SUMMARY MINUTES

ABAG Executive Board Meeting
No. 374, July 15, 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.

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
Supervisor David Cortese	County of Santa Clara
Mayor Pro Tem Carole Dillon-Knutson	City of Novato
Mayor Jack Gingles	City of Calistoga
Mayor Mark Green	City of Union City
Supervisor Scott Haggerty	County of Alameda
Councilmember Dave Hudson	City of San Ramon
Supervisor Rose Jacobs Gibson	County of San Mateo
Supervisor Mike Kerns	County of Sonoma
Director Nancy Kirshner Rodriguez	City of San Francisco
Supervisor Barbara Kondylis	County of Solano
Supervisor Mark Luce	County of Napa
Supervisor Ross Mirkarimi	County of San Francisco
Councilmember Julie Pierce	City of Clayton
Mayor Harry Price	City of Fairfield
Supervisor Gail Steele	County of Alameda
Supervisor Gayle B. Uilkema	County of Contra Costa
Vice Chair Terry Young	RWQCB

Representatives Absent	Jurisdiction
Councilmember Kansen Chu	City of San Jose
Councilmember Richard Garbarino	City of South San Francisco
Supervisor John Gioia	County of Contra Costa
Supervisor Carole Groom	County of San Mateo
Mayor Beverly Johnson	City of Alameda
Councilmember Ash Kalra	City of San Jose
Councilmember Sam Liccardo	City of San Jose
Councilmember Nancy Nadel	City of Oakland
Mayor Gavin Newsom	City of San Francisco
Vice Mayor Joe Pirzynski	Town of Los Gatos
Vice Mayor Jean Quan	City of Oakland
Councilmember A. Sepi Richardson	City of Brisbane
Mayor Pamela Torliatt	City of Petaluma
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 Green reported on the following:

Since January, President Green visited seven of the nine mayors and councilmembers' conferences to speak with them about the work ABAG is doing on behalf of the region. Many are pleasantly surprised by all of the programs and services that ABAG offers. He plans to continue this connection and interaction.

At the request of the Livermore City Council, President Green formally presented the ABAG Growing Smarter Together Award for Urban Design to the entire City Council at their June 14th meeting. The original announcement of the award was made at the Spring General Assembly.

The Joint Policy Committee met in a joint meeting with the ABAG Administrative Committee and the MTC Planning Committee on July 9th to hear a report on the California Air Resources Board draft greenhouse gas emissions targets that were issued on June 30th. ABAG, MTC, and our regional agency partners are well underway in planning to meet the final targets, and to produce the required Sustainable Communities Strategy for the region.

President Green and Vice President Susan Adams, Supervisor, County of Marin, were appointed by the Bay Area Air Quality Management District to an Ad Hoc Facilities Advisory Committee that will review plans and advise the Air District, MTC, and ABAG on a possible regional agencies headquarters building.

Mayor Green also reported on the status of the recruitment for an Executive Director. The Finance and Personnel Committee met to review applications and will meet to interview candidates. A recommendation will be made to the Executive Board at a special meeting on July 29th.

ABAG will be celebrating its 50th anniversary next year. President Green has asked the Administrative Committee and a few other representatives from other jurisdictions to participate on a committee to plan how this occasion is celebrated.

President Green announced that this meeting would be the last for Henry Gardner as Executive Director.

5. EXECUTIVE DIRECTOR'S REPORT
Henry Gardner, ABAG Executive Director, announced that this was his last report as Executive Director of ABAG. He spoke about how this experience has been rewarding and stated that he recognizes the importance and necessity of working across jurisdictional boundaries to develop a common vision to shape the future of the Bay Area. He also spoke about the diversity of the region and the challenges it brings, and the readiness of the region's political leadership and the public to tackle important issues.

He acknowledged the Executive Boards' support for the staff and the work that has allowed ABAG to make progress in forging cooperation among regional agencies.

He commented on the need for long-term financial stability and the previous attempts with the strong support and leadership of Senator Mark DeSaulnier to get legislative authority to levy a very modest vehicle registration fee. He reported on two measures. The first, authored by Senator DeSaulnier, would involve a state levied fee, it would be used by ABAG and MTC to plan for and implement SB 375, the Sustainable Communities Strategy, and the second, authored by Assemblywoman Fiona Ma, would be subject to voter approval, and would provide support for ABAG and MTC, but would also fund planning grants and small projects for cities and counties.

Executive Director Gardner reported on the State budget, noting that there is little chance the eventual adopted budget will be realistic and will most likely have illusory revenues and expenditure reductions as in the past, further complicating the fiscal problems of cities and counties. Initiatives and budget reform measures on the November ballot calling for a simple majority of the Legislature to adopt a State budget, but continuing to require a two-third approval for raising taxes and fees, will do very little to fix the problem.

He reported on SB 1205 (Corbett) which would establish the Bay Area Disaster Recovery Planning Council to create a long-term regional recovery plan for an earthquake in collaboration with various stakeholders.

A key component of SB 375 and the Sustainable Communities Strategy is to successfully engage local elected officials in the process. Staff is working on scheduling an evening meeting that will initiate the SCS engagement process in each county. The meetings will be convened by an ABAG Executive Board member and an MTC commissioner.

In a project funded by Caltrans Aeronautics Division, ABAG will receive $400,000 over three years to study the long-term recovery of the regional airport system. This project will take a comprehensive look at the Bay Area's airport system and their role in the region's post-disaster recovery.

The Bay Area Air Quality Management District is planning to relocate its offices and has asked ABAG and MTC to explore with them the possibility of co-locating the three agencies into one building. At this point no commitments have been made to do anything other than to consider the possibility. The presidents and vice presidents, chairs and vice chairs, and the executive directors of the three agencies will be meeting with CB Richard Ellis and Sedway Consulting, selected by the Air District to analyze the feasibility of such a proposal, and report back to the respective boards and commissions.

Property Assessed Clean Energy (PACE) financing programs were dealt a set back when Fannie Mae and Freddie Mac notified lenders that they would not accept mortgages with PACE liens. This decision will not directly affect ABAG's Retrofit Bay Area program. It will likely affect some Bay Area counties that were counting on stimulus funding to jump start their PACE program.

Members discussed the impacts on PACE financing programs by the private sector.

President Green thanked Executive Director Gardner for his report.

6. CONSENT CALENDAR

President Green recognized a motion by Mike Kerns, Supervisor, County of Sonoma, and seconded by Carole Dillon Knutson, Mayor Pro Tem, City of Novato, to approve the Consent Calendar. The motion passed unanimously.

A. Approval of Executive Board Summary Minutes**

Approved Summary Minutes of Meeting No. 373 held on May 20, 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 appointment was approved.

Regional Planning Committee
Linda J. Seifert, Solano County Supervisor

D. Authorization is Requested to Enter into Agreement with California Department of Natural Resources**

Authorized entering into an agreement with the California Department of Natural Resources to provide support for the Delta Science Program (DSP) and for the Executive Director or designee to sign the amendment on behalf of ABAG/SFEP with the Natural Resources Agency to continue providing support for the Delta Science Program.

E. Authorization to Enter into Agreement with U.S. Environmental Protection Agency (EPA)**

Authorized Board ratification of the San Francisco Estuary Partnership (SFEP) application for funds under the National Estuary Program and authorization for the Executive Director or designee to enter into a new cooperative agreement with EPA on behalf of the San Francisco Estuary Partnership to provide technical, public involvement and administrative support in implementing the Comprehensive Conservation and Management Plan (CCMP). The agreement term will be through September 30, 2011.

F. Authorization to Modify a Contract with Alameda County and Alameda County Flood Control and Water Conservation District**

Authorized the Executive Director or designee to sign the modification to the agreement to extend the contract with Alameda County and Alameda County Flood Control and Water Conservation District for one year to August 10, 2011, with the option to extend for a second year to August 10, 2012. The total amount of the contract is increased by $127,000 for the 2010-2011 year. No ABAG match is required. The project assists with implementation of the Comprehensive Conservation and Management Plan (CCMP) for the San Francisco Estuary.

G. Authorization to Submit Grant Application to the Metropolitan Transportation Commission**

Authorized submitting a grant application in the amount of $250,000 to the Metropolitan Transportation Commission and if funded to enter into a contract.

H. Authorization to Submit Grant Proposal to California Department of Water Resources in Collaboration with Santa Clara Valley Water District, North Marin Water District, and Bay Area Waste Dischargers Association**
Authorized submitting a proposal to the California Department of Water Resources in collaboration with the Santa Clara Valley Water District, North Marin Water District, and the Bay Area Waste Dischargers Association to work with the cities of Fremont, East Palo Alto, Alameda County, StopWaste.org, and San Francisco Estuary Institute to implement a variety of green infrastructure pilot projects and measure their effectiveness in treating stormwater. SFEP's portion of the request is $850,000, of which $675,000 would be subcontracts to partners.

I. Authorization to enter into Contract with CalTrans Division of Aeronautics
Authorized the Executive Director or designee to enter into contract with CalTrans Division of Aeronautics in the amount of $400,000 over a three year period for the purpose of analyzing the recovery of the region's airport system following a disaster. ABAG will subcontract for a portion of the services.

J. Authorization to Submit Proposal and if Funded enter into Contract with the California Earthquake Authority
Authorized submitting a proposal to the California Earthquake Authority and if funded to enter into an agreement to implement a statewide incentive program to train retrofit contractors through an online training course, educate local building department staff about program requirements, perform periodic quality assurance checks of completed retrofits, ensure the eligibility of homes receiving incentives, administer the incentives and educate homeowners about retrofit options.

7. COUNTY CORRIDOR PARTNERSHIP PROCESS FOR SUSTAINABLE COMMUNITIES STRATEGY**
Kenneth Kirkey, ABAG Planning Director, reported on the planned strategy for SB 375 related county/corridor engagement with elected officials. He reviewed the purpose of the initial leadership roundtable meetings; building the partnership process with the regional agencies elected officials, congestion management agencies leadership, planning directors, and transit agency representatives; the role of the SCS Executive Group and the Regional Advisory Working Group; and listed key Sustainable Communities Strategy objectives and leadership roundtable tasks. County/corridor leadership roundtable meetings are expected to take place by September.

Members discussed transit corridors that cross county lines and transit agency representation; encouraged staff to consider each county's "culture" and to work extensively with local jurisdiction staffs; recommended working with mayors and councilmembers associations and city managers associations and other community organizations; discussed structure and objectives of county meetings, and compiling results of outreach; discussed adoption of process time line; and discussed alternate planning strategy.

8. CALIFORNIA AIR RESOURCES BOARD GREENHOUSE GAS DRAFT TARGETS
Doug Kimsey, MTC Planning Director, reported on the Air Resources Board's target setting process and draft targets. He reviewed greenhouse gas emission reduction targets across other regions, the effect of T2035 and ARB fuel/fleet efficiency

standards, and findings related to existing operations and maintenance obligations. He described the Bay Area's "most ambitious scenario" and the ARB's recommendations for percent reduction in per capita emissions from 2005 to 2020. He also described three Bay Area sensitivity tests and their effects on the Bay Area's GHG scenarios, and spoke about an Alternative Planning Strategy. He reviewed principles under consideration by MTC for establishing GHG emission targets.

Members discussed the Air Resources Board target setting process and the principles for establishing GHG emission targets, including the three sensitivity tests, one statewide target, issues specific to suburban areas without transit or job centers, transportation costs on citizens, the need for realistic goals, setting goals higher, the effect of new technology, pricing and costs of housing and infrastructure, enforceable commitments and requirements on local governments, other GHG producers, and the need for incentives.

Scott Zengel, representing the Bay Area Council, commented on the business perspective on the Air Resources Board's draft targets noting that targets can be aggressive but also realistic. He encouraged finding ways to help developers achieve land use objectives, and following through on the SCS process.

9. ABAG 50TH ANNIVERSARY PLANNING

President Mark Green reported on the ABAG 50th Anniversary planning process. Suggested activities include a major event at the Claremont Hotel in January or February, encouraging cities and counties to prepare exhibits, having cities and counties purchase a table at the event, outreach to mayors and councilmembers associations, producing a video showing ABAG's achievements and a booklet focusing on the One Bay Area theme, having a performance arts group or speaker, creating an honorary committee, and seeking corporate sponsors. He invited members to submit ideas for celebrating ABAG's anniversary.

10. 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 May 20, 2010; recommendations on new bills, including AB 153 (Ma), Land Use Planning: Environmental Quality, support; AB 234 (Huffman), Oil Spill Prevention and Response: Transfer of Oil, support; SB 1174 (Wolk), Land Use: General Plan – Future Sustainable Communities Pilot Project, watch; AB 1810 (Feuer), Crime Gun Tracing Improvement Act, support; AB 1934 (Salana/Ammiano), Firearms – Open Carrying of Unloaded Handguns, support; AB 1998 (Brownley), Solid Waste: Single Use Carryout Bags, support; SB 228 (DeSaulnier), Plastic Bags: Compostable Plastic Bags, watch; SB 1454 (DeSaulnier), Recycling: Plastic Products, support; and receiving latest summary of ten propositions qualified for the November 2010 ballot.

President Green recognized a motion by Chair Luce, which was seconded by Harry Price, Mayor, City of Fairfield, to approve the staff report. The motion passed, with two nay votes on AB 1934 by Dave Cortese, Supervisor, County of Santa Clara, and Dave Casas, Mayor, City of Los Altos, and a nay vote on AB 1810 by Cortese.

President Green thanked Chair Luce for his report.

11. FINANCE & PERSONNEL COMMITTEE REPORT**

President Green recognized Chair Scott Haggerty, Supervisor, County of Alameda, who reported on committee activities, including approval of minutes of the May 10th meeting; a report on the financial reports for April and May; a report on a regional agencies headquarters; and a closed session on a public employee performance evaluation of Legal Counsel.

The Board entered closed session at 8:35 p.m.

CLOSED SESSION: The following item was discussed in closed session pursuant to the requirements of the Ralph M. Brown Act:

Public Employee Performance Evaluation
Title: Legal Counsel

The Board returned to open session at 8:40 p.m.

Chair Haggerty reported that the Finance and Personnel Committee reviewed the work performance and has briefed the Executive Board who requested that Legal Counsel be retained for another year.

President Green recognized a motion by Chair Haggerty, which was seconded by Supervisor Kerns, to approve the staff report. The motion passed unanimously.

President Green thanked Chair Haggerty for his report.

12. 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.