

## Report on ABAG to MCCMC

January 2019

**CASA – THE COMMITTEE TO HOUSE THE BAY AREA:** On December 19, 2018, MTC voted on the CASA Compact (see attached). Three of the 18 Commissioners present voted against authorizing the MTC Chair (Council Member Jake Mackenzie from Rohnert Park) to sign the document. Our representative, Damon Connolly, was one of the three along with **Carol Dutra-Vernaci** (representative from cities in Alameda County to MTC); and, **Jeannie Bruins** (representative from cities in Santa Clara County to MTC).

The MTC motion that was approved states: “[To] authorize Chair Mackenzie to sign the CASA Compact, subject to the following understandings: (1) This authorization does not constitute an approval of the Compact itself; (2) This authorization will enable the Commission to be proactively engaged as the process to implement the Compact goes through the State Legislature; (3) This authorization should be accompanied by a comprehensive program of outreach to local government. With adequate representation from local elected officials, the MTC/ABAG legislative committees should include local jurisdictions in the development of Compact advocacy; (4) This authorization does not constitute an endorsement of any potential revenue source for housing.

On January 17, 2019, ABAG voted on the CASA Compact. Nine (9) of the 30 Executive Board members present voted against authorizing the ABAG President (Supervisor David Rabbit) to sign the document. Our representatives, **Supervisor Dennis Rodoni** along with **Council Member Pat Eklund** voted against authorizing the ABAG President to sign the CASA Compact. The other Board Members who voted no were: **Supervisor Nathan Miley** (representative from the County of Alameda); **Supervisor Candace Andersen** (representative from Contra Costa County); **Supervisor Rafael Mandelman** (representative from San Francisco County, District 8); **Supervisor Dave Pine** (representative from San Mateo County); **Supervisor Monica Brown** (alternate representative for Supervisor Erin Hannigan from Solano County); **Mayor of Millbrae, Wayne Lee** (representative from cities in San Mateo County City of Millbrae); and, **Mayor of Dixon Thom Bogue** (representative from cities in Solano County).

The ABAG motion that was approved states: “[To] authorize President Rabbit to sign the CASA Compact, subject to the following understandings: (1) This authorization does not constitute an approval of the Compact itself; (2) This authorization will enable the Executive Board to proactively engage in advocacy as the process to implement the compact goes through the State Legislature; (3) This authorization should be accompanied by a comprehensive program of outreach to local governments. With adequate representation from local government’s representatives, direct the MTC legislative committee to include local jurisdictions in legislative advocacy; and, (4) This authorization does not constitute an endorsement of any particular funding strategy and will include engagement/education on impact of funding strategies. This motion accompanied an additional list of concerns including the following: a) Given the lack of clear emphasis on tenant protections in the legislative agenda currently being discussed statewide; and, the danger that new tenants with less than 12 months completed in their lease(s) will be evicted, ABAG should move [to] support a just cause ordinance that take[s] place immediately rather than begin after 12 months of a tenancy. b) Direct MTC/ABAG staff to return with analysis of impact of current AMI levels in Compact Item #7 on low income housing production and recommendations on how to lower them to better address the housing needs articulated in the CASA compact which is designated as 80% to 120% versus 80% - 150%. Additionally, the CASA Compact recommends the average affordability not exceed 110% AMI and it should similarly receive consideration in being lowered to an average of 100% AMI. (c) The processes and timeline of determining the governance of the Regional Housing Enterprise and the final determination of the Governance of MTC and ABAG should be aligned in order to ensure appropriate accountability and outcomes without degradation to public sector representation. (d)

Establish a Task Force of elected officials throughout the Bay Area counties to follow the legislative process and give concurrent and robust feedback to each individual piece of legislation and to the value and fairness of the legislative package. (e) Ongoing report out to MTC/ABAG about the progress on the strategies that lay out the timing of implementation specifically on proposed land use changes and funding opportunities. (f) Clarify language relative to the use of public lands to encourage housing development without encouraging the inappropriate disposition of public property. (g) Conduct an economic impact analysis of the CASA Compact on small and medium sized cities in the SF Bay Area. (h) City of Oakland Council Member Dan Kalb suggested the following changes/additions on the following CASA Compact Elements: #1 Just Cause: Allow temporary evictions of a tenant to rehabilitate the housing unit to fix items that make it uninhabitable; and, the tenant must be able to come back in at the same capped rate. #3 Legal Assistance: Funding should also be available for undue rent increases or other types of rental challenges. #5 Minimum Zoning: Local jurisdictions should retain control over the Design Review process. #6 Good Government: Local jurisdictions should retain control on those site[s] with a historical designation. #7 Streamlining: The 15 years of property tax increment abatement should only be applicable to the below market rate units not market rate units. #8 Public Lands: Urban Growth Boundaries (UGB) should be respected and development should be focused inside the UGB.

CASA Local Government Outreach. After the MTC December meeting, staff began an outreach effort to local governments on CASA. In response to my questions on how MTC/ABAG staff will be using the information obtained from these outreach efforts, Executive Director Heminger stated that they will use the information in reviewing each of the proposed bills to implement CASA. Following is their tentative schedule:

<b>Meeting Date</b>	<b>Organization</b>	<b>Notes</b>
December 12, 2018	Alameda County Mayors' Conference	Completed
January 9 <sup>th</sup> , 5 pm	League of Cities/North Bay Division (includes 4 North Bay Counties) meeting	Confirmed
January 10, 7 pm	Contra Costa Conference of Mayors Association	Confirmed
January 10, 7 pm	Santa Clara County Cities Association Meeting	Confirmed
January 17, 8 am	Home for All (San Mateo)	Confirmed
January 24, 7 pm	East Bay League of Cities Meeting, Walnut Creek	Confirmed
January 29, 9:30 am	Napa County Board of Supervisors	In progress
January 30, 11:30 am	Peninsula League of Cities Division	Confirmed
January 31, 7 pm	Sonoma County Mayors' and Councilmembers' Association, City of Healdsburg	Confirmed
February 25, 7:30 pm	Solano City & County Coordinating Council	In progress
February 22, 6 pm (tent.)	San Mateo County Council of Cities	In progress
February 27, 7 pm (tent.)	Marin County, Council of Mayors and Councilmembers, Sausalito	In progress

On January 11, 2019, the MTC Legislative Committee was provided with an update on proposed legislation that is related to the 10 elements of the CASA Compact. PLEASE NOTE: This update was not provided to the ABAG Executive Board on January 17, 2019. The Executive Director's report dated January 4, 2019 is as follows:

# Memorandum

TO: Legislation Committee

DATE: January 4, 2019

FR: Executive Director

RE: CASA Legislative Update

## Overview

A number of Bay Area legislators have introduced bills related to some of the subject matter included in the CASA Compact as summarized in the table below. It is certain that housing will be a major theme in Sacramento in 2019. Not only did Governor Newsom make housing a key element of his gubernatorial campaign, but the Senate recreated a stand-alone Housing Committee chaired by former Commissioner, Senator Scott Wiener.

We anticipate that each of the ten items of the CASA Compact will eventually be reflected in some form prior to the initial February 22 bill introduction deadline, either as a substantive or a placeholder “spot” bill.

## Bills Introduced Related to CASA to Date

CASA Compact Item #	Related Bill(s) in print
1. Just Cause Eviction	
2. Rent Cap	AB 36 (Bloom)
3. Legal Counsel	SB 18 (Skinner)
4. ADUs	AB 69 (Ting) SB 13 (Wieckowski)
5. Minimum Zoning	SB 50 (Wiener) SB 4 (McGuire) spot bill
6. Good Government	
7. Streamlining	SB 6 (Beall/McGuire) spot bill
8. Public Lands	
9. Funding	SB 5 (Beall) AB 13 (Chiu) ACA 1 (Aguiar-Curry)
10. Regional Housing Enterprise	

**ABAG and MTC LEGISLATIVE ADVOCACY PROGRAMS FOR 2019:** On January 17, 2019 and December 19, 2018, ABAG and MTC respectively approved their 2019 Legislative Advocacy Programs. I will be attending the MCCMC Legislative Committee meeting on January 25, 2019 to share copies of the 2019 legislative priorities for ABAG and MTC.

**PRIORITY CONSERVATION GRANTS:** On Friday, January 18, 2019, MTC/ABAG announced that letters of interest to compete for a new round of Priority Conservation Area (PCA) Grants ranging from \$100,000 to \$1 million or more for the Counties of Alameda, Contra Costa, San Francisco, San Mateo and Santa Clara are due February 25, 2019. A total of \$8.2 million has been set aside for this second round of PCA grants in these counties. Congestion management agencies in Marin, Napa, Solano and Sonoma counties administer the PCA grant program for MTC and ABAG in the North Bay, and already have selected projects to be funded with the

\$8.2 million allocated by MTC for the second round of grants in these counties. These include \$1.4 million for a pair of Vine Trail projects in Napa County; \$2.1 for bicycle improvements in Solano County's Suisun Valley; \$1.3 million for the Crocker Bridge bicycle/pedestrian passage in Sonoma County and \$500,000 to the National Park Service for the Fort Baker Vista Point Trail in Marin County.

**MARIN ABAG DELEGATES/ALTERNATES:** I will be convening a meeting of the Marin ABAG delegates and alternates in February/March 2019.

**UPCOMING MEETINGS<sup>1</sup>**

- January 23, 2019 -- MTC Commission, 9:30 am
- January 29, 2019 -- CASA Compact Signing Event
- February 8, 2019 -- ABAG Administrative and MTC Planning Committees, 10:00 am
- February 20, 2019 -- MTC Commission, 9:30 am
- March 8, 2019 -- ABAG Administrative and MTC Planning Committees, 10:00 am
- March 21, 2019 -- ABAG Executive Board Meeting, 7:00 pm  
ABAG Legislative Committee Meeting, 5:00 pm
- March 27, 2019 -- MTC Commission, 9:30 am

If you have questions, contact Pat Eklund, Council Member, City of Novato at 415-883-9116 and/or [pateklund@comcast.net](mailto:pateklund@comcast.net)).

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<sup>1</sup> All meetings are held at 375 Beale Street in San Francisco, unless noted otherwise.