SUMMARY MINUTES

ABAG Executive Board Meeting
No. 373, May 20, 2010
MetroCenter Auditorium
101 8th Street, Oakland, California

1. CALL TO ORDER

President Green called the meeting to order at approximately 7:05 p.m. A revised Consent Calendar Item M was distributed.

Representatives and Alternates Present	Jurisdiction
Supervisor Susan L. Adams	County of Marin
Supervisor John Avalos	County of San Francisco
Councilmember Jane Brunner	City of Oakland
Mayor David Casas	City of Los Altos
Councilmember Kansen Chu	City of San Jose
Supervisor David Cortese	County of Santa Clara
Mayor Pro Tem 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 Rose Jacobs Gibson	County of San Mateo
Councilmember Ash Kalra	City of San Jose
Supervisor Mike Kerns	County of Sonoma
Supervisor Barbara Kondylis	County of Solano
Councilmember Sam Liccardo	City of San Jose
Supervisor Mark Luce	County of Napa
Supervisor Ross Mirkarimi	County of San Francisco
Councilmember Nancy Nadel	City of Oakland
Mayor Julie Pierce	City of Clayton
Vice Mayor Jean Quan	City of Oakland
Councilmember 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 Joanne Ward	City of Hercules
Vice Chair Terry Young	RWQCB

Representatives Absent	Jurisdiction
Mayor Len Augustine	City of Vacaville
Councilmember Richard Garbarino	City of South San Francisco
Supervisor Carole Groom	County of San Mateo
Supervisor Scott Haggerty	County of Alameda
Mayor Beverly Johnson	City of Alameda
Education Advisor Hydra Mendoza	City of San Francisco
Director Nancy Kirshner Rodriguez	City of San Francisco
Mayor Gavin Newsom	City of San Francisco
Supervisor Ken Yeager	County of Santa Clara

2. PUBLIC COMMENT
There was no public comment.

3. ANNOUNCEMENTS
Daniel Furtado, Councilmember, City of Campbell, announced that he was attending his last meeting as Representative from the Cities of Santa Clara County, and that Ronit Bryant, Mayor, City of Mountain View, will take his place.

There were no other announcements

4. PRESIDENT'S REPORT
President Green reported on the following:

Since the last meeting ABAG held a very successful joint General Assembly and Regional Summit in partnership with MTC, the Air District, and BCDC. Over 350 people were in attendance, helped by interest in the topic, SB 375.

During the Summit ABAG announced the winners of the 2010 Growing Smarter Together Awards. Winning entries were received from the Cities of Albany, Livermore, Richmond, San Francisco and Contra Costa County. East Bay Regional Park District Director Beverly Lane was the recipient of the Distinguished Leadership Award. The video produced by COMCAST, is on the ABAG website.

The theme, "One Bay Area" was unveiled as the overarching theme or framework for the work that will be undertaken related to SB 375 and other climate action work. Reports, studies, meeting schedules and other information related to these topics will be available on the OneBayArea website at www.onebayarea.org or through a link on any of the regional agency websites.

During the Business Meeting, the Annual Budget and Work Program was approved.

The Fall General Assembly is on October 22nd and will take place in Santa Clara County.

On May 7th the celebration of the opening of the San Leandro Slough Bridge Trail was held, which represents the completion of the 300th mile of the Bay Trail. That segment of the trail and the bridge are named after Bill Lockyer, State Treasurer and Father of the Bay Trail, who was present for the ribbon cutting-ceremony.

President Green participated in more Mayors' and Councilmembers' meetings across the region, including Sonoma County in April; and Contra Costa, Santa Clara and Solano Counties in May; with additional meetings in San Mateo and Marin Counties scheduled in June; and Alameda San Francisco Counties to be scheduled.

5. EXECUTIVE DIRECTOR'S REPORT
Henry Gardner, ABAG Executive Director, reported on the following:

On April 22nd ABAG and its regional agency partners, the Metropolitan Transportation Commission, the Bay Area Air Quality Management District, and the Bay Conservation and Development Commission, held a successful General Assembly and Regional Summit. Over 350 elected officials, staff and non-profit agencies

participated in the launching of the SB 375 Sustainable Communities Strategy planning process that will be ongoing until the spring of 2013 when the SCS will be completed.

The San Francisco Bay Trail held a ceremony on May 7th with the City of San Leandro for the Bay Trail Slough Bridge at the Oyster Bay Regional Park. The bridge was named the "Bill Lockyer Bay Trail Bridge," in honor of Treasurer Lockyer's vision and perseverance in bringing the Bay Trail to the greater San Francisco Bay Area. The dedication also commemorated completion of the 300th mile of the San Francisco Bay Trail.

The San Francisco Bay Improvement Act of 2010 (H.R. 5061) recently introduced by Representative Jackie Speier and co-sponsored by members of the Bay Area delegation would authorize up to $1 billion ($100 million annually for ten years) to the U.S. EPA to fund projects, programs, and studies that implement priority objectives of the San Francisco Estuary Partnership's Comprehensive Conservation and Management Plan (CCMP). This legislation would begin to bring San Francisco Bay/Estuary in line with other large aquatic ecosystems that receive substantial federal funding to achieve restoration objectives.

The San Francisco Estuary Partnership and Pacific Environment hosted a public forum on May 11th to discuss local preparedness for future oil spills in San Francisco Bay. The forum, "Oil Spills in San Francisco Bay: Preparing a Better Response," was designed to raise awareness about the impacts of oil spills and to improve oil spill response in Bay Area waters.

The San Francisco Estuary Partnership kicked off the Bay Area-wide Trash Capture Demonstration Project on May 4th with a well-attended day of activities in Oakland. Public works staff from 60 Bay Area municipal government agencies, countywide stormwater protection agencies, water suppliers, and flood control districts attended. ABAG and SFEP are contracting with vendors to provide trash capture equipment to all Bay Area counties and cities that choose to participate. The Project is funded with $5 million in American Recovery and Reinvestment Act funds from the State Water Resources Control Board's Clean Water State Revolving Fund.

Last December, ABAG POWER coordinated with three other regions in the state (Los Angeles County, Sacramento and San Diego) to submit a grant application for the DOE Retrofit Ramp-Up funds. Recently Los Angeles County, as the lead applicant, was notified that the proposal had been tentatively awarded $30 million, pending successful negotiations to reduce the original scope of work to correspond with the approved funding. The ABAG region expects to receive approximately $8.7 million.

Executive Director Gardner announced his decision to resign as Executive Director effective August 31, 2010. He thanked the members and staff for their support. He remarked on the impact of the state budget on counties and cities.

Members and those present gave Executive Director Gardner a standing ovation.

Members commented on the San Francisco Bay Improvement Act and leadership shown by supervisors from Sonoma County and others.

President Green announced that an executive search firm has been selected to assist in the open recruitment for a new Executive Director. He also reviewed a schedule for recruitment, selection and approval by the Board of an Executive Director, and having the new Executive Director start on September 1st. He advised members to place a hold on July 29th for a special meeting to consider the appointment of an Executive Director.

Members discussed the selection process for an Executive Director, the role of the Finance and Personnel Committee, and the proposed schedule and notice of the proposed special meeting.

President Green thanked Executive Director Gardner for his report.

6. CONSENT CALENDAR

President Green recognized a motion by Dave Cortese, Supervisor, County of Santa Clara, and seconded by Jack Gingles, Mayor, City of Calistoga, to approve the Consent Calendar, including a revised Item M. The motion passed unanimously.

A. Approval of Executive Board Summary Minutes**

Approved Summary Minutes of Meeting No. 372 held on March 18, 2010.

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 Committee

The following committee appointments were approved.

Legislation and Governmental Organization Committee
John Avalos, Supervisor, City and County of San Francisco

Administrative Committee
John Avalos, Supervisor, City and County of San Francisco
Julie Pierce, Councilmember, City of Clayton
Sam Liccardo, Councilmember, City of San Jose (Pending approval of Consent Calendar Item M.)

Regional Planning Committee
John Avalos, Supervisor, City and County of San Francisco

D. 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.

E. Authorization to Enter into Contract with Aquatic Science Center for Services on State Water Board's Wetland and Riparian Area Protection Policy**

Authorized the Executive Director or designee to enter in contract with the Aquatic Science Center, a joint powers authority between the San Francisco Estuary Institute, the San Francisco Bay Regional Water Board and the Bay Area

Clean Water Agencies to provide services for the statewide Wetland and Riparian Area Protection Policy development and implementation. The subcontract amount totals $68,000 for a term of one year. The project assists with implementation of the Comprehensive Conservation and Management Plan for the San Francisco Estuary.

F. **Executive Board Ratification of Two-Year Interagency Agreement with California Department of Transportation (Caltrans) to Continue Providing Technical Support for Permit Processing****
Ratified a new inter-agency agreement with Caltrans to continue providing technical support to the North Coast Regional Water Quality Control Board. In July 2007 the Executive Board authorized the Executive Director or designee to enter into an inter-agency agreement with Caltrans to provide technical resources to the North Coast Regional Water Quality Control Board. The agreement is in the amount of $445,758 for a term of April 1, 2010-April 1, 2012. There is no ABAG match required. The project assists with implementation of the Comprehensive Conservation and Management Plan for the San Francisco Estuary.

G. **Executive Board Ratification of Contract with the Center for Ecosystem Management and Restoration (CEMAR) for State of the Bay Estuary Report****
Ratified a contract with CEMAR for preparation of an updated State of the Bay Estuary Report. The contract for the first phase of work is $109,000 and the term from March 15, 2010, through September 30, 2010. Funds for this portion of the contract are available in the ABAG grant agreement with the U.S. Environmental Protection Agency for implementation of the Comprehensive Conservation and Management Plan.

H. **Approval of Resolution No. 06-10 and Authorization to Enter into Contract with California Department of Fish and Game for Integrated Regional Wetland Monitoring Analysis Project (IRWM)****
Approved Resolution No. 06-10 and authorized for the Executive Director or designee to enter into a new contract on behalf of ABAG/SFEP with the California Department of Fish and Game for IRWM Analysis Project and to subcontract with partners. The total contract amount is $420,000 for a contract term of three years beginning on October 1, 2010. The project assists with implementation of the SFEP Comprehensive Conservation and Management Plan.

I. **Ratification for Application and Approval of Resolution No. 07-10 to California Natural Resources Agency for the San Francisquito Watershed Urban Greening Action Plan and if Awarded, Authorization to Enter into Contract****
Ratified an application and approved Resolution No. 07-10 authorizing the Executive Director or designee to enter into a contract with the California Natural Resources Agency for San Francisquito Watershed Urban Greening Action Plan. The proposal amount is $297,666 and includes an n in-kind match from the San Francisquito JPA, SFEP and Bay Trail. ABAG will provide overall project management and coordination. Authorization to subcontract with project partners is also requested if project is awarded.

J. **Approval of Resolution No. 08-10 and Authorization to Enter into Contract with State Water Resources Control Board for Statewide TDML Assistance****

Approved of Resolution No. 08-10 authorizing the Executive Director or designee to enter into a contract with the State Water Resources Control Board to provide support for the development, adoption and implementation of Total Maximum Daily Loads (TMDLs) and Water Quality Control Plans, including alternative strategies for resolving Clean Water Act section 303 (d) listings. The contract amount totals $92,657 for a contract period of two years. The project assists in the implementation of the SFEP Comprehensive Conservation and Management Plan.

K. **Authorization is Requested to Enter into Contract with Larry Walker Associates to Develop Best Management Practices (BMPs) to Reduce or Prevent Discharge of Polychlorinated Biphenyls (PCBs) During Building Maintenance, Demolition or Remodeling****
Authorized the Executive Director or designee to enter into a subcontract with Larry Walker Associates to develop BMPs to reduce or prevent discharge of polychlorinated biphenyls (PCBs) during building maintenance, demolition or remodeling. The contract amount is $150,000 for a contract term of May 2010 to October 2011.

L. **Authorization to Execute Necessary Agreements to implement Department of Energy (DOE) Retrofit Ramp-up Award****
Authorized the Executive Director or designee to execute all necessary agreements to implement and carry out the purposes of any funds awarded as a result of the DOE Retrofit Ramp-Up funding award. The ABAG region is expected to receive approximately $8.7 million.

M. **Authorization to Increase Size of Administrative Committee by One Additional Member****
Authorized increasing the size of the Administrative Committee by one additional member bringing the total membership to eleven.

7. **PROPOSED REGIONAL DAY OF REMEMBRANCE**
Alice Lai-Bitker, Supervisor, County of Alameda, gave a presentation on the Alameda County Day of Remembrance event held in October which aims to remember those who have died from domestic violence and to celebrate the lives of those who have survived. She described the event sponsored by Alameda County, proposed the coordination of a region-wide event, and invited members to participate.

Members discussed coordination of city and county events and recommended that a resolution declaring Domestic Violence Awareness Month and encouraging participation in a region-wide event be placed on the next Executive Board meeting agenda.

President Green thanked Supervisor Lai-Bitker for her presentation.

8. **GOVERNOR'S MAY REVISE**
Michael Arnold, ABAG's Legislative Advocate, gave a briefing on the impact of the Governor's May budget revisions on local government. He compared campaign expenditures by candidates for Governor. He commented on the impacts of term limits on the state budget process. He described the current budget situation in

Sacramento, the $19.1 billion state deficit, and the Governor's proposals regarding welfare, state-supported child care services, prisons, redevelopment, etc.

Members discussed the state's structural deficit and taxes; SB 1061 related to bicycle lanes on the Bay Bridge; enterprise zones; and retirement reform.

President Green thanked Mr. Arnold for his report.

9. REGIONAL WATER QUALITY CONTROL BOARD'S MUNICIPAL REGIONAL STORMWATER PERMIT AND SAN FRANCISCO ESTUARY PARTNERSHIP'S PROJECTS TO PROMOTE GREEN INFRASTRUCTURE AROUND THE REGION**

Jennifer Krebs, Principal Planner, San Francisco Estuary Partnership, gave a briefing on municipal regional stormwater permit requirements passed by the Regional Water Quality Control Board last fall and successful efforts by the San Francisco Estuary Partnership to find funds for local governments to undertake Green Infrastructure projects around the region, including El Cerrito, San Mateo, San Francisco, Pinole and Hercules, Richmond, El Sobrante, Fremont, Alameda County, and Contra Costa County. She announced a green tour of Emeryville in June and an estuary tour in September.

President Green thanked Ms. Krebs for her report.

10. PRIORITY DEVELOPMENT AREAS (PDAs): APPLICATIONS AND RECOMMENDATIONS**

Kenneth Kirkey, ABAG Planning Director, presented the staff recommendation for designation of planned and potential PDAs in the Cities of Oakland and American Canyon and requested Executive Board adoption.

President Green recognized a motion by Gayle B. Uilkema, Supervisor, County of Contra Costa, which was seconded by Joanne Ward, Councilmember, City of Hercules, to approve the staff recommendation to designate American Canyon's potential PDA once the PDA transit criteria is met. Members discussed the commitment to the increased transportation plan. The motion passed unanimously.

President Green recognized a motion by Jane Brunner, Councilmember, City of Oakland, which was seconded by Sepi Richardson, Councilmember, City of Brisbane, to approve the staff recommendation to designate Oakland's planned PDAs. The motion passed unanimously.

President Green thanked Mr. Kirkey for his report.

11. SB 375 ENGAGEMENT: THE ABAG ADMINISTRATIVE AND MTC PLANNINGCOMMITTEES

Ezra Rapport, ABAG Deputy Executive Director, gave a briefing on the process that ABAG and the Metropolitan Transportation Commission will launch for local jurisdictions, congestion management agencies, and transit agencies to direct the Bay Area's SB 375 Sustainable Communities Strategy at the sub-regional county or corridor level. He noted that the ABAG Administrative Committee and the MTC Planning Committee will meet jointly on June 11th to discuss the overall engagement strategy.

Members discussed engaging elected officials in the development of the Sustainable Communities Strategy, engaging communities and working with the state, League of California Cities and California LAFCO actions related to SB 375 and AB 32.

President Green thanked Mr. Rapport for his report.

12. DISCUSSION OF GREENHOUSE GAS (GHG), HOUSING, AND OTHER TARGETS PER SB 375 REQUIREMENTS**

Paul Fassinger, ABAG Research Director, and Christy Riviere, ABAG Principal Planner, discussed the potential future action by the Executive Board on California Air Resources Board (CARB) greenhouse gas targets for the region and the adoption of regional housing targets and other targets. Mr. Fassinger provided background information on SB 375; targets supported by T2035 and Projections; he reviewed greenhouse gas targets under SB 375, and described a best alternative scenario.

Members discussed funding for the base year case; low density infrastructure, schools, and recreation; other pollution sources; transit funding; suggestions for legislative approach; consideration of changing technology.

Jenny Bard, Regional Air Quality Director, American Lung Association, commented on MTC's submission to the Air Resources Board. She suggested that the targets and modeling can be more aggressive and ambitious to reduce greenhouse gases, pollution, and promote transportation policies. She called for resolutions of support for AB 32 and SB 375 and Clean Cars Regulation. She announced recent news that Nummi and Toyota will produce electric cars.

Ms. Riviere provided background on changes to regional land use under SB 375, and discussed housing targets and Projections 2009 forecast, and regional funding commitments that support the Sustainable Communities Strategy.

Members discussed loss of jobs in modeling.

President Green thanked Mr. Fassinger and Ms. Riviere for their report.

13. LEGISLATION & GOVERNMENTAL ORGANIZATION COMMITTEE REPORT**

President Green recognized Committee Chair Mark Luce, Supervisor, County of Napa, who reported on committee activities, including: approval of minutes of meeting held March 18, 2010; update on bills previously considered, including SB 1205 (support), AB 2103 (support), SB 1445, AB 155 (oppose), AB 2176 (support); bills for consideration for 2010 legislative session, including AB 987 (support), AB 1755 (support), AB 1805 (oppose), AB 2064 (support), AB 2313 (watch), AB 2398 (support), AB 2472 (support), AB 2679 (watch), SB 1006 (support), SB 1061 (support), SB 1189 (oppose), SB 1211 (watch), HR 5061 (support); discussion initiatives on the June ballot, and Proposition 16 (oppose).

Members discussed SB 1205 and the proposed authority's scope of work and stakeholder benefits, planning gaps, and its ability to mandate local governments to do authority work; and SB 1061regarding the bicycle and pedestrian path on the Bay Bridge.

President Green recognized a motion by Barbara Kondylis, Supervisor, County of Solano, which was seconded by Rose Jacobs Gibson, Supervisor, County of San Mateo, to approve the staff report. The motion passed with one no vote by President Green on SB 1061.

President Green thanked Chair Luce for his report.

14. FINANCE & PERSONNEL COMMITTEE REPORT**

President Green recognized Vice Chair Mike Kerns, Supervisor, County of Sonoma, who reported that the committee met on May 10, 2010, and its recent activities included approval of minutes and notes of meetings held January 21, 2010, and March 18, 2010; approval of financial reports for February 2010 and March 2010; a report on a proposed consolidated regional agencies building; and discussed the recruitment of a Executive Director; and a closed session on a public employee performance evaluation for Executive Director.

President Green recognized a motion by Supervisor Kerns, which was seconded by Sepi Richardson, Councilmember, City of Brisbane, to approve the staff report. The motion passed unanimously.

15. ADJOURNMENT

The meeting was adjourned at approximately 9:20 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.*

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.