

SUMMARY MINUTES

ABAG Executive Board Meeting No. 324
May 16, 2002 ■ MetroCenter Auditorium

1.

Meeting called to order at 7:33 p.m. by President Gwen Regalia, MetroCenter, 101 Eighth Street, Oakland.

Representatives and Alternates

Mayor Pro Tem Gwen Regalia
Supervisor Nate Miley
Supervisor Scott Haggerty
Supervisor Mark DeSaulnier
Supervisor Cynthia Murray
Supervisor Mike Rippey
Supervisor Chris Daly
Supervisor Mark Church
Supervisor Rose Jacobs Gibson
Supervisor Barbara Kondylis
Mayor Shelia Young
Mayor Mark Green
Mayor Kris Valstad
Councilmember Carole Dillon-Knutson
Mayor Ken Slavens
Mr. Paul Horcher
Ms. Alicia Bert
Mayor Eugene Mullin
Councilmember Carol Klatt
Councilmember Jose Esteves
Vice Mayor Julia Miller
Mayor David Fleming
Councilmember Steve Rabinowitsh
Councilmember Richard Spees
Councilmember Forrest Williams

Following Representatives and Alternates Absent

Supervisor John Gioia
Supervisor Gayle Uilkema
Supervisor Federal Glover
Supervisor Jake McGoldrick
Supervisor Mark Leno
Supervisor Blanca Alvarado
Supervisor Peter McHugh
Supervisor Don Gage
Supervisor Liz Kniss
Supervisor Mike Kerns
Supervisor Paul Kelley
Mayor Willie L. Brown, Jr.
Ms. Jennifer Kass

Jurisdiction

Contra Costa County Cities
Alameda County
Alameda County
Contra Costa County
Marin County
Napa County
San Francisco County
San Mateo County
San Mateo County
Solano County
Alameda County Cities
Alameda County Cities
Contra Costa County Cities
Marin County Cities
Napa County Cities
City of San Francisco
City of San Francisco
San Mateo County Cities
San Mateo County Cities
Santa Clara County Cities
Santa Clara County Cities
Solano County Cities
Sonoma County Cities
City of Oakland
City of San Jose

Contra Costa County
Contra Costa County
Contra Costa County
San Francisco County
San Francisco County
Santa Clara County
Sonoma County
Sonoma County
City of San Francisco
City of San Francisco

Ms. Maria Ayerdi
Ms. Karin Carlson
Councilmember Jane Brunner
Councilmember Nancy Nadel
Councilmember Henry Chang, Jr.
Councilmember David Cortese
Councilmember Linda J. LeZotte
Councilmember Ken Yeager
Councilmember Cindy Chavez
Councilmember Nora Campos

City of San Francisco
City of San Francisco
City of Oakland
City of Oakland
City of Oakland
City of San Jose
City of San Jose
City of San Jose
City of San Jose
City of San Jose

2. PUBLIC COMMENT

There was no public comment.

3. ANNOUNCEMENTS

President Regalia announced that on the advice of his physician, Supervisor William Carroll, has announced his resignation from ABAG and the BAAQMD Board of Directors. A “get well” card was circulated for signatures. Regalia welcomed first time attendee, Emeryville Mayor Ruth Atkin, alternate representing Alameda County cities and Supervisor Barbara Kondylis, County of Solano.

4. EXECUTIVE DIRECTOR'S REPORT

Executive Director Eugene Leong pointed out information in the Board packet that would provide updates about ABAG programs. He highlighted two reports on the table – *The New California Dream, Regional Solutions for 21st Century Challenges* and *California Metropatterns, A Regional Agenda for Community and Stability in California* – as important information available to elected officials. Leong noted that ABAG had changed their support position on SB1243 (Torlakson) to an oppose position due to amendments added on April 22nd. Meetings continue between Senator Torlakson, ABAG and MTC to discuss the legislative issues.

5. PRESIDENT'S REPORT

ABAG President Gwen Regalia reported on the Spring General Assembly on Regionalism and announced that the Budget and Work Program was overwhelmingly adopted for 2002-2003. General Assembly delegates also resoundingly passed a resolution in opposition to SB1243 (Torlakson). A joint meeting between ABAG and MTC will be held on June 12 to discuss the issues about the merger.

6. CONSENT CALENDAR

A. Executive Board Summary Minutes

Board approved Summary Minutes of Meeting No. 323, March 21, 2002.

B. Grant Applications

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

C. Authorization to Submit Grant Proposal to the U.S. Environmental Protection Agency (EPA)

The Board authorized the Executive Director or designee to submit a proposal to the EPA for the San Francisco Estuary Project to provide technical, public involvement and administrative support in implementing the Comprehensive Conservation and Management Plan (CCMP). If awarded, the Executive Director or designee will enter into an agreement with EPA in an amount not to exceed \$410,000 to be expended over a one-year period (October 2002-2003). ABAG will provide an in-kind services match of \$18,000 and the CALFED Bay-Delta Program will provide an additional \$410,000 match.

D. Authorization to Submit Grant Proposal to the State Water Resources Control Board (SWRCB)

The Board authorized the Executive Director or designee to submit a proposal and, if accepted, enter into a contract with the SWRCB on behalf of the San Francisco Estuary Project and the Copper Brake Pad

Partnership. The program would identify and prevent impacts on San Francisco Bay water quality that potentially arise from the use of automotive brake pads. The project will address the link between air and water quality that is associated with brake wear debris. The agreement would not exceed \$800,000 with an ABAG in-kind services match of \$20,000 over a three-year period (2003-2005). The Brake Pad Partners will provide an additional match of \$850,000. The proposal will assist with implementation of the CCMP for the San Francisco Estuary.

E. Authorization to Submit Proposal to the State Water Resources Control Board

The Board authorized submitting a proposal and, if accepted, the Executive Director or designee to enter into a contract with the SWRCB on behalf of the San Francisco Estuary Project and ABAG to provide technical, educational, and administrative support for using a geographic information system (GIS) as a tool for coastal nonpoint source pollution control. The pilot project proposes that ABAG, SFEP, and partners will use GIS to improve dairy waste management, stormwater infiltration for new development, and bayfront industrial stormwater runoff. The proposed agreement will not exceed \$175,000 with an ABAG in-kind services match of \$10,000 over a two-year period (2003-2004). The proposal will assist with implementation of the CCMP for the San Francisco Estuary.

F. Authorization to Submit Proposal to Extend U.S. Environmental Protection Agency Challenge Grant Contract

The Executive Board authorized Executive Director or designee to submit a proposal and, if accepted, for Executive Director or designee to enter into a contract with EPA totaling \$65,000 to extend the existing contract to continue the Persistent Bioaccumulative and Toxics Challenge Grant. Funds will be used to extend contracts with consultants to support pollution prevention projects with local agencies involved in the Bay Area Dioxins Project. Fifty-nine thousand dollars will be contracted to current consultants – LWA and TDC Environmental. ABAG's \$24,000 match represents contributions to the project from local agencies.

G. Approval of Amendment of Contract with Design, Community & Environment, Prime Contractor for the Smart Growth Strategy/Regional Livability Footprint Project

The Board authorized the Executive Director to execute a contract amendment with Design Community & Environment, prime contractor for the Smart Growth Strategy/Regional Livability Footprint Project, for the Round Two public workshop phase, as approved by the Smart Growth Strategy Steering Committee, related activities, and post workshop work in an amount not to exceed \$304,926 and subject to available funding. No additional ABAG funds are necessary to complete the project as currently defined.

H. Approval of Receipt of Funding from the Bay Conservation and Development Commission and the Irvine Foundation for the Smart Growth Strategy/Regional Livability Footprint Project

The Board authorized the Executive Director to accept two grants totaling \$140,000 from the Bay Conservation and Development Commission (\$90,000) and the Irvine Foundation (\$50,000), to support the work of the Smart Growth Strategy/Regional Livability Footprint Project.

I. Authorization to Submit Grant Proposal to the Office of International Activities, U.S. Environmental Protection Agency

The Board authorized the Executive Director or designee to submit a proposal, and if awarded, execute a contract with the Office of International Activities, EPA to produce an information package of Regulation Management Strategies for hazardous industrial waste and to complete research on petrochemical waste in Taiwan. ABAG has been invited to submit this proposal based on its expertise and past experience.

- J. Authorization to Amend Grant Proposal Amount to Small Business Commission of the City and County of San Francisco
The Board authorized the Executive Director or designee to accept an amended amount up to \$50,000 from the City and County of San Francisco, Small Business Commission. The grant award would be for providing procurement training and technical assistance to small and small disadvantaged businesses for the period of approximately May 16, 2002, through September 30, 2002. These funds would represent part of the matching funds for a Defense Logistics Agency contract to operate a Procurement Technical Assistance Center authorized at the March 21, 2002 Executive Board meeting.
- K. Authorization to Submit Proposal to U.S. Geological Survey (USGS)
Board authorized submitting a proposal to the USGS and, if accepted, for the Executive Director or designee to enter into a contract for the analysis of areas designated moderate and high liquefaction susceptibility in the San Francisco Bay Area and Southern California. This is a follow-up project on ABAG's previous mapping of liquefaction map units in our urban areas and their meaning for damage estimation. The total project budget is \$102,000 including an ABAG match of \$12,000. A \$40,000 subcontract to William Lettis & Associates is included in the grant.
- L. Authorization to Submit a Proposal to U.S. Geological Survey for Earthquake Hazards Information for Multifamily Housing Owners and Public Policy – San Francisco Bay Area.
The Executive Board approved submitting a proposal to USGS for Earthquake Hazards Information for Multifamily Housing Owners in the San Francisco Bay Area and, if accepted, for the Executive Director or designee to enter into a contract to creatively develop and disseminate earthquake hazard map information in the San Francisco Bay Area. This outreach follows the model of an existing project on outreach to small businesses. The total project budget is \$72,400, including an ABAG match of \$12,000.
- M. Authorization to Submit a Grant Proposal to the State Water Resources Control Board
The Board authorized the Executive Director or designee to submit a proposal and, if accepted, to enter into a contract with the SWRCB on behalf of the San Francisco Estuary Project and its partners, the San Francisco Estuary Watershed Council, and the City and County of San Francisco Public Utilities Commission. The proposal will identify appropriate pilot project sites to implement technologies and practices that will reduce the flow of urban runoff from individual sites, develop a cost/benefit analysis to show the benefits of treating stormwater on-site rather than at the end-of-pipe, and to investigate current land use and zoning regulations which may impact implementation of these innovation designs. The proposed agreement will not exceed \$800,000 with an ABAG in-kind services match of \$20,000 over a three-year period (2003-2005). The proposal will assist with implementation of the CCMP for the San Francisco Estuary.
- N. Authorization to Renew Database Administrator Contract
The Board authorized a 12-month contract extension with V-Soft, Inc. to provide database administration services to support Oracle databases at ABAG. Included in this extension is an adjustment to the hourly billing rate and the 12-month maximum total equal to the average Bay Area CPI change over the past 12-months. This consulting service contract with V-Soft is included in the current fiscal year overhead budget and will continue to be part of the overhead budget for FY 2002-2003.
- O. Authorization to Amend Contract with the Water Transit Authority (WTA)
Executive Board authorized an amendment of the contract with WTA to provide financial services, website support, and other services in the amount of \$85,000. The amendment runs through June 30, 2003

and includes an audit of the WTA financial records by an independent auditor. ABAG will continue to be compensated on a cost reimbursement basis.

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

The Board authorized submitting a grant application to the MTC and, if successful, to enter into an agreement with MTC in an amount up to \$161,000 for administration of the San Francisco Bay Trail Project. ABAG would provide up to \$69,000 in matching funds and in-kind services. ABAG has received grant funding from MTC for the past several years.

It was moved by Slavens/S/Green/C/ that the consent calendar be approved.

7. STATE BUDGET UPDATE

State Chief Deputy Director of the Department of Finance, Betty Yee, spoke via telephone conference about information contained in the "May Revise" and other budget issues related to local governments. The budget continues to be driven by declining revenues tied to the stock market – capital gains realization and stock option income were down \$4.5 billion in the past year. Even with signs of economic recovery, stabilization in revenue is not expected until late 2002 or early 2003. The solutions are painful and will be difficult for all local governments. Cuts to health and human services to counties, elimination of funding for juvenile crime programs, elimination of booking fees for cities and grant programs to continue crime prevention programs were hardest hit.

8. ANNUAL REPORT FROM ABAG REPRESENTATIVE TO THE GOLDEN GATE NATIONAL PARKS & POINT REYES SEASHORE CITIZENS' ADVISORY COMMITTEE

Commission Chair, Richard Bartke, provided his annual report noting that the 18-member Commission oversees national parks in the West Bay, serving as the eyes and ears of Congress. The renovation of the Cliff House is about to begin and Presidio development continues to be a fear of many. Bartke thanked the Board for their support last year that helped add \$500,000 to their base budget.

9. SAN FRANCISCO BAY AREA WETLANDS RESTORATION PROGRAM

Mike Monroe, Environmental Scientist, U.S. EPA presented the following objectives for the habitat goals and restoration program:

- provide a forum for identifying and resolving agency policies and practices that impede authorization of sound habitat projects;
- assist public/private efforts to plan and design appropriate, high-quality habitat projects;
- develop a regional wetlands monitoring program; and
- support funding for habitat acquisition, restoration, enhancement, and management.

10. SAN FRANCISCO BAY AREA WATER TRANSIT AUTHORITY UPDATE

Tom Bertken, Chief Executive Officer, San Francisco Bay Area Water Transit Authority updated the Board on plans to expand regional ferry service to assist in relieving the Bay Area's traffic congestion by building a clean, convenient and affordable ferry system that will enhance commuter choices and the regions public transit system in cooperation with existing ferry and transit operators. Bertken pointed out the following reasons why increased ferry service is necessary:

- bridges are gridlocked and will only get worse;
- solution to traffic gridlock is multi-modal transportation;

- ferry service is growing because commuters are looking for ways to get out of the traffic; and
- responsiveness of ferry service is great during times of emergency.

11. LEAVE OUR COMMUNITY ASSETS LOCAL (LOCAL) CAMPAIGN

Stacey Wells was unable to attend. It was moved by Young/S/Valstad/C/ that ABAG support this new campaign, led by the League of California Cities and CSAC, to protect funding for essential local services.

12. LEGISLATION AND GOVERNMENTAL ORGANIZATION COMMITTEE REPORT

Chair Mary Lou Holt reported on SB1243 and the Committee's recommendation to approve Resolution 07-02 including an attachment outlining ABAG's legislative position regarding the merger of land use and transportation planning in the Bay Area. Holt provided the Board with a legislative summary – for a complete list of legislation and further information on the L&GO Committee, contact Kathleen Cha at 510/464-7922 or KathleenC@abag.ca.gov. It was moved by Spees/S/Dillon-Knutson/C/ that Resolution 07-02 and the Committee report be approved. Green voted no on SB 1262 and Green and Fleming voted no on AB 680.

13. FINANCE AND PERSONNEL COMMITTEE REPORT

Chair, Steve Rabinowitsh recommended approval of the March and April financial reports, and Resolution 06-02 authorizing amendment of CalPERS Contract to implement 2% @ 55. It was moved by Valstad/S/Miller/C/.

The Board met in closed session to discuss Item B. Conference with Legal Counsel – Existing Litigation, Government Code Section 54956.9(a), CBE, *et al v BAAQMD, et al*. Direction was given to Legal Counsel.

14. ADJOURNMENT

The meeting was adjourned at 9:45 p.m.

Eugene Y. Leong, Secretary-Treasurer