



# Memorandum

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**DATE:** June 12, 2019

**TO:** Alameda County Transportation Commission

**FROM:** Tess Lengyel, Deputy Executive Director of Planning and Policy

**SUBJECT:** Legislative Positions and Receive an Update on Federal, State, and Local Legislative Activities

## Recommendation

It is recommended that the Commission approve legislative and policy positions and receive an update on federal, state, and local legislative activities.

## Summary

The June 2019 legislative update provides information on federal and state legislative activities.

## Background

The Commission approved the 2019 Legislative Program in December 2018 (Attachment A). The purpose of the legislative program is to establish funding, regulatory, and administrative principles to guide Alameda CTC's legislative advocacy. The final 2018 Legislative Program is divided into six sections: Transportation Funding; Project Delivery and Operations; Multimodal Transportation, Land Use, and Safety; Climate Change and Technology; Goods Movement; and Partnerships. The program is designed to be broad and flexible to allow Alameda CTC the opportunity to pursue legislative and administrative opportunities that may arise during the year, and to respond to political processes in the region as well as in Sacramento and Washington, DC.

Each month, staff brings updates to the Commission on legislative issues related to the adopted legislative program, including recommended positions on bills as well as legislative updates.

## Federal Update

Alameda CTC staff will provide a verbal update on federal legislative activities at the June meeting, if there are items of relevance to report regarding Alameda CTC's legislative platform.

## State Update

Platinum Advisors, Alameda CTC's state lobbying firm, provided the following summary of state activities.

**Budget Update:** Governor Newsom released his May Revision to the January Budget on May 9<sup>th</sup>. The Revision predicted short-term revenues of \$3.2 billion higher than the January estimates. The Revision does not propose any changes to transportation funding. The Governor's budget continues to rely on the existing funding programs and the SB 1 allocations; however, the housing element of the May Revision does include language that could impact future SB1 funds as noted below.

**Housing:** The May Revision continues the commitment made in January of providing \$750 million in onetime general fund revenue to assist local governments in increasing housing production by dedicating \$250 million for technical assistance and \$500 million in general purposes.

"Housing and transportation are inextricably linked." The biggest surprise in the Revision is that the Governor reiterates that the long-term housing production strategy continues to tie the receipt of SB 1 local street and road funds to meeting housing goals. Commencing with the revamped Regional Housing Needs Assessment process in 2022, the SB 1 streets and roads fund would be distributed upon compliance with housing element law and zoning, as well as, entitling to meet the updated housing goals. See Attachment B for draft trailer bill language on this linkage in the last segment related to long-term reform.

With respect to the \$250 million dedicated to assisting cities and counties with planning and zoning for housing, the May Revision proposes to expand eligible recipients for these funds to include school districts and county offices of education. With teachers being priced out of areas where they work, some school districts have surplus property that could be used for housing. The \$250 million would be awarded by the regional planning entity, and schools along with cities and counties can apply for these funds to develop housing plans.

The May Revision makes a major change on how the \$500 million will be used. Previously, these funds would have been used as a reward to cities and counties that meet planning goals for housing. The May Revision now calls for allocating these funds to the Infill Infrastructure Grant Program. This change was based on reports from local governments that one of the biggest barriers for housing production is the lack of infrastructure funding for water, sewer, and sidewalks. This one-time investment along

with \$300 million in Prop 3 funds, provides a total of \$800 million available through the Infill Investment Grant Program. Under the Infill Investment Grant Program cities, counties, and developers can apply for these funds.

The May Revise provides funding to staff the Governor's proposal for innovative housing projects. The Revise provides \$2.5 million to the Housing and Community Development Department and General Services to hire real estate consultants to assist with proposals, site investigation, and evaluating and monitoring projects. In the January budget the Governor directed state agencies to inventory surplus properties where housing development is feasible. The plan is to then invite developers to submit proposals that use creative and streamlined approaches to building housing.

**Cap & Trade:** The May Revise proposes spending an additional \$251 million of the \$300 million in assumed revenue. This new spending includes allocating an additional \$92 million for Transformative Climate Communities projects, and an additional \$8 million allocated to workforce training programs. The workforce training funding is increased from \$27 million to \$35 million annually. These funds would be targeted for apprenticeship and pre- apprenticeship construction programs.

The bulk of the new allocations is \$130 million for Low Carbon Transportation Programs administered by CARB. This includes a \$50 million increase for Clean Truck, Bus, and Off-Road Freight Equipment programs, and \$65 million to upgrade diesel equipment used in the agricultural sector.

Staff will provide updates on the advancement of the budget in June.

**Legislation:** The final date to get bills out of their house of origin was May 31. Over half of the bills Alameda CTC has taken positions on have moved forward in this legislative session. Attachment C shows bills Alameda CTC has taken positions on and if they have moved into the second house or if they have become two-year bills.

**Fiscal Impact:** There is no fiscal impact associated with the requested action.

**Attachments:**

- A. Alameda CTC 2019 Legislative Program
- B. Draft Budget Trailer Bill Language Linking SB1 and Housing Goals
- C. Alameda CTC Bill Positions Bill Status

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**2019 Alameda County Transportation Commission Legislative Program**

The legislative program herein supports Alameda CTC's transportation vision below adopted for the 2016 Countywide Transportation Plan:

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*"Alameda County will be served by a premier transportation system that supports a vibrant and livable Alameda County through a connected and integrated multimodal transportation system promoting sustainability, access, transit operations, public health and economic opportunities. Our vision recognizes the need to maintain and operate our existing transportation infrastructure and services while developing new investments that are targeted, effective, financially sound and supported by appropriate land uses. Mobility in Alameda County will be guided by transparent decision-making and measureable performance indicators. Our transportation system will be: Multimodal; Accessible, Affordable and Equitable for people of all ages, incomes, abilities and geographies; Integrated with land use patterns and local decision-making; Connected across the county, within and across the network of streets, highways and transit, bicycle and pedestrian routes; Reliable and Efficient; Cost Effective; Well Maintained; Safe; Supportive of a Healthy and Clean Environment."*

Issue	Priority	Strategy Concepts
Transportation Funding	Increase transportation funding	<ul style="list-style-type: none"> <li>• Oppose efforts to repeal transportation revenues streams enacted through SB1.</li> <li>• Support efforts that protect against transportation funding diversions.</li> <li>• Support efforts to lower the two-thirds voter threshold for voter-approved transportation measures.</li> <li>• Support the implementation of more stable and equitable long-term funding sources for transportation.</li> <li>• Ensure fair share of sales tax allocations from new laws and regulations</li> <li>• Seek, acquire, accept and implement grants to advance project and program delivery.</li> </ul>
	Protect and enhance voter-approved funding	<ul style="list-style-type: none"> <li>• Support legislation and increased funding from new and/or flexible funding sources to Alameda County for operating, maintaining, restoring, and improving transportation infrastructure and operations.</li> <li>• Support increases in federal, state, and regional funding to expedite delivery of Alameda CTC projects and programs, including funding to expand the Affordable Student Transit Pass program.</li> <li>• Support efforts that give priority funding to voter-approved measures and oppose those that negatively affect the ability to implement voter-approved measures.</li> <li>• Support efforts that streamline financing and delivery of transportation projects and programs.</li> <li>• Support rewarding Self-Help Counties and states that provide significant transportation funding into transportation systems.</li> <li>• Support statewide principles for federal surface transportation reauthorization and/or infrastructure bills that expand funding and delivery opportunities for Alameda County</li> </ul>
Project Delivery and Operations	Advance innovative project delivery	<ul style="list-style-type: none"> <li>• Support environmental streamlining and expedited project delivery, including contracting flexibility and innovative project delivery methods.</li> <li>• Support high-occupancy vehicle (HOV)/express lane expansion in Alameda County and the Bay Area, and efforts that promote effective implementation.</li> <li>• Support efforts to allow local agencies to advertise, award, and administer state highway system contracts largely funded by local agencies.</li> </ul>
	Ensure cost-effective project delivery	<ul style="list-style-type: none"> <li>• Support efforts that reduce project and program implementation costs.</li> <li>• Support funding and policies to implement transportation projects that create jobs and economic growth, including for apprenticeships and workforces training programs.</li> </ul>
	Protect the efficiency of managed lanes	<ul style="list-style-type: none"> <li>• Support HOV/managed lane policies that protect toll operators' management of lane operations and performance, toll rate setting and toll revenue reinvestments, deployment of new technologies and improved enforcement.</li> <li>• Support legislation that clarifies and enables effective toll processing, resolution of unpaid tolls, and interoperability.</li> <li>• Oppose legislation that degrades HOV lanes that could lead to congestion and decreased efficiency.</li> </ul>
	Reduce barriers to the implementation of transportation and land use investments	<ul style="list-style-type: none"> <li>• Support legislation that increases flexibility and reduces barriers for infrastructure improvements that link transportation, housing, and jobs.</li> </ul>

Issue	Priority	Strategy Concepts
<b>Multimodal Transportation, Land Use and Safety</b>		<ul style="list-style-type: none"> <li>• Support local flexibility and decision-making regarding land-uses for transit oriented development (TOD) and priority development areas (PDAs).</li> <li>• Support funding opportunities for TOD and PDA implementation, including transportation corridor investments that link PDAs.</li> </ul>
	Expand multimodal systems, shared mobility and safety	<ul style="list-style-type: none"> <li>• Support policies that provide increased flexibility for transportation service delivery through programs that address the needs of commuters, youth, seniors, people with disabilities and low-incomes, and do not create unfunded mandates.</li> <li>• Support policies that enable shared mobility innovations while protecting the public interest, including allowing shared data (such as data from transportation network companies and app based carpooling companies) that could be used for transportation and land use planning and operational purposes.</li> <li>• Support investments in active transportation, including for improved safety and Vision Zero strategies.</li> <li>• Support investments in transportation for transit-dependent communities that provide enhanced access to goods, services, jobs, and education.</li> <li>• Support parity in pre-tax fringe benefits for public transit, carpooling, and vanpooling and other modes with parking.</li> <li>• Support legislation to modernize the Congestion Management Program, supporting the linkage between transportation, housing, and multi-modal performance monitoring</li> </ul>
<b>Climate Change and Technology</b>	Support climate change legislation and technologies to reduce greenhouse gas (GHG) emissions	<ul style="list-style-type: none"> <li>• Support funding for infrastructure, operations, and programs to relieve congestion, improve air quality, reduce emissions, expand resiliency and support economic development, including transitioning to zero emissions transit fleets.</li> <li>• Support rewarding Self-Help Counties with cap-and-trade funds for projects and programs that are partially locally funded and reduce GHG emissions.</li> <li>• Support emerging technologies such as alternative fuels and fueling technology to reduce GHG emissions.</li> <li>• Support legislation and policies to facilitate deployment of connected and autonomous vehicles in Alameda County, including data sharing that will enable long-term planning.</li> <li>• Support the expansion of zero emissions vehicle charging stations.</li> <li>• Support efforts that ensure Alameda County jurisdictions are eligible for state funding related to the definition of disadvantaged communities used in state screening tools.</li> </ul>
<b>Goods Movement</b>	Expand goods movement funding and policy development	<ul style="list-style-type: none"> <li>• Support a multimodal goods movement system and efforts that enhance the economy, local communities, and the environment.</li> <li>• Support goods movement policies that enhance Bay Area goods movement planning, funding, delivery, and advocacy.</li> <li>• Support legislation and efforts that improve the efficiency and connectivity of the goods movement system, including passenger rail connectivity.</li> <li>• Ensure that Alameda County goods movement needs are included in and prioritized in regional, state and federal goods movement planning and funding processes.</li> <li>• Support rewarding Self-Help Counties that directly fund goods movement infrastructure and programs.</li> <li>• Leverage local funds to the maximum extent possible to implement goods movement investments in Alameda County through grants and partnerships.</li> </ul>
<b>Partnerships</b>	Expand partnerships at the local, regional, state and federal levels	<ul style="list-style-type: none"> <li>• Support efforts that encourage regional and mega-regional cooperation and coordination to develop, promote, and fund solutions to regional transportation problems and support governmental efficiencies and cost savings.</li> <li>• Partner with community and national organizations and other partners to increase transportation funding for Alameda CTC's multiple projects and programs and to support local jobs.</li> <li>• Support efforts to maintain and expand local-, women-, minority- and small-business participation in competing for contracts.</li> </ul>

**Housing Planning and Production Grants  
Draft Trailer Bill Language**

Section 1. Chapter X (commencing with Section XXXXX) is added to Part X of Division XX of the Health and Safety Code, to read:

CHAPTER X. Housing Planning and Progress Grants

XXXXX. Definitions. For purposes of this chapter:

- (a) "Council of governments" means a single or multicounty council created by a joint powers agreement pursuant to Chapter 5 (commencing with Section 6500) of Division 1 of Title 1 that prepares an allocation plan pursuant to Sections 65584.04 and 65584.05 of the Government Code.
- (b) "Department" means the California Department of Housing and Community Development.
- (c) "Completed Entitlement" means a housing development or project which has received all the required land use approvals or entitlements necessary for the issuance of a building permit. This means that there is no additional action, including environmental review or appeals, required to be eligible to apply and obtain a building permit.
- (d) "Housing element" or "element" means the housing element of the community's general plan, as required pursuant to this article and subdivision (c) of Section 65302.
- (e) "Jurisdiction" means a city, county, city and county, school district, county office of education, or a combination of these entities.
- (f) "Low-income unit" means units restricted to low-income households, as defined by 80 percent of the county area median income.
- (g) "Market rate unit" means units not restricted to low-income households, as defined by 80 percent of the county area median income.
- (h) "Program" means the Housing Planning and Progress Grants program.
- (i) "Regional Housing Needs Assessment" means the housing goals identified for each locality pursuant to Article 10.6 of Chapter 3 of Division 1 of Title 7 of the Government Code.
- (j) "Annual Progress Report" means reports required to be submitted to the Department under Section 65400 of the Government Code.

XXXXX.1. Program framework.

- (a) The Local Government Planning Support Grants program is hereby established for the purpose of providing regions and jurisdictions with one-time funding, including grants for planning activities to enable jurisdictions to meet the Sixth Cycle of the Regional Housing Needs Assessment.
- (b) The Department shall administer the program.
- (c) The Department's decision to approve or deny an application or request for funding from a regional government and the determination of the amount of funding to be provided shall be final.
- (d) The Department shall maintain records of the following:
  - (1) The number of applications for program funding received by the Department.
  - (2) The number of applications for program funding denied by the Department.
  - (3) The name of each recipient of program funds.
- (e) The Department may carry out the program through the issuance of forms, guidelines, and one or more notices of funding availability as necessary to exercise the powers and perform the duties conferred or imposed on it by this chapter. Any forms, guidelines and notice of funding availability issued pursuant to this section shall not be subject to the rulemaking provisions of

the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

XXXXX.2. Planning grants.

(a) Upon appropriation by the Legislature, the Department shall allocate two hundred and fifty million dollars (\$250,000,000) to regions and jurisdictions for technical assistance, preparation and adoption of planning documents, and process improvements to accelerate housing production and facilitate compliance to implement the Sixth Cycle of the Regional Housing Needs Assessment.

(b)(1) Of the amount described in paragraph (a), one hundred and twenty-five million (\$125,000,000) shall be available to regions as identified in paragraphs (A) through (G).

(A) Association of Bay Area Governments, representing the counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma.

(B) Sacramento Area Council of Governments, representing the counties of El Dorado, Placer, Sacramento, Sutter, Yolo, and Yuba.

(C) San Diego Association of Governments representing San Diego County.

(D) Southern California Association of Governments, representing counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura.

(E) A central coast multi-agency working group consisting of the association of Monterey Bay Area Governments, San Luis Obispo Council of Governments, and Santa Barbara Association of Governments, representing the counties of Monterey, San Benito, San Luis Obispo, Santa Barbara, and Santa Cruz.

(F) A San Joaquin Valley multi-agency working group consisting of Fresno Council of Governments, Kern Council of Governments, Kings County Association of Governments, Madera County Transportation Commission, Merced County Association of Governments, San Joaquin Association of Governments, Stanislaus Council of Governments and the Tulare County Association of Governments, representing the counties of Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare.

(G) Cities, counties, and councils of governments of the following counties: Alpine, Amador, Butte, Calaveras, Colusa, Glenn, Del Norte, Humboldt, Inyo, Lake, Lassen, Mariposa, Modoc, Mendocino, Mono, Nevada, Plumas, Shasta, Sierra, Siskiyou, Tehama, Tuolumne, and Trinity. These jurisdictions may directly apply to the Department for funds.

(2) Allocations pursuant to this subdivision shall be made to these regions on behalf of all the jurisdictions they represent. The amount of these allocations shall be calculated according to population estimates consistent with the methodology identified in subdivision (c) and provided in total to each region. In consultation with the Department, each region may determine appropriate use of funds or sub-allocations within its boundaries to appropriately address its unique housing and planning priorities.

(3) The following provisions apply to the multi-agency working groups identified in subparagraph (E) and (F) of subdivision (b)(1).

(A) Prior to November 30, 2019, the central coast and San Joaquin Valley regions shall form a multi-jurisdictional working group comprised of one county representative from each county, and two city representatives nominated by the city selection committee that represents a larger city and a smaller city within each county. At least one of the three representatives from each county must also serve on the board of the council of governments or commission identified in subdivision (b)(1). The multi-jurisdictional working group shall select a council of governments to serve as the fiscal agent and identify staff to assist the work



of the group. Once formed, the multi-jurisdictional working group shall notify all member cities and counties of its purpose pursuant to this section, the composition of its members, its timeline for action and proposed meeting schedule. The Department may select a fiscal agent for the multi-jurisdictional working group in the absence of agreement within the membership. The Department's decision shall be based on factors such as capacity and experience in administering programs.

(B) In recognition of the unique challenge in developing a process through a multi-agency working group, eight million dollars (\$8,000,000) from the amount identified in paragraph (a) shall be provided to a multiagency working group that does not form a smaller multi-jurisdictional working group under subparagraph (b)(1). Of this amount, 25 percent shall be set aside for the central coast multi-agency working group and 75 percent shall be set aside for the San Joaquin Valley multiagency working group.

(4) In consultation with the Department, a region shall establish priorities and use funds allocated to:

(A) Sub-allocate funds directly and equitably to local agencies or sub-regional entities in a grant program for planning that will accommodate and develop housing and infrastructure that will accelerate housing production in a way that aligns with state planning priorities, housing, transportation, equity, and climate goals.

(B) Provide local agencies with technical assistance, planning, temporary staffing or consultant needs associated with updating local planning and zoning documents, expediting application processing and other actions to accelerate additional housing production.

(C) Update a housing element to comply with state law.

(D) Supporting enhanced local planning activities, and environmental analysis that will support housing development and location-efficient housing consistent with adopted regional plans, including sustainable communities strategies.

(E) Providing funding for the formation or augmentation of a regional, sub regional, or local housing trust funds.

(F) Develop an improved methodology for the distribution of the Sixth Cycle Regional Housing Needs Assessment to further the statutory objectives per Government Code 65584(d).

(5) Beginning September 15, 2019 and by no later than January 31, 2020, a region may request funds pursuant to paragraph (1). The Department shall have 30 days to review a request for funds pursuant to this paragraph and provide comments. A region shall incorporate comments as appropriate to achieve the goals of this Program. Following approval, the Department shall disburse corresponding funds, provided that no more than 50% of the allocation of a region shall be awarded before the Department receives, reviews, and approves the region's action plan report.

(i) The cities, counties, and councils of governments identified in (b)(1)(G) may apply directly to the Department for use of the funds pursuant to this subdivision.

(6) By December 31, 2019, regions may request funds to organize and partner with and make suballocations to jurisdictions to promote sufficient housing supply, including but not limited to implementing this subdivision. The Department shall have 30 days to review a request for funds pursuant to this paragraph, and following approval disburse corresponding funds, provided that no more than 50% of the allocation of a region shall be awarded before the Department receives and reviews the region's action plan pursuant to paragraph (8) of this subdivision.

(7) The region shall develop an education and outreach strategy to inform local agencies of the need and benefits of taking early action related to the sixth cycle regional needs allocation. The council of governments shall also survey member cities and counties to identify how to expend the funds among the uses identified in subsection (1) and develop the regional action plan in subsection (8). The outreach effort must also include at least two public workshops, but may also include other strategies designed to produce information and data the council of governments deems relevant.

(8) By December 31, 2020, the regions must submit an action plan to the Department that identifies specific strategies that jurisdictions within the region have implemented or plan to implement to meet their housing goals. The action plan must include the following components:

(A) A general overview of regional economic, demographic, environmental, socioeconomic equity, and market conditions that are affecting housing availability and accessibility

(B) An allocation budget for the funds provided in subdivision (1)

(C) A section that identifies best practices and process improvements from within or outside the region that promote sufficient supply of a range of housing types affordable to a variety of incomes, including policies and programs that create additional development certainty, reduce regulatory barriers, and other strategies that have been shown to increase housing development.

(D) A mechanism for the region to report on the results and successes of the progress of jurisdictions in developing early action items, including a summary of any building permits or certificates of occupancy, or other completed entitlement that have been issued by a local jurisdiction,

(E) The amounts retained by the region and any sub-allocations to jurisdictions.

(9) At least 90 days before submission to the Department, an action plan shall be submitted for a 30-day comment period to the respective boards of supervisors and city councils within the region, with its contents explained to the affected local jurisdictions via webinar or in at least two public workshops.

(A) After considering written comments, the council of governments shall make any changes deemed necessary and submit a final action plan to respective boards of supervisors and city councils within the region and to the Department.

(10) The Department shall have 60 days to review action plans submitted by regions and provide approval or in the event the Department does not approve the report they must provide written findings and the region shall have the opportunity to amend and resubmit with a Department review period of no greater than 45 days. The Department shall disburse any remaining funds pursuant to paragraph (1) to regions, following approval of their action plan pursuant to paragraph (8) of this subdivision.

(11) Expenditures shall be limited to housing-related planning activities. These activities include but are not limited to:

(A) Technical assistance in improving housing permitting processes, tracking systems, and planning tools

(B) Facilitating technical assistance between jurisdictions

(C) Establishing regional housing trust funds

(D) Developing local or regional policies to link transportation funds to housing outcomes

(E) Performing infrastructure planning, including for sewers, water systems, transit, roads, or other public facilities necessary to support new housing and new residents

(F) Performing feasibility studies to determine the most efficient locations to site housing, consistent with section 65041.1 of the Government Code

(G) Performing feasibility studies for affordable housing projects on surplus property owned by school districts or county offices of education

(c) Of this amount, one hundred and twenty-five million (\$125,000,000) shall be available directly for jurisdictions to assist in planning or other activities related to meeting their Sixth Cycle of the Regional Housing Needs Assessment.

(1) Jurisdictions are eligible for funds under this paragraph if they demonstrate a commitment to participate in the development of their regional action plan. By December 31, 2019, the Department shall disburse funds to jurisdictions pursuant to paragraph (2). If the jurisdiction is in a region that does not submit a plan pursuant to paragraph (8) of subdivision (b), the jurisdiction must submit a plan to the Department that identifies specific strategies to meet their Sixth Cycle of the Regional Housing Needs Assessment and prepare to be effective at meeting their long-term housing goals, as well as promote sufficient supply of a range of housing types affordable to a variety of incomes.

(2) Maximum grant amounts shall be set as follows, according to population estimates as of January 1, 2019 posted on the Department of Finance Internet Web site:

(A) One million and five hundred thousand dollars (\$1,500,000) to very large localities (with populations over 750,000).

(B) Seven hundred and fifty thousand dollars (\$750,000) to large localities (with populations between 300,000 and 749,999 inclusive).

(C) Five hundred thousand dollars (\$500,000) to medium to large localities (with populations between 100,000 and 299,999, inclusive).

(D) Three hundred thousand dollars (\$300,000) to medium localities (with populations between 60,000 and 99,999, inclusive).

(E) One hundred and fifty thousand dollars (\$150,000) to small localities (with populations between 20,000 and 59,999, inclusive)

(F) Sixty five thousand dollars (\$65,000) to very small localities (with populations under 20,000).

(3) Expenditures shall be limited to housing-related planning activities to promote and streamline development, including staffing or contracts. These activities include but are not limited to:

(A) Any other uses eligible under paragraph (4) of subsection (b).

(B) Rezoning and encouraging development by updating planning documents and zoning ordinances, such as general plans, community plans, specific plans, sustainable communities' strategies, and local coastal programs.

(C) Completing environmental clearance to eliminate the need for project-specific review.

(D) Establishing Workforce Housing Opportunity Zones pursuant to Article 10.10 (commencing with Section 65620) of Chapter 3 of Division 1 of Title 7 of the Government Code or Housing Sustainability Districts pursuant to Chapter 11 (commencing with Section 66200) of Division 1 of Title 7 of the Government Code.

(E) Revamping local planning processes to speed up production.

(F) Creation or improvement of accessory dwelling unit ordinances.

(d) Of the amount appropriated in subsection (a) of XXXX.2, five percent of the funds shall be set aside for program administration, including state operations expenditures and technical assistance, as well as expenditures by councils of government and the regional entities receiving funding.

XXXXX.3. Investments in Infrastructure.

(a) Upon appropriation by the Legislature, five hundred million dollars (\$500,000,000) shall be allocated to the Infill Infrastructure Grant program administered by the Department, pursuant to Sections 53545.12 and 53545.13.

(1) In addition to the conditions described Section 53545.13(c), the qualifying infill area or qualifying infill project shall meet all of the following conditions:

(A) Be located in a city, county, or city and county that has a compliant housing element.

(B) Be located in a city, county, or city and county that, at the time of application, has submitted its annual progress reports for 2018 through the most recently required annual progress reports.

(C) Be a joint application between a city, county, or city and county and a developer to build infrastructure that supports the development of mixed income housing.

(b) Of the amount appropriated in subsection (a) of XXXX.3, five percent of the funds shall be set aside for program administration, including state operations expenditures and technical assistance, as well as expenditures by councils of government and the regional entities receiving funding.

#### XXXXX.4. Timelines.

(a) (1) The Department shall make award determinations and issue a notice of funding availability for the planning grants available pursuant to section XXXXX.2 no later than August 15, 2019.

(2) Regions can apply for planning grants pursuant to section XXXXX.2 no later than December 31, 2020, and the Department shall have 30 days to review applications before issuing awards.

(3) Jurisdictions can apply for planning grants pursuant to section XXXXX.2 no later than December 31, 2019.

(4) Regions shall submit their action plans pursuant to section XXXXX.2 no later than December 31, 2020, and make such action plans available publicly on an internet website.

(5) By March 1st, 2022, and every year thereafter regions shall complete an evaluation of progress made by jurisdictions in implementing yearly action plan goals pursuant to subparagraph (x) of paragraph (x) of subdivision (x) section XXXXX.2 and make these evaluations available publicly on an internet website.

(5) Jurisdictions and regions shall expend planning grant allocations no later than January 1, 2022.

(6) Regions shall report status of their action plans and all uses of planning grant funds to the Department no later than December 31, 2022. Status of the action plan must include an evaluation of jurisdiction actions taken in support of the plan, including which actions had greatest impact on housing production.

(7) Jurisdictions shall report all uses of planning grant funds to the Department no later than March 1, 2022.

(b) The Department may request additional information, as needed, to meet other applicable reporting or audit requirements.

(c) The Department may monitor expenditures and activities of an applicant, as the Department deems necessary, to ensure compliance with program requirements.

(d) The Department may, as it deems appropriate or necessary, request the repayment of funds from an applicant, or pursue any other remedies available to it by law for failure to comply with program requirements.

#### XXXXX.5. Long-term reform.

(a) It is the intent of the Legislature to revamp the existing Regional Housing Needs Assessment process pursuant to section 65584 of the Government Code, to accomplish the following objectives:

- (1) Creating a fair, transparent, and objective process for identifying housing needs across the state.
- (2) Strategically planning for housing growth according to statewide priorities consistent with section 65041.1 of the Government Code, and expected future need for housing at all income levels.
- (3) Encouraging increased development to address the state's housing affordability issues.
- (4) Improving compliance and outcomes through incentives and enforcement.

(b) By December 31, 2022, the Department, in collaboration with the Office of Planning and Research, shall propose, after engaging in stakeholder participation, an improved Regional Housing Needs Allocation process and methodology that promotes and streamlines housing development and substantially addresses California's housing shortage. The Department may appoint a third-party consultant to facilitate a comprehensive review of the current Regional Housing Needs Allocation process and methodology.

(c) (1) By December 31, 2022, the Department, in collaboration with the California State Transportation Agency and the Office of Planning and Research, shall propose, after engaging in stakeholder participation, opportunities to link transportation and other non-housing funding, including funds available pursuant to paragraph (2) of subdivision (h) of section 2032 of the Streets and Highways Code, with statutorily required housing goals, including but not limited to housing element and annual progress report compliance, and policies that support meeting of housing goals, and integrated housing and transportation planning. The recommendations proposed may be implemented administratively or proposed to the Legislature for statutory change, as applicable.

(2) To aid the implementation of paragraph (1), beginning July 1, 2023, funds available pursuant to paragraph (2) of subdivision (h) of section 2032 of the Streets and Highways Code may be withheld from any jurisdiction that does not have a compliant housing element and has not zoned or entitled for its annual housing goals, pursuant to its most-recent Regional Housing Needs Allocation. Any forms and guidelines issued pursuant to this subdivision shall not be subject to the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) or Part 1 of Division 3 of Title 2 of the Government Code).

(3) By May 1, 2023, and annually thereafter, the Department shall report to the Controller a list of cities and counties with funds to be withheld from the following fiscal year's apportionment pursuant to paragraph (2). The Controller shall reapportion any withheld funds under paragraph (2) to all cities and counties that do not have funds withheld for that fiscal year, pursuant to the formula in clauses (i) and (ii) of subparagraph (C) of paragraph (3) of subdivision (a) of Section 2103 of the Streets and Highways Code.

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## Attachment C: Alameda CTC Bill Positions Bill Status

Bills	Subject	Position
<b>Two-Year Bills: Bills that did not pass through first house</b>		
<p><a href="#"><u>AB 11</u></a> (<a href="#"><u>Chiu D</u></a>) Community Redevelopment Law of 2019.</p>	<p>Current law dissolved redevelopment agencies as of February 1, 2012, and designates successor agencies to act as successor entities to the dissolved redevelopment agencies. This bill, the Community Redevelopment Law of 2019, would authorize a city or county, or two or more cities acting jointly, to propose the formation of an affordable housing and infrastructure agency by adoption of a resolution of intention that meets specified requirements.</p>	<p>Alameda CTC - Support</p>
<p><a href="#"><u>AB 148</u></a> (<a href="#"><u>Quirk-Silva D</u></a>) Regional transportation plans: sustainable communities strategies.</p>	<p>Current law requires certain transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system. Current law requires the regional transportation plan to include, if the transportation planning agency is also a metropolitan planning organization, a sustainable communities strategy. This bill would require each sustainable communities strategy to identify areas within the region sufficient to house an 8-year projection of the emergency shelter needs for the region, as specified.</p>	<p>Alameda CTC - Support</p>
<p><a href="#"><u>AB 659</u></a> (<a href="#"><u>Mullin D</u></a>) Transportation: emerging transportation technologies: California Smart City Challenge Grant Program.</p>	<p>Would establish the California Smart City Challenge Grant Program to enable municipalities to compete for grant funding for emerging transportation technologies to serve their transportation system needs, and would specify certain program goals. The bill would require the commission to form the California Smart City Challenge Workgroup on or before July 1, 2020, to guide the commission on program matters, as specified. The bill would require the commission, in consultation with the workgroup, to develop guidelines on or before March 1, 2021, for the program, which would not be subject to the Administrative Procedure Act, and would authorize the commission to revise them as necessary.</p>	<p>Alameda CTC - Support</p>
<p><a href="#"><u>AB 847</u></a> (<a href="#"><u>Grayson D</u></a>) Housing: transportation-related impact</p>	<p>Would require the Department of Housing and Community Development, upon appropriation by the Legislature, to establish a competitive grant program to award grants to cities and counties to offset up to 100% of any transportation-related impact fees exacted upon a qualifying housing development project, as</p>	<p>Alameda CTC - Support</p>

fees grant program.	defined, by the local jurisdiction. ( Amended: 3/27/2019)	
<a href="#"><u>AB 1350</u></a> <b>(Gonzalez D)</b> Youth Transit Pass Pilot Program.	Would create the Youth Transit Pass Pilot Program upon the appropriation of moneys from the Greenhouse Gas Reduction Fund by the Legislature, and would require the Department of Transportation to administer the program. The bill would require the department to award available moneys to eligible participants, as defined, to provide free transit passes to persons under the age of 25 through new or existing transit pass programs, as specified. ( Amended: 3/26/2019)	Alameda CTC - Support
<a href="#"><u>AB 1648</u></a> <b>(Levine D)</b> Housing: school employees: affordable rental housing.	Would define affordable rental housing for the purposes of the Teacher Housing Act of 2016 to mean a rental housing development with a majority of its rents restricted to levels that are affordable to persons and families whose income does not exceed 200 percent of area median income, as specified, and located on real property owned by the school district.	Alameda CTC -
<a href="#"><u>AB 1717</u></a> <b>(Friedman D)</b> Transit-Oriented Affordable Housing Funding Program Act.	Would establish the Transit-Oriented Affordable Housing Funding Program, to be administered by the California Housing Finance Agency (CalHFA). The bill would authorize the city council of a city, or the board of supervisors of a city and county, to participate in the program by enactment of an ordinance establishing a transit-oriented affordable housing district, as provided.	Alameda CTC - Support
<a href="#"><u>SB 50</u></a> <b>(Wiener D)</b> Planning and zoning: housing development: incentives.	Would authorize a development proponent of a neighborhood multifamily project located on an eligible parcel to submit an application for a streamlined, ministerial approval process that is not subject to a conditional use permit. The bill would define a "neighborhood multifamily project" to mean a project to construct a multifamily structure on vacant land, or to convert an existing structure that does not require substantial exterior alteration into a multifamily structure, consisting of up to 4 residential dwelling units and that meets local height, setback, and lot coverage zoning requirements as they existed on July 1, 2019.	Alameda CTC – Watch position, and provided comments on legislative language via a letter
<b>Bills Continuing through this year's legislative process</b>		
<a href="#"><u>AB 252</u></a> <b>(Daly D)</b> Department of Transportation: environmental review process:	Current federal law requires the United States Secretary of Transportation to carry out a surface transportation project delivery program, under which the participating states may assume certain responsibilities for environmental review and clearance of transportation projects that would otherwise be the responsibility of the federal government. Current law,	Alameda CTC - Support



federal program.	until January 1, 2020, provides that the State of California consents to the jurisdiction of the federal courts with regard to the compliance, discharge, or enforcement of the responsibilities it assumed as a participant in the program. This bill would extend the operation of these provisions indefinitely.	
<a href="#"><u>AB 1226</u></a> <b>(Holden D)</b> State highways: property leases: assessment.	Would require the Department of Transportation to assess the feasibility of constructing facilities above highways built below grade in urban areas that would be made available and leased to a city, county, or other political subdivision or another state agency for affordable housing, transitional housing, emergency shelter, feeding program, or wraparound services purposes, or any combination of these purposes, and would require the department, on or before January 1, 2021, to submit that assessment to the Governor and the fiscal and policy committees of the Legislature that oversee transportation programs.	Alameda CTC - Support
<a href="#"><u>AB 1486</u></a> <b>(Ting D)</b> Surplus land.	Current law prescribes requirements for the disposal of surplus land by a local agency. Current law defines "local agency" for these purposes as every city, county, city and county, and district, including school districts of any kind or class, empowered to acquire and hold real property. This bill would expand the definition of "local agency" to include sewer, water, utility, and local and regional park districts, joint powers authorities, successor agencies to former redevelopment agencies, housing authorities, and other political subdivisions of this state.	Alameda CTC - Support
<a href="#"><u>AB 1487</u></a> <b>(Chiu D)</b> San Francisco Bay area: housing development: financing.	Current law provides for the establishment of various special districts that may support and finance housing development, including affordable housing special beneficiary districts that are authorized to promote affordable housing development with certain property tax revenues that a city or county would otherwise be entitled to receive. This bill, the San Francisco Bay Area Regional Housing Finance Act, would establish the Housing Alliance for the Bay Area (hereafter the entity) and would state that the entity's purpose is to increase affordable housing in the San Francisco Bay area, as defined, by providing for enhanced funding and technical assistance at a regional level for tenant protection, affordable housing preservation, and new affordable housing production.	Alameda CTC - Oppose unless amended
<a href="#"><u>ACA 1</u></a> <b>(Aguiar-Curry D)</b>	The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions.	Alameda CTC - Support

<p>Local government financing: affordable housing and public infrastructure: voter approval.</p>	<p>This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements.</p>	
<p><a href="#"><u>SB 5</u></a> <b>(Beall D)</b> Affordable Housing and Community Development Investment Program.</p>	<p>Would establish in state government the Affordable Housing and Community Development Investment Program, which would be administered by the Affordable Housing and Community Development Investment Committee. The bill would authorize a city, county, city and county, joint powers agency, enhanced infrastructure financing district, affordable housing authority, community revitalization and investment authority, transit village development district, or a combination of those entities, to apply to the Affordable Housing and Community Development Investment Committee to participate in the program and would authorize the committee to approve or deny plans for projects meeting specific criteria.</p>	<p>Alameda CTC - Support if Amended</p>
<p><a href="#"><u>SB 127</u></a> <b>(Wiener D)</b> Transportation funding: active transportation: complete streets.</p>	<p>Would establish an Active Transportation Asset Branch within the Transportation Asset Management Office of the department and require the Transportation Asset Management Plan program manager to develop and meaningfully integrate performance measures into the asset management plan as specified, and to establish interim goals, objectives, and actions to meet the department's transportation mode shift goals, as specified. The bill would require the California Transportation Commission to give high priority to increasing safety for pedestrians and bicyclists and to the implementation of bicycle and pedestrian facilities.</p>	<p>Alameda CTC - Support and Seek Amendments</p>
<p><a href="#"><u>SB 128</u></a> <b>(Beall D)</b> Enhanced infrastructure financing districts: bonds: issuance.</p>	<p>Current law authorizes the legislative body of a city or a county to establish an enhanced infrastructure financing district, with a governing body referred to as a public financing authority, to finance public capital facilities or other specified projects of communitywide significance. Current law requires a public financing authority to adopt an infrastructure financing plan and hold a public hearing on the plan, as specified. Current</p>	<p>Alameda CTC - Support</p>

	<p>law authorizes the public financing authority to issue bonds for these purposes upon approval by 55% of the voters voting on a proposal to issue the bonds. Current law requires the proposal submitted to the voters by the public financing authority and the resolution for the issuance of bonds following approval by the voters to include specified information regarding the bond issuance. This bill would instead authorize the public financing authority to issue bonds for these purposes without submitting a proposal to the voters.</p>	
<p><a href="#"><u>SB 137</u></a> <a href="#"><u>(Dodd D)</u></a> Federal transportation funds: state exchange programs.</p>	<p>Current federal law apportions transportation funds to the states under various programs, including the Surface Transportation Program and the Highway Safety Improvement Program, subject to certain conditions on the use of those funds. Current law establishes the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system, and funds that program from fuel taxes and an annual transportation improvement fee imposed on vehicles. This bill would authorize the Department of Transportation to allow the above-described federal transportation funds that are allocated as local assistance to be exchanged for Road Maintenance and Rehabilitation Program funds appropriated to the department.</p>	<p>Alameda CTC - Support and Seek Amendments</p>
<p><a href="#"><u>SB 211</u></a> <a href="#"><u>(Beall D)</u></a> State Highways: Leases</p>	<p>Existing law vests the Department of Transportation with full possession and control of the state highway system, including associated property. Existing law authorizes the department to lease on a right of first refusal basis specified airspace under freeways, and real property acquired for highway purposes, that is not excess property, to specified local entities for purposes of emergency shelters or feeding programs, or other specified purposes, for a lease amount of \$1 per month and a payment of an administrative fee not to exceed \$500 per year, as specified. This bill would authorize the department to lease on a right of first refusal basis any airspace under a freeway, or real property acquired for highway purposes for purposes of an emergency shelter or feeding program.</p>	<p>Alameda CTC - Support</p>
<p><a href="#"><u>SB 328</u></a> <a href="#"><u>(Portantino D)</u></a> Pupil attendance: school start time.</p>	<p>Would require the school day for middle schools and high schools, including those operated as charter schools, to begin no earlier than 8:00 a.m. and 8:30 a.m., respectively, by July 1, 2022, or the date on which a school district's or charter school's respective collective bargaining agreement that is operative on</p>	<p>Alameda CTC - Oppose</p>

	January 1, 2020, expires, whichever is later, except for rural school districts. To the extent the bill imposes new duties on school districts and charter schools, the bill would impose a state-mandated local program.	
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