

## Meeting Agenda

### Joint MTC ABAG Legislation Committee

*David Canepa, Chair    Jesse Arreguin, Vice Chair*

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Friday, June 14, 2024

9:45 AM

Board Room - 1st Floor

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The Joint MTC ABAG Legislation Committee is scheduled to meet at 9:45 a.m. or immediately following the 9:40 a.m. MTC Planning Committee meeting, whichever occurs later.

This meeting shall consist of a simultaneous teleconference call at the following location(s):  
Mayor's Office, 2180 Milvia Street, 5th Floor, Berkeley, CA 94704

Meeting attendees may opt to attend in person for public comment and observation at 375 Beale Street, Board Room (1st Floor). In-person attendees must adhere to posted public health protocols while in the building. The meeting webcast will be available at <https://mtc.ca.gov/whats-happening/meetings/live-webcasts>. Members of the public are encouraged to participate remotely via Zoom at the following link or phone number.

Members of the public participating by Zoom wishing to speak should use the "raise hand" feature or dial \*9. When called upon, unmute yourself or dial \*6. In order to get the full Zoom experience, please make sure your application is up to date.

Attendee Link: <https://bayareametro.zoom.us/j/88232400909>

iPhone One-Tap: US: +14086380968,,88232400909#

Join by Telephone (for higher quality, dial a number based on your current location) US:  
888 788 0099 (Toll Free) or 877 853 5247 (Toll Free)

Webinar ID: 882 3240 0909

International numbers available: <https://bayareametro.zoom.us/j/kcfSF2CzaR>

Detailed instructions on participating via Zoom are available at:

<https://bayareametro.zoom.us/j/kdR1hznEgA>

<https://mtc.ca.gov/how-provide-public-comment-board-meeting-zoom>

Members of the public may participate by phone or Zoom or may submit comments by email at [info@bayareametro.gov](mailto:info@bayareametro.gov) by 5:00 p.m. the day before the scheduled meeting date. Please include the committee or board meeting name and agenda item number in the subject line. Due to the current circumstances there may be limited opportunity to address comments during the meeting. All comments received will be submitted into the record.

**Roster**

David Canepa (Chair), Jesse Arreguin, (Vice Chair), Eddie Ahn, Ken Carlson,  
Carol Dutra-Vernaci, Pat Eklund, Dorene M. Giacomini\*, Matt Mahan,  
Stephanie Moulton-Peters, Sue Noack, David Rabbitt, Belia Ramos,  
James P. Spering, Aaron Tiedemann, Vacant, and Vacant  
\*Non-Voting Member

**1. Call to Order / Roll Call / Confirm Quorum**

*Quorum: A quorum of this body shall be a majority of its regular voting members (8).*

**2. Consent Calendar**

- 2a. [24-0608](#) Approval of Joint MTC ABAG Legislation Committee Minutes of the May 10, 2024 Meeting  
**Action:** Committee Approval  
**Attachments:** [2a\\_24-0608\\_2024-05-10\\_Joint\\_MTC\\_ABAG\\_Legislation\\_Committee\\_Meeting](#)
- 2b. [24-0609](#) Legislative History  
  
Detailed list of bills the ABAG and MTC are tracking in Sacramento, including those ABAG or MTC supports or opposes.  
**Action:** Information  
**Presenter:** Julie Snyder  
**Attachments:** [2b\\_24-0609\\_June\\_Legislative\\_History.pdf](#)
- 2c. [24-0610](#) Washington, D.C. Legislative Update  
  
Report on key legislative, funding and political developments over the past month from Washington, D.C. prepared by the Summit Strategies team.  
**Action:** Information  
**Presenter:** Julie Snyder  
**Attachments:** [2c\\_24-0610\\_MTC\\_May\\_2024\\_Summit\\_DC\\_Report.pdf](#)

### 3. State Legislation

- 3a.**     [24-0791](#)     Constitutional Amendment to Lower Vote Threshold to Fifty-Five Percent for Infrastructure Bonds
- Revises Assembly Constitutional Amendment (ACA) 1 (Aguiar-Curry, 2023) to place on the November 2024 ballot a constitutional amendment to institute a 55 percent vote threshold for housing and infrastructure bonds.
- Action:**             Support / ABAG Executive Board Approval  
Support / Commission Approval
- Presenter:**         Julie Snyder
- Attachments:**     [3a 24-0791 Summary Sheet Constitutional Amendment lower vote thresho](#)
- 3b.**     [24-0793](#)     Assembly Bill 2813 (Aguiar-Curry): Government Investment Act
- Implementing legislation for the 55 percent vote threshold constitutional amendment; adds local accountability requirements and makes other changes.
- Action:**             Support and Seek Amendments / ABAG Executive Board Approval  
Support and Seek Amendments / Commission Approval
- Presenter:**         Julie Snyder
- Attachments:**     [3b 24-0793 Summary Sheet AB 2813 Aguiar-Curry ACA 1 implementation](#)
- 3c.**     [24-0795](#)     Fiscal Year 2024-25 State Budget Update
- Status update on the Regional Early Action Program (REAP 2.0) and state transit funding in the fiscal year (FY) 2024-25 State Budget.
- Action:**             Information
- Presenter:**         Julie Snyder
- Attachments:**     [3ci 24 0795 Summary Sheet 2024-25 State Budget Update.pdf](#)  
[3cii 24 0795 Attachment A MTC-ABAG REAP 2.0 Letter.pdf](#)  
[3ciii 24 0795 Attachment B Bay Area Transit Funding Freeze Letter 5.14.](#)  
[3civ 24 0795 Attachment C summary-of-joint-legislative-budget-plan.pdf](#)

**3d.**     [24-0794](#)     Assembly Bill 598 (Wicks): Bay Area Housing Finance Authority (BAHFA) Funding

Clarification of the limitations on BAHFA's authority to condition funding disbursements on local jurisdictions' land use and housing policies.

**Action:**     Sponsor / ABAG Executive Board Approval  
Sponsor / Commission Approval

**Presenter:**     Julie Snyder

**Attachments:**     [3di 24-0794 Summary Sheet AB 598.pdf](#)  
[3dii 24-0794 Attachment A Letter to BAHFA Board from BAC-BIA.pdf](#)  
[3diii 24-0794 Attachment B Letter to BAC-BIA from BAHFA Board Chair Pedr](#)

#### **4. Public Comment / Other Business**

*Members of the public participating by Zoom wishing to speak should use the "raise hand" feature or dial \*9. When called upon, unmute yourself or dial \*6.*

#### **5. Adjournment / Next Meeting**

**The next meeting of the Joint MTC ABAG Legislation Committee will be held on Friday, July 12, 2024 at 9:45 a.m. at the Bay Area Metro Center, 375 Beale Street, San Francisco, CA, and other remote locations. Any changes to the schedule will be duly noticed to the public.**

**Public Comment:** The public is encouraged to comment on agenda items at Committee meetings by completing a request-to-speak card (available from staff) and passing it to the Committee secretary. Public comment may be limited by any of the procedures set forth in Section 3.09 of MTC's Procedures Manual (Resolution No. 1058, Revised) if, in the chair's judgment, it is necessary to maintain the orderly flow of business.

**Meeting Conduct:** If this meeting is willfully interrupted or disrupted by one or more persons rendering orderly conduct of the meeting unfeasible, the Chair may order the removal of individuals who are willfully disrupting the meeting. Such individuals may be arrested. If order cannot be restored by such removal, the members of the Committee may direct that the meeting room be cleared (except for representatives of the press or other news media not participating in the disturbance), and the session may continue.

**Record of Meeting:** Committee meetings are recorded. Copies of recordings are available at a nominal charge, or recordings may be listened to at MTC offices by appointment. Audiocasts are maintained on MTC's Web site ([mtc.ca.gov](http://mtc.ca.gov)) for public review for at least one year.

**Accessibility and Title VI:** MTC provides services/accommodations upon request to persons with disabilities and individuals who are limited-English proficient who wish to address Commission matters. For accommodations or translations assistance, please call 415.778.6757 or 415.778.6769 for TDD/TTY. We require three working days' notice to accommodate your request.

**可及性和法令第六章:** MTC 根據要求向希望來委員會討論有關事宜的殘疾人士及英語有限者提供服務/方便。需要便利設施或翻譯協助者，請致電 415.778.6757 或 415.778.6769 TDD / TTY。我們要求您在三個工作日前告知，以滿足您的要求。

**Acceso y el Título VI:** La MTC puede proveer asistencia/facilitar la comunicación a las personas discapacitadas y los individuos con conocimiento limitado del inglés quienes quieran dirigirse a la Comisión. Para solicitar asistencia, por favor llame al número 415.778.6757 o al 415.778.6769 para TDD/TTY. Requerimos que solicite asistencia con tres días hábiles de anticipación para poderle proveer asistencia.

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Attachments are sent to Committee members, key staff and others as appropriate. Copies will be available at the meeting.

## Meeting Minutes - Draft

### Joint MTC ABAG Legislation Committee

*David Canepa, Chair    Jesse Arreguin, Vice Chair*

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Friday, May 10, 2024

9:45 AM

Board Room - 1st Floor

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#### Roster

**David Canepa (Chair), Jesse Arreguin, (Vice Chair), Eddie Ahn, Ken Carlson,  
Carol Dutra-Vernaci, Pat Eklund, Dorene M. Giacomini\*, Matt Mahan,  
Stephanie Moulton-Peters, Sue Noack, David Rabbitt, Belia Ramos,  
James P. Spering, Aaron Tiedemann, Vacant, and Vacant**  
**\*Non-Voting Member**

Non-Voting Member Present: Dorene M. Giacomini, MTC

Ex Officio Voting Members Present: Commission Chair Pedroza and  
Commission Vice Chair Josefowitz

Ad Hoc Non-Voting Member Present: Commissioner Papan

The following individuals participated from noticed remote locations: Member Carlson and Member Eklund.

Member Ramos invoked AB 2449.

#### 1. Call to Order / Roll Call / Confirm Quorum

**Present:** 10 - Chair Canepa, Vice Chair Arreguin, Committee Member Ahn, Committee Member Carlson, Committee Member Dutra-Vernaci, Committee Member Eklund, Committee Member Noack, Committee Member Rabbitt, Committee Member Ramos and Committee Member Tiedemann

**Absent:** 3 - Committee Member Mahan, Committee Member Moulton-Peters and Committee Member Spering

## 2. Consent Calendar

Upon the motion by Committee Member Noack and second by Committee Member Dutra-Vernaci, the Consent Calendar was unanimously approved. The motion carried by the following vote:

**Aye:** 10 - Chair Canepa, Vice Chair Arreguin, Committee Member Ahn, Committee Member Carlson, Committee Member Dutra-Vernaci, Committee Member Eklund, Committee Member Noack, Committee Member Rabbitt, Committee Member Ramos and Committee Member Tiedemann

**Absent:** 3 - Committee Member Mahan, Committee Member Moulton-Peters and Committee Member Spering

- 2a. [24-0455](#) Approval of Joint MTC ABAG Legislation Committee Minutes of the April 12, 2024 Meeting

**Action:** Committee Approval

**Attachments:** [2a 24-0455 2024-04-12 Joint MTC ABAG Legislation Committee Meeting Minutes Draft.pdf](#)

- 2b. [24-0456](#) Legislative History

Detailed list of bills the ABAG and MTC are tracking in Sacramento, including those ABAG or MTC supports or opposes.

**Action:** Information

**Presenter:** Georgia Gann Dohrmann

**Attachments:** [2b 24-0456 Handout May Legislative History.pdf](#)

## 3. State Legislation

- 3a. [24-0458](#) Fiscal Year (FY) 2024-25 State Budget Update

Update on FY 2024-25 State Budget Negotiations.

**Action:** Information

**Presenter:** Georgia Gann Dohrmann

**Attachments:** [3a 24-0458 Summary Sheet FY 2024-25 State Budget Update.pdf](#)

**3b. [24-0561](#)** Assembly Bill 2645 (Lackey): Electronic Toll Collection Systems: Information Sharing with Law Enforcement for Emergency Alerts

Requires toll agencies to notify law enforcement when a vehicle with a license plate associated with an emergency alert is identified in a toll system.

**Action:** Oppose unless Amended / MTC Commission Approval

**Presenter:** Rebecca Long

**Attachments:** [3bi 24-0561 Summary Sheet AB 2645-Lackey.pdf](#)  
[3bii 24-0561 Attachment A Known Positions AB 2645.pdf](#)

Upon the motion by Committee Member Dutra-Vernaci and second by Committee Member Noack, an oppose unless amended position on AB 2645 (Lackey): Electronic Toll Collection Systems: Information Sharing with Law Enforcement for Emergency Alerts was adopted to be forwarded to the MTC Commission for approval. The motion carried by the following vote:

**Aye:** 10 - Chair Canepa, Vice Chair Arreguin, Committee Member Ahn, Committee Member Carlson, Committee Member Dutra-Vernaci, Committee Member Eklund, Committee Member Noack, Committee Member Rabbitt, Committee Member Ramos and Committee Member Tiedemann

**Absent:** 3 - Committee Member Mahan, Committee Member Moulton-Peters and Committee Member Spering

**3c. [24-0562](#)** Assembly Bill 2396 (Reyes): State Partnership for Affordable Housing Registries in California Grant Program

Funds the creation of local or regional online portals through which prospective renters can search for available deed-restricted apartments and submit applications.

**Action:** Support if Amended / ABAG Executive Board Approval  
 Support if Amended / MTC Commission Approval

**Presenter:** Julie Snyder

**Attachments:** [3c 24-0562 Summary Sheet AB 2396 Reyes.pdf](#)

Upon the motion by Committee Member Tiedemann and second by Committee Member Noack, a support if amended position on AB 2396 (Reyes): State Partnership for Affordable Housing Registries in California Grant Program was adopted to be forwarded to the ABAG Executive Board and MTC Commission, respectively, for approval. The motion carried by the following vote:

**Aye:** 10 - Chair Canepa, Vice Chair Arreguin, Committee Member Ahn, Committee Member Carlson, Committee Member Dutra-Vernaci, Committee Member Eklund, Committee Member Noack, Committee Member Rabbitt, Committee Member Ramos and Committee Member Tiedemann

**Absent:** 3 - Committee Member Mahan, Committee Member Moulton-Peters and Committee Member Spering



**3d.**     [24-0563](#)     Senate Bill (SB)1031 (Wiener/Wahab): Connect Bay Area Transportation Revenue Measure Enabling Legislation

Update on SB 1031, Connect Bay Area Act.

**Action:** Information

**Presenter:** Andrew B. Fremier

**Attachments:** [3di 24-0563 Summary Sheet SB 1031-Wiener-Wahab.pdf](#)

The following individuals spoke on this item:

Joshua Arce, NorCal Laborers and California Alliance for Jobs; Adina Levin, Seamless Bay Area; Sara Greenwald; Laurel Paget-Seekins, Public Advocates; Zack Deutsch-Gross, TransForm; Abibat Rahman-Davies, Transform; Steve Birdlebough, Chair Transportation and Land Use Coalition of Sonoma County; Peter Straus, SF Transit Riders; Yasha Zarrinkelk, Urban Habitat; Bryan Culbertson; and Carol Taylor, Genesis.

**3e.**     [24-0623](#)     Potential Legislation on Bay Area Housing Finance Authority Labor Standards

Potential legislation to authorize the Bay Area Housing Finance Authority (BAHFA) to apply labor standards to regional housing bond proceeds directly allocated to counties and cities.

**Action:** Support / ABAG Executive Board Approval  
Support / MTC Commission Approval

**Presenter:** Julie Snyder

**Attachments:** [3ei 24-0623 Summary Sheet BAHFA labor standards.pdf](#)  
[3eii 24-0623 Attachment A ABAG Resolution 3 2024.pdf](#)

**Upon the motion by Vice Chair Arreguin and second by Committee Member Eklund, a support position on Potential Legislation on Bay Area Housing Finance Authority Labor Standards was adopted to be forwarded to the ABAG Executive Board and MTC Commission, respectively for approval. The motion carried by the following vote:**

**Aye:** 9 - Vice Chair Arreguin, Committee Member Ahn, Committee Member Carlson, Committee Member Dutra-Vernaci, Committee Member Eklund, Committee Member Noack, Committee Member Rabbitt, Committee Member Ramos and Committee Member Tiedemann

**Absent:** 4 - Chair Canepa, Committee Member Mahan, Committee Member Moulton-Peters and Committee Member Sperring

Committee Chair Canepa departed before the vote was taken.

#### 4. Federal Legislation

4a. [24-0457](#) Washington, D.C. Legislative Update

Report on key legislative, funding and political developments over the past month from Washington, D.C. prepared by the Summit Strategies team.

Action: Information

Presenter: Georgia Gann Dohrmann

Attachments: [4a 24-0457 Handout-MTC April 2024 DC Report.pdf](#)

#### 5. Public Comment / Other Business

#### 6. Adjournment / Next Meeting

The next meeting of the Joint MTC ABAG Legislation Committee will be held on Friday, June 14, 2024 at 9:45 a.m. at the Bay Area Metro Center, 375 Beale Street, San Francisco, CA, and other remote locations. Any changes to the schedule will be duly noticed to the public.



METROPOLITAN  
TRANSPORTATION  
COMMISSION

# LEGISLATIVE HISTORY

## MTC and ABAG Priority Bills

Monday, June 10, 2024



Bill Number	Current Text	Status	Summary	MTC Position	ABAG Position
<a href="#">AB 6</a> <a href="#">Friedman</a>	Amended 5/30/2024	Senate Transportation	<b>Transportation planning: regional transportation plans: reduction of greenhouse gas emissions.</b> Current law requires certain transportation planning agencies to prepare and adopt regional transportation plans directed at achieving a coordinated and balanced regional transportation system. Current law requires that each regional transportation plan include a sustainable communities strategy prepared by each metropolitan planning organization in order to, among other things, achieve certain regional targets established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region for 2020 and 2035, respectively. Current law requires the state board to update the regional targets every 8 years until 2050. Current law requires a metropolitan planning organization, before adopting a sustainable communities strategy, to quantify the reduction in the emissions of greenhouse gases projected to be achieved by the sustainable communities strategy and set forth the difference, if any, between the amount of that reduction and the regional targets. This bill would require the state board to update the regional targets indefinitely, rather than only until 2050, and authorize the state board to update the years to which those targets apply, as specified.		
<a href="#">AB 7</a> <a href="#">Friedman</a>	Amended 9/1/2023	Senate 2 year	<b>Transportation: planning: project selection processes.</b> The Transportation Agency is under the supervision of the Secretary of Transportation, who has the power of general supervision over each department within the agency. The secretary, among other duties, is charged with developing and reporting to the Governor on legislative, budgetary, and administrative programs to accomplish coordinated planning and policy formulation in matters of public interest, including transportation projects. On and after January 1, 2025, and to the extent applicable, feasible, and cost effective, this bill would require the agency, the Department of Transportation, and the California Transportation Commission to incorporate specified goals into program funding guidelines and processes.		
<a href="#">AB 73</a> <a href="#">Boerner</a>	Amended 3/9/2023	Senate 2 year	<b>Vehicles: required stops: bicycles.</b> Current law requires the driver of any vehicle, including a person riding a bicycle, when approaching a stop sign at the entrance of an intersection, to stop before entering the intersection. A violation of this requirement is an infraction. This bill would require a person who is 18 years of age or older riding a bicycle upon a two-lane highway when approaching a stop sign at the entrance of an intersection with another roadway with two or fewer lanes, where stop signs are erected upon all approaches, to yield the right-of-way to any vehicles that have either stopped at or entered the intersection, or that are approaching on the intersecting highway close enough to constitute an immediate hazard, and to pedestrians, as specified, and continue to yield the right-of-way to those vehicles and pedestrians until reasonably safe to proceed. The bill		

Bill Number	Current Text	Status	Summary	MTC Position	ABAG Position
			would require other vehicles to yield the right-of-way to a bicycle that, having yielded as prescribed, has entered the intersection. The bill would state that these provisions do not affect the liability of a driver of a motor vehicle as a result of the driver's negligent or wrongful act or omission in the operation of a motor vehicle.		
<a href="#">AB 86</a> <a href="#">Jones-Sawyer</a>	Amended 4/20/2023	Senate 2 year	<b>Homelessness: Statewide Homelessness Coordinator.</b> Would require the Governor to appoint a Statewide Homelessness Coordinator, within the Governor's Office, to serve as the lead person for ending homelessness in California. The bill would require the coordinator to perform prescribed duties, including, among others, identifying a local leader in each relevant city, county, city and county, or other jurisdiction to serve as a liaison between the coordinator and that jurisdiction, overseeing homelessness programs, services, data, and policies between federal, state, and local agencies, coordinating the timing of release of funds and applications for funding for housing and housing-based services impacting Californians experiencing homelessness, and, in collaboration with local leaders, providing annual recommendations to the Legislature and the Governor, as specified. The bill would authorize the coordinator to adjust state goals to the extent allowed by state law.		
<a href="#">AB 799</a> <a href="#">Rivas, Luz</a>	Amended 9/1/2023	Senate 2 year	<b>Homelessness: financing plan.</b> Would require the California Interagency Council on Homelessness, in collaboration with continuums of care, counties, and big cities, as defined, and other stakeholders, to establish and regularly update a financing plan to solve homelessness by the year 2035. The bill would require the council to establish and update statewide performance metrics to reduce racial and ethnic disparities in homelessness and to increase successful exits from homelessness to permanent housing by updating the Statewide Action Plan for Preventing and Ending Homelessness in California, no later than January 1, 2025, and would require the council to publish these goals on its internet website, as specified.		
<a href="#">AB 817</a> <a href="#">Pacheco</a>	Amended 5/29/2024	Senate Local Government	<b>Open meetings: teleconferencing: subsidiary body.</b> The Ralph M. Brown Act, requires, with specified exceptions, each legislative body of a local agency to provide notice of the time and place for its regular meetings and an agenda containing a brief general description of each item of business to be transacted. Current law authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency (emergency provisions) and, until January 1, 2026, in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency's jurisdiction and other requirements are met (nonemergency provisions). Current law imposes different requirements for notice, agenda, and public participation, as prescribed, when a legislative body is using alternate teleconferencing provisions. The nonemergency provisions impose restrictions on remote participation by a member of the legislative body and require the legislative body to provide specific means by which the public may remotely hear and visually observe the meeting. This bill, until January 1, 2026, would authorize a subsidiary body, as defined, to use similar alternative teleconferencing provisions and would impose requirements for notice, agenda, and public participation, as prescribed. The bill would require at least one staff member of the local agency to be present at a designated primary physical meeting location during the meeting. The bill would require the local agency to post the agenda at the primary physical meeting location. The bill would require the members of the subsidiary body to visibly appear on camera	Support	Support

Bill Number	Current Text	Status	Summary	MTC Position	ABAG Position
			during the open portion of a meeting that is publicly accessible via the internet or other online platform, as specified. The bill would also require the subsidiary body to list a member of the subsidiary body who participates in a teleconference meeting from a remote location in the minutes of the meeting. In order to use teleconferencing pursuant to this act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time and every 12 months thereafter.		
<a href="#">AB 990</a> <a href="#">Grayson</a>	Amended 1/25/2024	Senate Appropriations	<b>Water quality: waste discharge requirements: infill housing projects.</b> Under current law, the State Water Resources Control Board and the 9 California regional water quality control boards regulate water quality and prescribe waste discharge requirements in accordance with the federal National Pollutant Discharge Elimination System (NPDES) permit program established by the federal Clean Water Act and the act. This bill would require the regional water board, defined to mean the regional water board with geographic boundaries for the San Francisco Bay region, to, by July 1, 2025, initiate modifications to its waste discharge requirements, as specified. The bill would require these modifications to be completed within 6 months of initiation. Before finalizing the modifications, the bill would require the regional water board to make specified findings, including, among other things, that concerns regarding the potential impacts of the draft NPDES permit requirements on the development of housing on infill sites have been adequately addressed. The bill would make these provisions inoperative on July 1, 2028, and would repeal them on January 1, 2029.		
<a href="#">AB 1053</a> <a href="#">Gabriel</a>	Amended 3/30/2023	Senate 2 year	<b>Housing programs: multifamily housing programs: expenditure of loan proceeds.</b> Current law establishes the Department of Housing and Community Development and requires it to administer various programs intended to promote the development of housing, including the Multifamily Housing Program, pursuant to which the department provides financial assistance in the form of deferred payment loans to pay for the eligible costs of development of specified types of housing projects. Current law sets forth various general powers of the department in implementing these programs, including authorizing the department to enter into long-term contracts or agreements of up to 30 years for the purpose of servicing loans or grants or enforcing regulatory agreements or other security documents. This bill would authorize a borrower to use any funds approved, reserved, or allocated by the department for purposes of providing a loan under any multifamily housing program under these provisions for construction financing, permanent financing, or a combination of construction financing and permanent financing, as provided.	Support	Support
<a href="#">AB 1333</a> <a href="#">Ward</a>	Amended 1/3/2024	Senate Judiciary	<b>Residential real property: bundled sales.</b> Current law, until January 1, 2031, for purposes of the exercise of a power of sale, prohibits a trustee from bundling properties for the purpose of sale, instead requiring each property to be bid on separately, unless the deed of trust or mortgage provides otherwise. Current law also prohibits specified institutions that, during their immediately preceding annual reporting period, as established with their primary regulator, foreclosed on 175 or more residential real properties, containing no more than 4 dwelling units, from conducting a sale of 2 or more parcels of real property containing one to 4 residential dwelling units, inclusive, at least 2 of which have been		

Bill Number	Current Text	Status	Summary	MTC Position	ABAG Position
			acquired through foreclosure under a mortgage or deed of trust. This bill would prohibit a developer of residential one to 4 dwelling units, inclusive, from conducting a sale of 2 or more parcels of real property containing one to 4 residential dwelling units, inclusive, in a single transaction to an institutional investor, as defined, if the occupancy permit was issued on or after January 1, 2025.		
<a href="#">AB 1335</a> <a href="#">Zbur</a>	Amended 6/22/2023	Senate 2 year	<b>Local government: transportation planning and land use: sustainable communities strategy.</b> Current law requires specified designated transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system, as described. Current law requires the plan to include specified information, including a sustainable communities strategy prepared by each metropolitan planning organization, and requires each transportation planning agency to adopt and submit, every 4 years, an updated plan to the California Transportation Commission and the Department of Transportation. Current law requires the sustainable communities strategy to include specified information, including an identification of areas within the region sufficient to house all the population of the region over the course of the planning period of the regional transportation plan, as specified, and an identification of areas within the region sufficient to house an 8-year projection of the regional housing need for the region, as specified. This bill would additionally require each metropolitan planning organization to include in the sustainable communities strategy the total number of new housing units necessary to house all the population of the region over the course of the planning period of the regional transportation plan, as specified, and the total number of new housing units necessary to house the above-described 8-year projection, as specified.	Oppose	Oppose
<a href="#">AB 1567</a> <a href="#">Garcia</a>	Amended 5/26/2023	Senate Natural Resources and Water	<b>Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024.</b> Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,995,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, clean energy, and workforce development programs.		
<a href="#">AB 1657</a> <a href="#">Wicks</a>	Amended 3/4/2024	Senate Appropriations	<b>The Affordable Housing Bond Act of 2024.</b> Current law authorizes the issuance of bonds in specified amounts pursuant to the State General Obligation Bond Law and requires that proceeds from the sale of these bonds be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. This bill would enact the Affordable Housing Bond Act of 2024, which, if adopted, would authorize the issuance of bonds in the amount of \$10,000,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds would be used to finance programs to fund affordable rental housing and homeownership programs, including, among others, the Multifamily Housing Program, the CalHome Program, and the Joe Serna, Jr. Farmworker Housing Grant Program. This bill would provide for submission of the bond act to the voters at the March 5, 2024, statewide general election in accordance with specified law.	Support	Support
<a href="#">AB 1777</a>	Amended 5/16/2024	Senate Transportation	<b>Autonomous vehicles.</b> Current law authorizes the operation of an autonomous vehicle on public roads for testing purposes by a driver who possesses the proper class of license for		

Bill Number	Current Text	Status	Summary	MTC Position	ABAG Position
<a href="#">Ting</a>			the type of vehicle operated if specified requirements are satisfied. Current law prohibits the operation of an autonomous vehicle on public roads until the manufacturer submits an application to the Department of Motor Vehicles, as specified, and that application is approved. Current law requires the department to adopt regulations setting forth requirements for the submission and approval of an application, including, among other things, any testing, equipment, and performance standards the department concludes are necessary to ensure the safe operation of autonomous vehicles on public roads, as specified. This bill would require, if an autonomous vehicle does not have a person in the driver's seat and commits a violation of the Vehicle Code, or has a person in the driver's seat but commits the violation while the autonomous technology is engaged, the manufacturer to be cited for the violation. If an autonomous vehicle has a person in the driver's seat and commits a violation of the Vehicle Code while the autonomous technology is not engaged, the bill would require the driver to be cited for the violation. The bill would require manufacturers of fully autonomous vehicles, by July 1, 2026, to comply with certain requirements, including, among other things, to maintain a dedicated emergency response telephone line that is available for emergency response officials, as defined, and to equip each autonomous vehicle with a 2-way voice communication device that enables emergency response officials that are near the vehicle to communicate effectively with a remote human operator, as specified.		
<a href="#">AB 1778</a> <a href="#">Connolly</a>	Amended 5/30/2024	Senate Third Reading	<b>Vehicles: electric bicycles.</b> Would establish the Marin Electric Bicycle Safety Pilot Program that would, until January 1, 2029, authorize a local authority within the County of Marin, or the County of Marin in unincorporated areas, to adopt an ordinance or resolution that would prohibit a person under 16 years of age from operating a class 2 electric bicycle or require a person operating a class 2 electric bicycle to wear a bicycle helmet, as specified. The bill would require an ordinance or resolution that is adopted for this purpose to make a violation punishable by warning notices for the first 60 days after the prohibition comes into effect. After the 60-day period, the bill would require a violation to be an infraction punishable by a fine of \$25. The bill would prohibit a record of the action from being transmitted to the court and a fee from being imposed if the person who violates the ordinance or resolution delivers proof to the issuing agency within 120 days after the citation was issued that the person has completed specified requirements. The bill would, if an ordinance or resolution is adopted, require the county to, by January 1, 2028, submit a report to the Legislature that includes, among other things, the total number of traffic stops initiated for violations, the results of the traffic stops, and the actions taken by peace officers during the traffic stops, as specified. The bill would require the local authority or county to administer a public information campaign for at least 30 calendar days prior to the enactment of the ordinance or resolution, as specified.		
<a href="#">AB 1812</a> <a href="#">Gabriel</a>	Introduced 1/10/2024	Assembly Budget	<b>Budget Act of 2024.</b> Would make appropriations for the support of state government for the 2024–25 fiscal year.		
<a href="#">AB 1837</a> <a href="#">Papan</a>	Amended 3/21/2024	Senate Transportation	<b>San Francisco Bay area: public transit: Regional Network Management Council.</b> Current law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Current law creates various transit		



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			districts located in the San Francisco Bay area, with specified powers and duties relating to providing public transit services. Current law requires the commission to adopt rules and regulations to promote the coordination of fares and schedules for all public transit systems within its jurisdiction, as specified. This bill would create the Regional Network Management Council as an 11-member council to represent the interests of its stakeholders, to provide leadership and critical input on regional transit policies, and to provide executive guidance on regional transit policies and actionable implementation plans in pursuit of transformative improvements in the customer experience San Francisco Bay area transit. The bill would require the commission to facilitate the creation of the council.		
<a href="#">AB 1868</a> <a href="#">Friedman</a>	Amended 4/18/2024	Senate Revenue and Taxation	<b>Property taxation: assessments: affordable housing.</b> Current law requires the county assessor to consider, when valuing real property for property taxation purposes, the effect of any enforceable restrictions to which the use of the land may be subjected. Under current law, these restrictions include, among other enumerated items, a recorded contract with a nonprofit corporation that meets prescribed requirements, including requirements that the nonprofit corporation has received a welfare exemption for properties intended to be sold to low-income families who participate in a special no-interest loan program, and that the contract includes a deed of trust on the property in favor of the nonprofit corporation to ensure compliance with the terms of the program, as described. This bill would, for purposes of valuing property by the county assessor, establish a rebuttable presumption that, at the time of purchase, an assessor shall not include the value of the above-described deed of trust.		
<a href="#">AB 1886</a> <a href="#">Alvarez</a>	Amended 4/15/2024	Senate Housing	<b>Housing Element Law: substantial compliance: Housing Accountability Act.</b> The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. Current law, commonly referred to as the Housing Element Law, prescribes requirements for a city's or county's preparation of, and compliance with, its housing element, and requires the Department of Housing and Community Development to review and determine whether the housing element substantially complies with the Housing Element Law, as specified. If the department finds that a draft housing element or amendment does not substantially comply with the Housing Element Law, current law requires the legislative body of the city or county to either (A) change the draft element or amendment to substantially comply with the Housing Element Law or (B) adopt the draft housing element or amendment without changes and make specified findings as to why the draft element or amendment substantially complies with the Housing Element Law despite the findings of the department. Current law requires a planning agency to promptly submit an adopted housing element or amendment to the department and requires the department to review the adopted housing element or amendment and report its findings to the planning agency within 60 days. This bill would require a planning agency that makes the above-described findings as to why a draft housing element or amendment substantially complies with the Housing Element Law despite the findings of the department to submit those findings to the department. The bill would require the department to review those finding in its review of an adopted housing element or amendment. The bill would create a rebuttable presumption of validity for the department's findings as to whether the adopted element or amendment substantially complies with the Housing Element Law. Because the bill would require		



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			planning agencies to submit specified findings to the department with an adopted housing element or amendment, the bill would impose a state-mandated local program.		
<a href="#">AB 1893</a> <a href="#">Wicks</a>	Amended 4/30/2024	Senate Housing	<b>Housing Accountability Act: housing disapprovals: required local findings.</b> Current law, commonly referred to as the Housing Element Law, prescribes requirements for a city's or county's preparation of, and compliance with, its housing element, and requires the Department of Housing and Community Development to review and determine whether the housing element substantially complies with the Housing Element Law, as specified. Current law, the Housing Accountability Act, among other things, prohibits a local agency from disapproving, or conditioning approval in a manner that renders infeasible, a housing development project for very low, low-, or moderate-income households unless the local agency makes written findings as to one of certain sets of conditions, as specified. Current law defines "housing for very low, low-, or moderate-income households" for purposes of the Housing Accountability Act to mean at least 20% of the total units shall be sold or rented to lower income households or 100% of the units are sold or rented to persons and families of moderate income. This bill would revise that definition to mean at least 10% of the units are dedicated to very low income households, 100% of the units are dedicated to lower income households at an affordable rent consistent with rent limits established by the California Tax Credit Allocation Committee, 100% of the units are sold or rented to persons and families of moderate income, or the housing development consists of 10 units or fewer that is on a project site that is smaller than one acre with a minimum density of 10 units per acre.		
<a href="#">AB 1904</a> <a href="#">Ward</a>	Introduced 1/23/2024	Senate Third Reading	<b>Transit buses: yield right-of-way sign.</b> Current law authorizes a transit bus in the Santa Cruz Metropolitan Transit District and the Santa Clara Valley Transportation Authority to be equipped with a yield right-of-way sign on the left rear of the bus if the applicable entity approves a resolution requesting that this section be made applicable to it. Current law requires the sign to be designed to warn a person operating a motor vehicle approaching the rear of the bus that the bus is entering traffic and be illuminated by a red flashing light when the bus is signaling in preparation for entering a traffic lane after having stopped to receive or discharge passengers. This bill would expand the authorization to equip transit buses, as described above, to apply to any transit agency if the transit agency approves a resolution that this authorization be made applicable to it.		
<a href="#">AB 1932</a> <a href="#">Ward</a>	Amended 4/3/2024	Assembly Appropriations Suspense File	<b>Personal income tax: mortgage interest deduction.</b> The Personal Income Tax Law allows various deductions in computing the income that is subject to the taxes imposed by that law, including, in modified conformity with federal income tax laws, a deduction for a limited amount of interest paid on acquisition indebtedness, as defined, with respect to a qualified residence of the taxpayer. Current law limits the aggregate amount treated as acquisition indebtedness for these purposes to \$1,000,000, or \$500,000 in the case of a married individual filing a separate return. Current law specifies for these purposes that a qualified residence includes the taxpayer's principal residence and one other residence selected by the taxpayer, as provided. This bill, for taxable years beginning on or after January 1, 2025, would disallow the deduction of acquisition indebtedness with respect to a qualified residence of a taxpayer other than the principal residence. This bill would require the Franchise Tax Board, in consultation with the Department of Finance, to estimate the amount of additional revenue resulting from the above-described modifications made with		

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			respect to the calculation of taxable income under the Personal Income Tax Law by this bill and to notify the Controller of that amount, as provided.		
<a href="#">AB 1958</a> <a href="#">Berman</a>	Introduced 1/29/2024	Senate Transportation	<b>Santa Clara Valley Transportation Authority: board of directors.</b> Current law vests the government of the Santa Clara Valley Transportation Authority (VTA) in a 12-member board of directors, appointed by the County of Santa Clara and the cities within the county, as specified. Current law requires, to the extent possible, the county and cities to appoint individuals to the board of directors who have expertise, experience, or knowledge relative to transportation issues. This bill would require, to the extent possible, the county and cities to appoint individuals to the board of directors who have expertise, experience, or knowledge relative to transportation or project management issues.		
<a href="#">AB 2023</a> <a href="#">Quirk-Silva</a>	Amended 3/21/2024	Senate Housing	<b>Housing element: inventory of land: rebuttable presumptions.</b> The Housing Element Law prescribes requirements for a city's or county's preparation of, and compliance with, its housing element, and requires the Department of Housing and Community Development to review and determine whether the housing element substantially complies with the Housing Element Law, as specified. Current law requires the housing element to include an inventory of land suitable and available for residential development. If that inventory of sites does not identify adequate sites to accommodate the need for groups of all household income levels, as provided, current law requires that the local government rezone sites within 3 years after the date the housing element is adopted or within one year if the local government fails to adopt a housing element that the department finds to be in substantial compliance with the Housing Element Law within 120 days of the statutory deadline to adopt the housing element. This bill, for the 7th and each subsequent revision of the housing element, would require a local government to complete the rezoning of sites within one year of the statutory deadline for the adoption of the housing element or the earlier of 3 years after the date the housing element is adopted or 90 days after receipt of comments from the department, as specified, if the local government satisfies certain requirements, including submitting a draft element or draft amendment to the department for review within specified timeframes and adopting a draft element or draft amendment that the department finds to be insubstantial compliance with the Housing Element Law, as specified.		
<a href="#">AB 2061</a> <a href="#">Wilson</a>	Amended 5/1/2024	Senate Revenue and Taxation	<b>Sales and Use Tax: exemptions: zero-emission public transportation ferries.</b> Current sales and use tax laws impose a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. This bill, beginning January 1, 2025, and until January 1, 2030, would exempt from those taxes the gross receipts from the sale in this state of, and the storage, use, or other consumption in this state of, zero-emission public transportation ferries, as defined, sold to a public agency, as specified.		
<a href="#">AB 2086</a> <a href="#">Schiavo</a>	Amended 4/15/2024	Senate Transportation	<b>Transportation funding: California Transportation Plan: public dashboard.</b> Current law requires the Department of Transportation to prepare the California Transportation Plan for submission to the Governor and the Legislature as a long-range planning document that incorporates various elements and is consistent with specified expressions of legislative intent. Current law requires the department to complete the 3rd update to the plan by December 31, 2025, and to update the plan every 5 years thereafter. This bill would require		

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			the California Transportation Plan to also include a financial element that summarizes the full cost of plan implementation, a summary of available revenues through the planning period, and an analysis of what is feasible within the plan if constrained by a realistic projection of available revenues, as specified.		
<a href="#">AB 2240</a> <a href="#">Arambula</a>	Amended 5/16/2024	Senate Housing	<b>Farm labor centers: migratory agricultural workers.</b> The Farm Labor Center Law authorizes a housing authority to acquire, own, operate, construct, reconstruct, repair, replace, maintain, and dispose of a farm labor center, as defined, due to the need to assemble, domicile, and house persons and families engaged in agricultural work. Current law also authorizes a housing authority to arrange and contract for the furnishing of services, privileges, works, or facilities for or in connection with its farm labor center, as specified. Current law prohibits a housing authority that operates a farm labor center from limiting an agricultural worker's housing unit occupancy period to less than 270 days if the Director of Agriculture certifies that there are seasonal crops that would keep those workers in the immediate area for that period of time. This bill instead would require all housing units at farm labor centers operated by housing authorities to be made available for occupancy year-round by migratory farmworkers by January 1, 2031, pursuant to a 6-year transition plan to be developed and implemented by the Department of Housing and Community Development based on reports required to be submitted by farm labor centers. The bill would also impose various requirements and prohibitions on housing authorities, including developing community outreach that provides information regarding year-round housing accessibility.		
<a href="#">AB 2243</a> <a href="#">Wicks</a>	Amended 6/4/2024	Senate Housing	<b>Affordable Housing and High Road Jobs Act of 2022: objective standards and affordability and site criteria.</b> The Affordable Housing and High Road Jobs Act of 2022, until January 1, 2033, authorizes a development proponent to submit an application for an affordable housing development or a mixed-income housing development that meets specified objective standards and affordability and site criteria, including being located within a zone where office, retail, or parking are a principally permitted use. The act makes a development that meets those objective standards and affordability and site criteria a use by right and subject to one of 2 streamlined, ministerial review processes depending on, among other things, the affordability requirements applicable to the project. This bill would make various changes to the objective standards and affordability and site criteria applicable to an affordable housing development or mixed-income housing development subject to the streamlined, ministerial review process under the act.		
<a href="#">AB 2290</a> <a href="#">Friedman</a>	Amended 4/1/2024	Senate Transportation	<b>Transportation: Class III bikeways: bicycle facilities: Bikeway Quick-Build Project Pilot Program.</b> Current law establishes 4 classifications of bikeways and defines a "Class III bikeway" as a bikeway that provides a right-of-way on-street or off-street, designated by signs or permanent markings and shared with pedestrians and motorists. This bill would prohibit the allocation of Active Transportation Program funds for a project that creates a Class III bikeway unless the project is on a street with a design speed limit of 20 miles per hour or less or the project will reduce the design speed limit to 20 miles per hour or less.		
<a href="#">AB 2353</a> <a href="#">Ward</a>	Amended 4/24/2024	Senate Revenue and Taxation	<b>Property taxation: welfare exemption: delinquent payments: interest and penalties.</b> Current property tax law, in accordance with the California Constitution, provides for a "welfare exemption" for property used exclusively for religious, hospital, scientific, or charitable purposes and that is owned or operated by certain types of nonprofit	Support	Support

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			entities, if certain qualifying criteria are met. Under current property tax law, property that meets these requirements that is used exclusively for rental housing and related facilities is entitled to a partial exemption, equal to that percentage of the value of the property that is equal to the percentage that the number of units serving lower income households represents of the total number of residential units, in any year that any of certain criteria apply. Existing law imposes various penalties and costs for delinquent payment of real property taxes. Current law, however, requires the cancellation of any delinquent penalty, cost, redemption penalty, interest, or redemption fee upon satisfactory proof, as described, that the penalty, cost, interest, or fee attached due to an error of the tax collector, the auditor, or the assessor or due to their inability to complete valid procedures initiated prior to the delinquency date, as specified. This bill would provide that a taxpayer is not liable for interest or penalties imposed by the county tax collector, and would prohibit the county tax collector from taking or continuing any collection action, with respect to delinquent installments of property taxes levied upon a property for which the taxpayer has submitted to the county assessor an application for an exemption, as described, pursuant to the above-described partial welfare exemption, except as provided. The bill would set forth the content of the exemption application and would require the county assessor to acknowledge to the taxpayer and the county tax collector their receipt of the exemption application within 60 days of the taxpayer's submittal of the application. The bill would require an assessor to provide specified notice to a taxpayer if the assessor deems an application ineligible for exemption.		
<a href="#">AB 2455</a> <a href="#">Gabriel</a>	Amended 6/3/2024	Senate Judiciary	<b>Whistleblower protection: state and local government procedures.</b> Current law authorizes a city, county, or city and county auditor or controller to maintain a whistleblower hotline to receive calls from persons who have information regarding fraud, waste, or abuse by local government employees, as specified. Current law authorizes the county auditor to refer calls received on the whistleblower hotline to the appropriate government authority for review and possible investigation. During the initial review of a call, existing law requires the auditor, controller, or other appropriate governmental agency to hold in confidence information disclosed through the whistleblower hotline, as specified. Upon receiving specific information that an employee or local government has engaged in an improper activity, as defined, current law authorizes a city or county auditor to conduct an investigative audit of the matter, as specified. This bill would expand the above-described duties and authorizations to the auditor's or controller's designee, as specified. The bill would recast information regarding fraud, waste, or abuse by local government employees as improper governmental activity, as defined, and expand its scope to include activity by a local agency, employee, or contractor or subcontractor.		
<a href="#">AB 2485</a> <a href="#">Carrillo, Juan</a>	Amended 3/19/2024	Senate Housing	<b>Regional housing need: determination.</b> The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city, which includes, among other mandatory elements, a housing element. That law requires, for the 4th and subsequent revisions of the housing element, the Department of Housing and Community Development (department) to determine the existing and projected need for housing for each region, as specified. That law requires the department, in consultation with the council of governments, to determine the existing and projected need of housing for each region in a specified manner. That law	Support	Support

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			requires the department's determination to be based upon population projections produced by the Department of Finance, as specified. That law also requires the department to meet and consult with the council of governments regarding the assumptions and methodologies to be used to determine each region's housing need and requires the council of governments to provide data assumptions from the council of governments' projections, as specified. That law authorizes the department to accept or reject the information provided by the council of governments and, after consultation with each council of governments, to make determinations on the council of governments' data assumptions and the methodology the department will use to determine each region's housing need. That law requires the department to provide its determinations to each council of governments, as specified. This bill would require the department to publish on its internet website the data sources, analyses, and methodology, as specified, prior to finalization of the regional determination.		
<a href="#">AB 2506</a> <a href="#">Lowenthal</a>	Introduced 2/13/2024	Assembly Revenue and Taxation	<b>Property taxation: local exemption: possessory interests: publicly owned housing.</b> Would authorize a county board of supervisors to exempt from property taxation any possessory interest held by a tenant of publicly owned housing, as defined, with a value so low that the total taxes and applicable subventions on the property would amount to less than the cost of assessing and collecting them, except as provided. The bill would provide that there is a rebuttable presumption that the property taxes and applicable subventions on a possessory interest held by a tenant in publicly owned housing are less than the costs of assessing and collecting those taxes and applicable subventions. The bill would set forth procedures for granting or denying those exemptions and for implementing the exemption. The bill would provide that the board shall be deemed to have agreed with the rebuttable presumption and the exemption shall be deemed granted if the board does not take any action, if the board agrees, by a majority vote, to grant the exemption at a public hearing, or if the board fails to reach a majority vote for or against the exemption at the public hearing. By imposing additional duties on county boards of supervisors and local tax officials, the bill would impose a state-mandated local program.		
<a href="#">AB 2584</a> <a href="#">Lee</a>	Amended 4/10/2024	Senate Judiciary	<b>Single-family residential real property: corporate entity: ownership.</b> Would prohibit a business entity, as defined, that has an interest in more than 1,000 single-family residential properties from purchasing, acquiring, or otherwise obtaining an interest in another single-family residential property and subsequently leasing the property. The bill would authorize the Attorney General to bring a civil action for a violation of these provisions, and would require a court in a civil action in which the Attorney General prevails to order specified relief, including that the business entity pay a civil penalty of \$100,000 for each violation and that the business entity sell the property to an independent third party within one year of the date that the court enters judgment.		
<a href="#">AB 2597</a> <a href="#">Ward</a>	Amended 4/1/2024	Senate Housing	<b>Planning and zoning: revision of housing element: Southern California Association of Governments.</b> Existing law requires certain local governments to revise their housing elements 18 months after the adoption of every 2nd regional transportation plan update, but no later than 8 years after the deadline for the previous update of the housing element, as specified. This bill would extend the above-described deadline for certain local governments that are within the regional jurisdiction of the Southern California Association of Governments and that have a compliant housing element as of the adoption of the second regional transportation plan update, as specified, except the County of Los Angeles and		

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			local governments within the County of Los Angeles, to revise their housing elements 30 months after adoption of every 2nd regional transportation plan update for the 7th and subsequent revisions of the housing element.		
<a href="#">AB 2645</a> <a href="#">Lackey</a>	Amended 4/3/2024	Senate Public Safety	<b>Electronic toll collection systems: information sharing: law enforcement.</b> Current law prohibits a transportation agency, as defined, from selling or otherwise providing to any other person or entity, with certain exceptions, personally identifiable information of a person who subscribes to an electronic toll collection system or who uses a toll bridge, toll lane, or toll highway that employs an electronic toll collection system. Under current law, a transportation agency is authorized to make personally identifiable information of a person available to a law enforcement agency only pursuant to a search warrant, except under certain circumstances. Current law defines “personally identifiable information” for these purposes and provides that it includes, among other things, a license plate number. Current law authorizes a law enforcement agency to request the Department of the California Highway Patrol (CHP) to activate the Emergency Alert System within the appropriate area if that agency determines that a child 17 years of age or younger, or an individual with a proven mental or physical disability, has been abducted and is in imminent danger of serious bodily injury or death, and there is information available that, if disseminated to the general public, could assist in the safe recovery of that person. Current law also authorizes the CHP, upon the request of a law enforcement agency, to activate various other alerts for missing individuals meeting certain criteria and alerts following an attack upon a law enforcement officer or a hit-and-run fatality. This bill, if the CHP activates one of the above-mentioned alerts and that alert contains a license plate number of a vehicle involved in the incident, would require a transportation agency that employs an electronic toll collection system to notify the CHP and the law enforcement agency that requested the alert upon identifying that vehicle with that license plate number using a camera-based vehicle identification system or other electronic medium employed in connection with the electronic toll collection system.	Oppose Unless Amended	
<a href="#">AB 2669</a> <a href="#">Ting</a>	Amended 4/2/2024	Senate Transportation	<b>Toll bridges: tolls.</b> Current law provides for the construction and operation of various toll bridges by the state, the Golden Gate Bridge, Highway and Transportation District, and private entities that have entered into a franchise agreement with the state. This bill would prohibit a toll from being imposed on the passage of a pedestrian, bicycle, or personal micromobility device over these various toll bridges, unless the bridge was under construction on or after January 1, 2025, and the tolls are used to fund the cost of constructing the bridge.		
<a href="#">AB 2678</a> <a href="#">Wallis</a>	Amended 3/18/2024	Senate Transportation	<b>Vehicles: high-occupancy vehicle lanes.</b> Current state law authorizes the Department of Transportation to designate certain lanes for the exclusive use of high-occupancy vehicles (HOVs). Current federal law authorizes, until September 30, 2025, a state to allow specified alternate fuel and plug-in electric or hybrid vehicles to use lanes designated for HOVs. Current state law authorizes the Department of Motor Vehicles to issue decals or other identifiers to qualified vehicles, as specified. Current state law allows a vehicle displaying a valid decal or identifier issued pursuant to these provisions to be operated in a lane designated for the exclusive use of HOVs regardless of the occupancy of the vehicle. These existing state laws, by operation of their provisions, become inoperative on the date the federal authorization expires. Current state law also repeals these provisions on September		



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			30, 2025. This bill would extend the repeal date of these provisions until January 1, 2027.		
<a href="#">AB 2728</a> <a href="#">Gabriel</a>	Amended 4/15/2024	Senate Housing	<b>Planning and zoning: housing development: independent institutions of higher education and religious institutions.</b> The Affordable Housing on Faith and Higher Education Lands Act of 2023 (the act) requires a housing development project on certain lands owned by an independent institution of higher education or a religious institution to be a use by right if the development project satisfies specified criteria, including that a specified percentage of the development project's total units are for lower income households. This bill would require a local government to include in the annual report specified information relating to housing development projects under the act, including the number of applications submitted and the total number of building permits issued under the act. The bill would require the Department of Housing and Community Development, by July 1, 2025, to develop and publish a list of existing state grants and financial incentives in connection with the planning, construction, and operation of very low, low-, and moderate-income housing on land owned by religious institutions and independent institutions of higher education, and a set of model partnership agreements that can be used by those institutions when they partner with an affordable housing builder.		
<a href="#">AB 2776</a> <a href="#">Rodriguez</a>	Amended 5/20/2024	Senate Governmental Organization	<b>Recovery from disaster or emergency: funding priority.</b> The California Emergency Services Act, among other things, creates the Office of Emergency Services (OES), which is responsible for the state's emergency and disaster response services, as specified. The OES is under the supervision of the Director of Emergency Services. During a state of war emergency, a state of emergency, or a local emergency, current law requires the director to coordinate the emergency activities of all state agencies in connection with that emergency. This bill would authorize the OES to prioritize funding and technical assistance under specified programs, including, but not limited to, for infrastructure and housing recovery projects, in communities that suffered a loss in population and businesses due to a major federal disaster, state of emergency, or local emergency and have unmet recovery needs as a result of a major federal disaster, state of emergency, or local emergency.		
<a href="#">AB 2813</a> <a href="#">Aguilar-Curry</a>	Amended 4/29/2024	Assembly Inactive File	<b>Government Investment Act.</b> Current law, known as the Proposition 218 Omnibus Implementation Act, defines various terms and prescribes procedures and parameters for local jurisdictions to comply with specified provisions of the California Constitution. The Legislature adopted Assembly Constitutional Amendment 1 (ACA 1) at the 2023–24 Regular Session of the Legislature, which, if approved by the voters, would amend and add provisions of the California Constitution to (1) create an additional exception to the 1% limit on the ad valorem tax rate on real property by authorizing a local jurisdiction to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, if the proposition proposing that tax is approved by 55% of the voters in that local jurisdiction; and (2) authorize a local jurisdiction to impose, extend, or increase a sales and use tax to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, if the proposition proposing that tax is approved by 55% of the voters in that local jurisdiction. This bill, for purposes of ACA 1, would define “affordable housing” to include rental housing, ownership housing, interim housing, and affordable housing programs such as downpayment assistance, first-time homebuyer programs, and owner-occupied		

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			affordable housing rehabilitation programs. The bill would require a local government to ensure that any project that is funded with ACA 1 bonded indebtedness or ACA 1 special taxes to have an estimated useful life of at least 15 years or 5 years if the funds are for specified public safety buildings, facilities, and equipment.		
<a href="#">AB 3068</a> <a href="#">Haney</a>	Amended 4/18/2024	Senate Local Government	<b>Adaptive reuse: streamlining: incentives.</b> The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for its physical development, and the development of certain lands outside its boundaries, that includes, among other mandatory elements, a housing element. That law allows a development proponent to submit an application for a development that is subject to a specified streamlined, ministerial approval process not subject to a conditional use permit, if the development satisfies certain objective planning standards, including that the development is a multifamily housing development that contains two or more residential units. This bill would deem an adaptive reuse project a use by right in all zones, regardless of the zoning of the site, and subject to a streamlined, ministerial review process if the project meets specified requirements. In this regard, an adaptive reuse project, in order to qualify for the streamlined, ministerial review process, would be required to be proposed for an existing building that is less than 50 years old or meets certain requirements regarding the preservation of historic resources, including the signing of an affidavit declaring that the project will comply with the United States Secretary of the Interior's Standards for Rehabilitation or receive federal or state historic rehabilitation tax credits, as specified. The bill would require an adaptive reuse project to meet specified affordability criteria. In this regard, the bill would require an adaptive reuse project for rental housing to include either 8% of the unit for very low income households and 5% of the units for extremely low income households or 15% of the units for lower income households. For an adaptive reuse project for owner-occupied housing, the bill would require the development to offer either 30% of the units at an affordable housing cost to moderate-income households or 15% of the units at an affordable housing cost to lower income households. The bill would require at least one-half of the square footage of the adaptive reuse project to be dedicated to residential uses.		
<a href="#">AB 3093</a> <a href="#">Ward</a>	Amended 5/6/2024	Senate Housing	<b>Land use: housing element: streamlined multifamily housing.</b> The Planning and Zoning Law defines various terms for purposes of requirements applicable to the housing element. Under current law, a housing element is required to include specified information, including an analysis of special housing needs, such as those of the elderly, and quantification of the locality's existing and projected housing needs for all income levels, including extremely low income households, calculated as provided. This bill would define acutely low, extremely low, very low, lower, moderate, and above moderate income for purposes of requirements applicable to the housing element, and would make related changes. The bill would modify the specified information required to be included in the housing element, including by removing the calculation method for extremely low income households and by specifying acutely and extremely low income households as a special housing need.		
<a href="#">AB 3138</a> <a href="#">Wilson</a>	Amended 4/24/2024	Senate Transportation	<b>Vehicle identification and registration: alternative devices.</b> Current law requires a vehicle to display a license plate, issued by the Department of Motor Vehicles, with tabs that indicate the month and year the vehicle registration expires. Current law requires the department to issue a registration card upon registering a vehicle that includes, among other		



Bill Number	Current Text	Status	Summary	MTC Position	ABAG Position
			information, the name of the owner and the vehicle registration number. Current law authorizes the department to establish a program allowing an entity to issue devices as alternatives to the conventional license plates, stickers, tabs, and registration cards, subject to specific requirements that include limitations on how vehicle location technology is used with an alternative device and how an alternative device may display certain specialized license plates. Current law requires an alternative device to be subject to the approval of the Department of the California Highway Patrol. This bill would instead require the department to consult with the Department of the California Highway Patrol when approving an alternative device. The bill would modify the limitations on the use of vehicle location technology and the replication of specialized license plates.		
<a href="#">AB 3160</a> <a href="#">Gabriel</a>	Amended 5/20/2024	Senate Housing	<b>Insurance, income, and corporation taxes: credits: low-income housing.</b> Current law establishes a low-income housing tax credit program pursuant to which the California Tax Credit Allocation Committee provides procedures and requirements for the allocation, in modified conformity with federal law, of state insurance, personal income, and corporation tax credit amounts to qualified low-income housing projects that have been allocated, or qualify for, a federal low-income housing tax credit, and farmworker housing. Current law limits the total annual amount of the state low-income housing credit for which a federal low-income housing credit is required to the sum of \$70,000,000, as increased by any percentage increase in the Consumer Price Index for the preceding calendar year, any unused credit for the preceding calendar years, and the amount of housing credit ceiling returned in the calendar year. Current law provides for an additional allocation of \$500,000,000 in low-income housing tax credits for the 2020 calendar year and up to \$500,000,000 for the 2021 calendar year and thereafter. Current law provides that the additional amount for the 2021 calendar year and thereafter is available only if the Budget Act or related legislation specifies an amount available for allocation. This bill would instead require that this additional allocation of low-income housing tax credits be \$500,000,000 for the 2020 calendar year through the 2030 calendar year, and up to \$500,000,000 for the 2031 calendar year and every year thereafter.		
<a href="#">AB 3190</a> <a href="#">Haney</a>	Amended 5/20/2024	Senate L., P.E. & R.	<b>Public works.</b> Current law requires that, except as specified, not less than the general prevailing rate of per diem wages, determined by the Director of Industrial Relations, be paid to workers employed on public works projects. Current law defines the term “public works” for purposes of requirements regarding the payment of prevailing wages to include construction, alteration, demolition, installation, or repair work done under contract and paid for using public funds, except as specified. Current law defines “paid for in whole or in part out of public funds” to include, among others, projects that involved transfer by the state or political subdivision of an asset of value for less than fair market price or projects where the money loaned by the state or political subdivision will be repaid on a contingent basis. Existing law makes a willful violation of laws relating to the payment of prevailing wages in public works a misdemeanor. This bill would expand the definition of paid for in whole or in part out of public funds to include projects paid using credits against a tax, including certain low-income housing tax credits.		
<a href="#">ACA 10</a> <a href="#">Haney</a>	Introduced 3/6/2023	Assembly Rules	<b>Fundamental human right to housing.</b> The California Constitution enumerates various personal rights, including the right to enjoy and defend life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and		

Bill Number	Current Text	Status	Summary	MTC Position	ABAG Position
			privacy. This measure would declare that the state recognizes the fundamental human right to adequate housing for everyone in California. The measure would make it the shared obligation of state and local jurisdictions to respect, protect, and fulfill this right, by all appropriate means, as specified.		
<a href="#">ACA 18</a> <a href="#">Wallis</a>	Introduced 2/16/2024	Assembly Print	<b>Road usage charges: vote and voter approval requirements.</b> The California Constitution requires any change in state statute that increases the tax liability of any taxpayer to be imposed by an act passed by 2/3 of the membership of each house of the Legislature, and prohibits specified taxes on real property from being so imposed. For these purposes, the California Constitution defines a “tax” as any state levy, charge, or exaction, except as described in certain exceptions. The California Constitution describes one of those exceptions as a charge imposed for entrance to or use of state property, or the purchase, rental, or lease of state property, except charges governed by a specified provision of the California Constitution. This measure, on or after its effective date, would provide that the exception described above does not include a road usage charge, as described, thereby requiring the imposition of this type of charge to be subject to the 2/3 vote requirement.		
<a href="#">SB 225</a> <a href="#">Caballero</a>	Amended 6/22/2023	Assembly 2 year	<b>Community Anti-Displacement and Preservation Program: statewide contract.</b> This bill would establish the Community Anti-Displacement and Preservation Program (CAPP) to make loans to aq/rehab unrestricted housing units and attach long-term affordability restrictions. HCD would issue an RFQ to select a private sector entity or consortium to manage the program for 5 years. Additionally, HCD could award funding to local entities to make loans for the same purposes.	Support	Support
<a href="#">SB 440</a> <a href="#">Skinner</a>	Amended 6/30/2023	Assembly 2 year	<b>Regional Housing Finance Authorities.</b> The San Francisco Bay Area Regional Housing Finance Act establishes the Bay Area Housing Finance Authority to raise, administer, and allocate funding for affordable housing in the San Francisco Bay area, as defined, and provide technical assistance at a regional level for tenant protection, affordable housing preservation, and new affordable housing production. The Los Angeles County Regional Housing Finance Act similarly establishes the Los Angeles County Affordable Housing Solutions Agency to increase the supply of affordable housing in Los Angeles County, as specified. This bill, the Regional Housing Finance Act, would authorize 2 or more local governments, as defined, to establish a regional housing finance authority to raise, administer, and allocate funding for affordable housing in the jurisdiction of the authority, as defined, and provide technical assistance at a regional level for affordable housing development, including new construction and the preservation of existing housing to serve a range of incomes and housing types. The bill would require an authority to be governed by a board composed of at least 3 directors who are elected officials representing the local governments that are members of the authority.		
<a href="#">SB 517</a> <a href="#">Gonzalez</a>	Amended 3/22/2023	Assembly 2 year	<b>Economic development: movement of freight.</b> Current law authorizes GO-Biz to undertake various activities relating to economic development, including the provision of prescribed information. Current law requires the Transportation Agency to prepare a state freight plan that provides a comprehensive plan to govern the immediate and long-range planning activities and capital investments of the state with respect to the movement of freight. This bill would authorize GO-Biz to serve as the coordinating entity to steer the growth, competitiveness, and sustainability for freight and the supply chain across the state		

Bill Number	Current Text	Status	Summary	MTC Position	ABAG Position
			and to promote and assess the continued economic vitality, economic competitiveness, and sustainability of the freight sector. The bill would also authorize GO-Biz to provide freight and supply chain economic competitiveness information.		
<a href="#">SB 532</a> <a href="#">Wiener</a>	Amended 6/29/2023	Assembly Appropriations	<b>San Francisco Bay area toll bridges: tolls: transit operating expenses.</b> Would, until December 31, 2028, require the Bay Area Toll Authority (BATA) to increase the toll rate for vehicles for crossing the state-owned toll bridges in the San Francisco Bay area by \$1.50, as adjusted for inflation. The bill would require the revenues collected from this toll to be deposited in the Bay Area Toll Account, would continuously appropriate moneys from this toll increase and other specified tolls, and would require moneys from this toll to be transferred to the Metropolitan Transportation Commission (MTC) for allocation to transit operators that provide service within the San Francisco Bay area and that are experiencing a financial shortfall, as specified. The bill would direct MTC to require each transit operator eligible to receive an allocation from the account to, on an annual basis, submit a 5-year projection of its operating needs, as specified.		
<a href="#">SB 768</a> <a href="#">Caballero</a>	Amended 5/29/2024	Assembly Natural Resources	<b>California Environmental Quality Act: Transportation Agency: vehicle miles traveled: study.</b> Current law requires the Office of Planning and Research to prepare, develop, and transmit to the Secretary of the Natural Resources Agency for certification and adoption proposed revisions to guidelines establishing criteria for determining the significance of transportation impacts of projects within transit priority areas to promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses. Current law establishes the Transportation Agency in state government with various duties and responsibilities. The agency is under the supervision of the Secretary of Transportation, who has the power of general supervision over specified departments and offices, including the Department of Transportation. This bill would require the Transportation Agency, in consultation with local governments and other interested parties, as specified, by January 1, 2028, and subject to an appropriation by the Legislature for this purpose, to conduct and post on its internet website a study on how vehicle miles traveled is used as a metric for measuring transportation impacts pursuant to the California Environmental Quality Act (CEQA). The bill would require the study to include, among other things, an analysis of the differences in the availability and feasibility of mitigation measures for vehicle miles traveled in rural, suburban, and urban areas. The bill would repeal those provisions on January 1, 2029.		
<a href="#">SB 827</a> <a href="#">Glazer</a>	Amended 1/11/2024	Assembly Transportation	<b>San Francisco Bay Area Rapid Transit District: Office of the BART Inspector General.</b> Current law establishes the independent Office of the San Francisco Bay Area Rapid Transit District (BART) Inspector General within BART and specifies the duties and responsibilities of the BART Inspector General including, among others, conducting, supervising, and coordinating audits and investigations relating to the district's programs and operations. This bill would provide that the BART Inspector General is vested with the full authority to exercise all responsibility for maintaining a full scope, independent, and objective audit and investigation program. The bill would provide the office with access and authority to examine all records, files, documents, accounts, reports, correspondence, or other property of the district and external entities that perform work for the district. The bill would provide that all books, papers, records, and correspondence of the office are public records subject to the California Public Records Act, but would prohibit the BART		

Bill Number	Current Text	Status	Summary	MTC Position	ABAG Position
			Inspector General from releasing certain types of records to the public, except under certain circumstances.		
<a href="#">SB 834</a> <a href="#">Portantino</a>	Amended 2/22/2024	Assembly Rules	<b>Vehicles: preferential parking: residential, commercial, or other development project.</b> Current law authorizes the legislative body of a city or a county to adopt ordinances establishing requirements for parking, and permits variances to be granted from the parking requirements of a zoning ordinance for nonresidential development if the variance will be an incentive to the development and the variance will facilitate access to the development by patrons of public transit facilities. Current law prohibits a public agency from imposing any minimum automobile parking requirement on any residential, commercial, or other development project, as defined, that is located within 1/2 mile of public transit, as defined. Current law, notwithstanding the above-described prohibition, authorizes a city, county, or city and county to impose or enforce minimum automobile parking requirements on a housing development project if specified conditions are met. Current law authorizes a local authority to authorize preferential parking for designated groups to park on specified streets if the local authority determines that use of the permits will not adversely affect parking conditions for residents and merchants in the area. This bill would prohibit a local authority from issuing any permit conferring preferential parking privileges to any residents or vendors of any developments within 1/2 mile of public transit and exempt from parking minimums. The bill would require the local authority to revise the boundaries of any such preferential parking district to exclude those developments from its boundaries. The bill would make related findings and declarations, and state that it is the intent of the Legislature to discourage car use by incentivizing development near public transit.		
<a href="#">SB 867</a> <a href="#">Allen</a>	Amended 6/22/2023	Assembly Natural Resources	<b>Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024.</b> Would enact the Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,500,000,000 pursuant to the State General Obligation Bond Law to finance projects for drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, park creation and outdoor access, and clean energy programs.		
<a href="#">SB 904</a> <a href="#">Dodd</a>	Amended 3/21/2024	Assembly Transportation	<b>Sonoma-Marin Area Rail Transit District.</b> Current law creates, within the Counties of Sonoma and Marin, the Sonoma-Marin Area Rail Transit District with specified duties and powers relative to the provision of a passenger and freight rail system within the territory of the district. Under current law, the district is governed by a 12-member board of directors appointed by various local governmental entities. Current law authorizes the board to submit to the voters of the district a measure proposing a retail transactions and use tax ordinance. This bill would also authorize those special taxes to be imposed by a qualified voter initiative if that initiative complies with certain requirements. The bill would require the board of supervisors of the Counties of Sonoma and Marin to call a special election on a		

Bill Number	Current Text	Status	Summary	MTC Position	ABAG Position
			tax measure proposed by the district's board of directors or a qualified voter initiative in their respective counties, as specified.		
<a href="#">SB 915</a> <a href="#">Cortese</a>	Amended 5/16/2024	Assembly Transportation	<b>Local government: autonomous vehicle service.</b> Current law authorizes an autonomous vehicle, as defined, to be operated on public roads for testing purposes by a driver who possesses the proper class of license for the type of vehicle being operated if certain requirements are met, including that the vehicle is being operated solely by employees, contractors, or other persons designated by the manufacturer. Current law prohibits an autonomous vehicle from being operated on public roads until the manufacturer submits an application to the Department of Motor Vehicles containing certain certifications regarding safety and other technological requirements and the department approves that application pursuant to adopted regulations. Current law, commencing January 1, 2030, and to the extent authorized by federal law, prohibits the operation of certain new autonomous vehicles that are not zero-emission vehicles, as defined. This bill would authorize a city with a population of 250,000 or greater that an autonomous vehicle service, as defined, has received authorization by the Department of Motor Vehicles, the Public Utilities Commission, or any other applicable state agency to operate, to protect the public health, safety, and welfare by enacting an ordinance in regard to autonomous vehicle services within that jurisdiction. The bill would require each city that enacts an ordinance to include certain provisions within that ordinance. These would include a policy for entry into the business of providing autonomous vehicle services including a permitting program that includes, among other things, the establishment of reasonable vehicle caps and hours of service restrictions. The bill would authorize a city with a population of less than 250,000 that shares a border or is contiguous to a city that has enacted an autonomous vehicle services ordinance to enact an ordinance substantially consistent with that autonomous vehicle services ordinance.		
<a href="#">SB 917</a> <a href="#">Skinner</a>	Introduced 1/10/2024	Senate Budget and Fiscal Review	<b>Budget Act of 2024.</b> Would make appropriations for the support of state government for the 2024–25 fiscal year.		
<a href="#">SB 936</a> <a href="#">Seyarto</a>	Amended 5/20/2024	Assembly Transportation	<b>Office of Planning and Research: study: road safety projects.</b> Would require Office of Planning and Research (OPR), in coordination with the Department of Transportation, to conduct a study to identify certain locations in the state highway system with regard to vehicle collisions and crash exposure, projects that could improve road safety at each of those locations, and common factors, if any, contributing to the delay in the delivery of those projects. The bill would require OPR to post the study on its internet website on or before January 1, 2026.		
<a href="#">SB 946</a> <a href="#">McGuire</a>	Amended 4/29/2024	Assembly Revenue and Taxation	<b>Personal Income Tax Law: Corporation Tax Law: exclusions: wildfire mitigation payments.</b> The Personal Income Tax Law and the Corporation Tax Law, in conformity with federal income tax law, generally defines gross income as income from whatever source derived, except as specifically excluded, and provides various exclusions from gross income. This bill would, for taxable years beginning on or after January 1, 2024, and before January 1, 2029, provide an exclusion from gross income for amounts received by a qualified taxpayer, as defined, as a California qualified wildfire loss mitigation payment, as defined.		
<a href="#">SB 951</a>	Amended	Assembly Natural	<b>California Coastal Act of 1976: coastal zone: coastal development.</b> Current law requires		

Bill Number	Current Text	Status	Summary	MTC Position	ABAG Position
<a href="#">Wiener</a>	6/5/2024	Resources	a city or county to prepare and adopt a general plan for its jurisdiction that contains certain mandatory elements, including a housing element. Current law requires the housing element to identify adequate sites for housing, including rental housing, factory-built housing, mobilehomes, and emergency shelters, among other things. Current law requires the housing element to contain an assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs. Current law requires rezoning, including adoption of minimum density and development standards, as specified, when an inventory of sites does not identify adequate sites to accommodate the need for groups of specified household income levels. This bill would, for a jurisdiction within the coastal zone that has not identified adequate sites to accommodate the locality's housing need for a designated income level, require completion of any necessary local coastal program amendments related to land use designations, changes in intensity of land use, zoning ordinances, or zoning district maps, as specified.		
<a href="#">SB 960</a> <a href="#">Wiener</a>	Amended 5/17/2024	Assembly Transportation	<b>Transportation: planning: complete streets facilities: transit priority projects.</b> Current law requires the Department of Transportation to improve and maintain the state's highways, and establishes various programs to fund the development, construction, and repair of local roads, bridges, and other critical transportation infrastructure in the state. This bill would require all transportation projects funded or overseen by the department to provide complete streets facilities, except as specified.	Support in Concept	
<a href="#">SB 961</a> <a href="#">Wiener</a>	Amended 5/8/2024	Assembly Transportation	<b>Vehicles: safety equipment.</b> Current law prohibits a person from driving a vehicle upon a highway at a speed greater than the speed limit. Current law also prohibits a person from driving a vehicle upon a highway at a speed greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of, the highway, and in no event at a speed that endangers the safety of persons or property. This bill would require 50% of certain vehicles, commencing with the 2029 model year, to be equipped with a passive intelligent speed assistance system, as specified, that would utilize a brief, one-time, visual and audio signal to alert the driver each time the speed of the vehicle is more than 10 miles per hour over the speed limit.		
<a href="#">SB 1031</a> <a href="#">Wiener</a>	Amended 5/20/2024	Assembly Desk	<b>San Francisco Bay area: local revenue measure: transportation improvements.</b> Current law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Current law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relating to providing public transit services. This bill would authorize the commission to raise and allocate new revenue and incur and issue bonds and other indebtedness, as specified. In this regard, the bill would authorize the commission, until January 1, 2041, to impose a retail transactions and use tax, a regional payroll tax, a parcel tax, and a regional vehicle registration surcharge in all or a subset of the 9 counties of the San Francisco Bay area, except as specified, in accordance with applicable constitutional requirements. The bill would prohibit a tax or surcharge described above from being imposed for a period of time of more than 30 years. The bill would require the parcel tax to be collected by counties and the other 3 taxes to be collected by specified state agencies, and would require the net revenues from those taxes to be remitted to the commission, as prescribed.	Sponsor	



Bill Number	Current Text	Status	Summary	MTC Position	ABAG Position
<a href="#">SB 1032</a> <a href="#">Padilla</a>	Amended 5/16/2024	Assembly Housing and Community Development	<b>Housing finance: portfolio restructuring: loan forgiveness.</b> Current law establishes various rental housing finance programs administered by the Department of Housing and Community Development. Current law authorizes the department to monitor and fund various multifamily housing loans. With respect to these programs and loans, existing law authorizes the department to approve an extension of a department loan, the reinstatement of a qualifying unpaid matured loan, the subordination of a department loan to new debt, or an investment of tax credit equity pursuant to specified rental housing finance programs and multifamily housing loans administered, monitored, or funded by the department, subject to specified requirements. This bill would additionally authorize the department to forgive the full amount of the principal, interest, fees, and other outstanding balances of the above-described loans if the borrower makes specified showings.		
<a href="#">SB 1054</a> <a href="#">Rubio</a>	Amended 5/20/2024	Assembly U. & E.	<b>Natural gas: customer credit.</b> The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms in regulating those emissions. The implementing regulations adopted by the state board provide for the direct allocation of greenhouse gas allowances to electrical corporations and gas corporations pursuant to a market-based compliance mechanism. This bill would require the Public Utilities Commission to direct the balance of the revenues received by a gas corporation as a result of that allocation to be credited directly to the residential customers of the gas corporation, as specified.		
<a href="#">SB 1079</a> <a href="#">Menjivar</a>	Amended 5/16/2024	Assembly Housing and Community Development	<b>Youth Housing Bond Act of 2024.</b> Would enact the Youth Housing Bond Act of 2024 (bond act), which, if adopted, would authorize the issuance of bonds in the amount of \$1,000,000,000 pursuant to the State General Obligation Bond Law to finance the Youth Housing Program, established as part of the bond act. The bill, as a part of the program, would require the Department of Housing and Community Development to make awards to local agencies, nonprofit organizations, and joint ventures for the purpose of acquiring, renovating, constructing, and purchasing equipment for youth centers or youth housing, as those terms are defined.		
<a href="#">SB 1187</a> <a href="#">McGuire</a>	Introduced 2/14/2024	Assembly Housing and Community Development	<b>Housing programs: Tribal Housing Reconstitution and Resiliency Act.</b> Would enact the Tribal Housing Reconstitution and Resiliency Act and would create the Tribal Housing Grant Program Trust Fund to be administered by the Department of Housing and Community Development. The bill would require the fund, upon appropriation from the Legislature, to be allocated in accordance with a specified formula, as provided. This bill contains other related provisions.		
<a href="#">SB 1211</a> <a href="#">Skinner</a>	Amended 4/23/2024	Assembly Housing and Community Development	<b>Land use: accessory dwelling units: ministerial approval.</b> The Planning and Zoning Law, authorizes a local agency, by ordinance, to provide for the creation of accessory dwelling units (ADUs) in areas zoned for residential use, as specified. That law prohibits, if a local agency adopts an ordinance to create ADUs in those zones, the local agency from requiring the replacement of offstreet parking spaces if a garage, carport, or covered parking structure is demolished in conjunction with the construction of, or is converted to, an ADU. This bill would also prohibit the local agency from requiring the replacement of offstreet parking spaces if an uncovered parking space is demolished in conjunction with the construction of, or is converted to, an ADU.		





**Metropolitan Transportation Commission and Association of Bay Area Governments  
Joint MTC ABAG Legislation Committee**

**California Local & Regional Government Association Bill Position Resources**

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**League of California Cities (“the League”)**

- <https://www.calcities.org/advocacy/bill-search>

**California State Association of Counties (CSAC)**

- <https://www.counties.org/legislative-tracking>

**California Association of Councils of Government (CALCOG)**

- <https://calcog.org/bill-tracker/>

**Metropolitan Transportation Commission and Association of Bay Area Governments**  
**Joint MTC ABAG Legislation Committee**

**2024 Legislative Calendar\***

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**January**

- 1: Statutes take effect
- 3: **Legislature reconvenes**
- 10: Budget must be submitted by Governor
- 12: Last day for **policy committees** to hear and report to **fiscal committees'** fiscal bills introduced in their house in the **odd-numbered year**.
- 15: Martin Luther King, Jr. Day
- 19: Last day for any committee to hear and report to the **Floor** bills introduced in that house in the odd-numbered year. Last day to submit bill requests to the Office of Legislative Counsel.
- 31: Last day for each house **to pass bills introduced** in that house in the odd-numbered year

**February**

- 16: Last day for bills to be **introduced**
- 19: Presidents' Day

**March**

- 21: **Spring Recess** begins upon adjournment
- 29: Cesar Chavez Day observed.

**April**

- 1: Legislature reconvenes from **Spring Recess**
- 26: Last day for **policy committees** to hear and report to **fiscal committees** fiscal bills introduced in their house

**May**

- 3: Last day for **policy committees** to meet and report to the floor **nonfiscal** bills introduced in their house
- 10: Last day for **policy committees** to meet prior to May 28
- 17: Last day for **fiscal committees** to hear and report to the **Floor** bills introduced in their house. Last day for **fiscal committees** to meet prior to May 28.
- 20- 24: **Floor session only**. No committees may meet for any purpose except Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees.
- 24: Last day for each house to pass bills introduced in that house
- 27: Memorial Day
- 28: Committee meetings may resume

**June**

- 15: Budget Bill must be passed by **midnight**
- 27: Last day for a legislative measure to qualify for the Nov. 5 General Election ballot

**July**

- 3: Last day for **policy committees** to meet and report bills. **Summer Recess** begins upon adjournment, provided Budget Bill has been passed.
- 4: Independence Day

**August**

- 5: Legislature reconvenes from **Summer Recess**
- 16: Last day for **fiscal committees** to meet and report bills
- 19-31: **Floor session only**. No committees may meet for any purpose except Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees.
- 23: Last day to **amend** bills on the floor
- 31: Last day for **each house to pass bills**. **Final Recess** begins upon adjournment

**September**

- 2: Labor Day
- 30: Last day for Governor to sign or veto bills passed by the Legislature before Sept. 1 and in the Governor's possession on or after Sept.

**October**

- 2: Bills enacted on or before this date take effect January 1, 2025

**November**

- 5: General Election
- 30: Adjournment *sine die* at midnight

**December**

- 2: 2025-26 Regular Session convenes for Organizational Session at 12 noon.

**2025**

- January 1: Statutes take effect

Source: compiled by the Office of the Assembly Chief Clerk (<https://clerk.assembly.ca.gov/>) and the Office of the Secretary of The Senate (<https://www.senate.ca.gov/legdeadlines> ).

\*Dates are subject to change.

**Metropolitan Transportation Commission and Association of Bay Area Governments**  
**Joint MTC ABAG Legislation Committee**

**June 14, 2024**

**Agenda Item 2c**

**Washington D.C. Legislative Update**

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**Subject:**

May 2024 Report from Washington, D.C. advocate.

**Issues:**

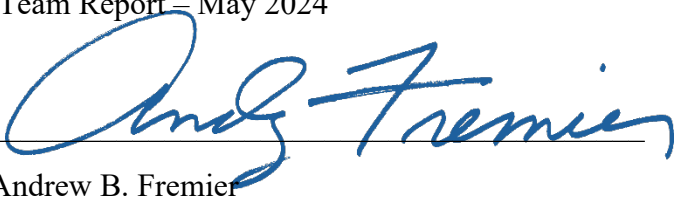
None identified.

**Recommendations:**

Information

**Attachments:**

- Attachment A: Summit Strategies Team Report – May 2024



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Andrew B. Fremier



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**Summit Strategies Team Report – May 2024**

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**From: Summit Strategies Team**

**To: Andrew B. Fremier, Executive Director**

**Date: June 6, 2024**

**Subject: May Federal Policy Monthly Report**

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- **Cole Announces Subcommittee Allocations for Fiscal Year 2025**
  - **Supporting MTC Priorities in Congress**
  - **National Transportation News Roundup**
- 

Below is a status update on issues of interest to MTC and the actions that we have taken to date.

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### **Cole Announces Subcommittee Allocations for Fiscal Year 2025**

House Appropriations Committee Chair Tom Cole (R-OK) has announced interim subcommittee allocations for Fiscal Year (FY) 2025 spending bills. The announced spending allocations fall under the caps outlined in the agreement reached between President Biden and then-Speaker McCarthy and contained in the Fiscal Responsibility Act of 2023. That statute capped annual spending increases for defense and non-defense spending at 1 percent. While defense spending will see an increase of nearly \$9 billion (totaling \$895 billion) under Cole's allocations, non-defense spending will see a 6 percent cut (totaling \$710 billion dollars). Combined, the topline allocation for FY 2025 is \$1.6 trillion. Transportation, Housing and Urban Development, and Related Agencies allocations for non-defense spending will total nearly \$91 billion, and defense spending will total \$378 million.

As part of the announcement, Cole released an ambitious markup schedule. The Transportation, Housing and Urban Development, and Related Agencies bill is scheduled to be considered by the appropriations committee on June 27, 2024.

While Cole has an ambitious plan for marking up FY 2025 spending bills, he does not anticipate all bills will pass Congress before the fiscal year ends on September 30, 2024. Cole hopes the committee's aggressive schedule will help the House gain leverage on negotiations with the Senate, which has not released its subcommittee allocations and will likely resist cuts to non-defense spending.

### **Supporting MTC Priorities in Congress**

Last month, the DC team scheduled a fly-in trip for the MTC delegation. Highlights from the trip include landing Speaker Emerita Nancy Pelosi (D-CA), House Transportation and Infrastructure Ranking Member Rick Larsen (D-WA), Federal Highway Administration Administrator Shailen Bhatt, and Senator Alex Padilla (D-CA) as speakers at the California Transportation Reception; meeting with Federal Transit Administration Executive Director Matt Welbes; meeting with Office of the Secretary Deputy Assistant for Transportation Policy Scott Goldstein and Principal Deputy Assistant Secretary Mariia Zimmerman; meeting with Department of Housing and Urban Development Deputy Assistant Secretary for Intergovernmental Relations Patrick Byrne; meeting with Representatives Mike Thompson (D-CA), Kevin Mullin (D-CA), Mark DeSaulnier

(D-CA), John Garamendi (D-CA); meeting with Senator Alex Padilla (D-CA); meeting with the Offices of Representative Barbara Lee (D-CA), Jared Huffman (D-CA), Eric Swalwell (D-CA), Zoe Lofgren (D-CA), and Doris Matsui (D-CA); meeting with the Senate Commerce Committee (Majority Staff), House Appropriations Committee Transportation, Housing and Urban Development, and Related Agencies Subcommittee (Majority and Minority Staff), Senate Environment and Public Works Committee (Majority and Minority Staff), Senate Appropriations Committee Transportation, Housing, and Urban Development, and Related Agencies Subcommittee (Majority and Minority Staff), Senate Banking Committee (Majority and Minority Staff), and House Highways and Transit Subcommittee (Majority and Minority Staff); and being joined at dinner by Former Federal Transit Administration Administrator Nuria Fernandez.

In addition to organizing meetings for the entire MTC delegation, the DC team supported Executive Director Andrew Fremier at the Association of Metropolitan Planning Organizations event while he was in town.

The DC Team also continues its ongoing advocacy work on behalf of MTC. We have worked on appropriations language to address the Bridge Investment Program bridge cap and letters of support for MTC's Multimodal Discretionary Grant Program (MPDG) grant application.

The DC Team is also planning for Surface Transportation Reauthorization. The team discussed reauthorization issues with Representative Mark DeSaulnier (D-CA) and Senator Alex Padilla (D-CA).

#### **National Transportation News Roundup (links to articles)**

- [Latest Mineta Transportation Institute survey finds 51 percent of Americans support pollution-emission based mileage fee to raise transportation revenue \(Mass Transit\)](https://www.masstransitmag.com/technology/miscellaneous/press-release/55041363/latest-mineta-transportation-institute-survey-finds-51-percent-of-americans-support-pollution-emission-based-mileage-fee-to-raise-transportation-revenue)  
(<https://www.masstransitmag.com/technology/miscellaneous/press-release/55041363/latest-mineta-transportation-institute-survey-finds-51-percent-of-americans-support-pollution-emission-based-mileage-fee-to-raise-transportation-revenue>)
- [How \\$3.4B in federal aid will help in effort to connect Caltrain and high-speed rail to SF \(ABC\)](https://abc7news.com/post/34b-federal-aid-connect-caltrain-high-speed-rail/14849510/)  
(<https://abc7news.com/post/34b-federal-aid-connect-caltrain-high-speed-rail/14849510/>)



- [FY25 Transportation Bill on House Agenda \(Transport Topics\)](#)  
(<https://www.ttnews.com/articles/fy25-transportation-house>)
- [To see California in a new way, a journalist took a 38-hour trip on public transport \(NPR\)](#)  
(<https://www.npr.org/2024/05/27/nx-s1-4974931/to-see-california-in-a-new-way-a-journalist-took-a-38-hour-trip-on-public-transport>)

**Metropolitan Transportation Commission and Association of Bay Area Governments**  
**Joint MTC ABAG Legislation Committee**

**June 14, 2024**

**Agenda Item 3a**

**Constitutional Amendment to Lower Vote Threshold to Fifty-Five Percent for  
Infrastructure Bonds**

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**Subject:**

Revises Assembly Constitutional Amendment (ACA) 1 (Aguiar-Curry, 2023) to place on the November 2024 ballot a constitutional amendment to institute a 55 percent vote threshold for housing and infrastructure bonds.

**Background:**

Last year, the state Legislature approved ACA 1, placing it on the November 2024 ballot. This constitutional amendment would allow voters to pass local/regional bonds and special taxes for housing and public infrastructure by a 55 percent vote instead of the current two-thirds threshold. “Public infrastructure” includes transportation improvements, hospitals, water and sewer facilities, parks, flood control and public safety facilities, among others.

MTC and ABAG strongly supported ACA 1 and dedicated significant staff time to securing its passage. Recent voter surveys have indicated a lack of support for the special taxes portion of the constitutional amendment. This constitutional amendment would replace ACA 1 with a very similar measure minus the special taxes provision. The Legislature must pass it by June 27, 2024 to meet the Secretary of State’s qualifying deadline for the November ballot.

**Recommendation:**

Support / ABAG Executive Board Approval

Support / Commission Approval

**Discussion:**

Based on multiple polls conducted by EMC Research, it seems clear that a 55 percent vote threshold is critical to securing passage of the Bay Area Housing Finance Authority’s pending ballot measure for a \$20 billion regional housing bond. This constitutional amendment is carefully crafted to increase the likelihood voters will approve the 55 percent threshold; therefore, staff recommends a support position.

**Known Positions:**

Support

None known

Oppose

None known

**Attachments:**

None

A handwritten signature in blue ink, reading "Andy Fremier", written over a horizontal line. The signature is stylized with a large initial "A" and a cursive "Fremier".

Andrew B. Fremier

**Metropolitan Transportation Commission and Association of Bay Area Governments**  
**Joint MTC ABAG Legislation Committee**

**June 14, 2024**

**Agenda Item 3b**

**Assembly Bill 2813 (Aguiar-Curry): Government Investment Act**

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**Subject:**

Implementing legislation for the 55 percent vote threshold constitutional amendment; adds local accountability requirements and makes other changes.

**Background:**

Last year, the state Legislature placed Assembly Constitutional Amendment (ACA) 1 (Aguiar-Curry) on the November 2024 statewide ballot. If approved by voters, the measure would allow local/regional bonds and special taxes for housing and public infrastructure to pass with a 55 percent vote instead of the current two-thirds. The Legislature moved ACA 1 through the legislative process with unusual speed, so the author committed to coming back in 2024 with an implementation bill that would flesh out ACA 1's accountability provisions along with making other clarifying amendments. MTC and ABAG supported ACA 1 and dedicated significant staff time to securing its passage. MTC and ABAG also identified several important technical refinements that would be needed to ensure compatibility with the Bay Area Housing Finance Authority's (BAHFA) planned 2024 housing bond. Assembly Bill (AB) 2813 is the vehicle for those implementation amendments. Among other provisions, the bill:

- 1) Establishes various requirements applicable to citizen oversight committees, which are required by ACA 1.
- 2) Requires all funded projects to have a useful life of at least 15 years, excepting public safety related buildings and equipment, which must have a five-year useful life.
- 3) Requires the State Auditor to review an unspecified percentage of the performance and financial audits that must be conducted under ACA 1.
- 4) Defines various terms used in ACA 1, as requested by MTC and ABAG.

**Recommendation:**

Support and seek amendments / ABAG Executive Board Approval

Support and seek amendments / Commission Approval

**Discussion:**

If approved by voters, ACA 1 (or a replacement ACA) and AB 2813 will comprise the legal parameters for local 55 percent vote threshold measures for housing and public infrastructure.

The constitutional amendment sets the broad framework and AB 2813 fills in details that more appropriately belong in statute, where they can be modified from time to time by the Legislature to reflect evolving practice and policy. This is a common approach in California.

Consistent with Item 3A of MTC-ABAG's 2024 Advocacy Program, staff has been working with partners and the author's office to ensure AB 2813 aligns with BAHFA's business plan and draft ballot measure. The author has accepted one amendment we requested and indicated openness to additional changes. Based on these productive conversations, staff recommends supporting AB 2813 and seeking friendly amendments to: 1) Modify the "useful life" provision to align with federal regulations governing municipal bonds. Specifically, in place of the 15-year standard in the bill, we would seek to apply the federal requirement that the average maturity of the bonds does not exceed 120% of the average useful life of funded projects, and 2) Clarify that restrictions on use of bond proceeds applies only to the proceeds, not to future programs BAHFA may fund with loan repayments.

**Known Positions:**

Support


California Professional Firefighters

Oppose

None known

**Attachments:**

None



Andrew B. Fremier

**Metropolitan Transportation Commission and Association of Bay Area Governments**  
**Joint MTC ABAG Legislation Committee**

**June 14, 2024**

**Agenda Item 3c**

**Fiscal Year 2024-25 State Budget Update**

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**Subject:**

Status update on the Regional Early Action Program (REAP 2.0) and state transit funding in the fiscal year (FY) 2024-25 State Budget.

**Background:**

In January, Governor Newsom released a FY 2024-25 State Budget proposal that predicted a \$38 billion budget shortfall, which was substantially smaller than the roughly \$70 billion deficit projected by the Legislative Analyst's Office. The Governor's proposal would close the budget gap through the use of reserves, delays or deferrals of spending authorized in earlier years – including delaying a portion of last year's \$5.1 billion Senate Bill (SB) 125 transit package – and spending cuts, including clawing back half of the REAP 2.0 program, which had been approved in the 2021 budget cycle. MTC's letter detailing Bay Area impacts from the proposed REAP 2.0 cuts is provided as Attachment A.

In April, the Governor and Legislature struck a deal on an “[early action plan](https://www.gov.ca.gov/wp-content/uploads/2024/04/Early-Action-Agreement-Overview-.pdf)” (<https://www.gov.ca.gov/wp-content/uploads/2024/04/Early-Action-Agreement-Overview-.pdf>) to reduce the shortfall by \$17 billion. Assembly Bill (AB) 106, the early action plan budget trailer bill, was silent on the proposed REAP 2.0 cuts but affirmed the Governor's proposal to delay a portion of the SB 125 funds. Specifically, the early action delayed \$1 billion in Transit and Intercity Rail Capital Program (TIRCP) formula grants from FY 2024-25 to FY 2025-26. Shortly after April tax receipts came in at lower levels than projected, the Governor instituted a discretionary spending freeze (authorized by the Legislature in the above-mentioned AB 106). This halted the pending release of the Bay Area's SB 125 transit funds to MTC. As a reminder, SB 125 provided the Bay Area roughly \$1.1 billion over five years, but funds are still subject to appropriation each year. The Commission has committed to use those funds to support BART Core Capacity and BART Silicon Valley Phase 2 (\$725 million) and transit operating costs (\$445 million plus about \$28 million from anticipated interest earnings). MTC was informed of

the spending freeze on the same day we had anticipated receiving the Bay Area's "year one" resources (approximately \$530 million).

Encouragingly, the May Revise largely left the SB 125 deal intact, proposing delays and fund shifts rather than any cuts. MTC and transit agencies sent a cautionary note to Governor Newsom detailing that while a short freeze in the funds will not cause an immediate cash flow issue for the capital projects or transit service in the region, a prolonged freeze or actual cuts would have a broader impact (see Attachment B).

On May 29, 2024, Assembly and Senate legislative leaders released a Joint Legislative Budget Plan, summarized in Attachment C. The plan scales back the Governor's proposed REAP 2.0 budget cut from \$300 million to \$50 million, equivalent to a loss of about \$10 million or 10 percent for MTC instead of \$50 million. As of the writing of this memo, it is not yet clear if the plan includes the additional SB 125 fund delays proposed in the May Revise.

Staff will provide a verbal update at your committee meeting.

**Recommendation:**

Information

**Attachments:**

- Attachment A: MTC Letter on REAP 2.0
- Attachment B: Bay Area Transit Coalition Letter on SB 125
- Attachment C: Joint Legislative Budget Plan Summary



Andrew B. Fremier



ASSOCIATION OF BAY AREA GOVERNMENTS  
METROPOLITAN TRANSPORTATION COMMISSION

February 28, 2024

The Honorable Mike McGuire  
Senate President pro Tempore  
State Capitol, Room 205  
Sacramento, CA 95814

The Honorable Robert Rivas  
Assembly Speaker  
1021 O St, Suite 8330  
Sacramento, CA 95814

The Honorable Scott Wiener  
Chair, Senate Committee on Budget  
and Fiscal Review  
1020 N St, Suite 502  
Sacramento, CA 95814

The Honorable Jesse Gabriel  
Chair, Assembly Budget Committee  
1021 O St, Suite 8230  
Sacramento, CA 95814

**RE: Protect Funding for Transit, REAP 2.0 and Other Critical Housing Programs**

Dear Senate President pro Tem McGuire, Speaker Rivas, Chair Wiener, and Chair Gabriel:

On behalf of the Metropolitan Transportation Commission and Association of Bay Area Governments – the regional transportation and housing planning, financing and coordinating agencies for the nine county San Francisco Bay Area – I write to express support for the Governor’s January budget proposal honoring last year’s transit funding package. We are grateful for the legislature’s leadership providing a multi-year funding framework in the fiscal year (FY) 2023-24 budget to give Bay Area transit agencies breathing room for the next couple of years so they can avoid making service cuts and focus instead on implementing policies to attract new riders and reinventing their long-term funding models.

However, we have significant concerns about the Newsom Administration’s suggested cuts to the Regional Early Action Planning program (REAP 2.0) and other core housing programs at a time when housing affordability and homelessness are the top concerns in our communities – and increasing the supply of affordable homes is a cornerstone of our greenhouse gas (GHG) reduction strategy. REAP 2.0 is the *only state program* that provides planning and development resources to regional agencies to implement our state mandated GHG targets. These resources are targeted to accelerate infill development, reduce vehicle miles traveled and affirmatively further fair housing.

We respectfully ask that you reject any claw back of prior year appropriations for REAP 2.0 and other housing programs. Along with REAP 2.0, we are particularly concerned about a suite of complementary programs that increase the state’s affordable housing supply, prevent displacement and homelessness and combat climate change:

- Multifamily Housing Program
- Infill Infrastructure Grant Program
- Foreclosure Intervention Housing Preservation Program



The Honorable Mike McGuire, Robert Rivas, Scott Wiener and Jesse Gabriel  
February 28, 2024  
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### **Cutting Regional Early Action Program 2.0 (REAP 2.0) Will Undercut the State's Climate and Housing Goals**

The Governor's January budget proposed to cut by 50 percent the FY 2021-22 appropriation for REAP 2.0 grants, from \$600 million to \$300 million. Bay Area communities would lose \$51.4 million, despite being well underway in implementing transformative projects that accelerate progress toward California's housing, transportation and climate change goals.

Cutting the program's funding in half would have a near-term negative impact on high-priority programs underway in the Bay Area, including putting at risk the following initiatives that were approved by the Department of Housing and Community Development (HCD) in January 2024:

- Housing Preservation and Priority Sites pilot programs: \$51.1 million to provide housing preservation and pre-development funding to communities that have few resources for either strategy. These programs also serve as "proofs of concept" for a coordinated regional housing strategy that can inspire investment in more ambitious future programs, while incrementally building capacity and expertise. We anticipate a direct increase of up to 1,600 permanently affordable homes that will benefit approximately 14,500 households over the life of the deed restrictions.
- Regional technical assistance and local grants: \$16.9 million to support cities and counties in affirmatively furthering fair housing and meeting the higher standards of the 6<sup>th</sup> cycle housing element.
- Transit improvement pilots: \$26.3 million focused on high-priority transit improvements essential to bring back riders and improve the customer experience.
- Equity Priority Communities: \$8.5 million for transportation projects and programs directly identified by underserved communities as priorities.

We understand it is a tight budget year but combating climate change and increasing access to affordable housing are foundational to the state's quality of life and should be among your top priorities this budget year. Cutting REAP 2.0 will diminish the ability to achieve the ambitious greenhouse gas reduction targets set by the state, not to mention harm efforts to improve housing affordability and mobility options.

### **Multifamily Housing Program, Infill Infrastructure Grant Program and Foreclosure Intervention Housing Preservation Program**

We also urge your rejection of the Governor's proposed cuts to these complementary housing programs which address different urgent needs throughout our region. These cuts threaten progress on increasing the Bay Area's housing supply at a time when our residents are grappling with widespread housing instability and an urgent need to solve homelessness.

The Honorable Mike McGuire, Robert Rivas, Scott Wiener and Jesse Gabriel  
February 28, 2024  
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Thank you for considering our perspective on the Governor's January budget proposals. We welcome the opportunity to engage with you and your staff to find solutions to maintaining funding for these programs. If we can be of assistance on this or any other issue, please contact Rebecca Long, Director of Legislation and Public Affairs, at [rlong@bayareametro.gov](mailto:rlong@bayareametro.gov) or 510-504-7914, or our Sacramento representative, Scott Wetch, at [scottwetch.cwa@gmail.com](mailto:scottwetch.cwa@gmail.com) or 916-446-3413.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew B. Fremier".

Andrew B. Fremier  
Executive Director

cc: Members of the Bay Area Caucus

JS: AF



May 14, 2024

Governor Gavin Newsom  
1021 O Street, Suite 9000  
Sacramento, CA 95814

RE: Temporary Freeze of Public Transit Funding

Dear Governor Newsom:

Bay Area public transit operators and the Metropolitan Transportation Commission (MTC) write today to thank you for preserving transit funding from last year's budget agreement in your May Revision to the Fiscal Year (FY) 2024-25 State Budget. We also want to go on the record to share the impact of the current spending freeze on funding appropriated for California's transit agencies as part of the FY 2023-24 Budget. This funding for the Transit and Intercity Rail Capital Program (TIRCP) and Zero Emission Transit Capital Program (ZETCP), in the amount of \$2.41 billion statewide, was scheduled to be released no later than April 30.

We are proud to have participated in the statewide coalition that helped secure the TIRCP and ZETCP funding in AB 102 (Ting), as part of a multi-year, \$5.1 billion package of transit investments. This formula funding with flexibility will support our region's recovery from the pandemic and coordinated agency efforts to implement transformational, rider-facing improvements and spur ridership growth into the future.

In accordance with accountability requirements established by SB 125 (Skinner), MTC developed and submitted a Short-Term Financial Plan for the Bay Area at the end of last year. In addition to detailing how state funding will help sustain and transform transit in the region, the plan outlines regional funding contributed to support transit operations, accountability measures for specific operators, and current efforts around a potential regional transportation revenue measure in 2026 to provide a long-term source of revenue.

The Bay Area is estimated to receive \$1.1 billion from AB 102/SB 125 between FY 2023-24 and FY 2026-27. MTC has committed \$725 million in TIRCP formula funding to two existing capital projects – BART Core Capacity and BART to Silicon Valley Phase 2. Prioritizing these investments is consistent with MTC’s longstanding advocacy for advancing these critical projects and is expected to leverage \$6-8 billion in federal funding.

Understanding that the shortfalls forecasted by Bay Area transit operators represent an existential threat to continued transit service, MTC is making \$446 million in AB 102/SB 125 funding available for transit operations in addition to \$28 million in TIRCP interest earned and \$300 million in regionally controlled funds. MTC was expecting to receive approximately \$530 million year one TIRCP and ZETCP allocations on April 30.

While a short delay in receiving these resources will not cause immediate cash flow issues for the identified capital projects or transit operations in the Bay Area, a prolonged freeze and potential cuts will have broader impacts. Project delivery schedules will enable MTC to invest these funds in accordance with SB 125 guidelines. The Bay Area’s SB 125 Short-term Financial Plan depends on \$28 million in interest generated by TIRCP funding to help cover operators’ standardized shortfalls through the end of FY 2025-26. The early action item to delay a portion of the TIRCP funds for one year will reduce the TIRCP interest earning capacity. We estimate a 60-day freeze would further reduce interest earnings by approximately \$4.5 million. Further delays would introduce even more risk.

Finally, we want to express concern as to what this freeze may mean for transit funding within the FY 2024-25 Budget. While we understand that the state faces an ever-increasing deficit, if agreed-to transit investments are cut, it will cause a ripple effect throughout our regional and statewide economies. Transit agencies facing “fiscal cliffs” will reach them sooner, leading to reduced service for our communities, stunting mobility and economic growth, and eventually forcing layoffs in the transit sector. Disruption to major capital projects would also have broader economic impacts related to long-term regional growth, housing affordability, and commercial development near transit.

We thank you for the support your administration and the Legislature have shown public transit. With the release of the May Revision, we understand the budgetary pressures the state is facing and stand ready to work with you and the Legislature as a partner moving forward on solutions, including supporting the early action budget plan’s one-year delay of TIRCP funding for FY 2024-25. However, to avoid significant impacts to Bay Area communities and the public transit operators that serve them, we request that funds otherwise appropriated be unfrozen as soon as possible.

Thank you for your consideration of our request.

Sincerely,

**Rashidi Barnes, Chief Executive Officer, Eastern Contra Costa Transit Authority (ECCTA)**  
**Michelle Bouchard, Executive Director, Peninsula Corridor Joint Powers Board (Caltrain)**

**Andrew Fremier, Executive Director, Metropolitan Transportation Commission (MTC)**  
**Carolyn Gonot, General Manager/Chief Executive Officer, Santa Clara Valley Transportation Authority (VTA)**  
**Michael Hursh, General Manager, Alameda-Contra Costa Transit District (AC Transit)**  
**Beth Kranda, Executive Director, Solano County Transit (SolTrans)**  
**Kate Miller, Executive Director, Napa Valley Transportation Authority (NVTa)**  
**Stacey Mortensen, Executive Director, Altamont Corridor Express (ACE)**  
**Denis Mulligan, General Manager, Golden Gate Bridge, Highway and Transportation District**  
**Seamus Murphy, Executive Director, Water Emergency Transportation Authority (WETA)**  
**Robert Powers, General Manager, San Francisco Bay Area Rapid Transit District (BART)**  
**Rob Thompson, General Manager, Western Contra Costa Transit Authority (WestCAT)**  
**Jeffrey Tumlin, Director of Transportation, San Francisco Municipal Transportation Agency (SFMTA)**  
**Christy Wegner, Executive Director, Livermore Amador Valley Transit Authority (LAVTA)**

cc:     The Honorable Mike McGuire, President pro Tempore, California State Senate  
          The Honorable Robert Rivas, Speaker, California State Assembly  
          The Honorable Scott Wiener, Chair, Senate Budget and Fiscal Review Committee  
          The Honorable Aisha Wahab, Chair, Senate Budget Subcommittee No. 5  
          The Honorable Jesse Gabriel, Chair, Assembly Budget Committee  
          The Honorable Steve Bennett, Chair, Assembly Budget Subcommittee No. 4  
          Toks Omishakin, Secretary, California State Transportation Agency  
          Mark Tollefson, Undersecretary, California State Transportation Agency  
          Chad Edison, Chief Deputy Secretary, California State Transportation Agency  
          Joe Stephanshaw, Director, California Department of Finance  
          Erika Li, Chief Deputy Director, California Department of Finance



On January 10, 2024 the Governor proposed a state budget for the 2024-25 fiscal year, which identified a serious budget shortfall.

Since that time, both houses of the Legislature have worked intensely to craft a budget plan. This process has included dozens of public hearings, significant input from the public and stakeholders, an early action package that addressed much of the projected deficit from January, and most recently consideration of the Governor's May Revision submitted just two weeks ago.

And now, Assembly and Senate leaders are proposing a responsible, balanced, and on-time budget plan. If approved, this plan would shape the upcoming legislative budget bill, which must be passed on or before Saturday, June 15, 2024. The budget bill, one or more "budget bills jr." to amend that bill, and accompanying statutory "trailer" bills also will emerge as legislative negotiations with the Governor advance in the coming weeks.

(All figures in this document are preliminary and subject to final scoring in the coming days by the Department of Finance.)

#### **Overall:**

**Balanced Budget.** The Legislature's Budget Plan is not only balanced through the 2024-25 budget year, but is also balanced through the 2025-26 budget year as well. All told, the Budget Plan addresses the administration's budget year projected shortfall of about \$45 billion and the 2025-26 shortfall of over \$30 billion.

- The Budget Plan is balanced in 2024-25, with a \$3.6 billion Regular Reserve and \$23 billion in total reserves – similar to the May Revision proposal.
- The Budget Plan is balanced in 2025-26, with a \$1.3 billion Regular Reserve and over \$13 billion in total reserves – around \$2 billion higher than the May Revision.
- **Budget Balancing Actions.** The Legislature's Budget Plan contains a total of \$46.9 billion in budget balancing actions for 2024-25 and \$29.3 billion 2025-26. The Budget Plan provides a balanced approach, with the balancing actions primarily coming from Program Reductions of \$16.6 billion and \$11.6 billion in 2024-25 and 2025-26, respectively, and Revenues of \$10.6 billion and \$7.8 billion in 2024-25 and 2025-26, respectively.

Here is a breakdown of the categories of budget balancing actions, in billions:

	2024-25	2025-26
<b>Reductions</b>	\$16.6	\$11.6
<b>Revenues</b>	\$10.6	\$7.8
<b>Delayed</b>	\$5.6	\$0.6
<b>Fund Shift</b>	\$7.2	\$1.8
<b>Deferral</b>	\$1.6	\$0.5
<b>Reserves</b>	\$5.3	\$7.4
<b>Total</b>	<b>\$46.9</b>	<b>\$29.8</b>

- **Summary of Reserves.** The Legislature's Budget Plan uses less reserves on net than the Governor's proposal over the next two years.
  - The Budget Plan uses \$12.2 billion of the Rainy Day Fund over the two fiscal years, the same total as the May Revision.
  - The Budget Plan uses \$450 million of the Safety Net Reserve, which is \$450 million less than the May Revision.
  - The Budget Plan, on net, uses about \$1 billion less of the Prop 98 Rainy Day Fund than the May Revision.
  - Here is breakdown of total reserves, in billions:

	2024-25		2025-26	
	Leg	Gov	Leg	Gov
Regular Reserve	\$3.6	\$3.4	\$1.3	\$0.7
Safety Net Reserve	\$0.5	\$0.0	\$0.5	\$0.0
Prop 98 Rainy Day Fund	\$1.1	\$0.0	\$1.1	\$0.0
Rainy Day Fund	\$17.9	\$19.4	\$10.5	\$10.5
<b>Total Reserves</b>	<b>\$23.0</b>	<b>\$22.9</b>	<b>\$13.3</b>	<b>\$11.2</b>

- **Responsible Budgeting Reforms.** The Legislative Budget Plan embraces important responsible budgeting reforms that will strengthen the state's budget resilience in the future and help further avoid significant budget shortfalls. Details are still under discussion between the two houses and the Administration, but the basics include:

- Updating the state's Rainy Day Fund:
  - Increase the size of the Rainy Day Fund from 10 percent of the state budget to 20 percent.
  - Exclude deposits into the Rainy Day Fund from the state appropriations limit (Gann Limit) so that the budget is not constitutionally forced to allocate funds and can instead responsibly deposit funds into budget reserves to protect against future downturns.
  - The Assembly also has advanced the idea—originally included in bipartisan ACA 11 (as amended February 20, 2020), but stalled due to the pandemic—of expanding the Legislative Analyst's Office (LAO) as part of the reserve ballot measure in order to enhance independent analysis, oversight, and transparency of public finances. An expanded LAO could help policy makers provide needed oversight of the budget reserves, the state's fiscal health, and the effectiveness of state spending.
- Creating a new "Projected Surplus Temporary Holding Account":
  - This new fund will help avoid the problems the state has experienced since 2022. In that year, there was a significant surplus projected, and the budget allocated that surplus pursuant to constitutional requirements.
  - It turned out that the surplus was not as large as projected, but the budget had already allocated the surplus at the higher level.
  - Under this reform, a portion of any projected surplus will be deposited into Projected Surplus Temporary Holding Account where they will be held until a future year once it is clear whether the projected surplus of revenues actually materialized.

#### Education:

- **Overall Funding.** Funds Proposition 98 about \$1.9 billion higher than the May Revision, with some added revenues going to the Proposition 98 reserve.
- **Programmatic Funding.** Total program funding is roughly the same as the May Revision, but more is funded within the existing guarantee which results in less use of the Prop 98 Rainy Day Fund.
- **Updated Proposition 98 Proposal.** The Administration recently updated its Proposition 98 proposal, which would keep many aspects of their original proposal,



but also include a suspension of Proposition 98 in the 2023-24 fiscal year. The suspension will result in higher ongoing funding for schools in future years than the Governor's original proposal. The Legislature continues to examine the new proposal.

### Higher Education:

- ***UC and CSU Base Increase in 2024-25.*** Provides a net base increase to each system in 2024-25 by funding the 2024-25 five percent base increases for the UC and CSU, foregoing the 2024-25 base increase deferral from the early action agreement, and adopting the May Revision proposal. Instead, the 2025-26 base increases are deferred by one year.
- ***Key Institutes.*** Restores funding for the UC Labor Centers and the UCLA Latino Policy and Politics Institute.
- ***Financial Aid.***
  - Restores full funding for the Middle Class Scholarship program, which primarily benefits lower income students, rather than the May Revision proposal to dramatically reduce the program and force students into more student debt and hurt chances of thriving in the middle class upon graduation.
  - Implements a modified Cal Grant Reform which will benefit lower income students – particularly those at Community Colleges.
  - Provides \$20 million Proposition 98 General Fund one-time to assist community college financial aid offices with unexpected workload and circumstances due to FAFSA delays and to help support students who are still trying to complete the FAFSA.

### Climate and the Environment:

- ***Greenhouse Gas Reduction Fund Shift.*** Protects over \$5.2 billion in climate related investments by shifting the costs from the General Fund to the Greenhouse Gas Reduction Fund (GGRF).
- ***Protects Key Investments.*** Rejects cuts to Dam Safety and Offshore Wind Infrastructure and partially rejects cuts to Sustainable Agriculture, Water Recycling, Extreme Heat, Equitable Building Decarbonization, Watershed Resilience, Ocean and Coastal Protection, and the Habitat Conservation Fund.

### Health:

- ***MCO Health Investments.*** Rejects the May Revision proposal to permanently eliminate over \$2.4 billion in annual new health investments scheduled to take effect January 1, 2025. Instead, the new investments generally will be delayed one year until January 1, 2026, and there will be some modest Legislative adjustments to the new investments. Some added MCO rate enhancements will start in 2025 under the Legislature's Budget Plan.
- ***Public Health.*** Rejects the May Revision's proposed cuts to Public Health programs.

### Human Services:

- ***Developmental Services Rates.*** Rejects the proposal to delay the Developmental Services rate increase by one year.
- ***Child Care Slots.*** Restores funding for Child Care slots that have been recently offered, resulting in more than 11,000 funded slots than proposed in the May Revision.
- ***Program Protections.*** Rejects cuts to core programs, including CalWORKs, Forster Care, and In Home Supportive Services (IHSS).

### Tax and Fee Actions:

- ***Governor's Proposals.*** Approves the Governor's proposal to suspend Net Operating Loss deductions and cap various business tax credits for three years. But, the Legislature's Plan starts the three year period earlier than the Governor so that the suspension and cap will be in place for tax years 2024, 2025, and 2026. The Legislature's Plan also includes several other tax and fee proposals advanced by the Governor, including changes to the MCO tax, changes to oil and gas-related taxation, changes to corporate tax apportionment law, and others.

### Housing and Homelessness:

- ***HHAP.*** Provides \$1 billion to HHAP Round 6 to provide local governments continued funding to combat the homelessness crisis.
- ***Low Income Housing Tax Credits.*** Approves \$500 million for Low Income Housing Tax Credit program, as proposed by the Governor.

- ***Affordable Housing.*** Rejects proposed cuts to Multifamily Housing, Regional Early Action Planning (REAP) 2.0, and Housing Navigation and Maintenance Program.

#### Transportation:

- ***Active Transportation.*** Rejects the proposed cut to the Active Transportation Program, and shifts to the State Highway Account.
- ***Rail.*** Rejects the proposed cut to the Competitive Transit and Intercity Rail Capital Program.

#### Public Safety and Corrections:

- ***Corrections Reductions.*** Includes substantial new reductions to the Department of Corrections and Rehabilitation, including a modified version of the Governor's \$80 million proposal to deactivate unused beds and a \$170 million per year baseline cut in addition to the portion of the Governor's statewide administrative cuts that will affect the Department of Corrections and Rehabilitation. The Legislature intends for the administration to avoid cuts, as much as possible, to vital rehabilitation and family connection programs, among others.
- ***Victims of Crime Act Funding.*** Provides over \$100 million to backfill lost federal funds for the Victims of Crime Act program.
- ***Non-Profit Security.*** Provides \$80 million ongoing for non-profit security grants.
- ***Program Protections.*** Restores funding, in total in some cases, for key programs, including the Flexible Assistance for Survivors of Crime Grant program, the Public Defender Pilot Program, Adult Reentry Grant program, Court Reporters, Court Interpreters, and the Firearm Relinquishment program.

#### Labor:

- ***Women in Construction.*** Rejects the proposal to eliminate the Women in Construction Unit at the Department of Industrial Relations (DIR).
- ***Program Protections.*** Rejects cuts to California Youth Apprenticeship, California Youth Leadership Corps, and High Road Training Partnerships in Health and Human Services programs.
- ***Workforce Education and Outreach.*** Provides \$30 million in special funds for California Workplace Outreach Project (CWOP) at DIR.

**Statewide Savings:**

- ***State Operations.*** The Legislature's Plan accepts the Governor's ambitious 7.95% cut to most departments' General Fund state operations budgets and sweep of funding associated with many vacant positions, which collectively total about 10% of General Fund state operations and about \$3 billion of 2024-25 savings. The Legislature expects to be kept informed of the administration's progress throughout the year to achieve these savings and address impacts on public services that result.

**Metropolitan Transportation Commission and Association of Bay Area Governments**  
**Joint MTC ABAG Legislation Committee**

**June 14, 2024**

**Agenda Item 3d**

**Assembly Bill 598 (Wicks): Bay Area Housing Finance Authority (BAHFA) Funding**

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**Subject:**

Clarification of the limitations on BAHFA's authority to condition funding disbursements on local jurisdictions' land use and housing policies.

**Background:**

Assembly Bill (AB) 598 (Wicks) makes changes to BAHFA's enabling statute at the request of MTC/ABAG staff following discussions with the Bay Area Council ("Council") and Building Industry Association of the Bay Area ("BIA") in May and subsequent direction from BAHFA Chair Pedroza, ABAG President Ramos and Legislation Committee Chair Canepa pursuant to the MTC/ABAG policies for urgent legislative action.

**BAHFA's Expenditure Plan and Funding Programs**

BAHFA's Expenditure Plan is a statutorily required document that defines, over a five-year period, the spending programs, projects and policies applicable to BAHFA's 20 percent share of a regional housing bond. On April 18, 2024, the ABAG Executive Board (as the Executive Board to BAHFA) approved the 2025-30 Expenditure Plan for the \$20 billion bond anticipated for the November 2024 ballot. The BAHFA Board is scheduled to approve the same plan on June 26, 2024.

The 2025-30 Expenditure Plan outlines the requirements by which BAHFA must prioritize and spend bond funds issued in the first two funding tranches.

For production funds (52% of the total), these include:

1. Set "return-to-source" investment targets in each county, based on assessed property values.
2. Prioritize permanent supportive housing developments and developments that serve extremely low-income households.
3. Work collaboratively with jurisdictions to secure oversubscribed resources.

For preservation funds (at least 15% of the total), the requirements include:

1. Prioritize investments in historically disinvested areas.
2. Forestall eviction risk or affordability loss.
3. Support community-controlled housing through a 20% set-aside target.

Meeting these requirements will require a project-level analysis. For example, does the project provide homes for people with extremely low incomes or experiencing homelessness? Is it financially feasible over the long term? Does it leverage BAHFA funding with sources other than existing over-subscribed sources? The Expenditure Plan does not anticipate conditioning projects' eligibility on jurisdiction-wide policies adopted by localities.

### **County and City Expenditure Plans**

Under state law, the nine counties and four cities (Napa, Oakland, San Jose and Santa Rosa) who will receive a direct allocation of regional housing bond funds must adopt an expenditure plan for those funds. BAHFA is required to approve the locality's expenditure plan if it meets the criteria established in state law; BAHFA does not have discretion to impose additional requirements.

### **Stakeholder Concerns**

In mid-May, the Council and BIA reached out to BAHFA staff with significant concerns about the potential for BAHFA's funding programs to be used to encourage cities and counties to adopt policies that they believe make market rate housing development more difficult and costly to build. BAHFA staff met with both organizations and other stakeholders to develop options for addressing these concerns while maintaining the goals and requirements outlined in BAHFA's Expenditure Plan.

On May 22, 2024, the Council and BIA requested the BAHFA Board's support for proposed bill language to address their concerns (see Attachment A). The BAHFA Board Chair Alfredo Pedroza responded in a letter dated May 24, 2024. The letter committed that the Chair would direct staff to work with the Council, BIA and other stakeholders on legislation reflecting the proposed language. (See Attachment B.)

The legislation consists of two key changes. The first clarifies that BAHFA cannot impose conditions on counties' and cities' expenditure plans beyond those outlined in BAHFA's enabling statute. The second provision prohibits BAHFA from rendering a proposed housing development ineligible for funding from BAHFA's portion of the bond proceeds based on the land use or housing policies of the locality in which it's located. Both amendments are consistent with BAHFA's enabling legislation, which prohibits BAHFA from regulating or enforcing local land use decisions. (See Gov. Code § 64522(a).)

**Recommendation: Support**

Sponsor / ABAG Executive Board Approval

Sponsor / Commission Approval

**Discussion:**

Given the regional Expenditure Plan's focus on evaluating projects based on project-level criteria rather than a locality's policies, staff believes the language in AB 598 makes explicit what was already implied in BAHFA's enabling legislation and would not alter BAHFA's plans or goals. Staff have worked to clarify and explain BAHFA's statutory requirements and the additional goals and obligations created by new BAHFA documents, such as the Expenditure Plan, for Bay Area stakeholders over the last two years. The Council/BIA have concerns about broader conditions affecting real estate and housing development throughout the region. While BAHFA's funding programs are not structured in a manner that would exacerbate these concerns, AB 598 provides further reassurance as to BAHFA's future actions and goals. For these reasons, staff recommends a support position on AB 598 (Wicks).

**Known Positions:**Support

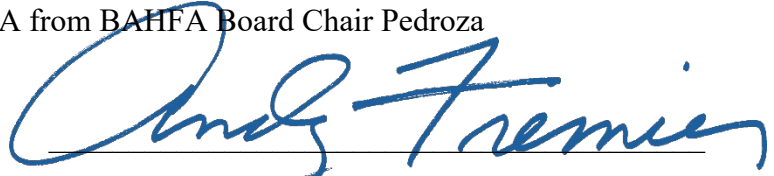
None known

Oppose

None known

**Attachments:**

- Attachment A: Letter to BAHFA Board from BAC-BIA
- Attachment B: Letter to BAC-BIA from BAHFA Board Chair Pedroza



Andrew B. Fremier





May 22, 2024

Dear Bay Area Housing Finance Authority Board Members,

As the representatives of the Bay Area business and development communities, the Bay Area Council and Building Industry Association of the Bay Area are writing jointly to request that the Bay Area Housing Finance Authority (BAHFA) statute be modified to make it expressly clear that the award of bond proceeds shall be fully consistent with BAHFA statutory authority for projects providing affordable housing, and will not be used in the future as an incentive or leverage to drive local housing policy and program changes that may reflect future political priorities of the BAHFA board but be detrimental to market rate and mixed income housing.

To effectuate this clarification, we have worked on the following language with BAHFA staff, and have reviewed with supporters of the BAHFA bond. We respectfully request that the BAHFA Board ask the legislature to add this language to the BAHFA statute.

We request your urgent support for the legislative amendment as the timeline for the Bond support is shortening by the day and we would like to throw our support unequivocally behind the pending BAHFA bond.

With this language addition adopted by the legislature, both our organizations be in a position to support the BAHFA bond and work to see it passed.

Our proposed amendment is as shown below:

New paragraph, Sec. 64650(d)(6)(v)

*(v) The authority may not impose any other conditions for an expenditure plan to be deemed complete to allocate funds required pursuant to this section. Notwithstanding the foregoing, the Authority may enter into an agreement with a county or city that receives an allocation of County housing revenue to ensure that the authority or county, city or county and city take the actions necessary or incidental to implementing the purpose of this section.*

Additional sentences (in **bold**) added to Sec. 64650(d)(5)(B):

*To the extent feasible, the regional expenditure plan shall include a description of any specific project or program proposed to receive funding, including the location, amount of funding, and anticipated outcomes, as well as the estimated funding level for each of the categories listed in subparagraph (A) or (B) of paragraph (2) of subdivision (b). **The regional expenditure plan shall not render projects ineligible for funding based on the presence or absence of any city or county or city and county land use or housing policies. Notwithstanding the foregoing, BAHFA may use project-specific conditions to prioritize projects for funding.***

Sincerely,

Matt Regan, Bay Area Council

Paul Campos, Building Industry Association of the Bay Area



METROPOLITAN  
TRANSPORTATION  
COMMISSION

Bay Area Metro Center  
375 Beale Street, Suite 800  
San Francisco, CA 94105  
415.778.6700  
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Sent via Email

May 24, 2024

*Alfredo Pedroza, Chair*  
Napa County and Cities

*Nick Josefowitz, Vice Chair*  
San Francisco Mayor's Appointee

*Margaret Abe-Koga*  
Cities of Santa Clara County

*Eddie Abn*  
San Francisco Bay Conservation  
and Development Commission

*David Canepa*  
San Mateo County

*Cindy Chavez*  
Santa Clara County

*Carol Dutra-Vernaci*  
Cities of Alameda County

*Dina El-Tawansy*  
California State  
Transportation Agency

*Victoria Fleming*  
Sonoma County and Cities

*Dorene M. Giacomini*  
U.S. Department of Transportation

*Federal D. Glover*  
Contra Costa County

*Matt Mahan*  
San Jose Mayor's Appointee

*Nate Miley*  
Alameda County

*Stephanie Moulton-Peters*  
Marin County and Cities

*Sue Noack*  
Cities of Contra Costa County

*Gina Papan*  
Cities of San Mateo County

*David Rabbitt*  
Association of Bay Area Governments

*Hillary Ronen*  
City and County of San Francisco

*Libby Schaaf*  
U.S. Department of Housing  
and Urban Development

*James P. Spering*  
Solano County and Cities

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Building Industry Association Bay Area  
1000 Burnett Ave  
Concord, CA 94520

Mr. Matt Regan  
Senior Vice President Government Relations  
Bay Area Council  
Pier 9, the Klamath  
S.F., CA 94111

RE: Legislative Changes re: BAHFA's Enabling Statute

Dear Mr. Campos and Mr. Regan,

Thank you for your letter dated May 22, 2024 regarding requested changes to the Bay Area Housing Finance Authority's enabling statute as relates to potential conditions BAHFA could attach to its funding programs, pending voter approval of the Bay Area's first regional affordable housing bond. Since passage of AB 1487 (Chiu, 2019), BAHFA has been working hard to demonstrate the added value we can bring to addressing the Bay Area's significant housing challenges. Our organizations agree that the Bay Area needs to *massively* increase the number of housing units that are available if we want to be a prosperous, equitable and environmentally sustainable region long-term. While I am concerned about the last-minute nature of this request, in the spirit of partnership, I am directing our staff to work with you on a legislative fix this session that will address your concerns, consistent with the language in the attached.

To the extent issues arise during the legislative process that leads you or BAHFA staff to seek revisions to the attached language, I trust that negotiations will be done in good faith to arrive at a mutually agreed upon path forward that will help get the bond passed.

Sincerely,

Alfredo Pedroza  
Chair

AP:rl  
Attachment

## Attachment

Add new paragraph, Sec. 64650(d)(6)(v):

*(v) The authority may not impose any other conditions for an expenditure plan to be deemed complete to allocate funds required pursuant to this section. Notwithstanding the foregoing, the Authority may enter into an agreement with a county or city that receives an allocation of County housing revenue to ensure that the authority or county, city, or city and county take the actions necessary or incidental to implementing the purpose of this section.*

Amend Sec. 64650(d)(5)(B) as follows (changes shown in blue):

(B) The regional expenditure plan shall set forth the share of revenue and estimated funding amount to be spent on each of the categories established in subdivision (b), indicate the household income levels to be served within each category of expenditures, and estimate the number of affordable housing units to be built or preserved and the number of tenants to be protected. To the extent feasible, the regional expenditure plan shall include a description of any specific project or program proposed to receive funding, including the location, amount of funding, and anticipated outcomes, as well as the estimated funding level for each of the categories listed in subparagraph (A) or (B) of paragraph (2) of subdivision (b). *The regional expenditure plan shall not render projects ineligible for funding based on the presence or absence of any city or county or city and county land use or housing policies. Notwithstanding the foregoing, BAHFA may use project-specific conditions to prioritize projects for funding.* Beginning the second year, the authority shall include a report in the regional expenditure plan that provides its allocations and expenditures to date of projects and programs funded and the extent to which the minimum targets in subparagraph (A) or (B) of paragraph (2) of subdivision (b) were achieved.