

Regional Governance in the San Francisco Bay Area: The History of the Association of Bay Area Governments

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The Association of Bay Area Governments (ABAG) is the comprehensive regional planning agency and Council of Governments for nine counties and 101 cities and towns in the San Francisco Bay region. ABAG helps members in governance and decision-making about issues such as land use, sustainability, energy efficiency, hazard mitigation, water resource protection, and hazardous waste management. Hing Wong, a planner with ABAG, writes about its history and its important role in regional planning.

In 1961, the first council of governments was formed in California as elected officials from throughout the region came together to create the Association of Bay Area Governments (ABAG). It is the official comprehensive planning agency for the San Francisco Bay Area.¹ Since the beginning, ABAG has studied regional issues: housing, transportation, economic development, education, and the environment. Its mission is to strengthen cooperation and coordination among local governments. In doing so, ABAG addresses social, environmental, and economic issues that transcend local borders.

The Bay Area is defined as the nine counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma. The 101 cities and all nine counties within the Bay Area are voluntary members of ABAG. Building coalitions, task forces, and partnerships within the region and beyond have typified ABAG's problem-solving approach to issues affecting the Bay Area. ABAG's approach also includes research and analysis, education and outreach, and cost-effective member service programs.

An elected official from each member city and county serves as a delegate to ABAG's General Assembly. The General Assembly determines policy biannually, adopts the annual budget and work program, and reviews policy actions of ABAG's Executive Board. Each delegate has one vote, and a majority of city and county votes are required for action. There is also a 38-member Executive Board, assembling locally elected officials based on regional population, which meets bimonthly to make operating decisions, appoint committee members, authorize expenditures, and recommend policy. As an advisory organization, ABAG has limited statutory authority.

Beginnings

Ferry service in the San Francisco Bay Area was plentiful in the 1920s and 1930s. But the opening of both the San Francisco-Oakland Bay Bridge in November 1936 and the Golden Gate Bridge six months later in May 1937 provided the region with greater accessibility and movement. This all played a part in creating favorable conditions for an association of local governments to take its first steps.

Following World War II, the area found itself growing at a record pace. Maritime workers—many from the U.S. South—wanted to stay in the area after the war. GIs and other service men and women who had shipped out from Oakland to fight against Japan also wanted to relocate in the area after the war. For those involved in the war, many got married, moved to the Bay Area, and started families.

At the end of the war, elected officials were concerned about the region's ability to adapt and change from a defense-related to a peacetime economy. Thus, the Bay Area Council was formed in 1945 as a business-sponsored, public policy advocacy organization. One major concern was that the increased smog from traffic might discourage businesses from locating in the region. The council started to become interested in transportation and land-use issues, as the link between them became apparent. This started the formation of other agencies: in 1949, the Regional Water Quality Control Board; in 1955, the Bay Area Air Pollution Control District (now known as the Bay Area Air Quality Management District); and in 1957, the Bay Area Rapid Transit District (BART).

In 1946, the Bay Area Council made a move that had unintended consequences. It resurrected a proposal for a regional agency to acquire, manage, and operate the Bay Area's major airports, seaports, and bridges. Meanwhile, in the California Senate, an

¹ See the ABAG website at < <http://www.abag.ca.gov/> >

interim committee on Bay Area problems formed and, in the following year, endorsed the Bay Area Council's proposal. The council launched a public relations campaign to build support for the Golden Gate Authority and sponsored a bill in the Legislature, but this proved unsuccessful.

The action alarmed Bay Area local governments. Berkeley City Manager John Phillips researched the subject in 1958 and Berkeley Mayor Claude Hutchison urged the Alameda County Mayors' Conference to convene a meeting of Bay Area mayors. Pacifica Mayor Jean Fassler assisted in a follow-up meeting, and before long there was a movement of city opposition to any metropolitan authority not controlled by local governments.

In 1960, with the advice of Berkeley Councilmember (and UC Berkeley Planning Professor) Jack Kent and assistance from Phillips and San Leandro City Manager Wes McClure, as well as the League of California Cities, an alternative proposal was drafted. The initial proposal recommended a voluntary metropolitan council of cities (counties were soon added). By summer, the proposed bylaws were drafted by the League's Executive Director and General Counsel Richard Carpenter and Bill MacDougall, the general manager of the County Supervisors Association of California (now known as the California State Association of Counties).

The term "metropolitan council" had been used provisionally as it was used in other parts of the country, but the counties disliked it because it felt too "big-citified". Early one morning, Mayor Hutchison came up with an alternative, the Association of Bay Area Governments.

The Early Years

To activate the association, the proposal required membership of a majority of both cities and counties. These jurisdictions would all execute the joint powers agreement drawn up under the provisions of Title 1, Division 7, Chapter 5 of the California Government Code. By January 12, 1961, the majority of cities and counties agreed to join the association. The first meeting of ABAG's General Assembly was held in February, and the members elected Mayor Hutchison to be the first president. ABAG became the first council of governments in California, following the efforts of Detroit, Michigan (1954), Salem, Oregon (1957) and Washington, DC (1957).

The Association's first office was situated in the Claremont Hotel, a building that was legally in Oakland but used a Berkeley postal address. The hotel already housed the Institute for Local Self-Government and the League of California Cities office. By May 1, Wilber E. Smith, former San Rafael city manager, left his



Wes McClure.

position as assistant director of the National League of Cities to become ABAG's first executive director.

During the first decade, ABAG did an impressive job of producing an open space plan, an ocean coastline plan, and an airport systems plan. However, three things occurred that attracted public attention and significantly diminished ABAG's regional oversight for years.

The San Francisco Bay Conservation and Development Commission (BCDC) was created in 1965 on an interim basis, but was made permanent four years later. Local jurisdictions had argued that responsibility

for protecting the bay should reside within those communities adjacent to the waters, while ABAG felt that it could execute that role in a responsible manner. The prevailing opinion in the Legislature was that it was local government that had allowed the deterioration of the once-pristine shoreline. Thus, the state Legislature formed BCDC as another single-purpose district, yet giving ABAG the ability to at least appoint city representatives onto the commission.

The second incident happened in 1968 when Tom Truax, assistant to Executive Director Warren Schmid, had systematically embezzled approximately half a million dollars. Although ABAG was far from a wealthy organization, large sums of money did funnel through since it was acting as a legal conduit for BART to obtain federal planning funds. The dramatic and tragic embezzlement landed Truax a four-year prison term, ruined the executive director's career, and diminished ABAG's regional clout.

After the Truax incident, ABAG had to concentrate on staying solvent and retaining its membership. A great deal of dedicated work by several leaders—including San Francisco

A historic photo, the ABAG group in 1964.





An example of a report from ABAG's first decade.

Chief Administration Officer Thomas Mellon, Alameda County Supervisor (and Attorney) Joseph Bort, and Legal Counsel (and former Berkeley Councilmember) Arthur Harris—resulted in the recovery of almost all of the embezzled money.

The third event was the Legislature's 1970 creation of yet another single purpose agency, the Metropolitan Transportation Commission (MTC). By 1972, MTC was federally designated as the Bay Area's regional transportation planning agency. It received subsequent designation by the U.S. Department of Transportation to receive substantial annual funds. This narrowed ABAG's role to primarily land use, with less involvement with transportation issues.

State Senator John Foran of San Francisco, author of the MTC legislation, would have preferred to see a truly comprehensive agency. His bill included a provision for MTC to include all types of planning should the agencies merge. It was in this spirit that Supervisor Bort as MTC's first chair decided to rely on ABAG for the Bay Area's general land-use planning which federal authorities required as the basis for regional transportation planning.

Even through some of the turmoil, in 1970, ABAG published the Regional Plan, 1970-1990. As the Bay Area's first comprehensive regional plan, it outlined the first regional open space plan, provided support for regional information systems and technology, provided support for criminal justice and training, formed water policy and waste collection procedures, and included planning for earthquake hazards.

Comprehensive Planning

The notion of a more inclusive form of regional governance has been around for many years. Groups that have championed regional planning include the Commonwealth Club, the Bay Area Council, the League of Women Voters, and the Sierra Club. Elected officials have also embraced this type of regionalism, including two former members of the State Assembly: Republican William Bagley of Marin County and Democrat John "Jack" Knox of Richmond.

Knox is the legislator most closely associated with attempts to produce a strong and essential regional planning agency. Knox's bills on regional issues always succeeded in the Assembly, but had a tough time in the Senate. The two main reasons were the fear of Southern California conservatives that Los Angeles might dominate its suburban neighbors, and the unwillingness of Bay Area groups to compromise on the composition of a regional governing board (selected by local government appointees, directly elected regional representatives, or a combination of both).

On the one hand, Knox was known as a compromiser, as was evident in his previous work concerning ABAG and the Bay Area Council. On the other hand, the Sierra Club and the statewide Planning and Conservation League would not budge from their complete distrust of local government appointees. While the idea of a strong regional government enjoyed consistent support, it always fell a few votes short of passage due to disagreement over its governance structure. This push was over by 1976 and lay dormant for thirteen years.

The Bay Vision 2020 Commission was created in 1989. This commission was chaired by former U.C. Berkeley chancellor Michael Heyman. The Bay Vision 2020 report and subsequent legislation (two years later) also failed to gain enough support in the State Senate. Many believe that had the Bay Area created a truly comprehensive regional planning agency in the 1960s and 1970s, there would have been fewer urban sprawl problems in the 1980s and 1990s.

Regional Planning

In 1967, ABAG received a key designation to review local and regional applications for a vast array of federal grants and loans through the Demonstration Cities and Metropolitan Development Act of 1966. Projects included airports, health facilities, highways, housing, libraries, open space, water treatment, etc. Although not a right to veto, these A-95 reviews (named after the Office of Management and Budget circular establishing the procedures) were intended to be influential in giving federal funding agencies a better idea of regional priorities and making neighboring jurisdictions aware of potential impacts from local projects.

In 1974, ABAG established an early warning review panel system because of concerns about potential adverse effects on the Regional Plan from major development projects. Such matters would be discussed before the Regional Planning Committee (RPC) whose chair would appoint a three-person hearing panel to advise whether a full-scale review should be undertaken. Any RPC review would result in a final decision by the Executive Board.

It was unfortunate that within a few years, the A-95 system lay dormant as a victim of both Proposition 13 and massive cutbacks of federal funds. Although the system continued

after 1980, it was relegated by the federal government to a less significant role. This was diminished further by a severe reduction in the number of grant programs.

Environmental Planning

The Water Pollution Control Act Amendments of 1972 included an innovative approach to the problem of nonpoint source pollution (from urban runoff, agricultural waste, etc.). Congressional intent indicated a preference for regional planning agencies to take responsibility for finding solutions. The federal Environmental Protection Agency (EPA) coordinated with state water quality agencies in designating appropriate regional agencies.

In 1975, ABAG replaced the Bay Area Sewage Services Agency, which did not have a strong track record, as the regionally designated agency for studying and monitoring the region's water quality, water supply, and solid waste. Not too long afterward, EPA awarded ABAG a \$4.3 million grant to carry out the work, which the agency merged with the air quality monitoring work it was already carrying out for the Clean Air Act.

Similar to many metropolitan areas in the United States, the Bay Area was a very long way from attaining the air quality standards mandated by federal and state law. It became clear that the most difficult part of the plan would be the air quality element. When the first draft emerged in 1977, the news media paid little attention to the work of the Task Force and focused only on controversial words. For example, the use of emission control devices on power lawnmowers brought headlines such as "ABAG Threatens Lawnmower Ban." This atmosphere encouraged the building industry to attack compact growth recommendations, such as higher density around BART stations, infill development, and reduced development on steep slopes.

As part of its work with the EPA, ABAG prepared the Bay Area's Environmental Management Plan, which not only met federal requirements but received national recognition and was hailed by the EPA regional administrator as "the most sophisticated plan [of its kind] in the country."

Difficult Times

During the late 1970s and early 1980s, California local governments and ABAG, in particular, faced a time of financial constraint. Proposition 13 was approved by voters in 1978 and had immediate financial effects for ABAG, while other large councils of governments in California were less affected, as they received relatively large federal funds for transportation planning. MTC's support of ABAG's regional planning work through federal Department of Transportation and state gas tax funds was appreciated and needed, but these funds were much less than if ABAG had been directly funded.

When Proposition 13 passed, ABAG had to respond quickly.

The ABAG annual dues for many jurisdictions were small enough not to be a serious item in their budget revisions. However, for more populous cities and for counties, the dues might equal (or be more than) the salary of a nurse, firefighter, or police officer. A 70 percent dues reduction was agreed to by the ABAG Finance Committee and Executive Board, following a staff recommendation, to keep its members. Except for an occasional temporary withdrawal, no jurisdiction dropped out. With the effects of Proposition 13, the completion of the Environmental Management Plan grant, and the winding down of the large annual planning grants from the Department of Housing and Urban Development, funding was scarce. One-third of ABAG's staff was laid off and those who remained took a voluntary cut in their salaries. Even with the reduction of the work force, sometimes meeting the reduced payroll turned out to be daunting. On several occasions, MTC made up the difference by advancing the funds for work ABAG was performing under the two agencies' contract.

On April 23, 1984, ABAG relocated to its new Oakland headquarters from the Claremont Hotel. The MetroCenter was jointly built and owned by MTC, BART, and ABAG. In 1987, the MetroCenter was renamed the "Joseph P. Bort MetroCenter" in honor of longtime Bay Area politician and regionalist Joseph Bort, who was a founding board member of ABAG and MTC.

Expanding Roles

ABAG readjusted its role from mainly a regional planning organization to more of a service agency for local jurisdictions, which helped restore a measure of financial security to the agency. Since the early 1970s, it has engaged in a number of service-oriented projects including seismic safety research and planning, pooling local credit risk to save local agencies money, launching a series of innovative service programs to finance economic development, and aiding regional energy conservation efforts.

The MetroCenter ground breaking, 1987.



In 1983, ABAG launched credit pooling, its first financial services program. The idea first started in Sonoma County, where a group of cities joined together to borrow money collectively to save on issuance costs. ABAG, seizing on this idea, was able to provide this service with less hassle as it was already a joint powers authority. With more than 100 jurisdictions in the Bay Area as members, ABAG was in many ways the ideal partner for cities and counties as they contemplated capital funding. The agency's initial \$4 million issuance enabled four cities to purchase vehicles, buildings, and communication systems.

The success of the credit pooling is evident as today's borrowers include not only cities and counties, but special districts, hospitals, universities, schools, nonprofit housing and housing partnerships, health care organizations, and private businesses. More than \$1 billion has been provided in tax-exempt financing, including loans for the construction of the University of California's system-wide headquarters in Downtown Oakland.

In 1986, to respond to the local need for insurance, ABAG established the Pooled Liability Assurance Network (PLAN). For over a quarter-century, ABAG PLAN has provided comprehensive, general and automobile liability coverage for bodily injury, property damage, personal injury, and political risk. The program manages both risk and claims, and specializes in training. Since its inception, ABAG PLAN has returned more than \$20 million to its members in annual rebates, while increasing both coverage and the pool's financial stability.

Since the 1970s, ABAG has offered training on various environmental programs, including hazardous materials and waste treatment, to employees of member governments. In exchange, employees receive OSHA certification as well as continuing education credits. ABAG's expanding environmental and education work resulted in the creation of its HAZMACON conference series (Hazardous Material Management conference and trade show). The first HAZMACON in 1984 drew 1,500 attendees, and by 1990 the conference was attracting more than 7,000 attendees.

In the 1990s, ABAG became the first council of governments to post documents on the "World Wide Web" and the second public agency in California to be "online." abagOnline began providing public agencies with web hosting and Internet access and assistance. ABAG's specialized training center moved from the "in person" classroom to the successful Internet-based HazMat School.²

Green projects and energy programs have also become a part of ABAG. In 1995, the foundation for ABAG POWER (ABAG Publicly OWned Energy Resources) was laid. This led to a natural gas purchasing pool the following year and an electricity purchasing pool in 1997. Even before California's post-deregulation crisis,

power supply is an area characterized by frequent changes in federal and state laws and regulations. ABAG POWER is a separate joint powers agency formed to take advantage of the new energy regulatory environment. ABAG POWER's primary goal is to conduct pooled purchasing of natural gas and electricity on behalf of local governments and special districts that voluntarily join the pool. Pooled purchasing enables local governments to achieve more competitive pricing from suppliers who are interested in larger and more attractive combined loads. At this time, ABAG POWER is principally interested in aggregating local government loads only.

In 1996, the Bay Area Green Business Program was launched as a voluntary program that certifies small to midsize businesses in best environmental practices. The program is a partnership of local environmental agencies and utilities which assists businesses, offers them incentives to participate, and verifies that participating businesses are in fact conserving energy and water, minimizing waste, preventing pollution, and shrinking their carbon footprints. The Bay Area Green Business Program is a founding member of the California Green Business Program, which rewards small businesses for protecting, preserving, and sustaining the environment.

Following the 1989 Loma Prieta Earthquake, ABAG's work on earthquake preparedness and hazard mitigation took on a bigger role. While the Bay Area earthquake research program has traditionally been focused on earthquake liability issues of local governments and businesses, it has since evolved to encompass earthquake preparation and mitigation efforts. The program has published several reports, maps, and videos, and conducted analysis on the economic and social impacts of a powerful earthquake in the Bay Area.

Regional Planning for the Present and the Future

The successful service programs have kept ABAG afloat as a voluntary member organization. Nevertheless, the planning programs are still at the core of ABAG's work, despite a reduction in planning staff over the decades and decreased federal funding.

ABAG has been producing the biannual Projections series that forecast population, households, and employment over a 25-year period. These long-term forecasts are used by public agencies and private groups alike, including MTC, for their planning work. The Projections forecasts present a realistic assessment of growth in the region, while recognizing market and demographic trends, and analyzing the effects of local policies that promote more compact infill and transit-oriented development.

Another important program is the Regional Housing Need Allocation (RHNA). This state-mandated process determines how many housing units, including affordable units, each community must plan to accommodate. The California Department of Housing and Community Development

² Available at <<http://www.abag.ca.gov/training/about hazmatschool.html>>

determines the total housing need for a region, and it is ABAG's responsibility to distribute this need among local governments. Working with local governments, ABAG developed an allocation methodology for assigning units by income category to each city and county in the Bay Area. This allocation of need shows local governments the total number of housing units, by affordability, for which they must plan in their housing elements.

Additionally, ABAG has been planning to improve the Bay Area's quality of life. Senate Bill 100, authored by then State Senator (now California Treasurer) Bill Lockyer of Alameda County and passed into law in 1987, directed ABAG to develop a plan for a recreational "ring around the Bay" that would circle the perimeter of San Francisco and San Pablo bays. The Bay Trail Plan, adopted by ABAG in July 1989, includes a continuous 500-mile network of bicycling and hiking trails; a set of policies to guide the future selection, design, and implementation of routes; and strategies for the trail's implementation and financing. Since its inception, the Bay Trail Plan has enjoyed widespread support in the Bay Area. A majority of the jurisdictions along the Bay Trail alignment have passed resolutions in support of the Bay Trail and have incorporated it into their general plans.

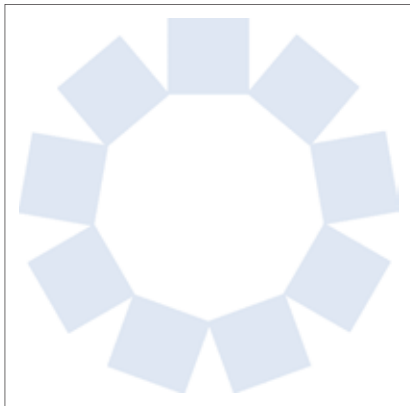
In the early 1990s, the political climate did not favor a top-down regional planning approach. In July 1990, the Executive Board adopted a policy framework for the purpose of guiding future land-use decision-making in the Bay Area. It respected the need for strong local control while recognizing the importance of regional comprehensive planning for items of regional significance. It was possible with the patient cooperation of many local elected officials and staff to piece together agreements for more sensitive development of various sub-regions within the Bay Area. Sub-regional planning projects were formed for the five Tri-Valley cities along with the counties of Alameda and Contra Costa; the cities and county of Sonoma; Oakland and San Leandro; the San Mateo County coastside communities; Napa County and its southern cities; and the cities and county of Solano.

In the late 1990s, the gradual convergence of the Bay Area and the Central Valley (San Joaquin Valley) was being played out on the freeways connecting the two regions, which produced many long-distance commuters into the job-rich Bay Area. The Inter-Regional Partnership was comprised of three councils of governments, five counties, and ten cities. The goal was to achieve a more equitable jobs/housing balance, improve transportation and air quality, establish more sustainable methods of moving people between their homes and jobs, and pursue inter-regional economic development opportunities.

In 1999, ABAG joined the Bay Area Air Quality Management District, BCDC, MTC, and the Regional Water Quality Control Board to discuss how to nurture "smart growth" across the Bay Area's nine counties and 101 cities. As part of their work, this group sought to identify and obtain the regulatory changes and incentives that would be needed to implement a new growth vision in the Bay Area. Meanwhile, the Bay Area Alliance for Sustainable Development (also known as the Bay Area Alliance for Sustainable Communities) embarked on an ambitious public participation exercise to reach consensus on, and generate support for, a "regional livability footprint"—a preferred land-use pattern to suggest how the Bay Area could grow in a smarter and more sustainable way.

Although the two efforts represent diverse interests, they share a common, urgent goal: to address the region's mounting traffic congestion, housing affordability crisis, and shrinking open space. In 2000, they merged their respective efforts in the Bay Area Smart Growth Strategy/Regional Livability Footprint Project. The joint project sought to engage locally elected officials and their staffs, private developers, stakeholder group representatives, and the public at large throughout the nine-county Bay Area to create a smart growth land-use vision for the Bay Area. The plan envisions minimizing sprawl, providing adequate and affordable housing, improving mobility, protecting environmental quality, and preserving open space. Additionally, the project aims to identify and obtain the regulatory changes and incentives needed to implement this vision, and to develop 20-year land-use and transportation projections that factor in the likely impact of the new incentives. These projections, in turn, guide the infrastructure investments of MTC and other regional partners. The Bay Area Alliance for Sustainable Communities concluded its work in 2008.

In 2006, a forum was held to gather feedback from regional stakeholders on issues of regionwide concern. This forum resulted in FOCUS—a regional development and conservation strategy that promotes a more compact land-use pattern for the Bay Area. It united the efforts of four regional agencies (ABAG, BAAQMD, BCDC, and MTC) into a single program that links land use and transportation by encouraging the development of complete, livable communities in areas served by transit, and promotes conservation of the region's most significant resource lands. The program worked in partnership with congestion management agencies, transit providers, and local governments throughout the Bay Area. It is partially funded by a Blueprint Grant from the State of California Business, Transportation, and Housing Agency.



ABAG's logo symbolizes collaboration between parts.

Through FOCUS, regional agencies support local governments' commitment to these goals by working to direct existing and future incentives to Priority Development Areas (PDAs) and Priority Conservation Areas (PCAs). PDAs are locally identified, infill development opportunity areas near transit. PCAs are regionally significant open spaces for which there exists a broad consensus for long-term protection. These areas have been identified based on criteria that are consistent with the Bay Area's regional goals.

The FOCUS program is about working together: regional agencies, local governments and communities collaborating to protect and improve the quality of life in the Bay Area. Local governments in the Bay Area are essential partners, since they are responsible for making decisions about land use and future development in their communities. FOCUS has sought willing local government partners who share the goals of encouraging more compact development that offers a range of housing and transportation choices. The FOCUS program is also working to build partnerships with local and regional stakeholder groups that represent affordable housing, economic development, transportation/mobility, the environment, and social equity.

In 2008, regional planning underwent another set of significant changes when California enacted Senate Bill 375. The bill requires all regions in California to complete a Sustainable Communities Strategy (SCS) as part of a Regional Transportation Plan (RTP) and builds on much of the Bay Area's previous smart growth and sustainability work with FOCUS. SB 375 requires California's eighteen metro areas to integrate transportation, land use, and housing as part of an SCS to reduce greenhouse gas emissions from cars and light-

duty trucks. In the Bay Area, this requires the MTC and ABAG to adopt an SCS that meets greenhouse gas reduction targets adopted by the California Air Resources Board.

These efforts have resulted in the Plan Bay Area, a state-mandated, integrated long-range transportation, land-use, and housing plan that will support a growing economy, provide more housing and transportation choices and reduce transportation-related pollution in the nine-county San Francisco Bay Area. The Plan Bay Area was adopted on July 18, 2013.³ It builds on earlier efforts to develop an efficient transportation network and grow in a financially and environmentally responsible way. It is a work in progress that will be updated every four years to reflect new priorities. By planning now, the Bay Area will continue to be a great place to live, work, and play for generations to come.



Plan Bay Area, adopted July 18, 2013.

³ The Bay Area Plan is available at <at <http://www.onebayarea.org/>>