

Senate Transportation and Housing Committee

Background Report for the Hearing on

REGIONAL GOVERNANCE IN THE BAY AREA

September 13, 2011

The September 13, 2011 hearing in San José on Regional Governance in the Bay Area is the first of three hearings on this topic. The objective of the hearings is to evaluate the current regional structure and to identify options to enhance regional decision-making. This is especially important with the enactment of SB 375, which puts a premium on coordinated regional land use and transportation planning in order to reduce greenhouse gas emissions.

This hearing will discuss the issue of regional representation on the governing board of the Metropolitan Transportation Commission, which is the subject AB 57 (Beall). This discussion will be followed by a presentation on trends in regional organization both in this country and abroad from Elizabeth Deakin from the University of California. Another bill SB 878 (DeSaulnier) addresses the organizational framework for regional decision-making, which will be the focus of the following two hearings.

BACKGROUND ON AB 57

AB 57 (Beall) bill increases the membership of the Metropolitan Transportation Commission (MTC) from 19 to 21 members by adding the mayors of the City of San José and the City of Oakland. State statute established MTC in 1971 and statute governing the structure of local government representation on its board has not changed since. The bill's sponsor, MTC, argues that a change in the representation structure is needed to implement the requirements of SB 375 (Steinberg), which seeks to focus new development within the existing urban core and near public transit stations. To achieve this goal, MTC writes that "a strong partnership with the cities of San Francisco, Oakland, and San José is essential." In light of this need, MTC argues, "The time has come to modify the Commission's structure so that it ensures representation for the Bay area's three largest cities."

MTC's existing arrangement for selecting board members seeks to balance population and jurisdictional representation between the five large counties and the four small ones. To meet this goal, state law assigns the larger counties, Alameda, Contra Costa, San Mateo, and Santa Clara, two members, one representing the board of supervisors and one selected by a city selection committee. San Francisco presented a unique problem because it is a consolidated city and county. To resolve the issue of representation for San Francisco, state law gives each the mayor and the board of supervisors an appointment. In remaining smaller counties—Marin, Napa, Solano, and Sonoma—to balance city and county representation, the cities nominated slates for an appointment to MTC, and the boards of supervisors select an appointee from the slate. The representation scheme balances large and small jurisdictions.

Among MTC's important activities is to manage the flow of revenue among the Bay Area's cities, counties, and transit agencies. Through the regional planning process MTC establishes policies and priorities that govern the expenditure of transportation funds. MTC also coordinates funding for transportation project between local governments, transit districts, and the Department of Transportation (Caltrans).

With the enactment of SB 375 and its requirements placing a greater emphasis on coordinating land use and transportation investment decisions, MTC is attempting through AB 57 to strengthen the decision-making process for implementing SB 375 and its goal of better land use planning to reduce automobile travel.

This committee did not hear AB 57 so that it could host a more in depth discussion of regional issues. The committee's analysis of the bill was prepared and is attached.

REGIONALISM IN THE BAY REGION

The nine county San Francisco Bay Region has a history of regional interaction, especially in regards to transportation. The transportation technologies of the nineteenth and twentieth centuries progressively integrated the movement of people and goods among the nine counties, beginning with ferryboats plying the San Francisco Bay and the rivers flowing into it; the passenger railroad service between San José and San Francisco beginning in 1864; the interurban rail networks linking the communities within the East Bay and the communities of the North Bay; the Golden Gate Bridge and the San Francisco-Oakland Bay Bridge, erected as public works projects during the Great Depression to facilitate the movement of automobiles and trucks throughout the region; the construction of the regional freeway network after World War II; the creation of the Bay Area Rapid Transit District in 1957; and the inauguration of BART transit service in 1972.

The growth in population and industrialization of the region created numerous unintended consequences that resulted in the formation of various institutional reforms during the mid-twentieth century. Among the institutions created during mid-century were the Bay Area Air Quality Management Control District, formed in 1955; a voluntary council of governments, the Association of Bay Area Governments, formed in 1961 to enhance the coordination of policy decisions across municipal and county boundaries; the Bay Conservation and Development Commission, formed in 1965 with the mission of persevering and protecting the San Francisco Bay and its estuary system from destructive and ill-planned encroachment; and the establishment of the Metropolitan Transportation Commission in 1970, California's first statutorily created regional transportation planning agency, to plan the region's transportation infrastructure, to prioritize transportation investments, and to organize and manage the allocation of financial resources necessary to implement the regional transportation plan.

In addition to the exclusively regional institutions, two important state government agencies are very visible in the region. The California Department of Transportation's (Caltrans) District 4 is one of the department's twelve districts. District 4 is responsible for the day-to-day maintenance of the state highway system, and planning and designing operational and capacity increasing

projects. Caltrans plans and prioritizes projects in conjunction with MTC and the county level transportation authorities in each of the region's nine counties. In essence, the development of the regional state highway network requires collaboration between Caltrans and regional and local agencies.

Another state agency with an important regional regulatory presence is the San Francisco Regional Water Quality Control Board. It is one of nine divisions of the State Water Resources Control Board. Each regional division is responsible for comprehensively regulating surface and groundwater in its area of jurisdiction. Existing law allows the water boards to establish requirements for nearly any source of waste discharge, including nonpoint sources, such as highways.

All of these institutions in some way affect the life of those living in the Bay Region. This means that regional policy issues are addressed by several institutions representing local, regional, and state organizations. The interaction of these institutions may be quite complex due to the nature of the issues being addressed. This raises issues of transparency, coordination, public access, and governance. Professor Deakin will discuss how other regions in the United States and abroad address these challenges. Future hearings of this committee will discuss how regional governance in the Bay Area should evolve to meet today's challenges.