SUMMARY MINUTES

ABAG Executive Board Meeting
No. 363, September 18, 2008
MetroCenter Auditorium
101 8th Street, Oakland, CA

1. CALL TO ORDER

President Rose Jacobs Gibson called the meeting to order at approximately 7:05 p.m.

Representatives and Alternates Present	Jurisdiction
Supervisor Susan Adams	County of Marin
Councilmember Jane Brunner	City of Oakland
Supervisor Chris Daly	County of San Francisco
Councilmember Dan Furtado	City of Campbell
Councilmember Richard Garbarino	City of South San Francisco
Mayor Jack Gingles	City of Calistoga
Supervisor John Gioia	County of Contra Costa
Mayor Mark Green	City of Union City
Supervisor Scott Haggerty	County of Alameda
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
Councilmember Sam Liccardo	City of San Jose
Vice Mayor John Marquez	City of Richmond
Supervisor Peter McHugh	County of Santa Clara
Supervisor Ross Mirkarimi	County of San Francisco
Councilmember Nancy Nadel	City of Oakland
Councilmember Joe Pirzynski	Town of Los Gatos
Mayor Harry Price	City of Fairfield
Councilmember Jean Quan	City of Oakland
Mayor Gwen Regalia	City of Walnut Creek
Mayor Pro Tem A. Sepi Richardson	City of Brisbane
Supervisor Gail Steele	County of Alameda
Mayor Pamela Torliatt	City of Petaluma
Terry Young	RWQCB

Representatives Absent	Jurisdiction
Vice Mayor David D. Cortese	City of San Jose
Councilmember Carole Dillon-Knutson	City of Novato
Mayor Janet Lockhart	City of Dublin
Supervisor Mark Luce	County of Napa
Education Advisor Hydra Mendoza	City of San Francisco
Mayor Gavin Newsom	City of San Francisco
Supervisor Adrienne Tissier	County of San Mateo
Supervisor Gayle B. Uilkema	County of Contra Costa
Councilmember Forrest Williams	City of San Jose
Supervisor Ken Yeager	County of Santa Clara

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2. PUBLIC COMMENT

There was no public comment.

3. ANNOUNCEMENTS

President Jacobs Gibson welcomed Dr. Terry Young, Advisory Member, representing the Regional Water Quality Control Board, and Harry Price, Mayor, City of Fairfield, Alternate to Len Augustine, Mayor, City of American Canyon, representing cities in the County of Solano, to the Board.

The Board observed a moment of silence in honor of Matt Garcia, Councilmember, City of Fairfield.

There were no other announcements.

4. PRESIDENT'S REPORT

President Jacobs Gibson reported on the following:

The Fall General Assembly will be held on Friday, October 24th at the Marriott City Center in Oakland. The theme is Regional Water-Land Use Planning: The Delta Connection. This is a topic that is critical to the entire region. Senator Darrell Steinberg, Senate President pro Tempore-elect, has confirmed his participation in the program, as has Sacramento Bee Columnist Dan Walters. Board members, elected officials, and staff were encouraged to attend.

The Youth Gun Violence Task Force held its first meeting before the Board meeting. The next meeting will be on October 24th.

5. EXECUTIVE DIRECTOR'S REPORT

Executive Director Gardner reported on the following:

As of the Board meeting, the Governor and the legislature had fashioned another proposal on the state budget. There had been no proposal made by the Governor, Assembly, or Senate with the necessary two-thirds vote. This stalemate sets the record for budget adoption. The impacts on local governments have not yet been too severe.

In concert with our regional partners on the Joint Policy Committee (JPC), ABAG submitted comments to Chairman Mary Nichols of the California Air Resources Board (CARB) regarding their Climate Change Draft Scoping Plan, including: all of our agencies are working assertively to address issues of climate change and greenhouse gas emissions; incentives must be directed to those jurisdictions that support and implement sustainable land use projects; provide a clear distinction between Local Actions and Regional Targets; separate local government actions related to non-land use and land-use related climate change actions; provide incentives for sustainable land use to move beyond minimum reductions and accelerate land use changes and greenhouse gas reductions; establish reduction ranges as the spread between the minimum levels required to achieve the 2020 GHG target and the "aspirational" levels needed to accelerate progress related to the State's 2050 target; and articulate the potential connection between the Draft Scoping Plan and SB375.

ABAG was awarded the Green Infill – Clean Stormwater grant program from US EPA in the amount of $996,495 which will be supplemented by partner agency matches

of $2,480,500. The program links two important regional programs: San Francisco Estuary Project's Comprehensive Conservation and Management Plan and FOCUS. SFEP and ABAG staff will manage the grant and work with partners to promote green infrastructure projects around the region's Priority Development Areas.

ABAG Energy Watch, a local government partnership between ABAG and Pacific Gas and Electric, has provided technical assistance towards the completion of over 100 energy efficiency projects across 33 agencies. Installed projects represented 5,800,000 kWh in annual energy savings by the end of July, and savings are expected to triple over the next five months as over 100 more projects are completed. Once completed, these projects will save local governments approximately $2.6 million per year and reduce greenhouse gas emissions by 8.5 million pounds of CO_2e[1] per year.

ABAG Energy Watch is working with the San Francisco Bay Area Rapid Transit District (BART) to implement energy efficiency improvements in coordination with a solar energy project. Under a power purchase agreement (PPA), BART will pay for electricity produced by the Photovoltaic (PV) system, which is owned and maintained by the developer, thereby allowing BART to use solar power without the capital outlay or debt associated with purchasing a PV system and treating solar energy procurement as an operational expense.

Financings delivered by ABAG and its affiliated entities include: $4,500,000 in Variable Rate Demand Multifamily Housing Revenue Bonds on behalf of the **City and County of San Francisco** for acquisition, rehabilitation, and preservation of the affordable status of the 82-unit Reardon Heights Apartments; $22,500,000 in Variable Rate Demand Revenue Bonds for the Branson School in **Marin County**, for construction of new facilities; $22,710,000 in Revenue Bonds on behalf of the **City and County of San Francisco** for capital projects being undertaken by On Lok Senior Health Services; on behalf of the **County of Santa Clara**, $5,526,000 in Multifamily Housing Revenue Bonds for construction of the 28-unit Belovida Senior Apartment Complex in the City of Santa Clara; and, $41,405,000 in State-Insured Revenue Bonds for Construction of the Institute on Aging, an outpatient medical facility in **San Francisco**.

President Jacobs Gibson thanked Executive Director Gardner for his report.

6. CONSENT CALENDAR

President Jacobs Gibson recognized a motion by Sepi Richardson, Mayor ProTem, City of Brisbane, 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**

Summary Minutes of Meeting No. 362 held on July 17, 2008.

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. Reallocation of RHNA Responsibility between Napa County and the City of Napa**

Approved an agreement between Napa County and the City of Napa to reallocate 82 units of responsibility from the County to the City.

D. **Request to file *Amicus* Brief****
Granted Southern California Association of Governments (SCAG) request made in connection with appeal of decision regarding challenge to their Regional Housing Needs Allocations.

E. **Workers Compensation Insurance****
Adopted Resolution 06-08 adding volunteers to ABAG's Workers Compensation Insurance.

F. **Residential Seismic Strengthening Standard Plan Set****
Adopted Resolution 07-08 endorsing a revised standard plan set for seismic strengthening of wood-frame residential buildings.

G. **Authorization to Participate in Federal Funding Solicitation in Cooperation with University of California at Davis and California Water/Land Use Partnership****
Authorized to participate in a solicitation of federal funding ($275,000 to ABAG over five years) for environmental/land use planning and related technical support to participating Bay Area cities, counties, and special districts in the design and implementation of novel urban runoff and related community enhancement projects.

7. **GOVERNOR'S DELTA VISION BLUE RIBBON TASK FORCE RECOMMENDATIONS****
President Jacobs Gibson recognized Arne Simonsen, Councilmember, City of Antioch, and ABAG representative on the Delta Vision Stakeholders Group, Ken Kirkey, ABAG Planning Director, and Kathleen Van Velsor, ABAG Senior Planner, who reported on the Governor's Delta Vision Blue Ribbon Task Force draft Delta Vision Strategic Plan and its impacts on the region, and presented recommendations from the Regional Planning Committee.

The key issues for the Bay Area include water quality/water supplies, land planning/land protection, watershed restoration/species, socio-economic impacts, recreation, flood management/emergency preparedness/recovery planning, and implications of sea level rise. Staff developed specific recommendations relating to the co-equal goals of Delta ecosystem health and reliable water supply; protecting the Delta as a unique and valued place; revitalizing the Delta ecosystem; and reducing risks to people, resources, and state interests in the Delta.

Councilmember Simonsen briefed members on the following: the composition of Delta Protection Commission, permitting authority, expansion of the primary zone and inclusion of the secondary zone, divesting the state water projects from the Department of Water Resources, commission membership, ensuring the Delta as a place, the peripheral canal, the Delta Conservancy, the Suisun Marsh, water fowl, carbon credits, land acquisition for restoration on government and NGO-owned lands and willing property owners, and water storage.

Members discussed the joint policy statement issued by five counties, Suisun Marsh's designation as a national treasure, governance structure, comprehensive land use authority, water storage expansion, definition of surplus water, Bay salinity, and working with BCDC and the Estuary Implementation Project. Staff will follow up on specific issues raised.

Members requested that the comments include the following: incorporate language related to the primary and secondary zones and land use authority for those zones;

bring back information related to storage options; hold to the surplus water definition that the Delta counties are supporting.

President Jacobs Gibson recognized a motion by Pamela Torliatt, Mayor, City of Petaluma, and seconded by Pete McHugh, Supervisor, County of Santa Clara, to approve the staff report with the additional issues raised by members. The motion passed unanimously.

President Jacobs Gibson thanked Councilmember Simonsen, Mr. Kirkey, and Ms. Van Velsor for their report.

8. SOLAR PERMITTING STANDARDIZATION

President Jacobs Gibson recognized Bob Hines, Vice President and General Counsel, Silicon Valley Leadership Group (SVLG); Doug Payne, Director of Commercial Business Development, REgrid Power; and Greg Sellers, Councilmember, City of Morgan Hill, and Chair of SolarTech Permitting Sub-committee, who gave an informational briefing on SolarTech, an initiative of the SVLG and a nonprofit 501(c)(3) organization, including solar energy as a renewable energy source for Bay Area cities' commercial and residential structures; SolarTech's mission, structure and accomplishments; and solar permitting draft solutions. SolarTech is seeking ABAG's support to bring together city and county building officials and inspectors to work collaboratively with SolarTech and the solar industry to jointly develop a standard permit form and inspection process.

Members discussed a proposed draft resolution encouraging cities to work with SVLG, SolarTech and the solar industry; the need for regional leadership on solar energy; available surveys of residential and commercial permitting and standards; timeline for developing standard permit form and process; local governmental processes; consumer and community responses; incentives for generating excess residential power; fees and cost recovery. Staff will meet with members and representatives from SolarTech on these issues.

President Jacobs Gibson thanked Mssrs. Bob Hines, Payne and Sellers for their presentation.

9. REGIONAL TRANSPORTATION PLAN UPDATE**

President Jacobs Gibson recognized Ashley Nguyen, MTC Senior Transportation Planner, who gave an update to the Board on the status of the Regional Transportation Plan. Ms. Nguyen reported on the distribution of total T2035 projected plan revenues, the approved investment plan, and plan expenditures. Next steps include identifying future actions and soliciting input from partners and the public though November, conducting an environmental assessment and transportation/air quality conformity analysis between August and November, releasing the draft Transportation 2035 Plan and EIR in December, and adopting the final Transportation 2035 Plan and EIR in March 2009.

Members discussed the regional HOT network and principles, and maintenance costs.

President Jacobs Gibson thanked Ms. Nguyen for her report.

10. LEGISLATION & GOVERNMENTAL ORGANIZATION COMMITTEE REPORT**

President Jacobs Gibson recognized Committee Chair Pete McHugh, Supervisor,

County of Santa Clara, who reported on Committee activities, including a review of bills considered in 2008 by the committee, a report on SB 375, a report on AB 2954, and discussions of the state budget and local governments actions related to energy efficiency.

President Jacobs Gibson recognized a motion by Chair McHugh, and seconded by Barbara Kondylis, Supervisor, County of Solano, to approve the committee report. The motion passed unanimously.

President Jacobs Gibson thanked Chair McHugh for his report.

11. FINANCE & PERSONNEL COMMITTEE REPORT**

President Jacobs Gibson recognized Committee Chair Scott Haggerty, Supervisor, County of Alameda, who reported on Committee activities, including a review an approval of financial reports for the months of June and July; a report on the Diversity and Business Opportunity for Fiscal Year 2007-2008; an approval of an amendment to the ABAG Investment Policy to require Executive Committee review and Executive Board approval only upon a proposed change in such policy; a discussion on providing per diem for attendance at meetings via teleconference; approval of the request of Southern California Association of Governments (SCAG) to have ABAG file an *amicus* brief in connection with appeal of a court decision regarding challenge to their Regional Housing Needs Allocations; an approval of staff's request to add volunteers to ABAG's Workers Compensation Insurance; and a meeting in closed session with Agency designated representatives Patricia Jones and Austris Rungis (IEDA) regarding negotiations with ABAG's employee union—SEIU 1021.

President Jacobs Gibson recognized a motion by Chair Haggerty, and seconded by Supervisor McHugh, to approve the committee report. The motion passed unanimously.

President Jacobs Gibson thanked Chair Haggerty for his report.

12. ADJOURNMENT

Meeting adjourned at approximately 9:10 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.