



Metropolitan Transportation Commission

Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

Meeting Agenda

Metropolitan Transportation Commission

Scott Haggerty, Chair Alfredo Pedroza, Vice Chair

Wednesday, May 22, 2019

9:35 AM

Board Room - 1st Floor

This meeting is scheduled to be webcast live on the Metropolitan Transportation Commission's website: <http://mtc.ca.gov/whats-happening/meetings> and will take place at 9:35 a.m. or immediately following the 9:30 a.m. Bay Area Toll Authority meeting.

1. Roll Call / Confirm Quorum

Quorum: A quorum of this Commission shall be a majority of its voting members (10).

2. Chair's Report (Haggerty)

- 2a. [19-0501](#) MTC Resolution No. 4385 - Resolution of Appreciation for Ellen Griffin upon her retirement after 30 years of service to the Metropolitan Transportation Commission.

Action: Commission Approval

- 2b. [19-0468](#) Appointment to the Joint ABAG MTC Governance Committee

Action: Commission Approval

Attachments: [2b_Appointment to Governance Committee .pdf](#)

3. Policy Advisory Council Report (Randi Kinman)

4. Executive Director's Report (McMillan)

5. Commissioner Comments

6. Consent Calendar:

- 6a. [19-0441](#) Minutes of the April 24, 2019 meeting

Action: Commission Approval

Attachments: [6a_Commission Draft Meeting Minutes_04-24-2019.pdf](#)

Administration Committee

- 6b. [19-0394](#) MTC Resolution No. 4373 - MTC Agency FY 2019-20 Pay Schedules

Action: Commission Approval

Attachments: [6b Reso-4373 MTC Agency FY2019-20 Pay Schedules.pdf](#)

Programming and Allocations Committee

- 6c. [19-0336](#) MTC Resolution No. 4375, Revised. 2019 Transportation Improvement Program (TIP) Amendment 2019-14.

Action: Commission Approval

Attachments: [6c Reso-4375 TIP Amendment 2019-14.pdf](#)

- 6d. [19-0461](#) MTC Resolution No. 4378 -- FY2019-20 RM2 Marketing Program

A request to adopt the \$6.9 million FY2019-20 Regional Measure 2 (RM2) Marketing Program, an element of the annual RM2 operating program.

Action: Commission Approval

Attachments: [6d Reso-4378 FY2019-20 RM2 Marketing Assistance Program.pdf](#)

Legislation Committee

- 6e. [19-0477](#) AB 69 (Ting): Small Home Building Standards

AB 69 would require the Department of Housing and Community Development (HCD) to propose small home building standards governing ADUs smaller than 800 square feet, junior ADUs and detached dwelling units smaller than 800 square feet. The standards must be submitted to the California Building Standards Commission (CBSC) for adoption by January 1, 2021.

Action: Support and Seek Amendments

Attachments: [6e AB-69 Ting.pdf](#)

6f. [19-0478](#) AB 1483 (Grayson): Housing Data/Transparency

This bill seeks to make housing fee and zoning standards more transparent by requiring that they be posted on local agency and state web sites, requires local agencies to provide additional reporting of housing permit requests, production and permitting data annually, and requires the Department of Housing and Community Development (HCD) to develop an online database of housing production data accessible to the public.

Action: Support and Seek amendments

Attachments: [6f_AB1-483_Grayson.pdf](#)

6g. [19-0486](#) SB 6 (Beall): Statewide Housing Site Inventory

SB 6 would require that the Department of Housing and Community Development (HCD) add to the statewide surplus lands inventory locally-identified sites available for housing development as identified in a local agency's housing element site inventory.

Action: Support

Attachments: [6g_SB-6_Beall.pdf](#)

6h. [19-0510](#) AB 68 (Ting): Accessory Dwelling Units

AB 68 would prohibit local Accessory Dwelling Unit (ADU) standards from including certain requirements related to minimum lot size and replacement parking and would require an ADU (attached or detached) of at least 800 square feet and 16 feet in height to be allowed. The bill would also reduce the allowable time to issue an ADU permit to 60 days after an agency receives a completed application.

Action: Support and Seek Amendments

Attachments: [6h_AB-68_Ting.pdf](#)

6i. [19-0545](#) AB 1485 (Wicks): Workforce Housing

AB 1485 would modify affordability requirements applicable to a developer who wants to take advantage of current law's by-right provisions in Senate Bill 35 (Wiener, 2017) such that a project could either dedicate 10 percent of the total number of units to housing affordable to households making below 80 percent of the area median income (AMI)-as provided for in current law-or 20 percent to households earning below 120 percent AMI with an average income of units at or below 100 percent-which the bill would add as a new option.

Action: Support

Attachments: [6i_AB-1485_Wicks.pdf](#)

Committee Reports

7. Administration Committee (Glover)

7a. [19-0284](#) MTC Resolution No. 4370 - FY 2019-20 Overall Work Program (OWP), Planning Certification, and Authorization for Execution of Agreements for Federal and State Planning Grants

A request for approval of the FY 2019-2020 OWP, which guides the collaborative metropolitan transportation planning process involving MTC, ABAG, Caltrans, and other local transportation partners and for authorization to enter into agreements for transportation planning funds.

Action: Commission Approval

Attachments: [7a_Reso-4370_FY2019-20_OWP.pdf](#)

8. Programming and Allocations Committee (Josefowitz)

8a. [19-0287](#) MTC Resolution Nos. 4169, Revised; 4212, Revised; 4242, Revised; 4262, Revised; 4263, Revised; and 4272, Revised. Transit Capital Priorities and Bridge Toll Programs revisions.

Revisions to the FY2016-17 through FY2019-20 Transit Capital Priorities (TCP) Process and Criteria, the FY2015-16 and FY2016-17 through FY2019-20 TCP Programs, the FY2018-19 BATA Project Savings Fund program, and the FY2018-19 and FY2019-20 AB 664 Net Bridge Toll Revenues program and allocations.

Action: Commission Approval

Attachments: [8a_Reso-4169_4212_4242_4262_4263_4272_TCP_and_AB664_Revisions.pdf](#)

9. Legislation Committee (Mackenzie)

[19-0544](#)

Housing Legislative Working Group Update

Report on the work of the ABAG-MTC Housing Legislative Working Group, convened to provide input into staff's analysis of key housing bills under consideration in Sacramento this year.

Action:

Information

Attachments:

[9 Legis 7a Housing Leg Working Group Update with Handouts.pdf](#)

Housing: Protection

9a.i. [19-0483](#)

AB 1481 (Bonta) and AB 1697 (Grayson) - Tenancy Termination: Just Cause

Prohibits eviction of a tenant without just cause stated in writing. Requires tenant be provided a notice of a violation of lease and opportunity to cure violation prior to issuance of notice of termination.

Action:

Support

Attachments:

[9ai AB-1481 and AB-1697.pdf](#)

9a.ii. [19-0511](#)

AB 1482 (Chiu) - Statewide Annual Cap on Rent Increases

Caps annual rent increases by five percent above the percent change in the cost of living and limits the total rental rate increase within a 12 month period to 10 percent.

Action:

Support

Attachments:

[9aii AB-1482 Chiu.pdf](#)

9a.iii. [19-0512](#)

SB 18 (Skinner) - Keep Californians Housed Act

Authorizes a competitive grant program to be administered by Department of Housing and Community Development (HCD) to provide emergency rental assistance and legal aid for tenants facing eviction, meditation between landlords and tenants and legal education.

Action:

Support

Attachments:

[9aiii SB-18 Skinner.pdf](#)

Housing: Production + Preservation

9b.i. [19-0508](#) SB 330 (Skinner): Housing Crisis Act of 2019

SB 330 is a wide reaching bill that aims to accelerate housing development, provide project proponents more certainty and lower fees, and reduce displacement of existing residents from substandard buildings.

Action: Seek Amendments

Attachments: [9bi_SB-330_Skinner.pdf](#)

9b.ii. [19-0479](#) SB 50 (Wiener): Equitable Communities Incentives - Upzoning Near Transit & Jobs-Rich Areas & By Right Allowance for Small Residential Projects in Specified Areas

SB 50 would allow varying degrees of higher-density multifamily housing to be built within ½-mile of transit stations, ¼-mile of high-quality bus corridors and in areas designated as “jobs-rich” by the Department of Housing and Community Development. The bill also provides for smaller, by-right residential development on vacant parcels in urbanized areas.

Action: Support if Amended

Attachments: [9bii_SB-50_Wiener.pdf](#)

9b.iii. [19-0480](#) AB 1487 (Chiu): Housing Alliance for the Bay Area

AB 1487 (Chiu) would establish the Housing Alliance for the Bay Area (HABA) to increase funding for affordable housing in the nine-county region. The bill authorizes HABA to place on the ballot a series of revenue raising measures, subject to certain return to source provisions, to provide funding and technical assistance to local jurisdictions and affordable housing developers to help produce and preserve affordable housing and pay for tenant protection services. The bill provides that HABA would have the authority to buy and lease land for affordable housing purposes, but not the ability to purchase land by eminent domain or regulate or enforce local land use decisions.

Action: Seek Amendments

Attachments: [9biii_AB-1487_ChIU.pdf](#)

9b.iv. [19-0509](#)

AB 11 (Chiu): Community Redevelopment Law of 2019

AB 11 would restore to cities and counties the option to form an entity that can use “tax-increment financing” to pay for affordable housing and other local infrastructure priorities, subject to approval of the Strategic Growth Council.

Action: Support and Seek Amendments

Attachments: [9biv_AB-11_ChIU.pdf](#)

9b.v. [19-0481](#)

SB 13 (Wieckowski): Accessory Dwelling Units

SB 13 would revise ADU law to require that a local government allow studio and one-bedroom ADUs of at least 850 square feet and two-bedroom or more ADUs of up to 1,000 square feet, and would prohibit ADU owner-occupancy requirements. The bill would limit impact fees imposed by local governments, special districts or water corporations to 25 percent of the impact fees otherwise charged for a new single-family dwelling for ADUs 750 square feet or greater and would waive impact fees for ADUs less than 750 square feet. The bill would also limit to 60 days the time a local agency has to issue an ADU permit after receiving an application and create a 10-yearly amnesty program to incentivize owners of existing unpermitted ADUs to obtain the permits and inspections necessary to legalize the units.

Action: Support if Amended

Attachments: [9bv_SB-13_Wieckowski.pdf](#)

9b.vi. [19-0482](#)

AB 1486 (Ting): Surplus Lands Act Expansion and Revision

AB 1486 would revise the Surplus Lands Act (SLA) - the state law that requires local agencies to prioritize affordable housing, as well as parks and open space, when disposing of land no longer necessary for the agency’s use - and other state laws related to making surplus public land available for affordable housing development.

Action: Support if Amended

Attachments: [9bvi_AB-1486_Ting.pdf](#)

10. Planning Committee (Spering)

10a. [19-0375](#) Plan Bay Area 2050 - Regional Growth Framework Revisions

Attached are the proposed revisions to the Regional Growth Framework (Priority Development Area, Priority Conservation Area and proposed new Priority Production Area pilot) for approval.

Action: Commission Approval

Attachments: [10a_PBA 2050 - Regional Growth Framework Revisions.pdf](#)

11. Public Comment / Other Business

12. Adjournment / Next Meetings:

The next meeting of the Commission will be held on June 26, 2019 at the Bay Area Metro Center, 375 Beale Street, San Francisco, CA 94105.

Public Comment: The public is encouraged to comment on agenda items at Commission meetings by completing a request-to-speak card (available from staff) and passing it to the Commission 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 Commission 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: Commission 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) 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.

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

All items on the agenda are subject to action and/or change by the Commission. Actions recommended by staff are subject to change by the Commission.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0501 **Version:** 1 **Name:**
Type: Resolution **Status:** Commission Approval
File created: 5/2/2019 **In control:** Metropolitan Transportation Commission
On agenda: 5/22/2019 **Final action:**
Title: MTC Resolution No. 4385 - Resolution of Appreciation for Ellen Griffin upon her retirement after 30 years of service to the Metropolitan Transportation Commission.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Subject:

MTC Resolution No. 4385 - Resolution of Appreciation for Ellen Griffin upon her retirement after 30 years of service to the Metropolitan Transportation Commission.

Recommended Action:

Commission Approval



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0468 **Version:** 1 **Name:**

Type: Action Item **Status:** Commission Approval

File created: 4/26/2019 **In control:** Metropolitan Transportation Commission

On agenda: 5/22/2019 **Final action:**

Title: Appointment to the Joint ABAG MTC Governance Committee

Sponsors:

Indexes:

Code sections:

Attachments: [2b Appointment to Governance Committee .pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:
Appointment to the Joint ABAG MTC Governance Committee

Recommended Action:
Commission Approval

Metropolitan Transportation Commission

May 22, 2019

Agenda Item 2b

Appointments to the Joint ABAG MTC Governance Committee

Subject: Appointments to the Joint ABAG MTC Governance Committee

Background: The Memorandum of Understanding of May 2017 between the Association of Bay Area Governments and the Metropolitan Transportation Commission provides for beginning discussion of future governance options no later than July 1, 2019.

David Rabbitt, ABAG President, and Scott Haggerty, MTC Chair, have agreed to create a Joint ABAG MTC Governance Committee to study options and to report back to the ABAG Executive Board and the MTC Commission on recommendations related to governance.

Recommendations for appointments will be provided at your meeting.

Issues: None

Recommendation: The Commission is requested to approve MTC appointments to the Joint ABAG MTC Governance Committee.

Attachments: None

Reviewed:



Therese W. McMillan



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0441 **Version:** 1 **Name:**
Type: Minutes **Status:** Consent
File created: 4/19/2019 **In control:** Metropolitan Transportation Commission
On agenda: 5/22/2019 **Final action:**
Title: Minutes of the April 24, 2019 meeting
Sponsors:
Indexes:
Code sections:
Attachments: [6a Commission Draft Meeting Minutes 04-24-2019.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:
Minutes of the April 24, 2019 meeting

Recommended Action:
Commission Approval



Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

Meeting Minutes

Metropolitan Transportation Commission

Scott Haggerty, Chair Alfredo Pedroza, Vice Chair

Wednesday, April 24, 2019

9:40 AM

Board Room - 1st Floor

Call Meeting to Order

1. Roll Call / Confirm Quorum

- Present:** 16 - Commission Chair Haggerty, Commissioner Bruins, Commissioner Liccardo, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Josefowitz, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Schaaf, Commissioner Slocum, Commissioner Sperling, and Commissioner Worth
- Absent:** 2 - Commission Vice Chair Pedroza, and Commissioner Halsted

Non-Voting Commissioner Present: Commissioner Giacomini

Non-Voting Commissioners Absent: Commissioner Jackson, Commissioner Tavares

2. Chair's Report (Haggerty)

2a. [19-0381](#) Compliance with Transit Representation Requirement

A request for approval of a list of Commissioners representing public transportation pursuant to Federal Requirements.

Action: Commission Approval

Upon the motion by Commissioner Dutra-Vernaci and the second by Commissioner Glover, the Commission unanimously approved Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Haggerty, Commissioner Josefowitz, Commissioner Liccardo, Commissioner Pedroza, Commissioner Rabbitt, Commissioner Sperling, and Commissioner Worth as representatives of public transit on the Metropolitan Transportation Commission pursuant to Federal Requirements. The motion carried by the following vote:

- Aye:** 16 - Commission Chair Haggerty, Commissioner Bruins, Commissioner Liccardo, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Josefowitz, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Schaaf, Commissioner Slocum, Commissioner Sperling and Commissioner Worth

Absent: 2 - Commission Vice Chair Pedroza and Commissioner Halsted

3. Policy Advisory Council Report (Randi Kinman)**4. Executive Director's Report (McMillan)****5. Commissioner Comments****6. Consent Calendar:**

Upon the motion by Commissioner Bruins and the second by Commissioner Mackenzie, the Consent Calendar was unanimously approved by the following vote:

Aye: 16 - Commission Chair Haggerty, Commissioner Bruins, Commissioner Liccardo, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Josefowitz, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Schaaf, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Absent: 2 - Commission Vice Chair Pedroza and Commissioner Halsted

6a. [19-0317](#) Minutes of the March 27, 2019 meeting

Action: Commission Approval

Programming and Allocations Committee**6b. [19-0141](#) MTC Resolution No. 4273, Revised. Program of Projects for FY2018-19 Cap and Trade Low Carbon Transit Operations Program.**

Action: Commission Approval

Presenter: Craig Bosman

6c. [19-0288](#) MTC Resolution No. 4035, Revised. Revisions to the One Bay Area Grant Program (OBAG 1) to redirect funding for AC Transit within the Bay Bridge Forward suite of projects.

Action: Commission Approval

Presenter: Mallory Atkinson

6d. [19-0291](#) MTC Resolution No. 4375, Revised. 2019 Transportation Improvement Program (TIP) Amendment 2019-12.

Action: Commission Approval

Presenter: Adam Crenshaw

- 6e. [19-0307](#) Proposed agreements with the Kern Council of Governments, Tehama County Transportation Commission (Tehama CTC) and the Tuolumne County Transportation Council (Tuolumne CTC) for exchange of federal apportionment. A request to authorize agreements with the Tehama CTC and the Tuolumne CTC to exchange up to a total of \$11.8 million in Congestion Mitigation and Air Quality Improvement (CMAQ) funds in Federal Fiscal Year (FFY) 2018-19 with an equal amount of CMAQ funds in FFY 2019-20.

Action: Commission Approval

Presenter: Ross McKeown

Committee Reports

7. Programming and Allocations Committee – Josefowitz

- 7a. [19-0290](#) Regional Cap and Trade Priorities: Affordable Housing and Sustainable Communities

Based on the Commission's adopted criteria, staff will present recommended priorities for Round 4 of the Affordable Housing and Sustainable Communities program, which is a statewide competitive program funded by State Cap and Trade proceeds.

Action: Commission Approval

Presenter: Craig Bosman

Upon the motion by Commissioner Josefowitz and the second by Commissioner Dutra-Vernaci, the Commission unanimously approved the recommended priorities for Round 4 of the Affordable Housing and Sustainable Communities program. The motion carried by the following vote:

Aye: 16 - Commission Chair Haggerty, Commissioner Bruins, Commissioner Liccardo, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Josefowitz, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Schaaf, Commissioner Slocum, Commissioner Sperling and Commissioner Worth

Absent: 2 - Commission Vice Chair Pedroza and Commissioner Halsted

8. MTC Legislation Committee - Mackenzie

- 8a. [19-0349](#) MTC Resolution No. 3931, Revised - Policy Advisory Council Appointment

Action: MTC Commission Approval

Presenter: Ellen Griffin

Upon the motion by Commissioner Mackenzie and the second by Commissioner Glover, the Commission unanimously adopted MTC Resolution No. 3931, Revised - Policy Advisory Council Appointment. The motion carried by the following vote:

Aye: 16 - Commission Chair Haggerty, Commissioner Bruins, Commissioner Liccardo, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Josefowitz, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Schaaf, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Absent: 2 - Commission Vice Chair Pedroza and Commissioner Halsted

8b. [19-0347](#) SB 152 (Beall): Active Transportation Program Reform

Update on this MTC-sponsored bill to improve administration of the state's bicycle and pedestrian funding program and recommend ABAG adopt a support position.

Action: Support / MTC Commission Approval

Presenter: Rebecca Long

Upon the motion by Commissioner Mackenzie and the second by Commissioner Glover, the Commission unanimously adopted a support position on SB 152 (Beall). The motion carried by the following vote:

Aye: 16 - Commission Chair Haggerty, Commissioner Bruins, Commissioner Liccardo, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Josefowitz, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Schaaf, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Absent: 2 - Commission Vice Chair Pedroza and Commissioner Halsted

8c. [19-0411](#) ABAG / MTC Housing Legislative Working Group Update

An update on the ABAG / MTC Housing Legislative Working Group meetings to date.

Ken Bukowski was called to speak.

9. Public Comment / Other Business

Ken Bukowski was called to speak.

Jim Stallman was called to speak.

10. Adjournment / Next Meetings:

The next meeting of the Commission will be held on May 22, 2019 at the Bay Area Metro Center, 375 Beale Street, San Francisco, CA 94105.

The meeting was adjourned in memory of former MTC Chairman Robert Schroder.

Scott Haggerty, Chair



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0394 **Version:** 1 **Name:**

Type: Resolution **Status:** Consent

File created: 4/9/2019 **In control:** Administration Committee

On agenda: 5/8/2019 **Final action:**

Title: MTC Resolution No. 4373 - MTC Agency FY 2019-20 Pay Schedules

Sponsors:

Indexes:

Code sections:

Attachments: [6b Reso-4373 MTC Agency FY2019-20 Pay Schedules.pdf](#)
[2c Reso-4373 MTC Agency FY2019-20 Pay Schedules x.pdf](#)

Date	Ver.	Action By	Action	Result
5/8/2019	1	Administration Committee		

Subject:
MTC Resolution No. 4373 - MTC Agency FY 2019-20 Pay Schedules

Presenter:
Robin James

Recommended Action:
Commission Approval

**Metropolitan Transportation Commission
Administration Committee**

May 8, 2019

Agenda Item 2c

MTC Resolution No. 4373 – MTC Agency FY 2019-20 Pay Schedules

- Subject:** This item requests referral of MTC Resolution No. 4373, approving MTC's agency pay schedules for Committee for Staff Representation (CSR) represented employees, confidential employees, and for specific executive employees for FY 2019-20 to the Commission for approval, consistent with the requirements of California Code of Regulations Title 2, Section 570.5.
- Background:** As background, on June 27, 2018, the Commission approved employment benefits and salaries for a four-year period from July 1, 2018 through June 30, 2022 through MTC Resolution Nos. 4341 and 4342. The proposed pay schedules are consistent with those set forth in MTC Resolution Nos. 4341 and 4342.
- Recommendation:** Staff recommends that this Committee refer MTC Resolution No. 4373 to the Commission for approval.
- Attachments:** MTC Resolution No. 4373 with Attachments A and B.



Therese W. McMillan

Date: May 22, 2019
W.I.: 1153
Referred by: Administration

ABSTRACT

Resolution No. 4373

This resolution sets forth the MTC agency pay schedules for MTC employees from July 1, 2019 through and including June 30, 2020.

Further discussion of this resolution is contained in the Administration Committee's Summary Sheet dated May 8, 2019.

Date: May 22, 2019
W.I.: 1153
Referred by: Administration Committee

Re: MTC Agency Pay Schedules for FY 2019-20, from July 1, 2019 through June 30, 2020

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4373

WHEREAS, the Metropolitan Transportation Commission (MTC) is the Regional Transportation Planning Authority for the San Francisco Bay Area pursuant to Government Code §§ 66500 *et seq.*; and

WHEREAS, MTC Resolution No. 4341 sets forth the employment benefits and salary schedule for CSR represented employees and confidential employees from July 1, 2018 through and including June 30, 2022; and

WHEREAS, MTC Resolution No. 4342 sets forth the employment benefits and salary schedule for specific executive employees from July 1, 2018 through and including June 30, 2022; and

WHEREAS, the MTC contracts with the California Public Employees Retirement System (CalPERS) to provide retirement benefits for its employees; and

WHEREAS, CalPERS uses the MTC's pay schedules to calculate retirement benefits earned by the MTC's employees; and

WHEREAS, the MTC as a contracting public employer is adhering to the California Code of Regulations, Title 2, Section 570.5, which sets forth reporting regulations for CalPERS member agencies to have a duly approved and adopted publicly available pay schedule; now therefore be it

RESOLVED, that this resolution sets forth the MTC pay schedules contemplated in MTC Resolution Nos. 4341 and 4342 for the period from July 1, 2019 through June 30, 2020; and be it further

RESOLVED, that the MTC agency pay schedule for CSR represented regular staff employees and Confidential employees effective July 1, 2019 through June 30, 2020 shall be as set forth in Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length; and be it further

RESOLVED, that the MTC agency pay schedule for specific executive employees effective July 1, 2019 through June 30, 2020 shall be as set forth in Attachment B to this resolution, attached hereto and incorporated herein as though set forth at length; and be it further

RESOLVED, that the attached pay schedules will be posted at MTC's offices or immediately accessible for public review during normal business hours or posted on MTC's internet site.

METROPOLITAN TRANSPORTATION COMMISSION

Scott Haggerty, Chair

The above resolution was entered into by
the Metropolitan Transportation Commission
at a regular meeting of the Commission held
in San Francisco, California on May 22, 2019.

Metropolitan Transportation Commission
Pay Schedule for CSR Represented Employees and Confidential Employees
Fiscal Year 2019 - 2020, Effective July 1, 2019 to June 30, 2020

The base salary rate is stated as the hourly rate for each classification grade level and each step within the grade level

CLASSIFICATION LEVEL & POSITIONS INCLUDED	SALARY GRADE LEVEL	STEP A HOURLY RATE	STEP A1 HOURLY RATE	STEP B HOURLY RATE	STEP B1 HOURLY RATE	STEP C HOURLY RATE	STEP C1 HOURLY RATE	STEP D HOURLY RATE	STEP D1 HOURLY RATE	STEP E HOURLY RATE	STEP E1 HOURLY RATE	STEP F HOURLY RATE	STEP F1 HOURLY RATE	STEP G HOURLY RATE
ADMINISTRATOR I	I	\$21.9608	\$22.4001	\$22.8481	\$23.3050	\$23.7711	\$24.2465	\$24.7315	\$25.2261	\$25.7306	\$26.2452	\$26.7701	\$27.3055	\$27.8516
<i>Intern</i>														
ADMINISTRATOR II	II	\$24.9446	\$25.4435	\$25.9524	\$26.4714	\$27.0008	\$27.5409	\$28.0917	\$28.6535	\$29.2266	\$29.8111	\$30.4073	\$31.0155	\$31.6358
<i>Administrative Assistant I GSU Assistant I Accounting Assistant I</i>														
ADMINISTRATOR III	III	\$27.4869	\$28.0367	\$28.5974	\$29.1693	\$29.7527	\$30.3478	\$30.9547	\$31.5738	\$32.2053	\$32.8494	\$33.5064	\$34.1765	\$34.8601
<i>Administrative Assistant II GSU Assistant II Accounting Assistant II</i>														
ADMINISTRATOR/TECHNICIAN	IV	\$30.2272	\$30.8318	\$31.4484	\$32.0774	\$32.7189	\$33.3733	\$34.0408	\$34.7216	\$35.4160	\$36.1243	\$36.8468	\$37.5838	\$38.3354
<i>Administrative Assistant III Purchasing Technician GSU Assistant III Building Services Assistant I Information Systems Technician I Accounting Assistant III Library Technician I Public Info & Outreach Technician I</i>														
TECHNICIAN	V	\$33.2585	\$33.9236	\$34.6021	\$35.2942	\$36.0000	\$36.7200	\$37.4544	\$38.2035	\$38.9676	\$39.7470	\$40.5419	\$41.3527	\$42.1798
<i>Executive Assistant I Legal Assistant I Purchasing/Procurement Specialist Building Services Assistant II Human Resources Technician Information Systems Technician II Finance Technician I GIS Planner/Analyst I Graphic Artist I Library Technician II Public Info & Outreach Technician II Planning Technician Program Technician</i>														

Metropolitan Transportation Commission Pay Schedule for CSR Represented Employees and Confidential Employees Fiscal Year 2019 - 2020, Effective July 1, 2019 to June 30, 2020														
The base salary rate is stated as the hourly rate for each classification grade level and each step within the grade level														
CLASSIFICATION LEVEL & POSITIONS INCLUDED	SALARY GRADE LEVEL	STEP A HOURLY RATE	STEP A1 HOURLY RATE	STEP B HOURLY RATE	STEP B1 HOURLY RATE	STEP C HOURLY RATE	STEP C1 HOURLY RATE	STEP D HOURLY RATE	STEP D1 HOURLY RATE	STEP E HOURLY RATE	STEP E1 HOURLY RATE	STEP F HOURLY RATE	STEP F1 HOURLY RATE	STEP G HOURLY RATE
JUNIOR	VI	\$36.6863	\$37.4201	\$38.1685	\$38.9318	\$39.7105	\$40.5047	\$41.3148	\$42.1411	\$42.9839	\$43.8436	\$44.7204	\$45.6148	\$46.5271
<i>Executive Assistant II</i> <i>Legal Assistant II</i> <i>Contract Assistant</i> <i>Assistant Building Engineer</i> <i>Human Resources Analyst I</i> <i>Information Systems Specialist I</i> <i>Systems Analyst I</i> <i>Junior Financial Analyst</i> <i>Accountant/Auditor I</i> <i>Finance Technician II</i> <i>GIS Planner/Analyst II</i> <i>Graphic Artist II</i> <i>Librarian I</i> <i>Junior Public Info/Outreach Analyst</i> <i>Junior Planner/Analyst</i> <i>Junior Program Coordinator</i>														
ASSISTANT	VII	\$42.2997	\$43.1457	\$44.0086	\$44.8888	\$45.7866	\$46.7023	\$47.6364	\$48.5891	\$49.5609	\$50.5521	\$51.5631	\$52.5944	\$53.6463
<i>Contract Specialist</i> <i>Executive Assistant III</i> <i>Legal Assistant III</i> <i>Building Engineer</i> <i>Human Resources Analyst II</i> <i>Information Systems Specialist II</i> <i>Systems Analyst II</i> <i>Assistant Financial Analyst</i> <i>Accountant/Auditor II</i> <i>GIS Planner/Analyst III</i> <i>Graphic Artist III</i> <i>Librarian II</i> <i>Assistant Public Info/Outreach Analyst</i> <i>Assistant Legislative Analyst</i> <i>Assistant Planner/Analyst</i> <i>Assistant Program Coordinator</i>														

Metropolitan Transportation Commission Pay Schedule for CSR Represented Employees and Confidential Employees Fiscal Year 2019 - 2020, Effective July 1, 2019 to June 30, 2020														
<i>The base salary rate is stated as the hourly rate for each classification grade level and each step within the grade level</i>														
CLASSIFICATION LEVEL & POSITIONS INCLUDED	SALARY GRADE LEVEL	STEP A HOURLY RATE	STEP A1 HOURLY RATE	STEP B HOURLY RATE	STEP B1 HOURLY RATE	STEP C HOURLY RATE	STEP C1 HOURLY RATE	STEP D HOURLY RATE	STEP D1 HOURLY RATE	STEP E HOURLY RATE	STEP E1 HOURLY RATE	STEP F HOURLY RATE	STEP F1 HOURLY RATE	STEP G HOURLY RATE
ASSOCIATE	VIII(a)	\$48.7682	\$49.7436	\$50.7385	\$51.7532	\$52.7883	\$53.8441	\$54.9209	\$56.0194	\$57.1397	\$58.2825	\$59.4482	\$60.6372	\$61.8499
<i>Contract Administrator</i> <i>Building Administrator</i> <i>Human Resources Analyst III</i> <i>Information Systems Specialist III</i> <i>Systems Analyst III</i> <i>Associate Financial Analyst</i> <i>Accountant/Auditor III</i> <i>GIS Coordinator</i> <i>Graphic Artist Coordinator</i> <i>Head Librarian</i> <i>Associate Public Info/Outreach Analyst</i> <i>Associate Legislative Analyst</i> <i>Associate Planner/Analyst</i> <i>Associate Program Coordinator</i>														
SENIOR	VIII(b)	\$51.2371	\$52.2619	\$53.3071	\$54.3732	\$55.4607	\$56.5699	\$57.7013	\$58.8553	\$60.0324	\$61.2331	\$62.4578	\$63.7069	\$64.9810
<i>Senior Contract Administrator</i> <i>Human Resources Analyst IIIb</i> <i>Information Systems Specialist IIIb</i> <i>Systems Analyst IIIb</i> <i>Senior Financial Analyst</i> <i>Accountant/Auditor IIIb</i> <i>GIS Senior Coordinator</i> <i>Graphic Artist Senior Coordinator</i> <i>Head Librarian IIIb</i> <i>Senior Public Info/Outreach Analyst</i> <i>Senior Legislative Analyst</i> <i>Senior Planner/Analyst</i> <i>Senior Program Coordinator</i>														

Metropolitan Transportation Commission
Pay Schedule for CSR Represented Employees and Confidential Employees
Fiscal Year 2019 - 2020, Effective July 1, 2019 to June 30, 2020

The base salary rate is stated as the hourly rate for each classification grade level and each step within the grade level

CLASSIFICATION LEVEL & POSITIONS INCLUDED	SALARY GRADE LEVEL	STEP A HOURLY RATE	STEP A1 HOURLY RATE	STEP B HOURLY RATE	STEP B1 HOURLY RATE	STEP C HOURLY RATE	STEP C1 HOURLY RATE	STEP D HOURLY RATE	STEP D1 HOURLY RATE	STEP E HOURLY RATE	STEP E1 HOURLY RATE	STEP F HOURLY RATE	STEP F1 HOURLY RATE	STEP G HOURLY RATE
PRINCIPAL	IX	\$59.7106	\$60.9048	\$62.1229	\$63.3653	\$64.6327	\$65.9253	\$67.2438	\$68.5887	\$69.9605	\$71.3597	\$72.7869	\$74.2426	\$75.7275

Contract Manager
Building Manager
Assistant Human Resources Manager
Principal Information Systems Manager
Principal Systems Manager
Revenue & Budget Manager
Principal Financial Analyst
Accounting Manager
GIS Principal
Principal Public Info/Outreach Analyst
Principal Legislative Analyst
Principal Planner/Analyst
Principal Program Coordinator

Regular full-time positions work a 30 hour a week minimum and up to 40 hours a week. 30 hrs a week equals 1,560 hrs worked a year. 32 hrs a week equals 1,664 hrs worked a year. 36 hrs a week equals 1,872 hrs worked a year. 40 hrs a week equals 2,080 hrs worked a year.

Regular part-time positions work a 20 hour a week minimum and up to 29 hours a week. 20 hrs a week equals 1,040 hrs worked a year. 24 hrs a week equals 1,248 hrs worked a year. 26 hrs a week equals 1,352 hrs worked a year. 29 hrs a week equals 1,508 hrs worked a year.

Pay Schedule for MTC Specific Executive Employees Fiscal Year 2019-20, Effective July 1, 2019 through June 30, 2020				
CLASS/POSITION	GRADE	MIN	MAX	Hourly Base Rate
ASSOCIATE COUNSEL I/II	L/2	\$68.9119	\$91.8157	HOURLY BASE RATE
Associate Counsel I Associate Counsel II				
EXECUTIVE ADMINISTRATIVE	X/B & F/2	\$68.9119	\$91.8157	HOURLY BASE RATE
Assistant Director BARC Director				
DEPUTY GENERAL COUNSEL	L/3	\$90.4180	\$112.4236	HOURLY BASE RATE
Deputy General Counsel Senior Attorney				
EXECUTIVE MANAGEMENT	X/A & F/3	\$90.4180	\$112.4236	HOURLY BASE RATE
Section Director Deputy Financial Officer Deputy Director				
SENIOR DEPUTY GENERAL COUNSEL	L/4	\$100.2940	\$117.2878	HOURLY BASE RATE
Senior Deputy General Counsel				
DEPUTY EXECUTIVE DIRECTOR	X/3	\$112.5966	\$134.5681	HOURLY BASE RATE
Deputy Executive Director				
Chief Financial Officer	X/4	\$112.5966	\$134.5681	HOURLY BASE RATE
Chief Financial Officer				
Regular full-time positions work a 30 hour a week minimum and up to 40 hours a week. 30 hrs a week equals 1,560 hrs worked a year. 32 hrs a week equals 1,664 hrs worked a year. 36 hrs a week equals 1,872 hrs worked a year. 40 hrs a week equals 2,080 hrs worked a year.				
Regular part-time positions work a 20 hour a week minimum and up to 29 hours a week. 20 hrs a week equals 1,040 hrs worked a year. 24 hrs a week equals 1,248 hrs worked a year. 26 hrs a week equals 1,352 hrs worked a year. 29 hrs a week equals 1,508 hrs worked a year.				



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0336 **Version:** 1 **Name:**
Type: Resolution **Status:** Consent
File created: 3/29/2019 **In control:** Programming and Allocations Committee
On agenda: 5/8/2019 **Final action:**
Title: MTC Resolution No. 4375, Revised. 2019 Transportation Improvement Program (TIP) Amendment 2019-14.

Sponsors:

Indexes:

Code sections:

Attachments: [6c Reso-4375 TIP Amendment 2019-14.pdf](#)
[2b Reso-4375 TIP Amendment 2019-14_x.pdf](#)

Date	Ver.	Action By	Action	Result
5/8/2019	1	Programming and Allocations Committee		

Subject:

MTC Resolution No. 4375, Revised. 2019 Transportation Improvement Program (TIP) Amendment 2019-14.

Presenter:

Adam Crenshaw

Recommended Action:

Commission Approval

**Metropolitan Transportation Commission
Programming and Allocations Committee**

May 8, 2019

Agenda Item 2b

MTC Resolution Nos. 4375, Revised

Subject: 2019 Transportation Improvement Program (TIP) Amendment 2019-14.

Background: The federally required TIP is a comprehensive listing of Bay Area surface transportation projects that receive federal funds, are subject to a federally required action or are regionally significant. MTC, as the federally designated Metropolitan Planning Organization (MPO) for the nine-county San Francisco Bay Area Region, must prepare and adopt the TIP at least once every two years. The 2019 TIP, covering the four-year period from FY 2018-19 through 2021-22, was adopted by the Commission on September 26, 2018, and approved by the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) on December 17, 2018. The 2019 TIP is valid for four years under federal regulations. The TIP may be revised to make necessary changes prior to the next update. The TIP is posted on MTC's website at: <http://mtc.ca.gov/our-work/fund-invest/transportation-improvement-program>.

Amendment 2019-14 makes revisions to 25 projects with a net funding increase of approximately \$802 million. Most notable from a dollar standpoint is the addition of replacement and expansion vehicles as part of SFMTA's Light Rail Vehicle Procurement. Among other changes, this revision adds eight new exempt projects to the TIP, updates the funding plans of 13 existing projects and deletes three projects from the TIP to reflect changes in the Transit Capital Priorities (TCP) Program.

The revisions made with this amendment do not conflict with the financial constraint requirements of the TIP, and therefore the 2019 TIP remains financially constrained with this amendment.

The 2019 TIP is also designed such that, once implemented, it makes progress toward achieving the performance targets established per federal regulations.

The revisions made pursuant to this amendment will not change the air quality conformity finding; therefore, a conformity determination is not required.

The TIP Revision Summary for this amendment is attached (Attachment 1) and is also available in the MTC offices at 375 Beale Street, San Francisco, CA, and is posted on the Internet at: <http://mtc.ca.gov/our-work/fund-invest/tip/tip-revisions-and-amendments>.


The TIP public participation process also serves to satisfy the public involvement requirements of the FTA annual Program of Projects, for applicable funds.

This amendment will be transmitted to Caltrans after the Commission approval; after its review, Caltrans will forward the amendment to FTA/FHWA as required for final federal agency review and approval.

Issues: This Amendment contains changes that are contingent upon Commission approval of programming changes included in Programming and Allocations Committee Item 3a MTC Resolution Nos. 4169, Revised, 4212, Revised, 4242, Revised, 4262, Revised, 4263, Revised, and 4272, Revised, Transit Capital Priorities and Bridge Toll Programs revisions.

Recommendation: Refer MTC Resolution No. 4375, Revised to the Commission for approval.

Attachments: Attachment 1, Summary Report of Amended Projects for TIP Amendment 2019-14
MTC Resolution No. 4375, Revised



Therese W. McMillan

**TIP Revision Summary
2019-14**

ATTACHMENT 1

TIP ID	Sponsor	Project Name	Description of Change	Funding Change (\$)	Funding Change (%)
System: Transit					
ALA150033	Livermore Amador Valley Transit (LAVTA)	LAVTA: Service Vehicles (2) Trucks	Delete this project from the TIP and reprogram the 5307 funds to ALA990077	-\$102,000	-100.0%
ALA150036	Livermore Amador Valley Transit (LAVTA)	LAVTA: Service Vehicles (3) Road Supervisor	Delete this project from the TIP and reprogram the 5307 funds to ALA990077	-\$153,000	-100.0%
ALA150037	Livermore Amador Valley Transit (LAVTA)	LAVTA: Service Vehicles (4) shift trade	Delete this project from the TIP and reprogram the 5307 funds to ALA990077	-\$204,000	-100.0%
ALA190014	Bay Area Rapid Transit District (BART)	BART-Elevator Renovation program	Amend a new exempt project into the TIP with \$7M in 5337 and \$1.75M in Local funds	\$8,750,000	~%
ALA990077	Livermore Amador Valley Transit (LAVTA)	LAVTA: ADA Paratransit Operating Subsidy	Update the funding plan to add \$367K in 5307 funds being transferred from ALA150033, ALA150036, and ALA150037, add \$100K in additional 5307 funds and reprogram \$12.7K in TDA from FY17 to FY19 and \$12.2K in TDA from FY17 to FY20	\$467,182	5.8%
CC-150021	Western Contra Costa Transit Authority (WestCAT)	WestCAT - AVL System with APC Element.	Update the funding plan to add \$294K in 5307 and \$74K in Local funds that are being transferred from CC-170010	\$367,631	93.2%
CC-170010	Western Contra Costa Transit Authority (WestCAT)	WestCAT Replace 5 35ft and 4 40ft Vehicles	Update the funding plan to remove \$294K in 5307 funds and \$74K in Local funds as the funds are being reprogrammed to CC-150021	-\$367,631	-7.2%
REG170023	Metropolitan Transportation Commission (MTC)	TCP Financing Repayment Obligations	Update the funding plan to remove \$2.82M in 5307 and \$19.5M in 5337 funds	-\$21,870,000	-1.4%
SCL090044	Santa Clara Valley Transportation Authority (VTA)	VTA: TP OCS Rehab & Replacement	Update the funding plan to add \$12.5M in FY19 5337 and \$3.1M in FY19 Local	\$15,650,000	91.2%
SCL110099	Santa Clara Valley Transportation Authority (VTA)	VTA: Light Rail Bridge and Structure - SG Repair	Update the funding plan to add \$1.08M in FY19 5337 funds and \$270K in FY19 Local funds	\$1,350,000	38.6%
SCL150008	Santa Clara Valley Transportation Authority (VTA)	VTA Track Intrusion Abatement	Update the funding plan to add \$4M in FY19 5337 and \$1M in FY19 Local funds	\$5,000,000	83.3%
SCL170009	Santa Clara Valley Transportation Authority (VTA)	VTA: Chaboya Yard Well Removal	Update the funding plan to add \$120K in FY19 5307 and \$30K in FY19 Local funds	\$150,000	61.2%
SCL170010	Santa Clara Valley Transportation Authority (VTA)	VTA: Guadalupe Train Wash Replacement	Update the funding plan to add \$800K in FY19 5337 and \$200K in FY19 Local funds	\$1,000,000	55.2%

TIP Revision Summary
2019-14

ATTACHMENT 1

TIP ID	Sponsor	Project Name	Description of Change	Funding Change (\$)	Funding Change (%)
SCL190023	Santa Clara Valley Transportation Authority (VTA)	VTA: Bus CCTV Replacement	Amend a new exempt project into the TIP with \$2.64M in 5307 and \$660K in Local funds	\$3,300,000	~%
SCL190024	Santa Clara Valley Transportation Authority (VTA)	VTA: Transit Center Park and Ride Rehab	Amend a new exempt project into the TIP with \$1.6M in 5307 and \$400K in Local funds	\$2,000,000	~%
SCL190025	Santa Clara Valley Transportation Authority (VTA)	VTA: Gigabit Ethernet Network	Amend a new exempt project into the TIP with \$960K in 5307 and \$240K in Local funds	\$1,200,000	~%
SCL190026	Santa Clara Valley Transportation Authority (VTA)	VTA: HVAC Replacement	Amend a new exempt project into the TIP with \$1.45M in 5307 and \$362K in Other Local funds	\$1,810,332	~%
SF-070005	San Francisco Municipal Transport Agency (SFMTA)	Van Ness Avenue Bus Rapid Transit	Update the funding plan to add \$1.8M in FY19 5337 and reprogram \$458K in Local funds from FY17 to FY19	\$1,830,000	0.9%
SF-090012	San Francisco Municipal Transport Agency (SFMTA)	Light Rail Vehicle Procurement	Update the project scope to include additional replacement and expansion vehicles and add \$59M in Bridge Tolls, \$160M in Local, \$129M in Sales Tax and \$398M in RTP-LRP funds	\$746,146,027	203.7%
SF-190002	San Francisco Municipal Transport Agency (SFMTA)	L-Taraval - SGR Project Elements	Amend a new exempt project into the TIP with \$4M in 5337 and \$1M in Sales Tax funds	\$5,087,500	~%
SF-190003	San Francisco Municipal Transport Agency (SFMTA)	Muni Metro East Facility - Boiler Replacement	Amend a new exempt project into the TIP with \$4.1M in 5337 funds and \$2.3M in Local funds	\$6,440,944	~%
SF-190004	San Francisco Municipal Transport Agency (SFMTA)	SFMTA-Facilities Condition Assessment Repairs	Amend a new exempt project into the TIP with \$5M in 5307, \$900K in 5337, \$12.6M in Local, \$500K in Sales Tax and \$4.6M in SB1 funds	\$23,597,031	~%
SM-170010	Caltrain	Caltrain TVM Rehab and Clipper Functionality	Update the funding plan to change the program year and source for \$565K in FY23 RTP-LRP to \$222K in FY19 5337, \$56K in FY19 Local, \$62K in FY20 5307, \$168K in FY20 5337 and \$58K in FY20 Local	\$0	0.0%
SON150007	Petaluma	Petaluma Transit: ADA Set-Aside	Update the funding plan to add \$86K in FY19 CON 5307 and \$22K in FY19 CON Local funds	\$108,107	24.7%
SON170017	Petaluma	Petaluma AVL Equipment	Update the funding plan to add \$60K in FY19 5307 and \$15K in FY19 TDA	\$75,000	312.5%
Total Funding Change:				\$801,633,123	

TIP Revision Summary

ATTACHMENT 1

	Federal	State	Regional	Local	Total	2019 TIP Only
Current:	\$184,386,080	\$113,140,000	\$0	\$1,869,747,519	\$2,167,273,599	\$117,113,688
Proposed:	\$211,282,919	\$117,781,979	\$59,118,014	\$2,580,723,810	\$2,968,906,722	\$521,458,176
Delta:	\$26,896,839	\$4,641,979	\$59,118,014	\$710,976,291	\$801,633,123	\$404,344,488

Date: September 26, 2018
W.I.: 1512
Referred by: PAC
Revised: 12/19/18-C 01/23/19-C
02/27/19-C 03/27/19-C
04/24/19-C 05/22/19-C

ABSTRACT

Resolution No. 4375, Revised

This resolution adopts the 2019 Transportation Improvement Program (TIP) for the San Francisco Bay Area.

Further discussion of the 2019 TIP adoption is contained in the Programming & Allocations Committee summary sheets dated September 12, 2018, December 12, 2018, January 9, 2019, February 13, 2019, March 6, 2019, April 14, 2019, and May 8, 2019. This resolution was revised as outlined below. Additional information on each revision is included in attachment B: 'Revisions to the 2019 TIP'.

2019 TIP Revisions

Revision #	Revision Type	# of Projects	Net Funding Change (\$)	MTC Approval Date	Final Approval Date
2019-01	Admin. Mod.	52	\$36,741,847	12/19/2018	12/19/2018
2019-02	Admin. Mod.	12	\$7,296,176	2/1/2019	2/1/2019
2019-03	Amendment	40	\$155,338,096	12/19/2018	2/5/2019
2019-04	Admin. Mod.	10	\$5,506,382	3/5/2019	3/5/2019
2019-05	Amendment	3	\$22,503,964	1/23/2019	2/19/2019
2019-06	Amendment	2	\$15,814,128	1/23/2019	2/15/2019
2019-07	Admin. Mod.	19	\$11,050,370	3/28/2019	3/28/2019
2019-08	Amendment	12	-\$25,513,326	2/27/2019	4/3/2019
2019-09	Admin. Mod.	Pending	Pending	Pending	Pending
2019-10	Amendment	4	-\$18,724,000	3/27/2019	Pending
2019-11	Admin. Mod.	Pending	Pending	Pending	Pending
2019-12	Amendment	4	\$13,699,781	4/24/2019	Pending
2019-13	Admin. Mod.	Pending	Pending	Pending	Pending
2019-14	Amendment	25	\$801,633,123	5/22/2019	Pending
Net Funding Change		183	\$1,025,346,541		
Absolute Funding Change			\$1,113,821,193		

Date: September 26, 2018
W.I.: 1512
Referred by: PAC

Re: Adoption of the 2019 Transportation Improvement Program (TIP)

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4375

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to California Government Code Section 66500 et seq.; and

WHEREAS, MTC is the federally designated Metropolitan Planning Organization (MPO), pursuant to Section 134(d) of Title 23 of the United States Code (USC) for the nine-county San Francisco Bay Area region (the region); and

WHEREAS, Title 23 Code of Federal Regulations Part 450 (23 CFR §450) requires the region to carry out a continuing, cooperative and comprehensive transportation planning process as a condition to the receipt of federal assistance to develop and update at least every four years, a Transportation Improvement Program (TIP) consisting of a comprehensive listing of transportation projects that receive federal funds or that are subject to a federally required action, or that are regionally significant; and

WHEREAS, Section 65074 of the California Government Code requires all state MPOs to update their TIPS concurrently every even year; and

WHEREAS, the TIP must be consistent with the Regional Transportation Plan (RTP) adopted pursuant to Government Code Section 66508, the State Implementation Plan (SIP) as required by the federal Clean Air Act (42 U.S.C. Section 7401 et seq.); and the San Francisco Bay Area Transportation Air Quality Conformity Protocol (MTC Resolution 3757), which establish the Air Quality Conformity Procedures for MTC's TIP and RTP; and

WHEREAS, federal regulations (23 CFR §450.326(k)) require that the TIP be financially constrained, by year, to reasonable estimates of available federal and state transportation funds; and

WHEREAS, federal regulations (23 CFR §450.326) require that the TIP be designed such that once implemented, it makes progress toward achieving the performance targets established under §450.306(d) and that the TIP shall include, to the maximum extent practicable, a description of the anticipated effect of the TIP toward achieving the performance targets identified in the metropolitan transportation plan, linking investment priorities to those performance targets; and

WHEREAS, federal regulations (23 CFR §450.316) require that the MPO develop and use a documented public participation plan that defines a process for providing citizens, affected public agencies and interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process; and

WHEREAS, federal regulations (23 CFR §450.332(a)) allow MTC to move projects between years in the first four years of the TIP without a TIP amendment, if Expedited Project Selection Procedures (EPSP) are adopted to ensure such shifts are consistent with the required year by year financial constraints; and

WHEREAS, MTC, the State, and public transportation operators within the region have developed and implemented EPSP for the federal TIP as required by Federal Regulations (23 CFR 450.332(a)) and Section 134 of Title 23 United States Code (USC §134), as outlined in Attachment A to this Resolution, and MTC Resolution 3606, Revised; and

WHEREAS, MTC has found in MTC Resolution No. 4374 that the 2019 TIP, as set forth in this resolution, conforms to the applicable provisions of the SIP for the San Francisco Bay Area; and

WHEREAS, the San Francisco Bay Area air basin was designated by U.S. Environmental Protection Agency as nonattainment for the fine particulate matter (PM_{2.5}) standard in December 2009, and MTC must demonstrate conformance to this standard through an interim emissions test until a PM_{2.5} SIP is approved by the federal Environmental Protection Agency (U.S. EPA); now, therefore be it

RESOLVED, that MTC adopts the 2019 TIP, attached hereto as Attachment A and incorporated herein as though set forth at length; and be it further

RESOLVED, that MTC has developed the 2019 TIP in cooperation with the Bay Area County Transportation Agencies, transit operators, the Bay Area Air Quality Management District (BAAQMD), the California Department of Transportation (Caltrans), and other partner agencies and interested stakeholders, and in consultation with the Federal Highway Administration (FHWA), Federal Transit Administration (FTA) and U.S. EPA; and, be it further

RESOLVED, that the 2019 TIP was developed in accordance with the region's Public Participation Plan and consultation process (MTC Resolution No. 4174, Revised) as required by Federal Regulations (23 CFR §450.316); and, be it further

RESOLVED, that the projects and programs included in the 2019 TIP, attached hereto as Attachment A to this resolution, and incorporated herein as though set forth at length, are consistent with the RTP; and, be it further

RESOLVED, that the 2019 TIP is financially constrained, by year, to reasonable estimates of available federal, state and local transportation funds; and, be it further

RESOLVED, that the 2019 TIP makes progress toward achieving the performance targets established under §450.306(d); and, be it further

RESOLVED, that MTC approves the EPSP developed by MTC, the State, and public transportation operators within the region for the federal TIP as required by federal regulations (23 CFR 450.332(a)) and Section 134 of Title 23 United States Code (USC §134), as outlined in Attachment A to this Resolution, and MTC Resolution 3606, Revised; and, be it further

RESOLVED, that MTC will support, where appropriate, efforts by project sponsors to obtain letters of no prejudice or full funding agreements from FTA for projects contained in the transit element of the TIP; and, be it further

RESOLVED, that the public participation process conducted for the 2019 TIP satisfies the public involvement requirements of the FTA annual Program of Projects; and, be it further

RESOLVED, that the adoption of the TIP shall not constitute MTC's review or approval of those projects included in the TIP pursuant to Government Code Sections 66518 and 66520, or provisions in federal regulations (49 CFR Part 17) regarding Intergovernmental Review of Federal Programs; and, be it further

RESOLVED, that MTC's review of projects contained in the TIP was accomplished in accordance with procedures and guidelines set forth in the San Francisco Bay Area Transportation Air Quality Conformity Protocol (MTC Resolution 3757); and, be it further

RESOLVED, that MTC finds that the 2019 TIP conforms to the applicable provisions of the State Implementation Plan (SIP) and the applicable transportation conformity budgets in the SIP approved for the national 8-hour ozone standard and to the emissions test for the national fine particulate matter standard (MTC Resolution No. 4374); and, be it further

RESOLVED, that the projects and programs included in the 2019 TIP do not interfere with the timely implementation of the traffic control measures (TCMs) contained in the SIP; and, be it further


RESOLVED, that MTC finds all regionally significant capacity-increasing projects included in the 2019 TIP are consistent with the Amended Plan Bay Area 2040 (the 2040 Regional Transportation Plan including the Sustainable Communities Strategy for the San Francisco Bay Area) and, be it further

RESOLVED, that revisions to the 2019 TIP as set forth in Attachment B to this resolution and incorporated herein as though set forth at length, shall be made in accordance with rules and procedures established in the public participation plan and in MTC Resolution No. 4375, and that MTC's review of projects revised in the TIP shall be accomplished in accordance with procedures and guidelines set forth in the San Francisco Bay Area Transportation Air Quality Conformity Protocol (MTC Resolution 3757) and as otherwise adopted by MTC; and, be it further

RESOLVED, that staff have the authority to make technical corrections, and the Executive Director and Deputy Executive Directors have signature authority to approve administrative modifications for the TIP and Federal Statewide Transportation Improvement Program (FSTIP) under delegated authority by Caltrans, and to forward all required TIP amendments once approved by MTC to the appropriate state and federal agencies for review and approval; and, be it further

RESOLVED, that a copy of this resolution shall be forwarded to FHWA, the FTA, U.S. EPA, Caltrans, the Association of Bay Area Governments (ABAG), and to such other agencies and local officials as may be appropriate.

METROPOLITAN TRANSPORTATION COMMISSION



Jake Mackenzie, Chair

The above resolution was entered into by the
Metropolitan Transportation Commission
at a regular meeting of the Commission held in
San Francisco, California, on September 26, 2018.

Date: September 26, 2018
W.I.: 1512
Referred by: PAC

Attachment A
Resolution No. 4375
Page 1 of 1

2019 Transportation Improvement Program

The 2019 Transportation Improvement Program for the San Francisco Bay Area, adopted September 26, 2018, is comprised of the following, incorporated herein as though set forth at length:

- A Guide to the 2019 Transportation Improvement Program (TIP) for the San Francisco Bay Area
- TIP Overview
- Expedited Project Selection Process
- TIP Revision Procedures
- Financial Capacity Assessments
- County Summaries
- Project Listings
- Appendices
- The 2019 TIP Investment Analysis: Focus on Low-Income and Minority Communities
- The 2019 TIP Performance Report

Date: September 26, 2018
W.I.: 1512
Referred by: PAC
Revised: 12/19/18-C 01/23/19-C
02/27/19-C 03/27/19-C
04/24/19-C 05/22/19-C

Attachment B
Resolution No. 4375, Revised
Page 1 of 5

Revisions to the 2019 TIP

Revisions to the 2019 Transportation Improvement Program (TIP) will be included as they are approved.

Revision 2019-01 is an administrative modification that revises 52 projects with a net funding increase of approximately \$36.7 million. The revision was approved into the Federal-Statewide TIP by the Deputy Executive Director on December 19, 2018. Among other changes, this revision:

- Updates the funding plans of 36 Surface Transportation Block Grant Program/ Congestion Mitigation and Air Quality Improvement Program (STP/CMAQ) funded projects to reflect obligations and programming decisions;
- Updates the funding plan of the Santa Clara Valley Transportation Authority's US-101 Express Lanes in Santa Clara County project to reflect the programming of \$3.3 million in repurposed earmark funds;
- Updates the funding plan and back-up listing of the Caltrans-managed local Highway Bridge Program (HBP) grouped listing and updates the funding plans of eight individually listed HBP-funded projects to reflect the latest information from Caltrans; and
- Updates the funding plan and back-up listing of the State Highway Operation and Protection Program (SHOPP) Collision Reduction grouped listing to reflect the latest information from Caltrans.

The administrative modification is financially constrained by year and MTC relies on the State's programming capacity in the amount of \$3.3 million in repurposed earmark funds, \$17.4 million in HBP funds and \$5.3 million in SHOPP funds to reflect the net change in funding over the four years of the TIP. MTC's 2019 TIP, as revised with Revision No. 2019-01, remains in conformity with the applicable State Implementation Plan (SIP) for air quality and the revision does not interfere with the timely implementation of the Transportation Control Measures contained in the SIP.

Revision 2019-02 is an administrative modification that revises 12 projects with a net funding increase of approximately \$7.3 million. The revision was approved into the Federal-Statewide TIP by the Deputy Executive Director on February 1, 2019. Among other changes, this revision:

- Updates the funding plans of six Surface Transportation Block Grant Program/ Congestion Mitigation and Air Quality Improvement Program (STP/CMAQ) funded projects, one Road Repair and Accountability Act (SB1) and State Transportation

Improvement Program funded project, and one High Priority Program earmark funded project to reflect the latest programming decisions; and

- Updates the funding plan and back-up listing of the State Highway Operation and Protection Program (SHOPP) Collision Reduction grouped listing to reflect the latest information from Caltrans.

The administrative modification is financially constrained by year and MTC relies on the State's programming capacity in the amount of \$421,807 in High Priority Program earmark funds, \$207,000 in SB1 funds and \$6 million in SHOPP funds to reflect the net change in funding over the four years of the TIP. MTC's 2019 TIP, as revised with Revision No. 2019-02, remains in conformity with the applicable State Implementation Plan (SIP) for air quality and the revision does not interfere with the timely implementation of the Transportation Control Measures contained in the SIP.

Revision 2019-03 is an amendment that revises 40 projects with a net funding increase of approximately \$155 million. The revision was referred by the Programming and Allocations Committee on December 12, 2018, and approved by the MTC Commission on December 19, 2018. Caltrans approval was received on January 15, 2019, and final federal approval was received on February 5, 2019. Among other changes, this revision:

- Updates the funding plans of six Highway Bridge Program funded projects to reflect the latest programming information from Caltrans;
- Adds two new exempt projects and one new non-exempt not regionally significant project, deletes an existing exempt project and updates the funding plans of 14 additional projects to reflect Surface Transportation Block Grant / Congestion Mitigation and Air Quality Improvement Program (STP/CMAQ) programming decisions and obligations;
- Adds one new grouped listing and updates the funding plans and back up listings of three existing grouped listings to reflect the latest information from Caltrans;
- Adds three additional new exempt projects to the TIP; and
- Carries forward two exempt projects and two grouped listings from the 2017 TIP.

Changes made with this revision do not affect the air quality conformity finding or conflict with the financial constraint requirements.

Revision 2019-04 is an administrative modification that revises ten projects with a net funding increase of approximately \$5.5 million. The revision was approved into the Federal-Statewide TIP by the Deputy Executive Director on March 5, 2019. Among other changes, this revision:

- Updates the funding plans of four Surface Transportation Block Grant Program/ Congestion Mitigation and Air Quality Improvement Program (STP/CMAQ) funded projects to reflect the latest programming decisions, including the exchange of approximately \$16 million in STP/CMAQ and an equal amount of sales tax proceeds between San Francisco's Better Market Street project and SFMTA's New Central Subway project;
- Also updates the funding plan of the Better Market Street project to reflect the award of \$15 million in Better Using Investments to Leverage Development (BUILD) grant funds;

- Combines the two Innovative Deployments to Enhance Arterials program listings into a single listing;
- Splits out near-term, High Priority Program-funded improvements from Alameda County's Vasco Road Safety Improvements project; and
- Updates the funding plan and back-up listing of the Lifeline Transportation Program – Cycle 5 grouped listing to reflect the programming of additional Federal Transit Administration Section 5307 funds and State Transit Assistance program funds.

The administrative modification is financially constrained by year and MTC relies on the State's programming capacity in the amount of \$15 million in BUILD funds to reflect the net change in funding over the four years of the TIP. MTC's 2019 TIP, as revised with Revision No. 2019-04, remains in conformity with the applicable State Implementation Plan (SIP) for air quality and the revision does not interfere with the timely implementation of the Transportation Control Measures contained in the SIP.

Revision 2019-05 is an amendment that revises three projects with a net funding increase of approximately \$22.5 million. The revision was referred by the Programming and Allocations Committee on January 9, 2019, and approved by the MTC Commission on January 23, 2019. Caltrans was received on February 6, 2019, and final federal approval was received on February 19, 2019. Among other changes, this revision updates the funding plan and back-up listing of the Caltrans managed Highway Safety Improvement Program grouped listing. Changes made with this revision do not affect the air quality conformity finding or conflict with the financial constraint requirements.

Revision 2019-06 is an amendment that revises two projects with a net funding increase of approximately \$15.8 million. The revision was proposed subsequent to the Programming and Allocations Committee review of Revision 2019-05 on January 9, 2019 and was approved by the MTC Commission on January 23, 2019. Caltrans approval was received on February 6, 2019, and final federal approval was received on February 15, 2019. Among other changes, this revision:

- Adds one Federal Transit Administration Bus and Bus Facilities Program and Low or No Emission Vehicle Program funded Fairfield and Suisun Transit project to the TIP; and
- Adds the San Joaquin Regional Rail Commission's Oakley Station Platform project to reflect the award of Transit and Intercity Rail Capital Program funds.

Changes made with this revision do not affect the air quality conformity finding or conflict with the financial constraint requirements.

Revision 2019-07 is an administrative modification that revises 19 projects with a net funding increase of approximately \$11 million. The revision was approved into the Federal-Statewide TIP by the Deputy Executive Director on March 28, 2019. Among other changes, this revision:

- Updates the funding plan of the Golden Gate Bridge Suicide Deterrent Safety Barrier project to reflect the programming of approximately \$45.2 million in Federal Highway Infrastructure Program (FHIP) funds in lieu of Surface Transportation Block Grant Program/Congestion Mitigation and Air Quality Improvement Program (STP/CMAQ) Cycle 1 and One Bay Area Grant 2 (OBAG2) funds;

- Updates the funding plans of nine other STP/CMAQ funded projects and one High Priority Program Earmark (HPP) funded project to reflect planned obligations;
- Updates the funding plan of San Rafael's Francisco Blvd West Multi-Use Pathway project to reflect the programming of Regional Measure 2 (RM2) and Transportation Fund for Clean Air (TFCA) funds; and
- Updates the funding plans and back-up listings of the State Highway Operation and Protection Program (SHOPP) Collision Reduction, Local Highway Bridge Program (HBP) and FTA Section 5311 Fiscal Years 2018/19 and 2019/20 grouped listings to reflect the latest information from Caltrans.

The administrative modification is financially constrained by year and MTC relies on the State's programming capacity in the amount of \$45.2 million in FHIP funds, \$2.4 million in HPP funds, \$248,400 in TFCA funds, \$6.3 million in SHOPP funds, and \$283,186 in FTA Section 5311f funds to reflect the net change in funding over the four years of the TIP. MTC's 2019 TIP, as revised with Revision No. 2019-07, remains in conformity with the applicable State Implementation Plan (SIP) for air quality and the revision does not interfere with the timely implementation of the Transportation Control Measures contained in the SIP.

Revision 2019-08 is an amendment that revises 12 projects with a net funding decrease of approximately \$25.5 million. The revision was referred by the Programming and Allocations Committee on February 13, 2019, and approved by the MTC Commission on February 27, 2019. Caltrans approval was received on March 13, 2019, and final federal approval was received on April 3, 2019. Among other changes, this revision:

- Adds one new exempt project and updates the funding plan of one other project to reflect the award of Federal Transit Administration Bus and Bus Facilities Infrastructure Investment Program discretionary grants;
- Updates the funding plan of the Solano Transportation Authority's I-80/I-680/SR-12 Interchange Improvements project to reflect the award of Trade Corridor Enhancement Program funds;
- Updates the funding plans of two Altamont Corridor Express projects to reflect the award of Transit and Intercity Rail Capital Program funds;
- Archives three implemented projects; and
- Deletes three projects that will not move forward as federal projects.

Changes made with this revision do not affect the air quality conformity finding or conflict with the financial constraint requirements.

Revision 2019-09 is a pending administrative modification.

Revision 2019-10 is an amendment that revises four projects with a net funding decrease of approximately \$18.7 million. The revision was referred by the Programming and Allocations Committee on March 6, 2019, and approved by the MTC Commission on March 27, 2019. Caltrans approval was received on April 5, 2019, and final federal approval is expected in mid-May 2019. Among other changes, this revision:

- Amends one new exempt project into the TIP; and

- Archives one project.

Changes made with this revision do not affect the air quality conformity finding or conflict with the financial constraint requirements.

Revision 2019-11 is a pending administrative modification.

Revision 2019-12 is an amendment that revises four projects with a net funding increase of approximately \$13.7 million. The revision was referred by the Programming and Allocations Committee on April 10, 2019, and approved by the MTC Commission on April 24, 2019. Caltrans approval is expected in late May 2019, and final federal approval is expected in mid-June 2019. Among other changes, this revision:

- Reprograms Congestion Mitigation and Air Quality Improvement (CMAQ) program funds available through the Transit Performance Initiative – Capital Investment Program from VTA's Santa Clara Pocket Track Light Rail Interlocking project to their Light Rail Track Crossovers and Switches project and deletes the interlocking project; and
- Updates the funding plan and back-up listing for the State Highway Operations and Protection Program (SHOPP) Emergency Response program to reflect the latest information from Caltrans including the addition of \$14.6 million in SHOPP funds.

Changes made with this revision do not affect the air quality conformity finding or conflict with the financial constraint requirements.

Revision 2019-13 is a pending administrative modification.

Revision 2019-14 is an amendment that revises 25 projects with a net funding increase of approximately \$802 million. The revision was referred by the Programming and Allocations Committee on May 8, 2019, and approved by the MTC Commission on May 22, 2019. Caltrans approval is expected in late June 2019, and final federal approval is expected in mid-July 2019. Most notable from a dollar standpoint is the addition of replacement and expansion vehicles as part of SFMTA's Light Rail Vehicle Procurement. Among other changes, this revision adds eight new exempt projects to the TIP, updates the funding plans of 13 existing projects and deletes three projects from the TIP to reflect changes in the Transit Capital Priorities (TCP) Program. Changes made with this revision do not affect the air quality conformity finding or conflict with the financial constraint requirements.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0461 **Version:** 1 **Name:**
Type: Resolution **Status:** Commission Approval
File created: 4/23/2019 **In control:** Programming and Allocations Committee
On agenda: 5/8/2019 **Final action:**
Title: MTC Resolution No. 4378 -- FY2019-20 RM2 Marketing Program

A request to adopt the \$6.9 million FY2019-20 Regional Measure 2 (RM2) Marketing Program, an element of the annual RM2 operating program.

Sponsors:

Indexes:

Code sections:

Attachments: [6d Reso-4378 FY2019-20 RM2 Marketing Assistance Program.pdf](#)
[4a Reso-4378 FY2019-20 RM2 Marketing Assistance Program x.pdf](#)

Date	Ver.	Action By	Action	Result
5/8/2019	1	Programming and Allocations Committee		

Subject:

MTC Resolution No. 4378 -- FY2019-20 RM2 Marketing Program

A request to adopt the \$6.9 million FY2019-20 Regional Measure 2 (RM2) Marketing Program, an element of the annual RM2 operating program.

Presenter:

Cheryl Chi

Recommended Action:

Commission Approval

Metropolitan Transportation Commission
Programming and Allocations Committee

May 8, 2019

Agenda Item 4a

MTC Resolution No. 4378

Subject: FY 2019-20 Regional Measure 2 (RM2) Marketing Assistance Program

Background: RM2 legislation provides for the annual allocation of a portion of RM2 funding for public information and advertising to support the services and projects funded with RM2 toll revenues.

The RM2 Marketing Assistance Program is typically paired with the annual RM2 Operating Program that will be brought to the Commission for approval in June.

FY 2019-20 RM2 Marketing Assistance Program

The RM2 Marketing Assistance Program includes \$6.9 million for marketing and public information of RM2 projects including:

- \$3 million will be used by Clipper® for customer service at San Francisco and Oakland locations and other customer education, communication, and outreach activities.
- \$2 million is being reprogrammed from the FY 2018-19 budget to FY 2019-20 to support the Bay Area Commute Challenge Pilot. As the express lane network expands, MTC seeks to engage employers and equip them with a commute management tool to encourage HOV2+ and HOV3+ carpooling among their employees. With a commute technology platform, employers can manage transportation options, provide incentives directly to employees that carpool, and track behavior change.
- \$1.1 million for miscellaneous coordination efforts including regional transit mapping and wayfinding, 511 Real Time Transit, the Regional Resource Center and Bike to Work, Trails, and Transit campaigns.
- \$500,000 of marketing support for AC Transit for RM2-funded service. Like last year, these funds will free up funds for AC Transit to use in support of school bus service.
- \$300,000 for new or expanded transit service.

The RM2 marketing program is also included in the proposed FY2019-20 BATA budget and is subject to its approval.

Issues: None.

Recommendation: Refer MTC Resolution No. 4378 to the Commission for approval.

Attachments: MTC Resolution No. 4378



Therese W. McMillan

Date: May 22, 2019
W.I.: 1255
Referred by: PAC

ABSTRACT

Resolution No. 4378

This resolution adopts the Regional Measure 2 (RM2) Operating and Marketing Assistance Program for FY2019-20.

Further discussion of this action is contained in the Programming and Allocations Committee Summary Sheet dated May 8, 2019.

Date: May 22, 2019
W.I.: 1255
Referred by: PAC

RE: Adoption of FY2019-20 RM2 Operating Assistance Program

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4378

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to California Government Code § 66500 *et seq.*; and

WHEREAS, Streets and Highways Code Sections 30950 *et seq.* created the Bay Area Toll Authority (“BATA”), which is a public instrumentality governed by the same board as that governing MTC; and

WHEREAS, on March 2, 2004, voters approved Regional Measure 2, which increased the toll for all vehicles on the seven State-owned toll bridges in the San Francisco Bay Area by \$1.00, with this extra dollar funding various transportation projects within the region that have been determined to reduce congestion or to make improvements to travel in the toll bridge corridors, as identified in SB 916 (Chapter 715, Statutes of 2004), commonly referred as Regional Measure 2 (“RM2”); and

WHEREAS, RM2 establishes the Regional Traffic Relief Plan and identifies specific projects eligible to receive RM2 funding for operating assistance as identified in Section 30914(d) of the California Streets and Highways Code; and

WHEREAS, BATA shall fund the projects of the Regional Traffic Relief Plan by bonding or transfers to MTC; and

WHEREAS, RM2 assigns administrative duties and responsibilities for the implementation of the Regional Traffic Relief Plan to MTC; and

WHEREAS, MTC has developed guidelines for the programming and use of the RM2 funds for operating support of transit projects, and

WHEREAS, these guidelines state that MTC will adopt a project specific budget for RM2 operating funds prior to the beginning of each fiscal year, now, therefore be it

RESOLVED, that MTC adopts a program that establishes RM2 operating subsidy amounts for FY2019-20, as outlined in Attachment A and incorporated herewith as though set forth at length; and, be it further

RESOLVED, that the Executive Director is authorized to make programming changes to Attachment A, up to \$200,000 for each project, in consultation with the affected sponsor.

METROPOLITAN TRANSPORTATION COMMISSION

Scott Haggerty, Chair

The above resolution was entered into by the
Metropolitan Transportation Commission
at a regular meeting of the Commission held
in San Francisco, California on May 22, 2019.

FY 2019-20 RM-2 Operating Assistance Program -- Streets and Highways Code 30914(d)

The RM2 Operating Program will be presented for approval in June 2019.

RM2 Marketing Assistance Program (note 1 and 2)

Project Name	Operator	Programmed
Clipper®	MTC	\$ 3,000,000
Bay Area Commute Challenge Pilot	MTC	\$ 2,000,000
Regional Map and Wayfinding	MTC	\$ 780,000
511 Real Time Transit	MTC	\$ 110,000
The Hub Regional Resource Center	MTC	\$ 200,000
AC Transit Services	AC Transit	\$ 500,000
Bike to Work, Trails, and Transit Week Awareness	MTC	\$ 50,000
New or Expanded Transit Services	TBD	\$ 300,000
Grand Total		\$ 6,940,000

- Notes:
1. Amounts shown are subject to approval of the FY 2019-20 BATA Budget.
 2. Marketing assistance programs are funded with RM2 toll revenue receipts pursuant to Streets and Highways Code 30914(f) and are outside of the 38% limit on operating funding as described in Streets and Highways Code 30914(d).

Metropolitan Transportation Commission

Legislation Details (With Text)

File #: 19-0477 **Version:** 1 **Name:**
Type: Assembly Bill **Status:** Commission Approval
File created: 4/30/2019 **In control:** Joint MTC Legislation Committee and ABAG Legislation Committee
On agenda: 5/10/2019 **Final action:**
Title: AB 69 (Ting): Small Home Building Standards

AB 69 would require the Department of Housing and Community Development (HCD) to propose small home building standards governing ADUs smaller than 800 square feet, junior ADUs and detached dwelling units smaller than 800 square feet. The standards must be submitted to the California Building Standards Commission (CBSC) for adoption by January 1, 2021.

Sponsors:**Indexes:****Code sections:**

Attachments: [6e AB-69 Ting.pdf](#)
[5b AB-69 Support and Seek Amendments.pdf](#)

Date	Ver.	Action By	Action	Result
5/10/2019	1	Joint MTC Legislation Committee and ABAG Legislation Committee		

Subject:

AB 69 (Ting): Small Home Building Standards

AB 69 would require the Department of Housing and Community Development (HCD) to propose small home building standards governing ADUs smaller than 800 square feet, junior ADUs and detached dwelling units smaller than 800 square feet. The standards must be submitted to the California Building Standards Commission (CBSC) for adoption by January 1, 2021.

Presenter:

Rebecca Long

Recommended Action:

Support and Seek Amendments

Attachments:

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

May 10, 2019

Agenda Item 5b

AB 69 (Ting): Small Home Building Standards

Subject: AB 69 would require the Department of Housing and Community Development (HCD) to propose small home building standards governing ADUs smaller than 800 square feet, junior ADUs and detached dwelling units smaller than 800 square feet. These standards must include allowances for small kitchens and bathrooms with small appliances and achieve the most cost-effective construction standards possible. The standards must be submitted to the California Building Standards Commission (CBSC) for adoption by January 1, 2021.

Background: Secondary units have been identified as a cost-effective way that a significant number of units, affordable and energy efficient by design, can be produced in areas currently zoned for housing. Over the past three years a number of bills have been enacted to remove barriers that have impeded the development of ADUs in neighborhoods. Of note, as accessory uses, ADUs and Junior ADUs are not considered an increase in density when added to a proposed new construction project or existing single-family home.

According to the Turner Center for Housing Innovation at UC Berkeley, the average cost to build an ADU in California (\$156,000) is less than half of the average cost to build a unit of affordable housing, 83% of ADUs are designed and built in 18 months or less, and 58% of ADUs are rented at below market rate. The Turner Center also indicates ADU building costs could be further reduced by removing barriers in existing building standards that do not scale well to small structures. For example, the center reports that the new 2016 Title 24 building requirements inhibit the ability of builders to deliver affordable and attractive ADUs by requiring builders to incorporate additional energy efficiency features, such as greater wall thickness or insulation, which can substantially raise the overall cost of the ADU.

Additionally, the ABAG/MTC Housing Legislative Working Group suggested that a set of standardized pre-approved ADU building plans could make ADU creation easier and more cost-effective for homeowners.

Discussion: Given the potential for the bill to address the barriers to ADU development detailed above, staff recommends a support position on AB 69. Staff recommends ABAG and MTC support the bill and seek a

May 10, 2019

Page 2 of 2

friendly amendment to add to the bill a provision directing the state to generate and make available to local governments template ADU design prototypes consistent with the small state building codes, as proposed by the bill.

Recommendation: Support and Seek Amendment

Bill Positions: AB 69 (Ting)

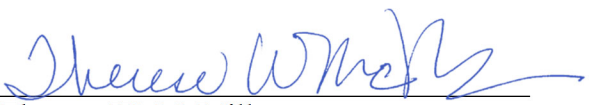
Support

AARP California	EAH Housing	OpenScope Studio
ADU Task Force (East Bay)	Eden Housing	PICO California
Bay Area Council	Enterprise Community	PrefabADU
BRIDGE Housing	Partners	Related California
Building Industry	Greenbelt Alliance	San Francisco Housing
Association of the Bay Area	Habitat for Humanity	Action Coalition
California Apartment	California	SV@Home
Association	Hello Housing	SPUR
California Association of	La-Mas	Tent Makers
Realtors	League of Women Voters of	The Two Hundred
California Community	California	TMG Partners
Builders	Non-Profit Housing	Turner Center for Housing
California YIMBY	Association of Northern	Innovation
Casita Coalition	California	Urban Displacement Project
Community Legal Services in	North Bay Leadership	Working Partnerships USA
East Palo Alto	Council	Individual(s) 1
Habitat for Humanity East Bay/Silicon Valley		
San Francisco Foundation		

Oppose

None on file

Attachments: None


Therese W. McMillan

Metropolitan Transportation Commission

Legislation Details (With Text)

File #: 19-0478 **Version:** 1 **Name:**
Type: Assembly Bill **Status:** Commission Approval
File created: 4/30/2019 **In control:** Joint MTC Legislation Committee and ABAG Legislation Committee
On agenda: **Final action:**
Title: AB 1483 (Grayson): Housing Data/Transparency

This bill seeks to make housing fee and zoning standards more transparent by requiring that they be posted on local agency and state web sites, requires local agencies to provide additional reporting of housing permit requests, production and permitting data annually, and requires the Department of Housing and Community Development (HCD) to develop an online database of housing production data accessible to the public.

Sponsors:**Indexes:****Code sections:**

Attachments: [6f AB1-483 Grayson.pdf](#)
[5c AB-1483 Grayson.pdf](#)

Date	Ver.	Action By	Action	Result
5/10/2019	1	Joint MTC Legislation Committee and ABAG Legislation Committee		

Subject:

AB 1483 (Grayson): Housing Data/Transparency

This bill seeks to make housing fee and zoning standards more transparent by requiring that they be posted on local agency and state web sites, requires local agencies to provide additional reporting of housing permit requests, production and permitting data annually, and requires the Department of Housing and Community Development (HCD) to develop an online database of housing production data accessible to the public.

Presenter:

Rebecca Long

Recommended Action:

Support and Seek amendments

Attachments:

Metropolitan Transportation Commission

May 22, 2019

Agenda Item 6f

AB 1483 (Grayson) Support and Seek Amendments

- Subject:** Position on AB 1483 (Grayson): Housing Data/Transparency
- Background:** On May 10, the Legislation Committee recommended a “support and seek amendment” position on AB 1483 with the following requested amendments:
- 1) Clarify that the provision related to regional data requests is intended to apply regionwide and not to data requests from individual jurisdictions;
 - 2) Broaden the regional agencies that may request additional data to include councils of government, not just metropolitan planning organizations;
 - 3) Ensure the data requests are reasonable, and would provide needed and meaningful information, and the bill includes a feasible timeline for implementation by local agencies.
- Issues:** None
- Recommendation:** The Commission is requested to adopt a “support and seek amendment” position on AB 1483.
- Attachments:** May 10 Legislation Committee summary sheet.

Reviewed:



Therese W. McMillan

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

May 10, 2019

Agenda Item 5c

AB 1483 (Grayson): Housing Data/Transparency

Subject: This bill seeks to make housing fee and zoning standards more transparent by requiring that they be posted on local agency and state web sites, requires local agencies to provide additional reporting of housing permit requests, production and permitting data annually, and requires the Department of Housing and Community Development (HCD) to develop an online database of housing production data accessible to the public.

Background: Current law requires cities and counties to provide an annual production report (APR) to HCD that includes information on the total number of applications received, number of units proposed in those applications, number of units approved and disapproved and, for each income category within the Regional Housing Needs Assessment (RHNA), the number of units that have been issued a completed entitlement, a building permit, or a certificate of occupancy.

Discussion: AB 1483 would require cities and counties to annually provide additional detailed data, such as the location of each proposed project, number of housing applications received and deemed complete that have not received a certificate of occupancy to the Department of Housing and Community Development (HCD) and requires HCD to post the information on its website by January 1, 2021. The bill further requires local agencies post on their web site a current schedule of fees applicable to housing development projects, and all zoning ordinances and development standards.

The bill also requires HCD develop a 10-year housing data strategy in its next revision of the California Statewide Housing Plan and establish a statewide, publicly accessible database of parcel-level housing data available to the state. While local jurisdictions are already required to submit a considerable amount of data about housing production and permitting, the data is not currently accessible, standardized or organized for public use and research. This bill expands on data already reported through the APR to require some additional, parcel-level data and requires jurisdictions to share that data with their respective metropolitan planning organization (MPO), in the Bay Area's case, MTC.

MPO Provision

The bill contains a provision allowing MPOs to request additional information from local jurisdictions about housing, subject to HCD approval and conditional on an MPO providing technical assistance. As currently drafted, this provision puts HCD in the role of gatekeeper between an MPO and a local jurisdiction with respect to housing data, a role that seems wholly unnecessary and formalizes what should be a simple staff-to-staff communication. Based on conversations with proponents for the bill, we understand the intent of this provision is to give MPOs the option of asking HCD to require additional data points be provided by *all* local agencies within their jurisdiction based on the

rationale that some regions may be interested in particular information that wouldn't necessarily be relevant statewide. While this idea may have merit, the bill should be clarified accordingly. In addition, the bill currently states that HCD would only grant such a request if an MPO provides technical assistance to the local agency that has been requested to provide additional data. While technical assistance may be warranted, it should only be required "upon request."

Timeline for Implementation & Purpose of Data

Finally, the Housing Legislative Working Group raised some concerns that implementing the requirements could take some time for smaller cities and it would be helpful if HCD provided an online portal or template for the new data requests. We would like to work with our local jurisdictions to better understand challenges they may face in implementing the legislation and pursue amendments with the author to address these concerns.

Proposed Amendments

In light of the above concerns, we recommend we support AB 1483 if it can be amended as follows:

MPO Provision – clarify that the provision related to MPO data is intended to apply regionwide and not to data requests from individual jurisdictions.

Timeline for Implementation & Purpose of Data –work with the author and local agencies to ensure the data requests are reasonable (and would provide meaningful information) and the timeline for implementation is feasible.

Recommendation: Support and seek amendments

Bill Positions: See attached

Attachments: Attachment A: Bill Position


Therese W. McMillan

Bill Positions on AB 1483 (Grayson) Housing Data/Transparency

California Apartment Association
California Association of Realtors
California Building Industry Association
Non-Profit Housing Association of Northern California
Oakland Metropolitan Chamber of Commerce
Bay Area Council
American Planning Association, California Chapter
Eden Housing
Habitat for Humanity California
Related California
LeadingAge
California Building Industry Association of the Bay Area
California Community Builders
Chan Zuckerberg Initiative
Enterprise Community Partners, Inc.
Habitat for Humanity East Bay/Silicon Valley
Hamilton Families
Transform
TMG Partners
San Francisco Foundation
SPUR
Working Partnerships USA
Silicon Valley at Home
Urban Displacement Project, UC-Berkeley

Oppose

None on file

Metropolitan Transportation Commission

Legislation Details (With Text)

File #: 19-0486 **Version:** 1 **Name:**
Type: Senate Bill **Status:** Commission Approval
File created: 4/30/2019 **In control:** Joint MTC Legislation Committee and ABAG Legislation Committee
On agenda: 5/10/2019 **Final action:**
Title: SB 6 (Beall): Statewide Housing Site Inventory

SB 6 would require that the Department of Housing and Community Development (HCD) add to the statewide surplus lands inventory locally-identified sites available for housing development as identified in a local agency's housing element site inventory.

Sponsors:**Indexes:****Code sections:**

Attachments: [6g SB-6 Beall.pdf](#)
[5d SB-6 Beall.pdf](#)

Date	Ver.	Action By	Action	Result
5/10/2019	1	Joint MTC Legislation Committee and ABAG Legislation Committee		

Subject:

SB 6 (Beall): Statewide Housing Site Inventory

SB 6 would require that the Department of Housing and Community Development (HCD) add to the statewide surplus lands inventory locally-identified sites available for housing development as identified in a local agency's housing element site inventory.

Presenter:

Georgia Gann Dohrmann

Recommended Action:

Support

Attachments:

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

May 10, 2019

Agenda Item 5d

SB 6 (Beall): Statewide Housing Site Inventory

Subject: SB 6 would require that the Department of Housing and Community Development (HCD) add to the statewide surplus lands inventory locally-identified sites available for housing development as identified in a local agency's housing element site inventory.

Background: SB 6 would require the HCD to provide the Department of General Services (DGS) with a list of local lands suitable and available for residential development, as identified by a local government as part of the Housing Element of its general plan, for inclusion in the DGS-maintained inventory of state surplus land. SB 6 would also authorize HCD to provide local governments standardized forms to develop site inventories and requires that local governments adopting housing elements after January 1, 2021 electronically submit site inventories to HCD.

Issues: A central statewide inventory of land potentially available for housing could help local governments and housing developers identify development opportunity sites. Of note, AB 1486 (Ting) – another bill the committee is considering today – contains complementary provisions that would expand the central inventory to include all local surplus land, in addition to housing element site inventory sites and state surplus land.


Recommendation: Support

Bill Positions: SB 6

Support

American Planning Association, California Chapter	Eden Housing
California Apartment Association	Irvine Community Land Trust
California Building Industry Association	Northern California Carpenters Regional Council
California Contract Cities Association	
California Housing Consortium	Oppose
California YIMBY	None on file

Attachments: None


Therese W. McMillan

Metropolitan Transportation Commission

Legislation Details (With Text)

File #: 19-0510 **Version:** 1 **Name:**
Type: Assembly Bill **Status:** Commission Approval
File created: 5/2/2019 **In control:** Joint MTC Legislation Committee and ABAG Legislation Committee
On agenda: 5/10/2019 **Final action:**
Title: AB 68 (Ting): Accessory Dwelling Units

AB 68 would prohibit local Accessory Dwelling Unit (ADU) standards from including certain requirements related to minimum lot size and replacement parking and would require an ADU (attached or detached) of at least 800 square feet and 16 feet in height to be allowed. The bill would also reduce the allowable time to issue an ADU permit to 60 days after an agency receives a completed application.

Sponsors:**Indexes:****Code sections:**

Attachments: [6h AB-68 Ting.pdf](#)
[5e AB-68 Ting.pdf](#)

Date	Ver.	Action By	Action	Result
5/10/2019	1	Joint MTC Legislation Committee and ABAG Legislation Committee		

Subject:

AB 68 (Ting): Accessory Dwelling Units

AB 68 would prohibit local Accessory Dwelling Unit (ADU) standards from including certain requirements related to minimum lot size and replacement parking and would require an ADU (attached or detached) of at least 800 square feet and 16 feet in height to be allowed. The bill would also reduce the allowable time to issue an ADU permit to 60 days after an agency receives a completed application.

Presenter:

Georgia Gann Dohrmann

Recommended Action:

Support and Seek Amendments

Attachments:

Metropolitan Transportation Commission

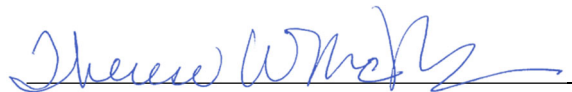
May 22, 2019

Agenda Item 6h

AB 68 (Ting) Support and Seek Amendments

- Subject:** Position on AB 68 (Ting): Accessory Dwelling Units
- Background:** On May 10, the ABAG Legislation Committee reviewed legislation and recommended a “support and seek amendment” position on AB 68 with the following requested amendment:
- Ensure that local jurisdictions may require sprinklers for an accessory dwelling unit (ADU) if they are required for the primary residence.
- Issues:** The Legislation Committee requested that staff pursue an amendment to ensure that a local jurisdiction may require a residential sprinkler system in an ADU if a sprinkler system is required for the existing house. Staff has confirmed that this bill does not modify current law with regard to sprinkler requirements, which specifically prohibits a mandate to add sprinklers if they are not required for the existing residence, but also requires, pursuant to the state’s building code, sprinklers in an ADU if existing house has a sprinkler system and requires sprinkler systems in all new homes, including those built with an ADU. With this clarification, staff recommends the Executive Board consider removing the proposed amendment and adopt a “Support” position.
- Recommendation:** The Commission is requested to either adopt a “Support and Seek Amendments” position on AB 68 as recommended by the ABAG Legislation Committee or consider a revised “Support” position on AB 68 based on the staff clarification.
- Attachments:** May 10 Legislation Committee summary sheet.

Reviewed:



Therese W. McMillan

**Metropolitan Transportation Commission and the Association of Bay Area Governments
Joint MTC Legislation Committee and
ABAG Legislation Committee****May 10, 2019****Agenda Item 5e**

AB 68 (Ting): Accessory Dwelling Units

Subject: AB 68 would prohibit local Accessory Dwelling Unit (ADU) standards from including certain requirements related to minimum lot size and replacement parking and would require an ADU (attached or detached) of at least 800 square feet and 16 feet in height to be allowed. The bill would also reduce the allowable time to issue an ADU permit to 60 days after an agency receives a completed application.

Background: Many Bay Area local governments have taken steps to actively incentivize ADUs and over the past three years a number of bills have been enacted to limit zoning restrictions and expedite ADU approvals. As a result, the number of ADU permit applications has surged throughout the region. AB 68 seeks to further address barriers to ADU development. For example, a Senate Governance and Finance Committee ADU bill analysis references that some jurisdictions appear to set minimum lot sizes for ADUs at sizes larger than the jurisdictions' average lot size as a way to indirectly prohibit ADUs.

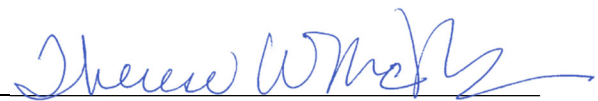
Attachment A compares AB 68 provisions with current law and with SB 13 (Wieckowski), another ADU bill being considered today.

Discussion: As the Bay Area's housing crisis deepens, it is becoming increasingly important to consider innovative strategies to increase the Bay Area's housing supply. ADUs can be an important part of the solution. If 20 percent of Bay Area homeowners built an ADU, the Bay Area would add 300,000 units, enough to accommodate nearly 40 percent of the region's projected population growth through 2040. ADU infill development is inherently more low-impact and energy-efficient than large-scale construction and ADUs are generally more affordable than other forms of housing. This type of development is consistent with the Bay Area's shared climate and equity goals, as identified in *Plan Bay Area 2040*. Given the potential for ADUs to be a part of the solution to the Bay Area's ongoing housing crisis, we support the policy of accelerating the approval of and removing remaining barriers to ADU production.

Recommendation: Support

Bill Positions: See Attachment B

Attachments: Attachment A: Bill Comparison Matrix
Attachment B: Bill Positions


Therese W. McMillan

AB 68 (Ting) and SB 13 (Wieckowski) Comparison Matrix
As of May 3, 2019

	Current Law	AB 68 (Ting)	SB 13 (Wieckowski)
Bill Status	N/A	Assembly Appropriations	Senate Appropriations
Minimum Lot size	Locally established	Prohibits minimum lot size standards	No change
Setback requirements	Five Feet	Reduces setback requirements to four feet	No change
Owner-Occupancy Requirement	Allows a local agency to require that an applicant be an owner-occupant	No change	Prohibits owner occupancy requirement
Application approvals	Requires ministerial approval of an ADU permit within 120 days	Reduces to 60 days from receipt of a completed application	Reduces to 60 days and deems permit approved if not acted upon within that period
State Oversight	Requires local agencies submit ADU ordinances to HCD within 60 days of adoption	Requires local agencies to submit ADU ordinances to HCD and authorizes HCD to make findings of non-compliance, require correction and work with Attorney General on enforcement	Requires local agencies to submit ADU ordinances to HCD and authorizes HCD to make findings of non-compliance, require correction and work with Attorney General on enforcement
Size Requirements	Requires ADU ordinance that allows an “efficiency unit” (250 – 450 square feet (sf))	Requires an ADU ordinance that establishes minimum or maximum size to allow an ADU of at least 800 sf and 16-feet high	Prohibits an ADU ordinance that does not allow an ADU of at least 850 sf (applies to studios and one-bedroom)/1,000 sf (applies more than one bedroom ADUs)
Zoning	Allowed in areas zoned to allow single family or multifamily dwelling residential use	Removes restriction to residential zones and instead applies to residential and mixed-use zones; Allows for one ADU and one JADU per proposed or existing single family residential unit and two ADUs per proposed or existing multifamily lot	Removes zoning restriction requiring only that the lot “includes a single family dwelling that exists or is proposed on the lot”

	Current Law	AB 68 (Ting)	SB 13 (Wieckowski)
Impact fees	Provides that an ADU shall not be considered by a local agency, special district, or water corporation to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including water and sewer service; Other fees subject to Fee Mitigation Act	No change	Provides for a tiered structure of fees based on size of ADU
RHNA	Permitted ADUs count toward RHNA numbers; no allowance for ADUs in site inventories	No change	Provides for an amnesty program to permit un-permitted ADUs; Authorizes a local agency to count ADUs for purpose of identifying adequate sites for its housing element
Parking	Restricts the parking standards a locality may impose on an ADU, including prohibiting parking requirements on ADUs located within ½ mile of public transit	Newly prohibits local agencies from requiring replacement parking for spaces that are lost due to construction of ADU (e.g. garage conversion)	Same as AB 68
Building Standard Amnesty	No amnesty	No change	Provides for an amnesty program to permit un-permitted ADUs that do not pose a health and safety risk

Source: Senate Housing Committee Analysis of SB 13, revised and augmented by MTC/ABAG staff

AB 68 (Ting) Positions

Support

California YIMBY [SPONSOR]
AARP California
ADU Task Force East Bay
Bay Area Council
BRIDGE Housing
Building Industry Association of the Bay Area
California Apartment Association
California Association of Realtors
California Community Builders
California Teamsters
Chan Zuckerberg Initiative
Citylab - UCLA
Community Legal Services In East Palo Alto
EAH Housing
Eden Housing
Emerald Fund
Enterprise Community Partners, Inc.
Facebook, Inc.
Greenbelt Alliance
Habitat for Humanity
East Bay/Silicon Valley (if amended)
Hello Housing
La-Mas Larson Shores Architects

League of Women Voters of California
Non-Profit Housing Association of Northern California
Openscope Studio
PICO California
PreFabADU
Related California
San Diego Apartment Association
San Francisco Foundation
San Francisco Housing Action Coalition
Silicon Valley At Home (Sv@Home)
Spur
Tentmakers Inc.
Turner Center For Housing Innovation at the University Of California, Berkeley
The Casita Coalition
The Two Hundred
TMG Partners
Urban Displacement Project, UC Berkeley
Working Partnerships USA

Oppose

American Planning Association, California Chapter (unless amended)
League of California Cities (unless amended)

Metropolitan Transportation Commission

Legislation Details (With Text)

File #: 19-0545 **Version:** 1 **Name:**
Type: Assembly Bill **Status:** Commission Approval
File created: 5/6/2019 **In control:** Joint MTC Legislation Committee and ABAG
Legislation Committee
On agenda: 5/10/2019 **Final action:**
Title: AB 1485 (Wicks): Workforce Housing

AB 1485 would modify affordability requirements applicable to a developer who wants to take advantage of current law's by-right provisions in Senate Bill 35 (Wiener, 2017) such that a project could either dedicate 10 percent of the total number of units to housing affordable to households making below 80 percent of the area median income (AMI)-as provided for in current law-or 20 percent to households earning below 120 percent AMI with an average income of units at or below 100 percent-which the bill would add as a new option.

Sponsors:**Indexes:****Code sections:**

Attachments: [6i AB-1485 Wicks.pdf](#)
[5f AB-1485 Wicks.pdf](#)

Date	Ver.	Action By	Action	Result
5/10/2019	1	Joint MTC Legislation Committee and ABAG Legislation Committee		

Subject:

AB 1485 (Wicks): Workforce Housing

AB 1485 would modify affordability requirements applicable to a developer who wants to take advantage of current law's by-right provisions in Senate Bill 35 (Wiener, 2017) such that a project could either dedicate 10 percent of the total number of units to housing affordable to households making below 80 percent of the area median income (AMI)-as provided for in current law-or 20 percent to households earning below 120 percent AMI with an average income of units at or below 100 percent-which the bill would add as a new option.

Presenter:

Rebecca Long

Recommended Action:

Support

Attachments:

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

May 10, 2019

Agenda Item 5f

AB 1485 (Wicks): Workforce Housing

- Subject:** AB 1485 would modify affordability requirements applicable to a developer who wants to take advantage of current law’s by-right provisions in Senate Bill 35 (Wiener, 2017) such that a project could either dedicate 10 percent of the total number of units to housing affordable to households making below 80 percent of the area median income (AMI)—as provided for in current law—or 20 percent to households earning below 120 percent AMI with an average income of units at or below 100 percent—which the bill would add as a new option.
- Background:** In 2017, the Legislature enacted SB 35 (Wiener), which provides for ministerial approval for housing projects that meet “objective planning standards” and numerous other requirements in cities and counties that are not meeting housing production targets, as identified in the Regional Housing Need Allocation (RNHA). Under current law, to qualify under streamlining in jurisdictions falling short of their above-moderate income housing targets, projects over 10 units must include a minimum of 10 percent of units affordable to households earning 80 percent or less of AMI. AB 1485 would provide that a project could also meet this requirement by dedicating 20 percent of units to those affordable households earning 120 percent AMI or less, with the average income of those units affordable to those households earning 100 percent of AMI or less. The bill would define rental levels dedicated to households earning between 80 percent – 120 percent AMI as rents offered at least 20 percent below the county’s fair market rate. If a local jurisdiction has a local ordinance requiring larger shares of units be affordable to low-income or moderate-income households, then the local ordinance applies.
- Discussion:** AB 1485 would create a new option to streamline moderate- and mixed-income housing, which would help address the housing shortage facing the Bay Area’s “missing middle” – those households that do not qualify for affordable housing subsidies but still struggle with the cost of housing (i.e. households earning between 80 percent – 120 percent AMI). For example, according to a recent East Bay Times analysis the income required to afford the median rent in the City of Pleasanton is nearly \$109,000 – significantly above the \$89,600 income limit for a family of four to qualify for affordable housing (the 80 percent AMI income limit for a four-person household in Alameda County for 2018 is \$89,000).

Recommendation: Support

Bill Positions: AB 1485 (Wicks)

Support

Bay Area Council (Sponsor)
Building Industry Association of the Bay Area
California Community Builders
Chan Zuckerberg Initiative
Enterprise Community Partners, Inc.
Habitat for Humanity East Bay/Silicon Valley
Hamilton Families
Oakland Metropolitan Chamber of Commerce
Related California
Silicon Valley at Home (SV@Home)
TMG Partners

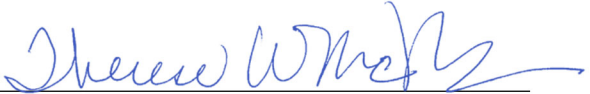
Support if Amended

American Planning Association
San Francisco Foundation

Oppose

None on File

Attachments: None


Therese W. McMillan



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0284 **Version:** 1 **Name:**
Type: Resolution **Status:** Commission Approval
File created: 3/7/2019 **In control:** Administration Committee
On agenda: 5/8/2019 **Final action:**
Title: MTC Resolution No. 4370 - FY 2019-20 Overall Work Program (OWP), Planning Certification, and Authorization for Execution of Agreements for Federal and State Planning Grants

A request for approval of the FY 2019-2020 OWP, which guides the collaborative metropolitan transportation planning process involving MTC, ABAG, Caltrans, and other local transportation partners and for authorization to enter into agreements for transportation planning funds.

Sponsors:

Indexes:

Code sections:

Attachments: [7a Reso-4370 FY2019-20 OWP.pdf](#)
[3a Reso-4370 FY2019-20 OWP x.pdf](#)

Date	Ver.	Action By	Action	Result
5/8/2019	1	Administration Committee		

Subject:

MTC Resolution No. 4370 - FY 2019-20 Overall Work Program (OWP), Planning Certification, and Authorization for Execution of Agreements for Federal and State Planning Grants

A request for approval of the FY 2019-2020 OWP, which guides the collaborative *metropolitan transportation planning process involving MTC, ABAG, Caltrans, and other local transportation partners and for authorization to enter into agreements for transportation planning funds.*

Presenter:

Brian Mayhew

Recommended Action:

Commission Approval

**Metropolitan Transportation Commission
Administration Committee****May 8, 2019****Agenda Item 3a****MTC Resolution No. 4370****FY 2019-20 Overall Work Program (OWP), Planning Certification, and Authorization for
Execution of Agreements for Federal and State Planning Grants**

Subject: A request for Committee approval to refer the OWP (MTC Resolution No. 4370) to the Commission for approval.

Background: The Fixing America's Surface Transportation Act (FAST Act) calls for the development of the Overall Work Program (OWP) by the federally designated Metropolitan Planning Organization (MPO). The Metropolitan Transportation Commission (MTC), as the federally designated MPO for the nine-county San Francisco Bay Area region, annually develops and maintains the OWP. The OWP is the principal document governing the budget, allocation, and use of federal and state transportation planning funds in the nine-county San Francisco Bay Area region.

The Draft FY 2019-20 OWP is developed in consultation and coordination with the region's transit operators, congestion mitigation agencies (CMAs), the Association of Bay Area Governments, Caltrans, the Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA). The Draft FY 2019-20 OWP includes Caltrans' Unified Work Program and transportation and air quality related planning activities proposed for the nine-county San Francisco Bay Area region for the state fiscal year July 1, 2019 to June 30, 2020.

The Draft FY 2019-20 OWP incorporates the California Planning Emphasis Areas (PEAs) developed by Caltrans for California MPOs, as listed below:

- Core Planning Functions
- Performance Management
- State of Good Repair

On December 13, 2018, MTC held the annual Overall Work Program Planning meeting with FHWA, FTA and Caltrans. Attendees discussed the FY 2019-20 OWP and the California Planning Emphasis Areas. MTC staff provided the OWP for review to Caltrans, FHWA and FTA in March 2019. MTC staff incorporated the comments received from the state and federal agencies in this final Draft FY 2019-20 OWP, as appropriate.

Attached for your review and consideration for referral to the Commission is MTC Resolution No. 4370, which includes the following actions:

- Approves the final OWP for FY 2019-20;
- Authorizes the programming of approximately \$20 million in FY 2019-20 transportation planning funds as follows:

FHWA PL FY 2019-20	\$ 8,209,054
Estimated FHWA PL FY 2018-19 CARRYOVER	3,612,000
FTA 5303 FY 2019-20	3,510,474
Estimated FTA 5303 FY 2018-19 CARRYOVER	913,000
Estimated FTA 5304 FY 2018-19 CARRYOVER	828,032
Estimated SB1 FY 2018-19 CARRYOVER	913,950
Senate Bill 1 (SB1) Allocated Funds FY 2019-20	2,106,140
Total	\$ 20,092,650

- Certifies that MTC's planning process will be implemented in accordance with applicable statutes and regulations; and
- Authorizes the Executive Director or her designee to apply for grants and execute agreements to secure federal and other funds for transportation planning activities in FY 2019-20.

The carryover funding estimates will not be expended until completion of the audit and the reconciliation of the final statement of expenditures is approved by Caltrans.

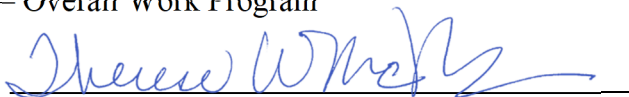
In addition to the transportation planning funds authorized in MTC Resolution No. 4370, a number of grant and project funds are included in the MTC Budget Summary table of the OWP.

Commission approval is the first step in authorizing the FY 2019-20 expenditure of federal and state funds. Following approval by the Commission, Caltrans will review and approve the OWP, which must then be included in the MTC Operating budget for FY 2019-20.

An electronic version of the FY 2019-20 OWP can be reviewed at the following link: https://mtc.ca.gov/sites/default/files/FINAL_FY_2019-20_OWP.pdf.

Recommendation: Staff recommends that the Committee refer MTC Resolution No. 4370 to the Commission for approval.

Attachments: MTC Resolution No. 4370 – Overall Work Program


Therese W. McMillan

Date: May 22, 2019
W.I.: 1152
Referred by: Administration Committee

ABSTRACT

MTC Resolution No. 4370

This resolution approves MTC's Overall Work Program (OWP) for transportation planning activities in the nine-county San Francisco Bay Area for FY 2019-20, certifies that the planning process of the Metropolitan Transportation Commission is in conformance with the applicable joint metropolitan transportation planning and programming regulations of the U.S. Department of Transportation, and authorizes MTC's Executive Director to apply for and execute agreements with the U.S. Department of Transportation for grants to aid in the financing of the OWP.

Further discussion of the OWP is contained in the Cover Memorandum dated May 8, 2019.

Re: Overall Work Program for Fiscal Year 2019-20, Certification of Compliance with Requirements of Federal Metropolitan Transportation Planning and Programming Regulations, and Authorization to Apply for and Execute Agreements for Federal Grants.

METROPOLITAN TRANSPORTATION COMMISSION

RESOLUTION NO. 4370

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Section 66500 *et seq.*; and

WHEREAS, MTC is also the designated Metropolitan Planning Organization (MPO) for the Bay Area and is charged with carrying out the metropolitan transportation planning and programming process required to maintain the region's eligibility for federal funds for transportation planning, capital improvements, and operations; and

WHEREAS, MTC has articulated goals and objectives for the region's transportation system through its current Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS) entitled Plan Bay Area 2040, which was adopted in July 2017; and

WHEREAS, MTC has developed, in cooperation with the State of California and with publicly-owned operators of mass transportation services, a work program for carrying out continuing, comprehensive, and cooperative transportation planning; and

WHEREAS, an Overall Work Program (OWP) for planning activities in the Bay Area for FY 2019-20 has been prepared by MTC, the Association of Bay Area Governments, the California Department of Transportation (Caltrans), the Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA); and

WHEREAS, the OWP for Fiscal Year 2019-20 includes Caltrans' Unified Work Program for the fiscal year to achieve the goals and objectives in MTC's Regional Transportation Plan (RTP); and

WHEREAS, MTC's Administration Committee has reviewed and recommended adoption of the OWP for FY 2019-20; and

WHEREAS, 23 Code of Federal Regulations (CFR) 450.334 requires that the designated MPO certify each year that the planning process is being conducted in conformance with the applicable requirements; and

WHEREAS, MTC desires to apply for and execute one or more agreements with the United States Department of Transportation (DOT) for a grant(s) to aid in the financing of MTC's Overall Work Program for fiscal year 2019-20; now, therefore, be it

RESOLVED, that MTC does hereby adopt the FY 2019-20 OWP and proposed budget therein, attached hereto as Attachment A to this Resolution and incorporated herein as though set forth at length; and be it further

RESOLVED, that MTC certifies that MTC's planning process is addressing the major issues in the metropolitan area and will be conducted in accordance with 23 CFR 450.334 and the Fixing America's Surface Transportation Act (FAST Act) and applicable requirements that are set forth in Attachment B to this Resolution and incorporated herein as though set forth at length; and be it further

RESOLVED, that MTC's Administration Committee shall monitor, direct, and update the OWP as necessary during Fiscal Year 2019-20 and shall incorporate any amendments into appropriate supplements to the OWP; and be it further

RESOLVED, that the Executive Director or her designee is authorized to apply for and execute any agreements with DOT for grants to aid in the financing of MTC's Overall Work Program included in Attachment A to this Resolution and to execute any subsequent amendments to such agreement(s) consistent with Attachment C to this Resolution; and be it further

RESOLVED, that the Executive Director or her designee is authorized to execute and file with such application assurances or other documentation requested by

DOT of MTC's compliance with applicable federal statutory and regulatory requirements;
and be it further

RESOLVED, that the Executive Director or her designee is authorized to make administrative changes to the grant application(s) so long as such changes do not affect the total amount of the grant or scope of work.

METROPOLITAN TRANSPORTATION COMMISSION

Scott Haggerty, Chair

The above resolution was entered into by
the Metropolitan Transportation Commission
at a regular meeting of the Commission
held in San Francisco, California on May 22, 2019

Date: May 22, 2019
W.I.: 1152
Referred by: Admin

Attachment A
Resolution No. 4370
Page 1 of 1

Attachment A is the FY 2019-20 Overall Work Program for Planning Activities in the San Francisco Bay Area. Copies are on file at the MTC library.

Attachment B
Resolution No. 4370
Page 1 of 1

In accordance with 23 CFR 450.334 and 450.218, and the Fixing America's Surface Transportation Act (the "FAST Act"), Metropolitan Transportation Commission ("MTC"), the Metropolitan Planning Organization for the San Francisco Bay Area, hereby certifies that the transportation planning process is addressing the major issues in the metropolitan planning area, and is being conducted in accordance with all applicable requirements, including:

- (1) 23 U.S.C. 134 and 135, 49 U.S.C. 5303 and 5304, and Part 450 of Subchapter E of Chapter 1 of Title 23 of the Code of Federal Regulations;
- (2) In nonattainment and maintenance areas, sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506 (c) and (d)) and 40 CFR part 93;
- (3) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
- (4) 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
- (5) Section 1101(b) of the FAST Act (Pub.L. 114-94) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
- (6) 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- (7) The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37, and 38;
- (8) The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- (9) Section 324 of Title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
- (10) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

Date: May 22, 2019
W.I.: 1152
Referred by: Admin

Attachment C
Resolution No. 4370
Page 1 of 1

Attachment C includes all amendments and supplements to the FY 2019-20 Overall Work Program for Planning Activities in the San Francisco Bay Area. Copies are on file at the MTC offices.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0287 **Version:** 1 **Name:**
Type: Resolution **Status:** Commission Approval
File created: 3/7/2019 **In control:** Programming and Allocations Committee
On agenda: 5/8/2019 **Final action:**
Title: MTC Resolution Nos. 4169, Revised; 4212, Revised; 4242, Revised; 4262, Revised; 4263, Revised; and 4272, Revised. Transit Capital Priorities and Bridge Toll Programs revisions.

Revisions to the FY2016-17 through FY2019-20 Transit Capital Priorities (TCP) Process and Criteria, the FY2015-16 and FY2016-17 through FY2019-20 TCP Programs, the FY2018-19 BATA Project Savings Fund program, and the FY2018-19 and FY2019-20 AB 664 Net Bridge Toll Revenues program and allocations.

Sponsors:

Indexes:

Code sections:

Attachments: [8a Reso-4169 4212 4242 4262 4263 4272 TCP and AB664 Revisions.pdf](#)
[3a Reso-4169 4212 4242 4262 4263 4272 TCP and AB664 Revisions x.pdf](#)

Date	Ver.	Action By	Action	Result
5/8/2019	1	Programming and Allocations Committee		

Subject:

MTC Resolution Nos. 4169, Revised; 4212, Revised; 4242, Revised; 4262, Revised; 4263, Revised; and 4272, Revised. Transit Capital Priorities and Bridge Toll Programs revisions.

Revisions to the FY2016-17 through FY2019-20 Transit Capital Priorities (TCP) Process and Criteria, the FY2015-16 and FY2016-17 through FY2019-20 TCP Programs, the FY2018-19 BATA Project Savings Fund program, and the FY2018-19 and FY2019-20 AB 664 Net Bridge Toll Revenues program and allocations.

Presenter:

Rob Jaques

Recommended Action:

Commission Approval

**Metropolitan Transportation Commission
Programming and Allocations Committee**

May 8, 2019

Agenda Item 3a

MTC Resolution Nos. 4169, Revised; 4212, Revised; 4242, Revised; 4262, Revised; 4263, Revised; and 4272, Revised. Transit Capital Priorities and Bridge Toll Program Revisions

Subject: Revisions to the FY2016-17 through FY2019-20 Transit Capital Priorities (TCP) Process and Criteria, the FY2015-16 and FY2016-17 through FY2019-20 TCP Programs, the FY2018-19 BATA Project Savings Fund program, and the FY2018-19 and FY2019-20 AB 664 Net Bridge Toll Revenues program and allocations.

Background: MTC is responsible for programming the region's Federal Transit Administration (FTA) Urbanized Area Formula (Section 5307), State of Good Repair (Section 5337) and Bus & Bus Facilities (Section 5339) funds, as well as One Bay Area Grant (OBAG) Cycle 2 Transit Capital Rehabilitation funds. MTC programs these funds to eligible transit operators to support capital replacement and rehabilitation projects, preventive maintenance, and operating costs through the Transit Capital Priorities (TCP) program.

This item proposes revisions to the preliminary FY2016-17 through FY2019-20 TCP program previously adopted by the Commission in order to reconcile the program with final FY2018-19 FTA apportionment amounts for the region's 12 urbanized areas (UZAs) and to make other revisions to the program.

Revenues: FTA apportionments for the Bay Area, which were released in March, totaled approximately \$476 million. This is roughly \$32 million above the projections used to develop the preliminary program due to the additional transit funding included in the Federal FY2018-19 Omnibus Appropriations Bill signed in to law in February ("bonus funds"). Of the increase, about \$27 million was in the large UZAs of San Francisco-Oakland (SF-O), Concord, and Antioch; our most heavily subscribed UZAs, and those for which we are proposing financing. Additionally, approximately \$3.8 million of Section 5307 funds that remained unprogrammed in the SF-O UZA (after January 2019 Commission action) and approximately \$6.1 million of 5307 and 5337 funds programmed to Debt Service, but not currently needed for that purpose due to changes in BART's project schedule, provide a total of nearly \$37 million in available funds for programming in those three UZAs.

Caltrain: In the preliminary program, Caltrain was estimated to receive \$120 million in financing proceeds for their new electric railcars (EMUs) being procured for the Peninsula Corridor Electrification Program. As a result of the increases to apportionments last year, in June 2018 the Commission approved using \$36 million in bonus funding from FY2017-18 to reduce the financing proceeds needed for Caltrain and replace them with Section 5307 funds. In order to complete the plan to remove Caltrain from financing, an additional \$21 million of Section 5307 from FY2018-19 bonus funds are proposed to be programmed to the EMUs from SF-O, with another \$2 million from the San Jose UZA.

SFMTA: SFMTA is currently procuring 68 light rail vehicles (LRVs) from Siemens to expand their fleet. Their existing fleet of 151 LRVs is nearing the end of their useful life, and SFMTA staff is proposing to accelerate their replacement. Included in the proposed actions today is \$13.2 million of FY2018-19 Section 5337 funds for this purpose. This, along with approximately \$60 million of Bridge Toll funds already programmed, represents MTC's first contribution toward the replacement of SFMTA's LRVs, estimated to cost around \$781 million. MTC's share of that cost is approximately \$586 million, or 75%, per the Core Capacity Challenge Grant Program (MTC Resolution 4123, Revised).

Other Proposed Revisions: Balancing the FY2018-19 TCP program to account for the other differences in final apportionments from the projections requires only minor revisions, including: Transferring costs between the UZAs and programs to keep the total amounts received by the operators at the same level, where possible; and Increasing programming amounts in urbanized areas that received more apportionments than had been projected, primarily in the small UZAs.

This item also proposes other revisions to the program consistent with the regional TCP programming policy, summarized in Attachment A to this memo.

Related Bridge Toll Funds: AB 664 Net Bridge Toll Revenues are programmed annually to eligible transit operators to help meet the local match requirement for federal funds programmed through the TCP program. AB 664 funds are programmed in accordance with MTC Resolution No. 4015, in proportion to each operator's share of federal funds in the TCP program. AB 664 funds for projects included in the Core Capacity Challenge Grant Program (MTC Resolution 4123, Revised) are programmed separately based on the cash flow needs of the projects. The initial FY2018-19 AB 664 program, which was adopted by the Commission in March 2017, included funds for Core Capacity Projects for AC Transit and SFMTA only. Therefore, this item also proposes to program the remaining \$2.3 million of FY2018-19 AB 664 funds to other operators based on the final TCP program.

ADA Set-Aside Tables: The TCP Process and Criteria calls for updating the ADA Set-aside Percentages tables to reflect 2018 National Transit Database (NTD) statistics for the last two years of the program. Therefore, this item proposes to revise the ADA Set-Aside percentages table for those years using the more recent NTD data and to use these new percentages to revise the FY2018-19 and FY2019-20 programs. The changes are generally not significant and the transit operators are aware of these updates.


Issues:

1. The FTA funds proposed for programming to SFMTA's LRV replacement are conditioned on resolution of a number of mechanical issues with the new Siemens LRVs that came to light at the end of April. Until such time as these issues are resolved, these funds will not be amended in to the regional Transportation Improvement Program (TIP). Therefore, SFMTA will not yet be able to apply for an FTA grant for these funds. Staff will work with project partners to ensure a satisfactory resolution and will update the Commission on project progress.

2. Following action by the Commission in October 2016, staff has been pursuing financing against future FTA revenues to fund major capital projects in the TCP program. As part of this process, MTC requested a Letter of No Prejudice (LONP) from FTA to allow future FTA formula funds to be used to repay debt service on financing. The TCP program presented today continues to assume about \$1 billion in financing proceeds will be needed for the BART Car project, starting in FY2020-21. While FTA has approved MTC's request for an LONP, additional steps are needed before financing is finalized and BART can access these proceeds. Staff will return to the Commission in the coming months with more details about this process and to request authorization to proceed.

Recommendation: Refer Resolution Nos. 4169, Revised; 4212, Revised; 4242, Revised; 4262, Revised; 4263, Revised; and 4272, Revised, to the Commission for approval.

Attachments: Attachment A – Summary of other proposed programming changes
Presentation
MTC Resolution Nos. 4169, Revised; 4212, Revised; 4242, Revised; 4262, Revised; 4263,
Revised; 4272, Revised



Therese W. McMillan

Summary of Other Proposed Programming Changes

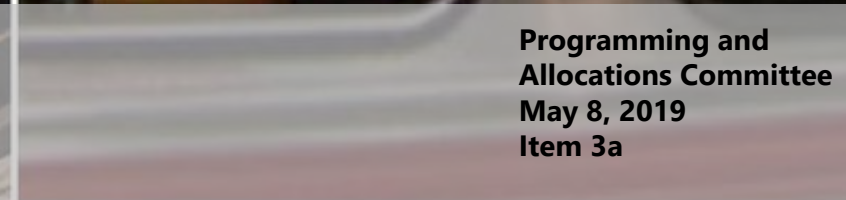
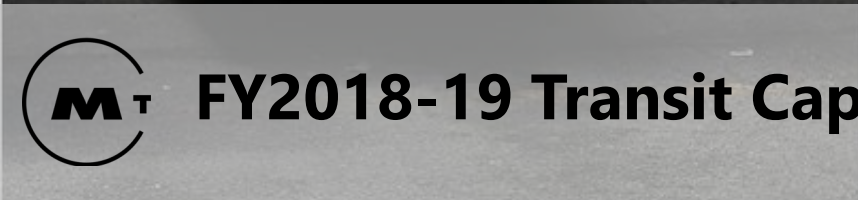
Since the last Commission action in January, 2019, transit operators have requested the following changes to their programming, which are reflected in the revised resolutions included in this proposed action. These requested changes are consistent with the Transit Capital Priorities programming policy (MTC Resolution No. 4242, Revised):

- **BART:** Reprogram \$7 million in FY2018-19 Section 5337 funds from the Traction Power Rehabilitation project to the Elevator Rehabilitation Program; and nearly \$3 million of FY2018-19 Section 5307 funds (along with about \$6 million of Section 5337 funds reprogrammed from WETA fixed guideway projects, as discussed in Attachment A) are proposed to be added to the BART Railcar procurement programming, slightly reducing the need for financing for that project.
- **LAVTA:** Reprogram \$367,200 in FY2015-16 Concord UZA Section 5307 funds from Service Vehicle Procurement projects to ADA Operating Assistance as a result of cost savings;
- **Petaluma:** Program \$60,000 in FY2018-19 Section 5307 funds to the AVL System Upgrade project in the Petaluma UZA;
- **WestCat:** Add new project – Reprogram \$294,106 in FY2018-19 Section 5307 funds from a bus replacement project to the purchase and installation of a new AVL and APC system;
- **WETA:** Defer approximately \$6.8 million of FY2018-19 fixed guideway programming to a future year due to changes in project schedules; and
- **VTA:** In the San Jose UZA, there remained significant balances of 5307 and 5337 funds in FY2018-19 and FY2019-20 following development of the preliminary program. Working with VTA staff, we are proposing to program available San Jose balances to the following projects:
 - **Bus & Paratransit Fleet Replacements** – reduce programming to \$13.7 million of FY2018-19 and \$11.2 million of FY2019-20 5307 funds; \$3.5 million of FY2018-19 and \$3.1 million of FY2019-20 5339 funds.
 - **Rail Replacement Program** – reduce programming to \$5.7 million of FY2018-19 5337 funds.
 - **OCS Rehabilitation and Replacement** – program \$12.5 million of FY2018-19 5337 funds.
 - **Bridge Repair/Hamilton Structural Stabilization (LRV)** – \$1.1 million of FY2018-19 5337 funds.
 - **Various Bus and LRV security & technology items** – \$3.6 million of FY2018-19 and \$4.6 million of FY2019-20 5307 funds; \$4 million of FY2018-19 and \$13.7 million of FY2019-20 5337 funds.
 - **Various facility improvements and upgrades** – \$3.2 million of FY2018-19 and \$6.7 million of FY2019-20 5307 funds; \$800,000 of FY2018-19 and \$17.5 million of FY2019-20 5337 funds.

After the revisions outlined above, there remain substantial balances in the Vacaville UZA 5307 and 5339 programs. Staff will work with the operator to develop plans to utilize these funds before they become at risk of lapsing.

Related Bridge Toll Funds

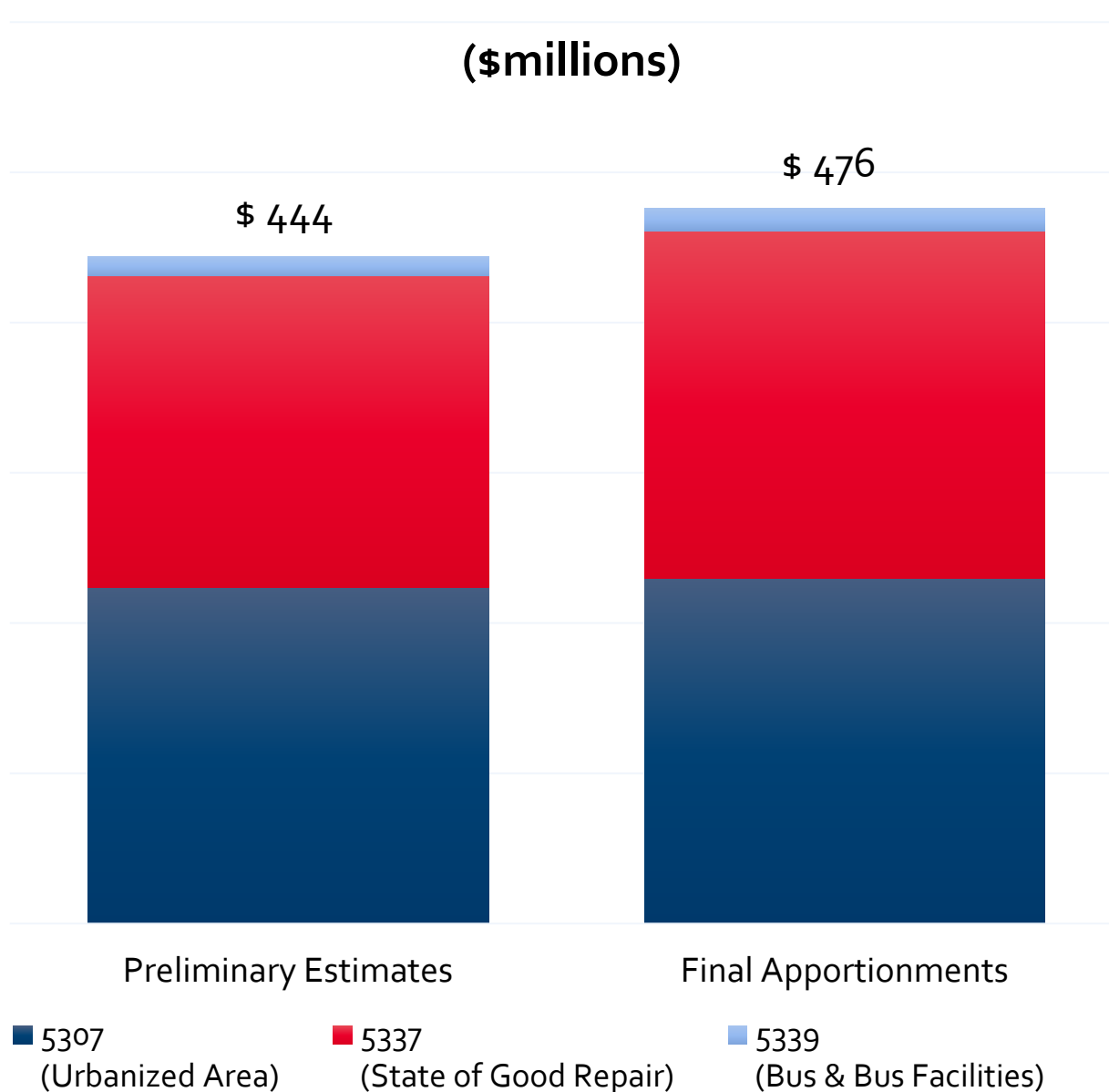
In January, the Commission approved programming FTA and Bridge Toll funds for various SFMTA projects as part of a local funding exchange to resolve a timing issue with STIP funds on their Central Subway Project. \$5 million of that programming was from the BATA Project Savings program, and was conditioned that if FY2018-19 FTA funding was sufficient after the release of final FTA apportionments, it would be replaced with available FTA revenues. Therefore, this item proposes to deprogram the BATA Project Savings programming of \$5 million for SFMTA Fixed Guideway Facilities Condition Assessment Implementation Projects, increasing the amount of FTA Section 5307 funds in the same amount in FY2018-19. The \$5 million of BATA Project Savings will now be available to other SFMTA projects in the future.



FY2018-19 Transit Capital Priorities Update

Programming and
Allocations Committee
May 8, 2019
Item 3a

Federal Transit Administration Funds



- FY2019 apportionments provide approximately \$32 million more across all three formula programs
- Largest increase in the 5337 program - \$24 million
- Due to other program revisions, additional \$10 million available
- Funds used for:
 - Complete Caltrain EMU Funding: \$23 million
 - SFMTA LRVs: \$13 million
 - BART Railcars: \$2 million
 - Other revisions in smaller UZAs: \$4 million

Caltrain's New Electrified Fleet (EMUs)

- Vehicle procurement for Caltrain Electrification (PCEP)

Programmed to date	Proposed in this TCP Action		Total
through FY18	FY19	FY20	(in millions)
\$ 149	\$ 68	\$ 98	\$ 315



SFMTA Light Rail Vehicles (LRVs)

- SFMTA Fleet of 151 Breda LRVs nearing end of useful life; due for replacement in FY21
- Existing contract with Siemens for expansion LRVs includes option for the 151 replacements
- SFMTA plans to accelerate the replacement procurement with the contract option
- The FTA programming is conditioned on resolution of mechanical issues with the new Siemens LRVs that came to light at the end of April. These funds will not be amended into the TIP until the issues are resolved.

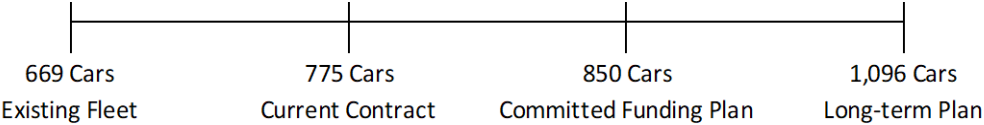


Estimated Project Cost (\$millions)	MTC Share*	Programmed to date (through FY18)^	Proposed for FY19†	Balance
781	586	60	13	513

** 75% share per Core Capacity Challenge Grant Program*
^ Consists of AB 664 and BATA Project Savings Bridge Toll funds
† Proposed to consist of FY19 FTA Section 5337 funds

BART's Fleet of the Future

- Existing fleet of **669 railcars** is well beyond its useful life
- Current contract with Bombardier would replace the old fleet, and expand it to **775 railcars**
- Additional procurement plans call for long-term expansion to at least **1,096 railcars**
- MTC has committed to help fund 850 railcars: **\$1,924 million** through FY26
- To date, MTC has provided about **\$200 million** in FTA, FHWA, and Bridge Toll funds, and about \$380 million via exchange account
- To complete funding plan, MTC is pursuing Financing against future FTA funds, discussed further on next slide



850-Car Committed Funding Plan

(\$millions)	through FY18	FY19	Future	Total
MTC	202.7	331.1	1,390.2	1,924.0
BART	478.0	45.0	333.6	856.6
VTA	43.3	23.5	133.3	200.1
Total	724.0	399.5	1,857.1	2,980.7

* \$380M Exchange Account funds shown in future years, when funds would be spent on the project.

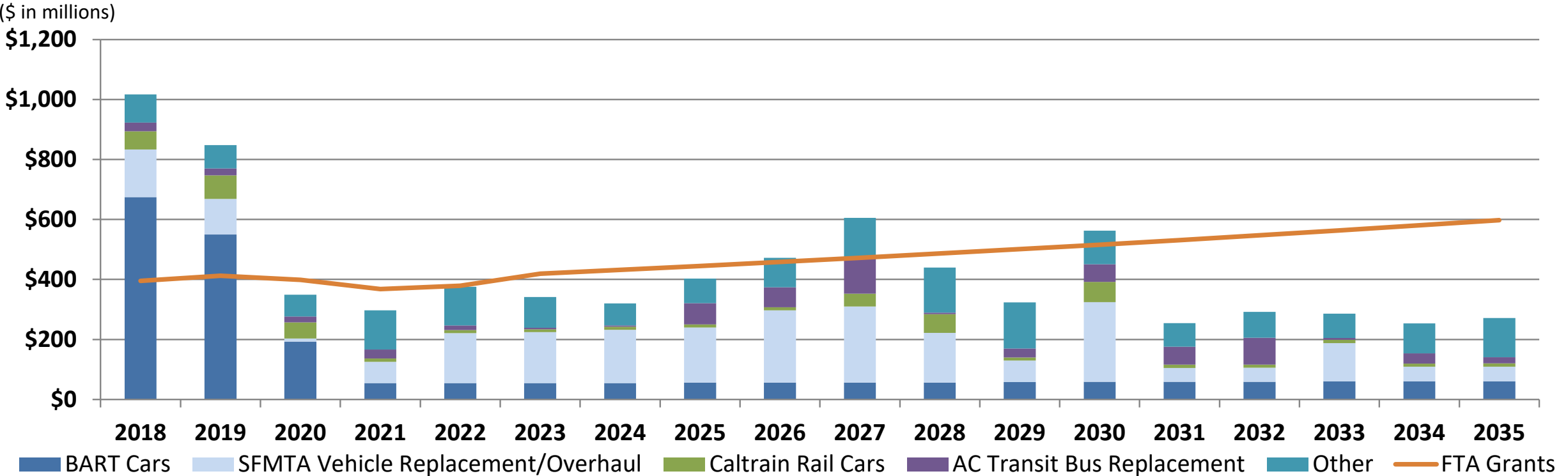
FTA Financing

- Major spike in funding needs during the FY17-FY20 TCP Program:

Project Summary - FY2017-FY2020 Totals	
Operator	Funding (\$M)
Major Projects	2,478
<i>AC Transit Fleet Replacement</i>	121
<i>BART Fleet Replacement & Expansion</i>	1,538
<i>Caltrain Fleet Replacement</i>	286
<i>SFMTA Fleet Replace/Rehab</i>	486
<i>WETA Ferry Vessel Replacement</i>	48
All Other Projects	918
Total Cost	3,397
Total Anticipated Revenues	2,411
Short-Term Timing Mismatch	(986)

- October 2016: Commission (as BATA) directed staff to move forward with FTA Financing plan
- MTC requested a Letter of No Prejudice (LONP) from FTA in August 2018, which was **approved in February 2019 for up to \$1.3 billion in financing costs** to be repaid from future FTA revenues.
- Proceeds of financing would be used on BART railcar project, the single largest project in the TCP Program.

Regional Transit Project Needs and Expected Revenues



Other TCP Programming Notes

- VTA programming revisions: \$105 million in FY19 and FY20 to state of good repair projects:

- Bus replacements
- Light rail track and facilities rehabilitation
- ADA accessibility
- Technology and security upgrades



- WETA has deferred about \$12 million of fixed guideway funding to beyond FY20.
- BART has requested to reprogram \$7 million in FY19 5337 funds from the Traction Power Rehabilitation Project to the Elevator Rehabilitation Project. This is expected to be an ongoing need for BART as they rehabilitate and improve station accessibility systemwide.

- **Staff Recommendation:** refer the following Resolutions to the Commission for approval:
 - **4169, Revised** – BATA Project Savings Program
 - **4212, Revised** – FY16 TCP Program
 - **4242, Revised** – FY17-FY20 TCP Policy
 - **4262, Revised** – FY17-FY20 AB 664 Bridge Toll Program
 - **4263, Revised** – FY17-FY20 AB 664 Bridge Toll Allocations
 - **4272, Revised** – FY17-FY20 TCP Program
- Staff will return to Commission in coming months with more information and to execute financing.
- **Questions?**

Date: January 28, 2015
W.I.: 1511
Referred by: PAC
Revised: 09/23/15-C 01/27/16-C
12/21/16-C 03/22/17-C
12/20/17-C 06/27/18-C
01/23/19-C 05/22/19-C

ABSTRACT

Resolution No. 4169, Revised

This resolution establishes the program of projects for BATA Project Savings and allocates these funds to eligible projects.

The following attachment is provided with this resolution:

Attachment A – Program of Projects

Attachment B – Allocations

This resolution was revised on September 23, 2015 to update the conditions associated with the programming of \$84 million of BATA project savings to SFMTA's Light Rail Vehicle purchase (LRV) project, in order to reflect the updated amount of AB 664 funds programmed to the project.

This resolution was revised on January 27, 2016 to program and allocate \$24,922,916 in BATA Project Savings towards AC Transit's Fleet Replacement consistent with the Core Capacity Challenge Grant Program funding plan.

This resolution was revised on December 21, 2016 to de-program \$23,014,657 in BATA Project Savings funds from SFMTA's LRV project due to receipt of TIRCP funding of the same amount in FY2015-16 and update the conditions associated with the programming to reflect the updated amount of AB 664 and BATA Project Savings funds programmed to the project.

This resolution was revised on March 22, 2017 to program and allocate \$5,248,522 in BATA Project Savings funds to AC Transit and program \$23,040,236 and allocate \$4,649,495 in BATA Project Savings funds to SFMTA towards their Fleet Replacement projects.

ABSTRACT

MTC Resolution No. 4169, Revised

Page 2

This resolution was revised on December 20, 2017 program and allocate \$20,167,986 in BATA Project Savings funds to AC Transit and program \$83,921,695 and allocate \$8,091,805 in BATA Project Savings funds to SFMTA toward their Fleet Replacement projects.

This resolution was revised on June 27, 2018 to allocate \$37,270,041 in BATA Project Savings funds to SFMTA toward their Fleet Replacement projects, consistent with the commitments of the Core Capacity Challenge Grant Program, and de-program \$26,867,000 in BATA Project Savings funds from SFMTA's LRV project due to receipt of TIRCP funding of the same amount in FY2017-18 and update the conditions associated with the programming to reflect the updated amount of BATA Project Savings funds programmed to the project.

This resolution was revised on January 23, 2019 to update the programming conditions on SFMTA's LRV Expansion programming from FY2014-15, program an additional \$24,999,671 and allocate \$59,118,014 to SFMTA's LRV Expansion, and program \$5 million for SFMTA projects to execute a funding exchange for their Central Subway project.

This resolution was revised on May 22, 2019 to deprogram \$5 million and remove a project from SFMTA's programming to reflect changes made in the Transit Capital Priorities Program.

Further discussion of this action is contained in the MTC Programming and Allocations Committee summary sheet dated January 14, 2015, September 9, 2015, January 13, 2016, December 14, 2016, March 8, 2017, December 13, 2017, June 13, 2018, January 9, 2019, and May 8, 2019.

Date: January 28, 2015
W.I.: 1511
Referred by: PAC

RE: Programming and allocation of BATA Project Savings

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4169

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Section 66500 *et seq.*; and

WHEREAS, Streets and Highways Code Sections 30950 *et seq.* created the Bay Area Toll Authority (“BATA”) which is a public instrumentality governed by the same board as that governing MTC; and

WHEREAS, pursuant to Streets and Highways Code (SHC) Section 31010(b), funds generated in excess of those needed to meet the toll commitments as specified by paragraph (4) of subdivision (b) of Section 188.5 of the SHC shall be available to BATA for funding projects consistent with SHC Sections 30913 and 30914; and

WHEREAS, the BATA Project Savings are bridge toll funds made available from project and financing savings on BATA’s Regional Measure 1 and Toll Bridge Seismic Retrofit programs; and

WHEREAS, MTC adopted Resolution No. 4123, Revised, which established an investment plan for MTC’s Transit Core Capacity Challenge Grant Program that targets federal, state, and regional funds to high-priority transit capital projects between FY2014-15 and FY2029-30, and as part of this investment plan, BATA Project Savings were assigned to certain projects; and

WHEREAS, BATA staff has determined that the Transit Core Capacity Challenge Grant Program is a bridge improvement project that improves the operations of the state-owned toll bridges; and

WHEREAS, BATA has adopted BATA Resolution No. 111, Revised, to amend the BATA budget to include the Transit Core Capacity Challenge Grant Program; and

WHEREAS, BATA has adopted BATA Resolution No. 72, Revised, to amend the BATA Long Range Plan to include the Transit Core Capacity Challenge Grant Program; now, therefore, be it

RESOLVED, that MTC approves the program of projects for BATA Project Savings, for the purposes, and subject to the conditions listed on Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length; and, be it further

RESOLVED, that MTC approves the allocation and reimbursement of BATA Project Savings in accordance with the amount, conditions and reimbursement schedule for the phase, and activities as set forth in Attachment B; and, be it further

RESOLVED, that should the allocation of BATA Project Savings be conditioned on the execution of a funding agreement, that the Executive Director or his designee is authorized to negotiate and enter into a funding agreement with claimant that includes the provisions contained in Attachment A and B.

METROPOLITAN TRANSPORTATION COMMISSION

A handwritten signature in blue ink, appearing to read "Amy Rein Worth", is written over a horizontal line. The signature is stylized and cursive.

Amy Rein Worth, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California, on January 28, 2015.

PROGRAM OF BATA PROJECT SAVINGS FUND PROJECTS

FY2014-15 Program of Projects

Operator	Project	Amount	Conditions
SFMTA	Fleet Expansion - LRV Purchase	34,118,343	This programming counts toward MTC share of replacement LRVs.
Total FY2014-15 Programming:		34,118,343	

FY2015-16 Program of Projects

Operator	Project	Amount	Conditions
AC Transit Projects			
	Replace 29 40-ft Artic Urban buses		
	Purchase 10 40-ft urban buses - Zero-Emission Fuel Cell		
	Purchase 10 double-decker diesel buses		
	<i>Total AC Transit Programming</i>	<i>24,922,916</i>	
Total FY2015-16 Programming:		24,922,916	

FY2016-17 Program of Projects

Operator	Project	Amount	Conditions
AC Transit Projects			
	Purchase 19 60-ft Artic Urban buses		
	<i>Total AC Transit Programming</i>	<i>5,248,522</i>	
SFMTA Projects			
	Replacement of 60' Trolley Coaches		
	<i>Total SFMTA Programming</i>	<i>12,967,639</i>	
Total FY2016-17 Programming:		18,216,161	

FY2017-18 Program of Projects

Operator	Project	Amount	Conditions
AC Transit Projects			
	Purchase (59) 40-ft Urban Buses - Diesel		
	<i>Total AC Transit Programming</i>	<i>16,560,759</i>	
SFMTA Projects			
	Replacement of 40-ft Trolley Coaches		This programming action is conditioned on Commission approval and execution of final terms of financing, allowing for approximately \$46 million of BATA project savings to be reprogrammed from BART to SFMTA and replaced with proceeds of financing. Should financing not be completed, \$46 million would be reprogrammed back to BART.
	Replacement of 60-ft Motor Coaches		
	Replacement of 30-ft Motor Coaches		
	<i>Total SFMTA Programming</i>	<i>79,638,569</i>	
Total FY2017-18 Programming:		96,199,328	

Date: January 28, 2015
W.I.: 1511
Referred by: PAC
Revised: 09/23/15-C 01/27/16-C
12/21/16-C 03/22/17-C
12/20/17-C 06/27/18-C
01/23/19-C 05/22/19-C

Attachment A
Resolution No. 4169
Page 2 of 2

PROGRAM OF BATA PROJECT SAVINGS FUND PROJECTS

FY2018-19 Program of Projects

Operator	Project	Amount	Conditions
AC Transit Projects			
	Replace (24) 60-ft Urban Buses - Hybrid		
	<i>Total AC Transit Programming</i>	2,321,181	
SFMTA Projects			
	Fleet Expansion - LRV Purchase		Note: \$24,999,671 programmed in January 2019. Programming counts toward MTC share of replacement LRVs.
	Facilities Condition Assessment Implementation Projects		
	40-ft Motor Coach Midlife Overhaul		
	Replace 35 Paratransit Cutaway Vans		
	<i>Total SFMTA Programming</i>	27,452,111	
Total FY2018-19 Programming:		29,773,292	

FY2019-20 Program of Projects

Operator	Project	Amount	Conditions
AC Transit Projects			
	Replace (27) 40-ft Urban Buses - Hybrid		
	<i>Total AC Transit Programming</i>	1,286,046	
SFMTA Projects			
	Muni Rail Replacement		
	40-ft Motor Coach Midlife Overhaul		
	<i>Total SFMTA Programming</i>	1,830,686	
Total FY2019-20 Programming:		3,116,732	

Date: January 27, 2016
W.I.: 1512
Referred By: PAC
Revised: 04/27/16-C 05/25/16-C
06/22/16-C 12/21/16-C
05/22/19-C

ABSTRACT

Resolution No. 4212, Revised

This resolution approves the FY2015-16 Transit Capital Priorities preliminary program of projects for inclusion in the Transportation Improvement Program (TIP). The program includes projects funded with FTA Section 5307 Urbanized Area, Section 5337 State of Good Repair, and Section 5339 Bus and Bus Facilities. In addition, Surface Transportation Program Cycle 2 Transit Capital Rehabilitation funds are being programmed in MTC Resolution No. 4035, Revised, and AB 664 Bridge Toll revenues and BATA Project Savings are programmed in MTC Resolution No. 4213 and Resolution No. 4169, Revised, respectively, for FY2015-16 Transit Capital Priorities projects.

This Resolution includes the following attachment:

Attachment A – FY2015-16 Program of Projects

This resolution was revised on April 27, 2016 to make revisions to several projects in the Transit Capital Priorities program for FY2015-16 to reconcile the program to final FTA Apportionments for the year.

This resolution was revised on May 25, 2016 to make minor revisions to the Transit Capital Priorities program for FY2015-16: transferring programming between projects for WETA, programming of operating assistance for Vacaville Transit, and reducing the programmed amount for a Marin Transit bus replacement due to revised scope.

This resolution was revised on June 22, 2016 to program funds that had previously been reserved for Caltrain Electrification to Caltrain's Railcar Replacement and infrastructure rehab projects.

This resolution was revised on December 21, 2016 to make minor revisions to the Transit Capital Priorities program for FY2015-16: transferring programming between projects for LAVTA and Caltrain, and reducing the programmed amount for FTA Section 5339 funding in the small

ABSTRACT

MTC Resolution No. 4212, Revised

Page 2

urbanized areas to reflect actual apportionments.

This resolution was revised on May 22, 2019 to make minor revisions to programming for LAVTA projects due to cost savings on vehicle procurement projects.

Further discussion of the Transit Capital Priorities program of projects is contained in the Programming and Allocations Committee summary sheets dated January 13, 2016, April 13, 2016, May 11, 2016, June 8, 2016, December 14, 2016, and May 8, 2019.

Date: January 27, 2016
W.I.: 1512
Referred By: PAC

RE: San Francisco Bay Area Regional Transit Capital Priorities

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4212

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Sections 66500 et seq.; and

WHEREAS, MTC is the designated Metropolitan Planning Organization (MPO) for the nine-county Bay Area and is required to prepare and endorse a Transportation Improvement Program (TIP) which includes a list of priorities for transit capital projects; and

WHEREAS, MTC is the designated recipient of the Federal Transit Administration (FTA) Section 5307 Urbanized Area, Section 5337 State of Good Repair, and Section 5339 Bus and Bus Facilities funds for the large urbanized areas of San Francisco-Oakland, San Jose, Concord, Antioch, and Santa Rosa, and has been authorized by the California Department of Transportation (Caltrans) to select projects and recommend funding allocations subject to state approval for the FTA Section 5307 and Section 5339 small urbanized area funds of Vallejo, Fairfield, Vacaville, Napa, Livermore, Gilroy-Morgan Hill, and Petaluma in MTC's Federal Transportation Improvement Program; and

WHEREAS, MTC has worked cooperatively with the cities, counties and transit operators and with Caltrans in the region to establish priorities for the transit capital projects to be included in the TIP; and

WHEREAS, the process and criteria used in the selection and ranking of such projects are set forth in MTC Resolution No. 4140; and

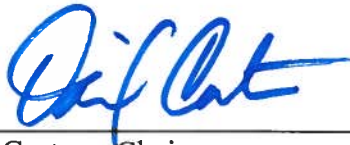
WHEREAS, the projects to be included in the TIP are set forth in the detailed project listings in Attachment A, which are incorporated herein as though set forth at length; now, therefore, be it

RESOLVED, that MTC adopts the FY 2015-16 Transit Capital Priorities program of projects to be included in the TIP as set forth in Attachment A; and, be it further

RESOLVED, that the Executive Director or designee is authorized to revise Attachment A as necessary to reflect the programming of projects as the projects are revised in the TIP; and be it further

RESOLVED, that the Executive Director of MTC is authorized and directed to forward a copy of this resolution to FTA, and such agencies as may be appropriate.

METROPOLITAN TRANSPORTATION COMMISSION



Dave Cortese, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California on January 27, 2016.

FY 2015-16 Transit Capital Priorities / Transit Capital Rehabilitation Program					
TIP ID	Operator	Project Description	FTA Section 5307	FTA Section 5337	FTA Section 5339
Actual Apportionments			211,278,509	196,480,438	12,019,586
Previous Year Carryover			2,662,039	24,863,868	394,073
Funds Available for Programming			213,940,548	221,344,306	12,413,659
Lifeline Set-Aside (JARC Projects)					
Reserved	Various	Reserved for programming in Lifeline Transportation Program Cycle 4	2,936,093		
ADA Operating Set-Aside					
ALA990076	AC Transit	ADA Set-aside	3,984,138		
ALA050042	ACE	Preventive Maintenance		8,996	
BRT99T01B	BART	ADA Paratransit Capital Accessibility Improvements		2,727,176	
REG090051	Caltrain	Revenue Vehicle Rehab Program		166,206	
CC-99T001	CCCTA	ADA Set-aside	1,199,933		
CC-030035	ECCTA	ADA Set-aside	532,570		
MRN130015	GGBHTD	Transit System Enhancements	156,753		
ALA990077	LAVTA	ADA Set-aside	708,567		
MRN110047	Marin Transit	ADA Set-aside	627,012		
NAP030004	Napa VINE	ADA Set-aside	41,320		
SON150007	Petaluma Transit	ADA Set-aside	84,261		
SM-990026	SamTrans	ADA Set-aside	1,584,235		
SM-150008	SamTrans	Replacement of Non-Revenue Vehicles	296,800		
SF-990022	SFMTA	ADA Set-aside	4,062,514		
SOL110025	SolTrans	ADA Set-aside	324,344		
SON030005	Sonoma City Transit	Preventive Maintenance	29,452		
New	Union City Transit	ADA Set-aside	0		
SCL050046	VTA	ADA Set-aside	3,711,401		
CC-990045	WestCat	ADA Set-aside	248,192		
REG090067	WETA	Fixed Guideway Connectors	5,225		
Reserved for Future Programming					
SF-010028	Caltrain	Railcar Replacement (Electrification)		17,174,630	
Total Program Set-asides and Commitments			20,532,810	20,077,008	0
Funds Available for Capital Programming			193,407,738	201,267,298	12,413,659
Capital Projects					
REG110044	ACE	Positive Train Control		1,387,000	
ALA150038	AC Transit	Purchase (10) Double-Deck Diesel Buses	3,636,463	1,500,000	
ALA150040	AC Transit	Replace (10) 40ft Urban Buses - Diesels	4,081,000		
ALA150039	AC Transit	Purchase (10) 40ft Urban Buses - Zero-emission Fuel Cell (PM swap)	979,153		
ALA150041	AC Transit	Replace (29) 60ft Artic Urban Buses - Diesels	753,998		
ALA990052	AC Transit	ADA Paratransit Van Replacement	1,319,762		
BRT97100B	BART	Rail, Way & Structures program	11,317,223	5,752,805	
REG050020	BART	BART Car Exchange Preventive Maintenance	0	47,116,668	
BRT030004	BART	Train Control		13,000,000	
BRT030005	BART	Traction Power		13,000,000	
ALA090065	BART	Fare Collection Equipment		6,000,000	
REG090037	BART	Railcar Replacement		500,000	
SM-03006B	Caltrain	Systemwide Track Rehab & Related Struct.		11,406,500	
SM-050041	Caltrain	Signal/Communication Rehab. & Upgrades		1,200,000	
NEW	Caltrain	South San Francisco Caltrain Station Improvements		22,620,000	
MTC99002A	Clipper	Replacement of legacy Clipper fare collection system		5,000,000	
CC-070092	ECCTA	Replace (25), Ford Cutaways	1,392,642		411,358
CC-070092	ECCTA	Replace (3), Ford Cutaways	216,480		
SOL010006	Fairfield	Fairfield Operating Assistance	2,470,825		
SOL110041	Fairfield	2 Gillig Bus Replacements			262,709
MRN050025	GGBHTD	Misc Facilities Rehab	1,529,895		
ALA150031	LAVTA	Replacement purchase (11) 40' Hybrids	6,017,771		936,649
ALA150032	LAVTA	Replacement purchase (9) 30' Hybrids	5,357,880		
ALA150033	LAVTA	Service vehicles (2) trucks	0		
ALA150036	LAVTA	Service vehicles (3) road supervisor vehicles	0		
ALA150037	LAVTA	Service vehicles (4) shift trade vehicles	0		
ALA030030	LAVTA	Preventive Maintenance	1,313,720		
ALA150035	LAVTA	Farebox Replacement	398,242		

FY 2015-16 Transit Capital Priorities / Transit Capital Rehabilitation Program					
TIP ID	Operator	Project Description	FTA Section 5307	FTA Section 5337	FTA Section 5339
Capital Projects, continued					
MRN150011	Marin Transit	Replace (2) Cutaways for FR Service	200,080		
MRN150012	Marin Transit	Replacement Purchase (10) 40' Hybrid, (2) 35' electric, and (1) 30' diesel bus	7,899,880		
MRN150003	Marin Transit	On Board Vehicle Equipment for (15) replaced vehicles	172,200		
MRN150013	Marin Transit	Emergency Radio System	285,360		
NAP970010	Napa Vine	Napa Vine: Operating Assistance	1,865,913		
NAP090008	Napa Vine	Equipment Replacement & Upgrades	14,635		160,663
SON150014	Petaluma	(2) 35' Diesel Hybrid Bus Replacement	1,072,534		116,982
SON150015	Petaluma	Clipper for (3) FR Buses	14,400		
SON150016	Petaluma	Communication equipment for (3) FR Buses	27,244		
SM-150005	Samtrans	Replacement of (60) 2003 Gillig Buses	6,914,860		
SM-110068	Samtrans	Replacement of (55) NABI Articulated Buses	20,157,000		
SM-150010	Samtrans	Replacement of (9) Cutaway Buses	900,360		
SM-150011	Samtrans	Replacement of (10) Minivans	418,200		
SON070020	Santa Rosa	Diesel Bus Purchase	247,595		243,709
SON150017	Santa Rosa	Miscellaneous Capital Equipment	56,000		
SON030012	Santa Rosa	Bus Stop ADA Improvements	16,433		
SON150018	Santa Rosa	Garage Hoist for Bus Repairs	288,000		
SON090023	Santa Rosa	Santa Rosa CityBus: Operating Assistance	1,324,057		
SON090024	Santa Rosa	Santa Rosa CityBus: Preventive Maintenance	400,000		
SF-150005	SFMTA	Replacement of 40' Motor Coaches	3,347,163		6,364,945
SF-150006	SFMTA	Replacement of 60' Motor Coaches	45,417,750		
SF-090035	SFMTA	Replacement of (27) Type II Paratransit Vans	1,948,320		
SF-150014	SFMTA	30-Foot Motor Coach Mid-Life Overhaul	13,125,926		
SF-150007	SFMTA	Farebox Replacement	2,228,800		
SF-95037B	SFMTA	Muni Rail Replacement		5,316,972	
SF-030013	SFMTA	Wayside Fare Collection		1,000,000	
SF-970170	SFMTA	Overhead Line Rehabilitation		6,684,663	
SF-050024	SFMTA	Wayside/Central Train Control & Trolley Signal Systems Rehabilitation		5,000,000	
SF-99T002	SFMTA	Cable Car Infrastructure		2,000,000	
SF-970073	SFMTA	Cable Car Renovation Program		988,800	
SF-150004	SFMTA	Station Area and Pedestrian Improvements		500,000	
SF-150015	SFMTA	Replacement of (21) 40' Trolley Coaches		20,000,000	
SOL090034	Soltrans	Bus Purchase (4) 45' CNG Commuter Coaches	2,436,729		357,236
SOL070032	Soltrans	Preventive Maintenance	711,997		
SON030005	Sonoma County	SCT Preventive Maintenance Program	1,221,660		
SON150013	Sonoma County	Replacement of (1) CNG 40-Foot Heavy-Duty Bus in SCT's Fixed-Route Fleet	467,090		176,479
SON050021	Sonoma County	Installation of Passenger Shelters and Other Amenities at Various SCT Bus Stops	0		
ALA150046	Union City	Union City: Midlife Rehab of (2) 35' CNG Vehicles	410,000		
SOL010007	Vacaville	Operating Assistance	985,000		
SCL150019	VTA	Radio System Upgrade	0		
SCL050001	VTA	40' Hybrid Bus Procurement	33,824,944		2,805,456
SCL050049	VTA	Rail Substation Rehab/ Replacement		3,000,000	
SCL050002	VTA	Rail Replacement Program		3,600,000	
SCL110104	VTA	Light Rail Track Crossovers and Switches		777,500	
SCL150008	VTA	Track Intrusion Abatement		1,600,000	
CC-150014	WestCat	Replacement of (1) 40-Foot Revenue Vehicle	434,600		
CC-150015	WestCat	Fast Fare Electronic Farebox (1)	14,249		
REG090055	WETA	Ferry Propulsion System Replacement		2,880,000	
REG090057	WETA	Ferry Major Component Rehab/Replacement		7,912,000	
REG090067	WETA	Ferry Passenger Float/Gangway		74,790	
SF-110053	WETA	Ferry Vessel Replacement		11,449,600	
Total Capital Projects			189,634,033	201,267,298	11,836,186
Total Programmed			210,166,843	221,344,306	11,836,186
Fund Balance			3,773,705	0	577,473

Date: 1/27/2016

W.I.: 1512

Referred by: PAC

Revised: 04/27/16-C 05/25/16-C

06/22/16-C 12/21/16-C

05/22/19-C

Attachment A

Resolution No. 4212, Revised

Page 3 of 3

FY2015-16 Transit Capital Priorities / Transit Capital Rehabilitation Program Notes

1.	Program is based on final apportionments issued by FTA in February 2016.
2.	AC Transit: \$6.4M of BATA project savings have been programmed to AC Transit's Core Capacity Challenge Grant Program (CCCCGP) projects proportionately according to the CCCCCGP funding plan. An additional \$18.5M is being programmed towards AC Transit's CCCCCGP projects in order to resolve the shortfall in the San Francisco - Oakland urbanized area. BATA Project Savings are being programmed in lieu of AB664 plus BATA Project Savings (both part of CCCCCGP funding plan) in order to reduce the number of fund sources. In the next program year, AB664 funds can be programmed in lieu of BATA project savings.
3.	SFMTA: \$8.2M of AB664 funds have been programmed to SFMTA's Core Capacity Challenge Grant Program (CCCCGP) projects proportionately according to the CCCCCGP funding plan. An additional \$13.7 million in AB664 funds have been programmed to SFMTA's CCCCCGP projects to enable SFMTA to execute a contract option that would result in earlier delivery of buses.
4.	SFMTA: \$15.3M of FY15 FG (Fixed Guideway) Cap deferred by formula based on grant balances to FY18 as SFMTA did not meet their fixed guideway spending target. This deferral is reduced to \$5.3M due to a \$10M voluntary deferral.
5.	SFMTA: \$500k programmed to Station Bike and Pedestrian Improvements project in exchange for \$500k of SFMTA revenue bond funds for FG cap projects.
6.	Caltrain: Caltrain did not meet their FG spending target. However, they were exempted from a deferral of their FG Cap because Caltrain's FG Caps were still committed to the Electrification project at the time the preliminary program was adopted. The preliminary program was revised in June 2016 to program the full \$12.6 million FG cap to rehab projects. Caltrain's FY17 FG cap will be adjusted to reflect missing the FG spending target.
7.	Clipper: \$14.2M of Clipper's request for \$19.2M is being deferred to FY17 in order to reduce shortfall in the San Francisco Oakland Urbanized Area, as this would not from a cash flow standpoint impede Clipper's ability to fund current equipment replacement or contracts.
8.	BART Car Exchange PM: \$26.9M of BART's request for \$74.5M for the BART Car Replacement Project is being deferred to future years in order to reduce shortfall in the San Francisco Oakland Urbanized Area.
9.	Caltrain: The program reserved \$39.8M in a vehicle procurement reserve for future programming. \$22.6M of this reserve was reprogrammed to the EMU procurement project in FY16, with the remainder reserved for future programming. Also, by agreement with VTA, SFMTA, and Caltrain, EMUs are being funded from San Jose in this cycle to help address the shortfall. Future EMU programming will come more from SF-O to maintain a 2/3-1/3 split overall. In December 2016, Caltrain requested that \$22.6 million be shifted from the EMU procurement project to a South San Francisco Station rehab project, with the EMU funds being replaced by SMCTA local sales tax funds transferred from the station project. The programming continues to count toward meeting MTC's commitment of \$315M for the railcars.
10.	GGBHTD: Voluntarily deferred \$23,628,000 of fixed guideway cap funds from FY12 through FY16 to FY19. These funds will have priority for programming in FY19 as a prior-year commitment. GGBHTD voluntarily deferred their 67 40' Diesel Bus procurement to FY17; also exercised the Capital Exchange element of the TCP policy by deferring replacement of these vehicles until FY16-17. Total savings to the region equals \$3,529,895, GGBHTD will utilize the option for using these savings towards their ACIS and Miscellaneous Facilities Rehab projects.
11.	LAVTA exercised the Capital Exchange element of the TCP policy by deferring replacement of seven 2002 40' diesel vehicles for life. Total savings to the region equals \$1,769,700. LAVTA will utilize the option for using these savings towards their Service Vehicle Replacement and Preventive Maintenance projects.
12.	WETA: Voluntarily deferred \$1,517,210 of FG cap to FY17. These funds will have priority for programming in FY17 as a prior-year commitment. WETA also transferred \$5,392,000 from Ferry Vessel Replacement (M/V Vallejo) to two fixed guideway rehab projects, reversing the deferral of \$5,392,000 in FY14 fixed guideway caps. The remaining \$11.5 million programmed for Ferry Vessel Replacement completes the regional share of the M/V Vallejo replacement project.
13.	Union City Transit elected to defer \$130,627 of ADA Set-aside from FY16 to FY17. This amount will be treated as a Prior-Year Commitment in the FY17 program.

Date: July 27, 2016
W.I.: 1512
Referred By: PAC
Revised: 12/21/16-C
12/20/17-C
05/22/19-C

ABSTRACT

Resolution No. 4242, Revised

This resolution approves the process and establishes the criteria for programming:

- Federal Transit Administration (FTA) Sections 5307 Urbanized Area Formula, 5337 State of Good Repair, and 5339 Bus & Bus Facilities formula funds apportioned to the San Francisco Bay Area in FY2016-17 through FY2019-20,
- Federal Highway Administration STP and CMAQ funds dedicated to Transit Capital Rehabilitation and Transit Priorities projects by the One Bay Area Grant Program (MTC Resolution Nos. 4035 and 4202), and
- Bridge tolls and other regional revenues dedicated to transit capital projects by the Core Capacity Challenge Grant Program (MTC Resolution 4123), and
- Proceeds of financing required to advance future FTA or STP/CMAQ revenues to fund annual TCP or CCCGP programs of projects.

This resolution includes the following attachment:

Attachment A - San Francisco Bay Area Transit Capital Priorities Process and Criteria
for FY2016-17 through FY2019-20

This resolution was revised on December 21, 2016 to add double-decker buses and low-floor cut-away vehicles to the vehicle list, correct errors to the ADA set-aside percentages, clarify the process for setting zero emission bus prices and implementing the Transit Asset Management Rule, and adjust the program development schedule.

This resolution was revised on December 20, 2017 to make changes to the time period for the second cycle of the grant spend-down policy.

ABSTRACT

MTC Resolution No. 4242, Revised

Page 2

This resolution was revised on May 22, 2019 to update the ADA Set-Aside tables for FY2018-19 and FY2019-20 consistent with the Policy and Procedures set forth for those tables.

Further discussion of the Transit Capital Priorities Policy is contained in the MTC Programming and Allocations Committee Summary Sheets dated July 13, 2016, December 14, 2016, December 13, 2017, and May 8, 2019.

Date: July 27, 2016
W.I.: 1512
Referred By: PAC

RE: San Francisco Bay Area Transit Capital Priorities Process and Criteria for FY2016-17 through FY2019-20

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4242

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Sections 66500 et seq.; and

WHEREAS, MTC is the designated Metropolitan Planning Organization (MPO) for the nine-county Bay Area and is required to prepare and endorse a Transportation Improvement Program (TIP) which includes a list of priorities for transit capital projects; and

WHEREAS, MTC has worked cooperatively with the cities, counties and transit operators in the region to establish a process and a set of criteria for the selection of transit capital projects to be included in the TIP; and

WHEREAS, the process and criteria to be used in the selection and ranking of projects are set forth in Attachment A, which is incorporated herein as though set forth at length; now, therefore, be it

RESOLVED, that MTC approves the Transit Capital Priorities (TCP) Process and Criteria as set forth in Attachment A; and, be it further

RESOLVED, that MTC will use the process and criteria to program Federal Transit Administration (FTA) Sections 5307, 5337 and 5339 funds or any successor programs for FY2016-17 through FY2019-20, Federal Highway Administration STP and CMAQ funds dedicated to Transit Capital Rehabilitation and Transit Priorities projects by the One Bay Area Grant Program (MTC Resolution Nos. 4035 and 4202), bridge tolls and other regional revenues dedicated to transit capital projects by the Core Capacity Challenge Grant Program (MTC Resolution 4123), and proceeds of financing required to advance future FTA or STP/CMAQ revenues to fund annual TCP programs of projects to finance transit projects in the San Francisco Bay Area region; and, be it further

RESOLVED, that the Executive Director of MTC is authorized and directed to forward a copy of this resolution to the Federal Transit Administration (FTA), and such agencies as may be appropriate.

METROPOLITAN TRANSPORTATION COMMISSION



Dave Cortese, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in San Francisco, California on July 27, 2016.

Date: July 27, 2016
W.I.: 1512
Referred By: PAC
Revised: 12/21/16-C
12/20/17-C
05/22/19-C

Attachment A Resolution
No. 4242
Revised Pages 30 and 31

**San Francisco Bay Area Transit Capital Priorities Process Criteria for FY2016-17 through
FY2019-20**

**For Development of the FY2016-17 through FY2019-20
Transit Capital Priorities and Transit Performance Initiative Project Lists**

Metropolitan Transportation Commission
Bay Area Metro Center
375 Beale Street, Suite 800
San Francisco, CA 94105

Table 7: ADA Set-aside Amounts by Urbanized Area and Operator

New Formula – FY17 and FY18 ADA Set-Aside Percentages by Urbanized Area and Operator

Operator	San Francisco-Oakland	San Jose	Concord	Antioch	Vallejo	Livermore	Gilroy-MH	Petaluma
AC Transit	29.24%							
ACE	0.10%		1.8%					
BART	12.44%		32.6%	13.3%				
Caltrain	0.28%	3.7%						
CCCTA			56.8%					
Fairfield-Suisun Transit	Not Applicable							
GGBHTD ⁴	1.33%							
LAVTA			8.8%			100.0%		
Marin County Transit ⁴	5.32%							
Napa VINE					17.9%			
Petaluma Transit								77.9%
SamTrans	13.45%							
SFMTA	34.81%							
SolTrans					82.1%			
Sonoma Cty Transit								22.1%
SR City Bus	Not Applicable							
Tri-Delta				86.7%				
Union City	1.02%							
Vacaville	Not Applicable							
VTA		96.3%					100.0%	
WestCAT	1.96%							
WETA	0.06%							
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Notes:

- 1) Updated with 2014 NTD reporting
- 2) Urbanized Areas not shown are not participating in 10% ADA set-aside policy.
- 2) Formula based on three factors weighted as shown: a) Operator's Annual Demand Response Expenses (40%); b) Operators Demand Response Ridership (40%); and c) Operator's Annual Overall Ridership (20%)
- 3) To calculate funding amounts, multiply 10% of related urbanized area revenue estimate against percentages shown for operators in that urbanized area.
- 4) GGBHTD share split with Marin County Transit per agreement between the two operators. 20/80 split.
- 5) If operator was eligible for funds in multiple UA's, we used GIS spatial analysis to calculate percentage of operator's share (based on no. of stops) in each UA.

Table 7-A: ADA Set-aside Amounts by Urbanized Area and Operator – Updated for FY2019- and FY2020

New Formula – FY19 & FY20 ADA Set-Aside Percentages by Urbanized Area and Operator

Operator	San Francisco-Oakland	San Jose	Concord	Antioch	Vallejo	Livermore	Gilroy-MH	Petaluma
AC Transit	31.83%							
ACE	0.03%		0.44%					
BART	13.73%		34.66%	13.87%				
Caltrain	0.44%	4.22%						
CCCTA			53.92%					
Fairfield-Suisun Transit	Not Applicable							
GGBHTD ⁴	1.24%							
LAVTA			10.98%			100.0%		
Marin County Transit ⁴	4.98%							
Napa VINE					18.82%			
Petaluma Transit								73.01%
SamTrans	13.43%							
SFMTA	31.46%							
SolTrans					81.18%			
Sonoma Cty Transit								26.99%
SR City Bus	Not Applicable							
Tri-Delta				86.13%				
Union City	0.96%							
Vacaville	Not Applicable							
VTA		95.78%					100.0%	
WestCAT	1.77%							
WETA	0.12%							
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Notes:

- 1) Updated with 2016 NTD reporting
- 2) Urbanized Areas not shown are not participating in 10% ADA set-aside policy.
- 2) Formula based on three factors weighted as shown: a) Operator's Annual Demand Response Expenses (40%); b) Operators Demand Response Ridership (40%); and c) Operator's Annual Overall Ridership (20%)
- 3) To calculate funding amounts, multiply 10% of related urbanized area revenue estimate against percentages shown for operators in that urbanized area.
- 4) GGBHTD share split with Marin County Transit per agreement between the two operators. 20/80 split.
- 5) If operator was eligible for funds in multiple UA's, we used GIS spatial analysis to calculate percentage of operator's share (based on no. of stops) in each UA.

Date: March 22, 2017
W.I.: 1514
Referred by: PAC
Revised: 04/26/17-C 07/26/17-C
12/20/17-C 06/27/18-C
01/23/19-C 05/22/19-C

ABSTRACT

Resolution No. 4262, Revised

This resolution establishes the AB 664 Net Bridge Toll Revenues program of projects for FY2016-17 through FY2019-20. The initial program consists of funds programmed to SFMTA and AC Transit towards their fleet replacement projects in FY2016-17 consistent with the Transit Capital Priorities Program, and reprogramming of FY2012-13 AB 664 funds for BART, SFMTA, and WETA that had lapsed due to unforeseen project delays. This resolution will be amended to add the remainder of FY2016-17 programming and attachments for FY2017-18 through FY2019-20 AB 664 program in conjunction with final revisions to the FY2016-17 through FY2019-20 Transit Capital Priorities program.

The following attachments are provided with this resolution:

Attachment A – Program of AB 664 Net Bridge Toll Revenue Projects FY2016-17

Attachment B – Program of AB 664 Net Bridge Toll Revenue Projects FY2017-18

Attachment C – Program of AB 664 Net Bridge Toll Revenue Projects FY2018-19

Attachment D – Program of AB 664 Net Bridge Toll Revenue Projects FY2019-20

Attachment A of this resolution was revised on April 26, 2017 to reprogram FY2012-13 AB 664 Bridge Toll funds for AC Transit that had lapsed due to unforeseen project delays.

Attachment A of this resolution was revised on July 26, 2017 to program the remainder of the FY2016-17 AB 664 Bridge Toll funds based on the final revisions to the FY2016-17 Transit Capital Priorities program.

Attachments B through D of this resolution were revised on December 20, 2017 to program AB 664 Bridge Tolls funds to AC Transit, BART, and SFMTA in FY2017-18 through FY2019-20 consistent with the Transit Capital Priorities Program and commitments of the Core Capacity

Challenge Grant Program, and to reprogram FY2013-14 funds for AC Transit, SFMTA, and WestCAT that had lapsed due to unforeseen project delays.

Attachments A and B of this resolution were revised on June 27, 2018 to program the remainder of the FY2017-18 AB 664 Bridge Toll funds based on the final revisions to the FY2017-18 Transit Capital Priorities program and make other minor revisions to the FY2016-17 program.

Attachment D of this resolution was revised on January 23, 2019 to add an additional eligible project in FY2019-20 for SFMTA to execute a fund swap for their Central Subway project.

Attachments C and D of this resolution were revised on May 22, 2019 to program the remainder of the FY2018-19 AB66 Bridge Toll funds based on the final revisions to the FY2018-19 Transit Capital Priorities (TCP) program and to make other revisions to the FY2018-19 and FY2019-2020 program consistent with TCP policy and commitments of the Core Capacity Challenge Grant Program.

Further discussion of the AB 664 program of projects is contained in the Programming and Allocations Committee summary sheets dated March 8, 2017, April 12, 2017, July 12, 2017, December 13, 2017, June 13, 2018, January 9, 2019, and May 8, 2019.

Date: March 22, 2017
W.I.: 1514
Referred by: PAC

RE: Programming of AB 664 Net Bridge Toll Revenues in FY 2016-17 through FY 2019-20

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4262

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Section 66500 et seq., and

WHEREAS, pursuant to Streets and Highways Code § 30892, after deduction for MTC's administrative costs, MTC shall allocate toll bridge net revenues to public entities operating public transportation systems to achieve MTC's capital planning objectives in the vicinity of toll bridges as set forth in its adopted Regional Transportation Plan (RTP) ("Net Revenues"); and


WHEREAS, pursuant to Streets and Highways Code § 30894, MTC has adopted MTC Resolution No. 4015, which sets forth MTC's Bridge Toll Revenue Allocation Policy; and

WHEREAS, MTC has adopted a transit capital priorities program which set forth the priorities for funding transit capital projects in the Transportation Improvement Program (TIP); and

WHEREAS, "claimants" certify that their respective projects programmed in the TIP are in conformance with MTC's Regional Transportation Plan, with the requirements of the California Environmental Quality Act (Public Resources Code § 2100 et seq.) and the State EIR Guidelines (14 Cal. Admin. Code § 15000 et seq.); now therefore, be it

RESOLVED, that MTC approves the FY2016-17 through FY2019-20 programming of AB 664 Net Bridge Toll Revenues to the claimants, in the amounts, for the purposes, and subject to the conditions listed on Attachments A-D to this resolution, attached hereto and incorporated herein as though set forth at length.

METROPOLITAN TRANSPORTATION COMMISSION



Jake Mackenzie, Chair

The above resolution was entered into by the
Metropolitan Transportation Commission
at a regular meeting of the Commission held in
San Francisco, California on March 22, 2017.

PROGRAM OF AB 664 NET BRIDGE TOLL REVENUE PROJECTS

FY2018-19 Program			East Bay	West Bay
	Revenue Projections		2,300,734	15,450,000
	Previous Year Carry-Over (if any)			
	Expirations and Rescissions			
	Total Funds Available		2,300,734	15,450,000
Sponsor	Eligible Capital Projects	Fund Source		
<u>Current Year Programming</u>				
<u>AC Transit Core Capacity Projects</u>				
AC Transit	Replace (24) 60-ft Articulated Urban Buses - Hybrid	§ 5307		
	<i>Subtotal - Core Capacity projects</i>		700,734	-
	Total Amount Programmed to AC Transit		700,734	-
Caltrain	Systemwide Track Rehabilitation	§ 5337 FG		
Caltrain	Comm. System/Signal Rehab.	§ 5337 FG		
Caltrain	Revenue Vehicle Rehab	§ 5337 FG		
	Total Amount Programmed to Caltrain		-	671,517
ECCTA	Transit Bus Replacement (Paratransit)	§ 5339		
	Total Amount Programmed to ECCTA		36,086	-
LAVTA	Hybrid Bus Battery Pack Replacement	§ 5307/§ 5339		
	Total Amount Programmed to LAVTA		11,957	-
SamTrans	Purchase of Replacement Minivans	§ 5307		
	Total Amount Programmed to SamTrans		-	28,483
<u>SFMTA Core Capacity Projects</u>				
SFMTA	Replace 35 Paratransit Cutaway Vans	§ 5307		
SFMTA	40' Motor Coach Mid-Life Overhaul	§ 5307		
	<i>Subtotal - Core Capacity projects</i>		-	14,750,000
	Total Amount Programmed to SFMTA		-	14,750,000
SolTrans	Preventive Maintenance	§ 5307/§ 5339		
SolTrans	Bus Purchase Alternative Fuel	§ 5307/§ 5339		
	Total Amount Programmed to SolTrans		102,711	-
Westcat	AVL & APC System Procurement & Installation	§ 5307		
Westcat	Replacement of (9) 40ft Revenue Vehicles	§ 5307		
Westcat	Purchase of (9) Fast Fare Electronic Fareboxes	§ 5307		
Westcat	Replace (2) Minivans	§ 5307		
Westcat	Purchase of (2) Radio systems for (2) Cut Away Vans	§ 5307		
	Total Amount Programmed to WestCAT		320,875	-
WETA	Ferry Major Component Rehabilitation	§ 5337 FG		
WETA	Ferry Vessel Replacement - Bay Breeze	§ 5337 FG		
	Total Amount Programmed to WETA		1,128,371	-
Fund Balance			-	-

PROGRAM OF AB 664 NET BRIDGE TOLL REVENUE PROJECTS

FY2019-20 Program				
			East Bay	West Bay
	Revenue Projections		388,240	15,755,174
	Previous Year Carry-Over (if any)			
	Expirations and Rescissions			
	Total Funds Available		388,240	15,755,174
Sponsor	Eligible Capital Projects	Fund Source		
Current Year Programming				
<i>AC Transit Core Capacity Projects</i>				
AC Transit	Replace (27) 40-ft Urban Buses - Hybrid	§ 5307		
	<i>Subtotal - Core Capacity projects</i>		388,240	-
	Total Amount Programmed to AC Transit		388,240	-
SFMTA	Cable Car Vehicle Renovation Program	§ 5307/§ 5337		
SFMTA	Muni Rail Replacement	§ 5307/§ 5337		
SFMTA	Wayside/Central Train Control & Trolley Signal Systems Rehabilitation	§ 5307/§ 5337		
SFMTA	Potrero Facility Planning	§ 5307/§ 5337		
	Total Amount Programmed to SFMTA (1)		-	15,755,174
Fund Balance			-	-

Notes:

- Resolution 4123 programs AB664 bridge tolls to SFMTA for fleet replacement projects as part of the Core Capacity Challenge Grant Program. Because fleet replacements were funded in earlier years from FTA formula funds due to project timing, bridge tolls in FY20 are programmed to other Score 16 SFMTA projects.

Date: March 22, 2017
W.I.: 1512
Referred by: PAC
Revised: 04/26/17-C 07/26/17-C
12/20/17-C 06/27/18-C
05/22/19-C

ABSTRACT

Resolution No. 4263, Revised

This resolution allocates AB 664 Net Bridge Toll Revenues to eligible transit operators for FY2016-17 through FY2019-20. The initial allocation will be for FY2016-17 for AC Transit and SFMTA projects consistent with the Transit Capital Priorities Program, and reallocation of FY2012-13 AB 664 funds for BART, SFMTA, and WETA that had lapsed due to unforeseen project delays. This resolution will be amended to add the remainder of the FY2016-17 AB 664 allocations in conjunction with final revisions to the FY2015-16 Transit Capital Priorities program. Additionally, this resolution will be amended annually to add each year's AB 664 allocation, through FY2019-20.

The following attachments are provided with this resolution:

Attachment A – Allocation of AB 664 Net Bridge Toll Revenue FY2016-17

Attachment B – Allocation of AB 664 Net Bridge Toll Revenue FY2017-18

Attachment C – Allocation of AB 664 Net Bridge Toll Revenue FY2018-19

Attachment D – Allocation of AB 664 Net Bridge Toll Revenue FY2019-20

Attachment A of this resolution was revised on April 26, 2017 to reallocate FY2012-13 AB 664 Bridge Toll funds for AC Transit that had lapsed due to unforeseen project delays.

Attachment A of this resolution was revised on July 26, 2017 to allocate the remainder of the FY2016-17 non-Core Capacity Challenge Grant Program AB 664 Bridge Toll funds based on the final revisions to the FY2016-17 Transit Capital Priorities program.

Attachment B of this resolution was revised on December 20, 2017 to allocate AB 664 Bridge Tolls funds to AC Transit, BART, and SFMTA in FY2017-18 consistent with the Transit Capital

ABSTRACT

MTC Resolution No. 4263, Revised

Page 2

Priorities Program and commitments of the Core Capacity Challenge Grant Program, and to reallocate FY2013-14 funds for AC Transit, SFMTA, SamTrans, and WestCAT that had lapsed due to unforeseen project delays.

Attachment B of this resolution was revised on June 27, 2018 to allocate \$40,771,236 to SFMTA consistent with the commitments of the Core Capacity Challenge Grant Program, and to allocate the remainder of the FY2017-18 non-Core Capacity Challenge Grant Program AB 664 Bridge Toll funds based on the final revisions to the FY2017-18 Transit Capital Priorities program.

Attachment C of this resolution was revised on May 22, 2019 to allocate \$2,300,000 to operators based on the final revisions to the FY2018-19 Transit Capital Priorities program.

Further discussion of the AB 664 program of projects is contained in the Programming and Allocations Committee summary sheet dated March 8, 2017, April 12, 2017, July 12, 2017, December 13, 2017, June 13, 2018, and May 8, 2019.

Date: March 22, 2017
W.I.: 1512
Referred by: PAC

RE: Allocation of AB 664 Net Bridge Toll Revenues for FY 2016-17 through FY 2019-20

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4263

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code § 66500 et seq.; and

WHEREAS, pursuant to Streets and Highways Code § 30892, after deduction for MTC's administrative costs, MTC shall allocate toll bridge net revenues to public entities operating public transportation systems to achieve MTC's capital planning objectives in the vicinity of toll bridges as set forth in its adopted Regional Transportation Plan (RTP) ("Net Revenues"); and

WHEREAS, MTC Resolution No. 4015 sets forth MTC's bridge toll revenue allocation policies; and

WHEREAS, pursuant to Streets and Highways Code § 30895, MTC has prepared and submitted to the Legislature a report on the capital planning and ferry system objectives of MTC to be achieved through the allocation of net toll revenues; and

WHEREAS, "Claimants" have each submitted an application to MTC for an allocation of net bridge toll revenues in FY2016-17 through FY2019-20 for the projects and purposes set forth in Attachments A-D to this resolution, attached hereto and in MTC Resolution No. 4262, and incorporated herein as though set forth at length; and

WHEREAS, MTC Resolution No. 4262 programs Net Bridge Toll Revenues for FY2016-17 through FY2019-20; and


WHEREAS, claimants certify that their respective projects and purposes set forth in Attachment A-D are in compliance with the requirements of the California Environmental

Quality Act (Public Resources Code § 21000 et seq.) and the State EIR Guidelines (14 Cal. Code Regs. § 15000 et seq.); now, therefore, be it

RESOLVED, that MTC finds that the Claimants' projects and purposes as set forth in Attachment A-D are in conformance with MTC's Regional Transportation Plan, MTC's bridge toll revenue allocation policies, and MTC's capital planning and ferry system objectives; and, be it further

RESOLVED, that MTC approves the allocation of net bridge toll revenues in FY2016-17 through FY2019-20 to Claimants, in the amounts, for the purposes, and subject to the conditions listed on Attachments A-D to this resolution and consistent with MTC Resolution 4262.

METROPOLITAN TRANSPORTATION COMMISSION



Jake Mackenzie, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in San Francisco, California on March 22, 2017.

Date: March 22, 2017
W.I.: 1512
Referred by: PAC
Revised: 05/22/19-C

Attachment C
Resolution No. 4263
Page 1 of 1

ALLOCATION OF AB 664 NET BRIDGE TOLL REVENUE

FY 2018-19 Program

PO/Acct. Code	Project Sponsor	Project	East Bay Allocation	West Bay Allocation	Approval Date
19-4263-01/5840	Caltrain	Capital projects programmed in MTC Resolution No. 4262	\$0	\$671,517	4/24/2019
19-4263-02/5840	ECCTA	Capital projects programmed in MTC Resolution No. 4262	\$36,086	\$0	4/24/2019
19-4263-03/5840	LAVTA	Capital projects programmed in MTC Resolution No. 4262	\$11,957	\$0	4/24/2019
19-4263-04/5840	SamTrans	Capital projects programmed in MTC Resolution No. 4262	\$0	\$28,483	4/24/2019
19-4263-05/5840	SolTrans	Capital projects programmed in MTC Resolution No. 4262	\$102,711	\$0	4/24/2019
19-4263-06/5840	WestCat	Capital projects programmed in MTC Resolution No. 4262	\$320,875	\$0	4/24/2019
19-4263-07/5840	WETA	Capital projects programmed in MTC Resolution No. 4262	\$1,128,371	\$0	4/24/2019
			Grand Total		
Total Allocations			\$1,600,000	\$700,000	\$2,300,000

Date: March 22, 2017
W.I.: 1512
Referred By: PAC
Revised: 07/26/17-C 12/20/17-C
06/27/18-C 01/23/19-C
05/22/19-C

ABSTRACT

Resolution No. 4272, Revised

This resolution approves the FY2016-17 through FY2019-20 Transit Capital Priorities preliminary program of projects for inclusion in the Transportation Improvement Program (TIP). The program includes projects funded with FTA Section 5307 Urbanized Area, Section 5337 State of Good Repair, and Section 5339 Bus and Bus Facilities Formula Programs and initially only programs funds in the first year – FY2016-17. In addition, One Bay Area Grant Cycle 2 (OBAG 2) Transit Priorities funds are being programmed in MTC Resolution No. 4202, Revised, and AB 664 Bridge Toll revenues and BATA Project Savings are programmed in MTC Resolution No. 4262 and Resolution No. 4169, Revised, respectively, for FY2016-17 through FY2019-20 Transit Capital Priorities projects. This resolution will be amended to add the remainder of the FY2016-17 through FY2019-20 Transit Capital Priorities program at a future date.

This resolution supersedes and replaces MTC Resolution No. 4219.

This Resolution includes the following attachments:

Attachment A – FY2016-17 Program of Projects

Attachment B – FY2017-18 Program of Projects

Attachment C – FY2018-19 Program of Projects

Attachment D – FY2019-20 Program of Projects

Attachment E – FY2016-17 through FY2019-20 Programming Notes

Attachment A of this resolution was revised on July 26, 2017 to make revisions to the Transit Capital Priorities (TCP) program of projects for FY2016-17 as requested by operators and to reconcile the program to expected final FTA apportionments for the same year.

ABSTRACT

MTC Resolution No. 4272, Revised

Page 2

Attachments A through E of this resolution were revised on December 20, 2017 to program the remainder of FY2017-18 through FY2019-20 TCP programming and make revisions to two projects in the FY2016-17 program of projects as requested by operators.

Attachments A through E of this resolution were revised on June 27, 2018 to make revisions to the TCP program of projects as requested by operators and to reconcile the program to final FY2017-18 FTA apportionments.

Attachments C and E of this resolution were revised on January 23, 2019 to make revisions to the TCP program of projects to reflect a fund exchange with SFMTA for the Central Subway Project and make other revisions to programming as requested by Marin Transit and VTA.

Attachments C through E of this resolution were revised on May 22, 2019 to make revisions to the TCP program of projects as requested by operators and to reconcile the program to final FY2018-19 FTA apportionments.

Further discussion of the TCP program of projects is contained in the Programming and Allocations Committee summary sheet dated March 8, 2017, July 12, 2017, December 13, 2017, June 13, 2018, January 9, 2019, and May 8, 2019.

Date: March 22, 2017
W.I.: 1512
Referred By: PAC

RE: San Francisco Bay Area Regional Transit Capital Priorities

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4272

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Sections 66500 et seq.; and

WHEREAS, MTC is the designated Metropolitan Planning Organization (MPO) for the nine-county Bay Area and is required to prepare and endorse a Transportation Improvement Program (TIP) which includes a list of priorities for transit capital projects; and

WHEREAS, MTC is the designated recipient of the Federal Transit Administration (FTA) Section 5307 Urbanized Area, Section 5337 State of Good Repair, and Section 5339 Bus and Bus Facilities funds for the large urbanized areas of San Francisco-Oakland, San Jose, Concord, Antioch, and Santa Rosa, and has been authorized by the California Department of Transportation (Caltrans) to select projects and recommend funding allocations subject to state approval for the FTA Section 5307 and Section 5339 funds for the small urbanized areas of Vallejo, Fairfield, Vacaville, Napa, Livermore, Gilroy-Morgan Hill, and Petaluma in MTC's Federal Transportation Improvement Program; and

WHEREAS, MTC has worked cooperatively with the cities, counties and transit operators in the region and with Caltrans to establish priorities for the transit capital projects to be included in the TIP; and

WHEREAS, the process and criteria used in the selection and ranking of such projects are set forth in MTC Resolution No. 4242; and

WHEREAS, the projects to be included in the TIP are set forth in the detailed project listings in Attachments A-D, which are incorporated herein as though set forth at length; now, therefore, be it


RESOLVED, that MTC adopts the FY 2016-17 through FY2019-20 Transit Capital Priorities program of projects to be included in the TIP as set forth in Attachments A-D; and, be it further

RESOLVED, that this resolution supersedes and replaces MTC Resolution 4219, previously approved and adopting a program of projects for the FY2016-17 and FY2017-18 Transit Capital Priorities program; and, be it further

RESOLVED, that the Executive Director or designee is authorized to revise Attachments A-E as necessary to reflect the programming of projects as the projects are revised in the TIP; and be it further

RESOLVED, that the Executive Director of MTC is authorized and directed to forward a copy of this resolution to FTA, and such agencies as may be appropriate.

METROPOLITAN TRANSPORTATION COMMISSION



Jake Mackenzie, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in San Francisco, California on March 22, 2017.

Date: March 22, 2017
W.I.: 1512
Referred by: PAC
Revised: 12/20/17-C
06/27/18-C
01/23/19-C
05/22/19-C

Attachment C
Resolution No. 4272
Page 1 of 2

FY 2018-19 Transit Capital Priorities / Transit Capital Rehabilitation Program						
TIP ID	Operator	Project Description	Total FTA Program	FTA Section 5307	FTA Section 5337	FTA Section 5339
Actual Apportionments			476,223,189	229,832,145	230,892,790	15,498,254
Previous Year Carryover			9,464,371	5,907,190	1,961,180	1,596,001
Funds Available for Programming			485,687,560	235,739,335	232,853,970	17,094,255

MTC Debt Service

REG170023	MTC	TCP Financing Repayment Obligations	-	-	-	
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Lifeline Set-Aside

Reserved	Various	Reserved for programming in Lifeline Transportation Program	3,508,001	3,508,001		
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ADA Operating Set-Aside

ALA990076	AC Transit	ADA Paratransit Assistance	4,394,476	4,394,476		
ALA170079	ACE	Railcar Midlife Overhaul	9,920	9,920		
BRT99T01B	BART	ADA Paratransit Capital Accessibility Improvements	865,835	865,835		
CC-99T001	CCCTA	ADA Paratransit Assistance	1,207,623	1,207,623		
MRN130015	GGBHTD	ADA Set-Aside	171,757	171,757		
ALA990077	LAVTA	ADA Paratransit Operating Subsidy	406,769	406,769		
MRN110047	MCTD	ADA Paratransit Assistance	687,028	687,028		
NAP030004	Napa Vine	ADA Operating Assistance	68,209	68,209		
SON150007	Petaluma	ADA Set-Aside	86,485	86,485		
SON170003	Santa Rosa	ADA Operating Assistance	245,955	245,955		
SM-990026	SamTrans	ADA Paratransit Operating Subsidy	1,854,074	1,854,074		
SF-990022	SFMTA	ADA Paratransit Operating Support	4,343,542	4,343,542		
SOL110025	SoTrans	ADA Paratransit Operating Subsidy	294,296	294,296		
SON150013	Sonoma County	Replacement Bus Purchase	31,966	31,966		
CC-030035	ECCTA	ADA Operating Assistance	556,469	556,469		
ALA170039	Union City	ADA Set-Aside	133,210	133,210		
SCL050046	VTA	ADA Operating Set-Aside	3,808,721	3,808,721		
CC-990045	Westcat	ADA Paratransit Operating Subsidy	244,729	244,729		

Total Program Set-asides and Commitments	22,919,064	22,919,064	-	-
Funds Available for Capital Programming	462,768,496	212,820,271	232,853,970	17,094,255

Capital Projects

ALA170081	AC Transit	Replace (24) 60ft Artic Urban Buses - Hybrid	13,254,330	5,795,565	-	7,458,765
ALA990052	AC Transit	Paratransit Van Capital Costs	1,580,574	1,580,574		
ALA170080	AC Transit	Replace (10) 24ft Cut-Away Vans	637,000	637,000		
ALA170038	AC Transit	Replace (6) 24ft Cut-Away Vans	382,200	382,200		
ALA170079	ACE	Railcar Midlife Overhaul	3,070,079	1,409,473	1,660,606	
ALA170048	ACE	FG: Capital Access Fees and Track/Signal Maintenance	1,490,000		1,490,000	
REG090037	BART	Railcar Replacement Program	45,467,236	22,228,344	23,238,892	
ALA090065	BART	Fare Collection Equipment	6,211,000	6,211,000		
BRT97100B	BART	Rail, Way, and Structures Program	17,000,000		17,000,000	
BRT030005	BART	Traction Power	10,000,000		10,000,000	
BRT030004	BART	Train Control	10,000,000		10,000,000	
BRT99T01B	BART	ADA Paratransit Capital Accessibility Improvements	1,896,182		1,896,182	
NEW	BART	Elevator Renovation Program	7,000,000		7,000,000	
SF-010028	Caltrain	Caltrain Electrification - EMU Procurement	67,582,236	67,582,236		
SM-03006B	Caltrain	Systemwide Track Rehabilitation	13,193,000		13,193,000	
SM-050041	Caltrain	Comm. System/Signal Rehab.	1,200,000		1,200,000	
SM-170010	Caltrain	TVM Rehab & Clipper Functionality (ADA Set-Aside)	222,104		222,104	
CC-070092	ECCTA	Transit Bus Replacements (Paratransit)	512,546			512,546
SOL010006	Fairfield	Operating Assistance	2,597,033	2,597,033		
SOL110041	Fairfield	Bus Replacement	337,469			337,469
MRN050025	GGBHTD	Facilities Rehabilitation	8,600,000	8,600,000		
MRN030010	GGBHTD	Ferry Fixed Guideway Connectors	13,500,000		13,500,000	
MRN150015	GGBHTD	Ferry Vessel Propulsion Systems Rehab	500,000		500,000	
MRN170024	GGBHTD	Replace 14 Paratransit Vehicle	1,044,680			1,044,680
NEW	LAVTA	Hybrid Bus Battery Pack Replacement	169,830			169,830
MRN170006	MCTD	Replace Articulated Vehicles	7,216,000	7,216,000		
NAP970010	Napa Vine	Operating Assistance	2,623,951	2,623,951		
NAP090008	Napa Vine	Equipment Replacement & Upgrades	206,388			206,388
NEW	Petaluma	AVL Model Upgrade	60,000	60,000		
SM150011	SamTrans	Purchase of Replacement Minivans	619,920	619,920		
SON090023	Santa Rosa	Operating Assistance	1,095,895	1,095,895		
SON150008	Santa Rosa	Fixed Route Bus Replacement	1,309,308	431,309		877,999
SON090024	Santa Rosa	Preventive Maintenance	611,309	611,309		
SF-170019	SFMTA	40' Motor Coach Mid-Life Overhaul	16,928,241	16,928,241		
SF-170018	SFMTA	60' Motor Coach Mid-Life Overhaul	19,392,931	19,392,931		
SF-150007	SFMTA	Farebox Replacement	336,000	336,000		
SF-970170	SFMTA	Muni Rail Replacement	16,736,000		16,736,000	

Date: February 22, 2017
W.I.: 1512
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06/27/18-C
01/23/19-C
5/22/19-C

Attachment C
Resolution No. 4272
Page 2 of 2

FY 2018-19 Transit Capital Priorities / Transit Capital Rehabilitation Program						
TIP ID	Operator	Project Description	Total FTA Program	FTA Section 5307	FTA Section 5337	FTA Section 5339
SF-050024	SFMTA	Wayside/Central Train Control & Trolley Signal Systems Rehabilitation	8,640,000		8,640,000	
SF-970170	SFMTA	Overhead Line Rehabilitation	20,000,000		20,000,000	
NEW	SFMTA	LRV Replacement	13,220,000		13,220,000	
SF-99T005	SFMTA	Rehab Historic Streetcars	8,000,000		8,000,000	
NEW	SFMTA	L-Taraval Improvement Project - SGR Project Elements	4,070,000		4,070,000	
NEW	SFMTA	Muni Metro East Facility - Boiler Replacement	4,100,000		4,100,000	
SF 99T002	SFMTA	Cable Car Infrastructure	4,000,000		4,000,000	
NEW	SFMTA	Van Ness BRT - SGR Project Elements	1,830,000		1,830,000	
SF-970073	SFMTA	Cable Car Vehicle Renovation Program	1,042,907		1,042,907	
SF-030013	SFMTA	Wayside Fare Collection	2,000,000		2,000,000	
NEW	SFMTA	Fixed Guideway Facilities Condition Assessment Implementation Projects	5,900,000	5,000,000	900,000	
SF-170006	SFMTA	Station-Area Pedestrian and Bicycle Access Improvements	1,000,000		1,000,000	
SOL110040	SoiTrans	Operating Assistance	2,419,610	2,419,610		
SOL070032	SoiTrans	Preventive Maintenance	1,000,000	1,000,000		
SOL090034	SoiTrans	Bus Purchase Alternative Fuel	458,859			458,859
SON030005	Sonoma County	Preventive Maintenance	1,280,000	1,280,000		
SON150013	Sonoma County	Replacement Bus Purchase	220,141			220,141
SON170006	Sonoma County	Replacement Bus Purchase	446,684	446,684		
SOL010007	Vacaville	Operating Assistance	890,000	890,000		
SCL050001	VTA	Standard & Small Bus Replacement	17,204,124	13,664,526	-	3,539,598
SCL 050002	VTA	Rail Replacement Program	5,692,305		5,692,305	
NEW	VTA	Bus CCTV Replacement	2,640,000	2,640,000		
NEW	VTA	Transit Center Park & Ride Rehabilitation	1,600,000	1,600,000		
NEW	VTA	Gigabit Ethernet Network	960,000	960,000		
NEW	VTA	HVAC Replacement	1,448,265	1,448,265		
NEW	VTA	Chaboya Yard Well Removal	120,000	120,000		
SCL110099	VTA	LRV Bridge Repair/Hamilton Structural Stabilization	1,080,000		1,080,000	
SCL090044	VTA	OCS Rehabilitation Program	12,520,000		12,520,000	
SCL170010	VTA	Replace Guadalupe Train Wash	800,000		800,000	
SCL150008	VTA	Track Intrusion Abatement	4,000,000		4,000,000	
CC-170010	WestCAT	Replacement of (9) 40ft Revenue Vehicles	3,877,781	3,877,781		
NEW	WestCAT	AVL & APC System Procurement & Installation	294,105	294,105		
CC-170020	WestCAT	Replace (2) Minivans	255,840	255,840		
CC-170011	WestCAT	Purchase of (9) Fast Fare Electronic Fareboxes	128,241	128,241		
CC-170013	WestCAT	Purchase of (2) Radio systems for (2) Cut Away Vans	1,600	1,600		
SF-110053	WETA	Ferry Vessel Replacement - Bay Breeze	15,306,920		15,306,920	
REG090057	WETA	Ferry Major Component Rehabilitation	720,000		720,000	
Total Capital Projects			443,750,824	202,365,633	226,558,916	14,826,275
Total Programmed			466,669,888	225,284,697	226,558,916	14,826,275
Fund Balance			19,017,672	10,454,638	6,295,054	2,267,980

Date: March 22, 2017
W.I.: 1512
Referred by: PAC
Revised: 12/20/17-C
06/27/18-C
05/22/19-C

Attachment D
Resolution No. 4272
Page 1 of 2

FY 2019-20 Transit Capital Priorities / Transit Capital Rehabilitation Program						
TIP ID	Operator	Project Description	Total FTA Program	FTA Section 5307	FTA Section 5337	FTA Section 5339
Estimated Apportionments			452,519,976	228,462,093	210,941,101	13,116,782
Previous Year Carryover			19,017,672	10,454,638	6,295,054	2,267,980
Funds Available for Programming			471,537,648	238,916,731	217,236,155	15,384,762

MTC Debt Service

REG170023	MTC	TCP Financing Repayment Obligations	35,070,000	3,900,000	31,170,000	
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Lifeline Set-Aside

Reserved	Various	Reserved for programming in Lifeline Transportation Program	3,580,439	3,580,439		
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ADA Operating Set-Aside

ALA990076	AC Transit	ADA Paratransit Assistance	4,461,934	4,461,934		
ALA170079	ACE	Railcar Midlife Overhaul	14,346	14,346		
BRT99701B	BART	ADA Paratransit Capital Accessibility Improvements	2,800,403	2,800,403		
SM-170010	Caltrain	TVM Rehab & Clipper Functionality (ADA Set-Aside)	62,350	62,350		
CC-997001	CCCTA	ADA Paratransit Assistance	1,218,311	1,218,311		
MRN110047	GGBHTD	ADA Set-Aside	174,393	174,393		
ALA990077	LAVTA	ADA Paratransit Operating Subsidy	412,325	412,325		
MRN110047	MCTD	ADA Paratransit Assistance	697,574	697,574		
NAP030004	Napa Vine	ADA Operating Assistance	70,704	70,704		
SON150007	Petaluma	ADA Set-Aside	89,821	89,821		
SM-990026	SamTrans	ADA Paratransit Operating Subsidy	1,882,536	1,882,536		
SON170003	Santa Rosa	ADA Operating Assistance	251,035	251,035		
SF-990022	SFMTA	ADA Paratransit Operating Support	4,410,218	4,410,218		
SOL110025	SolTrans	ADA Paratransit Operating Subsidy	305,060	305,060		
SON170006	Sonoma County	SCT Replacement Bus Purchase	33,199	33,199		
CC-030035	ECCTA	ADA Operating Assistance	571,422	571,422		
ALA170039	Union City	ADA Set-Aside	135,255	135,255		
SCL050046	UTA	ADA Operating Set-Aside	3,970,716	3,970,716		
CC-990045	Westcat	ADA Paratransit Operating Subsidy	248,485	248,485		
REG090057	WETA	Ferry Major Component Rehabilitation	17,418	17,418		

Total Program Set-asides and Commitments	60,477,945	29,307,945	31,170,000	-
Funds Available for Capital Programming	411,059,702	209,608,786	186,066,155	15,384,762

Capital Projects

ALA170031	AC Transit	Replace (27) 40ft Urban Buses - Hybrid	14,400,164	7,464,518		6,935,646
ALA990052	AC Transit	Paratransit Van Capital Costs	1,523,374	1,523,374		
ALA170049	ACE	FG: Capital Access Fees and Track/Signal Maintenance	1,770,000	1,439,102	330,898	
ALA170079	ACE	Railcar Midlife Overhaul	2,800,000		2,800,000	
REG090037	BART	Railcar Replacement Program	75,104,713	26,234,439	48,870,274	
BRT97100B	BART	Rail, Way, and Structures Program	17,000,000		17,000,000	
BRT030005	BART	Traction Power	17,000,000		17,000,000	
BRT030004	BART	Train Control	10,000,000		10,000,000	
ALA090065	BART	Fare Collection Equipment	6,211,000		6,211,000	
SF-010028	Caltrain	Caltrain Electrification - EMU Procurement	97,987,868	97,987,868		
SM-03006B	Caltrain	Systemwide Track Rehabilitation	13,193,000		13,193,000	
SM-050041	Caltrain	Comm. System/Signal Rehab.	1,200,000		1,200,000	
SM-170010	Caltrain	TVM Rehab & Clipper Functionality (ADA Set-Aside)	167,653		167,653	
REG170022	Clipper	Clipper Next Gen Fare Collection System	14,127,879	14,127,879		
SOL100006	Fairfield	Operating Assistance	2,646,501	2,646,501		
SOL110041	Fairfield	Bus Replacement	286,829			286,829
MRN170010	GGBHTD	Replace 6 Fixed Route 45' Buses with 7 40' Hybrids	5,183,220	5,183,220		
MRN050025	GGBHTD	Facilities Rehab	3,750,000	3,750,000		
SF-170022	GGBHTD	Replace 2 Paratransit Vehicles	150,880	150,880		
MRN990017	GGBHTD	Ferry Dredging	17,000,000		17,000,000	
MRN030010	GGBHTD	Fixed Guideway Connectors	6,060,000		6,060,000	
NEW	MCTD	Replace Paratransit Vehicles	1,207,040	1,207,040		
MRN150011	MCTD	Replace Nine (9) Shuttle Vehicles	952,020	952,020		
MRN170007	MCTD	Replace 2- 35ft diesel vehicles	697,000	697,000		
MRN110040	MCTD	Preventative Maintenance	70,520	70,520		
NAP970010	Napa Vine	Operating Assistance	1,620,432	1,620,432		
NAP090008	Napa Vine	Equipment Replacement & Upgrades	175,414			175,414
SON170005	Petaluma	Transit Yard and Facility Improvements	90,528	90,528		
NEW	Petaluma	Purchase (2) Replacement Paratransit Vans	150,881	23,157		127,723
SM150011	SamTrans	Replacement of Cut-away Buses	1,375,140	1,375,140		
SON090023	Santa Rosa	Operating Assistance	1,535,279	1,535,279		
SON090024	Santa Rosa	Preventive Maintenance	636,242	636,242		

Date: February 22, 2017
W.I.: 1512
Referred by: PAC
Revised: 12/20/17-C
06/27/18-C
05/22/19-C

Attachment D
Resolution No. 4272
Page 2 of 2

FY 2019-20 Transit Capital Priorities / Transit Capital Rehabilitation Program						
TIP ID	Operator	Project Description	Total FTA Program	FTA Section 5307	FTA Section 5337	FTA Section 5339
SF-970170	SFMTA	Muni Rail Replacement	4,288,000		4,288,000	
SOL110040	SolTrans	Operating Assistance	2,216,981	2,216,981		
SOL070032	SolTrans	Preventive Maintenance	1,000,000	1,000,000		
SOL090034	SolTrans	Bus Purchase (Alternative Fuel)	390,035			390,035
SON030005	Sonoma County	SCT Preventive Maintenance	1,280,000	1,280,000		
SON170006	Sonoma County	SCT Replacment Bus Purchase	660,545	474,265		186,280
ALA170092	Union City	Replacement of Heavy-Duty Transit Vehicles	1,251,960	1,251,960		
SOL010007	Vacaville	Operating Assistance	890,000	890,000		
SCL050001	VTa	Standard and Small Bus Replacement	10,312,842	7,232,821		3,080,021
SCL170047	VTa	Paratransit Fleet Program	3,978,116	3,978,116		
NEW	VTa	Mobile Router/Passenger WiFi	1,200,000	1,200,000		
NEW	VTa	Facilities ADA Upgrades	2,560,000	2,560,000		
NEW	VTa	Fuel Dispenser & UDC Replacement	1,920,000	1,920,000		
NEW	VTa	Replace UPSs & PDU in OCC/EOC	377,361	377,361		
NEW	VTa	Replace/Upgrade Fire Alarm at Guadalupe & Chaboya	1,200,000	1,200,000		
NEW	VTa	Newwork & Gigabit Fiber Upgrade	1,200,000	1,200,000		
NEW	VTa	Guadalupe Entrance Security Improvements	1,000,000	1,000,000		
NEW	VTa	Cameras for VTA ACCESS Paratransit Vehicles	1,804,850	1,804,850		
NEW	VTa	Rehabilitation of LRV System Elevators & Escalators	7,440,000		7,440,000	
NEW	VTa	Downtown San Jose Speed Improvements (LRV)	4,920,000		4,920,000	
NEW	VTa	LRV Station Rehabilitation	776,000		776,000	
NEW	VTa	SCADA Hardware, Software, & Network Upgrade	4,447,296		4,447,296	
NEW	VTa	PA System Hardware & Software Upgrade	2,216,352		2,216,352	
NEW	VTa	LRV Station Platform CCTV System Replacement	445,600		445,600	
NEW	VTa	Pedestrian Backgates - non-Vasona	6,560,000		6,560,000	
NEW	VTa	Guadalupe Roll-up Doors	2,000,000		2,000,000	
NEW	VTa	Guadalupe Steam Rack Improvements & Liner Replacement	2,400,000		2,400,000	
CC-170008	WestCAT	Replacement of 6 40' Revenue Vehicles	2,745,360	2,745,360		
CC-170009	WestCAT	Purchase of 6 Fast Fare Electronic Fareboxes	85,494	85,494		
REG090067	WETA	Ferry Fixed Guideway Connectors	6,000,000		6,000,000	
REG090057	WETA	Ferry Major Component Rehabilitation	3,554,140		3,554,140	
Total Capital Projects			397,194,510	201,132,347	184,880,213	11,181,950
Total Programmed			457,672,456	230,440,293	216,050,213	11,181,950
Fund Balance			13,865,192	8,476,439	1,185,941	4,202,812

Transit Capital Priorities / Transit Capital Rehabilitation Program Notes

1	FY17, FY18, & FY19 Programs are based on final apportionments. FY20 Program is based on estimated apportionments, and will be revised when final apportionments are issued by FTA. Program assumes availability of financing proceeds, subject to future Commission authorization. If financing is not secured, this program will be revised accordingly.
2	AC Transit: \$25,416,508 of BATA Project Savings and \$7,672,907 of AB 664 Bridge Toll funds have been programmed to AC Transit's Core Capacity Challenge Grant Program (CCCCG) projects, proportionately, according to the CCCCCG funding plan from FY2016-17 through FY2019-20. AC Transit is exercising a Preventive Maintenance Funding Exchange in FY2016-17 for electric battery buses (\$3,003,000), using 5307 for PM in place of local funds for the bus purchases. They are also using compensation for deferred replacement of 40 40-foot diesel electric hybrids for one year (from FY17 to FY18) for \$780,640.
3	Caltrain's FY17 FG cap reduced by \$3,264,826 (\$1,570,770 from FY16 and \$1,694,056 from FY17) to \$11,128,174 due to failure to meet grant spend-down goals in FY15 and FY16. Programming of 5337 funds to the South San Francisco Station and Revenue Vehicle Rehab projects in FY17 is conditioned on action by the SMCTA Board to program an equal dollar amount to the PCEP, fixed guideway projects (up to Caltrain's cap amount) or other Score 16 projects. In July 2017, \$5.2M of 5337 reprogrammed from Systemwide Track Rehab to the South San Francisco Station project to offset an equal reprogramming from the station project to track rehab in the FY15 program. Also, \$5.2 million of 5337 reprogrammed from South San Francisco station project (to be replaced with San Mateo local funds) to the Revenue Vehicle Rehab project; there is no net decrease in funding to the station project from these actions.
4	Petaluma is using compensation for deferred replacement of a paratransit vehicle from FY12 to FY17. They are applying compensation to Transit Yard Facility Project in FY17 (\$45,100).
5	SamTrans, in FY17, is applying for the incremental cost difference between 10 diesel and 10 hybrid 40-foot buses that were programmed in FY15 and FY16. This will help fund the increased cost of purchasing 10 electric buses from the 60 bus replacement project (SM150005) for a demonstration project.
6	SFMTA: \$12,741,300 of BATA Project Savings and \$6,283,687 of AB 664 Bridge Toll funds have been programmed to SFMTA's CCCCCG projects, proportionately, according to the CCCCCG funding plan in FY2016-17 through FY2019-20. Additionally, CCCCCG Funds totalling \$152 million (\$69,443,401 of AB 664 and \$83,000,000 of BATA Project Savings) have been reprogrammed from BART to SFMTA in the FY17-FY20 program period. Allocation of these funds will be committed upon the execution of financing. In FY17, SFMTA's FG cap reduced by \$21,470,406 to \$12,555,504 due to failure to meet grant spend-down goals in FY16.
7	WETA: \$4,941,210 of FG caps voluntarily deferred in FY15 (\$3,424,000) and FY16 (\$1,517,210) are being restored through FY20.
8	VTA requested and was granted a waiver to program \$5M in FG projects above FG cap amounts in FY17. VTA to produce an SRTP or similar by the end of FY17 so that staff can ensure sufficient FTA funds are available to cover VTA capital needs before granting exceptions for FY18-FY20.
9	GGBHTD: \$23,628,000 of FG caps voluntarily deferred from FY11 through FY16 are being restored in FY19.
10	In FY20, MCTD will request less than bus list price for 2 35-ft diesel buses, and apply 1/12 of savings to a PM project.
11	Petaluma is using compensation for deferred replacement of a paratransit vehicle from FY15 to FY18 and another from FY16 to FY18. They are applying compensation to purchase a service vehicle in FY18 (\$28,000). Petaluma is using compensation for deferred replacement of two paratransit vehicles from FY17 to FY20. They are applying compensation to Transit Yard Facility Project in FY20 (\$90,528).
12	VTA and Caltrain are executing a local fund swap in FY18 and FY19, with VTA applying \$300K of local sales tax funds on a Score 16 FG project for Caltrain and Caltrain directing \$300K of FTA funds for a FG project for VTA. Caltrain's FY18 programming for Systemwide Track Rehab was reduced by \$300K in the San Jose UZA, and VTA's FY19 programming for their Rail Replacement Program was increased by \$300K.
13	WestCat is deferring replacement of 4 40-ft diesel buses from FY17 to FY19. They are applying compensation from deferred replacement to supplement funding for the replacement of 4 40-ft diesel buses with 4 40-ft TBD buses in FY19. The FY19 TCP program will need to be revised to specify the type of buses being procured before WestCAT includes these funds in an FTA grant.
14	WETA is exercising a fund swap, using local funds for ferry vessel replacement purchases and applying FTA funds in the same amount to Richmond Ferry Service expansion in FY18.
15	BART's FY18 FG cap reduced by \$436,918 to \$49,774,082 due to failure to meet grand spend-down goals in FY17.
16	Caltrain's FY18 FG cap reduced by \$380,691 to \$14,012,309 due to failure to meet grand spend-down goals in FY17.
17	SFMTA's FY18 FG cap reduced by \$14,023,663 to \$20,002,337 due to failure to meet grand spend-down goals in FY17.
18	WETA is voluntarily deferring \$11,801,652 of FG caps during the 4-year programming period, to be restored after FY20.
19	In FY19, \$20.75M of SFMTA's \$25M voluntary deferred FG cap funding from FY15 and FY16 is being restored as part of the funding exchange for Central Subway discussed in Note 20.
20	In FY19, SFMTA, SFCTA, and MTC executed a funding swap to provide \$61.75 million in funding for SFMTA's Central Subway to make up for a delay in receipt of State Transportation Improvement Program (STIP) funds. The swap consists of \$20 million of funds from SFMTA, \$21 million from SFCTA, and \$20.75 million from MTC. MTC's share is reprogrammed from the FTA 5337 portion of the Debt Service Repayment project to Muni Rail Replacement, Wayside/Central Train Control & Trolley Signal Systems Rehab, Muni Metro East Facility - Boiler Replacement, L-Taraval Improvement Project - SGR Project Elements, Van Ness BRT - SGR Project Elements, and FG Facilities Condition Assessments Implementation Projects in exchange for local funds from those projects being reprogrammed to Central Subway. Future STIP funds will be repaid to the TCP Program to make up for this programming action.
21	\$13.2 million of FTA Section 5337 funds programmed to SFMTA's LRV replacement in FY19 are conditioned on resolution of mechanical issues with the replacement LRVs that came to light in April 2019. These funds will not be amended into the TIP until resolved.
22	FG Caps for FY20 for all FG operators will be revised if necessary based on performance against grant spend-down targets as specified in TCP policy.

**Metropolitan Transportation Commission and the Association of Bay Area Governments
Joint MTC Legislation Committee and
ABAG Legislation Committee****May 10, 2019****Agenda Item 7a**

Housing Legislative Working Group Update

Subject: Report on the work of the ABAG-MTC Housing Legislative Working Group, convened to provide input into staff's analysis of key housing bills under consideration in Sacramento this year.

Background: The Housing Legislative Working Group was convened in late March by ABAG and MTC as an action item following on the ABAG and MTC boards' motions related to the CASA Compact. Specifically, the MTC motion directed staff to do outreach to local elected officials as part of any advocacy related to housing, while the ABAG motion specifically directed staff to form a task force comprised of local elected officials to provide input on legislation. The group was convened in an advisory capacity to provide their perspectives to staff for communication to the MTC and ABAG Legislative Committees.

The group included a county representative from each of the nine counties appointed by the board of supervisors and two city representatives for each county. See Attachment A for the committee's roster. The HLWG met on a weekly basis through the month of April and held its most recent meeting on May 1. At the first meeting the group developed organizing principles by which to analyze housing legislation, as detailed in Attachment B. Beginning with the second meeting, staff provided presentations to the working group that discussed various bills in the context of the organizing principles and sought input from the group on each bill. Attachment C shows the bills that staff presented to the group, along with their current status. A web page was formed on the MTC site to provide easy access to the meeting materials, including videos.

Discussion: The HLWG meetings were well attended and provided staff with a deeper understanding of the unique concerns across the region. While the views on bills were not unanimous (see Attachments D and E for member comments and meeting notes), there were a number of common themes, including:

- Agreement that there is a housing crisis and more housing needs to be built at all income levels, and faster;
- Agreement that additional funding is needed to help pay for affordable housing and that the lack of funding is a significant barrier to getting projects built;
- Concern that legislative proposals aren't addressing the underlying problem of the high cost of housing in California;
- Cities that are doing the right thing should get credit for this. Many are painted as obstructionist even though they have entitled hundreds of units; often projects aren't moving due to market conditions beyond local control.

- Concern about the loss of local control over zoning, housing approvals, or the pace of approvals;
- Concern that bills to mandate increased zoning for housing density and by-right development are not accompanied by funding to address associated impacts on schools and infrastructure, including transportation impacts;
- Concern about proposals to limit or prohibit housing impact fees and how the funds from those would be replaced;
- In the East Bay, a view that the region's focus in the near term should be to bring more housing to the parts of the region that have produced the most jobs and have the greatest jobs-housing imbalance (i.e. San Francisco and Silicon Valley). As a complement to this effort, employers should be incentivized to locate in the parts of the region with the most housing;
- Concern about policies to require increased reporting or accelerated project approvals without commensurate increase in resources.

Staff appreciates the time and energy that HLWG members invested in this effort. We learned a great deal and appreciate the perspectives that were shared. While our proposed bill position recommendations weren't reviewed or discussed with the HLWG and undoubtedly won't be supported by every member of the committee, we hope members recognize that many of the amendment suggestions are a direct result of comments shared at the HLWG.

Our analysis was built upon the following principles:

1. The Bay Area faces a housing affordability crisis of enormous proportions that has been decades in the making; addressing it will require bold changes that may cause some discomfort, but we must not miss this political opportunity to make significant progress.
2. This is not just about housing. The region's transportation challenges are intimately connected to and exacerbated by the lack of availability of housing for all income levels in close proximity to public transit and jobs. Without affordable housing, people simply drive further, causing traffic congestion to worsen and undermining our best efforts to reduce our carbon footprint.
3. The region's affordability challenges are intimately connected to the cost of housing. It was the equity analysis in Plan Bay Area 2040 that led ABAG and MTC to call for numerous housing policy changes in the [Action Plan](#). Many of the bills on your agenda today provide an opportunity to address specific components of that plan.

In formulating our recommendations for today, staff sought to find ways to engage with the Legislature in a positive, constructive manner. While we are recommending numerous amendments to bill, we are not recommending any “oppose” positions. We will continue to track the broader set of bills circulating through the Legislature to see which ones survive the next set of deadlines and, if warranted, pursue oppose recommendations this summer.

Attachments:

Attachment A: ABAG MTC Housing Legislative Working Group Roster

Attachment B: Housing Legislative Working Group’s Organizing Principles for Reviewing Housing Legislation

Attachment C: 2019 California Housing Bill Matrix

Attachment D: Housing Legislative Working Group - Member Comments by Topic and County

Attachment E: HLWG Meeting Notes

Attachment F: Letters shared by HLWG members related to housing policy


Therese W. McMillan



ABAG MTC Housing Legislative Working Group Roster

Chair—Julie Pierce, Vice Mayor, City of Clayton

Vice Chair—Jake Mackenzie, Councilmember, City of Rohnert Park

County of Alameda—Supervisor Keith Carson

County of Contra Costa—Supervisor John Gioia

County of Marin—Supervisor Judy Arnold

County of Napa—Supervisor Ryan Gregory

City and County of San Francisco—Supervisor Hillary Ronen

County of San Mateo—Supervisor Don Horsley

County of Santa Clara—Supervisor Susan Ellenberg

County of Solano—Supervisor John Vasquez

County of Sonoma—Supervisor James Gore

Alameda County Mayors Conference—

Marilyn Ezzy Ashcraft, Mayor, City of Alameda

Lily Mei, Mayor, City of Fremont

Contra Costa County Mayors Conference—

Newell Arnerich, Councilmember, City of Danville

Laura Hoffmeister, Councilmember, City of Concord

Marin County City Selection Committee—

Joan Cox, Councilmember, City of Sausalito

Alice Fredericks, Councilmember, Town of Tiburon



ABAG MTC Housing Legislative Working Group Roster

Napa County City Selection Committee—

Mary Luros, Councilmember, City of Napa

Anna Chouteau, Councilmember, City of St. Helena

City and County of San Francisco, Mayor—

Ken Rich, Development Director, Office of Economic and Workforce Development

John Rahaim, Planning Director

San Mateo County City Selection Committee—

Donna Colson, Mayor, City of Burlingame

Cliff Lentz, Councilmember, City of Brisbane

Cities Association of Santa Clara County—

Larry Klein, Mayor, City of Sunnyvale

Margaret Abe-Koga, Vice Mayor, City of Mountain View

Solano County City Selection Committee—

Ron Rowlett, Mayor, City of Vacaville

Anthony Adams, Councilmember, City of Suisun City

Sonoma County Mayors and Councilmembers Association—

Amy Harrington, Mayor, City of Sonoma

Gina Belforte, Mayor, City of Rohnert Park

Association of Bay Area Governments—

Kevin McDonnell, Vice Mayor, City of Petaluma

Metropolitan Transportation Commission—

Trish Munro, Councilmember, City of Livermore

4/16/19

**Housing Legislative Working Group's
Organizing Principles for Reviewing Housing Legislation**

1. Funding: More funding is needed. Does the bill provide more funding to help address the housing crisis related to one or more of the 3Ps of protection, production and preservation?
2. Production: More housing is needed across the affordability spectrum. Does the bill propose policy changes that are expected/intended to increase affordable and market rate housing production?
3. Protection: Does the bill propose ways to reduce displacement pressure on vulnerable Bay Area residents?
4. Flexibility: Our communities are unique. Does the bill account for differences across communities?
5. Jobs/Housing Balance: Does the bill help reduce jobs/housing imbalances across the region and account for different degrees of imbalance, and allow people to live closer to their jobs?
6. Reward Best Practices: Some communities have made great strides in production, preservation, and protection. Does the bill recognize prior actions taken locally consistent with intent of the bill to address the housing crisis?
7. Financial Impact: Are there potential financial impacts or other unintended consequences on local jurisdictions and/or taxpayers?
8. Transportation & Infrastructure Impacts: Does the bill address transportation or other infrastructure impacts (e.g. schools, water, parks) resulting from increased housing?
9. Parallel Policy Mandate: Does the bill support other state policies/priorities (e.g. GHG reduction/SB375)
10. Resilience: Does the bill improve resilience in local communities with respect to sea level rise, earthquakes, fire, flooding, etc.?

Shading indicates
 bills discussed by
 working group

2019 California Housing Bill Matrix

Last Updated: May 6, 2019 11:00 AM

Topic	Bill	Summary	Status as of 5/6/19
PROTECTION			
Rent Cap	AB 36 (Bloom)	Loosens, but does not repeal, Costa Hawkins to allow rent control to be imposed on single family homes and multifamily buildings 20 10 -years or older, with the exception of buildings owned by landlords who own just 10 or fewer one or two units.	Assembly Rules (Non-fiscal; Amended 4/22)
	AB 1482 (Chiu)	Caps annual rent increases by five percent an unspecified amount above the percent change in the cost of living and limits the total rental rate increase within a 12 month period to 10 percent. Exempts housing subject to a local ordinance that is more restrictive than the bill. Prohibits termination of tenancy to avoid the bill's provisions.	Assembly Appropriations (Hearing scheduled 5/8/19) (Amended 4/22/19)
Just Cause Eviction	AB 1481 (Bonta)	Prohibits eviction of a tenant without just cause stated in writing. Requires tenant be provided a notice of a violation of lease and opportunity to cure violation prior to issuance of notice of termination.	Assembly Third Reading (Passed Assembly Judiciary Committee on 4/30/19; Amended 4/23/19)
	AB 1697 (Grayson)	For a lease in which the tenant has occupied the property for 10 12 months or more, prohibits eviction of a tenant without just cause stated in writing.	Assembly Third Reading (Amended 5/1/19)
Tenant Organizing Rights	SB 529 (Durazo)	Declares that tenants have the right to form, join, and participate in the activities of a tenant association, subject to any restrictions as may be imposed by law, or to refuse to join or participate in the activities of a tenant association.	Senate Appropriations (Amended 4/30/19)

Topic	Bill	Summary	Status as of 5/6/19
PROTECTION, cont.			
Rent Assistance & Access to Legal Counsel	SB 18 (Skinner)	<ul style="list-style-type: none"> Authorizes a competitive grant program to be administered by Department of Housing and Community Development (HCD) to provide emergency rental assistance and moving expenses and grants to local governments to provide legal aid for tenants facing eviction, mediation between landlords and tenants and legal education. The primary use of grant funds must be for rental assistance. Requires <i>the Department of Consumer Affairs</i> HCD to post all state laws applicable to the tenant-landlord relationship on its web site by January 1, 2021 and to update biannually 	Senate Appropriations (Amended 4/23/19)
PRODUCTION & PRESERVATION			
Accessory Dwelling Units (ADUs)	AB 68 (Ting)	<ul style="list-style-type: none"> Prohibits local ADU standards from including certain requirements related to minimum lot size and parking spaces. Requires an ADU (attached or detached) of at least 800 square feet and 16 feet in height to be allowed. Reduces the allowable time to issue a permit from 120 days to 60 days. 	Assembly Appropriations Suspense File
	AB 69 (Ting)	<ul style="list-style-type: none"> Requires HCD to propose small home building standards to the California Building Standards Commission governing accessory dwelling units and homes smaller than 800 square feet. Authorizes HCD to notify the Attorney General if they find that an ADU ordinance violates state law. 	Assembly Appropriations Suspense File
	AB 587 (Friedman)	<ul style="list-style-type: none"> <i>Authorizes an local agency to allow, by ordinance,</i> an ADU that was ministerially approved to be sold separately from the primary residence to a qualified buyer if the property was built or developed by a qualified nonprofit corporation and a deed restriction exists that ensures the property will be preserved for affordable housing. 	Senate Rules (Amended 4/22/19)
	AB 671 (Friedman)	Requires local agencies to include in their housing element a plan that incentivizes and promotes the creation of ADUs that can be offered for rent for very low-, low- and moderate-income households.	Assembly Appropriations (Hearing scheduled 5/8/19)
	AB 881 (Bloom)	Eliminates ability of local jurisdiction to mandate that an applicant for an ADU permit be an owner-occupant.	Assembly Third Reading

Topic	Bill	Summary	Status as of 5/6/19
PRODUCTION & PRESERVATION (cont'd)			
ADUs (cont'd)	SB 13 (Wieckowski)	<ul style="list-style-type: none"> • Maintains local jurisdictions' ability to define height, setback, lot coverage, parking and size of an ADU related to a specified amount of total floor area. • Prohibits local agency from requiring the replacement of parking if a space is demolished to construct an accessory dwelling unit. • Allows a local agency to count an ADU for purposes of identifying adequate sites for housing. • Creates a 10-year amnesty program 	Senate Appropriations Suspense File (Amended 4/23/19)
Zoning/ Housing Approvals	AB 1279 (Bloom)	<ul style="list-style-type: none"> • Requires HCD to designate areas in the state as high-resource areas, by January 1, 2021, and every 5 years thereafter. • Makes housing development in such areas "by right" if the project is no more than four units in an area zoned for single family homes or up to 40 units and 30 feet in areas generally zoned for residential, subject to certain affordability requirements. 	Assembly Appropriations (Hearing scheduled 5/8/19)
	SB 4 (McGuire)	<ul style="list-style-type: none"> • Allows an eligible transit-oriented development (TOD) project that is located within ½ mile of an existing or planned transit station and meets various height, parking, zoning and affordability requirements a height increase up to 15 feet above the existing highest allowable height for mixed use or residential use. • Exempts a TOD project within ¼ mile of a planned or existing station from minimum parking requirements in jurisdictions > 100,000 in population. • Establishes a new category of residential project – a "neighborhood multifamily project" as a project that on vacant land that is allowed to be a duplex in a nonurban community or a four-plex in an urban community and grants such projects ministerial approval. 	Senate Governance and Finance (No longer active; provisions of the bill to be incorporated into SB 50 (Wiener))

Topic	Bill	Summary	Status as of 5/6/19
PRODUCTION & PRESERVATION (cont'd)			
Zoning/ Housing Approvals (cont'd)	SB 50 (Wiener)	<ul style="list-style-type: none"> Allows upzoning within ½-mile of transit and in high-opportunity areas <i>in counties with a population > 600,000.</i> Provides for a five-year deferral of bill's provisions in "sensitive communities" that would be defined by HCD in conjunction with community groups. Excludes sites that contain housing occupied by tenants or that was previously occupied by tenants within the preceding seven years or the owner has withdrawn the property from rent or lease within 15 years prior to the date of application. <i>Allows upzoning one-story above the highest allowable height in counties with a population ≤ 600,000.</i> <i>Requires ministerial approval of fourplexes on vacant land</i> 	Senate Appropriations (Substantially amended 5/1/19)
	SB 330 (Skinner)	<ul style="list-style-type: none"> Restricts a local jurisdiction or ballot measure from downzoning, establishing or implementing limits on permit issuance or population <i>unless the limit was approved prior to January 1, 2005 in a predominately agricultural county,</i> or imposing building moratoria on land where housing is an allowable use within an affected county or city identified by HCD as having fair market rate __ percent higher than <i>national statewide</i> average fair market rent for the year and a vacancy rate below __ percent. Prohibits a city or county from conducting more than <i>five</i> three de novo hearings on an application for a housing development project. <i>Modifies parking requirements to allow 0.5 space/unit, unless an affected city is located in a county with a population of 700,000 or greater or the affected city has a population of 100,000 or greater and is in a county of 700,000 in population or less.</i> Ten year emergency statute. 	

Topic	Bill	Summary	Status as of 5/6/19
PRODUCTION & PRESERVATION (cont'd)			
Fees/ Transparency	AB 724 (Wicks)	<ul style="list-style-type: none"> Requires HCD to create a rental registry online portal designed to receive specified information from landlords and to disseminate this information to the general public. Requires HCD complete the rental registry online portal by January 1, 2021, and would require landlords to register within 90 days and annually thereafter. Landlords that fail to register would be subject to a \$50 civil penalty per rental unit. <i>Requires a code enforcement officer to report a residential property owned or operated by a landlord subject to the registration requirement to HCD.</i> 	<p>Senate Appropriations (Hearing scheduled 5/8/19)</p> <p>(Passed Senate Housing with substantial amendments, 4/22/19)</p>
	AB 847 (Grayson)	<ul style="list-style-type: none"> Requires HCD to establish a competitive grant program, subject to appropriation by the Legislature, to offset the cost of housing-related transportation impact fees. Qualifying recipients would be cities and counties, which may apply jointly with a developer. Projects must be at least 20 percent affordable (specific area median income (AMI) level unspecified) and be consistent with sustainable communities strategy (SCS); Preference for TOD. 	<p>Assembly Housing and Community Development (2-year bill)</p>
	AB 1483 (Grayson)	<ul style="list-style-type: none"> Requires a city or county to <i>maintain a current schedule of fees applicable to a housing development project</i> compile of zoning and planning standards, fees, special taxes, and assessments in the jurisdiction. Requires each local agency to post the <i>fee schedule list and all zoning ordinances and development standards</i> on its website and provide the <i>information list</i> to the HCD and any applicable metropolitan planning organization (MPO). Requires each city and county to annually submit specified information concerning pending housing development projects with completed applications HCD and any applicable MPO. 	<p>Assembly Appropriations (Hearing scheduled 5/8/19)</p> <p>(Amended 4/29/19)</p>

Topic	Bill	Summary	Status as of 5/6/19
PRODUCTION & PRESERVATION (cont'd)			
Fees/ Transparency, cont.	AB 1484 (Grayson)	<ul style="list-style-type: none"> Prohibits a local agency from imposing a fee on a housing development project unless the type and amount of the exaction is specifically identified on the local agency's internet website at the time the development project application is submitted. Prohibits a local agency from imposing, increasing, or extending any fee on a housing development project at an amount that is in excess of information made available on its web site. <p>Applicable to all cities statewide, including charter cities.</p>	Assembly Appropriations (Hearing scheduled 5/8/19)
Streamlining	AB 1485 (Wicks)	Modifies affordability requirements applicable to the by-right provisions in SB 35 (Wiener, 2017) such that a project can dedicate 10% of the total number of units to housing affordable to households making below 80 percent of the AMI or 20 percent to households earning below 120 percent AMI with an average income of units at or below 100 percent. <i>Substantially Amended</i> 4/11/19	Assembly Third Reading
	AB 1706 (Quirk)	<ul style="list-style-type: none"> Provides specified financial incentives to a residential development project in the San Francisco Bay Area that dedicates at least 20 percent of the housing units to households making no more than 150 percent AMI. Incentives include exemption from CEQA, a cap on fees, a density bonus of 35 percent, parking reductions and a waiver of physical building requirements imposed on development, such as green building standards. 	Assembly Housing and Community Development (2-year bill)
	SB 621 (Glazer)	<ul style="list-style-type: none"> Requires the Judicial Council to adopt a rule of court applicable to an action to challenge an environmental impact report for an affordable housing project, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceeding with the court. <i>Provides that these provisions do not apply to an affordable housing project if it is in certain locations.</i> Prohibits a court from staying or enjoining the construction or operation of an affordable housing project unless it makes certain findings. 	Senate Appropriations (Amended 4/30/19)

Topic	Bill	Summary	Status as of 5/6/19
PRODUCTION & PRESERVATION (cont'd)			
Public Lands	SB 6 (Beall)	<ul style="list-style-type: none"> Requires HCD to provide the Department of General Services (DGS) with a list of local lands suitable and available for residential development as identified by a local government as part of the housing element of its general plan. <i>Authorizes HCD to provide local governments standardized forms to develop site inventories and requires that local governments adopting housing elements after January 1, 2021 electronically submit site inventories to HCD.</i> Requires DGS to create a database of that information and information regarding state lands determined or declared excess and to make this database available and searchable by the public by means of a link on its internet website. 	Senate Appropriations Suspense File (Amendments accepted and re-referred to Senate Appropriations, 4/23/19)
	AB 1255 (Rivas)	Requires the housing element to contain a surplus lands inventory and requires the city or county to separately identify those sites that qualify as infill or high density.	Assembly Appropriations Suspense File
	AB 1486 (Ting)	<ul style="list-style-type: none"> Revises the definitions of “local agency” and “surplus land” applicable to the current Surplus Lands Act (SLA) requirement that local agencies provide right of first refusal to affordable housing developers when disposing of surplus land. Revises and clarifies state and local process requirements related to surplus land disposal. Permits 100 percent affordable development on surplus land regardless of local zoning; Provision does not apply to exempt surplus land or land ineligible for state affordable housing financing programs Requires that HCD create and maintain a statewide inventory of local surplus lands. The inventory would be developed from information submitted by local agencies. Expands HCD’s enforcement mandate to include the SLA. 	Assembly Appropriations

Topic	Bill	Summary	Status as of 5/6/19
PRODUCTION & PRESERVATION (cont'd)			
Funding (Note: Funding is the most relevant category for affordable housing preservation)	AB 10 (Chiu)	Expands the state's Low Income Housing Tax Credit program by \$500 million per year <i>from 2020 through 2024</i> , up from \$94 million, leveraging an estimated \$1 billion in additional federal funds annually.	Assembly Revenue and Taxation (Hearing 5/6/19; Urgency bill, Amended 4/30/19)
	AB 11 (Chiu)	<ul style="list-style-type: none"> Authorizes a city or county or two or more cities acting jointly to form an affordable housing and infrastructure agency that could use tax increment financing to fund affordable housing and infrastructure projects; A minimum of 30 percent of funds would be required to be invested in affordable housing. Requires the Strategic Growth Council approve new agencies and that expenditure plans for such agencies be aligned with the state's greenhouse gas reduction goals. 	Assembly Appropriations (Passed Assembly Local Government, 4/24/19)
	AB 1487 (Chiu)	<ul style="list-style-type: none"> Establishes the Housing Alliance for the Bay Area (HABA), a new regional entity serving the nine Bay Area counties to fund affordable housing production, preservation and tenant protection programs. Authorizes HABA to place unspecified revenue measures on the ballot, issue bonds, allocate funds to the various cities, counties, and other public agencies and affordable housing projects within its jurisdiction to finance affordable housing development, preserve and enhance existing affordable housing, and fund tenant protection programs, Provides that HABA will be governed by a board composed of an unspecified number of voting members from MTC, ABAG and gubernatorial appointees and staffed by MTC. 	Assembly Appropriations (Amended 4/29/19 to remove governance provisions to allow more time to negotiate this aspect of the bill.)
	AB 1568 (McCarty)	Conditions eligibility for <i>state grants</i> SB 1 local street and road fund on an HCD determination that a <i>jurisdiction's housing element</i> is in compliance with state law, <i>including that a jurisdiction has an HCD-approved housing element and that HCD has not found the jurisdiction in violation of the Housing Accountability Act or Density Bonus law.</i>	Assembly Appropriations (Hearing scheduled 5/8/19)

Topic	Bill	Summary	Status as of 5/6/19
PRODUCTION & PRESERVATION (cont'd)			
Funding (cont'd)	AB 1717 (Friedman)	Establishes the Transit-Oriented Affordable Housing Program, to be administered by the California Housing Finance Agency (CalHFA). The program would allow a city or county to participate in the program by enactment of an ordinance establishing a TOD housing district. Such a district would be authorized to use tax-increment finance through a diversion of property taxes, including the school portion, to finance affordable housing projects. Funds would be redirected to CalHFA who would be authorized to issue bonds to pay for the projects.	Assembly Appropriations (Hearing scheduled 5/8/19)
	SB 5 (Beall)	<ul style="list-style-type: none"> • Authorizes local agencies to apply to the state to reinvest their share of ERAF (Educational Revenue Augmentation Fund) funds in affordable housing or other community improvement purposes. Sets an initial limit of \$200 million per year for the first five years, growing to \$250 million in 2029. • Establishes the Local-State Sustainable Investment Incentive Program which would be administered by a new Sustainable Investment Incentive Committee comprised of state agency representatives and legislative and gubernatorial appointees. • Requires at least 50 percent of funds to be allocated for affordable housing and workforce housing and for 50 percent of the units to be affordable. • <i>Authorize certain local agencies to establish an affordable housing and community development investment agency and authorize an agency to apply for funding under the program and issue bonds, as provided, to carry out a project under the program.</i> • MTC and ABAG support in concept 	Senate Appropriations Suspense File (Amended 4/23/19)

Topic	Bill	Summary	Status as of 5/6/19
PRODUCTION & PRESERVATION (cont'd)			
Funding (cont'd)	ACA 1 (Aguiar-Curry)	<ul style="list-style-type: none"> Reduces vote threshold for local bonds or special taxes for affordable housing production, preservation or public infrastructure. MTC and ABAG support 	Assembly Appropriations Suspense File
	SB 128 (Beall)	<ul style="list-style-type: none"> Eliminates the voter approval requirement for Enhanced Infrastructure Financing Districts (EIFDs), which can be used to finance affordable housing production and preservation, among other purposes. MTC and ABAG support 	Assembly Local Government
Planning	AB 725 (Wicks)	Prohibits more than 20% of a <i>suburban or metropolitan</i> jurisdiction's share of regional housing need for above moderate-income housing from being allocated to sites with zoning restricted to single-family development.	Assembly Housing and Community Development (2-year bill)
	SB 235 (Dodd)	Allows the City and the County of Napa to reach an agreement under which the county would be allowed to count certain housing units built within the city toward the county's regional housing needs assessment (RHNA) requirement.	Assembly Desk
	SB 744 (Caballero)	Requires a lead agency to prepare the record of proceeding for a No Place Like Home project with the environmental review of the project if it is not eligible for approval as a use by right.	Senate Appropriations (Amended on 4/29/19)

* Amendments are not yet in print and/or staff has not yet incorporated amendments into this matrix.

Housing Legislative Working Group - Member Comments by Topic and County

From HLWG meetings held on 4/5, 4/11, 4/18, 4/25, 2019

Protection Bills	
County	Comments
Contra Costa	-Legislation should consider the unintended consequences of rent control, such as possible landlord collusion to fix or increase rent prices -AB 36 will weaken the Costa-Hawkins Rental Control Act
Solano	-One-time funding of SB 18 is a concern
San Francisco	-Costa-Hawkins had its limitations
San Mateo	-Preference for local control over tenant protections; would like to see more incentives for landlords to keep rents low and avoid steep increases -Just Cause Eviction Protections should be limited to people earning below a specific (to-be-determined) average median income

Accessory Dwelling Units	
County	Comments
Alameda	-Favors law allowing ADUs in garages for residences close to major transit centers -Leniency in ADUs helps keep multigenerational families together -Prefab housing could be part of the solution
Contra Costa	-Lower impact fees now that the economy has bounced back. -There should be policies to make ADU creation easier, perhaps a set of standardized preapproved ADU designs to reduce the permitting/architecture costs -Waiving codes can be dangerous – safety concerns -ADUs and JDUs should count toward RHNA requirements -AB 68, SB 13 and AB 69 are generally supportable
Marin	-Marin County is mostly single-family housing. ADUs and junior accessory dwelling units (JADUs) are key. Use ADUs and JADUs and to meet the RHNA requirements with low-and very-low-income housing. We should not have to pay for utility hookup fees for them within existing homes.
Napa	-Whatever laws get passed should allow the flexibility to continue the work Napa has already started on ADUs
San Mateo	-Zoning laws around ADUs are about public safety -Lack of parking requirement with ADUs is a concern -Require that ADUs not to be used for short-term rentals like Airbnb
Solano	-Concern for removing impact fees vis-à-vis utilities systems, which will need updates to meet increased usage -Concern over school funding

AB 1487 – Governance/Funding	
County	Comments
San Mateo, Napa, Marin, Contra Costa	-Retaining local land use authority is crucial. Need to retain local control.

Contra Costa, San Mateo, Solano	Taxes should be on large employers (e.g. a head tax) and proportionally adjusted upward in areas contributing the most to the jobs-housing imbalance, such as San Francisco, San Mateo and Santa Clara
AB 1487 – Governance/Funding, contn'd.	
County	Comments
Santa Clara, San Mateo	-Could adversely affect the Caltrain measure going on the ballot in 2020 (1/8 cent sales tax on ballot next year in Santa Clara, San Mateo and San Francisco Counties)
Contra Costa, Santa Clara	-Tax increases make the region less competitive economically. Focus instead on redirecting existing online sales tax revenue to the point of sale.
Alameda	<ul style="list-style-type: none"> -Proposal for new regional body is not appreciated, given how CASA didn't include smaller cities until after Compact was done, instead of including them earlier in the conversation -Concerned the three biggest cities would have disproportionate amount of power in HABA -If this work needs a regional administrative body, it should be ABAG -Doesn't address jobs-housing balance by city or by sub-region (East/West) -Could worsen social injustice by forcing more low-income workers to commute even greater distances -More transit investments needed to help people moving to Tri-Valley, Tracy and Stockton get to and from work in Bay Area -Bay Area is already so heavily taxed -Doesn't address the need to fund more transit, schools, etc. for new residents -What happens when regional tax measures compete with local tax measures? -Bill doesn't take into account the innovative things many cities are already doing
Contra Costa	<ul style="list-style-type: none"> -Housing crisis is a statewide problem and needs a permanent statewide funding source. Sales and parcel taxes are all we have to fund schools, parks and local infrastructure. -MTC shouldn't be part of this new organization. Issues with the way MTC handled transportation funding and its distribution in the past. -New regional agency isn't needed to secure or allocate housing funds; the counties can do it. Many have a system in place now to allocate state and county funds. -Can HABA be managed through existing non-profits? -For linkage fees, the term "mixed use" should be better defined in the bill
Santa Clara	<ul style="list-style-type: none"> -Santa Clara passed a \$950 million bond for affordable housing. A regional tax on top of that would cause outrage with residents; double taxation. -Opposed to new layer of regional bureaucracy -Funds should not be used for general fund as reward for achieving housing goals; should all be for affordable housing directly -City Association of Santa Clara County supports ABAG playing this role -One job-rich city stated that it is considering limiting future office growth -Concerned about redundancies with funding sources, double taxation (RL notes: with any sales tax increase for housing, the amount would be reduced proportionally in each jurisdiction where a sales tax measures was already dedicated to housing)
San Francisco	<ul style="list-style-type: none"> -Supports AB 1487; the technical assistance and data a regional housing entity could provide cities across the region is a very important part of it -Unlike other urban centers <i>most, if not all</i>, of the Bay Area is unaffordable

	<ul style="list-style-type: none"> -We do transportation funding regionally, we should do the same for housing. ABAG currently provides regional funding through the San Francisco Estuary Partnership and SF Restoration Authority (\$25 million/year thru regional Measure AA). -Taxes are not the top contributor to the Bay Area's high cost of living -Even if SF had not accepted so many new tech jobs, those jobs would have gone somewhere else in the Bay Area
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AB 1487 – Governance/Funding, contn'd.

County	Comments
San Mateo	<ul style="list-style-type: none"> -Prefer to see new resources come from the state -Concerned they would not qualify for the various affordable housing funds; they have not qualified for redevelopment funds in the past -Oppose new regional agency that will only be responsive to three big cities -Recently spent \$150 million to expand local school capacity but will soon need more -Sales and parcel taxes should be dedicated to local needs. -State legislature vote could give counties the direct authority to charge larger employers a head tax
Solano	<ul style="list-style-type: none"> -Few rewards currently for cities/counties contributing to affordable housing. Suisun residents want more housing, but the costs and competitive nature of the Bay Area labor market makes this challenging. More financial help is needed as part of a regional or statewide solution. -Would like to see more of a focus on the jobs-housing balance; would welcome employers such as Facebook or Amazon and house their employees -If MTC and ABAG each get 9 seats on the board, one should be from each county. Bill should specify how counties are represented. -Feels like another example of legislators coming up with big-picture ideas without fully thinking through the many potential unintended consequences.

SB 330 – Streamlining Permit Approvals, Upzoning, Substandard Building Upgrades

County	Comments
Alameda, Contra Costa, Santa Clara, San Francisco, San Mateo	-Locking in design standards based on 1/1/2018 hinders ability to update and improve local design review; no room for environmental/resilience upgrades; would undo years' worth of work (would nullify Central SOMA Plan per SF)
Contra Costa, Marin, Santa Clara, San Mateo	-Parking concerns. Can't lessen parking without addressing traffic and/or transit. Remove parking from bill; parking needs should be addressed at the local level
Alameda, Contra Costa, Solano	-Already-approved projects are not being built. Bill doesn't solve this. Investigate developer responsibility/changes in ownership for slowing projects down, not just government responsibility
Alameda, San Francisco	-Impact and permit fees are important for local jurisdictions. Schools really need them. Provides what the state doesn't provide. Have to pay for this stuff somehow.

Contra Costa, San Francisco	-Clarification needed: when the developer slows the process down by requiring more time or asking for extensions, does that pause the 12-month clock for approvals?
SB 330 – Streamlining Permit Approvals, Upzoning, Substandard Buildings, contn'd.	
County	Comments
Alameda	<ul style="list-style-type: none"> -Residents of affordable housing projects use city services, so why should those buildings be exempt from impact fees? -Agreed current 5-10 year approval process too long, but 12 months too short. What about 1-3 years depending on scale and complexity of project? -Nothing in bill acknowledges funding gap/challenges for affordable housing -City permitting staff shortages often lead to slower project approvals -Doesn't address worsening traffic congestion that more housing will create -Re: substandard buildings provision, there needs to be a balanced approach. Comparing this to Oakland's Ghost Fire isn't fair – it would not have been allowed under the proposal given the life safety issues. It's better to have safer, ugly buildings than more tent cities, which is what's happening in Alameda -Seems to indicate that HABA would be collecting money, but no directive as to how or what HABA would do with the funding nor any indication of who the members will be
Contra Costa	<ul style="list-style-type: none"> -Redundant for many local jurisdictions that already have a standardized permitting process. -Concerns about one-size-fits-all HCD application form. Let local jurisdictions customize the form to account for local conditions. -Clarify the language to say "no state law can take away the redress from the public" -Language also impacts urban growth boundaries -Bill doesn't address the "real issues": labor & construction costs -Needs some exceptions for unintended consequences (for example, Concord Naval Base -retroactive zoning to current standards would kill this housing project) -Substandard building section creates some major legal liability issues for cities
Napa	-SB 330 addresses too many issues & will be ineffective because of it
Santa Clara	<ul style="list-style-type: none"> -An additional application will not fix current permitting pipeline problems -Streamlined application/approval process shouldn't apply to mixed-use project
San Francisco	<ul style="list-style-type: none"> -Tie timeline for permitting to size and complexity of project (6-24 mo.) -Objective design standards are a great goal but challenging to implement -Substandard buildings: need more flexibility & funding for owners to make upgrades
San Mateo	<ul style="list-style-type: none"> -Need allowances for historical and other landmark buildings -San Mateo has already made changes, so projects consistent with zoning don't even come to the city council and are just approved by staff -12 months is not enough time for approvals; allowances need to be made for extenuating circumstances -Legal nightmare for states to indemnify cities in substandard building section -Concern for using a rent standard linked to national standards when it is known that the Bay Area and California more broadly have the highest rents in the nation (note: bill doesn't yet specify what percent above the national average rent and

	below the national average vacancy rate a jurisdiction's average rent would need to be to fall under the bill's provisions.) -Does 0.5 parking space/unit requirement apply to shared parking or personal parking?
Solano	-Cities have to charge the fees they do because of Prop 13. Fix that first.

SB 50 – Upzoning, Development Incentives	
County	Comments
Alameda	<ul style="list-style-type: none"> -With some amendments, SB 50 deserves our support -Concern that new carve-outs by county population size don't fully address one-size-fits-all problem; would prefer sorting by small, medium, large, really large and isolated cities -Unintended consequence of incentivizing current transit-poor communities to delay or avoid any transit improvements -Jobs-rich provision doesn't address the need to move jobs from West to East Bay, focusing on housing without transportation doesn't address jobs-housing balance -GHG reduction was a major consideration of this bill -Fourplexes seems like "low hanging fruit" to address the housing crisis -Smaller units created by the fourplex regulation would be more affordable by design, especially if they must be built within the original blueprint of a house -Is there a way to guard against unintentionally incentivizing poor transit, for example, tying regulations to conditions dating back five years? -Seems to punish cities that have the best jobs-housing balance in the region -Fremont will be adversely impacted, despite having created 5,000 units of housing next to BART; past success is not being accounted for at all -Does not look at ways to use existing reverse commute capacity -Population increases that follow upzoning require more public safety officers, teachers, schools, etc., but bill doesn't identify new funding sources for them

Contra Costa	<ul style="list-style-type: none"> -Clarification needed on what constitutes a multi-family projects/homes -Combining SB 4 and SB 50 was a good idea -Re-evaluate and better definition of Sensitive Communities boundaries -Extra height doesn't always mean more units, since developers feel bigger units = better profit. Set density requirements instead. -Fourplexes will change character of existing neighborhoods. -Developers should be limited to height increases of no more than 50% of the height of adjacent buildings; these heights would gradually increase over time -Needs to be a better definition of "historical" buildings and districts. -Mixed reaction to carve-outs for counties under 600,000 people, particularly -for Marin County, given its proximity to San Francisco -If a house burns or needs to be demoed, can it be made into a fourplex when the property is being rebuilt? -Stay out of parking. Building near transit does not reduce the need for parking. We can't make people ride transit. Cities need authority to set parking standards based on the specifics of each project. -How do hook-up fees work when a single-family home is being changed to a fourplex, if three extra units require higher capacity water pipes/sewer? -Legislation needs to address root financial causes of housing crisis: changing lending practices and loss of construction labor force after last recession -Jurisdiction had 500 units entitled but they aren't being built -Last week a developer with housing development that was approved in 4 months asked for 2-year extension because banks only willing to loan 40% on project
SB 50 – Upzoning, Development Incentives, contrn'd.	
County	Comments
Marin	<ul style="list-style-type: none"> -How does bill considered disabled folks, especially their parking needs? -Marin's jobs/housing imbalance is not as large as that of the large 5 counties -Thought that bill's population thresholds give smaller cities a rational, flexible path to address housing problems, including building duplexes, triplexes, fourplexes -Support for requiring developers to simultaneously pull permits for both their market rate and related affordable housing -Support for adjustment to the ways that developers can pay in lieu funds instead of incorporating affordable units into their projects -McGuire and Weiner should work with HCD to figure out how to track outcomes and measure the success of SB 50 -Support for fourplexes if 75 percent of exterior walls must remain intact, they comply with local zoning ordinances and with historic districts in place since 2010 -Support for Historical Building exemptions
Napa	<ul style="list-style-type: none"> -How will regulations about housing close to rail impact the area around the Napa Valley Wine Train? -By-right fourplexes will be a big problem -How will other local zoning regulations function if fourplex by-right supersedes? -For smaller cities with smaller staff, these kinds of changes are difficult to track. The rapid pace of revisions is posing a challenge to small city staffs that are reviewing and implementing them.

San Francisco	-Where will fourplexes be by-right if SB 50 passes? (*anywhere in the state besides the specific areas excluded, such as high fire-risk, flood zones, etc.)
San Mateo	<ul style="list-style-type: none"> -Does bill apply to homes that are currently used as rentals? -Can ADUs be built within each fourplex unit, effectively allowing eight-plexes? -Clarification needed on jobs-rich language -Does not address the major jobs producers or their significant role in creating jobs-housing imbalance -Requests more detailed maps (*Map now available here) -State should contribute more money to build affordable housing and to buy down existing market rate units (adding affordable units more quickly) -County-based population thresholds exclude the North Bay. The bill is rewarding Marin County for not building BART and picking on the Peninsula. Would like to see a universal standard for the entire region based on jobs/housing balance. -Other metrics should determine exemptions and mandatory rezoning, like proximity to jobs-rich areas, and past performance regarding building and zoning -Allowing fourplexes would diminish the opportunity for “smaller entry level homes” for first time home buyers -“Home share” would be a viable alternative to fourplexes that the state should incentivize -The threat of these bills made cities get their act together and approve more housing -If a city rezones in a different way using local input, and that rezoning results in increased housing numbers, the state should accept that approach -Frustrated that the state keeps enacting housing bills, year after year, and moving the goal post
SB 50 – Upzoning, Development Incentives, contr’n’d.	
County	Comments
Santa Clara	<ul style="list-style-type: none"> -Bill is trying to achieve too much to be truly successful -Fourplex component makes it less politically palatable -Parking needs to be local decision -Mountain View is just under 50,000 in population in larger county with more than 600,000 people. How the population threshold levels affected them? -How does this bill interact with SB 330 limits on fees charged to developers? -Developers should pay in-lieu fees with cities deciding where to put those fees (½ mile radius would be too hard) -Supports scaling up affordable units required based on the size of project -Doesn’t take into account built-out cities versus cities with undeveloped land or jobs-housing balance of each city -Would like to see a more even distribution of housing across the region -Only way to ensure that people live near their work is for the large employers to build worker housing directly tied to employment with that company -ADUs with no parking is a problem; fourplexes with no parking is a disaster -How will building additional units change property taxes for certain properties? -Upzoning through automatic height increases next to transit hubs goes against form-based zoning principles; results in a proliferation of tall, square boxes -Bill needs bigger focus on improving/funding transit to reduce traffic congestion

Solano	<ul style="list-style-type: none">-Adding in language to secure votes creates more problems-Suspicious that the financial aspects of the revised SB 50 would cover the costs associated with the mandatory re-zoning-Solano County needs funding to build the many houses that have already been permitted; will struggle to cover additional costs associated with new development-There is not a viable funding element-Will fourplexes be allowed in rural areas?
Sonoma	<ul style="list-style-type: none">-Will lower parking requirements near transit included disabled parking?-Concern about the population threshold levels. There should be a middle threshold number; it's a large jump from 50,000 to 600,000-Need clarification on by-right fourplex zoning and how this interacts with other bills.-Large colleges in the county haven't done their part to address increasing student housing needs in recent years. The fourplex provision will encourage wholesale conversion of adjacent single family neighborhoods to student housing.-Fourplexes could change the feel of current residential areas-they should look at transit in the same way as they look at jobs-rich areas in the new amendments-Can anything be done to address second homes and vacation houses (e.g. AirBnB, VRBO) to that are removing much-needed housing?-Housing that cities have permitted takes years to build but housing units illegally converted to AirBnB can return to housing in 90 days with focused code enforcement

Meeting Notes from Housing Legislative Working Group Meeting

Date: Friday, April 5, 2019 11 AM-1PM

Location: Yerba Buena Room, Bay Area Metro Center

Staffing:

Julie Pierce, Chair
Jake Mackenzie, Vice Chair
Therese McMillan, Executive Director
Adrienne Weil, General Counsel
Alix Bockelman, Deputy Executive Director
Brad Paul, Deputy Executive Director
Rebecca Long, Government Relations Manager
Fred Castro, ABAG Clerk of the Board
Notetaking by: Lily Rockholt, Civic Edge Consulting

Attendance: Approximately 53 (inclusive of working group members) in person, one working group member and one community member on the phone



Chair Julie Pierce: Welcomed working group members and provided overview of process for the coming month. Noted that the working group has been created to show the diversity of opinions that exist throughout the Bay Area region. To that end, comments will be given directly to the Legislative Subcommittee. She further explained that “we will forward all of the ideas brought forward in the working group sessions – we will not be taking votes. A vote says there is one opinion – we want to share *all* of the opinions that we hear in these meetings.”

There’s an expectation that working group members will gather feedback from colleagues and members of their community to share at the meetings.

Contra Costa County representatives

- Flagged that the cities of Contra Costa have submitted a joint letter evaluating a number of housing bills currently under consideration. Jobs/housing balance is a particular concern for the county and the region.
- Believes housing is a regional issue.

Solano County representatives

- Prioritize job/housing balance. Noted that there are few rewards currently for the cities and counties making a real contribution towards affordable housing. Believes Suisun residents want more housing, but the costs and competitive nature of the Bay Area labor market makes this challenging. Requests more financial help as part of the regional or statewide solution. Has questions about using the government-owned lands for housing.
- A major concern is return to source funding.

San Francisco County representatives

- Served on the CASA Technical Committee. Interested in seeing parts of CASA compact become part of the solution.
- Has been working on an analysis of bills for San Francisco and wants to work towards a regional solution.

Alameda County representatives

- Would like more recognition for what is being done correctly, especially as one of the Bay’s largest cities. Fremont has made strides in transit-oriented development. Would like to continue to focus on workforce development, including apprenticeship programs.
- The City of Alameda is an island community and transit is imperative, especially water transit. Acknowledged that solutions to the housing crisis must be regional.

San Mateo County representatives

- Acknowledged that Brisbane has made major strides towards addressing the housing crisis. Recently they have revised the General Plan to allow for significant (2,500+) additional housing units. Retaining local land use authority was crucial for the Brisbane locals to feel good about making these big changes.
- Burlingame has made major strides in addressing the housing crisis in recent years and will have increased housing units by approximately 20 percent in the next five to ten

years. Would like more acknowledgement and support for the housing advances San Mateo County has made and speaker supports local control.

- Levied sales tax to build affordable housing/farm labor housing in one speaker's district.

Napa County representatives

- Wants to find housing solutions to housing crisis in Napa while retaining local control. Felt many voices were left out of the CASA Compact process and would like to identify solutions that will work in Napa county.
- Small cities have had many challenges with building affordable housing. Napa is losing its middle class, and we want to start looking for solutions.

Marin County representatives

- There are mostly single-family housing Marin's jurisdictions. Interested in creative housing solutions such as accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) and not having to pay for utility hookup fees for the ADUs and JADUs within existing homes.
- Does not want the housing bills to be one size fits all, advocates for creative affordable housing. Emphasizes ADUs and Junior ADUs and using them to meet the RHNA requirements with low and very low-income housing.
- Hopes any legislation will better address the constraints faced by small cities and help to maximize housing production. Hopes for better metrics to analyze the impacts of the proposed legislation. Interested in transactions of properties through school districts. Most interested in measures to fast track ADUs and Junior ADUs.

Brad Paul and Rebecca Long provided a summary of the what staff has heard during CASA Outreach to date and Executive Director Therese McMillian presented proposed Organizing Principles for Reviewing Housing Legislation:

1. Funding: Does bill provide more funding to address housing crisis?
2. Production: Does bill propose policy changes that help increase production?
3. Protection: Does bill propose ways to reduce displacement?
4. Flexibility: Our communities are unique. Does bill account for these differences?
5. Jobs/Housing Balance: Does bill help reduce jobs/housing imbalances across region?
6. Reward Best Practices: Does bill recognize prior successful local actions?
7. Financial Impact: What are bills financial impacts on jurisdictions and taxpayers?
8. Transportation and Infrastructure Impacts: This was clarified as being inclusive of schools, sewers, and anything else related to physical capacity of a municipality.

Overall the working group was supportive of the eight organizing principles. The notes below indicate requests for further clarifications and additions.

San Francisco County representatives

- Suggested an additional category relating to how the bill impacts GHG reductions.

- **Therese McMillan:** This concern came up in other conversations. Especially in conversations where less housing is being built compared to the jobs.
- **Vice Chair Jake Mackenzie:** Part of the action plan to implement PBA 2040, the Bay Area's Sustainable Communities plan, mandates GHG reduction by state law.
- San Francisco priorities include actually building housing – not just improving capacity.

San Mateo County representatives

- Would like to add a metric evaluating (and encouraging) a greater contribution from the business sector. Large corporations should be helping more with the housing crisis given that the jobs they've created in recent years are a major driver of housing demand.
 - **Chair Pierce:** Suggested this might fit under Funding and Jobs/Housing Balance metrics
- Suggested evaluating barriers to implementation and unintended consequences of bills.
- Concerns about the financial aspects of these bills, the potential for gross payroll taxes and the impact on San Mateo County.

Alameda County representatives

- Suggested that sustainability in infrastructure be identified.
Look for ways to attract jobs to East Bay to reduce commuting/GHG and increase equity.

Contra Costa representative

- Would like to see an organizing principle added to acknowledge the linkage to the state's greenhouse gas emission targets since where housing is built ties in directly to this.

Marin County representatives

- Wanted to highlight safety – namely where housing should be built relative to sea level rise and fire threats.
 - **Chair Pierce:** Suggested this could fit under a Climate Change/Resiliency principle.

Solano County representatives

- Return to source consideration is important for Solano County, so that the county can leverage the funding in the most productive way. Solano can produce affordable housing for significantly less than other parts of the region.

Other Comments

McMillan: Requested any additional feedback on the Transportation and Infrastructure organizing principle.

- **Chair Pierce:** Suggested that ground water and/or other water considerations be considered as a metric.

Report on Housing Bill Landscape

Rebecca Long reviewed a number of bills and requested feedback. Also, asked if there are bills that should be added to the list. Noted she will add a map of sensitive communities to the website as well as a relevant study conducted by the UC Berkeley Turner Center.

Solano County representatives

- Requested clarity on use of “single-family unit” language. Wants to make sure there is not a penalty for multi-generational families sharing a home.

San Mateo County representatives

- Requested time at future meetings to dig deep into key bills.
 - **Chair Pierce:** Noted that there will be a lot of “homework” for the people in this room to the degree that these are important bills.

Alameda County representatives

- A priority is discussing fee structures, how they will be paid, and what they will cover. Concern cities will need help paying for infrastructure associated with increased housing and that proposed fees are too high for cities to pay alone.

Marin County representatives

- Wants to prioritize discussion of SB50 now that it has been substantially amended.

Chair Pierce: Asked if the sample matrix evaluating bills by the various organizing principles appeared to be a viable way to evaluate their contents and requested feedback on how to prioritize the bills themselves. Feedback included instructing staff to select order based on the most influential bills under each of the three Ps (protection, production, and preservation).

Discussion of Future Meeting Agendas

Santa Clara County

- Santa Clara working group members expressed frustration that they will not be ratified in advance of the next meeting on Thursday, April 11.

Public Comment:

1. **Contra Costa County representative** (Commented during public comment because he is not yet ratified): The letter written by Contra Costa cities identifies bills that are not included in this matrix. Requested staff review the letter and add bills as appropriate. Further identified impact fees as a top concern for Contra Costa. Finally, wants an organizing principle related to local control.
2. **Ken Bukowski:** Concerns about how affordable housing will be funded. Would like to see the working group evaluate bills related to streamlining approvals for homeless

shelters, parking requirements, and traffic. Suggested live broadcasting the meetings to expand their reach.

3. **Anna Crisante:** Expressed frustration at lack of racial, housing, and age diversity that she observed among working group members. Majority are property owners, no renters (correction one renter). Shared that she had taken time off work to attend meeting and requested they be held outside of regular business hours. Identified affordable housing in Marin as her top priority as well as protecting minorities in the Bay Area as a whole.
4. **Jane Kramer:** There are community interests, and regional interests, and they may or may not coincide. You are going to have to uncover all the possibilities that are not yet spoken in your communities to come up with the best mesh of ideas.
5. **Rich Hedges:** Identified as a housing advocate with a focus on job/housing balance. Applauded existing up zoning legislation.
6. **Anita Enander,** Los Altos City Councilmember: We should clarify language like "high resource areas" and identify areas of ambiguity in the bills.
7. **John McKay:** Morgan Hill City Councilmember: Wants to review existing legislation as well as new legislation, as it's easier to update existing bills than create new legislation.
8. **Jason Beses:** He said that he feels this working group is too little too late. Also expressed frustration that MTC is paying for a lobbyist.
9. **Susan Kirsch,** founder of Livable California: Feels that the success of Silicon Valley is the root cause of the housing crisis.
10. **Jordan Grimes,** co-leader of Peninsula for Everybody, a tenant protection advocacy group: Wanted to promote regional control of housing production and zoning.
11. **Emma Ishi,** aide to Alameda County Supervisor Keith Carson: Thank you to all the members here. It is important you go to your communities, and talk to your people to get their opinions. Also, on the steering committee for CASA. Thank you.
12. **Veda Florez,** member of MTC Public Advisory Committee from Marin county: Thanks for this opportunity. I'd like to talk about guiding principles, protections bills, and add a bullet point to talk to underserved communities. Statewide and regional representatives that speak to underserved communities. Viewed the list of the 3 Ps and there aren't many bills under protections, are we not focusing on them or do they not exist.

Location: Board Room, MTC

Staffing:

Rebecca Long, Government Relations Manager
Brad Paul, Deputy Executive Director
Alix Bockelman, Deputy Executive Director
Julie Pierce, Chair
Jake Mackenzie, Vice Chair
Therese McMillan, Executive Director
Cynthia Segal, Deputy General Counsel
Fred Castro, ABAG Clerk of the Board
Notetaking by: Lily Rockholt, Civic Edge Consulting

Attendance: 26 in person, plus on the phone

Chair's Report

Chair Pierce: Commented that additional members of the Housing Legislative Working Group (HLWG) would be ratified on the evening of April 11.

Director McMillan: Provided an overview of the meeting agenda.

- Noted two new Organizing Principles based on feedback from the April 5 HLWG meeting.
 - *Parallel Policy Mandate: Does the bill support other state policies/priorities (e.g. GHG reduction/SB375).*
 - *Resilience: Does the bill improve resilience in local communities?*
- Updates were made to existing Organizing Principles, again based on HLWG feedback
 - Financial Impact now reads: Are there potential financial impacts *or other unintended consequences* on local jurisdictions and/or taxpayers?
 - Transportation & Infrastructure Impacts now reads: Does the bill address transportation or other infrastructure impacts *(e.g. schools, water, parks)* resulting from increased housing?
- Highlighted that today's meeting would focus on two major housing bill categories: bills related to Tenant Protection and Accessory Dwelling Units (ADUs).
- Asked for feedback on the updated Organizing Principles noting they can evolve over the course of the upcoming discussions.

Comments on Chair's Report

Alameda County

- Would like to see the following incorporated into the Organizing Principles: environmental justice (for example air quality), economic justice (for example commute times) and social justice.

Contra Costa County

- Overall, was supportive of updates. Requested additional clarity on the term “resilience” noting that it can mean many things.
 - **McMillian:** Agreed that “resilience” could be further defined in the next draft.

Chair Pierce: Noted that it’s a priority of the HLWG to collect qualitative data for all members. The HLWG will not be voting or providing consensus-based recommendations to the Legislative Committee, as the purpose of the HLWG is to represent the many different perspectives found throughout the region.

Report on Housing Bill Landscape

Long: Read Analysis of Protection-Related Bills (included in agenda packet), noting that none of the bills have been heard by the Housing and Community Development Committee except for SB18, which passed committee.

Comments on Analysis of Protection-Related Bills

San Mateo County

- Expressed preference for local control over tenant protections and would like to see more incentives for landlords to keep rents low and avoid steep increases.
- Proposes that Just Cause Eviction Protections to be limited to people earning below a specific (to be determined) average median income (AMI).

Contra Costa County

- Hopes that legislation will consider the unintended consequences of rent control, such as possible landlord collusion to fix or increase rent prices.
- Believes that AB 36 will weaken the Costa-Hawkins Rental Control Act, notes that the homeless problem in Alameda County is significant.

Solano County:

- States that the jobs/housing balance is affecting Solano County communities even though it does have the most affordable housing in the region.
- Solano has capacity to build the most affordable housing in the Bay Area due to their cheaper land costs.
- Concerned about what happens when the one-time funding of SB18 dissipates.

San Francisco County:

- Notes that Costa-Hawkins had its limitations. Asks about owner move-ins.
 - **Long:** States that if it is in the lease, or major health concerns are involved, they would still be allowed.

Comments on ADU Bill Analysis Matrix:

Long:

- Notes that some of the support and opposition is not completely up-to-date in the ADU Bill Analysis Matrix. For example, the League of California Cities directly opposed AB 68.

San Mateo County:

- Noted that from a practical point of view, some of the zoning laws around ADUs are about public safety – such as the fire lane ordinances.
- Brought up concerns about the lack of parking requirement with ADUs.
- Noted that if laws allow ADUs to be sold separately from the primary dwelling, this will require them to have separate hook ups.
 - **Chair Pierce:** Offered that ownership requirements would change the flavor of the communities and would likely have some push back from certain legislators.
- Would like some sort of requirement that ADUs are not to be used for short term rentals, like Airbnb.
- Shared that in some parts of San Mateo county schools are closing due to the lack of students. Despite job growth and a competitive housing market many San Mateo residents don't have children. So, the concern about school capacity isn't shared region-wide.

Alameda County

- Urged bills provide for more local control. Would like to see a law allowing ADUs in garages for residences close to major transit centers.
Historically, many Alameda County ADUs have been used for family members and additional leniency in ADUs helps keep multigenerational families together.
Noted prefab housing could be a useful part of the solution, that it lessens the impact and timing of the construction.

Solano County:

- Expressed concern for removing impact fees as who will then pay for the utilities systems which will need updates to meet increased usage?
 - **Chair Pierce:** Notes that if the utility hook-ups go through the primary residence, less work is needed.
- Suggests a deeper look at the impact to schools, particularly concerning funding.
 - **Chair Pierce:** Noted that unintended consequences has been added to the "Financial Impact" organizing principle.
- Asked how long before a local jurisdiction must adopt an ADU policy.
 - **Chair Pierce:** Stated they have as much time as they want, but in the interim the state standards will apply.

Contra Costa County:

- Noted that impact fees were increased during the Great Recession to compensate for the utility companies funding gaps. It would be appropriate to lower the fees now that economy has bounced back.
- States that there should be some policies to make the ADU creation easier, perhaps even a set of standardized preapproved ADU designs to reduce the permitting cost, and architecture costs.
- Notes that waiving codes can be dangerous because they are there to ensure the safety of the people living in the home.
- Wants ADUs and JDUs to count toward RHNA requirements.
- Stated that AB 68, SB 13 and AB 69 are generally supportable.
 - **Long:** SB13 would allow them to, but not stated in AB 68 or AB 69.

Marin County:

- Shares that the ADU proposed legislation does not consider narrow legacy roads, and that one size does not fit all. Noted one way that Sausalito has handled differences within the community is by adopting an overlay zone where they really need off-street parking.
 - **Chair Pierce:** Notes that the narrow streets should be addressed under safety.
- Hopes JDUs will gain some clarity from this round of legislation, notes their ability to increase affordable housing.

Napa County:

- Hoped that whatever laws get passed allow the flexibility to continue the work they have already started on ADUs.

Next Meeting:

Chair Pierce: Asked if anyone would like to suggest items for the next meeting agenda.

Marin County:

- Noted that they thought almost all the housing bills had passed out of the subcommittee.
- Noted there are specific bill that address how to make the schools whole again with all the housing bills that were brought forward.
- Would like to discuss SB 4, SB 5 and SB 6.

Solano County:

- Requests information from the schools since most of these bills directly impact them.
 - **Long:** notes there is a trailer bill with \$500 million in funding to be used for discretionary expenses related to the housing bills.

- Noted that they would like to discuss the bill related to the 75 percent of funds raised for the RHE to come back to the county [AB 1487 (Chiu)] and that they would like this number to be higher.

Contra Costa County:

- Would like to discuss some of the more controversial bills like SB50, AB 1483, AB 1484, AB 1485. For some of the cities and counties, noted these might become a barrier to building affordable housing for them.

Alameda County:

- Would like to discuss AB 1487.
- Voiced concern that the HLWG hasn't taken a more comprehensive approach to these bills, particularly analyzing the jobs housing balance, justice issues and transportation.
- Would also like to discuss alternative ways to get more affordable housing.

San Mateo County:

- Would like to discuss SB 4 and SB 50, anything funding related specifically anything related to the Regional Housing Enterprise [AB 1487].

Public Comment:

1. **Rich Hedges:** Appreciated the presence and the comments made today. Shares that San Mateo County has done some great work, and notes that prefab housing could be a powerful contributor to the fight for affordable housing.
 - **Chair Pierce:** Noted that San Mateo County has great resources and directed staff to get the resources to all the working group members.
 - **Horsley:** Mentioned he can bring copies of San Mateo handbooks/physical materials to the next working group meeting.
 - **Heather Peters:** Was a participant on the team of people who produced the materials San Mateo County developed. Noted their Amnesty Program to adopt ADUs made before it was fully legal is launching next month to encourage 3rd party inspector. Shares contact information for those who would like it. Hpeters@SMCgov.org

Closing comments:

Director McMillan: States that the working group members should notify the ABAG/MTC Staff by no later than Monday afternoon if they will be teleconferencing into the meeting.

Host: Housing Legislative Working Group Meeting

Date: Thursday, April 18, 2019 7PM-9:30PM

Location: Board Room, MTC

Staffing:

Julie Pierce, HLWG Chair
Jake Mackenzie, HLWG Vice Chair
Therese McMillan, Executive Director
Brad Paul, Deputy Executive Director
Leslie Meissner, Counsel
Rebecca Long, Government Relations Manager
Kimberly Ward, Committee Secretary
Notetaking by: Lily Rockholt, Civic Edge Consulting

Attendance: 20 Working Group members including call-ins.

Chair's Report: Reviewed HWLG procedures for new members.

Report on Housing Bill Landscape:

Long: Described the order of materials in the agenda packet, noted that AB 1485 (Wicks) has been significantly revised so it may not make sense to bring before the group. Proceeded to present on SB 330 (Skinner) and AB 1487 (Chiu).

Discussion related to SB 330:

Marin:

- Asked where SB 330 is now in the legislation process.
 - **Long:** responded that SB 330 was in the Senate Housing Committee, up for vote next Monday. [Note: it passed 8-2]
- Asked if there was any information about the size of the housing projects SB 330 applies to?
 - **Long:** Noted SB 330 applied to all projects that include housing, and the goal was to reduce the timeline for permitting.
 - **Chair Pierce:** Noted SB 330 is about expediting the local process to approve housing projects.
- The impact of parking limitations on fire truck access on narrow legacy roads is a concern.

Contra Costa:

- Asked if voter approval would be eliminated by item 6 in the SB 330 language.
 - **Long:** Stated that this only applies to ballot measures that cap permitting, restrict housing or limit population.
 - Several committee members requested the language be clarified as "no state law can take away the redress from the public."
 - **Chair Pierce:** Noted this language would also impact urban growth boundaries.

- **Long:** Stated the bill would allow land use policies capping growth that were approved by voters on or before January 1, 2019.
 - **Chair Pierce:** Noted the need for MTC staff to check on agricultural zoning.
- Stated that this legislation is redundant for many local jurisdictions that already have a standardized permitting process.
- Questioned ability of HCD to develop a single application form that works well for cities of 20,000 to 800,000. Suggested HCD determine what needs to be included, but let local jurisdictions customize the form to account for local conditions and project size.
- Asked for clarification when the developer slows the process down by requiring more time or asking for extensions; does that pause the 12-month clock for approvals?
- Requested that SB 330 investigate developer responsibility for slowing projects down, not just local governments. For example, when project is permitted but the developer decides not to build, or the project doesn't pencil out. What recourse do cities have? The bill is one-sided.
- Concerned that the bill doesn't address the "real issue" which is labor costs and cost of construction.
- Wondered if time limits could be tied to scale of projects and be less one size fits all.
 - **Long:** Noted SB 330 only applies to projects consistent with local zoning and general plans and that other projects would go through normal approval process.
- Concern that by locking in design standards based on what they were on 1/1/2018, it hinders ability to update and improve local design review by local jurisdictions.
- Stated that parking needs should be addressed at the local level to prevent challenges involving local nuances (smaller communities with little or no transit, fire truck access).
- Stated that this would need to have some exceptions for unintended consequences. For example, the Concord Naval Base that needs to be rezoned in order to be used for housing, notes that the retroactive zoning to current standards would kill this project, therefore killing a large housing project and defeating the purpose of SB 330.
- Felt substandard building section creates some major legal liability issues for cities.

Alameda:

- Asked how a standard form can apply to both small and large cities, it's one size fits all.
- Felt cities, not HCD, should be developing simpler application forms.
- While streamlining approvals is a good idea, there are a number of entitled, approved projects that aren't being built, so streamlining doesn't solve that problem.
- Regarding exempting affordable housing projects from impact fees, residents of such buildings use city services, so why should those buildings not also be subject to fees?
- Agreed current 5-10 year approval process too long, but 12 months too short. What about 1-3 years depending on scale and complexity of project?
- Noted nothing in SB 330 acknowledges funding gap/challenges for affordable housing.
- Stated that city permitting staff shortages often lead to slower project approvals,
- SB 330 doesn't address worsening traffic congestion that more housing will create.
- Setting zoning rules back to 1/1/18 doesn't allow environmental and resilience upgrades.

- Cities need impact fees for schools given major state cut backs on education funding, concern that by capping fees on future development bill would create inequities relative to what prior developments paid
- Re: substandard buildings provision, there needs to be a balanced approach. Comparing this to Oakland's Ghost Fire isn't fair – it would not have been allowed under the proposal given the life safety issues. It's better to have safer, ugly buildings than more tent cities, which is what's happening in their community.

Santa Clara:

- Noted an additional application wouldn't fix current permitting pipeline problems.
- Stated streamlined application/approval process shouldn't apply to mixed use projects.
- Noted that SB 330 lessens parking requirements, with no ties to how to transport people, closeness to major transportation hubs or potential impacts on narrow streets. Recommended parking be removed from the bill altogether.
- Noted need to identify funding for more transit if parking requirements are eliminated.
- Stated that impact and permit fees are charged to cover what the state isn't providing local jurisdictions for development infrastructure and increased services for constituents.
- Brought up electrification, and that old zoning rules weren't inclusive of environmental upgrades, going back to 1/1/18 zoning won't be helpful in reducing GHG emissions.

San Francisco:

- There should be a time limit but it shouldn't be uniform; bill should tie timeline for permitting to size and complexity of project (6-24 mo.).
- Asked if the clock stopped when developers are revising their strategies.
- Concerned that recent updates to zoning since 1/1/18 (Central SOMA Plan) would be nullified, which would be very problematic.
- Appreciates concern about impact fees but the need doesn't go away and has to be paid for somehow.
- Noted objective design standards are a great goal but challenging to implement.
- On substandard buildings, understood intent of the bill to keep people housed. While we shouldn't overlook life safety concerns, if basement apartment has 7'3" ceilings but code requires 8' ceilings, allowing a slightly lower ceiling is not a life safety issue. Should also look at providing some funding for owners to make upgrades.

San Mateo:

- Stated some allowances needed to be made for historical and other landmark buildings.
- Noted their city has already made changes so projects consistent with zoning don't even come to the city council and are just approved by staff.
- 12 months is not enough time for approvals; allowances need to be made for extenuating circumstances.
- Noted that some general plans were updated recently (for first time in decades) to allow for more and denser housing, so retroactive zoning and standards (1/1/18) would be unacceptable as they would undo years' worth of work with the community.

- Asked if this could include up-zoning banking, so if certain areas were up-zoned, and another area needed to be downzoned, would this be allowed?

Long: Yes, bill allows for a “no net loss in residential capacity” approach

- State should indemnify cities in substandard building section, a legal nightmare.
- Shared concern for using a rent standard linked to national standards when it is known that the Bay Area and California more broadly have the highest rents in the nation.

Long: Noted the bill’s application is pegged to a national standard, but it doesn’t yet specify what percent *above the national average rent* and *below the national average vacancy rate* a jurisdiction’s average rent would need to be to fall under the bill’s provisions.

Solano:

- Noted ownership changes on projects after approval that slow or prevent construction. A subdivision approved in 2005 has had 3 owners since then and is now dead.
- Noted that Solano County is the most affordable county in the Bay Area region, however they still have a low vacancy rate of two percent.
- Noted Solano County residents have the longest commute times and imposing a 0.5 parking per unit would negatively affect them given county’s limited public transit.
- Stated that cities have to charge the fees they do because of Prop 13. Fix that first.
- Concerned allowing legalizing sub-standard buildings because they already had people in them would legalize flop houses, and places deemed unfit due to health hazards.

Napa:

- Stated SB 330 addressed too many issues, thought it would be ineffective because of it.

Public comment:

1. Stated allowing sub-standard buildings to be occupied would mean more low-income people living in unsuitable conditions. Finished by stating this entire part of SB 330 should be eliminated.
2. Noted this proposed bill doesn’t allow for the ongoing protection for some historical buildings and historic districts and that this should be revised.

Discussion related to AB 1487 (Chiu):

Long: Provided an overview of AB 1487, to fund Housing Alliance for the Bay Area (HABA), and explained that it is based on CASA Compact Item 10, the Regional Housing Entity (RHE).

McMillan: Stated that MTC/ABAG has not had the chance to review AB 1487.

Marin:

- Thought the sales tax funding would be problematic for the entire Bay Area, but definitely Marin.
- Questioned the efficiency of creating another government entity.

Napa:

- Asked why ABAG can't do it? Asked who the members of HABA would be.
 - **Long:** Stated they would be representatives of MTC and ABAG, board members, the staff would be MTC/ABAG Staff. The bill specifies that more staff would likely be needed with housing expertise.

Sonoma:

- **Chair Mackenzie:** Noted that ABAG and MTC will be having some deep conversations about the practicality of this, and implementation as well.
 - **Chair Pierce:** Noted these discussions would be happening in July.

Contra Costa:

- Concern that continuing to increase taxes makes the region less competitive economically. Focus instead on redirecting existing on line sales tax revenue to the point of sale.
- Noted the housing crisis is a *statewide* problem and it needs a permanent *statewide* funding source. Sales and parcel taxes are all we have to fund schools, parks and local infrastructure.
- Stated they didn't think MTC should be part of this new organization. Has had issues with the way MTC handled transportation funding and its distribution in the past.
- Noted that a new regional agency isn't needed to secure or allocate housing funds, the counties can do it. Many have a system in place now to allocate state and county funds.
- Wondered if the role of HABA could be managed through existing non-profits.
- Emphasized the taxes should be on large employers (e.g. head tax) and proportionally adjusted upward in areas contributing the most to the jobs-housing imbalance such as San Mateo, San Francisco and Santa Clara County.
- Noted that for linkage fees, the term "mixed use" should be better defined in the bill.
 - **Long:** Noted MTC staff will pass this along to the author.

Alameda:

- Didn't appreciate proposal for new regional body given how CASA didn't include smaller cities until after Compact was done, instead of including them earlier in the conversation.
- Concerned three biggest cities would have disproportionate amount of power in HABA.
- Stated that if this work needs a regional administrative body, it should be ABAG.
- Concerned it doesn't address jobs-housing balance by city or by sub-region (East/West).
- Stated this could increase social injustice by forcing more low-income workers to commute even greater distances to work so they spend more time away from family.
- Urged more transit investments that help people moving to the Tri-Valley, Tracy and Stockton get to and from work in Bay Area quicker and easier.
- Stated that the Bay Area is already heavily taxed. If you increase taxes on residents, they'll have less money to spend on necessities at local businesses.
- Noted this doesn't address the need to fund more transit, schools, etc. for new residents.
- Asked what happens when regional tax measures compete with local tax measures.
- Noted this doesn't take into account the innovative things many cities are already doing.

Santa Clara:

- Noted Santa Clara passed a \$950 million bond for affordable housing. A regional tax on top of that would cause outrage with residents that would see it as double taxation.
- Worried this would adversely affect the Caltrain Measure going on the ballot in 2020.
- Liked idea of using the point of origin sales tax from online transactions to fund housing.
- Opposed new layer of regional bureaucracy. Suggested that all new housing funds go directly to cities by formula. Any money not spent by a city within three years goes back to the county. Opposed any of the funds being used for general fund as reward for achieving housing goals; should all be for affordable housing directly.
- Noted that the City Association of Santa Clara County supports ABAG playing this role.
- One job-rich city stated that it is considering limiting future office growth.
- Shared they are concerned about redundancies with funding sources, double taxation.
 - **Long:** Discussed that with any sales tax increase for housing, the amount would be reduced proportionally in each jurisdiction where a sales tax measures was already dedicated to housing.

San Mateo:

- Prefer to see new resources come from the state.
- Concerned they do not qualify for the various affordable housing funds; they have not qualified for redevelopment funds in the past.
- Affirmed they oppose new regional agency that will only be responsive to three big cities.
- Concern about a drain of resources from small cities going to big ones.
- Noted they recently spent \$150 million to expand local school capacity but will soon need more.
- Brought up Caltrain 1/8 cent sales tax going on ballot next year in Santa Clara, San Mateo and San Francisco Counties, they do not want to tax their county more than the already proposed tax increases. Want to dedicate sales and parcel taxes for local needs.
- Stated they'd be happy with a head tax for bigger employers in their county and suggested state legislature vote to give counties the direct authority to charge larger employers a head tax so big companies can start to make ongoing contributions.

San Francisco:

- Stated support for AB 1487 and felt the technical assistance and data a regional housing entity could provide cities across the region is a very important part of it.
- Noted that unlike other urban centers *most, if not all*, of the Bay Area is unaffordable.
- Noted that we do transportation funding regionally, we should do the same for housing and ABAG currently provides regional funding through the San Francisco Estuary Partnership and SF Restoration Authority (\$25 million/year thru regional Measure AA).
- Taxes aren't the top contributor to the Bay Area's high cost of living.
- Stated that even if San Francisco had not accepted so many new tech jobs those jobs would have gone somewhere else in the Bay Area.

Solano:

- Would like to see more of a focus on the jobs-housing balance, they would welcome employers such as Facebook or Amazon and house their employees as well.
- Liked variable head tax, high in SF and Silicon Valley, low or none in Solano.
- Suggested if MTC and ABAG each get 9 seats on the board, one be from each county. Bill should specify how counties are represented.
 - **Chair Pierce:** Noted that there are lots of small cities on the ABAG Board.
 - **Chair Mackenzie:** Stated that historically MTC has engaged in regional planning and addressed more than just transportation. Noted MTC engagement on housing furthers the implementation of the Plan Bay Area 2040 Action Plan.
- Noted that AB 1487 felt like another example of legislators coming up with big picture ideas without fully thinking through the many potential unintended consequences.

Public Comment:

1. Stated he opposed AB 1487 because ABAG and MTC boards have not reviewed the bill or agreed to staff HABA.
2. Noted she works for a non-profit organization that worked on AB 1487 with Senator Chiu and believes AB 1487 will go a long way to helping to correct the housing crisis. She doesn't see it as a big agency but more like a storefront operation that provides technical assistance, funding and data to local jurisdictions that want to build more housing. She said she wanted to speak to people after the meeting was over if they had any questions for her or the non-profit she represents. She also said that if people don't like this bill, she would ask them what else they think the state could do to help build more housing.
3. On phone: Stated that they should use staff in housing authorities in the region and hire more to scale up to the challenges rather than make an entirely new entity or out of MTC or ABAG staff.

Adjournment/Next Meeting:

They decided to proceed with discussion of SB 50 (Weiner), SB 4 (McGuire and Beall), AB 1279 (Bloom), and AB 1483 (Grayson), at their next meeting on April 25, 2019.

Host: Housing Legislative Working Group Meeting

Date: Thursday, April 25, 2019 7 PM-9:30 PM

Location: Board Room, MTC

Staffing: Julie Pierce, HLWG Chair

Jake Mackenzie, HLWG Vice Chair

Cindi Segal, General Counsel

Rebecca Long, Government Relations Manager

Brad Paul, Deputy Executive Director

Alix Bockelman, Deputy Executive Director

Fred Castro, ABAG Clerk of the Board

Notes taken by Lily Rockholt, Civic Edge Consulting

Attendance: Approximately 21 committee members, including call-ins.

Chair's Report: Reviewed meeting structure for members.

Report on Housing Bill Landscape (Updates)

Long: Stated the most recent amendments to SB 50 (Weiner) are not yet available, so they are not fully incorporated into the presentation and instead staff is working from a summary document. Offered an opportunity to answer any follow-up questions about the last meeting (April 18). Provided an overview of recent amendments to bills.

Alameda:

- Stated that AB 1487 seems to indicate that the Housing Alliance for the Bay Area (HABA) would be collecting money, but there is no directive as to how or what HABA would do with the funding nor any indication of who the HABA members will be.

Sonoma:

- Asked if .5 parking space/unit requirement in SB 330 takes into account transit access.
 - **Long:** Stated that the bill has changed to allow local governments to enforce parking restrictions of up to a .5 space per unit with new developments, but it has not placed further limits near the nexus of transit.
 - **Chair Pierce:** MTC staff will check further and provide HLWG with more information.

San Mateo:

- Asked if .5 parking space/unit requirement applies to shared parking or personal parking.
 - **Long:** Stated staff would review further and provide HLWG with an answer.

Report on Production Related Housing Bills

Long:

- SB 4 (McGuire and Beale) has been dropped with many of its provisions now to be incorporated into SB 50, so the discussion will focus on that bill.

- Noted additional amendments are planned to SB 50 to clarify how it interacts with current density bonus law and housing affordability requirements.
- Noted SB 50 was amended to impose more rigorous standards to designate High Quality Bus Transit (i.e. minimum of 10 minute headways during the peak commute hours) and limiting the SB 50 height requirements related to rail and ferry stations to counties greater than 600,000 people. The North Bay would not have the extra height provisions for Major Transit Stops.
- Noted there is a "jobs-rich" component which has not yet been explicitly defined. The UC Berkeley Turner Center live link included in the presentation is the closest example to what Senator Weiner's office is considering. Exclusion areas, fire hazard areas, coastal zones are excluded. In the North Bay (counties with less than 600,000 in population) there is some upzoning mandated (one story above current zoning) but only in cities less than 50,000 in population sizes.
- Another amendment allows by-right fourplexes on any vacant residentially zoned property or thru conversion of existing homes. For existing properties, 75 percent of exterior walls must remain intact, but can build up as far as local zoning permits.

Discussion related to SB 50

San Mateo:

- Asked for clarification if the bill applies to homes that are currently used as rentals.
- Asked if ADUs could be built within each fourplex unit, effectively allowing eight-plexes.
 - **Long:** Stated that MTC staff will investigate this and the interaction of these bills and report back to the HLWG. Stated that local design requirements remain intact unless they undermine the height or density allowed in the bill.
- Stated they need clarification on the jobs-rich language in SB 50.
- Noted SB 50, as well as the other bills discussed, do not address the major jobs producers or their significant role in creating the jobs-housing imbalance.
- Stated HLWG members would like staff to provide more detailed maps (with street names) for individual cities.
 - **Chair Pierce:** Stated Turner Center map has this level of detail.
 - **Long:** Stated that MTC has an online map that they are trying to overlay, it is at the parcel level, that staff will share the URL for this Friday, April 26. [Map is posted and available [here](#).]
- Suggested the state should contribute more money to build affordable housing and to buy down existing market rate units (adding affordable units more quickly).
- Expressed frustration that the county-based population thresholds that exclude the North Bay. Feels like the bill is rewarding Marin County for not building BART and picking on the Peninsula. Instead, would like to see a universal standard for the entire region based on jobs/housing balance.
- Prefer that other metrics be used to determine exemptions and mandatory rezoning, like proximity to jobs rich areas, and past performance regarding building and zoning.

- Expressed concern that allowing fourplexes would diminish the opportunity for “smaller entry level homes” for first time home buyers.
 - **Chair Pierce:** Noted SB 50 doesn’t allow for complete demolitions of homes.
- Noted they think “home share” would be a viable alternative to fourplexes that the state should incentivize.
- Felt threat of these bills made cities get their act together and approve more housing.
- Stated that if a city rezones in a different way using local input and that rezoning results in increased housing numbers, the state should accept that approach.
- Urged the state to put up more of its money to pay for cities to plan and rezone.
- Expressed frustration that the state keeps enacting housing bills, year after year, and moving the goal post.

Contra Costa:

- Asked for clarification on what constitutes a multi-family projects/homes.
- Thought that combining SB 4 and SB 50 was a good idea.
- Requested reevaluation and a better definition of Sensitive Communities boundaries.
- Stated that giving extra height doesn’t always get you more units since developers feel bigger units sell better (with greater profit). Suggested setting density requirements instead.
- Concerned about fourplexes changing character of existing neighborhoods.
- Stated developers should be limited to height increases of no more than 50% of the height of adjacent buildings, noting these heights would gradually increase over time.
- Stated there needs to be a better definition of “historical” buildings and districts.
- Stated mixed reaction to carve outs for counties under 600,000 people, particularly carve outs for Marin County, given its proximity to San Francisco.
- Asked if a house burns or needs to be demoed, can it be made into a fourplex when the property is being rebuilt?
- Urged staying out of parking issues since building near transit does not automatically reduce the need for parking (we can’t make people ride transit). Local staff see three bedroom units with one parking space become home to families with 3-4 cars.
- Cities need authority to set parking standards based on the specifics of each project.
- Asked how hook-up fees would work when a single-family home was being changed to a fourplex if three extra units required higher capacity water pipes/sewer laterals.
- Stated legislation needs to address root financial causes of housing crisis including changing lending practices and loss of construction labor force after last recession.
- Stated that their jurisdiction had 500 units entitled but they aren’t being built.
- Noted last week a developer with housing development that was approved in 4 months asked for 2-year extension because banks only willing to loan 40% on project.
 - **Chair Pierce:** maybe we need a state bank to make construction loans.

Marin:

- Asked how the bill considered disabled folks, especially their parking needs.
- Stated that Marin's jobs/housing imbalance is not as large as that of the large 5 counties (San Francisco, Alameda, Santa Clara, San Mateo and Contra Costa).
- Thought SB 50's population thresholds give smaller cities a rational, flexible path to address housing problems, including building duplexes, triplexes and fourplexes.
- Stated support for requiring developers to simultaneously pull permits for both their market rate and related affordable housing.
- Showed support that there would be adjustment to the ways that developers could pay in lieu funds instead of incorporating affordable units into their projects.
- Stated that McGuire and Weiner should work with HCD to figure out how to track outcomes and measure the success of SB 50.
- Support for fourplexes if 75 percent of exterior walls must remain intact, they comply with local zoning ordinances and with historic districts in place since 2010.
- Showed support for the Historical Building exemptions.
- Thought that the addition of the fourplex is a valuable way to add more housing and lessen the housing crisis.

Napa:

- Asked how the regulations about housing close to rail would impact the area around the Napa Valley Wine Train.
 - **Long:** Stated that MTC staff would research and check back in with Napa. [Does not count as a rail station for purposes of SB 50]
- Stated that by right fourplexes would be a big problem.
- Asked how other local zoning regulations will function if fourplex by-right supersedes.
 - **Long:** Stated that SB 50 was mainly aiming for vacant lots. Gave the examples that the setback requirements would be maintained, if the existing structure was there, a homeowner can convert it.
 - **Chair Pierce:** Stated any residentially zoned parcel could increase their units up to four if its largely within the original blueprint.
 - **Long:** Stated the amendments to SB 50 allow for up to 15 percent square footage increase on the ground, or within a second floor for single family units. (Stated staff would clarify that the 15 percent square footage increase is based on existing structure)
- Stated that for smaller cities with smaller staff, these kinds of changes are difficult to track. The rapid pace of revisions is posing a challenge to small city staffs that are reviewing and implementing them.

Alameda:

- Expressed concern that new carve outs by county population size don't fully address one-size-fits-all problem, would prefer sorting by small, medium, large, really large and isolated cities,
- Asked if bill might have unintended consequence of incentivizing current transit-poor communities to delay or avoid any transit improvements.
- Stated jobs-rich provision doesn't address the need to move jobs from West to East Bay, focusing on housing without transportation doesn't address jobs-housing balance.
- Recounted Scott Wiener's statements from April 24 related to share of state's children who are homeless and other shocking statistics (people having to work 2-3 jobs and live in cars) and why SB 50 is so important.
- Stated that with some amendments, SB 50 deserves our support.
- Noted that greenhouse gas reduction was a major consideration of this bill.
- Stated that fourplexes seems like "low hanging fruit" to address the housing crisis.
- Stated that the smaller units created by the fourplex regulation would be more affordable by design, especially if they must be built within the original blueprint of a house.
- Wondered if there was a way to guard against unintentionally incentivizing poor transit, for example, tying regulations to conditions dating back five years.
- Stated bill seems to punish cities that have the best jobs-housing balance in the region.
- Noted that Fremont will be adversely impacted by SB 50, despite having created 5,000 units of housing next to BART and feels past success is not being accounted for at all.
- Stated bill does not look at ways to use existing reverse commute capacity.
- Expressed concern that population increases that follow upzoning require more public safety officers, teachers, schools, etc. but bill doesn't identify new funding sources for them.

Santa Clara:

- Thought this bill was trying to achieve too much to be truly successful.
- Wondered if adding the fourplex component to this bill made it less politically palatable.
- The broken transportation system largely contributed to longer commute times and people being more car-dependent, which is why the parking needs to be local decision. While the VTA comes every 15 minutes, it's so slow between stations no one uses it.
- Mountainview stated that they are just under 50,000 in population in larger county with more than 600,000 people. Asked how the population threshold levels affected them.
 - **Long:** Stated there are no special provisions for smaller cities in larger counties.
- Asked how this bill interacts with SB 330 limits on fees charged to developers.
- Asked if SB 50 will supersede local regulations and requirements related to affordability.
 - **Long:** Stated that more strict local requirements still stand.
- Stated that given there is less land for affordable housing, supports developers paying in lieu fees with cities deciding where to put those fees (½ mile radius would be too hard).
- Supported the scaling up of affordable units required based on the size of project.
- Expressed concern that SB 50 doesn't take into account built out cities versus cities with undeveloped land or jobs-housing balance of each city.
- Would like to see a more even distribution of housing across the region.

- Several people stated that adding housing near jobs doesn't guarantee that people living in that housing will work nearby. The only way to achieve that goal might be for the large employers to build worker housing directly tied to employment with that company.
- Stated that ADUs with no parking is a problem, fourplexes with no parking is a disaster.
- Asked how building additional units changes property taxes for certain properties.
- Upzoning through automatic height increases next to transit hubs goes against form-based zoning principles and will result in a proliferation of tall, square boxes.
- Stated bill needs bigger focus on improving/funding transit to reduce traffic congestion.

Solano:

- Stated that when you start adding language to secure votes you create more problems.
- Stated they were suspicious that the financial aspects of the revised SB 50 would cover the costs associated with the mandatory re-zoning.
- Stated Solano County needs funding to build the many houses that have already been permitted and will struggle to cover additional costs associated with new development.
- Expressed concern that there is not a viable funding element in SB 50.
- Asked for clarification on if fourplexes would be allowed in rural areas.

San Francisco:

- Asked where fourplexes would be by-right allowed if SB 50 passes.
 - **Long:** Stated that they would be allowed by-right anywhere in the state besides the specific areas excluded, such as high fire-risk, flood zones, etc.

Sonoma:

- Asked how the fourplexes will work in unincorporated areas.
 - **Long:** Noted fourplexes would be allowed anywhere that is zoned residential.
 - **Chair Pierce:** Mentioned that likely unincorporated properties were not included in residential permitting.
- Asked if lower parking requirements near transit included disabled parking.
- Stated they appreciated the conversation but do want to keep eye on the low- and very low-income requirement and affordability.
- Stated they worry about the population threshold levels, stated there should be a middle threshold number; it's a large jump from 50,000 to 600,000.
- Asked for clarification on by-right fourplex zoning, and how this interacts with other bills.
- Stated that large colleges in the county haven't done their part to address increasing student housing needs in recent years and worries the fourplex provision will encourage wholesale conversion of adjacent single family neighborhoods to student housing.
- Stated that fourplexes could change the feel of current residential areas.
- Believed they should look at transit in the same way as they look at jobs-rich areas in the new amendments to SB 50.
- Wondered if anything could be done to address second homes and vacation houses (e.g. AirBnB, VRBO) to that are removing much-needed housing.

- Stated that housing that cities have permitted takes years to build but housing units illegally converted to AirBnB can return to housing in 90 days with focused code enforcement.

Public Comment:

1. Veda Florez stated that she believed SB 50 should pass, and that she wanted the HLWG to vote in favor of it.
 - **Chair Pierce:** Reminded the HLWG that they are not taking a vote on any of these topics. Purpose is to hear about the bills and gather feedback to inform MTC and ABAG about local perspectives across the region.
2. Ken Bukowski: Stated he did not agree with the previous speaker, that these new zoning regulations, especially the fourplexes, won't fit into cities as they currently are.
3. Jordan Grimes: Stated that as a younger person who must live with the consequences of the lack of affordable housing, he was disappointed in most of the comments he heard in the HLWG meetings about this.
4. Jane Cramer: Stated this is a complicated issue for her, she does not want the neighborhood she lives in to change more, or for a one size fits all model to apply and remove what keeps the individual cities unique. Suggested cities should think about shared housing and shared vehicles.

Adjournment/Next Meeting:

For next week's meeting they decided:

- HLWG members should send in their opinions ahead of time so staff can include these in the presentation and share with other HLWG members
- The agenda would include public lands legislation and streamlining, as well as bills not covered in this meeting.
- They would discuss the housing bill landscape
- MTC Staff would look into extending the meeting in light of some time constraints to make last minute adjustments with the contract for the audio-visual team



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April 4, 2019

To: Senator Mike McGuire
Senator Bill Dodd
Assembly Member Jim Wood
Assembly Member Cecilia Aguiar-Curry
Assembly Member Marc Levine
Therese W. McMillan, Executive Director, MTC/ABAG

RE: Comments on the CASA Compact
Letter of Opposition

On April 1, 2019, the City of Healdsburg City Council received a presentation from City Staff regarding the CASA Compact. While there were compelling parts of the Compact, ultimately the City Council unanimously voted to authorize the Mayor to prepare and submit a letter of opposition on behalf of the City. Many of Council's concerns are consistent with those raised by the Mayors' and Councilmembers' Association of Sonoma County Legislative Committee.

The City of Healdsburg acknowledges that there is a housing crisis in our region and we feel strongly that we have been committed to doing our part to deliver and diversify Healdsburg housing stock while increasing the number of affordable-housing units within our city limits. That being the case, we express our concern and opposition to the CASA Compact as it is a "one size fits all" approach that removes local control and authority to plan and develop in a manner that reflects our local values and standards. Additionally, the CASA Compact has great potential to adversely impact the physical character of Healdsburg and the revenue required to appropriately fund City services and infrastructure projects.

It is somewhat concerning that the process to develop the plan failed to include outreach and meaningful feedback from many of the cities who could be affected by the Compact. At the same time, we recognize the lofty goal of taking action to address the Bay Area's affordable-housing needs. However, we cannot support a plan that could penalize our residents. Healdsburg has a population of 12,061, and through 2018, the City was just one of 24 local governmental agencies -- of approximately 540 local governments in California -- to have met its Regional Housing Needs Allocation (RHNA) goals for the State's prorated lower and above-moderate income categories. In addition, in 2016, Healdsburg voters approved Measure S, which adds a 2% Transient Occupancy Tax to be allocated for affordable-housing programs and projects. The funding from this 2016 voter-approved hotel-tax measure supports the preservation and production of local housing and protects vulnerable populations in need of rental assistance.

Below is an overview of the 10 CASA Compact Elements and identified impacts and concerns to Healdsburg related to the policies listed within the CASA Compact.

Elements 1 - 3: Preserve and Protect

We believe the implementation of just-cause eviction, rent cap and rental assistance policies should be left up to local decision makers. The Healdsburg City Council endorsed a Healdsburg Rent Advisory in 2015, which suggests that a reasonable and fair rent increase amount should not exceed 10% annually. Staff was able to work with local property managers and residents to develop this policy. The Council is currently contemplating a rental-relocation Ordinance as well. These policies are the result of public outreach and a number of meetings with the public that has and will continue to allow the City to create and implement policies that meet the needs of our community. Having a “one size fits all” approach to these issues may not address our community’s needs.

Elements 4 – 8: Production

We have concerns related to Elements 5 – 8, as they significantly limit local control by prescribing a “one size fits all” approach, which may not work, and is not a best practice. We do not support allowing for additional density bonuses or dramatically reducing parking requirements unilaterally through a state mandate. While we may agree that parking requirements, housing densities, and limiting density bonuses may create challenges for some high-density development, the solution should be left to local jurisdictions to determine what makes the most sense for individual cities. Our region does not have an adequate transit system to support a mandated approach to parking. In addition, allowing housing up to 75’ with a density bonus does not address how smaller cities such as Healdsburg will be able to acquire fire-safety equipment that would allow our fire department to respond to a fire emergency. The cost to purchase, maintain, and house such equipment could be in the millions of dollars.

These elements also attempt to prescribe a State standard for how impact fees are calculated and assessed, and suggest that jurisdictions adhere to a standardized methodology and set of objective standards rather than the current “reasonableness” test which supports a local jurisdiction’s approach to managing growth and development. These elements also suggest an imposed cap on impact-fee collection, which ignores the unique capital needs of individual local governments.

The reuse of public land for the creation of mixed-income/affordable housing by reducing barriers to development on public land is an element we do not support as forcing the sale of such properties to a developer runs contrary to the best long-term interests of the public. In addition, there are many cities that own property that were once owned by Redevelopment Agencies and are now used as, “Government Use.”. It is unclear how these properties are part of the “reuse” plan and if they could even be utilized without going through the complex process prescribed in the RDA disillusion process.

The CASA Compact references “The 2016-18 Workforce Housing on Public Lands Study,” which assessed nearly 700 sites in all nine Bay Area counties for their suitability for new housing development. The study identified two potential parcels in Healdsburg that may be subject to Element 8. Those sites are the West Plaza and Cerri building parking lots. These sites currently provide a large percentage of public parking spaces within our downtown and losing them to a mandate for mixed-income/affordable housing is unacceptable to the City of Healdsburg.

Elements 9 - 10: Revenue and Administration

Together, these elements offer revenue-generating mechanisms to fund the Compact and suggest the formation of a new independent regional "housing authority" to collect and distribute those funds. The City of Healdsburg has significant concerns related to Elements 9 – 10 as the distribution of funding generated by multiple funding mechanisms is likely to result in an inequitable distribution of such funds. The establishment of a regional leadership entity to implement the CASA Compact creates a regional bureaucracy without accountability for local decisions and has the potential to operate in a counterproductive manner to achieving our local Healdsburg housing goals.

It is the City's hope that any legislation proposed to move the CASA Compact forward will be revised to address funding options without penalizing the City of Healdsburg, as we are clearly and actively working to increase our affordable housing stock. It is critical that any housing legislation does not further erode our ability to plan, design and build towards our community priorities. Rather, we would like to see legislation that would provide cities with tools to work with developers to produce the right type of housing in the right places, while retaining local control. It is disappointing that the proposed funding options listed in Element 9 of the CASA Compact did not include Redevelopment.

The elimination of Redevelopment Agencies in California severely restricted the production of affordable housing throughout California. While we recognize the CASA Compact supports the development of a new redevelopment framework to advance the production of extremely low, very low, and low-income housing while leveraging funding for mixed-income infill housing, it is concerning that it was not listed as a viable funding option in Element 9 of the CASA Compact. There were many other funding suggestions that have not been tested and have already been deemed unworkable in Element 9, excluding redevelopment in this element is concerning.

The 10 CASA Compact Elements propose a "one size fits all" approach designed for the entire Bay Area with respect to housing densities and land-use decision-making. As mentioned above, they also attempt to remove local control and decision-making authority. Additionally, the diversion of existing Healdsburg revenue sources is something we do not support. We oppose any efforts to divert local Healdsburg dollars to a regional enterprise that would send Healdsburg taxpayer dollars outside of our county. It is our City Council's opinion that this approach does not work. Representatives of our Staff have made repeated requests to MTC/ABAG to share its legislative analysis and data on the projected economic impact to Healdsburg. This information has not been shared to-date.

For all of the aforementioned reasons, the Healdsburg City Council has authorized me to prepare a Letter of Opposition consistent with the Mayors' and Councilmembers' Association of Sonoma County Legislative Committee's opposition letter. I strongly suggest you advocate for legislation that would provide cities with tools to work with developers to produce the right type of housing in the right places, while retaining local control as referenced above.

Sincerely,



David L. Hagele
Mayor

Cc:

Scott Haggerty, Alameda County Board Supervisor/MTC Chair

Jake Mackenzie, Rohnert Park City Councilmember - Representing Sonoma County and Cities

David Rabbitt, Sonoma County Board Supervisor/ABAG President

Sonoma County Mayors and Council Members

Nancy Hall Bennett, Regional Public Affairs, North Bay Division, League of California Cities

April 4, 2019

The Honorable Steve Glazer
California State Senate
State Capitol, Room 5108
Sacramento, CA 95814

The Honorable Rebecca Bauer-Kahan
California State Assembly
State Capitol, Room 2154
Sacramento, CA 95814

RE: Legislative positions from the Tri-Valley Cities pertaining to priority housing legislation

Dear Senator Glazer and Assembly Member Bauer-Kahan:

On behalf of the Tri Valley Cities which includes Danville, Dublin, Livermore, Pleasanton and San Ramon, we applaud the State Legislature for proposing a legislative package to address the housing emergency in the San Francisco Bay Area and throughout California.

There is a recognized need to address housing and we want to be part of the conversation and solution. As cities in the Bay Area and beyond are experiencing rising housing prices, severe housing instability for its most vulnerable populations, displacement of existing residents of all incomes, and increasing homelessness, we agree that a concerted regional approach is necessary to successfully address many of these challenges.

Consistent with some of the main aspects of the various legislative proposals, some or all of the Tri Valley Cities have already taken or are taking many of these actions, including:

- A range of higher density housing projects already completed projects and adopting development standards for higher density development around its Bay Area Rapid Transit (BART) and Altamont Corridor Express (ACE) stations. Planning for higher density around the proposed Valley Link regional rail system from the San Joaquin Valley;
- Inclusionary housing ordinances that requires low and moderate income housing units to be built on site;
- Accessory dwelling unit ordinance consistent with most recent State laws;
- Plans and transactions for the disposition of significant public lands for affordable housing; and
- 100% affordable projects under construction for low or very-low income households using City Housing Trust fund money.

As a region, we support the following themes:

Balanced Solutions – Housing, Jobs, and Transportation

- Regional solutions need to take a balanced approach that considers housing, transportation/transit, and jobs together. Building housing without adequate transportation infrastructure may exacerbate, not alleviate, the affordable housing crisis.
- Regional transit agencies and MTC must support improved transit services to existing and new neighborhoods and address accompanying funding needs.

Provide, Promote, and Protect Affordability

- Protect existing affordable housing stock, including rental apartments, deed restricted units, and mobile homes, and promote affordable housing that includes long-term affordability agreements.

- Ensure that all new state mandated incentives, fee reductions, and density bonus program are directly linked to the level and percentage of affordable units provided for each project.

Context-Sensitive Housing

- Avoid “one-size-fits-all” standards for regional housing by ensuring that policies and laws allow for sensitivity to local context. For example, historic districts should be exempt from higher density housing requirements if they are not compatible with the historic context of the area.
- Advocate and facilitate production of ADUs (examples: reduce all fees including those from special districts and utility companies) and encourage development of “missing-middle” housing that is compatible with suburban community character (examples: duplex, triplex and four-plexes, small scale apartment complexes).
- Enable cities to develop locally-appropriate plans that meet State objectives in a manner that is compatible with existing community character. For example, some cities use density-based (rather than height-based) development standards and realistic parking requirements given their distance from reliable and frequent public transit.

Infrastructure and Services

- Mandates for new housing production need to be accompanied by funding that can support expanded transportation, transit, and infrastructure, including planning, and capital improvement programs and funding to support new school facilities.

Funding and Resources

- There should be no net loss of local funding.
- New funding measures should not unduly impact local taxation capacity or divert financial resources from essential local public services and infrastructure programs.
- Any new housing mandates should include funding to offset administrative costs associated with supporting the new program and new reporting requirements. Funding to offset administrative costs could include concepts similar to the surcharge on building permit applications for the Certified Access Specialist (CASP) program.

As it relates to the major housing legislation that has recently been introduced, below are our regional positions:

1. Legislative topics regarding “Just Cause Eviction Standards” and the adoption of Bay Area wide requirements.
Legislation includes Assembly Bill 36 (Bloom), Assembly Bill 1481 (Bonta), and Assembly Bill 724 (Wicks) and possibly more.
TVC Position: Monitor.
2. Legislative topics regarding a rent cap within the Bay Area and limits annual rent increases to a “reasonable” amount.
Legislation includes Assembly Bill 1482 (Chiu) and possibly others.
TVC Position: Monitor.

5. Legislative topics regarding rent assistance and free legal counsel. Legislation includes Senate Bill 18 (Skinner) and possibly others.
TVC Position: Support
4. Legislative topics regarding the removal of regulatory barriers to Accessory Dwelling Units. Legislation includes Assembly Bill 68 (Ting), Assembly Bill 69 (Ting), and Senate Bill 13 (Wieckowski).
TVC Position: Support.

If there are any opportunities for amendments, we would be supportive of the following:

- Extending the fee limitation/reduction to all passthrough fees (including utility connection fees and school district fees), provided that the fees remain proportionate to impacts generated.
 - Developing standardized ADU permit plans in a range of sizes, pre-approved at the State level, allowing for minimal local plan check requirements (reduced plan check time offsets fee limitations).
 - Allowing cities to count, by right, ADUs that are “affordable by design” in the RHNA process (examples: count ≤ 550 SF ADU as “Low” and 551- 1,000 SF ADU as “Moderate” income units).
 - Advocate for standardized Building Codes for ADUs.
 - Ensure existing structures are brought up to Code for legitimate Health and Safety reasons.
5. Legislative topics regarding minimum zoning near transit for housing. Legislation includes Senate Bill 50 (Wiener).
TVC Position: Oppose unless amended.
Suggested amendments would include:
- Allow all cities (not just Sensitive Communities) to develop context sensitive community plans that achieves the overall goal of providing affordable housing around transit and a balanced land use framework.
 - Focus requirement on density not on height (as the latter does not necessarily result in more units) and allow cities to retain design quality control to facilitate local acceptance.
 - Establish realistic frequency thresholds to be considered for rail stations, specifically ACE or Amtrak train lines, which have very limited infrequent service.
 - Apply density increase as a percentage of adjacent land uses (example: 50% increase in density or height) in acknowledgement that not all communities take the same form near transit lines
 - Establish increases contingent upon funding a transit agency’s ability to maintain headways for a specified number of years.
 - Allow a time period for cities to incorporate these requirements into their General Plans and obtain local feedback.
 - Exempt historic districts/downtowns where high-density housing is not compatible with the historic context of the area.
6. Legislative topics regarding “Good Government” reforms to the housing approval process. Legislation includes Assembly Bills 1483 and 1484 (Grayson) and Senate Bill 330 (Skinner). **TVC Position: Oppose unless amended.**
Suggested amendments would include:
- Require an “expiration date” for all fees and regulations locked at application completeness to ensure they are applicable to viable projects.
 - Eliminates abuse by developers who might “lock” a future application to avoid addressing future federal, state or local requirements that may surface.
 - Require a “reset” should substantive project changes be introduced during the course of the development review process to avoid potential abuse of the system.
 - Maintain clear and objective standards and controls, and support fee deferral programs that ensure context sensitivity.

- Allow all cities (not just Sensitive Communities) to develop context sensitive community plans that achieves the overall goal of providing affordable housing around transit.
7. Legislative topics regarding expedited approvals and permit streamlining to accelerate zoning-compliant projects. Legislation includes Assembly Bill 1485 (Wicks) and Assembly Bill 1706 (Quirk). **TVC Position: Oppose unless amended.**
Suggested amendments would include:
- There should be no net loss of local funding.
 - Require outside agencies to cap/reduce fees to stimulate affordable housing.
 - Require an “expiration date” for all fees and regulations locked at application completeness to ensure they are applicable to viable projects.
 - Eliminates abuse by developers who might “lock” a future application to avoid addressing future federal, state or local requirements that may surface.
 - Require a “reset” should substantive project changes be introduced during the course of the development review process to avoid potential abuse of the system.
 - Implement and maintain clear and objective standards and controls to ensure context sensitivity.
 - Allow all cities (not just Sensitive Communities) to develop context sensitive community plans that achieves the overall goal of providing affordable housing around transit.
 - Consider middle income household definition of 80-120% of area median income, consistent with local standards (instead of 80-150% of AMI), which makes units more affordable.
 - 50% parking reduction from local standards should initially be applied only in transit rich areas where residents actually have to option to use frequent and high-quality public transit.
 - Projects should be required to agree to a 30-50-year inclusionary requirement to receive the streamlining and financial incentives listed.
8. Legislative topics regarding the use of “surplus” and “underutilized” public lands for affordable housing. Legislation includes Assembly Bill 1486 (Ting).
TVC Position: Support with amendments
- Allow all cities (not just Sensitive Communities) to develop context sensitive community plans that achieves the overall goal of providing affordable housing around transit.
 - Provide clear and objective standards for the definition of “surplus land.”
 - Should prioritize land around existing or approved transit stops
 - Require projects to be consistent with locally adopted land use plans that are already in place (e.g. specific plans) and consistent with objective local standards.
9. Creating new revenue streams to help fund future housing projects. Legislation includes ACA 1 (Curry) and AB 1487 (Chiu). In order to collect some of these new revenue streams, there would be the creation of a new regional entity. That legislation includes AB 1487 (Chiu).
TVC Position: Oppose unless amended.
Suggested amendments would include:
No reduction in currently property tax funding
- Define return-to-source funding formula at a city level.
 - Regional “fair share” housing assignment (RHNA process) is correlated to level of funding received (i.e., the less regional funding a city receives, the lower the regional housing assignment) (e.g., we do not want to be donor cities).

- Creating an entity that is not comprised of elected officials does not allow it to be accountable to the voters or local needs, and appears to be structured to exclude local government input.
- Creating a regional entity introduces another bureaucracy with its own unique set of requirements takes staff time away from facilitating housing production and committing it to report production (in addition to the ones filed with State HCD and Department of Finance).
- Consider existing agencies that could do the same functions, with additional funding, instead of a new public agency.

In closing, the Tri Valley Cities are grateful for the State Legislature's leadership on these important and difficult issues. We look forward to working with you and other State lawmakers in implementing aggressive regional policy initiatives to address the housing crisis in a way that is compatible and supports the diversity of local realities.

Sincerely,

City of Dublin
Mayor David Haubert

City of Livermore
Mayor John Marchand

City of Pleasanton
Mayor Jerry T. Thorne



City of Danville
Mayor Robert Storer



City of San Ramon
Mayor Bill Clarkson

DATE: May 2, 2019
[Updated to reflect corrected footer]

TO: Laura Hoffmeister, Conference Chair
Gary Pokorny, Executive Director
Contra Costa Mayors' Conference

FROM: Michelle Fitzer, Chair
Contra Costa Public Managers' Association

RE: Summary of Memorandums related to emerging housing legislation

Consistent with the interest and discussion at the April 2019 Contra Costa Mayors' Conference on the CASA Compact and rapidly emerging housing legislation, the Contra Costa Public Managers' Association (PMA) – acting as the staff – is including three separate documents for consideration, discussion and action:

Attachment A: Recommended Policy Framework on Emerging Housing Legislation

Attachment B: Summary and Recommended Policy Position on AB 1487 (Chiu) - the Housing Alliance for the Bay Area Housing Legislation

Attachment C: DRAFT Resolution Supporting the Contra Costa County Jurisdictions' Housing and Policy Framework on Housing Matters (for adoption by each city and the county in Contra Costa)

ATTACHMENT A

Recommended Policy Framework on Emerging Housing Legislation

DATE: May 2, 2019
[Updated to reflect corrected description of Contra Costa PMA]

TO: Laura Hoffmeister, Conference Chair
Gary Pokorny, Executive Director
Contra Costa Mayors' Conference

FROM: Michelle Fitzer, Chair
Contra Costa Public Managers' Association

RE: Recommended Policy Framework on Emerging Housing Legislation

The Contra Costa Public Managers' Association (PMA) is an organization comprised of public managers representing the nineteen cities and county of Contra Costa. The Contra Costa PMA works collaboratively to share information, discuss and find solutions on issues of regional significance.

As an association of professionals who are committed to serving the public, the Contra Costa PMA has closely reviewed and discussed the implications of recent efforts at both the regional and state level to address the housing crisis, including the CASA Compact and numerous legislation that have emerged out of that effort. Based on the PMA's analysis and given the rapid rate in which housing legislation is moving through the state legislative process, the PMA recommends that the Contra Costa Mayors' Conference consider adopting the following housing policy framework as a basis for upcoming advocacy work.

RECOMMENDATION

Position Statement: Contra Costa cities recognize and fully *endorse* the need for increased housing opportunities - especially for people earning below the area median income. While we appreciate its intent, the CASA Compact is a high-level document with only limited detail. Small and medium sized cities, representing 66% of the Bay Area population, were not well-represented in its creation.

As such, the Contra Costa Mayors Conference wants to ensure that their member cities' voices are heard as the details of legislation are being crafted and encourages MTC, ABAG and the State Legislature to collaborate with all cities on all housing legislation so that we may collectively formulate feasible solutions to address the Bay Area's housing needs. Therefore, it is the consensus of the Contra Costa Mayors' Conference that:

Balanced Solutions – Housing, Jobs, and Transportation

1. **We support** regional solutions that take a balanced approach and consider the needs of housing, transportation/transit, and jobs *together* (never one at the expense of the other). Building housing without adequate transportation or other infrastructure would exacerbate - not alleviate - the affordable housing crisis.
2. **We support** policies that encourage a regional jobs-housing balance as a strategy to lower vehicle miles traveled (VMT) and greenhouse gas (GHG) emissions, and oppose policies that exacerbate it.
3. **We support** additional transportation investments to expand the Bay Area transit network to provide connections from job centers to existing as well as planned future housing.

Provide, Promote, and Protect Affordability

4. **We support** every city's ability to establish tenant protections as they deem appropriate for their residents.
5. **We support** incentives for the production of new accessory dwelling units (ADUs) including (a) streamlining the entitlement process; (b) eliminating all fees - including pass-through fees charged by utilities and special districts; (c) developing standardized state-approved floorplans similar to Factory Built Home plans; and (d) counting ADUs - by right - as *very low*, *low*, or *moderate* units in the RHNA attainment reporting process.

Context Sensitive Housing

6. **We support** maintaining local control of land use and the entitlement process. We urge the State to recognize that cities control only the entitlement process and have no ability to produce housing, which is a developer- and market-driven process. Therefore, cities should be measured by the number of entitlements approved when calculating RHNA attainment and not be penalized for being unable to produce housing.

7. **We oppose** top-down or one-size-fits-all approaches to land-use decision-making, including those mandating residential densities, building heights and development intensity.

Infrastructure and Services

8. **We support** removing barriers to planning communities for all and ensuring that adequate resources are available for existing and new infrastructure (e.g., roads, schools, parks) and municipal services (e.g., public safety) to serve our growing population.
9. **We support** utilizing existing local housing authorities – which are more familiar with needs of their subregion – to serve as the governance structure that administers new affordable housing funds and monitors housing production, rather than establishing yet another state or regional agency to take on that role.

Funding and Resources

10. **We support** legislation that will return e-commerce/internet sales tax revenue to the point of sale – not the point of distribution as currently mandated – to provide cities that have a significant residential base with a commensurate fiscal stimulus for new housing.
11. **We support** Governor Newsom’s investments proposed in the state budget that will benefit California cities by including a substantial increase in state funding for affordable and workforce housing and addresses the growing homelessness crisis in our state.
12. **We oppose** any diversion of existing revenue sources from cities.

As a county, we are grateful for the State Legislature’s leadership on these difficult issues and look forward helping to ensure that new housing legislation is crafted in a manner that is compatible with - and supports the diversity of – all local communities. We invite you to partner with cities, small and large, to find solutions to address the housing shortage in a way that is compatible and supports the diversity of local realities.

ATTACHMENT B
Summary and Recommended Policy Position on AB 1487 (Chiu) - the Housing
Alliance for the Bay Area Housing Legislation

DATE: May 2, 2019
[Updated to reflect corrected footer]

TO: Laura Hoffmeister, Conference Chair
Gary Pokorny, Executive Director
Contra Costa Mayors' Conference

FROM: Michelle Fitzer, Chair
Contra Costa Public Managers' Association

RE: Summary and Recommended Policy Position on AB 1487 (Chiu) - the
Housing Alliance for the Bay Area Housing Legislation

Consistent with the Contra Costa Public Managers' Association (PMA) policy framework recommendations on emerging housing legislation, this memorandum summarizes the recently amended Assembly Bill 1487 to establish the "Housing Alliance for the Bay Area," a new regional housing agency for the 9-county San Francisco Bay Area.

SUMMARY

Consistent with a recommendation from the CASA Compact, this bill would establish a new regional government entity to raise revenue (subject to applicable voter requirements) and allocate those funds for purposes of providing tenant protections, affordable housing preservation, and new affordable housing production. As proposed, this new entity would be comprised of 18 voting members, nine (9) from the Metropolitan Transportation Commission (MTC) and nine (9) from the Association of Bay Area Governments (ABAG).

Subsequent to the State of California's dissolution of redevelopment, there is a recognition for affordable housing funding sources. In support of this effort, new revenue sources are welcomed (though it should be noted that the current text of the bill does not ensure an equitable distribution of funds). Of concern is that the bill would

establish a new regional bureaucracy without direct and equal representation by all cities in the Bay Area.

RECOMMENDATION

It is recommended that the Contra Costa Mayors' Conference issue a statement of **support with amendments**, as follows:

1. **We support** the establishment of funding sources for the protection and production of affordable housing that is consistent with the will of the voters.
2. **We support** establishing a correlation between the "fair share" housing (Regional Housing Needs Allocation or RHNA) assignment and the level of funding allocated. In other words, a city with a lower RHNA assignment would receive less funding.
3. **We support** the ability for cities to apply for these funds directly.
4. **We support** using an existing housing agency to serve as this revenue collection and distribution agency with additional funding. The agency should be comprised of directly elected officials that represent the diversity of cities in the Bay Area (rather than through appointments from existing regional entities) to ensure accountability to the voters.
5. **We oppose** the creation of a new regional bureaucracy with its own unique set of requirements.

As a county, we are grateful for Assembly Member Chiu's leadership on these difficult issues and look forward helping to ensure that any new housing agency is established in a manner that helps – rather than hinder – the production of affordable housing in all areas of the 9-county Bay Area.

ATTACHMENT C

DRAFT Resolution Supporting the Contra Costa County Jurisdictions'
Housing and Policy Framework on Housing Matters
(for adoption by each city and the county in Contra Costa)

Contra Costa County Jurisdictions'

HOUSING AND POLICY

FRAMEWORK PROPOSAL



APRIL 2019

PREAMBLE

The jurisdictions taking part in this effort value regional leadership and collaboration to maintain and improve the quality of life for Contra Costa County residents and to create a positive environment for employers. These Contra Costa County jurisdictions recognize the challenges inherent in providing adequate and affordable housing opportunities in the region. Recent efforts at the regional level, namely through the Committee to House the Bay Area (CASA), and by State legislators have brought these challenges and the resultant policy implications for the Contra Costa County into sharper focus. There is a unique opportunity for the Contra Costa County Cities to work together, to develop a collaborative response to influence legislative efforts at the State towards outcomes that address housing needs, while respecting community character and desire for local decision making.

Knowing that scores of new housing bills are likely to be introduced by State legislators in 2019 and beyond, the Contra Costa County jurisdictions taking part in this effort recommend a proactive and nuanced approach to advocacy and engagement, with the cities working together. In addition to educating our stakeholders on these issues, our goal is to influence the legislative process and create a shared position on key topics, where possible. While this approach identifies common areas of concern, each city may continue to pursue their own individual areas of concern that are context sensitive to their community.

INTRODUCTION

Contra Costa represents one of the most diverse areas in the State, and each jurisdiction has its own perspective on how to best meet the needs of its resident and business communities. However, many of our interests overlap, which allows for collaboration and advocacy that will strengthen the voice of the Contra Costa County. The Contra Costa County jurisdictions taking part in this effort are committed to open and honest communication with a goal of building consensus and a united approach to address housing legislation as it is developed by State legislators.

The housing challenges in California are real and the current and upcoming legislative cycles will include notable and impactful housing legislation that will be felt statewide, including in Contra Costa County. Recent history has demonstrated that simply opposing legislation has limited effectiveness (and in fact, may be counter-productive) and that jurisdictions will need to collaborate to influence legislative efforts, such as proposing revisions to draft legislation, to address new housing law as it is developed.

BACKGROUND

California's Affordable Housing Crisis & The State's Response

In 2017, the State of California published a report titled, "[California's Housing Future: Challenges and Opportunities](#)." The report identifies the severity of the housing shortage across the State and became a backdrop to the State's adoption of a suite of 15 housing-related bills known as the 2017 "Housing Package". The 15 bills focused on:

- Providing funding for affordable housing;
- Streamlining the review and approval process for housing;
- Increasing accountability and reporting requirements for local governments; and
- Preserving existing affordable housing.

During the 2017 legislative cycle many communities (including multiple Contra Costa County jurisdictions) responded to the proposed legislation with an outright rejection of the entire Housing Package. Nonetheless, the 15 bills were signed into law, and in 2018, most local jurisdictions began implementation of these measures in various ways. Key pieces of that recent legislation are outlined later in this Housing Framework.

HOUSING ELEMENT

Purpose

The Housing Element is one of nine mandated elements in a city's General Plan and implements the declaration of State law that, "the availability of housing is a matter of vital statewide importance and the attainment of decent housing and a suitable living environment for all Californians is a priority of the highest order." (Gov. Code § 65580)

At the local level, the Housing Element allows the local jurisdiction to approve a community-specific (local) approach to "how" and "where" housing needs will be addressed to meet the needs of their community. A jurisdiction's Housing Element must be updated every eight years.

For the Bay Area, the current planning period started in 2015 and ends in 2023. The next planning period will run from 2023 to 2031, meaning that local jurisdictions will be updating their Housing Elements in the 2021/2022 timeframe.

Regional Housing Need Allocation (RHNA)

All California cities and counties are required to accommodate their fair share of regional housing need. This fair share assignment is determined through a Regional Housing Needs Allocation (RHNA) process. The California Department of Housing and Community Development (HCD) determines the share of the state's housing need for each region. In turn, the council of governments (COG) for the region allocates to each local jurisdiction its share of the regional housing need. In the nine-county Bay Area, the region's COG is the Association of Bay Area Governments (ABAG). After the RHNA is determined, local jurisdictions must update their Housing Element (and typically identify housing opportunity sites and rezone property) to demonstrate that there is an adequate amount of land zoned, at appropriate density, to achieve its RHNA for the current planning period.

Planning vs. Building; No Net Loss

Under current state law, a jurisdiction is not required to *build* the housing units assigned to it by the RHNA. Rather, it is required to adopt a land use program – appropriate General Plan and Zoning, including identification of specific sites with available infrastructure and suitable physical conditions – to accommodate these housing units under market-driven conditions. The "No Net Loss" laws (adopted in 2017 by Senate Bill [SB] 166) ensure that local governments do not approve projects with less units per income category or downzone these opportunity sites after their Housing Element has been certified. This means that cities cannot approve new housing at significantly lower densities (or at different income categories) than was projected in the Housing Element without making specific findings and identifying other sites that could accommodate these units and affordability levels.

RHNA Cycles & Income Levels

Based on population projections from the California State Department of Finance in the lead-up to the last RHNA, and economic and regional housing market uncertainty (including the “Great Recession”), HCD required the Bay Area to plan for 187,990 new housing units during the current 2015-2023 RHNA cycle.

A RHNA assignment is comprised of four income categories: very low; low; moderate; and above moderate income. Table 1 shows the current combined RHNA for Contra Costa County and its 19 jurisdictions.

Table 1 – Contra Costa County and Cities 2015-2023 RHNA and Housing Production through 2017

Income Level	RHNA Allocation by Income Level	Total Permits to Date	Total Remaining RHNA by Income Level
Very Low	5244	401	4861
Low	3075	507	2568
Moderate	3458	1104	2444
Above Moderate	8802	7648	1154
Total RHNA	20579	6143	11027

Source: Department of Housing and Community Development (HCD) Annual Progress Reports

Similar to many communities throughout the Bay Area, the Contra Costa County jurisdictions’ RHNA for housing production of very-low, low, moderate, have been modest. In fact, most of the low- and very-low income unit production has been generated by inclusionary zoning¹ requirements, or produced with substantial subsidies from local, state and federal dollars. The production data is indicative of the real challenges faced by local jurisdictions in meeting RHNA for lower income housing in a market-driven environment, where high land and development costs mean substantial subsidy is needed to build each unit, and where local, State and federal funding is inadequate to meet all but a tiny fraction of the need. Cities have the ability to

¹ Inclusionary Zoning = local zoning code standards that require a portion of a market rate project to be provided (and maintained) at below-market-rate.

designate Housing Opportunity Sites; however, with the loss of redevelopment, financing and construction of the housing unit is predominately driven by the private sector.

Certification and Annual Progress Report (APR)

After local adoption, State law provides HCD with the authority to review and “certify” each jurisdiction’s Housing Element. To ensure ongoing compliance, the law requires local jurisdictions to submit an annual report to HCD, generally referred to as the Annual Progress Report (APR), documenting the number of housing units in various affordability categories that have been produced over the past year and through the course of the eight-year housing element cycle.

RECENT CHANGES TO STATE LAW

The extensive housing legislation passed in 2017 (as part of the Housing Package) and supplemented in 2018 reflects the seriousness for State leaders to address the affordable housing crisis. Their focus has been largely on holding local governments accountable (increasing reporting and monitoring), curtailing the discretionary review process (streamlining), and identifying new funding sources.

Of the 15 bills passed in 2017 and the follow-on bills passed in 2018, the following are the most relevant and potentially impactful to Contra Costa County communities:

Streamlined Approval (SB 35): SB 35 requires cities to “streamline” the approval process for housing developments if the jurisdiction has not issued sufficient building permits to satisfy its regional housing need by income category. A project would be eligible for ministerial approval if it complies with objective planning standards, meets specifications such as a residential General Plan designation, does not contain housing occupied by tenants within 10 years, and pays prevailing wages. Additionally, projects must restrict 10 to 50 percent of their units to be affordable to households classified as having low- or very low-income (i.e., less than 80 percent of the area median income).

Housing Accountability Act (SB 167, AB 678, AB 1515): The bills affecting the Housing Accountability Act apply to every housing development application, not just those with an affordable housing component. The legislation requires that local governments provide developers with a list of any inconsistencies between a proposed project and all local plans, zoning, and standards within 30 to 60 days after the application is complete or the project will be deemed complete with all local policies. Additionally, if a housing project complies with all “objective” general plan, zoning, and subdivision standards, it may not be denied or have its density reduced unless a city or county can find that the project would have a specific adverse

impact on public health and safety. If a project includes affordable units, a local jurisdiction is responsible for making additional findings to deny the project, reduce its density, or add a condition that makes the project infeasible, even if the project does not comply with all “objective” standards.

No Net Loss (SB 166): State law in place prior to 2017 prohibited cities from downzoning sites or approving projects at less density than identified in their Housing Elements. Under the 2017 modification, if the approval of a development project results in fewer units by income category, the jurisdiction must identify additional sites to accommodate the RHNA obligation lost as a result of the approval and make corresponding findings. This change is significant because, for many cities, the Housing Element will have counted most of the high-density housing sites as producing very-low and low-income units, when actual projects constructed will typically provide only a portion of their units at below-market rates. This means cities will likely need to zone additional land for higher density development to ensure there is an adequate number of sites to meet RHNA, and to make more conservative assumptions about future yield of affordable units on those sites.

Housing Element Requirements (AB 1397): This bill makes many changes to how a jurisdiction establishes its Housing Element site inventory. Of special note, this legislation requires “by-right” approval for projects that offer 20-percent of its units at a rate that is affordable to lower income households.

BART TOD Districts (AB 2923): This bill was passed in 2018 and established minimum local zoning requirements for BART-owned land that is located on contiguous parcels larger than 0.25 acres and within one-half mile of an existing or planned BART station entrance. All cities must adopt conforming standards within two years of BART adopting transit-oriented development (TOD) standards (or by July 1, 2022) that include minimum height, density, parking, and floor area ratio requirements. In addition, all projects must include a minimum 20 percent of units for very low and low-income households. This bill is anticipated to help facilitate BART’s plan to build 20,000 units across its network.

PENDING LEGISLATION

Local jurisdictions should expect another round of significant housing legislation in 2019, and likely beyond. In the first three months of 2019, more than 50 new bills dealing intended to spur housing development have been introduced. Two key issues, the CASA Compact and Senate Bill (SB) 50, are discussed in detail below.

See [Attachment 1](#) for a more detailed breakdown of 21 pieces of proposed legislation, the CASA Compact elements they relate to, as well as local concerns and recommended approaches for future advocacy work. The Contra Costa County jurisdictions participating in this effort will continue to monitor and advocate as appropriate.

CASA Compact Overview

From this point forward, much of this legislation will likely be informed and influenced by the CASA Compact, which was released in December 2018. The Metropolitan Transportation Commission (MTC) formed CASA to address the affordable housing crisis. CASA is a 21-member steering group comprised of major employers, for-profit and nonprofit housing developers, affordable housing advocates, transportation professionals, charitable foundations and elected officials from large cities. CASA's Compact is an ambitious 10-point plan to remedy the Bay Area's housing issues.

The CASA Compact sets out to achieve three goals:

- Produce 35,000 housing units per year (14,000 affordable to low-income and 7,000 to moderate-income, a 60% affordability rate);
- Preserve 30,000 existing affordable units (26,000 of which are market-rate affordable units and 4,000 are at-risk over the next 5 years); and
- Protect 300,000 lower-income households (those who spend more than 50% of income on their housing).

To achieve these goals, the Compact includes 10 Elements (or actions). Below is a brief summary (see Attachment 1 for a more detailed overview):

- *Elements 1-3 – Preserve and Protect*

Together, these elements represent the “preserve and protect” components of the Compact, including arguments for: just-cause eviction standards; rent caps; and rent assistance and free legal counsel.

- *Elements 4-8 – Production*

Together, these elements are the “production” component of the Compact, with subcategories, including: accessory dwelling units (ADUs); process streamlining and financial incentives; and using public land for affordable housing.

- *Elements 9-10 – Revenue and Administration*

Together, these elements offer revenue generating mechanisms to fund the Compact and suggests the formation of a new independent regional “housing authority” to collect and distribute those funds.

The Compact concludes with “Calls for Action,” which were ideas that garnered sufficient interest from the CASA steering committee, but not enough to become a standalone element in the Compact. Because these will also generate some legislative interest, those topic areas are also briefly discussed here:

- *Redevelopment 2.0*: Pass legislation enabling the re-establishment of redevelopment in California to provide new funding for affordable and mixed income development.
- *Lower the Voter Threshold for Housing Funding Measures*: Pass legislation that would apply a 55% threshold for affordable housing and housing production measures.
- *Fiscalization of Land Use*: Pass legislation that would return e-commerce/internet sales tax revenues to the point of sale - not at the point of distribution as it is currently - to provide cities that have a significant residential base with a commensurate financial incentive to develop new housing. Also, pass legislation that would change the Proposition 13 property tax allocation formula to provide cities that build more housing with a higher share of property tax revenue.
- *Homelessness*: CASA's funding package includes resources that help produce housing for formerly homeless people and prevent homelessness when possible.
- *Grow and Stabilize the Construction Labor Force*: Increase the construction labor pool by requiring prevailing wages on projects that receive incentives, calling upon the State to improve the construction employment pipeline, and creating a CASA/state labor workgroup to implement.

Concluding Thoughts Regarding CASA

The intent of the CASA Compact is to serve as state legislative research data for future housing legislation. Specifically, its development timeline is driven by the desire to place elements of the Compact on the ballot in the 2020 General Election. While some jurisdictions are likely to support the philosophical principles of the CASA Compact, many have expressed concerns that revolve around three main issues:

- *One-Size-Fits-All Approach*: The Compact proposes one-size solutions that may be effective in large urban cities but can be counterproductive in smaller suburban and rural communities. As an example, rent caps may disincentivize multifamily housing production in suburban communities. In another example, mandating high density housing near transit lines presumes transit service remain static when in fact that is not the case in suburban communities.
- *Potential to Jobs/Housing Imbalance*: The Compact's singular focus on housing production throughout the entire region minimizes the fact that the most acute housing pressure is focused in three of the nine counties in the Bay Area (San Francisco, San Mateo and Santa Clara), where most of the jobs are being created. Imposing housing production in far reaches of the Bay Area, including certain areas of Contra Costa County, would not alleviate the crisis in the three counties with the largest employment centers. Instead, it would likely induce significant congestion and exacerbate the jobs/housing imbalance. A more reasonable approach could be to adjust the production requirements based on a county's existing housing supply.

- *Absence of Public Engagement:* One of the most concerning aspects of the Compact is the absence of a transparent public process that would have incorporated input from those most affected - the general public and cities throughout the region. An often-repeated concern is that this top-down approach is not only ill-informed of the issues highlighted above but could breed anti-growth sentiment that would actively resist reasonable measures to build or fund affordable housing in the future.

Equitable Communities Incentive (SB 50)

SB 50 is an evolution of Senator Wiener's 2018 proposed bill, SB 827. It is a developer opt-in bill that would require a city or county to grant an "equitable communities incentive," which is a waiver from maximum controls on density, height, and parking spaces per unit, and up to three concessions (such as deviation from setbacks or other development standards), if the project provides low, very low or extremely low income housing and is located in a "job-rich housing project" or "transit-rich housing project," as defined below:

"Transit-rich housing project" means a residential development, the parcels of which are all within a one-half mile radius of a major transit stop or a one-quarter mile radius of a stop on a high-quality bus corridor.

"Job-rich housing project" means a residential development within an area identified by the Department of Housing and Community Development and the Governor's Office of Planning and Research, based on indicators such as proximity to jobs, high area median income relative to the relevant region, and high-quality public schools, as an area of high opportunity close to jobs.

The League of California Cities Housing, Community and Economic Development Policy Committee (HCED) discussed SB 50 at their January 17, 2019, meeting. HCED took a position to oppose the bill unless amended. Understanding that Senator Weiner is the Chair of the Housing Committee, along with the political make-up of the Senate and Assembly, HCED formed a subcommittee to explore amendments to SB 50 to make it more amenable to cities and will be presented and discussed further at a later time.

A summary of SB 50, which was presented to HCED on January 17, 2019, is included as [Attachment 2](#).

PROACTIVE APPROACH TO LEGISLATIVE ADVOCACY

Below is a discussion of “key themes” to consider while informing, influencing, and advocating, on the topic of housing.

Key Themes

Balanced Solutions – Housing, Jobs, and Transportation

- Regional solutions need to take a balanced approach that considers housing, transportation/transit, and jobs together. Building housing without adequate transportation infrastructure may exacerbate, not alleviate, the affordable housing crisis.
- Regional transit agencies and MTC must support improved transit services to existing and new neighborhoods and address accompanying funding needs.
- Until the transportation and transit infrastructures are improved and ready to accommodate the new housing growth, focus initial efforts to producing housing in the counties where the jobs are located and where the jobs/housing ratio is at its worst.
- Incentivize employers to locate in housing-rich environments.

Provide, Promote, and Protect Affordability

- Protect existing affordable housing stock, including rental apartments, deed-restricted units, and mobile homes, and promote affordable housing that includes long-term affordability agreements.
- Ensure that all new state mandated incentives, fee reductions, and density bonus program are directly linked to the level and percentage of affordable units provided for each project.

Context-Sensitive Housing

- Avoid “one-size-fits-all” standards for regional housing by ensuring that policies and laws allow for sensitivity to local context. For example, historic districts should be exempt from higher density housing requirements if they are not compatible with the historic context of the area. Provide flexibility to cities that have demonstrated that they are working towards meeting their RHNA numbers.
- Advocate and facilitate production of ADUs (examples: reduce all fees including those from special districts and utility companies) and encourage development of “missing-

- middle” housing that is compatible with suburban community character (examples: duplex, triplex and four-plexes, small scale apartment complexes).
- Enable cities to develop locally-appropriate plans that meet State objectives in a manner that is compatible with existing community character. For example, some cities use density-based (rather than height-based) development standards and realistic parking requirements given their distance from reliable and frequent public transit.

Infrastructure and Services

- Mandates for new housing production need to be accompanied by funding that can support expanded transportation, transit, and infrastructure, including planning, and capital improvement programs and funding to support new school facilities.

Funding and Resources

- There should be no net loss of local funding.
- New funding measures should not unduly impact local taxation capacity or divert financial resources from essential local public services and infrastructure programs.
- Any new housing mandates should include funding to offset administrative costs associated with supporting the new program and new reporting requirements. Funding to offset administrative costs could include concepts similar to the surcharge on building permit applications for the Certified Access Specialist (CASP) program.

NEXT STEPS

- Housing and Policy Framework Workshop for Mayors and City Councilmembers
- Develop engagement materials that highlight the narrative regarding key themes

ATTACHMENTS

1. CASA Compact Legislation - Summary & Recommendations
2. SB 50 Overview

RESOLUTION NO. _____

**RESOLUTION OF THE [_____] CITY/TOWN COUNCIL
SUPPORTING THE CONTRA COSTA COUNTY JURISDICTIONS' HOUSING
AND POLICY FRAMEWORK ON HOUSING MATTERS**

WHEREAS, the Contra Costa County Jurisdictions' recognize and respect the local needs and character of each community, and have a shared interest in maintaining local control of decision-making related to all aspects of the management of each jurisdiction, including but not limited to financial, land use and development, and growth-related matters; and

WHEREAS, in January of 2017, the State of California published a report titled "California's Housing Future: Opportunities and Challenges," which documented the negative consequences of the historic underproduction of housing in California, including an increasing affordability gap, falling rates of homeownership, disproportionate rates of homelessness, and issues such as urban sprawl and traffic congestion. Collectively, these issues have been identified by legislators as part of a statewide "housing crisis"; and

WHEREAS, in September of 2017, California Governor Jerry Brown signed into law the "Housing Package" consisting of 15 new bills focused on funding, permit streamlining, and increased enforcement and accountability for local governments with respect to implementation of the Housing Element; and

WHEREAS, in 2018, State legislators approved, and the Governor signed into law several additional housing bills; and

WHEREAS, the Metropolitan Transportation Commission formed the Committee to House the Bay Area (CASA) to address the housing challenges in the Bay Area; and

WHEREAS, in December 2018 the Committee to House the Bay Area released an ambitious 10-point plan, known as the CASA Compact, to serve as state legislative research data for future housing legislation; and

WHEREAS, the State's focus on the affordable housing challenges is likely to continue for the foreseeable future with new legislation that will impact local Jurisdictions'; and

WHEREAS, the Contra Costa County Jurisdictions' recognize the substantial challenge of providing adequate and affordable housing opportunities in the region, and the shared responsibility of all communities across the State to help address these needs; and

WHEREAS, there is a unique opportunity for the Contra Costa County Jurisdictions' to work together, to develop a collaborative response to influence legislative efforts at the State towards outcomes that address housing needs, while respecting community character and desire for local control of decision making; and

WHEREAS, the Contra Costa County Jurisdictions' affirm their interest in and commitment to shaping housing policy outcomes in a constructive manner, through a proactive and nuanced approach to advocacy and engagement on the topic of housing that will result in better outcomes for the region and the individual communities; and

WHEREAS, the Contra Costa County Jurisdictions' Housing and Policy Framework provides a comprehensive approach, reflecting the following Key Themes:

- Balanced Solutions – Housing, Jobs, and Transportation;
- Provide, Promote, and Protect Affordability;
- Context Sensitive Housing;
- Infrastructure and Services; and
- Funding and Resources; and

WHEREAS, the Key Themes are topic areas where there is consensus among the Contra Costa County and its respective cities, and which can be used to inform, influence, respond, and advocate, on the topic of housing at the local, regional and State level; and

WHEREAS, the overall approach identifies and addresses common areas of concern, while recognizing that each city can and will continue to pursue individual areas of interest that are specific to their community's needs; and

WHEREAS, the _____ City/Town Council met on _____, 2019 to consider and discuss the Contra Costa County Jurisdictions' Housing and Policy Framework;

NOW, THEREFORE BE IT RESOLVED THAT THE _____ CITY/TOWN COUNCIL DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER THE FOLLOWING:

Section 1. The Contra Costa County Jurisdictions' Housing and Policy Framework is hereby supported on matters related to housing legislation.

Section 2. The Contra Costa County Jurisdictions' may from time-to-time revisit the Contra Costa County Jurisdictions' Housing and Policy Framework to ensure that the approaches and topics discussed within the report remain relevant and appropriate.

Section 2. The Mayor and City Manager are authorized to take positions on behalf of the City in regard to pending legislation consistent with the Contra Costa Jurisdictions' Housing and Policy Framework and to communicate those positions to interested parties on behalf of the City Council.

PASSED, APPROVED AND ADOPTED by the _____ City [Town] Council
on March ____, 2019.

I, _____, City [Town] Clerk of the City [Town] of _____,
California, certify that the foregoing resolution was adopted by the City [Town] Council at
a regular meeting held on the ____ day of March 2019, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

City/Town Clerk

APPROVED AS TO FORM:

City/Town Attorney



Cities Association of Santa Clara County: Position Paper on Housing

The Cities Association of Santa Clara County (CASCC) is an association of the fifteen cities of the county that works collectively to discuss and find solutions on issues at a regional level.

CASCC recognizes the need for increased housing opportunities, especially for people earning below the area median income. We fully **endorse** local and regional efforts to encourage the production of more housing, preserve and increase subsidized below market rate housing at moderate- and below-income levels, and provide benefits to minimize the impact for current residents in rapidly changing neighborhoods.

The CASA Compact is a high-level document with only limited detail. Small and medium sized cities were not well represented in it's creation yet represent 66% of the Bay Area population. CASCC wants to ensure that their member cities' voices are heard as the details of legislation are being crafted. CASCC further encourages MTC, ABAG and the State Legislature collaborate with all cities on the ideas contained within the CASA Compact so that we can collectively formulate workable solutions to address the Bay Area's housing needs. It is the consensus of the CASCC that:

We support legislation that will provide voters statewide with the opportunity to apply a 55 percent threshold for revenue generating ballot measures for investments in affordable housing and housing production.

We support legislation that will return e-commerce/internet sales tax revenue to the point of sale – not the point of distribution as currently mandated – to provide cities that have a significant residential base with a commensurate fiscal stimulus for new housing.

We support Governor Newsom's investments proposed in the state budget that will benefit California cities including a substantial increase in state funding for affordable and workforce housing and to address the growing homelessness crisis in our state.

We support incentives for the production of new accessory dwelling units to streamline the entitlement of those ADU's.

We support removing barriers to planning complete communities, ensuring that adequate resources are available for new schools and parks to serve our growing population.

Cities Association of Santa Clara County
Housing Paper: Approved March 14, 2019
Page 2 of 2

We support additional transportation investments to expand the Bay Area transit network that provide connections from job centers to existing housing as well as planned future housing.

We support establishing tenant protections as cities deem appropriate for their residents.

We support maintaining local control of the entitlement process. We urge the State to recognize that cities control entitlements, while developers build. Cities should therefore primarily be measured by entitlements when calculating RHNA attainment, and not penalized when funding is inadequate to build affordable housing.

We support ABAG, an elected body, to serve as the governance structure that administer new affordable housing funds and monitor housing production rather than establishing yet another agency to take on that role.

We oppose a one-size-fits-all approach to housing densities and land-use decision-making.

We oppose any diversion of existing revenue sources from cities.

Cities in Santa Clara County are actively addressing the housing shortage.

- All 15 cities have State-approved plans for new housing growth.
- Permits for 30,000 new residential homes have been approved since 2015 which represents over 50% of the state's housing goal for Santa Clara County of 58,836 new homes by 2023.
- Over 6,000 new residential units were approved in Santa Clara County in 2018.
- Santa Clara County voters increased local taxes to support \$950 million in affordable housing funds. As of 2018, \$234 million has been invested for 1,437 new multi-family units and 484 rehabilitated units.
- The Cities Association of Santa Clara County is leading the effort to form a 2023-2031 RHNA Sub-Region within the County.

About us: The Cities Association of Santa Clara County is an association of the fifteen cities of the county and the elected representatives of more than 1.9 million Bay-Area residents. Since 1990, the city representatives have been gathering to discuss and find consensus and solutions for regional issues. The cities of our association are diverse and include cities of a few thousand people and a city of a million people.

Host: Housing Legislative Working Group Meeting

Date: Wednesday, May 1, 2019 3-7 PM

Location: Board Room, MTC

Staffing:

Julie Pierce, HLWG Chair
Jake Mackenzie, HLWG Vice Chair
Therese McMillan, Executive Director
Brad Paul, Deputy Executive Director
Alix Bockelman, Deputy Executive Director
Rebecca Long, Government Relations Manager
Georgia Gann Dohrmann, Associate Manager of Government Relations
Matt Lavinets, Senior Counsel
Cindi Segal, Senior Deputy General Counsel
Fred Castro, ABAG Clerk of the Board
Notes taken by Lily Rockholt, Civic Edge Consulting

Attendance: Approximately 23, including call-ins.

Chair's Report: Reviewed meeting structure for members, thanked members for their time and ongoing commitment to the meetings. Chair Pierce met with Assemblymember David Chiu to discuss housing bills. She highlighted the value of providing feedback to Sacramento, particularly with Assemblymember Chiu's bills.

- Vice Chair Mackenzie mentioned that he texted with Assemblyman Chiu and told him that MTC Chair Haggerty and ABAG President Rabbitt were creating a committee to discuss MTC/ABAG governance issues.
- Chair Pierce mentioned that Chiu may also make AB 1487 a 2-year bill.

Report on Housing Bill Landscape Changes

Long:

- Stated that both bills related to Just-Cause Evictions have passed out of committees and are now on the Senate Floor. (AB 1481/Bonta and AB 1697/Grayson).
- Stated that Chiu removed references to MTC and ABAG each appointing nine representatives to serve on a governing board of the agency in AB 1487, leaving those details purposely vague so they could be worked out later by the two agencies.

Contra Costa:

- Asked if all the staffing language was removed from AB 1487. Noted he saw the language for working members.
 - **Long:** Clarified that MTC is still designated to staff to the agency.

Sonoma:

- Asked if AB 1487 had defined the sources for funding that the Housing Alliance for the Bay Area (HABA) planned on using.
 - **Long:** Stated intent of AB 1487 is to raise more money for affordable housing, there will have to be a lot of work before funding levels and revenue rates are determined.

Report on Housing Bills

Comments and Suggestions about AB 1279 (Bloom)

Long:

- Stated AB 1279 is viewed as a progressive alternative to SB 50, mandating up-zoning in high resource areas, even those that are not zoned for residential.
- Areas zoned for single family homes would allow fourplexes by-right but would require new units to be affordable to 100 percent AMI or pay an in-lieu fee.
- She noted there would be exclusions for environmentally sensitive areas.
- She noted the high-level comments she received from working group members included:
 - Concern about the definition of high resource areas.
 - Concern about financial impact and infrastructure impact.
 - Concern about lack of local control.
 - How it impacts school's funding.

Napa:

- Shared concerns for lack of local control and overriding of local restrictions. Stated a desire for better maps in order to fully understand impacts on individual jurisdictions.
- Expressed concern over lack of specific definitions in AB1279 (e.g. high resource areas).
- Expressed appreciation for inclusion of an appeal process, but concern that it could be challenging for smaller cities with less staff. Definitions in this section need improvement.
- Asked if AB 1279 would consider other kinds of affordable housing and solutions.
- Asked if there could be a tax credit, or a fund that prioritizes building affordable houses or providing resources with which to build affordable housing for smaller communities.
- Expressed concern that since this could greatly affect the character of neighborhoods, not having precise definitions and maps re: "high resource areas", is a problem
- Stated that cities not knowing where these new housing developments could occur will be challenging for city planning, also resource planning.
- Asked if bill could include above market housing that needs 50+ units to pencil out.

Sonoma

- Expressed concern that developers could buy up single family homes next to existing colleges, convert them to fourplexes, fill them with as many students as possible and turn whole neighborhoods into dormitories for the nearby schools.
- AB 1279 has potential to increase number of units that could be built beyond what is currently zoned in a neighborhood. Could we set upper limit on number of units per city?

Marin:

- Opposed to the lack of clarity around how "high resource areas" will be defined and where AB1279 would apply.
- Stated that AB 1279 conflicts with the density being allowed now, versus what is being proposed.

San Mateo:

- Asked from the author's perspective, what is the definition of "high opportunity areas?"
 - **Long:** Noted it's not the same as high density, has more to do with the presence of good schools, good jobs and a low risk of displacement.
- Expressed concern the areas of development targeted could be more rural areas, rather than those with good public transportation since one of the goals is to reduce traffic and greenhouse gas emissions.
- Stated AB 1279 is difficult to evaluate due to the lack of clear and specific definitions.
 - **Long:** Stated that AB 1279 is in its early in stages of development.
- Concerned about the impact on the area around Stanford if single family homes can automatically be converted to by-right fourplexes and turned into student dorms.
- Expressed concerns about overriding a local jurisdiction's current inclusionary housing minimums. Worried that higher inclusionary levels that might pencil out in SF will be too high in other cities and despite these re-zonings, no housing will actually get built.
- Stated San Mateo County elected officials are not sure this would accomplish the goal of more affordable housing, that this legislation is one size fits all.

San Francisco:

- Noted AB 1279 high resource area regulations would impact land zoned to be exclusively commercial whereas SB 50 only applies to residential. Otherwise approves of AB 1279.
- Expressed concern that in already-dense areas, affordability requirements will not result in additional housing without public subsidies for affordable housing; agreed with Burlingame's mayor, you can't get this level of affordability without subsidy.

Santa Clara:

- Expressed desire for more concrete and defined terms, for example of "arterial roads."
- Expressed concern that AB 1279 is being considered as an alternative to SB 50, but it does not address transportation needs thoroughly enough.
- Noted many strategies in AB 1279 are already being implemented in Mountain View (including FAR bonus). Concerned additional affordable housing requirement may not be financially feasible, making it less likely affordable housing will actually be built.
- Concerned that streamlining projects may not be enough incentive for developers to prioritize building more affordable units.

Contra Costa:

- Expressed concerns that AB 1279 won't result in more housing because it doesn't address the fundamental problem, a lack of funding. Suggested public subsidies or property purchases to assist with affordable housing development.
- Gave example of Stinson Beach being built out if by-right fourplexes are implemented. Noted that this would not help address the jobs-housing imbalance.
- Expressed concern that the maps are misleading and could be improved.
- Expressed concern that for a development project that complies with the basic rules, cities can't stop it. This legislation limits ability to apply contextual design standards.
- Expressed concern that most low density, low population cities also have narrow roads and limited resources to accommodate additional development.

- Expressed concerns about unintended consequences, e.g. allowing both by-right ADUs and fourplexes on same site could create by-right eightplexes or if 40 owners in a 100-unit building opt for by-right ADUs, it goes from 100 units to 140 units.
- Worried that increasing density/students in high resource areas with no new funding for more schools/teachers will result in schools no longer being considered 'good schools'.
- Asked for follow-up about how AB 1279 would work with other proposed housing bills.

Comments and Suggestions about AB 1483 (Grayson)

Long:

- Stated AB 1483 was about housing data and putting more information online including specificity as to number of projects approved, permits issued, etc.
- Noted biggest concern heard to date is the need for more time for smaller jurisdictions to implement data requirements and author is building in time for implementation later.
- Noted the added allowance that MPOs, MTC for example, could request additional reporting and it would be required.
- Shared the goal that with better data there will be better outcomes, e.g. by stating all the fees perhaps more developers would be willing to take on the risk to build more housing.
- Noted there is going to be a Housing Data Strategy at the state level, with parcel level housing and protocols for sharing data and open sourced platforms included in AB 1483.

Marin:

- Expressed concern that they would need a longer timeline to implement due to lower amounts of available staff but believe in data share as a principle.
- Stated a need to know how data is being collected and being used before participating.

Solano:

- Asked what data does the bill's author feels is missing now? What is the need for this?
- Asked if the state's Housing and Community Development staff already has this info.
 - **Long:** Stated that she believed the additional data was related to specific details regarding development.
- Asked if the HLWG could have a side-by-side comparison chart outlining what is being asked for in AB 1483 versus what is being reported now.
 - **Long:** Stated that MTC has asked for this side-by-side.
- Requested a "toolkit" to help the smaller cities with compliance.
- Expressed concerns that smaller cities don't have enough staff to comply properly with AB 1483's requirements.

Contra Costa:

- Stated reporting should just go to the state. If MPOs need data they can go to the state.
- Stated they would have to hire additional staffing to comply with this and wondered where the funding would come from for this additional burden.
- Asked for side by side comparison of data currently sent to HCD and AB 1483 data.
- There is data not being collected that would be helpful: 1) number of units entitled (not just those built; 2) extensions requested; 3) why are entitled projects not being built.

- You can post generic fees online but some fees mitigate EIR findings that come later.
- Expressed concern with the amount of opposition already expressed against AB 1483.
- Asked if the additional information could be sent to the HCD to streamline reporting.

San Francisco:

- Requested a side-by-side comparison of what is required to be reported now versus what would be required with the implementation of AB 1483.

Santa Clara:

- Asked if this stemmed from project issues, or county issues.
- Asked how much extra work AB 1483 would require of the cities.
- Expressed concern that current reporting requirements are confusing and duplicative.

Comments and Suggestions about AB 1485 (Wicks):

Long:

- Explained that AB 1485 suggested some changes that clarified elements of SB 35.
- The changes include by-right approval of certain projects, with many exclusions, specified affordability.
- Adds one other option on the affordability mix for AMR units under SB 35. Developer can have 20% of the units affordable @ 80-120% of median (with average of 100%), or 10% for very low income households (60% of median).

Marin:

- Expressed concern that anything labeled by-right will not work for local governments due to lack of local control.
- Stated that even with the new more flexible affordability requirements, it would still be hard for projects to be economically feasible.

Napa:

- Asked for clarification on the density threshold and if AB 1485 would change the defined thresholds for affordability.
 - **Long:** Stated that is correct.

Sonoma:

- Asked how feasible it is to build projects requiring 20 percent below market rate units.

Contra Costa:

- Expressed concern AB 1485 will not lead to additional housing because projects still will not pencil out.
- Stated they have no big objections, but that some of the language is still unclear in the existing law that is not being amended by AB 1485 – opportunity to fix the transportation component in SB 35 (Wiener, 2017)
- Stated that in the current language, it is unclear if a city has higher standards, which should be the standard.

Solano:

- Stated support for the bill since it will help Solano's cities meet their RHNA requirements.
- Asked if AB 1485 does anything to clarify the terms between cities with higher standards of affordable housing.

Santa Clara:

- Concerned because Mountain View requires 15 percent affordable housing, at 10 percent they're concerned projects won't come to City Council because by-right inclusions based on this amendment.
- Shared concern that the affordability requirements seem low.
- Expressed concern that transportation impacts haven't been considered enough.
- Stated that design review is important so cities can have the amenities they would like to have in their cities.
 - **Long:** Clarified that the requirements for streamlining wouldn't apply to any city meeting their above moderate housing RHNA numbers. Stated that MTC Staff will share a map highlighting areas that would be impacted by AB 1485. For example, AB 1485 would apply in Vallejo, but not all of Solano County.

San Francisco:

- Stated they didn't think San Francisco was covered by this amendment to SB 35 and approved of AB 1485, because "the more we streamline, the better".
- Noted ministerial approvals have been helpful in getting housing built in San Francisco.

San Mateo:

- Stated support for AB 1485 because it will help create more moderate income housing.
- Asked if this bill would still require prevailing wage.
- Wanted to maintain local jurisdiction's requirements for affordable housing if they are higher than AB 1485.
- Stated this should apply to the entire state of California, not just the Bay Area.

Report on Bills Related to Public Lands

Comments and Suggestions about AB 1486 (Ting)

Dohrmann

- Shared AB 1486 updates existing requirement that public agencies offer right of first refusal for affordable housing developments, with projects with priority to deepest level of affordability (either by income or total units), when disposing of excess public land.
- Explained how local land disposal process would work under AB 1486.
- Stated HCD would have enforcement privileges that they do not currently have.
- Explained that 100 percent affordable housing developments would be allowed for all public lands receiving state subsidy regardless of zoning, unless the land is "exempt" or ineligible to receive state subsidy. Developments would still be subject to CEQA and local approvals/not a ministerial "by-right" allowance.

Sonoma:

- Asked if disposing of land language includes selling and leasing of public lands.
 - **Dohrmann:** Confirmed that AB 1486 would revert to current law – “disposal” is not defined. Earlier version of the bill would have defined “dispose of” as including both selling and leasing of land
- Expressed concern about the suitability of certain public lands for housing, especially regarding safety and proximity to public transit.
 - **Dohrmann:** Stated that the development would still be subject to local reviews and zoning, unless it is 100 percent affordable. Even 100 percent affordable housing would still need to go through local reviews/EIR, no matter what was zoned before.
- Expressed concern that this would affect public lands being used as buffer zones.
- Suggested that the State develop their public lands program first, as a show of good faith, and a demonstration of how these processes will work under AB 1486.

Marin:

- Stated Marin County is generally opposed to AB 1486.
- Expressed concern with 100 percent affordable developments being allowed on any public land. Sees it undermining public safety and local jurisdictions land use authority.
- Concerned about the major changes to delegated enforcement for HCD.
- Stated they would like to see a process to transfer land between schools and other agencies to simplify, and not allow these lands to be disposed of to be used for housing development if cities intended for these parcels to be used for some other public need.

Napa:

- Stated that Napa County is generally opposed, since the laws surrounding public lands are already complicated without the implementation of AB 1486.
- Expressed concern this would limit sale prices, further limiting the financial systems that public agencies and cities need to address financial shortcomings.
- Stated that Napa County would like to see flexibility in the levels of affordable housing being offered via public lands, with reference to “missing middle” teacher housing.

Solano:

- Asked if the State is going to look at their surplus lands as defined by AB 1486.
 - **Dohrmann:** Stated that not only does AB 1486 push the State to reassess their excess land, it sets a goal that State dispose of 10 percent of excess land/year.
- Expressed concerns about public lands being used as buffers, especially around prisons.
 - **Dohrmann:** Stated that the buffer zones would be considered “government operations”- would be local discretion to set parameters.
- Asked if this included leased lands as well. Gave the example of the Solano County Fair Grounds in the city of Vallejo, and how Solano County is aiming to have part of this land used for a multiuse development.
 - **Dohrmann:** Stated that AB 1486 wouldn’t change current law.
- Asked about greenbelts under AB 1486.
 - **Dohrmann:** Land used for conservation is exempt under AB 1486.
- Asked about the implication of mixed land use on public lands.

- Expressed concern that AB 1486 doesn't support bedroom communities.
- Expressed concern that in jobs-poor cities, this could worsen the job-housing balance.
- Stated that some surplus lands are not suitable for not mixed use, or housing in any way. Gave the example that housing should not be built in a marsh.
 - **Long:** Stated that proposed housing projects, including 100 percent affordable would still be subject to CEQA. Projects would not just be approved, not by-right, AB 1486 just required more specific and exclusive negotiations.

Contra Costa:

- Expressed concern about the language in the bill.
- Suggested surplus military bases (Concord Naval Weapons Stations) be specifically exempted from this bill.
- Suggested the State provide funding for work required with the changes in AB 1486, particularly to help fund some the affordable housing projects that might come out of it.
- Stated that HCD should not have enforcement privileges.
- Asked if local jurisdictions would be able to give land away for affordable housing development projects under AB 1486.
 - **Dohrmann:** Noted that current law leaves land sale up to the local jurisdiction. That states that the notice land is available, after the 60 days closes, the local agency will enter good faith negotiation with the proposed development with the highest level of affordable housing, like an RFP process.
- Suggested this be amended to not just be percentage requirement, but a density requirement.
- Expressed concerns that there are many unintended consequences with AB 1486.
- Suggested that the State have the same requirements about disposing land as the cities and counties would under AB 1486.
- Expressed concern about redevelopment properties being included in the AB 1486 – successors to redevelopment agencies must be able to meet existing obligations to various taxing entities.
- Asked who would close the funding gap caused by AB 1486.
- Asked if AB 1486 accounts for leasing of properties.
 - **Dohrmann:** Stated that current law doesn't define what "dispose of" means. Earlier versions of AB 1486 included a definition, but clarification was stripped because of local government concerns in amendments made to AB 1486.
- Expressed concern AB 1486 would not allow for mix of affordable units, across different AMIs.

San Mateo:

- Expressed concern with contradictions in local general plans about open space.
 - **Dohrmann:** Explained that there is an exception made for protected open space, but not for just zoning.
- Asked if a city has land that they do not know what they want to use a space for and an affordable housing agency wanted to build on it, could the city refuse under AB 1486.
 - **Dohrmann:** Stated that that is the intent of the surplus lands act, but that requirement would be that the city must try to sell the land, or "dispose" of the land.
- Expressed concern that this would limit the sales price for certain pieces of land, when sometimes what a local jurisdiction needs most in money.

- **Dohrmann:** Stated that under current law that when disposing of surplus public land, affordable housing developments get right of first refusal, so this would not change the process that much.
- Suggested that the State take an inventory of their land before requiring local jurisdiction to do the same to show cities what the best way to implement AB 1486 would be.
- Exception for properties 'held in exchange' is a good thing (we are doing that now).
- Appreciate carve out for open space and recreation use.
- Stated the half acre requirement of public lands seems excessive considering that developed local jurisdictions often have parcels of land much smaller (e.g. 10,000 s.f.).

San Francisco:

- Agreed that half acre minimum should be decreased to include land in San Francisco.
- Requested clarification of policies about refusal process.
- Expressed concern about industrial zones and would like to see some protection of industrial zones included in AB 1486 to protect jobs.

Santa Clara:

- Stated that often the sales price is driven by zoning and asked how this would be affected by AB 1486.
 - **Dohrmann:** Stated that AB 1486 language limits negotiations to sales price and lease terms. The bill doesn't talk about the mechanics of how to execute these changes.
 - **Long:** Stated that zoning would only be overridden if project is 100 percent affordable, otherwise surplus land can only be used for housing if it's already zoned to allow residential as an underlying eligible use.
- Asked if there are 2 affordable developers, can a city choose the most feasible as opposed to the most affordable? Stated that financial feasibility is an important consideration in negotiations.
 - **Dohrmann:** AB 1486 would require the right of first refusal go to the affordable developers with the deepest level of affordability.
- Asked if sale for economic development would no longer apply.
 - **Dohrmann:** Stated that land should first be offered to affordable housing and public land and parks, then if not taken by those purposed could be used for economic development, as is required under current law.
- Expressed concern that the level of affordability couldn't be chosen, particularly if the missing RHNA numbers were for something other than the deepest level of affordability like the "missing middle."

Comments and Suggestions about SB 6 (Beall)

Dohrmann: Requires HCD to add to the state surplus land inventory locally identified sites suitable for development, as identified in housing element site inventories.

Marin:

- Stated that Marin is generally in favor of this but is concerned what HCD defines as realistic.
 - **Dohrmann:** Stated that SB 6 would require that HCD submit sites identified by locals as realistic for development in their housing elements.

Report on Bills Related to Funding

Comments and Suggestions about AB 11 (Chiu)

Long:

- Described the bill and the option it gave local agencies to use tax-increment finance by forming an “Affordable Housing Infrastructure Agency” (AHIA).
- Stated that bonds could be issued without voter approval, if there is at least 30 percent of the funds going toward affordable housing efforts for a list of approved purposes.

Napa:

- Concerned about safeguards to prevent abuse and misuse.
- Expressed concern with the eminent domain designation.
- Special districts shouldn’t have eminent designation.
- Noted it would be important to add sewer and water pipes as well as fire resiliency, and infrastructure improvements to the list of acceptable uses for the use of the bond money under AB 11.

San Mateo:

- Appreciated the option to renew a form of redevelopment.
- Suggested adding tools for first time home buyers, to get them into the home buyers’ market, including buy downs of down payments, for example, to the list of acceptable used for the bond money.
- Suggested increasing the amount of funds required to be spent on affordable housing.
- Expressed concern that AB 11 could unintentionally defund schools.
- Suggested list of acceptable uses for the bond money under AB 11 could be expanded to include: flooding, seawall infrastructure updates, and other natural disasters.
- Asked how members would be appointed to the bodies formed under AB 11.
 - **Long:** Stated that members would be appointed by the constituent members of the agencies involved and public members would be appointed by the board by the appropriate city council.
- Asked how these members would be removed if they did not perform their job as required.
 - **Long:** Stated MTC Staff would have to follow up on this.
- Expressed concern about eminent domain.
- Asked if cities in different counties could work together under AB 11.
 - **Long:** Stated that she hasn’t seen any language regarding cities in different counties working together but MTC staff will follow up after researching.[Bill is silent on this]
- Each city would have equal rights to how it is seen, or would it be based on population? Or is it based on affected area. How would this be done?
 - **Long:** Stated there would be one seat per city participating if there were more than one city participating in the AHIA.
- Asked if two cities could modify this if both agreed to different terms for governance.
 - **Long:** Stated that AB 11 doesn’t give cities the option for own governance in the current language.
- Stated support for the bill.

Marin:

- Expressed general support for the bill but concerned about eminent domain. Asked who is given the power of eminent domain under AB 11.
 - **Long:** Stated that new taxing agency would have the power of eminent domain.
- Expressed appreciation for the possibility the tax increment financing under AB 11.
- Expressed appreciation for the right to opt out of an agency under AB 11.
- Expressed support of the local jurisdiction maintaining local control under AB 11.
- Expressed concern about cross jurisdictional formation of an AHIA

Sonoma:

- Asked who is responsible for decided on the use of tax increment financing.
 - **Long:** The entity itself makes the decision under AB 11.
- Expressed concern that the bond funding would not need to be voter approved.
- Expressed concern AB 11 could defund schools.
- Expressed concern that the amount of money required to be spent on affordable housing was only 30 percent.
 - **Long:** Stated that the intent was to keep the implications of AB 11 flexible and not prescriptive.

Contra Costa:

- Suggested adding more 'green' acceptable uses for bond money such as stormwater retention bases and clarifying the acceptable uses for ports, ferries and water transportation (e.g. ferry terminals and ferry infrastructure).
- Expressed need for more definitive protections for schools' funding such as state could not renege on this commitment to schools without a vote of the people statewide.
- Expressed support for flexibility AB 11 gives cities... "More tools in the toolbox is good."
- Asked how AB 11 would interact with AB 1486.
 - **Long:** Stated tax money would go in for the bond, but for those agencies that did not want to participate, they'd have to be made whole financially under AB 11.
- Expressed concern about eminent domain precedent, cities already have this authority.
 - General agreement expressed from around the dais
- Expressed concern there was lack of clarity about how to remove appointed members who were not actively participating under AB 11.

Solano:

- Expressed Solano County's support, redevelopment 1.0 helped transform Suisun City.
- Requested that seawalls be added to the list of acceptable expenses under AB 11.
- Asked who would approve the members of the AHIA.
 - **Long:** Stated that the entities that formed the new AHIA would appoint the public member.
 - Asked if counties would have a member on the RDAs.
 - **Long:** Stated staff would have to follow up on whether counties would automatically have a seat on the AHIA under AB11. [They don't get a seat unless they are a part of it]
- Asked if water crisis would be an acceptable use for the funds under AB 11.
 - **Long:** Confirmed that water upgrades would be allowed under AB 11.

Santa Clara:

- Expressed concern that with other housing bills, AB 11 would be too much “to juggle.” But if the decision was between AB 11, and AB 1487 (HABA), would prefer AB 11.
- Expressed approval for this bill bringing back RDA, but “how do we know a future governor won’t pull the rug out from under us again the way Gov. Brown did?”
- Requested clarification on how housing bills would interact with AB 11 should they pass.

Sonoma:

- Expressed concern over approval requirements delegated to Strategic Growth Council.

San Francisco:

- Asked if a city could designate itself as the RDA under AB 11.
 - **Long:** Stated that public and affected taxing agencies can.
- Asked if a formal plan is required under AB 11.
 - **Long:** Yes but could have parcels not part of the area as part of plan. Plan needs to be approved by state’s Strategic Growth Council.
- Expressed support of AB 11 widely as a tool to fund Redevelopment.
- Agreed with others who don’t see any need for eminent domain.
- Suggested the Governing Board could decide their own rules about how they vote.
 - **Long:** Stated that the Governing Board could decide their own rules but would be subject to the Brown Act.
- Asked if there were any other terms
 - **Chair Pierce:** Stated that there doesn’t seem to be whole lot of accountability for the board members.

Chair Pierce:

- Requested that the list of acceptable funded projects by AB 11 have expansion on some of the more general disasters, including fire and flooding resilience, infrastructure updates, sea level rise and related projects.
- Expressed concern that the members of an RDA wouldn’t have to be elected officials, and the lack of accountability for the members of an RDA under AB 11.
- Expressed concern that most cities do not have a general fund they can draw fund for the kinds of development allowed under AB 11.
- Expressed concerns about the defunding of public schools under AB 11, and stated she is skeptical the states will fill the backlog of funding for public schools required to “make them whole.”

Conclusion and Comments about Next Meeting:

- The HLWG agreed to meet on May 23, 2019 from 7-9 PM to hear how MTC and ABAG decided to advise legislature on the bills surrounding housing.
- Suggestion for SB 50 exemption for cities that have adopted master plans or specific plans or giving cities time to develop such a plan.
- State funding/financing should come at the same time as housing-related policy changes.

Public Comment:

1. **Jane Kramer:** Stated that it seems there is an overall demand for more affordable housing to be built, but many of the concerns made by cities and local jurisdictions contradict the housing being built.

From: Supervisor Hillary Ronen
To: ABAG | MTC Housing Legislative Working Group Members
Sent: Thursday, April 18, 2019 3:57 PM
Subject: Comments for 4/18/2019 ABAG | MTC Housing Legislative Working Group Meeting

I am sorry that I am unable to join tonight's meeting of the ABAG MTC Housing Legislative Working Group. I am looking forward to participating in future meetings and will do my best to attend those scheduled in the evening, but childcare issues make these a challenge for me.

I am writing to share my thoughts on SB330, sponsored by state Senator Nancy Skinner. Entitled the Housing Crisis Act of 2019, the legislation takes a bludgeon approach to what we can all agree is a true crisis, but one that demands a much more nuanced, much more precise approach to ensure that we build housing that truly meets the needs of both existing and new residents of the Bay Area. I am gravely concerned that this bill will inflict massive collateral damage to vulnerable communities of lower- and moderate-income renters.

Along with certain "streamlining" of hearings and approvals, the gist of the proposed bill is that it creates a definition of Affected City that would include high-cost urban areas throughout the state and then, within those areas, prohibit any change in zoning, new design standard, increase in fees, or moratoria on construction after January 1, 2018, on land where housing is an allowable use.

What this bill will do is inflame hot-market areas, disincentivizing less profitable development opportunities in the suburbs and focusing all housing investment in very popular areas of the Bay Area that are already reeling from gentrification and displacement. The protections it provides for existing tenants are too limited and too weak to truly protect communities that the San Francisco Planning Department has flagged through our Community Stabilization Strategy as communities at-risk of displacement or facing ongoing and advanced gentrification.

I am sure that all areas that could be impacted are doing their own analyses. The preliminary analysis by the San Francisco Planning Department on potential implications for San Francisco reveals very tangible damaging impacts, including but not limited to:

- SB330 would undo recently enacted area plans that pair significantly increased density in Central SoMa and the Hub with real community benefits and fees
- SB330 would undo recent rezoning to protect light industrial uses in certain Eastern Neighborhoods and the Bayview
- SB330 would prevent San Francisco from including design standards in our comprehensive Better Streets Plan
- SB330 would prohibit San Francisco from enforcing unit mix requirements that have been established to accommodate a mixture of household types and sizes

- SB330 ties our hands from reconsidering inclusionary fee requirements and tiers in response to market changes

Under the guise of our all-too-real affordable housing crisis, this bill ignores the work that San Francisco and many other Bay Area jurisdictions have already done to encourage new development that brings community benefits along with upzoning, rejects long accepted planning principles of zoning as a tool to encourage a variety of uses that address local and regional needs, and does nothing to intercede in profiteering off development in vulnerable communities.

I am happy to engage our Planning Department and my colleagues on the San Francisco Board of Supervisors to aggressively pursue an honest dialogue about solving our affordable housing crisis through policies and legislation that make sense for our city and the Bay Area.

-Hillary Ronen

Member, San Francisco Board of Supervisors

From: [Beinart, Amy \(BOS\)](#)
To: [Kimberly Ward](#); [Rebecca Long](#); [Fred Castro](#)
Cc: [Hillary Ronen](#)
Subject: ABAG MTC Housing Legislative Working Group Meeting 4/25/19 -- EMAIL FROM RONEN
Date: Thursday, April 25, 2019 3:55:36 PM

External Email

Hi, Kimberly –

Can you share the email below with members and staff of the ABAG MTC Housing Legislation Working Group for tonight's meeting:

+++++
ABAG MTC Housing Legislation Working Group

Dear Colleagues:

I am sorry that I am unable to join tonight's meeting of the ABAG MTC Housing Legislation Working Group. In lieu of being there in person, I am writing to share some thoughts on Item 4: Report on Production-Housing Bills. I have supported and will continue to support density when it yields clear benefits to my city's and our state's most vulnerable communities, including working and middle class families and individuals, people with disabilities, seniors, and those without homes. I am eager to see legislation that effectively pairs upzoning with value recapture through affordable housing and other community benefits.

SB50

I am a co-sponsor of the San Francisco Board of Supervisors Resolution 172-19, opposing SB50 unless further amended, adopted April 9 ([link](#)). I am pleased that amendments were proposed at the Senate Governance & Finance Committee meeting yesterday. At this point, I have seen only very summarized versions of those amendments, which I am commenting on here.

Based on the April 23 letter from Senator Wiener to the signatories of the Letter of Significant Concerns and the April 24 single-pager SB50/SB4 compromise summary, these are some concerns that immediately jump out.

- We have not yet evaluated how the new data sources identified in the proposed amendments as criteria for Sensitive Communities would apply in San Francisco.
- I agreed with community advocates that the Sensitive Communities map, as written in the original legislation, did not adequately define vulnerable communities in San Francisco. In fact, the CASA maps miss areas of San Francisco that are reeling from gentrification and displacement. By contrast, the San Francisco Planning Department's Community Stabilization Strategy produced more nuanced maps showing stages of gentrification and displacement.
- While I appreciate the leadership of MTC (the Bay Area Council of Governments/COG) and am honored to be able to contribute as the San Francisco Board of Supervisors' representative to the Commission, the on-the-ground work of overseeing the mapping of Sensitive Communities and conducting outreach must be done at the County level and not assigned to COGs.

<https://sfbos.org/supervisor-ronen-district-9>

Metropolitan Transportation Commission

Legislation Details (With Text)

File #: 19-0483 **Version:** 1 **Name:**
Type: Assembly Bill **Status:** Commission Approval
File created: 4/30/2019 **In control:** Joint MTC Legislation Committee and ABAG
Legislation Committee
On agenda: 5/10/2019 **Final action:**
Title: AB 1481 (Bonta) and AB 1697 (Grayson) - Tenancy Termination: Just Cause

Prohibits eviction of a tenant without just cause stated in writing. Requires tenant be provided a notice of a violation of lease and opportunity to cure violation prior to issuance of notice of termination.

Sponsors:**Indexes:****Code sections:**

Attachments: [9ai_AB-1481 and AB-1697.pdf](#)
[7b1_AB-1481 and AB-1697.pdf](#)

Date	Ver.	Action By	Action	Result
5/10/2019	1	Joint MTC Legislation Committee and ABAG Legislation Committee		
5/10/2019	1	Joint MTC Legislation Committee and ABAG Legislation Committee		

Subject:

AB 1481 (Bonta) and AB 1697 (Grayson) - Tenancy Termination: Just Cause

Prohibits eviction of a tenant without just cause stated in writing. Requires tenant be provided a notice of a violation of lease and opportunity to cure violation prior to issuance of notice of termination.

Presenter:

Rebecca Long

Recommended Action:

Support

Attachments:

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

May 10, 2019

Agenda Item 7b1

California Housing Legislation – Protection Bills

Subject: AB 1481 (Bonta) and AB 1697 (Grayson) – Tenancy Termination: Just Cause

Background: AB 1481 (Bonta) prohibits residential tenancy termination without just cause. "Just cause" may be either at-fault or no-fault. "No-fault just cause" would include: a) owner intent to occupy the property; b) withdrawal of the property from the rental market; c) unsafe habitation; and d) intent to demolish or to substantially remodel. For at-fault, the bill also requires the landlord must first provide the tenant with a notice of the violation and an opportunity to cure the alleged lease violation. In addition, the bill requires landlords who terminate tenancy for no-fault to notify the tenant of the tenant's right to relocation assistance, and to provide that assistance if requested, regardless of the tenant's income. If a local jurisdiction has stronger just cause laws, those would prevail.

AB 1697 (Grayson) is identical to AB 1481 except that the proposed "just cause" provisions would only apply to a tenancy after 12 months. This provision was also included in the CASA Compact Element #1.

Issues: On average, one in 36 renters is taken to eviction court every year in California, and there is evidence that a much higher share of renters are evicted without even going to court. A just cause eviction law would require the landlord to provide tenants with a reason, stated in writing, as to why they are being evicted. And, it would provide an opportunity for tenants to contest or correct the stated reason. In so doing, the law would help reduce the arbitrariness of a no-fault eviction, which most often impact low-income households.

Evictions can be devastating to low-income households especially in an expensive housing market like the Bay Area, with the availability of units affordable to low-income households (both "naturally" affordable and deed-restricted) far short of demand. In the worst case, evictions lead to homelessness. A 2017 survey found that 14 percent of the homeless population in Santa Cruz County was a result of an eviction.¹

Without a requirement to provide written notice as to the cause of an eviction today, landlords can evict a low-income tenant in order to charge higher rent to a tenant willing to pay more, especially in gentrifying neighborhoods. While fair housing laws are designed to protect against discrimination on the basis of race, given the high correlation between income and race, no-fault evictions can

¹ Applied Survey Research, Santa Cruz County 2017 Homeless Census & Survey (2017) at p. 32.)

contribute not only to increased displacement of low-income households, but also increased racial segregation.²

Just cause policies are considered an essential accompaniment to any effective rent stabilization law. The State of Oregon's recent rent cap, which allows rents to grow by 7 percent, plus inflation, includes within it a just cause provision. The same is true of most of the local ordinances.

Seventeen California cities have already enacted just cause eviction ordinances, ten of which are in the Bay Area: Berkeley, East Palo Alto, Emeryville, Hayward, Mountain View, Oakland, Richmond, San Francisco, San Jose, and Union City. AB 1481/1697 would extend these protections to tenants across the state. A just cause law would help reduce displacement in gentrifying neighborhoods, consistent with the goals of Plan Bay Area 2040.


As you know, the CASA Compact was predicated upon the understanding that a solution to the Bay Area's housing crisis requires progress on the "3Ps" of *protection* of existing residents, *preservation* of existing affordable housing and the *production* of more housing for residents at all income levels. Bay Area legislators are embracing this approach as it's widely recognized that bills that focus on production, while essential, will not address the near-term pressures facing the region's most economically vulnerable households.

In the spirit of supporting a comprehensive and balanced solution to the Bay Area's housing crisis, staff recommends a support position on AB 1481 and AB 1697.³

Recommendation: Support

Bill Positions: See attached

Attachments: Attachment A: Bill Positions



Therese W. McMillan

² Verma, et al., Rising Housing Costs and Re-Segregation in the San Francisco Bay Area, University of California-Berkeley Urban Displacement Project (2018)

³ While only one is likely to reach the Governor's desk, staff recommends we support both versions at this time.

AB 1481 (Bonta)

Support: ACCE Action (co-sponsor), PICO California (co-sponsor), PolicyLink (co-sponsor), Public Advocates (co-sponsor), Western Center on Law & Poverty (co-sponsor), ACT-LA, AFSCME Local 3299, American Civil Liberties Union (ACLU), Asian Americans Advancing Justice-California, Asian Americans and Pacific Islanders for Civic Empowerment Education Fund, Asian Pacific Environmental Network (APEN), Bay Area Legal Aid, California Alliance for Retired Americans, California Conference of Machinists, California Conference Board of the Amalgamated Transit Union, California Labor Federation, California Reinvestment Coalition, California Renters Legal Advocacy and Education Fund (CaRLA), California Rural Legal Assistance, California Rural Legal Assistance Foundation, California Teamsters Public Affairs Council, Central Coast Alliance United for a Sustainable Economy (CAUSE), Central Valley Empowerment Alliance, Chan Zuckerberg Initiative, Coalition for Humane Immigrant Rights (CHIRLA), Community Legal Services in East Palo Alto, Congregations Organized for Prophetic Engagement (COPE), Courage Campaign, East Bay Community Law Center (EBCLC), East Bay For Everyone, East Bay Housing Organizations, Engineers and Scientists of California IFPTE Local 20 AFL-CIO, Enterprise Northern California, Eric Garcetti (Mayor of Los Angeles), Esperanza Community Housing Corporation, Fair Rents for Redwood City, Faith in Action Bay Area, Faith in the Valley, Hamilton Families, Housing California, Housing For All Burlingame, Hunger Action Los Angeles, Indivisible San Diego Central, Indivisible SF, Inlandboatmens Union of the Pacific, Just Cities/Dellums Institute, The Kennedy Commission, Korean Resource Center, Koreatown Immigrant Workers Alliance, LA Forward, LA Voice, Law Foundation of Silicon Valley, Leadership Counsel for Justice & Accountability, Legal Aid Foundation of Los Angeles (LAFLA), Legal Services for Prisoners with Children, Los Angeles Alliance for a New Economy, Los Angeles Homeless Services Authority, Monument Impact, National Association of Social Workers-California Chapter, National Union of Healthcare Workers, Nonprofit Housing Alliance of Northern California, The Orange County Civic Engagement Table, Planning and Conservation League (PCL), Power California, Progressive Asian Network for Action (PANA), Public Counsel, Public Interest Law Project, Professional and Technical Engineers IFPTE Local 21 AFL-CIO, Sacramento Filipinx LBTQIA, Sacred Heart Community Service, San Francisco Foundation, SEIU California, SEIU Local 1021, South Bay Progressive Alliance, Southern California Association of Nonprofit Housing (SCANPH), State Building Trades and Construction Trades Council of California, Strategic Actions for a Just Economy (SAJE), TechEquity Collaborative, Tenderloin Neighborhood Development Corporation, Thai Community Development Center, TransForm, United Teachers Los Angeles, University of California Davis Bulosan Center for Filipino Studies, Utility Workers of America, UNITE HERE AFL-CIO, UNITE HERE Local 19, Viet Vote.

Support if Amended: Building Industry Association of the Bay Area, Related California, San Francisco Bay Area Planning and Urban Research Association (SPUR).

Oppose: Apartment Association California, Southern Cities Apartment Association of Orange County, California Apartment Association, California Association of Realtors, California Rental Housing Association, East Bay Rental Housing Association, Southern California Apartment Association.

AB 1697 (Grayson)

Support: SV@Home

Support if Amended: Bay Area Council, Oakland Chamber of Commerce, San Francisco Bay Area Planning and Urban Research Association (SPUR), TMG Partners

Oppose: Apartment Association California, Southern Cities Apartment Association of Orange County, California Apartment Association, California Association of Realtors, California Rental Housing Association, East Bay Rental Housing Association, Southern California Apartment Association

Metropolitan Transportation Commission

Legislation Details (With Text)

File #: 19-0511 **Version:** 1 **Name:**
Type: Assembly Bill **Status:** Commission Approval
File created: 5/2/2019 **In control:** Joint MTC Legislation Committee and ABAG Legislation Committee
On agenda: 5/10/2019 **Final action:**
Title: AB 1482 (Chiu) - Statewide Annual Cap on Rent Increases

Caps annual rent increases by five percent above the percent change in the cost of living and limits the total rental rate increase within a 12 month period to 10 percent.

Sponsors:**Indexes:****Code sections:**

Attachments: [9aii_AB-1482_ChIU.pdf](#)
[7b2_AB-1482_ChIU.pdf](#)

Date	Ver.	Action By	Action	Result
5/10/2019	1	Joint MTC Legislation Committee and ABAG Legislation Committee		

Subject:

AB 1482 (Chiu) - Statewide Annual Cap on Rent Increases

Caps annual rent increases by five percent above the percent change in the cost of living and limits the total rental rate increase within a 12 month period to 10 percent.

Presenter:

Rebecca Long

Recommended Action:

Support

Attachments:

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

May 10, 2019

Agenda Item 7b2

California Housing Legislation – Protection Bills

Subject: AB 1482 (Chiu) – Statewide Annual Cap on Rent Increases

Background: AB 1482 would establish a statewide limit on rent increases, allowing for a maximum of 5 percent plus the Consumer Price Index (CPI)¹, annually, effective March 15, 2019. The proposal would bar a rent increase above 10 percent in a single year. AB 1482 would not apply to: 1) deed-restricted affordable housing; 2) dormitories; and 3) does not apply to housing already subject to more restrictive rent caps. The bill requires the landlord to provide notice of any increase in the rental rate to each tenant in accordance with existing law. It also requires that, by January 1, 2033, the Department of Housing and Community Development (HCD) must report to the Legislature regarding the effectiveness of this program. The report shall include, but not be limited to, the impact of the rental rate cap established in this bill on the housing market within the state.

Issues: The bill aims to strike a balance between protecting tenants with the need for landlords to earn a reasonable enough rate of return to stay in the business, and avoid creating any disincentive for new residential development. Not surprisingly, the bill is opposed by advocates on both sides of the issue, with many tenant advocates concerned the allowable rent increases are too high and apartment association representatives pointing out that California voters showed their dislike of any form of rent control in their rejection of Proposition 10 on the November 2018 ballot. In our view, AB 1482 is different enough from Proposition 10 that it is reasonable for the Legislature to revisit the issue. Most importantly, by setting a statewide annual rent increase of 5 percent plus inflation, AB 1482 provides landlords with a predictable and reasonable rate of return, something that was not the case with Proposition 10. That measure simply broadened the scope of local rent control policies, which tend to allow much lower annual rent increases.

As you know, the cost of housing in California is the highest of any state in the nation, with Bay Area rents and housing prices topping the list. Additionally, the pace of change in the cost of housing has far outstripped that in other parts of the county. For example, in 1970 housing costs in California were 30 percent higher than the national average; now they are

¹ Over the past 25 years the CPI in California have averaged approximately 2.5 percent. However, CPI fluctuates year-to-year and region-to-region, based on macro- and local economic conditions.

250 percent higher. While incomes have increased over that period, they have done so at a much slower pace. As a result, over half of renters and 80 percent of low-income renters are rent-burdened, meaning they pay over 30 percent of their income towards rent.

Research by Zillow from 2018 found that some areas with a high percentage of rent-burdened households experienced a rapid increase in homelessness, and areas where high rents are combined with high poverty experienced triple the homelessness rate of the average community. According to the Turner Center for Housing Innovation at UC Berkeley, California has approximately 16.6 million renters living in about 5.7 million rental units. Of those, 1.9 million renters live in the state's approximately 700,000 rent-controlled units. The other 14.7 million Californians live in approximately five million housing units that are not subject to any controls regarding the amount of rent increases sought upon the completion of a lease.

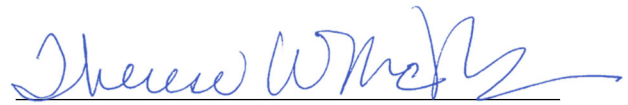
The CASA Compact was predicated upon the understanding that a solution to the Bay Area's housing crisis requires progress on the "3Ps" of *protection* of existing residents from displacement, *preservation* of existing affordable housing and the *production* of more housing for residents at all income levels. Bay Area legislators are embracing this approach as it's widely recognized that bills that focus on production, while essential, will not address the near-term pressures facing the region's most economically vulnerable households.

In the spirit of supporting a comprehensive and balanced solution to the Bay Area's housing crisis, staff recommends a support position on AB 1482.

Recommendation: Support

Bill Positions: See attached

Attachment: Attachment A: Bill Positions


Therese W. McMillan

Attachment

AB 1482 (Chiu) Bill Positions

Support: Alliance of Californians for Community Empowerment (co-sponsor), California Rural Legal assistance Foundation (co-sponsor), PICO California (co-sponsor), Public Advocates (co-sponsor), Western Center on Law and Poverty (co-sponsor), PolicyLink, ACT-LA, AFSCME Local 3299, American Civil Liberties Union (ACLU), Asian Americans Advancing Justice-California, Asian Americans and Pacific Islanders for Civic Empowerment Education Fund, Asian Pacific Environmental Network (APEN), Bay Area Legal Aid, California Alliance for Retired Americans, California Conference of Machinists, California Conference Board of the Amalgamated Transit Union, California Labor Federation, California Reinvestment Coalition, California Renters Legal Advocacy and Education Fund (CaRLA), California Rural Legal Assistance, California Rural Legal Assistance Foundation, California Teamsters Public Affairs Council, Central Coast Alliance United for a Sustainable Economy (CAUSE), Central Valley Empowerment Alliance, Chan Zuckerberg Initiative, Coalition for Humane Immigrant Rights (CHIRLA), Congregations Organized for Prophetic Engagement (COPE), Courage Campaign, East Bay Community Law Center (EBCLC), East Bay For Everyone, East Bay Housing Organizations, Engineers and Scientists of California IFPTE Local 20 AFL-CIO, Enterprise Northern California, Eric Garcetti (Mayor of Los Angeles), Esperanza Community Housing Corporation, Fair Rents for Redwood City, Faith in Action Bay Area, Faith in the Valley, Hamilton Families, Housing California, Hunger Action Los Angeles, Indivisible San Diego Central, Indivisible SF, Inlandboatmens Union of the Pacific, Just Cities/Dellums Institute, The Kennedy Commission, Korean Resource Center, Koreatown Immigrant Workers Alliance, LA Forward, LA Voice, Law Foundation of Silicon Valley, Leadership Counsel for Justice & Accountability, Legal Aid Foundation of Los Angeles (LAFLA), Legal Services for Prisoners with Children, Los Angeles Alliance for a New Economy, Los Angeles Homeless Services Authority, Monument Impact, National Association of Social Workers-California Chapter, National Union of Healthcare Workers, Nonprofit Housing Alliance of Northern California, The Orange County Civic Engagement Table, Planning and Conservation League (PCL), Power California, Progressive Asian Network for Action (PANA), Public Counsel, Public Interest Law Project, Professional and Technical Engineers IFPTE Local 21 AFL-CIO, Sacramento Filipinx LBTQIA, Sacred Heart Community Service, San Francisco Foundation, SEIU California, SEIU Local 1021, South Bay Progressive Alliance, Southern California Association of Nonprofit Housing (SCANPH), State Building Trades and Construction Trades Council of California, Strategic Actions for a Just Economy (SAJE), TechEquity Collaborative, Tenderloin Neighborhood Development Corporation, Thai Community Development Center, TransForm, United Teachers Los Angeles, University of California Davis Bulosan Center for Filipino Studies, Utility Workers of America, UNITE HERE AFL-CIO, UNITE HERE Local 19, Viet Vote, Working Partnerships USA, YIMBY Action

Support if Amended: Bay Area Council, Building Industry Association of the Bay Area, San Francisco Bay Area Planning and Urban Research Association (SPUR), Youth United for Community Action (YUCA), One San Mateo, Community Legal Services East Palo Alto, Housing for All Burlingame, Oakland Chamber of Commerce, Related California.

Oppose: Apartment Association California, Southern Cities Apartment Association of Orange County, California Apartment Association, California Association of Realtors, California Rental Housing Association, East Bay Rental Housing Association, Southern California Apartment Association.

Metropolitan Transportation Commission

Legislation Details (With Text)

File #: 19-0512 **Version:** 1 **Name:**
Type: Senate Bill **Status:** Commission Approval
File created: 5/2/2019 **In control:** Joint MTC Legislation Committee and ABAG Legislation Committee
On agenda: 5/10/2019 **Final action:**
Title: SB 18 (Skinner) - Keep Californians Housed Act

Authorizes a competitive grant program to be administered by Department of Housing and Community Development (HCD) to provide emergency rental assistance and legal aid for tenants facing eviction, meditation between landlords and tenants and legal education.

Sponsors:**Indexes:****Code sections:**

Attachments: [9aiii SB-18 Skinner.pdf](#)
[7b3 SB-18 Skinner.pdf](#)

Date	Ver.	Action By	Action	Result
5/10/2019	1	Joint MTC Legislation Committee and ABAG Legislation Committee		

Subject:

SB 18 (Skinner) - Keep Californians Housed Act

Authorizes a competitive grant program to be administered by Department of Housing and Community Development (HCD) to provide emergency rental assistance and legal aid for tenants facing eviction, meditation between landlords and tenants and legal education.

Presenter:

Rebecca Long

Recommended Action:

Support

Attachments:

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

May 10, 2019

Agenda Item 7b3

California Housing Legislation – Protection Bills

Subject: SB 18 (Skinner) – Keep Californians Housed Act

Background: The bill proposes to (1) provide greater awareness of the legal rights and obligations associated with the landlord-tenant relationship, (2) make permanent the existing protections for tenants in a foreclosed property, and (3) make an unspecified amount of one-time funding available to the Department of Housing and Community Development (HCD) for rental assistance and legal aid services of tenants.

This bill, no later than January 1, 2021, would require the Department of Consumer Affairs (DCA) to publish online, and update biannually, a guide to all state laws pertaining to landlords and the landlord-tenant relationship.

In 2012, as part of its “Homeowners Bill of Rights” responding to the foreclosure crisis, California enacted legislation (AB 2610, Skinner) providing new protections for tenants in foreclosure situations. Specifically, the bill provided such tenants the right to at least 90 days’ notice about termination of their tenancy in all foreclosure situations, and, in the case of tenants with fixed-term leases, the new law prevented the new, post-foreclosure owner of the property from evicting tenants prior to the expiration of the pre-existing lease term. These protections are set to sunset on January 1, 2020. This bill would make them permanent.

This bill would also make an unspecified sum available to HCD for statewide competitive grants under the California Emergency Solutions and Housing Program for rental assistance, mediation, and legal assistance. The bill would limit administrative cost to a maximum of 10%.

Issues: According to HCD, over half of California tenants are rent burdened, meaning that they pay more than 30 percent of their monthly earnings in rent, and almost 29 percent of the state’s tenants are severely rent burdened, meaning that they spend more than 50 percent of their monthly income on rent.¹ In such a tight housing market, an eviction or an escalation in conflict that leads to court proceedings can be prevented by educating both landlords and tenants of their rights and current law.

¹ California's Housing Future: Challenges and Opportunities, Final Statewide Housing Assessment 2025 (Feb. 2018) California Housing and Community Development Department http://www.hcd.ca.gov/policyresearch/plans-reports/docs/SHA_MainDoc_2_15_Final.pdf (as of Apr. 7, 2019) at p. 27.

While the number of foreclosures in California has returned to “normal” levels, after spiking during the Great Recession, tenants remain vulnerable to housing instability when the dwelling they rent changes ownership due to a foreclosure.² High rates of foreclosure could easily return with another downturn in the economy. Extending the common-sense protections for tenants will therefore continue to prevent evictions and displacement of tenants who have otherwise complied with their lease agreement.

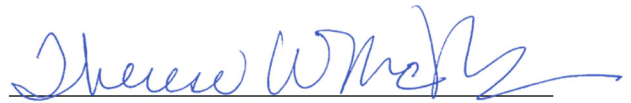
Meanwhile, approximately 165,000 tenants face eviction proceedings in courts each year.³ Most of these tenants lack legal representation due to financial constraints. Providing legal assistance to low-income households can prevent unlawful evictions which have significantly impacted low-income communities in gentrifying neighborhoods.

Providing rental assistance, with caps, could therefore prevent the majority of evictions in the state, while reducing the burden on landlords to evict one tenant and find a replacement. Given the recent sharp uptick in the homeless population statewide, tenant protections could help the state and local governments realize significant financial savings by reducing the demand for homeless services. While SB 18 only provides one-time funding for this purpose, staff recommends a support position on the bill.

Recommendation: Support

Bill Positions: See attached

Attachment: Attachment A: Bill Positions



Therese W. McMillan

² Pradhan, The Foreclosure Rate Is Now Back to Pre-Crisis Levels (Jul. 25, 2018) Core Logic <https://www.corelogic.com/blog/2018/07/the-foreclosure-rate-is-now-back-to-pre-crisis-levels.aspx> (as of Apr. 7, 2019).

³ Inglis and Preston. California Evictions are Fast and Frequent (May 2018) Tenants Together http://www.tenantstogether.org/sites/tenantstogether.org/files/CA_Evictions_are_Fast_and_Frequent.pdf (as of Apr. 7, 2019) at p. 2.

Bill Positions on SB 18 (Skinner)

Support:

Alliance of Californians for Community Empowerment
American Federation of State, County and Municipal Employees, AFL-CIO
American Planning Association, California Chapter
Anti-Eviction Mapping Project-Los Angeles
Rusty Bailey, Mayor, City of Riverside
BASTA, Inc.
Bay Area Legal Aid
Bet Tzedek Legal Services
London Breed, Mayor, City of San Francisco
Building Industry Association of the Bay Area
California Alliance for Retired Americans
California Community Builders
California Rural Legal Assistance Foundation
California Rural Legal Assistance, Inc.
California Teamsters Public Affairs Council
California YIMBY
Central California Legal Services
Community Legal Services in East Palo Alto
Disability Rights Education and Defense Fund
East Bay Community Law Center
East Bay for Everyone
Eden Housing
City of Emeryville
Enterprise Community Partners
Facebook, Inc.
Kevin Falconer, Mayor, City of San Diego
Eric Garcetti, Mayor, City of Los Angeles
Robert Garcia, Mayor, City of Long Beach
Karen Goh, Mayor, City of Bakersfield
Habitat for Humanity East Bay/Silicon Valley
Housing Equality & Advocacy Resource Team
Inner City Law Center
Justice and Diversity Center of the Bar Association of San Francisco
Larkin Street Youth Services
Law Foundation of Silicon Valley
Legal Aid Association of California
Legal Aid Foundation of Los Angeles
Legal Aid of Marin
Sam Liccardo, Mayor, City of San Jose
LA Forward

Los Angeles Community Action Network
Los Angeles County Board of Supervisors
Los Angeles Tenants Union
National Housing Law Project
Neighborhood Legal Services of Los Angeles County
Non-Profit Housing Association of Northern California
Oakland Chamber of Commerce
PICO California
Miguel Pulido, Mayor, City of Santa Ana
Related California
City of Santa Monica
San Francisco Bay Area Planning and Urban Research Association
The San Francisco Foundation
Libby Schaaf, Mayor, City of Oakland
Harry Sidhu, Mayor, City of Anaheim
Silicon Valley At Home
South Bay YIMBY
Darrell Steinberg, Mayor, City of Sacramento
Strategic Action for Just Economy
TMG Partners
Michael Tubbs, Mayor, City of Stockton
UNITE HERE! Local 19
Venice Community Housing Corporation
City of West Hollywood
Western Center on Law & Poverty, Inc.
Working Partnership USA

Oppose:

Affordable Housing Management Association, Pacific Northwest
Apartment Association, California Southern Cities
Apartment Association of Orange County
California Apartment Association
East Bay Rental Housing Association
Southern California Rental Housing Association
Valley Industry and Commerce Association

Metropolitan Transportation Commission

Legislation Details (With Text)

File #: 19-0508 **Version:** 1 **Name:**
Type: Senate Bill **Status:** Commission Approval
File created: 5/2/2019 **In control:** Joint MTC Legislation Committee and ABAG Legislation Committee
On agenda: 5/10/2019 **Final action:**
Title: SB 330 (Skinner): Housing Crisis Act of 2019

SB 330 is a wide reaching bill that aims to accelerate housing development, provide project proponents more certainty and lower fees, and reduce displacement of existing residents from substandard buildings.

Sponsors:**Indexes:****Code sections:**

Attachments: [9bi_SB-330_Skinner.pdf](#)
[7c1_SB-330_Skinner.pdf](#)

Date	Ver.	Action By	Action	Result
5/10/2019	1	Joint MTC Legislation Committee and ABAG Legislation Committee		

Subject:

SB 330 (Skinner): Housing Crisis Act of 2019

SB 330 is a wide reaching bill that aims to accelerate housing development, provide project proponents more certainty and lower fees, and reduce displacement of existing residents from substandard buildings.

Presenter:

Rebecca Long, MTC and Robert Gammon, Communications Director / Policy Advisor for Senator Nancy Skinner

Recommended Action:

Seek Amendments

Attachments:

Metropolitan Transportation Commission

May 22, 2019

Agenda Item 9b. i.

SB 330 (Skinner) Seek Amendments

Subject: Position on SB 330 (Skinner): Housing Crisis Act of 2019

Background: On May 10, the Legislation Committee recommended a “seek amendments” position on SB 330 with the following requested amendments:

- 1) Eliminate the freeze on impact fees after January 1, 2018;
- 2) Ensure existing requirements applicable to disabled parking in residential developments are not affected by the limitations on local minimum parking requirements;
- 3) Have further discussion with the author regarding inclusion of provisions related to voter initiatives in the bill;
- 4) Work with the author related to local parking requirements within 1/4-mile of a major transit stop based on local conditions; and
- 5) Eliminate the bill’s “look back” provision on zoning standards that would allow projects to be approved at higher levels of density than current zoning if that higher density was in effect prior to January 1, 2018.

Issues: None

Recommendation: The Commission is requested to adopt a “seek amendments” position on SB 330.

Attachments: May 10 Legislation Committee summary sheet.

Reviewed:



Therese W. McMillan

**Metropolitan Transportation Commission and the Association of Bay Area Governments
Joint MTC Legislation Committee and
ABAG Legislation Committee****May 10, 2019****Agenda Item 7c1****SB 330 (Skinner): Housing Crisis Act of 2019**

Subject: SB 330 is a wide reaching bill that aims to accelerate housing development, provide project proponents more certainty and lower fees, and reduce displacement of existing residents from substandard buildings.

Background: The bill contains four distinct components: 1) project approval acceleration for zoning-compliant projects; 2) greater certainty for project proponents about the fees and rules applicable to a project; 3) until 2030, limitations on parking, fees, downzoning and building moratoria in “affected areas” identified by the Department of Housing and Community Development (HCD) as having particularly high rent and low vacancy rates; and 4) requirements for new building standards for occupied buildings that are deemed out of compliance with the state’s building code but do not post a life-safety risk.

Discussion: **Project Approval Acceleration**
SB 330 establishes new criteria applicable to determining when a housing development project proponent has submitted a “complete initial application” and requires HCD to adopt a standardized form for this purpose. The bill provides that a project may not be subject to new ordinances, rules or fees after a complete initial application is submitted except under certain circumstances, such as when necessary for health and safety, to mitigate a project under the California Environmental Quality Act, or the project has not begun construction within three years of receiving final approval. If a project complies with existing zoning and the general plan, the bill provides that a local government may not: (1) require more than five de novo public hearings or 2) delay a decision about whether or not to issue a permit beyond 12 months, with an extension allowed in certain circumstances.

Downzoning and Parking Restrictions – Limited to “Affected Areas”

As noted above, portions of SB 330 are limited to locations with high rent and low vacancy rates and would apply only until 2030. Based on preliminary information provided by Senator Skinner’s office, it appears likely that every Bay Area county would have at least one jurisdiction deemed an “affected area.” In such areas, the bill would prohibit a local agency, or its voters, from (1) adopting any policy that would result in a “less intensive” residential use than what was in effect on January 1, 2018; (2) imposing a moratoria or cap on housing development; or (3) imposing or enforcing design standards that are not objective. The bill allows for a reduction in residential density if the local agency adjusts zoning elsewhere to ensure no net loss in residential capacity.

In addition, the bill contains specific parking requirements for projects proposed in affected areas. Within ¼-mile of a rail station, no new parking requirements or enforcement of existing requirements would be allowed for projects located in (1) a city within a county with a population greater than 700,000¹; or (2) within a city with a population greater than 100,000.² For projects outside a ¼-mile radius from a rail station, no minimum parking requirement above 0.5 parking spaces/unit would be allowed. The bill would also cap all fees and exactions at the level set on January 1, 2018, other than allowing for annual adjustments if referenced in the ordinance establishing the fee. For units affordable to low-income

¹Includes Alameda, Contra Costa, San Francisco, San Mateo and Santa Clara counties

² Includes cities of Fairfield, Santa Rosa and Vallejo

households (80% AMI or below and subject to an affordability restriction for at least 55 years), the bill would prohibit any fees from being charged. The bill would also provide that a project shall be considered consistent with zoning standards if it was consistent with general plan standards in effect on January 1, 2018.

Occupied Substandard Building Provisions

SB 330 also requires HCD to develop building standards for an “occupied substandard building,” that could be used for up to seven years in lieu of the state’s more stringent published building standards. The standards developed by HCD must (1) require that an occupied substandard building include adequate sanitation and exit facilities and comply with seismic safety standards; (2) permit those conditions prohibited under existing substandard building laws that do not endanger the life, limb, health, property, safety, or welfare of the public or the occupant; and (3) Meet rules and regulations developed by the State Fire Marshal.

Staff Analysis

We find SB 330’s provisions related to streamlining zoning-compliant projects and locking in fees and rules at the point when an initial application is submitted to be reasonable and likely to speed up the construction of new housing. The bill also tailors a number of its requirements to jurisdictions facing the greatest housing affordability challenges and sets different requirements based on the size of cities. In our meeting with the Housing Legislative Working Group, we heard concerns that 12 months may be too short for larger, complex projects. We also heard concerns about impact fees and the look-back provisions on zoning standards, allowing for densities if they would have been allowed *prior to* January 1, 2018. While we also heard concerns about the substandard building standards provision, We believe the bill’s language makes clear that such standards must adequately protect health and safety of a building’s occupants and the public and therefore do not recommend amendments on that aspect of the bill. Accordingly, we recommend the following amendments:

Approval Timeline—set a tiered timeline for project approvals based on project size to with the appropriate timing to be further researched;


Allow Annual Adjustment for All Market-Rate Units—Allow for a cost of living adjustment for fees on market-rate units, even if not specified in an original ordinance;

Don’t Lock in Zoning—Eliminate the bill’s “look back” provision on zoning standards prior to January 1, 2018.

Recommendation: Seek Amendments

Bill Positions: See attached

Attachments: Attachment A: Bill Positions


Therese W. McMillan

SB 330 Official Positions

SUPPORT:

Bay Area Council
BRIDGE Housing
CA Building Industry Association
CBIA Bay Area
CA Business Properties
Association
CA Community Builders
California YIMBY
EAH Housing
East Bay for Everyone
East Bay Leadership Council
Emerald Fund
Enterprise
Facebook
Hamilton Families
Local Government Commission
Nonprofit Housing Association of
North America

North Bay Leadership Council
Oakland Chamber of Commerce
Related
The San Francisco Foundation
San Francisco Housing Action
Coalition
Santa Cruz YIMBY
SV@Home
Turner Center for Housing
Innovation, UC Berkeley
TMG Partners
Urban Displacement Project, UC
Berkeley
PICO – If Amended
Non-Profit Housing Association of
Northern CA – If Amended
SPUR – In Concept

OPPOSITION

South Bay Cities Council of
Governments
City of Solano Beach
City of San Marcos
City of Paramount
City of Rancho Cucamonga
City of Cupertino
City of Ventura
City of Camarillo
City of La Mirada

City of Thousand Oaks
Ventura Council of Governments
Cities Association of Santa Clara
County
Livable California
American Planning Association
CSAC
League of CA Cities
Urban Counties of CA

Metropolitan Transportation Commission

Legislation Details (With Text)

File #: 19-0479 **Version:** 1 **Name:**

Type: Senate Bill **Status:** Commission Approval

File created: 4/30/2019 **In control:** Joint MTC Legislation Committee and ABAG Legislation Committee

On agenda: 5/10/2019 **Final action:**

Title: SB 50 (Wiener): Equitable Communities Incentives - Upzoning Near Transit & Jobs-Rich Areas & By Right Allowance for Small Residential Projects in Specified Areas

SB 50 would allow varying degrees of higher-density multifamily housing to be built within ½-mile of transit stations, ¼-mile of high-quality bus corridors and in areas designated as “jobs-rich” by the Department of Housing and Community Development. The bill also provides for smaller, by-right residential development on vacant parcels in urbanized areas.

Sponsors:**Indexes:****Code sections:**

Attachments: [9bii SB-50 Wiener.pdf](#)
[7c2 SB-50 Wiener.pdf](#)
[7c2 Handout San Mateo Comments.pdf](#)

Date	Ver.	Action By	Action	Result
5/10/2019	1	Joint MTC Legislation Committee and ABAG Legislation Committee		

Subject:

SB 50 (Wiener): Equitable Communities Incentives - Upzoning Near Transit & Jobs-Rich Areas & By Right Allowance for Small Residential Projects in Specified Areas

SB 50 would allow varying degrees of higher-density multifamily housing to be built within ½-mile of transit stations, ¼-mile of high-quality bus corridors and in areas designated as “jobs-rich” by the Department of Housing and Community Development. The bill also provides for smaller, by-right residential development on vacant parcels in urbanized areas.

Presenter:

Rebecca Long

Recommended Action:

Support if Amended

Attachments:

Metropolitan Transportation Commission

May 22, 2019

Agenda Item 9b. ii.

SB 50 (Wiener) Support if Amended

Subject: Position on SB 50 (Wiener): Equitable Communities Incentives – Upzoning Near Transit & Jobs-Rich Areas and By Right Allowance for Small Residential Projects in Specified Areas

Background: On May 10, the Legislation Committee recommended a “support if amended” position on SB 50 with the following requested amendments:

- 1) Ensure that the definition of jobs-rich areas identify areas that have a higher-than-average concentrations of jobs and accurately identifies areas that would result in shorter commutes;
- 2) Allow for a density measure for transit-rich projects within ½-mile of rail or ferry stations to provide more flexibility than the bill’s minimum height allowances, but provides the same development capacity (i.e. units) within the general station area; and
- 3) Provide more flexibility related to local parking requirements within ½-mile radius of a major transit stop based on local conditions.

Issues: None

Recommendation: The Commission is requested to adopt a “support if amended” position on SB 50.

Attachments: May 10 Legislation Committee summary sheet.

Reviewed:


Therese W. McMillan

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

May 10, 2019

Agenda Item 7c2

SB 50 (Wiener): Equitable Communities Incentives – Upzoning Near Transit & Jobs-Rich Areas & By Right Allowance for Small Residential Projects in Specified Areas

Subject: SB 50 would allow varying degrees of higher-density multifamily housing to be built within ½-mile of transit stations, ¼-mile of high-quality bus corridors and in areas designated as “jobs-rich” by the Department of Housing and Community Development. The bill also provides for smaller, by-right residential development on vacant parcels in urbanized areas.

Background: SB 50 seeks to encourage more transit-oriented development and housing closer to jobs by allowing developers to build higher levels of density around California’s fixed-route transit (rail and ferry) stations, high-quality bus stops and jobs-rich areas than would in many cases be allowed under current zoning. The bill has two main components:

Equitable Communities Incentive (ECI)

To qualify for an ECI, a parcel must be already zoned to allow residential and meet numerous other requirements. The ECI itself is tiered depending on the proximity to a transit station, as follows:

- For a project located in either a jobs-rich area, within ¼-mile of a high-quality bus stop, or within ½-mile of a transit station, the incentive would include: 1) a waiver from maximum controls on density; and 2) a waiver from minimum parking requirements greater than 0.5 spaces/unit.
- For a project within ½-mile of a transit station, the incentive would allow at least 45 feet tall and 2.5 floor area ratio (FAR).
- For a project within ¼-mile of a transit station, the incentive would allow at least 55 feet tall and 3.25 FAR.

County Size Threshold Added

Recent amendments to SB 50 significantly scaled back its applicability in counties with fewer than 600,000 residents. In those counties, the ECI would only apply to projects located within ½-mile of a transit station within cities greater than 50,000. As such, the Bay Area’s four northern counties (Marin, Napa, Solano and Sonoma) are currently excluded from significant provisions of the bill and the more modest ECI provisions would only apply in six cities—Fairfield, Novato, Petaluma, San Rafael, Santa Rosa and Vallejo. In these cities, the ECI would provide:

- A waiver on maximum controls on density, with a minimum requirement of 30 units/acre in jurisdictions considered; metropolitan and 20 units/acre in jurisdictions considered suburban
- An allowance of one story or 15 feet above the highest allowable height for residential or mixed use;
- Maximum FAR requirements less than 0.6 times the number of stories;

May 10, 2019

Page 2 of 2

- No parking requirement for a housing development located within 1/4 –mile radius of a transit station in a city with a population greater than 100,000 (Fairfield, Santa Rosa & Vallejo) and elsewhere in these six cities, a waiver from parking requirements greater than 0.5/unit.

Neighborhood Multifamily Projects

In addition, SB 50 now also includes a section, originally proposed by SB 4 (McGuire), allowing for by-right development on vacant parcels that are already zoned to allow for residential development and are located within urbanized areas or, in census terminology, “urban clusters.” The bill excludes numerous sensitive land from this provision, similar to those excluded from SB 35, such as coastal zones, high fire zones, etc. See Attachment B for a map indicating the areas subject to SB 50 and those that are excluded. Conversions would be allowed in limited circumstances.

Deferral in Sensitive Communities

The bill would defer applicability of the ECI in “sensitive communities,” which the bill defines as the intersection of Communities of Concern and the Bay Conservation and Development Commission’s sensitive communities designations for the Bay Area until January 2026. Such areas could instead develop a community plan, but it must ultimately meet the same level of development capacity as provided for in the bill and meet other requirements. The bill also excludes sites that contain housing occupied by tenants or that was previously occupied by tenants within the preceding seven years or the owner has withdrawn the property from rent or lease within 15 years prior to the date of application.

Discussion:

SB 50 has the potential to make tremendous progress on the region’s housing production with a particular emphasis on increased housing at all income levels near transit. However, there are a number of outstanding issues to be resolved. These include the definition of jobs-rich, which does not adequately prioritize areas that can help improve jobs/housing balance, and the rigidity of the height allowance within 1/2–mile of a transit station. As such, staff recommends a “support if amended” position on the bill with the understanding that staff should work to resolve these two issues in particular, and other issues as may be directed by the ABAG Executive Board and Commission.

Recommendation: Support if Amended

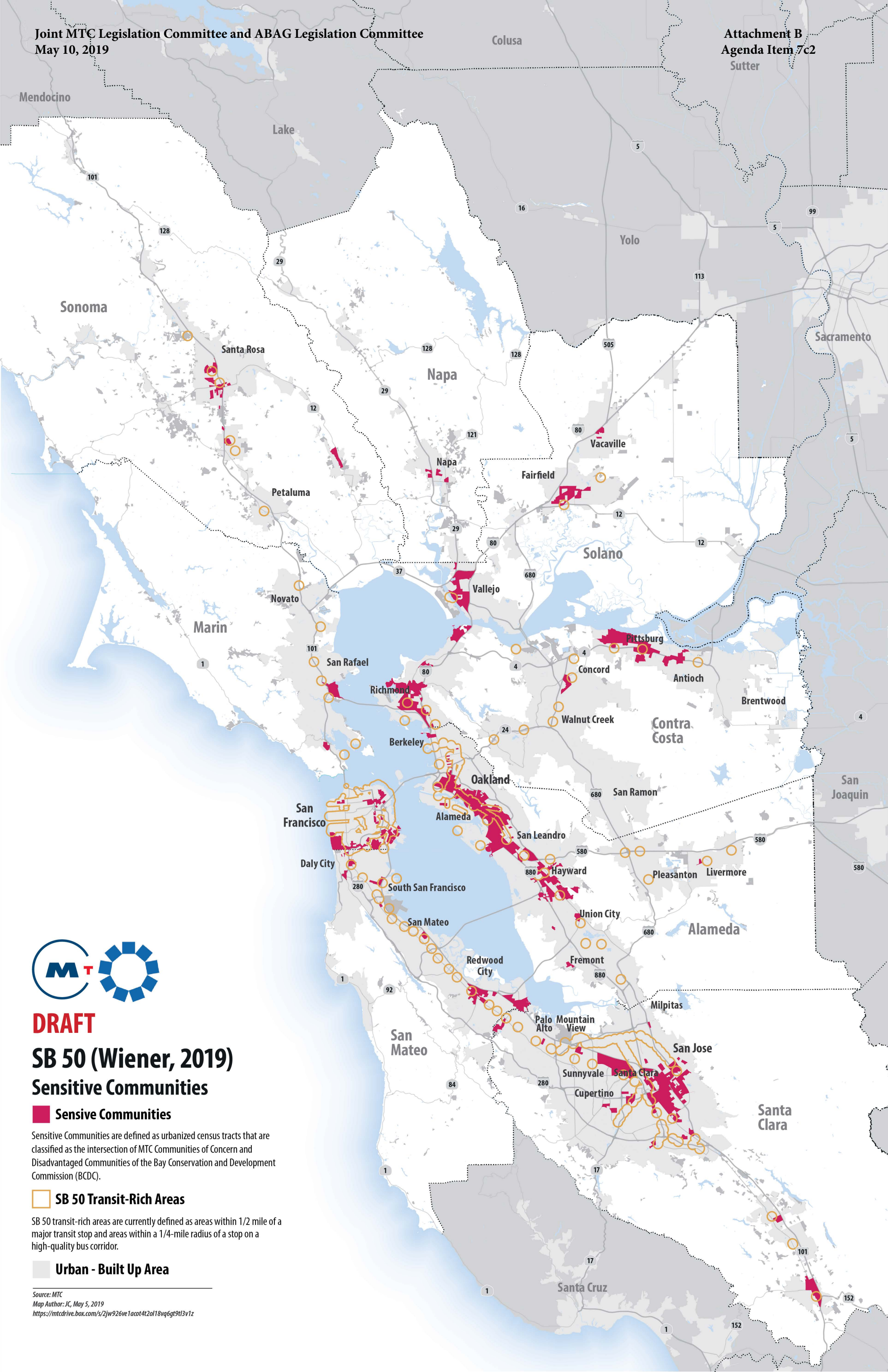
Bill Positions: See Attachment C

Attachments: Attachment A: Inclusionary Housing Requirements in SB 50
Attachment B: Draft SB 50 (Wiener, 2019) Sensitive Communities Map
Attachment C: Bill Positions





Therese W. McMillan

Inclusionary Housing Requirements in SB 50

Project Size	Inclusionary Housing Requirements in SB 50
1-10 units	No affordability requirement.
11-20 units	Developer may pay an in lieu fee, where feasible, toward housing offsite affordable to lower income households.
21-200 units	<ul style="list-style-type: none"> • 15% lower-income OR • 8% very low-income OR • 6% extremely low-income
201 – 350 units	<ul style="list-style-type: none"> • 17% lower-income OR • 10% very low-income OR • 8% extremely low-income
351 units or more	<ul style="list-style-type: none"> • 25% lower-income OR • 15% very low-income OR • 11% extremely low-income



DRAFT
SB 50 (Wiener, 2019)
Sensitive Communities

-  **Sensitive Communities**
Sensitive Communities are defined as urbanized census tracts that are classified as the intersection of MTC Communities of Concern and Disadvantaged Communities of the Bay Conservation and Development Commission (BCDC).
-  **SB 50 Transit-Rich Areas**
SB 50 transit-rich areas are currently defined as areas within 1/2 mile of a major transit stop and areas within a 1/4-mile radius of a stop on a high-quality bus corridor.
-  **Urban - Built Up Area**

Source: MTC
Map Author: JC, May 5, 2019
<https://mtcdrive.box.com/s/2jw926ve1acot4t2ol18vq6gt9tl3v1z>

Support and Opposition to SB 50

Source: Senate Governance & Finance Committee, as of 4/19/19

Support: 3,025 Individuals; 6beds, Inc.; AARP; Bay Area Council; Bridge Housing Corporation; Building Industry Association of The Bay Area; Burbank Housing Development Corporation; Calasian Chamber of Commerce; California Apartment Association; California Chamber of Commerce; California Community Builders; California National Party; California Yimby; Dana Point Chamber Of Commerce; Emeryville; City of; Facebook, Inc.; Fieldstead and Company, Inc.; Fossil Free California; Greater Washington; Hamilton Families; Local Government Commission; Los Angeles Area Chamber of Commerce; Ms.; Murrieta Chamber of Commerce; Natural Resources Defense Council; North Orange County Chamber of Commerce; Oakland Metropolitan Chamber of Commerce; Office of The Mayor, San Francisco; Orange County Business Council; Oxnard Chamber of Commerce; Related California; Santa Cruz County Chamber of Commerce; Santa Maria Valley Chamber of Commerce; Schott & Lites Advocates Llc; Silicon Valley At Home (SV@Home); Silicon Valley Leadership Group; South Bay Jewish Federation; South Bay Yimby; Spur; State Council on Developmental Disabilities; Stripe; Technet-Technology Network; The Silicon Valley Organization; Tmg Partners; Valley Industry And Commerce Association; Yimby Action

Opposition: 1,850 Individuals; Aids Healthcare Foundation; Alliance of Californians for Community Empowerment (Acce) Action; American Planning Association, California Chapter; Asian Pacific Environmental Network; Barbary Coast Neighborhood Association; Bay Area Transportation Working Group; Berkeley Tenants Union; Brentwood Community Council - West Los Angeles; Causa Justa :: Just Cause; Central Valley Empowerment Alliance; Century Glen Hoa; City of Brentwood; City of Chino Hills; City of Cupertino; City of Downey; City of Glendale; City of Lafayette; City of Lakewood; City of La Mirada; City of Palo Alto; City of Rancho Cucamonga; City of Rancho Palos Verdes; City of Pinole; City of Redondo Beach; City of San Mateo; City of Santa Clarita; City of Solana Beach ;City of Sunnyvale; City of Vista; Coalition for San Francisco Neighborhoods; Preserve LA; Concerned Citizens of Los Feliz; Cow Hollow Association; Dolores Heights Improvement Club; Dolores Street Community Services; East Mission Improvement Association; East Yard Communities for Environmental Justice; City of Glendora; Grayburn Avenue Block Club; Homeowners of Encino; Housing for All Burlingame; Housing Rights Committee of San Francisco; Jobs with Justice San Francisco; Jordan Park Improvement Association; Legal Services for Prisoners with Children; League of California Cities; Los Angeles Tenants Union - Hollywood Local Case Worker; Los Angeles Tenants Union -- Networking Team; Miraloma Park Improvement Club; Mission Economic Development Agency; New Livable California DbA Livable California; Noe Neighborhood Council; Northeast Business Economic Development DbA Northeast Business Association; City of Pasadena; Planning Association for the Richmond; Poder; Redstone Labor Temple Association; Regional-Video; Sacred Heart Community Service; San Francisco Senior And Disability Action; San Francisco Rising Alliance; San Francisco Tenants Union; Save Capp Street; Senior and Disability Action; SF Ocean Edge; Sherman Oaks Homeowners Association; South Bay Cities Council Of Governments; South Brentwood Residents Association; South of Market Community Action Network; Stand Up For San Francisco; Sunset-Parkside Education And Action Committee (Speak); Sutro Avenue Block Club/Leimert Park; Telegraph Hill Dwellers; Tenant Sanctuary; Tenants Together; The San Francisco Marina Community Association; Toluca Lake Homeowners Association; United to Save the Mission; Urban Habitat; West Mar Vista Residents Association; Yah! (Yes to Affordable Housing)



HILLSBOROUGH
California

April 1, 2019

Via Electronic Mail

Senator Jerry Hill
1528 South El Camino Real, Suite 303
San Mateo, CA 94402

Re: CASA Compact

Dear Senator Hill:

Thank you for the very productive Housing Roundtable meeting you coordinated on March 15, 2019, at the Redwood City Library. As we discussed, Hillsborough has long committed to providing housing choices to meet the needs of current residents and their families, along with those who provide important services to the community, such as teachers and public safety personnel. Specifically, the Town of Hillsborough's housing accomplishments are as follows:

- As of December 2018, Hillsborough already has issued permits for new housing units for nearly **90%** of the required Regional Housing Needs Allocation (RHNA) for the 2014-2022 Housing Element Cycle.
- Hosted a community meeting on "Housing and Our Future", which included presentations of housing resources (HIP Shared, Accessory Dwelling Units (ADUs) and 21 Elements programs).
- Was awarded a "Home For All Community Engagement Pilot Program" grant for our 2022 Housing Element.
- Adopted regulations allowing the processing of all ADUs as ministerial projects with objective design standards.
- Prohibited short term rentals in ADUs, accommodates amnesty and has waived public notification and fees for ADUs.
- Served as a founding participant in the "Home For All" program, facilitating the streamlined processing of ADUs.
- Has made information regarding fees, codes and standards publicly available with a special website for housing.
- Participated on San Mateo County's Steering Committee for regional housing efforts.
- Consistently completed Annual Progress Reports and received certification of Housing Elements.

These efforts are reflective of the CASA tenets and demonstrate success without the need for legislation, which would remove local authority and potentially preclude community solutions.

Senator Jerry Hill
April 1, 2019
Page 2

In addition to the Town of Hillsborough's accomplishments, San Mateo County as a whole has made substantial strides, including narrowing the jobs/housing imbalance.

Hillsborough notes, as it did at the Housing Roundtable, the following concerns with CASA:

- Usurps local zoning standards.
- Lacks San Mateo County elected officials and/or staff representation on the development of the Compact.
- Emphasizes mandates rather than incentives.
- Tax implications to fund programs for California residents and businesses during times of pension and other economic challenges.
- Potential inequities in property tax allocations.

While each jurisdiction has its individual character, a point made by many at the Housing Roundtable, Hillsborough is unique as there are only a handful of communities in the State of California that have no commercial businesses whatsoever. Hillsborough has been successfully providing affordable housing availability in Town, while preserving the essential character of our community, and also working towards housing solutions beyond our boundaries. The CASA Compact attempts to address housing availability and opportunities with a generic approach, which jeopardizes the individuality and diversity of San Mateo County communities and beyond.

The jurisdictions in San Mateo County have historically established innovative solutions to housing issues. San Mateo County was the first in the state to create a sub-region for housing allocation through the Regional Housing Needs Allocation process. This example and others in Hillsborough and San Mateo County indicate that we can be successful in finding and implementing affordable housing efforts as a sub-region.

We strongly urge that there be a collaborative effort during any transition from the Compact to legislation. We all want to succeed in this critical effort. We welcome the opportunity to further discuss our comments in this letter and at the Housing Roundtable, including possible solutions such as public/private partnerships.

Sincerely,



Shawn M. Christianson, Mayor
Town of Hillsborough



OFFICE OF THE MAYOR

330 West 20th Avenue
San Mateo, California 94403-1338
Telephone (650) 522-7048
FAX: (650) 522-7041
www.cityofsanmateo.org

April 17, 2019

Senator Scott D. Wiener
State Capitol, Room 5100
Sacramento, CA 95814-4900

The City of San Mateo opposes SB 50 due to its one-size-fits all approach that disregards local conditions and usurps local land use decisions from our community. Specifically, the City of San Mateo takes exception to SB 50 because:

1. **It's not data driven** - SB 50 is based upon blanket statewide data about the absence of housing, without regard for the actual housing construction in a particular community. For example, the number of housing units in San Mateo has increased by **11% in just the last 3 years**, with more on the horizon. Further, **all but one** multi-family housing project submitted in the last 30 years has been approved. SB 50 also does not provide for any follow up monitoring to see whether it accomplished what it set out to do or to make any corrections, especially if there are untenable fiscal impacts upon our City as a result of unexpected burdens.
2. **San Mateo has been a leader in Transit-Oriented Development (TOD)** – The City of San Mateo was a leader in implementing a comprehensive Rail Corridor TOD. In 2005, it entitled the former racetrack (Bay Meadows) and today it is a world-class project that addresses many of the concerns and directives outlined in SB 50. SB 50 is punitive and unreasonable, especially for a city like San Mateo that has been a leader in housing development.
3. **It disregards local land use constraints** - Land use has historically been locally controlled because of physical constraints. In San Mateo, land has varying physical and topographical constraints such as inclines and water. SB 50 mandates heights and densities irrespective of the physical characteristics of land. In addition, the Peninsula, including San Mateo, has Open Space designations that constrain its ability to grow. We must maintain our ability to thoughtfully produce housing within the confines of our physical land constraints.
4. **It could actually exacerbate the issue** - Land value in upzoned areas, especially single-family areas, will become more valuable because of its development potential for multi-family housing. Often times, upzoning only increases speculation without increasing actual construction. Either way, it increases housing costs.

5. **It disregards the fiscal impact on cities** - San Mateo faces a number of significant financial issues, including an onerous and burdensome increase in pension costs and stagnant sales tax revenues, that put pressure on our ability to provide services. SB 50 fails to account for how our City will be able to subsidize the additional infrastructure and services required by the additional housing it contemplates.
6. **San Mateo has prioritized affordable housing** – In addition to inclusionary housing requirements, San Mateo has dedicated three separate parcels that it owns to affordable housing. These developments have produced (or will produce) a total of 352 units along the transit corridor and increase affordable rental housing units in San Mateo by approximately 35%.

And finally, California has a legally-required process for a City to establish its common destiny, which is the City's General Plan. San Mateo is in the midst of a comprehensive update of its General Plan to set its vision for what it will be in 2040. To that end, we are having extensive community discussions about the future of the City, including identifying the location of underutilized zones for additional housing.

The City of San Mateo acknowledges that there is a housing shortage in California, and we are committed to doing our part to solve this issue and increase the opportunity for the supply of housing. It is imperative, however, that we are able to do that thoughtfully at the local level to ensure that it is done with the entire San Mateo community in mind.

Respectfully,



Diane D. Papan, Mayor
City of San Mateo

CITY OF SAN CARLOS
OFFICE OF THE CITY MANAGER



600 ELM STREET
SAN CARLOS, CA 94070
(650) 802-4228
CITYOFSANCARLOS.ORG

April 22, 2019

Senator Scott Wiener
California State Capitol
State Capitol, Room 5100
Sacramento, CA 95814
senator.wiener@senate.ca.gov

RE: Impacts of SB 50 on the City of San Carlos
Delivered Via Post and Electronic Mail

Dear Senator Wiener:

This letter is being sent to you with the approval of the City Council. While we fully recognize the need and actively support the development of housing, we believe SB 50 as written will have dire consequences on some communities, including San Carlos. Ensuring that you have all of the facts about how this bill will impact our community and how you can modify the bill to have less of a negative impact on cities like ours is the purpose of this letter.

The City of San Carlos is a 5.5 square mile city comprised of 30,000 residents that has been working steadfastly to meet the housing needs of the community. In the current Housing Element Cycle, the City was allocated 596 units as part of the Regional Housing Needs Allocation ("RHNA") process to be completed by the end of 2023. To date, the City has:

- Approved 61% of this requirement;
- Is processing additional projects that will likely receive approval, which will result in 84% compliance of this requirement; and
- Is on target to wholly meet the total number of units allocated by the State by the end of the Cycle.

While the overall RHNA requirement will almost certainly be met, the City recognizes the difficulty of providing units allocated for lower incomes. The City is not a developer and does not have the capacity to build the units required under RHNA; however, it has the ability to zone land and provide incentives to catalyze the construction of those units. Our City has adequately zoned land for such opportunities and has undertaken several strategies to increase the number of below market rate ("BMR") units, these include:

- Established the availability of flexible development standards through Planned Development rezoning for affordable housing projects;

- Required parking reductions specific to affordable housing developments near transit;
- Conducted City-led public education and advocacy campaigns to increase community understanding of affordable housing as a need and general concept;
- Established an Inclusionary Zoning Ordinance mandating a 15% minimum BMR unit provision in market-rate multifamily developments;
- Relaxed Accessory Dwelling Unit standards to incentivize their production;
- Established a Commercial Linkage Fee to collect funds restricted to use by affordable housing projects; and
- Entered into active partnerships with affordable housing developers to increase the number of BMR units in the city. For example:
 - The City is currently processing a project that will be supported by \$5-\$7 million dollars of City funding for the redevelopment of a site in downtown San Carlos that will produce 24 units of 100% affordable studios for extremely low- to very-low income households.
 - The City is entering into a partnership to assemble land to contribute, along with several millions of affordable housing trust funds, to develop a 30-unit 100% affordable housing project aiming to provide larger, family units.

In sum, our small city of 30,000 residents has worked unwaveringly to stimulate the development of housing at all income levels.

Suggestions for SB 50

SB 50 does not take into account the positive strides that the City of San Carlos has made over the years. Our City has made transit-oriented development a priority and has zoned sufficient land walkable to our major transportation nodes to ensure that our community housing needs are being met over our planning periods. Your proposed bill stands to upend the planning process and remove input from our community members. It is imperative that the voices of our residents be held tantamount to those of large urban centers that support your bill. This issue should not be addressed a one-size-fits-all solution. Please consider the following as you make amendments to your bill:

- Although SB 50 requires new development to conform to local BMR ordinances, developers are not interested in developing affordable housing. While cities can take the initiative to get workforce housing built, hundreds of smaller cities do not have the expertise or resources to do it. Those that do need more housing dollars and grants to be dedicated by the state for the construction of BMR housing. Can SB 50 include stronger language requiring a higher percentage minimum for BMR housing and identify funding to support its construction?
- The bill would create a distraction from the City's current efforts to produce affordable housing through partnerships with non-profit developers and through its inclusionary zoning

ordinance. SB 50 could change community opinion and turn supporters into adversaries effectively stunting the efforts of projects outside the SB 50 zones.

- The SB 50 proposal for housing being within a certain distance of our transit hub will have a detrimental impact on our well established single-family neighborhoods. Can an amendment be made to only include multi-family and mixed-use zones?
- Can an amendment be made to allow for height transitions between single-family homes and higher density housing?
- The provision of three incentives and concessions provides too great an opportunity for developers to deviate from a city's urban design best practices. The only burden of proof for a concession is for the builder to demonstrate a cost hardship. Many developers will use the least expensive and lowest quality materials. Once the building is sold the community has to bear the brunt of shoddy design. Can the number of concessions/incentives be reduced or removed or a higher burden be placed on the builder to push them to design attractive and high quality buildings?

Thank you for seriously considering the suggested changes to this bill.

Sincerely,

Jeff Maltbie
City Manager



CITY OF SAN BRUNO

CITY COUNCIL

April 24, 2019

The Honorable Scott Wiener
California State Senate
State Capitol, Room 5100
Sacramento, CA 95814-4900

RE: Statement of Concern with regard to SB 50 (Wiener) - Housing, Opportunity, Mobility, Equity, and Stability Act

Dear Senator Wiener:

The City of San Bruno would like to take an opportunity to notify you of the City's concerns on the proposed Senate Bill 50 as it relates to the City of San Bruno.

San Bruno is a suburban community with three freeways (101, I-280 and I-380), a high capacity bus route along El Camino Real, a BART station, and a Caltrain station. As such, San Bruno's development regulations are tailored to the various needs and characteristics of the community. Many neighborhoods, commercial areas, and other uses (schools, day cares, parks, medical offices, hospitals) are not within walking distance or accessible by transit. Access to transit is also constrained by the City's hilly topography. For example, there is an over 800-foot elevation change between the San Bruno Caltrain station and the farthest residential neighborhood to the west of the city. This requires that our development standards reflect the unique access challenges posed by the natural environment.

SB 50, as proposed, would allow a residential development eligible for an equitable communities incentive to receive waivers from local regulation such as: (1) maximum controls on density and minimum controls on automobile parking requirements; (2) up to 3 additional incentives or concessions under the Density Bonus Law; and (3) specified additional waivers if the residential development is located within a one-half mile radius of San Bruno's BART and Caltrain stations and within one-quarter mile radius of a transit stop on a "high quality transit corridor" which may include bus routes in San Bruno on major corridors such as El Camino Real.

San Bruno's specific concerns regarding SB 50 are as follows:

- **SB 50 disrespects local values and penalizes communities that have adopted thoughtful approaches to increasing housing supply**
 - The City of San Bruno is not a NIMBY community. San Bruno has adopted long-range planning documents including a General Plan and Specific Plans, as well as voter-approved ballot measures that allow dense residential development near transit stations.

San Bruno adopted a Transit Corridors Plan (TCP) in 2013 and the City voters approved Measure N in November 2014, which removed height and density barriers in a 155-acre area. The amended height restrictions allow an additional 40 feet and 4 stories (up to a maximum of 90 feet and 7 stories in some areas). In addition, the measure eliminated all density maximums for residential uses to allow for new dense housing development around transit centers –*which aligns to the core goal of SB 50.*

San Bruno's TCP provides a blueprint for the transformation of the City's downtown and adjacent nearby commercial corridors into a walkable, mixed-use district capitalizing on proximity and access to transit.

The TCP is an implementation measure for the City's "General Plan 2025", which was adopted in 2009. Extensive community engagement was made in the development of this plan and the ballot measure, including two advisory committees, resident surveys, community workshops, and numerous public meetings as well as Planning Commission and City Council study sessions. This meaningful, collaborative local process shows that San Bruno is a community that supports new residential growth near transit.

The TCP goals, policies, development standards and design guidelines are founded on a vision for the future articulated by the San Bruno community and stakeholders. This community vision aspires to an economically vital downtown which is an exciting destination for workers, residents and visitors; more dense mix of commercial and residential uses with high quality architecture to attract and sustain activities throughout the day and night; and a welcoming pedestrian oriented environment with new plazas and streetscape improvements. The overall goal is to facilitate new development that relies less on the automobile and promotes travel by transit, bicycling, and walking.

San Bruno's development regulations and our Transit Corridors Plan are tailored to the needs and character of the community, while simultaneously providing greater density along major bus routes and near the San Bruno BART and Caltrain stations. SB 50 disrespects these local standards and the lengthy community engagement processes that created them.

We hope that you give consideration to modifying SB 50 to exempt localities that adopt Transit Corridor Plans, which increase height and density near transit centers, from any additional statewide requirements. This modification will reward communities that have undergone thoughtful planning processes with their residents and businesses to accommodate housing growth.

- **SB 50 strips local control with respect to parking**

- While SB 50 attempts to preserve local control with respect to environmental review, local labor standards, local fees, community engagement processes and architectural review, it strips a local government's ability to determine the appropriate parking standards for their community. In San Bruno, parking is often the most contentious and problematic issue for neighboring residents when new development is proposed.

San Bruno's parking standards are important to ensure that new development does not create undue impacts on existing neighborhoods. The current version of SB 50 appears to prevent San Bruno from establishing minimum parking standards for projects within ¼ mile and ½ mile of our Caltrain station. This prohibition erodes the City's ability to regulate new developments and obtain mitigations for parking issues, which are ever-present today (and San Bruno is just in the early stages of build out and implementation of the Transit Corridors Plan).

Nearly all of the developable area for high density housing near San Bruno's transit centers borders low density residential neighborhoods. These neighborhoods are comprised of predominately single family homes and 2-6 unit apartment buildings (often 1-2 stories in height). Additionally, many of these existing neighborhoods have significant parking challenges. The City of San Bruno is currently undergoing an effort to explore solutions for a built environment from the mid-1900's that does not accommodate today's reality –in which transit is not an option for everyone and vehicle ownership rates are higher than the existing neighborhood streets and infrastructure can handle. This is the precise problem that should be avoided by SB 50. *The solution to increasing transit usage and reducing vehicle ownership does not begin by preventing cities from setting reasonable parking standards for today's reality in their existing neighborhoods.*

It is also important to note that the property owners and developers that approach cities to entitle and construct high density rental housing projects are frequently not long-term holders or operators of the properties. They are investors who may (and often) sell the project after it is entitled or upon completion of construction and occupancy. Given the significant demand for housing on the Peninsula, our community will be negatively impacted if new developments do not include sufficient parking. Without locally tailored parking regulations that can be waived/amended based on unique project by project circumstances, our community and others across the State will suffer.

SB 50 (Wiener) - Housing, Opportunity, Mobility, Equity, and Stability Act

April 24, 2019

Page 4 of 4

- **SB 50 erodes the ability of local governments to obtain design changes and community benefits to mitigate negative impacts**
 - At present, developers already receive incentives/concessions from local standards under the State Density Bonus Law when they provide land or build affordable housing, senior housing, or include specified levels of affordable childcare facilities within proposed projects. Additional waivers of local development standards will erode the ability of local legislative bodies to obtain design changes and community benefits that mitigate impacts of new high density housing projects on existing residents and surrounding neighborhoods. For example, San Bruno's standards with regard to set-backs from property lines and step-backs from low density residential dwellings (single family homes) are critical design elements that must be considered on a project-by-project basis. Allowing developers to waive these standards will negatively impact the health and well-being of existing neighborhoods.

In closing, San Bruno appreciates your willingness to meet with the C/CAG Legislative Committee and applauds your passion and willingness to tackle the housing crisis that is affecting Californians in the Bay Area and across the State. Unfortunately, as written, we cannot support the proposed legislation. In its current form, SB50 will harm San Bruno and other communities across the State. We strongly encourage you to consider the issues that we have raised in this letter and avoid penalizing localities that have adopted Transit Corridor Plans, which increase height and density near transit centers, from any new statewide requirements. San Bruno looks forward to working collaboratively with you and other State legislators on strategies and funding mechanisms to enhance public transit and housing further, in ways to ensure that local issues are thoughtfully considered and incorporated during the development process.

Sincerely,



Rico E. Medina, Mayor

on behalf of the San Bruno City Council

Irene O'Connell, Vice-Mayor

Laura Davis

Marty Medina

Michael Salazar

Draft Housing Legislation – Local Jurisdiction Responses

(as of May 8, 2019)

San Mateo – Letter of Opposition to SB50 dated April 17, 2019

- One-size-fits-all approach disregards local conditions and usurps local land use decision making
- SB50 is not driven by local data. Doesn't account for the amount of housing actually constructed (and on the horizon) in individual jurisdictions.
- San Mateo has long been a leader in TOD.
- No consideration for local physical constraints (ex. topography, water, open space designations)
- Upzoning land around transit will increase land costs without necessarily increasing housing production due to the effects of speculation
- Disregards the additional fiscal impact on cities – infrastructure and additional public services
- Doesn't recognize San Mateo's existing notable efforts to prioritize affordable housing production
- California already has a legally mandated process for every city to establish its housing policy and community vision – the General Plan – which allows extensive community input in how the goals are achieved locally.
- Individual communities need to be engaged in planning at the local level.

San Carlos – Letter citing impacts of SB50 to the City dated April 22, 2019

- City has worked to diligently to address housing needs, and is on target to reach the total number of units identified by the RHNA by the end of the cycle
- City has implemented many strategies to facilitate/incentivize BMRs: flexible development strategies; parking reductions; public education campaigns; 15% inclusionary zoning reqs.; reduced ADU standards; commercial linkage fee; active partnerships with affordable housing developers.
- Bill would upend existing planning processes by removing input from community members
- Suggested consideration of the following as amendments are discussed:
 - Include a higher BMR% requirement, and identify state funding sources to support
 - State mandates such as this undermine current efforts to garner neighborhood support for additional affordable housing projects outside of the SB50 area by negatively impacting community opinion, turning supporters into adversaries
 - Long-established single family neighborhoods will be detrimentally impacted. Suggest limiting to multi-family and mixed use zones.
 - Bill should provide for height transitions between single family homes and high density housing.

- Required number of incentives and concessions undermines community desires for urban design best practices. Either reduce the number of incentives or otherwise rework to ensure quality design is not sacrificed.

San Bruno – Statement of Concern about SB50 dated April 24, 2019

- SB50 disrespects local values and penalizes communities that have adopted thoughtful approaches to increasing housing supply. City already has a Transit Corridor Plan, developed with in a meaningful, collaborative local process, to allow for dense housing development near transit stations. SB50 disrespects the local standards adopted through a lengthy community engagement process.
 - Recommend modifying legislation to exempt localities that adopt Transit Corridor Plans, which increase height and density near transit centers, from any additional statewide requirements.
- SB50 strips local control with respect to parking. The solution to increasing transit usage and reducing vehicle ownership does not begin by preventing cities from setting reasonable parking standards for today's reality in their existing neighborhoods.
- SB50 erodes the ability of local governments to obtain design changes and community benefits to mitigate negative impacts. Developers already receive incentives/concessions under State Density Bonus Law. Additional waivers will erode the ability of cities to obtain quality design and other community benefits that mitigate a project's impacts on the neighborhood.

Hillsborough – Letter on CASA Compact dated April 1, 2019

- Cites Hillborough's notable accomplishments: issued permits for ~90% of RHNA allocation for current cycle; hosted community meetings to educate about HIP shared housing, ADUs and other housing programs; relaxed ADU standards and prohibited use as short-term rentals;
- Based on these successful efforts, additional legislation (which would remove local control/community based solutions) is not needed for goals to be achieved
- San Mateo County as a whole has made substantial strides to narrow the jobs/housing imbalance
- Concerns with CASA:
 - Usurps local zoning standards
 - No San Mateo County involvement on Compact committees
 - Emphasis on sticks rather than carrots
 - Reliance on new taxes
 - Potential inequities in property tax allocations
 - Generic approach jeopardizes the individuality and diversity of California cities

Metropolitan Transportation Commission

Legislation Details (With Text)

File #: 19-0480 **Version:** 1 **Name:**

Type: Assembly Bill **Status:** Commission Approval

File created: 4/30/2019 **In control:** Joint MTC Legislation Committee and ABAG Legislation Committee

On agenda: 5/10/2019 **Final action:**

Title: AB 1487 (Chiu): Housing Alliance for the Bay Area

AB 1487 (Chiu) would establish the Housing Alliance for the Bay Area (HABA) to increase funding for affordable housing in the nine-county region. The bill authorizes HABA to place on the ballot a series of revenue raising measures, subject to certain return to source provisions, to provide funding and technical assistance to local jurisdictions and affordable housing developers to help produce and preserve affordable housing and pay for tenant protection services. The bill provides that HABA would have the authority to buy and lease land for affordable housing purposes, but not the ability to purchase land by eminent domain or regulate or enforce local land use decisions.

Sponsors:

Indexes:

Code sections:

Attachments: [9biii_AB-1487_ChIU.pdf](#)
[7c3_AB-1487_ChIU.pdf](#)

Date	Ver.	Action By	Action	Result
5/10/2019	1	Joint MTC Legislation Committee and ABAG Legislation Committee		

Subject:

AB 1487 (Chiu): Housing Alliance for the Bay Area

AB 1487 (Chiu) would establish the Housing Alliance for the Bay Area (HABA) to increase funding for affordable housing in the nine-county region. The bill authorizes HABA to place on the ballot a series of revenue raising measures, subject to certain return to source provisions, to provide funding and technical assistance to local jurisdictions and affordable housing developers to help produce and preserve affordable housing and pay for tenant protection services. The bill provides that HABA would have the authority to buy and lease land for affordable housing purposes, but not the ability to purchase land by eminent domain or regulate or enforce local land use decisions.

Presenter:

Rebecca Long

Recommended Action:

Seek Amendments

Attachments:

Metropolitan Transportation Commission

May 22, 2019

Agenda Item 9b. iii.

AB 1487 (Chiu) Seek Amendments

- Subject:** Position on AB 1487 (Chiu): Housing Alliance for the Bay Area
- Background:** On May 10, the Legislation Committee reviewed legislation and recommended a “seek amendment” position on AB 1487 with the following requested amendments:
- 1) Ensure no new responsibilities are assigned to ABAG or MTC without the following: 1) A guaranteed source of funding that is not dependent upon voter approval; 2) A provision for the re-evaluation and potential dissolution of HABA in the event that the level of revenue approved is too small to meaningfully address the region’s housing crisis;
 - 2) Ensure the bill does not require that MTC staff report to a newly structured board;
 - 3) Exclude sales tax from revenue options; and
 - 4) Develop a distribution formula that distributes more than 25 percent of the employer-based (i.e. non-bond and parcel tax measures) revenue to a regional pool.

In addition, the Committee’s action recommended the formation of working group of three ABAG representatives and three MTC representatives to be appointed by the ABAG President and MTC Chair, respectively, to work with Assembly Member Chiu’s office on governance of the Housing Alliance for the Bay Area (HABA) and other details and bring a recommendation back to the Executive Board and MTC Commission, respectively.

Issues: None

Recommendation: The Commission is requested to adopt a “seek amendment” position on AB 1487 (Chiu), as described above.

Attachments: May 10 Legislation Committee summary sheet.

Reviewed:



Therese W. McMillan

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

May 10, 2019

Agenda Item 7c3

AB 1487 (Chiu): Housing Alliance for the Bay Area

Subject: AB 1487 (Chiu) would establish the Housing Alliance for the Bay Area (HABA) to increase funding for affordable housing in the nine-county region. The bill authorizes HABA to place on the ballot a series of revenue raising measures, subject to certain return to source provisions, to provide funding and technical assistance to local jurisdictions and affordable housing developers to help produce and preserve affordable housing and pay for tenant protection services. The bill provides that HABA would have the authority to buy and lease land for affordable housing purposes, but not the ability to purchase land by eminent domain or regulate or enforce local land use decisions.

Background: Plan Bay Area 2040's Action Plan (adopted jointly by MTC and ABAG in July 2017) called for the creation of regional self-help funding for affordable housing. This position was later incorporated into the Committee to House the Bay Area (CASA) Compact as Element #10. This bill is co-sponsored by the Nonprofit Housing Association of Northern California (NPH) and Enterprise Community Partners, Inc. and calls for the creation of a regional housing entity to raise funds and support local jurisdictions to help achieve the region's bold housing goals.

Discussion: **Funding**
The primary stated purpose of AB 1487 is to raise regional funding for affordable housing to help close an estimated annual funding shortfall of \$2.5 billion to address the region's affordable housing production, preservation and tenant protection needs. Unlike transportation, which has long had access to substantial regional funding through bridge tolls and federal and state funds distributed at the regional level, affordable housing is strictly reliant upon private, local, state and federal funding. A regional funding source would be immensely valuable to help close the funding gap on affordable housing projects that are otherwise struggling to cobble together enough funds across multiple sources, especially for those jurisdictions that have less resources available at the local level.

Key Concerns

From a policy perspective, staff agrees that establishing a regional funding source for affordable housing production and protection-related needs is likely a necessity if we are to make serious progress on the housing crisis. Opportunities to build or preserve affordable housing projects are unpredictable, making a more robust regional funding source a useful option, instead of every jurisdiction needing to close the funding gap by levying taxes locally that might not be put to use for many months or even years.

However, in our various meetings with local elected officials over the last few months we heard concerns about the use of a sales tax or parcel tax for a regional housing program due to concerns this might supplant *future* revenue raising opportunities at the local level. Concerns were also frequently raised regarding the establishment of another regional agency, which may duplicate authorities of existing regional agencies, and/or local governments. While staff does not have a

May 10, 2019

Page 2 of 2

recommendation on these points per se, we are raising them for discussion given their importance. In addition to those observations, we outline some significant practical and operational concerns we have with the bill.

Start-Up Funding

The bill requires that MTC staff the HABA but does not provide any start-up or sustaining funding associated with imposition of this new role. While the bill authorizes up to 3 percent of voter-approved funds to be reserved for administrative costs, this doesn't address how the agency is to absorb what would be substantial near-term responsibilities before revenues are collected, or address what should occur if any or all contemplated voter-approved measures fail. In addition, the bill requires that either ABAG or MTC reimburse the counties for the cost of placing the measure on the ballot. The RM 3 election cost MTC \$3.2 million in direct charges from county election offices. Neither agency has funding available (or even eligible) to cover this cost if an election fails.

As such, we recommend amendments to ensure that no new responsibilities are assigned to MTC or ABAG without a) providing a guaranteed source of support funding that is not dependent upon voter approval; and b) including a provision for the re-evaluation and potential dissolution of HABA in the event that the compendium of funds approved by the voters are determined to fall substantially short of the amounts needed to meaningfully address the housing crisis across the region.


Governing Board

The current version of the bill has removed all references to ABAG and MTC as the foundational membership for the HABA governing board, to provide for further discussion of this critical question at the regional level. Nonetheless, we remain concerned that the bill could require MTC staff to serve a new and separate board, potentially placing staff in a conflicted situation. While we have no specific recommendation on the governance question, we believe it is critical that we communicate to the author and bill supporters that neither ABAG nor MTC can support an outcome where MTC staff are assigned to directly report to a newly structured board.

Recommendation: Seek Amendments

Bill Positions: See attached

Attachments: Attachment A: Bill Positions


Therese W. McMillan

Official Positions on AB 1487 (Chiu)

Support

Bay Area Council
Bay Area Housing Advocacy Coalition
Burbank Housing Development Corporation
California Community Builders
California YIMBY
Chan Zuckerberg Initiative
Enterprise Community Partners, Inc.
Greenbelt Alliance
Habitat For Humanity East Bay/Silicon Valley
Non-Profit Housing Association Of Northern California (Nph)
Pico California
Silicon Valley At Home (Sv@Home)
Techequity Collaborative
TMG Partners
Urban Displacement Project, Uc-Berkeley

Support If Amended

Community Legal Services In East Palo Alto
Genesis
Monument Impact
City of Oakland
Public Advocates Inc.
San Francisco Foundation
City of Vallejo

Oppose

California Taxpayers Association
Howard Jarvis Taxpayers Association

Oppose Unless Amended

Alameda County Transportation Commission

Metropolitan Transportation Commission

Legislation Details (With Text)

File #: 19-0509 **Version:** 1 **Name:**
Type: Assembly Bill **Status:** Commission Approval
File created: 5/2/2019 **In control:** Joint MTC Legislation Committee and ABAG Legislation Committee
On agenda: 5/10/2019 **Final action:**
Title: AB 11 (Chiu): Community Redevelopment Law of 2019

AB 11 would restore to cities and counties the option to form an entity that can use “tax-increment financing” to pay for affordable housing and other local infrastructure priorities, subject to approval of the Strategic Growth Council.

Sponsors:**Indexes:****Code sections:**

Attachments: [9biv AB-11 Chiu.pdf](#)
[7c4 AB-11 Chiu rev.pdf](#)

Date	Ver.	Action By	Action	Result
5/10/2019	1	Joint MTC Legislation Committee and ABAG Legislation Committee		

Subject:

AB 11 (Chiu): Community Redevelopment Law of 2019

AB 11 would restore to cities and counties the option to form an entity that can use “tax-increment financing” to pay for affordable housing and other local infrastructure priorities, subject to approval of the Strategic Growth Council.

Presenter:

Rebecca Long

Recommended Action:

Support and Seek Amendments

Attachments:

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

May 10, 2019

Agenda Item 7c4

AB 11 (Chiu): Community Redevelopment Law of 2019

- Subject:** AB 11 would restore to cities and counties the option to form an entity that can use “tax-increment financing” to pay for affordable housing and other local infrastructure priorities, subject to approval of the Strategic Growth Council.
- Background:** Prior to the dissolution of redevelopment in 2011 in the midst of a major state budget shortfall, redevelopment contributed approximately \$200 million per year towards affordable housing in the Bay Area. Item 1B of the 2019 Joint Advocacy Program includes support for restoring redevelopment. ABAG and MTC have already endorsed an alternate approach, SB 5 (Beall/McGuire) which proposes to eliminate the voter-approval requirement for bond issuance for enhanced infrastructure financing districts, which can use limited tax-increment financing.
- Discussion:** AB 11 allows a city or a county or two or more cities acting jointly to form an Affordable Housing and Infrastructure Agency (AHIA) to use tax-increment financing to fund a variety of affordable housing and infrastructure projects, including any project consistent with a Sustainable Communities Strategy (e.g. Plan Bay Area 2040). Unlike EIFDs, an AHIA would be allowed to use the school portion of property tax, significantly increasing the revenue available.

Eligible Expenses Are Broad, but Miss Some Key Needs

The bill requires that at least 30 percent of funds be used for affordable housing and limits other projects to the following:

- Transit priority projects located in a transit priority area
- Any project to implement an approved Sustainable Communities Strategy
- Roadway improvements, parking facilities, and transit facilities
- Sewage treatment and water reclamation plants and interceptor pipes
- Water collection and treatment facilities
- Flood control levees and dams, retention basins, and drainage channels
- Child care facilities
- Libraries
- Parks, recreational facilities, and open space
- Solid waste-related transfer and disposal facilities
- Brownfield restoration and other environmental mitigation
- Port or harbor infrastructure

While this list is quite comprehensive, notably absent are references to flood control, sea walls or other infrastructure to mitigate for sea level rise, including green infrastructure, such as marshland restoration. In addition, members of the Housing Legislative Working Group noted it would be useful to add pipe replacement, fire resilience and disaster recovery as additional eligible expenses. We recommend we pursue an amendment to add these and welcome other suggestions.

Bill Seeks to Hold Schools Harmless and Limit State's Fiscal Impact The bill aims to ensure that schools are held harmless by the property tax diversion by requiring the Director of Finance to adjust the percentage of General Fund revenues appropriated to school districts each year in such a manner as it has no fiscal impact on K-12 education and community colleges. The bill also sets an as-yet undetermined cap on the annual amount of debt that may be issued and AHIA's that may be formed in order to control the total fiscal impact to the state given its financial obligations to backfill for the reduced property taxes available for education.

Eliminate Eminent Domain Provision

The Housing Legislative Working Group, while generally supportive of bringing back tax-increment financing, raised concerns about whether eminent domain is a necessary component of a renewed redevelopment program in California, especially if the focus is on affordable housing. In addition, a number of committee members raised questions about the proposed governance of an AHIA. Specific concerns related to the presence of public members on the board and the limited representation by the city or cities that choose to form the agency since every affected taxing agency is given a seat on the board. Given the history of abuse of eminent domain and the current governance structure for the AHIA, we recommend pursuing an amendment to remove the eminent domain provision from the bill and provide for term limits for the public members of the AHIA.

Recommendation: Support and Seek Amendments

Bill Positions: See attached

Attachments: Attachment A: Bill Positions


Therese W. McMillan

**AB 11 Official Positions
Updated 5/9/19**

Support

Alameda County Transportation Commission
Bay Area Housing Advocacy Coalition
California Apartment Association
California Association of Realtors
San Francisco Housing Action Coalition
LeadingAge California

Opposition

California Teachers Association
Fieldstead and Company.
Howard Jarvis Taxpayers Association
Institute for Justice
Pacific Legal Foundation

Metropolitan Transportation Commission

Legislation Details (With Text)

File #: 19-0481 **Version:** 1 **Name:**

Type: Assembly Bill **Status:** Commission Approval

File created: 4/30/2019 **In control:** Joint MTC Legislation Committee and ABAG Legislation Committee

On agenda: 5/10/2019 **Final action:**

Title: SB 13 (Wieckowski): Accessory Dwelling Units

SB 13 would revise ADU law to require that a local government allow studio and one-bedroom ADUs of at least 850 square feet and two-bedroom or more ADUs of up to 1,000 square feet, and would prohibit ADU owner-occupancy requirements. The bill would limit impact fees imposed by local governments, special districts or water corporations to 25 percent of the impact fees otherwise charged for a new single-family dwelling for ADUs 750 square feet or greater and would waive impact fees for ADUs less than 750 square feet. The bill would also limit to 60 days the time a local agency has to issue an ADU permit after receiving an application and create a 10-yearly amnesty program to incentivize owners of existing unpermitted ADUs to obtain the permits and inspections necessary to legalize the units.

Sponsors:

Indexes:

Code sections:

Attachments: [9bv SB-13 Wieckowski.pdf](#)
[7c5 SB-13 Wieckowski.pdf](#)

Date	Ver.	Action By	Action	Result
5/10/2019	1	Joint MTC Legislation Committee and ABAG Legislation Committee		

Subject:

SB 13 (Wieckowski): Accessory Dwelling Units

SB 13 would revise ADU law to require that a local government allow studio and one-bedroom ADUs of at least 850 square feet and two-bedroom or more ADUs of up to 1,000 square feet, and would prohibit ADU owner-occupancy requirements. The bill would limit impact fees imposed by local governments, special districts or water corporations to 25 percent of the impact fees otherwise charged for a new single-family dwelling for ADUs 750 square feet or greater and would waive impact fees for ADUs less than 750 square feet. The bill would also limit to 60 days the time a local agency has to issue an ADU permit after receiving an application and create a 10-yearly amnesty program to incentivize owners of existing unpermitted ADUs to obtain the permits and inspections necessary to legalize the units.

Presenter:

Georgia Gann Dohrmann

Recommended Action:

Support if Amended

Attachments:

Metropolitan Transportation Commission

May 22, 2019

Agenda Item 9b. v.

SB 13 (Wieckowski) Support if Amended

Subject: Position on SB 13 (Wieckowski): Accessory Dwelling Units

Background: On May 10, the Legislation Committee recommended a “support if amended” position on SB 13 as follows:

- 1) Remove the provision prohibiting localities from imposing owner-occupancy requirements on accessory dwelling units (ADUs);
- 2) Reduce the impact fee waiver threshold from 750 square feet to 500 square feet, consistent with the existing school development fee exemption; and
- 3) Ensure local jurisdictions retain the ability to require fire sprinklers for ADUs, if sprinklers are required for the primary residence.

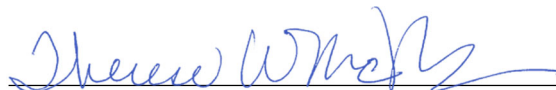
Additionally, staff was directed to talk with the bill’s author about structuring fee offsets in a manner to incentivize deed-restricted affordable ADUs.

Issues: The Legislation Committee requested that staff pursue an amendment to ensure that a local jurisdiction may require a residential sprinkler system in an ADU if a sprinkler system is required for the existing house. Staff has confirmed that this bill does not modify current law with regard to sprinkler requirements, which specifically prohibits a mandate to add sprinklers if they are not required for the existing residence, but also requires, pursuant to the state’s building code, sprinklers in an ADU if existing house has a sprinkler system and requires sprinkler systems in all new homes, including those built with an ADU. With this clarification, staff recommends the Executive Board consider removing the proposed amendment regarding sprinklers from the list of requested amendments.

Recommendation: The Commission is requested to adopt a “support if amended” position on SB 13.

Attachments: May 10 Legislation Committee summary sheet.

Reviewed:



Therese W. McMillan

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

May 10, 2019

Agenda Item 7c5

SB 13 (Wieckowski): Accessory Dwelling Units

Subject: SB 13 would revise ADU law to require that a local government allow studio and one-bedroom ADUs of at least 850 square feet and two-bedroom or more ADUs of up to 1,000 square feet, and would prohibit ADU owner-occupancy requirements. The bill would limit impact fees imposed by local governments, special districts or water corporations to 25 percent of the impact fees otherwise charged for a new single-family dwelling for ADUs 750 square feet or greater and would waive impact fees for ADUs less than 750 square feet. The bill would also limit to 60 days the time a local agency has to issue an ADU permit after receiving an application and create a 10-yearly amnesty program to incentivize owners of existing unpermitted ADUs to obtain the permits and inspections necessary to legalize the units.

Background: Many Bay Area local governments have taken steps to actively incentivize ADUs and over the past three years a number of bills have been enacted to limit zoning restrictions and expedite ADU approvals. As a result, the number of ADU permit applications received has surged throughout the region, growing 14-fold in San Francisco and more than seven-fold in Oakland between 2015 and 2017. However, according to the Turner Center for Housing Innovation at UC Berkeley, there are still a number of barriers to ADU development, including cost and challenges associated with securing financing – including issues associated with owner-occupancy; banks are less willing to offer a loan to a homeowner to build an ADU if it has an owner-occupancy requirement because the rental income is more limited and in the event of a foreclosure both units cannot be rented.¹

Attachment A compares SB 13 provisions with current law and with AB 68 (Ting), another ADU bill on today's agenda.

Discussion: As the Bay Area's housing crisis deepens, it is becoming increasingly important to consider innovative strategies to increase the Bay Area's housing supply. ADUs can be an important part of the solution, particularly in neighborhoods that are predominantly zoned for and occupied by single-family homes. Statewide single-family detached units make up over 56 percent of the overall housing stock according to the Turner Center. ADUs are inherently more low-impact and energy-efficient than large-scale construction and generally more affordable than other forms of housing. A 2012 study of the East Bay found that the average ADU was advertised at a rental rate that made it affordable to a household earning 62 percent of the area median income. This type of development is consistent with the Bay Area's shared climate and equity goals, as identified in *Plan Bay Area 2040*.

¹ <https://www.sightline.org/2013/03/15/adus-and-donts/>

May 10, 2019

Page 2 of 2

Given the potential for ADUs to be a part of the solution to the Bay Area's ongoing housing crisis, we support the policy of removing barriers to ADU production. However, we have concerns that the bill may have the unintended consequence of undermining the inherent affordability of ADUs and we believe it is important that localities have adequate tools, including balanced impact fees and owner-occupancy requirements, to address community impacts related to new housing. We believe the amendments bulleted below and detailed in Attachment B would strengthen the bill.

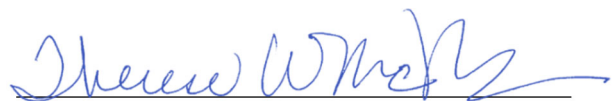
- **Owner-Occupancy** –*Remove the provision prohibiting localities from imposing owner-occupancy requirements on ADUs.*
- **Impact Fees** –*Reduce the impact fee waiver threshold from 750 square feet to 500 square feet, consistent with existing school development fee exemption.*

Staff recognizes that over the past three years there have been successive changes in ADU laws of which Bay Area jurisdictions have had varying capacity to implement. Additional planning resources such as those provided for in SB 2 (Atkins, 2017) and proposed by the Governor in the 2019 budget could support implementation efforts.

Recommendation: Support if Amended

Bill Positions: See Attachment C

Attachments: Attachment A: AB 68 (Ting) and SB 13 (Wieckowski) Comparison Matrix
Attachment B: SB 13 Policy Considerations and Amendment Recommendations
Attachment C: Bill Positions



Therese W. McMillan

AB 68 (Ting) and SB 13 (Wieckowski) Comparison Matrix
As of May 3, 2019

	Current Law	AB 68 (Ting)	SB 13 (Wieckowski)
Bill Status	N/A	Assembly Appropriations	Senate Appropriations
Minimum Lot size	Locally established	Prohibits minimum lot size standards	No change
Setback requirements	Five Feet	Reduces setback requirements to four feet	No change
Owner-Occupancy Requirement	Allows a local agency to require that an applicant be an owner-occupant	No change	Prohibits owner occupancy requirement
Application approvals	Requires ministerial approval of an ADU permit within 120 days	Reduces to 60 days from receipt of a completed application	Reduces to 60 days and deems permit approved if not acted upon within that period
State Oversight	Requires local agencies submit ADU ordinances to HCD within 60 days of adoption	Requires local agencies to submit ADU ordinances to HCD and authorizes HCD to make findings of non-compliance, require correction and work with Attorney General on enforcement	Requires local agencies to submit ADU ordinances to HCD and authorizes HCD to make findings of non-compliance, require correction and work with Attorney General on enforcement
Size Requirements	Requires ADU ordinance that allows an “efficiency unit” (250 – 450 square feet (sf))	Requires an ADU ordinance that establishes minimum or maximum size to allow an ADU of at least 800 sf and 16-feet high	Prohibits an ADU ordinance that does not allow an ADU of at least 850 sf (applies to studios and one-bedroom)/1,000 sf (applies more than one bedroom ADUs)
Zoning	Allowed in areas zoned to allow single family or multifamily dwelling residential use	Removes restriction to residential zones and instead applies to residential and mixed-use zones; Allows for one ADU and one JADU per proposed or existing single family residential unit and two ADUs per proposed or existing multifamily lot	Removes zoning restriction requiring only that the lot “includes a single family dwelling that exists or is proposed on the lot”

	Current Law	AB 68 (Ting)	SB 13 (Wieckowski)
Impact fees	Provides that an ADU shall not be considered by a local agency, special district, or water corporation to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including water and sewer service; Other fees subject to Fee Mitigation Act	No change	Provides for a tiered structure of fees based on size of ADU
RHNA	Permitted ADUs count toward RHNA numbers; no allowance for ADUs in site inventories	No change	Provides for an amnesty program to permit un-permitted ADUs; Authorizes a local agency to count ADUs for purpose of identifying adequate sites for its housing element
Parking	Restricts the parking standards a locality may impose on an ADU, including prohibiting parking requirements on ADUs located within ½ mile of public transit	Newly prohibits local agencies from requiring replacement parking for spaces that are lost due to construction of ADU (e.g. garage conversion)	Same as AB 68
Building Standard Amnesty	No amnesty	No change	Provides for an amnesty program to permit un-permitted ADUs that do not pose a health and safety risk

Source: Senate Housing Committee Analysis of SB 13, revised and augmented by MTC/ABAG staff

SB 13 Policy Considerations and Amendment Recommendations (*italicized*)

Owner Occupancy

Staff is concerned that the SB 13 provision prohibiting owner-occupancy requirements could have unintended consequences related to ADU affordability. An owner-occupancy requirement can serve as a check on institutional investors or speculators purchasing single family homes at a premium with the intention of renting an ADU at any price the market will bear. Some jurisdictions, including the City of Santa Rosa, waive owner occupancy requirements in exchange for affordability restrictions.

Staff proposes SB 13 be amended to remove the provision prohibiting localities from imposing owner occupancy requirements on ADUs.

Impact Fees

Impact fees are often cited as barriers to ADU development. In order to address this, a number of Bay Area jurisdictions have already taken steps to limit or eliminate impact fees associated with ADUs. However, fees range widely throughout the state. A 2018 analysis from the Senate Transportation and Housing Committee found that local development impact fees for ADUs range from anywhere between \$5,000 and \$60,000.

ADUs typically have a more modest impact on a neighborhood's infrastructure and services than large-scale developments and as such, subjecting ADUs to substantially similar fees makes little policy sense. This is reflected in the current requirement that school districts waive impact fees for new residential developments of 500 square feet or less. Of note, AB 68 and SB 13 would increase the minimum size of an allowable ADU to 800 square feet or more. Larger ADUs would correspond with greater infrastructure impacts.

In considering a similar bill last session (SB 831 (Wieckowski, 2018)) that would have eliminated ADU impact fees, ABAG provided that ADU fees should not be so cost prohibitive as to limit building but that localities should retain the ability to charge reasonable fees to pay for community impacts associated with new housing. The tiered fee schedule proposed by SB 13 is more consistent with the 2018 recommendation, however, SB 13 would still waive impact fees for ADUs up to 750 square feet.

Staff proposes amendments to SB 13 to reduce the impact fee waiver threshold from 750 square feet to 500 square feet, consistent with existing school development fee exemption.

SB 13 (Wieckowski) Positions

Support

Bay Area Council
California Apartment Association
California Chamber of Commerce
Eden Housing
LA-MAS
PrefabADU
Silicon Valley at Home (SV@Home)
Turner Center for Housing Innovation at the University of California, Berkeley

Oppose (unless amended)

American Planning Association, California Chapter
California Association of Counties
League of California Cities
Urban Association of Counties

Metropolitan Transportation Commission

Legislation Details (With Text)

File #: 19-0482 **Version:** 1 **Name:**
Type: Assembly Bill **Status:** Commission Approval
File created: 4/30/2019 **In control:** Joint MTC Legislation Committee and ABAG
Legislation Committee
On agenda: 5/10/2019 **Final action:**
Title: AB 1486 (Ting): Surplus Lands Act Expansion and Revision

AB 1486 would revise the Surplus Lands Act (SLA) - the state law that requires local agencies to prioritize affordable housing, as well as parks and open space, when disposing of land no longer necessary for the agency's use - and other state laws related to making surplus public land available for affordable housing development.

Sponsors:**Indexes:****Code sections:**

Attachments: [9bvi AB-1486 Ting.pdf](#)
[7c6 AB-1486 Ting.pdf](#)

Date	Ver.	Action By	Action	Result
5/10/2019	1	Joint MTC Legislation Committee and ABAG Legislation Committee		

Subject:

AB 1486 (Ting): Surplus Lands Act Expansion and Revision

AB 1486 would revise the Surplus Lands Act (SLA) - the state law that requires local agencies to prioritize affordable housing, as well as parks and open space, when disposing of land no longer necessary for the agency's use - and other state laws related to making surplus public land available for affordable housing development.

Presenter:

Georgia Gann Dohrmann

Recommended Action:

Support if Amended

Attachments:

Metropolitan Transportation Commission

May 22, 2019

Agenda Item 9b. vi.

AB 1486 (Ting): Surplus Lands Act Expansion & Revision

Subject: Position on AB 1486 (Ting): Surplus Lands Act Expansion & Revision

Background: On May 10, the Legislation Committee reviewed legislation and recommended a “support if amended” position on AB 1486 with the following requested amendments:

- 1) Expand negotiations scope beyond sales and lease price to ensure that valid topics such as a project’s financial viability are not prohibited in the scope of negotiations.
- 2) Ensure that the bill would not limit a successor to a redevelopment agency’s ability to comply with existing asset disposal requirements, as mandated in ABX1 26.
- 3) Amend the provision permitting residential use for 100 percent affordable housing developments to limit the allowance to those projects that have received local subsidies.
- 4) Pursue amendments to ensure that the proposed changes not disrupt the sale of the Oakland Coliseum property, by clarifying that the bill would only apply to land disposals initiated after the effective date of the bill.

Issues: None.

Recommendation: The Commission is requested to adopt a “support if amended” position on AB 1486.

Attachments: May 10 Legislation Committee summary sheet. Note: The charts in Attachment A to the staff memo reflect 2016 tax accessor’s data. The charts do not reflect land transfers and/or developments that have been initiated since the data was initially collected.

Reviewed:



Therese W. McMillan

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

May 10, 2019

Agenda Item 7c6

AB 1486 (Ting): Surplus Lands Act Expansion and Revision

Subject: AB 1486 would revise the Surplus Lands Act (SLA) – the state law that requires local agencies to prioritize affordable housing, as well as parks and open space, when disposing of land no longer necessary for the agency’s use – and other state laws related to making surplus public land available for affordable housing development.

Background: Enacted in 1968 and revised in 2014, the SLA requires that prior to disposing of surplus land, local agencies—including cities, counties and districts—give right of first refusal to other local governments or organizations that agree to use sites for low- and moderate-income housing developments or parks and open space. Top priority is given to affordable housing development proposals with at least 25 percent of the units reserved for families earning 80 percent area median income or below. Specifically, local agencies are required to give notice of available surplus property to relevant public entities and interested affordable housing developers and if a preferred entity expresses interest within 60 days, the parties must enter into good faith negotiations. If no agreement on sales price or lease terms is reached after 90 days, the local agency may proceed with disposing of the land through other avenues. The California Department of General Services is similarly required to prioritize affordable housing development when disposing of land no longer necessary for the state’s use.

AB 1486 would revise the Surplus Lands Act and related law as follows:

- Expand the scope of the SLA so that the provisions apply to parcels owned by successors to redevelopment agencies and provide that land would be presumed to be “surplus” when a local agency takes an action to dispose of it.
- Revise and clarify surplus land disposal process requirements.
- Permit that 100 percent affordable housing be allowed on surplus land, regardless of local zoning; Provision would not apply to exempt surplus land (e.g., protected open space) or land ineligible for affordable housing financing programs and the project would remain subject to environmental review.
- Require that the Department of Housing and Community Development (HCD) create and maintain a statewide inventory of local surplus public lands sourced from local land inventories.
- Expand HCD’s enforcement mandate to include SLA compliance.

Issues:

It is widely recognized that one of the barriers to low-income and workforce housing production in the Bay Area is a lack of available and affordable land. Public lands have been identified as an opportunity to address this issue. For example, a 2018 MTC Workforce Housing Action Plan memorandum identified nearly 700 acres of Bay Area public lands suitable for housing near transit estimated to have capacity for roughly 35,000 housing units (see Attachment A).¹

AB 1486 would expand the scope of public lands required to be considered for affordable housing, making it easier for local agencies and organizations seeking to develop affordable housing to identify land purchase opportunities. However, staff has a number of concerns that we believe should be addressed, detailed below:

- *Negotiations Scope:* Narrowing negotiations to sales and lease price, as proposed by AB 1486, would limit a local agency's ability to incorporate other important considerations such as a project's financial viability into the negotiation. Staff recommends the bill be amended to ensure that these and other valid topics are not prohibited in the scope of negotiations.
- *Redevelopment Agency Successors:* The Housing Legislative Working Group (HLWG) raised that first offering to affordable housing developers parcels owned by successors to redevelopment agencies may impede a successor agency from disposing of land consistent with ABX1 26 (2011), including the mandate to pay for existing obligations to the various taxing agencies in the redevelopment area. Staff recommends working with the author to ensure that the bill would not limit successor agency's ability to comply with existing asset disposal requirements.
- *100% Affordable Housing, Notwithstanding Local Zoning:* The HLWG expressed concerns that AB 1486 might result in development in areas that are inappropriate for housing. Staff recommends that the provision permitting residential use for 100 percent affordable housing developments be amended to limit the allowance to those projects that have received local subsidies, and therefore would not be in locations deemed inappropriate.

Recommendation: Support if Amended

Bill Positions: See Attachment B

Attachments: Attachment A: Attachment A: Public Land Suitable for Housing Near Transit
Attachment B: Bill Positions



Therese W. McMillan

¹ MTC in 2016 took steps to increase awareness of the SLA by conditioning certain One Bay Area Grant (OBAG) 2 eligibility on the adoption of a resolution confirming SLA compliance. As of December 2017, all general law cities and counties that were recommended for OBAG 2 county program funding had met this requirement.

Public Land Suitable for Housing Near Transit

Public Land by County		
County	Parcels	Acres
Alameda	153	248
Contra Costa	121	103
Marin	2	6
Napa	1	1
San Francisco	21	23
San Mateo	62	62
Santa Clara	84	234
Solano	20	11
Sonoma	6	11
TOTAL*	470	698

Top 10 Public Landowners		
Landowner	Parcels	Acres
Bay Area Rapid Transit District (BART)	91	229
Santa Clara Valley Transportation Authority (VTA)	26	178
State of California	17	42
City/County of San Francisco	18	26
San Mateo County Transit District (SamTrans)	11	18
Union City Community Redevelopment	6	15
County of Santa Clara	7	15
City of Oakland	19	10
City of San Jose	5	8
Suisun City	17	8
TOTAL*	217	548

*Totals may not sum due to rounding

Source: MTC Workforce Housing Action Plan

Bill Positions on AB 1486 (Ting)

Support

NonProfit Housing Association of Northern California (Sponsor)
Bay Area Housing Advocacy Coalition
California Apartment Association
Greenbelt Alliance
Habitat for Humanity
California Hamilton Families
Oakland Tenant Union
Southern California Association of NonProfit Housing
Tenderloin Neighborhood Development Corporation Transform

Oppose (Unless Amended)

Association of California Healthcare Districts
Association of California Water Agencies
California Association of Sanitation Agencies
California Land Title Association
California Municipal Utilities association
California Special Districts Association
California State Association of Counties
Desert Recreation Districts
Irvine Ranch Water District
Mesa Water District
Orange County Water District
Rural County Representatives of California
Santa Margarita Water District
Stege Sanitary District
Urban Counties of California

Metropolitan Transportation Commission

Legislation Details (With Text)

File #:	19-0375	Version:	1	Name:	
Type:	Report	Status:		Commission Approval	
File created:	4/5/2019	In control:		Joint MTC Planning Committee with the ABAG Administrative Committee	
On agenda:	5/10/2019	Final action:			
Title:	Plan Bay Area 2050 - Regional Growth Framework Revisions				

Attached are the proposed revisions to the Regional Growth Framework (Priority Development Area, Priority Conservation Area and proposed new Priority Production Area pilot) for approval.

Sponsors:**Indexes:****Code sections:**

Attachments: [10a_PBA 2050 - Regional Growth Framework Revisions.pdf](#)
[5a_PBA 2050 - Regional Growth Framework Revisions_rev2.pdf](#)

Date	Ver.	Action By	Action	Result
5/10/2019	1	Joint MTC Planning Committee with the ABAG Administrative Committee		

Subject:

Plan Bay Area 2050 - Regional Growth Framework Revisions

Attached are the proposed revisions to the Regional Growth Framework (Priority Development Area, Priority Conservation Area and proposed new Priority Production Area pilot) for approval.

Presenter:

Mark Shorett and Christy Leffall

Recommended Action:

Commission Approval

Attachments:

Metropolitan Transportation Commission and the Association of Bay Area Governments Joint MTC Planning Committee with the ABAG Administrative Committee

May 10, 2019

Agenda Item 5a

Plan Bay Area 2050 - Regional Growth Framework Revisions

- Subject:** Staff is presenting a status and performance report on current Priority Development Areas (PDAs) as requested at prior meetings. In addition, staff is requesting that the ABAG Administrative Committee and MTC Planning Committee refer the proposed revisions to the Regional Growth Framework (PDA, Priority Conservation Area and proposed new Priority Production Area pilot) highlighted in this memo and its attachments to their respective governing boards for approval.
- Background:** Last month, staff presented on the Regional Growth Framework Update process in advance of Plan Bay Area 2050, which will kick off in September 2019. Staff identified a suite of potential revisions, including addressing shortcomings of today's Priority Development Areas (PDAs), allowing for nominations of new growth areas, and considering incorporating state-identified Transit Priority Areas and High Opportunity Areas. To respond to Committee requests, this month staff is providing in-depth information about the performance and status of each PDA and presenting detailed proposals to strengthen the current framework.
- Issues:**
- Priority Development Areas – Status and Performance.** The Horizon Regional Growth Strategies Perspective Paper assessed the region's progress toward implementing the current Regional Growth Framework – a look back at how we've done. While there have been notable successes, many PDAs do not meet the program transit criteria and half of all state-designated Transit Priority Areas (TPAs, or transit-rich locations) have not been nominated by a local jurisdiction to become a PDA. As we chart a path forward, it was equally important to assess the performance of the PDAs against the Horizon Guiding Principles. From that performance analysis, residents of PDAs face disproportionately higher levels of displacement risk and limited access to opportunity. **Attachments D and E** provide detailed information about the status and performance of each PDA, respectively.
- Priority Development Areas – Path Forward.** The regional planning landscape has changed significantly in the past decade, with an escalating housing crisis, growing recognition of the importance of equity and resilience, and new transportation technologies setting the stage for a more comprehensive approach to shaping the Bay Area's growth.
- To reflect this reality, staff proposes updating the definition of a PDA as: *an infill location that is planned for significant housing and job growth, offers a suite of mobility options which enable residents to live a car-free or car-light lifestyle, and promotes greater opportunity for all, regardless of race or income.* To operationalize this new definition and to provide greater flexibility for local jurisdictions to meet program guidelines, staff proposes establishing two categories of PDAs:
- **Transit-Rich PDA**
 - ✓ PDA Plan for housing and job growth, including affordable housing, adopted or to be completed by 2025; and
 - ✓ High-Quality Transit: at least 50% of land in PDA is within ½ mile of an existing or planned rail station, ferry terminal, or bus line with headways of no more than 15 minutes in peak periods (i.e., Transit Priority Area).
 - **Connected Community PDA**
 - ✓ PDA Plan for housing and job growth: adopted, or to be completed no later than 2025; and

- ✓ Basic Transit: at least 50% of land in PDA is within ½ mile of an existing or planned bus line with headways of no more than 30 minutes in peak periods, and one of the following:
 - ✓ High Resource: located in a high resource area (HRA) as defined by the California Department of Housing and Community Development (HCD); or
 - ✓ Supportive Policies: adoption, or commitment to adopt, two or more policies shown to reduce vehicle miles traveled, described in greater detail in **Attachment F** by January 2020.

For PDAs that do not meet the updated transit requirements, staff proposes allowing CTAs and local jurisdictions until September 2019 to identify one or more improvementsⁱ necessary to meet at least the Connected Community standard. Staff proposes providing until September 2019 for jurisdictions without PDA Plans to provide an expected start and adoption date for a Plan.

Priority Conservation Areas (PCAs): No changes are proposed to the definition or criteria for PCAs at this time.

Priority Production Areas (PPAs): PPAs are proposed to be advanced through a pilot program in Plan Bay Area 2050, with an opportunity for further refinement post-Plan adoption in 2021. Staff proposes adoption of the following criteria for PPAs:

- ✓ Zoned for industrial use or has a high concentration of industrial activities, and
- ✓ Does not overlap with a PDA and does not include land within one-half mile of a regional rail station or ferry terminal, and
- ✓ The local jurisdiction has a certified Housing Element

Detailed information about the proposed PPA program is included in **Attachment H**.

Next Steps:

Staff request that the ABAG Administrative Committee and MTC Planning Committee refer the resolutions in Attachment A, which make the revisions to the Regional Growth Framework described in this memo and its attachments, to their respective governing boards for approval. Following adoption, ABAG/MTC staff will engage local jurisdiction and CTA staff, as well as elected officials, to advance new PDAs, PPAs and PCAs, and to ensure existing PDAs meet program standards.

Attachments:

Attachment A: ABAG Resolution 02-19 and MTC Resolution 4386

Attachment B: Overview of Proposed Framework Geographies

Attachment C: Presentation

Attachment D: Status of Current PDAs - Program Criteria and Housing Permits


Attachment E: Performance of Current Priority Development Areas (PDAs) - Key Indicators

Attachment F: Supportive VMT-Reduction Policies

Attachment G: Priority Conservation Areas (PCAs) Overview

Attachment H: Proposed Priority Production Area (PPA) Pilot Program Overview

Attachment I: SPUR Comment Letter


Therese W. McMillan

ⁱ Including capital and operating costs

Date: May 22, 2019
W.I.: 1412
Referred by: Planning

ABSTRACT

Resolution No. 4386

This resolution updates the Regional Growth Framework by (1) revising the definition and criteria for Priority Development Areas (PDAs), and (2) establishing a definition and criteria for Priority Production Areas (PPAs). No changes are made to Priority Conservation Area (PCA) criteria. In addition, the resolution authorizes staff to open a submission window for local jurisdictions to nominate new or modified PDAs, new or modified Priority Conservation Areas (PCAs), and new PPAs through a pilot program.

Further discussion of this subject is contained in the Planning Committee Summary Sheet dated May 10, 2019.

Date: May 22, 2019
W.I.: 1412
Referred by: Planning

Re: Approval of the Plan Bay Area 2050 – Regional Growth Framework Revisions: Next Steps

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4386

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Section 66500 et seq.; and

WHEREAS, the Association of Bay Area Governments (ABAG), a joint exercise of powers entity created pursuant to California Government Code Sections 6500 et seq., is the Council of Governments and the regional land use planning agency for the San Francisco Bay Area; and

WHEREAS, in 2007 ABAG established a framework (Regional Growth Framework) for future development that seeks to concentrate growth in locally-identified Priority Development Areas (PDAs) and protect locally-identified Priority Conservation Areas (PCAs) from development, and established the procedures for designation of PDAs and PCAs; and

WHEREAS, ABAG has adopted 188 PDAs and 165 PCAs nominated by local governments; and

WHEREAS, California Government Code § 65080 et seq. requires MTC to prepare and update a long-range Regional Transportation Plan (RTP), including a Sustainable Communities Strategy (SCS) prepared in conjunction with the ABAG, every four years; and

WHEREAS, Plan Bay Area (“Plan”) constitutes the Regional Transportation Plan and SCS for the San Francisco Bay Area; and

WHEREAS, MTC and ABAG jointly adopted the first Plan Bay Area in 2013 (Plan Bay Area 2013) (MTC Resolution No. 4111 and ABAG Resolution No. 06-13), and the second Plan Bay Area in 2017 (Plan Bay Area 2017) (MTC Resolution No. 4300 and ABAG Resolution No. 10-17); and

WHEREAS, Plan Bay Area 2013 and Plan Bay Area 2017 were consistent with state-mandated targets for greenhouse gas reduction and housing, and included a growth pattern consistent with the Regional Growth Framework, projecting that more 70% of new homes would be built in PDAs and development would not occur in PCAs; and

WHEREAS, the feasibility of implementing the Regional Growth Framework, including the projected levels of growth in PDAs in Plan Bay Area 2013 and Plan Bay Area 2017, was analyzed in the 2015 PDA Assessment and 2019 Horizon Regional Growth Strategies Perspective Paper, respectively, and both documents recommended revisions to the Regional Growth Framework to improve implementation of the upcoming Plan Bay Area 2050; and

WHEREAS, the Plan Bay Area 2040 Action Plan included an action to Establish Criteria for Priority Production Areas (PPAs); and

WHEREAS, potential revisions to the Regional Growth Framework that concerned PDAs, PCAs, and PPAs, were presented to ABAG Regional Planning Committee, MTC Policy Advisory Council, Regional Advisory Working Group, and ABAG Administrative Committee and MTC Planning Committee (collectively, ABAG and MTC Committees), local government staff, and other stakeholders for comment in March and April 2019; and

WHEREAS, comments from ABAG and MTC Committees, local government staff, and stakeholders, and the findings from the 2015 PDA Assessment and 2019 Horizons Regional Growth Strategies Perspective Paper, provided the basis for specific revisions to the criteria for PDAs and PPAs; and

WHEREAS, Attachment A to this Resolution, attached hereto and incorporated herein as though set forth at length, establishes an updated definition and criteria for PDAs and a definition and criteria for PPAs through a pilot program, and does not modify the existing PCA definition and criteria (ABAG Resolution No. 12-14); and

WHEREAS, ABAG/MTC staff intend to open an application period for local jurisdictions to nominate new or modified PDAs and PCAs, and to nominate PPAs; now, therefore, be it

RESOLVED, that MTC hereby certifies that the foregoing recitals are true and correct and incorporated by this reference; and be it further

RESOLVED, that MTC, as a decision making body, hereby adopts the definition and criteria for PDAs and PPAs in Attachment A, and authorizes staff to open an application period for local jurisdictions to nominate new or modified PDAs and PCAs, and to nominate new PPAs, which may include a submission period for Letters of Interest followed by formal nomination and adoption by MTC and ABAG.

METROPOLITAN TRANSPORTATION COMMISSION

Scott Haggerty, Chair

This resolution was entered into by the
Metropolitan Transportation Commission at a
regular meeting of the Commission held in
San Francisco, California on May 22, 2019.

Priority Development Area (PDAs): Definition and Criteria

Definition

Priority Development Areas (PDAs) are defined as follows:

- PDAs are **infill locations planned for significant housing and job growth.**
- PDAs help to reduce greenhouse gas emissions by **offering a suite of mobility options** that enable residents to live a car-free or car-light lifestyle.
- PDAs promote **greater opportunity for all**, regardless of race or income.

Eligibility Criteria

Eligibility criteria for designation as a Priority Development Area (PDA) are shown below. The first set of criteria apply to both categories of PDAs, Transit-Rich and Connected Community. The second set apply only to Transit-Rich PDAs, while the third set of criteria apply only to Connected Community PDAs.

1) Eligibility Criteria Applicable to All PDAs

All Priority Development Areas must meet the following criteria:

- **Locally-Nominated** – The PDA is nominated by the local government with land use authority¹ over the geographic area in which it is located, demonstrated by a resolution of support adopted by its governing body.²
- **Infill** – The area is fully within an existing urbanized area, and lies within an urban growth boundary or limit line if one is established.
- **Planned** – A plan for significant housing growth and/or housing and employment growth at transit-supportive densities has been adopted for the majority of the area by the governing body of the jurisdiction in which the PDA is located, such as a specific, precise, or area plan. In addition, this plan is reflected in the jurisdiction's general plan, zoning ordinance and either a certified environmental impact report, standard conditions of approval, or other environmental document that facilitates development consistent with the plan.

Furthermore, a PDA must either meet the criteria outlined under Transit-Rich PDAs or the criteria outlined under Connected Community PDAs.

¹ This includes, but is not limited to, adopting a zoning ordinance and reviewing development applications.

² In advance of formal applications, staff may periodically accept Letters of Interest that include general information about a PDA, and may be submitted by local government staff, such as a Planning Director, Community Development Director, or designee.

2) Eligibility Criteria Applicable to Transit-Rich PDAs

In addition to criteria applicable to all Priority Development Areas, Transit-Rich PDAs must meet the following criteria:

- **High-Quality Transit** - At least fifty percent of area is within a one-half mile radius of any of the following:
 - Existing rail station; or
 - Planned rail stations in the most recently adopted fiscally-constrained Regional Transportation Plan; or
 - Ferry terminals with bus or rail service; or
 - Planned ferry terminal with bus or rail service in the most recently adopted fiscally-constrained Regional Transportation Plan; or
 - Bus stop served by at least one route with peak headways of 15 minutes or less during the morning and evening peak commute periods, defined as 6AM to 10AM and 3PM to 7PM, respectively.

3) Eligibility Criteria Applicable to Connected Community PDAs

In addition to criteria applicable to all Priority Development Areas, Connected Community PDAs must meet the following criteria:

- **Not Served by High-Quality Transit** – The area is beyond a one-half mile radius of transit service that meets the “high-quality transit” criteria for Transit-Rich Priority Development Areas
- **Basic Transit** – The area is within a half-mile radius of a bus stop served by at least one route with headways of 30 minutes or less during both the morning and evening peak commute periods, defined as 6AM to 10AM and 3PM to 7PM, respectively.
- **High Opportunity or VMT-Reduction Policies** – The area meets at least one of the following:
 - At least fifty percent of the area is within a census tract defined as “High” or “Highest” Resource on the most recent Opportunity Map adopted by the State of California Department of Housing and Community Development (HCD); or
 - The jurisdiction in which the area is located has adopted at least two policies demonstrated to reduce Vehicle Miles Traveled (VMT), which may include:
 - Parking and Transportation Demand Management (TDM) ordinance that includes monitoring and enforcement.
 - Development impact fee to be added to a fund that can be invested in citywide VMT-reduction investments.
 - Prioritization of planning and implementation of Class II or better bike infrastructure and safe, pedestrian-scaled streets.
 - Vision Zero and universal design standards.
 - Prioritization of curb space for reliable transit and shared modes.
 - Another policy documented by peer-reviewed research to achieve significant VMT reduction.

The definition and criteria for PDAs may be revised periodically.

Priority Production Areas (PPAs): Definition and Criteria

The definition and eligibility criteria shown below will apply to the Priority Production Area (PPA) pilot program in Plan Bay Area 2050, with potential refinement following adoption of the Plan in 2021.

Definition

Priority Production Areas (PPAs) are defined as follows:

- PPAs are industrial areas of importance to the regional and local economies that encourage middle-wage job opportunities.
- PPAs are locally-designated places where industrial jobs (including manufacturing and supply chain services such as warehousing, distribution and repair) are a priority consideration in determining future land use.
- PPAs have broad community support for continued industrial activity that face pressure for conversion to higher-value uses.

Eligibility Criteria

PPAs must meet all of the following criteria:

- **Locally-Nominated** – The PPA is nominated by the local government with land use authority³ over the geographic area in which it is located, demonstrated by a resolution of support adopted by its governing body.⁴
- **Infill** – The area is fully within an existing urbanized area, and lies within an urban growth boundary or limit line if one is established.
- **Prioritized for Industrial Use** - The area is zoned for industrial use⁵ or has a high concentration of industrial activities.
- **Supports Regional Growth Framework** – The area does not overlap with PDAs and does not include land within one-half mile of a regional rail⁶ station.
- **Certified Housing Element** - The jurisdiction in which the PPA is located has a certified housing element.

The definition and criteria for PPAs may be revised periodically.

³ This includes, but is not limited to, adopting a zoning ordinance and reviewing development applications.

⁴ In advance of formal applications, staff may periodically accept Letters of Interest that include general information about a PDA, and may be submitted by local government staff, such as a Planning Director, Community Development Director, or designee.

⁵ This could include, but is not limited to, industrial zoning, zoning controls that maintain industrial activities in a mixed use area, interim controls protecting existing industrial uses.

⁶ Regional rail is defined as heavy, commuter, or intercity rail, including but not limited to BART, Caltrain, SMART, ACE, and Amtrak.

PLAN BAY AREA 2050

**Plan Bay Area 2050: Regional Growth Framework Update -
Overview of Existing and Proposed Geographies**

This attachment provides a summary of key changes proposed to the Growth Framework, and an overview of the Geographies included in the current and proposed Framework. Proposed action related to each Geography is outlined in **Attachment B**.

Table A1. Summary of Key Proposed Changes to Regional Growth Framework

	Designation		
	Priority Development Areas	Priority Conservation Areas	Priority Production Areas
Key Proposed Changes	<ul style="list-style-type: none"> • PDA Categories: Establishes Transit-rich and Connected Community categories (<i>see Table A2 for detailed criteria</i>), which apply to existing and proposed PDAs • Planning: Defines plan requirement and adoption timeline • Transit: More frequent service required for Transit-rich PDAs than current PDAs; less frequent service required for Connected Community PDAs • Equity: State-designated High Resource Areas (HRAs) eligible for Connected Community PDA designation if transit criteria met • VMT-Reduction: Areas outside HRAs meeting Connected Community transit criteria required to implement policy from menu of VMT-reduction measures 	No change (<i>see Table A2 for detailed criteria</i>)	New designation (<i>see Table A2 for detailed criteria</i>)

Table A2. Overview of Current and Proposed Regional Growth Framework Designations

Designation		Criteria	Additional Information
Current Designations (all require resolutions of support from jurisdiction with land use authority)	Priority Development Area (PDA)	<ul style="list-style-type: none"> • Within urbanized area, and • Planned for significant housing growth, including affordable housing, and • Served by an existing or planned rail station, ferry terminal, or bus stop served by a route, or routes, with peak headways of 20 minutes or less 	Interactive map of current PDAs is available here .
	Priority Conservation Area (PCA)	<ul style="list-style-type: none"> • Provide regionally significant agricultural, natural resource, scenic, recreational, and/or ecological values and ecosystem functions, demonstrated through adopted plans and recognized data sources such as the Conservation Lands Network (CLN), and • Require protection due to pressure from urban development or other factors, and 	Interactive map of current PCAs is available here .

		<ul style="list-style-type: none"> Fall into one or more PCA designation category: Natural Landscapes, Agricultural Lands, Urban Greening, and Regional Recreation 	
Proposed Designations (all require resolutions of support from jurisdiction with land use authority)	Transit-rich PDA	<ul style="list-style-type: none"> Within urbanized area, and Specific, precise, or equivalent Plan for housing and job growth adopted, or to be adopted no later than 2025, and The majority of land is within one-half mile of an existing or plannedⁱ rail station, ferry terminal, or intersection of 2 or more bus routes with peak headways of 15 minutes or less. <i>(Meets state definition for Transit Priority Area)</i> 	Transit criteria is consistent with the state definition of a Transit Priority Area (TPA); a map of Bay Area TPAs, some of which are PDAs, is available here .
	Connected Community PDA	<ul style="list-style-type: none"> Specific, precise, or equivalent Plan for housing and job growth adopted, or to be adopted no later than 2025, and The majority of land is within ½ mile of an existing or planned bus line with headways of no more than 30 minutes in peak periods, and One of the following: <ul style="list-style-type: none"> Located in a High Resource Area (HRA) as defined by the California Department of Housing and Community Development (HCD), or Adoption, or commitment to adopt, two or more policies shown to reduce vehicle miles travelled (VMT) (menu of policies in Attachment E) 	High Resource Areas are identified on HCD- adopted Opportunity Maps. The detailed methodology used to determine these areas, and a current map, are available here . Note that only HRA that meet transit criteria are eligible for designation as Connected Community PDAs.
	Priority Production Area (PPA)	<ul style="list-style-type: none"> Zoned for industrial use or has a high concentration of Production, Distribution and Repair (PDR) activities, and Does not overlap with a Priority Development Area and does not include land within one-half mile of a regional rail stationⁱⁱ, and Jurisdiction has a certified Housing Element 	More information PDR, and San Francisco's effort to support PDR activities, is available here .
	PCA	No change	

ⁱ Included in most recently adopted fiscally constrained Regional Transportation Plan (RTP)

ⁱⁱ Includes existing and planned service; includes BART, Caltrain, ACE, SMART, Amtrak, and any future heavy/commuter/intercity rail systems.

The background is a collage of images. The top left features a blue and white wavy graphic. Below it, a dark blue banner contains the text 'PLAN BAY AREA 2050'. The rest of the background is a collage of photos showing a mix of natural and urban landscapes. On the left, there are views of hills and mountains. On the right, there are images of modern multi-story apartment buildings with balconies, some with cars parked in front. The overall theme is regional growth and development.

PLAN BAY AREA 2050

Regional Growth Framework: PDA, PCA, and PPA Updates

Joint MTC Planning Committee with the
ABAG Administrative Committee

May 10, 2019

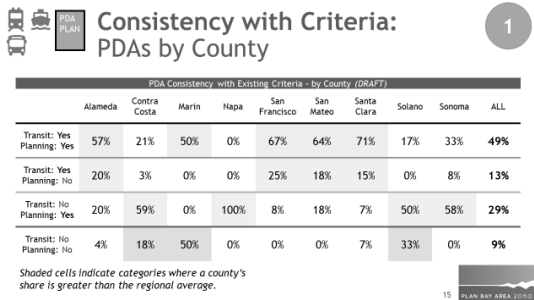
Mark Shorett, MTC/ABAG

At your last meeting, we discussed potential updates to the Regional Growth Framework.


To inform the update, you asked for additional information about Priority Development Area (PDA) status and performance.

Today, we are providing that information and requesting approval of detailed updates to the Framework.


Key Challenge with Framework	Potential Update for Plan Bay Area 2050
Many PDAs do not meet program criteria for transit and local planning.	Require all PDAs to be consistent with program guidelines by 2020.
Not enough housing is being produced, particularly low- and middle-income.	Invite local jurisdictions to submit new or modified PDAs in 2019; increase regional support.
Strong local interest in nominating new Priority conservation areas (PCAs).	Invite local jurisdictions and partner organizations to submit new or modified PCAs in 2019.
Industrial land and middle-wage jobs are not well-integrated into the current framework.	Establish a Priority Production Area (PPA) pilot program and allow local jurisdictions to submit PDAs in 2019.
The more ambitious GHG target for Plan Bay Area 2050 may be difficult to reach.	Integrate Transit Priority Areas (TPAs) into the regional growth framework.
Many PDAs face displacement risk and lack quality schools and community resources.	Integrate High-Resource Areas (HRAs) with adequate transit service into the regional growth framework.
Priority areas are at risk from sea level rise, wildfires, earthquakes, and more.	Focus on strategies and guidelines to protect the final set of priority areas in the Preferred Plan.



Proposed New Criteria

- 

PDA PLAN

Planned for growth
Plan must be completed by 2025
- 

Create two tiers to allow greater flexibility, incorporating new mobility & equity into the mix

PDAs that do not already align with one of the two tiers would need to address this by late 2019.

Guide to Today's Presentation & Your Packet

Section

PDA Implementation Status

PDA Performance

Framework Update Proposal

Priority Conservation Areas

Priority Production Areas

For Detailed Information:

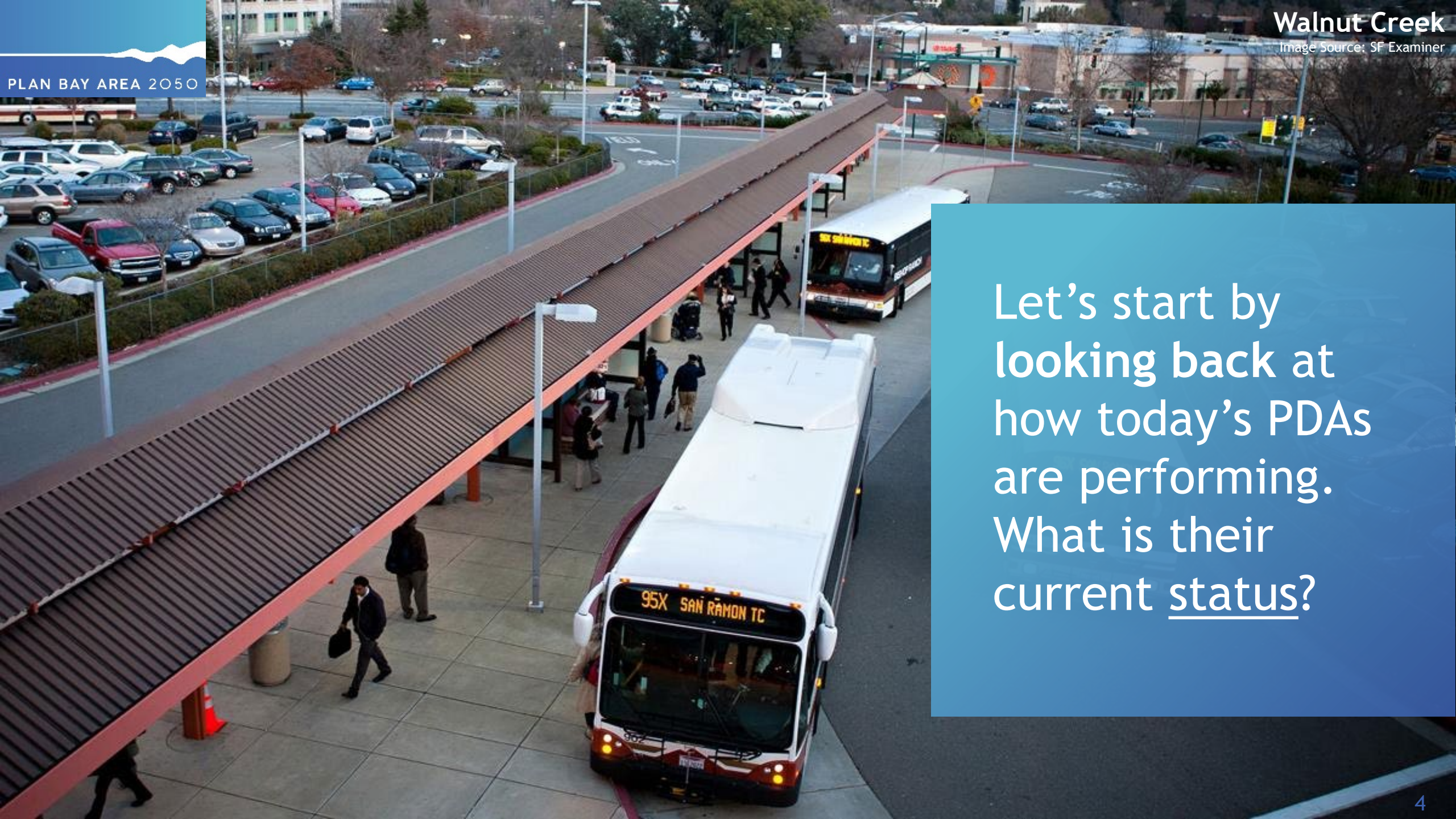
Attachment C

Attachment D

Attachment E, A

Attachment F

Attachment G

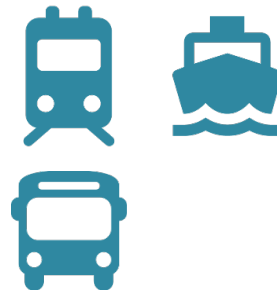


Let's start by
looking back at
how today's PDAs
are performing.
What is their
current status?

What is the implementation status of current PDAs?

Attachment C includes data on individual PDAs.

Current
PDA
Criteria



PDA
PLAN

Permitted
Housing

Frequent
Transit

Planned
for
Housing

Definition

Housing permits issued,
2015-2017

Rail station, ferry terminal, or
bus line with ≤ 20 minute peak
period headways

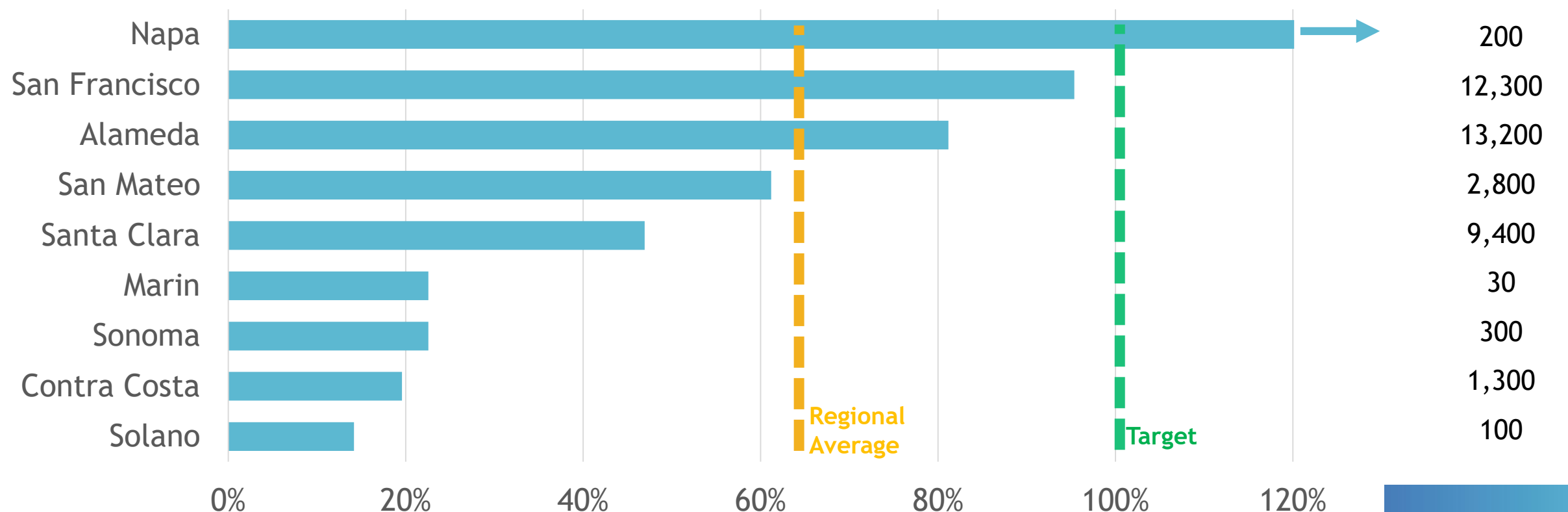
Adopted Specific
or Precise Plan



Permitted Housing:

Progress varies by county, but we remain behind at a regional level.

Percentage of Annualized Plan Bay Area 2040 PDA Housing Targets Achieved (2015-17)





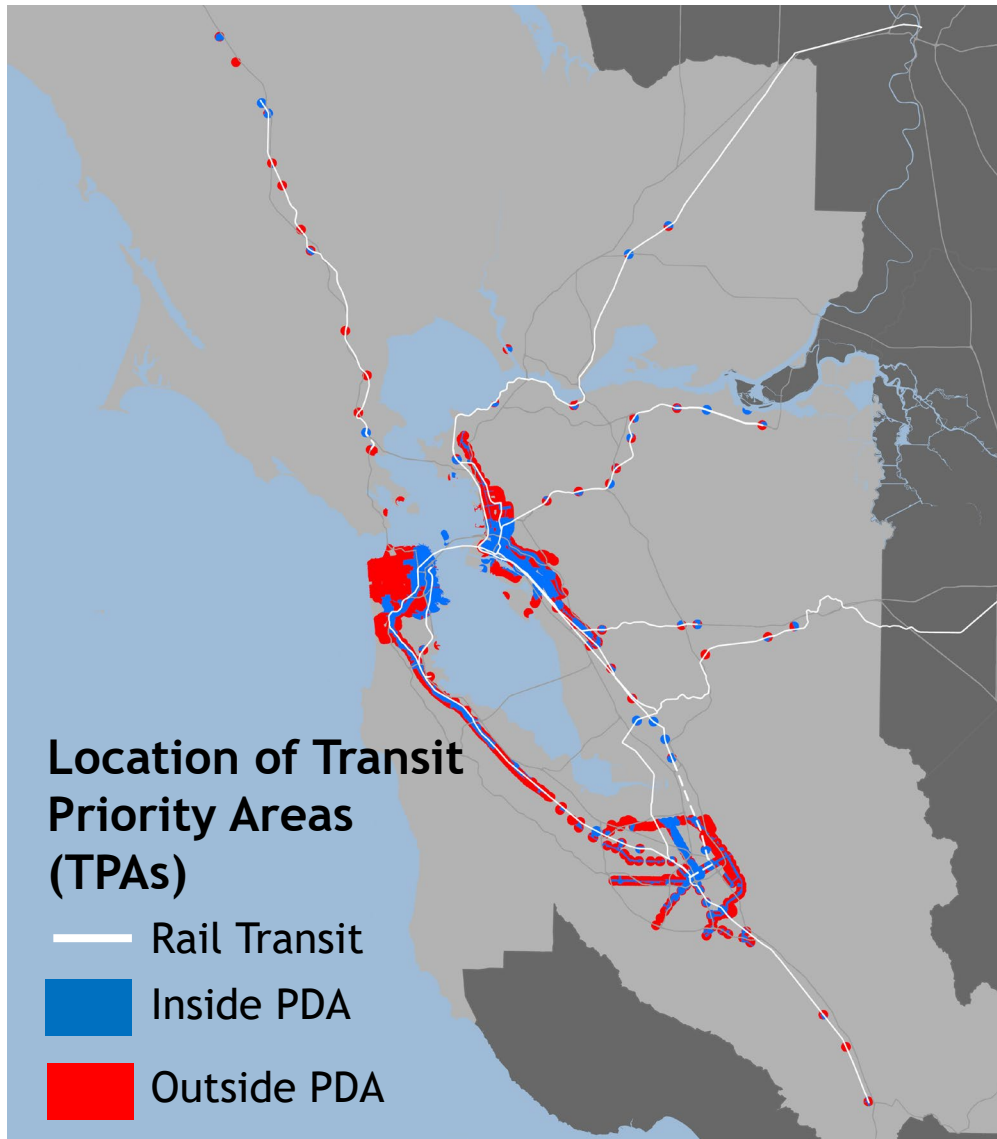
Frequent Transit & Planned for Housing:

How many PDAs meet current criteria?

Meets Criteria?	Share of PDAs by County, 2019									
	Alameda	Contra Costa	Marin	Napa	San Francisco	San Mateo	Santa Clara	Solano	Sonoma	ALL
Transit: Yes Planning: Yes	70%	23%	50%	0%	92%	64%	71%	25%	33%	52%
Transit: Yes Planning: No	15%	0%	0%	0%	8%	18%	15%	0%	7%	13%
Transit: No Planning: Yes	11%	62%	0%	100%	0%	14%	7%	42%	58%	26%
Transit: No Planning: No	4%	15%	50%	0%	0%	5%	7%	33%	0%	9%

Shaded cells indicate that a county's share is greater than the regional average.

What about transit-rich* areas not yet designated PDAs?

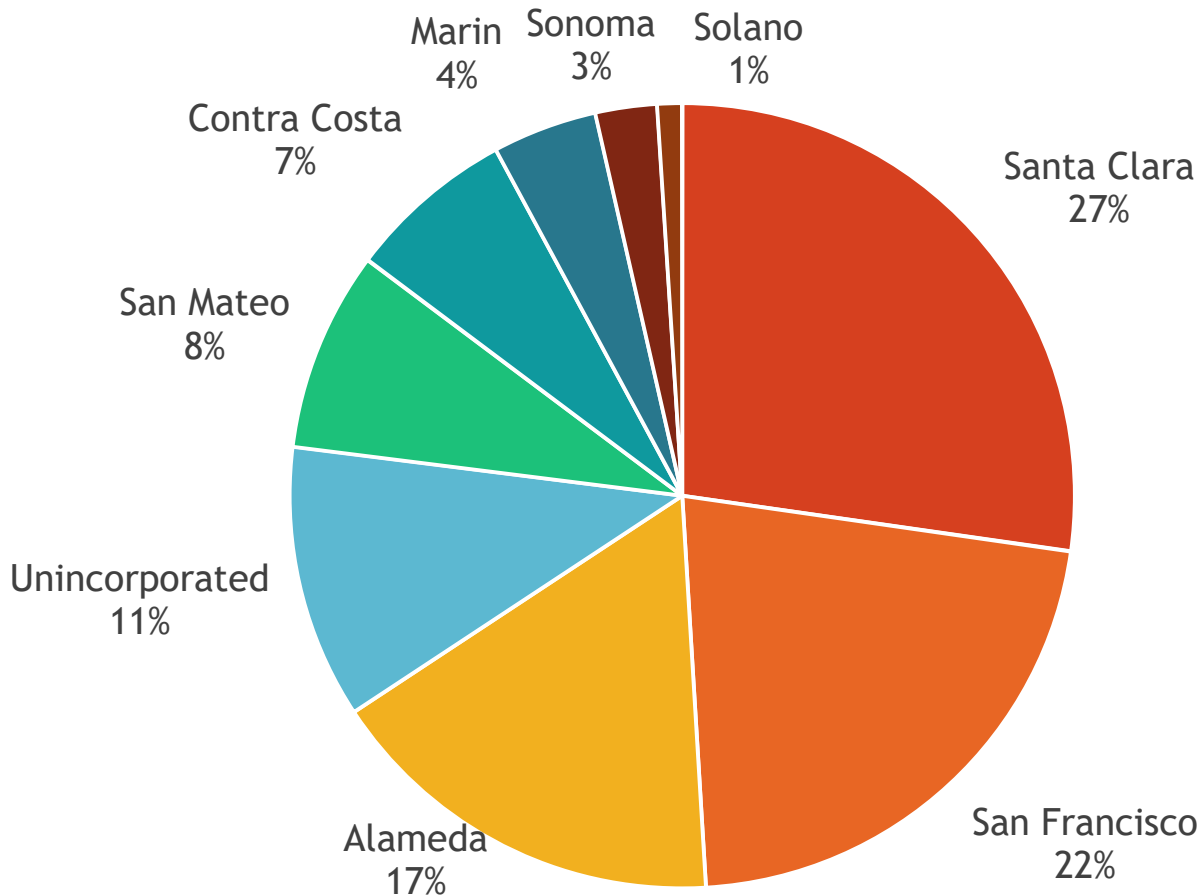


Integrating Transit Priority Areas (TPAs) currently outside of PDAs could add approximately **50 percent** more land to the Regional Growth Framework.

*meeting the state definition of transit priority areas
([Public Resources Code §21099\(a\)\(7\)](#))


We want to partner with cities to more fully leverage the region’s transit network.

Breakdown of Non-PDA TPA Lands - by county



Top 7 Cities for Transit-Rich Non-PDA Lands	
San Francisco	13,500 acres
San Jose	8,200 acres
Berkeley	2,800 acres
Sunnyvale	2,400 acres
Oakland	2,100 acres
Santa Clara	1,600 acres
Campbell	1,400 acres





These seven cities account for over half of all transit-rich non-PDA land in the region.

An aerial photograph of San Jose, California, taken during the "golden hour" of sunset. The sun is low on the horizon, casting a warm, orange glow over the city. In the foreground, several modern multi-story apartment buildings with flat roofs and balconies are visible. A central street runs vertically through the middle of the frame. The middle ground shows a mix of older and newer buildings, interspersed with trees. In the background, a range of mountains is visible under a hazy sky. The overall scene depicts a dense urban environment with a mix of architectural styles.

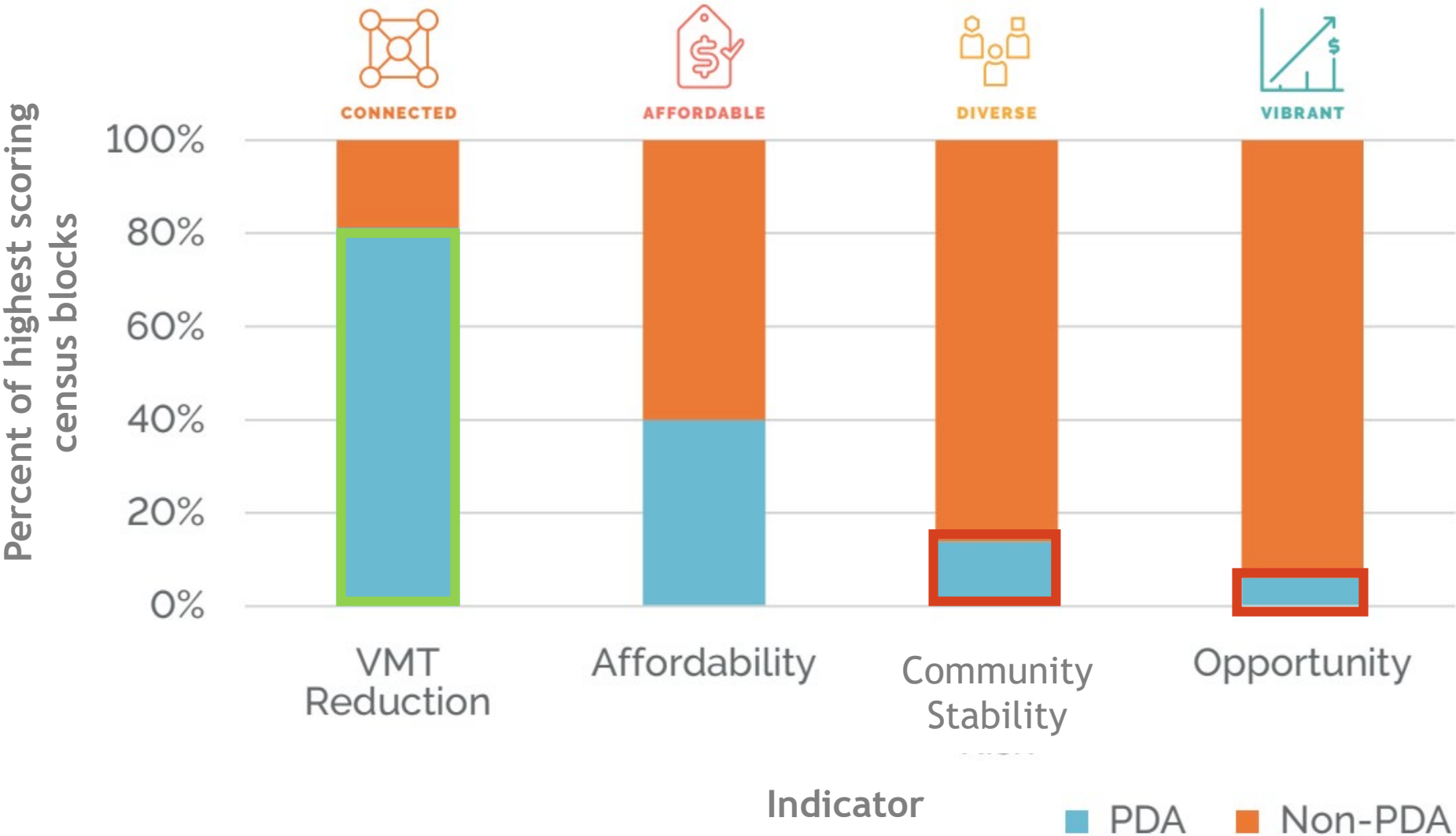
Now, let's look forward to understand PDAs' potential performance in the future.

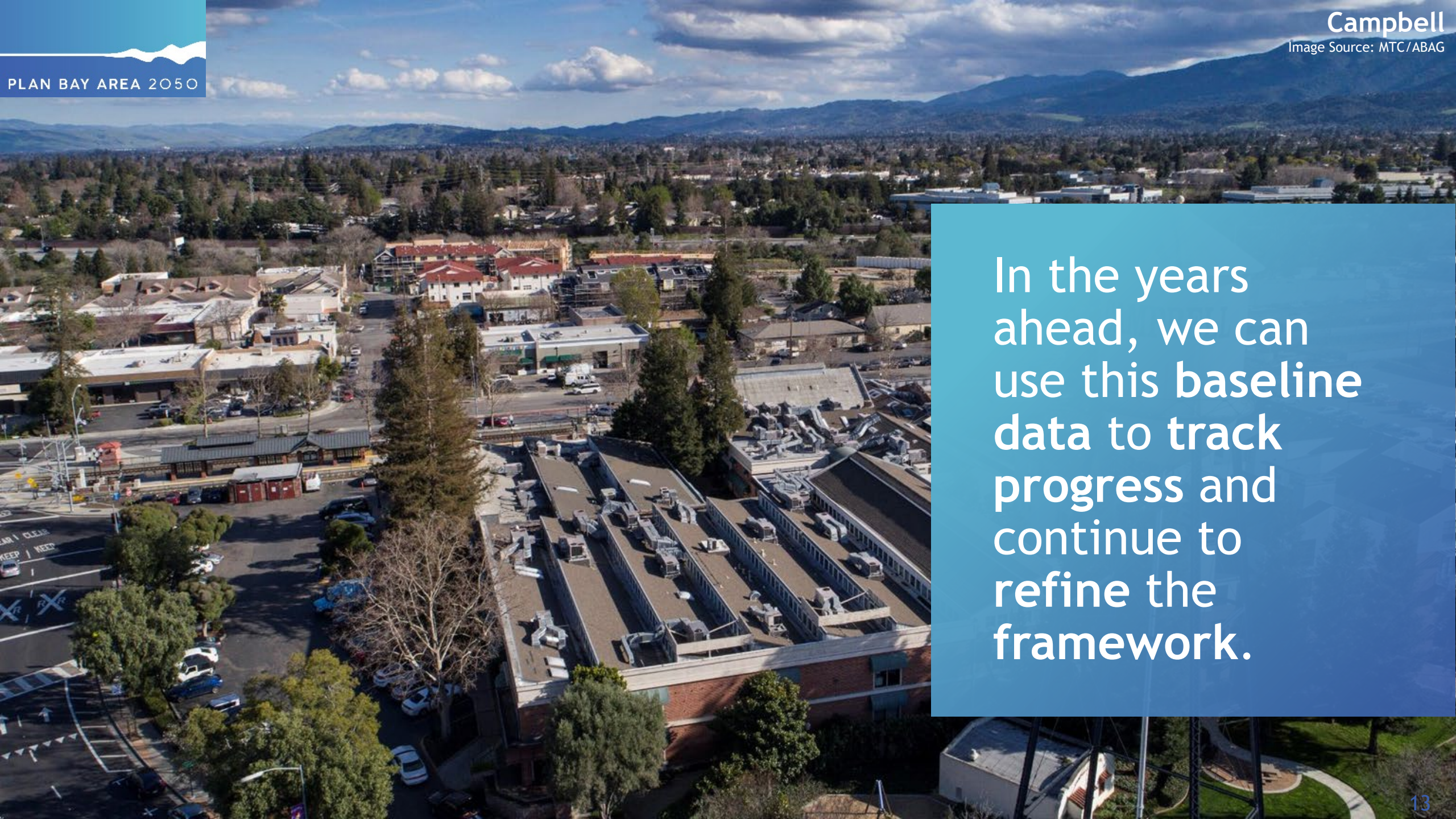
Horizon
Perspective Paper
3 scored the
region’s census
blocks for
alignment with
the Horizon
Guiding
Principles.

Attachment D
includes data on
individual PDAs


Guiding Principle & Indicator		Definition	
		Low score	High score
 CONNECTED	Connected <i>Vehicle Miles Travelled (VMT) Reduction Potential</i>	1 <i>Highest VMT</i> <i>Source: MTC Travel Model 1.5; 2015 simulation year, by quintile</i>	5 <i>Lowest VMT</i>
 VIBRANT	Vibrant <i>Access to opportunity</i>	1 <i>Lowest Resource</i> <i>Source: CA HCD/DOF, 2019 Opportunity Maps</i>	5 <i>Highest Resource</i>
 DIVERSE	Diverse <i>Community Stability</i>	1 <i>Highest reduction</i> <i>Source: MTC Vital Signs, 2015</i>	5 <i>Lowest Reduction</i>
 AFFORDABLE	Affordable <i>Housing Cost</i>	1 <i>Highest rent</i> <i>Source: American Community Survey, 2012-2016</i>	5 <i>Lowest rent</i>

Overall, PDAs capture many of the best performing locations for **VMT Reduction**, but make up a small share of areas with **high opportunity** and **low displacement risk**.



An aerial photograph of a city, likely Campbell, California, showing a mix of residential and commercial buildings, trees, and parking lots. In the background, rolling hills and mountains are visible under a blue sky with scattered clouds. A large blue semi-transparent box is overlaid on the right side of the image, containing white text.

In the years ahead, we can use this baseline data to track progress and continue to refine the framework.



Today, let's
consider how to
strengthen the
Growth Framework
for Plan Bay Area
2050.

Today's Focus: Locally-Nominated Areas

			May	June	July	Aug	Sept	Oct	Nov	Dec	Jan (2020)
PDAs	1a	Align PDAs	★	Submission from CTA and/or city/county							
	1b	New PDAs	★	Letter of interest				City Council / Board of Supervisors adoption			
PCAs	2	New PCAs	★	Letter of interest				Local Agency adoption			
New Priority Areas	3a	PPAs	★	Letter of interest				City Council / Board of Supervisors adoption			
	3b	TPAs		Finalize zones				★			
	3c	HRAs		Finalize zones				★			
Cross-Cutting	4	At-Risk Zones						Incorporate strategies into Preferred Plan Bay Area 2050			

★ = Action on Element of Regional Growth Framework Update

First things first: let's better define what a PDA is.



Priority Development Areas are **infill locations planned for significant housing and job growth.**



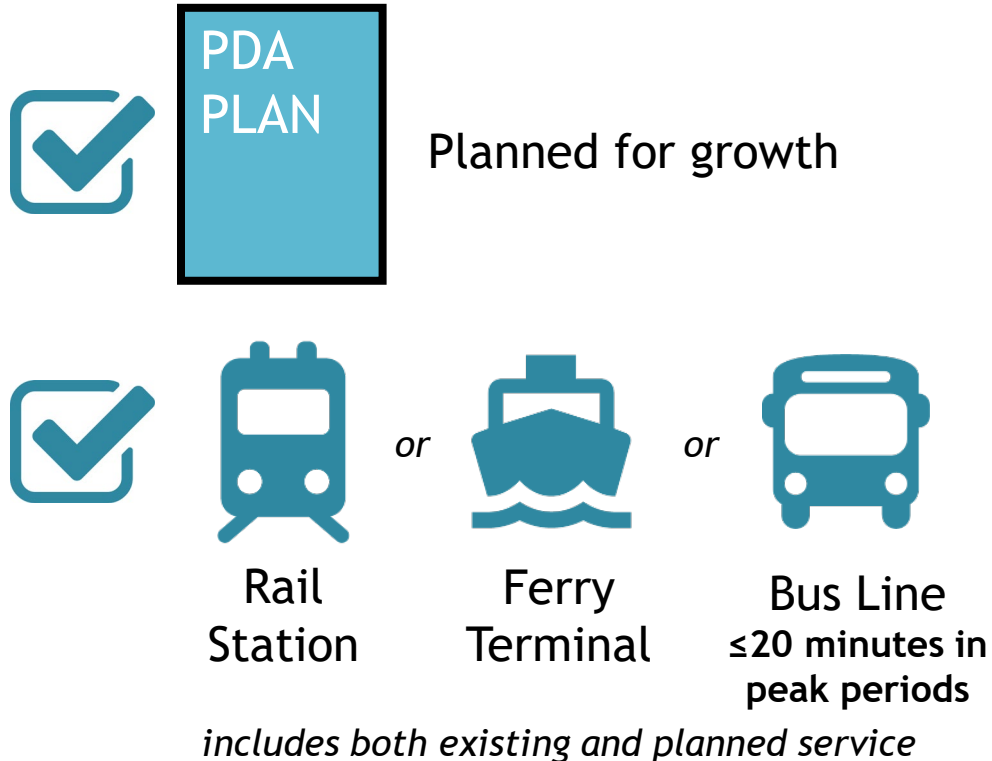
Priority Development Areas help to reduce greenhouse gas emissions by **offering a suite of mobility options** that enable residents to live a car-free or car-light lifestyle.



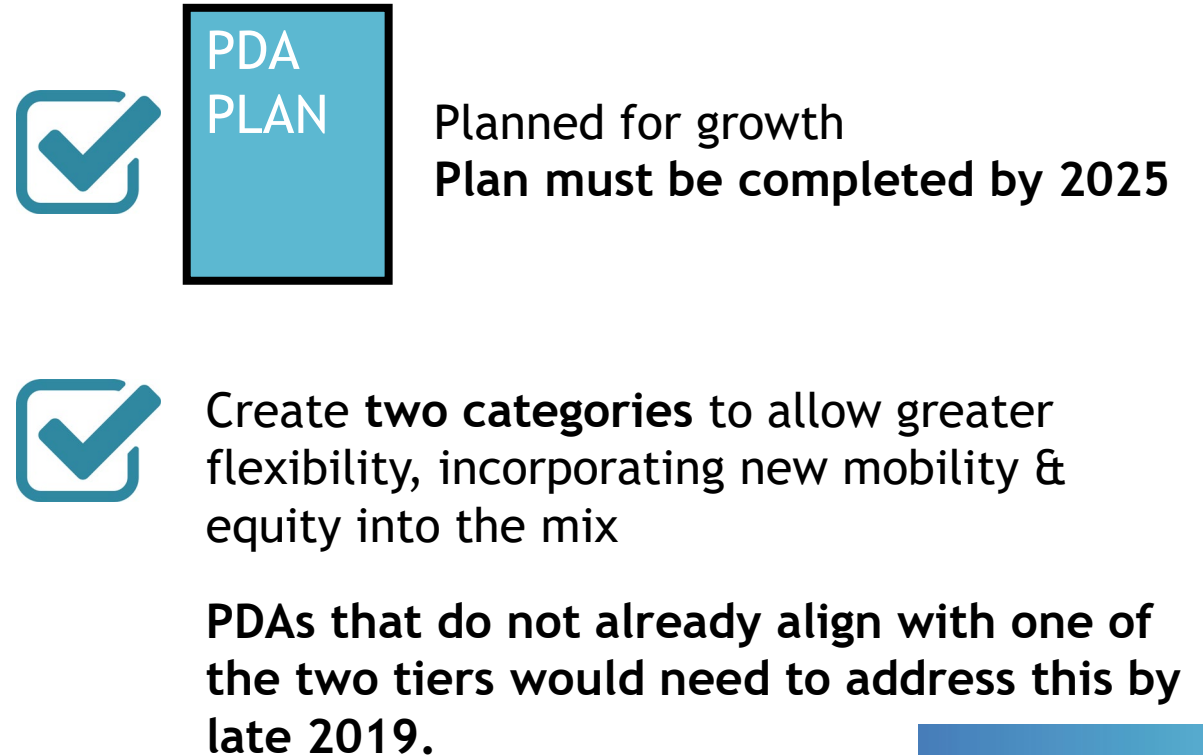
Priority Development Areas promote **greater opportunity for all**, regardless of race or income.

How would the definition change?

PDA Criteria Since 2007



Proposed New Criteria



Proposed PDA Designations

*Transit requirements include both current & planned (Plan Bay Area 2050) service levels.
50% of land in PDA must be within ½ mile of transit meeting criteria*

Transit-Rich PDAs



High-quality transit



or



or



≤15 min peak

TPAs that are not currently PDAs should apply



Basic transit



≤30 min peak

AND at least one of the following:



High resource



existing high-resource area

OR



Policy commit.



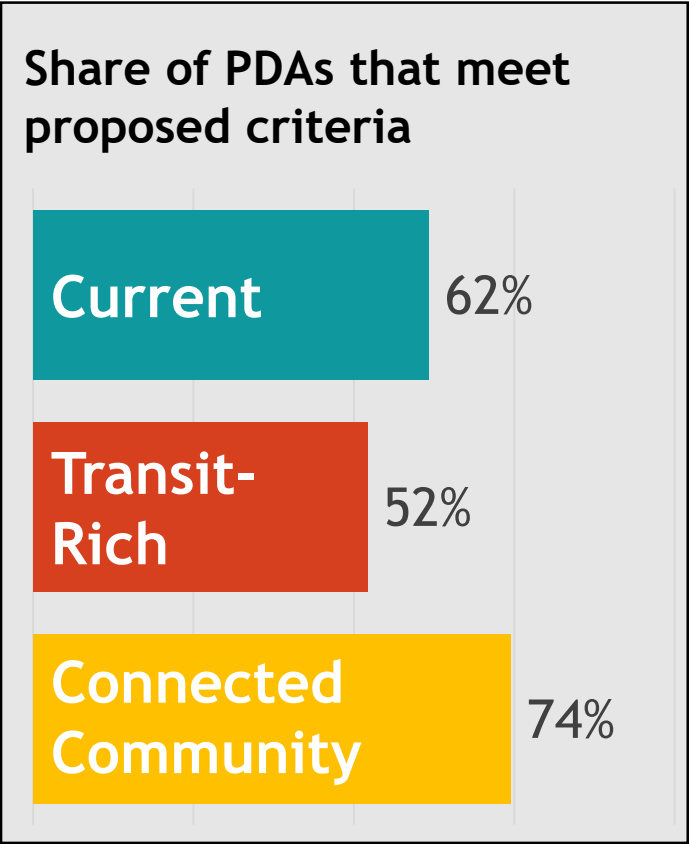
commitment to adopt ≥2 policies by 2025
(e.g. TDM ordinance, curb management, Vision Zero)

HRAs that are not currently PDAs should apply

Best bet for PDAs unable to plan for 15-minute service

Connected Community PDAs

How many PDAs meet proposed transit criteria?



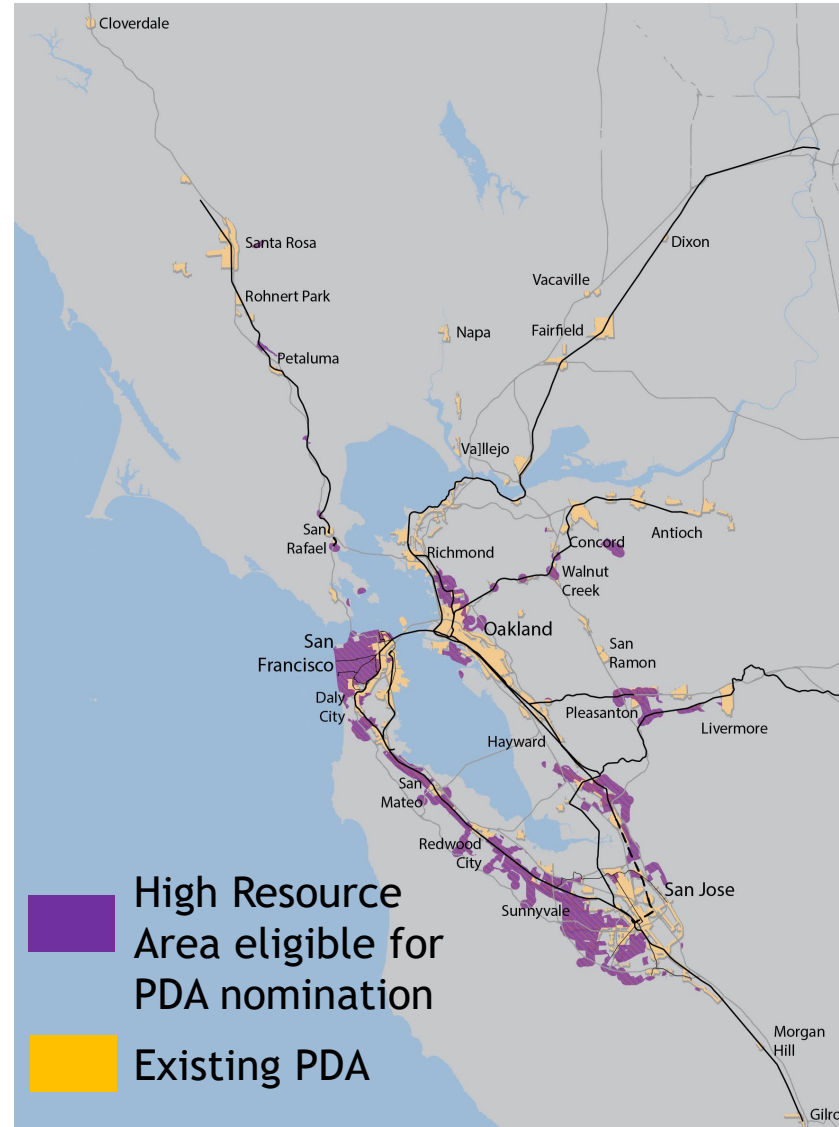
Number of PDAs Meeting Transit Criteria by Proposed Service Thresholds, 2019

Service Threshold	Percentage of PDA Land within ½ Mile				
	0-25%	26-50%	51-75%	76-100%	Total
Current <i>Rail, ferry or 20-minute peak bus</i>	56	16	15	101	188
Proposed: Transit-Rich <i>Rail, ferry or 15-minute peak bus</i>	66	24	24	74	188
Proposed: Connected Community <i>30-minute peak bus (minimum)</i>	36	12	15	125	188



How are high-resource areas (HRAs) being integrated?

Local jurisdictions are encouraged to **self-nominate** HRAs that meet updated eligibility criteria as PDAs.



Defined by HCD as places that offer *“the best chance at economic advancement, high educational attainment, and good physical and mental health”*

Based upon economic, environmental, and educational indicators shown to affect these outcomes

For more information, see: <https://www.treasurer.ca.gov/ctcac/opportunity.asp>

No changes
are proposed
for **Priority
Conservation
Areas (PCAs)**.

*Attachment F
includes an overview and criteria for PCAs*

Introducing Priority Production Areas (PPAs).

Attachment G
includes an overview and criteria for PPAs

Defining PPAs

Pilot Program Goals

- Support strong clusters of the region's economy.
- Align with the transportation planning framework for freight and goods movement.
- Plan for space needed for middle-wage job opportunities.
- Encourage middle-wage job growth close to affordable housing.

Proposed PPA Definition



Zoned for **industrial use** or with high concentration of industrial activities



Not located in a PDA and not within one-half mile of a regional rail station*

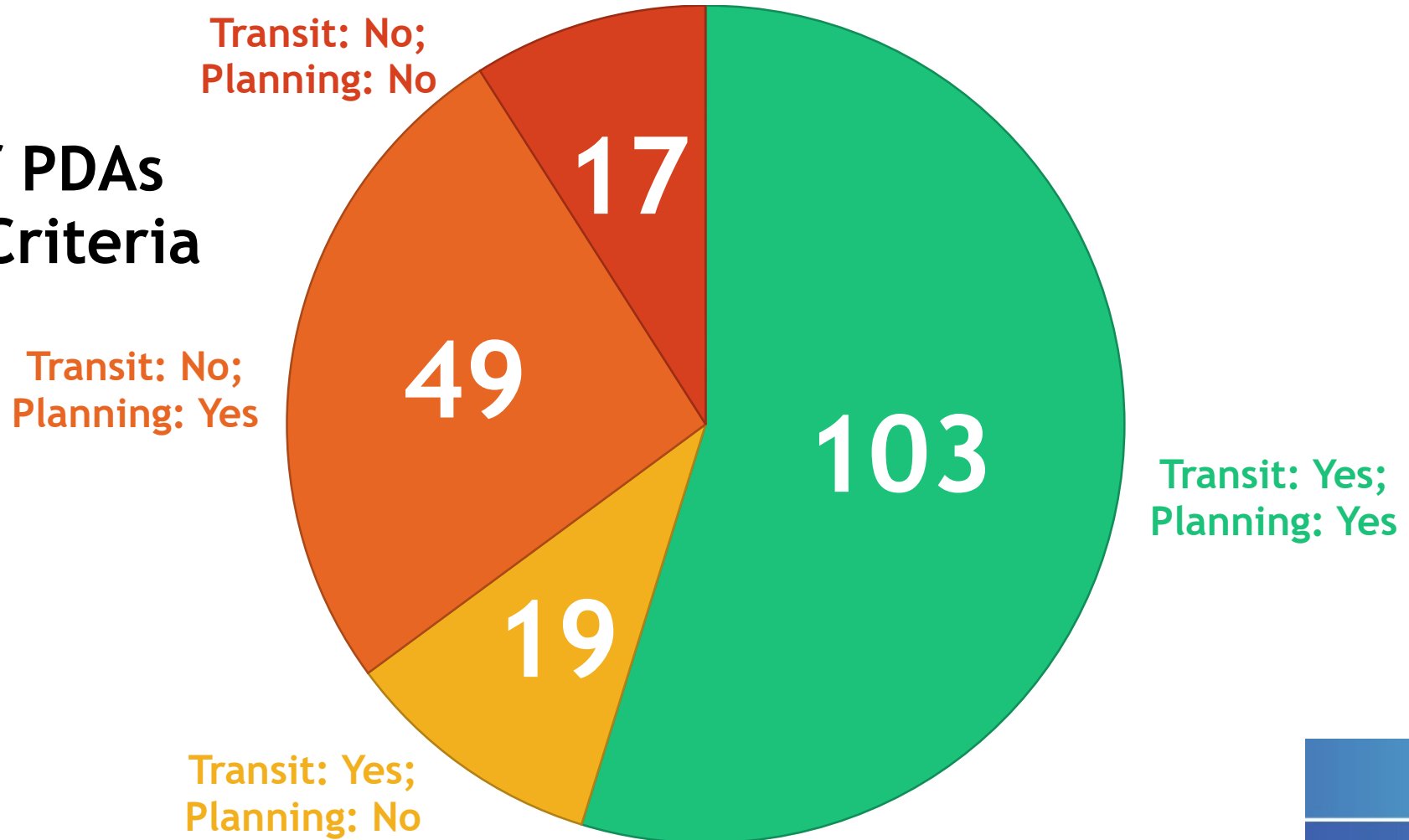


Jurisdiction has a **certified housing element**

** = includes both existing and planned service; includes BART, Caltrain, ACE, SMART, Amtrak, and any future heavy/commuter/intercity rail systems.*

Where do we go from here with the new PDA definition?

Breakdown of PDAs using Existing Criteria



Where do we go from here with the new PDA definition?

PDA Status under Current Criteria				# of PDAs	Next Steps
EXISTING PDAs	Transit: Yes Planning: Yes	103 PDAs	1) Reaffirm commitment to rail, ferry, or 15-minute bus headway		
	Transit: Yes Planning: No	19 PDAs	2) Submit letter of intent to complete PDA Plan by 2025		
	Transit: No Planning: Yes	49 PDAs	3a) Identify transit necessary to become a Transit-Rich PDA; <u>OR</u> 3b) Identify transit and/or policy commitments necessary to become a Connected Community PDA		
	Transit: No Planning: No	17 PDAs	4) <i>Complete both (2) and (3) above</i>		
NEW AREAS	Transit-Rich Areas: Apply as Transit-Rich PDAs		High-Resource Areas: Apply as Connected Community PDAs		Submit new PCA and PPA applications this summer as well

Next Steps

1a

Align PDAs

Already meeting newly proposed PDA requirements:
No action required

- Not meeting transit requirements:
CTA to identify transit improvements needed by **September 2019**
- Not meeting planning requirements: City/county to identify start date by **September 2019**; complete by **2025**
- Not meeting policy requirements: City/county to make commitments by **January 2020** and advance policies by **2025**

1b

New PDAs

2

New PCAs

3a

PPAs



Requested Action:

Refer to the ABAG Executive Board and MTC Commission for approval:

- Revised definition for PDAs.
- Proposed definition for PPAs.
- Submission window for local jurisdictions & partner organizations to submit new or modified PDAs and PCAs, and new PPAs

Plan Bay Area 2050: Regional Growth Framework Update - PDA Implementation Status

This attachment provides detailed information about the status of each of the Bay Area's 188 Priority Development Areas in achieving consistency with PDA program guidelines and in issuing housing permits. The attachment is divided into two tables:

Table C1: PDA Implementation Status - Transit and Planning Criteria shows the consistency of each PDA with current program transit and planning criteria. A detailed definition for each column is provided below. A web-based map highlighting the areas of PDAs that meet transit criteria can be viewed [here](#).

Column	Definition
PDA Name	Name of Priority Development Area (PDA) designated by local jurisdiction
County	County within which PDA is located
Jurisdiction	Jurisdiction within which PDA is located (<i>this is also the jurisdiction that nominated the PDA</i>)
Total Acres	Gross Acres within PDA boundaries
Acres Within ½ Mile of Transit Meeting Standard	Gross Acres within PDA that are 0.5 mile or less from a transit stop that meets PDA program guidelines, defined for this analysis as: <ul style="list-style-type: none"> an existing or planned rail station or ferry terminal; or an existing or planned bus stop served by one or more route with a 20-minute frequency in the AM and PM peak periods “Planned” is defined as included in the fiscally-constrained Plan Bay Area 2040.
Percent Within ½ Mile of Transit Meeting Standard	Acres Within ½ Mile of Transit Meeting Standard divided by Total Acres
PDA Plan Adopted	“Yes” indicates a plan has been adopted for the entire PDA; “Part of PDA” indicates a plan has been adopted for part of the area within the PDA; “In progress” indicates that a plan for all or part of the PDA is underway; “No” indicates a plan has not been completed and is not underway. “Plan” is defined as a Specific, Precise, or other Plan creating development standards specifically for the area included in the PDA, accompanied by a programmatic EIR
EIR Certified	“Yes” indicates an EIR for an adopted plan for the entire PDA has been certified; “Part of PDA” indicates an EIR for an plan for part of the area within the PDA has been certified; “In progress” indicates an EIR for a plan for all or part of the PDA is underway; “No” indicates an EIR has not been certified for the PDA, and is not underway. plan has not been completed and is not
MTC Funded Plan	“Yes” indicates that an adopted Plan, or update to adopted Plan, was funded by an MTC grant.

Table C2: PDA Implementation Status - Housing Permits Issued, 2015-2017 shows the number of housing permits issued for each PDA between 2015 and 2017. A detailed definition for each column is provided below:

Column	Definition
PDA Name	Name of Priority Development Area (PDA) designated by local jurisdiction
County	County within which PDA is located
Jurisdiction	Jurisdiction within which PDA is located (<i>this is also the jurisdiction that nominated the PDA</i>)
Very Low¹	Total housing units permitted ² inside PDA affordable to Very-Low income households, defined as 0-50% of Area Median Income (AMI).
Low¹	Total housing units permitted inside PDA between 2015 and 2017 affordable to Low income households, defined as 50-80% of Area Median Income (AMI).
Moderate¹	Total housing units permitted inside PDA between 2015 and 2017 affordable to Moderate income households, defined as 80-120% of Area Median Income (AMI).
Above Moderate¹	Total housing units permitted inside PDA affordable to Above-Moderate income households, defined as greater than 120% of Area Median Income (AMI).
Total	Total housing units permitted inside PDA

1. Income category defined by the California Department of Housing and Community Development (HCD). These income levels are measured against the Area Median Income (AMI), which is defined by groupings of counties known as Metropolitan Statistical Areas (MSAs).

2. Permits self-reported by local jurisdictions and mapped by ABAG/MTC staff.

Attachment D, Table D1: PDA Implementation Status - Transit and Planning Criteria

Meets transit and planning criteria
 Meets transit and plan criteria; needs EIR
 Meets transit criteria; does not meet planning criteria
 Meets planning criteria; does not meet transit criteria
 Does not meet transit or planning criteria

PDA Name	County	Jurisdiction	Total Acres	Acres Within 1/2 Mile of Transit Meeting Standard ¹	Percent Within 1/2 Mile of Transit Meeting Standard ¹	PDA Plan ² Adopted	EIR Certified	MTC Funded Plan
ALAMEDA COUNTY								
University Avenue	Alameda	Berkeley	76	76	100%	Yes	Yes	
Mixed-Use Core	Alameda	Emeryville	584	584	100%	Yes	Yes	
Adeline Street	Alameda	Berkeley	62	62	100%	In Progress	In Progress	Yes
Downtown	Alameda	Berkeley	150	150	100%	Yes	Yes	
West Oakland	Alameda	Oakland	1701	1702	100%	Yes	Yes	Yes
Northern Waterfront	Alameda	Alameda	329	329	100%	Yes	Yes	
Downtown Transit Oriented Development	Alameda	San Leandro	517	518	100%	Yes	Yes	Yes
East 14th Street	Alameda	San Leandro	146	146	100%	Yes	Yes	Yes
Bay Fair BART Village	Alameda	San Leandro	169	169	100%	Yes	Yes	Yes
Hesperian Boulevard	Alameda	Alameda County	455	455	100%	Yes	Yes	
Mission Boulevard Corridor	Alameda	Hayward	270	270	100%	Yes	Yes	
Castro Valley BART	Alameda	Alameda County	265	265	100%	In Progress	In Progress	
East 14th Street and Mission Boulevard	Alameda	Alameda County	810	811	100%	Yes	Yes	Yes
South Hayward BART	Alameda	Hayward	183	183	100%	Yes	Yes	Yes
South Hayward BART	Alameda	Hayward	53	53	100%	Yes	Yes	Yes
Downtown & Jack London Square	Alameda	Oakland	1335	1335	100%	In Progress	In Progress	Yes
Downtown	Alameda	Hayward	304	297	98%	In Progress	In Progress	
Coliseum BART Station Area	Alameda	Oakland	1448	1392	96%	Yes	Yes	Yes
Intermodal Station District	Alameda	Union City	143	134	94%	Yes	Yes	
Downtown Specific Plan Area	Alameda	Dublin	300	275	92%	Yes	Yes	
Town Center ³	Alameda	Dublin	676	603	89%	Yes	Yes	
The Cannery	Alameda	Hayward	124	108	87%	Yes	Yes	
Isabel Avenue/BART Station Planning Area ³	Alameda	Livermore	1131	979	87%	In Progress	In Progress	
TOD Corridors - San Antonio/Central Estuary	Alameda	Oakland	944	809	86%	Yes	Yes	
Transit Center/Dublin Crossings	Alameda	Dublin	280	224	80%	Part of PDA	Part of PDA	
City Center	Alameda	Fremont	1067	830	78%	Part of PDA	Part of PDA	Yes
Downtown	Alameda	Livermore	252	191	75%	Yes	Yes	

Attachment D, Table D1: PDA Implementation Status - Transit and Planning Criteria

PDA Name	County	Jurisdiction	Total Acres	Acres Within 1/2 Mile of Transit Meeting Standard ¹	Percent Within 1/2 Mile of Transit Meeting Standard ¹	PDA Plan ² Adopted	EIR Certified	MTC Funded Plan
Centerville	Alameda	Fremont	1721	1232	72%	Part of PDA	Part of PDA	
Naval Air Station	Alameda	Alameda	1052	560	53%	In Progress	In Progress	Yes
TOD Corridors - International Boulevard	Alameda	Oakland	875	875	100%	Yes	No	
South Shattuck	Alameda	Berkeley	21	21	100%	No	No	
San Pablo Avenue	Alameda	Berkeley	106	106	100%	No	No	
San Pablo & Solano Mixed Use Neighborhood	Alameda	Albany	80	80	100%	No	No	
Golden Gate/North Oakland	Alameda	Oakland	935	935	100%	No	No	
Southside/Telegraph Avenue	Alameda	Berkeley	204	204	100%	No	No	
Eastmont Town Center	Alameda	Oakland	733	733	100%	No	No	
Fruitvale and Dimond Areas	Alameda	Oakland	1521	1504	99%	No	No	
MacArthur Transit Village	Alameda	Oakland	1152	1109	96%	No	No	
TOD Corridors	Alameda	Oakland	5004	4569	91%	No	No	
Warm Springs	Alameda	Fremont	1628	591	36%	Yes	yes	Yes
Irvington District	Alameda	Fremont	1388	485	35%	Part of PDA	Part of PDA	
East Side	Alameda	Livermore	2328	224	10%	Part of PDA	Part of PDA	
Dumbarton Transit Oriented Development ³	Alameda	Newark	205	0	0%	Yes	Yes	
Hacienda	Alameda	Pleasanton	869	215	25%	Yes	No	
Meekland Avenue Corridor	Alameda	Alameda County	171	69	40%	No	No	
Old Town Mixed Use Area	Alameda	Newark	53	0	0%	No	No	
CONTRA COSTA COUNTY								
San Pablo Avenue Corridor	Contra Costa	El Cerrito	119	119	100%	Yes	Yes	Yes
San Pablo Avenue Corridor	Contra Costa	El Cerrito	131	131	100%	Yes	Yes	Yes
Pittsburg/Bay Point BART Station	Contra Costa	Contra Costa County	73	73	100%	Yes	Yes	
Contra Costa Centre	Contra Costa	Contra Costa County	100	99	99%	Yes	Yes	
San Pablo Avenue & 23rd Street Corridors	Contra Costa	San Pablo	284	279	98%	Yes	Yes	
Downtown	Contra Costa	Martinez	191	179	93%	Yes	Yes	
Waterfront District	Contra Costa	Hercules	244	156	64%	Yes	Yes	
Downtown	Contra Costa	Orinda	155	125	81%	In Progress	No	
Central Richmond & 23rd Street Corridor	Contra Costa	Richmond	774	422	55%	No	No	

Attachment D, Table D1: PDA Implementation Status - Transit and Planning Criteria

PDA Name	County	Jurisdiction	Total Acres	Acres Within 1/2 Mile of Transit Meeting Standard ¹	Percent Within 1/2 Mile of Transit Meeting Standard ¹	PDA Plan ² Adopted	EIR Certified	MTC Funded Plan
Downtown	Contra Costa	Lafayette	304	148	49%	Yes	Yes	
Railroad Avenue eBART Station	Contra Costa	Pittsburg	1071	503	47%	Yes	Yes	Yes
Downtown	Contra Costa	Concord	486	224	46%	Yes	yes	Yes
Pittsburg/Bay Point BART Station	Contra Costa	Contra Costa County	336	146	43%	Yes	Yes	Yes
Core Area	Contra Costa	Walnut Creek	792	335	42%	Yes	Yes	Yes
Rivertown Waterfront	Contra Costa	Antioch	474	197	42%	Yes	Yes	
Hillcrest eBART Station	Contra Costa	Antioch	382	102	27%	Yes	Yes	Yes
Community Reuse Area/Los Medanos	Contra Costa	Concord	1066	169	16%	Yes	Yes	Yes
South Richmond	Contra Costa	Richmond	1422	166	12%	Yes	Yes	Yes
Buskirk Avenue Corridor	Contra Costa	Pleasant Hill	320	20	6%	Part of PDA	Part of PDA	
Employment Area	Contra Costa	Oakley	758	0	0%	Part of PDA	Part of PDA	
City Center	Contra Costa	San Ramon	456	0	0%	Part of PDA	Part of PDA	
North Richmond	Contra Costa	Richmond (with Contra Costa Co	1126	0	0%	Yes	Yes	
Downtown El Sobrante	Contra Costa	Contra Costa County	171	0	0%	Yes	Yes	
Community Reuse Area/Los Medanos	Contra Costa	Concord	1606	0	0%	Yes	Yes	Yes
Downtown	Contra Costa	Danville	546	0	0%	Yes	Yes	
Central Hercules	Contra Costa	Hercules	252	0	0%	Yes	Yes	
Moraga Center	Contra Costa	Moraga	180	0	0%	Yes	Yes	Yes
Downtown	Contra Costa	Oakley	146	0	0%	Yes	Yes	
Old Town San Pablo Avenue	Contra Costa	Pinole	240	0	0%	Yes	Yes	
Appian Way Corridor	Contra Costa	Pinole	141	0	0%	Yes	Yes	
Downtown	Contra Costa	Pittsburg	435	0	0%	Yes	Yes	Yes
North Camino Ramon	Contra Costa	San Ramon	302	0	0%	Yes	Yes	
West Contra Costa Transportation Advisory Committee San Pablo Avenue Corridor	Contra Costa	Richmond	214	95	44%	No	No	
Central Richmond & 23rd Street Corridor	Contra Costa	Richmond	51	9	17%	No	No	
Potential Planning Area	Contra Costa	Oakley	232	0	0%	No	No	
Diablo Valley College	Contra Costa	Pleasant Hill	58	0	0%	No	No	
Rumrill Boulevard	Contra Costa	San Pablo	55	0	0%	No	No	
West Contra Costa Transportation Advisory Committee San Pablo Avenue Corridor	Contra Costa	Contra Costa County	346	0	0%	No	No	

Attachment D, Table D1: PDA Implementation Status - Transit and Planning Criteria

PDA Name	County	Jurisdiction	Total Acres	Acres Within 1/2 Mile of Transit Meeting Standard ¹	Percent Within 1/2 Mile of Transit Meeting Standard ¹	PDA Plan ² Adopted	EIR Certified	MTC Funded Plan
West Contra Costa Transportation Advisory Committee San Pablo Avenue Corridor	Contra Costa	Hercules	74	0	0%	No	No	
MARIN COUNTY								
Downtown	Marin	San Rafael	503	493	98%	Yes	Yes	Yes
Unincorporated Marin County	Marin	Marin County	523	24	5%	No	No	
NAPA COUNTY								
Highway 29 Corridor	Napa	American Canyon	374	0	0%	In Progress	In Progress	
Downtown Napa and Soscol Gateway	Napa	Napa	616	0	0%	Part of PDA	Part of PDA	
SAN FRANCISCO CITY & COUNTY								
Balboa Park	San Francisco	San Francisco	207	207	100%	Yes	Yes	
Mission Bay	San Francisco	San Francisco	290	291	100%	Yes	Yes	
Mission-San Jose Corridor	San Francisco	San Francisco	1804	1806	100%	Yes	Yes	Yes
Market-Octavia/Upper Market	San Francisco	San Francisco	425	426	100%	Yes	Yes	Yes
Downtown-Van Ness-Geary	San Francisco	San Francisco	2358	2360	100%	Yes	Yes	Yes
Eastern Neighborhoods	San Francisco	San Francisco	2291	2293	100%	Yes	Yes	Yes
Transit Center District	San Francisco	San Francisco	150	150	100%	Yes	Yes	
Treasure Island & Yerba Buena Island	San Francisco	San Francisco	559	175	100%	Yes	Yes	Yes
Bayview/Hunters Point Shipyard/Candlestick Point	San Francisco	San Francisco	2854	2597	91%	Yes	Yes	
19th Avenue	San Francisco	San Francisco	1163	1053	91%	In Progress	No	Yes
San Francisco/San Mateo Bi-County Area	San Francisco	San Francisco & Brisbane	373	346	93%	No	No	
Port of San Francisco	San Francisco	San Francisco	811	736	91%	No	No	
SAN MATEO COUNTY								
Mission Boulevard	San Mateo	Daly City	690	690	100%	Part of PDA	Part of PDA	
Transit Station Area	San Mateo	Millbrae	237	237	100%	In Progress	Yes	
Burlingame El Camino Real	San Mateo	Burlingame	958	959	100%	Part of PDA	Part of PDA	
Downtown	San Mateo	San Mateo	102	102	100%	Part of PDA	Part of PDA	
El Camino Real	San Mateo	San Mateo	140	140	100%	Yes	Yes	
Villages of Belmont	San Mateo	Belmont	555	555	100%	Part of PDA	Part of PDA	Yes
Railroad Corridor	San Mateo	San Carlos	69	69	100%	Part of PDA	Part of PDA	
El Camino Real Corridor and Downtown	San Mateo	Menlo Park	159	159	100%	Yes	Yes	
Downtown	San Mateo	Redwood City	192	192	100%	Yes	Yes	
El Camino Real	San Mateo	South San Francisco	859	858	100%	Yes	Yes	

Attachment D, Table D1: PDA Implementation Status - Transit and Planning Criteria

PDA Name	County	Jurisdiction	Total Acres	Acres Within 1/2 Mile of Transit Meeting Standard ¹	Percent Within 1/2 Mile of Transit Meeting Standard ¹	PDA Plan ² Adopted	EIR Certified	MTC Funded Plan
Transit Corridors	San Mateo	San Bruno	864	841	97%	Part of PDA	Part of PDA	
Downtown	San Mateo	South San Francisco	192	147	77%	Yes	Yes	Yes
Rail Corridor	San Mateo	San Mateo	498	370	74%	Yes	Yes	
El Camino Real Corridor	San Mateo	Redwood City	178	178	100%	Yes	No	
El Camino Real	San Mateo	Colma	334	334	100%	No	No	
El Camino Real (Unincorporated Colma)	San Mateo	San Mateo County	49	49	100%	No	No	
Grand Boulevard Initiative	San Mateo	San Mateo	1008	1009	100%	No	No	
Bayshore	San Mateo	Daly City	378	343	91%	No	No	
Broadway/Veterens Boulevard Corridor	San Mateo	Redwood City	431	105	24%	Part of PDA	Part of PDA	
San Francisco/San Mateo Bi-County Area	San Mateo	San Francisco &	739	121	16%	In Progress	In Progress	
El Camino Real (North Fair Oaks)	San Mateo	San Mateo County	527	64	12%	Yes	Yes	
Ravenswood ³	San Mateo	East Palo Alto	341	0	0%	Yes	Yes	
SANTA CLARA COUNTY								
San Antonio	Santa Clara	Mountain View	123	123	100%	Part of PDA	Part of PDA	
El Camino Real	Santa Clara	Mountain View	286	286	100%	Yes	Yes	Yes
Whisman Station	Santa Clara	Mountain View	151	152	100%	Yes	Yes	
El Camino Real Corridor	Santa Clara	Sunnyvale	411	412	100%	In Progress	In Progress	Yes
Stevens Creek TOD Corridor	Santa Clara	San Jose	259	259	100%	Yes	Yes	
El Camino Real Focus Area	Santa Clara	Santa Clara	317	317	100%	In Progress	In Progress	Yes
Santa Clara Station Focus Area	Santa Clara	Santa Clara	256	256	100%	Yes	Yes	
Bascom TOD Corridor	Santa Clara	San Jose	215	215	100%	In Progress	Yes	
Transit Area	Santa Clara	Milpitas	409	410	100%	Yes	Yes	
Greater Downtown	Santa Clara	San Jose	684	684	100%	Yes	Yes	Yes
Blossom Hill/Snell Urban Village	Santa Clara	San Jose	64	64	100%	In Progress	Yes	
West San Carlos and Southwest Expressway Corridors	Santa Clara	San Jose	1346	1347	100%	In Progress	In Progress	Yes
Cottle Transit Village (Hitachi)	Santa Clara	San Jose	196	196	100%	Yes	Yes	
Downtown	Santa Clara	Morgan Hill	181	181	100%	Yes	Yes	
Downtown "Frame"	Santa Clara	San Jose	2445	2397	98%	Yes	Yes	yes
Downtown	Santa Clara	Mountain View	692	666	96%	Part of PDA	Part of PDA	
Downtown & Caltrain Station	Santa Clara	Sunnyvale	274	263	96%	Yes	Yes	Yes
East Santa Clara/Alum Rock Corridor	Santa Clara	San Jose	898	863	96%	Yes	Yes	

Attachment D, Table D1: PDA Implementation Status - Transit and Planning Criteria

PDA Name	County	Jurisdiction	Total Acres	Acres Within 1/2 Mile of Transit Meeting Standard ¹	Percent Within 1/2 Mile of Transit Meeting Standard ¹	PDA Plan ² Adopted	EIR Certified	MTC Funded Plan
Santa Clara Valley Transportation Authority City Cores, Corridors & Station Areas	Santa Clara	San Jose	3640	3499	96%	Part of PDA	Yes	
Downtown	Santa Clara	Gilroy	254	228	90%	Yes	Yes	
Berryessa Station	Santa Clara	San Jose	664	586	88%	Yes	Yes	
Central Redevelopment Area	Santa Clara	Campbell	257	226	88%	Part of PDA	Part of PDA	
Communications Hill	Santa Clara	San Jose	1573	1319	84%	Yes	Yes	
North San Jose	Santa Clara	San Jose	5028	3784	75%	Yes	Yes	
Saratoga TOD Corridor	Santa Clara	San Jose	159	119	75%	In Progress	Yes	
Oakridge/Almaden Plaza Urban Village	Santa Clara	San Jose	380	281	74%	In Progress	Yes	
Lawrence Station Transit Village	Santa Clara	Sunnyvale	356	241	68%	Yes	Yes	Yes
Winchester Boulevard TOD Corridor	Santa Clara	San Jose	299	176	59%	Yes	Yes	
California Avenue	Santa Clara	Palo Alto	120	120	100%	Yes	No	
Capitol Corridor Urban Villages	Santa Clara	San Jose	199	199	100%	No	Yes	Yes
Capitol/Tully/King Urban Villages	Santa Clara	San Jose	254	254	100%	No	Yes	Yes
El Camino Real Corridor	Santa Clara	Los Altos	77	77	100%	No	No	
Santa Clara Valley Transportation Authority Tasman Crossing	Santa Clara	Milpitas	121	121	100%	No	No	
	Santa Clara	Sunnyvale	197	191	97%	No	No	
Santa Clara Valley Transportation Authority City Cores, Corridors & Station Areas	Santa Clara	Cupertino	552	487	88%	No	No	
Bascom Urban Village	Santa Clara	San Jose	118	0	0%	In Progress	Yes	
Westgate/El Paseo Urban Village	Santa Clara	San Jose	177	0	0%	In Progress	Yes	
North Bayshore	Santa Clara	Mountain View	651	0	0%	Yes	Yes	
Camden Urban Village	Santa Clara	San Jose	108	0	0%	No	Yes	
Santa Clara Valley Transportation Authority East Sunnyvale	Santa Clara	Gilroy	273	82	30%	No	No	
	Santa Clara	Sunnyvale	460	0	0%	No	No	
SOLANO COUNTY								
Waterfront & Downtown	Solano	Vallejo	200	112	56%	Yes	Yes	
Downtown & Waterfront	Solano	Suisun City	390	202	52%	Yes	Yes	
Downtown South (Jefferson Street)	Solano	Fairfield	289	144	50%	Yes	Yes	
Fairfield-Vacaville Train Station	Solano	Fairfield	2935	242	8%	Yes	Yes	
Sonoma Boulevard	Solano	Vallejo	108	0	0%	Yes	Yes	
Downtown	Solano	Vacaville	168	0	0%	In Progress	In Progress	Yes
Downtown	Solano	Benicia	159	0	0%	Yes	Yes	
West Texas Street Gateway	Solano	Fairfield	316	0	0%	Yes	Yes	
Northern Gateway - Benicia's Industrial Park	Solano	Benicia	1492	0	0%	No	No	
Downtown	Solano	Dixon	139	0	0%	No	No	

Attachment D, Table D1: PDA Implementation Status - Transit and Planning Criteria

PDA Name	County	Jurisdiction	Total Acres	Acres Within 1/2 Mile of Transit Meeting Standard ¹	Percent Within 1/2 Mile of Transit Meeting Standard ¹	PDA Plan ² Adopted	EIR Certified	MTC Funded Plan
North Texas Street Core	Solano	Fairfield	180	0	0%	No	No	
Allison Area	Solano	Vacaville	210	0	0%	No	No	
SONOMA COUNTY								
Downtown Station Area	Sonoma	Santa Rosa	677	587	87%	In Progress	In Progress	Yes
North Santa Rosa Station	Sonoma	Santa Rosa	989	798	81%	Yes	Yes	Yes
Station Area/Downtown Specific Plan Area	Sonoma	Windsor	389	311	80%	Yes	Yes	Yes
Central, Turning Basin/Lower Reach	Sonoma	Petaluma	455	251	55%	Part of PDA	Part of PDA	Yes
Mendocino Avenue/Santa Rosa Avenue Corridor	Sonoma	Santa Rosa	1447	742	51%	No	No	
Downtown and Cotati Depot	Sonoma	Cotati	133	26	19%	Yes	Yes	Yes
Central Rohnert Park	Sonoma	Rohnert Park	405	45	11%	Yes	Yes	Yes
Sebastopol Road Corridor	Sonoma	Santa Rosa	887	29	3%	Part of PDA	Part of PDA	
Downtown/SMART Transit Area ³	Sonoma	Cloverdale	504	0	0%	Yes	Yes	Yes
Sonoma Mountain Village	Sonoma	Rohnert Park	178	0	0%	Yes	Yes	
Core Area	Sonoma	Sebastopol	703	0	0%	Yes	Yes	
Roseland	Sonoma	Santa Rosa	1460	0	0%	Yes	Yes	

Notes

1. Defined for the purpose of this analysis as an existing rail station, ferry terminal, or 20-minute frequency bus in peak periods or a future rail station, ferry terminal, or 20-minute frequency bus service in peak periods included in the fiscally-constrained Plan Bay Area 2040.

2. Defined as a Specific, Precise, or other Plan creating development standards specifically for the area included in the PDA, accompanied by a programmatic EIR

3. Part or all of PDA within 1/2 mile of Resolution 3434 station not funded in the fiscally constrained Plan Bay Area 2040

Attachment D, Table D2: PDA Implementation Status - Housing Permits Issued, 2015-2017

PDA Name	Jurisdiction	Housing units permitted by affordability level: 2015-17				
		Low	Very Low	Moderate	Above Moderate	Total Units
ALAMEDA COUNTY						
Downtown & Jack London Square	Oakland	142	54	11	3,649	3,856
MacArthur Transit Village	Oakland	87	18	0	1,225	1,330
Warm Springs	Fremont	182	194	0	832	1,208
West Oakland	Oakland	2	0	0	742	744
Town Center	Dublin	0	0	0	559	559
Downtown Specific Plan Area	Dublin	26	39	1	353	419
Isabel Avenue/BART Station Planning Area	Livermore	0	0	195	214	409
Transit Center/Dublin Crossings	Dublin	0	0	5	368	373
Centerville	Fremont	0	0	0	358	358
Hacienda	Pleasanton	38	10	0	297	345
East Side	Livermore	0	0	151	137	288
Intermodal Station District	Union City	0	0	243	0	243
Irvington District	Fremont	64	0	1	154	219
TOD Corridors	Oakland	0	0	0	216	216
Downtown	Berkeley	14	0	0	198	212
South Shattuck	Berkeley	14	19	0	172	205
Naval Air Station	Alameda	16	15	14	138	183
San Pablo & Solano Mixed Use Neighborhood	Albany	0	0	0	176	176
Dumbarton Transit Oriented Development	Newark	0	0	0	176	176
Coliseum BART Station Area	Oakland	22	33	0	110	165
City Center	Fremont	0	0	0	146	146
The Cannery	Hayward	0	0	0	138	138
Golden Gate/North Oakland	Oakland	0	0	0	136	136
Mission Boulevard Corridor	Hayward	40	19	0	74	133
University Avenue	Berkeley	11	0	0	117	128
TOD Corridors - San Antonio/Central Estuary	Oakland	0	0	0	123	123
Fruitvale and Dimond Areas	Oakland	72	20	0	26	118

Attachment D, Table D2: PDA Implementation Status - Housing Permits Issued, 2015-2017

PDA Name	Jurisdiction	Housing units permitted by affordability level: 2015-17				
		Low	Very Low	Moderate	Above Moderate	Total Units
Northern Waterfront	Alameda	35	18	7	50	110
East 14th Street and Mission Boulevard	Alameda County	85	0	0	14	99
Hesperian Boulevard	Alameda County	34	61	3	0	98
Downtown Transit Oriented Development	San Leandro	27	57	0	2	86
Southside/Telegraph Avenue	Berkeley	7	0	0	76	83
Downtown	Livermore	0	0	10	70	80
TOD Corridors - International Boulevard	Oakland	58	0	0	15	73
Adeline Street	Berkeley	31	10	1	0	42
Eastmont Town Center	Oakland	0	0	0	19	19
Meekland Avenue Corridor	Alameda County	1	0	2	2	5
Downtown	Hayward	0	0	0	1	1
Castro Valley BART	Alameda County	0	0	0	0	0
San Pablo Avenue	Berkeley	0	0	0	0	0
Mixed-Use Core	Emeryville	0	0	0	0	0
South Hayward BART	Hayward	0	0	0	0	0
South Hayward BART	Hayward	0	0	0	0	0
Old Town Mixed Use Area	Newark	0	0	0	0	0
Bay Fair BART Village	San Leandro	0	0	0	0	0
East 14th Street	San Leandro	0	0	0	0	0
CONTRA COSTA COUNTY						
Core Area	Walnut Creek	42	16	0	393	451
Waterfront District	Hercules	0	0	0	191	191
Downtown	Lafayette	2	2	17	118	139
San Pablo Avenue Corridor (South of Del Norte Station Area)	El Cerrito	0	6	13	110	129
South Richmond	Richmond	0	0	0	90	90
Employment Area	Oakley	8	66	1	0	75
Downtown	Pittsburg	0	0	0	75	75

Attachment D, Table D2: PDA Implementation Status - Housing Permits Issued, 2015-2017

PDA Name	Jurisdiction	Housing units permitted by affordability level: 2015-17				
		Low	Very Low	Moderate	Above Moderate	Total Units
Railroad Avenue eBART Station	Pittsburg	0	7	0	59	66
San Pablo Avenue Corridor (Del Norte Station Area)	El Cerrito	62	0	0	1	63
Central Hercules	Hercules	0	0	0	43	43
Downtown El Sobrante	Contra Costa County	0	0	0	32	32
San Pablo Avenue & 23rd Street Corridors	San Pablo	0	0	1	28	29
North Camino Ramon	San Ramon	0	0	2	18	20
Downtown	Danville	0	0	2	16	18
Downtown	Concord	0	0	0	14	14
Moraga Center	Moraga	0	0	0	11	11
North Richmond	Richmond (with Contra Costa County)	0	0	1	2	3
Central Richmond & 23rd Street Corridor	Richmond	0	0	0	3	3
West Contra Costa Transportation Advisory Committee San Pablo Avenue Corridor	Contra Costa County	0	0	3	0	3
Downtown	Martinez	0	0	0	1	1
Old Town San Pablo Avenue	Pinole	0	0	0	1	1
Hillcrest eBART Station	Antioch	0	0	0	0	0
Rivertown Waterfront	Antioch	0	0	0	0	0
Contra Costa Centre	Contra Costa County	0	0	0	0	0
Pittsburg/Bay Point BART Station (Bay Point)	Contra Costa County	0	0	0	0	0
Pittsburg/Bay Point BART Station (Pittsburg)	Contra Costa County	0	0	0	0	0
Community Reuse Area/Los Medanos	Concord	0	0	0	0	0
Community Reuse Area/Los Medanos	Concord	0	0	0	0	0
Downtown	Oakley	0	0	0	0	0
Potential Planning Area	Oakley	0	0	0	0	0
Downtown	Orinda	0	0	0	0	0
Appian Way Corridor	Pinole	0	0	0	0	0
Diablo Valley College	Pleasant Hill	0	0	0	0	0

Attachment D, Table D2: PDA Implementation Status - Housing Permits Issued, 2015-2017

PDA Name	Jurisdiction	Housing units permitted by affordability level: 2015-17				
		Low	Very Low	Moderate	Above Moderate	Total Units
Buskirk Avenue Corridor	Pleasant Hill	0	0	0	0	0
Central Richmond & 23rd Street Corridor	Richmond	0	0	0	0	0
City Center	San Ramon	0	0	0	0	0
Rumrill Boulevard	San Pablo	0	0	0	0	0
West Contra Costa Transportation Advisory Committee San Pablo Avenue Corridor	Richmond	0	0	0	0	0
West Contra Costa Transportation Advisory Committee San Pablo Avenue Corridor	Hercules	0	0	0	0	0
MARIN COUNTY						
Downtown	San Rafael	0	4	0	17	21
Unincorporated Marin County	Marin County	0	0	0	1	1
NAPA COUNTY						
Highway 29 Corridor	American Canyon	49	36	133	0	218
Downtown Napa and Soscol Gateway Corridor	Napa	0	0	0	2	2
SAN FRANCISCO CITY AND COUNTY						
Downtown-Van Ness-Geary	San Francisco	111	298	247	3,252	3,908
Eastern Neighborhoods	San Francisco	77	294	74	2,614	3,059
Market-Octavia/Upper Market	San Francisco	39	110	35	1,126	1,310
Bayview/Hunters Point Shipyard/Candlestick Point	San Francisco	708	89	51	450	1,298
Mission Bay	San Francisco	40	158	26	1,005	1,229
Transit Center District	San Francisco	138	0	60	955	1,153
19th Avenue	San Francisco	0	0	8	173	181
Balboa Park	San Francisco	70	3	2	40	115
Mission-San Jose Corridor	San Francisco	0	0	38	50	88
San Francisco/San Mateo Bi-County Area (San Francisco)	San Francisco & Brisbane	0	0	0	5	5
Port of San Francisco	San Francisco	0	0	0	0	0
Treasure Island & Yerba Buena Island	San Francisco	0	0	0	0	0

Attachment D, Table D2: PDA Implementation Status - Housing Permits Issued, 2015-2017

PDA Name	Jurisdiction	Housing units permitted by affordability level: 2015-17				
		Low	Very Low	Moderate	Above Moderate	Total Units
SAN MATEO COUNTY						
Rail Corridor	San Mateo	37	23	10	782	852
Downtown	South San Francisco	80	0	2	339	421
Downtown	Redwood City	0	0	0	312	312
Mission Boulevard	Daly City	21	185	5	16	227
Railroad Corridor	San Carlos	0	8	9	190	207
Burlingame El Camino Real	Burlingame	0	0	0	149	149
Villages of Belmont	Belmont	0	0	0	105	105
Broadway/Veterens Boulevard Corridor	Redwood City	7	0	0	83	90
Transit Corridors	San Bruno	0	3	42	41	86
El Camino Real	South San Francisco	0	4	10	61	75
El Camino Real Corridor and Downtown	Menlo Park	2	0	0	31	33
Grand Boulevard Initiative	San Mateo	0	0	2	16	18
El Camino Real Corridor	Redwood City	0	0	0	12	12
El Camino Real (North Fair Oaks)	San Mateo County	0	0	1	7	8
El Camino Real	Colma	0	0	0	6	6
Ravenswood	East Palo Alto	0	0	0	2	2
Bayshore	Daly City	0	0	1	0	1
Downtown	San Mateo	0	0	0	1	1
El Camino Real (Unincorporated Colma)	San Mateo County	0	0	0	0	0
Transit Station Area	Millbrae	0	0	0	0	0
San Francisco/San Mateo Bi-County Area (Brisbane)	San Francisco & Brisbane	0	0	0	0	0
El Camino Real	San Mateo	0	0	0	0	0
SANTA CLARA COUNTY						
Greater Downtown	San Jose	0	0	95	1,323	1,418
West San Carlos and Southwest Expressway Corridors	San Jose	0	0	110	927	1,037
Downtown "Frame"	San Jose	314	0	80	560	954

Attachment D, Table D2: PDA Implementation Status - Housing Permits Issued, 2015-2017

PDA Name	Jurisdiction	Housing units permitted by affordability level: 2015-17				
		Low	Very Low	Moderate	Above Moderate	Total Units
Cottle Transit Village (Hitachi)	San Jose	0	0	0	762	762
San Antonio	Mountain View	53	0	1	684	738
Tasman Crossing	Sunnyvale	89	19	1	627	736
Berryessa Station	San Jose	0	0	0	641	641
Communications Hill	San Jose	0	0	0	448	448
El Camino Real	Mountain View	54	29	0	354	437
Whisman Station	Mountain View	0	0	0	364	364
Winchester Boulevard TOD Corridor	San Jose	0	0	0	267	267
El Camino Real Focus Area	Santa Clara	0	0	0	246	246
Central Redevelopment Area	Campbell	7	2	13	209	231
East Sunnyvale	Sunnyvale	0	0	18	212	230
Stevens Creek TOD Corridor	San Jose	0	0	0	226	226
North San Jose	San Jose	0	0	0	149	149
Downtown	Morgan Hill	14	8	0	106	128
Santa Clara Valley Transportation Authority City Cores, Corridors & Station Areas	San Jose	82	18	0	8	108
Transit Area	Milpitas	0	0	0	82	82
Downtown	Mountain View	0	2	0	80	82
Downtown & Caltrain Station	Sunnyvale	0	0	4	43	47
Lawrence Station Transit Village	Sunnyvale	0	0	4	31	35
Downtown	Gilroy	0	0	0	26	26
East Santa Clara/Alum Rock Corridor	San Jose	1	0	0	6	7
Saratoga TOD Corridor	San Jose	0	0	0	5	5
Santa Clara Valley Transportation Authority City Cores, Corridors & Station Areas	Cupertino	0	0	5	0	5
California Avenue	Palo Alto	0	0	0	4	4
North Bayshore	Mountain View	0	0	0	0	0
Santa Clara Station Focus Area	Santa Clara	0	0	0	0	0

Attachment D, Table D2: PDA Implementation Status - Housing Permits Issued, 2015-2017

PDA Name	Jurisdiction	Housing units permitted by affordability level: 2015-17				
		Low	Very Low	Moderate	Above Moderate	Total Units
Oakridge/Almaden Plaza Urban Village	San Jose	0	0	0	0	0
Capitol/Tully/King Urban Villages	San Jose	0	0	0	0	0
Bascom TOD Corridor	San Jose	0	0	0	0	0
Bascom Urban Village	San Jose	0	0	0	0	0
Camden Urban Village	San Jose	0	0	0	0	0
Blossom Hill/Snell Urban Village	San Jose	0	0	0	0	0
Capitol Corridor Urban Villages	San Jose	0	0	0	0	0
Westgate/El Paseo Urban Village	San Jose	0	0	0	0	0
El Camino Real Corridor	Sunnyvale	0	0	0	0	0
Santa Clara Valley Transportation Authority City Cores, Corridors & Station Areas	Gilroy	0	0	0	0	0
Santa Clara Valley Transportation Authority City Cores, Corridors & Station Areas	Los Altos	0	0	0	0	0
Santa Clara Valley Transportation Authority City Cores, Corridors & Station Areas	Milpitas	0	0	0	0	0
SOLANO COUNTY						
Fairfield-Vacaville Train Station	Fairfield	0	0	0	81	81
Downtown South (Jefferson Street)	Fairfield	0	0	0	5	5
Downtown	Benicia	1	0	0	1	2
Downtown	Dixon	0	0	0	2	2
Northern Gateway - Benicia's Industrial Park	Benicia	0	0	0	0	0
North Texas Street Core	Fairfield	0	0	0	0	0
West Texas Street Gateway	Fairfield	0	0	0	0	0
Downtown & Waterfront	Suisun City	0	0	0	0	0
Downtown	Vacaville	0	0	0	0	0
Allison Area	Vacaville	0	0	0	0	0
Waterfront & Downtown	Vallejo	0	0	0	0	0
Sonoma Boulevard	Vallejo	0	0	0	0	0

Attachment D, Table D2: PDA Implementation Status - Housing Permits Issued, 2015-2017

PDA Name	Jurisdiction	Housing units permitted by affordability level: 2015-17				
		Low	Very Low	Moderate	Above Moderate	Total Units
SONOMA COUNTY						
North Santa Rosa Station	Santa Rosa	1	0	0	140	141
Roseland	Santa Rosa	56	21	0	6	83
Sebastopol Road Corridor	Santa Rosa	0	0	1	41	42
Downtown/SMART Transit Area	Cloverdale	25	7	3	1	36
Station Area/Downtown Specific Plan Area	Windsor	0	0	0	19	19
Mendocino Avenue/Santa Rosa Avenue Corridor	Santa Rosa	0	0	0	9	9
Core Area	Sebastopol	0	0	0	4	4
Central, Turning Basin/Lower Reach	Petaluma	0	0	2	1	3
Downtown Station Area	Santa Rosa	0	0	1	2	3
Downtown and Cotati Depot	Cotati	0	0	0	0	0
Sonoma Mountain Village	Rohnert Park	0	0	0	0	0
Central Rohnert Park	Rohnert Park	0	0	0	0	0
	BAY AREA TOTAL	3,198	1,985	1,778	32,834	39,795

Plan Bay Area 2050: Regional Growth Framework Update - Horizon Guiding Principle Indicators

This attachment provides detailed information about the performance of each of Bay Area’s 188 Priority Development Areas relative to the Horizon Guiding Principles. As part of the *Horizon Perspective Paper*, one indicator was identified and analyzed to assess the performance of different locations in achieving each of the Guiding Principles. The Perspective paper, available for download [here](#), analyzed all of the urbanized census blocks in the Bay Area using consistent, objective data shown in the table below. This attachment focuses specifically on Priority Development Areas. Table B1 provides the average score (from 1-5, with 1 lowest and 5 highest) of the census blocks within each PDA on the indicators included in the Paper.ⁱ

A detailed definition for each column, and the indicators, is provided below:

Table D1. Definitions by column

Column	Definition
PDA Name	Name of Priority Development Area (PDA) designated by local jurisdiction
Jurisdiction	Jurisdiction within which PDA is located (<i>this is also the jurisdiction that nominated the PDA</i>)
Access to Opportunity (indicator for “Vibrant” Guiding Principle)	<p>1-5 score corresponding with the California Department of Housing and Community Development (HCD)-adopted “Community Resource Level” for the census tracts in each PDA (average of tracts used for PDAs with one more than one census tract).</p> <p>“Community Resource” is a composite score based upon environmental, economic, and educational metrics shown by peer-reviewed research to affect the probability of success for low-income children and families. HCD publishes these Resource Level scores as part of its Opportunity Mapping project. More information is available here.</p> <p>The following scores correspond to each HCD-defined resource level:</p> <ul style="list-style-type: none"> 1 (lowest) : High Segregation & Poverty 2: Low Resource 3: Moderate Resource 4: High Resource 5 (highest): Highest Resource <p>Data Source: California HCD, 2018 Opportunity Maps, Bay Area Region.</p>
VMT Reduction Potential (indicator for “Vibrant” Guiding Principle)	<p>1-5 score based upon the average miles driven per day by car per resident for the Transportation Analysis Zone(s) in each PDA (average of TAZs used for PDAs with more than one TAZ), using MTC Travel Model 1.5 2015 model year. Regional data was distributed into quintiles, with a “1” equal to the <i>highest</i> 20% of TAZs by VMT/person, and “5” equal to the <i>lowest</i> VMT/resident.</p> <p>Data Source: MTC Travel Model 1.5, 2015 Model Year.</p>

Housing Affordability (indicator for “Affordable” Guiding Principle)	1-5 score based upon Median monthly rent by Census Block Group (average of Block Groups used for PDAs with more than 1 block group) using the American Community Survey 2012-2016 5-year average. Regional data was distributed into quintiles, with a “1” for the area with the <i>highest</i> 20% of median monthly rent, and a “5” for the area with the <i>lowest</i> 20% median monthly rent. Data source: US Census, American Community Survey, 2012-2016
Community Stability (indicator for “Diverse” Guiding Principle)	1-5 score based upon loss of low-income households by Census Tract (average of Tracts used for PDAs with more than 1 Tract), using the American Community Survey 2012-2016 5 year average, adjusted for tract size. Tracts with no loss of low income population were scored a “5”; while the tracts that lost low income population were scored “1”-“4” based upon the distribution of data across this group. Data source: US Census, American Community Survey, 2012-2016
Total Score	Sum of scores for Access to Opportunity, VMT Reduction Potential, Housing Affordability, and Community Stability

ⁱ Note that one indicator included in the Perspective Paper, Hazard Protection, was not included in Table B1 due to the unique nature of this indicator, which does not measure “performance” in the same way as the other indicators.

Attachment E, Table E1: - PDA Performance - Horizon Guiding Principle Performance by PDA

PDA Name	Jurisdiction Lead	County	Opportunity (1-5)	VMT Reduction Potential (1-5)	Housing Affordability (1-5)	Community Stability (1-5)	Total (0-20)
ALAMEDA COUNTY							
Naval Air Station	Alameda	Alameda	4	4	5	5	18
Northern Waterfront	Alameda	Alameda	4	4	4	5	17
Castro Valley BART	Alameda County	Alameda	2	3	4	5	14
East 14th Street and Mission Boulevard	Alameda County	Alameda	2	4	4	2	12
Hesperian Boulevard	Alameda County	Alameda	2	3	4	2	11
Meekland Avenue Corridor	Alameda County	Alameda	2	3	4	5	14
San Pablo & Solano Mixed Use Neighborhood	Albany	Alameda	5	4	3	5	17
Adeline Street	Berkeley	Alameda	4	5	5	5	19
Downtown	Berkeley	Alameda	1	5	4	5	15
San Pablo Avenue	Berkeley	Alameda	4	5	4	1	14
South Shattuck	Berkeley	Alameda	4	5	5	5	19
Southside/Telegraph Avenue	Berkeley	Alameda	1	5	3	1	10
University Avenue	Berkeley	Alameda	4	5	3	5	17
Downtown Specific Plan Area	Dublin	Alameda	4	3	3	5	15
Town Center	Dublin	Alameda	3	2	2	5	12
Transit Center/Dublin Crossings	Dublin	Alameda	5	2	2	2	11
Mixed-Use Core	Emeryville	Alameda	4	5	3	2	14
Centerville	Fremont	Alameda	3	1	2	2	8
City Center	Fremont	Alameda	4	3	2	2	11
Irvington District	Fremont	Alameda	3	3	2	1	9
Warm Springs	Fremont	Alameda	5	1	2	5	13
Downtown	Hayward	Alameda	2	3	4	5	14
Mission Boulevard Corridor	Hayward	Alameda	2	4	4	5	15
South Hayward BART	Hayward	Alameda	2	3	4	5	14
South Hayward BART	Hayward	Alameda	2	1	3	5	11
The Cannery	Hayward	Alameda	2	3	4	2	11
Downtown	Livermore	Alameda	3	2	4	5	14

Attachment E, Table E1: - PDA Performance - Horizon Guiding Principle Performance by PDA

PDA Name	Jurisdiction Lead	County	Opportunity (1-5)	VMT Reduction Potential (1-5)	Housing Affordability (1-5)	Community Stability (1-5)	Total (0-20)
East Side	Livermore	Alameda	3	2	2	3	10
Isabel Avenue/BART Station Planning Area	Livermore	Alameda	3	1	2	5	11
Dumbarton Transit Oriented Development	Newark	Alameda	2	2	3	5	12
Old Town Mixed Use Area	Newark	Alameda	2	2	2	5	11
Coliseum BART Station Area	Oakland	Alameda	1	5	4	5	15
Downtown & Jack London Square	Oakland	Alameda	1	5	4	2	12
Eastmont Town Center	Oakland	Alameda	2	3	5	5	15
Fruitvale and Dimond Areas	Oakland	Alameda	2	4	5	5	16
Golden Gate/North Oakland	Oakland	Alameda	3	5	4	1	13
MacArthur Transit Village	Oakland	Alameda	2	5	4	1	12
TOD Corridors	Oakland	Alameda	3	5	4	5	17
TOD Corridors - International Boulevard	Oakland	Alameda	2	4	5	5	16
TOD Corridors - San Antonio/Central Estuary	Oakland	Alameda	1	5	5	2	13
West Oakland	Oakland	Alameda	3	5	5	5	18
Hacienda	Pleasanton	Alameda	4	4	2	3	13
Bay Fair BART Village	San Leandro	Alameda	2	4	4	5	15
Downtown Transit Oriented Development	San Leandro	Alameda	2	4	4	5	15
East 14th Street	San Leandro	Alameda	2	3	4	5	14
Intermodal Station District	Union City	Alameda	3	2	2	5	12
CONTRA COSTA COUNTY							
Hillcrest eBART Station	Antioch	Contra Costa	2	2	4	2	10
Rivertown Waterfront	Antioch	Contra Costa	2	3	5	5	15
Community Reuse Area/Los Medanos	Concord	Contra Costa	2	3	3	5	13

Attachment E, Table E1: - PDA Performance - Horizon Guiding Principle Performance by PDA

PDA Name	Jurisdiction Lead	County	Opportunity (1-5)	VMT Reduction Potential (1-5)	Housing Affordability (1-5)	Community Stability (1-5)	Total (0-20)
Community Reuse Area/Los Medanos	Concord	Contra Costa	2	1	2	5	10
Downtown	Concord	Contra Costa	3	3	4	5	15
Contra Costa Centre	Contra Costa County	Contra Costa	3	3	3	5	14
Downtown El Sobrante	Contra Costa County	Contra Costa	2	3	4	5	14
Pittsburg/Bay Point BART Station	Contra Costa County	Contra Costa	1	3	4	5	13
Pittsburg/Bay Point BART Station	Contra Costa County	Contra Costa	2	2	2	3	9
West Contra Costa Transportation Advisory Committee San Pablo Avenue Corridor	Contra Costa County	Contra Costa	2	4	4	5	15
Downtown	Danville	Contra Costa	5	1	2	5	13
San Pablo Avenue Corridor	El Cerrito	Contra Costa	5	4	3	2	14
San Pablo Avenue Corridor	El Cerrito	Contra Costa	3	4	3	2	12
Central Hercules	Hercules	Contra Costa	3	3	3	5	14
Waterfront District	Hercules	Contra Costa	3	3	2	5	13
West Contra Costa Transportation Advisory Committee San Pablo Avenue Corridor	Hercules	Contra Costa	3	3	4	5	15
Downtown	Lafayette	Contra Costa	5	1	3	5	14
Downtown	Martinez	Contra Costa	2	3	5	5	15
Moraga Center	Moraga	Contra Costa	5	1	2	5	13
Downtown	Oakley	Contra Costa	2	1	3	2	8
Employment Area	Oakley	Contra Costa	2	1	3	5	11
Potential Planning Area	Oakley	Contra Costa	2	1	4	5	12

Attachment E, Table E1: - PDA Performance - Horizon Guiding Principle Performance by PDA

PDA Name	Jurisdiction Lead	County	Opportunity (1-5)	VMT Reduction Potential (1-5)	Housing Affordability (1-5)	Community Stability (1-5)	Total (0-20)
Downtown	Orinda	Contra Costa	5	1	2	3	11
Appian Way Corridor	Pinole	Contra Costa	3	3	3	5	14
Old Town San Pablo Avenue	Pinole	Contra Costa	3	3	4	5	15
Downtown	Pittsburg	Contra Costa	2	1	5	5	13
Railroad Avenue eBART Station	Pittsburg	Contra Costa	1	4	5	5	15
Buskirk Avenue Corridor	Pleasant Hill	Contra Costa	4	3	3	2	12
Diablo Valley College	Pleasant Hill	Contra Costa	3	3	3	5	14
Central Richmond & 23rd Street Corridor	Richmond	Contra Costa	2	5	5	5	17
Central Richmond & 23rd Street Corridor	Richmond	Contra Costa	2	4	5	5	16
South Richmond	Richmond	Contra Costa	2	3	4	5	14
West Contra Costa Transportation Advisory Committee San Pablo Avenue Corridor	Richmond	Contra Costa	3	4	4	2	13
North Richmond	Richmond (with Contra Costa County)	Contra Costa	1	4	4	5	14
Rumrill Boulevard	San Pablo	Contra Costa	2	5	5	5	17
San Pablo Avenue & 23rd Street Corridors	San Pablo	Contra Costa	1	4	5	1	11
City Center	San Ramon	Contra Costa	5	1	2	5	13
North Camino Ramon	San Ramon	Contra Costa	5	1	2	5	13
Core Area	Walnut Creek	Contra Costa	4	2	2	5	13
MARIN COUNTY							
Unincorporated Marin County	Marin County	Marin	5	2	3	5	15
Downtown	San Rafael	Marin	3	3	3	3	12
NAPA COUNTY							
Highway 29 Corridor	American Canyon	Napa	3	3	4	5	15

Attachment E, Table E1: - PDA Performance - Horizon Guiding Principle Performance by PDA

PDA Name	Jurisdiction Lead	County	Opportunity (1-5)	VMT Reduction Potential (1-5)	Housing Affordability (1-5)	Community Stability (1-5)	Total (0-20)
Downtown Napa and Soscol Gateway Corridor	Napa	Napa	0	3	4	5	12
SAN FRANCISCO CITY & COUNTY							
19th Avenue	San Francisco	San Francisco	3	5	2	5	15
Balboa Park	San Francisco	San Francisco	3	5	3	5	16
Bayview/Hunters Point Shipyard/Candlestick Point	San Francisco	San Francisco	3	5	4	5	17
Downtown-Van Ness-Geary	San Francisco	San Francisco	5	5	3	1	14
Eastern Neighborhoods	San Francisco	San Francisco	3	5	3	5	16
Market-Octavia/Upper Market	San Francisco	San Francisco	3	5	3	1	12
Mission Bay	San Francisco	San Francisco	4	5	2	5	16
Mission-San Jose Corridor	San Francisco	San Francisco	3	5	3	2	13
Port of San Francisco	San Francisco	San Francisco	3	5	2	5	15
Transit Center District	San Francisco	San Francisco	3	5	2	5	15
Treasure Island & Yerba Buena Island	San Francisco	San Francisco	1	4	2	5	12
San Francisco/San Mateo Bi-County Area	San Francisco & Brisbane	San Francisco	2	5	2	5	14
San Francisco/San Mateo Bi-County Area	San Francisco & Brisbane	San Francisco	2	5	3	3	13
SAN MATEO COUNTY							
Villages of Belmont	Belmont	San Mateo	3	3	2	2	10
Downtown	Benicia	San Mateo	4	1	5	5	15
Burlingame El Camino Real	Burlingame	San Mateo	5	3	2	2	12
El Camino Real	Colma	San Mateo	3	4	4	1	12
Bayshore	Daly City	San Mateo	2	5	3	3	13
Mission Boulevard	Daly City	San Mateo	2	5	3	5	15
Ravenswood	East Palo Alto	San Mateo	2	4	3	5	14
Transit Station Area	Millbrae	San Mateo	5	3	3	5	16

Attachment E, Table E1: - PDA Performance - Horizon Guiding Principle Performance by PDA

PDA Name	Jurisdiction Lead	County	Opportunity (1-5)	VMT Reduction Potential (1-5)	Housing Affordability (1-5)	Community Stability (1-5)	Total (0-20)
Broadway/Veterens Boulevard Corridor	Redwood City	San Mateo	2	5	3	5	15
Downtown	Redwood City	San Mateo	2	5	3	5	15
El Camino Real Corridor	Redwood City	San Mateo	2	4	3	5	14
Transit Corridors	San Bruno	San Mateo	2	4	3	5	14
Railroad Corridor	San Carlos	San Mateo	3	3	2	5	13
Downtown	San Mateo	San Mateo	4	4	3	5	16
El Camino Real	San Mateo	San Mateo	3	3	2	2	10
Grand Boulevard Initiative	San Mateo	San Mateo	3	3	2	2	10
Rail Corridor	San Mateo	San Mateo	3	3	2	5	13
El Camino Real (North Fair Oaks)	San Mateo County	San Mateo	2	4	3	2	11
El Camino Real (Unincorporated Colma)	San Mateo County	San Mateo	3	4	4	1	12
Downtown	South San Francisco	San Mateo	2	4	3	1	10
El Camino Real	South San Francisco	San Mateo	3	3	3	5	14
SANTA CLARA COUNTY							
Central Redevelopment Area	Campbell	Santa Clara	3	4	2	3	12
Santa Clara Valley Transportation Authority City Cores, Corridors & Station Areas	Cupertino	Santa Clara	5	4	2	5	16
Downtown	Gilroy	Santa Clara	1	5	4	5	15
Santa Clara Valley Transportation Authority City Cores, Corridors & Station Areas	Gilroy	Santa Clara	2	5	4	5	16
Santa Clara Valley Transportation Authority City Cores, Corridors & Station Areas	Los Altos	Santa Clara	5	3	2	5	15

Attachment E, Table E1: - PDA Performance - Horizon Guiding Principle Performance by PDA

PDA Name	Jurisdiction Lead	County	Opportunity (1-5)	VMT Reduction Potential (1-5)	Housing Affordability (1-5)	Community Stability (1-5)	Total (0-20)
El Camino Real Corridor and Downtown	Menlo Park	Santa Clara	4	4	2	2	12
Santa Clara Valley Transportation Authority City Cores, Corridors & Station Areas	Milpitas	Santa Clara	4	4	2	5	15
Transit Area	Milpitas	Santa Clara	4	4	2	5	15
Downtown	Morgan Hill	Santa Clara	3	4	3	5	15
Downtown	Mountain View	Santa Clara	5	3	2	5	15
El Camino Real	Mountain View	Santa Clara	4	4	2	2	12
North Bayshore	Mountain View	Santa Clara	3	1	4	5	13
San Antonio	Mountain View	Santa Clara	5	3	2	2	12
Whisman Station	Mountain View	Santa Clara	5	4	2	5	16
California Avenue	Palo Alto	Santa Clara	5	4	2	5	16
Bascom TOD Corridor	San Jose	Santa Clara	2	4	3	5	14
Bascom Urban Village	San Jose	Santa Clara	3	3	3	5	14
Berryessa Station	San Jose	Santa Clara	2	4	3	5	14
Blossom Hill/Snell Urban Village	San Jose	Santa Clara	2	3	2	5	12
Camden Urban Village	San Jose	Santa Clara	4	3	2	2	11
Capitol Corridor Urban Villages	San Jose	Santa Clara	2	4	2	5	13
Capitol/Tully/King Urban Villages	San Jose	Santa Clara	2	4	3	5	14
Communications Hill	San Jose	Santa Clara	2	4	3	5	14
Cottle Transit Village (Hitachi)	San Jose	Santa Clara	2	3	2	5	12
Downtown "Frame"	San Jose	Santa Clara	2	4	3	5	14
East Santa Clara/Alum Rock Corridor	San Jose	Santa Clara	2	4	4	5	15
Greater Downtown	San Jose	Santa Clara	2	5	3	5	15
North San Jose	San Jose	Santa Clara	4	4	2	5	15

Attachment E, Table E1: - PDA Performance - Horizon Guiding Principle Performance by PDA

PDA Name	Jurisdiction Lead	County	Opportunity (1-5)	VMT Reduction Potential (1-5)	Housing Affordability (1-5)	Community Stability (1-5)	Total (0-20)
Oakridge/Almaden Plaza Urban Village	San Jose	Santa Clara	2	3	2	2	9
Santa Clara Valley Transportation Authority City Cores, Corridors & Station Areas	San Jose	Santa Clara	2	4	3	5	14
Saratoga TOD Corridor	San Jose	Santa Clara	4	4	3	5	16
Stevens Creek TOD Corridor	San Jose	Santa Clara	4	4	2	5	15
West San Carlos and Southwest Expressway Corridors	San Jose	Santa Clara	3	4	3	2	12
Westgate/El Paseo Urban Village	San Jose	Santa Clara	4	3	2	2	11
Winchester Boulevard TOD Corridor	San Jose	Santa Clara	3	3	3	2	11
El Camino Real Focus Area	Santa Clara	Santa Clara	1	5	3	2	11
Santa Clara Station Focus Area	Santa Clara	Santa Clara	1	4	3	2	10
Downtown & Caltrain Station	Sunnyvale	Santa Clara	3	4	2	5	14
East Sunnyvale	Sunnyvale	Santa Clara	3	3	2	5	13
El Camino Real Corridor	Sunnyvale	Santa Clara	4	3	2	5	14
Lawrence Station Transit Village	Sunnyvale	Santa Clara	3	3	2	5	13
Tasman Crossing	Sunnyvale	Santa Clara	3	3	2	2	10
SOLANO COUNTY							
Northern Gateway - Benicia's Industrial Park	Benicia	Solano	3	1	4	5	13
Downtown	Dixon	Solano	2	3	5	3	13
Downtown South (Jefferson Street)	Fairfield	Solano	2	4	5	5	16
Fairfield-Vacaville Train Station	Fairfield	Solano	3	2	2	5	12
North Texas Street Core	Fairfield	Solano	1	4	5	2	12
West Texas Street Gateway	Fairfield	Solano	2	4	4	2	12
Downtown & Waterfront	Suisun City	Solano	2	1	3	5	11

Attachment E, Table E1: - PDA Performance - Horizon Guiding Principle Performance by PDA

PDA Name	Jurisdiction Lead	County	Opportunity (1-5)	VMT Reduction Potential (1-5)	Housing Affordability (1-5)	Community Stability (1-5)	Total (0-20)
Allison Area	Vacaville	Solano	2	2	4	5	13
Downtown	Vacaville	Solano	2	3	5	5	15
Sonoma Boulevard	Vallejo	Solano	1	4	5	5	15
Waterfront & Downtown	Vallejo	Solano	2	4	5	5	16
SONOMA COUNTY							
Downtown/SMART Transit Area	Cloverdale	Sonoma	4	4	5	3	16
Downtown and Cotati Depot	Cotati	Sonoma	3	1	4	2	10
Central, Turning Basin/Lower Reach	Petaluma	Sonoma	3	3	4	5	15
Central Rohnert Park	Rohnert Park	Sonoma	2	2	4	5	13
Sonoma Mountain Village	Rohnert Park	Sonoma	3	1	2	2	8
Downtown Station Area	Santa Rosa	Sonoma	2	4	5	5	16
Mendocino Avenue/Santa Rosa Avenue Corridor	Santa Rosa	Sonoma	2	4	4	2	12
North Santa Rosa Station	Santa Rosa	Sonoma	2	5	5	5	17
Roseland	Santa Rosa	Sonoma	2	4	4	5	15
Sebastopol Road Corridor	Santa Rosa	Sonoma	2	4	4	5	15
Core Area	Sebastopol	Sonoma	4	1	4	5	14
Station Area/Downtown Specific Plan Area	Windsor	Sonoma	2	3	3	2	10

PLAN BAY AREA 2050

Plan Bay Area 2050: Regional Growth Framework Update - Supportive VMT-Reduction Policies

The table below summarizes a set of proposed policies demonstrated to reduce Vehicle Miles Travelled (VMT) intended to complement the VMT-reduction of transit service in PDAs, particularly those with limited access. Connected Community PDAs that are outside of a High Resource Area (HRA) would be required to adopt at least 2 of these policies, which may be refined in advance of the final adoption of new PDAs.

Supportive Policy	Description
Senate Bill 743 (SB743)ⁱ Implementation	<ul style="list-style-type: none"> • Adopt a Parking and Transportation-Demand Management (TDM) Ordinance that includes a monitoring and enforcement component. The ordinance would apply to new commercial and residential development and require developers and property managers to reduce VMT through measures like free transit passes, bike and car share memberships with the bikes/vehicles on-site. • Create new, or revise existing, development impact fees to be added to a transportation fund that can be invested in VMT-reduction investments citywide
Active Transportation Planning	<ul style="list-style-type: none"> • Adopt a policy to prioritize planning and implementation of Class 2ⁱⁱ or better bike infrastructure and safe, pedestrian-scaled streets • Adopt Vision Zeroⁱⁱⁱ and universal design (designs that accommodate the widest range of potential users, including people with mobility and visual impairments) policies
Curb Management	<ul style="list-style-type: none"> • Adopt a policy to prioritize curb space for reliable transit and shared modes (e.g. bicycles, scooters), with consideration to other uses of the curb that provide environmental and social benefits (e.g. carshare, green stormwater infrastructure, small public spaces (parklets), electric vehicle chargers and managed parking with pricing).

ⁱ SB743, adopted in 2013, changes the way that cities are required to analyze the transportation impacts of a development project to focus on its impact on Vehicle Miles Travelled (VMT) rather than its impact on roadway congestion (commonly analyzed as Level of Service). The policy proposed here would enable a city to achieve the objective of SB743 by putting in place requirements to reduce VMT. Additional information is available [here](#).

ⁱⁱ A striped lane for bicycle travel on a street or highway. Additional information from the California Department of Transportation (Caltrans) is available [here](#).

ⁱⁱⁱ A strategy to eliminate all traffic fatalities and severe injuries, while increasing safe, healthy, equitable mobility. More information is available [here](#).



Plan Bay Area 2050: Regional Growth Framework Update

Priority Conservation Areas (PCAs) - Overview and Eligibility Criteria

Program Information

The Priority Conservation Areas (PCA) complement PDAs by protecting a network of locally-identified at-risk open space, farmland, and habitat. Along with PDAs, PCAs were the centerpiece of the Regional Growth Framework that shaped the first two iterations of Plan Bay Area. The goal of the nominating PCAs is to:

- **Protect key open spaces** under pressure from urban development and other factors.
- **Preserve the lands necessary** to maintain the region's quality of life, ecological diversity, and agricultural production capabilities.
- **Provide opportunities for partnerships** and coordination in open space protection and preservation efforts, focusing available resources within a regional framework.
- **Create a regional vision** for open space conservation and preservation needs.

Eligible Areas

For an area to be eligible for nomination as a PCA, it must:

- Provide **regionally significant** agricultural, natural resource, scenic, recreational, and/or ecological values and ecosystem functions, demonstrated through adopted plans and recognized data sources such as the Conservation Lands Network (CLN);
- **Require protection** due to pressure from urban development or other factors; and
- Fall into **one or more PCA designation category**: Natural Landscapes, Agricultural Lands, Urban Greening, and Regional Recreation.

Nomination Process

Similar to the proposed process for PDAs, applicants would have the option of submitting a letter of interest prior to full application for staff review, or submitting a full application.

Letters of interest would include: a) a completed checklist demonstrating consistency with eligibility criteria; b) a narrative description of the proposed area; and c) a map of the area.

Full applications would include all of this information as well as an adopted resolution by the jurisdiction or special district with primary land use control - typically a city, county or park/open space district.

Contact Information

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Plan Bay Area 2050: Regional Growth Framework Update

Proposed Priority Production Area (PPA) Pilot Program - Overview and Eligibility Criteria

Program Information

The Priority Production Area (PPA) program would identify industrial areas of importance to the regional and local economies, provide supportive resources and implementation actions for these areas, and encourage middle-wage job opportunities. PPAs would be locally-designated areas where industrial jobs (including manufacturing and supply chain services such as warehousing, distribution and repair) would be a priority consideration in determining future land use. In many cases, PPAs would be areas with broad community support for continued industrial activity that face pressure for conversion to higher-value uses.

The PPA program would complement existing Priority Development Area (PDA) and Priority Conservation Area (PCA) programs. It would build on the regional and local partnerships and knowledge resources that ABAG/MTC has developed over the past three years in establishing the Greater Bay Area Regional Economic Development District. The goals of designating PPAs would be to:

- **Support** strong clusters of the region's economy.
- **Align with the transportation planning framework** for freight and goods movement.
- **Plan for space** needed for middle-wage job opportunities.
- **Encourage middle-wage job growth** close to affordable housing.

For Plan Bay Area 2050, the PPA program will be implemented as a pilot program, with a limited number of PPAs designated from selected jurisdictions. The criteria for the pilot program described below would be improved and revised through testing during the Plan Bay Area 2050 analysis.

Proposed Eligibility Criteria for Pilot PPA Program

Each application will be evaluated according to local context and needs. Staff proposes the following criteria for PPAs:

- **The area is zoned for industrial useⁱ** or has a high concentration of industrial activities
- **The area does not overlap with a Priority Development Area** and does not include land within one-half mile of a regional railⁱⁱ station
- **The jurisdiction has a certified housing element**

Proposed Nomination Process

Applicants would have the option of submitting a letter of interest prior to full application for staff review, or submitting a full application for PPAs. **Letters of interest** would include: a) a completed checklist demonstrating consistency with eligibility criteria; b) a narrative description of the proposed area; and c) a map of the area. **Full applications** would include all of this information as well as an adopted resolution by the City Council or Board of Supervisors. Applications that are not accepted for the pilot program to include in the plan may still be helpful in testing and shaping the PPA program that will be finalized after adoption of PBA 2050.

Staff Contracts:

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^{i i} This could include, but is not limited to, industrial zoning, zoning controls that maintain industrial activities in a mixed use area, interim controls protecting existing industrial uses.

ⁱⁱ Regional rail is defined as heavy, commuter, or intercity rail, including but not limited to BART, Caltrain, SMART, ACE, and Amtrak.



SPUR

San Francisco | San Jose | Oakland

Bay Area Metro
375 Beale Street
San Francisco, CA 94105

May 3, 2019

Re: Regional Growth Framework Revisions: Next Steps Presentation

Dear ABAG President Rabbitt, MTC Chair Haggerty, MTC Commissioners, ABAG Executive Board, and Staff,

The San Francisco Bay Area Planning and Urban Research Association (SPUR) is member-supported urban policy think tank that promotes good planning and good government through research, education and advocacy. We are located in the three largest cities of the Bay Area and work to drive local and regional change.

We commend MTC and ABAG for re-assessing the Plan Bay Area regional growth strategy and the Priority Development Area tool. The last update of Plan Bay Area offered a sobering wake-up call that our current approach to regional and local planning will continue to worsen the many crises that the Bay Area faces. This major update of Plan Bay Area is an opportunity to be visionary and paint a picture of what we want the future to be, rather than accept current trends.

The *Horizons* Perspective Paper highlights several of the shortcomings with the current growth framework, including:

- Cities opt-in to the Priority Development Area designation, which limits new growth to too few places and worsens housing costs and other displacement pressures around the region.
- Only 6% of Priority Development Areas are located in areas of high opportunity, reflecting a long history of policy decisions that have disadvantaged people of color and low-income people—as well as an opportunity to reverse the trend of growing segregation.
- Approximately half of the region’s housing growth between 2015-2017 has taken place outside of the Priority Development Areas, suggesting that the PDA tools are not adequately shaping where growth is located.
- Some Priority Development Areas do not meet the program criteria, suggesting that these are not the “right” places for new growth.
- Some of the areas in the region with the highest potential to reduce VMT and greenhouse gas emissions are not PDAs, suggesting that the PDA tool is missing some of the most transit-accessible and sustainable places to grow.

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SPUR strongly supports the proposed definition of a PDA: *“an infill location that is planned for significant housing and job growth, offers a suite of mobility options which enable residents to live a car-free or car-light lifestyle, and promotes greater opportunity for all, regardless of race or income”*. **We strongly support using objective, measurable criteria to determine where growth should be located. Locating new growth in Transit Priority Areas and High Opportunity Areas is a big step in the right direction.** As MTC and ABAG consider the adoption of this new framework, we also recommend:

1. **We strongly support locating growth in areas that are rich in transit, high-quality schools, and other resources that promote economic mobility.** However, changing the regional growth framework will not change the fact that some cities have been reluctant to embrace growth and submit plans that conform to the regional growth framework. **We recommend that MTC add requirements to its funding programs to move away from an opt-in approach and continue to explore statewide growth management legislation**, such as those that concentrate growth near transit and require local plans to be consistent with the regional plan.
2. We appreciate that there are two categories of PDAs. All PDAs are not alike, and we should expect more from our urban areas. It is these areas where we also most need to direct job growth to support transit. **For transit-rich PDAs, we recommend a requirement that cities plan for at least 60% of their job growth within ¼-mile of regional rail stations.**
3. **For connected community PDAs, we recommend a closer look at the requirement that “at least 50% of land in PDA be within ½ mile of an existing or planned bus line with headways of no more than 30 minutes in peak periods”**. Many transit agencies are starting to shift their operating models to provide high-ridership routes (high frequency and high span) with less geographic coverage. These shifts are consistent with the need to create a network of local and regional routes and help support the financial stability of transit agencies, but the shifts also mean that the amount of land area proximal to a bus route may change.
4. **Prior to adoption of the proposal, we recommend that staff prepare and circulate a map that shows the area and locations that would be incorporated in the new designations.** That will help determine how much land is available for growth.
5. **Prior to adoption of the proposal, we recommend that staff prepare and circulate a map that compares the areas that are classified as PDAs if they have the current 20-minute transit frequency compared to the proposed 15-minute transit frequency.** Though SPUR supports frequent transit, we are also concerned that this shift may reduce the number of places that are designated for growth.

6. **We recommend that MTC model approximately how much growth could fit within these designations.** SPUR found that in the last two decades we have created a housing shortfall of 700,000 housing units and will need to produce 2.5 million new housing units over the next 50 years to make the region affordable to median income households.¹ It is not clear whether the proposed land area covered by the PDA framework can accommodate this amount of growth, suggesting the possibility of spillover into areas where we do not want to direct growth or into the megaregion.
7. We appreciate that there are two categories of PDAs, one that will help reinforce the urban centers of the Bay Area. All PDAs are not alike, and we should expect more from our urban areas. It is these areas where we also most need to direct job growth to support transit. **We recommend a requirement that cities plan for at least 60% of their job growth within ¼-mile of regional rail stations.**
8. **We appreciate that the two categories of PDAs incorporate job growth.** For many years, SPUR has advocated for Bay Area Metro to revise the PDA program and criteria to incorporate jobs so that the regional growth framework more directly shapes the location, density and diversity of employment.
9. **We support the Priority Production Area (PPA) for industrial jobs in concept, however:**
 - a. **We caution that cities could use the PPA as an excuse to not permit housing and infill development.** One way to avoid this outcome is to require cities to adopt plans for Priority Development Areas (or whatever replaces this program) prior to nominating Priority Production Areas. We also support the staff recommendation that PPAs not overlap with a PDA and does not include land within ½ mile of a regional rail station or ferry terminal.
 - b. **We want to grow the number of middle-wage jobs in the Bay Area, and protecting land for industrial jobs may not achieve that goal.** The Bay Area has had almost no change in the number of middle-wage jobs between 2007 and 2017.² At the same time, the types of industries and occupations that support middle-wage jobs is changing. Many industrial jobs are no longer middle-wage jobs. Jobs in the healthcare, caring occupations, and professional services are

¹ <https://www.spur.org/news/2019-02-21/how-much-housing-should-bay-area-have-built-avoid-current-housing-crisis>

² <https://www.spur.org/news/2019-01-23/wage-trends-show-increases-low-wage-jobs-while-middle-wage-job-growth-slows>

growing and will provide middle-income jobs. We encourage Bay Area Metro to provide support for these jobs within the growth framework.

10. Require cities to rezone their Priority Development Areas. Many cities that have adopted specific plans for their PDAs have not rezoned the land. Rezoning after adopting a plan helps speed up the infill development process. We recommend changing the grant award criteria so that cities that must include rezoning in their scope of work as a condition of funding.

11. Clarify how these designations will be used relative to various funding programs and policies. It is helpful for cities to understand how the criteria and designations will be used to inform Plan Bay Area, as well as OBAG, transit funding, RHNA, fair housing and other programs.

Thank you for the opportunity to provide input on this critical update to the region's plan for growth. Please do not hesitate to reach out with any questions at ltolkoff@spur.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'Laura Tolkoff', with a stylized, cursive script.

Laura Tolkoff
Regional Planning Policy Director

COMMISSION AGENDA ITEM 10a - Correspondence Recieved



May 15, 2019

Metropolitan Transportation Commission
375 Beale Street #800
San Francisco, CA 94105

Dear MTC Commissioners and Ms. McMillan:

This letter calls your attention to the need for bolder and more creative strategies on carpooling and travel demand management (TDM) for Plan Bay Area 2050. Our next long-range transportation plan must keep our region on course to meet congestion mitigation and greenhouse gas emissions reduction goals. Travel demand management tools will need to play a central role in this effort. Success requires bold ideas that recognize the essential role that TDM has played in the past, and that leverage new technology and policy levers to deliver much more.

Our region has invested heavily in transit and will continue to do so. For example, Plan Bay Area 2040 devotes roughly \$180 Billion to transit over the plan period, more than 60% of total investments. Nonetheless, the plan still fails to meet targets for non-auto mode share, equitable access, and transit maintenance funding. Some of this can be improved by making smarter transit investments, but we must do more to leverage other strategies.

There are a number of reasons to expect that carpooling and other TDM strategies can deliver a much larger share of our sustainable mobility goals:

1. Carpool trips already comprise a significant proportion of overall trips. Over the past several decades, carpool trips have been roughly equal to the number of transit trips.[1] In recent years, the share of trips by carpool has grown, while the share by transit has shrunk. Meanwhile, work from home trips represents more than half of transit trips.
2. Technology is rapidly changing the landscape for carpooling, e.g., apps that allow carpools to form more efficiently and provide more reliable enforcement tools for qualifying carpools; ridesharing companies are increasingly focused on groups rides; and growing numbers of cities and large companies are demonstrating that TDM policies such as parking management, and flexible telecommute policies can have dramatic impacts.
3. MTC's commitment to delivering a functioning network of managed lanes and carpool lanes will dramatically change the benefit of carpooling. Uncongested travel across the region will become the major attraction for carpool and shuttle trips.

At present, Horizon anticipates that these tools cannot deliver a growing part of the solution. For example, the latest Horizon strategies include only minimal investment in the strategy to “provide commuters with incentives to carpool.” It is a grave error to give up on the potential for carpooling when it is evolving so quickly and has represented such a large portion of our success in the past.

Rather than give in, MTC needs to step up. We need to explore an entirely different scale of policy and financial incentives for these strategies. Spending even 1/10th of what we spend on transit would be open an entirely new way of thinking about TDM strategies and cannot be written-off without any further analysis. We call for MTC, through the Horizon process, to deliver a strategy to double the share of commuters who carpool in the region.

Sincerely,

Jim Wunderman
CEO and President
Bay Area Council

Matt Vander Sluis
Deputy Director
Greenbelt Alliance

James Paxson
General Manager
Hacienda

[1] 10.2% carpool vs 11.9% transit in 2016.