

SUMMARY MINUTES (DRAFT)

ABAG Executive Board Meeting No. 402
Thursday, September 18, 2014
Joseph P. Bort MetroCenter
101 8th Street, Oakland, California

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

President Julie Pierce, Councilmember, City of Clayton, called the meeting of the Executive Board of the Association of Bay Area Governments to order at about 7:05 p.m.

President Pierce led the Board and the public in the Pledge of Allegiance.

President Pierce welcomed Jim Davis, Vice Mayor, City of Sunnyvale, and Alternate from Cities in Santa Clara County. She recognized Greg Lyman, Mayor, City of El Cerrito, and Alternate from Cities in Alameda County, who was present.

A quorum of the Board was present.

Representatives and Alternates Present Jurisdiction

Supervisor Candace Andersen	County of Contra Costa
Mayor Jack Batchelor	City of Dixon
Councilmember Desley Brooks	City of Oakland
Councilmember Ronit Bryant	City of Mountain View
Supervisor Cindy Chavez	County of Santa Clara
Councilmember Kansen Chu	City of San Jose
Vice Mayor Jim Davis	City of Sunnyvale
Councilmember Pat Eklund	City of Novato
Mayor Leon Garcia	City of American Canyon
Councilmember Pradeep Gupta	City of South San Francisco
Supervisor Scott Haggerty	County of Alameda
Mayor Bill Harrison	City of Fremont
Vice Mayor Dave Hudson	City of San Ramon
Supervisor Mark Luce	County of Napa
Councilmember Jake Mackenzie	City of Rohnert Park
Supervisor Eric Mar	County of San Francisco
Supervisor Karen Mitchoff	Count of Contra Costa
Mayor Mary Ann Nihart	City of Pacifica
Councilmember Julie Pierce	City of Clayton
Supervisor David Rabbitt	County of Sonoma
Supervisor Katie Rice	County of Marin
Supervisor Linda Seifert	County of Solano
Mayor Jerry Thorne	City of Pleasanton

Representatives Absent

Supervisor David Cortese
Dir Jason Elliott, Leg/Gov Affairs
Councilmember Dan Kalb
Councilmember Ash Kalra
Supervisor Jane Kim

Jurisdiction

County of Santa Clara
City of San Francisco
City of Oakland
City of San Jose
County of San Francisco

Director William Kissinger	RWQCB
Mayor Edwin Lee	City of San Francisco
Councilmember Sam Liccardo	City of San Jose
Supervisor Dave Pine	County of San Mateo
Mayor Jean Quan	City of Oakland
Supervisor Warren Slocum	County of San Mateo
Supervisor Richard Valle	County of Alameda

2. PUBLIC COMMENT

There were no public comments.

3. ANNOUNCEMENTS

Mary Ann Nihart, Mayor, City of Pacifica, informed the Executive Board of the death of James Vreeland, former Mayor, City of Pacifica, who passed away on September 13, 2014.

President Pierce announced that In the interest of cost saving efficiency and resource conservation, ABAG will no longer be automatically mailing out paper copies of the Executive Board agenda packets. Agenda packets will be provided in PDF format and online. A hard copy packet will be available upon request.

There were no other announcements.

4. PRESIDENT'S REPORT

President Pierce reported on the following:

The *Estuary Bay + Delta + Water: Better Together Conference* in Antioch on September 24, presented by ABAG, Delta Counties Coalition and Friends of the San Francisco Estuary, examines the role of fresh water in the Bay-Delta Estuary, current planning processes underway that may positively or negatively impact fresh water flows, and what needs to be done to protect the environmental, economic, social and health benefits of the San Francisco Bay-Delta Estuary.

The *Loma Prieta 25 Symposium: Still on Shaky Ground, Building Bay Area Resilience*, on October 16, sponsored by ABAG, USGS, California Earthquake Authority, California Resiliency Alliance, and others, commemorates the 25th anniversary of the Loma Prieta Earthquake and explores and supports in-depth future resilience action.

The 8th *Biennial Bay-Delta Science Conference: Making Connections* at the Sacramento Convention Center on October 28, 29, and 30, sponsored by ABAG's San Francisco Estuary Partnership, presents technical analyses and results relevant to the Delta Science Programs mission to provide the best possible, unbiased, science-based information for water and environmental decision-making in the Bay-Delta System.

ABAG Finance Authority for Non Profit Corporations is sponsoring, with Fannie Mae/Freddie Mac and others, a conference called *Designing, Financing, and Administering First-Time Home Buyer Programs: Strategies for Successful Low, Moderate and Workforce Housing* at the MetroCenter Auditorium on November 13.

The Ninth Annual Sewer Summit, *Be Sewer Smart this Rainy Season*, will be held at the Marriott Fremont-Silicon Valley, on November 13, sponsored by ABAG PLAN, to collaborate and identify potential resolutions to conflicts that limit current prevention efforts, from best practices to meeting regulatory compliance burdens.

As part of the series of meeting with delegates in each county, Brad Paul, ABAG Deputy Executive Director, will discuss Plan Bay Area next steps and needs and challenges with the Contra Costa Mayors Conference in Pleasant Hill on October 2.

Following a discussion on whether the next regular Executive Board meeting should change from December 4 to November 20, the consensus of the members was to retain the original meeting schedule. The meeting was originally scheduled on December 4 to accommodate those members who may attend the California State Association of Counties meeting.

5. EXECUTIVE DIRECTOR'S REPORT

There was no Executive Director's report.

6. CONSENT CALENDAR

Kenneth Moy, ABAG Legal Counsel, reported that the San Francisco Estuary Partnership submitted an urgency item to be added to the Consent Calendar calling for the adoption of Resolution No. 17-14, Pledging Membership Dues for the Unified Bay and Delta Protection Planning and Reporting Project.

President Pierce recognized a motion by Mary Ann Nihart, Mayor, City of Pacifica, which was seconded by Linda Seifert, Supervisor, County of Solano, to add the adoption of Resolution No. 17-14 to the Consent Calendar.

There was no discussion.

The aye votes were: Andersen, Batchelor, Brooks, Bryant, Chavez, Chu, Davis, Eklund, Garcia, Gupta, Haggerty, Harrison, Hudson, Luce, Mackenzie, Mar, Mitchoff, Nihart, Pierce, Rabbitt, Rice, Seifert, Thorne.

The nay votes were: None.

Abstentions were: None.

Absent were: Cortese, Elliott, Kalb, Kalra, Kim, Kissinger, Lee, Liccardo, Pine, Quan, Slocum, Valle.

The motion passed unanimously.

President Pierce recognized a motion by Pat Eklund, Councilmember, City of Novato, which was seconded by Candace Anderson, Supervisor, County of Contra Costa, to approve the Consent Calendar, including adoption of Resolution No. 17-14, Pledging Membership Dues for the Unified Bay and Delta Protection Planning and Reporting Project.

There was no discussion.

The aye votes were: Andersen, Batchelor, Brooks, Bryant, Chavez, Chu, Davis, Eklund, Garcia, Gupta, Haggerty, Harrison, Hudson, Luce, Mackenzie, Mar, Mitchoff, Nihart, Pierce, Rabbitt, Rice, Seifert, Thorne.

The nay votes were: None.

Abstentions were: None.

Absent were: Cortese, Elliott, Kalb, Kalra, Kim, Kissinger, Lee, Liccardo, Pine, Quan, Slocum, Valle.

The motion passed unanimously.

A. Approval of Executive Board Summary Minutes of Meeting No. 401 held on July 19, 2014

B. Approval of Transmission of Federal Grant Applications to State Clearinghouse

The Executive Board consented to ABAG transmitting an 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. Ratification of Submittal of Proposal to the Department of Energy for HVAC Permit Program by the Bay Area Regional Energy Network (BayREN)

The Executive Board ratified the proposal submitted to the Department of Energy for 2015-2016 funding for the BayREN in the amount of \$300,000, and authorized the ABAG Executive Director to enter negotiations and execute the necessary agreements for acceptance of the approved funding and implementation of the BayREN HVAC Pilot Program.

D. Authorization to Enter into Contract Agreements with Local Project Sponsors for Nineteen (19) Bay Area Integrated Regional Water Management Projects

The Executive Board authorized the Executive Director, or his designee, to enter into contract agreements on behalf of ABAG with the Local Project Sponsors to implement the above referenced projects. The San Francisco Estuary Partnership and ABAG will provide overall grant management services for the DWR grant which extends from the award date of February 4, 2014 through completion date of December 31, 2018.

E. Authorization to Enter into a Contract with USGS to Provide Support for the Bay-Delta Science Program Biennial Science Conference

The Executive Board authorized the Executive Director, or his designee, to enter into a contract amendment on behalf of ABAG/SFEP with the USGS for support services on the 2010 Bay-Delta Science Conference. The contract amount will not exceed \$140,000.

F. Authorization to Amend Contract Agreement with Customized Performance, Inc. for Janitorial Services

The Executive Board authorized the Executive Director, or his designee, to amend the agreement with Customized Performance, Inc., to extend the contract period from July 1, 2014 through June 30, 2015 and for additional months thereafter corresponding to ABAG's occupancy of its office space. The annual cost for janitorial services from July 2014 through June 2015 at \$2,750.44 per

month is \$33,005.28, and the cost from July 2015 through December 2015 is \$16,502.64.

G. Adoption of Resolution No. 17-14, Pledging Membership Dues for the Unified Bay and Delta Protection Planning and Reporting Project

The Executive Board adopted Resolution No. 17-14.

7. PRIORITY DEVELOPMENT AREA IMPLEMENTATION SHOWCASE—CITY OF PETALUMA

Miriam Chion, ABAG Planning and Research Director, introduced the Priority Development Area implementation showcase of the City of Petaluma. David Rabbitt, Supervisor, County of Sonoma, and ABAG Vice President, presented the Priority Development Area Implementation Theatre District, City of Petaluma, which highlighted the use of SmartCode Regulating Plan, a form-based zoning ordinance.

Members discussed the downtown Theatre District, market-rate residential units and retail, developing the specific plan.

8. BACKGROUND ON PROPOSED WATER BOND PROPOSITION 1

Brad Paul, ABAG Deputy Executive Director, introduced the proposed Water Bond Proposition 1 which is on the November ballot. John Coleman, Executive Director, Bay Planning Coalition, and President of the Association of California Water Agencies, gave a presentation on the Water Bond, including a review of the comprehensive water strategy, water bond total expenditures, funding for water storage, underlying themes of and support for the 2014 water bond.

Members discussed debt service under the water bond; the tunnel conveyance; the Bay Delta Conservation Plan; November election voter turnout; conservation and reclaimed and recycled water; discussion at the Legislation and Governmental Organization Committee about Proposition 1.

President Pierce recognized a motion by Scott Haggerty, Supervisor, County of Alameda, which was seconded by Linda Seifert, Supervisor, County of Solano, to support Proposition 1.

Members discussed integrated regional water management planning; water recycling; water storage; wastewater recycling and stormwater.

The aye votes were: Andersen, Batchelor, Brooks, Bryant, Chavez, Chu, Davis, Eklund, Garcia, Gupta, Haggerty, Harrison, Hudson, Luce, Mackenzie, Mar, Mitchoff, Nihart, Pierce, Rabbitt, Rice, Seifert, Thorne.

The nay votes were: None.

Abstentions were: None.

Absent were: Cortese, Elliott, Kalb, Kalra, Kim, Lee, Liccardo, Pine, Quan, Slocum, Valle.

The motion passed unanimously.

9. RESILIENCE ISSUES RELATED TO SOUTH NAPA EARTHQUAKE

President Pierce reported on the impacts of the recent earthquake affecting Napa and Solano counties and described ABAG's response to the event, including

meetings and tours with local jurisdiction officials, field reconnaissance and site visits, and support of regional resilience efforts. She commented on regional communications, emergency management systems, risk reduction, and disaster response.

She introduced a panel of officials from Napa and Solano Counties comprised of Jill Techel, Mayor, City of Napa, and Regional Planning Committee member; Mike Parness, City Manager, City of Napa; Erin Hannigan, Supervisor, County of Solano, and Alternate from the County of Solano; Daniel Keene, City Manager, City of Vallejo; and Mark Luce, Supervisor, County of Napa; described their experiences with response and recovery from the earthquake, identified additional ways ABAG can support the recovery effort, and lessons learned.

Members discussed citizen response and mutual aid; Federal Emergency Management Agency and Office of Emergency Services public and individual assistance; California Safety Training Institute and Community Emergency Readiness Training; unreinforced masonry buildings.

10. LEGISLATION AND GOVERNMENTAL ORGANIZATION COMMITTEE REPORT

Committee Vice Chair Linda Seifert reported on Committee activities and requested Executive Board approval of committee recommendations, including the following: legislation proposed for 2014 legislative session, including AB 2493 (Bloom), Redevelopment Dissolution: Housing Projects—Bond Proceeds, neutral; and AB 2135 (Ting), Local Agencies: Surplus Land—Affordable Housing, oppose; status review of all legislation considered in 2014; review of propositions on November ballot; and discussion of unaccompanied and refugee children.

President Pierce recognized a motion by Rabbitt, which was seconded by Luce, to direct staff to prepare and send a letter in opposition to AB 2135 to the Governor.

There was no discussion.

The aye votes were: Andersen, Bryant, Chavez, Chu, Davis, Eklund, Garcia, Gupta, Harrison, Hudson, Luce, Mackenzie, Mitchoff, Nihart, Pierce, Rabbitt, Rice, Seifert, Thorne.

The nay votes were: None.

Abstentions were: None.

Absent were: Batchelor, Brooks, Cortese, Elliott, Haggerty, Kalb, Kalra, Kim, Lee, Liccardo, Mar, Pine, Quan, Slocum, Valle.

The motion passed unanimously.

11. FINANCE AND PERSONNEL COMMITTEE REPORT

Committee Chair Bill Harrison, Mayor, City of Fremont, reported on Committee activities and requested Executive Board approval of committee recommendations, including the following: approval of minutes of May 15, 2014; presentation and review of financial reports for June and July 2014; resolution fixing ABAG's contribution under the Public Employees Medical and Hospital Act for Employer; plan to eliminate structural deficit in the agency's indirect overhead; and closed session

for conference with labor negotiators, public employee performance evaluation of Legal Counsel, public employee performance evaluation of Executive Director.

President Pierce recognized a motion by Harrison, which was seconded by Karen Mitchoff, Supervisor, County of Contra Costa, to approve the committee report, including the adoption of Resolution No. 16-14, Fixing the Employer's Contribution under the Public Employees' Medical and Hospital Care Act.

There was no discussion.

The aye votes were: Andersen, Bryant, Chavez, Chu, Davis, Eklund, Garcia, Gupta, Harrison, Hudson, Luce, Mackenzie, Mitchoff, Nihart, Pierce, Rabbitt, Rice, Seifert, Thorne.

The nay votes were: None.

Abstentions were: None.

Absent were: Batchelor, Brooks, Cortese, Elliott, Haggerty, Kalb, Kalra, Kim, Lee, Liccardo, Mar, Pine, Quan, Slocum, Valle.

The motion passed unanimously.

The Board entered into Closed Session at about 9:27 p.m.

12. CLOSED SESSION

A. Conference with Labor Negotiators

Agency designated representatives: Brian Kirking, ABAG Information Technology/Human Resources Director; Brad Paul, ABAG Deputy Executive Director; and Herb Pike, ABAG Finance Director

Employee organization: SEIU Local 1021

B. Public Employee Performance Evaluation

Title: Legal Counsel

The Board exited Closed Session at about 9:40 p.m.

13. REPORT OUT OF CLOSED SESSION

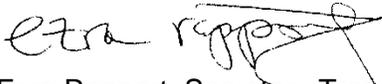
Kenneth Moy, ABAG Legal Counsel, announced that there was no report out of Closed Session.

14. ADJOURNMENT

President Pierce adjourned the meeting of the Executive Board at about 9:40 p.m. in memory of James Vreeland, former Mayor, City of Pacifica.

The next meeting of the Board will be on December 4, 2014.

Submitted:


Ezra Rapport, Secretary-Treasurer

Date Submitted: October 17, 2014

Approved:

For information or to review audio recordings of ABAG Executive Board meetings, contact Fred Castro, Clerk of the Board, at (510) 464 7913 or FredC@abag.ca.gov.