaining agreement, political body resolution, Plan Sponsor personnel practices, or other document(s) establishing rates of contribution, eligibility and participation within the Plan.
- 2.3 “Effective Date”: The Effective Date shall be the date the Plan and Trust are adopted by the Plan Sponsor.
- 2.4 “Employee”: Any employee of the Plan sponsor.
- 2.5 “Individual Account”: An account as described in Article VI.
- 2.6 “Plan Sponsor, Employer”: Any public agency or political subdivision thereof which has adopted and not terminated a Plan and Trust as part of the California Government VEBA.
- 2.7 “Member”: Any of the following persons who meet the eligibility requirements provided in the Plan:
- 2.7.1 An actively employed Employee.
 - 2.7.2 An inactive Employee.
 - 2.7.3 A retired former Employee.
 - 2.7.4 A dependent of an active, inactive, or retired Employee who is a Member including the Employee’s spouse; a minor child residing with the Employee; a child of the Employee who is a student within the meaning of Code Section 151(e) (4); any other person who is a dependent of the Employee within the meaning of Code Section 152(a).
 - 2.7.5 A beneficiary of an active, inactive or retired Employee who is or was a Member.
 - 2.7.6 “Inactive Employee” means: An Employee who, although not actively employed by the Plan Sponsor, retains eligibility for benefits.
- 2.9 “Plan Administrator”: The individual, position or organization designated by the Trustee to act in matters relating to the administration of the Plan and its Documents.
- 2.10 “Trust Administrator”: The entity appointed by the Trustee to perform the duties listed herein.
- 2.11 “Trustee”: The Trust Committee appointed by the forming agency Plan Sponsors, or

other individual or entity as determined pursuant to the California Government Code.

Article III **Participation**

- 3.1 Eligibility.
- 3.1.1 In General. Subject to the limitations of section 3.2, every Employee shall be eligible to become a Member under this Plan at the time of the first Plan Sponsor contribution to this Plan on the Employees' behalf. The Plan Sponsor may contribute to the Plan on behalf of its Employees on terms pursuant to a collective bargaining agreement, political body resolution, Plan Sponsor personnel practices, or other documents establishing rates of contribution, eligibility and participation within the Plan including employer contributions leave conversion programs, or negotiated employer contributions through salary reduction.
- 3.2 Limitations.
- 3.2.1 Participation shall be limited to those Employees by or on behalf of whom a contribution is made to the Trust.
- 3.2.2 This Plan does not permit any condition for eligibility which would limit participation or benefits to officers or highly compensated Employees.
- 3.3 Procedure. After satisfying all eligibility requirements, an Employee shall participate in this Plan when the Trustee receives the initial contribution for the Member.
- 3.4 Duration of Participation. Once an Employee becomes a Member in the Plan, his participation shall continue as long as funds remain in or are required to be deposited in his/her Member's Individual Account.
- 3.5 Voluntary Participation. Participation shall be mandatory for all employees within a defined employee unit which has negotiated provisions for participation and contributions as evidenced by a collective bargaining agreement, political body resolution, Plan Sponsor personnel practices, or other documents establishing rates of contribution, eligibility and participation within the Plan. Such participation shall be governed by the applicable provisions of the Internal Revenue Service (IRS).

Article IV **Plan Benefits**

- 4.1 Description. The purpose of the Plan is to provide health and welfare benefits and similar benefits permitted under section 501 (c)(9) of the Internal Revenue Code, for use during periods of employment, layoff or retirement. Health Benefits may include benefits as defined by Code Section 213 and excludable from income under Code Sections 105 and 106 as amended from time to time. Such benefits may be provided through

reimbursement or through the payment of premiums to a medical benefit or health insurance program. Benefits may include payment for services or benefits designed to safeguard or improve the health of Members or clinical care services by visiting nurses, nursing homes and transportation for medical care. Welfare benefits may include, but are not limited to severance, unemployment, life, death and/or education benefits.

Health benefits will be separately accounted for, i.e., that money cannot be transferred from health benefits to pay other kinds of benefits.

- 4.2 Commencement of Benefits. Benefits commence for covered expenses incurred on or after the date an Employee becomes a Member in the Plan.
- 4.3 Benefit Payments. Benefits are payable for covered expenses incurred by the Member or the Member's dependents.
- 4.4 Designation of Beneficiaries. The Member shall have the sole right to designate the Beneficiary or Beneficiaries eligible to receive any benefit under the Plan. Such beneficiaries are limited to spouses, dependents and domestic partners and any other beneficiaries as may be permitted by the IRS in the future.
- 4.5 Termination of Benefits. Benefits for Members and their dependents shall terminate when there are no longer any assets available for payment.
- 4.6 Qualified Dependent Payments from Individual Accounts. If an Individual Account is established, in the event of the Member's death, any funds then remaining in the Member's Individual Account shall be used for medical expenses of the Member's spouse and qualified dependents.
- 4.7 Unallocated Benefit Accounts. The Plan Sponsor may participate in this Plan without establishing Individual Accounts for Members. The Plan Sponsor shall specify the Employees to whom benefits are to be paid, and the amount and type of benefits. The assets contributed for such Employees and earnings thereon shall be accounted for in a separate sub account of the Trust. Benefits shall then be paid to Members as prescribed by the provisions of this Plan and any other instrument that is deemed a part of this Plan for the purpose of determining benefits to be paid. When the assets in such sub account are exhausted no further benefits shall be paid.

Article V **Funding of Benefits**

- 5.1 Plan Sponsor's Contributions. Plan Sponsor contributions made to this Plan and Trust shall be specifically allocated to an Individual Account for each Member for the purpose of providing payment of the benefits described herein unless the Plan Sponsor is providing for Unallocated Benefits pursuant to Section 4.7.
- 5.2 Determination of Benefits. Unless the benefits are being provided on an Unallocated

Basis pursuant to Section 4.7, amounts contributed on behalf of each Member shall be determined pursuant to the provisions of the collective bargaining agreement, political body resolution, Plan Sponsor personnel practices or other documents establishing rates of contribution, eligibility and participation within the Plan. If benefits are being provided on an Unallocated Basis benefits shall be determined on the same basis.

5.3 Termination of Plan Sponsor Contributions. Contributions shall cease when the collective bargaining agreement, political body resolution, Plan Sponsor personnel practices or other documents establishing rates of contribution, eligibility and participation within the Plan no longer provide for contributions. The Plan Sponsor shall be responsible for informing the Trust Administrator and Plan Administrator when Plan Sponsor Contributions for any Employee or Employees will cease.

5.4 Plan Sponsor Contribution. All Plan Sponsor contributions shall be based on the collective bargaining agreement, political body resolution, Plan Sponsor personnel practices or other documents establishing rates of contribution, eligibility and participation within the Plan. Such contributions may include the following:

5.4.1 Contributions from accumulated leave conversion. Such leave conversion contributions shall be consistent with the provisions of the collective bargaining agreement, political body resolution, Plan Sponsor personnel practices or other documents establishing rates of contribution, eligibility and participation for such leave conversion. Such contribution may be made on an annual basis or at the termination of employment in accordance with IRS provisions as specified within the applicable document(s). A percentage contribution range (for example 10 to 50 percent of the converted value of the leave) may be negotiated as contribution to the VEBA. However, the employee election under the collective bargaining agreement may not be changed, nor can any amount of the contribution be returned to the employee as cash. An employee contribution made within the negotiated range of contribution percentage shall not be treated as an individual employee election.

5.4.2 Employer Pick Up Contribution. Such contribution shall be made consistent with the provisions of the collective bargaining agreement, political body resolution, Plan Sponsor personnel practices or other documents establishing rates of contribution, eligibility and participation for such contributions. Eligible employees may elect to participate at the rate of contribution established within the applicable document(s). Such contribution may be made from a negotiated dollar range (\$50 to \$500) per pay period. All eligible employees must make the mandatory election within 30 days of the effective date of the Plan or within 30 days of the date of hire if hired after the effective date of the Plan. All eligible employees must provide an irrevocable payroll deduction authorization at the time of contribution election. The employee does not have the option of receiving the deduction amounts directly instead of having them paid by Employer to the Plan. Such contributions are being picked up by Employer, and, although designated as employee contributions, such contributions are being paid in lieu of contributions by the employee. While the collective bargaining agreement, political body resolution, Plan Sponsor personnel practices or other documents establishing rates of contribution, eligibility and participation for such contributions are in effect the Plan will only accept

contributions from Employer and not directly from the employee.

Article VI

Allocation to Member's Accounts

- 6.1 Members' Individual Accounts. A separate account shall be maintained by the Plan Administrator for each Member to account for the income, gains, losses, and expenses or benefit payments attributable to his or her account unless benefits are being provided on an Unallocated Basis.
- 6.2 Receipt of Contributions. Contributions will be credited when received by the Trustee.
- 6.3 Accounting. The Plan Administrator shall develop such accounting procedures as are deemed appropriate for the accurate reflection of the Members' Individual Account balance or the assets contributed, earnings thereon and benefits paid if benefits are being provided on an Unallocated Basis.

Article VII

General Provisions

- 7.1 Source of Benefits. The Plan and Trust's liability to any Member for benefits under the Plan shall be limited to the sum of the contributions made to his/her Individual Account and/or the amount of contribution made by the Plan Sponsor and interest thereon for the specified benefit of said Member if benefits are being provided on an Unallocated Basis.
- 7.2 Mechanics of Payment. The Member shall, with respect to any benefit, and subject to the reasonable procedures established by the Plan Administrator, direct the Plan Administrator:
 - 7.2.1 To pay benefits directly to an insurance company for qualified insurance premiums; or
 - 7.2.2 To pay benefits to a Plan Sponsor for qualified Medical premium payments; or
 - 7.2.3 To pay benefits to the Member for reimbursement of qualified medical expenses; or any combination as allowed under the procedures adopted by the Plan Administrator.
- 7.3 Claims Procedure. At such time when a Member believes he/she is entitled to receive a benefit under the Plan, such Member shall deliver a request for such benefit in writing to the Plan Administrator. The Plan Administrator shall review the claimant's request for a Plan benefit and shall, within a reasonable time thereafter, notify the claimant of its decision as follows:
 - 7.3.1 If the claimant's request for a Plan benefit is approved, the Plan Administrator shall proceed with the distribution of such Plan benefit pursuant to the reimbursement method selected by the Member.
 - 7.3.2 If the claimant's request for a Plan benefit is denied, in whole or in part, by the

- Plan Administrator, the Plan Administrator shall notify the claimant of such denial and shall provide the claimant with a reasonable procedure for review.
- 7.3.3 Any claimant whose request for Plan benefits has been denied, in whole or in part, may appeal said denial of Plan benefits in accordance with the appeal process established by the Plan Administrator. Such request for review must be delivered to the Plan Administrator within the specified time period after the date the claimant received written notification of the Plan Administrator's initial denial of the claimant's request for Plan benefits.
- 7.3.4 The Plan Administrator shall permit the claimant to review pertinent documents and submit written issues and comments concerning the denial of claimant's request for Plan benefits.
- 7.4 Limitation on Death Benefit. A death benefit that is payable in the form of health benefits can be payable only to a spouse, dependent, or domestic partner.
- 7.5 Other Welfare Benefits. The Trustee shall determine the type and amount for all other welfare benefits if desired to be provided by the Trust.

Article VIII Administration

- 8.1 Trust Administrator. The Trust Administrator of the California Government Voluntary Employees Beneficiary Association Master ("Trust") shall perform such duties as directed by the Trustee and the terms of this agreement.
- 8.2 Trust Administrator Duties. The Trust Administrator shall have responsibility for directing the maintenance of records of the balances, claims, and contributions to the Individual Accounts as well as such records as are needed to maintain the Plan if contributions are made on an Unallocated Basis. The Trust Administrator shall cause the enforcement of this Plan in accordance with its terms and those of the Trust and shall be charged with the general oversight of the Plan Administrator for the Plan. In addition, the Trust Administrator, or its delegatee, shall have the following duties some of which will be directed through the Plan Administrator:
- 8.2.1 to determine all questions relating to the eligibility of Employees to participate.
 - 8.2.2 to report to the Trustee as directed;
 - 8.2.3 to compute and certify to the Trustee the amount and kind of benefits payable to the Members, their dependants and Beneficiaries;
 - 8.2.4 to maintain all the necessary records for the Administration of this Plan;
 - 8.2.5 to account for the investments made by the Trustee in a manner consistent with the objectives of the Plan and authorized by the Trust;
 - 8.2.6 to make and publish such rules for the regulation of this Plan as are not inconsistent with the terms hereof.
- 8.3 Information. To enable the Trust Administrator to perform its functions, the Plan Sponsor shall supply it with full and timely information on all matters relating to the

compensation of all Employees, their services, their retirements, deaths or the causes for terminations of employment and such other pertinent facts as the Trust Administrator may require.

- 8.4 Expenses. All expenses shall be paid from the earnings on the assets held in the Trust, unless otherwise authorized by the Trustee.
- 8.5 Consultants, Advisors & Managers. The Trust Administrator may employ such consultants, advisors and investment managers as it deems necessary or useful in carrying out its duties hereunder, with the cost thereof to be paid from the Trust assets. Such Consultants, Managers and Advisors are subject to approval by the Trustee.
- 8.6 Funding Policy & Procedures. The Trustee, Trust Administrator and Plan Sponsor shall formulate policies, practices and procedures for contributions to, payments from, and funding of the Plan, which shall be consistent with the Plan objectives and the provisions of applicable law. Without limiting the generality of the foregoing, the Trust Administrator may, from time to time, accomplish the following:
- 8.6.1 Establish a regular and convenient schedule of planning meetings, not less often than annually.
 - 8.6.2 Review short term, intermediate and long range investment goals.
 - 8.6.3 Determine and project benefit liabilities.
 - 8.6.4 Make plans to satisfy the liquidity needs of the Plan; and
 - 8.6.5 Consult with such other advisors as may be necessary to assure the efficient payment of Plan benefits.
 - 8.6.6 Recommend asset investment models, fund managers and investment options.

Article IX **Liability**

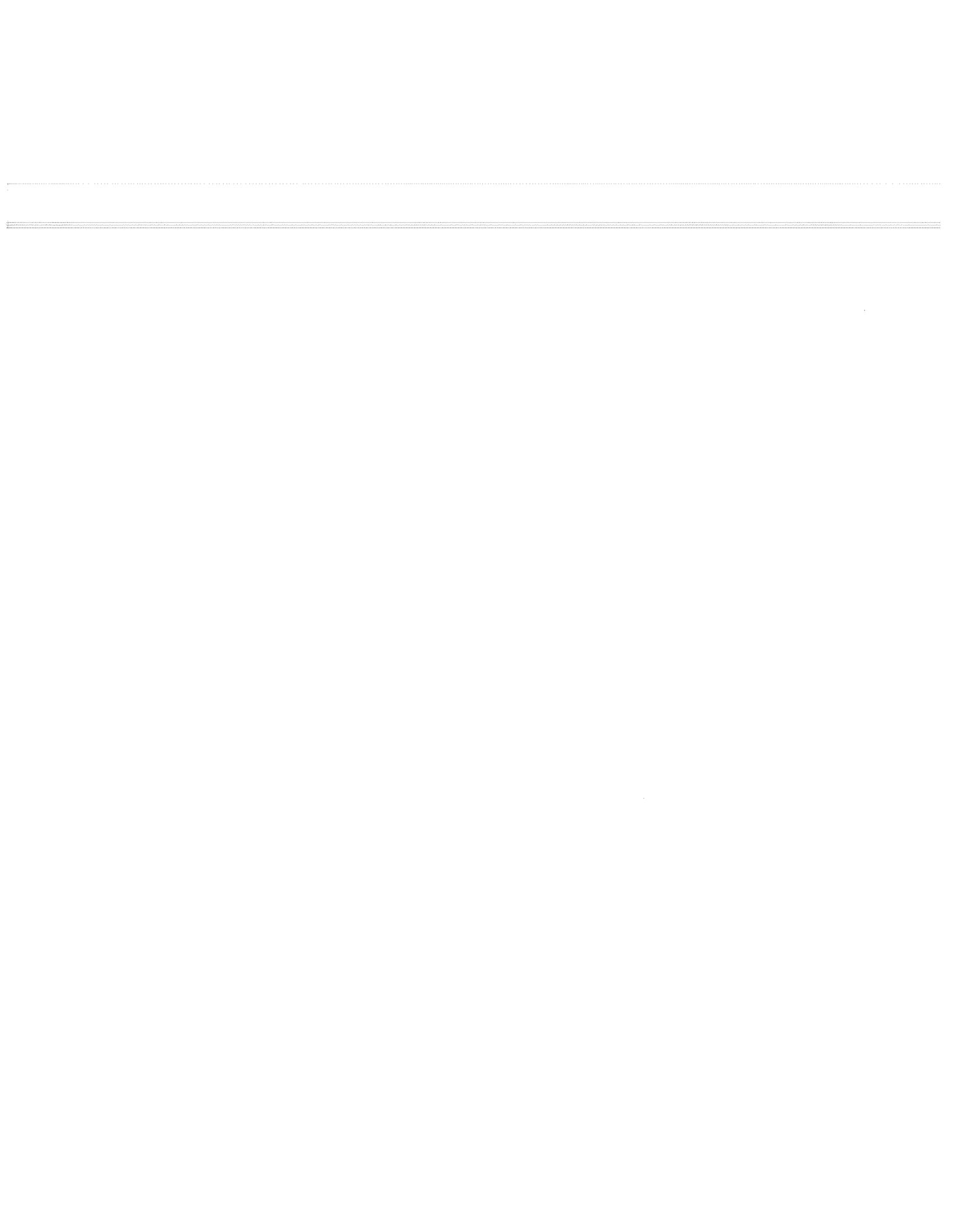
- 9.1 No Rights. Neither the establishment of this Plan, nor any modification or amendment thereof, nor the payment of any benefits, shall be construed as giving any Member, or any person whomsoever, any legal or equitable right against the Trustee, Trust Administrator, Plan Sponsor, or the assets of the Plan.
- 9.2 Obligations of Plan Sponsor. Only assets in the Trust shall be available to pay the benefits and claims which arise under this Plan. No obligation of the Plan shall constitute an obligation of the Plan Sponsor, except as such Plan Sponsor is obligated to make contributions under the Plan.
- 9.3 Liability Limitation. Neither the Trustee, Plan Sponsor or the Trust Administrator shall be liable for the acts or omissions of any Investment Manager or other person appointed to manage the assets of the Plan and Trust if the Trustee or Trust Administrator in appointing such person acted with the care, skill, prudence and diligence under the circumstances then prevailing that a prudent man would use in the conduct of an enterprise of a like character and with like aims.

Adopted by:

By: _____
Signature

Title: _____

Date: _____



PRESIDENT	Mayor Mark Green, City of Union City
VICE PRESIDENT	Supervisor Susan L. Adams, County of Marin
IMMEDIATE PAST PRESIDENT	Supervisor Rose Jacobs Gibson, County of San Mateo
SECRETARY-TREASURER	Ezra Rapport
LEGAL COUNSEL	Kenneth K. Moy

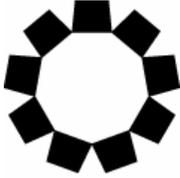
County of	Representative	Alternate
ALAMEDA	** Supervisor Nadia Lockyer	Supervisor Keith Carson
ALAMEDA	** Supervisor Scott Haggerty	Supervisor Nathan Miley
CONTRA COSTA	* Supervisor Gayle B. Uilkema	To Be Appointed
CONTRA COSTA	* Supervisor John Gioia	Supervisor Mary Piepho
MARIN	** Supervisor Susan L. Adams	Supervisor Judy Arnold
NAPA	** Supervisor Mark Luce	Supervisor Bill Dodd
SAN FRANCISCO	** Supervisor John Avalos	Supervisor Eric Mar
SAN FRANCISCO	** Supervisor Ross Mirkarimi	To Be Appointed
SAN FRANCISCO	* Supervisor Malia Cohen	To Be Appointed
SAN MATEO	* Supervisor Rose Jacobs Gibson	To Be Appointed
SAN MATEO	* Supervisor Dave Pine	To Be Appointed
SANTA CLARA	** Supervisor Mike Wasserman	Supervisor George Shirakawa
SANTA CLARA	** Supervisor David Cortese	Supervisor Ken Yeager
SOLANO	* Supervisor Barbara Kondylis	Supervisor Linda Seifert
SONOMA	* Supervisor David Rabbitt	Supervisor Shirlee Zane

Cities in the County of	Representative	Alternate
ALAMEDA	* Councilmember Beverly Johnson (Alameda)	Mayor Stephen Cassidy (San Leandro)
ALAMEDA	* Mayor Mark Green (Union City)	Mayor Michael Sweeney (Hayward)
CONTRA COSTA	** Councilmember Julie Pierce (Clayton)	Councilmember Brandt Andersson (Lafayette)
CONTRA COSTA	** Councilmember Dave Hudson (San Ramon)	Councilmember Ben Johnson (Pittsburg)
MARIN	* Councilmember Pat Eklund (Novato)	To Be Appointed
NAPA	* Mayor Jack Gingles (Calistoga)	Mayor Leon Garcia (American Canyon)
CITY OF SAN FRANCISCO	* Mayor Edwin Lee	Jason Elliott, Legislative Director
CITY OF SAN FRANCISCO	* Kate Howard, Government Affairs Director	Joaquin Torres, Liaison, Neighborhood Services
SAN MATEO	** Councilmember A. Sepi Richardson (Brisbane)	Councilmember Pedro Gonzalez (S San Francisco)
SAN MATEO	** Vice Mayor Richard Garbarino (S San Francisco)	Councilmember Nadia Holofer (Millbrae)
SANTA CLARA	* Councilmember Ronit Bryant (Mountain View)	Councilmember David Casas (Los Altos)
SANTA CLARA	* Mayor Joe Pirzynski (Los Gatos)	Vice Mayor Gilbert Wong (Cupertino)
SOLANO	** Mayor Harry Price (Fairfield)	Mayor Jack Batchelor (Dixon)
SONOMA	** Councilmember Susan Gorin (Santa Rosa)	Tiffany Renee (Petaluma)
CITY OF OAKLAND	* Councilmember Rebecca Kaplan	To Be Appointed
CITY OF OAKLAND	* Councilmember Jane Brunner	To Be Appointed
CITY OF OAKLAND	* Councilmember Desley Brooks	To Be Appointed
CITY OF SAN JOSE	* Councilmember Sam Liccardo	Councilmember Rose Herrera
CITY OF SAN JOSE	* Councilmember Kansan Chu	Councilmember Nancy Pyle
CITY OF SAN JOSE	* Councilmember Ash Kalra	Mayor Chuck Reed

Advisory Members	Representative	Alternate
RWQCB	Terry Young	Bill Peacock

* Term of Appointment: July 1, 2010 - June 30, 2012

** Term of Appointment: July 1, 2011 - June 30, 2013



ABAG

Meeting Schedule 2012

Executive Board Meetings

January 19
March 15
May 17
July 19
September 20
November 15

START TIME
7:00 PM

LOCATION
Joseph P. Bort MetroCenter Auditorium
101 8th Street
Oakland, California 94607
Across from the Lake Merritt BART Station

Spring General Assembly

April 19
Location TBD

Fall General Assembly

October TBD
Location TBD