

Rise and Report (Items Released from Closed Meeting)

On December 11, 2015, the following recommendations were authorized by the Greater Vancouver Regional District Board of Directors to be released to the public:

Transportation Governance

That the GVRD Board:

- a) receive for information the “Draft Position Paper on Changes to TransLink Governance Within Existing Legislation”, dated November 16, 2015; and*
- b) direct Metro Vancouver staff to work with TransLink staff and Mayors’ Council staff on how to establish regular joint planning sessions between Mayors’ Council and TransLink Board.*

In order to strengthen the linkages between regional transportation and regional land use planning, that the GVRD Board recommend to the Minister of Community, Sport and Cultural Development changes to the South Coast British Columbia Transportation Authority Act that would:

- a) assign sole responsibility for all policy decisions, including those required in the development of strategies, transportation plans, investment plans, annual budgets and funding sources, to the Mayors’ Council; and*
- b) be pursued beginning the first quarter of 2016.*

That the GVRD Board is opposed to the creation of any joint planning committees that report to the TransLink Board of Directors.

Attachments:

1. Media Release and Backgrounder
2. Draft Position Paper on Changes to TransLink Governance Within Existing Legislation, dated November 16, 2015

December 15, 2015

**METRO VANCOUVER BOARD RECOMMENDS MAYORS' COUNCIL BE RESPONSIBLE
FOR REGIONAL TRANSPORTATION POLICY**

The Metro Vancouver Board believes that legislative change is essential to fully address the concerns that exist as a result of TransLink's current governance structure, and is requesting changes to the *South Coast British Columbia Transportation Authority Act* be pursued beginning in the first quarter of 2016.

In September of this year, a Transportation Planning and Governance Review Task Force was struck by Metro Vancouver Chair Greg Moore to address three critical issues of concern about TransLink's governance structure, and to report its recommendations back to the Metro Vancouver Board. Today's announcement reports out on the work of the Task Force whose recommendations have been fully endorsed by the Board.

"A change in legislation to place control for planning and policy decisions with regional elected officials on the Mayors' Council would strengthen the linkages between regional transportation and regional land use planning considerably because these regional elected officials are accountable and already involved in regional land use planning," said Chair Moore.

After reviewing a variety of governance models, including the findings of the *TransLink Governance Review* undertaken in 2013 for the Mayors' Council, the Task Force recommended to the Board that legislative change is required and that the Mayors' Council should assume sole responsibility for transportation policy in the region. This includes all policy decisions, including those required to develop strategies, transportation plans, investment plans, annual budgets and funding sources.

The recommendations were guided by the principles of integration, accountability, transparency, clarity, and strong relationships. Legislative change would effectively address the concerns with the current governance structure and would promote the key principle of integrating regional transportation with regional land use planning.

"Legislative change is essential for implementation of the Mayors' Council 'Vision on Regional Transportation Investments', and to rebuild confidence in TransLink among all stakeholders, including, most importantly, the public," said Chair Moore.

In the immediate term, in order to address the existing governance issues, the Board endorsed the recommendation to establish Joint Planning Sessions between the TransLink Board and the Mayors' Council. Sessions would be held quarterly with all members of the TransLink Board and the Mayors' Council to facilitate broad discussion on key strategies, plans, and policies. Joint Planning Sessions would be forums for discussion only without decision-making authority.

In its recommendations, the Metro Vancouver Board stated its unequivocal opposition to the concept of smaller joint planning advisory committees that would report to the TransLink Board, as was proposed in the November 16, 2015 Draft Position Paper developed for the Task Force.

“Successfully addressing the issues facing public transit in Metro Vancouver will only be achieved if elected officials are responsible for the governance of how the service is delivered, and if there are strong links between the regional growth strategy and transportation planning at Translink,” said Task Force Chair Mike Clay.

“The Metro Vancouver Board and our Transportation Planning and Governance Review Task Force have undertaken this work to thoroughly examine the current TransLink model in order to find a different way to operate so that citizens and elected officials have confidence that this vital service will meet our future needs,” he added.

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Metro Vancouver is a partnership of 21 municipalities, one Electoral Area and one Treaty First Nation that collaboratively plans for and delivers regional-scale services. Its core services are drinking water, wastewater treatment and solid waste management. Metro Vancouver also regulates air quality, plans for urban growth, manages a regional parks system and provides affordable housing. The regional district is governed by a Board of Directors of elected officials from each local authority.

BACKGROUNDER

TRANSPORTATION PLANNING & GOVERNANCE REVIEW

The decision to create the Transportation Planning and Governance Review Task Force to consider and make recommendations to the Metro Vancouver Board on transportation planning and governance issues, is intended to respond to three critical concerns that exist within, or as a result of, TransLink's existing governance structure:

- A lack of integration between regional transportation planning and regional land use planning.
- The absence of an effective mechanism to include the provincial government's interests and transportation investments in the regional transportation planning framework.
- A perceived lack of confidence in TransLink on the part of the public.

The Task Force recognized that to properly address these concerns, changes to governance are required which can only be brought about by amendments to the legislative framework.

GUIDING PRINCIPLES

The Task Force was guided by a set of principles:

- *Integration* – the importance of embedding regional transportation planning into regional land use and growth management planning.
- *Accountability* – emphasizing the need for clear mechanisms through which decision-makers can be held responsible, particularly by taxpayers, and through which redress is available.
- *Transparency* – to promote decision-making and planning processes that are easily understood by and accessible to the public.
- *Clarity* – to ensure that roles and responsibilities are clearly structured and well understood in order to promote broad public awareness of objectives.
- *Strong Relationships* – to recognize the interdependencies that exist between and among the agencies involved in transportation governance and planning, including TransLink, Metro Vancouver, and the Province.

LEGISLATIVE CHANGE

- In the Task Force's view, legislative change is ultimately required to address the concerns that exist within, or as a result of, TransLink's current governance structure.
- The Metro Vancouver Board supports the findings of the Task Force and, in the first quarter of 2016, requests that the BC government revise the *South Coast British Columbia Transportation Authority Act* to assign sole responsibility for all policy decisions, including those required in the development of strategies, transportation plans, investment plans, annual budgets, and funding sources to the Mayors' Council.
- This request for legislative change is based largely on the comparative review of governance models undertaken in 2013 for the Mayors' Council. In its examination of metropolitan transportation governance models in Europe, North America, and Australia, the Mayors' Council found that in every case examined, responsibility for policy level tasks – that is, for the development of strategies, plans, policies, budgets, and financial tools – rested solely or primarily with elected officials.



- Compared to these other systems, TransLink stood out as the only agency examined in which ultimate authority for certain policy decisions, including those related to planning and finance, is assigned to non-elected officials.
- The proposed legislative change would effectively address the concerns with the current governance structure identified by the Task Force, and would promote the key guiding principles, including, most importantly, the need for integrating regional transportation and regional land use planning.
- A change in legislation to place control for planning and policy decisions with regional elected officials on the Mayors' Council – regional elected officials who are involved in regional land use planning – would strengthen the linkages between regional transportation and regional land use planning considerably.

JOINT PLANNING SESSIONS

In the interim, the Task Force spent time identifying changes to the current TransLink governance model that can be pursued in cooperation with TransLink, and within the existing *South Coast British Columbia Transportation Authority Act*.

The legislation governing TransLink was updated in 2014 to enhance the role of the Mayors' Council in approving key transportation strategies, plans, and policies, including TransLink's Long-Term Transportation Strategy, TransLink's 10-Year Transportation Investment Plan, and certain policies on fares.

These updates did not address the gap in providing local elected officials a role in setting TransLink's annual budgets nor did the changes provide a mechanism for bringing the Province's interests and transportation investments to the regional transportation planning table.

A Draft Position Paper was prepared that explored ways to address these shortcomings. The Position Paper identified the need for regular Joint Meetings involving the whole of the TransLink Board, the Mayors' Council, and the Provincial Minister Responsible for TransLink. These meetings would serve as the forum in which to discuss the Province's interests and transportation investments in the context of the regional planning framework.

The Draft Position Paper recognized the importance of putting in place a mechanism to bring together TransLink Board Directors and members of the Mayors' Council to discuss needs and priorities for the regional transportation strategies, plans, and policies.

It also recognized the importance of incorporating the Province's interests and investments into the regional discussions. The Board ultimately decided that it did not support smaller Joint Planning Advisory Committees that report to the TransLink Board (as identified in the Draft Position Paper). Alternatively, the Board recommended that the Mayors' Council and the TransLink Board establish Joint Planning Sessions that would:

- Include all TransLink Board Directors and Mayors' Council members (i.e., be plenary in nature).
- Occur quarterly, or as required, in order to adequately guide and inform the development of key strategies, plans, and policies.
- Be supported by TransLink staff, and provide opportunities for input by Mayors' Council and Metro Vancouver staff.
- Include the Minister Responsible for TransLink as required to discuss the Province's interests and investments in the context of transportation planning for the region.

The Joint Planning Sessions would be forums for discussion only. They would not have decision-making authority, and would not reduce in any way the statutory authorities assigned to the TransLink Board and the Mayors' Council.

POSITION PAPER ON CHANGES TO TRANSLINK GOVERNANCE WITHIN EXISTING LEGISLATION

DRAFT

INTRODUCTION

The Transportation Planning and Governance Review Task Force was created by the Metro Vancouver Board Chair to:

- Investigate governance structures for the delivery of public transit; and
- Examine options to strengthen the linkages between Metro Vancouver's Regional Growth Strategy and TransLink's transportation planning function.

The Task Force met on five occasions between September 28, 2015, and November 16, 2015. Over the course of its discussions, the Task Force focused much of its attention on identifying changes to the current governance model that can be pursued, in the immediate term and in cooperation with TransLink, within the existing *South Coast British Columbia Transportation Authority Act*. The Task Force examined the roles and responsibilities of TransLink's existing governing bodies – namely, the TransLink Board of Directors and the Mayors' Council – in the development and approval of the 10 Year Transportation Investment Plan, the annual budget and the various service plans. Efforts were made to identify mechanisms that could be introduced, with the support of the governing bodies, to improve the processes through which these important plans are produced.

PURPOSE

This DRAFT *Position Paper* puts forward the proposed changes to the TransLink governance framework that the Task Force believes will enable the transportation authority to better fulfill its mandate to plan, fund and deliver a first-class regional transportation system in the Metro Vancouver region. The changes will, it is believed, set the stage for strong working relationships between and among the TransLink Board, Metro Vancouver, the Mayors' Council and the Province – relationships that are essential to achieving the implementation of the Mayors' Vision on Regional Transportation Investments, and to re-building confidence in TransLink on the part of all stakeholders including, most importantly, the public.

All of the changes presented in the paper can be implemented by the TransLink Board of Directors and the Mayors' Council using the authority provided to each body under the existing legislation.

DEFINING THE PROBLEM

The work of the Task Force recognizes three concerns that exist within, or as a result of, TransLink's existing governance structure:

- A lack of integration between regional transportation planning and regional land use planning;
- The absence of an effective mechanism to include the provincial government's interests and transportation investments in the regional transportation planning framework; and
- A perceived lack of confidence in TransLink on the part of the public.

GUIDING PRINCIPLES

Throughout its work the Task Force was guided by a set of seven transportation planning and governance principles. These principles are set out as follows:

- *Integration* – Integration speaks to the importance of embedding regional transportation planning into regional land use planning and growth management. This principle also emphasizes the need for strong connections between and among local, regional and provincial perspectives.
- *Accountability* – Accountability creates clear and well-understood mechanisms through which decision-makers can be held responsible, especially by taxpayers, and through which redress is available if necessary. The accountability principle plays a key role in legitimizing decisions, particularly those that involve trade-offs between and among different interests and perspectives.
- *Transparency* – Transparency promotes decision-making and planning processes that are understandable, clearly communicated, and accessible to the public wherever possible.
- *Clarity* – Clarity ensures that roles and responsibilities are clearly structured and understood, and that public awareness of the broader objectives is strong. Clarity helps to build trust in the bodies that govern transportation, and contributes to key players and agencies being able to communicate with a unified voice.
- *Strong Relationships* – This principle recognizes the interdependencies that exist between and among the various agencies involved in transportation governance and planning, including the TransLink, Metro Vancouver and the Province.
- *Responsiveness* – The responsiveness principle allows for emerging issues and different perspectives from a range of key players and stakeholders to be taken into account in an informed, inclusive way, in part through ensuring equitable representation in decision-making structures.
- *Efficiency* – This principle ensures that planning and decision-making structures and processes allow for timely decision-making and produce mobility and accessibility outcomes that are both needed and desired.

WORKING WITHIN THE LEGISLATION

Changes to the *South Coast British Columbia Transportation Authority Act* introduced in 2014 through Bill 22 increased the authority of the Mayors' Council in the TransLink governance model. Specifically, the changes gave to the Mayors' Council the authority (and responsibility) to give final approval to:

- TransLink's Long Term Strategy;
- TransLink's 10-year Transportation Investment Plan;
- TransLink's executive compensation package;
- changes to customer satisfaction surveys and complaint processes;
- new short-term fares; and
- fare increases above 2%.

In the Task Force's view, these changes helped to set the stage for improvements to governance at TransLink. They provide the opportunity, for example, for the region's mayors to "say no" to plans that, in the mayors' view, do not adequately support Metro Vancouver's Regional Growth Strategy and the important goals within it. In all, however, the changes do not create a governance model that brings elected local government officials into the process of *developing* TransLink's key regional transportation plans. The changes also do not give the elected local government representatives any role in the process of developing the annual budgets and service plans. Finally, the changes fail to introduce a mechanism to bring into regional transportation planning the Province's interests and investments that have the potential to significantly impact the region's transportation system.

Guided by the seven principles, the Task Force has identified two changes that, taken together, will address the concerns facing regional transportation governance:

- establishment, in cooperation with TransLink, of a Joint Planning Advisory Committee; and
- use of Joint Meetings involving the TransLink Board, the Mayors' Council and, at specific times, provincial Minister responsible for TransLink (or a senior government official appointed by the Minister to represent the Province's interests).

PROPOSED JOINT PLANNING ADVISORY COMMITTEE STRUCTURE

The Task Force proposes the establishment of a Joint Planning Advisory Committee within TransLink's existing governance structure. The elements of the Advisory Committee are explained as follows:

- *Standing Committee* – The Committee would be established by the TransLink Board of Directors as a standing committee of the Board. The Committee would be advisory in nature; it would not have decision-making authority.
- *Scope of Responsibility (Planning)* – The Committee would be responsible for providing advice and recommendations on the following initiatives:
 - Long Term Strategy;
 - 10-Year Transportation Investment Plan;
 - Annual budgets;
 - Annual service plans;

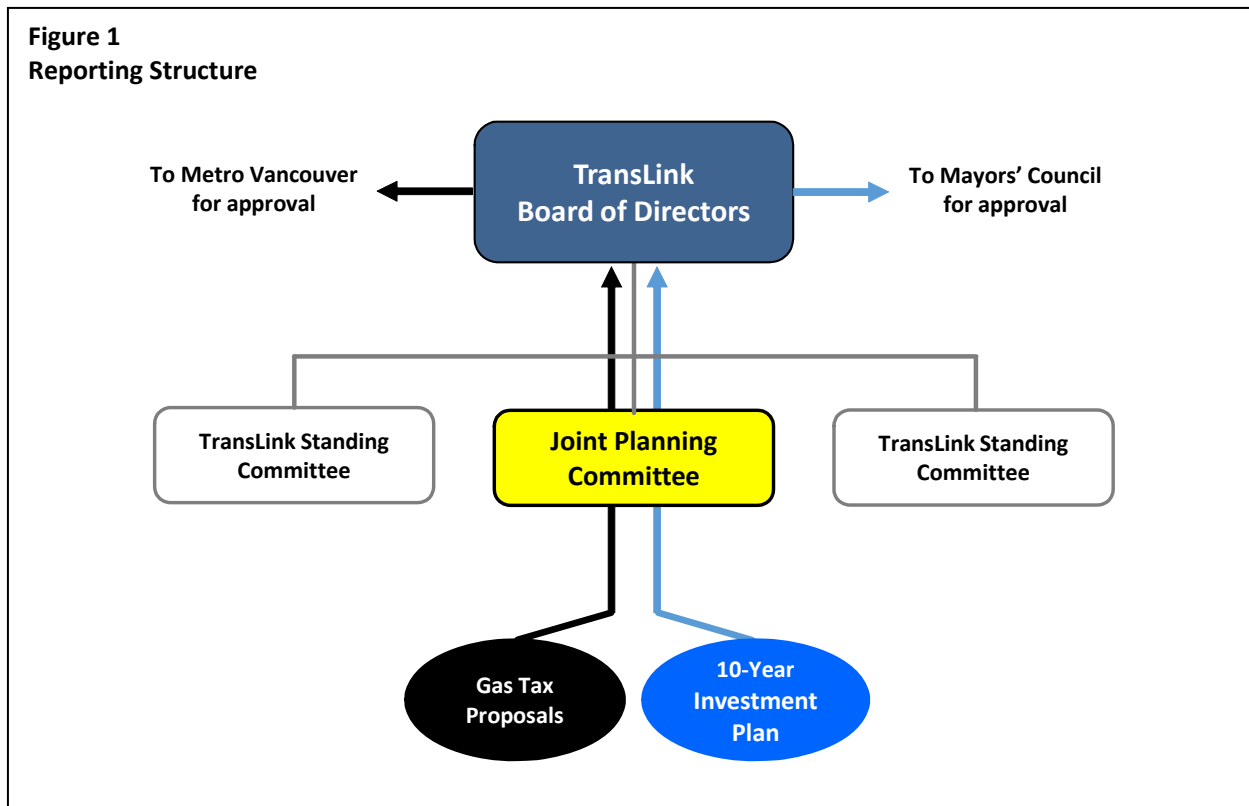
- Goods Movement Strategy;
 - Integration with the Regional Growth Strategy;
 - Major capital investments;
 - Disposition of major facilities and assets;
 - Executive Compensation Plan;
 - Changes to customer satisfaction surveys and customer complaint processes; and
 - Stakeholder engagement activities and opportunities.
- *Scope of Responsibility (Funding)* – The Committee would be responsible for providing advice and recommendations on the following funding sources and initiatives:
 - Changes to existing funding sources (e.g., transit fares);
 - Development of additional funding sources (e.g., mobility pricing);
 - Tolling policy and fare policy; and
 - Disbursement of Metro Vancouver’s gas tax funds held in the Greater Vancouver Regional Fund.
 - *Membership* – The Committee will have a total of eight to twelve members, with equal representation from the TransLink Board and local government. Local government representatives would provide important linkages to Metro Vancouver standing committees, specifically the standing committee with responsibility over the Regional Planning function, and the committee with responsibility for Finance.
 - *Reporting* – The Joint Planning Advisory Committee, as a standing committee created by the TransLink Board, would provide its advice and recommendations to the TransLink Board. In accordance with the terms of the *South Coast British Columbia Authority Act*, it is the Mayors’ Council, not the TransLink Board, that has final approval authority over certain plans (the 10 Year Transportation Investment Plan is the prime example). In these cases, the recommendations of the TransLink Board to the Mayors’ Council would be informed by – and understood by the Mayors’ Council to be informed by – the recommendations of the Joint Planning Advisory Committee to the Board.

Similarly, in accordance with the terms of the *Administrative Agreement on Federal Gas Tax Fund in British Columbia*, it is the Greater Vancouver Regional District (Metro Vancouver) Board, not the TransLink Board, that has authority over disbursements of gas tax monies from the Greater Vancouver Regional Fund. Submissions to Metro Vancouver from the TransLink Board would be informed by – and understood by Metro Vancouver to be informed by – the recommendations of the Joint Planning Advisory Committee.

Figure 1 on the following page shows the reporting relationship between Joint Planning Advisory Committee and the TransLink Board. The figure also shows how key items would flow through the reporting structure.

- *Support for Committee* – The Joint Planning Advisory Committee would be supported by TransLink staff. Formal protocols and other mechanisms would be developed, however, to

Figure 1
Reporting Structure



- provide Metro Vancouver staff with the opportunity to participate in staff-level discussions, and to assist in developing recommendations to the Joint Planning Advisory Committee, on matters that have the potential to impact Metro Vancouver's regional land use planning efforts. Such matters include many of the items within the Joint Planning Committee's scope of responsibility. Where important, Metro Vancouver and TransLink staff will liaise with municipal planners directly and through Metro Vancouver's Regional Planning Advisory Committee.
- *Meetings* – The Joint Planning Committee would be expected to meet quarterly. Each member of the Committee would receive one vote on every matter. The potential for tie votes (there is an even number of members) is intended to encourage compromise.

PROVINCIAL GOVERNMENT PARTICIPATION

The Province of British Columbia has an important role in the development and provision of the regional transportation system for Metro Vancouver. The Province:

- is responsible for the *South Coast British Columbia Transportation Authority Act*;
- appoints two members of the TransLink Board of Directors;
- is a funding partner for major capital investments;
- develops its own, separate transportation plans that impact the Metro Vancouver region; and
- makes significant transportation infrastructure investments within the region that are separate from those of TransLink, and that are not coordinated with TransLink's 10-Year Transportation Investment Plan or Metro Vancouver's Regional Growth Strategy.

The Task Force believes that, for reasons of coordination and transparency, it is critical to provide a mechanism to formally involve the Province in regional transportation discussions. To that end, the Task Force proposes that the Minister Responsible for TransLink participate in two Joint Meetings each year involving the full TransLink Board of Directors and the full Mayors' Council. The agenda for the meetings would include a review of:

- TransLink's 10-Year Transportation Investment Plan, to identify the significant investments being pursued by TransLink for the region;
- funding commitments made by the Province toward key items in the 10-Year Plan;
- funding tools; and
- the Province's own 10-year transportation investments and initiatives planned for the region, and the degree to which such investments and initiatives complement those identified in TransLink's own 10-Year Plan.