

Introduced by Senator DeSaulnier

February 22, 2013

An act to add Sections 66537, 66537.1, 66537.2, 66537.3, 66537.4, 66537.5, and 66537.6 to the Government Code, relating to planning.

LEGISLATIVE COUNSEL'S DIGEST

SB 792, as introduced, DeSaulnier. Regional entities: Bay Area.

Existing law creates the Metropolitan Transportation Commission, the Bay Area Toll Authority, the Bay Area Air Quality Management District, and the San Francisco Bay Conservation and Development Commission, with various powers and duties relative to all or a portion of the 9-county San Francisco Bay Area region with respect to transportation, air quality, and environmental planning, as specified. Another regional entity, the Association of Bay Area Governments, is created as a joint powers agency comprised of cities and counties under existing law with regional planning responsibilities. Existing law provides for a joint policy committee of certain regional entities in this 9-county area to collaborate on regional coordination. Existing law requires regional transportation planning agencies, as part of the regional transportation plan in urban areas, to develop a sustainable communities strategy pursuant to Senate Bill 375 of the 2007–08 Regular Session coordinating transportation, land use, and air quality planning, with specified objectives.

This bill would require the joint policy committee to prepare a regional organization plan for the affected regional entities. The organization plan would include a plan for consolidating certain functions that are common to the regional entities and reducing overhead costs. The bill would require the joint policy committee to hold at least one public hearing in each county of the region and to adopt a final plan by June

30, 2015. The bill would also require the joint policy committee to develop and adopt public community outreach programs and to maintain an Internet Web site. The bill would require the joint policy committee to conduct a review of the policies and plans, and associated regulations, of each regional entity, including an assessment of the consistency of the policies, plans, and regulations among the regional entities with the requirements of Senate Bill 375 of the 2007–08 Regular Session. The bill would provide that the joint policy committee shall be responsible for ensuring that the sustainable communities strategy for the region integrates transportation, land use, and air quality management consistent with that legislation. The bill would also require the joint policy committee to appoint an advisory committee on economic competitiveness with specified members from the business community to adopt goals and policies related to the inclusion of economic development opportunities in the plans of the regional entities. By imposing new duties on the joint policy committee, the bill would impose a state-mandated local program.

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. Section 66537 is added to the Government Code,
- 2 to read:
- 3 66537. For purposes of Sections 66537.1 to 66537.5, inclusive,
- 4 the following definitions shall apply:
- 5 (a) “Region” means the area encompassed by the Counties of
- 6 Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo,
- 7 Santa Clara, Solano, and Sonoma.
- 8 (b) “Regional entities” means the Metropolitan Transportation
- 9 Commission, including any joint exercise of powers agencies that
- 10 include the commission as a member agency; the Bay Area Toll
- 11 Authority; the Bay Area Air Quality Management District; the San

1 Francisco Bay Conservation and Development Commission; and
2 the Association of Bay Area Governments.

3 SEC. 2. Section 66537.1 is added to the Government Code, to
4 read:

5 66537.1. (a) The joint policy committee shall prepare a
6 regional organization plan. The joint policy committee shall adopt
7 goals and policies to govern the preparation of the plan. Among
8 the goals shall be a statement as to the expected reduction in the
9 cost of overhead and in the operation and management of the
10 regional entities. All cost saving shall be directed to the joint policy
11 committee's general fund. In addition, goals shall be adopted for
12 integrating the regional planning requirements for the regional
13 plans of each regional entity into a comprehensive regional plan.

14 (b) The regional organization plan shall include a plan for
15 consolidating the functions that are common to the regional entities,
16 including, but not limited to, personnel and human resources,
17 budget and financial services, electronic data and communications
18 systems, legal services, contracting and procurement of goods and
19 services, public information and outreach services,
20 intergovernmental relations, transportation, land use, economic,
21 and related forecasting models, and other related activities.
22 Consideration shall be given to ensuring that there are common
23 personnel classifications where appropriate among the regional
24 entities, and the consolidation of other functions or activities, as
25 deemed feasible, that will further the mission of the joint policy
26 committee and will reduce redundancy. The plan shall be updated
27 as determined by the joint policy committee.

28 (c) On or before December 31, 2014, the staff shall submit to
29 the joint policy committee a draft regional organization plan. The
30 joint policy committee shall hold at least one public hearing in
31 each county of the region to receive public comment. A final plan
32 shall thereafter be adopted for implementation on or before June
33 30, 2015.

34 SEC. 3. Section 66537.2 is added to the Government Code, to
35 read:

36 66537.2. The joint policy committee shall develop and adopt
37 public and community outreach policies to govern the scheduling
38 of joint policy committee meetings, the meetings of regional
39 entities, the meetings of standing committees, and meetings of ad
40 hoc or other temporary committees. In developing the policies,

1 the joint policy committee shall ensure that outreach programs
2 will utilize all available communication technologies, including
3 webcasting and social media, print, radio, and television. The joint
4 policy committee shall also establish policies for the holding
5 workshops of the joint policy committee and the regional entities
6 in the cities and counties of the region. The joint policy committee
7 shall provide an opportunity for the public to comment on the draft
8 and the final recommended policies. The policies shall be adopted
9 on or before October 31, 2014.

10 SEC. 4. Section 66537.3 is added to the Government Code, to
11 read:

12 66537.3. The joint policy committee shall maintain an Internet
13 Web site containing relevant information pertaining to the joint
14 policy committee's activities.

15 SEC. 5. Section 66537.4 is added to the Government Code, to
16 read:

17 66537.4. The joint policy committee shall be subject to the
18 Ralph M. Brown Act (Chapter 9 (commencing with Section 54950)
19 of Part 1 of Division 2 of Title 5).

20 SEC. 6. Section 66537.5 is added to the Government Code, to
21 read:

22 66537.5. (a) Beginning on January 1, 2014, the joint policy
23 committee shall review the policies and plans, and associated
24 regulations, of each regional entity. The review shall include an
25 assessment of the consistency of the policies, plans, and regulations
26 among the regional entities with the requirements of Senate Bill
27 375 of the 2007–08 Regular Session. The joint policy committee
28 shall issue a consistency report describing the findings of this
29 review. The joint policy committee shall hold public and
30 community hearings in accordance with its public outreach policies
31 regarding the draft consistency findings. The findings of the
32 consistency review shall be used in fulfilling the joint policy
33 committee's regional planning responsibilities.

34 (b) The joint policy committee shall be responsible for ensuring
35 that the sustainable communities strategy for the region integrates
36 transportation, land use, and air quality management consistent
37 with the requirements of Senate Bill 375 of the 2007–08 Regular
38 Session.

39 SEC. 7. Section 66537.6 is added to the Government Code, to
40 read:

1 66537.6. (a) The joint policy committee shall appoint an
2 advisory committee on economic competitiveness with members
3 from the business community, including representatives of small
4 businesses, technology and manufacturing sectors, community
5 colleges, public and private universities, labor, local governments,
6 and other organizations involved with the private economy.

7 (b) The joint policy committee, in consultation with the advisory
8 committee, shall adopt goals and policies related to the inclusion
9 of economic development opportunities in the plans of the regional
10 entities. The goals and policies shall also promote amenities that
11 are special to the region and contribute to the region's quality of
12 life.

13 SEC. 8. If the Commission on State Mandates determines
14 that this act contains costs mandated by the state, reimbursement
15 to local agencies and school districts for those costs shall be made
16 pursuant to Part 7 (commencing with Section 17500) of Division
17 4 of Title 2 of the Government Code.