



METROPOLITAN
TRANSPORTATION
COMMISSION

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Memorandum

TO: Commission

DATE: March 24, 2004

FR: Executive Director

RE: AB 2908 (Wolk) and AB 2741 (Salinas) – MTC Membership

Description

Both of the captioned bills would alter the composition of MTC's governing board in an attempt to make the commission more proportionally representative of current population patterns in the region.

Recommendation: Action on these bills is a policy matter for the commission.

Discussion

MTC was created by an act of the State Legislature in 1970. The composition of the commission was established in that original enabling statute and has not been changed since that time. Voting membership is distributed as follows: the five larger southern counties have two members each, the four smaller northern counties have one member each, and the Association of Bay Area Governments (ABAG) and the Bay Conservation and Development Commission (BCDC) each have one voting seat. There are also three non-voting members representing the U.S. Department of Transportation, the U.S. Department of Housing and Urban Development, and the State Business, Transportation, and Housing Agency.

As shown in the table below, at the time the Legislature was crafting MTC's governing board structure, the five southern counties were much closer in population than they are today. As of the 2000 census, however, both Alameda and Santa Clara counties are significantly more populous than the other three.

<u>County</u>	<u>1960 Census</u>	<u>2000 Census</u>
Alameda	908,209	1,443,741
Contra Costa	409,030	948,816
Marin	146,820	247,289
Napa	65,890	124,279
San Francisco	740,316	776,733
San Mateo	444,387	707,161
Santa Clara	642,315	1,682,585
Solano	134,597	394,542
Sonoma	147,375	458,614

AB 2908 (Wolk) was introduced at the request of Chair Steve Kinsey in order for the commission to consider whether it wished to support a change in MTC's governing board structure to augment the representation for Alameda and Santa Clara counties. The Wolk legislation would add one voting seat for each county, to be appointed by the mayors of Oakland and San Jose. This change would roughly match the respective population sizes of the five southern counties as of the 2000 census. It would also ensure that the three "big city" mayors of San Francisco, Oakland, and San Jose each would have a representative on the commission.

AB 2741 (Salinas) was introduced at the request of staff at the Valley Transportation Authority (VTA) in Santa Clara County. The Salinas bill would make much more dramatic changes to MTC's governing board structure by nearly doubling its present size to 36 members. The voting membership would be distributed in an approximately proportional manner as follows: six members from Santa Clara; five members from Alameda; four members each from Contra Costa, San Francisco, and San Mateo; and two members each from the four northern counties.

It's worth noting that the new voting seats in the Salinas bill would not be distributed evenly within each county. For example, Santa Clara's three new members all would be appointed by the cities within the county, and none by the Board of Supervisors. Similarly, San Francisco's two new members both would be appointed by the Board of Supervisors, even though the board and mayor currently split that responsibility with one member appointed by each. Finally, the Salinas bill would convert the ABAG and BCDC seats on the commission into non-voting members.

As of this writing, no official support or opposition to these bills has been communicated to either legislative author's office.

Steve Heminger



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Memorandum

TO: Commission

DATE: March 24, 2004

FR: Executive Director

RE: AB 2817 (Salinas) – County Transportation Commissions

Description

This bill would permit any of the nine Bay Area congestion management agencies (CMAs) to act as a “county transportation commission” for the purposes of the expanded transportation planning and programming responsibilities that are exercised by such agencies in southern California. If some or all of the Bay Area CMAs were to take this action, MTC’s responsibilities would be markedly reduced and similar in scope to those exercised by the Southern California Association of Governments (SCAG) in the Los Angeles region.

Recommendation: Oppose

Discussion

Transportation is a quintessentially regional issue in U.S. urban areas. Last fall, 68% of Bay Area respondents to the Transportation 2030 opinion poll agreed with the statement: “Transportation problems should be addressed regionally instead of by individual cities and counties.” Federal law recognizes this fundamental fact through the creation and empowerment of metropolitan planning organizations (MPOs) to adopt plans and programs on a regional scale. The State Legislature likewise has created regional transportation planning agencies (RTPAs) to carry out similar functions under California law. MTC acts as both the MPO and RTPA for our nine-county region.

Moreover, since 1991 MTC has worked through the Bay Area Partnership in cooperation with local agencies such as the CMAs and transit operators to discharge our planning and programming responsibilities under federal and state law. The Partnership is premised on the idea that no single agency has a monopoly on good ideas, and that this coalition of public agencies will achieve better results for our joint customers if we work together to tackle the Bay Area’s formidable transportation problems.

AB 2817 (Salinas) would permit the sudden or gradual disintegration of this collective enterprise. If the bill were to become law, any CMA effectively could withdraw from the regional transportation planning and programming process at a moment’s notice. The ramifications for the region would be manifold and profound:

- Fund programming – In southern California, the county commissions are responsible for programming Transportation Development Act (TDA), Surface Transportation Program (STP), and Congestion Mitigation and Air Quality (CMAQ) funds. They also exert more influence than our Bay Area CMAs over the State Transportation Improvement Program (STIP). MTC administers all of these fund sources in the Bay Area, and that regional administration has enabled the Commission to institute nationally-recognized programs such as Transportation for Livable Communities, the 511 traveler information system, and the TransLink® universal fare card for public transit. The Salinas legislation would allow the CMAs to withdraw funding from these programs at will. It also would undermine the commission’s regional commitment to funding the highest priority transit and local road rehabilitation shortfalls.
- Regional planning – Although MTC would retain its role in developing and adopting the regional transportation plan as does SCAG in southern California, that planning process would be less meaningful without the funding authority to implement the plan. A Public Policy Institute of California study in 1977 reached this conclusion: “Without much of an independent programming role for SCAG, it is unclear whether an integrating regional framework of priorities really exists [in the greater Los Angeles area] . . . The stronger statutory role of MTC, as compared to SCAG, and the traditional vein of support for regionalism in this smaller and less complex region, help explain the Commission’s weightier and more prominent role.”
- Transit coordination – A major focus of MTC’s activities is to coordinate the operation and expansion of the two dozen public transit operators in the Bay Area, many of which – like BART, Golden Gate Transit, Caltrain, and AC Transit – provide service across county boundaries. Under the county commission enabling statute referenced in AB 2817, transit coordination would become a responsibility of any CMA opting out of the regional process.
- Legislative advocacy – MTC has played a prominent role in brokering regional agreements to secure billions of dollars of discretionary funds for the Bay Area in Sacramento, Washington, and at the ballot box. Notable examples include our two transit expansion agreements (Resolution Nos. 1876 and 3434) and the just-approved Regional Measure 2. A weaker regional agency would be far less likely to achieve these results.
- MTC budget – The transfer of programming responsibility for TDA funds to the CMAs would have a substantial impact on MTC’s operating budget. In our FY 2003-04 budget, the \$9.2 million in TDA funds accounts for more than 50% of MTC’s general planning revenues. TDA revenues also account for about one-half of the funds that we subvene annually to ABAG for their planning activities.

For all of these reasons, we recommend that the Commission oppose AB 2817. The bill was introduced at the request of staff at the Santa Clara Valley Transportation Authority (VTA), but has not yet been endorsed by the VTA Board of Directors.

Steve Heminger



MEMORANDUM

TO: Santa Clara Valley Transportation Authority
Board of Directors

FROM: Don Gage
Chairperson *Donald J. Gage*

DATE: March 22, 2004

SUBJECT: Pending MTC Legislation

As you are aware, there are currently three pieces of legislation pending before the California State Legislature that affect the potential interaction of the Santa Clara Valley Transportation Authority (VTA) with the Metropolitan Transportation Commission (MTC). Two of these measures call for changing the voting representation of the commission. The third authorizes congestion management agencies (CMAs) within the San Francisco Bay Area Region to opt to become county transportation commissions for purposes of programming state and federal funds that are allocated to their jurisdictions.

Last week, VTA's General Manager and MTC's Executive Director met to discuss these bills, as well as other issues. As mentioned at our workshop on Friday, March 19, 2004, as an outcome of that meeting, each is recommending to his respective policy board that both VTA and MTC work in partnership on and support a single piece of legislation that would seek to add two new voting representatives to MTC, one from Santa Clara County and one from Alameda County. All other bills relating to MTC issues would not be pursued. I concur with this recommendation and will be forwarding a memorandum reflecting such for action at our April 1 Board of Directors meeting.

Although we still have concerns about certain elements of funding priorities within the region, I am confident that most of these issues can be resolved by mutual agreement through the established MTC CEO Partnership.

Should you have any questions or comments, please feel free to contact me.

cc: MTC Commissioners



Ron Gonzales
MAYOR

March 22, 2004

Steve Kinsey, Chair
Metropolitan Transportation Commission
Joseph Bort MetroCenter
101 Eighth Street
Oakland, CA 94607



Dear Mr. Kinsey,

I appreciated the opportunity to meet with you and Executive Director Steve Heminger on March 19 to discuss how VTA and MTC should proceed to address the issues involved with Assembly bills 2741, 2817 and 2908.

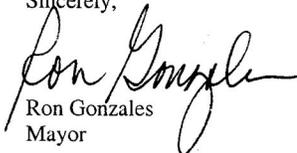
As a result of a March 17 meeting between Mr. Heminger and VTA General Manager Pete Cipolla, as well as our March 19 meeting, I believe we are now on the road to satisfactory resolution of the issues that gave rise to all three bills. There is still work to be done, but I am pleased the VTA and MTC will be working together to go forward with just one bill focused on adding one seat each to MTC for the City of San José and the City of Oakland.

I have long believed that San José, as the largest city in northern California and as the major Bay Area urban center, needs to be directly represented on MTC. As Mayor of San José and as a VTA Boardmember, I will help in any way I can to ensure the success of this MTC-VTA joint legislative effort. Assuming MTC also supports this joint effort, I will encourage my VTA colleagues and my colleagues on the San José City Council to do the same.

I also take this opportunity to underscore that the City of San José appreciates the role MTC plays in transportation planning for the entire Bay Area and we hope that you appreciate our role as the transportation hub of Silicon Valley, an area so critical to the regional and state economy. We value our indirect relationship with MTC through our membership on the VTA and I firmly believe that San José's direct representation will both strengthen the solid relationship between the Santa Clara County and the Commission as well as help us all achieve an effective transportation system that serves our region well.

We look forward to working with you on this and other transportation issues.

Sincerely,


Ron Gonzales
Mayor

cc: San José City Council
Don Gage, Chair/VTA
Pete Cipolla, General Manager/VTA
Steve Heminger, Executive Director/MTC

