

AMENDED IN ASSEMBLY JUNE 4, 2012

AMENDED IN SENATE JUNE 9, 2011

SENATE BILL

No. 878

Introduced by Senator DeSaulnier

February 18, 2011

An act to add Section 66536.3 to the Government Code, relating to regional planning.

LEGISLATIVE COUNSEL'S DIGEST

SB 878, as amended, DeSaulnier. Regional planning: Bay Area.

(1) The Metropolitan Transportation Commission Act creates the Metropolitan Transportation Commission as a regional agency in the 9-county Bay Area with comprehensive regional transportation planning and other related responsibilities, including development of a regional transportation plan with a sustainable communities strategy. Existing law requires a joint policy committee of the commission, the Association of Bay Area Governments, the Bay Area Air Quality Management District, and the San Francisco Bay Conservation and Development Commission to coordinate the development and drafting of major planning documents prepared by the 4 agencies.

This bill would require the joint policy committee to submit a *written* report to the Legislature by January 31, ~~2013~~, 2014, on, among other things, methods and strategies for developing and implementing a multiagency set of policies and guidelines relative to the Bay Area region's sustainable communities strategy, including recommendations on organizational reforms for the regional agencies. The bill would require ~~preparation of a work plan for a regional economic development strategy to be submitted to the Legislature on that date~~ *the joint policy committee to prepare a written 10-year regional economic development*

strategy to consist of specified components for submission to the Legislature by June 30, 2014. The bill would require the joint policy committee to adopt goals and policies related to, among other things, the inclusion of economic development opportunities in the plans of the regional entities and in its own plans. The bill would require the joint policy committee to appoint a specified advisory committee and to consult with that committee with respect to the economic development strategy. The bill would also require the member agencies to report on public outreach efforts that they individually or jointly perform. The bill would require public meetings in each of the region's 9 counties ~~and creation of advisory committees, as specified.~~ By imposing new duties on local agencies, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:
3 (a) The Counties of Alameda, Contra Costa, Marin, Napa, San
4 Francisco, San Mateo, Santa Clara, Solano, and Sonoma share the
5 shoreline of the San Francisco Bay estuary system.
6 (b) The transportation technologies of the 19th and 20th
7 centuries progressively integrated the movement of people and
8 goods among the nine counties, beginning with ferryboats plying
9 the San Francisco Bay and the rivers flowing into it; the passenger
10 railroad service between San Jose and San Francisco beginning in
11 1864; the interurban rail networks linking the communities within
12 the East Bay and the communities of the North Bay; the Golden
13 Gate Bridge and the San Francisco-Oakland Bay Bridge, erected
14 as public works projects during the Great Depression to facilitate
15 the movement of motor vehicles throughout the region; the

1 construction of the regional freeway network after World War II;
2 and the creation of the Bay Area Rapid Transit District in 1957
3 and the inauguration of BART transit service in 1972.

4 (c) The investments in a multimodal transportation network
5 created an integrated regional manufacturing, financial, and
6 technology economy as well as opportunities for housing a growing
7 population. Regional business, governmental, and conservation
8 interests recognized that the infrastructure investments and the
9 dynamic economy they support created unintended consequences,
10 including the degradation of the atmosphere, despoiling of the
11 shoreline shared by the counties, land use decisions often
12 inconsistent and at cross purposes with neighboring communities,
13 and a continuing need to rationalize the transportation system and
14 to marshal resources for its expansion, maintenance, and
15 operations.

16 (d) Various institutional reforms were initiated during the
17 mid-20th century to address the unintended consequences of
18 economic development, including the formation of the Bay Area
19 Air Quality Management District in 1955; the formation of a
20 voluntary council of governments, the Association of Bay Area
21 Governments, in 1961 to enhance the coordination of policy
22 decision across municipal and county boundaries; the formation
23 of the *San Francisco* Bay Conservation and Development
24 Commission in 1965 with the mission of persevering in protection
25 of San Francisco Bay and its estuary system from destructive and
26 ill-planned encroachment; and the establishment of the
27 Metropolitan Transportation Commission in 1970, California's
28 first statutorily created regional transportation planning agency,
29 to plan the region's transportation infrastructure, to prioritize
30 transportation investments, and to organize and manage the
31 allocation of financial resources necessary to implement the
32 regional transportation plan.

33 (e) The accomplishments of the above-referenced regional
34 institutions are among the most significant in the state and nation
35 and have been acknowledged by emulation or peer recognition.
36 The Legislature recognized that the accomplishments of the special
37 purpose regional institutions are noteworthy, but a new benchmark,
38 the integration of regional planning and environmental regulations,
39 is necessary to achieve the goals of sustainable communities as
40 called for in ~~SB Senate Bill 375 of the 2007–2008~~ *2007–08* Regular

1 Session (Chapter 728, Statutes of 2008). To this end, it is necessary
2 to direct the imagination and talent of the San Francisco Bay area's
3 most significant regional institutions to addressing the new
4 benchmarks and expectations established by SB 375.

5 SEC. 2. Section 66536.3 is added to the Government Code, to
6 read:

7 66536.3. (a) The joint policy committee shall prepare a *written*
8 report for submission to the Senate Committee on Transportation
9 and Housing and the Assembly ~~Committee~~ *Committees* on
10 Transportation *and Local Government* on or before January 31,
11 ~~2013~~ *2014*, addressing all of the following:

12 (1) Methods and strategies for developing and promulgating a
13 multiagency set of policies and guidelines governing the sustainable
14 communities strategy required pursuant to subparagraph (B) of
15 paragraph (2) of subdivision (b) of Section 65080.

16 (2) Methods and strategies for improving the efficiency and
17 effectiveness of policy setting and managerial coordination among
18 the regional agencies constituting the joint policy committee.

19 (3) Methods and strategies for ensuring that the public in the
20 nine counties of the region has an opportunity to comment on the
21 proposed polices and standards that will be promulgated by the
22 joint policy committee for implementing the sustainable
23 communities strategies. When preparing the strategies, there shall
24 be included criteria to assess the transparency in regional
25 decisionmaking.

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

34 ~~(b) The joint policy committee shall prepare a work plan for a~~
35 ~~nine-county economic development strategy to be submitted to~~
36 ~~the Senate Committee on Transportation and Housing and the~~
37 ~~Assembly Committee on Transportation on or before January 31,~~
38 ~~2013. The report shall include, but not be limited to, the following:~~

39 ~~(1) Coordination of the regional sustainable communities~~
40 ~~strategy with local goals for the recruitment and retention of~~

1 manufacturing, production facilities, business services, and other
2 business enterprises providing high quality jobs that will
3 remunerate employees sufficiently so that their household incomes
4 will allow them to live in the Bay Area, educate their children, and
5 enjoy the region's amenities.

6 ~~(2) Regional strategies to ensure the coordination of~~
7 ~~infrastructure investments, including transportation facilities and~~
8 ~~services, for planned employment centers.~~

9 ~~(3) Strategies for ensuring a common regulatory system for~~
10 ~~deployment and permitting of energy conservation facilities and~~
11 ~~improvements.~~

12 ~~(4) Regional strategies for adaptation to climate change.~~

13 *(b) In developing the report required by subdivision (a), the*
14 *joint policy committee shall be guided by the following principles:*

15 *(1) Increasing public access to the regional process at the*
16 *community level.*

17 *(2) Respecting the integrity of the existing regional agencies.*

18 *(3) Providing policy oversight to ensure the development of a*
19 *coherent multifunctional regional plan.*

20 *(4) Integrating regional management and reducing the*
21 *duplication of overhead functions, including, but not limited to,*
22 *human resources and procurement, in order to achieve cost*
23 *savings.*

24 *(c) The joint policy committee shall also prepare a written*
25 *10-year regional economic development strategy for the region*
26 *for submission to the Senate Committee on Transportation and*
27 *Housing and the Assembly Committees on Transportation and*
28 *Local Government on or before June 30, 2014. The goal of the*
29 *economic development strategy shall be to ensure that the regional*
30 *economy is capable of adapting to changes in technology, market*
31 *demand, and direction of the national and international economy.*
32 *The strategy shall include, but not be limited to, all of the*
33 *following:*

34 *(1) The development of a socioeconomic profile of each county.*

35 *(2) Identification of the types and locations of major clusters*
36 *of firms that are both competitive and complementary enterprises*
37 *for each county.*

38 *(3) Identification of the sectors of the economy where there is*
39 *underinvestment and a workforce with high unemployment or*
40 *underemployment.*

1 (4) Identification of counties or communities within counties
2 where investment in specific sectors of the economy would enhance
3 the probability of increasing the employment opportunities for the
4 unemployed or underemployed.

5 (5) Identification of the public and private investments that are
6 needed to facilitate the development of new, or enhancement of
7 existing, sectors of the regional economy.

8 (6) Identification of institutional reforms that may be
9 appropriate to foster economic growth, especially in communities
10 with structural unemployment or underemployment.

11 (7) Identification of the social equity issues within the region
12 and the extent to which these issues may be addressed by the
13 economic development strategy.

14 (8) A profile of the unique regional environmental amenities as
15 well as the social and cultural amenities that are found to
16 contribute to employers being attracted to and remaining in the
17 region.

18 (d) The joint policy committee shall adopt goals and policies
19 related to the inclusion of economic development opportunities in
20 the plans of the regional entities and in its own plans. The goals
21 and policies shall also promote amenities that are special to the
22 region and contribute to the region's quality of life.

23 (e) The joint policy committee shall appoint an advisory
24 committee with members from the business community, including,
25 but not limited to, representatives of small businesses, technology
26 and manufacturing sectors, community colleges, public and private
27 universities, labor, local governments, and other organizations
28 involved with the private economy. The joint policy committee
29 shall consult with the advisory committee and coordinate the
30 preparation of the economic development strategy as described
31 in subdivision (c) with regional entities, private organizations,
32 and university research institutions with specialized knowledge in
33 economic development.

34 ~~(e)~~

35 (f) The activities associated with development of the reports in
36 subdivisions (a) and ~~(b)~~ (c) shall include public meetings in each
37 of the region's counties. In addition, communication with the public
38 in that regard shall include the use of conventional media as well
39 as social media. ~~Advisory committees shall be formed that include~~

1 representation from the regional business community, labor, and
2 other interests.

3 ~~(d)~~

4 (g) The member agencies of the joint policy committee shall
5 also prepare a *written* report identifying the public outreach and
6 community outreach efforts that they individually or jointly
7 perform under federal and state law when carrying out the
8 respective missions of their agencies. The report shall identify the
9 criteria they use to determine the communities and groups that will
10 be the subject of outreach. The report shall identify the actions and
11 methods that the agencies employ to ensure that policy decisions
12 are made in a transparent and accessible fashion. The report
13 prepared by each agency shall be submitted to the Senate
14 Committee on Transportation and Housing and the Assembly
15 ~~Committee~~ *Committees* on Transportation and Local Government
16 on or before January 31, ~~2013~~ 2014, and may be incorporated with
17 the other reports required by subdivisions (a) and ~~(b)~~ (c).

18 SEC. 3. If the Commission on State Mandates determines that
19 this act contains costs mandated by the state, reimbursement to
20 local agencies and school districts for those costs shall be made
21 pursuant to Part 7 (commencing with Section 17500) of Division
22 4 of Title 2 of the Government Code.