

**Date:** September 30, 2015

MEMO

**To:** ABAG Executive Board

**From:** Ezra Rapport, ABAG Executive Director

**Cc:** Steve Heminger, MTC Executive Director

**Subject:** Summary of September 23<sup>rd</sup> MTC Commissioner Comments Regarding Proposed Transfer of 15 Land Use Planners and Related Funding from ABAG to MTC

On Wednesday, September 23<sup>rd</sup>, the Metropolitan Transportation Commission (MTC) discussed a MTC staff proposal to terminate ABAG's planning grant on December 31, 2015 and transfer the regional land use planning function and 15 ABAG land use planners to MTC. The proposal is found on ABAG's website at [http://abag.ca.gov/media/2015\\_merger/](http://abag.ca.gov/media/2015_merger/) as MTC staff memo to the Commission dated September 18, 2015.

There were several hours of public comments, with over 40 speakers, most of whom expressed concern regarding the MTC proposal's effect on the region, city participation in the regional planning process, ABAG employees and pensioners, and on ABAG's other programs and services. After discussion among Commissioners, the following requests (paraphrased) were made of the Director, Mr. Steve Heminger, by various Commissioners:

1. Examine how the MTC proposal impacts labor relations. ABAG planners are union represented; MTC is non-union. *Several commissioners, including Chair Cortese and Commissioner Campos, asked whether or not ABAG planners would be able to retain membership in their union, SEIU Local 1021, after a transfer to MTC.*
2. Examine the financial impact on ABAG from the loss of overhead funds as a result of the termination of funding and overhead associated with the transfer of 15 land use planners from ABAG to MTC.
3. Examine the potential impact of the MTC proposal on the pensions and other post employment benefits of ABAG employees and pensioners.
4. Provide more details on what formal regional land use authority the ABAG Executive Board would retain if this proposal were implemented<sup>1</sup>.
5. Determine objectively whether or not ABAG governance will be impacted by the shift of planning services to MTC.

<sup>1</sup> Many elected officials feel their authority over a land-use and housing work program is directly related to their ability to hire and fire the staff responsible for carrying out that work program.

6. Examine potential loss of dues to ABAG if its members do not share MTC's belief that the loss of 15 regional land use planners will have no impact on ABAG's effective land use authority. *Commissioner Scott Haggerty said he felt that Alameda County would not want to pay its 180K/year in dues if ABAG loses its planning staff and direct authority over housing and land use policy.*
7. Provide a realistic timeline for transitioning ABAG planners to MTC if the decision is made to proceed with this proposal.
8. Look into hiring an experienced third party management consultant to look at combining the two planning departments under one agency and at merger options.
9. Recommend the best means to communicate with ABAG employees about this.
10. Schedule a field trip to observe how other Metropolitan Planning Organizations around the State handle land use and transportation planning.

In addition, a number of MTC commissioners expressed their concerns that a decision of this magnitude:

- a. should not be rushed
- b. needs greater outreach/discussion with local jurisdictions and key stakeholders
- c. needs milestones/deadlines to insure progress toward improvement and change
- d. should not hurt or disadvantage any current ABAG employees or retirees
- e. should reflect the fact that process does matter and is a critical component of any successful plan or planning effort
- f. should reflect a "bottoms up" approach for regional land use planning that achieves a strong "buy-in" or consensus from local jurisdictions.

Finally, a number of Commissioners, including Chair Cortese, appeared to be open to voting at the October MTC meeting to extend ABAG's budget through the full fiscal year (ending June 30, 2016) to alleviate the anxiety of ABAG staff and to provide sufficient time to thoughtfully examine the current MTC proposal and merger alternatives.

The Commission intends to take action at its next meeting on **Wednesday, October 28<sup>th</sup> at 9:30AM at the MetroCenter Auditorium, 101 Eighth Street, Oakland**. We will keep you posted of any significant developments and agenda items. For additional information (memos, letters, media coverage) related to this issue, please visit the ABAG website at [http://abag.ca.gov/media/2015\\_merger/](http://abag.ca.gov/media/2015_merger/).