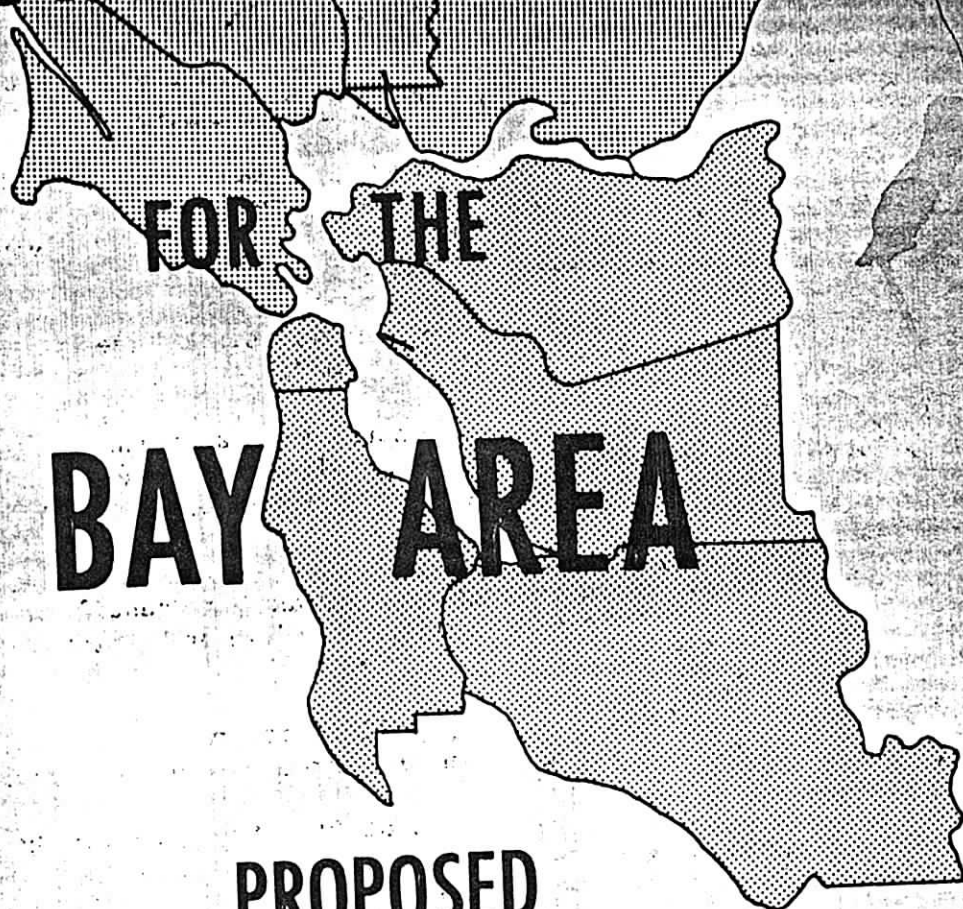


Section 13 (b)

Regional Planning for the Bay Area

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REGIONAL PLANNING



FOR THE BAY AREA

PROPOSED

REGIONAL PLANNING DISTRICT LEGISLATION

BAY AREA FEDERATION OF PLANNING COUNCILS

February 1, 1960

SIX YEARS OF COOPERATIVE WORK TOWARD REGIONAL PLANNING:

By the Planning Commissioners in the City and Counties of the Bay Area


- January, 1952 Conference of Planning Commissioners; formation of the "Bay Area Planning Commissioners Study Committee" to define scope and recommend type of agency to effectively perform regional planning.
- February, 1954 Publication of Study Committee's first report Regional Planning Needs of the San Francisco Bay Area.
- November, 1956 Publication of Study Committee's second report A Regional Planning Agency for the San Francisco Bay Area.
- January, 1957 Introduction of Regional Planning Bill in State Legislature (AB 1647). Support received from Planning Commissions, City Councils, or Boards of Supervisors from 26 cities and 4 counties.
- June, 1957 State Legislature approved state-wide enabling legislation for regional planning modeled after Bay Area bill.
- June, 1957 -
January, 1959 Planning Commissioners, with assistance from other groups, decide that the original proposal, (amended in several respects), is the best approach to regional planning in the Bay Area.
- February, 1959 Bay Area Federation of Planning Councils is organized to "promote effective regional planning for the nine-county Bay Area."
- May, 1959 Regional Planning bill again introduced in State Legislature (AB 2845) and referred to Interim Committee for study.
- July, 1959 Bay Area Federation of Planning Councils agrees to expand its educational activities with a view toward seeking Legislative approval in the 1961 Session.
- February, 1960 Regional Planning for the Bay Area published by the Federation and distributed throughout the nine counties for study and action.

REGIONAL PLANNING FOR THE BAY AREA

Proposed Regional Planning District Legislation

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BAY AREA FEDERATION OF PLANNING COUNCILS: An organization of city and county planning commissioners organized by the East Bay Metropolitan Planning Council, the Tri-County Planning Council, and the Marin County Planning Council.



BAY AREA FEDERATION OF PLANNING COUNCILS

215 City Hall, Berkeley 4, California

February 1, 1960

To the Members of All Bay Area
City and County Planning Commissions

To the Members of All City Councils
and Boards of Supervisors in the Bay Area

To Interested Citizens and Civic Groups:

For more than six years, the Planning Commissioners of the Bay Area have been working together toward creation of an effective Regional Planning Agency. One year ago, the Bay Area Federation of Planning Councils was organized to continue the efforts of its predecessor groups. In April, of 1959, the Federation sponsored a conference on regional planning and the assembled Planning Commissioners agreed to renew support for the type of Regional Planning District originally introduced in 1957.

Our study of the 1957 legislation has resulted in several modifications, all of which are based upon suggestions made by local cities and counties. The amended Legislation is available for general study for the first time in this present report.

We wish to express our appreciation for the continued assistance of the Bay Area Planning Directors Committee and its Regional Planning Subcommittee. We also wish to express our gratitude to the City of Berkeley for their support in printing this booklet. Finally, we wish to thank the many city and county officials who have taken the time to provide constructive criticism that resulted in a better proposal.

It is our hope that each Planning Commission, legislative body, and State Legislator in the nine County Bay Area will study this report carefully. After consideration, it is our further hope that you will support efforts that will be made toward creation of a Regional Planning District for the San Francisco Bay Area in the 1961 Legislative Session.

Sincerely yours,

BAY AREA FEDERATION OF PLANNING COUNCILS



Michael Goodman, Chairman

A FEDERATION OF PLANNING COMMISSIONS ORGANIZED BY

TRI-COUNTY PLANNING COUNCIL

MARIN COUNTY PLANNING COUNCIL

SAN FRANCISCO METROPOLITAN PLANNING COUNCIL

SUMMARY OF THE PROPOSED SAN FRANCISCO REGIONAL PLANNING DISTRICT LEGISLATION

Prepared by the Regional Planning Subcommittee of the Bay Area Planning Directors Committee for the Bay Area Federation of Planning Councils.

Background

1. LOCAL GOVERNMENTS CONTROL PHYSICAL DEVELOPMENT: A strong tradition of local planning now exists in the Bay Area. City and county governments know what the physical planning job is and are determined to do it well.

2. THE NEED FOR REGIONAL PLANNING IS NOW WIDELY RECOGNIZED: City, County, and State officials, civic and private groups, and -- most important of all -- Bay Area citizens in general, recognize the need for some kind of regional planning program to augment the local planning programs of city and county governments. The people of the Bay Area want a new attempt to be made to establish an effective regional planning agency.

3. FAILURE OF EARLIER EFFORTS UNDERSTOOD: Since 1900 we have witnessed five failures in efforts to establish regional planning. Proposals by private groups and the state government have been unsuccessful. The next attempt should be made by city and county governments working together.

4. PROPOSAL MUST STRENGTHEN CITY AND COUNTY GOVERNMENTS: Any proposed regional planning agency must be controlled by the people of the Bay Area through their city and county legislative bodies. Regional planning must respect local master plans. The agency must be advisory.

5. SUCCESS DEPENDS ON LOCAL INITIATIVE AND UNDERSTANDING: The present proposal assumes that it is unlikely that the State Legislature will act unless the city and county legislative bodies are in agreement on what should be done. Local understanding and support for the proposal must come first.

by 10/11/64

Duties of the Proposed Regional Planning Board

1. REGIONAL PLAN: The Board would prepare, adopt, and maintain a regional plan for the physical development of the Bay Area based upon the master plans of the city and county governments of the Area and upon studies of region-wide needs. The regional plan would provide a framework intended to serve as a guide for local plans and planning programs and for state and federal agencies and special districts. It would be advisory only.

2. REGIONAL STUDIES: The Board would make regional population, economic, traffic, and other studies for regional planning purposes and for the purpose of assisting and strengthening city and county planning programs.

3. REGIONAL COOPERATION: The Board would promote and encourage understanding of the need for regional cooperation and would join with city, county, regional, state and federal agencies, and with private groups, in the development of effective procedures for dealing with regional development problems that are of concern to all.

Organization of the Regional Planning Board

1. GOVERNING BOARD: The Board would consist of 34 members, including 26 city councilmen and county supervisors and 8 citizens-at-large.

2. STAFF AND FINANCING: The proposal calls for the establishment of a regional planning district that would be able to raise its own funds for necessary professional staff services, similar to the provisions of the 1955 Bay Area Pollution Control Act and the 1957 Bay Area Rapid Transit District Act.

3. OFFICIAL REPRESENTATIVES AND TECHNICAL COMMITTEES: Each city and county planning commission, state and federal agency, special district, and private and civic group interested in regional development activities would designate an official representative who would be kept fully informed of all Board activities and who would act as the official spokesman for his group. The Board would also appoint special Technical Advisory Committees as needed.

Advisory Nature of Regional Planning Board

1. VOLUNTARY REFERRAL: The proposal assumes that most city and county governments, state agencies, and a large majority of other public and private groups actively concerned with regional development matters will, after the Board has prepared and published the regional plan, voluntarily seek the views of the Board on projects of region wide importance. The proposal is based on the belief that the Regional Planning Board will provide leadership in the public discussion of regional development problems, and that the logic of the proposed solutions to such problems as expressed in the regional plan will have great influence.

2. CONTINUING REAPPRAISAL OF THE REGIONAL PLANNING FUNCTION: The proposal requires the Board to review the effectiveness of its work periodically, and to make recommendations for improvements in its organization to city and county governments and the State Legislature.

Scope of Proposal

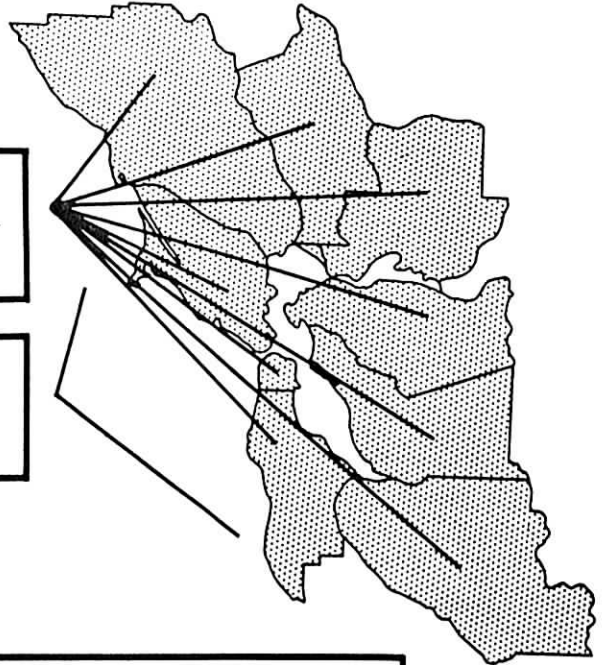
1. LOCAL PLANS AND REGIONAL NEEDS: The present proposal calls for attention to be focused on the over-all needs of the region that are not provided

for by local plans so that such region-wide needs can be studied and provided for in the regional plan. It also calls for the maximum possible recognition of city and county master plans in the formation of the plan for the larger region. It must be recognized that to do such a complex task well will take time, and that the local and regional adjustments that inevitably will have to be made will require cooperation and leadership of a high order.

2. REGIONAL PLANNING AND RELATED METROPOLITAN DISTRICTS: The proposal is based on the assumption that existing and proposed Bay Area metropolitan-wide districts, such as those now dealing with air pollution and rapid transit, and those proposed for regional bridges and regional parks, should be effectively related to one another. The proposed regional planning district legislation does this. It incorporates the basic ideas in the air pollution and rapid transit laws which call for the city councils and county boards of supervisors in the Bay Area to be responsible for selecting the members of the policy-making governing board of the proposed Bay Area Regional Planning District.

*transportation
Billings*

ORGANIZATION CHART OF THE PROPOSED AGENCY

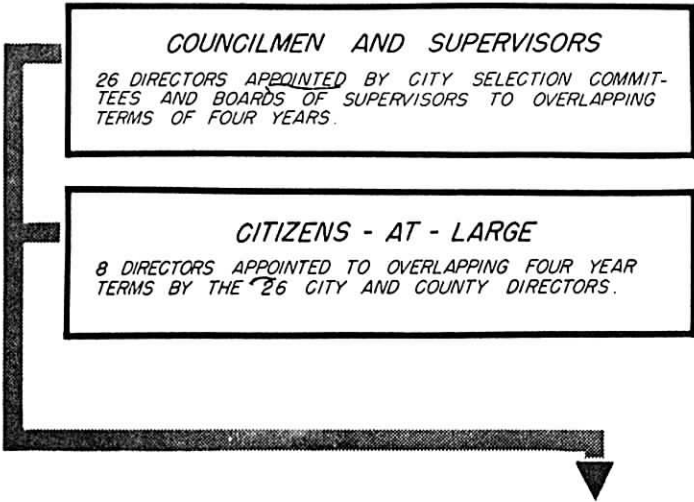


COUNCILMEN AND SUPERVISORS

26 DIRECTORS APPOINTED BY CITY SELECTION COMMITTEES AND BOARDS OF SUPERVISORS TO OVERLAPPING TERMS OF FOUR YEARS.

CITIZENS - AT - LARGE

8 DIRECTORS APPOINTED TO OVERLAPPING FOUR YEAR TERMS BY THE 26 CITY AND COUNTY DIRECTORS.



REGIONAL PLANNING BOARD

PREPARE THE REGIONAL PLAN

TO PREPARE, ADOPT, MAINTAIN AND REGULARLY REVIEW AND REVISE A COMPREHENSIVE, LONG-RANGE, GENERAL PLAN FOR THE PHYSICAL DEVELOPMENT OF THE REGION.

PREPARE REGIONAL STUDIES

TO MAKE REGIONAL STUDIES AND INVESTIGATIONS OF THE RESOURCES AND PROBLEMS OF THE DISTRICT AS RELATED TO ITS PHYSICAL GROWTH AND DEVELOPMENT.

TRANSMIT AND EXPLAIN REGIONAL PLAN AND STUDIES

TO PUBLISH, TRANSMIT AND EXPLAIN THE REGIONAL PLAN AND RELATED STUDIES TO ALL GROUPS AND AGENCIES INVOLVED IN OR INTERESTED IN REGIONAL PLANNING.

ENCOURAGE UNDERSTANDING AND COOPERATION

TO ENCOURAGE AND PROMOTE REGIONAL UNDERSTANDING AND COOPERATIVE SOLUTIONS OF COMMON REGIONAL PROBLEMS

.....

EXECUTIVE COMMITTEE

FUNCTIONS

REGIONAL PLANNING DIRECTOR
...
STAFF

TECHNICAL ADVISORY COMMITTEES

APPOINTED FROM TIME-TO-TIME BY THE BOARD

INTERESTED AGENCIES

INCLUDES AN OFFICIAL REPRESENTATIVE TO THE BOARD FROM THE FOLLOWING: ALL PLANNING COMMISSIONS, APPROPRIATE STATE AGENCIES, SPECIAL AND SCHOOL DISTRICTS, REDEVELOPMENT AND HOUSING AUTHORITIES, MILITARY AND FEDERAL AGENCIES, PUBLIC AND PRIVATE CIVIC GROUPS AS DESIGNATED BY THE BOARD, ETC.



SAN FRANCISCO BAY AREA REGIONAL PLANNING DISTRICT

Article 1. Short Title

Sec. 1. This chapter may be cited and shall be known as the San Francisco Bay Area Regional Planning Law.

Article 2. Declaration of Policy

Sec. 2. The Legislature finds and declares that the people of California have a fundamental interest in the orderly development of the metropolitan regions of the State in which large segments of the State's population are concentrated.

Sec. 3. The Legislature further finds and declares:

(a) That the State has a positive interest in the preparation and maintenance of a long-term, general plan for the physical development of each of the State's metropolitan areas that can serve as a guide to State departments and divisions that are charged with constructing State-financed public works within such metropolitan areas.

(b) That continuing growth of the State, and particularly, metropolitan areas within the State, present problems which are not confined to the boundaries of any single county or city.

(c) That the planning activities of counties and cities can be strengthened and more effectively performed when conducted in relation to studies and planning of a metropolitan regional character.

(d) That the San Francisco Bay Area, by reason of its numerous governmental jurisdictions, its irregular topography, and its location around a large body of water, presents special regional problems of physical development which can best be dealt with by a regional planning agency suited to that area rather than an agency created under general law.

(e) That the Counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano and Sonoma together form a metropolitan region well-adapted to unified consideration as a regional planning area.

(f) That in order to assure, insofar as possible, the orderly and harmonious development of the Bay Area, and to provide for the needs of future generations, it is necessary for the people of the metropolitan Bay Area community to develop a means of studying, forecasting, and planning for the physical growth and development of the nine-county region, which purpose may be best achieved by the establishment of a regional planning agency for the San Francisco Bay Area.

Article 3. Definitions

Sec. 4. "District" as used in this chapter, means the San Francisco Bay Area Regional Planning District.

Sec. 5. "Board" as used in this chapter, means the San Francisco Bay Area Regional Planning Board.

Sec. 6. "Official Census" as used in this chapter, means any decennial census, special census, or other census executed by or under the supervision of the United States Bureau of the Census, or any succeeding federal agency performing its functions.

Sec. 7. "Region" as used in this chapter, means the area included in the Counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano and Sonoma.

Sec. 8. "Regional Plan" as used in this chapter, means a comprehensive, long-term general plan for the physical development of the region, and any land outside its boundaries which in the board's judgment bears relation to its planning. The regional plan shall consist of a text and a map or maps; and shall include at least the following sections:

(a) A concise statement of the principal findings of fact concerning the region, and a concise statement of the major problems and potentialities of the region;

(b) A statement of the major objectives, principles and standards expressed in the plan, and a summary of major proposals;

(c) Recommendations for the most desirable general arrangements of land use within the region, considered in respect to: trends in economic and population growth and development; the activities carried on within the region; the interrelationship between various activities; the habits, traditions, and living standards of the people within the region; the governments of the region; conditions of geology, topography, climate, bodies of water, and other relevant natural or environmental factors; the aesthetic characteristics, both naturally-existing and man-created, which affect the physical attractiveness and beauty of the region as a whole; and any other studies that may appear relevant to the board.

(d) The transportation system recommended for the region, including major routes and stations of transit; streets and highways (including bridges) of metropolitan importance; parking, trucking routes and terminals, ports, air terminals, and railroad lines and stations of metropolitan importance; and other facilities for the transportation of people and goods of metropolitan importance or regional concern.

(e) Recommendations concerning the need for and proposed general location of metropolitan facilities and reservations which by the nature of their function, size, extent, or for any other causes appear to the regional planning board to be appropriate subjects for inclusion in the regional plan.

(f) Recommendations concerning the space resources of the region, that is, those major areas which, in the opinion of the regional planning board, should be carefully conserved, or which are so especially suited to some particular use as to render it contrary to the best interests of the metropolitan community that they be developed for any other use. Such areas may include, without limiting the generality of the foregoing: areas especially suited for industrial purposes; areas especially suited for recreational purposes; areas especially suited for agricultural purposes; areas especially suited for any combinations of the purposes above-listed; and areas best left in an undeveloped or relatively undeveloped state.

(g) Such other recommendations of the regional planning board concerning current or future problems as may in its opinion affect the region as a whole and are proper for inclusion in the regional plan.

Article 4. Creation of District

Sec. 9. A regional planning district is hereby created comprising the area lying within the boundaries of the Counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma, which shall be called the San Francisco Bay Area Regional Planning District.

Sec. 10. The district is a body corporate and politic and a public agency of the State.

Sec. 11. On the effective date of this chapter, the district shall begin to transact business and exercise its powers under this chapter.

Article 5. City Selection Committees

Sec. 12. There shall be a separate and distinct city selection committee for each county or portion of a county in the district. The membership of such committees shall consist of the mayor of each city within such county or portion of a county within the district, or, where there is no mayor, the chairman or president of the city council.

Sec. 13. A majority of the members of each city selection committee shall constitute a quorum.

Sec. 14. The City and County of San Francisco is both a city and a county for the purpose of this article.

Sec. 15. The city selection committee of each county or portion of a county shall meet on October __, 19__, at 10:00 a.m. in the chambers of the board of supervisors of such county for the purpose of making the first appointment to the district board as prescribed in Section 21. The committee of each county shall thereafter meet at 10:00 a.m. in the chambers of the board of supervisors of such county on the second Monday in May of each year that it is necessary to make succeeding appointments to the district board. At least two weeks prior to the date of each meeting the county clerk of each county shall give notice of such meeting to each member of the city selection committee of such county. The meeting of the city selection committee of each county shall be conducted in the presence of the county clerk of such county who shall act as the recording officer for the meeting. It shall be the duty of the county clerk to give an appropriate notice signed by the chairman of the committee to the Secretary of State and to the secretary of the district board of each appointment made by the city selection committee as prescribed by Section 25.

Sec. 16. Each Committee shall appoint a chairman from among its members and such other officers as may be necessary.

Sec. 17. Members of the committees shall serve without compensation, but may be allowed actual expenses incurred in the discharge of their duties as may be authorized by the board of directors.

Article 6. Governing Body

Sec. 18. The San Francisco Bay Area Regional Planning Board shall be the governing body of the district, and shall be selected as provided in this article.

Sec. 19. The number of members of the board to which each county or portion of a county is entitled shall be determined as follows:

(a) Each county or portion of a county having, within the district, a population of 350,000 or less shall have two (2) members of the Regional Planning Board, one (1) appointed by the board of supervisors of the county and one (1) appointed by the city selection committee of the county.

(b) Each county or portion of a county having, within the district, a population of more than 350,000 and not more than 600,000 shall have three (3) members of the Regional Planning Board. Two members shall be appointed by the board of supervisors from its own members and one member shall be appointed by the city selection committee from the members of the city councils in the county.

(c) Each county or portion of a county having, within the district, a population of more than 600,000 shall have four (4) members of the Regional Planning Board. Two members shall be appointed by the board of supervisors from its own members and two members shall be appointed by the city selection committee from the members of the city councils in the county.

The population figures as used herein shall be determined by the most recent estimate of population as established by the State Director of Finance.

Sec. 20. On October __, 19__, the board of supervisors of each county, or portion of a county in the district shall appoint as members of the Regional Planning Board of said district the number authorized by Section 19. If the county or a portion of the county is not included within the district on or before October __, 19__, then the board of supervisors of said county shall, within 30 days after the county or portion of said county is included within said district, appoint as members of the Regional Planning Board of said district the number authorized by Section 19.

The members of the Regional Planning Board appointed by boards of supervisors shall be members of said boards of supervisors.

Sec. 21. On October __, 19__, the city selection committee of each county or portion of a county within the district shall appoint as members of the Regional Planning Board of said district the number authorized by Section 19. If the county or a portion of the county is not included within the district on or before October __, 19__, then the city selection committee of said county or portion of a county shall, within 30 days after the said county or portion of a county is included within said district, appoint as members of the Regional Planning Board of said district the number authorized by Section 19.

The members of the Regional Planning Board appointed by the city selection committee shall be mayors or members of the city councils of the cities.

Sec. 22. After the members of the Regional Planning Board to be appointed by the city selection committees and the county boards of supervisors have been designated, they shall meet and appoint eight citizen-at-large members who will be full members of the Regional Planning Board. These eight citizen-at-large members shall be selected from among persons living within the district who have made outstanding contributions to, or have demonstrated an active interest in, matters of regional concern.

The first meeting of the city and county members will be called by the Secretary of State in the manner specified in Section 28. At the first meeting these members shall elect an acting chairman and an acting secretary and shall work out a procedure to be followed in developing a panel of candidates for and in making appointments to the eight positions of the citizen-at-large members. No other business shall be transacted until the eight citizen-at-large members of the Board have been appointed and have assumed office.

Sec. 23. Each member of the first Regional Planning Board shall hold office until June 1, 19__, and thereafter the term of office of the member shall be four (4) years and until the appointment and qualification of his

successor; provided that the members of the board appointed for the term beginning June 1, 19__ , shall classify themselves by lot within the city and county group and the citizen-at-large group so that approximately one-third (1/3) of the members of each group shall hold office for two (2) years, approximately one-third (1/3) shall hold office for three (3) years and approximately one third (1/3) shall hold office for four (4) years. The power which originally appointed a member whose term has expired shall appoint his successor for a full term of four (4) years. Any member may be removed for cause by the power appointing him if notice is given and a hearing is held.

Sec. 24. No supervisor, mayor or city councilman shall hold office on the Regional Planning Board for a period of more than three months after ceasing to hold the office of supervisor, mayor or city councilman, respectively, and his membership on the board shall thereafter be considered vacant, except that any mayor who continues to hold office as a city councilman, or city councilman who continues to hold office as mayor shall not be considered to have ceased to hold office under this section.

Sec. 25. Each member of the Regional Planning Board appointed by a board of supervisors shall be appointed by a resolution of that board. Each member of the Regional Planning Board appointed by a city selection committee shall be appointed by a majority vote of the committee evidenced by a notice signed by the chairman of said committee. Each citizen-at-large member of the Regional Planning Board shall be appointed by a majority vote of the city and county members of the Board as evidenced by a notice signed by the acting chairman of said members. Certified copies of all said resolutions and all said notices shall be forwarded without delay to the Secretary of State and to the secretary of the district.

Sec. 26. Any vacancy on the Regional Planning Board shall be filled for the unexpired term by appointment by the power which originally appointed the member whose position has become vacant.

Sec. 27. No person while serving as a member of the Regional Planning Board shall be eligible to be appointed to any salaried office or employment in the service of the district nor shall he become eligible for such appointment within one (1) year after he has ceased to be a member.

Sec. 28. Within thirty (30) days after the Secretary of State has received certified copies of the resolutions and notices appointing the city and county members of the Regional Planning Board he shall call the first meeting of these members of the board and shall designate an appropriate time within said thirty (30) day period for the meeting, which shall be held in any city in the district as designated by the Secretary of State. After the city and county members of the Board have appointed the eight citizens-at-large members in accordance with the provisions set forth in Section 22, and within thirty (30) days after the Secretary of State has received certified copies of the notices of appointment of the citizen-at-large members, he shall call the first

meeting of the full membership of the Regional Planning Board and shall designate an appropriate time within said thirty (30) day period for the meeting, which shall be held in any city in the district as designated by the Secretary of State.

Sec. 29. The board is the governing body of the district and shall exercise all of the powers of the district, except as otherwise provided.

Sec. 30. A majority of the members of the board constitutes a quorum for the transaction of business and may act for the board.

Sec. 31. The board may elect a chairman and other officers as it deems necessary from among its own members.

Sec. 32. The board may appoint an executive committee, consisting of the chairman of the board, and not more than 8 or less than 4 other members of the board, and such executive committee may carry on the administrative and executive functions of the board between full meetings.

Sec. 33. The board shall meet at least ten times in each year, and may call additional meetings at its own discretion, or, during periods between meetings, at the discretion of a majority of the executive committee.

Sec. 34. Each member of the board shall receive the actual and necessary expenses incurred by him in the performance of his duties, plus a compensation of \$50 for each day attending the meetings of the board, but such compensation shall not exceed \$1,000 in any one year.

Sec. 35. The provisions for the executive committee set forth in this Article shall not be construed to limit the board or the executive committee from setting up any other committees or groups which it may see fit.

Article 7. Powers and Duties of District

Sec. 36. The district shall have power:

(a) To have perpetual succession.

(b) To sue and be sued in the name of the district in all actions and proceedings in all courts and tribunals of competent jurisdiction.

(c) To adopt a seal and alter it at its pleasure.

(d) To establish and maintain such offices as are judged best to facilitate the accomplishment of the purposes of the district, and to take by grant, purchase, devise, or gift, or to lease or rent, and to hold, use, and enjoy any real or personal property necessary or convenient to the establishment, maintenance, or operation of such offices, and to exchange or dispose of such property.

Sec. 37. The district shall perform the following four major functions:

(a) Regional Plan: The district shall, as a primary function, prepare, maintain, and regularly review and revise, a regional plan as defined in Sec. 8, and shall, after at least two public hearings in different parts of the region and such other public meetings as may appear to it advisable, adopt such plan as the regional plan for the region, and shall, after at least two public hearings and such other public meetings as may appear to it advisable, adopt revisions of such plan from time to time when in the judgment of the board such revisions are necessary in the light of changing conditions. Such plan shall be based on comprehensive studies of the physical, economic, social and governmental conditions of the entire district and related areas, and shall aim at the coordinated physical development of the region in a manner best designed to promote the general welfare and prosperity of its people. In preparing, adopting, maintaining, reviewing and revising the regional plan, the board shall take account of and seek to harmonize, within the framework of the needs of the metropolitan community as a whole, the master or general plans of cities and counties within the region, and the plans and planning activities of state, federal and other public and private agencies, organizations and instrumentalities within the region and adjacent to it. Before adoption of the regional plan or of any revisions to the plan the board shall refer the proposed plan or proposed revisions to each city and county government for review, and shall allow a reasonable time for the formulation of recommendations by city and county governments on the proposed regional plan and proposed revisions to the plan. In preparing, adopting, maintaining, reviewing and revising the regional plan, the board shall actively seek the cooperation and advice of cities and counties, of state and federal agencies, organizations and instrumentalities, of educational institutions and research organizations, whether public or private, and of civic groups and private persons or organizations.

(b) Regional Studies: The district, acting in its own judgment, shall make, publish, or assist in making or publishing, studies or investigations of the resources of the region and of existing or emerging problems of any nature related to the physical growth and development, living conditions, beauty, or prosperity of the region, or any part thereof.

(c) Publication, Transmission, and Explanation of the Regional Plan and Regional Studies: The district shall publish, transmit and explain the regional plan, regional studies, and any other activities of the board to each of the cities and counties within the district, and similarly shall publish, transmit and explain the regional plan, regional studies and any other activities of the board to all relevant state and federal agencies, organizations and instrumentalities, to educational institutions, to relevant civic and citizen groups of all types, and to private citizens who have evidenced interest in the work of the board. In carrying out this function, the board may hold public hearings, prepare printed and visual materials of all sorts, and use any medium of communication judged to be most appropriate and effective.

(d) Encouragement of Regional Understanding and Cooperation: The district shall promote and encourage the growth and development of regional understanding and cooperation through sponsorship and participation in public or private meetings for the consideration of regional problems, through appropriate publications, or the use of any medium judged to be most appropriate and effective. The district may further, acting in its own judgment, offer its facilities and services to assist in the solution of problems related to physical development involving two or more governing bodies, planning commissions, agencies, organizations or instrumentalities, public or private; and may otherwise participate in any program or activity intended to seek or find common or cooperative solutions to problems related to physical development or the integration of policies related to physical development and conservation within the region, or in any part thereof.

Sec. 38. Continuing Study of the Regional Planning Function: The district shall from time to time study and review, in the light of changing conditions and the evolving needs of the region: (a) the nature and scope of the regional planning function in the San Francisco Bay Area, and (b) the organization under which the regional planning function may be best carried on. The board shall report to the cities and counties within the region, to all relevant state and federal agencies, organizations and instrumentalities, to relevant civic and citizen groups, and to the State Legislature and the appropriate committees thereof, on ways in which such function or organization may be improved, including, without limiting the generality of the foregoing, proposals concerning the structure of this district, cooperation or combination of this district with other governmental agencies in the Bay Area, or other means for the effectuation of the purposes of this chapter.

Sec. 39. The district shall have power to contract or otherwise participate in, and to accept grants, funds, or services from the federal government, its agencies or instrumentalities in connection with any federal program judged by the board to be relevant to its functions; and the board shall similarly have the power to contract or otherwise participate in, and to accept grants, funds, or services from the State, or any agency or instrumentality thereof, or any city, county, civic organization or private person in connection with any program judged by the board to be relevant to its function.

Sec. 40. The district shall have power to contract with any consultant, or to contract for any other types of services judged by the board to be necessary or convenient for carrying out the purposes of the district.

Sec. 41. The district shall have power to do all other acts as may, in the judgment of the board, be necessary or appropriate to carry out the provisions of this chapter and the purposes of the district.

Sec. 42. The board, acting with the advice of the director, shall determine the compensation, number, and general duties of personnel employed by the district.

Sec. 43. The board may contract with any city or county, any State department, or any competent person or agency to conduct competitive examinations for ascertaining the fitness of applicants for employment.

Sec. 44. The board may adopt a merit service system for any or all employees of the district, except that the regional planning director shall be exempt from such system and shall serve at the pleasure of the board, provided however, the director shall have, if he so requests, the right to a public hearing prior to any action for his dismissal.

Sec. 45. The board shall appoint a regional planning director.

Sec. 46. The regional planning director shall be the chief administrative and planning officer and technical advisor of the board. The director shall, subject to the supervision of the board:

(a) Direct and administer the preparation, maintenance, regular review and revision of the regional plan, and administer and execute all of the other functions and duties of the district set forth in this chapter.

(b) Appoint and remove personnel of the district, subject to Article 7.

(c) Serve, or designate personnel to serve, as executive secretary to the board.

(d) Serve, or designate personnel to serve, as secretary to the Official Representatives and Technical Advisory Committees, including reasonable services in respect to the organization, calling of meetings, distribution of reports, and any other activities which such Official Representatives or Technical Advisory Committees, or any subcommittees thereof, may wish to undertake in the furtherance of their own functions.

(e) Have access, or designate personnel to have access, to information, reports and data which relate to the functions and duties of the district in the possession of departments, agencies, or instrumentalities of the State, or in the possession of departments, agencies or instrumentalities of cities or counties within the district.

(f) Enter upon, or designate personnel to enter, at reasonable times, and in such manner as to cause no unnecessary injury, upon any land in order to make examinations and surveys related to the functions of the district.

(g) Perform such other duties and exercise such other powers as the board may delegate to him.

Article 9. Filing of Local Reports

Sec. 47. To facilitate effective and harmonious planning and development of the region, all county and city legislative bodies, and all county,

city, or other planning agencies within the district shall file with the board, for its information, all county or city master or general plans, the elements of such master or general plans, and any other published development plans, zoning ordinances, official maps, subdivision regulations, or amendments or revisions thereof. All agencies, organizations and instrumentalities of the State within the region shall file with the board, for its information, all public plans, maps, reports and other documents which are related to regional planning.

Sec. 48. To facilitate further the effective and harmonious planning of the district, the board may request from the federal government, its agencies and instrumentalities, and from private organizations, agencies, or individuals, copies of those plans, maps, reports and other documents which are related to regional planning.

Sec. 49. Nothing in this article shall be construed to limit the right of the director to access to information as set forth in Sec. 46 (e) of this chapter.

Article 10. Coordination of Research

Sec. 50. The Board may make recommendations to county and city legislative bodies, planning commissions, and all other city or county planning agencies within the district, and to agencies, organizations and instrumentalities of the State and federal government (including the State Legislature and appropriate committees thereof), and private organizations, agencies, or individuals within the district, for the coordination of research and the collection of data, the improvements or standardization of procedures, or any other matter which may be of assistance to regional planning.

Article 11. Referrals

Sec. 51. County or city legislative bodies, planning commissions, and all other county or city planning agencies within the district, and agencies, organizations and instrumentalities of the State and federal government within the district, and private planning consultants acting within the district, may submit proposals for any master or general plan, the elements of any master or general plan, any other plan, map, report, capital improvement program, proposed bond issue, or any other report or document or amendments or revisions thereto, prior to their adoption, to the regional planning board for its advice thereon, which advice the board shall give whenever in its opinion it is reasonably possible for it to do so. Such advice shall consist of a report as to the conformance of such proposals to the regional plan, the possible effect of such proposals on other portions of the region, and any other matters which in the judgment of the board may be of assistance to the body requesting such advice.

Article 12. Annual Report

Sec. 52. In addition to the other reports, studies and documents provided in this chapter, the board shall submit to the legislative bodies and to the planning agencies of all of the counties, cities, and to other governmental agencies and instrumentalities, official representatives, other agencies, organizations and individuals, public or private, designated by the board, an annual report on or before the 1st day of March. The annual report shall contain an evaluation of the major problems and opportunities for desirable development facing the region, a report on the status of the regional plan, and descriptions of those sections of the regional plan which have been amended, revised, added or deleted during the year, and the nature of such amendments, revisions, additions or deletions. The annual report shall also contain summaries of important studies partially or entirely completed by the board during the year, and a brief report of other major activities.

Article 13. Official Representatives

Sec. 53. Each of the following agencies, organizations and individuals may designate, from among its own members, one person to be accredited as the official representative of that agency in matters concerning regional planning:

(a) Planning Commissions:

Each county and city planning commission within the district.

(b) Redevelopment and Housing Authorities:

Each redevelopment and housing authority or agency within the district.

(c) State:

Any agencies, instrumentalities, or departments which may be designated by governor.

(d) Special Districts:

Any district or authority, exclusive of school districts, within the district which has annual revenues of \$1,000,000 or more, whose facilities are directly used by 150,000 or more persons per year, or which includes territory in more than one county.

(e) School Districts:

One official representative from each county within the district as may be designated by the County Superintendent of Schools.

(f) Federal:

Any agencies, instrumentalities or departments, not exceeding 15, which may be designated by the President of the United States.

(g) Other:

Other public or private agencies and organizations as the board may from time to time designate.

Sec. 54. The director shall invite each of such agencies, organizations and individuals to select an official representative, and shall accredit the official representatives chosen.

Sec. 55. Each official representative shall receive a copy of each report issued by the district, a notice of meeting, agenda, and minutes of meeting of every meeting of the board, and any other information or material which the board may wish to issue.

Sec. 56. Each official representative shall have, upon the giving of reasonable notice, and subject to reasonable regulation by the board, the right to request the addition of any matter to the agenda of any regular board meeting, and to present the views of those represented at that time. In addition, any official representative may submit written reports of the views of those represented at any time, which reports shall be filed as part of the official records of the district.

Sec. 57. Official representatives shall serve at the discretion of the agency, organization or individual designating them, and the director shall remove accreditation, and give new accreditation upon the written request of such agency, organization or individual.

Article 14. Technical Advisory Committees

Sec. 58. The board may appoint, with the advice of the director, from time to time, technical advisory committees of skilled and experienced persons to study various aspects of matters related to the functions and duties of the district and to report to the board.

Sec. 59. Technical advisory committees shall, in each case, be selected to include broadly representative points-of-view as well as skill and experience in those fields in which they are requested to make studies.

Article 15. Financial Provisions

Sec. 60. Pursuant to concurrent resolution adopted by the boards of supervisors of the several counties in which the Bay Area Regional Planning

District functions, such counties may lend to the district out of available funds an amount not to exceed seventy-five thousand dollars (\$75,000) in order to enable the district to perform its functions and meet its obligations. The loan shall be repaid out of the first tax revenue of the district and shall be repaid out of such revenue prior to the payment of any other obligations of the district.

Sec. 61. The district may borrow money and incur indebtedness in anticipation of the revenue for the current year in which the indebtedness is incurred or of the ensuing year. Such indebtedness shall not exceed the total amount of the estimate of the tax income for either the current year or the ensuing year.

Sec. 62. Before the fifteenth day of June of each year the board shall estimate and determine the amount of money required by the district for purposes of the district during the ensuing fiscal year and shall apportion this amount to the counties included within the district, one-half according to the relative value of all the property in each county within the district as determined by the board and one-half in the proportion that the population of each county bears to the total population of the district. For the purposes of this section the board shall base its determination of the population of the several counties on the latest official census information available to it. The total amount of money required by the district for district purposes during any one fiscal year shall not exceed five mills (\$.005) on each one hundred dollars (\$100) of the assessed valuation of all the property included in the district.

Sec. 63. On or before the fifteenth day of June of each year, the board shall inform the boards of supervisors of each county of the amount apportioned to the county. Each board of supervisors shall levy an ad valorem tax on the taxable property within the county included within the district sufficient to secure the amount so apportioned to it and such taxes shall be levied and collected together with, and not separately from, the taxes for county purposes and paid to the treasurer of each of the counties to the credit of the district.

Sec. 64. Taxes levied by the board of supervisors for the benefit of the district shall be a lien upon all property within such county lying within the district and shall have the same force and effect as other liens for taxes. Their collection may be enforced in the same manner as liens for county taxes are enforced. *legislated*

Sec. 65. The treasurers of the several counties within the district shall pay into the district treasury all funds held by them to the credit of the district.

Sec. 66. The district board shall, in carrying out the provisions of this article, comply as nearly as possible with the provisions of Chapter 1 of Division 3 or Title 3 of the Government Code.

Article 16. Saving Provision

Sec. 67. The failure of any legislative body, commission, agency, organization, instrumentality, individual, or official representative to receive any agenda, notice of meeting, minutes, report, or document or material of any sort provided for in this chapter shall not affect the validity nor impair the lawful effect of any action or activity of the district.

Article 17. Dissolution

Sec. 68. The State of California reserves the right to dissolve, combine, alter, modify or amend in any manner the organization and powers of the district established in this chapter, including, without limiting the generality of the foregoing, the association, combination or integration of such district with any other district, agency, body or instrumentality within the region in a manner which in the judgment of the Legislature may appear best to carry out the purposes of this chapter.

ORGANIZE NOW TO OPPOSE METROPOLITAN GOVERNMENT

POLITICAL PARTIES TO BE ABOLISHED

Section 2.03 of the Dade County Metro Charter states: "All elections for the Board shall be non-partisan and no ballot shall show the party designation of any candidate." This sentence makes it possible for a Communist to be elected as a Commissioner. At the same time it, for all intents and purposes, abolishes political parties.

THE ALL-POWERFUL "METRO" MANAGER

The Metro promoters, when "selling" a community on the idea of Metro, attempt to delude the voters into thinking that these elected Commissioners will have administrative powers.

Actually, Section 3.05 of the Metro Charter clearly states that the power of the Commissioners is limited to "purpose of inquiry" only and that the Board and its members shall deal with the administrative service solely through the Manager." Thus it is seen that the voters' elected representatives are mere "scenery" on the stage of this drama of despotic power with all control and power in the hands of the METRO MANAGER.

THE DICTATORIAL METRO MANAGER NEED NOT BE A RESIDENT

Section 3.02 of the Metro Charter for Dade County states: "At the time of his appointment he need not be a resident of the State." This method of "importing" outsiders to run a local community also applies to other appointees who replace previously elected officials.

WHAT CAN BE DONE TO PROTECT A COMMUNITY AGAINST "METRO"

If the "Metro Plan" has not as yet fastened its tyrannical tentacles on your community, you can be sure that the "advance men" for "Metro" will soon be visiting your city trying to "sell" the voters on this dangerous and deceitful scheme.

WHAT YOU CAN DO

- (1) WATCH FOR THE SLOGANS OF THE "METRO PLAN" PROMOTERS.

The favorite catch-phrases used by the Metro Planners are:

"Home Rule" - But METRO is not home rule!
"Tax Reduction" - But METRO actually increases taxes!

"More Public Benefits" - But financed by increased taxes!

"Greater Efficiency" - A prison is efficient because all power is concentrated in the hands of the Warden.

"Eliminate Duplication of Services" - Government is consolidated and elective jobs are abolished.

- (2) HELP SPREAD THE WORD OF THE DANGERS OF "METRO".

Don't let what has happened to Dade County, Florida, happen to your community . . . Spread the word in your area of the need for voters to reject any METRO PLAN to take over and destroy your local self-government.

- (3) BUY COPIES OF THIS PAMPHLET FOR YOUR DISTRIBUTION.

Buy as many copies of this pamphlet (TAX FAX No. 13) as you possibly can and distribute to your friends and neighbors; urge your club or organization to also purchase large quantities to distribute to their members.

- (4) ALERT THE POLITICIANS IN YOUR AREA.

Send copies of this pamphlet to all ELECTED politicians in your city, county and state. Alert elected officials to the fact that METRO abolishes almost all elective positions, replacing them with imported "appointees". When local political leaders realize that "METRO" is a SOCIALIST SCHEME to abolish their jobs, they will UNITE WITH CONSERVATIVES TO OPPOSE "METRO" AND PRESERVE LOCAL SELF-GOVERNMENT.

* * * REMEMBER, IN THOSE AREAS WHERE THE CITIZENS WERE ALERTED, "METRO" WAS DEFEATED!! * * *

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## HAS THE METRO PLAN TAKEN OVER YOUR CITY?

## ELECTIVE JOBS TO BE ABOLISHED!

### WHAT IS "METRO"?

From border to border, from the Atlantic to the Pacific, a grant project is underway to (a) deprive American citizens of the right of local self-government and (b) to destroy the Constitutionally-guaranteed rights of the individual States by merging parts of several States into one urban region to be governed by an appointed Manager. This SOCIALIST SCHEME is called METROPOLITAN GOVERNMENT . . . or "METRO" for short. "METRO" government is centralized government of a large urban area.

To Hudsonman writing in AMERICAN MERCURY magazine states: "Merging is the basic pattern of Metro: governmental merging of (1) City-County (that may result in abolishment of the political identities of cities) (2) County-Regional (obliterating county lines) (3) Regional-State (flusing the States . . . )"

"There is no single pattern of Metro: its policies and program goal and methods appear in a variety of forms, usually piecemeal . . . Miami-Dade County is an example of 'Metro' Step No. 1 (City-County, as completed). Southeast Michigan represents No. 2 (County-Regional, in formation). Northeast Illinois represents No. 3 (Regional-State, where the States of Wisconsin, Indiana and Illinois are implicated.)"

### WHAT IS THE "BAIT"?

The "bait" offered by the promoters of Metropolitan Government is that the greatly increasing population of the United States is demanding more and more services such as paving and maintenance of roads, sewerage disposal facilities, more parks and playgrounds, etc., and that these "benefits" can be provided only if a "METRO" Plan of Government is installed. "METRO" then merges surrounding areas into one centralized region controlled by an appointed Manager, who is an "expert" in such matters.

### THE MISLEADING CLAIMS OF THE "METRO" PROMOTERS

The "METRO" Plan promoters say that "METRO" is "home rule." But METRO is not "home rule". It is the opposite of home rule. METRO concentrates the power of government in the hands of all-POWERFUL APPOINTED OFFICIALS rather than ELECTED OFFICIALS.

"METRO" advocates are now urging local communities to adopt the "METRO" Plan because it is "efficient", will "do away with political corruption and graft", and finally, "will lower taxes because of its efficient methods".

### "METRO" DOES NOT REDUCE TAXES

The Socialist Planners who are promoting "METRO" attempt to deliberately mislead the American public by stating that "METRO" will reduce taxes, but this is not true! The "METRO Plan" increases taxes! A study made in Evanston, Ill., which is governed by an appointed manager under the "Metro Plan", showed that the municipal tax rate in Evanston is more than double the average rate for mayor-run towns in Cook County!

### THE IMPORTED SOCIALIST "EXPERTS" TAKE OVER

Because this "Metro Plan" is a PART OF AN OVER-ALL PLAN BY THE SOCIALISTS TO CONTROL THE ENTIRE NATION, the appointed manager who puts "Metro" into operation in a locality is usually not a local citizen. These city managers, for the most part, have been trained by "Metro Headquarters" (1313 East 60th St., Chicago) in "social engineering and 'city planning'". To be city manager of any city is merely an assignment for these "experts". (For instance, the appointed "Metro" manager of Dade County, previously was city manager of San Diego!)

### LOCAL SPENDING INCREASES

The claim that these imported city managers will "reduce taxes" is false. Discussing this point THE DAN SMOOT REPORT states: "The main reason why city managers do not save citi-

zens money is that the managers, having become a specialized occupational group, need big-spending records for themselves so that they can move on to bigger salaries in bigger cities. If he can show that in five years he quadrupled a city's budget for 'services', he proves himself an aggressive and effective manager."

### HERE IS HOW THE "METRO" PLAN OPERATES IN DADE COUNTY

Below is an analysis of some of the dangerous aspects of the Metro Charter for Dade County, Florida.

The "METRO" government of Dade County, Fla., is composed of an elected Board of County Commissioners.

This Board of Commissioners then appoints a County Manager who is then in complete control of the administrative branch of the "METRO" government.

Besides the usual powers exercised by a city government, the "METRO" Charter contains some alarming additional powers such as:

### POWER TO ESTABLISH A "METRO" COURT

The Metro Charter provides for the establishment of a Metropolitan Court to be staffed by appointed, not elected, judges. The establishment of this Metropolitan Court places in jeopardy the Constitutional rights of all the citizens. For example, the Dade County Metro Charter provides that "arrests, complaints, prosecutions and convictions shall be instituted and processed in a manner provided by the rule of the Court." This is completely unconstitutional because the Fifth Amendment to the Constitution of the United States (other parts of the Bill of Rights adding thereto) provides the manner in which all Courts in the United States shall operate in order that the rights of the citizens are protected.

Another unconstitutional aspect of this

Metro Court in Dade County, Fla., is that in listing punishment for violation of any Metro ordinance, if the fine exceeds \$500 or imprisonment in the county jail for more than 60 days, then, and only then, is a citizen of Dade County entitled to a trial by jury! This is a direct violation of the 6th and 7th Amendments to the U. S. Constitution which preserve the right of trial by jury to all citizens.

### POWER TO CONTROL BUSINESS FRANCHISES

Section 8.05 affects business firms. It states: "All lawful franchises, contracts and licenses in force on the effective date of this Charter shall continue in effect until terminated or modified in accordance with their terms or in the manner provided by law or this Charter."

Insofar as the Metro-created Metropolitan Court will "decide" the "law", one can see what a club this can be over the heads of local businessmen.

### POWER TO ABOLISH LOCAL ELECTIVE OFFICES

Section 1.01 of Article 1 gives the "METRO" Charter the power to: "By ordinance, abolish or consolidate the offices of Sheriff, Constables, or any county office created by the Legislature . . ." (with the exception of Superintendent of Public Instruction and Circuit Court or any other court provided by the Constitution.)

Under Article 8.01 the following offices are abolished and the powers and functions of such offices transferred to the appointed Manager: County Assessor of Taxes, County Tax Collector, County Surveyor, County Purchasing Agent, and County Supervisor of Registration. And then, just to be sure that they haven't overlooked abolishing some other elective offices, the Metro Charter states: "In the event that other elective offices are abolished by the Board, the Board shall . . ."

(Continued on other side)