

Report on ABAG to MCCMC

April 26, 2017

Our ABAG General Assembly is scheduled for **June 5, 2017 from 10:00 to 3:00 pm** at 375 Beale Street, SF. The conference “Evolution of ABAG – Planning Our Shared Future” includes the business meeting where the General Assembly will be asked to vote on ABAG’s 2017-2018 workplan and budget as required by ABAG’s Bylaws. This vote is critical since it establishes our priorities and funding for years to come.

PLAN BAY AREA 2040: On March 31, 2017, ABAG and MTC released the “Draft Plan” for Plan Bay Area 2040; and, on April 17, 2017 released the Draft Environmental Impact Report (DEIR) which evaluates the proposed Plan and four alternatives, including a No Project alternative. It is anticipated that both the Draft Transportation-Air Quality Conformity Analysis for Draft Plan Bay Area 2040 and Amended 2017 Transportation Improvement Program will be released on May 1, 2017. Comments on all of these documents are due to ABAG and MTC by June 1, 2017.

On Saturday, May 20, 2017 from 8:30 to 1:00 pm at the Mill Valley Community Center, the Marin ABAG delegates/alternates and the Transportation Authority of Marin will be conducting a joint public workshop and open house from 8:30 am to 1:00 pm. I have been working with ABAG and MTC on the draft agenda which is going to include a presentation and discussion on ‘The Plan’ along with the alternatives being studied in the DEIR). We will be developing a poster/flyer along with a newspaper articles to promote good attendance, like last year.

On Thursday, April 27, 2017 from 6:00 to 7:00 pm, there will be a presentation on the ‘Draft Plan’ for Marin elected officials. It will be held at the Board of Supervisors Chambers, Room 330, Marin Civic Center.

The Draft Plan can be accessed at: <http://2040.planbayarea.org>. The Draft Plan incorporates the ‘Final Preferred Scenario which included a growth pattern for housing, population and jobs as well as a list of transportation investments through 2040. The Draft Plan also includes an **Action Plan** to ‘identify concrete near- and medium-term action items for MTC, ABAG and other stakeholders to make meaningful progress on the Plan’s performance target and provides strategic direction on three issue areas: housing, economic development and resilience.

To download the Draft Plan, Draft EIR and/or supporting documents **below** to go: <http://2040.planbayarea.org/reports>

Land Use documents: Land Use Modeling Report; Regional Forecast of Jobs, Population and Housing; Scenario Planning Report; Statutorily-Required Plan Maps.

Performance & Public Participation: Glossary; Native American Tribal Outreach Report; Performance Assessment Report; Public Engagement Program Report.

Transportation: Financial Assumptions Report; Freight Emissions Reduction Action Plan; Investment Strategy Report; Project List; Local Streets and Roads, Bridges and State Highway Needs Assessment; Transit Operating and Capital Needs and Revenue Assessment; Travel Modeling Report.

Equity & Environment: Air Quality Conformity Report (available early May); Environmental Impact Report; Environmental Impact Report – Appendices; Equity Analysis Report.

Performance & Public Participation: Glossary; Native American Tribal Outreach Report; Performance Assessment Report; Public Engagement Program Report.

The public is invited to three public hearings on the Draft EIR. The full list of public hearings is as follows:

- **Friday, May 12, 9:40 a.m.:** Public Hearing at Joint MTC Planning and ABAG Administrative Committees, Bay Area Metro Center, Board Room, 375 Beale Street, San Francisco
- **Tuesday, May 16, 6 p.m. to 8 p.m.:** Public Hearing in San Jose, Martin Luther King Library, Room 225, 150 E. San Fernando Street, San Jose
- **Thursday, May 18, 6 p.m. to 8 p.m.:** Public Hearing in Vallejo, Vallejo Naval and Historical Museum, 734 Marin Street, Vallejo

Lastly, the California Air Resources Board (ARB) is scheduled to adopt updated SB 375 GHG targets for the third cycle of the Sustainable Communities Strategies/Regional Transportation Plans which is 2021. The ARB is recommending a new GHG reduction target for the Bay Area, conditional on certain state policy actions that would assist the region in meeting the target. For Plan Bay Area 2013, the San Francisco Bay 9-County Region target was 7% per capita reduction from 2005 levels by 2020, and for Plan Bay Area 2017, the regional target is 15% per capita reduction from 2005 by 2035. These targets were exceeded in the 2013 Plan Bay Area achieving a 10% reduction; and, the 2017 Plan Bay Area is projecting a 16% reduction by 2035. MTC is recommending an 18% per capita GHG emission reduction target from 2005 levels for 2035 for the 2021 Plan Bay Area. ABAG will be taking this issue up in May 2017.

CONTRACT FOR SERVICES AND MOU BETWEEN ABAG AND MTC: On April 20, 2017, a majority of the ABAG Executive Board adopted the Draft Contract for Services and MOU to support the merger of the ABAG staff into MTC. I voted no on the Contract for Services and the MOU for a variety of reasons. The agreed upon changes made to the Contract for Services include:

- 1) a contingency that MTC would voluntarily agree that SEIU Local 1021 would represent the ABAG employees who transition to MTC. This would allow immediate negotiations between SEIU Local 2021 and MTC management. See the attached SEIU letter to the Board of Directors which articulates the issues staff has confronted.
- 2) Replacing Section 6.7 (page 10) with a re-write from the MTC Executive Committee. There is one provision that could put ABAG retirees in harm's way.
- 3) Modifying Section 4.1 (page 7) to 'allow' the consolidated staff to create a successor ABAG-affiliated conduit financing authority by October 31, 2017 which would allow ABAG to create a new ABAG Financing Authority.

The agreed upon changes made to the MOU include:

- 1) Adding the following sentence in Section 4 which states: 'Both parties retain the sole individual discretion to decide whether or not to merge the two governing boards.'
- 2) A Plan A and B for the ABAG Executive Board and the MTC to decide who would participate in interviewing candidates to replace the MTC Executive Director (in the event he retires prior to the agreed upon schedule to discuss the governing options). Plan A is: Each Board identifies an ad hoc committee of equal number; and, Plan B is the MTC form an ad hoc committee of MTC Commissioners that sit on ABAG and MTC.

DRAFT ABAG FY 2017-2018 BUDGET AND WORKPLAN: On April 20, 2017, a majority of the ABAG Executive Board members agreed to forward the Draft ABAG 2017-2018 Budget and Workplan to the membership for a vote at the General Assembly scheduled for June 5, 2017. I am proposing minor changes to the document which will be incorporated prior to distribution. Meanwhile, there are substantive issues that I believe need to be discussed. The ABAG Executive Board agreed to continue our discussion on May 18, 2017 and consider bringing those changes before the General Assembly. I will be convening the delegates to review our suggested changes. The reason this Budget and Workplan is critical, is that it establishing the foundation going forward on what ABAG is responsible for as the merger continues forward.

UPCOMING MEETINGS:

- **April 26, 2017** - MTC Commission meeting 9:30 am
- **April 27, 2017** - ABAG/MTC briefing of Marin elected officials on Plan Bay Area; Board of Supervisors Chambers
- **May 3, 2017** - ABAG Regional Planning Committee meeting 12:00 to 3:00 pm
- **May 12, 2017** - ABAG Administrative/MTC Planning meeting 9:30 to 11:30 am – Public Hearing on the Draft EIR and Plan Bay Area 2040
- **May 18, 2017** - ABAG Executive Board meeting 7:00 pm
- **May 20, 2017** - Public Workshop/Open House on Plan Bay Area 8:30 to 1:00 pm; Mill Valley Community Center.
- **May 24, 2017** - MTC Commission meeting 9:30 am
- **June 5, 2017** - ABAG General Assembly 10:00 to 3:00 pm

Please direct questions to Pat Eklund, Council Member, City of Novato (phone: 415-883-9116; email: peklund@novato.org or pateklund@comcast.net)

To: ABAG Executive Board Members
From: ABAG SEIU 1021 Members

Requested Conditions of Approval for Contract for Services and Budget

At the March Executive Board meeting, we brought to your attention a number of unresolved issues related to our transition to MTC. Despite repeated attempts at good faith negotiation, we have not received favorable responses to what we believe are basic, reasonable requests consistent with the Worker Protection Principles adopted by the Executive Board as part of its approval of Merger Option 7 in June 2016. Given the urgency of the current situation, we request that the Executive Board take action to include the following conditions in its approval of Contract for Services and Budget:

1. To achieve parity, fairness, and equity:

- a. **Require that MTC offer ABAG employees positions at MTC that are equivalent classifications and step/grades and acknowledges each employee's years of service and performance at ABAG.** Based upon meetings with MTC/ABAG management, our understanding is that, with few exceptions, ABAG staff will receive job offers that are: a) either in an equivalent classification at MTC, but at the lowest grade/step within that classification regardless of grade/step at ABAG; or b) in a lower classification. Contrary to statements by other parties, ABAG promotions to higher classifications and to higher grades/steps within classifications are based upon merit and often not granted on an annual basis. MTC/ABAG management have presented to staff a "crosswalk" between ABAG and MTC classifications that can be used to create a simple, equitable solution for transitioning ABAG employees to MTC, however placement within this crosswalk in terms of classification and grades/steps must also consider and acknowledge an employee's years of service and performance at ABAG.
- b. **Require that all current ABAG Seniors (P4) be "grandfathered" as MTC Principals (IX) so that this criterion is equitably applied.** There are MTC employees currently classified as Seniors (IX) who do not manage any employees but are being "grandfathered" into the new MTC Classification as a Principal class (IX). There are several ABAG Senior class (P4) employees that are not being "grandfathered" in at the new MTC Principal class (IX) similar to the current MTC seniors in the same exact situation.
- c. **Require that the current ABAG Associate class (P3) be evaluated using the new MTC classification system for reclassification in the new MTC Senior class (VIIIb) by July 1, 2017, along with the current MTC Associates under the proposed Organizational Study.** As part of the MTC Organizational Study, the MTC Commission authorized evaluation of the current MTC Associate class (VIII) employees (73 employees total) for consideration into the newly created MTC Senior class (VIIIb), and to make any reclassifications as a result of the evaluation effective by July 1, 2017. Although CSR contends that ABAG Associate class (P3) members have already been evaluated through the Koff Report. It has been established, that the Koff Report used criteria that was biased against ABAG SEIU 1021 Represented staff. Additionally, the new classification (VIIIb) did not exist when Koff and Associates completed their work.

2. **To protect retirees: Require that ABAG or MTC honor ABAG's agreement with SEIU 1021 to provide lifetime medical coverage guarantee for retirees and legacy employees.**
ABAG legacy employees are currently guaranteed 100% Kaiser Rate medical coverage when they retire. MTC's retiree medical benefit does not provide this same guarantee. We consider this a significant loss of benefit for our legacy members. This issue can be resolved if MTC honors the guaranteed lifetime retiree medical coverage for legacy employees or adds this guarantee for all MTC employees.
3. **To ensure fair representation: Require that MTC voluntarily recognizes SEIU 1021 as the labor representative for ABAG employees moving into MTC.** The MTC Committee for Staff Representation (CSR) has argued against our requests for fair and equitable treatment, reinforcing the unwillingness of MTC/ABAG management to address the unresolved issues outlined in this memo. As a result, we do not have faith that we will be adequately represented by CSR and want to remain unionized with SEIU 1021.
4. **To protect employees and retirees: Provide that staff integration will not occur until all staff integration issues related to CalPERS are resolved.** Per the March 28, 2017, letter from CalPERS included in the agenda packet for staff integration, there are significant unanswered questions and unaddressed issues that relate to CalPERS. The repercussions of CalPERS's decision on staff integration could have dire and severe financial and life impacts on ABAG employees.
5. **To ensure implementation of the above conditions: Require that a report of compliance with these conditions be presented to the ABAG Executive Board at its May 18, 2017 meeting for approval by the Board.**