



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

**Minutes of the Meeting of March 20, 2015**  
**Held at 10:00 AM at the Metro Center Auditorium, Oakland**

### ABAG

Scott Haggerty  
Mark Luce  
Julie Pierce  
Pradeep Gupta

### BAAQMD

Mark Ross  
Tom Bates  
Cindy Chavez  
Eric Mar

### BCDC

John Gioia  
Zack Wasserman  
Brad Wagenknecht  
Dave Pine

### MTC

Jim Spering  
Dan Cortese

### CBTH Agency

Dan McElhinney

**Call to Order** – Chair Haggerty called the meeting to order.

**Committee Comment-** *none*

**Public Comment** - *none*

### **Presentation on ABAG/BCDC Regional Housing and Community Risk Project**

Ms. Miriam Chion, Planning Director at ABAG, introduced agenda item on report “Stronger Housing, Safer Communities” completed by ABAG and BCDC.

Ms. Abby Hall from the Smart Growth Office of the US Environmental Protection Agency outlined how EPA supported this work to build body of knowledge in how to address community vulnerabilities to hazards, flooding and sea level rise. Funding came from FEMA Region 9. Those resources were provided to US EPA to help manage the contract. US EPA and FEMA have been so pleased with the work product that FEMA is putting up additional money to tailor this research to other parts of California.

Ms. Wendy Goodfriend from BCDC provided an overview of the project (Copy of presentation found on JPC website). This project really solidified the Adapting to Rising Tides program and ABAG’s Resilience Program working together. This is leading to stronger coordination and elimination of any overlaps among the respective projects. All four of the JPC member agencies are working together to include resilience in the Sustainable Communities Strategy update.

Ms. Dana Brechwald of ABAG provided a real-time walk through of the new website.

### **Discussion with Governing Board:**

- *Chair Haggerty asked to what extent have we reached out to cities and counties, particularly as it relates to communicating with the most vulnerable during a hazards event?*

Ms. Chion stated that there is extensive outreach underway to cities and counties as part of the Hazard Mitigation update/Regional Resiliency planning process. We can share more information when we present on that project.

- *Board member Ross asked if they are looking at how cities deal with current non-conforming uses that may under current zoning laws not be able to rebuild as a result of a natural disaster, or that may have insurance issues?*

Ms. Cynthia Kroll stated there is a strategy that calls for cities to create some flexibility in their responses to non-conforming uses during rebuilding in a post-disaster situation. One thing the presentation didn't stress was that there was heavy involvement by local jurisdictions and community based organizations during the process in the data and indicators that were used, and in developing the strategies. There were many opportunities to share information with local jurisdictions.

- *Board member Ross asked how telecommunications and service providers are considered in terms of their response in the case of a natural disaster?*

Ms. Brechwald directed the Governing Board to a report on the performance of infrastructure that can help answer these questions called *Cascading Failures* that focuses on transportation and utilities.

- *Board member Cortese said he recently participated in a very similar presentation at our Housing and Transportation Committee in Santa Clara County that made no reference to regional efforts, and he is in a similar situation now where there is no reference to local efforts. Housing is a subset of everything else we are discussing in terms of resiliency. There is a lack of credit going back and forth between regional agencies and what is going on at the city/county level. There are very few people at the local level that understand what is going on at the regional level and visa versa.*
- *Board member Luce stated that it would be nice to come up with resiliency strategies for housing built in areas dealing with fires and drought and air quality issues.*
- *Vice-Chair Wasserman thought it would be helpful to look at models of emergency ordinances such as in Oakland after Loma Prieta. He asked what the plan is to get this information out to cities and counties?*

Ms. Chion stated that they are trying to leverage the synergies and bring to the cities not just this report, but also other reports and information as they make the rounds with the update of Plan Bay Area. And, are trying to make the best use of the website, and strengthen ties with the planning directors from cities and counties. We are welcome to feedback on how to share this information more broadly.

Ms. Goodfriend stated that BCDC is using this information in the current efforts underway with the Contra Costa ART program, and in other efforts. This information can be downscaled to the city level or neighborhood scale as part of the hazard mitigation update process.

Ms. Brechwald stated that they are working to add context and guidance related to model ordinances that ABAG staff has been collecting.

- *Chair Haggerty asked if the agencies actively encourage all cities to adopt model ordinances that help protect properties and lives?*

Ms. Danielle Mieler shared that as a result of the Loma Prieta 25<sup>th</sup> Anniversary conference the ABAG Executive Board adopted a policy to provide safer housing that ABAG staff will now be promoting in cities throughout the region.

- *Board member Pierce asked about availability to speak at conferences of Mayors and other venues where you can share this information?*

Ms. Chion said they would happy to bring this information to any of those conferences.

- *Board member Gioia stated that there have been the emergence of networks of folks at a very localized basis – City of Richmond was held up as an example – that are helping to make a neighborhood very self- sufficient for a week. The model has emerged out of Seattle.*

Ms. Chion shared that one of the components of the work they are doing with the cities is to identify those local community networks. While our efforts doesn't work on immediate emergency response, we know that local community networks can be key to local resiliency and identifying resources in the case of an event.

Ms. Brechwald shared that ABAG and BCDC will be holding a series of community workshops, one in each county over the coming months. The first one will take place in Berkeley, and the theme is community engagement, so this is very timely. More information can be found at: [Resilience.abag.ca.gov](http://Resilience.abag.ca.gov)

### **Recognition for Bruce Riordan's Work with Joint Policy Committee**

Chair Haggerty invited Mayor Tom Bates to present a Proclamation of appreciation to Mr. Riordan from the JPC member agencies. Mayor Bates presented the number of contributions that Mr. Riordan made to the JPC and beyond related to climate change.

Mr. Riordan made some remarks of appreciation, thanking for the opportunity to serve the agencies as part of a regional climate effort. He acknowledged the important work that regional agencies are putting in place to deal with the climate issue.

### **Approval of Minutes from January 16, 2015**

Moved by Board member Cortese, seconded by Vice-Chair Wasserman

### **JPC Organizational Planning**

Ms. Allison Brooks and Ms. Gina Bartlett provided a brief presentation updating the Governing Board on the organizational planning process (presentation can be found on the JPC website).

Ms. Brooks presented the proposed name change – *the Regional Collaborative for the Bay Area*. She expressed that the name does a better job of reflecting the great work of the Governing Board and at the staff level, as illustrated in the earlier presentation by BCDC and ABAG.

Ms. Brooks outlined the agreement reached by the Governing Board at the January meeting to focus on climate change, but keeping an eye on other regional issues. The benefit of doing that, as a reminder to existing members and also for new members who are walking in at the end of a organizational planning process, is that each of the JPC member agencies are directly oriented to address climate change as part of their missions. We have an opportunity to present a coherent strategy as a region, provide services to cities and counties, many of which just don't have the capacity to deal with climate at the scale it needs to be dealt with. By focusing our efforts, it better positions our region to work closely with State and Federal agencies, with the potential to bring in new resources to help address the issue.

### **Work Plan and Budget Development**

Ms. Brooks briefly walked through the 2-page work plan for the JPC, with the detailed activities outlined on page 2. In addition to near-term deliverables, the work plan presents a longer arc that involves even greater integration and coordination among the agencies.

### **Discussion regarding the name change**

- *Vice-Chair Wasserman made a motion to accept name change with recommended language.*
- *Board member Spering expressed his concern that the name does not reflect the partnership with the local level.*
- *Board member Pierce said that this effort really is about how the regional agencies are going to work better together. She is ok with this name.*
- *Board member Gioia agreed with Bay Area, Regional, and Collaborative, but would like to have a discussion about the order. He thinks it's much simpler to say Bay Area Regional*

*Collaborative. He doesn't see the acronym as an issue one way or the other. People will seek opportunities to be critical if they want to be.*

- *Chair Haggerty doesn't have a problem being called BARC.*
  - *Board member Pine believes the word "regional" is critical, we need to help bring our constituents along. He strongly supports Board member Gioia's perspective, particularly having Bay Area first.*
  - *Vice-Chair Wasserman amends the motion to be called "the Bay Area Regional Collaborative"*
- **Motion passed without exception.**

### **Organizational Plan Overview**

Ms. Brooks provided an overview of the details outlined in the Organizational Plan.

Ms. Brooks introduced the practice of developing an annual budget for the Bay Area Regional Collaborative, which has not been accomplished in prior years. She asked the Governing Board to consider the best way of establishing a budget moving forward, particularly as related to the contribution of each of the agencies.

### **Discussion regarding contributions of agencies to the budget**

- *Board member Spering asked to hear from each of the Executive Directors.*

Mr. Steve Heminger stated he does not believe the current situation is equitable. He believes there should be some minimum from each of the agencies.

Mr. Broadbent echoed Steve's remarks. He thought it made sense to talk about a minimal level of contribution.

Mr. Rapport said that ABAG could step up on their in-kind contribution. Although, these are not equal agencies with equal access to resources. He would assume the two agencies with the greatest financial resources would be providing more of the revenue they get from the State to support the work. ABAG's reserve is meager and ABAG currently is not in the position to apply much cash to next year's budget. ABAG contributes a lot of work in the very field we are expected to collaborate and believes that provides a major contribution to our effort.

Mr. Goldzband stated he agreed with everything that has been said. He believes it's really important that each of the agencies have skin in the game that has some kind of tangible effect on the budget of the organization. BCDC is very limited because they are a State body. We are working with MTC to arrive as a way to reach a level of support that everyone is comfortable with.

Mr. Heminger believes it is important to present this board with a budget, and that this board approves its budget and is in control of its budget.

- *Board member Spering believes there should be some minimum number for contributions. He doesn't have any problems with in-kind, or other mechanisms to meeting the minimum.*
- *Board member Cortese said that given that the work the agencies are doing together is so important, is there a commitment between the two agencies with limited resources to try and get some foundation resources, to allow for a more equitable contribution?*

Mr. Rapport said that ABAG has been very aggressive and successful in getting grants to support our efforts related to this subject matter. Those grants are very restrictive. Our discretion with the grants is very small.

- *Board member Cortese asked if there is the political will at their levels to look for those grants and pursue those grants to support this work?*

Mr. Rapport said their agencies have been working hard to support their work.

- *Vice-Chair Wasserman agrees with many of the comments, recognizing they are not all consistent. BCDC is currently under the most severe restrictions because our budget is approved by the State. He supports going after grants. BCDC has recently formed a non-profit "Friends of BCDC" to support the 50<sup>th</sup> Anniversary activities this September 2015. He noted that grants are very important to support the work that this agency does, but they are a lousy way of supporting the organization.*
- *Chair Haggerty stated he would like to ask the Executive Directors to come up with a funding plan that everyone finds acceptable.*

#### **Amendments to the Organizational Plan:**

- *Vice-Chair Wasserman commented on the section on page 6 on government decision-making. He believes the consensus approach makes perfect sense, but believes the Governing Board needs to have a vote as a fallback option. It currently reads that we are prohibiting a straight up vote. The issue involves the section on Issue Area Task Forces, which currently states that Governing Board members shall not serve on the Task Force. Vice-Chair Wasserman believes there may be good reasons to have Board members on the Task Force and would like to retain that as an option.*
- *Board member Pierce commented on the current language related to cross-agency staff teams. She is hesitant to say the Regional Collaborative Executive Director would manage the staff time.*

Ms. Bartlett stated that the intent of that section is that the Executive Directors and Deputies would approve the staff time dedicated from their respective agencies, and it is the responsibility of the BARC Executive Director to help coordinate the staff effort.

Governing board members suggested language change to "works with" instead of manages, or coordinates.

- *Board member Gioia stated that one of the concepts we are advocating is improving overall conditions for Bay Area residents. That intent needs to get reflected better. All of these efforts are on behalf of the people of the Bay Area. On page one, somewhere under the intent, we should explicitly call out improving quality of life for Bay Area residents.*
- *Board member Gupta, upon reading the legislative statute creating the JPC on page 3, asked about the purpose intended for the JPC. The language states that this entity should comment on major regional work projects prior to them being approved. What is the sequence of final approvals?*

Mr. Heminger said that the final approval is by the regional agency. This committee reviews but does not approve.

Mr. Goldzband said that the purpose of this entity is to ensure that there are no conflicts among the agencies, with the intent of having conflicts emerge at the approval stage.

Chair Haggerty stated that there is an amended motion. Ms. Bartlett walked through the amendments:

- On page one, add language regarding the intent is to improve the quality of life for people of the Bay Area;
- On page six, under governing board decision making, add in a back up vote provision, in the instance the Governing board does not reach consensus;
- On page eight, under Issue Area Regional Task Force, that governing board members can serve on a task force if they wish.
- On page nine, under cross agency staff teams, change the language to reflect that the Bay Area Regional Collaborative Executive Director is not managing, but is coordinating the efforts of the staff teams to complete deliverables.

In reference to Vice-Chair Wasserman's amendment to include a back-up voting option for the Governing Board, Mr. Rapport commented that the Governing Board has no authority to tell individual agencies what to do, but when they vote they are expressing their advisory authority.

- *Vice-Chair Wasserman stated that he agreed, that the Governing board has no bite. However, he believes there may be times when a majority wants to go on record saying something. And without that change, it could be argued that one single member of the board could prevent the governing board from taking any action at all.*
- **Amended motion was moved by Vice-Chair Wasserman, and seconded by Board member Pine**
- *Board member Spring asked if that means that this body can be in conflict with one of the other agencies? He thinks that would be a disaster. We want to avoid that kind of conflict.*
- *Vice-Chair Wasserman believes that a vote under the circumstances that Board Member Spring describes would be a very bad thing. But, there are issues we make take a position on that an individual would have very strong opinion, that is what*

**Approval of January 16, 2015 minutes:**

- **Motion to approve made by Board member Spring, seconded by Board member Gioia**

**Public Comment:**

Ms. Jean Kramer spoke from perspective of people that work with community based organizations. If we really want to engage communities, she would advise the agencies present agendas very simply, but in a way that helps a community understand how it is of benefit to them. They need to be able to express ideas comfortably and believe they have been heard.

**Adjournment**

Chair Haggerty adjourned the meeting at 12:00pm

Date Submitted: May 13, 2015

Date Approved: May 15, 2015