

# EMERGING REGIONALISM In the San Francisco Bay Area

A HISTORICAL PERSPECTIVE

LEAGUE OF WOMEN VOTERS OF THE BAY AREA

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IT ISN'T a question of whether or not we are going to have a regional government. We already have it in the various single purpose districts. The question is *what form* of regional government are we going to have?" If this quotation applied to Bay Area regionalism when it was made at a conference in 1966, it applies many times over today.

Several proposals for a limited function, multipurpose regional government have been introduced in the legislature, but all have failed to become law. Instead, the legislature has continued the proliferation of single purpose districts to handle regional\* problems.

The region consists of nine counties bordering San Francisco Bay: Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma. The Bay Area contains 7,000 square miles, a population of over 4½ million, 93 cities, 206 school districts, and over 600 special districts. The three largest cities — Oakland, San Francisco, and San Jose — are surrounded by smaller cities, unincorporated suburban communities and counties, or portions of counties, that are predominately rural.

After World War II, as the rapidly increasing population spread into areas formerly used for productive agriculture and grazing, local governmental boundaries became blurred. Providing services and regulating environmental problems for this expanding urbanization were tasks that could not be performed by existing governmental entities. The most common solution to these problems, often after they reached a crisis stage, was the formation of single purpose regional districts or planning agencies to perform a particular task or provide a special service. Thus, urban sprawl was accompanied by governmental sprawl.

At the present time there are 18 regional agencies in the Bay Area, and seven of them include all nine counties. Duties and powers currently assigned to regional agencies include, among others, planning for solutions of various regional problems, veto powers over local land use decisions along the Bay shoreline, regulation of air and water pollution, taxing and bonding authority, grant review for state and federal funds, purchasing and managing parklands, distribution of

funds for mass transit, and approval or disapproval of funds for building highways of regional significance.

*This publication traces events, circumstances and legislation that have played a part in the slow evolutionary process toward regionalism in the Bay Area.*

## BEGINNING OF BAY AREA REGIONALISM

REGIONALISM began in the Bay Area in the 1920's. Two single purpose, multicounty districts were established during this decade: 1) the Golden Gate Bridge and Highway District, to build and operate a toll bridge between San Francisco and Marin counties, and 2) the East Bay Municipal Utility District, to provide water for parts of Alameda and Contra Costa counties. Both districts are still in existence today, but their scope of operations have been expanded by further legislation.

Enabling legislation was passed in 1923 providing for formation of the Golden Gate Bridge and Highway District. However, arguments put forth mainly by the ferry interests, that the strait was too deep and too wide to ever be spanned by a bridge, delayed the establishment of the District until 1928. The District was renamed the GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT (GGBHTD) in 1969 when it was assigned the new task of providing balanced transportation in the Golden Gate Corridor and authorized to engage in all modes of transportation. The District now has a fleet of 220 buses and one ferry with additional units on order. The 18 directors of the district are county and city officials and representatives at-large appointed by the Boards of Supervisors in Marin, Sonoma, San Francisco, Mendocino, Napa, and Del Norte counties and one appointee of the Mayor of San Francisco.

The controversy over the building of the Golden Gate Bridge (named after the *Chryso Pylae* of the Dardanelles) was settled about the same time that a state agency, the TOLL BRIDGE AUTHORITY (1929) was formed and also empowered to build bridges in the Bay Area.

The directors of the Toll Bridge Authority are the state Director of Finance, Secretary of Business and

\* In this publication, "regional" refers to multicounty.

Transportation, and three appointees of the Governor. Policy decisions are made by the Authority, but the TOLL BRIDGE ADMINISTRATION, a unit of the California Department of Transportation, plans, constructs, and operates the bridge. The Toll Bridge Administration owns and operates six toll bridges in the Bay Area (Benecia-Martinez, Carquinez, Richmond-San Rafael, San Francisco-Oakland, San Mateo-Hayward and Dumbarton) as well as two elsewhere in the state (San Pedro and San Diego).

The Municipal Utility District Act of 1921, under which the EAST BAY MUNICIPAL UTILITY DISTRICT (EBMUD) was formed, enabled districts to provide comprehensive, multiple services to one or more counties.

"... the district may acquire, construct, own, operate, control, or use . . . works or parts of works for supplying the inhabitants of the district and public agencies therein, or some of them, with light, water, power, heat, transportation, telephone service, or other means of communication, or means for the collection, treatment, or disposition of garbage, sewage, or refuse." (Public Utilities Code of the State of California, CH. 764, Stats, 1951 and thereafter amended.)

The East Bay Municipal Utility District (1923), chose, however, to supply water only to parts of Contra Costa and Alameda counties for many years. After the District's aqueduct from the Mokelumne River was completed in 1929, much of the watershed land originally purchased was no longer needed. A study in 1930 of the 40,000 acres owned by EBMUD indicated that approximately 10,000 acres were suitable for park and recreational purposes. But the District did not want to assume new responsibilities.

Mayors of five cities in Alameda County were successful in getting enabling legislation passed in 1933 which provided for the creation and administration of regional park districts. Alameda County voters established the EAST BAY REGIONAL PARK DISTRICT (EBRPD) in 1934 to develop and maintain parks of regional significance.

A struggle ensued over the issue of how the Park District would obtain parkland from the Utility District. EBMUD felt the Park District should purchase the lands since some EBMUD communities were not in the Park District. However, EBRPD did not have sufficient funds and did not want to hold a bond election. In 1936, EBMUD finally agreed to sell its land on an installment plan that could be financed through the Park District's 5¢ tax rate. As a result of this disagreement, according to the book *Its Name Was M.U.D.*, "Bitter enmities had been aroused and some would be permanent."

A dispute arose again between EBMUD and the Park District in 1966. Since Contra Costa County had joined the Park District in 1964, the two districts now

served approximately the same constituencies. A decision had to be made concerning which agency would develop Lafayette Reservoir for recreational uses. EBMUD had leased land around Lake Chabot to the Park District for recreational development in 1964, and many thought they should continue this policy. Instead, EBMUD chose to develop Lafayette Reservoir's recreational facilities, and is continuing to develop its other reservoirs for recreational uses through leases to concessionaires.

In 1951, EBMUD expanded into sewage disposal services. Although the District undertook a study for handling solid waste in 1971, they did not assume that responsibility. Currently EBMUD is conducting a joint study with Pacific Gas and Electric Company on the possibility of combining sludge with solid waste to generate gas. They are also a member of a Joint Powers Agreement with several other governmental entities attempting to operate a pilot project that mixes solid waste compost with sewage sludge which would then be used to build up the dikes and islands of the Delta.

The Boards of Directors of EBMUD and EBRPD are directly elected. EBMUD's Board was expanded from five to seven directors in 1974, and directors are elected at-large from districts. The Park District's Board grew from five to seven directors when Contra Costa was annexed to it in 1964, and the District switched from at-large elections to election from wards in 1965.

*From the beginning of regionalism in the Bay Area, problems of jurisdictional protectionness and overlapping functions between regional districts were apparent. Over the years, similar difficulties have continued to hinder efforts of single purpose agencies to solve regional problems.*

One of the most difficult political issues to resolve in establishing a multipurpose regional government has been deciding who should serve on the governing board. Methods of selecting regional decision makers have tended to follow the patterns of the early districts:

- 1) Constituent unit representation — locally elected officials appointed to serve at the regional level
- 2) citizen appointees of local or state officials
- 3) directly elected representatives.

During these early years, governmental officials were not alone in showing concern for areawide problem solving. In 1925, the Regional Plan Association (now defunct), a movement spearheaded by the Commonwealth Club, was formed. Hoping to arouse the entire region to the desirability of planning for orderly growth, the Association listed six regional objectives: a unified plan for port and harbor development; a coordinated system of highways, scenic boulevards and bridges; rapid transit between all parts of the Bay

Area; public acquisition and development of recreational areas and large parks while still obtainable at a reasonable cost; removal of the menace of Bay pollution by sewage and waste; and regional zoning. *Fifty years later, these same goals have a very familiar ring to the ears of current supporters of regional planning and regulation.*

By the late 1930's, the completion of the Golden Gate and Bay Bridges began to change old patterns of trade, transportation, and economic and social relationships among communities, and a greater awareness of regional relationships began to emerge.

## THE WORLD WAR II PERIOD

**B**AY AREA industries shifted to defense production in the 1940's. A Congressional investigation showed that all community facilities except water supply were dangerously strained and warned against bringing more war industry into the area. Many cities and counties began for the first time to do long range planning in order to avert a severe economic crisis when war production ended.

In 1945 the Bay Area Council was organized by representatives of the business community primarily because of their concern for the successful adaptation of the region to a post-war economy. At its inception, the Council was essentially an economic development body, but now it researches and articulates the viewpoint of business on the regional economic, environmental, social and governmental issues of the Bay Area.

The Dickey Act of 1949 established the State Water Quality Control Board and nine regional boards to protect water quality. The Porter-Cologne Water Quality Control Act of 1969 merged the Control Board with the State Water Rights Board, creating the State Water Resources Control Board and enlarging the regional boards of directors. The **SAN FRANCISCO WATER QUALITY CONTROL BOARD (SFWQCB)** consists of nine Governor appointees who are responsible for enforcing water quality standards in the Bay Area. The regional board's decisions can be appealed to the State Board and funding for all operations comes from the State General Fund. Therefore, the SFWQCB is a division of state government serving at the regional level.

## TRENDS TOWARD REGIONALISM IN THE 1950'S

**B**Y THE LATE 1940's, expanding population, rising income, and increased mobility made possible by the automobile led to the development of low density residential areas farther and farther away from core cities. *Development patterns in the form of urban sprawl began to determine the future shape of the Bay Area.*

After World War II, the rapid growth of the Bay Area posed additional problems which appeared beyond solution by local governments. Attempts were made to meet these problems through annexations, administrative agreements, and formation of additional single purpose districts by State law. A major impetus for substate regional districts came from the federal government with the passage of the Housing Act of 1954, which provided for matching grants-in-aid for areawide planning. The Housing Act proved to be only the first of many federal programs which recommend or require a regional review before they may be implemented.

*The 1950's found the San Francisco Bay region well on its way to becoming the most complex, diffuse and decentralized urban area in California. Cities and counties, traditional centers of local government, were being challenged by new governmental entities for the tax dollar and political power. Lacking was a single dominant city or county, encompassing most of the population and land area, to take a leadership role in guiding the accelerating development of the Bay Area.*

To provide services of sewage disposal, water, fire protection, recreation and parks, and solid waste disposal, the **VALLEY COMMUNITY SERVICES DISTRICT** was established in 1953, activated in 1960, and given the approximate powers of a sixth class city to serve 11 square miles in Contra Costa and Alameda counties. Its Board of Directors has five members elected within the district.

Use of mass transit, which had reached an all-time peak in 1944-46 because of wartime restrictions, declined rapidly in the 1950's. Rail transit gave way to buses and trucks with their greater flexibility, and a network of freeways emerged to carry an increasing number of commuters throughout the region. At the same time, Bay Area citizens began to view with alarm the growing air pollution problem. Visions of becoming a northern California "smogland" gave rise to the desire to create an areawide air pollution control district and to study new methods of rapid transit.

In 1951, the legislature appropriated \$50,000 to be expended by the San Francisco Bay Rapid Transit Commission to study and investigate rapid transit problems. This was followed in 1953 by contributions of \$350,000 from the nine counties and \$400,000 from the legislature to develop a plan for a rapid transit system for the area.

The **ALAMEDA-CONTRA COSTA TRANSIT DISTRICT (A-C TRANSIT)** was established in 1956 to operate public transportation facilities for cities in Alameda and Contra Costa counties and across the Bay Bridge.

The legislature created the **BAY AREA RAPID TRANSIT DISTRICT (BART)** in 1957 to plan, and if given voter bond approval, to build and operate a regional rapid transit system. The proposed five

county district was reduced to three counties when an engineering review panel recommended against placement of trains on the Golden Gate Bridge, eliminating Marin County from the District, and when San Mateo County disapproved of some of BART's plans and withdrew from the District.

The bond issue, for \$792 million, was authorized by the voters in San Francisco, Alameda and Contra Costa counties in 1962 to build a 75-mile system within their boundaries. Additional funding came from revenue bonds including \$115 million of California Toll Bridge Authority bonds to be repaid from bridge tolls. A temporary ½¢ sales tax was imposed on the three counties in 1973 to reduce the financial burden of the District and was extended by the 1974 legislature. The opening of the transbay tube in October, 1974, completed the 75-mile system, but full-time operation is not expected until late 1975.

Originally, BART's Board of Directors was appointed by each county's Board of Supervisors and Mayors Conference, and directors could be either locally elected officials or citizen appointees. However, dissatisfaction with the slowness with which the system was built and with the numerous difficulties it encountered, resulted in voter approval in 1974 of a referendum to establish direct election of board members. An elected board from nine newly established districts took office in December, 1974.

In 1958, both the Bay Area Council and a Senate Interim Committee recommended a regional agency to operate and manage all airport, bridge, and harbor facilities. Accordingly, a bill to establish the Golden Gate Authority was introduced the next year. The bill was amended to create the Golden Gate Authority Commission empowered only to study the problem of a merger of Bay Area transportation facilities and to present their recommendations to the legislature in 1961. The Commission recommended the establishment of a Golden Gate Transportation Commission to govern bridges and to include airports and seaports only with permission of the owners. This proposal passed the Assembly but failed by one vote to clear the Senate Transportation Committee.

The BAY AREA AIR POLLUTION CONTROL DISTRICT (BAAPCD) was formed in 1955 by the legislature to control stationary sources of air pollution. Supervisors in six of the nine counties: Alameda, Contra Costa, Marin, San Mateo, San Francisco, and Santa Clara elected to join the District. In 1970, the legislature passed a bill requiring that Napa, Solano, and Sonoma counties join the District. Despite the District's opposition, provision was made to allow each county to declare that a portion of their county may be part of an air basin other than the Bay Area basin. All of Napa County joined the District, but the State Air Resources Board ruled in favor of the requests of Solano and Sonoma counties that the northern portions of their counties be excluded from the Bay Area District.

The District's 18-member Board of Directors consists of one supervisor and one city official from each county appointed by their respective Boards of Supervisors and Mayors Conferences. Several attempts to change to a directly elected board or a combination of local officials and directly elected representatives have either been defeated by the legislature or vetoed by the Governor.

A Citizens Advisory Council aids in developing the District's program, and a Hearing Board grants variances and serves as the judicial arm of the District.

The District, originally an enforcement agency, added a permit procedure in 1972 for granting approval before a facility may be built whose operations could adversely affect air quality. An odor regulation, imposing emission limits on five chemically identifiable odors, was adopted in 1972. Currently the District is developing a computer model of the air basin to aid in assessment of the impacts of development and transportation modes on the quality of air. As a result of proposed requirements by the Environmental Protection Agency to implement the Clean Air Act, the District is developing regulations for review and permit procedures for indirect sources of air pollution.

In 1959, Governor Edmund G. Brown, Sr. appointed a Commission on Metropolitan Area Problems to study and make recommendations on the critical issues of each urban area in California. Delegates from 56 Bay Area cities met with the Commission to discuss background and experience of metropolitan councils, their functions, administration, operating principles, and the purposes and composition of such bodies. An organizing committee of local officials proceeded with plans for a proposed council in the Bay Area. Although cities took the lead in this effort, counties soon decided they, too, should become involved and insisted on a bicameral voting system so counties would not be overwhelmed by the cities. Since the term "Metropolitan Council" was disturbing to counties and rural areas, the name "Association of Bay Area Governments" was adopted for the new organization. General agreement was reached in 1960 on the basic organizational structure for the Association of Bay Area Governments (ABAG), a Council of Governments (COG).

## THE 1960's — A DECADE FOR STUDY

THE GOVERNOR'S Commission recommended enabling legislation in 1960 for the creation of multi-purpose areawide districts in each metropolitan area to assume responsibility for regional planning and at least one other function. The report recommended a governing board consisting of supervisors and city councilmen, leaving the question of direct election of some or all of the members of the council to be submitted to the electorate each five years after the district is established.

The cities and counties of the Bay Area decided to form the ASSOCIATION OF BAY AREA GOVERNMENTS (ABAG), a voluntary organization established through a Joint Powers Agreement, to provide a forum for discussion and study of regional problems. The first General Assembly held in February, 1961, included representatives from six counties and 54 cities. In September, 1961, the Assembly voted to study uniform building codes, Bay Area tideland development, a governmental data center, water pollution including sewage and plant location, solid waste sites, and an inventory of open space.

Today, ABAG has a membership of 55 cities, seven counties and 26 cooperating members from special districts. The Executive Committee, consisting of 35 members, reflects population size of each county. The Committee makes operating decisions and recommends major policies to the General Assembly. The General Assembly is a bicameral body, divided according to cities and counties, and meets twice a year. It consists of delegates from each member city and county. Current planning programs include Regional Planning, Ocean Coastline, Housing and Open Space. ABAG serves as the A-95 clearinghouse review for federal grants and is reviewing and updating its Regional Plan, first approved in 1970.

Several legislative bills relating to regionalism, and the Bay Area in particular, were introduced in 1961. Proposals creating a Golden Gate Transportation Commission, a Bay Area Regional Planning District and enabling legislation to create Metropolitan Area Multipurpose Districts failed to pass.

During this period, citizens became increasingly aware of unsolved regional problems. Their concern led to formation of the Citizens for Regional Recreation and Parks (now People for Open Space) in 1959 and the Save the Bay Association in 1961. The local Leagues of Women Voters of the Bay Area began their studies and action on regional issues in 1959 and formulated bylaws for their organization in 1961.

By 1963 the trend toward creating study commissions for specific regional problems gained momentum in the legislature.

The BAY AREA TRANSPORTATION STUDY COMMISSION (BATS) was created by the legislature in 1963 to prepare a comprehensive regional transportation plan and to recommend how it could be implemented. Originally, the BATS report was due in 1968, but this was extended to 1969.

Two additional transit studies were authorized by the legislature in 1964: 1) the WEST BAY RAPID TRANSIT AUTHORITY, to develop a master plan for rapid transit for San Mateo County with provision made for annexation of other counties. San Mateo County rejected the bus-only plan, thereby eliminating Santa Clara County's opportunity for rapid transit through annexation. WBRTD was terminated in 1969;

2) the MARIN TRANSIT DISTRICT, to plan and operate a system that could join or be part of a unified regional system. Marin voters approved this District, and it now operates a bus system using buses of the Golden Gate Bridge, Highway and Transportation District.

The BAY CONSERVATION AND DEVELOPMENT COMMISSION (BCDC) was established in 1965 by the legislature to develop a comprehensive plan for the Bay and its shoreline by 1969, and to control filling of the Bay while the plan was being prepared.

The BAY DELTA WATER QUALITY CONTROL PROGRAM was authorized by the legislature in 1965 to determine the need for, and the feasibility of, a comprehensive waste collection and disposal system for the Bay-Delta area. This study was also to develop the basic features of a comprehensive plan for controlling water pollution.

ABAG established the GOALS AND ORGANIZATION COMMITTEE (GO) to make an inventory of regional governmental needs and to recommend an appropriate modification of ABAG's structure to handle those needs. The GO Committee report of 1966 recommended creation of a multi-function, limited purpose regional home rule agency. The ABAG General Assembly rejected proposals by the San Francisco Board of Supervisors and the City of Berkeley that the governing board be directly elected, and, to the consternation of some members, voted to recommend that broad powers of condemnation over both private and public land be given to the new agency. In 1967, legislation (AB 1846) was introduced to create a "home rule" agency.

In a compromise decision, the 1967 legislature approved Senate Concurrent Resolution 41, originally introduced by the late Senator Eugene McAteer, creating a Joint Legislative Committee, the BAY AREA REGIONAL ORGANIZATION COMMITTEE (BARO), to conduct a two-year, \$200,000 study to determine the form, function, financing, powers, method of representation for the governing board, and an appropriate definition of the "San Francisco Bay Area". This study was recommended because it would be a timely culmination of several study efforts. BARO, consisting of Bay Area legislators, would be able to combine and coordinate the information and recommendations of the other three commissions — BCDC, BATS, and the Bay-Delta — which were to be completed in 1969 also.

Public hearings were held by BARO in each of the nine Bay Area counties, and several major conferences to discuss regionalism were organized by the Bay Area Council, the League of Women Voters, and the UC Institute of Governmental Studies. During this period, ABAG's Preliminary Regional Plan was being presented to local governments and the public for

comment and recommendations. From these hearings and conferences, a growing consensus began to emerge on which problems were of regional significance and on the type of agency that should be formed to implement regional plans.

Recommendations on governmental structures to implement the various regional studies were as follows:

**The BAY CONSERVATION AND DEVELOPMENT COMMISSION, a \$813,000 study**

"Preferably, the agency should be a limited regional government, concerned with more than one of the problems generally agreed to be of a regional nature in the Bay Area. If for any reason, a limited regional government is not created in 1969, however, an agency should be created or designated with the single responsibility of carrying out the Bay Plan."

**The BAY-DELTA WATER QUALITY CONTROL PROGRAM, a \$2,800,000 study**

"A regional agency, either single or multipurpose, must be formed as soon as possible to plan, design, and construct and operate a comprehensive water pollution and water quality control system . . ."

**The BAY AREA TRANSPORTATION STUDY, a \$6,000,000 study**

"A multipurpose Bay Area Regional Organization should be established whose jurisdiction covers the nine counties comprising the San Francisco Bay Area. The members of the governing body of the multipurpose regional organization should be elected from either legislative districts or comparable subdivisions of the Bay Area (opposed to election at-large). These should be sufficiently small and so designed as to guarantee the opportunity of equitable representation for all segments of the Bay Area population.

The transportation function of the Bay Area Regional Organization should be exercised by a Transportation Department, subject to review and a general direction by the Bay Area Regional Organization.

If a Bay Area Regional Organization is not established, a Metropolitan Transportation Agency should be created, which agency would exercise the authority and carry out the responsibilities described below."

*The studies of the 1960's seemed to have brought a multipurpose regional government within sight of the finish line. The scene was set for the climactic report of the Joint Legislative Committee, BARO.*

BARO's report embodied in the 1969 Assembly Bill 711, called for the establishment of a multipurpose, limited function, directly elected agency. Thirty-six

trustees would be elected from newly established, equally apportioned districts and would be given the power to implement the Bay Delta, BCDC and BATS plans, as well as to prepare a regional general plan containing elements for environmental quality, public services facilities, and regional parks and open space. Supporters of regional government prepared for legislative action on this measure—action which they never had an opportunity to take.

Suddenly the danger of BCDC going out of existence prior to the formation of a new multipurpose agency gave rise to a spirited public outcry "Save the Bay!" If BCDC went out of existence, even for a short time, the rush would be on to fill as much of the Bay as possible before the permit system proposed in BCDC's Plan became operable.

The tremendous citizen effort to establish BCDC as a permanent single purpose agency without delay is legend. The pressure needed to avoid any time lapse was a demanding activity for regionally concerned citizens and legislators. Passage of the BCDC legislation was secured, but AB 711 never received a hearing.

Establishment of the BAY CONSERVATION AND DEVELOPMENT COMMISSION (BCDC) in 1969 as a permanent agency was a milestone in regional history. For the first time, a regional agency was given veto power over local land use decisions within a 100-foot strip of shoreline around the entire Bay. Thirteen of the 27 commissioners are locally elected officials, appointed by counties and ABAG. The remainder are appointees of the Governor, Senate Rules Committee and Speaker of the Assembly, and representatives of state and federal agencies whose decisions affect shoreline development. The State Attorney General's office serves as the legal arm of the Commission, and operational funds come from the State General Fund. Thus, the Commission is considered part of State government, although decision making remains at the regional level.

Recently BCDC was strengthened by passage of a measure which allows fines for violation of BCDC regulations. In order to assure attendance of local government representatives, provision was made for appointment of non-elected alternates to serve for local officials as needed.

In 1969 the BAY AREA COMPREHENSIVE HEALTH PLANNING COUNCIL (BACHPC) was established by the legislature to carry out planning and review functions relating to delivery of health care services. Members are appointed by County Health Councils and associated health organizations and elected at-large. Recent federal legislation expands the Council's present functions and adds a "technical development" function to provide funding to meet identified needs in the plan.

## CONTINUING PROLIFERATION IN THE 1970's

**I**N ANOTHER attempt to restructure regional government in 1970, AB 2310 was introduced. This bill would have established a coordinating agency (sometimes referred to as an "umbrella" agency) with veto powers over local and regional agencies to implement a regional plan which included transportation, environmental quality and parks and open space elements and the BCDC Plan. The Board's 40 directors would have consisted of 20 locally elected officials and 20 directly elected representatives from new districts. The bill was amended to totally elected representation and passed the Assembly, but failed to emerge from the Senate Governmental Organization Committee.

The 1970 legislature passed a bill creating the METROPOLITAN TRANSPORTATION COMMISSION (MTC) to implement the BATS Plan. One section of the Act stipulates that MTC shall merge with any multipurpose agency that is formed. Although MTC was established without provision for funding, financial support was obtained from ABAG and from federal and state grants to support development of a comprehensive regional transportation plan by 1973.

MTC Commissioners are appointees of Boards of Supervisors and Mayors Conferences in each county. ABAG and BCDC each have a voting representative on the Commission in an effort to provide for coordination between the agencies. The state and federal Departments of Transportation and HUD have non-voting representatives on the Commission.

In 1971, AB 1057 was introduced in another try for a multipurpose coordinating agency for the Bay Area. Although very similar to AB 2310, it had two new features: provision for MTC's merger into the agency, and exclusion of BCDC's Plan as part of its responsibilities. BCDC's supporters felt that BCDC was gaining strength and expertise in implementing the BCDC Plan, and they did not want the Plan to be given to a new agency with an unknown future.

Strong, unified support for AB 1057 came from a coalition of organizations representing conservationists, business, the American Association of University Women and the League of Women Voters of the Bay Area. Opposition came from local governments and their state organizations. Although the bill originally called for an all directly elected board, a compromise was made, changing the board to half directly elected and half local officials, in order to gain the support of ABAG and a few local governments. After numerous amendments, AB 1057 passed the Assembly and several Senate Committees, but it was stopped on the Senate floor by opponents who insisted that the agency be established by referendum.

The 1971 legislature, though defeating the multipurpose regional government bill, approved establish-

ment of another single purpose agency, the BAY AREA SEWAGE SERVICES AGENCY (BASSA), with power to plan, construct and operate, if necessary, regional sewage facilities. A new formula for representation on BASSA's board was devised: Boards of Supervisors could appoint locally elected officials from local governments and special districts which engage in sewage treatment or disposal. Amending legislation in 1972 clarified representation criteria and added a section providing for BASSA's merger into any multipurpose agency formed.

*Thus, the multipurpose regional government which seemed within sight of the finish line in 1969 had smashed into a legislative wall, and what remained after the impact were three new single purpose regional agencies - BCDC, MTC and BASSA.*

Concern about preservation of the Delta area resulted in formation of the DELTA ADVISORY PLANNING COUNCIL in 1972, a Joint Powers Agreement among Contra Costa, Solano, Sacramento, San Joaquin and Yolo counties. The Council was assigned the task of drawing up a comprehensive conservation and development plan for the Delta. The Council members are governmental officials appointed by Boards of Supervisors. The Council's Preliminary Draft Plan was issued in May, 1974.

The citizens of California, utilizing the initiative process, created the California Coastal Zone Conservation Commission and six regional commissions in 1972. ABAG, then in the process of completing a Coastal Plan for the Bay Area, protested the division of the Bay Area between two regional commissions, but to no avail. Sonoma, Marin and San Francisco counties are in the NORTH CENTRAL COAST REGIONAL COMMISSION (NCCRC), and San Mateo county is a member of the CENTRAL COAST COMMISSION. While preparing the coastal plan, the commissions have power to prohibit development which may cause irreversible damage. Decisions of regional commissions may be appealed to the State Commission. The NCCRC consists of locally elected officials, a representative from ABAG, and appointees of the Governor, Senate Rules Committee and Assembly Speaker. Each regional commission has a representative on the State Commission which also includes appointees of the Governor, Senate Rules Committee and Assembly Speaker. Decisions that the legislature must make in the near future are who will implement the Coastal Plan and will there be a regional role in the implementation process.

**I**N 1972 ABAG sought to use the 1963 Regional Planning District law to create a multipurpose regional agency with veto powers over local governments for regionally significant decisions in waste disposal, open space, transportation, land use and conservation of resources. With the introduction of AB 220, ABAG had, once again, indicated they understood

that more power than grant review is needed to implement comprehensive regional planning. AB 220 provided for a board of locally elected officials and one citizen appointee from each county. The bill lacked support and was not given a hearing.

The BAY DELTA RESOURCE RECOVERY BOARD had its beginning in 1972 when representatives from cities and counties decided to work together on an innovative solid waste recovery project designed to use organic waste to reinforce levees and build up the Delta islands. Some special districts joined in this pilot project which might eventually provide a system for regional management of solid waste. Membership dues and grants provide planning funds for the effort, and ABAG staff assists the Board. Federal funds are being sought to supplement those appropriated by the state to help operate the pilot project. The project is an interesting example of intergovernmental cooperation and citizen efforts as the original concept was developed by the San Francisco Planning and Urban Renewal Association (SPUR).

In recent years attempts have been made to coordinate regional planning efforts. ABAG has entered into Memoranda of Understanding with BASSA, MTC, BAAPCD, EBRPD and BACHPC in an effort to coordinate single purpose agencies' planning with ABAG's comprehensive planning. An ABAG/MTC Joint Policy Committee formed to coordinate staff responsibilities and planning policies finds that, despite good relations and a willingness to attain coordination, its objectives are proving very difficult, if not impossible, to attain. Another committee, the ABAG/MTC Regional Airport Planning Committee, with representatives from airports, local governments and the public is working to prepare the airport portion of the MTC Transportation Plan. The Regional Seaport Policy Committee, which includes representatives from ABAG, the major seaports and the public, is preparing the seaport portion of the MTC Plan.

The most recent bill for a multipurpose regional government was AB 2040, introduced in 1973, the first year of the new two-year legislative session. Its author was Assemblyman John Knox, chairman of the Assembly Local Government Committee, who has authored most of the regional government measures since 1966. AB 2040, in its original form, would have created a Bay Area Regional Planning Agency with veto powers over elements in a regional plan for environmental quality, transportation, land use, parks and open space and natural resources. Both MTC and BASSA would have merged with the new agency. Locally elected officials were to serve as its 24 directors. After being approved by the Assembly, the bill was amended extensively before it was sent to the Senate in 1974. The veto power over local governments was removed, and the agency became a consolidation of five regional agencies (ABAG, BASSA, BCDC, MTC and BAAPCD), using their combined powers to implement regional

planning and carry out functions already assigned to these agencies. A compromise on representation provided for the board to become half directly elected after 1½ years. It also provided for an initiative process to place a proposal before the voters in 1980 or later to constitute the agency board in a different manner.

These amendments brought additional support from Bay Area cities, counties, BCDC, the League of California Cities and the League of Women Voters of the Bay Area. ABAG supported the bill in both its original and amended versions. BAAPCD and BASSA opposed the bill. Conservationists, including the Save the Bay Association and Sierra Club, opposed the bill also. The Senate Local Government Committee defeated the bill by a vote of six to three with opposition centering on the lack of an all directly elected board.

## CURRENT TRENDS IN REGIONALISM

ALTHOUGH many steps toward regionalism were taken during the 1970's, some steps led away from regionalism in the Bay Area. Criminal justice planning by ABAG under the Safe Streets Act of 1968 was terminated when the California Council on Criminal Justice recognized six "regions" for criminal justice planning within the Bay Area in early 1970. A similar situation occurred with passage of a bill to create a State Solid Waste Management Board which designated counties as the "region" responsible for regional solid waste planning. Though permissive procedures were given for creating regions larger than one county, in the Bay Area, where solid waste is already being taken across county lines, the bill served to discourage areawide or multicounty planning for a problem which is already of regional significance.

Nevertheless, regionalism does not seem to be fading away. Today there are 24 different federal programs which assign or recommend a regional role for their implementation. In California, there are 20 Councils of Governments similar to ABAG, 21 Regional Criminal Justice Planning Organizations, 12 Regional Health Planning Councils, nine Regional Water Quality Control Boards, six regional Coastal Commissions, one regional air pollution control district, ten air basin coordinating councils, 23 manpower planning boards, four resource conservation districts and one regional transportation commission.

Policies have been adopted by several governmental agencies and other organizations supporting formation of areawide, or regional, planning agencies.

ABAG's 1970 resolution supports membership by all cities and counties in a limited function, multipurpose government composed primarily of elected city and county officials. Such an organization would act as an "umbrella" for existing regional special districts



and agencies, and would be given such regulatory powers and revenue sources as necessary to carry out regional functions. On the basis of this resolution ABAG supported all the legislative bills introduced since 1971 giving a multipurpose agency veto powers over local governmental decisions that are in conflict with a comprehensive regional plan. In addition, ABAG's Executive Committee formally approved the concept of consolidation of existing single purpose agencies in August, 1974.

The League of California Cities' Action Plan for Environmental Control and Land Use, approved in October, 1973, advocates formation of *areawide coordinating councils* throughout the state to coordinate activities of existing single purpose agencies and implement areawide planning for those problems which cannot be solved at the local level. The governing body, consisting primarily of city and county officials, would have authority to resolve inconsistencies among plans and programs of cities, counties, special districts and state agencies so that areawide needs are met.

In contrast, Governor Ronald Reagan's Task Force on Local Government Reform in a \$270,000 report found there was no need for regional government to implement regional planning. The report states that only upon a vote of the electorate should mediation and binding arbitration powers be given to a Council of Governments.

The state Council of Intergovernmental Relations (CIR) adopted a policy on substate districting and areawide planning organizations in March, 1973, which recommends establishment of *areawide planning organizations* consisting of elected city and county officials plus representatives from special districts. The organizations would have the responsibility and the authority to coordinate the plans and programs of the federal, state, and local governments and special districts, and, when necessary, mediate and resolve any inconsistencies.

The national Advisory Commission on Intergovernmental Relations (ACIR) adopted a policy in 1973 recommending that states provide a statutory framework for creation of *Umbrella Multijurisdictional Organizations* (UMJO) which would be responsible for many functions now being performed by COGs. Local units of government would be required to join UMJOs (in contrast to COGs, which are voluntary), and the governing boards would be composed of a majority of locally elected officials. Both the ACIR and CIR policies would require that all federal and state programs for areawide planning be assigned to one agency which would have the necessary powers to resolve inconsistencies between local and regional plans. The ACIR also recommends five other alternatives to restructuring of regional government: 1) multicounty consolidation, 2) conversion of an

UMJO into a multipurpose consolidated areawide government, 3) reformed county government, 4) a multipurpose service district, or 5) a city-county consolidation. Directly elected boards of directors are recommended for all of these alternatives.

In recent years, legislative bills proposing a consolidation of state environmental regulatory agencies assigned a regional role to the regulatory process, usually to agencies similar to the regional water quality control boards. State Land Use legislation introduced in 1974 had enabling procedures for forming *urban planning agencies* to mediate conflicts on areawide decisions. Such legislation, if passed, could determine whether final authority would be retained with the Bay Area for decisions of regional significance or whether those decisions would be appealable to a state agency, and could mandate the method of selecting regional representatives as well. Thus far, most of these bills provided for a special multipurpose Bay Area agency if legislation to establish it has been passed prior to enactment of legislation establishing the state agencies.

In September, 1974 representatives of ABAG, MTC, BAAPCD, BCDC and BASSA met to explore the possibility of formal discussions centering on common concerns involved in any attempt to consolidate their agencies. The agencies felt inadequate consideration had been given to the complex problems involved in a merger of five agencies, using a wide range of powers to handle specific problems on a single purpose basis, into one multifunctional agency as proposed in AB 2040. Executive directors and legal counsels of the agencies drafted a resolution for consideration by each agency board. The resolution is currently serving as the basis for discussions of a committee composed of two representatives from each of the agencies. Agreement has been reached by the committee to recommend formation of a *multipurpose regional planning agency* consisting of locally elected officials initially. After a short time, a permanent agency board of half local officials and half directly elected representatives would become the governing board of MTC and BASSA and would be given veto power over regional and local agencies when their decisions are in conflict with a comprehensive regional plan. The board would also be required to report to the legislature on the method of consolidating other regional agencies with the multipurpose agency.

## IN CONCLUSION

**A**GREEMENT among local and regional agencies in the Bay Area of the need for a multipurpose agency to implement comprehensive regional planning is evidenced by their growing support for regional government legislation which coordinates and/or consolidates regional functions. Many officials express

alarm for a possible takeover of regional decision making by state or federal governments unless a multipurpose regional government is given sufficient power to resolve conflicts among local agencies on regional issues.

There are an increasing number of citizen and special interest organizations who support a multipurpose, as opposed to single purpose, regional government to handle a broad range of regional problems. However, there are still those who believe regionalism is unnecessary and label any attempt to form a multipurpose agency as "more government" or a "new layer of government". Other factions, including some local and state officials, accept and support single purpose regional agencies, but are opposed to a multipurpose approach, fearing such an agency might become too powerful.

With its proliferation of regional agencies, the Bay Area has more regionalism than any other urban area in the state, and, therefore, is at a different moment in its evolutionary process than are other urban areas. The uniqueness of the Bay Area has been stated in all proposed regional government legislation as follows:

"The legislature finds and declares that a general statute cannot be made applicable to the bay area or the solution of its regional problems which are different from those found in other areas of the state because of the unusual nature and extent of the San Francisco Bay, the unique geographic, topographic, climate and soil conditions of the bay area and the large number and variety of public agencies in the bay area with widely varying powers and level of planning and activities."

Thus far, the state legislature, the traditional storehouse of local governmental powers, has not been able to agree on how to restructure regional government in the Bay Area. Indications are there will be another attempt to form a multipurpose regional government in the 1975 legislative session.

#### LEAGUE OF WOMEN VOTERS OF THE BAY AREA

An Inter-League Organization  
of the San Francisco Bay Area  
January 1975

##### Other publications of the LWVBA:

DECISION MAKERS — a directory of regional agencies  
KNOW YOUR BAY AREA — a colorful, informational  
booklet describing the Bay Area  
BAY AREA OBSERVER — a monthly report of meet-  
ings of Bay Area agencies.

##### Publications price list available:

League of Women Voters of the Bay Area  
Hotel Claremont, Berkeley, CA 94705

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