

SUMMARY MINUTES (DRAFT)

ABAG Administrative Committee Special Meeting
Wednesday, October 4, 2017
Bay Area Metro Center
375 Beale Street
San Francisco, California

1. CALL TO ORDER / ROLL CALL / CONFIRM QUORUM

ABAG President and Committee Chair Julie Pierce, Councilmember, City of Clayton, called the special meeting of the Administrative Committee of the Association of Bay Area Governments to order at about 12:00 p.m.

A quorum of the Committee was present at about 12:04 p.m.

The following member participated by teleconference: Raul Peralez, Councilmember, City of San Jose.

Members Present

Julie Pierce, Councilmember, City of Clayton—Chair
Cindy Chavez, Supervisor, County of Santa Clara
Pat Eklund, Councilmember, City of Novato
Pradeep Gupta, Mayor, City of South San Francisco
Scott Haggerty, Supervisor, County of Alameda
Karen Mitchoff, Supervisor, County of Contra Costa
Raul Peralez, Councilmember, City of San Jose

Members Absent

David Cortese, Supervisor, County of Santa Clara—*Ex officio*
Greg Scharff, Mayor, City of Palo Alto
David Rabbitt, Supervisor, County of Sonoma—Vice Chair

Staff Present

Steve Heminger, MTC Executive Director
Adrienne Weil, MTC General Counsel
Alix Bockelman, MTC Deputy Executive Director, Policy
Brian Mayhew, MTC Chief Financial Officer
Brad Paul, MTC Deputy Executive Director, Local Government Services
Cynthia Segal, MTC Legal Counsel

2. PUBLIC COMMENT

There was no public comment.

3. ANNOUNCEMENTS

There was no announcement.

4. AUTHORIZATION FOR ABAG PRESIDENT TO SIGN A JOINT REPRESENTATION AGREEMENT SIGNIFYING ABAG'S UNDERSTANDING THAT MTC OFFICE OF GENERAL COUNSEL JOINTLY REPRESENTS MTC AND ABAG AND CONTAINING AUTHORIZATION TO DRAFT/REVISE DOCUMENTS PERTAINING TO LOCAL COLLABORATION PROGRAMS

Adrienne Weil, MTC General Counsel, reported on the request for a Joint Representation Agreement. Under the Contract for Services, MTC General Counsel provides legal services to ABAG. The MTC Office of General Counsel has been asked to review and prepare documents related to the Local Collaboration Programs.

Chair Pierce recognized a motion by Scott Haggerty, Supervisor, County of Alameda, which was seconded by Karen Mitchoff, Supervisor, County of Contra Costa, to delegate authority to ABAG President Pierce to seek advice of outside counsel regarding the Joint Representation Agreement signifying that MTC General Counsel jointly represents MTC and ABAG and to sign the Joint Representation Agreement.

Members discussed the need and purpose for a Joint Representation Agreement; legal services provided by MTC General Counsel to ABAG; tasks assigned to Kenneth Moy related to the Local Collaboration Programs; and an independent review of the Agreement.

Moy commented on tasks assigned to him related to Local Collaboration Programs and stated he had no objection to the Agreement or to the Agreement being reviewed by outside counsel, but requested to be able to speak with outside counsel regarding the scope of work under ABAG and for the Local Collaboration Programs.

Members discussed the term of the contract with Moy and the template used to draft the Agreement.

Haggerty amended his motion to authorize ABAG President Pierce to confer with the City Attorney for the City of Clayton on the Joint Representation Agreement, to delegate authority to ABAG President Pierce to sign the Agreement, and to report back to the Committee at its next meeting. The amendment was accepted by Mitchoff.

Members requested to review the proposed Joint Representation Agreement.

There was no public comment.

The aye votes were: Chavez, Eklund, Gupta, Haggerty, Mitchoff, Peralez, Pierce.

The nay votes were: None.

Abstentions were: None.

Absent were: Cortese, Rabbitt, Scharff.

The motion passed unanimously.

5. REPORT ON STATUS OF ABAG FINANCE AUTHORITY FOR NONPROFIT CORPORATIONS (ABAG FAN) AND ADVANCING CALIFORNIA FINANCE AUTHORITY (ACFA)

Brian Mayhew, MTC Chief Financial Officer, reported on the continuing work of reviewing the portfolio of the ABAG Finance Authority for Nonprofit Corporations and on preparing the Joint Powers Agreement and other documents related to Advancing California Finance Authority which are to be approved by ABAG FAN Executive Committee and the ABAG Executive Board. He commented on the work to secure deals once ACFA is in place.

Members discussed the employee resources needed to complete the work under both ABAG FAN and ACFA, and the importance of being able to complete re-financings under ABAG FAN.

7. ADJOURNMENT / NEXT MEETING

Chair Pierce adjourned the meeting at about at 12:52 p.m.

The next meeting of the ABAG Administrative Committee will be announced.

Submitted:

Fred Castro
Clerk of the Board

Date Submitted: October 6, 2017

Date Approved:

For information, contact Fred Castro, Clerk of the Board, at (415) 820 7913 or fcastro@bayareametro.gov.