



375 Beale Street
Suite 700
San Francisco, California
94105

Meeting Agenda - Final

ABAG Legislation Committee

Chair, Julie Pierce, Vice Mayor, City of Clayton
Vice Chair, Belia Ramos, Supervisor, County of Napa

Friday, July 12, 2019

9:40 AM

Board Room - 1st Floor

Association of Bay Area Governments Legislation Committee

Special Meeting

The ABAG Legislation Committee may act on any item on the agenda.

The ABAG Legislation Committee will meet jointly with the MTC Legislation Committee.

The meeting is scheduled to begin at 9:40 a.m.,
or immediately following the preceding committee meeting.
Agenda, roster, and webcast available at <https://abag.ca.gov>
For information, contact Clerk of the Board at (415) 820-7913.

Roster

Jesse Arreguin, David Cortese, Pat Eklund, Scott Haggerty, Dave Hudson, Karen Mitchoff,
Julie Pierce, David Rabbitt, Belia Ramos

1. Call to Order / Roll Call / Confirm Quorum

2. ABAG Legislation Committee Consent Calendar

- 2.a. [19-0745](#) Approval of ABAG Legislation Committee Minutes of May 10, 2019 and May 16, 2019

Action: Approval

Presenter: Clerk of the Board

Attachments: [Item 02a Minutes 20190510 Draft.pdf](#)
[Item 02a Minutes 20190516 Draft.pdf](#)

3. MTC Legislation Committee Consent Calendar

- 3.a. [19-0717](#) Approval of MTC Legislation Committee Minutes of the June 14, 2019 Meeting

Action: MTC Legislation Committee Approval

Attachments: [3a MTC LEGIS Minutes June 14 2019.pdf](#)

3.b. [19-0780](#) MTC Resolution No. 3931, Revised - Policy Advisory Council Appointment**Action:** MTC Commission Approval**Presenter:** Marti Paschal**Attachments:** [3b MTC Res. No. 3931, rev.pdf](#)**4. Information****4.a. [19-0718](#)** Legislative History

Detailed list of bills the Commission is tracking in Sacramento and Washington D.C., including those ABAG or MTC supports or opposes.

Action: Information**Presenter:** Georgia Gann Dohrmann**4.b. [19-0824](#)** Summary of the FY 2019-20 State Budget Housing Trailer Bill (AB 101)

Governor Newsom signed the FY 2019-20 State Budget on June 27, the largest in state history at \$214.8 billion. The budget invests \$1.75 billion in the production and planning of new housing. Assembly Bill 101, the budget's housing trailer bill, details many of the Governor's plans for moving forward on housing in the state.

Action: Information**Presenter:** Randy Rentschler**Attachments:** [4b State Budget Housing Trailer Bill Summary.pdf](#)**4.c. [19-0825](#)** State Housing Legislative Update

Overview of the 2019 state housing landscape, including an update on MTC and ABAG priority housing protection, preservation, and production bills.

Action: Information**Presenter:** Georgia Gann Dohrmann**Attachments:** [4c State Housing Update.pdf](#)**5. State Legislation**

5.a. [19-0749](#) AB 1487 (Chiu): Bay Area Regional Housing Funding

This bill would authorize a regional housing funding measure for affordable housing production, preservation, and protection of tenants from displacement to be placed on the ballot in the Bay Area with funds administered by MTC and ABAG.

Action: Information

Presenter: Randy Rentschler

Attachments: [5a_AB 1487.pdf](#)

5.b. [19-0750](#) SB 330 (Skinner): Housing Crisis Act of 2019

SB 330 aims to accelerate new housing construction by speeding up project approvals; prohibiting downzoning in high-rent, low-vacancy areas; and providing project proponents with a higher degree of certainty as to the rules and standards that apply when submit a preliminary application for a housing development.

Action: Support / ABAG Executive Board Approval

Presenter: Georgia Gann Dohrmann

Attachments: [5b_SB 330 \(Skinner\).pdf](#)

5.c. [19-0752](#) 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.

Action: Support / ABAG Executive Board Approval

Presenter: Georgia Gann Dohrmann

Attachments: [5c_AB 1486 \(Ting\).pdf](#)

6. Federal Legislation**6.a.** [19-0833](#) Federal Fiscal Year 2020 Appropriations Update

Update on proposed federal transportation and housing funding levels for Fiscal Year (FY) 2020.

Action: Information

Presenter: Georgia Gann Dohrmann

Attachments: [6a_Federal FY 2020 Appropriations Update.pdf](#)

6.b. [19-0725](#) Tom Bulger's Report

Report from Washington, D.C. advocate.

Action: Information

Presenter: Randy Rentschler

Attachments: [6b Tom Bulger's DC Report June 2019.pdf](#)

7. Public Comment / Other Business

8. Adjournment / Next Meeting

The next special meeting of the ABAG Legislation Committee is on September 13, 2019.

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

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

Record of Meeting: Committee meetings are recorded. Copies of recordings are available at a nominal charge, or recordings may be listened to at MTC offices by appointment. Audiocasts are maintained on MTC's Web site (mtc.ca.gov) 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 Titulo 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 Committee 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 Committee. Actions recommended by staff are subject to change by the Committee.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0745 **Version:** 1 **Name:**
Type: Minutes **Status:** Consent
File created: 6/10/2019 **In control:** ABAG Legislation Committee
On agenda: 7/12/2019 **Final action:**
Title: Approval of ABAG Legislation Committee Minutes of May 10, 2019 and May 16, 2019
Sponsors:
Indexes:
Code sections:
Attachments: [Item 02a Minutes 20190510 Draft.pdf](#)
[Item 02a Minutes 20190516 Draft.pdf](#)

Date	Ver.	Action By	Action	Result
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Approval of ABAG Legislation Committee Minutes of May 10, 2019 and May 16, 2019

Clerk of the Board

Approval



375 Beale Street
Suite 700
San Francisco, California
94105

Meeting Minutes - Draft

ABAG Legislation Committee

Chair, Julie Pierce, Vice Mayor, City of Clayton
Vice Chair, Belia Ramos, Supervisor, County of Napa

Friday, May 10, 2019

9:15 AM

Board Room - 1st Floor

Association of Bay Area Governments ABAG Legislation Committee

Special Meeting

The ABAG Legislation Committee may act on any item on the agenda.

The ABAG Legislation Committee will meet jointly with the MTC Legislation Committee.

The meeting is scheduled to begin at 9:15 a.m.,
or immediately following the preceding committee meeting.
Agenda, roster, and webcast available at <http://abag.ca.gov>
For information, contact Clerk of the Board at (415) 820-7913.

Roster

Jesse Arreguin, David Cortese, Pat Eklund, Scott Haggerty, Dave Hudson, Karen Mitchoff,
Julie Pierce, David Rabbitt, Belia Ramos

1. Call to Order / Roll Call / Confirm Quorum

Chair Pierce called the meeting to order at about 9:26 a.m. Quorum was present.

Present: 8 - Arreguin, Cortese, Eklund, Haggerty, Mitchoff, Pierce, Rabbitt, and Ramos

Absent: 1 - Hudson

2. ABAG Compensation Announcement - Clerk of the Board

The Clerk of the Board gave the compensation announcement.

3. ABAG Legislation Committee Consent Calendar

Upon the motion by Arreguin and second by Mitchoff, the ABAG Legislation Committee approved the Consent Calendar. The motion passed unanimously by the following vote:

Aye: 8 - Arreguin, Cortese, Eklund, Haggerty, Mitchoff, Pierce, Rabbitt, and Ramos

Absent: 1 - Hudson

3. [19-0487](#) Approval of ABAG Legislation Committee Summary Minutes of April 12, 2019

4. MTC Legislation Committee Consent Calendar

The MTC Legislation Committee took action on this item.

- 4a [19-0488](#) Approval of MTC Legislation Committee Minutes of the April 12, 2019 Meeting

5. Joint MTC Legislation Committee and ABAG Legislation Committee Consent Calendar

Eklund pulled the following items: 5.c., AB 1483; 5.e., AB 68; and 5.f., AB 1485.

Hudson joined the meeting.

Upon the motion by Eklund and second by Mitchoff, the ABAG Legislation Committee approved the Joint MTC Legislation Committee and ABAG Legislation Committee Consent Calendar and recommended ABAG Executive approval of the following: 5.a., Legislative History; 5.b., AB 69 - support and seek amendments; 5.d., SB 6 - support; 5.g., Tom Bulger's Report. The motion passed unanimously by the following vote:

Aye: 9 - Arreguin, Cortese, Eklund, Haggerty, Hudson, Mitchoff, Pierce, Rabbitt, and Ramos

- 5a. [19-0489](#) Legislative History

Detailed list of bills the Commission is tracking in Sacramento and Washington D.C., including those ABAG or MTC supports or opposes.

- 5b. [19-0490](#) 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. 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.

5c. [19-0491](#) 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.

Upon the motion by Pierce and second by Hudson, the ABAG Legislation Committee recommended ABAG Executive Board support and seek amendments on AB 1483.

The requested amendments are as follows: 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; and 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.

The motion passed unanimously by the following vote:

Aye: 7 - Arreguin, Eklund, Haggerty, Hudson, Mitchoff, Pierce, and Rabbitt

Absent: 2 - Cortese, and Ramos

5d. [19-0492](#) 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.

5e. [19-0493](#) 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.

Upon the motion by Arreguin and second by Mtichoff, the ABAG Legislation Committee recommended ABAG Executive Board support and seek amendments on AB 68.

The requested amendment was to clarify that local jurisdictions may require sprinklers for an ADU if they are required for the primary residence.

The motion passed by the following vote:

Aye: 6 - Arreguin, Haggerty, Hudson, Mitchoff, Pierce, and Rabbitt

Nay: 1 - Eklund

Absent: 2 - Cortese, and Ramos

5f. [19-0494](#) 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.

Upon the motion by Eklund and second by Haggerty, the ABAG Legislation Committee recommended ABAG Executive Board support on AB 1485. The motion passed unanimously by the following vote:

Aye: 7 - Arreguin, Eklund, Haggerty, Hudson, Mitchoff, Pierce, and Rabbitt

Absent: 2 - Cortese, and Ramos

5g. [19-0499](#) Tom Bulger's Report

Report from Washington, D.C. advocate.

6. Federal Legislation

7. State Legislation

7a [19-0558](#) 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.

Rebecca Long gave the staff report.

[19-0574](#) Presentation

b. California Housing Legislation: Protection Bills

7b1. [19-0495](#) 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.

Upon the motion by Mitchoff and second by Haggerty, the ABAG Legislation Committee recommended ABAG Executive Board support on AB 1697. The motion passed by the following vote:

Aye: Cortese, Eklund, Haggerty, Hudson, Mitchoff, Pierce, Rabbitt, Ramos.

Nay: None.

Abstain: Arreguin.

Absent: None.

Upon the motion by Arreguin and second by Eklund, the ABAG Legislation Committee recommended ABAG Executive Board support on AB 1481. The motion passed unanimously by the following vote:

Aye: 9 - Arreguin, Cortese, Eklund, Haggerty, Hudson, Mitchoff, Pierce, Rabbitt, and Ramos

7b2. [19-0496](#) 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.

Upon the motion by Arreguin and second by Eklund, the ABAG Legislation Committee recommended ABAG Executive Board support on AB 1482. The motion passed unanimously by the following vote:

Aye: 9 - Arreguin, Cortese, Eklund, Haggerty, Hudson, Mitchoff, Pierce, Rabbitt, and Ramos

7b3. [19-0497](#) 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, mediation between landlords and tenants and legal education.

Upon the motion by Arreguin and second by Rabbitt, the ABAG Legislation Committee recommended ABAG Executive Board support on SB 18. The motion passed by the following vote:

Aye: 5 - Arreguin, Cortese, Eklund, Rabbitt, and Ramos

Nay: 4 - Haggerty, Hudson, Mitchoff, and Pierce

c. California Housing Legislation: Production + Preservation Bills

7c1. [19-0498](#) 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.

The following individual gave public comment: Corey Smith, Aaron Eckhouse.

Upon the motion by Arreguin and second by Haggerty, the ABAG Legislation Committee recommended ABAG Executive Board seek amendments on SB 330.

The amendments are as follows: 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 about the inclusion of provisions regarding voter initiatives in the bill; 4) provide more flexibility 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 prior to January 1, 2018.

The motion passed unanimously by the following vote:

Aye: 9 - Arreguin, Cortese, Eklund, Haggerty, Hudson, Mitchoff, Pierce, Rabbitt, and Ramos

7c2. [19-0559](#) 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.

The following individuals gave public comment: Aaron Eckhous, Victoria Fearce, Jane Kramer, Jordan Grimes, Stuart Cohen, Corey Smith, Ann Fryman.

Upon the motion by Haggerty and second by Rabbitt, the ABAG Legislation Committee recommended ABAG Executive Board support if amended on SB 50.

The amendments requested are as follows: 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 of a major transit stop based on local conditions.

The motion passed by the following vote:

Aye: 6 - Arreguin, Cortese, Haggerty, Hudson, Rabbitt, and Ramos

Nay: 3 - Eklund, Mitchoff, and Pierce

The meeting was recessed.

The meeting was reconvened.

7c3. [19-0560](#) 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.

The following individual gave public comment: Steve Worthheim, Heather Hood, Dewane De Witt, J.R. Starrett.

Upon the motion by Haggerty and second by Hudson, the ABAG Legislation Committee recommended ABAG Executive Board seek amendments on AB 1487.

The requested amendments are as follows: 1) Ensure the bill does not require that MTC staff report to a newly structured board; 2) Ensure no new responsibilities are assigned to ABAG or MTC without the following: a) A guaranteed source of funding that is not dependent upon voter approval; b) 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. 3) exclude sales tax from revenue options; 4) develop a distribution formula that distributes more than 25 percent of the business-sector related taxes to the regional pool; and 5) In addition, the Committee recommended the formation of ad hoc committee of three ABAG representatives and three MTC representatives to work with the bill's proponents and Assembly Member Chiu to discuss the governance of the HABA.

The motion passed by the following vote:

Aye: 6 - Arreguin, Haggerty, Hudson, Pierce, Rabbitt, and Ramos

Nay: 2 - Eklund, and Mitchoff

Absent: 1 - Cortese

7c4. [19-0561](#) 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.

Upon the motion by Arreguin and second by Hudson, the ABAG Legislation Committee recommended ABAG Executive Board support and seek amendments on AB 11.

The requested amendments are as follows: 1) Add sea level rise/resilience projects to those that are eligible to be funded; 2) Add term limits for public members of Affordable Housing & Infrastructure Agency; and 3) Remove eminent domain authority.

The motion passed unanimously by the following vote:

Aye: 8 - Arreguin, Eklund, Haggerty, Hudson, Mitchoff, Pierce, Rabbitt, and Ramos

Absent: 1 - Cortese

7c5. [19-0562](#) 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.

The following individual gave public comment: Jane Kramer.

After this item, the ABAG Legislation Committee took action on the following items: 5.e., AB 68; 7c6, AB 1486; 5.f., AB 1485; and 5.c., AB 1483.

Upon the motion by Mitchoff and second by Hudson, the ABAG Legislation Committee recommended ABAG Executive Board support if amended on SB 13.

The requested amendments are as follows: 1) Remove the provision prohibiting localities from imposing owner-occupancy requirements on ADUs; 2) Reduce the impact fee waiver threshold from 750 square feet to 500 square feet, consistent with 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.

The motion passed by the following vote:

Aye: 6 - Arreguin, Haggerty, Hudson, Mitchoff, Pierce, and Rabbitt

Nay: 1 - Eklund

Absent: 2 - Cortese, and Ramos

7c6. [19-0563](#) 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.

Upon the motion by Mitchoff and second by Arreguin, the ABAG Legislation Committee recommended support if amended on AB 1486.

The amendments requested are as follows: 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; and 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.

The motion passed by the following vote:

Aye: 6 - Arreguin, Haggerty, Hudson, Mitchoff, Pierce, and Rabbitt

Nay: 1 - Eklund

Absent: 2 - Cortese, and Ramos

8. Ad Hoc Committee

The ABAG Legislation Committee did not take action on this item.

8a. [19-0564](#) Ad Hoc Committee

Delegate to the President of ABAG and Chair of MTC the authority to create an Ad Hoc committee, if necessary, to review any bills where substantive disagreement exists, with the objective of providing alternative recommendations to the ABAG Executive Board and MTC Commission.

9. Public Comment / Other Business

There was no public comment.

10. Adjournment / Next Meeting

Chair Pierce adjourned the meeting at about 3:55 p.m. The next meeting of the ABAG Legislation Committee is on May 16, 2019.



375 Beale Street
Suite 700
San Francisco, California
94105

Meeting Minutes - Draft

ABAG Legislation Committee

Chair, Julie Pierce, Vice Mayor, City of Clayton
Vice Chair, Belia Ramos, Supervisor, County of Napa

Thursday, May 16, 2019

5:00 PM

Board Room - 1st Floor

Association of Bay Area Governments ABAG Legislation Committee

The ABAG Legislation Committee may act on any item on the agenda.

The meeting is scheduled to begin at 5:00 p.m.

Agenda, roster, and webcast available at <http://abag.ca.gov>

For information, contact Clerk of the Board at (415) 820-7913.

Roster

Jesse Arreguin, David Cortese, Pat Eklund, Scott Haggerty, Dave Hudson, Karen Mitchoff,
Julie Pierce, David Rabbitt, Belia Ramos

1. Call to Order / Pledge of Allegiance / Roll Call / Confirm Quorum

Chair Pierce called the meeting to order at about 5:04 p.m. Quorum was present.

Present: 7 - Arreguin, Eklund, Haggerty, Hudson, Mitchoff, Pierce, and Ramos

Absent: 2 - Cortese, and Rabbitt

2. Compensation Announcement

The Clerk of the Board gave the compensation announcement.

3. Public Comment

There was no public comment.

4. Committee Announcements

The following committee member made announcements: Pat Eklund.

5. Chair's Report

There was no Chair's Report.

6. Consent Calendar

- 6.a. [19-0546](#) Approval of ABAG Legislation Committee Minutes of May 10, 2019
The Committee did not take action on this item.

7. Report on Legislative History

7. [19-0547](#) Report on Legislative History
Rebecca Long gave the staff report.

8. Adoption of Resolution No. 01-19, Policy for Interim Action on Legislation and Administrative Policy Proposals

8. [19-0548](#) Adoption of Resolution No. 01-19, Policy for Interim Action on Legislation and Administrative Policy Proposals

Upon the motion by Hudson and second by Haggerty, the Legislation Committee recommended Executive Board adoption of Resolution No. 01-19. The motion passed unanimously by the following vote:

Aye: 7 - Arreguin, Eklund, Haggerty, Hudson, Mitchoff, Pierce, and Ramos

Absent: 2 - Cortese, and Rabbitt

10. Adjournment / Next Meeting

Chair Pierce adjourned the meeting at about 5:21 p.m. The next ABAG Legislation Committee meeting is on July 18, 2019.

Metropolitan Transportation Commission

Legislation Details (With Text)

File #: 19-0717 **Version:** 1 **Name:**

Type: Minutes **Status:** Consent

File created: 6/7/2019 **In control:** Joint MTC Legislation Committee and ABAG Legislation Committee

On agenda: 7/12/2019 **Final action:**

Title: Approval of MTC Legislation Committee Minutes of the June 14, 2019 Meeting

Sponsors:

Indexes:

Code sections:

Attachments: [3a MTC LEGIS Minutes June 14 2019.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:

Approval of MTC Legislation Committee Minutes of the June 14, 2019 Meeting

Recommended Action:

MTC Legislation Committee Approval

Attachments:



Metropolitan Transportation Commission

Meeting Minutes - Draft

Legislation Committee

Agenda Item 3a

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

Committee Members:

Jake Mackenzie, Chair Sam Liccardo, Vice Chair

*Damon Connolly, Dave Cortese, Anne W. Halsted, David
Rabbitt, Warren Slocum, James P. Spering*

Non-Voting Members: Dorene M. Giacopini and Janea Jackson

Friday, June 14, 2019

9:40 AM

Board Room - 1st Floor

1. Roll Call / Confirm Quorum

Present: 5 - Commissioner Cortese, Commissioner Halsted, Commissioner Spering, Chair Mackenzie, and Commissioner Slocum

Absent: 3 - Vice Chair Liccardo, Commissioner Connolly, and Commissioner Rabbitt

Non-Voting Member Present: Commissioner Giacopini

Non-Voting Member Absent: Commissioner Jackson

Ex Officio Voting Member Present: Commission Chair Haggerty

Ad Hoc Non-Voting Members Present: Commissioner Josefowitz and Commissioner Worth

2. Consent Calendar

Approval of the Consent Calendar

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

Aye: 5 - Commissioner Cortese, Commissioner Halsted, Commissioner Spering, Chair Mackenzie and Commissioner Slocum

Absent: 3 - Vice Chair Liccardo, Commissioner Connolly and Commissioner Rabbitt

2a. [19-0588](#) Approval of Legislation Committee Minutes of the May 10, 2019 Meeting

Action: Committee Approval

Attachments: [2a MTC LEGIS_Minutes_May 10 2019.pdf](#)

2b. [19-0589](#) Legislative History

Detailed list of bills the Commission is tracking in Sacramento and Washington D.C., including those ABAG or MTC supports or opposes.

Action: Information

Presenter: Randy Rentschler

Attachments: [2b_June_LegisHistory_State_and_Federal.pdf](#)

3. State Legislation

3a. [19-0590](#) FY 2019-20 State Budget Update

Overview of the transportation and housing-related provisions in the FY 2019-20 State Budget.

Action: Information

Presenter: Randy Rentschler

Attachments: [3a_State_Budget_Update.pdf](#)

3b. [19-0640](#) AB 970 (Salas): Grants for Nonemergency Medical Transportation

AB 970 would establish a new grant program within the California Department of Aging (CDA) to fund nonemergency medical transportation (NEMT) for seniors and persons with a disability with the goal of reducing greenhouse gas emissions. Eligible expenditures would include operation of bus service, the purchase, lease and maintenance of zero-emission or near-zero-emission vehicles with a capacity for 7, 12 or 15 passengers. The program would be funded, upon appropriation by the Legislature, with Cap and Trade revenue from the Greenhouse Gas Reduction Fund (GGRF).

Action: Support If Amended / Commission Approval

Presenter: Georgia Gann Dohrmann

Attachments: [3b_AB_970_\(Salas\).pdf](#)

Aleta Dupree was called to speak.

Upon the motion by Commissioner Halsted and second by Commissioner Spering, a support if amended position on AB 970 (Salas) was adopted to be forwarded to the Commission for approval. The motion carried by the following vote:

Aye: 5 - Commissioner Cortese, Commissioner Halsted, Commissioner Spering, Chair Mackenzie and Commissioner Slocum

Absent: 3 - Vice Chair Liccardo, Commissioner Connolly and Commissioner Rabbitt

3c. [19-0641](#) AB 352 (Garcia, E.): Transformative Climate Communities

AB 352 would broaden eligibility for the Transformative Climate Communities (TCC) Program, a Cap and Trade-funded state grant program administered by the Strategic Growth Council (SGC), to include low-income communities that do not otherwise fall within the program's strict definition of "disadvantaged communities."

Action: Support If Amended / Commission Approval

Presenter: Georgia Gann Dohrmann

Attachments: [3c_AB 352.pdf](#)

Upon the motion by Commissioner Spering and second by Commissioner Halsted, a support if amended position on AB 352 (Garcia, E.) was adopted to be forwarded to the Commission for approval. The motion carried by the following vote:

Aye: 5 - Commissioner Cortese, Commissioner Halsted, Commissioner Spering, Chair Mackenzie and Commissioner Slocum

Absent: 3 - Vice Chair Liccardo, Commissioner Connolly and Commissioner Rabbitt

3d. [19-0656](#) AB 784 (Mullin): Zero Emission Bus Sales Tax Exemption

AB 784 would exempt zero-emission buses (ZEBs) from the state portion of the sales and use tax until January 1, 2024. The state sales tax exemption would apply to those transit buses that are eligible for the California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP).

Action: Support / Commission Approval

Presenter: Randy Rentschler

Attachments: [3d_AB 784 \(Mullin\).pdf](#)

Aleta Dupree was called to speak.

Upon the motion by Commissioner Halsted and second by Commissioner Spering, a support position on AB 784 (Mullin) was adopted to be forwarded to the Commission for approval. The motion carried by the following vote:

Aye: 5 - Commissioner Cortese, Commissioner Halsted, Commissioner Spering, Chair Mackenzie and Commissioner Slocum

Absent: 3 - Vice Chair Liccardo, Commissioner Connolly and Commissioner Rabbitt

4. Federal Legislation

4a. [19-0592](#) Federal Fiscal Year 2020 Appropriations Update

Update on proposed federal transportation and housing funding levels for Fiscal Year (FY) 2020.

Action: Information

Presenter: Georgia Gann Dohrmann

Attachments: [4a_Federal FY 2020 Appropriations Update.pdf](#)

4b. [19-0593](#) Tom Bulger's Report

Report from Washington, D.C. advocate.

Action: Information

Presenter: Randy Rentschler

Attachments: [4b_Tom Bulger's DC Report_May_2019.pdf](#)

5. Public Comment / Other Business

6. Adjournment / Next Meeting

The next meeting of the Legislation Committee will be Friday, July 12, 2019 at 9:40 a.m. the Bay Area Metro Center, 375 Beale Street, San Francisco, CA.

Metropolitan Transportation Commission

Legislation Details (With Text)

File #: 19-0780 **Version:** 1 **Name:**

Type: Resolution **Status:** Consent

File created: 6/13/2019 **In control:** Joint MTC Legislation Committee and ABAG Legislation Committee

On agenda: 7/12/2019 **Final action:**

Title: MTC Resolution No. 3931, Revised - Policy Advisory Council Appointment

Sponsors:

Indexes:

Code sections:

Attachments: [3b MTC Res. No. 3931, rev.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:

MTC Resolution No. 3931, Revised - Policy Advisory Council Appointment

Presenter:

Marti Paschal

Recommended Action:

MTC Commission Approval

Attachments:

**Metropolitan Transportation Commission
Legislation Committee**

July 12, 2019

Agenda Item 3b

MTC Resolution No. 3931, Revised — Policy Advisory Council Appointment

Subject: Appointments to the 2017-2021 MTC Policy Advisory Council.

Background: Since appointments to MTC's Policy Advisory Council in October 2017 for a term running through July 2021, several members have resigned. We are bringing a recommendation to fill one of four vacancies this month: for a seat appointed to represent communities of color in San Francisco. We will return to future meetings with recommendations to fill:

1. Two seats representing business interests, serving at-large throughout the region
2. One representing the interests of the senior community/persons with disabilities, from Napa County

MTC Resolution No. 3931, Revised (attached), which created the Policy Advisory Council, specifies that appointments for advisors representing a particular county be made by that county's Commissioners. Commissioners Josefowitz and Ronen have forwarded a recommendation to appoint Daisy Ozim to fill the vacancy to represent Minorities of San Francisco on the Council.

Ms. Ozim has strong ties to low-income and minority communities in San Francisco having worked with the San Francisco Department of Public Health, the San Francisco Unified School District, and various community-based organizations in her position as Director of Resilient Wellness, a health education and service system designed to end cycles of multi-generational trauma in communities of color. She has also worked with the San Francisco Department of Children, Youth and Their Families, the San Francisco Office of Economic and Workforce Development, and multiple community groups in her former position as Director of Community Engagement for Transitional Age Youth San Francisco (TAYSF).

Staff will work with appropriate Commissioners to forward recommendations at a future meeting to fill the remaining vacancies, publicizing the opportunity as appropriate.

Issues: None.

Recommendation: Staff requests the Legislation Committee recommend the appointment of Daisy Ozim to serve the remainder of the currently vacant term on the Policy Advisory Council (through July 2021), and referral of Resolution 3931, Revised, to the Commission for approval.

Attachments: Attachment A: MTC Resolution No. 3931, Revised


Therese W. McMillan

Date: November 18, 2009
W.I.: 1114
Referred by: Legislation
Revised: 03/24/10-C 02/23/11-C
02/22/12-C 07/25/12-C
03/27/13-C 07/24/13-C
07/23/14-C 11/19/14-C
03/25/15-C 09/23/15-C
10/26/16-C 07/26/17-C
10/25/17-C 04/24/19-C
7/24/19-C

ABSTRACT

Resolution No. 3931, Revised

This resolution defines the role and responsibilities of the Commission's Policy Advisory Council.

This resolution supersedes Resolution No. 3516. Further discussion of this action is contained in the Executive Director's memorandum dated November 6, 2009. This resolution includes:

- Attachment A, which outlines the mission statement, roles, expectations, procedures, appointment process and membership criteria for the Council;

This resolution was revised on March 24, 2010, to include:

- Attachment B, a table listing the currently appointed advisors and their term.

This resolution was revised on February 23, 2011, to include revisions to Attachment B and:

- Attachment C, a table showing which advisors have been replaced and their replacements.

This resolution was revised on February 22, 2012 to extend the terms of the advisors identified in Attachment B through July 2013.

This resolution was revised on July 25, 2012, to include revisions to Attachment B and Attachment C.

This resolution was revised on March 27, 2013, to add Conflict of Interest and Ethics Training policies to Attachment A.

This resolution was revised on July 24, 2013, to include revisions to Attachment B and Attachment C.

This resolution was revised on July 23, 2014, to include revisions to Attachment B and Attachment C.

This resolution was revised on November 19, 2014, to include revisions to Attachment B and Attachment C.

This resolution was revised on March 25, 2015, to include revisions to Attachment B and Attachment C.

This resolution was revised on September 23, 2015, to include revisions to Attachment B and Attachment C.

This resolution was revised on October 26, 2016, to include revisions to Attachment A, Attachment B and Attachment C.

This resolution was revised on July 26, 2017 to extend the terms of the advisors identified in Attachment B through September or October 2017, depending on final 2017 recruitment appointment.

This resolution was revised on October 25, 2017, to include revisions to Attachment B and Attachment C.

This resolution was revised on April 24, 2019, to include revisions to Attachment B and Attachment C.

This resolution was revised on July 24, 2019, to include revisions to Attachment B and Attachment C.

Date: November 18, 2009
W.I.: 1114
Referred by: Legislation

RE: Commission Policy Advisory Council

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 3931

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 seeks to involve citizens of diverse backgrounds and interests in the development of transportation plans and programs, in a manner consistent with applicable state and federal requirements and Commission policy (Resolution No. 2648); and

WHEREAS, MTC seeks to focus its advisory processes around the “Three E” principles of sustainability outlined in the regional transportation plan: a prosperous and globally competitive economy; a healthy and safe environment; and equity wherein all Bay Area residents share in the benefits of a well-maintained, efficient and connected regional transportation system; and

WHEREAS, MTC seeks to utilize its advisors to ensure that a wide spectrum of views are considered in developing transportation policy, and enhance the contributions and effectiveness of its advisors, now, therefore be it

RESOLVED, that the Commission establishes a Policy Advisory Council; and be it further

RESOLVED, that the members of the Policy Advisory Council will be appointed according to the process and shall have the role, tasks, membership and meetings as described in Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length; and be it further

RESOLVED, that the Policy Advisory Council roster is contained in Attachment B to this resolution; and be it further

RESOLVED, that the Executive Director is instructed to secure nominations to fill expired terms and other vacancies and present them to the Commission for confirmation by periodically revising Attachment B; and be it further

RESOLVED, that Resolution No. 3516, Revised, is superseded with the adoption of this resolution.

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 Oakland, California, on November 18, 2009

Date: November 18, 2009
W.I.: 1114
Referred by: Legislation
Revised: 03/27/13-C 10/26/16-C

Attachment A
Resolution No. 3931
Page 1 of 4

Attachment A
Metropolitan Transportation Commission
Policy Advisory Council

A. Mission Statement

The mission of the Metropolitan Transportation Commission's Policy Advisory Council (Council) is to advise the Commission on transportation policies in the San Francisco Bay Area, incorporating diverse perspectives relating to the environment, the economy and social equity. The Council advises the Commission and its staff through the appropriate MTC standing committees on matters within MTC's jurisdiction and as assigned by the Commission.

B. Roles/Expectations

1. Advisors Provide Interest-Based and/or Geographic Perspectives

Advisors should represent the stakeholder interest under which they have been appointed. Although some advisors may be appointed based on an organizational affiliation, they should represent their constituency (not just their individual organization).

2. Responsibilities

Advisors will be expected to regularly attend their Council meetings and to maintain an ongoing engagement with organizations and individuals who make up the advisor's constituency.

3. Council Work Plan

The Commission will hold an annual workshop as a separately agendized meeting with the Policy Advisory Council to set the Council's work plan and schedule for the year. At this meeting, the Commission will identify several priority areas in which it desires feedback and/or research from the Council, and establish appropriate goals and performance measures. Advisors also will be given the opportunity to recommend initiatives of potential relevance to the Commission for inclusion in the work plan.

4. Reporting to the Commission

With the assistance of MTC staff, the Council will report on its work plan progress or present recommendations to the full Commission or MTC's standing committees, as appropriate.

5. Limitations on Advisor Activities

The role of the advisors is to advise the MTC Commission. Advisors are not to convey positions to outside agencies on behalf of the Council, independent of Commission action.

6. Conflict of Interest Policy

In order to avoid potential conflict of interest, no person shall sit on the Policy Advisory Council and concurrently be in a business relationship with MTC/BATA. A member is considered to have a business relationship with MTC/BATA when that member is employed by or serves on the Board of Directors of an organization that has received a grant or contract award from MTC – where MTC staff alone reviews proposals and recommends an organization or organizations for award of that grant or contract. In such cases, the member shall resign from the Council for the duration of the contract or grant, but may reapply for any vacancies upon completion of the contract or grant.

7. Ethics Training

All members of the Council shall complete an ethnics training course within the first year of their term on the Council.

C. Membership

The Council shall be composed of twenty-seven (27) members as follows.

A total of nine (9) members, one from each Bay Area county, shall be selected to represent interests related to the communities of color, environmental justice and low-income issues. A minimum of four members shall represent the communities of color, and a minimum of four shall represent environmental justice/low-income issues. The ninth member shall be selected from either category.

A total of nine (9) members, one from each Bay Area county, shall be selected to represent the interests of disabled persons and seniors. A minimum of four members shall represent senior issues, and a minimum of four shall represent disabled issues. The ninth member shall be selected from either category.

A total of nine (9) members shall be selected to represent interests related to the economy and the environment. A minimum of four members shall represent economy interests and a minimum of four members shall represent environmental interests. The ninth member shall be selected from either category. Of these nine seats, at least five should be held by residents from each of the five most populous counties. The remaining four seats may be selected at large from throughout the entire Bay Area.

There shall be no alternates to the appointed membership.

D. Appointment Process

1. General

MTC staff shall secure nominations to fill terms and vacancies for the Council and present them to the appropriate Commissioners for confirmation. Appointments for advisors representing a particular county will be made by that county's Commissioners. Appointments for all the at-large advisors will be made by the Commission's chair and vice chair. Nominations for members of the Council will be solicited from a wide range of sources including, but not limited to: MTC Commissioners, current advisors, relevant organizations in the community, and via news releases or display ads sent to media outlets in the nine-county Bay Area.

2. Terms of Appointment

In general, advisors will serve four-year terms. Although there are no term limits, MTC Commissioners are to consider length of service and effectiveness before recommending the reappointment of advisors. All advisors wishing to be reappointed must reapply.

E. Procedures

Attendance and Participation

1. Advisors must attend at least two-thirds of the Council's regularly scheduled meetings each year and make a constructive contribution to the work of the Policy Advisory Council. Those who do not do so may be subject to dismissal from the Council at the discretion of the appointing Commissioner(s).

2. Residency Requirements

Advisors must live or work in the nine-county Bay Area.

3. Compensation

Subject to the Commission Procedures Manual (MTC Resolution No. 1058, Revised,

Appendix D), advisors will receive a stipend per meeting and be reimbursed for actual expenses for travel, with a maximum of three meetings per month. Meetings are defined as a) publicly noticed meetings or meetings of ad hoc working groups of the Council; b) noticed MTC Commission or committee meetings; or c) attendance at a community meeting at the request of the Commission or MTC staff to provide outreach assistance (i.e., when he/she attends a community meeting with MTC staff to provide an introduction to a particular community).

4. Meeting Frequency and Location of Meetings

The Council will meet regularly as required by its annual work plan. Public meetings will be held at the MTC offices or other locations at a regular time to be agreed upon by the members of the Council.

5. Ad Hoc Working Groups

To implement its work plan, the Council may establish working groups, with participation from MTC staff, on an ad hoc basis.

6. Quorum Requirements

At least 50 percent plus one of the Council's appointed membership must be present to constitute a quorum and vote on issues. The Council can hold discussions in the absence of a quorum, but cannot vote.

7. Election of Council Chair and Vice Chair

The Council will have a chair and a vice-chair, to be elected by the council for a two-year term. Although Council officers may be reelected, regular rotation of these positions among the Council membership is strongly encouraged.

8. Public Meetings

All Council meetings and any ad hoc working group meetings will be noticed and open to the public.

Date: March 24, 2010
W.I.: 1114
Referred by: Legislation
Revised: 02/23/11-C 02/22/12-C 07/25/12-C
07/24/13-C 07/23/14-C 11/19/14-C
03/25/15-C 09/23/15-C 10/26/16-C
07/26/17-C 10/25/17-C 04/24/19-C
07/24/19-C

Attachment B
Resolution No. 3931
Page 1 of 1

**Metropolitan Transportation Commission
Policy Advisory Council
Term: November 2017 – July 2021**

Advisor Name	Representing	County	Appointing Commissioner(s)
Cathleen Baker	Low-Income/Environmental Justice	Napa	Pedroza
Jim Blacksten	Disabled	San Francisco	Josefowitz and Kim
Richard Burnett	Disabled	Solano	Spering
Carlos Castellanos	Low-Income/Environmental Justice	Alameda	Dutra-Vernaci, Haggerty and Schaaf
Rick Coates	Senior	Sonoma	Mackenzie
Abigail Cochran	Disabled	Alameda	Dutra-Vernaci, Haggerty and Schaaf
Anne Olivia Eldred	Environment	Alameda	Chair Haggerty and Vice Chair Pedroza
Veda Florez	Minority	Marin	Connolly
Rich Hedges	Senior	San Mateo	Aquirre, Slocum
Michelle R. Hernandez	Disabled	Contra Costa	Glover, Worth
Wendi Kallins	Environment	Marin	Chair Mackenzie and Vice Chair Haggerty
Randi Kinman	Low-Income/Environmental Justice	Santa Clara	Bruins, Cortese, Liccardo
Anna Lee	Environment	Alameda	Chair Mackenzie and Vice Chair Haggerty
Adina Levin	Environment	San Mateo	Chair Mackenzie and Vice Chair Haggerty
Michael Lopez	Senior	Santa Clara	Bruins, Cortese, Liccardo
Marc Madden	Senior	Marin	Connolly
Adrian Mendoza	Minority	Sonoma	Mackenzie
Rahmon Momoh	Minority	Contra Costa	Glover, Worth
Cynthia Murray	Economy	Sonoma	Chair Mackenzie and Vice Chair Haggerty
Daisy Ozim	Minority	San Francisco	Josefowitz and Ronen
Daniel Saver	Low-Income/Environmental Justice	San Mateo	Aquirre, Slocum
Benjamin Schweng	Environment	Alameda	Chair Mackenzie and Vice Chair Haggerty
K. Patrice Williams	Minority	Solano	Spering
Patrick Wolff	Economy	San Francisco	Chair Mackenzie and Vice Chair Haggerty

Date: February 23, 2011
 W.I.: 1114
 Referred by: Legislation
 Revised: 07/25/12-C 07/24/13-C
 07/23/14-C 11/19/14-C
 03/25/15-C 09/23/15-C
 10/26/16-C 10/25/17-C
 04/24/19-C 07/24/19-C

Attachment C
 Resolution No. 3931
 Page 1 of 2

Metropolitan Transportation Commission
Policy Advisory Council
Former Advisors and Their Replacements

Former Advisor	Time Served	Representing	Replaced By	Replaced On
Andrew Casteel	March 2010 – June 2010	Environment	Sandi Galvez, Environment	February 23, 2011
Ann Hancock	March 2010 – July 2010	Environment	Tanya Narath, Environment	February 23, 2011
Allison M. Hughes	March 2010 – September 2011	Equity	Jim E. Blacksten, Equity	July 25, 2012
Evelina Molina	March 2010 – February 2012	Equity	Elizabeth A. Clary, Equity	July 25, 2012
Cheryl O'Connor	March 2010 – February 2012	Economy	Alan R. Talansky, Economy	July 25, 2012
Carmen Rojas	March 2010 – November 2010	Equity	Yokia Mason, Equity	February 23, 2011
Abigail Thorne-Lyman	March 2010 – June 2010	Environment	Tina King Neuhausel, Environment	February 23, 2011
Dolores Jaquez	March 2010 – July 2013	Equity	Elizabeth Clary, Equity	July 24, 2013
Federico Lopez	March 2010 – July 2013	Equity	Timothy Reeder, Equity	July 24, 2013
Yokia Mason	February 2011 – July 2013	Equity	Carlos Castellanos, Equity	July 24, 2013
Tanya Narath	February 2011 – July 2013	Environment	Chris Coursey, Environment	July 24, 2013
Tina King Neuhausel	February 2011 – July 2013	Environment	Linda Jeffrey Sailors, Environment	July 24, 2013
Kendal Oku	March 2010 – July 2013	Equity	Veda Florez, Equity	July 24, 2013
Lori Reese-Brown	March 2010 – July 2013	Equity	Richard Burnett, Equity	July 24, 2013
Frank Robertson	March 2010 – July 2013	Equity	Mark Nicholson, Equity	July 24, 2013
Dolly Sandoval	March 2010 – July 2013	Equity	Marie Marchese, Equity	July 24, 2013
Egon Terplan	March 2010 – July 2013	Environment	Benjamin Schweng, Environment	July 24, 2013
Jack Gray	July 2013 – April 2014	Economy	Cathleen Baker, Environment	July 23, 2014
Marie Marchese	July 2013 – October 2013	Equity	Harriet Wolf, Equity	November 19, 2014
Mordechai Winter	July 2013 – June 2014	Equity	Charles Kaufman, Equity	November 19, 2014
Cathleen Baker	March 2010 – July 2014	Equity	Shireen Malekafzali, Equity	November 19, 2014
Chris Coursey	July 2013 – November 2014	Environment	Cynthia Murray, Economy	March 25, 2015
Tim Reeder	July 2013 – December 2014	Equity	Michelle R. Hernandez, Equity	September 23, 2015
Bena Chang	March 2010 – November 2014	Economy	Scott Lane, Environment	September 23, 2015
Joanne Busenbark	September 2013 – September 2015	Equity	Sudhir Chaudhary, Equity	October 26, 2016

Former Advisor	Time Served	Representing	Replaced By	Replaced On
Linda Jeffrey Sailors	July 2013 – May 2016	Environment	Sydney Fang, Environment	October 26, 2016
Gerald Rico	March 2010 – June 2016	Equity	Cathleen Baker, Equity	October 26, 2016
Sandi Galvez	February 2011 – June 2016	Environment	Jonathan Fearn, Economy	October 26, 2016
Cathleen Baker	July 2014 – October 2016	Environment	Anna Lee, Environment	October 26, 2016
Caroline Banuelos	March 2010 – October 2017	Equity	Adrian Mendoza, Equity	October 25, 2017
Naomi Armenta	March 2010 – October 2017	Equity	Abigail Cochran, Equity	October 25, 2017
Elizabeth A. Clary	July 2013 – October 2017	Equity	Rick Coates, Equity	October 25, 2017
Sydney Fang	October 2016 – October 2017	Environment	Wendi Kallins, Environment	October 25, 2017
Jonathan Fearn	October 2016 – October 2017	Economy	Teddy Kÿ-Nam Miller, Economy	October 25, 2017
Bob Glover	September 2013 – October 2017	Economy	Matt Regan, Economy	October 25, 2017
Charles Kaufman	November 2014 – October 2017	Equity	Marc Madden, Equity	October 25, 2017
Scott Lane	September 2015 – October 2017	Environment	Corinne Winter, Environment	October 25, 2017
Jerry Levine	July 2013 – October 2017	Environment	Adina Levin, Environment	October 25, 2017
Shireen Malekafzali	November 2014 – October 2017	Equity	Daniel Saver, Equity	October 25, 2017
Mark Nicholson	July 2013 – October 2017	Equity	Rahmon Momoh, Equity	October 25, 2017
Mike Pechner	July 2013 – October 2017	Equity	Richard Burnett, Equity	October 25, 2017
Alan R. Talansky	July 2012 – October 2017	Economy	Patrick Wolff, Economy	October 25, 2017
Harriet Wolf	November 2014 – October 2017	Equity	Michael Lopez, Equity	October 25, 2017
Richard Burnett	March 2010 – October 2017	Equity	K. Patrice Williams, Equity	October 25, 2017
Wil Din	September 2013 – October 2017	Equity	Jerri Diep, Equity	October 25, 2017
Corinne Winter	October 2017 – December 2018	Environment	Anne Olivia Eldred, Environment	April 24, 2019
Jerri Diep	October 2017 – January 2019	Minority	Daisy Ozim, Minority	July 24, 2019
Matt Regan	October 2017 – July 2018	Economy		
Sudhir Chaudhary	October 2017 – March 2019	Senior		
Teddy Kÿ-Nam Miller	October 2017 – July 2019	Economy		

Metropolitan Transportation Commission

Legislation Details (With Text)

File #:	19-0718	Version:	1	Name:	
Type:	Report	Status:		Informational	
File created:	6/7/2019	In control:		Joint MTC Legislation Committee and ABAG Legislation Committee	
On agenda:	7/12/2019	Final action:			
Title:	Legislative History				

Detailed list of bills the Commission is tracking in Sacramento and Washington D.C., including those ABAG or MTC supports or opposes.

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

Date	Ver.	Action By	Action	Result
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Subject:

Legislative History

Detailed list of bills the Commission is tracking in Sacramento and Washington D.C., including those ABAG or MTC supports or opposes.

Presenter:

Georgia Gann Dohrmann

Recommended Action:

Information

Attachments:

Metropolitan Transportation Commission

Legislation Details (With Text)

File #: 19-0824 **Version:** 1 **Name:**

Type: Senate Bill **Status:** Informational

File created: 6/28/2019 **In control:** Joint MTC Legislation Committee and ABAG Legislation Committee

On agenda: 7/12/2019 **Final action:**

Title: Summary of the FY 2019-20 State Budget Housing Trailer Bill (AB 101)

Governor Newsom signed the FY 2019-20 State Budget on June 27, the largest in state history at \$214.8 billion. The budget invests \$1.75 billion in the production and planning of new housing. Assembly Bill 101, the budget's housing trailer bill, details many of the Governor's plans for moving forward on housing in the state.

Sponsors:

Indexes:

Code sections:

Attachments: [4b_State Budget Housing Trailer Bill Summary.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:

Summary of the FY 2019-20 State Budget Housing Trailer Bill (AB 101)

Governor Newsom signed the FY 2019-20 State Budget on June 27, the largest in state history at \$214.8 billion. The budget invests \$1.75 billion in the production and planning of new housing. Assembly Bill 101, the budget's housing trailer bill, details many of the Governor's plans for moving forward on housing in the state.

Presenter:

Randy Rentschler

Recommended Action:

Information

Attachments:

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

July 12, 2019

Agenda Item 4b

Summary of the FY 2019-20 State Budget Housing Trailer Bill (AB 101)

Subject: Governor Newsom signed the FY 2019-20 State Budget on June 27, the largest in state history at \$214.8 billion. The budget invests \$1.75 billion in the production and planning of new housing. Assembly Bill 101, the budget's housing trailer bill, details many of the Governor's plans for moving forward on housing in the state.

Summary: The FY 2019-20 State Budget prioritizes affordable housing in many respects. An additional \$500 million may be allocated to low-income housing under the low-income housing tax credit program, and the bill also makes certain tax adjustments to this program. Importantly from a local and regional standpoint, the bill provides substantial one-time funding for a new Local Government Planning Support Grants Program, which requires the Department of Housing and Community Development (HCD) to allocate \$250 million to councils of governments and local jurisdictions to accelerate housing production. Of the total, \$125 million will go directly to cities and counties, and \$125 million will go to councils of government. Staff estimates that the region will receive approximately \$50 million in combined funds from this program, split 50/50 between ABAG and local jurisdictions, with the ABAG portion also available to be used as grants for local agencies. See Attachment A for full details on this program, including eligible uses of these funds, and Attachment B for the specific amount that each Bay Area jurisdiction is estimated to receive.

AB 101 also allocates \$500 million, through the Infill Infrastructure Grant Program, to capital improvement projects that facilitate development of infill projects or infill areas.

A Stick and Carrot Approach

The bill establishes a new penalty and reward structure for the state to impose financial penalties on local governments that violate state housing law as well as a reward system for jurisdictions that meet specified benchmarks by giving them priority for certain funds. Jurisdictions can also be brought to court by the Attorney General if they do not comply with their HCD-approved housing element, where they will be subject to fines, court follow-ups, and ineligibility for programs until they are compliant. HCD must also post on its website a list of jurisdictions that have failed to adopt a compliant housing element. See Attachment C for more details on penalties and rewards for housing-compliant jurisdictions.

Major Investment in Homelessness

To address homelessness, the bill distributes \$650 million to cities, counties and regional homelessness prevention agencies. Funding from this category is eligible for a variety of purposes, including development of permanent housing, subsidies for new and existing housing units, emergency shelters and navigation centers, and rental assistance. Funds will be distributed based on 2019 Point-in-Time (PIT) counts, which are snapshot counts of people experiencing homelessness on a single night, conducted by local Continuums of Care (CoCs) nationwide. Of the total, \$190 million will go to CoCs; \$275 million will go to cities over 300,000 people (Oakland, San Francisco and San Jose in the Bay Area); and \$175 million will go to counties. Based on 2017's PIT numbers (subject to change for 2019), the Bay Area could

expect to receive approximately \$118 million (\$21 million to CoCs, \$62 million to the three cities above, and \$35 million to counties).

The bill also requires that supportive housing for people transitioning from homelessness be allowed “by right” in areas already zoned to allow multifamily and mixed-use. Local agencies therefore may not impose certain requirements, such as conditional use permits or other discretionary review or approval, on transitional homeless navigation centers until 2027. Additionally, the California Environmental Quality Act (CEQA) will not apply to actions taken by agencies to build these centers through 2027.

Homeownership Programs

With respect to homeownership, this bill also increases the amount of money applicants can receive, and expands the uses of the money, through various established housing loan funds, including the Local Housing Trust Fund Matching Grant Program and the Housing Rehabilitation Loan Fund. Most notably, the bill appropriates \$500 million from the General Fund to the Self-Help Housing Fund, a program that makes loans to low- and moderate-income families to build their homes with their own labor. The bill also authorizes HCD to make grants to local agencies or nonprofits to build or repair accessory dwelling units (ADUs) for low-income homeowners under the CalHome Program, and for disaster relief for low-income homeowners.

Rental Assistance

To assist renters, the budget also includes \$20 million to provide legal aid for renters and assist with landlord-tenant disputes, including legal assistance for counseling, renter education programs, and preventing evictions, consistent with Governor Newsom’s proposal in the May Revise.

Recommendation: No recommendation

Bill Positions: None on file

Attachments: **Attachment A:** Local Government Planning Support Grants Program Details
Attachment B: Bay Area Jurisdiction Funds under Local Government Planning Support Grants Program
Attachment C: Penalties and Incentives for Housing Production


Therese W. McMillan

**FY 2019-20 State Budget Housing Trailer Bill (AB 101)
Local Government Planning Support Grants Program Details**

AB 101 provides substantial one-time funding for the Local Government Planning Support Grants Program, a new grant program to be administered by the Department of Housing and Community Development (HCD), to help implement the Sixth Cycle of the Regional Housing Needs Assessment (RHNA), covering the planning period of January 1, 2019 to August 31, 2027. The breakdown of the funds is as follows:

- \$250 million towards housing planning, including technical assistance/documents/process improvements, to accelerate housing production
- \$125 million directly to jurisdictions based on a 6-tier system
- \$125 million to councils of government (COGs), in matching amounts as provided to the total individual jurisdictions in the COG
- For the Bay Area, this amounts to \$25.5 million to ABAG and \$25.5 million to local jurisdictions directly. See Attachment B for the amount each Bay Area jurisdiction will receive.

Fund Distribution to Jurisdictions: 6 Tiers

- \$1,500,000 to localities with populations over 750,000
- \$750,000 to localities with populations between 300,000 and 749,999
- \$500,000 to localities with populations between 100,000 and 299,999
- \$300,000 to localities with populations between 60,000 and 99,999
- \$150,000 to localities with populations between 20,000 and 59,999
- \$65,000 to localities with populations under 20,000

Regional Funding

Funds to councils of government may be spent on the following uses:

- Establishing regional or countywide housing trust funds for affordable housing
- A planning grant program to accelerate housing production in alignment with state goals
- Technical, staffing, or planning assistance to local agencies
- Updating housing elements to comply with state law
- Improving methodology for the distribution of the Sixth Cycle RHNA
- Developing local or regional policies to link transportation funds to housing outcomes
- Infrastructure planning, including for sewers, water systems, transit, roads, or other public facilities necessary to support new housing and new residents
- Feasibility studies
- Staffing needs to implement the program

Until January 31, 2021, a region may request funds. HCD will then have 30 days to review the application. The region must develop an education and outreach strategy to inform local agencies and meet other tracking and reporting requirements as outlined in the bill. The region must submit a final report on the uses of the funds by December 31, 2024.

Jurisdictional Funding

Funds to jurisdictions may be used for all of the above *regional uses* on the local level, plus:

- Rezoning and updating plans to encourage development
- Completing environmental clearance to eliminate project-specific review
- Establishing Workforce Housing Opportunity Zones
- Revamping local planning processes to speed up production of housing
- Creating/improving accessory dwelling unit (ADU) ordinances

A jurisdiction may request funds until July 1, 2020, must meet certain reporting requirements as outlined in the bill, and submit a final report on the uses of the funds by December 31, 2024.

FY 2019-20 State Budget Housing Trailer Bill (AB 101)
Local Government Planning Support Grants Program
Bay Area Jurisdictional Funds

Funding Tiers

- \$1,500,000 to populations over 750,000
- \$750,000 to populations between 300,000 and 749,999
- \$500,000 to populations between 100,000 and 299,999
- \$300,000 to populations between 60,000 and 99,999
- \$150,000 to populations between 20,000 and 59,999
- \$65,000 to populations under 20,000

County/City/Town	Population	Funding Tier Per Population
<i>County of Alameda -</i>		
<i>Unincorporated</i>	149,536	\$500,000
City of Alameda	79,316	\$300,000
City of Albany	19,393	\$65,000
City of Berkeley	123,328	\$500,000
City of Dublin	64,577	\$300,000
City of Emeryville	11,885	\$65,000
City of Fremont	232,532	\$500,000
City of Hayward	159,433	\$500,000
City of Livermore	91,039	\$300,000
City of Newark	48,712	\$150,000
City of Oakland	432,897	\$750,000
City of Piedmont	11,420	\$65,000
City of Pleasanton	80,492	\$300,000
City of San Leandro	89,825	\$300,000
City of Union City	74,916	\$300,000
TOTAL, Alameda County	1,669,301	\$4,895,000

<i>County of Contra Costa -</i>		
<i>Unincorporated</i>	173,406	\$500,000
City of Antioch	113,901	\$500,000
City of Brentwood	63,662	\$300,000
City of Clayton	11,653	\$65,000
City of Concord	129,889	\$500,000
Town of Danville	45,270	\$150,000
City of El Cerrito	25,459	\$150,000
City of Hercules	26,224	\$150,000
City of Lafayette	26,327	\$150,000
City of Martinez	38,490	\$150,000
Town of Moraga	16,939	\$65,000
City of Oakley	41,759	\$150,000
City of Orinda	19,475	\$65,000

County/City/Town	Population	Funding Tier Per Population
City of Pinole	19,498	\$65,000
City of Pittsburg	72,541	\$300,000
City of Pleasant Hill	35,055	\$150,000
City of Richmond	110,436	\$500,000
City of San Pablo	31,817	\$150,000
City of San Ramon	83,957	\$300,000
City of Walnut Creek	70,121	\$300,000
TOTAL, Contra Costa County	1,155,879	\$4,660,000
<i>County of Marin -</i>		
<i>Unincorporated</i>	69,343	\$300,000
City of Belvedere	2,148	\$65,000
City of Corte Madera	10,047	\$65,000
Town of Fairfax	7,721	\$65,000
City of Larkspur	12,578	\$65,000
City of Mill Valley	14,675	\$65,000
City of Novato	54,115	\$150,000
Town of Ross	2,526	\$65,000
Town of San Anselmo	12,902	\$65,000
City of San Rafael	60,046	\$300,000
City of Sausalito	7,416	\$65,000
Town of Tiburon	9,362	\$65,000
TOTAL, Marin County	262,879	\$1,335,000
<i>County of Napa - Unincorporated</i>		
City of American Canyon	26,158	\$150,000
City of Calistoga	20,629	\$150,000
City of Napa	5,453	\$65,000
City of St. Helena	79,490	\$300,000
City of St. Helena	6,133	\$65,000
Town of Yountville	2,916	\$65,000
TOTAL, Napa County	140,779	\$795,000
<i>City and County of San Francisco</i>		
<i>San Francisco</i>	883,869	\$1,500,000
TOTAL, SF City & County	883,869	\$1,500,000
<i>County of San Mateo -</i>		
<i>Unincorporated</i>	66,027	\$300,000
Town of Atherton	7,070	\$65,000
City of Belmont	27,174	\$150,000
City of Brisbane	4,691	\$65,000
City of Burlingame	30,317	\$150,000
Town of Colma	1,512	\$65,000
City of Daly City	109,122	\$500,000
City of East Palo Alto	30,499	\$150,000

County/City/Town	Population	Funding Tier Per Population
City of Foster City	33,693	\$150,000
City of Half Moon Bay	12,631	\$65,000
Town of Hillsborough	11,769	\$65,000
City of Menlo Park	35,790	\$150,000
City of Millbrae	23,154	\$150,000
City of Pacifica	38,674	\$150,000
Town of Portola Valley	4,659	\$65,000
City of Redwood City	85,319	\$300,000
City of San Bruno	45,257	\$150,000
City of San Carlos	29,864	\$150,000
City of San Mateo	104,570	\$500,000
City of South San Francisco	67,078	\$300,000
Town of Woodside	5,615	\$65,000
TOTAL, San Mateo County	774,485	\$3,705,000
<i>County of Santa Clara -</i>		
<i>Unincorporated</i>	88,368	\$300,000
City of Campbell	43,250	\$150,000
City of Cupertino	59,879	\$150,000
City of Gilroy	55,928	\$150,000
City of Los Altos	31,190	\$150,000
Town of Los Altos Hills	8,785	\$65,000
Town of Los Gatos	30,988	\$150,000
City of Milpitas	76,231	\$300,000
City of Monte Sereno	3,787	\$65,000
City of Morgan Hill	45,742	\$150,000
City of Mountain View	81,992	\$300,000
City of Palo Alto	69,397	\$300,000
City of San Jose	1,043,058	\$1,500,000
City of Santa Clara	128,717	\$500,000
City of Saratoga	31,407	\$150,000
City of Sunnyvale	155,567	\$500,000
TOTAL, Santa Clara County	1,954,286	\$4,880,000
<i>County of Solano -</i>		
<i>Unincorporated</i>	19,580	\$65,000
City of Benicia	27,570	\$150,000
City of Dixon	19,794	\$65,000
City of Fairfield	117,149	\$500,000
City of Rio Vista	9,416	\$65,000
City of Suisun City	29,447	\$150,000
City of Vacaville	98,807	\$300,000
City of Vallejo	119,544	\$500,000
TOTAL, Solano County	441,307	\$1,795,000

County/City/Town	Population	Funding Tier Per Population
<i>County of Sonoma - Unincorporated</i>	<i>141,781</i>	<i>\$500,000</i>
City of Cloverdale	9,257	\$65,000
City of Cotati	7,919	\$65,000
City of Healdsburg	12,501	\$65,000
City of Petaluma	62,247	\$300,000
City of Rohnert Park	43,339	\$150,000
City of Santa Rosa	175,625	\$500,000
City of Sebastopol	7,885	\$65,000
City of Sonoma	11,556	\$65,000
Town of Windsor	28,565	\$150,000
TOTAL, Sonoma County	500,675	\$1,925,000
 BAY AREA TOTAL	 7,783,460	 \$25,490,000

Source: Department of Finance, 2019 Population Estimates
<http://www.dof.ca.gov/Forecasting/Demographics/Estimates/e-1/>

**FY 2019-20 State Budget Housing Trailer Bill (AB 101)
Penalties and Incentives for Housing Production**

AB 101, which passed the Senate and was pending approval on the Assembly Floor when this memo was finalized, creates a new system of penalties and rewards for local jurisdictions relative to compliance with state housing law and pursuit of “pro-housing” policies.

Penalties

Penalty-wise, for a jurisdiction that the California Department of Housing & Community Development (HCD) determines is not in “substantial compliance” with California housing element law, HCD must first issue written findings to the jurisdiction, which then has 30 days to respond to the findings. HCD must also offer the jurisdiction the opportunity for two meetings in person or via telephone to discuss the violation.

Next, HCD notifies the Attorney General that the jurisdiction is in violation of state law. The Attorney General, upon a finding of the court that the housing element does not substantially comply, requests that the court issue an order or judgment directing the jurisdiction to bring its housing element into substantial compliance.

If the jurisdiction has not complied with the order or judgment after twelve months, the court shall conduct a status conference. Following the status conference, upon a determination that the jurisdiction failed to comply, the bill requires that the court fine the jurisdiction, which shall be deposited into the Building Homes and Jobs Trust Fund. Fines are a minimum amount of ten thousand \$10,000 per month, but shall not exceed \$100,000 per month.

If the jurisdiction has not complied with the order or judgment after three months following the imposition of these fees, after another status conference, the court may multiply the fine by a factor of three. If the jurisdiction has still not complied with the order or judgment six months following the imposition of fees, the court may multiply the fine by a factor of six.

In the event that the jurisdiction fails to pay fines imposed by the court in full and on time, the court may require the State Controller to intercept any available state and local funds and direct such funds to the Building Homes and Jobs Trust Fund to correct the jurisdiction’s failure to pay. The court may also order remedies available under the Code of Civil Procedure, providing broad latitude to the court to use all the powers necessary to bring the jurisdiction’s housing element into substantial compliance.

Incentives

The bill intends to award additional points or other preference in the scoring of competitive housing and infrastructure programs to “pro-housing” jurisdictions. For award cycles commenced after July 1, 2021, jurisdictions that have adopted a housing element that has been found by the department to be in substantial compliance with the requirements, and that have been designated “pro-housing” based upon their adopted local policies, shall be awarded *additional points or preference* in the scoring of program applications for the following programs:

- The Affordable Housing and Sustainable Communities Program (Cap & Trade program)
- The Transformative Climate Communities Program (Cap and Trade program)
- The Infill Incentive Grant Program of 2007
- Additional bonus points may be awarded to other state programs when already allowable under state law.

The bill defines “pro-housing local policies” as policies that facilitate the planning, approval, or construction of housing. These policies include, but are not limited to:

- financial incentives for housing;
- reduced parking requirements for sites zoned residential;
- zoning allowing for use by right for residential and mixed-use development;
- zoning more sites for residential development or zoning sites at higher densities than required;
- adoption of accessory dwelling unit ordinances;
- reduction of permit processing time;
- creation of objective development standards;
- reduction of development impact fees; and
- Establishment of a Workforce Housing Opportunity Zone or housing sustainability district.

Metropolitan Transportation Commission

Legislation Details (With Text)

File #: 19-0825 **Version:** 1 **Name:**
Type: Report **Status:** Informational
File created: 6/28/2019 **In control:** Joint MTC Legislation Committee and ABAG Legislation Committee
On agenda: 7/12/2019 **Final action:**
Title: State Housing Legislative Update

Overview of the 2019 state housing landscape, including an update on MTC and ABAG priority housing protection, preservation, and production bills.

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

Attachments: [4c State Housing Update.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:

State Housing Legislative Update

Overview of the 2019 state housing landscape, including an update on MTC and ABAG priority housing protection, preservation, and production bills.

Presenter:

Georgia Gann Dohrmann

Recommended Action:

Information

Attachments:

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

July 12, 2019

Agenda Item 4c

State Housing Legislative Update

- Subject:** Overview of the 2019 state housing landscape, including an update on MTC and ABAG priority housing protection, preservation, and production bills.
- Overview:** California lawmakers kicked off the 2019 legislative session with an ambitious housing agenda intended to combat the region and the state's ongoing housing crisis. MTC and ABAG identified a package of more than a dozen housing protection, preservation and production bills that together could make progress on addressing the Bay Area's housing affordability challenges. Although two of the most high-profile measures – SB 50 (Wiener), which would have mandated upzoning areas close to jobs and transit, and AB 11 (Chiu), which would have revived a reformed version of redevelopment – are on hold until next January having been designated “two year bills,” MTC and ABAG's other priorities may still reach Governor Newsom's desk this year, as summarized below and detailed in Attachment A.

Protection

In late June, the Legislature revived hopes for passage of comprehensive, albeit limited term, tenant protections by pairing a revised rent cap measure (AB 1482 (Chiu) with just cause eviction protections. The stand-alone just-cause bill, AB 1481 (Grayson) missed the deadline to pass out of the house of origin at the end of May. The latest version of AB 1482 has a three-year sunset date of January 1, 2023 instead of 2030, a major concession. It would limit rent increases to no more than seven percent plus inflation – up from five percent from earlier versions of the bill. The just cause eviction protections would also be limited to tenants who have lived in a unit for at least 12 months. Additionally, owners who rent 10 or fewer single family homes would be exempted from both the rent cap provision and the eviction restrictions. MTC and ABAG had adopted “support” positions on both AB 1482 and AB 1481; AB 1482 will be heard in the Senate Judiciary Committee on July 9th.

ABAG also supported SB 18 (Skinner), which would have provided funding for rental assistance and legal aid funding. By the time the MTC Commission considered the bill, staff had been informed that those priorities instead would proceed through the FY 2019-20 Budget, which MTC supported. As detailed in agenda item 4b, the Budget includes \$650 million for cities, counties and continuums of care for homelessness services and prevention, including rental assistance. Additionally, the Budget includes \$20 million to provide legal aid for renters and assist with landlord-tenant disputes, including legal assistance for counseling, renter education programs, and preventing evictions.

Preservation and Production

As of the drafting of this memo, 11 housing preservation and production priority bills that MTC and ABAG took positions on are still being considered by the Legislature. These bills include measures to remove barriers to creating accessory

July 12, 2019

Page 2 of 2

dwelling units, streamline housing approvals, support affordable housing production on public lands, and create new tools to fund affordable housing.

Additionally, the FY 2019-20 State Budget included significant new resources to support housing planning and production, also detailed in Agenda Item 4b.

Attachments: MTC and ABAG Housing Bill Matrix

A handwritten signature in black ink, appearing to read 'Therese W. McMillan', written over a horizontal line.

Therese W. McMillan

2019 California Housing Bill Matrix

Last Updated: July 2, 2019 3:00 PM

Topic	Bill	Summary	Status as of 7/2	ABAG/MTC Position
PROTECTION				
Just Cause Eviction	AB 1481 (Grayson/ Bonta)	Until 2030, prohibits eviction of a tenant without just cause stated in writing, if the tenant has occupied the property for six months or more. Requires tenant be provided a notice of a violation of lease and opportunity to cure violation prior to issuance of notice of termination. Exempts landlords who lease four or fewer single family homes. Sets specified caps on the amount of relocation assistance that may be required for no-fault evictions.	Two-year bill (Key provisions incorporated into AB 1482 on 6/28)	Support
Rent Cap	AB 1482 (Chiu)	Until 2023 2030, caps annual rent increases by seven five percent above the percent change in the cost of living or 10 percent, whichever is lower, and prohibits eviction of a tenant without just cause stated in writing, if the tenant has occupied the property for 12 months or more. Sets specified caps on relocation assistance that may be required for no-fault evictions. Exempts from the rent cap and just cause eviction protections certain residential properties, including units that have received a certificate of occupancy within the last 10 years and single family homes meeting specified conditions. Provides that any local rent control policy or just cause ordinance that is more restrictive than the bill applies.	Senate Judiciary Committee (Hearing set for 7/9; Substantially amended on 6/28)	Support

Topic	Bill	Summary	Status as of 7/2	ABAG/MTC Position
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, floor area ratio or lot coverage, and replacement parking. Modifies provisions related to minimum ADU that must be allowed (800 square feet and 16 feet in height). Reduces the allowable time to issue a permit from 120 days to 60 days from the date an agency receives a completed application. 	Senate Environmental Quality Committee (Hearing set for 7/10)	Support
	AB 69 (Ting)	<ul style="list-style-type: none"> Requires HCD to propose to the California Building Standards Commission small home building standards governing accessory dwelling units and homes smaller than 800 square feet. 	Senate Appropriations Committee Suspense File	Support
	SB 13 (Wieckowski)	<ul style="list-style-type: none"> Prohibits owner-occupancy requirements. Waives impact fees for ADUs less than 750 square feet; Caps impact fees for larger ADUs at 25 percent of the impact fees that would be charged for a single family home being built on the same lot. Continues to allow connection fees and capacity charges. Modifies provisions related to minimum ADU that must be allowed (850 sq. ft. for a one-bedroom; 1,000 sq. ft. more than one-bedroom). 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. 	Assembly Local Government Committee	Support if Amended

Topic	Bill	Summary	Status as of 7/2	ABAG/MTC Position
PRODUCTION & PRESERVATION (cont'd)				
Zoning/ Housing Approvals (cont'd)	SB 50 (Wiener)	<ul style="list-style-type: none"> Excluded counties with fewer than 600,000 in population from height-related requirements in close proximity to transit stations. Authorizes four-plexes in areas where housing is permitted, subject to existing setback and lot requirements on vacant parcels with limited conversions allowed (at least 75% of exterior walls must remain). For cities > 50,000 in counties with fewer than 600,000 authorizes a waiver from density limits and permits an additional story to be built above current zoning within ½ mile of major transit stop. For cities > 100,000 prohibits minimum parking requirements within 1/4-mile of major transit stop. Allows upzoning within ½-mile of transit and in high-opportunity areas. Provides for a five-year deferral of bill's provisions in "sensitive communities" that would be defined by HCD in conjunction with community groups. Defers applicability of bill in "sensitive communities" –to be defined by HCD in conjunction with local community-based organizations—until January 1, 2025. 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. 	Two-year bill 6/4/19	No position (boards directed staff to work with author)

Topic	Bill	Summary	Status	ABAG/MTC Position
	SB 330 (Skinner)	<ul style="list-style-type: none"> Prohibits a local agency, or its voters, high-rent, low-vacancy areas, as defined, from: <ol style="list-style-type: none"> (1) Adopting any policy that would result in a “less intensive” residential use than what was in effect on January 1, 2018; allows for a reduction in residential density if the local agency adjusts zoning elsewhere to ensure no net loss in residential capacity; (2) Imposing or enforcing design standards that are not objective that were adopted on or after January 1, 2018; (3) Imposing or enforcing a moratoria on housing development, unless certain conditions are met; or (4) Imposing or enforcing a population cap (exempts pre-2005 voter-approved limits in agricultural areas). Establishes new criteria to determine when a housing development project proponent has submitted a “preliminary application” “complete initial application” and requires local agencies to develop a checklist/form for this purpose, and HCD to also adopt a standardized form for this purpose for use in a jurisdiction that didn’t adopt one. Provides that a project may not be subject to new ordinances, rules or fees after a complete initial preliminary application is submitted except under certain circumstances. Prohibits a city or county from conducting more than five hearings on an application for a housing development project. Allows for a developer to build at densities in effect prior to January 1, 2018 Freezes impact fees at January 1, 2018 levels. Prohibits minimum parking requirements within ¼ mile of transit; Limits parking requirements elsewhere in affected cities to 0.5 spaces per unit. Removes voter’s ability to require voter approval or set supermajority requirements for certain land use changes. Five-year 10-year emergency statute 	<p>Assembly Local Government Committee</p> <p>(Hearing set for 7/10; Substantially amended on 5/21, 6/25 and 7/1)</p>	<p>Seek Amendments</p> <p>(On the 7/12 Joint Legislation Committee agenda for further consideration)</p>

Topic	Bill	Summary	Status	ABAG/MTC Position
PRODUCTION & PRESERVATION (cont'd)				
	AB 1483 (Grayson)	<ul style="list-style-type: none"> Requires a city or county to maintain a current schedule of fees applicable to a housing development project. Requires each local agency to post the fee schedule and all zoning ordinances and development standards on its website, provide any updated the information to the HCD and any applicable metropolitan planning organization (MPO) and council of government within one month of a change, and update & archive it annually. Starting 2021, requires counties to annually submit parcel data & for HCD to collect & publish it all in a statewide parcel geographic database. Requires HCD to convene a working group that includes representatives of local government, MPOs, and relevant academic institutions to inform development of a statewide housing data strategy. Lists components of strategy. 	Senate Governance and Finance Committee (Hearing set for 7/10; Substantially amended on)	Support and Seek Amendments
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 percent of the total number of units to housing affordable to households making below 80 percent of the area median income (AMI) or 20 percent to households earning below 120 percent AMI with an average income of units at or below 100 percent.	Senate Governance and Finance Committee (Hearing set for 7/10)	Support
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. 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. (cont'd) 	Assembly Accountability and Administrative Review Committee (Hearing set for 7/3)	Support

Topic	Bill	Summary	Status	ABAG/MTC Position
PRODUCTION & PRESERVATION (cont'd)				
	SB 6 (Beall) <i>continued</i>	<ul style="list-style-type: none"> 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. 		
Public Lands	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. Limits negotiations to sales price and lease terms. Provides only that a local agency may not, in negotiations with an affordable housing developer, disallow residential use on the site as a condition of sale or lease or impose other requirements, other than those required by a locality’s general plan and zoning standards, that would make the project financially infeasible. Requires that HCD create and maintain a statewide inventory of local surplus lands and an up-to-date list of notices of availability throughout the state. The inventory would be developed from information submitted by local agencies. Expands HCD’s enforcement mandate to include the SLA. 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. 	<p>Senate Governmental Organization Committee</p> <p>(Hearing not yet set; Substantially amended on 6/27)</p> <p><i>Additional amendments anticipated.</i></p>	<p>Support if Amended</p> <p>(On the 7/12 Joint Legislation Committee agenda for further consideration)</p>

Topic	Bill	Summary	Status	ABAG/MTC Position
PRODUCTION & PRESERVATION (cont'd)				
	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. • 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. • A minimum of 30 percent of funds would be required to be invested in affordable housing. 	Two-year bill 4/11/19	Support and Seek Amendments
	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 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 governed by a board composed of an unspecified number of voting members from MTC and ABAG, to be determined by MTC and ABAG, and staffed by ABAG and MTC. • Authorizes MTC to place a revenue measure on the ballot in November 2020 and HABA to place a measure on the ballot in subsequent election cycles. • Specifies funding mechanisms including a 0.5-cent sales tax, a head tax, a parcel tax, a gross receipts tax, a bond and a commercial linkage fee. 	Senate Governance and Finance Committee (Hearing set for 7/10; Substantially amended on 5/16/19) <i>Additional amendments anticipated 7/5/19 will only partially reflect MTC and ABAG Ad Hoc Committee recommendations</i>	Seek Amendments (On the 7/12 Joint Legislation Committee agenda for further consideration)

Topic	Bill	Summary	Status	ABAG/MTC Position
PRODUCTION & PRESERVATION (cont'd)				
	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 Affordable Housing and Community Development Investment Committee • 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. • 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. 	Assembly Housing and Community Development Committee (Hearing set for 7/3)	Support
Funding (cont'd)	ACA 1 (Aguiar-Curry)	Reduces vote threshold for local bonds or special taxes for affordable housing production, preservation or public infrastructure.	Assembly Floor	Support and Seek Amendments
	SB 128 (Beall)	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. Gutted and amended to “Public contracts: Best Value Construction Contracting for Counties Pilot Program”	Two-year bill (Substantially amended on 6/24/19)	Support



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #:	19-0749	Version:	1	Name:	
Type:	Report	Status:		Committee Approval	
File created:	6/10/2019	In control:		ABAG Legislation Committee	
On agenda:	7/12/2019	Final action:			
Title:	AB 1487 (Chiu): Bay Area Regional Housing Funding				

This bill would authorize a regional housing funding measure for affordable housing production, preservation, and protection of tenants from displacement to be placed on the ballot in the Bay Area with funds administered by MTC and ABAG.

Sponsors:

Indexes:

Code sections:

Attachments: [5a AB 1487.pdf](#)

Date	Ver.	Action By	Action	Result
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AB 1487 (Chiu): Bay Area Regional Housing Funding

This bill would authorize a regional housing funding measure for affordable housing production, preservation, and protection of tenants from displacement to be placed on the ballot in the Bay Area with funds administered by MTC and ABAG.

Randy Rentschler

Information

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

July 12, 2019

Agenda Item 5a

AB 1487 (Chiu): Bay Area Regional Housing Funding

Subject: This bill would authorize a regional housing funding measure for affordable housing production, preservation, and protection of tenants from displacement to be placed on the ballot in the Bay Area with funds administered by MTC and ABAG.

Background: 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 reliant upon private, local, state and federal funding, including state and federal tax breaks. Given the Bay Area faces an estimated \$2.5 billion annual affordable housing funding shortfall, a new flexible fund source to help close the funding gap for housing projects especially in those jurisdictions that have less resources available at the local level would benefit the entire Bay Area.

Discussion: As originally proposed, AB 1487 (Chiu) would have established the Housing Alliance for the Bay Area (HABA) to oversee new funding for affordable housing in the nine-county region.

In May, ABAG and MTC took a “seek amendment” position on AB 1487 as follows:

Issue	Concern Addressed	Notes
Revenue - Exclude sales tax from revenue options	✓	Author has agreed and will be reflected in amendments
Start-up Funding - Ensure no new responsibilities are assigned to MTC or ABAG without a guaranteed source of ongoing funding and bill includes a provision allowing for dissolution of HABA if not enough revenue is generated to be meaningful	✓	In addition, the FY 2019-20 Budget will provide at least \$25 million to ABAG for flexible housing planning work Proposed amendments will give ABAG and MTC authority to determine whether to place on ballot and set tax rates, thereby determining what level of revenue is ‘meaningful’
Split Board - Ensure the bill doesn’t require MTC staff report to a newly structured board	✓	Author has agreed not to form HABA and instead to split up duties between MTC and ABAG
Revenue Distribution - Develop a distribution formula that distributes <i>more than</i> 25 percent of any employer-based revenue to a regional pool	✓	Author has agreed to bill language which provide that “at least 50 percent” of head tax shall be distributed to counties, with up to 50 percent for regional pool

Ad Hoc Committee Discussions

Another component of the MTC and ABAG boards' actions on AB 1487 called for the formation of a joint ad hoc committee to work with the author on governance and other issues. The membership on the Ad Hoc Committee on AB 1487 (appointed by the MTC Chair and ABAG President) include for MTC: Vice Chair Alfredo Pedroza, Jim Spering, Amy Worth, Libby Schaaf and Damon Connolly; and for ABAG: President David Rabbit, Vice President Jesse Arreguin, Cindy Chavez, Julie Pierce and Warren Slocum.

The committee met three times, including with Assemblymember Chiu on a number of important matters related to governance of this process within the constraints of our existing regional governmental structures, primarily that no new board would be created. Discussions also addressed revenue distribution frameworks. A summary is included as Attachment A.

Amendments to AB 1487 released on July 5th are largely consistent with the discussion of the ad hoc committee though not entirely complete, as a number of items need to be included in a later draft of the bill. Staff was still combing through the most recent draft bill language at the time this memo was finalized, but is aware of further changes needed for the timely use of fund provisions, at a minimum.

The July Joint MTC and ABAG Legislation Committee meeting will be an opportunity to continue the discussion and to consider forwarding AB 1487 to the Commission and the ABAG Executive Committee for their deliberation.

AB 1487 is up against a final hearing deadline for 2019 as the session is set for summer break on July 12th. As of this writing it remains uncertain if the bill will be scheduled for a hearing in the Senate Governance & Finance Committee on July 10th, or if it will receive a waiver to allow it to be heard in August.

Recommendation: Information Item

Bill Positions: See attached

Attachments: **Attachment A:** ABAG-MTC AB 1487 Ad Hoc Committee Recommendations
Attachment B: Bill Positions


Therese W. McMillan

ABAG-MTC AB 1487 Ad Hoc Committee Recommendations

June 28, 2019

Governance

Rather than establishing a new regional entity with a new board, AB 1487 should be amended to rely upon the existing governance structures, strengths and areas of expertise of MTC and ABAG, as outlined in the table below.

A shared arrangement for our two agencies has precedent in state law (Government Code 65080 (b)(2)(C)) which assigned different roles to each agency relative to the development of the sustainable communities strategy (Plan Bay Area). Likewise, MTC agreed to give ABAG a formal role in the selection process for the new MTC Executive Director (who currently serves as the ABAG Executive Director).

Summary of Proposed Decision-Making Responsibilities in AB 1487

	ABAG Executive Board	MTC
Developing ballot expenditure plan (including setting tax rates and revenue sources, setting minimum shares for 3Ps, criteria, potentially minimum shares at county level)	√	√
Project selection/ programming of funds for specific purposes	√	√
Commercial Linkage Fee Study & Expenditure Plan	√	√
Placement of measure on ballot		√
Financial administration (including collecting revenue, authorizing payments and issuing bonds)		√

Option to Adjust in Future

We recommend the bill add a provision requiring MTC and the ABAG Executive Board to revisit the division of roles five years after the bill takes effect. To the extent it can work from a legal standpoint, the bill would ideally grant the agencies the authority to take formal action to modify the roles to one another if agreed to by both bodies. The bill should also provide a statement of legislative intent to transfer this responsibility to a successor agency to MTC and ABAG if one is established in future legislation.

Expenditures & Revenue

We spent a lot of time on how the funds are distributed in terms of usage and in terms of county versus region. Below is our proposal:

1. Splitting up the 3Ps:

The regionwide and county **required** minimums (“at least” floors) for the different components of the 3Ps should be the same, as follows:

	Regionwide Minimum	County Minimum
Production	50%	50%
Preservation	15%	15%
Protection	5%	5%
Incentive Funds for local governments	5%	NA

- There should be no caps on the 3P shares.
- Retain flexibility in bill now to modify the regionwide 3P shares (subject to board action and 30 day notice), but require a 55% vote requirement of both bodies to make changes.

2. Region vs. County Split of Funds

The bill should specify that the head tax should be distributed with at least 50% of the funds remaining in the county of origin based on revenue, leaving up to 50 percent available to be spent regionwide, while the other taxes in the bill should be distributed so that at least 75% of revenue goes to the county of origin based on revenue, leaving up to 25% for a regional fund.

The bill should allow the ABAG Executive Board and MTC to revisit this periodically and modify it but subject to a very high bar.

3. Distribution of local funds to and within a county

We agreed that the county share funds should go to the county – to be administered at the county level, leaving details about how the funds are distributed up to each county in coordination with their cities (subject to the minimum shares and potential details added in the ballot measure language) with one exception – big cities.

For the first five years, the four biggest cities in the region should get a direct allocation of their county’s share based on their share of the county’s RHNA. This can be extended at the option of the ABAG EB and MTC. Counties may want to also use RHNA in some manner for distributing within their county, but the bill should not mandate a formula distribution for smaller cities as this could result in funds not being put to use as efficiently as on a first-come, first-served basis for qualifying projects within each county.

4. Timely Use of Fund Provisions

We agreed that the bill shouldn't mandate a specific deadline by which counties have to commit or expend their share of the funds. However, to encourage that funds are put to use as swiftly as possible, the bill should include annual reporting requirements about use of the funds by counties and the regional agencies. The bill should also provide for evaluation of each county's use of funds and delivery of projects at least once every five years, and permit the ABAG EB and MTC with the authority to jointly assess and establish deadlines applicable to the county funds, considering, among other factors, best practices deployed over that period by the counties and cities.

We suggested that timely use of fund requirements could be applied to specific projects, but we have not discussed the exact number of years or the appropriate benchmarks. Funds for projects that miss a timely use of funding deadline should return to the original fund (county or regional) from where they originated.

5. Commercial Linkage Fee

We would like the bill to broaden where the fee revenue can be spent (not just in the local jurisdiction where it was imposed), consistent with whatever the legal nexus study determines. Also, we support the offset provision in bill now, which reduces the rate of the regional linkage fee in any jurisdiction that already has a local commercial linkage fee.

6. Revenue Sources

As adopted by the MTC and the ABAG Executive Board's position on AB 1487, we would like the sales tax removed as one of the funding options in the bill. We understand removing the sales tax from AB 1487 does not mean that the sales tax is off the table as a funding option that might be considered in a broader Bay Area transportation and housing "mega measure" that would require separate legislative authorization and may be pursued legislatively and on the ballot in 2020 or beyond.

Other

1. Land Acquisition & Assembly

We recommend removing this aspect of the bill since neither MTC nor ABAG have experience or skill set in this regard. The regional funds can instead help support local agencies which do have such expertise in this work.

AB 1487 (Chiu) Bill Positions

SUPPORT

- PICO California
- Silicon Valley Community Foundation
- Non-Profit Housing Association of Northern California
- Bay Area Council
- Burbank Housing Development Corporation
- Greenbelt Alliance
- TMG Partners
- Community Housing Development Corporation
- SPUR
- Habitat for Humanity East Bay/Silicon Valley
- Silicon Valley at Home
- California Community Builders
- Hamilton Families
- California YIMBY
- TechEquity Collaborative
- Chan Zuckerberg Initiative
- Enterprise Community Partners, Inc.
- Urban Displacement Project, UC-Berkeley
- Ensuring Opportunity Campaign to End Poverty in Contra Costa County
- Bay Area Housing Advocacy Coalition

Source: Senate Housing Committee, 6/13/2019 - SENATE Housing (Based on text dated 5/16/2019)

OPPOSE

- California Taxpayers Association
- Howard Jarvis Taxpayers Association
- Coalition for San Francisco Neighborhoods
- Alameda County Transportation Commission



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #:	19-0750	Version:	1	Name:	
Type:	Report	Status:		Committee Approval	
File created:	6/10/2019	In control:		ABAG Legislation Committee	
On agenda:	7/12/2019	Final action:			
Title:	SB 330 (Skinner): Housing Crisis Act of 2019				

SB 330 aims to accelerate new housing construction by speeding up project approvals; prohibiting downzoning in high-rent, low-vacancy areas; and providing project proponents with a higher degree of certainty as to the rules and standards that apply when submit a preliminary application for a housing development.

Sponsors:

Indexes:

Code sections:

Attachments: [5b_SB 330 \(Skinner\).pdf](#)

Date	Ver.	Action By	Action	Result
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SB 330 (Skinner): Housing Crisis Act of 2019

SB 330 aims to accelerate new housing construction by speeding up project approvals; prohibiting downzoning in high-rent, low-vacancy areas; and providing project proponents with a higher degree of certainty as to the rules and standards that apply when submit a preliminary application for a housing development.

Georgia Gann Dohrmann

Support / ABAG Executive Board Approval

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

July 12, 2019

Agenda Item 5b

SB 330 (Skinner): Housing Crisis Act of 2019

- Subject:** SB 330 aims to accelerate new housing construction by speeding up project approvals; prohibiting downzoning in high-rent, low-vacancy areas; and providing project proponents with a higher degree of certainty as to the rules and standards that apply when submitting a preliminary application for a housing development.
- Background:** MTC and ABAG took a “Seek Amendments” position on SB 330 in May. The bill has since been substantially amended. The following amendments to the bill address our concerns:
- Removal of provisions that would have limited a city’s ability to apply parking minimums;
 - Removal of the provision that would have frozen impact fees at January 1, 2018 levels;
 - Removal of provisions that would have hampered voters’ ability to set supermajority requirements or to require a vote of the people before certain land use changes are made; and
 - Removal of the “look back” provision on allowable densities to allow a developer to build at densities in effect “prior to” January 1, 2018.
- Other substantial amendments made since our May action include:
- Elimination of a provision that would have allowed residents to remain in “substandard buildings” that didn’t meet state building code as long as the code violations were not “health and safety” related;
 - Reduced duration of the bill’s provisions to just five years (through 2025) rather than 2030;
 - Aligns the new requirements related to housing applications with the existing Permit Streamlining Act (1970), rather than creating new duplicative process.
- Discussion:** Staff continues to find SB 330’s provisions related to streamlining zoning-compliant projects reasonable and likely to speed up the construction of new housing in high-rent, low-vacancy jurisdictions throughout the Bay Area. Eight Bay Area cities do not meet the SB 330 high-rent, low vacancy criteria and would therefore be exempted from the bill, as detailed in Attachment A. Many of the concerns raised by MTC and ABAG as well as the Housing Legislative Working Group have been addressed through the amendments to the bill, such as restrictions on imposing minimum parking requirements (struck); requirement that a project be approved within 12 months (struck); cap on impact fees (struck); and the allowance for a developer to build at densities that had been allowed *prior to* January 1, 2018 (struck); and a provision related to occupied substandard buildings (struck).

Project Approval Acceleration

Given the amendments made to the bill, it is now focused on providing developers with greater certainty as to what is required when proposing a new housing development in a given jurisdiction and speeding up the overall project review process. Specifically, SB 330 establishes new criteria applicable to determining when a housing development project proponent has submitted a “preliminary application.” The bill has been amended to require that each local agency compile its own checklist

July 12, 2019

Page 2 of 2

and application form that applicants for housing development projects can use to submit a preliminary application but also requires the Department of Housing and Community Development to adopt a standardized form for this purpose if a local agency hasn't adopted its own form. This change is responsive to concerns we heard at the Housing Legislative Working Group: Don't mandate that cities use a state form; let them develop the form but rely on HCD if they need to do so. Importantly, the bill includes a list of 13 general categories of information that shall be included in the checklist for a preliminary application to be deemed complete and prohibits a jurisdiction from requiring additional items.

The bill continues to require that a project may not be subject to new ordinances, rules or fees after a preliminary 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 hearings or 2) delay a decision about whether or not to issue a permit beyond 12 months, with an extension allowed in certain circumstances.

Prohibit Downzoning in Affected 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, unless HCD determines that it is to protect against an immediate health and safety threat for persons residing in or near the area subject to the moratorium or to protect projects identified as existing restricted affordable housing; or (3) imposing or enforcing design standards that are not objective. Importantly, the bill allows for a reduction in residential density if the local agency adjusts zoning elsewhere to ensure no net loss in residential capacity.

Because SB 330 is the most significant "production" related housing policy bill still moving in 2019 and because the major areas of concern expressed by MTC and ABAG in our May action have since been addressed, staff recommends a support position on the bill.

Recommendation: Support

Bill Positions: See attached

Attachments: **Attachment A:** SB 330 (Skinner) Definitions and Affected Cities and Counties in the Bay Area
Attachment B: SB 330 (Skinner) Bill Positions
Attachment C: Preliminary Checklist items


Therese W. McMillan

Definitions of Affected Cities and Counties in SB 330 (Skinner)

“Affected city or county” in the bill means a city, or city and certain unincorporated areas of a county, including a charter city, for which the Department of Housing and Community Development determines that the average of both of the following amounts is greater than zero:

- The percentage by which the city’s average rate of rent differed from 130 percent of the national median rent in 2017, based on the federal 2013–2017 American Community Survey 5-year Estimates.
- The percentage by which the vacancy rate for residential rental units differed from the national vacancy rate, based on the federal 2013–2017 American Community Survey 5-year Estimates.

Additionally, “affected city” does not include any city that has a population of 5,000 or less and is not located within an urban core “Affected county” means unincorporated portions of a county that are wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau, for which the Department of Housing and Community Development determines that the average of both of the following amounts is greater than zero:

- The percentage by which the average rate of rent for residential uses in the unincorporated portions of the county that are wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau, differed from 130 percent of the national median rent in 2017, based on the federal 2013-2017 American Community Survey 5-year Estimates.
- The percentage by which the vacancy rate for residential rental units in the unincorporated portions of the county that are wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau, differed from the national vacancy rate, based on the federal 2013-2017 American Community Survey 5-year Estimates.

Affected Cities and Counties in the Bay Area

The following cities are NOT considered “affected cities” for purposes of the bill:

- Belvedere, Marin County
- Ross, Marin County
- Yountville, Napa County
- Los Altos Hills, Santa Clara County
- Monte Sereno, Santa Clara County
- City of Brisbane, San Mateo County
- Town of Colma, San Mateo County
- Town of Portola Valley, San Mateo County

All other Bay Area cities are considered affected cities.

SB 330 (Skinner) Bill Positions

Support

Bay Area Council
Bridge Housing Corporation
Building Industry Association of the Bay Area
California Apartment Association
California Association of Realtors
California Building Industry Association
California Chamber of Commerce
California Community Builders
California-Hawaii State Conference of the NAACP
California YIMBY
Chan Zuckerberg Initiative
East Bay for Everyone
East Bay Leadership Council
Eden Housing
Emerald Fund
Enterprise Community Partners
Facebook
Hamilton Families
Local Government Commission
Martin Luther King Jr. Freedom Center
MidPen Housing Corporation
Non-Profit Housing Association of Northern California
North Bay Leadership Council
Oakland Metropolitan Chamber of Commerce
Orange County Business Council
PICO California
Related California
The San Francisco Foundation
San Francisco Housing Action Coalition
Santa Cruz YIMBY
Silicon Valley At Home
Silicon Valley foundation
SPUR
Terner Center for Housing Innovation
TMG Partners
Urban Displacement Project, UC-Berkeley
Working Partnerships USA

Oppose

AIDS Healthcare Foundation
Association of California Cities - Orange County
Boyle Heights Community Partners
Cities Association Of Santa Clara County
City of Bellflower
City of Beverly Hills
City of Burbank
City of Camarillo
City of Cloverdale
City of Clovis
City of Cupertino
City of Downey
City of Garden Grove
City of Glendale
City of La Mirada
City of Laguna Hills
City of Los Alamitos
City of Mountain View
City of Novato
City of Orinda
City of Paramount
City of Pasadena
City of Rancho Cucamonga
City of San Carlos
City of San Dimas
City of San Marcos
City of Solana Beach
City of Thousand Oaks
City of Torrance
City of Tulare
City of Ventura
City of Vista
Coalition for Economic Survival
Coalition for San Francisco Neighborhoods
Coalition for Valley Neighborhoods
Coalition to Preserve LA
Cultural Action Network
Dolores Heights Improvement Club
East Mission Improvement Association
Environmental Defense Center
Grayburn Avenue Block Club
Individuals Opposed to SB 330

Oppose, cont'd.

Jorge Castaneda
Keep Sunnyvale Beautiful
League of California Cities
Livable California
Los Angeles County Division, League of
California Cities
Marin County Council of Mayors and
Council Members
Paul Koretz, Councilmember, City of Los
Angeles

San Gabriel Valley Council of Governments
Save our Heritage Organization
Solano County Board of Supervisors
South Bay Cities Council of Governments
Spaulding Square Neighborhood
Association
Sustainable TamAlmonte
Town of Colma
Ventura Council of Governments
Individuals - 96

Oppose Unless Amended

California State Association of Counties
City of Morgan Hill
Urban Counties of California

SB 330 (Skinner) Preliminary Application Checklist

Section 65941.1 (a) specifies the following information shall be included in a preliminary application for it to have been deemed submitted:

- (1) The specific location, including parcel numbers, a legal description, and site address, if applicable.
- (2) The existing uses on the project site and identification of major physical alterations to the property on which the project is to be located.
- (3) A site plan showing the location on the property, elevations showing design, color, and material, and the massing, height, and approximate square footage, of each building that is to be occupied.
- (4) The proposed land uses by number of units and square feet of residential and nonresidential development using the categories in the applicable zoning ordinance.
- (5) The proposed number of parking spaces.
- (6) Any proposed point sources of air or water pollutants.
- (7) Any species of special concern known to occur on the property.
- (8) Any portion of the property located within any of the following:
 - (A) A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178.
 - (B) Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).
 - (C) A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code.
 - (D) A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency.
 - (E) A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.
- (9) Any historic or cultural resources known to exist on the property.
- (10) The number of proposed below market rate units and their affordability levels.
- (11) The number of bonus units and any incentives, concessions, waivers, or parking reductions requested pursuant to Section 65915.
- (12) Whether any approvals under the Subdivision Map Act, including, but not limited to, a parcel map, a tentative map, or a condominium map, are being requested.
- (13) The applicant's contact information and, if the applicant does not own the property, consent from the property owner to submit the application.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #:	19-0752	Version:	1	Name:	
Type:	Report	Status:		Committee Approval	
File created:	6/10/2019	In control:		ABAG Legislation Committee	
On agenda:	7/12/2019	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.

Sponsors:

Indexes:

Code sections:

Attachments: [5c AB 1486 \(Ting\).pdf](#)

Date	Ver.	Action By	Action	Result
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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.

Georgia Gann Dohrmann

Support / ABAG Executive Board Approval

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

July 12, 2019

Agenda Item 5c

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.

Background: In May, MTC and ABAG adopted a “support if amended” position on AB 1486. MTC and ABAG supported the policy of expanding the scope of public lands required to be considered for affordable housing and making it easier for local agencies and organizations seeking to develop affordable housing to identify land purchase opportunities. However, there were a number of concerns that needed to be addressed, as described in the May Commission item and Joint MTC and ABAG Legislation Committee memo (Attachment A). As detailed in the chart below, two of our concerns have been incorporated into amendments. Staff believes the bill will be amended to address the remaining concerns but have not yet received confirmation on the language. We will provide an update at your meeting on July 12th.

Issue	Concern Addressed	Notes
<i>Broader Negotiations:</i> Expand negotiations scope beyond sales and lease price to ensure other valid topics, such as a project’s financial viability, are allowed.	✓	Sole remaining limitation: Negotiations may not disallow residential use of the site, except for public health or safety
<i>Require Local Support for Zoning Override:</i> Tie provision allowing 100% affordable housing, regardless of zoning, to local subsidy.	✓	Provision removed from the bill
<i>Redevelopment Agency Successors:</i> Ensure the bill does not limit a successor agency’s ability to comply with existing asset disposal requirements.	Pending confirmation	Awaiting written confirmation on language
<i>No Lookbacks:</i> Ensure AB 1486 changes only apply to land disposals initiated after the bill’s effectiveness date.	Pending confirmation	Awaiting written confirmation on language

Discussion: 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. AB 1486 would expand the scope of public lands required to be considered for affordable housing, provide clarity as to how local agencies should prioritize affordable housing development when disposing of excess public land, and make it easier for

local agencies and organizations seeking to develop affordable housing to identify land purchase opportunities. The bill would also provide the Department of Housing and Community Development with new tools to enforce the longstanding SLA mandate.

AB 1486 has the potential to support the Bay Area in addressing the region's chronic housing shortage and two of our amendment recommendations have been incorporated into the bill. However, as of the writing of this memo, two issues remain outstanding. Staff will provide an update at your meeting on July 12th.

Recommendation: If we receive confirmation by July 12th that the outstanding issues related to redevelopment agency successors and the lookback provisions will be addressed, we will recommend a "support" position.

Bill Positions: See attached

Attachments: **Attachment A:** AB 1486 May Meeting Materials (Commission Cover Memo and Joint MTC Legislation Committee and ABAG Legislation Committee Memo)
Attachment B: AB 1486 (Ting) Bill Positions (as of 6/21/19)


Therese W. McMillan

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.

Joint MTC Legislation Committee and ABAG Legislation Committee

May 10, 2019

Page 2 of 2

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.

Bill Positions on AB 1486 (Ting)
(6/27/19)

Support

East Bay Housing Organizations (Co-Sponsor)
NonProfit Housing Association of Northern California (Co-Sponsor)
Bay Area Council
Bay Area Housing Advocacy Coalition
Bay Area Regional Health Inequities Initiative
Building Industry Association of the Bay Area
California Apartment Association
California Coalition for Rural Housing
California Community Builders
California Housing Consortium
California Housing Partnership
California Rural Legal Assistance Foundation
California YIMBY
Chan Zuckerberg Initiative
Community Legal Services in East Palo Alto
EAH Housing
East Bay Asian Local Development Corporation

Enterprise Community Partners, Inc.
Greenbelt Alliance
Habitat for Humanity California
Habitat for Humanity East Bay/Silicon Valley
Hamilton Families
Midpen Housing Corporation
North Bay Leadership Council
Related California
San Diego Housing Federation
San Francisco Foundation
San Francisco Housing Action Coalition
Silicon Valley At Home
Silicon Valley Community Association
Southern California Association of Nonprofit Housing
Tenderloin Neighborhood Development
TMG Partners
Transform
Urban Displacement Project, UC Berkeley
Western Center on Law & Poverty, Inc.

Oppose

Association Of California Healthcare Districts
Association Of California Water Agencies
California Association Of Sanitation Agencies
California Municipal Utilities Association
California Special Districts Association
California State Association Of Counties
Cambria Community Services District
Central Contra Costa Sanitary District
Chino Valley Independent Fire District
Coachella Valley Water District
Costa Mesa Sanitary District
Crestline Sanitation District
Cucamonga Valley Water District
Denair Community Services District
Desert Recreation District

Dublin San Ramon Services District
East Contra Costa Fire Protection District
Eastern Kern County Resource Conservation District
El Dorado Hills Community Services District
Fallbrook Public Utilities District
Fresno Mosquito And Vector Control District
Garberville Sanitary District
Georgetown Divide Public Utility District
Goleta Sanitary District
Goleta West Sanitary District
Greenfield County Water District
Helix Water District
Humboldt Bay Municipal Water District
Ironhouse Sanitary District

Oppose, cont.

Irvine Ranch Water District
Kern County Cemetery District
Leucadia Wastewater District
Mckinleyville Community Services District
Merced County Mosquito Abatement District
Mesa Water District
Montara Water And Sanitary District
Mt. View Sanitary District
North County Fire Protection District
North Tahoe Fire Protection District
Northern Salinas Valley Mosquito Abatement District
Oceano Community Services District
Ojai Valley Sanitary District
Orange County Cemetery District
District Orange County Mosquito And Vector Control District
Orange County Water District
Palo Verde Cemetery District
Rainbow Municipal Water District
Reclamation District 1000
Rural County Representatives Of California
San Bernardino Valley Water District
San Juan Water District
San Marcos; City Of
San Ramon Valley Fire Protection District

Sanitation Districts of Los Angeles County
Santa Clara County
Santa Margarita Water District
Silveyville Cemetery District
Solano County
Solano Irrigation District
South Coast Water District
Stallion Springs Community Services District
Steger Sanitary District
Tahoe City Public Utility District
Templeton Community Services District
Three Valleys Municipal Water District
Town Of Discovery Bay Community Services District
Tulare Mosquito Abatement District
Tulare Public Cemetery District
Urban Counties Of California
Valley Center Municipal Water District
Ventura Port District
Visalia Public Cemetery District
Vista Irrigation District
West County Wastewater District
West Side Recreation & Park District
Yucaipa Valley Water District

Metropolitan Transportation Commission

Legislation Details (With Text)

File #: 19-0833 **Version:** 1 **Name:**

Type: Report **Status:** Informational

File created: 7/2/2019 **In control:** Joint MTC Legislation Committee and ABAG Legislation Committee

On agenda: 7/12/2019 **Final action:**

Title: Federal Fiscal Year 2020 Appropriations Update

Update on proposed federal transportation and housing funding levels for Fiscal Year (FY) 2020.

Sponsors:

Indexes:

Code sections:

Attachments: [6a_Federal FY 2020 Appropriations Update.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:
Federal Fiscal Year 2020 Appropriations Update

Update on proposed federal transportation and housing funding levels for Fiscal Year (FY) 2020.

Presenter:
Georgia Gann Dohrmann

Recommended Action:
Information

Attachments:

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

July 12, 2019

Agenda Item 6a

Federal Fiscal Year 2020 Appropriations Update

Subject: Update on proposed federal transportation and housing funding levels for Fiscal Year (FY) 2020.

Overview: On June 25, 2019, the U.S. House of Representatives approved a FY 2020 spending bill that would provide \$86.6 billion for federal transportation programs, an increase of \$167 million above FY 2019 and \$50.1 billion for federal housing programs, an increase of \$5.9 billion above FY 2019. The Senate has not yet released FY 2020 funding proposals.

See below for brief summaries of the transportation and housing portions of the bill and Attachment A for a chart comparing FY 2019 and proposed FY 2020 funding levels for select programs.

Transportation

Consistent with the previous two years, the bill would boost highway and transit formula funding above FAST Act-authorized levels, with a \$2.5 billion bump for FY 2020. This would result in an estimated \$40 million for the Bay Area. With regards to the Capital Investment Grant (CIG) program, the bill would fund current projects with full funding grant agreements, including the Bay Area's Caltrain Peninsula Corridor Electrification Project, and includes policy provisions intended to keep the pressure on the Federal Transit Administration to move projects like the BART Transbay Core Capacity project through the CIG pipeline. The bill would also provide \$1 billion for the BUILD (formerly TIGER) program and either meets or exceeds FAST Act funding levels for other core general-funded grant programs.

Importantly, the House rejected a proposal from Congressman Scott Perry (R-PA) that would have cut federal transit apportionments by approximately 12 percent, which would have reduced Bay Area FY 2020 apportionments by an estimated \$54 million.

Housing

The House bill would reject the President's proposals to eliminate the Community Development Block Grant and HOME Investment Partnership programs and instead increase funding for each of those programs. The bill would also increase Department of Housing and Urban Development (HUD) rental assistance programs and homeless assistance grants.

Attachments: Federal Transportation and Housing Funding Comparison Chart


Therese W. McMillan

Transportation, Housing and Urban Development and Related Agencies Appropriations Fiscal Year 2019 – Fiscal Year 2020 Comparison Chart (\$ in millions)				
<i>Transportation</i>				
Program	FY 2019 Funding	FAST Act FY 2020 Authorization	FY 2020 House Appropriations Bill	California/Bay Area Impact
Highway Formula*	\$48,519	\$46,365	\$48,115	The Bay Area expects to receive approximately \$170 million in FAST Act-authorized flexible highway funding in FY 2020. The House proposal would increase Bay Area funding by approximately \$14 million.
Transit Formula*	\$10,639	\$10,150	\$10,900	The Bay area is expected to receive approximately \$452 million in FAST Act-authorized transit formula funding in FY 2020. The House proposal could result in approximately \$26 million in additional funding for Bay Area transit operators.
Capital Investment Grants	\$2,553	\$2,302	\$2,302	Caltrain's Peninsula Corridor Electrification Project is slated to receive \$100 million in FY 2020, consistent with the project's grant agreement. California projects make up approximately 17 percent of the CIG pipeline.
BUILD (formerly TIGER)	\$900	N/A	\$1,000	Since 2017, the Bay Area has received approximately 1 percent of the TIGER/BUILD awards (\$15 million for the San Francisco Better Market Street project).
Consolidated Rail Infrastructure and Safety Improvements (CRISI)	\$255	\$330	\$350	CRISI funds a range of rail investments, including ongoing efforts to implement positive train control (PTC). Bay Area projects received \$39 million of the 2018 round of CRISI awards, or 16 percent of the total grant awards.
Federal-State Partnership for State of Good Repair	\$400	\$300	\$350	Grants can reduce the state of good repair backlog on publicly-owned or Amtrak-owned rail infrastructure.
Amtrak (total)	\$1,942	\$1,842	\$1,990	California has 102 stations and more than 5 million annual riders on both state-supported and long-distance routes.

* Note: Highway and transit formula funding numbers reflect the general fund (GF) increases to the highway and transit programs as well as FAST Act-authorized highway and transit programs funded from the Highway Trust Fund (HTF). The GF funding increase is largely allocated to the HTF-funded highway and transit formula programs but also includes funding for a number of competitive grant programs, including \$10 million for transit grants to assist areas of persistent poverty.

Transportation, Housing and Urban Development and Related Agencies Appropriations Fiscal Year 2019 – Fiscal Year 2020 Comparison Chart (continued) (\$ in millions)			
<i>Housing</i>			
Program	FY 2019 Funding	FY 2020 House Appropriations Bill	California/Bay Area Impact
Tenant-based Rental Assistance (Section 8 Housing Choice Vouchers)	\$22,598	\$23,810	The Section 8 Housing Choice Voucher program helps approximately 300,000 low-income California families afford rent, more than all other state and federal rental assistance programs combined. ⁱ
Project-based Rental Assistance (Section 8 Project Based)	\$11,757	\$12,600	Section 8 project-based vouchers help approximately 100,000 low-income California families afford rent. ⁱⁱ
Community Development Block Grant Program (CDBG)	\$3,300	\$3,600	California received \$391 million in FY 2019; Entitlement communities in the Bay Area received \$73 million.
HOME Investments Partnership Program	\$1,250	\$1,750	California received \$174 million in FY 2019; Entitlement communities in the Bay Area received \$26 million.
Public Housing Capital Fund	\$2,775	\$2,855	California has 30,000 households and 79,000 residents living in public housing and an average 51 month waiting list.
Public Housing Operating Fund	\$4,653	\$4,753	
McKinney-Vento Homeless Assistance Grants (Continuum of Care, Emergency Solutions Grants, and other programs)	\$2,636	\$2,800	California received \$415 million for Continuum of Care projects in FY 2018, nearly 19 percent of the nationwide total. In FY 2019, California received \$33 million in Emergency Solutions Grants formula funding; Entitlement communities in the Bay Area received \$4 million.

ⁱ <http://www.cbpp.org/research/housing/how-housing-vouchers-can-help-address-californias-rental-crisis>

ⁱⁱ <http://www.cbpp.org/research/housing/how-housing-vouchers-can-help-address-californias-rental-crisis>

Metropolitan Transportation Commission

Legislation Details (With Text)

File #: 19-0725 **Version:** 1 **Name:**

Type: Report **Status:** Informational

File created: 6/7/2019 **In control:** Joint MTC Legislation Committee and ABAG Legislation Committee

On agenda: 7/12/2019 **Final action:**

Title: Tom Bulger's Report

Report from Washington, D.C. advocate.

Sponsors:**Indexes:****Code sections:****Attachments:** [6b_Tom Bulger's DC Report_June_2019.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:

Tom Bulger's Report

Report from Washington, D.C. advocate.

Presenter:

Randy Rentschler

Recommended Action:

Information

Attachments:

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

July 12, 2019

Agenda Item 6b

Tom Bulger's Report

Subject: June 2019 Report from Washington, D.C. advocate.

Recommendation: Information

Attachments: Attachment A: Tom Bulger's Report – June 2019


Therese W. McMillan

June 2019 Monthly Washington, D.C. Report



To: Therese W. McMillian, Executive Director

From: Tom Bulger, President GRI

Date: June 30, 2019

RE: Monthly Report for June 2019

- **House Approves Fiscal Year (FY) 2020 Transportation Appropriations Bill**
- **San Francisco Bay Area Rapid Transit (BART) Transbay Corridor Core Capacity Project Award**

House Approves Fiscal Year (FY) 2020 Transportation Appropriations Bill

In late June 2019, the full House passed H.R. 3055 which contained \$86.6 billion for the United States Department of Transportation; \$167 million above FY 2019. The vote was 227 to 194.

Prior to the House vote, we worked with the Bay Area's 13 House Members to oppose Rep. Perry (R-Pa.) amendment that would reduce the Bay Area's Federal Transit Administration (FTA) formula apportionments in FY 2020 by \$54 million. Additionally, the amendment would prevent FTA from requiring any Capital Investment Grant (CIG) project from having a CIG contribution below 50 percent. However, the amendment was not offered.

The Appropriations bill includes the following highlights:

- \$1 billion for the Transportation Investment Generating Economic Recovery grant / Build, \$100 million above FY2019;
- \$48.9 billion for the Federal Highway Administration, \$404 million below FY 2019. Includes, \$1.75 billion for discretionary Highway Infrastructure Programs;
- \$350 million for the Federal – State Partnership for State of Good Repair, \$50 million below FY 2019; and
- \$13.5 billion for the FTA, \$60 million above FY2019. Including \$2.3 billion for CIG, \$251 below FY 2019 and \$750 million for Transit Infrastructure Grants, \$50 million above FY 2019.

San Francisco Bay Area Rapid Transit (BART) Transbay Corridor Core Capacity Project Award

On June 20, 2019, FTA announced a \$300 million allocation in FY 2018 CIG appropriations for the Transbay Corridor project. The CIG grant will help BART buy railcars, new communications systems, a new car storage yard, new power substations to increase service between Oakland and San Francisco. The project still does not have a Full Funding Agreement but does have a very high CIG rating.