



METROPOLITAN  
TRANSPORTATION  
COMMISSION

Agenda Item 7

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*Memorandum*

TO: Legislation Committee  
FR: Deputy Executive Director, Policy  
RE: SB 878 (DeSaulnier): Regional Planning

DATE: January 6, 2012  
W. I. 1131

**Background**

As written, SB 878 would require the Joint Policy Committee – a subcommittee of representatives from the Metropolitan Transportation Commission, the Association of Bay Area Governments, the Bay Area Air Quality Management District and the Bay Conservation & Development Commission — as well as its individual member agencies — to prepare a number of new reports related to the Sustainable Communities Strategy (SCS), including recommendations on organizational reform (such as the creation of a new agency by statute or through a joint exercise of powers agreement or another institutional arrangement), regional economic development, and public and community outreach.

**Recommendation: Support and Seek Amendments**

**Discussion**

As you know, Senator DeSaulnier, Chair of the Senate Transportation & Housing Committee, held three informational hearings in the Bay Area in November and December 2011 regarding AB 57 (Beall) and the broader subject of "regionalism" in the San Francisco Bay Area. It appears that SB 878 is the likely vehicle for the Senator to address this latter topic. The bill was last amended on June 9, 2011 prior to the three meetings Senator DeSaulnier held in the Bay Area.

Given that that the Senate Transportation & Housing Committee is set to hear the bill on Tuesday, January 10, staff's analysis is focused on the bill in print as well as general principles we recommend in anticipation of future amendments to the bill.

SB 878 requires the JPC to issue the following three reports to be completed prior to January 31, 2013:

1. ***Development of an Effective Sustainable Communities Strategy***
  - a. Development of multiagency policies and guidelines for the SCS
  - b. How to improve the efficiency & effectiveness of policy setting & managerial coordination among the JPC member agencies
  - c. How to ensure public comment from all nine counties in the development of the SCS
  - d. Recommendations on organizational reform to help implement the SCS
  - e. Public meetings in all nine counties, media & social media, and formation of new advisory committees.
  
2. ***Economic Development Strategy***
  - a. A work plan for a nine-county economic development strategy, including the following elements:

- i. Coordination with local goals for recruitment and retention of manufacturing, production facilities, business services, and other business enterprises
  - ii. Regional strategies to ensure the coordination of infrastructure investments for planned employment centers
  - iii. Strategies for ensuring a common regulatory system for deployment and permitting of energy conservation facilities
  - iv. Regional strategies for climate change adaptation.
- b. Public meetings in all nine counties, media & social media, and formation of new advisory committees.

### 3. **Public and Community Outreach**

- a. Each agency shall prepare a report detailing the outreach that they perform as part of their state or federal requirements, including the criteria used to determine who to outreach to and how they ensure transparency and accessibility of policy decisions.

Most of the report requirements proposed by the bill are currently being worked on by MTC and/or by other public agencies to achieve the statutory requirement of SB 375. Given that much of the background work is underway, we believe that the JPC would be able to meet the requirements of this legislation. However, the January 2013 deadline is several months prior to the statutory requirements for completing the SCS and the additional studies in SB 878 are also required within an unreasonable timeline. We recommend the bill be amended to extend this deadline until 2014.

The most significant policy matter addressed in this SB 878 is the requirement that the JPC shall take up the subject area of organizational reforms. The exact text of the bill reads:

*66536.3(a)(4)Recommendations on organizational reform to effectuate the above requirements, including recommendations as to whether such a regional organization shall be established by legislation, a joint exercise of power agreement, or some other institutional arrangement specifying the terms of interagency collaboration that address the sustainable communities requirements. The report should include the criteria for selecting the recommended institutional arrangement.*

Given the status of AB 57, which would alter the composition of MTC, any kind of organizational reform ought to be subject to the known outcome of that legislation. We recommend that this provision be removed from this legislation.

It is possible that this bill will be amended at some point during the legislative calendar, perhaps even prior to the Legislation Committee meeting, and that our position on this bill will be amended as well. We will keep the committee updated as the changes occur.

### **Known Positions**

#### **Support**

None on file

#### **Oppose**

None on file



Ann Flemer