

AMENDED IN SENATE MAY 16, 2002
AMENDED IN SENATE APRIL 22, 2002
AMENDED IN SENATE APRIL 15, 2002
AMENDED IN SENATE MARCH 21, 2002

SENATE BILL

No. 1243

Introduced by Senator Torlakson

January 7, 2002

An act to amend Section 66502 of, and to add Sections 66501, 66523, 66523.5, and 66524 to, the Government Code, relating to local planning.

LEGISLATIVE COUNSEL'S DIGEST

SB 1243, as amended, Torlakson. Metropolitan Transportation Commission: ABAG.

(1) The existing Metropolitan Transportation Commission Act creates that commission as a local area planning agency for the region comprised of specified bay area counties. The act requires the commission to negotiate equitable agreements with, among other organizations, the Association of Bay Area Governments (ABAG), for the contribution of funds or services for the general support of the activities of the commission and for matching federal funds. The act also requires the commission to merge with or otherwise join any multifunctional regional government organization, if it has transportation planning responsibilities within one year of the creation of that organization.

This bill would on January 1, 2004, require the commission to be renamed as the Bay Area Land Use and Transportation Commission and

to assume land use responsibilities of the Association of Bay Area Governments. The bill would require the new commission to adopt a long range policy plan on or before January 1, 2005, and each 5 years thereafter. The bill would also require the commission, on or before January 1, 2005, to present to the Legislature a blueprint for combining regional functions. By increasing the duties of a local agency, the bill would impose a state-mandated local program.

(2) 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 no reimbursement is required by this act for a specified reason.

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 66501 is added to the Government
2 Code, to read:

3 66501. (a) The Legislature finds and declares all of the
4 following:

5 (1) The San Francisco Bay area had nearly 7 million residents
6 in 2001, and the population is expected to reach 8 million within
7 20 years. Economic growth is projected to create 1.2 million more
8 jobs by 2025 in the nine bay area counties, but a predicted shortage
9 of housing in the bay area will lead to 300,000 workers daily
10 commuting into the region from outlying counties.

11 (2) This population growth and imbalance between jobs and
12 housing will increase the current strains on all elements of regional
13 infrastructure, including, but not limited to, transportation,
14 housing, water, schools, and employment centers. The bay area
15 transportation network serves a large, varied region with about
16 20,000 miles of local streets and roads, of which nearly 1,400
17 miles are freeways, eight toll bridges, three major airports, five
18 shipping ports, and about 25 separate public transit agencies
19 carrying more than 1.5 million passengers daily in 2001.

20 (3) The bay area encompasses nine counties and 101
21 incorporated cities. Many metropolitan areas of the United States
22 combine responsibilities for the metropolitan planning



1 organization and the council of governments into a single regional
2 entity, but the bay area divides these responsibilities among
3 separate, independent regional bodies: the Metropolitan
4 Transportation Commission and the Association of Bay Area
5 Governments (ABAG).

6 (4) The commission, created by the Legislature in 1970, serves
7 as the transportation financing, planning, and coordinating agency
8 for the bay area. The commission consists of 19 commissioners,
9 including 16 voting members, who set policies for the
10 commission, of which 14 members are appointed by local elected
11 officials. The commission has continued to develop
12 comprehensive regional transportation planning that addresses the
13 interests of this diverse region.

14 (5) Local elected officials in 1961 formed ABAG, which in
15 2001 consisted of the nine bay area counties and 101 cities, each
16 of which designate a representative to ABAG's General Assembly,
17 the overall governing body of that organization. The ABAG
18 Executive Board, which directs ABAG's operations, consists of 38
19 members. The ABAG structure provides representation of
20 member cities and counties in this diverse region.

21 (6) Regional government can plan for the maximum
22 conservation and enhancement of quality of life in the San
23 Francisco Bay area through plans for sustainable growth and
24 development.

25 (7) The Association of Bay Area Governments in 1992 adopted
26 a Growth Management Policy which states, in part, that "A plan
27 shall be developed for the purpose of merging and streamlining the
28 functions of the Association of Bay Area Governments and the
29 Metropolitan Transportation Commission."

30 (b) Therefore, it is the intent of the Legislature in enacting this
31 section that the commission and ABAG merge transportation
32 planning and land use functions to create a Bay Area Land Use and
33 Transportation Commission. Regional government can plan for
34 the maximum conservation and enhancement of quality of life in
35 the San Francisco Bay area through sustainable growth planning.
36 This commission will increase government efficiency, coordinate
37 agency functions, and develop a regional vision for economic
38 growth, transportation, housing, employment, and other issues
39 that affect quality of life for San Francisco Bay area residents.



1 SEC. 2. Section 66502 of the Government Code is amended
2 to read:

3 66502. (a) There is hereby created, as a local area planning
4 agency and not as a part of the executive branch of the state
5 government, the Bay Area Land Use and Transportation
6 Commission to provide comprehensive regional transportation
7 planning for the region comprised of the City and County of San
8 Francisco and the Counties of Alameda, Contra Costa, Marin,
9 Napa, San Mateo, Santa Clara, Solano, and Sonoma.

10 (b) As used in this title, the following definitions apply:

11 (1) "Region" means the region described in this section.

12 (2) "Commission" means the Bay Area Land Use and
13 Transportation Commission.

14 SEC. 3. Section 66523 is added to the Government Code, to
15 read:

16 66523. (a) On and after January 1, 2004, the Metropolitan
17 Transportation Commission shall be known as the Bay Area Land
18 Use and Transportation Commission. The commission shall
19 continue to have all of the powers, duties, and obligations provided
20 in this title.

21 (b) On and after January 1, 2004, the commission shall assume
22 former statutory responsibilities for land use designated to the
23 Association of Bay Area Governments, including the following:

24 (1) Planning for regional housing needs pursuant to Article
25 10.6 (commencing with Section 65580) of Chapter 3 of Division
26 1 of Title 7.

27 (2) Participating in interregional partnerships pursuant to
28 Article 2.10 (commencing with Section 65891) of Chapter 4 of
29 Division 1 of Title 7.

30 (c) On and after January 1, 2004, the commission shall consult
31 the General Assembly of the Association of Bay Area
32 Governments for advice on land use planning and development.

33 SEC. 4. Section 66523.5 is added to the Government Code, to
34 read:

35 66523.5. (a) On or before January 1, 2005, and each five
36 years thereafter, the commission shall adopt a long-range policy
37 plan for the region that includes all of the following:

38 (1) A statement that describes the current and projected
39 conditions in this region ~~the~~. *The* statement shall include an



1 analysis of the region’s natural resources, environmental quality,
2 population, economy, and public infrastructure.

3 (2) A set of goals, policies, and standards to guide the
4 commission’s future decisions affecting the region’s
5 transportation and housing. These goals, policies, and standards
6 shall reflect the statement of regional conditions.

7 (3) An action plan of feasible measures to implement the set of
8 goals, policies, and standards over the next five years.

9 (4) A conflict resolution process that allows counties, cities,
10 and other regional agencies to raise issues with the commission
11 after the plan’s adoption.

12 (b) In the preparation and review of the plan, the commission
13 shall consult with the Association of Bay Area Governments,
14 counties, cities, and other regional agencies, as well as with groups
15 with knowledge and experience in economic development,
16 environmental quality, and the equitable allocation of the costs and
17 benefits of economic development and environmental quality.

18 (c) In the preparation and review of the plan and to the extent
19 feasible, the Legislature encourages the commission to rely on
20 documents, studies, and plans previously prepared by the
21 commission and the Association of Bay Area Governments.

22 SEC. 5. Section 66524 is added to the Government Code, to
23 read:

24 66524. (a) On or before January 1, 2005, the commission
25 shall prepare and present to the Legislature a blueprint for
26 combining regional functions. The commission, in preparing the
27 blueprint, shall conduct at least one public hearing to consult with
28 the Association of Bay Area Governments, counties, cities, and
29 other regional agencies, as well as with groups with knowledge
30 and experience in economic development, environmental quality,
31 and the equitable allocation of the costs and benefits of economic
32 development and environmental quality.

33 (b) The blueprint shall examine one or more proposals for
34 combining the functions of the commission with the functions of
35 the Association of Bay Area Governments.

36 (c) The blueprint may examine one or more proposals for
37 combining the functions of other regional agencies into a single,
38 consolidated agency.

39 (d) The blueprint shall analyze all of the following:



1 (1) The fiscal changes that would be likely to result from each
2 proposal, including any economies of scale.

3 (2) The policy changes that would be likely to result from each
4 proposal.

5 (3) The governance changes that would be likely to result from
6 each proposal.

7 (d) The blueprint shall specify the statutory changes needed to
8 implement each proposal.

9 (e) The blueprint shall include the commission's
10 recommendations to the Legislature.

11 SEC. 6. Section 2 of this act shall become operative on
12 January 1, 2004.

13 SEC. 7. No reimbursement is required by this act pursuant to
14 Section 6 of Article XIII B of the California Constitution because
15 a local agency or school district has the authority to levy service
16 charges, fees, or assessments sufficient to pay for the program or
17 level of service mandated by this act, within the meaning of
18 Section 17556 of the Government Code.

