



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

Thursday, November 13, 2014
2:00 p.m. to 4:00 p.m.

MetroCenter, 101 8th Street, Conference Room 171
Oakland, California

SPECIAL MEETING NOTICE AND AGENDA

1. Call to Order

2. Committee Comment

Information

3. Public Comment

Information

4. Approval of the Joint Policy Committee Minutes of September 19, 2014

Action

Attachment: Draft September 19, 2014 Minutes

5. Adoption of the Joint Policy Committee Meeting Schedule for 2015

Action

Attachment: Draft Meeting Schedule for 2015

6. JPC Organizational Planning Workshop

Information/Action

Gina Bartlett, Senior Mediator, Consensus Building Institute, and Allison Brooks, JPC Executive Director

a) Timing of Selection of JPC Chair

b) Discussion on Regional Governance

Attachment: Legislation SB 849 Amendments

c) Explore Proposed JPC Core Competencies and Defining Objectives

d) JPC Composition

e) Outline Next Steps for the Organizational Plan

7. Adjournment

Next Joint Policy Committee Meeting:
To Be Announced

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

This meeting is scheduled to end promptly at 4:00 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.



JOINT POLICY COMMITTEE — REGIONAL PLANNING PROGRAM

Minutes of the Meeting of September 19, 2014 Held at 10:00 AM at the Metro Center Auditorium, Oakland

ABAG

Scott Haggerty
Mark Luce
Julie Pierce
David Rabbit

BAAQMD

Mark Ross

BCDC

John Gioia
Anne Halsted
Kathrin Sears
Zack Wasserman
Bradley Wagenknecht

MTC

Jack Mackenzie
Jim Spering

1. Call to Order

Chair Gioia called the meeting to order.

2. Approval of JPC Meeting Minutes of July 18, 2014

3. Key Focus Areas for JPC Executive Directors – This item has been delayed until next meeting as all the Executive Directors

4. Introduction of JPC Organizational Planning Consultant

- Ms. Brooks introduced Gina Bartlett, with the Consensus Building Institute.
- Ms. Bartlett stated that a key focus of the Consensus Building Institute is in organizational governance and strategy.
- Gina is a highly skilled facilitator, does a lot of work with different organizations and agencies on Collaborative governance. She has worked with BCDC extensively, completing their Strategic Plan in 2013, and a variety of projects over last 10 to 12 years, along with ABAG staff.
- She is excited by the project at hand, working with four distinct agencies with their own cultures and staff. JPC is an opportunity to provide coordination across agencies, which is critical given the issues we are dealing with in the Bay Area.
- Core element is that Ms. Bartlett will be meeting with JPC Executive Directors and the JPC Executive Director in a series of sessions to define the scope and purpose and organizational plan for JPC, following the direction provided by JPC at the workshop in November.
- The goal is to present a proposed plan likely at the March JPC meeting.

Questions/Comments:

- Ms. Julie Pierce said that Ms. Bartlett sounds like the right person for the job. She suggested that the survey proposed be distributed to the full JPC, in addition to being distributed to staff. Ms. Bartlett said she would distribute survey to the JPC.

5. Overview of California's Strategic Growth Council (SGC) and SGC's Affordable Housing and Sustainable Communities Program Guidelines and Process (Mike McCoy, Executive Director, Strategic Growth Council)

- Prior to introducing Mr. McCoy, Chair Gioia provided a brief update of California Air Resources Board meeting where they approved the Interim Guidelines for Senate Bill 535 in defining how 25% or more of the Cap and Trade funds will benefit disadvantaged communities. These guidelines are subject to review and will be finalized next year.
- Mr. McCoy thanked the JPC for the opportunity to meet. He presented a PowerPoint presentation titled "Greenhouse Gas Reductions Fund Affordable Housing and Sustainable Communities Program" that is posted on the JPC website. Key points presented include:
 - Funding categories for the program
 - Key California Laws on Greenhouse Gas Reduction Expenditures
 - Structure of SGC-led Cap and Trade Proceed Investments.
 - It remains to be defined where disadvantaged communities are located. Secretary Rodriguez at the California Environmental Protection Agency will be making the decision as to what communities will be defined as disadvantaged using the Cal EnviroScreen tool. Secretary Rodriguez will decide where the cut off point is - is it the top 10%, top 20%, top 30%.
 - Overview of Affordable Housing and Sustainable Communities Program including Statutory Requirements, Eligible Uses, Intended Outcomes and Co-benefits. 50% of funds must go to support affordable housing in disadvantaged communities and to benefit disadvantaged communities (within a ½ mile of a transit stops).
 - The Department of Finance made the decision to create a flexible program that will allow us to achieve the intended goals.
 - Estimated Timeline for program and delivering resources.
 - The guidelines will be finalized and published next week.

Questions/Comments:

- Chair Gioia pointed out that there is separate category of low carbon transit money. How do you anticipate coordinating any decisions made in your program with the larger pot of transit money?

Mr. McCoy stated that there is an intention to make these investments mutually supportive. He is coordinating with Kate White with the Department of Transportation, who is on the Steering Committee for this program and the transportation program. We are going to need to be merging and coordinating these programs as time goes on. But, it will be difficult to do this year, as we are being asked to sprint out of the box and each of these programs are being developed by different departments.

We really want the funding in our program – which is limited - to be a gap filler to help regions complete and implement projects. Projects that can prove greater co-benefits will be prioritized over others. ARB has provided further guidance for measures of co-benefits.

- Chair Gioia asked how Mr. McCoy anticipates the money flowing out to the different regions? What types of agencies are eligible for the funding?

There will be a ministerial review of an initial set of projects. SGC does not want to invite voluminous proposals for the first round of review. They will share initial proposals with MPO's to review how they will help meet SCS goals. It will help establish a list of eligible applicants who are invited to submit more comprehensive proposals. These proposals will be reviewed in partnership with the MPO's.

- Chair Gioia asked for clarification on who is eligible to apply

The MPO's are not eligible to apply for funds. MPO's will have a very heavy role in reviewing projects. SGC expects you will be coaching local projects that are the most impactful in meeting regional goals outlined in the Sustainable Communities Strategy. ABAG and MTC are not eligible. It remains unclear whether BAAQMD, BCDC or the water quality control boards are eligible. Cities, counties, special districts are eligible.

- Chair Gioia asked about any equity considerations as to how resources are distributed across the state.

Mr. McCoy said it is not yet clear how and if resources will be distributed across the state in some kind of formulaic way. It could be based on the most competitive proposals regardless of which part of the state they fall.

- Mr. Sperring thanked Mr. McCoy for being here, although he stated he become more discouraged the longer Mr. McCoy spoke. Mr. Sperring said that the regional agencies have spent a lot of time and resources building relationships and partnerships in the completion of Play Bay Area. It seems as though we are squandering the relationships that MTC and ABAG have built with cities, counties, developers, transit operators and others. He hopes there is a lot more consideration on the work that has been done in the region, because that is going to be essential to completing these projects. He mentioned the resources leveraged through the Transit Oriented Affordable Housing Fund (TOAH) as an example of the essential role the regional agencies are playing.

Mr. McCoy stated that he really appreciates what occurred during the completion of Plan Bay Area, and that there are powerful advocacy groups working at the state level that wanted to make sure these projects were evaluated through a process that was very open and not filtered through political body. The SGC will conduct an initial review, but these proposals will be submitted to the regional agencies for review, which will weigh heavily on SGC's decision-making process.

- Chair Gioia asked how SGC anticipates providing technical assistance to local jurisdictions that may not have the capacity to meet requirements of the program?

Mr. McCoy said they are trying to work through that now.

- Mr. Ross asked if there is a model or metrics to understand and evaluate which projects will meet greenhouse gas reduction goals?

Mr. McCoy said the actual models are very complex. We will look to the MPO's with this capacity to help identify the superior projects.

- Mr. Mackenzie stated that our regional agencies are required to implement the SCS, and because of that are worried that there are no resources to support regional efforts and responsibilities.
- Mr. Rapport said that it seems the SGC is trying to avoid application chaos. And in that you are positioning the regional agencies to help coach the most successful proposals. Mr. Rapport said that what Mr. Spering and Mr. Mackenzie are saying is that the structure we put together to create the SCS is the defining discipline that should be used. Mr. Rapport also discussed the legal vulnerabilities of AB32, and concern of further vulnerabilities if projects are chosen that do not meet the goals of the legislation.

Mr. McCoy said they have been told they will get more legal guidance as they move along, particularly as they get closer to the application process.

- Chair Gioia brought up that this is not the only pot of money of Cap and Trade revenue that can flow to the region to support our SCS. MTC is looking into how our region can be eligible for all funds. He asked Ms. Alix Bockelman to speak on behalf of MTC

Ms. Bockelman wanted to thank Mr. McCoy for coming and acknowledged that the MPO's have been working closely with Mr. McCoy and the SGC, and other state agencies and said they have been making progress on how to partner and leverage expertise. MTC had really been looking to this pot of money to help supplement funding for projects that received funding through the One Bay Area Grant program. MTC had also envisioned being able to invest in core transit projects, all of which are needed if we are going to be putting people and housing around these core transit facilities. MTC believes these types of projects will align well with other pots of money, and we hope they will align well the guidelines that are developed for those other programs. In terms of low carbon operating program, MTC believes they can help on the operation side to provide expanded transit service. MTC is watching that program very closely.

Mr. Damien Breen spoke on behalf of BAAQMD saying their main focus remains on co-benefits and the major generator of GHG, which is heavy-duty freight. They continue to look at different types of vehicle-oriented projects to reduce emissions, transit-oriented development (TOD), and pilot projects to provide clean transportation and complete streets. Another big focus is zero emission vehicles – light duty and heavy duty.

- Mr. Haggerty thanked Mr. McCoy for coming. His concern is the legislature and the Governor, and how much meddling will occur at the State level that will influence whether or not the SGC can remain an independent body that will work with the MPO's and other partners. There is a lot of public participation that occurs at the local level. He is concerned there is a level of cohesiveness that is going to be lost if it operates at the State level.

Mr. McCoy takes this issue very seriously. They are subject to Bagley Keane act, which requires SGC to have open meetings. He said that SGS has distributed over \$90 million to support over a 100 projects and those decisions have not been overturned once by the Council.

- Mr. David Rabbit said he appreciates Mr. McCoy being here. With SGC having final say, he is not sure how there really is an equal power sharing agreement. He said that Mr. McCoy mentioned a strong statewide interest of public interest groups that want to bypass a public process and go straight to the top. How many of these projects involve SGC and the State doling out the big money and the leftovers having more inclusion of the regional agencies.

Mr. McCoy said that 100% of the projects will be seen by the MPO's and other relevant regional agencies. The way we have structured this is that we are partners in review of every project. And, only public agencies are eligible. They must be supported by a vote of a public body and a public process. SGC will seek concurrence in that place where the SGC comes together with the MPO's. SGC will want to maintain a level of independence, but Mr. McCoy is confident we can work towards agreement.

- Mr. Gioia wanted to thank Mr. McCoy again for coming. It is a sign that the state agencies are committed to working with the regional agencies. The hope that is by all these projects we can show how we can meaningfully accomplish the goals of AB32 and the program and build confidence among the legislature that we can do that working closely with SGC and other state agencies. What you hear here in this room is that people have ownership of the public process in developing Plan Bay Area and the blood, sweat and tears that went into that process.

Mr. McCoy said he appreciated the hard work that was undertaken in the Bay Area. He would be happy to come back for further conversations.

- **With quorum present, Chair Gioia asked for approval of the minutes. Minutes were approved.**

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6. **Resilient Shorelines Initiative – A JPC Project Update** (Allison Brooks, JPC; Lindy Lowe, Senior Planner, SF Bay Conservation and Development Commission; Matt Gerhart, Deputy Program Manager, California State Coastal Conservancy)

Ms. Brooks introduced Ms. Lowe and Mr. Gerhart, connecting this presentation to the July JPC presentation on the Adapting to Rising Tides (ART) program and the in-depth work on the vulnerabilities of the Hayward Shoreline. The Resilient Shorelines Initiative is an effort to help the region get its arms around our vulnerabilities cities and counties along the Bay to the impacts of climate change. This is a 21st century challenge that requires agencies to step out of their comfort zone into new partnerships and efforts to address these challenges in a proactive way.

Mr. Goldzband wanted to acknowledge how the staff is really working on developing a coordinated approach to this effort, working as a cross-agency team.

Ms. Lowe and Mr. Gerhart presented a PowerPoint that is available on the JPC website.

Key Points included:

- Collaborative effort lead by ABAG, BCDC, and the California State Coastal Conservancy and BCDC
- Work to engage public, private and non profit agencies and organizations to understand vulnerabilities in order to increase resilience

- We are seeking to meet the objectives of the JPC's 2012 vote to take leadership in developing a regional Sea Level Rise approach for the Bay Area.
- The partnership seeks to assess the region's vulnerabilities to sea level rise and storm event flooding, understand the consequences of those vulnerabilities to people, the environment and the economy, identify priorities and opportunities for the region and local jurisdictions to respond, and develop cross-jurisdictional solutions that will lead to policy, planning and technical assistance.
- The goals and objectives of the partnership that the three agencies developed together, including defining the problem, developing both local and regional approaches to resiliency, avoid duplication, make efficient use of resources, and identify gaps and needs, developing shared data functions across local and regional scales so we are all doing this work based on facts, and seeking financing to support projects at the appropriate scales.

Mr. Matt Gerhart presented the following key points:

- The State Coastal Conservancy is working up and down the State and sees this as a leading edge planning effort for sea level rise in the State.
- We have been working together for a little over a year, and have taken a careful look at all the activities underway in the Bay Area. We are trying to centralize this information and understand our individual agency participation in all these efforts.
- We have been focusing on a 6-month work plan. Trying to develop a consistent regional message. Diving into the consequences of the vulnerabilities is really the next stage of the work.
- What is standing out is the complexity of our shoreline. One of the hardest tasks is understanding how we can best manage the shoreline in a coordinated fashion. Transit and utilities are big issues to be dealt with.
- To date we have identified approximately 150 entities that have ownership of land along the Bay.

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7. Public Comment

Mr. Ken Bukowski let people know they can find a recording of the meeting at: regional/video.com

8. Adjournment

Chair Gioia adjourned the meeting at 12:00pm

Date Submitted:

Date Approved:



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JOINT POLICY COMMITTEE — REGIONAL PLANNING PROGRAM

JOINT POLICY COMMITTEE

Meeting Schedule 2015

Joint Policy Committee

Meets on the third Friday of the month, bi-monthly beginning in January, from 10:00 AM to 12:00 PM, at the MetroCenter Auditorium, unless otherwise noted.

January 16
March 20
May 15
July 17
September 18
November 20

JPC Executive Committee

Meets on the second Thursday of the month, bi-monthly beginning in January, from 2:00 PM to 4:00 PM, at the MetroCenter Conference Room 171, unless otherwise noted.

January 8
March 12
May 7 (first Thursday)
July 9
September 10
November 12

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BILL NUMBER: SB 849 CHAPTERED
BILL TEXT

CHAPTER 791

FILED WITH SECRETARY OF STATE SEPTEMBER 25, 2004

APPROVED BY GOVERNOR SEPTEMBER 24, 2004

PASSED THE SENATE AUGUST 26, 2004

PASSED THE ASSEMBLY AUGUST 18, 2004

AMENDED IN ASSEMBLY JUNE 15, 2004

AMENDED IN ASSEMBLY MAY 19, 2004

AMENDED IN ASSEMBLY MAY 6, 2004

AMENDED IN SENATE AUGUST 29, 2003

AMENDED IN SENATE JULY 23, 2003

AMENDED IN SENATE MAY 21, 2003

AMENDED IN SENATE APRIL 21, 2003

INTRODUCED BY Senators Torlakson and Alpert

FEBRUARY 21, 2003

An act to add Sections 66536 and 66536.1 to the Government Code, relating to regional planning.

LEGISLATIVE COUNSEL'S DIGEST

SB 849, Torlakson. Metropolitan Transportation Commission and Association of Bay Area Governments.

Existing law, the Metropolitan Transportation Act, creates the Metropolitan Transportation Commission as a regional agency to provide comprehensive regional transportation planning for the San Francisco Bay Area counties.

This bill would express the Legislature's findings that the commission has collaborated with the Association of Bay Area Governments (ABAG) on regional coordination and agreed to create a joint policy committee. The bill would express the Legislature's findings that the Bay Area Air Quality Management District should be included on the joint policy committee by June 30, 2005, as a represented agency. The bill would require that committee to report to the Legislature by January 1, 2006, on the feasibility of consolidating functions separately performed by ABAG and the commission. The bill would require the committee to coordinate the development and drafting of major planning documents prepared by ABAG, the commission, and the Bay Area Air Quality Management District.

Because the bill would require local agencies to perform additional duties, it 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, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

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.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 66536 is added to the Government Code, to read:

66536. The Legislature finds and declares the following:

(a) The Association of Bay Area Governments, known as ABAG for the purposes of this section and Section 66536.1, and the Metropolitan Transportation Commission have collaborated on regional coordination.

(b) ABAG and MTC formed the "ABAG-MTC Task Force" in 2003 to review methods to improve comprehensive regional planning, including possible organizational and structural changes to ABAG and MTC.

(c) The ABAG-MTC Task Force agreed to set aside the issue of a merger between the ABAG and MTC and to develop a better structure for coordinated regional planning.

(d) The ABAG-MTC Task Force agreed to create a joint policy committee to develop staff support for that committee and to work on short- and long-term goals. Formation of the joint policy committee can result in substantial real progress in resolving regional transportation problems.

(e) The ABAG-MTC Task Force members agreed that structural changes were required in the working relationship between ABAG and MTC, and that the joint policy committee should have a substantial role in facilitating progress on regional transportation matters.

(f) There is a history of cooperation and coordination among the Bay Area Air Quality Management District, ABAG, and MTC.

(g) The three agencies are collectively responsible for developing and adopting air quality plans for national ambient air quality standards.

(h) Based on this history and collective involvement, and the interrelation between land use, transportation, and air quality, the Bay Area Air Quality Management District should be included as a represented agency on the joint policy committee by June 30, 2005. If the Bay Area Air Quality Management District has not been included by June 3, 2005, the Bay Area Air Quality Management District shall be included as a represented agency with an equal number of committee members.

SEC. 2. Section 66536.1 is added to the Government Code, to read:

66536.1. (a) The joint policy committee shall prepare a report analyzing the feasibility of consolidating functions separately performed by ABAG and MTC. The report shall be reviewed and approved by MTC and the ABAG executive board and submitted to the Legislature by January 1, 2006.

(b) The combined membership of the joint policy committee shall include at least one representative from each of the nine regional counties: Alameda, Contra Costa, Marin, Napa, Sonoma, San Mateo, San Francisco, Santa Clara, and Solano.

(c) The joint policy committee shall coordinate the development and drafting of major planning documents prepared by ABAG, MTC, and the Bay Area Air Quality Management District, including reviewing and commenting on major interim work products and the final draft comments prior to action by ABAG, MTC, and the Bay Area Air Quality Management District. These documents include, but are not limited to, the following:

(1) Beginning with the next plan update scheduled to be adopted in 2008, the regional transportation plan prepared by MTC and described in Section 66508 of the Government Code.

(2) The ABAG Housing Element planning process for regional housing

Item 6. B.

needs pursuant to Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.

(3) The Bay Area Air Quality Management District's Ozone Attainment Plan and Clean Air Plan.

SEC. 3. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

66536.2. (a) The Legislature finds and declares:

(1) The Association of Bay Area Governments, the Bay Area Air Quality Management District, and the Metropolitan Transportation Commission have been working together through a joint policy committee to coordinate and improve the quality of land use, transportation, and air quality planning in the Bay Area.

(2) The San Francisco Bay Conservation and Development Commission has comprehensive planning and regulatory authority in all nine Bay Area counties for the San Francisco Bay, Suisun Marsh, their respective shorelines, certain waterways, salt ponds, and managed wetlands, and through that authority plays a critical role in the land use and transportation future of the Bay Area.

(3) The San Francisco Bay Conservation and Development Commission has an active interest in regional planning, as it has expressed a desire to join the joint policy committee, and the joint policy committee has determined it would benefit by adding the San Francisco Bay Conservation and Development Commission as a member.

(b) The joint policy committee shall include the San Francisco Bay Conservation and Development Commission as a represented agency with an equal number of committee members as other represented agencies by January 1, 2009.

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