SUMMARY MINUTES

ABAG Executive Board Meeting
No. 361, May 15, 2008
MetroCenter Auditorium
101 8th Street, Oakland, CA

1. CALL TO ORDER

President Rose Jacobs Gibson called the meeting to order at approximately 7:11 p.m.

Representatives and Alternates Present	Jurisdiction
Supervisor Susan Adams	County of Marin
Councilmember Carole Dillon-Knutson	City of Novato
Councilmember Dan Furtado	City of Campbell
Mayor Jack Gingles	City of Calistoga
Supervisor John Gioia	County of Contra Costa
Mayor Mark Green	City of Union City
Supervisor Scott Haggerty	County of Alameda
Supervisor Rose Jacobs Gibson	County of San Mateo
Supervisor Mike Kerns	County of Sonoma
Director Nancy Kirshner Rodriguez	City of San Francisco
Councilmember Sam Liccardo	City of San Jose
Supervisor Mark Luce	County of Napa
Vice Mayor John Marquez	City of Richmond
Supervisor Ross Mirkarimi	County of San Francisco
Councilmember Jean Quan	City of Oakland
Mayor Gwen Regalia	City of Walnut Creek
Mayor Pro Tem A. Sepi Richardson	City of Brisbane
Supervisor Gail Steele	County of Alameda
Mayor Pamela Torliatt	City of Petaluma
Supervisor Gayle B. Uilkema	County of Contra Costa
Councilmember Forrest Williams	City of San Jose

Representatives Absent	Jurisdiction
Mayor Len Augustine	City of Vacaville
Councilmember Jane Brunner	City of Oakland
Vice Mayor David D. Cortese	City of San Jose
Supervisor Chris Daly	County of San Francisco
Mayor Jose Esteves	City of Milpitas
Councilmember Richard Garbarino	City of South San Francisco
Supervisor Barbara Kondylis	County of Solano
Mayor Janet Lockhart	City of Dublin
Supervisor Peter McHugh	County of Santa Clara
Councilmember Nancy Nadel	City of Oakland
Mayor Gavin Newsom	City of San Francisco
Supervisor Adrienne Tissier	County of San Mateo
Supervisor Ken Yeager	County of Santa Clara

2. PUBLIC COMMENT

There was no public comment.

3. ANNOUNCEMENTS

There were no announcements.

4. PRESIDENT'S REPORT

President Jacobs Gibson reported that during the Spring General Assembly ABAG announced the winners of the 2008 Growing Smarter Together Awards. The *Distinguished Leadership Award* was presented to Board member Gwen Regalia, Mayor, City of Walnut Creek, for her unsurpassed commitment to sustainable community improvement and focused growth on the local, regional and state levels. Other recipients included: the City of Hercules received the *On the Ground—Getting it Done Award* recognizing the significant progress made in implementing its Plan and Regulating Code; the City of Dublin, Alameda County Surplus Property Authority and BART were awarded the *Public-Private Partnership Award* for their collaboration on the Dublin Transit Center; and, the *Start it Up Award* was presented to the City of San Leandro for its Downtown Transit-Oriented Development Strategy to revitalize their downtown with a walk-able, mixed-use housing and business development. The video produced by COMCAST, which shows the award winning work of our communities, is now on the ABAG website.

The General Assembly was a big success. The speakers were excellent and helped to drive home the messages that ABAG has been making about focused growth, infill development and climate protection. President Jacobs Gibson encouraged members to attend these General Assemblies. The Fall General Assembly will be held in Oakland on October 24th.

To kick -off ABAG's Climate Protection Campaign, members were each given a reusable grocery bag, "a Bag" from ABAG. With a significant contribution from PG&E, ABAG will promote earth-friendly practices like this. President Jacobs Gibson described the importance of using reusable bags and its impact on the environment and climate change. These reusable bags will be distributed to ABAG members, Bay Area local elected officials and community leaders as a reminder of what individuals can do to promote best practices for reducing green house gas emissions. ABAG will be unveiling a special website section next month with additional earth-friendly tips, best practices, and suggestions that local governments and communities can put to use.

President Jacobs Gibson proposed a dialogue between concerned local government officials and the gun lobby (NRA and others) to discuss ways to deal with the issue of the increasing incidence of guns in the hands of young people. She made it clear that this was not about gun control, but about common sense approaches to tracking and keeping guns out of the hands of youth. The dialogue will be planned for the Fall.

President Jacobs Gibson announced she will make additional committee appointments in July and throughout the year as vacancies occur. Members who are interested in serving on a committee or who would like to nominate someone are to let her know.

5. EXECUTIVE DIRECTOR'S REPORT

Executive Director Gardner reported on the following:

The Spring General Assembly, held on April 24th at the Palace Hotel in San Francisco, was well attended. He assured members that the Budget and Work Program for 2008/2009 which was approved at the Business Meeting was a balanced budget.

The California Department of Transportation awarded the Metropolitan Transportation Commission (MTC) and ABAG for a third year of funding from the California Regional Blueprint Planning Program (Blueprint) for Fiscal Year 2007/08 in the amount of $860,000.

The U.S. Environmental Protection Agency (EPA), Region 9, is expected to announce the availability of grant funds for water quality improvements in the San Francisco Bay Area as detailed in their pre-funding announcement. An estimated $5,000,000 in funding will be available. ABAG/SFEP is coordinating a grant proposal.

ABAG recently received two grants from the Federal Emergency Management Agency (FEMA) through the State of California Office of Emergency Services (OES) Hazard Mitigation Grant Program (HMGP). The first project focuses on developing a model local program for dealing with the hazards associated with soft-story multifamily residential buildings and will be reviewed by the ABAG Earthquake and Hazards Outreach Committee. The second project will develop a comprehensive understanding of the vulnerability of the regional water system to natural disasters and will be reviewed by the ABAG Lifeline Infrastructure and Hazards Committee.

ABAG POWER initiated a pilot program that seeks to provide independent studies to determine the feasibility of solar energy projects on specific local government facilities. The ABAG Energy Watch Program was awarded a Certificate of Recognition by the U.S. Environmental Protection Agency (EPA) for the its "commitment to a better environment and reducing greenhouse gas emissions as a Charter Participant in the Energy Star Low Carbon IT Campaign."

ABAG PLAN has awarded over $300,000 in grants this fiscal year for risk management projects for its members, and expects to spend at least another $500,000 by the end of the year.

ABAG has provided capital funding through the ABAG Finance Authority for Nonprofit Corporations in the following issues: $93,625,000 in Revenue Bonds on behalf of Alameda County to fund construction of Acacia Creek in Union City; Medical Helicopter Leases aggregating $18.4 million for the CALSTAR (California Shock Trauma Air Rescue) system for operations in Placer, El Dorado, and Sacramento Counties; $45,645,000 in Revenue Bonds on behalf of San Diego County for senior care facilities operated by Casa De Las Campanas; $3.7 million in Multifamily Housing Revenue Bonds on behalf of the City of Woodland for acquisition and major rehabilitation of the 68-unit Fair Plaza Senior Apartments; $72 million in Revenue Bond financing for Eskaton Properties for senior care facilities in Sacramento, El Dorado, and Nevada Counties; $4.5 million in Multifamily Housing Revenue Bonds on behalf of the City and County of San Francisco for acquisition and major rehabilitation of the 82-unit Reardon Heights Apartments in Hunters Point.

Members recognized the work of Jeanne Perkins and ABAG on earthquake retrofit standards for soft story buildings. They discussed the involvement of water districts in the study of the vulnerability of the regional water system.

President Jacobs Gibson thanked Executive Director Gardner for his report.

6. CONSENT CALENDAR

President Jacobs Gibson recognized a motion by Mike Kerns, Supervisor, County of Sonoma, and seconded by Sam Liccardo, Councilmember, City of San Jose, to approve the consent calendar. The motion passed unanimously.

A. Approval of Executive Board Summary Minutes**

Summary Minutes of Meeting No. 360 held on March 20, 2008.

B. Grant Applications

A list of grant applications was approved for submission to the State Clearinghouse, having been circulated in ABAG's "Intergovernmental Review Newsletter" since the last Executive Board meeting.

C. Appointment to Committees

Regional Planning Committee
Supervisor Federal Glover, County of Contra Costa
Lesa R. McIntosh, Board of Directors, East Bay Municipal Utilities District

Legislation and Governmental Organization
Supervisor Mark Luce, County of Napa

D. Authorization to Submit Grant Proposal to the Metropolitan Transportation Commission (MTC)**

Authorized submission of a grant application to the Metropolitan Transportation Commission under the Bridge Toll Funds "Five Percent Unrestricted State Funds" category and, if successful, to enter into an agreement with MTC in an amount up to $175,000 for administration of the San Francisco Bay Trail Project.

E. Adoption of a Resolution Authorizing ABAG to Enter into a Contract with the Coastal Conservancy**

Adopted Resolution No. 04-08 to enter into contract with the California Coastal Conservancy for $20,000 to conduct preliminary planning for future water trail signage at Water Trail sites that coincide with the San Francisco Bay Trail.

F. Authorization to Renew Agreement with Michael J. Arnold and Associates, Legislative Advocate**

Authorized renewal of the agreement with Michael J. Arnold and Associates in an amount not to exceed $60,000 to provide legislative advocacy on behalf of ABAG in Sacramento.

G. Authorization to Enter into Contract with City of Oakland for Funding to Prepare Model Disaster Recovery Plan for Local Governments**

Authorized signing a contract with the City of Oakland to prepare a model Disaster Recovery Plan for local governments using the City of Oakland as an example. The contract will be for $25,000 with the possibility of a second year of funding for an additional $25,000.

H. Authorization to Extend Agreement with U.S. Environmental Protection Agency for Development of Stream and Wetland Systems Protection Policy**

Authorized extending an agreement with U.S. EPA for a Wetland Program Development Grant in the amount of $300,000 to fund.

The Board next conducted the public hearing on the Adoption of Final Regional Housing Need Allocation, followed by the State Budget Update, and then the San Mateo County Sub-Regional RHNA Process.

7. STATE BUDGET UPDATE AND MAY REVISION

President Jacobs Gibson recognized Michael J. Arnold, ABAG's Legislative Advocate, who provided an overview of the Governor's May Budget Revision and its impact on local government. Mr. Arnold reviewed the budget developments since January, the Governor's declaring a fiscal emergency and calling the Legislature into a special session, the Governor's plan for correcting the budget, and the Legislature's response. He then reviewed the May Budget Revision, noted no provisions that impact local governments in terms of reductions in revenues beyond those already known since January, and spoke about the Governor's plan with regards to the State Lottery. He commented on the expected budget debate and the consequences if the state does not have a budget by August.

Members discussed the cops revenues and booking fees and the Safe Neighborhoods Initiative; cuts to education and health care; and broadening the base of the sales tax.

President Jacobs Gibson thanked Mr. Arnold for his presentation.

8. PUBLIC HEARING—7:30 PM
ADOPTION OF FINAL REGIONAL HOUSING NEED ALLOCATION**

President Jacobs Gibson opened the public hearing on the Adoption of Final Regional Housing Need Allocation at 7:30 p.m.

Paul Fassinger, ABAG Research Director reported on the RHNA process, including the approval of the proposed Final RHNA in March when the Board accepted the recommendations of the RHNA Appeals Committee. Staff received no further comments on the proposed final allocation but did receive documentation of a transfer of 24 units from the Town of Woodside to the City of Redwood City which does not affect the final allocation within the County of San Mateo sub-region or that of the greater region. He recommended that the Board adopt the Final Regional Housing Need Allocation and direct staff to forward the allocation with the appropriate supporting written documents to the State Housing and Community Development (HCD). He noted that staff expects to send those documents and allocation in June and HCD has until August to certify the allocation plan.

There was no public comment.

President Jacobs Gibson recognized a motion by Susan Adams, Supervisor, Count y of Marin, and seconded by Councilmember Liccardo, to close the public hearing on the Adoption of Final Regional Housing Need Allocation. The motion passed unanimously.

President Jacobs Gibson recognized a motion by Sepi Richardson, Mayor Pro Tem, City of Brisbane, and seconded by Gayle B. Uilkema, Supervisor, County of Contra Costa, to adopt the Final Regional Housing Need Allocation and direct staff to send the allocation and supporting documents to the State Housing and Community Development. The motion passed unanimously.

Mayor Pro Tem Richardson recognized and thanked Duane Bay, Director of Housing, County of San Mateo, and Richard Napier, Executive Director, City/County Association of Governments of San Mateo County, for their work with the cities and county in the San Mateo County sub-region.

Forrest Williams, Councilmember, City of San Jose, noted the City of San Jose and the County of Santa Clara's willingness to take on additional housing units in the final allocation.

President Jacobs Gibson thanked Mr. Fassinger for his report.

9. FOCUS—PRIORITY CONSERVATION AREAS**

President Jacobs Gibson recognized Ken Kirkey, ABAG Planning Director, who provided an update of the nomination and review process for the Priority Conservation Areas (PCAs) in preparation for adoption of the first round of nominated PCAs by the Board in July. Mr. Kirkey described the Priority Conservation Areas and reported that those nominations to be recommended for adoption have met the criteria of regional significance, consensus for protection at the local level, and urgency for permanent protection.

Over 100 nominations have been received representing a range of land types. Nominations were received from 25 local jurisdictions, nearly all major county or sub-regional open space districts, major land trusts, and the National Park Service. The State Coastal Conservancy indicated their intent to use the PCAs as an indicator of where to direct Proposition 84 funds of approximately $120 million over the next three years. There have been two calls for comments, with the second to close on May 30th. Letters were sent all elected officials, city managers, and planning directors regarding any nominations within their jurisdictional boundaries.

Staff will bring the recommended areas to the Regional Planning Committee (RPC) in June. The RPC's recommendation will come to the Board in July. The PCAs provide a regional framework for land conservation and a means for bringing in more open space funding to the Bay Area.

President Jacobs Gibson thanked Mr. Kirkey for his report.

10. PROJECTIONS 2009 FINAL PERFORMANCE TARGETS**

President Jacobs Gibson recognized Christy Riviere, ABAG Senior Planner, who provided an update on the Projections 2009 Final Performance Targets. Ms. Riviere noted that land use performance targets were first brought to the Board in March. In February, the Joint Policy Committee recommended that staff engage in county-level outreach. Staff made presentations at over 20 meetings over the last couple months, met with the FOCUS Working Group, and distilled the feedback received from these meetings into lessons regarding: managing expectations; solutions to reach goal; targets, not mandates; land use dialogue; change is inevitable; and making Projections transparent.

Staff expects to have a base set of projections, without policy, by the end of July, and to conduct local review with local governments and stakeholders through the Fall. Staff will report on progress in July, September, and November. A draft scenario will be presented to the Board with the final scenario adopted as Projections 2009 in January.

She recommended that the Board adopt the revised performance targets for Projections 2009, direct staff to develop alternatives and test these against targets, and to direct staff to develop metrics on issues of interests not included in the performance targets.

Members discussed vehicles miles traveled (VMT) reduction; Greenfield conversion; the impact of the Census; water modeling; the baseline for non-automobile transportation; peak oil; actualizing targets; clean energy modeling; staff capacity and resources; the likelihood that targets will become mandates.

President Jacobs Gibson recognized a motion by Councilmember Williams, and seconded by Nancy Kirshner-Rodriguez, Director, Intergovernmental Affairs, City and County of San Francisco, to adopt the revised performance targets for Projections 2009, to direct staff to develop alternatives and test these targets, and to direct staff to develop metrics on issues not included in the performance targets. The motion passed unanimously.

President Jacobs Gibson thanked Ms. Riviere for her presentation.

11. SAN MATEO COUNTY SUB-REGIONAL RHNA PROCESS

President Jacobs Gibson recognized Duane Bay, Director of Housing, County of San Mateo, and Richard Napier, Executive Director, City/County Association of Governments of San Mateo County, who reported on their successful sub-regional RHNA experience and process. Mr. Bay and Mr. Napier described the reasons the cities and county chose to take on a sub-regional approach, the process for completing the sub-regional approach, and the overall reasons why the process worked. They noted C/CAG's role in the sub-regional process and shared their observations, lessons learned, and next steps.

President Jacobs Gibson thanked Mr. Bay and Mr. Napier for their presentation.

12. LIGHT BROWN APPLE MOTH UPDATE

President Jacobs Gibson recognized Executive Director Gardner who briefed members on the issue of the Light Brown Apple Moth in the place of invited speakers who were unable to attend the meeting. Executive Director Gardner reported on the agricultural and economic impacts of the Light Brown Apple Moth, eradication efforts, the issues raised over the use of spraying technique, and actions being taken by the state to address environmental impacts.

Members discussed actions being taken in their respective jurisdictions; the impact on agriculture and business; the health concerns over the materials and methods being used; liability concerns; and the need for research, health risk analysis, and environmental impact report.

President Jacobs Gibson noted that state representatives and other experts will be invited to make a presentation at the next Board meeting. She thanked Executive Director Gardner for his report.

13. LEGISLATION & GOVERNMENTAL ORGANIZATION COMMITTEE REPORT**

President Jacobs Gibson recognized Committee Co-Chair Carole Dillon-Knutson, Councilmember, City of Novato, who reported on Committee activities. The committee reconsidered AB 2094 (DeSaulnier), San Francisco Bay Conservation and Development Commission—Support with amendment that the seven San Francisco

Bay Conservation and Development Commission representatives on the Joint Policy Committee would have a majority of elected officials; heard a briefing from Amy O'Gorman, Regional Manager, League of California Cities, on Propositions 98 and 99, Eminent Domain—Oppose Proposition 98 and Support Proposition 99; and reviewed the following legislation: AB 2954 (Lieber/Hancock), San Francisco Bay Restoration Authority—Appointed a sub-committee to clarify issues and concerns about the set up of the Authority, funding, and ABAG's role; AB 38 (Nava), Department of Emergency Services and Homeland Security—Support; AB 2000 (Mendoza), General Plan Housing Element—Support; SB 900 (Corbett), Mobile Home Parks Conversion—Support; SB 1731 (Yee), Vehicle Fees Metropolitan Transportation Commission Congestion Mitigation—Support; AB 2280 (Saldana/Caballero), Density Bonus—Requested additional briefing and discussion; SB 1732 (Romero), Local Agencies—Position pending; AB 2093 (Jones), General Plan Mandatory Elements—Oppose; AB 3005 (Jones), Community Development Mitigation Fees—Oppose; AB 2513 (Caballero), Housing and Emergency Shelter Trust Fund 2006—To be considered at the next meeting; SB 1124 (Local Governments), Local Government Omnibus Act 2008—No position.

President Jacobs Gibson recognized a motion by Co-Chair Dillon Knutson, and seconded by Supervisor Kerns, to approve the committee report, except Proposition 99. The motion passed unanimously.

President Jacobs Gibson recognized a motion by Mark Green, Mayor, City of Union City, and seconded by Scott Haggerty, Supervisor, County of Alameda, to oppose Proposition 99. The ayes were two, the nays were 18. The motion failed.

President Jacobs Gibson recognized a motion by Co-Chair Dillon Knutson, and seconded by Mayor Pro Tem Richardson, to accept the committee recommendation on Proposition 99. The ayes were 18, the nays were two. The motion passed.

Members noted that no position was taken on AB 2513 because the committee did not have time to consider it at its meeting and requested additional information.

President Jacobs Gibson thanked Co-Chair Dillon Knutson for her report.

14. FINANCE & PERSONNEL COMMITTEE REPORT**

President Jacobs Gibson recognized Committee Chair Scott Haggerty, who reported on Committee activities. The committee received the Financial Reports for March and April 2008, and noted that the agency realized an overall year-to date surplus of $109,000 which is .5 percent of actual revenues; all key aspects of the agency's finances are within expectations; Fiscal Year 2007/2008 will be adequately funded. The committee approved the Financial Reports as presented. The committee reviewed and adopted a proposed process for the performance review of Legal Counsel which will take place at the next committee meeting.

President Jacobs Gibson recognized a motion by Chair Haggerty, and seconded by Mark Luce, Supervisor, County of Napa, to approve the committee report. The motion passed unanimously.

President Jacobs Gibson thanked Chair Haggerty for his report.

15. ADJOURNMENT

Meeting adjourned at approximately 9:34 p.m.

Henry L. Gardner, Secretary-Treasurer

** Indicates attachments.

*** *For information on the L&GO Committee, contact Patricia Jones at (510) 464 7933 or PatJ@abag.ca.gov, or Kathleen Cha at (510) 464 7922 or KathleenC@abag.ca.gov.*

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