



Association of Bay Area Governments  
Bay Area Air Quality Management District  
Bay Conservation and Development Commission  
Metropolitan Transportation Commission

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## JOINT POLICY COMMITTEE — REGIONAL PLANNING PROGRAM

### JOINT POLICY COMMITTEE

Friday, May 16, 2014  
10:00 a.m. to 12:00 p.m.

MetroCenter, 101 8<sup>th</sup> Street, Auditorium  
Oakland, California

### MEETING NOTICE AND AGENDA

- 1. Call to Order**
- 2. Approval of the Joint Policy Committee Minutes of March 21, 2014**  
Action  
*Attachment: Draft March 21, 2014 Minutes*
- 3. Report on HUD Sustainable Communities Regional Planning Grant -- Economic Prosperity Working Group Research**  
Discussion  
Stephen Levy, Center for Continuing Study of the California Economy, and  
Egon Terplan, SPUR
- 4. Report on JPC Organizational Planning Proposal**  
Discussion  
Allison Brooks, JPC  
*Attachments: Staff memo Recommendation for Organizational Plan; Draft Request for Proposals for Organizational Plan Consultant*
- 5. Report on Cap & Trade Investment Plan EnviroScreen**  
Discussion  
Jean Roggenkamp, BAAQMD
- 6. Report on Senate Bill 1184**  
Larry Goldzband and Steve Goldbeck, BCDC  
Discussion
- 7. Committee Comment**  
Information

**8. Public Comment**

Information

**9. Adjournment**

Information

Next Joint Policy Committee Meeting:  
July 18, 2014

The Joint Policy Committee may take action on any item listed in the agenda.

Agenda and attachments available at [www.abag.ca.gov/jointpolicy/](http://www.abag.ca.gov/jointpolicy/)

This meeting is scheduled to end promptly at 12:00 p.m. Agenda items not considered by that time may be deferred.

The public is encouraged to comment on agenda items by completing a request-to-speak card and giving it to JPC staff or the chairperson.

Although a quorum of the Metropolitan Transportation Commission may be in attendance at this meeting, the Joint Policy Committee may take action only on those matters delegated to it. The Joint Policy Committee may not take any action as the Metropolitan Transportation Commission unless this meeting has been previously noticed as a Metropolitan Transportation Commission meeting.

For information, contact Allison Brooks, JPC Executive Director, at [abrooks@mtc.ca.gov](mailto:abrooks@mtc.ca.gov) or (510) 464 7942.



## JOINT POLICY COMMITTEE — REGIONAL PLANNING PROGRAM

### Draft Minutes of the Meeting of March 21, 2014 Held at 10:00 AM at the Metro Center Auditorium, Oakland

#### ABAG

Scott Haggerty  
Julie Pierce

#### BAAQMD

Tom Bates  
Nathan Miley  
Mark Ross

#### BCDC

John Gioia  
Anne Halsted  
Kathrin Sears  
Zack Wasserman

#### MTC

Jake Mackenzie  
Jim Spering  
Amy Worth

### 1. Call to Order

Chair Gioia called the meeting to order.

### 2. Approval of Joint Policy Committee Meeting Minutes of November

There were no minutes to review. The previous two meetings of the JPC had been cancelled.

### 3. Report of the Executive Committee (John Gioia, Chair)

The JPC Executive Committee met on March 13, 2014. The Executive Committee requested that there be a full presentation and discussion on SB792 at the JPC meeting. There was a brief discussion regarding the JPC Climate Program presentation in preparation for the full JPC meeting.

### 4. Report on JPC Climate Program (Bruce Riordan and Aleka Seville, JPC)

*Mr. Riordan outlined details of meetings conducted in each Bay Area County by JPC Climate Program:*

- JPC staff co-hosted meetings with a local entity who helped invite and bring stakeholders
- Met with stakeholders (a total of 140 people) in each of the nine counties working on Climate adaptation, including representatives from public works, planning, health, water and other sectors.
- The resulting report spotlighted sixty projects that exemplify action of different types in the region.

Identified Barriers to Climate Adaptation:

- Need for more unified planning and governance structure
- The challenge is greater than resources we have available – need creative thinking
- We need a shared vision for what a more resilient Bay Area looks like, including measurable goals.

- Need for supportive Science and Data.
- Creation of a network that helps people work across and within sectors more efficiently.

Report on Climate Readiness Institute Launch:

- February 11, 2014 was the launch of a partnership between UC Berkeley, Stanford and Davis to work on Climate Adaptation research in the region, focused on the Bay Area. The goal is that these academic partners will work closely with stakeholders from the public sector, non-profit, philanthropy to advance climate adaptation strategies and action.

In discussion, the Committee raised the following questions and points:

- Important for the four agencies to continue to work together to achieve progress on climate adaption.
- BCDC, ABAG and the Coastal Conservancy have started to tackle the issue through the Shoreline Resilience Project. They have created a 6-month and 2-year integrated work plan among the agencies that will inform regional efforts.
- There is only so far we can push the SCS model. It is nested in a good statutory framework for mitigating the effects of climate change. We need something like that for Climate Adaptation, to bring structure to our effort.
- We need to be able to translate these issues into action with the larger circle of public servants who need to effectuate action in their communities. Fully engaging local governments is critical.
- We don't have the money to get the job done. We need legislation to bring in an infusion of money to do what needs to be done.
- Many of the communities around the Bay Area are small and have been hit by recession. Thinking about a climate action plan is far down on the list of priorities. Need resources to lift it up as a priority. These communities need technical assistance to help overcome some of the heavy lifting involved.

Mr. Riordan suggests the discussion by the Committee reinforces the approach that was taken of having county-by-county meetings - highlighting the kinds of resources, assistance that cities and counties need and the role that regional agencies can play.

## **5. Senate Bill 792**

Chair Gioia outlined that the Senator DeSaulnier and his staff invited the JPC Member Agency Executive Directors to provide comments on existing draft dated February 22, 2014 by the end of March.

- A) Ms. Allison Brooks provided an overview of JPC proposed amendments to Senate Bill 792 on which the JPC member agency Executive Directors have reached consensus. These points were included in a Memo that is part of the meeting packet.

**Amendment #1** – MTC and ABAG should remain the adopting agencies for the Sustainable Communities Strategy, with BAAQMD and BCDC serving as technical advisory.

- There was general agreement among the Committee regarding this point, and no objections.

**Amendment #2** – MTC, ABAG and BAAQMD are conducting a consolidation study in preparation for moving into 375 Beale Street in San Francisco that should meet the goals outlined in the draft bill regarding a plan for the consolidation of functions

- There was general agreement among the Committee regarding this point, and no objections.

**Amendment #3** – Modified language regarding the public participation process as part of future Sustainable Communities Strategies.

Discussion:

- A question was raised as to the formation of the Advisory Group mentioned in the bill. It was expressed that the structure for public participation that was used in the development of Plan Bay Area did not work. There is a need to do something different that involved local government representatives.
- **The Committee advised a language change to the amendment that states:** *The public engagement advisory group will include representatives of local planning agencies and congestion management agencies and other local agencies.*
- The Committee advised a language change to the amendment that calls for the inclusion of both MTC and ABAG to approve the final public participation plan.

*Speaker: Ms. Pat Ecklund, City Council member from Navato, expressed support for including representatives of local government in developing the public participation plan. Would highly recommend that both ABAG and MTC board's approve the public outreach program.*

**Amendment #4** – The Sustainable Communities Strategy shall include performance indicators on a broader set of issues.

Discussion:

- How does the legal framework fit into this? Including these other issues in our discussion has merit, but confused as to how this plays out in the process from a statutory perspective.
- Staff responded by saying that the primary focus of these new indicators is on the adaptation question. They are not given status of standards. Housing needs and the transportation planning process are statutory requirements. This is a way to incorporate them into the discussion and start the conversation about adaptation within the framework of SCS, without going too far.
- This fits into earlier discussion of BCDC and Air District providing technical guidance. We need to evaluate how much of the climate adaptation issues need to be incorporated into the SCS in some form to understand what needs to be done to support a sustainable region.

- Air Quality was incorporated in the last SCS and that will continue.
- Question was raised regarding how Sea Level Rise will be incorporated into the SCS?
- BCDC staff responded by saying that BCDC will work as hard as they can with the money they have to include information in the SCS that is substantial enough to inform a sustainable region.
- What is the status of BCDC moving into the new building? Why was that struck from the bill?
- The appropriations Committee struck it because it is a state cost. Senator DeSaulnier's staff is eager to work with BCDC so that they can move in to the building.
- Regarding the financing piece of this. How are our existing resources going to support level of work contemplated here? Shouldn't there be a financial component included in this bill? We have a responsibility to do credible work, but challenging if the resources aren't there.

Chair Gioia asked if the Committee was fine with the proposed language? He stated that the JPC will be most effective when we can find places where all four agencies are in agreement.

#### Final Discussion Points on SB792:

- The policies we agreed upon today have a lot of merit. If all of these provisions went away, would we be in any worse condition? Should we support a bill that legislates how we conduct our own business?
  - This process is underway and the Senator is going to move the bill, it's in our interest to make the bill the best it can be.
  - All this language can be very productive in improving the SCS process moving forward. Regardless of what the State decides to do, there is nothing that precludes us from including these in the next SCS process moving forward.
  - Can we include other items in SCS that are not specifically authorized by statute? What is our ability to do the things outlined if we don't have statutory authority to do them?
  - To the extent we want to mandate changes in other institutions through the SCS, we need to do what the statute says. The areas where we have taken initiative beyond the law are areas where we thought it would be well received, including the OBAG grant program.
  - There is nothing in this bill we can't do on our own. We should move forward and stay at the table. The Committee directed that all four of the Chairs of the JPC Member Agencies Commissions/Boards will meet with Senator DeSaulnier to see if this is something he wants to continue to pursue. There was consensus reached on the amendments discussed, with the language changes outlined by the Committee.
- B) Ezra Rapport withdrew the two proposed amendments, the first being on water and the second on in-commuting.

## 6. Presentation on California Cap-and-Trade Program (Richard Corey, Executive Officer, California Air Resources Board)

Chair Gioia expressed regrets that Richard Corey had driven all the way from Sacramento to present to the JPC but had only fifteen minutes left on the agenda. The Committee agreed to stay longer to hear Mr. Corey's presentation.

Mr. Corey presented a PowerPoint presentation: **Cap-and-Trade Auction Proceeds: Greenhouse Gas Reduction Fund**, which will be posted on the JPC website.

Mr. Corey started by saying he had been with the California Air Resources Board (CARB) for 29 years, serving as Executive Officer for the past year.

Focus of presentation is about process to get to proposed budget for expenditure of Cap-and-Trade proceeds. What is the proposal? How did we get here? What are the next steps?

Cap-and-Trade is one policy under umbrella of AB32. Cap-and-Trade is intended to be included in a suite of strategies to get us to 1990 emission levels by 2020. There are many contributors to greenhouse gas emission, and a range of strategies that have to be implemented.

Mr. Corey's Presentation Included the Following Focus Areas:

- Auction Proceeds: Overview
- Auction Proceeds: Investment Plan
- Auction Proceeds: Funds Proposed for Expenditure
- Auction Proceeds: FY2014-15 Proposal
- Auction Proceeds: Rail Modernization Proposal
- Auction Proceeds: Transportation Sector Proposal
- Auction Proceeds: Energy Sector Proposal
- Auction Proceeds: Natural Resources Proposal
- Auction Proceeds: Anticipated Funding Flow

### Discussion:

- EnviroScreen Tool – In review of top 10% of impacted communities many are in the Central Valley and in Los Angeles region. The net effect is that there are not as many communities included from the Bay Area. Raising that to 25% would include more Bay Area communities.

Mr. Corey outlined that the way the funding is structured to support Sustainable Communities Strategies, is that the funding would go through the Strategic Growth Council who would develop guidelines for how those resources would be distributed.

- It was noted by staff that the Strategic Growth Council (SGC) is proposing adding new staff that would put them in the position of selecting projects, that would put MPO's in the position of being a grant recipient, rather than a grants administrator.

Mr. Corey proposed having a SGC representative to speak directly with JPC agencies.

- We have created a structure to implement the goals of SB375, being responsive to the State. When we start moving the funding decisions farther away from where it needs to hit the ground, the harder it becomes to meet the goals.
- \$100 million for SCS not sufficient. A lot of people who believe these allocations are not enough.
- We want to thank you for being here. The SCS was worked on for years, a lot of public discussion. Can you speak to SCS and its role related to AB32 and its Scoping Plan? The SCS plays a role, but how big of a role? That might inform the JPC?

Mr. Corey stated that there is a suite of strategies to get us to 1990 emissions by 2020. The Scoping Plan will evaluate how we are doing meeting targets. It provides an update on climate science and the case for climate change and the impact it will have. It underscores the importance of dealing with particularly potent greenhouse gas emissions – methane, black carbon, etc. The Scoping Plan recognizes we have a long way to go. There is significant additional action that is going to be necessary. Many of those actions can provide significant co-benefits. To get to 80% below 1990 levels, everything is going to be important.

- To be intellectually honest, we need to conduct same analysis of what is going to get us to GHG reduction so that we spend money that is proportionate to the strategies that get us there.
- The SCS strategy gets you a lot of other co-benefits, and all those other benefits should matter to the state, even if SCS doesn't get you the biggest emission reductions in the shorter-term time frame.
- This is a huge new revenue source. When we start talking about including revenues from refined gasoline, what is the anticipated amount of revenue

Mr. Corey explained that CARB is very careful about the way they talk about the auctions because it has an impact on the market in terms of communicating expectations in advance of the auction. But, to answer question, so far the auctions have been clearing close to the floor, it's probably about \$2 billion annually.

- Committee members expressed discouragement to see what little credit the region was getting by the State for tackling growth issues in a serious manner. This goes into the no good deed goes unpunished category.
- The point was raised that there are disputes among cities and counties about how the resources should be distributed including. This is part of the difficult process.
- We need a discussion about what constitutes a benefit to a disadvantaged community. Need a definition in the Scoping Plan to ensure there are direct benefits to disadvantaged communities.

Public Comment – Brian Geiser requests that all materials be put on the JPC website.

**7. Adjournment**

Chair Gioia adjourned the meeting at about 12:30pm

Date Submitted: May 16, 2014

Date Approved:

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## JOINT POLICY COMMITTEE — REGIONAL PLANNING PROGRAM

Date: May 9, 2014  
To: Joint Policy Committee  
From: Allison Brooks  
Executive Director  
Subject: **JPC Organizational Plan**

**Recommendation:** That the JPC hire a consultant to help JPC Commissioners/Board Members and member agency Executive Directors reach a shared understanding and agreement on the discrete set of deliverables outlined in the attached RFP, including:

### 1. Clarify Roles, Responsibilities, and Functions:

- Assist in defining most impactful and valuable roles of Commission/Board Members, JPC Member Agency Executive Leaders, and JPC Staff in improving the day-to-day functionality of the JPC and so that the JPC meets its highest and best purpose.
- Outline process for deciding what is a JPC project or area of focus. Are there particular characteristics that make up a JPC project or area of focus? What are the respective roles of JPC staff and JPC member agency staff in the implementation of a project? What is the role of the Commission/Board?
- Develop clear systems to facilitate communication and decision-making among JPC, JPC staff, and Member Agency staff.

### 2. Development of Organizational Policies and Bylaws:

- Develop a clear mission statement for the JPC, based on review and refinement of mission stated in the legislation, in light of history over last 10 years, and in light of current conditions and longer-term needs.
- Assist in determining best structure for representation from JPC member agencies.
- Assist in determining best method to select JPC Officers.

### 3. Organizational Development:

- Identify best practices to develop and manage organizational functions for a complex inter-agency effort.

- Identify best practices for matching resources with the work to be accomplished, including possible administrative and other staffing options to support implementation of work plan.

## **Background**

The JPC has reached its ten-year anniversary. An anniversary can serve as an important benchmark and point in time to assess an organization's strength, to reflect on what's working and not working, and to take necessary steps to improve the organization's ability to meet its mission.

JPC Commissioners/Board Members and their staffs should be congratulated for making substantial inroads in fostering better coordination among the agencies during those ten years. Yet, those successes have occurred despite a lack of clarity regarding how the JPC functions in relation to its member agencies and its specific role(s) in coordinating regional transportation, land use, and air quality planning and policy implementation, along with an expanded set of issues related to regional economic competitiveness and climate change adaptation.

The attached DRAFT Request for Proposals (RFP) outlines an effort to clarify the JPC's structural and functional operations, and will enable the JPC member agencies, their Commissioners/Board Members, and their staffs to hone in on how the JPC can be positioned to best add value for the region as a whole in light of the increasing need to coordinate, collaborate, and partner among governmental organizations.

## **Timeline, Budget and Process**

It is proposed this effort will take no longer than six months to complete from the point of selection of the consultant. The maximum budget for this process is \$45,000. As part of this budget, the consultant will be expected to deliver completed organizational documents that incorporate the deliverables outlined above. Each of the four JPC member agency Executive Directors has agreed to contribute their organization's resources to fully support this effort.

It is proposed that the full JPC review and approve the recommended Organizational Planning consultant brought forward at the end of the selection process. While the consultants that respond to the RFP are expected to bring forward best practices for conducting a successful organizational planning process, it will be expected that through this process there are clearly identified points of engagement with the JPC Executive Committee, the full JPC, and with individual Commissioners/Board Members that serve on the JPC so that they play a strong role in guiding and informing the effort. It is proposed this project will be managed by the JPC Executive Director and conducted in close partnership with the JPC member agency Executive Directors.

Attachment:

Draft Request for Proposals

**Request for Proposals (RFP)**  
**Bay Area Joint Policy Committee Organizational Planning**  
**May 2014**

The Bay Area Joint Policy Committee (JPC), comprised of Commissioners/Board Members representing the Metropolitan Transportation Commission (MTC), the Bay Area Air Quality Management District (BAAQMD), the Association of Bay Area Governments (ABAG) and the Bay Conservation and Development Commission (BCDC), is seeking a qualified consultant to assist the JPC in the development of an organizational plan for the JPC. The purpose of such a plan is to ensure that the JPC's mission, goals and objectives, roles and responsibilities, and foundational organizational policies and guidelines clearly articulate how the JPC will achieve success on behalf of its member agencies now and into the future.

## **I. Overview**

The Bay Area Joint Policy Committee (JPC) was created in 2004 by the passage of SB 849 and the addition of Sections 66536 and 66536.1 to the Government Code. The JPC was created initially to address the structural challenges faced by MTC and ABAG as they attempted to coordinate their regional planning efforts. Government Code 66536 also directed the BAAQMD to become a member agency of the JPC by 2005, and BCDC was added as a full voting member in 2008 through a vote of the JPC.

JPC's authorizing legislation provides broad guidance regarding the JPC's purpose, and minimal guidance as to its form and function. Section 66536.1 in the Government Code reads as follows:

- (c) The joint policy committee shall coordinate the development and drafting of major planning documents prepared by ABAG, MTC, the Bay Area Air Quality Management District, and the San Francisco Bay Conservation and Development Commission, including reviewing and commenting on major interim work products and the final draft comments prior to action by ABAG, MTC, BAAQMD, BCDC.

Over the last ten years, several attempts have been made by the JPC's executive leadership, its Commissioners/Board Members, and JPC member agency staff to develop more structure, establish organizational policies and programmatic priorities, and facilitate better coordination among the JPC members agencies, each of whom have different organizational cultures, mandates and missions.

While the JPC and the four regional agencies has made inroads in fostering better coordination, the JPC continues to face – both internally and externally - a lack of clarity regarding how the JPC functions in relation to its member agencies, and its specific role(s) in coordinating regional transportation, land use, and air quality planning and policy implementation, along with an expanded set of issues related to regional economic competitiveness and climate change adaptation.

Now ten years old, the JPC is at an important inflection point – a time to reflect on what has worked and not worked and a time to chart a clearer path forward that will help the JPC play a more effective role in advancing significant regional planning and implementation efforts. This role must sync with the roles of its member agencies and provide added value to each of their efforts, and to the region as a whole.

## **II. Opportunities**

Advancing regional governmental coordination, collaboration, and partnerships is more important now than ever in the Bay Area. Reducing our greenhouse gas emissions in order to meet the targets mandated through AB32, while continuing to strengthen our region socially, economically, and environmentally, requires a new level of coordination and alignment. Additionally, the Bay Area must be prepared to deal with the impacts of a changing climate, such as rising sea level, in a coordinated and proactive manner that protects our most vulnerable communities and residents.

While each of the JPC member agencies is engaged on its own in mission-critical work, there are many instances in which two, three or all four of the regional agencies must work together to advance cross-cutting regional strategies that require coordinated action, benefit from improved efficiencies, and call for sustained and productive communication. Coordination happens at many levels of intensity, along different timelines and for different purposes among all or some of the regional agencies. This organizational planning effort is focused on identifying the circumstances under which JPC coordination is needed, the form that coordination takes and how it functionally takes place. This may include the need for ongoing coordination, information sharing and troubleshooting. This may also include the identification of short or longer-term JPC projects, including the development of criteria for identifying what makes a JPC project.

Ultimately, the goal of regional coordination should be an improved experience for the “end user” of regional-scale public policies – such as local governments, congestion management agencies, the business community, service providers, non profit organizations, the general public, among others – that enable each to advance their missions as efficiently as possible. Determining how to create and operationalize the best systems to coordinate, align, and focus policies, actions and investment among the four agencies– with a specific focus on defining the JPC’s role in that process, if at all – is priority number one for this organizational planning effort.

## **III. Organizational Planning Deliverables**

The JPC is seeking a qualified consultant to help achieve the following deliverables as part of this strategic planning effort:

### **Clarify Roles, Responsibilities, and Functions:**

- Assist in defining most impactful and valuable roles of Commission/Board Members, JPC Member Agency Leaders, and JPC Staff in improving the day-to-day functionality of the JPC and so that it meets its highest and best purpose.
- Outline process for deciding what is a JPC project or area of focus. Are there particular characteristics that make up a JPC project or area of focus? What are the respective roles of JPC staff and JPC member agency staff in the implementation of a project? What is the role of the Commission/Board?
- Develop clear systems to facilitate communication and decision-making among JPC, JPC staff, and Member Agency staff.

#### **Development of Organizational Policies and Bylaws:**

- Develop a clear mission statement for the JPC, based on review and refinement of mission stated in the legislation, in light of history over last 10 years, and in light of current conditions and longer-term needs.
- Assist in determining best structure for representation from JPC member agencies.
- Assist in determining best method to select JPC Officers.

#### **Organizational Development:**

- Identify best practices to develop and manage organizational functions for a complex inter-agency effort.
- Identify best practices for matching resources with the work to be accomplished, including possible administrative and other staffing options to support implementation of work plan.

### **IV. Qualifications**

The JPC seeks consultants with the qualifications outlined below:

- Demonstrated experience working with the public sector, including public agency staff and elected leadership
- Demonstrated experience working with complex, cross-sector collaborative efforts
- Demonstrated experience conducting strategic planning efforts with public sector entities with success in helping participants reach consensus on outcomes
- Facilitator with good listening skills with demonstrated ability to lead participants through a challenging process.

### **V. Application Process**

**Timeline and Budget:**

The JPC has no interest in a long, drawn-out organizational planning process. We are seeking precision and focus in helping the Commissioners/Board Members, the JPC member agency Executive Leadership, and JPC staff in reaching a shared understanding and agreement on the deliverables outlined above largely focused on the structural and functional operations of the JPC. We seek a process no longer than 6 months from the point of selection of the consultant. The total budget for this effort cannot exceed \$45,000.

**Point of Contact:**

Proposals and all inquiries related to this RFP should be submitted to Allison Brooks, Executive Director of the Joint Policy Committee at the address shown below. For telephone inquiries call (510) 464-7942. Email inquiries may be addressed to: [abrooks@mtc.ca.gov](mailto:abrooks@mtc.ca.gov)

Allison Brooks  
Director, Bay Area Joint Policy Committee  
Joseph P. Bort MetroCenter  
101 Eighth Street  
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**Proposal Due Date**

**Selection Timetable**