

AMENDED IN SENATE MAY 14, 2013  
AMENDED IN SENATE APRIL 22, 2013  
AMENDED IN SENATE APRIL 10, 2013

**SENATE BILL**

**No. 792**

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**Introduced by Senator DeSaulnier**

February 22, 2013

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An act to *amend Section 65080 of, and to add Sections ~~66537~~, 66537.1, 66537.2, 66537.3, 66537.4, ~~66537.5~~, 66537.6, and 66537.7* to, the Government Code, relating to planning.

LEGISLATIVE COUNSEL'S DIGEST

SB 792, as amended, 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~~ *member agencies* 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 *Metropolitan Transportation Commission* to report biannually to the Legislature and the public at large on the progress in implementing the policies and programs of the sustainable communities strategy. The bill would also require the joint policy committee to prepare a regional organization plan for the affected regional entities member agencies. The regional organization plan would include a plan for integrating, by July 1, 2016, certain major planning documents of the individual entities into a comprehensive regional plan that also addresses other specified goals, and a plan for consolidating certain functions that are common to the regional entities member agencies. The regional organization plan would also include a statement relative to the expected reduction of overhead, operation, and management costs. The bill would require the joint policy committee to ensure public participation in the development and adoption of the plan, 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 require provisions of the comprehensive regional plan to be implemented by July 1, 2016. The bill would require a member agency affected by the plan to submit a copy of the plan to its board on or before December 31, 2014, and would require the member agencies to report to the Senate Transportation and Housing Committee on the adoption and implementation of the plan on or before December 31, 2015. The bill would also require the joint policy committee to develop and adopt public and community outreach and inclusive public participation programs and to maintain an Internet Web site. The bill would also require the joint policy committee to appoint an advisory committee on economic competitiveness with specified members from the business community and other organizations to adopt goals and policies related to the inclusion of economic development opportunities in the plans of the regional entities member agencies. The bill would require the joint policy committee, until a comprehensive regional plan is adopted, to conduct a review of the major planning documents and associated policies, and plans, and regulations of each regional entity, including an assessment of the consistency of the documents, policies, plans, and regulations with each other, with the requirements of Senate Bill 375 of the 2007–08 Regular Session, and with the goals and policies adopted by the advisory committee on economic competitiveness. The bill would require the joint policy committee to issue a consistency report describing the findings of each review and to hold hearings in that regard, and would require the applicable regional entity to consider the

~~findings. The bill would require all cost savings derived from implementation of the regional organization plan to be directed to the joint policy committee's general fund. By imposing new duties on the joint policy committee, the bill would impose a state-mandated local program.~~

*This bill would require the San Francisco Bay Conservation and Development Commission to relocate.*

*This bill would establish additional requirements for a sustainable communities strategy adopted on or after January 1, 2014, within the jurisdiction of the Metropolitan Transportation Commission, and would impose additional duties relating to a sustainable communities strategy on the Metropolitan Transportation Commission, the San Francisco Bay Area Air Quality Management District, and the San Francisco Bay Conservation and Development Commission.*

~~The bill would require the Legislative Analyst's Office to analyze voting power disparities based on population, race, and ethnicity relative to the voting power of each city and county on the governing board of each of the regional agencies, and to report to the Legislature by July 1, 2014, as specified.~~

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 65080 of the Government Code is*
- 2 *amended to read:*
- 3 65080. (a) Each transportation planning agency designated
- 4 under Section 29532 or 29532.1 shall prepare and adopt a regional
- 5 transportation plan directed at achieving a coordinated and balanced
- 6 regional transportation system, including, but not limited to, mass
- 7 transportation, highway, railroad, maritime, bicycle, pedestrian,
- 8 goods movement, and aviation facilities and services. The plan
- 9 shall be action-oriented and pragmatic, considering both the

1 short-term and long-term future, and shall present clear, concise  
2 policy guidance to local and state officials. The regional  
3 transportation plan shall consider factors specified in Section 134  
4 of Title 23 of the United States Code. Each transportation planning  
5 agency shall consider and incorporate, as appropriate, the  
6 transportation plans of cities, counties, districts, private  
7 organizations, and state and federal agencies.

8 (b) The regional transportation plan shall be an internally  
9 consistent document and shall include all of the following:

10 (1) A policy element that describes the transportation issues in  
11 the region, identifies and quantifies regional needs, and describes  
12 the desired short-range and long-range transportation goals, and  
13 pragmatic objective and policy statements. The objective and policy  
14 statements shall be consistent with the funding estimates of the  
15 financial element. The policy element of transportation planning  
16 agencies with populations that exceed 200,000 persons may  
17 quantify a set of indicators including, but not limited to, all of the  
18 following:

19 (A) Measures of mobility and traffic congestion, including, but  
20 not limited to, daily vehicle hours of delay per capita and vehicle  
21 miles traveled per capita.

22 (B) Measures of road and bridge maintenance and rehabilitation  
23 needs, including, but not limited to, roadway pavement and bridge  
24 conditions.

25 (C) Measures of means of travel, including, but not limited to,  
26 percentage share of all trips (work and nonwork) made by all of  
27 the following:

- 28 (i) Single occupant vehicle.
- 29 (ii) Multiple occupant vehicle or carpool.
- 30 (iii) Public transit including commuter rail and intercity rail.
- 31 (iv) Walking.
- 32 (v) Bicycling.

33 (D) Measures of safety and security, including, but not limited  
34 to, total injuries and fatalities assigned to each of the modes set  
35 forth in subparagraph (C).

36 (E) Measures of equity and accessibility, including, but not  
37 limited to, percentage of the population served by frequent and  
38 reliable public transit, with a breakdown by income bracket, and  
39 percentage of all jobs accessible by frequent and reliable public  
40 transit service, with a breakdown by income bracket.

1 (F) The requirements of this section may be met utilizing  
2 existing sources of information. No additional traffic counts,  
3 household surveys, or other sources of data shall be required.

4 (2) A sustainable communities strategy prepared by each  
5 metropolitan planning organization as follows:

6 (A) No later than September 30, 2010, the State Air Resources  
7 Board shall provide each affected region with greenhouse gas  
8 emission reduction targets for the automobile and light truck sector  
9 for 2020 and 2035, respectively.

10 (i) No later than January 31, 2009, the state board shall appoint  
11 a Regional Targets Advisory Committee to recommend factors to  
12 be considered and methodologies to be used for setting greenhouse  
13 gas emission reduction targets for the affected regions. The  
14 committee shall be composed of representatives of the metropolitan  
15 planning organizations, affected air districts, the League of  
16 California Cities, the California State Association of Counties,  
17 local transportation agencies, and members of the public, including  
18 homebuilders, environmental organizations, planning organizations,  
19 environmental justice organizations, affordable housing  
20 organizations, and others. The advisory committee shall transmit  
21 a report with its recommendations to the state board no later than  
22 September 30, 2009. In recommending factors to be considered  
23 and methodologies to be used, the advisory committee may  
24 consider any relevant issues, including, but not limited to, data  
25 needs, modeling techniques, growth forecasts, the impacts of  
26 regional jobs-housing balance on interregional travel and  
27 greenhouse gas emissions, economic and demographic trends, the  
28 magnitude of greenhouse gas reduction benefits from a variety of  
29 land use and transportation strategies, and appropriate methods to  
30 describe regional targets and to monitor performance in attaining  
31 those targets. The state board shall consider the report prior to  
32 setting the targets.

33 (ii) Prior to setting the targets for a region, the state board shall  
34 exchange technical information with the metropolitan planning  
35 organization and the affected air district. The metropolitan planning  
36 organization may recommend a target for the region. The  
37 metropolitan planning organization shall hold at least one public  
38 workshop within the region after receipt of the report from the  
39 advisory committee. The state board shall release draft targets for  
40 each region no later than June 30, 2010.

1 (iii) In establishing these targets, the state board shall take into  
2 account greenhouse gas emission reductions that will be achieved  
3 by improved vehicle emission standards, changes in fuel  
4 composition, and other measures it has approved that will reduce  
5 greenhouse gas emissions in the affected regions, and prospective  
6 measures the state board plans to adopt to reduce greenhouse gas  
7 emissions from other greenhouse gas emission sources as that term  
8 is defined in subdivision (i) of Section 38505 of the Health and  
9 Safety Code and consistent with the regulations promulgated  
10 pursuant to the California Global Warming Solutions Act of 2006  
11 (Division 25.5 (commencing with Section 38500) of the Health  
12 and Safety Code).

13 (iv) The state board shall update the regional greenhouse gas  
14 emission reduction targets every eight years consistent with each  
15 metropolitan planning organization's timeframe for updating its  
16 regional transportation plan under federal law until 2050. The state  
17 board may revise the targets every four years based on changes in  
18 the factors considered under clause (iii). The state board shall  
19 exchange technical information with the Department of  
20 Transportation, metropolitan planning organizations, local  
21 governments, and affected air districts and engage in a consultative  
22 process with public and private stakeholders prior to updating these  
23 targets.

24 (v) The greenhouse gas emission reduction targets may be  
25 expressed in gross tons, tons per capita, tons per household, or in  
26 any other metric deemed appropriate by the state board.

27 (B) Each metropolitan planning organization shall prepare a  
28 sustainable communities strategy, subject to the requirements of  
29 Part 450 of Title 23 of, and Part 93 of Title 40 of, the Code of  
30 Federal Regulations, including the requirement to utilize the most  
31 recent planning assumptions considering local general plans and  
32 other factors. The sustainable communities strategy shall (i)  
33 identify the general location of uses, residential densities, and  
34 building intensities within the region, (ii) identify areas within the  
35 region sufficient to house all the population of the region, including  
36 all economic segments of the population, over the course of the  
37 planning period of the regional transportation plan taking into  
38 account net migration into the region, population growth, household  
39 formation and employment growth, (iii) identify areas within the  
40 region sufficient to house an eight-year projection of the regional

1 housing need for the region pursuant to Section 65584, (iv) identify  
2 a transportation network to service the transportation needs of the  
3 region, (v) gather and consider the best practically available  
4 scientific information regarding resource areas and farmland in  
5 the region as defined in subdivisions (a) and (b) of Section  
6 65080.01, (vi) consider the state housing goals specified in Sections  
7 65580 and 65581, (vii) set forth a forecasted development pattern  
8 for the region, which, when integrated with the transportation  
9 network, and other transportation measures and policies, will  
10 reduce the greenhouse gas emissions from automobiles and light  
11 trucks to achieve, if there is a feasible way to do so, the greenhouse  
12 gas emission reduction targets approved by the state board, and  
13 (viii) allow the regional transportation plan to comply with Section  
14 176 of the federal Clean Air Act (42 U.S.C. Sec. 7506).

15 (C) (i) Within the jurisdiction of the Metropolitan  
16 Transportation Commission, as defined by Section 66502, ~~the a~~  
17 *sustainable communities strategy adopted on or after January 1,*  
18 *2014, shall also include consideration of local and regional air*  
19 *quality, sea level rise, priority infrastructure needs, and the goals*  
20 *and policies related to economic development opportunities and*  
21 *social equity goals pursuant to subdivision (b) of Section 66537.6.*  
22 *The Association of Bay Area Governments shall be responsible*  
23 *for clauses (i), (ii), (iii), (v), and (vi) of subparagraph ~~(B)~~, the (B).*  
24 *The Metropolitan Transportation Commission shall be responsible*  
25 *for clauses (iv) and (viii) of subparagraph ~~(B)~~; and the (B), priority*  
26 *infrastructure needs, and the goals and policies related to economic*  
27 *development opportunities and social equity goals pursuant to*  
28 *subdivision (b) of Section 66537.6. The Bay Area Air Quality*  
29 *Management District shall be responsible for criteria pollutants*  
30 *and toxic air contaminants. The San Francisco Bay Conservation*  
31 *and Development Commission shall be responsible for sea level*  
32 *rise. The Association of Bay Area Governments, the Bay Area Air*  
33 *Quality Management District, the San Francisco Bay Conservation*  
34 *and Development Commission, and the Metropolitan Transportation*  
35 *Commission shall jointly be responsible for clause (vii) of*  
36 *subparagraph (B) and the adoption of the strategy as a whole.*

37 (ii) Within the jurisdiction of the Tahoe Regional Planning  
38 Agency, as defined in Sections 66800 and 66801, the Tahoe  
39 Metropolitan Planning Organization shall use the Regional Plan  
40 for the Lake Tahoe Region as the sustainable community strategy,

1 provided that it complies with clauses (vii) and (viii) of  
2 subparagraph (B).

3 (D) In the region served by the multicounty transportation  
4 planning agency described in Section 130004 of the Public Utilities  
5 Code, a subregional council of governments and the county  
6 transportation commission may work together to propose the  
7 sustainable communities strategy and an alternative planning  
8 strategy, if one is prepared pursuant to subparagraph (I), for that  
9 subregional area. The metropolitan planning organization may  
10 adopt a framework for a subregional sustainable communities  
11 strategy or a subregional alternative planning strategy to address  
12 the intraregional land use, transportation, economic, air quality,  
13 and climate policy relationships. The metropolitan planning  
14 organization shall include the subregional sustainable communities  
15 strategy for that subregion in the regional sustainable communities  
16 strategy to the extent consistent with this section and federal law  
17 and approve the subregional alternative planning strategy, if one  
18 is prepared pursuant to subparagraph (I), for that subregional area  
19 to the extent consistent with this section. The metropolitan planning  
20 organization shall develop overall guidelines, create public  
21 participation plans pursuant to subparagraph (F), ensure  
22 coordination, resolve conflicts, make sure that the overall plan  
23 complies with applicable legal requirements, and adopt the plan  
24 for the region.

25 (E) The metropolitan planning organization shall conduct at  
26 least two informational meetings in each county within the region  
27 for members of the board of supervisors and city councils on the  
28 sustainable communities strategy and alternative planning strategy,  
29 if any. The metropolitan planning organization may conduct only  
30 one informational meeting if it is attended by representatives of  
31 the county board of supervisors and city council members  
32 representing a majority of the cities representing a majority of the  
33 population in the incorporated areas of that county. Notice of the  
34 meeting or meetings shall be sent to the clerk of the board of  
35 supervisors and to each city clerk. The purpose of the meeting or  
36 meetings shall be to discuss the sustainable communities strategy  
37 and the alternative planning strategy, if any, including the key land  
38 use and planning assumptions to the members of the board of  
39 supervisors and the city council members in that county and to  
40 solicit and consider their input and recommendations.

- 1 (F) Each metropolitan planning organization shall adopt a public  
2 participation plan, for development of the sustainable communities  
3 strategy and an alternative planning strategy, if any, that includes  
4 all of the following:
- 5 (i) Outreach efforts to encourage the active participation of a  
6 broad range of stakeholder groups in the planning process,  
7 consistent with the agency’s adopted Federal Public Participation  
8 Plan, including, but not limited to, affordable housing advocates,  
9 transportation advocates, neighborhood and community groups,  
10 environmental advocates, home builder representatives,  
11 broad-based business organizations, landowners, commercial  
12 property interests, and homeowner associations.
  - 13 (ii) Consultation with congestion management agencies,  
14 transportation agencies, and transportation commissions.
  - 15 (iii) Workshops throughout the region to provide the public with  
16 the information and tools necessary to provide a clear  
17 understanding of the issues and policy choices. At least one  
18 workshop shall be held in each county in the region. For counties  
19 with a population greater than 500,000, at least three workshops  
20 shall be held. Each workshop, to the extent practicable, shall  
21 include urban simulation computer modeling to create visual  
22 representations of the sustainable communities strategy and the  
23 alternative planning strategy.
  - 24 (iv) Preparation and circulation of a draft sustainable  
25 communities strategy and an alternative planning strategy, if one  
26 is prepared, not less than 55 days before adoption of a final regional  
27 transportation plan.
  - 28 (v) At least three public hearings on the draft sustainable  
29 communities strategy in the regional transportation plan and  
30 alternative planning strategy, if one is prepared. If the metropolitan  
31 transportation organization consists of a single county, at least two  
32 public hearings shall be held. To the maximum extent feasible, the  
33 hearings shall be in different parts of the region to maximize the  
34 opportunity for participation by members of the public throughout  
35 the region.
  - 36 (vi) A process for enabling members of the public to provide a  
37 single request to receive notices, information, and updates.
- 38 (G) In preparing a sustainable communities strategy, the  
39 metropolitan planning organization shall consider spheres of

1 influence that have been adopted by the local agency formation  
2 commissions within its region.

3 (H) Prior to adopting a sustainable communities strategy, the  
4 metropolitan planning organization shall quantify the reduction in  
5 greenhouse gas emissions projected to be achieved by the  
6 sustainable communities strategy and set forth the difference, if  
7 any, between the amount of that reduction and the target for the  
8 region established by the state board.

9 (I) If the sustainable communities strategy, prepared in  
10 compliance with subparagraph (B) or (D), is unable to reduce  
11 greenhouse gas emissions to achieve the greenhouse gas emission  
12 reduction targets established by the state board, the metropolitan  
13 planning organization shall prepare an alternative planning strategy  
14 to the sustainable communities strategy showing how those  
15 greenhouse gas emission targets would be achieved through  
16 alternative development patterns, infrastructure, or additional  
17 transportation measures or policies. The alternative planning  
18 strategy shall be a separate document from the regional  
19 transportation plan, but it may be adopted concurrently with the  
20 regional transportation plan. In preparing the alternative planning  
21 strategy, the metropolitan planning organization:

22 (i) Shall identify the principal impediments to achieving the  
23 targets within the sustainable communities strategy.

24 (ii) May include an alternative development pattern for the  
25 region pursuant to subparagraphs (B) to (G), inclusive.

26 (iii) Shall describe how the greenhouse gas emission reduction  
27 targets would be achieved by the alternative planning strategy, and  
28 why the development pattern, measures, and policies in the  
29 alternative planning strategy are the most practicable choices for  
30 achievement of the greenhouse gas emission reduction targets.

31 (iv) An alternative development pattern set forth in the  
32 alternative planning strategy shall comply with Part 450 of Title  
33 23 of, and Part 93 of Title 40 of, the Code of Federal Regulations,  
34 except to the extent that compliance will prevent achievement of  
35 the greenhouse gas emission reduction targets approved by the  
36 state board.

37 (v) For purposes of the California Environmental Quality Act  
38 (Division 13 (commencing with Section 21000) of the Public  
39 Resources Code), an alternative planning strategy shall not  
40 constitute a land use plan, policy, or regulation, and the

1 inconsistency of a project with an alternative planning strategy  
2 shall not be a consideration in determining whether a project may  
3 have an environmental effect.

4 (J) (i) Prior to starting the public participation process adopted  
5 pursuant to subparagraph (F), the metropolitan planning  
6 organization shall submit a description to the state board of the  
7 technical methodology it intends to use to estimate the greenhouse  
8 gas emissions from its sustainable communities strategy and, if  
9 appropriate, its alternative planning strategy. The state board shall  
10 respond to the metropolitan planning organization in a timely  
11 manner with written comments about the technical methodology,  
12 including specifically describing any aspects of that methodology  
13 it concludes will not yield accurate estimates of greenhouse gas  
14 emissions, and suggested remedies. The metropolitan planning  
15 organization is encouraged to work with the state board until the  
16 state board concludes that the technical methodology operates  
17 accurately.

18 (ii) After adoption, a metropolitan planning organization shall  
19 submit a sustainable communities strategy or an alternative  
20 planning strategy, if one has been adopted, to the state board for  
21 review, including the quantification of the greenhouse gas emission  
22 reductions the strategy would achieve and a description of the  
23 technical methodology used to obtain that result. Review by the  
24 state board shall be limited to acceptance or rejection of the  
25 metropolitan planning organization's determination that the strategy  
26 submitted would, if implemented, achieve the greenhouse gas  
27 emission reduction targets established by the state board. The state  
28 board shall complete its review within 60 days.

29 (iii) If the state board determines that the strategy submitted  
30 would not, if implemented, achieve the greenhouse gas emission  
31 reduction targets, the metropolitan planning organization shall  
32 revise its strategy or adopt an alternative planning strategy, if not  
33 previously adopted, and submit the strategy for review pursuant  
34 to clause (ii). At a minimum, the metropolitan planning  
35 organization must obtain state board acceptance that an alternative  
36 planning strategy would, if implemented, achieve the greenhouse  
37 gas emission reduction targets established for that region by the  
38 state board.

39 (K) Neither a sustainable communities strategy nor an alternative  
40 planning strategy regulates the use of land, nor, except as provided

1 by subparagraph (J), shall either one be subject to any state  
2 approval. Nothing in a sustainable communities strategy shall be  
3 interpreted as superseding the exercise of the land use authority  
4 of cities and counties within the region. Nothing in this section  
5 shall be interpreted to limit the state board's authority under any  
6 other provision of law. Nothing in this section shall be interpreted  
7 to authorize the abrogation of any vested right whether created by  
8 statute or by common law. Nothing in this section shall require a  
9 city's or county's land use policies and regulations, including its  
10 general plan, to be consistent with the regional transportation plan  
11 or an alternative planning strategy. Nothing in this section requires  
12 a metropolitan planning organization to approve a sustainable  
13 communities strategy that would be inconsistent with Part 450 of  
14 Title 23 of, or Part 93 of Title 40 of, the Code of Federal  
15 Regulations and any administrative guidance under those  
16 regulations. Nothing in this section relieves a public or private  
17 entity or any person from compliance with any other local, state,  
18 or federal law.

19 (L) Nothing in this section requires projects programmed for  
20 funding on or before December 31, 2011, to be subject to the  
21 provisions of this paragraph if they (i) are contained in the 2007  
22 or 2009 Federal Statewide Transportation Improvement Program,  
23 (ii) are funded pursuant to Chapter 12.49 (commencing with  
24 Section 8879.20) of Division 1 of Title 2, or (iii) were specifically  
25 listed in a ballot measure prior to December 31, 2008, approving  
26 a sales tax increase for transportation projects. Nothing in this  
27 section shall require a transportation sales tax authority to change  
28 the funding allocations approved by the voters for categories of  
29 transportation projects in a sales tax measure adopted prior to  
30 December 31, 2010. For purposes of this subparagraph, a  
31 transportation sales tax authority is a district, as defined in Section  
32 7252 of the Revenue and Taxation Code, that is authorized to  
33 impose a sales tax for transportation purposes.

34 (M) A metropolitan planning organization, or a regional  
35 transportation planning agency not within a metropolitan planning  
36 organization, that is required to adopt a regional transportation  
37 plan not less than every five years, may elect to adopt the plan not  
38 less than every four years. This election shall be made by the board  
39 of directors of the metropolitan planning organization or regional  
40 transportation planning agency no later than June 1, 2009, or

1 thereafter 54 months prior to the statutory deadline for the adoption  
2 of housing elements for the local jurisdictions within the region,  
3 after a public hearing at which comments are accepted from  
4 members of the public and representatives of cities and counties  
5 within the region covered by the metropolitan planning  
6 organization or regional transportation planning agency. Notice  
7 of the public hearing shall be given to the general public and by  
8 mail to cities and counties within the region no later than 30 days  
9 prior to the date of the public hearing. Notice of election shall be  
10 promptly given to the Department of Housing and Community  
11 Development. The metropolitan planning organization or the  
12 regional transportation planning agency shall complete its next  
13 regional transportation plan within three years of the notice of  
14 election.

15 (N) Two or more of the metropolitan planning organizations  
16 for Fresno County, Kern County, Kings County, Madera County,  
17 Merced County, San Joaquin County, Stanislaus County, and  
18 Tulare County may work together to develop and adopt  
19 multiregional goals and policies that may address interregional  
20 land use, transportation, economic, air quality, and climate  
21 relationships. The participating metropolitan planning organizations  
22 may also develop a multiregional sustainable communities strategy,  
23 to the extent consistent with federal law, or an alternative planning  
24 strategy for adoption by the metropolitan planning organizations.  
25 Each participating metropolitan planning organization shall  
26 consider any adopted multiregional goals and policies in the  
27 development of a sustainable communities strategy and, if  
28 applicable, an alternative planning strategy for its region.

29 (3) An action element that describes the programs and actions  
30 necessary to implement the plan and assigns implementation  
31 responsibilities. The action element may describe all transportation  
32 projects proposed for development during the 20-year or greater  
33 life of the plan. The action element shall consider congestion  
34 management programming activities carried out within the region.

35 (4) (A) A financial element that summarizes the cost of plan  
36 implementation constrained by a realistic projection of available  
37 revenues. The financial element shall also contain  
38 recommendations for allocation of funds. A county transportation  
39 commission created pursuant to Section 130000 of the Public  
40 Utilities Code shall be responsible for recommending projects to

1 be funded with regional improvement funds, if the project is  
2 consistent with the regional transportation plan. The first five years  
3 of the financial element shall be based on the five-year estimate  
4 of funds developed pursuant to Section 14524. The financial  
5 element may recommend the development of specified new sources  
6 of revenue, consistent with the policy element and action element.

7 (B) The financial element of transportation planning agencies  
8 with populations that exceed 200,000 persons may include a project  
9 cost breakdown for all projects proposed for development during  
10 the 20-year life of the plan that includes total expenditures and  
11 related percentages of total expenditures for all of the following:

- 12 (i) State highway expansion.
- 13 (ii) State highway rehabilitation, maintenance, and operations.
- 14 (iii) Local road and street expansion.
- 15 (iv) Local road and street rehabilitation, maintenance, and  
16 operation.
- 17 (v) Mass transit, commuter rail, and intercity rail expansion.
- 18 (vi) Mass transit, commuter rail, and intercity rail rehabilitation,  
19 maintenance, and operations.
- 20 (vii) Pedestrian and bicycle facilities.
- 21 (viii) Environmental enhancements and mitigation.
- 22 (ix) Research and planning.
- 23 (x) Other categories.

24 (C) The metropolitan planning organization or county  
25 transportation agency, whichever entity is appropriate, shall  
26 consider financial incentives for cities and counties that have  
27 resource areas or farmland, as defined in Section 65080.01, for  
28 the purposes of, for example, transportation investments for the  
29 preservation and safety of the city street or county road system  
30 and farm-to-market and interconnectivity transportation needs.  
31 The metropolitan planning organization or county transportation  
32 agency, whichever entity is appropriate, shall also consider  
33 financial assistance for counties to address countywide service  
34 responsibilities in counties that contribute toward the greenhouse  
35 gas emission reduction targets by implementing policies for growth  
36 to occur within their cities.

37 (c) Each transportation planning agency may also include other  
38 factors of local significance as an element of the regional  
39 transportation plan, including, but not limited to, issues of mobility

1 for specific sectors of the community, including, but not limited  
2 to, senior citizens.

3 (d) Except as otherwise provided in this subdivision, each  
4 transportation planning agency shall adopt and submit, every four  
5 years, an updated regional transportation plan to the California  
6 Transportation Commission and the Department of Transportation.  
7 A transportation planning agency located in a federally designated  
8 air quality attainment area or that does not contain an urbanized  
9 area may at its option adopt and submit a regional transportation  
10 plan every five years. When applicable, the plan shall be consistent  
11 with federal planning and programming requirements and shall  
12 conform to the regional transportation plan guidelines adopted by  
13 the California Transportation Commission. Prior to adoption of  
14 the regional transportation plan, a public hearing shall be held after  
15 the giving of notice of the hearing by publication in the affected  
16 county or counties pursuant to Section 6061.

17 ~~SECTION 1. Section 66537 is added to the Government Code,~~  
18 ~~to read:~~

19 ~~66537. For purposes of Sections 66537.1 to 66537.7, inclusive,~~  
20 ~~the following definitions shall apply:~~

21 ~~(a) "Region" means the area encompassed by the Counties of~~  
22 ~~Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo,~~  
23 ~~Santa Clara, Solano, and Sonoma.~~

24 ~~(b) "Regional entities" means the Metropolitan Transportation~~  
25 ~~Commission, including any joint exercise of powers agencies that~~  
26 ~~include the commission as a member agency; the Bay Area Toll~~  
27 ~~Authority; the Bay Area Air Quality Management District; the San~~  
28 ~~Francisco Bay Conservation and Development Commission; and~~  
29 ~~the Association of Bay Area Governments.~~

30 ~~SEC. 2. Section 66537.1 is added to the Government Code, to~~  
31 ~~read:~~

32 ~~66537.1. (a) The *member agencies of the joint policy*~~  
33 ~~committee created pursuant to subdivision (d) of Section 66536~~  
34 ~~shall prepare a regional organization plan that includes all of the~~  
35 ~~following:~~

36 ~~(1) A plan for integrating, by July 1, 2016, the major planning~~  
37 ~~documents described in subdivision (c) of Section 66536.1 into a~~  
38 ~~comprehensive regional plan that also addresses priority~~  
39 ~~infrastructure needs, the goals and policies related to economic~~  
40 ~~development opportunities adopted pursuant to subdivision (b) of~~

1 Section 66537.6, and social equity goals to ensure that people of  
 2 all income levels, races, and ethnicities share fairly in the benefits  
 3 and burdens associated with the comprehensive regional plan and  
 4 its implementation.

5 (2) ~~A plan for consolidating the functions that are common to~~  
 6 ~~the regional entities, member agencies, including, but not limited~~  
 7 ~~to, personnel and human resources, budget and financial services,~~  
 8 ~~electronic data and communications systems, legal services,~~  
 9 ~~contracting and procurement of goods and services, public~~  
 10 ~~information and outreach services, intergovernmental relations,~~  
 11 ~~transportation, land use, economic, and related forecasting models,~~  
 12 ~~and other related activities. Consideration shall be given to ensuring~~  
 13 ~~that there are common personnel classifications where appropriate~~  
 14 ~~among the regional entities, and the consolidation of other functions~~  
 15 ~~or activities, activities, as deemed appropriate and feasible, that~~  
 16 ~~will further the mission of the joint policy committee goals of the~~  
 17 ~~member agencies and will reduce redundancy. The plan shall also~~  
 18 ~~include a statement as to the expected reduction in the cost of~~  
 19 ~~overhead and in the cost of operation and management of the~~  
 20 ~~regional entities member agencies.~~

21 (b) On or before December 31, 2014, ~~the staff shall submit to~~  
 22 ~~the joint policy committee a draft regional organization plan. The~~  
 23 ~~joint policy committee shall ensure early, continuous, and inclusive~~  
 24 ~~public participation in the development and adoption of the regional~~  
 25 ~~organization plan and shall hold at least one public hearing in each~~  
 26 ~~county of the region to receive public comment on the draft plan.~~  
 27 ~~A final plan shall thereafter be adopted on or before June 30, 2015.~~  
 28 ~~All of the provisions of the comprehensive regional plan developed~~  
 29 ~~under paragraph (1) of subdivision (a) shall be implemented by~~  
 30 ~~July 1, 2016.~~

31 (e) ~~All cost savings derived from implementation of the regional~~  
 32 ~~organization plan shall be directed to the joint policy committee's~~  
 33 ~~general fund a member agency affected by the plan shall submit~~  
 34 ~~a copy of the plan to its board.~~

35 (c) *On or before December 31, 2015, the member agencies shall*  
 36 *report to the Senate Transportation and Housing Committee on*  
 37 *the adoption and implementation of the plan.*

38 SEC. 3. Section 66537.2 is added to the Government Code, to  
 39 read:

1 66537.2. The joint policy committee shall develop and adopt  
2 public and community outreach and inclusive public participation  
3 policies to govern the development and adoption of the regional  
4 organization plan as well as regular joint policy committee  
5 meetings. These policies shall also govern the meetings of regional  
6 ~~entities~~, *member agencies*, the meetings of standing committees,  
7 and meetings of ad hoc or other temporary committees. In  
8 developing the policies, the joint policy committee shall ensure  
9 that outreach programs are inclusive of limited-English-proficient  
10 populations, and utilize all available communication technologies,  
11 including webcasting and social media, print, radio, and television.  
12 The joint policy committee shall also establish policies for the  
13 holding workshops of the joint policy committee and the regional  
14 ~~entities~~ *member agencies* in the cities and counties of the region.  
15 The joint policy committee shall provide an opportunity for the  
16 public to comment on the draft and the final recommended policies.  
17 The policies shall be adopted on or before October 31, 2014.

18 SEC. 4. Section 66537.3 is added to the Government Code, to  
19 read:

20 66537.3. The joint policy committee shall maintain an Internet  
21 Web site containing relevant information pertaining to the joint  
22 policy committee's activities.

23 SEC. 5. Section 66537.4 is added to the Government Code, to  
24 read:

25 66537.4. The joint policy committee shall be subject to the  
26 Ralph M. Brown Act (Chapter 9 (commencing with Section 54950)  
27 of Part 1 of Division 2 of Title 5).

28 SEC. 6. ~~Section 66537.5 is added to the Government Code, to~~  
29 ~~read:~~

30 ~~66537.5.—(a) Until the joint policy committee adopts a~~  
31 ~~comprehensive regional plan as described in Section 66537.1, the~~  
32 ~~joint policy committee shall review both the draft and adopted~~  
33 ~~versions of both of the following:~~

34 ~~(1) Major planning documents described in subdivision (c) of~~  
35 ~~Section 66536.1.~~

36 ~~(2) Policies, plans, and regulations of each regional entity~~  
37 ~~associated with the major planning documents.~~

38 ~~(b) The review shall include an assessment of the consistency~~  
39 ~~of the planning documents, policies, plans, and regulations with~~  
40 ~~each other, with the requirements of Senate Bill 375 of the 2007–08~~

1 Regular Session, and with the goals and policies related to  
 2 economic development opportunities adopted pursuant to  
 3 subdivision (b) of Section 66537.6. The joint policy committee  
 4 shall issue a consistency report describing the findings of each  
 5 review. The joint policy committee shall hold public and  
 6 community hearings in accordance with its public outreach policies  
 7 regarding the draft consistency findings. The findings of each  
 8 consistency review shall be considered by the applicable regional  
 9 entity in connection with any proposed amendment to a planning  
 10 document, policy, plan, or regulation.

11 SEC. 7.

12 SEC. 6. Section 66537.6 is added to the Government Code, to  
 13 read:

14 66537.6. (a) The joint policy committee shall appoint an  
 15 advisory committee on economic competitiveness with members  
 16 from the business community, including representatives of small  
 17 businesses and the technology and manufacturing sectors,  
 18 community colleges, public and private universities, labor, local  
 19 governments, community organizations with an interest in  
 20 expanding economic opportunity for low-income populations and  
 21 communities, and other organizations involved with the private  
 22 economy.

23 (b) The joint policy committee, in consultation with the advisory  
 24 committee, shall adopt goals and policies related to the inclusion  
 25 of economic development opportunities in the plans of the regional  
 26 entities and the comprehensive regional plan *sustainable*  
 27 *communities strategy*. The goals and policies shall also promote  
 28 amenities that are special to the region and contribute to the  
 29 region's quality of life. Social equity goals and considerations shall  
 30 be integrated throughout to ensure that low-income populations  
 31 and populations of color share fairly in the benefits and burdens  
 32 of the economic development goals and policies and their  
 33 implementation *and include strategics to improve the economic*  
 34 *conditions and opportunities for all residents with special attention*  
 35 *given to opportunities available for low-income residents and*  
 36 *populations of color.*

37 SEC. 8. Section 66537.7 is added to the Government Code, to  
 38 read:

39 66537.7. On or before July 1, 2014, the Legislative Analyst's  
 40 Office shall analyze and report to the Legislature on the voting

1 power that each city and county in the region has on the governing  
2 board of each of the regional entities, including an analysis of any  
3 voting power disparities based on population, race, and ethnicity.  
4 The analysis shall utilize appropriate metrics, such as votes per  
5 million in population. The report to the Legislature shall include  
6 recommended changes to regional entity governance and voting,  
7 including any recommended legislation, that would lessen  
8 disparities, if any, to insignificant levels.

9 *SEC. 7. Section 66537.7 is added to the Government Code, to*  
10 *read:*

11 *66537.7. The Metropolitan Transportation Commission shall*  
12 *report biannually to the Legislature and the public at large on*  
13 *progress in implementing the policies and programs of the*  
14 *sustainable communities strategy required pursuant to*  
15 *subparagraph (B) of paragraph (2) of subdivision (b) of Section*  
16 *65080 and in preparing the subsequent sustainable communities*  
17 *strategy.*

18 *SEC. 8. The San Francisco Bay Conservation and Development*  
19 *Commission shall relocate to 390 Main Street in San Francisco,*  
20 *California.*

21 *SEC. 9. If the Commission on State Mandates determines*  
22 *that this act contains costs mandated by the state, reimbursement*  
23 *to local agencies and school districts for those costs shall be made*  
24 *pursuant to Part 7 (commencing with Section 17500) of Division*  
25 *4 of Title 2 of the Government Code.*

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