

Representing City and County Governments of the San Francisco Bay Area

Date: November 9, 2010

To: Executive Board

M E M O

From: Ezra Rapport
Executive Director

Subject: Executive Director's Report

Since our last meeting we have experienced national, statewide, and local elections that have had great impact on local government and ABAG. As you know by now, Proposition 23 went down to overwhelming defeat by the voters who sent a clear message that Californians did not want to suspend AB 32 goals for greenhouse gas reductions until the state's unemployment rate drops to 5.5 percent or lower for one year. We did not fare as well with Proposition 26, which the voters passed 52.9%. This measure requires state and local regulatory fees to be adopted by 2/3 vote. As you know, ABAG's bill to provide a reliable source of income for the agency and funding for the SCS process at the local level was not allowed a committee hearing because of the Committee Chair's concern about the impact of passage of a fee bill with Prop.26 on the ballot.

Proposition 26 breaks new legal ground contains numerous exceptions and has limited intent language to guide interpretation. Currently, no ABAG programs are impacted by the passage of Prop. 26. However, two extended producer responsibility bills supported by HazWaste and L&/GO Committees –AB 1343 Paint Recycling and AB 2398 carpet stewardship will likely be affected, because the provisions are retroactive to January 21010.ABAG, The League of California Cities has established a committee of local attorneys to review Prop. 26. During the short term, the League has advised cities to: "expect uncertainty...proceed cautiously when adopting new fees, or increasing or extending existing fees." We will continue to monitor and evaluate the impact of Prop. 26 on local government and continue to search for ways to provide a consistent and reliable source of income for ABAG.

Sustainable Purchasing Workshop

On Wednesday, October 20th, ABAG hosted a Sustainable Purchasing Workshop at the Metrocenter. The workshop was organized at the direction of the Hazardous Waste Management Facility Allocation Committee, which also oversees the Green Business Program. It was attended by 60 local government staff and consultants who were interested in learning how to ensure their purchasing practices support their climate protection, pollution prevention, waste reduction and other environmental and public health - related goals in a fiscally-prudent manner.

The workshop was co-hosted by the Responsible Purchasing Network, a national organization devoted to providing tools and resources for local government agencies. RPN is based in Oakland and operated by Alicia Culver, who shaped the agenda and emceed the workshop. Ms. Culver has helped numerous public agencies in the Bay Area and beyond to develop Sustainable Purchasing Programs.



Participants were highly engaged and motivated. With the feedback we received, we will soon begin to plan the next workshop which we expect to hold in the Spring of 2011.

ABAG PLAN's 2010 Sewer Smart Summit

In the absence of President Green, I welcomed more than 100 public works directors, city engineers, sanitary district operators, water district operators, and other city and county staff to ABAG PLAN's Sewer Smart Summit at the Metro Center on October 26th. During the course of the day there was expert discussion on a range of sewer infrastructure issues that included compliance enforcement, best practices for preventing residential backups, the status of sewer ordinances, the effects of climate change on sewers, and disaster preparation for sewer/water agencies. New technology was also demonstrated during the summit.

New ABAG Earthquake Website

The Earthquake and Hazards Program has launched a new website (<http://quake.abag.ca.gov>). This includes

- new pages on housing losses (<http://quake.abag.ca.gov/housing/losses>)
- vulnerable housing types (<http://quake.abag.ca.gov/housing>)
- soft story buildings (<http://quake.abag.ca.gov/housing/softstory>)
- infrastructure losses (<http://quake.abag.ca.gov/infrastructure/>)
- a Local Government portal (<http://quake.abag.ca.gov/govt>)

Legislation Update

- **SB 1205 (Corbett)**. This bill would have established the Bay Area Disaster Recovery Planning Council to create a long-term regional recovery plan for an earthquake or other major disaster in collaboration with various stakeholders. The Governor vetoed the bill citing objections from CalEMA.

Federal Legislation

- **H.R. 4715**, a bill to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program was marked up in the Senate and went to floor votes in the House in April. It is now part of a package called "The Great Waters Bills." If approved, it provides up to \$1.2 million each year for each National Estuary Program (NEP) starting in 2012. **On Sept. 16th the bill was placed on the Senate Legislative Calendar under General Orders. Calendar No. 569.**
- **H.R. 5061**, the San Francisco Bay Improvement Act of 2010 introduced by Representative Jackie Speier last spring, is also now part of the "Great Waters Bill" discussion. It has been marked up on the Senate side, with substantial

differences between the House and Senate versions. **No movement on this bill since last report.**

