



METROPOLITAN
TRANSPORTATION
COMMISSION

Agenda Item 4c

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Memorandum

TO: Legislation Committee

DATE: April 5, 2013

FR: Executive Director

W. I. 1131

RE: SB 792 (DeSaulnier): Joint Policy Committee: Regional Organizational Plan

Background

This bill would impose several new requirements on the interagency Joint Policy Committee (JPC), including the following:

- Adopting a “regional organization plan” by June 2015 to identify efficiencies that could be gained by consolidating functions common to the JPC member agencies.
- Adopting public and community outreach policies by October 2014 to govern the meetings of the JPC and its member agencies.
- Completing a review of the policies, plans and regulations of the four regional agencies to determine their consistency with the requirements of SB 375 (Steinberg).
- Complying with other miscellaneous requirements related to public involvement and open meeting laws.

Recommendation:

We recommend that the Commission take no position on SB 792 as introduced, but attempt to engage Senator DeSaulnier in a discussion of an alternative approach to improve interagency coordination as described below.

Discussion

There are a number of reasons why it might be worthwhile to consider an alternative approach to the provisions of SB 792 as introduced. First of all, the bill focuses on a mechanism – the JPC – and its role to review the plans and policies of the regional agencies. In the almost 10 years in this role, the JPC has not proven especially effective and in recent years has often had difficulty achieving a quorum for its bimonthly meetings. It is unlikely that the provisions in SB 792 that restate existing law for the JPC to review the plans and policies of the existing regional agencies will make the JPC more effective.

Second, several of the bill’s provisions compel the JPC or regional agencies to do things they are already doing. SB 792 requires the JPC to have a website; it already has one. SB 792 requires the JPC to comply with the Brown Act; it already does. SB 792 requires the regional agencies to identify efficiencies from a potential consolidation of common functions; that work is already underway with the pending move to a single regional headquarters facility in 2014. Finally, this legislation is largely procedural in nature, rather than concentrating on better regional planning outcomes for the residents of the Bay Area.

We recommend a different approach. As ABAG and MTC are nearing completion of the region's first Sustainable Communities Strategy (SCS), we don't think it is too soon to begin looking ahead to the second SCS that must be adopted by 2017. Indeed, the final chapter of the draft Plan Bay Area released a few weeks ago explicitly outlines some of the "missing pieces" in this first plan that we would hope to include in the next plan. So, we suggest that SB 792 be re-cast to require three specific improvements to the second SCS that we believe will strengthen the next plan and enhance the accountability of the four regional agencies to produce better planning results:

1. The Bay Area Air Quality Management District should join ABAG and MTC in preparing and adopting the second SCS by taking the lead on planning issues related to criteria pollutants and toxic air contaminants.
2. Likewise, the Bay Conservation and Development Commission should join its three regional agency partners in preparing and adopting the second SCS by taking the lead on planning issues related to sea level rise and adaptation to climate change.
3. The four agencies should report annually to the Legislature and the public at large on their progress in preparing the second SCS and, subsequent to its adoption in 2017 and the adoption of successor plans thereafter, on their progress in implementing the plan's policies and projects.

We look forward to your discussion of this alternative approach at the Legislation Committee meeting on April 12.

Known Positions

Support

None on file

Oppose

None on file



Steve Heminger