



375 Beale Street
Suite 700
San Francisco, California

Meeting Agenda - Final

ABAG Regional Planning Committee Housing Subcommittee

Wednesday, September 4, 2019

11:00 AM

Sunol - CR 7308

The ABAG Regional Planning Committee Housing Subcommittee
may act on any item on the agenda.

The meeting is scheduled to begin at 11:00 a.m.

Agenda available at <https://abag.ca.gov>

For information, contact Ada Chan at (415) 820-7958.

1. Call to Order / Introductions

Carlos Romero

2. Approval of Agenda

2. [19-1018](#) Approval of Agenda of September 4, 2019

Action: Approval

Presenter: Carlos Romero

3. Approval of Minutes

3. [19-1019](#) Approval of Minutes of May, July and August

Action: Approval

Presenter: Ada Chan

Attachments: [RPC Housing Subcom Minutes_2019_0703.pdf](#)

[RPC Housing Subcom Minutes 2019_0501.pdf](#)

[RPC Housing Subcom Minutes 2019_0807](#)

4. Public Comment

Information

5. Session Overview and Housing Updates

5. [19-1020](#) Session Overview and Housing Updates

Ada Chan, Regional Planner, will provide an overview of the meeting items and invite committee members to share their recent housing related work/insights.

Action: Information

Presenter: Ada Chan

6. Discussion and Action Item Recommendations Regarding Committee Role

6. [19-1021](#) Discussion and Action Item Recommendations Regarding Committee Role

Committee members will review structure, purpose, and role of the Committee for recommendation to the Regional Planning Committee.

Action: Approval

Presenter: Carlos Romero

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

7. Adjournment / Next Meeting

The next meeting of the ABAG RPC Housing Subcommittee will be announced.

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

Attachments are sent to 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.



ABAG

Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-1018 **Version:** 1 **Name:**

Type: Report **Status:** Committee Approval

File created: 8/29/2019 **In control:** ABAG Regional Planning Committee Housing Subcommittee

On agenda: 9/4/2019 **Final action:**

Title: Approval of Agenda of September 4, 2019

Sponsors:

Indexes:

Code sections:

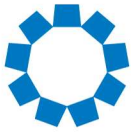
Attachments:

Date	Ver.	Action By	Action	Result
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Approval of Agenda of September 4, 2019

Carlos Romero

Approval



ABAG

Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-1019 **Version:** 1 **Name:**

Type: Report **Status:** Committee Approval

File created: 8/29/2019 **In control:** ABAG Regional Planning Committee Housing Subcommittee

On agenda: 9/4/2019 **Final action:**

Title: Approval of Minutes of May, July and August

Sponsors:

Indexes:

Code sections:

Attachments: [RPC Housing Subcom Minutes 2019_0703.pdf](#)
[RPC Housing Subcom Minutes 2019_0501.pdf](#)
[RPC Housing Subcom Minutes 2019_0807](#)

Date	Ver.	Action By	Action	Result
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Approval of Minutes of May, July and August

Ada Chan

Approval

MINUTES

HOUSING SUBCOMMITTEE

REGIONAL PLANNING COMMITTEE

Wednesday, July 3, 2019, 11:00 AM – 12:30 PM

Tamalpais Conference Room
375 Beale Street, 7th Floor
San Francisco, CA 94105

1. **Roll Call / Introductions (Chair, Carlos Romero)** [11:00 / 5]
Present: Carlos Romero Pat Eklund Melissa Jones (call in)
2. **Approval of agenda (Chair)**
3. **Approval of May minutes** (Chair) 11:05 / 5]
No Quorum.
4. **Public comment on items not on the agenda (Chair)** [11:10 / 5]
No Comments
5. **Session Overview and Housing Updates (A. Chan)** [11:15 / 10]
Ada Chan, Regional Planner provided an overview of the meeting items and shared that the housing permit data has been received from HCD and data analysis and mapping has begun.
6. **Housing Legislative Working Group Update (K. Kirkey)** [11:25/ 20]
Ken Kirkey, Director of the Regional Planning Program reported that the Housing Legislation Working Group has not met since the report to the committee in June. ABAG / MTC joint leg committee has met intensively over state bills.

Director Kirkey shared the staff proposal for the RHNA Housing Methodology Committee (HMC) and Provided an update on the Governors Trailer bill.

In an update on Housing Activities through the Regional Planning Program, Director Kirkey reported that over the next month or two the strategic plan for Regional Planning Program will be completed. In response to member question, Kirkey explained the Planning Program work encompasses: Housing, Transportation, The Plan, Vital Signs, Modeling, Bay Trail and Forecasting.

**7. Discussion and Action Item Committee Purpose and Utility
(C.Romero)**

[11:45/40]

In the context of director Kirkey's report in Item 6, Member Romero asked: Should the committee have been more input in some of these (item 6) issues? Should this have been a body that played a role thinking about HMC or the use of trailer bill? When the RPC is asked to weigh in on housing policies/issues, there should be a more defined role for the sub-committee. Romero summarized the following are areas where RPC Housing Subcommittee could have relevance:

Merger Discussion and where does housing fit?

Regional entity`

Housing Policy

Funding Utilization

Review Department of Housing and Community Development data

RHNA

Legislative Review/Advocacy

Member Eklund pointed out that the value of this committee is that a more casual conversation can occur than on the RPC. Both committee members agreed a need to review the purpose and make- up of the committee as well as frequency of convening. A more formalized role when issues come up to the RPC to provide a report and recommendation from the RPC housing subcommittee would require identification of items that go to RPC that need more Housing committee analysis in advance.

Chair Romero asked that minutes be sent out in advance for sub-committee members to be prepared to discuss in August meeting so that recommendation could be made at September RPC meeting.

8. Adjourn

[12:30]

MINUTES

HOUSING SUBCOMMITTEE

REGIONAL PLANNING COMMITTEE

Wednesday, May 1st, 2019, 11:00 AM – 12:30 PM

Tamalpais Conference Room
375 Beale Street, 7th Floor
San Francisco, CA 94105

1. Roll Call / Introductions (Chair, Carlos Romero) [11:00 / 5]

Pat Eklund Melissa Jones Paul Penninger Carlos Romero

2. Approval of agenda (Chair)

3. Approval of April minutes (Chair) 11:05 / 5]

4. Public comment on items not on the agenda (Chair) [11:10 / 5]

5. Session Overview and Housing Updates (A. Chan) [11:15 / 10]

Ada Chan, Regional Planner, provided an overview of the meeting items and shared information on Solano and San Mateo Planning Commissioner Trainings efforts and SB2 collaborative proposals under consideration throughout the region.

Melissa Jones, shared information about BARHII's Healthy and Resilient Homes Leadership Program which will train and support a cohort of local public health department staff, and allies from sister agencies, to implement their county's priority solutions to improve housing quality, stability, and resilience.

6. Housing Legislative Working Group Update (K. Kirkey) [11:25/ 20]

Ken Kirkey, Director of the Regional Planning Program provided an update on Housing Legislative Working Group activities and its structure. The focus is on the current cycle of bills, the group is meeting weekly, feedback is tracked and provided to the ABAG/MTC. Joint Legislative Committee Meeting where action is taken.

Georgia Gann Dohrmann, Legislative Analyst – joined committee to provide update on key bills and next steps in the legislative process.

Committee Member Ekhlund reflected that between MTC and ABAG, there are multiple meetings related to Housing that she, as a member, had to choose between and that consumed a lot of staff capacity.

7. RHNA Schedule and Overview (D Ulama and G Adams) [11:45/40]

Gillian Adams, Principal Planner provided briefing on RHNA timeline, sub-region formation, and changes in the RHNA process which include increased HCD scrutiny over methodology process, and Affirmatively Furthering Fair Housing.

Committee Member Ekhlund expressed interest in the role of the RPC and RPC Housing Sub-committee in the RHNA process, and requested copies of memo going to jurisdictions regarding the RHNA process be also sent to electeds.

Director Kirkey discussed how many committees exist between both MTC and ABAG some of which maybe duplicative in some areas. The Plan and initiatives under the Plan go through the joint MTC/ABAG Admin Committee. Executive staff is currently working with ABAG Board Chair David Rabbit to identify places where there maybe opportunities for synergies and combining committee efforts.

Darryl Ulama, HCD Fellow, reviewed legislation impacting Housing Elements. AB879 requires a housing element analyze governmental constraints and remove nongovernmental constraints to the development of housing. AB879 also extends APR requirements to charter cities and directs the Department of Housing and Community Development (HCD) to complete a development fee study: AB1397 Makes changes to housing element law by revising what may be included in a locality's inventory of land suitable for residential development. Both pieces of legislation passed in the 2017/2018 session significantly impact RHNA eligible sites.

Committee members discussed the meaning of “removing nongovernmental constraints”. Chair Romero encouraged staff to share analysis of eligible sites with jurisdictions in order to be included in SB2 funding applications. Member Penninger highlighted the need for local jurisdictions to consistently update zoning to match housing element.

Director Kirkey briefed committee members on the Governor’s bill which provides funding to COGs to assist in RHNA implementation.

8. Adjourn [12:30]

AGENDA BUILDING:

Next Meeting: Purpose / Role of RPC Housing Sub-Committee
HCD Development Fee Study

MINUTES

HOUSING SUBCOMMITTEE

REGIONAL PLANNING COMMITTEE

Wednesday, August 7, 2019, 11:00 AM – 12:30 PM

Tamalpais Conference Room
375 Beale Street, 7th Floor
San Francisco, CA 94105

1. Roll Call / Introductions (Chair, Carlos Romero) [11:00 / 5]

Paul Penninger, Pat Ekhlund, Carlos Romero, Melissa Jones (call in)

2. Approval of agenda (Chair)

3. Approval of May and June minutes

(Chair)11:05 / 5]

No Quorum present

4. Public comment on items not on the agenda (Chair)

[11:10 / 5]

Session Overview and Housing Updates (A. Chan)

[11:15 / 10]

Ada Chan, Regional Planner, provided an update on the APR Data, HCD SB2 technical assistance, MTC technical assistance study and the HCD SB35 toolkit.

Member Ekhlund request information on what jurisdictions had not responded to survey and which, if any, electeds were included.

6. Discussion and Action Item Committee Purpose and Utility (C. Romero)[11:15/12:15]

Committee Members will review history and purpose of the Committee in the context of the changing housing landscape, state trends and organizational changes.

Chair Romero shared excerpt from original March 29th 2016 memo to RPC regarding the Housing Sub-Committee's purpose:

“The main purpose of this subcommittee is to focus on the draft regional Housing Action Agenda with a particular emphasis on prioritizing specific collaboration efforts and tools, identifying renovation innovation projects, and developing the Regional Housing Trust Fund. “

Agenda

Chair Romero summarized June conversation of where there might be opportunities for the committee to be effective.

Committee Members discussed and agreed that they would be interested in continuing to as a committee if their work would inform or influence policies or decisions of the RPC and ABAG Executive Board.

The following possible areas of work/roles for the committee were raised:

Re-asserting housing as a pre-eminent issue among the 101 jurisdictions.

Taking issues that are the most thorny, complicated and uncomfortable.

Looking at policies and actions that make sense at a regional or sub regional implementation level.

Being a kitchen cabinet of housing policy experts willing to do deep dives on specific housing policy issues to save work for staff and people on the RPC.

Working on a more integrated approach to the Production, Preservation and Protection framework.

The members discussed structural changes that would need to be addressed if the committee were to continue to meet; Committee make up would need to be expanded to include more housing professionals and to represent a broader base of jurisdictions. Issues explored would need to warrant being elevated to the RPC and ABAG housing policy discussions and that there would need to be a more formal structure for decision making within the committee.

The relevance of the committee is as an advisor to the RPC. The committee would like to make recommendations on actionable items being brought before the RPC and/or ABAG Executive Committee. This would require information be provided to the committee months in advance so discussion could occur and recommendations could be forwarded to RPC on a timely basis.

Committee members that suggested that in order to move forward they would need a workplan, dedicated staff support, support from leadership and a clear role within the RPC.

All committee members were open to the possibility that there may not be a need for the committee, and the interest in being useful to staff.

7. Next Steps

Chair Romero will talk to Karen /Ken regarding RPC Agenda.

Ada will draft a 1-2 page description of committee and rules of engagement.

8. Adjourn

[12:30]



ABAG

Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-1020 **Version:** 1 **Name:**

Type: Report **Status:** Informational

File created: 8/29/2019 **In control:** ABAG Regional Planning Committee Housing Subcommittee

On agenda: 9/4/2019 **Final action:**

Title: Session Overview and Housing Updates

Ada Chan, Regional Planner, will provide an overview of the meeting items and invite committee members to share their recent housing related work/insights.

Sponsors:

Indexes:

Code sections:

Attachments:

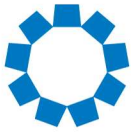
Date	Ver.	Action By	Action	Result
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Session Overview and Housing Updates

Ada Chan, Regional Planner, will provide an overview of the meeting items and invite committee members to share their recent housing related work/insights.

Ada Chan

Information



ABAG

Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-1021 **Version:** 1 **Name:**

Type: Report **Status:** Committee Approval

File created: 8/29/2019 **In control:** ABAG Regional Planning Committee Housing Subcommittee

On agenda: 9/4/2019 **Final action:**

Title: Discussion and Action Item Recommendations Regarding Committee Role

Committee members will review structure, purpose, and role of the Committee for recommendation to the Regional Planning Committee.

Sponsors:

Indexes:

Code sections:

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

Date	Ver.	Action By	Action	Result
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Discussion and Action Item Recommendations Regarding Committee Role

Committee members will review structure, purpose, and role of the Committee for recommendation to the Regional Planning Committee.

Carlos Romero

Approval

**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
Town of Yountville	6,133	\$65,000
2,916	\$65,000	
TOTAL, Napa County	140,779	\$795,000
<i>City and County of San Francisco</i>		
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>	141,781	\$500,000
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.