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Terry Sinnott, Chair
Councilmember, City of Del Mar
(Representing **North County Coastal**)

Steve Vaus, Vice Chair
Mayor, City of Poway
(Representing **North County Inland**)

Myrtle Cole
Council President, **City of San Diego**

Bill Horn
Supervisor, **County of San Diego**

Bill Wells
Mayor, City of El Cajon
(Representing **East County**)

Ron Morrison
Mayor, City of National City
(Representing **South County**)

Alternates

Chuck Lowery
Deputy Mayor, City of Oceanside
(Representing **North County Coastal**)

Sam Abed
Mayor, City of Escondido
(Representing **North County Inland**)

Barbara Bry
Councilmember, **City of San Diego**

Lorie Zapf
Councilmember, **City of San Diego**

Ron Roberts
Supervisor, **County of San Diego**

John Minto
Mayor, City of Santee
Chair, **Public Safety Committee**
(Representing **East County**)

Serge Dedina
Mayor, City of Imperial Beach
Chair, **Borders Committee**
(Representing **South County**)

Advisory Members

Mary Salas
Mayor, City of Chula Vista
(Chair, **Regional Planning Committee**)

Jim Desmond
Mayor, City of San Marcos
(Chair, **Transportation Committee**)

Kim Kawada
Chief Deputy Executive Director, **SANDAG**



EXECUTIVE COMMITTEE AGENDA

Friday, July 13, 2018

9 to 10 a.m.

**SANDAG, 7th Floor Conference Room
401 B Street
San Diego**

AGENDA HIGHLIGHTS

- **REVIEW OF DRAFT BOARD AGENDAS**
- **LEGISLATIVE STATUS REPORT**

PLEASE SILENCE ALL ELECTRONIC DEVICES DURING THE MEETING

MISSION STATEMENT

The 18 cities and county government are SANDAG serving as the forum for regional decision-making. SANDAG builds consensus; makes strategic plans; obtains and allocates resources; plans, engineers, and builds public transit; and provides information on a broad range of topics pertinent to the region's quality of life.

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EXECUTIVE COMMITTEE

Friday, July 13, 2018

ITEM NO.

RECOMMENDATION

+1. APPROVAL OF MEETING MINUTES

APPROVE

The Executive Committee is asked to review and approve the minutes from its June 8, 2018, meeting.

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

Public comments under this agenda item will be limited to five public speakers. Members of the public shall have the opportunity to address the Executive Committee on any issue within the jurisdiction of the Committee that is not on this agenda. Other public comments will be heard during the items under the heading "Reports." Anyone desiring to speak shall reserve time by completing a "Request to Speak" form and giving it to the Clerk prior to speaking. Public speakers should notify the Clerk if they have a handout for distribution to Committee members. Public speakers are limited to three minutes or less per person. Committee members also may provide information and announcements under this agenda item.

REPORTS

+3. REVIEW OF DRAFT BOARD AGENDAS (Robyn Wapner)

APPROVE

The Executive Committee is asked to review and approve the draft agenda for the July 27, 2018, Board of Directors Business meeting. A verbal update will be provided on a Special Board of Directors meeting scheduled for August 17, 2018, to conduct interviews for the SANDAG Executive Director position. The August 10, 2018, Board Policy meeting will be cancelled.

+4. LEGISLATIVE STATUS REPORT (Seth Litchney and Robyn Wapner)

INFORMATION

Periodic status reports on legislative activities are reported to the Executive Committee throughout the year. Staff will provide a summary of the various federal and state activities, including an overview of legislation related to the Regional Housing Needs Assessment.

5. CONTINUED PUBLIC COMMENTS

If the five-speaker limit for public comments was exceeded at the beginning of this agenda, other public comments will be taken at this time. Subjects of previous agenda items may not again be addressed under public comment.

6. UPCOMING MEETINGS

INFORMATION

The next meeting of the Executive Committee is scheduled for Friday, August 10, 2018, at 9 a.m.

7. ADJOURNMENT

+ next to an agenda item indicates an attachment



**EXECUTIVE COMMITTEE
JULY 13, 2018**

ACTION REQUESTED: APPROVE

EXECUTIVE COMMITTEE DISCUSSION AND ACTIONS

JUNE 8, 2018

Chair Terry Sinnott (North County Coastal) called the meeting of the SANDAG Executive Committee to order at 9 a.m.

1. APPROVAL OF MEETING MINUTES (APPROVE)

Action: Upon a motion by Supervisor Bill Horn (County of San Diego), and a second by Mayor Bill Wells (East County), the minutes of the May 11, 2018, Executive Committee meeting were approved. Yes: Chair Sinnott, Vice Chair Steve Vaus (North County Inland), Supervisor Horn, and Mayor Wells. No: None. Abstain: None. Absent: City of San Diego and South County.

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS (INFORMATION)

There were no public or member comments.

REPORTS

3. REVIEW OF DRAFT BOARD AGENDAS (APPROVE)

Victoria Stackwick, Principal Legislative Analyst, presented the item.

Action: Upon a motion by Vice Chair Vaus, and a second by Council President Myrtle Cole (City of San Diego), the Executive Committee approved the draft agendas for the June 22, 2018, Board Business meeting, as amended; and the July 13, 2018, Board Policy meeting. Yes: Chair Sinnott, Vice Chair Vaus, Council President Cole, Supervisor Horn, and Mayor Wells. No: None. Abstain: None. Absent: South County.

4. ANNUAL REVIEW OF COMMITTEE AND WORKING GROUPS (DISCUSSION)

Ms. Stackwick presented the item.

The Executive Committee conducted its annual review of all existing SANDAG committees and working groups and did not have any modifications.

Action: This item was presented for discussion.

5. LEGISLATIVE STATUS REPORT (INFORMATION)

Periodic status reports on legislative activities are reported to the Executive Committee throughout the year.

Robyn Wapner, Senior Legislative Analyst, provided a summary of the various state activities.

Action: This item was presented for information.

6. CONTINUED PUBLIC COMMENTS

There were no continued public comments.

7. UPCOMING MEETINGS

The next meeting of the Executive Committee is scheduled for Friday, July 13, 2018, at 9 a.m.

8. ADJOURNMENT

Chair Sinnott adjourned the meeting at 9:15 a.m.

Meeting start time: 9 a.m.
 Meeting end time: 9:15 a.m.

**CONFIRMED ATTENDANCE
 SANDAG EXECUTIVE COMMITTEE MEETING
 JUNE 8, 2018**

JURISDICTION	NAME	MEMBER/ ALTERNATE	ATTENDING OPEN SESSION
North County Inland	Steve Vaus, Vice Chair	Primary	Yes
	Sam Abed	Alternate	Yes
North County Coastal	Terry Sinnott, Chair	Primary	Yes
	Chuck Lowery	Alternate	No
South County	Ron Morrison	Primary	Yes
	Serge Dedina	Alternate	No
East County	Bill Wells	Primary	Yes
	John Minto	Alternate	Yes
City of San Diego	Myrtle Cole	Primary	Yes
	Barbara Bry	Alternate	No
	Lorie Zapf	Alternate	Yes
County of San Diego	Bill Horn	Primary	Yes
	Ron Roberts	Alternate	Yes
Policy Advisory Committee Chairs	Mary Salas	Advisory	Yes
	Jim Desmond	Advisory	Yes



EXECUTIVE COMMITTEE

JULY 13, 2018

ACTION REQUESTED: APPROVE

JULY 27, 2018, DRAFT BOARD BUSINESS AGENDA

ITEM NO.	RECOMMENDATION
<p>+1. APPROVAL OF MEETING MINUTES</p> <p>The Board of Directors is asked to approve the minutes from its June 8, 2018, Board Policy meeting and June 22, 2018, Board Business meeting.</p>	<p>APPROVE</p>
<p>2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS</p> <p>Public comments under this agenda item will be limited to five public speakers. Members of the public shall have the opportunity to address the Board on any issue within the jurisdiction of SANDAG that is not on this agenda. Other public comments will be heard during the items under the heading "Reports." Anyone desiring to speak shall reserve time by completing a "Request to Speak" form and giving it to the Clerk of the Board prior to speaking. Public speakers should notify the Clerk of the Board if they have a handout for distribution to Board members. Public speakers are limited to three minutes or less per person. Board members also may provide information and announcements under this agenda item.</p>	
<p>+3. ACTIONS FROM POLICY ADVISORY COMMITTEES, INCLUDING BAYSHORE BIKEWAY BARRIO LOGAN SEGMENT CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION (Victoria Stackwick)</p> <p>This item summarizes the actions taken by the Policy Advisory Committees since the last Board Business meeting, including the California Environmental Quality Act exemption for the Bayshore Bikeway Barrio Logan Segment. The Board of Directors is asked to ratify these actions.</p>	<p>APPROVE</p>
CONSENT	
<p>+4. APPROVAL OF PROPOSED SOLICITATIONS AND CONTRACT AWARDS (Laura Coté)</p> <p>The Board of Directors is asked to review and approve the proposed solicitations and contract awards summarized in the attached reports.</p> <p>+4A. Solicitations +4B. Contract Awards</p>	<p>APPROVE</p>

- | | | |
|------|---|--------------------|
| +5. | FEDERAL FISCAL YEAR 2019-2021 DISADVANTAGED BUSINESS ENTERPRISE PROGRAM TRIENNIAL GOAL (Elaine Richardson) | APPROVE |
| | The Board of Directors is asked to approve the Triennial Goal for the Federal Fiscal Year (FFY) 2019 to FFY 2021 Federal Transit Administration Overall Disadvantaged Business Enterprise Goal-Setting Methodology. | |
| +6. | PROPOSED FY 2019 PROGRAM BUDGET AMENDMENT: NORTH COUNTY TRANSIT DISTRICT LOS PEÑASQUITOS LAGOON BRIDGE REPLACEMENT PROJECT (Angela Anderson) | APPROVE |
| | The Transportation Committee recommends that the Board of Directors: (1) approve amendments to the FY 2019 Program Budget to increase the budget for the North County Transit District (NCTD) Los Peñasquitos Bridge Replacement Project (Capital Improvement Project No. 1145000) to \$46,162,450; and (2) accept \$979,267 from NCTD to fund the betterment work. | |
| +7. | iCOMMUTE RIDESHARE WEEK (Jay Faught) | ADOPT |
| | The Board of Directors is asked to adopt Resolution No. 2019-XX, proclaiming October 1-5, 2018, as Rideshare Week. | |
| +8. | 2018 SAN DIEGO REGIONAL TRIBAL SUMMIT PROCEEDINGS (Jane Clough) | INFORMATION |
| | This report provides a summary of the discussions held at the 2018 San Diego Regional Tribal Summit. | |
| +9. | EQUAL EMPLOYMENT OPPORTUNITY PROGRAM (Rachel Nycholat) | INFORMATION |
| | In accordance with SANDAG Board Policy No. 007: Equal Employment Opportunity Program, this report summarizes employment results for FY 2018 and reviews Equal Employment Opportunity Program goals for the upcoming year. | |
| +10. | REPORT ON MEETINGS AND EVENTS ATTENDED ON BEHALF OF SANDAG (Victoria Stackwick) | INFORMATION |
| | Board members will provide brief reports orally or in writing on external meetings and events attended on behalf of SANDAG since the last Board Business meeting. | |
| +11. | REPORT SUMMARIZING DELEGATED ACTIONS TAKEN BY THE EXECUTIVE DIRECTOR (André Douzdjian)* | INFORMATION |
| | In accordance with various SANDAG Board Policies, this report summarizes certain delegated actions taken by the Executive Director since the last Board Business meeting. | |

CHAIR'S REPORTS

12. **UPDATE ON SANDAG EXECUTIVE DIRECTOR RECRUITMENT** INFORMATION
- Chair Sinnott will provide an update on the status of recruitment efforts to fill the SANDAG Executive Director position.
- +13. **iCOMMUTE DIAMOND AWARD EMPLOYERS** INFORMATION
- Chair Sinnott will recognize employers that have made strides to develop and implement commuter programs that encourage their employees to use transportation alternatives, including vanpool, carpool, walk, bike, transit, and telework.

REPORTS

- +14. **2018 INDEPENDENT TAXPAYER OVERSIGHT COMMITTEE ANNUAL REPORT (Dustin Fuller, *TransNet* Independent Taxpayer Oversight Committee Chair)*** INFORMATION
- In accordance with the *TransNet* Extension Ordinance, Dustin Fuller, *TransNet* Independent Taxpayer Oversight Committee (ITOC) Chair, will present the 2018 ITOC Annual Report, including the results of the annual FY 2017 *TransNet* Fiscal and Compliance Audit.
- +15. **FIRST *TransNet* TEN-YEAR REVIEW: LOOK-AHEAD PROPOSED IMPLEMENTATION PLAN (Mayor Jim Desmond, Transportation Committee Chair; Ariana zur Nieden)*** APPROVE
- The Transportation Committee recommends that the Board of Directors approve the proposed *TransNet* Ten-Year Review: Look-Ahead Implementation Plan.
- +16. **CYCLE 10 SPECIALIZED TRANSPORTATION GRANT PROGRAM: EVALUATION CRITERIA AND CALL FOR PROJECTS (Mayor Jim Desmond, Transportation Committee Chair; Audrey Porcella)*** APPROVE
- The Transportation Committee recommends that the Board of Directors approve the evaluation criteria, and release the call for projects for the Cycle 10 Specialized Transportation Grant Program.
- +17. **CYCLE 9 *TransNet* ENVIRONMENTAL MITIGATION PROGRAM LAND MANAGEMENT GRANT PROGRAM: FUNDING RECOMMENDATIONS (Mayor Mary Salas, Regional Planning Committee Chair; Sarah Pierce)*** APPROVE
- The Regional Planning and Transportation Committees recommend that the Board of Directors approve the proposed funding awards for the Cycle 9 *TransNet* Environmental Mitigation Program Land Management Grant Program, and, in the event that a selected project is unable to use its awarded funds, authorize staff to offer funding and execute a grant agreement with the next highest ranked project(s).

- +18. CYCLE 4 *TransNet* SMART GROWTH INCENTIVE PROGRAM AND ACTIVE TRANSPORTATION GRANT PROGRAM: FUNDING RECOMMENDATIONS (Mayor Jim Desmond, Transportation Committee Chair; Carolina Ilic)*** **APPROVE**

The Transportation and Regional Planning Committees recommend that the Board of Directors: (1) approve the proposed funding awards for the Cycle 4 *TransNet* Smart Growth Incentive Program Planning grants, Active Transportation Grant Program Capital grants, and Active Transportation Grant Program Non-Capital grants; (2) adopt Resolution No. 2019-01, approving the use of Transportation Development Act Article 3 Claims funds; and (3) in the event that a selected project is unable to use its awarded funds, authorize staff to offer funding and execute a grant agreement with the next highest ranked project(s).

- +19. DRAFT 2018 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM, INCLUDING ITS DRAFT AIR QUALITY CONFORMITY REDETERMINATION (Mayor Jim Desmond, Transportation Committee Chair; Sue Alpert)*** **APPROVE**

The Transportation Committee recommends that the Board of Directors: (1) accept the draft 2018 Regional Transportation Improvement Program (RTIP), including its air quality conformity analysis and draft air quality conformity redetermination of the Revenue Constrained Regional Plan, for distribution for a 30-day public comment period; and (2) schedule a public hearing regarding the draft 2018 RTIP for September 7, 2018.

- +20. CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8 AND CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (Ryan Kohut)**

The Board of Directors will be briefed on existing eminent domain litigation and negotiations with Colony La Paz Association regarding price and terms of acquiring property interests from the La Paz Condominiums (Assessor’s Parcel Numbers 347-380-09-01, 347-380-10-01, 347-380-12-00, 347-380-14-00) for the Mid-Coast Corridor Transit Project.

21. CONTINUED PUBLIC COMMENTS

If the five-speaker limit for public comments was exceeded at the beginning of this agenda, other public comments will be taken at this time. Subjects of previous agenda items may not again be addressed under public comment.

- 22. UPCOMING MEETINGS** **INFORMATION**

Please note, the Board Policy meeting scheduled for Friday, August 10, 2018, has been cancelled. A Special Board of Directors meeting will be held on Friday, August 17, 2018, at 9 a.m.

23. ADJOURNMENT

+ next to an agenda item indicates an attachment

* next to an agenda item indicates that the Board of Directors also is acting as the San Diego County Regional Transportation Commission for that item



**EXECUTIVE COMMITTEE
JULY 13, 2018**

ACTION REQUESTED: INFORMATION

LEGISLATIVE STATUS REPORT

File Number 7300400

Introduction

Monthly status reports on legislative activities are provided to the Executive Committee. Attachments 1 and 2 respectively include summaries from Ellison Wilson Advocacy, LLC on state legislative activity, and from Peyser Associates LLC on federal legislative activity related to SANDAG for the month of June. In addition, this report provides an update on state legislative activities related to the Regional Housing Needs Assessment process.

Discussion

There are several pieces of legislation related to housing that continue to move through the legislative process (Attachment 3). Two of the major bills include Senate Bill 828, from Senator Scott Wiener (D-San Francisco), and Assembly Bill 1771, by Assemblymember Richard Bloom (D-Santa Monica), both of which would make changes to the Regional Housing Needs Assessment (RHNA) process.

Because SANDAG already has initiated its next RHNA cycle, staff is working with the San Diego legislative delegation and other stakeholders to clarify that any changes made to the RHNA process this legislative session would not unduly impact or delay this process.

RHNA Process

There are three main phases in the RHNA process:

Determination	The Department of Housing and Community Development, in consultation with SANDAG, determines the existing and projected need for housing in the San Diego region in accordance with specified objectives.
Methodology and Allocation	SANDAG, in collaboration with local jurisdictions and stakeholders, develops a Methodology to determine how the housing units projected to be needed in the Determination will be allocated to each local jurisdiction in accordance with specified factors.
Housing Element Update	Each local jurisdiction updates its General Plan Housing Element with its Allocation of housing units.

Senate Bill 828

Senate Bill 828 (SB 828) would most impact the **Determination** and **Methodology** components of the RHNA process. Below is a summary of its main provisions:

- Would require SANDAG to provide data on the overcrowding rate for a comparable housing market and data on cost burdened households as part of the **Determination** process, and would define the vacancy rate for a healthy housing market for those purposes to be considered between 5 and 8 percent of both rental and ownership housing
- Would allow the following factors be used to adjust the **Determination**, based on local data: overcrowding; vacancy rates; and households that are cost burdened. These adjustments would be based on the region's total projected households, which includes existing households as well as future projected households
- Would require the **Methodology** and **Allocation** to demonstrate government efforts to reverse racial and wealth disparities throughout a region by assigning additional weight to local governments that meet specified criteria
- Would prohibit the prior underproduction of housing or stable population numbers in a city or county from being used as justification for a reduction in the jurisdiction's **Allocation** in the next RHNA cycle

Impact to SANDAG

Several of the changes proposed under SB 828 are consistent with the RHNA **Determination** approved by the Board of Directors at its meeting on June 8, 2018. It appears that the new provisions related to racial and wealth disparities would require additional analysis and could result in added time and cost in the process.

Status

SB 828 has been significantly amended since its introduction and continues to evolve as it moves through the legislative process. It was passed out of the Assembly Local Government Committee on June 27 and will be heard by the Assembly Appropriations Committee next.

Assembly Bill 1771

Assembly Bill 1771 (AB 1771) would most impact the **Methodology** and **Allocation** components of the RHNA process. Below is a summary of its main provisions:

- Would add new objectives to the **Determination** process, including an improved balance between the number of low-wage jobs and the number of housing units affordable to low-wage workers in each jurisdiction, and increasing access to areas of high opportunity for lower-income residents
- Would require SANDAG to develop the **Methodology** in consultation with the Department of Housing and Community Development, including a new requirement for the Department to determine whether the **Methodology** furthers the objectives described in law

- Would add new factors to the **Methodology** process, including overcrowding and the percentage of existing households at each specified income level that are paying a specified amount of income in rent
- Would modify the **Allocation** process to allow a local government within the region or the Department of Housing and Community Development to appeal for a revision within 45 days of the draft **Allocation** being published

Impact to SANDAG

AB 1771, as currently drafted, would add a focus on affirmatively furthering fair housing through the RHNA process and increase the role of the Department of Housing and Community Development in the **Methodology** and **Allocation** phases. This would require additional coordination and potential responsive action between SANDAG and the Department as well as additional data collection and analysis that could result in added time and cost in the process.

Status

AB 1771 has been amended several times since its introduction and continues to evolve as it moves through the legislative process. It was passed out of the Senate Transportation and Housing Committee on June 26 and will be heard by the Senate Appropriations Committee next.

Next Steps

Staff will continue to update the Executive Committee as these bills move through the legislative process.

VICTORIA STACKWICK
Principal Legislative Analyst

Attachments: 1. Report from Ellison Wilson Advocacy
2. Report from Peyser and Associates
3. State Housing Legislation as of July 6, 2018

Key Staff Contacts: Victoria Stackwick, (619) 699-6926, victoria.stackwick@sandag.org
Robyn Wapner, (619) 699-1994, robyn.wapner@sandag.org



TO: SANDAG BOARD OF DIRECTORS
FROM: ELLISON WILSON ADVOCACY, LLC
SUBJECT: SANDAG LEGISLATIVE ACTIVITY REPORT – JUNE 2018

LEGISLATIVE UPDATE

Legislative Overview

June 29 was the deadline for all policy committees to hear all fiscal bills (Joint Rule 61(b)(13)). The Legislature will commence its Summer Recess on July 6 and will not return until August 6. The final day for each house to pass bills for the 2017-2018 Legislative Session is August 31.

SANDAG-Sponsored NEV Bill SB 1151 (Bates) Passed by the Assembly Transportation Committee

On June 25, Senate Bill 1151 (Bates) was unanimously passed by the Assembly Transportation Committee, 12-0. The bill would authorize any city in San Diego county and the County of San Diego to establish Neighborhood Electric Vehicle (NEV) Transportation Plans to serve the mobility needs of their specific communities. The use of NEVs would help to expand shared mobility choices, improve connections to transit, reduce drive-alone trips and greenhouse gas emissions, and advance the region's vision for implementing mobility hubs.

The bill has received widespread support from the following entities: cities of San Diego, Carlsbad, Oceanside, Coronado, Del Mar, Encinitas, San Marcos, Vista, Escondido, Solana Beach, Chula Vista, and Santee; San Diego Gas and Electric; Chula Vista Chamber of Commerce; Carlsbad Chamber of Commerce; Carlsbad Village Association; Chestnut Properties; Meridian Development; RIDA Chula Vista, LLC; Electric Vehicle Association of San Diego; CleanTech San Diego; Healthy Chula Vista; Baldwin & Sons; California Electric Transportation Coalition; Center for Sustainable Energy; Sierra Club California; and The Free Ride; as well as the following elected officials: La Mesa Mayor Mark Arapostathis and San Diego County Supervisors Bill Horn, Ron Roberts, and Greg Cox. The bill will now head to the Assembly Appropriations Committee where it will likely be heard on August 8.

Governor Signed \$200 Billion FY 2018-2019 State Budget; Included Funding for Homeless Programs

On June 27, Governor Brown signed the \$200 billion FY 2018-2019 State Budget into law. The final budget largely tracked with Governor Brown's May Budget Revise with total spending of \$137.7 billion in General Fund spending, out of a total budget of \$199.7 billion. Continuing to build state reserves was a central feature of this budget and the Rainy-Day Fund is projected to grow to \$13.8 billion by the end of the upcoming budget year, which is its constitutional maximum. Additional reserve accounts also have been created through recent legislation; including a \$200 million reserve for safety net programs and a Budget Deficit Savings Account.

The budget also addresses homelessness with \$500 million in one-time Homeless Emergency Aid Block Grants. Funds available to most cities will be distributed through the Continuum of Care (COC) and can be used for a variety of purposes, including emergency shelters, bridge housing, motel vouchers, and supportive housing. Additionally, a budget trailer bill, Assembly Bill 1827, dubbed the No Place Like Home Act of 2018, would provide additional homeless resources by seeking voter approval to resolve a legal ambiguity associated with dedicating mental health funding from Proposition 63 to build 10,000 housing units for the homeless mentally ill. The budget also establishes the California Emergency Solutions and Housing Program to fund activities that include rental assistance, housing relocation, navigation centers, emergency housing, and shelter diversion, that will be funded by dedicating 50 percent of the first year of revenue derived from real estate recording fees established by Senate Bill 2 (Atkins) of 2017.

The Legislature also approved a \$1.4 billion Cap and Trade Expenditure Plan from the Greenhouse Gas Reduction Fund. Additionally, the budget documents describe the transportation funding to cities and counties estimated to be provided from the Road Maintenance and Rehabilitation Account (Senate Bill 1 [SB 1]) in FY 2018–2019:

Local:

- \$1.2 billion for local streets and roads, including \$600 million for cities and \$600 million for counties
- \$355 million for State Transit Assistance
- \$330 million for the Transit and Intercity Rail Capital Program
- \$200 million for the State-Local Partnership Program
- \$100 million for the Active Transportation Program
- \$75 million in one-time loan repayments
- \$25 million for Local Planning Grants

State:

- \$1.2 billion for maintenance of the state highway system known as the State Highway Operation and Protection Program
- \$400 million for bridges and culverts
- \$306 million for trade corridor enhancements
- \$250 million for commuter corridors
- \$25 million for freeway service patrol

The increase in FY 2018–2019 funding of \$1.2 billion compared to FY 2017–2018's partial year of funding of \$445 million is divided equally between cities and counties. Absent repeal, city and county funding is estimated to rise to approximately \$1.5 billion by the next fiscal year and grow over the following years when adjusted for inflation as all the revenue increases go into effect.

ACTIVITY REPORT

- 6/1: Reviewed/analyzed background information on the Batiquitos Lagoon Double Track Project; provided updates to SANDAG staff on SB 1151 committee referral.
- 6/4: Provided SANDAG staff with a comprehensive update on all pertinent legislation still active after the first house deadline.
- 6/5: Reviewed/analyzed amendments to legislation; provided subsequent updates to SANDAG staff.
- 6/6: Met with Senator Bates' office on the Batiquitos Lagoon Double Track Project.
- 6/11: Reviewed/analyzed budget bill and budget trailer bills; provided subsequent updates to SANDAG staff.
- 6/12: Reviewed/analyzed amendments to SB 1151 and additional budget trailer bills; provided subsequent updates to SANDAG staff.
- 6/15: Reviewed/analyzed amendments to legislation; provided subsequent updates to SANDAG staff.
- 6/18: Testified at Assembly Transportation Committee informational hearing on SB 1 Repeal Initiative; reviewed/analyzed amendments to legislation; provided subsequent updates to SANDAG staff.
- 6/20: Met with Senate Rules Committee on Laurie Berman, Caltrans Director confirmation hearing; reviewed SANDAG Determination letter to HCD.
- 6/21: Reviewed/analyzed amendments to legislation; provided subsequent updates to SANDAG staff.
- 6/22: Met with pertinent city lobbyists on SB 1151.
- 6/25: Attended/testified at Assembly Transportation Committee hearing on SB 1151.
- 6/27: Testified at Senate Rules Committee's confirmation hearing for Laurie Berman, Caltrans Director; reviewed/analyzed amendments to legislation; provided subsequent updates to SANDAG staff.
- 6/29: Provided SANDAG staff with information on its legislative reporting obligations.

PEYSER ASSOCIATES

LLC

Peter A. Peyser

Transportation Update from Peyser Associates

June 1, 2018

Federal Transit Administration Releases Final Rule on Private Investment

The Federal Transit Administration (FTA) published the final rule for its Private Investment Project Procedures (PIPP). This action follows the issuance in July 2017 of a Notice of Proposed Rulemaking (NPRM).

The purpose of the PIPP initiative is to allow FTA grantees to identify FTA regulations and procedures that impede Private Public Partnerships or private investment in new transit projects and seek waivers of those regulations and procedures. PIPP is modeled on the Federal Highway Administration's (FHWA) Special Experimental Project SEP-15 program. That program, begun in 2004, helped several major highway projects bypass federal requirements and thereby expedite their delivery. However, there is an important difference between SEP-15 and PIPP: the SEP-15 program allows for the waiver of statutory requirements while PIPP does not.

The lack of waiver authority extending to statutory provisions places severe limits on the FTA's ability to expedite projects under PIPP. All of the steps in the FTA project approval process are outlined in statute and are the rating criteria for projects so the FTA would not, for example, be able to collapse steps in its process to accelerate projects or suspend the rating process.

The limitations of PIPP are apparent in the FTA's description in the Federal Register of comments to the NPRM. The FTA notes that in order to comply with the requirement that they discuss the costs and benefits of the rule they asked for comments on the potential benefits or cost savings associated with the rule. They "received no relevant information" on that in the comments filed. Therefore, the Federal Register notice includes no cost and benefit information.

It is also of note that the FTA received only 21 comments to the docket for the NPRM. A number like that is indicative of a rule that the affected industry does not see as having a major impact. The rule goes into effect on June 29. Click [HERE](#) to see the notice in the Federal Register.

Colorado Tees-Up Dueling Transportation Funding Ballot Measures

Colorado Governor John Hickenlooper (D) signed into law a bipartisan bill that authorizes a \$2.3 billion transportation bond measure for the 2019 ballot. The bill also authorizes \$695 million in spending on transportation projects over the next few years.

Under the terms of the bill, 85 percent of the funds spent and raised would be used for highway projects, with only 15 percent reserved for transit or alternative transportation projects.

It appears Republican legislators backed this package in order to undermine a ballot measure coming to a vote this year in Colorado. That measure would call for raising the state’s sales tax to fund transportation projects. A competing measure, also on the ballot for 2018, is called “Fix Our Damn Roads” and is essentially a referendum that demands lawmakers NOT raise taxes, but instead use bonding to pay for road repairs. By teeing-up a bond measure vote in 2019, the state is putting its thumb on the scale in favor of the latter option. It will be interesting to see how voters respond. The legislation enacted this week would allow for the 2019 measure to be withdrawn if voters approve the sales tax.

June 8, 2018

Senate Appropriations Committee Clears FY 2019 Transportation and Housing and Urban Development Spending Bill

The Senate Committee on Appropriations approved a spending plan for the Departments of Transportation and Housing and Urban Development. The bill is similar, but not identical to, the House committee approved version.

The headline in the transit program is that the Senate bill includes strong language directing the Secretary of Transportation to advance Capital Investment Grant (CIG) projects through the steps in the approval process as outlined in statute. The Senate bill does not break the CIG funding for New Starts and Core Capacity projects into separate buckets for Full Funding Grant Agreements and Non-FFGA projects. A House-Senate conference will certainly have the opportunity to do so.

On rail programs, the Senate bill contains about \$336 million less than the House bill, with the main difference being \$150 million less in state of good repair grants and no funding for MagLev deployment, where the House had \$150 million.

As with the House bill, the Senate version makes funds available to Amtrak, New York and New Jersey to support the Gateway program by increasing Amtrak’s Northeast Corridor grant amount and boosting Federal Transit Administration State of Good Repair formula funding.

With regard to BUILD (formerly TIGER) grants, the Senate would spend \$250 million more than the House, setting the funding level at \$1 billion.

Here is a chart comparing the House and Senate committee bills with the FY 2018 appropriations bill for selected programs:

(\$ in millions)

Program	FY 2018	FY 2019 House	FY 2019 Senate
FHWA			
Obligation Limit	\$44,200.0	\$45,268.6	\$45,268.6
Highway Infra. Projects - STP Block Grant		3,811.5	2,389.2
Highway Infra. Projects - Safety		250.0	
Highway Infra. Projects -Road&Bridge	1,980.0		
Highway Infra. Projects - Puerto Rico	15.8	30.8	15.8

Program	FY 2018	FY 2019 House	FY 2019 Senate
Highway Infra. Projects - Territorial	4.2	7.7	
Highway Infra. Projects - Fed. Lands & Tribal	300.0	150.0	
Highway Infra. Projects -- RR/HWY Cross.			90.0
Highway Infra. Projects - Competitive Bridge	225.0		800.0
TOTAL	\$46,725.0	\$49,518.6	\$48,563.6
FRA			
AMTRAK NEC	\$650.0	\$650.0	\$650.0
AMTAK Nat. Network	1,291.60	1,291.60	1,291.60
CRISI - PTC	250.0	150.0	
CRISI - Restoration and Enhancement	35.5		10.0
CRISI - General	307.0	150.0	255.0
F-S Partnership for SOGR	250.0	500.0	300.0
Restoration and Enhancement			
RRIF Credit Subsidy	25.0		
MagLev Deployment Program		150.0	
TOTAL	\$2,809.1	\$2,891.6	\$2,506.6
FTA			
Formula Grants	\$9,733.7	\$9,939.4	\$9,939.4
CIG New Starts	1,506.9	1,335.7	1,315.7
(FFGA Projects)		(835.7)	
(Non-FFGA Projects)		(500.0)	
CIG Core Capacity	715.7	750.0	543.5
(FFGA Projects)		(200.0)	
(Non-FFGA Projects)		(550.0)	
CIG Small Starts	400.9	502.2	568.0
CIG Expedited Project Delivery			100.0
WMATA	150.0	150.0	150.0
Transit Infra. Grants - Bus Formula	209.1		209.1
Transit Infra. Grants - Bus Disc.	161.4	300.0	161.4
Transit Infra. Grants - LO/NO	29.5	50.0	29.5
Transit Infra. Grants - SOGR	400.0	200.0	362.0
Transit Infra. Grants - High Density	30.0	50.0	30.0
Transit Infra. Grants - Bus Test	2.0		2.0
Transit Infra. Grants - Rural Formula		50.0	
Transit Infra. Grants - UZA Formula		200.0	
TOTAL	\$13,339.2	\$13,527.3	\$13,410.6
OST			
BUILD (TIGER)	\$1,500.0	\$750.0	\$1,000.0

Floor Consideration of Spending Bills begins in House – Senate Makes More Time to Take Them Up

The House yesterday took up its first appropriations “minibus” – a combination of appropriations for Military Construction/Veteran Affairs, Energy and Water, and the Legislative Branch. As this is written, leaders are saying they expect the bill to pass today.

Democratic leaders have asked their Members to withhold support for this package. This may be a precursor of the strategy they will adopt for all the FY 2019 packages. If Members abide by their leaders’ wishes, the Republicans will need to supply all of the votes for passage. While that is not a problem for the pending package, it might be more difficult to get to a majority on others – including the one containing the Transportation and Housing and Urban Development bill. House Democrats are angry with the allocation of spending authority to appropriations subcommittees, believing it abrogates the two-year budget deal by putting too much emphasis on Homeland Security, Veterans Affairs and other national security-related agencies within the domestic budget.

Over on the Senate side, Majority Leader Mitch McConnell (R-KY) announced this week his plan to cancel a majority of the August recess. His stated reason was to make more time available to clear nominations and pass spending bills. Previously, he had indicated he thought spending bills could be handled in June and July. Democrats suspect there is a more compelling reason for the unusual August session. That is to keep Democrats who are defending Senate seats in red states off the campaign trail.

Regardless of the reason for McConnell’s decision, it increases the odds the Senate and House will both have passed all annual spending bills by Labor Day. That also increases the odds that spending bills could be on the President’s desk before the post-election session which most expect to begin in November. That still looks like a tall order and appropriators are already starting to talk about a continuing resolution to bridge the gap between October 1 and the final approval of spending bills.

Department of Transportation Releases INFRA Grant List

The Department of Transportation announced its list of INFRA grants for FY 2017 and 2018. The list includes 26 projects with total grant awards of \$1.535 billion. The awards are in 23 states – all but two of which were carried by President Trump in 2016. Twenty-two of the projects are highway projects, two are freight rail projects and two are port projects.

June 15, 2018

Appropriations Process Continues to Advance

By the close of business today, the House Committee on Appropriations will have reported out all but one of the appropriations bills for FY 2019. The State-Foreign Operations bill is the sole bill yet to be approved, but it did get through subcommittee on Wednesday. Last week, the House passed the first “mini-bus” package containing the spending bills for Energy and Water, Legislative Branch and Military Construction/Veteran Affairs.

On the Senate side, progress also continued this week. Seven of the 11 bills are completed as of this writing. As noted in earlier reports, the House and Senate are well ahead of their normal pace on appropriations and there is a good chance one or more packages of bills will be completed and ready for the President’s signature before October 1.

Action by New Jersey Could Improve Gateway Funding Chances

The New Jersey Economic Development Administration this week announced it is preparing to sell \$600 million of bonds backed by the state's transportation trust fund to support the Portal North Bridge project – a key element of the Gateway program.

The infusion of funds changes the financial plan for the project. Previously, the state bond amount was projected to be \$336 million. This additional \$264 million raises New Jersey's share of the \$1.6 billion project to 37.5 per cent. It will probably obviate the need for a Transportation Infrastructure Finance and Innovation Act loan backed by Port Authority NY/NJ revenues, which was part of the previous financial plan that received a "Medium-Low" rating from the Federal Transit Administration. Secretary Chao has noted on many occasions that she views a Transportation Infrastructure Finance and Innovation Act loan as part of the Federal share of the project. Removing that from the plan and putting more local "skin in the game" may well garner the project a "Medium" or even "Medium-High" financial rating and allow it to advance into the Engineering phase.

Legislative Provisions Target Chinese Railcar Manufacturer – Collateral Damage Possible

In both the House and Senate, legislation is advancing to address the recent penetration of the rolling stock market place by the CRRC – a Chinese state supported company that has won procurements from the Massachusetts Bay Transportation Authority in Boston and the Chicago Transit Authority in Chicago.

On the House side, the committee approved version of the Transportation and Housing and Urban Development appropriation bill for FY 2019 contains a provision that would prohibit FTA grantees from purchasing railcars from CRRC. The Senate has taken a more measured approach by including in its defense policy bill for FY 2019 a provision which would task the Committee on Foreign Investment in the United States (CFIUS) with studying the potential threat resulting from the purchase of railcars from Chinese companies.

Given that the Senate defense bill is likely to pass very soon, it would be likely the Senate would seek to get that provision adopted in a House-Senate conference on that measure, thereby obviating the need for the appropriations language.

While the CFIUS study appears to be less dramatic than the outright ban in the House spending bill, it is worth recalling that the Trump Administration's recently announced tariffs on steel and aluminum are being levied on national security grounds. The statute under which the President can levy those tariffs does not require a finding by CFIUS or any other body. But the essence of the President's action is that steel and aluminum supplied by countries like Canada, Germany and France poses a threat to national security. So, if CFIUS were to find that the purchase of railcars made by a Chinese company poses a threat to U.S. national security, the door would be open for those who seek to limit trade to allege that railcars manufactured by companies based in other countries could also harm national security.

In addition to the potential application of a CFIUS analysis to purchases of railcars from other foreign-owned companies, the pending legislation could also affect the procurements already entered into by Boston and Chicago. While the House language and the Senate language are both prospective, the CRRC has yet to open the manufacturing facilities in Massachusetts and Illinois that are contemplated in their contracts. Given the threat of the new legislative language, it would not be

unreasonable for the CRRC to decide that this action renders uneconomic their investment in those plants.

Members of CFIUS are all presidential appointees. They include the Secretaries of State, Treasury, Defense, Homeland Security, Commerce, and Energy; the Attorney General; the United States Trade Representative; and the Director of the Office of Science and Technology Policy. The Secretary of Labor and the Director of National Intelligence serve as ex officio members of the Committee. It also includes White House officials, including the Director of the Office of Management and Budget; the Chairman of the Council of Economic Advisors; the Assistant to the President for National Security Affairs; the Assistant to the President for Economic Policy; and the Assistant to the President for Homeland Security and Counterterrorism. Given the trade and national security policies adopted by these officials to date, it is not inconceivable that they would find that railcars produced by foreign-owned companies represent a national security threat even when they are Buy America compliant, as would be the CRRC cars for Boston and Chicago.

June 22, 2018

Drake Nomination Delayed by Senatorial Holds

Inside-the-beltway media is reporting that there are as many as three “holds” on the nomination of Thelma Drake to be Federal Transit Administrator. Under Senate rules, Senators can anonymously block a nominee by informing leadership of their opposition to moving forward on a nomination. A hold can be broken by the Majority Leader moving to take up a nomination, but Senate custom is to allow for holds to block a nomination until such time as the majority finds it intolerable to wait any longer and thinks they can muster 60 votes for cloture.

Earlier this year, Senator Chuck Schumer (D-NY) made it publicly known he had placed a hold on several nominees for jobs at the Department of Transportation, including Ron Batory to be head of the Federal Railroad Administration, as part of his dispute with the Administration over the Gateway program. He finally released that hold after the Administration used a fatal train accident in Washington State to argue for the importance of having the top rail safety regulator in place.

It may well be that the holds on Drake come from Schumer and other members of the New York/New Jersey delegation. The only Senator from those two states to have spoken on the topic is Bob Menendez (D-NJ), who said he is not placing a hold on the Drake nomination but will vote against it when it comes up. Regardless of the cause of the hold or holds, it may well take pressure from the Administration to bring Drake’s nomination to the floor.

House and Senate Seeking a Path Forward on Appropriations

The Transportation, Housing and Urban Development Appropriations bill for FY 2019 appears to be slated to be part of the next “minibus” appropriations bill to be advanced on Capitol Hill. The House seemed poised to potentially vote on that package this week, but the attempt to bring to the floor an immigration reform measure that can pass the House has pushed other issues off the agenda. It is possible a vote could occur next week but even when immigration is pushed aside or passed, there may be difficulty getting the votes to pass the minibus in the House. It appears Democrats are poised to vote against most remaining appropriations bills over their concern with the funding reductions proposed in the House for the Labor, Health and Human Services, Education bill. That means the Republicans must make a 218-vote majority solely on their side. Given the objections many Freedom Caucus members have to large spending measures, that may be a tough task.

On the Senate side, Appropriations Committee Chair Dick Shelby (R-AL) told reporters early this week he would like to try to vote on the minibuss before July 4th. However, the Senate got hung up this week on its first minibuss – including Energy and Water, Veterans Affairs and Legislative Branch spending bills.

FTA Releases Notice of Funding Opportunity for Discretionary Bus Program

The FTA on Thursday released the Notice of Funding Opportunity for the FY 2018 round of Bus and Bus Facilities Infrastructure Investment Grants. In this round, the FTA will award \$ 366.3 million. Applications are due by midnight on August 6th. Click [HERE](#) for the full text of the NOFO.

Activity Report for SANDAG
 June 2018
 Peyser Associates LLC

Date	Activity
6/1/2018	Prepared transportation update and sent to SANDAG and MTS
6/8/2018	Prepared transportation update and sent to SANDAG and MTS
6/10/2018	Attended APTA Legislative Committee meeting and P3 Committee meeting at APTA Rail
	Conference in Denver
6/11/2018	Meeting with B. Day (FTA) on CIG pipeline.
6/15/2018	Prepared transportation update and sent to SANDAG and MTS
6/22/2018	Prepared transportation update and sent to SANDAG and MTS

State Housing Legislation as of July 6, 2018

AB 1771 (Bloom D) Planning and Zoning: Regional Housing Needs Assessment

Status: 6/27/2018-From committee: Do pass and re-refer to Committee on Appropriations (Ayes 8. Noes 4.) (June 26). Re-referred to Committee on Appropriations

Summary: The Planning and Zoning Law requires the appropriate council of governments, or, for cities and counties without a council of governments, the Department of Housing and Community Development, to adopt a final regional housing need allocation plan that allocates a share of the regional housing need to each city, county, or city and county and is consistent with specified objectives, including that the plan increase the housing supply and the mix of housing types, tenure, and affordability in all cities and counties within the region in an equitable manner. Current law defines the term “household income levels” for purposes of these provisions. This bill would revise the objectives required to be addressed in the regional housing needs allocation plan and additionally require the plan to include an objective to increase access to areas of high opportunity for lower-income residents, while avoiding displacement and affirmatively furthering fair housing.

AB 1792 (Frazier D) Affordable Housing Authorities: Infrastructure

Status: 7/5/2018-Read second time. Ordered to third reading.

Summary: Current law authorizes a city, county, or city and county to adopt a resolution creating an affordable housing authority. Current law authorizes this authority to, among other things, provide for low- and moderate-income housing and affordable workforce housing, as provided. This bill would additionally authorize an affordable housing authority to finance water, sewer, or other public infrastructure necessary to support the development of affordable housing.

AB 2035 (Mullin D) Affordable Housing Authorities

Status: 7/5/2018-Read second time. Ordered to third reading.

Summary: Current law authorizes a city, county, or city and county to adopt a resolution creating an affordable housing authority with powers limited to providing low- and moderate-income housing and affordable workforce housing, as provided, by means of tax increment financing. Current law defines various terms for these purposes. This bill would additionally define the terms “authorizing resolution” and “property tax increment” for these purposes. The bill would additionally revise these provisions to limit the authority to providing low- and moderate-income housing and affordable housing, as specified.

AB 2161 (Chiu D) Housing: Homeless Integrated Data Warehouse

Status: 6/28/2018-Read second time and amended. Re-referred to Committee on Appropriations

Summary: Would direct the Department of Housing and Community Development to create a state homeless integrated data warehouse, in coordination with the Homeless Coordinating and Financing Council, to develop a composite portrayal of the homeless population in the state and the services provided to this population or to those at risk of becoming homeless. The bill would require that the information compiled for the database include the data necessary to make certain findings, including, among other things, the number of individuals and families experiencing homelessness, their access to benefits, and the stated reasons for their homelessness.

AB 2162 (Chiu D) Planning and Zoning: Housing Development: Supportive Housing

Status: 7/3/2018-Read second time and amended. Re-referred to Committee on Appropriations

Summary: The Planning and Zoning Law requires the housing element to contain, among other things, an assessment of housing needs and an inventory of resources and constraints relevant to meeting those needs and a program that sets forth a schedule of actions during the planning period, each with a timeline for implementation. That law specifies that transitional housing and supportive housing are a residential use of property, subject only to those restrictions that apply to other residential dwellings of the same type in the same zone. This bill would make a non-substantive change to this requirement.

AB2372 (Gloria D) Planning and zoning: Density Bonus: Floor Area Ratio Bonus

Status: 7/2/2018-Read second time. Ordered to third reading.

Summary: Would authorize a city council or county board of supervisors to establish a procedure by ordinance to grant a developer of an eligible housing development, upon the request of the developer, a floor area ratio bonus, calculated as provided, in lieu of a density bonus awarded on the basis of dwelling units per acre. The bill would define "eligible housing development" as a development that meets specified criteria related to residential use, location, zoning, replacement of units, and affordability. The bill would prohibit the city council or county board of supervisors from imposing any parking requirement on an eligible housing development in excess of specified ratios.

AB 2753 (Friedman D) Density bonuses: Density Bonus Application

Status: 6/28/2018-From committee: Do pass and re-refer to Committee on Appropriations. with recommendation: To Consent Calendar. (Ayes 7. Noes 0.) (June 27). Re-referred to Committee on Appropriations.

Summary: Current law requires a city or county to adopt procedures and timelines for processing a density bonus application and provide a list of documents and information required to be submitted with the application in order for it to be deemed complete. Current law requires a city or county to notify an applicant whether the application is complete within 30 calendar days or receiving the application, or a resubmittal of that application, and establishes an appeal process for that decision. This bill would additionally require a city or county to provide the applicant with a determination as to the amount of density bonus and any parking ratios requested by the applicant for which the development is eligible and whether the applicant has provided adequate information to make a determination as to any incentives, concessions, or waivers or reductions development standards requested by the applicant.

AB 2797 (Bloom D) Planning and zoning: Density Bonuses

Status: 7/5/2018-Withdrawn from Engrossing and Enrolling. Ordered to the Senate. In Senate. Held at Desk.

Summary: Current law provides that specified provisions of the the Density Bonus Law do not supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976, which provides for the regulation of development of certain lands within the coastal zone, as defined. This bill would require that any density bonus, concessions, incentives, waivers or reductions of development standards, and parking ratios to which an applicant is entitled under the Density Bonus Law be permitted in a manner that is consistent with that law and the California Coastal Act of 1976. This bill would also declare the intent of the Legislature in this regard.

AB 2890 (Ting D) Land use: Accessory Dwelling Units

Status: 7/3/2018-Read second time and amended. Re-referred to Committee on Appropriations

Summary: The Planning and Zoning Law authorizes a local agency to provide by ordinance for the creation of accessory dwelling units in single-family and multifamily residential zones and sets forth standards the ordinance is required to impose, including, among others, maximum unit size, parking, lot coverage, and height standards. Current law prohibits the ordinance from establishing size requirements for accessory dwelling units that do not permit at least an efficiency unit to be constructed. This bill would prohibit the imposition of lot coverage standards or requirements on minimum lot size, lot coverage, or floor area ratio, and would prohibit an ordinance from establishing size requirements for accessory dwelling units that do not permit at least an 800-square foot unit of at least 16 feet in height to be constructed.

AB 2922 (Gipson D) Income Taxes: Credits: Qualified Developer: Affordable Housing

Status: 5/25/2018-In committee: Held under submission.

Summary: The Personal Income Tax Law and the Corporation Tax Law allow various credits against the taxes imposed by those laws. This bill would allow a credit against those taxes for each taxable year beginning on or after January 1, 2019, and before January 1, 2024, to a taxpayer in an amount equal to 50 percent of the amount contributed by the taxpayer to a qualified developer for the development of a qualified project, as defined, but that does not exceed a specified amount per taxpayer per qualified project.

AB 3194 (Daly D) Housing Accountability Act: Project Approval

Status: 7/5/2018-Read third time and amended. Ordered to second reading.

Summary: Would specify that a proposed housing development project is not inconsistent with the applicable zoning standards and criteria, and would prohibit a local government from requiring a rezoning, if the housing development project is consistent with the objective general plan standards and criteria but the zoning for the project site is inconsistent with the general plan. The bill would authorize a local agency, provided that the local agency has complied with specified provisions, to require the proposed housing development project to comply with the objective standards and criteria of the zoning that are consistent with the general plan, and would require the local agency to apply those standards and criteria to facilitate and accommodate development at the density allowed on the site by the general plan and proposed by the proposed housing development project.

SB 765 (Wiener D) Planning and zoning: Streamlined Approval Process

Status: 7/5/2018-Read second time and amended. Re-referred to Committee on Appropriations.

Summary: Current law, until January 1, 2026, authorizes a development proponent to submit an application for a multifamily housing development, which satisfies specified objective planning standards, that is subject to a streamlined, ministerial approval process, as provided, and not subject to a conditional use permit. This bill would revise specified provisions to provide that the development is subject to a minimum percentage of below market rate housing on the basis that the locality's latest production report was submitted to the department within the time provided, and reflects either that there were fewer units of housing affordable to households making above 120 percent of the area median income that were issued building permits than were required for the regional housing needs assessment cycle for that reporting period, that there were fewer units of housing affordable to households making below 80 percent of the area median income that were issued building permits than were required for the regional housing needs assessment cycle for that reporting period and the project seeking approval meets specified requirements, or there were fewer units of housing affordable to households making between 80 percent and 120 percent of the area median income issued building permits than were required for the regional housing needs assessment cycle for that reporting period, and the project seeking approval meets specified requirements.

SB 792 **(Wilk R) Homeless Coordinating and Financing Council**

Status: 7/3/2018-Read second time and amended. Re-referred to Committee on Appropriations.

Summary: Would require the Homeless Coordinating and Financing Council to develop and implement a statewide strategic plan for addressing homelessness in the state, as specified. The bill would require, by January 1, 2020, the council to implement 2 strategic plans to assist federal Housing and Urban Development Continuum of Care lead agencies in either or both better implementing Housing and Urban Development recommended activities and meeting Housing and Urban Development requirements.

SB 828 **(Wiener D) Land Use: Housing Element**

Status: 7/2/2018-Read second time and amended. Re-referred to Committee on Appropriations.

Summary: Current law requires the appropriate council of governments, or the department for a city and county that does not have a council of governments, to adopt a final regional housing need plan that allocates a share of the regional housing need to each city, county, or city and county in accordance with certain requirements and procedures, including that a specified type of ordinance or policy that limits the number of residential building permits issued by a city or county may not be used as a justification for a determination or reduction in a jurisdiction's share of the regional housing need. This bill would prohibit the prior underproduction of housing in a city or county from the previous cycle and stable population numbers in a city or county from the previous cycle from being used as a justification for a determination or a reduction in the jurisdiction's share of the regional housing need.

SB 831 **(Wieckowski D) Land Use: Accessory Dwelling Units**

Status: 6/27/2018-June 27 set for first hearing. Testimony taken. Held in committee without recommendation.

Summary: Would require the ordinance for the creation of accessory dwelling units to designate areas where accessory dwelling units may be excluded for health and safety purposes, as specified. The bill would revise the standards for the local ordinance to, among other things, delete the authority to include lot coverage standards, and include a prohibition on considering the square footage of a proposed accessory dwelling unit when calculating an allowable floor-to-area ratio or lot coverage ratio for the lot.

SB 912 **(Beall D) Housing: Homelessness Programs and Affordable Housing**

Status: 6/27/2018-From committee: Do pass and re-refer to Committee on Appropriations. (Ayes 6. Noes 0.) (June 27). Re-referred to Committee on Appropriations.

Summary: Current law, among other officers within the California Housing Finance Agency, provides for a director of enterprise risk management and compliance with specified duties related to the development of new programs or changes to existing law or regulations that may result in new or increased risk to the agency. Current law requires that the board of directors of the agency establish the compensation of the key exempt management in the agency's annual budget, as provided. This bill, with respect to the compensation of those key exempt management positions, would include the director of enterprise risk management and compliance and the risk manager among those positions, and would delete obsolete references.

SB 918 **(Wiener D) Homeless Youth Act of 2018**

Status: 6/27/2018-From committee: Do pass and re-refer to Committee on Appropriations. (Ayes 7. Noes 0.) (June 26). Re-referred to Committee on Appropriations.

Summary: Current law establishes various programs, including, among others, the Emergency Housing and Assistance Program, homeless youth emergency service pilot projects, and Housing First and the Homeless Coordinating and Financing Council, to provide assistance to homeless persons. Current law establishes the council to oversee the implementation of the Housing First guidelines and regulations, and, among other things, identify resources, benefits, and services that can be accessed to prevent and end homelessness in California. This bill would require the council to assume additional responsibilities, including setting specific, measurable goals aimed at preventing and ending homelessness among youth in the state.

SB 961 **(Allen D) Enhanced Infrastructure Financing Districts**

Status: 6/27/2018-From committee: Do pass and re-refer to Committee on Appropriations. (Ayes 6. Noes 1.) (June 27). Re-referred to Committee on Appropriations.

Summary: Would enact the Second Neighborhood Infill Finance and Transit Improvements Act, which would similarly authorize a city, county, or city and county to adopt a resolution, at any time before or after the adoption of the infrastructure financing plan for an enhanced infrastructure financing district, to allocate tax revenues of that entity to the district, including revenues derived from local sales and use taxes imposed pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or transactions and use taxes imposed in accordance with the Transactions and Use Tax Law, if the area to be financed is within one-half mile of a major transit stop, as specified, and, among other things, certain conditions relating to housing and the infrastructure financing plan are or will be met.

SB 1078 (Committee on Transportation and Housing) Housing

Status: 6/27/2018-From committee: Do pass and re-refer to Committee on Appropriations. (Ayes 6. Noes 0.) (June 27). Re-referred to Committee on Appropriations.

Summary: Current law authorizes the legislative body of a city or a county to establish an enhanced infrastructure financing district to finance public capital facilities or other specified projects of communitywide significance. Current law requires the district to require, by recorded covenants or restrictions, that housing units built pursuant to this authority remain available at affordable housing costs to, and occupied by, persons and families of very low, low-, or moderate-income households, as provided. This bill would delete an unnecessary reference to "households" in these provisions.

SB 1206 (De León D) No Place Like Home Act of 2018

Status: 6/11/2018-Referred to Committee on Health.

Summary: Would enact the No Place Like Home Act of 2018 and provide for submission of that act to the voters at the November 6, 2018, statewide general election. The bill would include any appropriation or transfer to the No Place Like Home Fund from the General Fund or other funds as moneys required to be paid into the No Place Like Home Fund. The bill would specify that the service contracts between the authority and the department may be single-year or multiyear contracts and provide for payments to the department from amounts on deposit in the Supportive Housing Program Subaccount.

SB 1227 (Skinner D) Density Bonuses

Status: 7/5/2018-Read third time. Passed. Ordered to the Senate. In Senate. Concurrence in Assembly amendments pending.

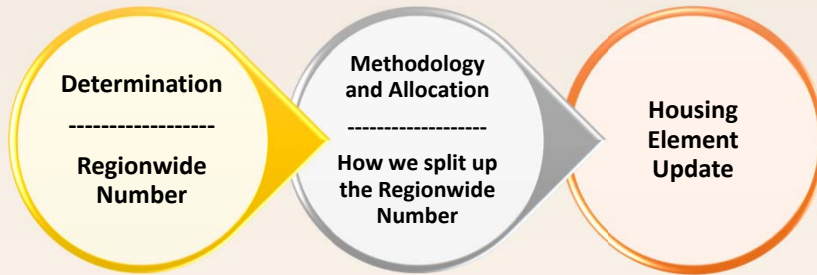
Summary: Would require a density bonus to be provided to a developer that agrees to construct a housing development in which all units in the development will be used for students enrolled full-time at an institution of higher education accredited by the Western Association of Schools and Colleges or the Accrediting Commission for Community and Junior Colleges and the developer enters into an agreement with an institution of higher education to that effect, where 20 percent of the units are used for lower income students, as defined, provided at a specified rent level, and the development provides priority for the applicable affordable units for lower income students experiencing homelessness.



Legislative Status Report



Executive Committee Item 4 | July 13, 2018



SB 828

- Codifies current Determination
- Focus on jobs and housing



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AB 1771

- Larger role for Dept. of Housing and Community Development
- Focus on fair housing



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<p>Determination</p>	<p>The Department of Housing and Community Development, in consultation with SANDAG, determines the existing and projected need for housing in the San Diego region in accordance with specified objectives.</p>
<p>Methodology and Allocation</p>	<p>SANDAG, in collaboration with local jurisdictions and stakeholders, develops a Methodology to determine how the housing units projected to be needed in the Determination will be allocated to each local jurisdiction in accordance with specified factors.</p>
<p>Housing Element Update</p>	<p>Each local jurisdiction updates its general plan housing element with its Allocation of housing units.</p>



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