

SUMMARY MINUTES

ABAG Executive Board Meeting No. 340
November 18, 2004 ▪ MetroCenter Auditorium
101 Eighth Street, Oakland, CA

1. CALL TO ORDER

The meeting was called to order at 7:35 p.m. by President Scott Haggerty. Mayor Mark Green led the Pledge of Allegiance.

Representatives and Alternates Present

Supervisor Scott Haggerty
Supervisor Gail Steele
Supervisor Mark DeSaulnier
Supervisor Mike Rippey
Supervisor Mike Church
Supervisor Rose Jacobs Gibson
Mayor Shelia Young
Mayor Mark Green
Councilmember Gwen Regalia
Councilmember Carole Dillon-Knutson
Mayor Ken Slavens
Mr. Mike Farrah
Ms. Amiee Albertson
Councilmember Donald Eaton
Vice Mayor Carol Klatt
Councilmember Julia Miller
Councilmember Hedy Chang
Councilmember Steve Rabinowitsh
Councilmember Jean Quan
Councilmember David Cortese
Councilmember Linda LeZotte
Councilmember Terry Gregory
Ms. Mary Warren

Jurisdiction

County of Alameda
County of Alameda
County of Contra Costa
County of Napa
County of San Mateo
County of San Mateo
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
Sonoma County Cities
City of Oakland
City of San José
City of San José
City of San José
Regional Water Quality Control Board

Following Representatives Absent

Supervisor John Gioia
Supervisor Susan Adams
Supervisor Mike Kerns
Supervisor Fiona Ma
Supervisor Matt Gonzalez
Supervisor Gerardo Sandoval
Supervisor Blanca Alvarado
Supervisor Peter McHugh
Supervisor Barbara Kondylis
Supervisor Mike Kerns
Councilmember Jane Brunner
Councilmember Nancy Nadel

County of Contra Costa
County of Marin
County of Sonoma
County of San Francisco
County of San Francisco
County of San Francisco
County of Santa Clara
County of Santa Clara
County of Solano
County of Sonoma
City of Oakland
City of Oakland

2. PUBLIC COMMENT

There was no public comment.

3. ANNOUNCEMENTS

Immediate Past President Gwen Regalia, Councilmember, Walnut Creek, announced her appointment as CALCOG President effective December 2004. She plans to make three appointments to League of California Cities policy committees and asked that interested Board members contact her.

4. **PRESIDENT'S REPORT**

President Haggerty reported on the Pacific Security Expo and Fall General Assembly, which was held October 5th & 6th and co-sponsored by ABAG, the Bay Area Economic Forum and BASIC. President Haggerty said that it was an outstanding conference, although attendance numbers were not as high as hoped. He encouraged all elected officials to participate in these very valuable meetings, and suggested marking calendars now to reserve April 28, 2005 for the Spring General Assembly and Business Meeting.

President Haggerty also observed that this was Eugene Leong's 60th and last meeting as Executive Director, noting that he will retire next month after 30 years of service to ABAG. Haggerty led the Board in thanking Leong for his leadership and dedication.

5. **EXECUTIVE DIRECTOR'S REPORT**

Executive Director Eugene Leong took this opportunity to thank all of the Executive Board and ABAG staff for making his tenure so enjoyable. He said that he leaves ABAG with mixed emotions, but knows the Agency is left in good hands.

6. **CONSENT CALENDAR**

A. Approval of Executive Board Summary Minutes**

Councilmember Miller read comments prepared by Supervisor Susan Adams who could not attend the meeting. The statement asserted that the minutes did not accurately reflect actions of the September 16, 2004 meeting, particularly with regard to Item 6C concerning RAPC. Details of the RAPC discussion were too vague. Specifics of the California Performance Review discussion were also not included. Finally, several comments regarding the Smart Growth Monitoring Report and Projections 2005, including recommendations to consider including issues of infrastructure and natural resources in the Smart Growth transcripts are available. It was suggested that information on who to contact for tape transcripts should be included in the minutes. After discussion, approval of the minutes was moved by Miller/S/Slavens/C/. Motion was passed without objection.

B. Grant Applications**

With Board consent, ABAG will transmit the attached list of federal grant applications to the State Clearinghouse. These applications were circulated in ABAG's "Intergovernmental Review Newsletter" since the last Executive Board meeting.

C. Appointments to Committees

The Board approved the following appointments to committees:

CalFED Task Force Chair

- Supervisor Cynthia Murray, County of Marin

Bay Conservation and Development Commission (BCDC)

- Councilmember Joseph Fernekes, City of South San Francisco (Nominated by San Mateo County Council of Cities to replace Susan Leal, Former San Francisco City and County Treasurer. Jose Cisneros, Treasurer, San Francisco City and County will serve as Alternate.

D. Authorize Contract with Coastal Conservancy

Authorization was granted to enter into a 3 year contract with the California Coastal Conservancy to provide administrative support at \$50,000 per year.

E. Authorize Continuing Assignment of ABAG Employee to the San Francisco Bay Regional Water Quality Control Board (RWQCB)

Authorization was granted to enter into an agreement for continued assignment of an ABAG employee to the RWQCB.

F. Authorize Amendment to Contract with the State Water Resources Control Board (SWRCB)

The Board authorized the amendment of the current agreement to provide outreach, education and stakeholder involvement for a CALFED project by increasing the total amount from \$325,000 to \$365,000. No ABAG match is required.

G. Authorize Amendment to Agreement with California Department of Boating and Waterways (DBW)

Authorization was granted to amend an agreement with the DBW to provide support for a Boater Education Program by increasing the not to exceed amount to \$876,000 and a pass-through contract to the Santa Monica Bay Restoration Foundation (SMBRF), in an amount not to exceed \$58,000.

H. Authorize Amendment to Contract with Lisa Owens-Viani

Authorization was granted to amend a contract with Lisa Owens-Viani to provide writing and editing support for SFEP publications by increasing the not to exceed amount from \$70,000 to 110,000 and extending the contract to December 31, 2005.

I. Authorize Amendment to Contract with Joan Patton

Authorization was granted to amend a contract with Joan Patten by increasing the not to exceed amount from \$105,000 to \$125,000 and extending the contract to December 31, 2005.

J. Authorize Submission of Grant Proposal to California Department of Water Resources (DWR)

The Board authorized the submission an ABAG/SFEP proposal to the DWR Division of Local Planning and Assistance, and if awarded, for the Executive Director or designee to enter into the grant contract and all other agreements necessary to provide planning, technical and project management services to assist county-wide water management planning activities in an amount of approximately \$250,000.

K. Ratify Submission of Proposal to CalTrans for a Community-Based Transportation Planning Grant

Authorization was granted to ratify submittal of a proposal to CalTrans for a Community-Based Transportation Planning Grant (FY 2005-06) totaling \$220,000 to fund development of a smart growth survey tool and if awarded, for the Executive Director or designee to enter into a grant contract with CalTrans and all other agreements necessary to perform under the grant.

L. Authorize subcontracts with National Resources Defense Council (NRDC) and Bio-Integrate Resource Center (BIRC) to participate in Integrated Pest Management grant from State Water Resources Control Board (SWRCB)

The Board authorized ABAG to enter into subcontracts with National Resources Defense Council (NRDC) in an amount not to exceed \$100,000 and with Bio-Integrate Resource Center (BIRC) in an amount not to exceed \$325,000 for each to participate in carrying out Integrated Pest Management (IPM) project funded under SWRCB grant.

M. Resolution No. 15-04 Electing to be Subject to Section 22873 of the Public Employees' Medical and Hospital Care Act

The Board approved Resolution No. 15-04, regarding the Public Employees' Retirement System to recognize a local agency's definition of domestic partners for the purpose of providing health benefits to the domestic partners of the local agency's employees. Approval allows ABAG to provide medical coverage to same and opposite sex domestic partners.

7. CALFED TASK FORCE REPORT

Supervisor Mike Rippey updated the Board on the activities of the CALFED Task Force in addressing a sustainable water future for the Bay Area. He commented on how well the group is functioning, and encouraged interested parties to get involved. All were invited to the Water Forum on November 29th in the MetroCenter Auditorium. Financial support continues to be a challenge, which the Task Force will address in the near future. Looking ahead, the Peripheral Canal issue is important to the future of the Bay Area, impacting drinking water and the ecosystems of the Bay and the Delta. Rippey closed by stressing that it is imperative that local governments have a voice in these state discussions.

Following this report, President Haggerty remarked that Supervisor Rippey is leaving office, thanked him for his dedication to ABAG and the community, and presented him with a plaque recognizing his outstanding service to ABAG and the region over the last eight years.

8. SMART GROWTH MONITORING REPORT AND PROJECTIONS 2005

Paul Fassinger, ABAG Research Director, reported on changes and additions that have been made since May to the Draft Smart Growth Monitoring Report and Projections 2005. Public comment from Jeffrey Groat, City Administrator, City of Piedmont, and Mayor Michael Bruck, City of Piedmont, addressed their concerns that the generic formula used to determine the projected number of jobs does not accurately reflect Piedmont's situation. President Haggerty proposed the Board approve the Monitoring Report without modification and the proposed Projections 2005 with modifications adjusting the City of Piedmont's numbers as discussed by Paul Fassinger, ABAG Research Director. M/Green/S/Young/C/. Dillon-Knutson and Rabinowitsh voted No.

9. PROPOSAL TO ESTABLISH SAN FRANCISCO BAY AREA EMERGENCY MANAGEMENT COORDINATING COUNCIL TASK FORCE

JoAnna Bullock, ABAG Grants Administrator, discussed a proposed new initiative and MOU with the Bay Area Emergency Management Officers. ABAG has been asked to create the San Francisco Bay Area Emergency Management Coordinating Council as a task force for the purpose of promoting and strengthening a regional approach to disaster preparedness and response. The mission of the Council is to coordinate and guide the development of regional emergency management projects and programs for the San Francisco Bay Area. Members of the Council have agreed to provide financial support for ABAG to provide organizational and facilitation support and coordinate Council activities. M/Eaton/S/Regalia/C/.

10. SEISMIC STRENGTHENING STANDARD PLAN SET

Jeanne Perkins, ABAG Earthquake and Hazards Program Manager, and William Schock, Building Official, City of San Leandro and Chair of the Tri-Chapter Committee of the International Code Council presented a prescriptive seismic strengthening plan for Board endorsement. This construction plan set is intended to offer a minimum benchmark for standardized earthquake retrofitting plans for use by residents in the Bay Area. With a motion by Young/S/Dillon-Knutson/C/, The Board adopted a resolution endorsing the Standard Plan Set.

11. LEGISLATION & GOVERNMENTAL ORGANIZATION COMMITTEE

Committee Chair Rose Jacobs Gibson reported on plans for the 2005 legislative session as well as a review of new laws enacted related to House legislation. Jacobs Gibson also reported on a presentation to the Committee by Alex Amoroso, ABAG Planner, who served as a member of a statewide advisory group for revising State Housing Element Law. Amoroso discussed recent bills affecting local and regional planning for housing which were passed through the efforts of the advisory group. 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. The Executive Board accepted the report and approved the actions of the Committee.

12. FINANCE AND PERSONNEL COMMITTEE REPORT

Committee Chair Julia Miller received Board approval of the Committee Report which included the Financial Report for September and October 2004 and the Audited Financial Reports for FY 2003-2004. The Board authorized Resolution concerning the issuance of up to \$64 million in "AAA" insured revenue bonds for the California Redevelopment Agency Pool Program. It was moved by Miller/S/Jacobs Gibson/C/ to accept the Committee's report.

The following matters were considered in closed session:

Administrative Committee Report – Executive Director Position

The Board met in closed session to discuss the Administrative Committee's recommendation of Henry Gardner to fill the position of Executive Director of ABAG effective December 18, 2004. The Board approved this recommendation.

Conclusion of Labor Negotiations with SEIU Local 790

The Board met in closed session to review the settlement agreed to with SEIU Local 790. The Union agreed to a reduction in cafeteria plan benefits, in order to finance negotiated increases in pay and an enhanced CalPERS Retirement benefit of 2.5% at age 55. The new agreement covers the period July 1, 2004 through December 31, 2005. The Agency and the Union agreed to include the unrepresented employees in this same package. The Board approved the agreement. Salary increases of 3.75% are effective 1/1/05 and the enhanced pension benefit is effective as soon as implementable by CalPERS.

Performance Evaluation – Executive Director (Salary Increase)

Action on this item was previously delayed pending the outcome of labor negotiations. It was noted that the Executive Director has agreed to give up his car allowance during his remaining time on the payroll, since he will not be conducting ABAG business. The Board approved a salary increase for the Executive Director.

Performance Evaluation – Legal Counsel (Salary Increase)

Action on this item was also previously delayed pending the outcome of labor negotiations. The Board approved a salary increase for Legal Counsel.

13. ADJOURNMENT

The meeting was adjourned at 9:20 p.m.



Eugene Y. Leong, Secretary-Treasurer