EXECUTIVE COMMITTEE DISCUSSION AND ACTIONS
Meeting of February 14, 2003

Chairman Ron Morrison called to order the Executive Committee meeting. Committee members in attendance were Mickey Cafagna, Ramona Finnila, Hal Ryan, Dick Murphy, Greg Cox and alternates Steve Padilla, Lori Holt Pfeiler and Art Madrid.

Chairman Morrison announced that this is the first meeting of the Executive Committee with representatives from all the subregions and pointed out there are now 12 members and alternates on the Committee. He welcomed them all to the meeting.

CONSENT

1. LEGISLATIVE UPDATE: RESOLUTION OF SUPPORT FOR FULL PAYMENT OF THE VEHICLE LICENSE FESS (VLF) TO LOCAL GOVERNMENT (APPROVE)

Approval of this resolution is consistent with SANDAG’s legislative program to oppose cuts in City/County revenues by the State of California for purposes of balancing or enhancing the state budget. To date, 15 local jurisdictions have adopted similar resolutions while three others have sent letters of support.

Action: The Executive Committee voted to approve Resolution 2003-23 urging the California legislature to reject a shift of local Vehicle License Fee (VLF) revenues and to honor the 1998 commitment to restore the VLF.

2. PUBLIC COMMUNICATIONS/COMMENTS

None.

REPORTS

3. LEGISLATIVE UPDATE – HOUSING:

A. HOUSING ELEMENT DUE DATE EXTENSION (APPROVE)

State law requires that all cities and counties update the housing elements of their general plans every five years. Preparations for the next housing element update, which currently covers the 2004-2009 time period, started recently. SANDAG has been working with its
working groups on two key housing element-related tasks: (1) determination of the region’s share of the state’s housing needs and; (2) allocation of this need by jurisdiction and by income category (the regional share allocation). This represents the number of new housing units that jurisdictions must plan for in their housing elements. Currently, state law mandates that these tasks be completed by June 30, 2003, to assist jurisdictions in meeting the June 30, 2004, housing element due date. Meeting this deadline gives jurisdictions a year to incorporate the regional share numbers into their housing elements. If this deadline is not met, there are no penalties to SANDAG or to local jurisdictions; however jurisdictions will have less time to complete their housing elements.

The Regional Housing Task Force and the Regional Planning Technical Working Group have recommended that SANDAG pursue legislation to extend the housing element due date. This would allow the regional housing needs process to be integrated into the preparation of the Regional Comprehensive Plan (RCP). A draft RCP will be completed by December 2003, with the final RCP scheduled for June 2004. Because legislation is required to extend the housing element due date, an extension is not guaranteed. Given this uncertainty, SANDAG could proceed with the regional housing needs process in one of two ways: (1) pursue legislation extending the housing element due date by six months, and proceed based on the assumption that extension of the due date will be granted, and complete the allocation process by December 31, 2003; and (2) do not pursue legislation to extend the housing element due date, and complete the allocation process by the original deadline of June 30, 2003.

Members of the Executive Committee expressed concern about housing element requirements regarding farmworker housing sites. Discussion also included recent legislation requiring jurisdictions to implement ministerial approval of second dwelling units, and the potential traffic and water impacts of this type of development. Staff pointed out that those types of issues will be addressed in the housing element of the Regional Comprehensive Plan.

**Action:** The Executive Committee voted to direct staff to pursue legislation to extend the housing element due date from June 30, 2004 to December 31, 2004, and proceed with the regional housing needs determination and allocation based on the passage of the proposed legislation. The Executive Committee also directed staff to review the recently passed second dwelling unit legislation at the next Executive Committee meeting.

**B. HOUSING ELEMENT SELF-CERTIFICATION PILOT PROGRAM: REPORT TO THE LEGISLATURE AND LEGISLATURE PROPOSALS (APPROVE)**

In 1995, legislation was passed and signed by the Governor to establish a pilot program that would allow jurisdictions in the San Diego region to self-certify the housing elements of their general plans if they met certain criteria. The self-certification law requires that SANDAG report to the Legislature on the use and results of the self-certification process following the completion of the revision of all housing elements in the region. The law states that, “the report shall contain data for the last planning period regarding the total number of additional affordable housing units provided by income category, the total number of additional newly constructed housing units, and any other information deemed useful by SANDAG in the evaluation of the program.” A draft report to the legislature was presented to the Committee.
Also, two changes are proposed to state law regarding the housing element self-certification program: (a) extension of the sunset date to allow jurisdictions to self-certify their 2009-14 housing elements (an option that does not exist under the current law), and (b) grant full eligibility for all state funds and programs to jurisdictions that self-certify their housing elements. This legislation is consistent with SANDAG’s 2003 Legislative Program and would allow a more thorough and complete evaluation of the self-certification program. It would also eliminate discrimination against self-certifying jurisdictions for state funding, which has acted as a disincentive to use the program.

Staff provided background to the Executive Committee on the establishment and details of the pilot program, emphasizing four key points from the report’s findings and conclusions. The key points are: (1) a large number of jurisdictions were able to meet the production goals and opted to pursue self-certification; (2) those jurisdictions met a significantly higher percentage of their needs than those that did not self-certify; (3) HCD, while originally supportive of the approach, decided that certification was not equivalent to their determinations of compliance; that action by HCD undermined the viability of the program because jurisdictions that pursued self-certification would be at a competitive disadvantage for funds that required HCD’s compliance as a condition for funding; and (4) self-certification provides a cost savings for both state and local governments, which is especially important with the looming budget crisis.

Executive Committee members requested that the “Total Housing Units Completed by Jurisdiction” table be updated to reflect data through the current year.

Action: The Executive Committee voted to approve the report to the Legislature on the use and results of the self-certification pilot program and direct SANDAG to pursue legislation to extend the sunset date for the pilot housing element self-certification program and to grant full eligibility for all state funds and programs to jurisdictions that self-certify their housing elements.

4. DRAFT FY 2004 OVERALL WORK PROGRAM (RECOMMEND DISTRIBUTION)

The Executive Committee was provided with full write-ups for each job proposed for inclusion in the FY 2004 Overall Work Program (OWP). The SANDAG Board of Directors will be asked to authorize distribution of the full Draft FY 2004 OWP for federal, state, and local review at its February 28, 2003 meeting. Following Board authorization, the full Draft OWP will be prepared and distributed to federal and state funding agencies, and to local agencies for review and comment by the beginning of March. Comments will be due back to SANDAG by April 2, 2003. SANDAG staff will meet with the Intermodal Planning Group (IPG), representatives from our state and federal funding agencies, on April 8, 2003 to review their comments. The Executive Committee will review all comments and recommend appropriate revisions to be incorporated into the final OWP, which is scheduled for Board approval at the April meeting. The draft OWP will be used in the preparation of the Preliminary Program Budget, which will be presented to the Executive Committee and the Board at their March meetings. The Final FY 2004 OWP is scheduled for approval by the Board in April, with the Final Program Budget scheduled for adoption in May.

Staff noted that the Draft OWP includes 110 projects, which is up from 88 projects currently in the FY 2003 OWP. This reflects a 25% increase in proposed workload but does not necessarily mean that type of increase in budget. Twenty-three of the new projects added are part of the transit planning that will be consolidated into the agency effective July 1,
2003. Those projects will come with their own source of funding. Staff will be evaluating the affordability of the remaining projects in the coming weeks.

**Action:** The Executive Committee voted to recommend to the Board of Directors that the Draft FY 2004 Overall Work Program be accepted for distribution and comment.

5. REVIEW OF DRAFT BOARD AGENDA FOR FEBRUARY 28, 2003 (APPROVE)

As part of the discussions on the February 28th Board agenda, the Executive Committee directed staff to dedicate a future Policy Development Board meeting to Border issues to discuss legislative strategies, national security, the SENTRI program and to hear the Border Alliance presentation. Committee members also requested that ARJIS make a presentation to the SANDAG Board of Directors at a future meeting to emphasize the importance of the system, which is a national model.

**Action:** The Executive Committee voted unanimously to approve the draft Board agenda for February 28, 2003 as presented.

GARY L. GALLEGOS
Secretary