SUMMARY MINUTES

ABAG Executive Board Meeting
No. 382, September 15, 2011
MetroCenter Auditorium
101 8th Street, Oakland, California

1. CALL TO ORDER

President Green called the meeting to order at approximately 7:10 p.m. He welcomed Dave Hudson, Councilmember, City of San Ramon, as a newly appointed representative from the cities in Contra Costa County.

Representatives and Alternates Present	Jurisdiction
Councilmember Desley Brooks	City of Oakland
Councilmember Jane Brunner	City of Oakland
Councilmember Ronit Bryant	City of Mountain View
Councilmember Kansen Chu	City of San Jose
Supervisor Malia Cohen	County of San Francisco
Supervisor David Cortese	County of Santa Clara
Councilmember Carole Dillon-Knutson	City of Novato
Jason Elliott, Legislative Director	City of San Francisco
Vice Mayor Richard Garbarino	City of South San Francisco
Mayor Jack Gingles	City of Calistoga
Councilmember Susan Gorin	City of Santa Rosa
Mayor Mark Green	City of Union City
Supervisor Scott Haggerty	County of Alameda
Kate Howard, Govt Affairs Director	City of San Francisco
Councilmember Dave Hudson	City of San Ramon
Supervisor Rose Jacobs Gibson	County of San Mateo
Councilmember Beverly Johnson	City of Alameda
Councilmember Ash Kalra	City of San Jose
Councilmember Rebecca Kaplan	City of Oakland
Supervisor Mark Luce	County of Napa
Councilmember Julie Pierce	City of Clayton
Supervisor Dave Pine	County of San Mateo
Mayor Joe Pirzynski	Town of Los Gatos
Mayor Harry Price	City of Fairfield
Councilmember A. Sepi Richardson	City of Brisbane
Supervisor Linda Seifert	County of Solano
Supervisor Gayle B. Uilkema	County of Contra Costa
Vice Chair Terry Young	RWQCB

Representatives Absent	Jurisdiction
Supervisor Susan L. Adams	County of Marin
Supervisor John Avalos	County of San Francisco
Supervisor John Gioia	County of Contra Costa
Councilmember Sam Liccardo	City of San Jose
Supervisor Nadia Lockyer	County of Alameda
Supervisor Ross Mirkarimi	County of San Francisco
Supervisor David Rabbitt	County of Sonoma
Supervisor Ken Yeager	County of Santa Clara

2. ANNOUNCEMENTS
There were no announcements.

3. PUBLIC COMMENTS
There were no public comments.

4. PRESIDENT'S REPORT
President Green reported that he attended the Pinole City Council meeting to encourage them to reconsider their action to drop out of ABAG. The Pinole City Council agreed to rescind their previous action, pay their dues and to review the matter again during the 2011-12 budget discussions.

The Fall General Assembly on October 13th will be held in San Francisco at the St. Francis Hotel. The theme is *Greening Our Communities: Health People, Healthy Bay, Healthy Economy.*

The San Francisco Estuary Partnership's 10th Biennial Conference is at the Oakland Marriott City Center on September 21st and 22nd. The conference opening night Gala Reception will be held at the Aquarium of the Bay in San Francisco on September 19th.

On the consent calendar is the ABAG Officer Election Calendar. Petitions for nominations are available from the Clerk of the Board until October 7th. Nominees for the election canvassing committee are Rose Jacobs Gibson, Supervisor, County of San Mateo; Dave Cortese, Supervisor, County of Santa Clara; Scott Haggerty, Supervisor, County of Alameda; and, an alternate, Nadia Lockyer, Supervisor, County of Alameda.

As directed by the Executive Board at the July meeting, the Administrative Committee and Executive Director met with the Metropolitan Transportation Commission on July 27th during their closed session to discuss the proposed purchase and relocation to 390 Main Street, San Francisco. A full report will be made in closed session.

5. EXECUTIVE DIRECTOR'S REPORT
Executive Director Rapport reported that there are a number of documents and milestones related to the Sustainable Communities Strategy and the Regional Housing Need Allocation on which staff will report; ABAG received a grant for Electric Vehicle infrastructure; the San Francisco Estuary Partnership will hold its State of the Estuary conference on September 21st and 22nd; the state Housing and Transportation Committee held a hearing in San Jose on regional governance in the Bay Area and on AB 57; and that staff is working on submitting a grant application to the U.S. Department of Housing and Urban Development for sustainability planning.

6. CONSENT CALENDAR
President Green recognized a motion by Julie Pierce, Councilmember, City of Clayton, and seconded by Jack Gingles, Mayor, City of Calistoga, to approve the Consent Calendar. The motion passed unanimously.

A. Approval of Executive Board Summary Minutes**
Approved Summary Minutes of Meeting No. 381 held on July 21, 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. Appointments to Committee
Approved appointments to the following committee:

Regional Planning Committee
Tiffany Renee, Councilmember, City of Petaluma
Linda Craig, League of Women Voters (Replaced Patty Boyle, LWVBA)
Allen Fernandez Smith, Urban Habitat (Replaced Connie Galambos Malloy)

D. ABAG Officer Election Calendar**
Endorsed a schedule and procedures for the ABAG Election of Officers.

President Green nominated, and the Board approved, Rose Jacobs Gibson, Supervisor, County of San Mateo; Dave Cortese, Supervisor, County of Santa Clara; Scott Haggerty, Supervisor, County of Alameda; and, alternate, Nadia Lockyer, Supervisor, County of Alameda, to the Canvassing Committee for Officer Election.

E. Authorization to Amend Contract with the California Department of Boating and Waterways (DBW)**
Authorized the Executive Director or designee to amend the DBW contract by increasing the not to exceed amount to $2,562,101, an increase of up to $200,000.

7. SUSTAINABLE COMMUNITIES STRATEGY: ALTERNATIVE LAND USE SCENARIOS**
Ken Kirkey, ABAG Planning Director, reported on the Alternative Land Use Scenarios. He provided an overview of the land use alternative scenarios, including those under unconstrained resources, and constrained resources and reasonable planning; discussed the approaches used; described local jurisdictional input on the Initial Vision Scenario; described regional growth from 2010 to 2040; described alternative scenarios relative to the inner Bay Area and outer Bay Area; discussed the regional housing distribution and housing growth by scenario, and in PDAs by scenario; described the regional employment distribution, changes in spatial patterns of employment, and job growth by scenario, and in PDAs by scenario. He noted that employment and population analysis, transportation network analysis, and performance targets results will be completed in October, and that input will be gathered from local jurisdictions and stakeholders in November.

Members discussed economic growth and retaining businesses; the jobs to household ratio; greenfields, equity issues, and transportation funds; senior housing; and Napa County's work proximity program.

David Grabill, Latinos Unidos de Napa, spoke on existing unmet housing need, and the need for affordable housing for lower income households in outlying counties.

8. REGIONAL HOUSING NEED ALLOCATION (RHNA) DRAFT METHODOLOGY **
Miriam Chion, ABAG Principal Planner, reported on the Regional Housing Need Allocation. She provided background on RHNA; noted the need for RHNA to be

consistent with the Sustainable Communities Strategy, and the availability of the OneBayArea grant to support jurisdictions; described the proposed conceptual methodology, including the sustainability and fair share components, and increasing diversity of housing affordability in all jurisdictions. She also described the spheres of influence. She noted that the regional housing need allocation for the region will be provided by the state in November; the draft RHNA methodology will be released in Summer 2012; and the final RHNA methodology approved in Fall 2012. Staff is requesting that local jurisdictions provide resolutions requesting a change to the spheres of influence rules by October 31st, and that the Board authorize execution of the RHNA subregional delegation agreement.

Members discussed schools in relation to PDAs and quality of life factors; cites and jobs and housing that cross boundaries; jurisdictional zoning in PDAs; the 50/50 distribution between Marin County and its cities; spheres of influence in unincorporated areas; jobs in relation to PDAs; and transit, zoning for housing, and prior RHNA performance.

Pat Eklund, Councilmember City of Novato, commented on spheres of influence in Marin County and the 50/50 distribution between Marin County and the cities in Marin County; the minimum base housing growth of 40 percent; and current employment numbers.

President Green recognized a motion by Julie Pierce, Councilmember, City of Clayton, and seconded by Jack Gingles, Mayor, City of Calistoga, to approve staff recommendations regarding the Regional Housing Need Allocation draft methodology, including the 50/50 split in Marin County, the sphere of influence, and delegation to the subregions in the counties of San Mateo, Napa, and Sonoma. The motion passed unanimously.

9. ONE BAYAREA GRANT PROGRAM**

Alix Bockelman, Director, Programming and Allocations, Metropolitan Transportation Commission, reported on the OneBayArea Grant. She reviewed the principles which are the basis of the grant program; and provided funding information and distribution formula. She noted that the draft concepts for Cycle Two grant proposal and review was release in the Summer 2011; committee review of refined Cycle Two and RHNA proposals will occur in Fall/Winter 2011-2012; and adoption of Cycle Two grant programming using final RHNA factors will occur in March and April 2012.

Members discussed the 30 percent residential criteria; the process from Growth Opportunity Areas to become PDAs; local jurisdiction flexibility; resources needed to support PDAs; Priority Conservation Areas and agricultural, farmlands and undeveloped areas; connecting housing and infrastructure funding; matching resources with planning, flexibility and local discretion; promoting growth, not road maintenance.

10. FORUMLATING PROCESS FOR GROWTH OPPORTUNITY AREAS**

Ken Kirkey, ABAG Planning Director, reported on the process for formalizing Growth Opportunity Areas submitted under the Initial Vision Scenario. He reviewed a proposed process and timeline for transition eligible GOAs to PDAs. Staff recommended approval of the proposed process and timeline; add additional

place types and criteria; and add minimum housing density criteria. He noted next steps related to the process for formalizing GOAs to PDAs.

President Green recognized a motion by Rebecca Kaplan, Councilmember, City of Oakland, and seconded by Linda Seifert, Supervisor, County of Solano, to approve the process and timeline for transitioning Growth Opportunity Areas to Priority Development Areas. The motion passed unanimously.

11. PROPOSED REGIONAL CO-LOCATION FACILITY

Rebecca Kaplan, Councilmember, City of Oakland, requested Executive Board appointment of a Board committee to work with the recently established MTC committee which has been tasked with studying the legal, financial, and other issues concerning the potential acquisition of 390 Main Street, San Francisco.

President Green recognized a motion by Councilmember Kaplan, and seconded by Ash Kalra, Councilmember, City of San Jose, to direct the Administrative Committee to work with the MTC committee tasked to study the potential acquisition of 390 Main Street in San Francisco. The motion passed unanimously.

12. LEGISLATION & GOVERNMENTAL ORGANIZATION COMMITTEE REPORT**

Committee Chair Mark Luce, Supervisor, County of Napa, reported on Committee activities, including the status of bills at the end of the legislative session. Of the thirty-six bills that were considered, four have been chaptered and eleven have been enrolled and sent to the Governor: AB 144 (Portantino and Ammiano), Firearms: Open Carrying of Unloaded Handguns; AB 809 (Feuer), Firearms: Long Gun Transfer Records; AB 1112 (Huffman), Oil Spill Prevention and Administration Fee: State Lands Commission; AB 1220 (Alejo), Land Use and Planning: Cause of Actions—Time Limitations; AB 1430 (Committee on Local Government), Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 Omnibus Bill; SB 310 (Hancock), Local Development; SB 555 (Hancock), Local Government: Community Facilities District; SB 582 (Yee), Commute Benefits Policies; SB 790 (Leno), Electricity: Community Choice Aggregation. The committee recommended the following: SB 791 (Steinberg), Regional Congestion Reduction Charge, No Position; SB 226 (Simitian), Environmental Quality, Support. The committee reviewed recommendations for the 2012 legislative reception.

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

13. FINANCE & PERSONNEL COMMITTEE REPORT**

Committee Chair Rose Jacobs Gibson, Supervisor, County of San Mateo, reported on Committee activities and ask Board approval of Committee recommendations, including the following: approval of minutes of July 21, 2011. meeting; review of Financial Reports for June and July; resolution to establish a contingency reserve policy; request to file amicus curiae brief in support of *RDA v. Matosantos*; report on Diversity and Business Opportunity for Fiscal Year 2010-11; proposed regional facility co-location; and a closed session regarding public employee performance evaluation for Legal Counsel.

President Green recognized a motion by Rose Jacobs Gibson, Supervisor, County of San Mateo, and seconded by Julie Pierce, Councilmember, City of Clayton, to accept the committee report. The motion passed unanimously.

The Board entered closed session at approximately 9:15 p.m.

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

CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9(b)(1): One Item.

THE ABAG EXECUTIVE BOARD MET IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.8 TO CONFER WITH REAL PROPERTY NEGOTIATORS TO DISCUSS THE ACQUISITION OF REAL PROPERTY:

Negotiating Parties:

For ABAG: ABAG

ABAG Negotiators: Ezra Rapport, Executive Director; Administrative Committee

For BATA and MTC: BATA, MTC and CBRE

BATA and MTC: Steve Heminger, Executive Director; Brian Mayhew, Chief Financial Officer; and Darin R. Bosch, CBRE Senior Vice President

Under Negotiation: Update on Discussions re Location

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: Legal Counsel

The Board re-entered open session at about 9:30 p.m.

There was no reportable action from the closed session.

14. ADJOURNMENT
The meeting was adjourned at approximately 9:30 p.m.

Ezra Rapport

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.