Fregonese Calthorpe
ASSOCIATES
Urban & Regional Planning

TO: ABAG/MTC TASK FORCE

FROM: JOHN FREGONESE, DON BLUBAUGH

DATE: December 17, 2003

At the conclusion of the November 21 task force meeting it was clear that there was agreement on the four Principles of Consensus outlined on Page 1 of our report to the Task Force (see attached). There appeared to be disagreement on how to staff the work of the proposed joint policy committee. Our report suggested a key staff leader be chosen to lead the staff effort with a small group of subordinate planning staffers that would develop a work plan, staffing component and budget for consideration by the Joint Policy Committee.

As a result of extensive and sometimes heated discussions during the course of this meeting, we suggested caucus meetings of the two groups on the Task Force. We also asked at the conclusion of the meeting that both sides communicate in writing their final position. Those written statements were submitted and exchanged several weeks ago.

Many members of the MTC side of the task force and the facilitators thought there was a major disagreement as to the level of staffing required to approach the work of the Joint Policy Committee. Late last week in conversations with Gwen Regalia of ABAG we learned that quite to the contrary, ABAG agreed to the proposed staffing outlined in the consultant report as well as all the Principles of Consensus. ABAG did have two key issues it thought essential to discuss and reach agreement on before concluding task force work. These issues include the role, responsibility and authority of the Joint Policy Committee and funding for the initial scope of work and whatever the approved work plan requires in the future. Clearly ABAG does not have the resources to fund this necessary effort.

We have attached the December 16 memo from Gwen Regalia to Don Blubaugh clarifying ABAG's position.

Therefore it appears that there is basic agreement by both MTC and ABAG on the four Principles of Agreement and the staffing approach to the Joint Policy Committee work.

We should confirm this understanding at the outset of this Friday's meeting by reviewing a draft agreement which we have prepared and attached to this report. Then we should proceed to a discussion of the role of the Joint Policy Committee and the financial resources needed to embark upon and accomplish the work plan of the Committee. With hopeful consensus on these two points we can then finalize the agreement.

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We further suggest that you not lose the momentum that has been gained through this six months of dialogue. Steps should be taken immediately to begin the process of retaining the lead staff person.

December 16, 2003

TO: Don Blubaugh

FROM: Gwen Regalia

SUBJECT: Clarification of ABAG Position

Apparently, there has been a misunderstanding about our statement that the way to achieve our goal of preparing a comprehensive regional plan is to, "integrate planning staff." To clarify our previous discussions, ABAG supports the four points outlined in the consultant's report dated November 15, 2003. We understand and accept that ABAG and MTC will each identify a core group of planners (number to be determined) who will report to the proposed new planning manager, who will serve at the pleasure of the proposed new joint policy committee.

However, in addition, there are several areas which require discussion, and hopefully general agreement from the Task Force members at the upcoming meeting; these items are:

1. **Role of the joint policy committee.** Clarification and agreement must be reached on the role, responsibilities, and authority of this committee and its relationship to the MTC Commission and ABAG Executive Board and their respective standing committees. To perform substantive work at this level a permanent joint policy committee with authority and standing is necessary.

2. **Planning Resources.** It is well known that ABAG's financial resources for implementing the region's smart growth strategy and comprehensive regional planning are inadequate. There is a need for sufficient dedicated on-going, funding to support comprehensive planning in the Bay area. We believe this a problem which has been alluded to in your report and that needs to be addressed directly.

Consensus Position of ABAG Task Force Members (Nov.21, 2003)

Based on the meetings to date and the work of the consultants, including their reports and background information, the ABAG Task Force members set forth the following:

1. **Our goal:** To prepare a Comprehensive Regional Plan similar to efforts underway in the San Diego, Sacramento, and Los Angeles regions by the Councils of Governments.

2. We believe the way to achieve this is to integrate planning staff so that we are able to:

    a. influence outcomes;
    b. better align incentives and disincentives;
    c. provide information resources to local governments to aid in local decision making; and

d. develop a regional report card to track how well we are doing on critical land use, housing, transportation, economic, environmental and social equity issues facing the region.

3. Establish a joint policy committee that will oversee the development of planning.

4. The Joint Policy Committee will hire the planning manager or director who will report to the Committee.

Gwen Regalia

DRAFT OUTLINE OF AN AGREEMENT FOR TASK FORCE CONSIDERATION

The following is the current version of the principles of consensus and agreed course of action. We believe that in the discussions on Friday, any proposal should be formally made as an amendment or an addition to this document and finally a formal vote taken before the Task Force is dissolved.

Principles of Consensus

1) There needs to be some structural changes in how the two agencies work together – while both ABAG and MTC are laudable in their individual endeavors, truly effective regional progress depends on a more collaborative effort with the appropriate structure and resources to support it..
2) The merger of the two agencies is not supported by enough board members from both agencies to be implemented at this time, although some members think that this may evolve over time. However, to facilitate progress in regional matters, there should be a formed Joint Standing Committee from the two agencies with a substantial role.
3) There is support for a substantial and effective regional implementation strategy based on information, partnerships, incentives, and disincentives. There is not widespread support on the Task Force for seeking the authority to override local general plans when they conflict with regional interests.
4) There is substantial agreement on a list of activities that should be undertaken, although the final action list should be a follow on activity formed by the new Joint Standing Committee. It is important that the committee view the activities as strong suggestions, but that they have the flexibility to prioritize and restructure as necessary to be effective.

Organizational Structure

A permanent joint standing committee, consisting of representatives of the ABAG and MTC Boards shall be created. This standing committee will focus its efforts on periodically updating the regional vision, and outlining implementation strategies, for consideration by ABAG and MTC. Countywide agencies should be extensively involved in helping to update the Vision and creating the strategies. The Joint Standing Committee would have the authority to comment on and review any substantial regional plans or strategies that are devised by either agency, and shall report directly to the Board of each agency. The Joint Standing Committee shall have its own dedicated staff resources to implement a work plan of its creation devised to advance integrated regional planning for the Bay Area. The staff team (numbers to be determined based upon an adopted work plan) shall be lead by a Planning Manager who shall be retained by the Executive Directors of ABAG and MTC with input provided by the Joint Policy Committee.

Financial Resources: To be discussed at the meeting

Plan of Action

The ABAG/MTC Joint Standing Committee first develop a regional strategy in the short term (first year), and then begin efforts to coordinate and evaluate other regional plans dealing with transportation, land use, housing, water quality and social equity, with the view of coordinating revisions and updates to coincide with the 2008 RTP.

In addition the Joint Policy Committee should consider and act upon the issues identified during this Task Force process:

The Joint Standing Committee should also make specific implementation recommendations to MTC and ABAG that would lead to the following;

Legislative Agenda

1. ABAG & MTC should jointly sponsor legislation providing for statutory authority for Bay Area comprehensive regional planning with the Joint Standing Committee designated as the lead.

2. ABAG and MTC will develop and jointly sponsor legislation that will seek adequate funding for the Joint Standing Committee and its work program.

3. ABAG and MTC will work with other interested parties in the state to support legislation that will change the local government finance system to discourages fiscal land use planning.

Other Programmatic Activities

1. ABAG and MTC should review existing best management practices, including model codes, financial strategies, and work with willing local agencies to implement these.

2. ABAG and MTC should lead the development of cooperative economic development policies to reduce damaging local competition for businesses.

3. ABAG and MTC should affirm the protection of existing stable neighborhoods, especially in light of more infill and density with smart growth.
4. ABAG and MTC should affirm local government land use authority and reject any intent to limit this authority through regional plans or strategies.

5. ABAG and MTC should develop an extensive list of incentives to encourage local government implementation of regional strategies.