



Meeting Agenda

Friday, January 17, 2020

Time: 1:00 p.m.

Meeting Location:

Fresno Council of Governments

2035 Tulare Street, Suite 201

Fresno, CA 93721

Teleconference Number: 1-515-604-9094

Participant Code: 432-600-639

Enclosure

A. CALL TO ORDER AND INTRODUCTIONS

B. OVERVIEW PRESENTATION OF PURPOSE AND OBJECTIVES OF THE COMMITTEE



DISCUSSION/ACTION ITEMS

C. DISCUSS AND APPROVE BYLAWS



D. ELECT CHAIR AND VICE CHAIR

E. CONSIDER APPROVING FRESNO COG AS FISCAL AGENT

F. DISCUSS AND CONSIDER APPROVING INITIAL APPLICATION SUBMITTAL AND RESOLUTION



PUBLIC COMMENT

This portion of the meeting is reserved for persons wishing to address the Committee on items within its jurisdiction but NOT on this agenda. Public Comment will be allowed during the Discussion/Action Items above.

Americans with Disabilities Act (ADA) Accommodations

The public meeting location and restrooms are ADA accessible. Representatives or individuals with disabilities should contact the SJV Regional Planning Agencies at 559.266.6222, at least 3 days in advance, to request auxiliary aids and/or translation services necessary to participate in the public meeting.

San Joaquin Valley Regional Early Action Planning (REAP)

ITEM B

Committee for Housing

Membership (version November 30, 2019)

Kern County

Supervisor Zack Scrivner, County of Kern (County Rep. and Kern COG Board Member)
Councilmember Bob Smith, City of Bakersfield (Large City Rep. and Chairman of Kern COG)
Councilmember Cathy Prout, City of Shafter (Small City Rep.)

Kings County

Supervisor Doug Verboon, County of Kings (County Rep. and KCAG Board Member)
Councilmember Glenda Woolley, City of Avenal (Small City Rep. and KCAG Board Member)
Mayor Sue Sorensen, City of Hanford (Large City Rep.)

Fresno County

Supervisor Steve Brandau, County of Fresno (County Rep.)
Mayor Lee Brand, City of Fresno (Large City Representative and Fresno COG Board Member)
Vice Mayor Gary Yep, City of Kerman (Small City Representative and Fresno COG Board Member)

Madera County

Supervisor Robert Poythress, County of Madera (County Rep. and MCTC Board Member)
Mayor Andy Medellin, City of Madera (Large City Rep.)
Council Member Diana Palmer, City of Chowchilla (Small City Rep.)

Merced County

Supervisor Lloyd Pareira, County of Merced (County Rep. and MCAG Board Member)
Mayor Mike Villalta, City of Los Banos (Large City Representative)
Mayor April Hogue, City of Dos Palos (Small City Representative)

San Joaquin County

Supervisor Chuck Winn, County of San Joaquin (County Rep. and SJ COG Board Member)
Vice Mayor Dan Wright, City of Stockton (Large City Rep.)
Councilmember Gary Singh, City of Manteca (Small City Rep.)

Stanislaus County

Supervisor Vito Chiesa, County of Stanislaus (County Rep. and StanCOG Board Member)
Bill O'Brien, private citizen representing Larger City (formerly served County BOS, StanCOG Board and SJV Policy Council)
Anthony Canella, private citizen representing Small Cities (former Senator)

Tulare County

Supervisor Ed Valera, County of Tulare (County Rep. and TCAG Board Member)
Councilmember Frankie Alves, City of Exeter (Small City Rep.)
Mayor Martha Flores, City of Porterville (Large City Rep.)

ITEM B



BACKGROUND



In August 2019, the Governor signed the \$1.7 billion housing "trailer bill" as part of the 2019-2020 budget.

The Local Government Planning Support Grants Program (AB 101) was 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 need assessment, and to spur affordable housing production.

\$250,000,000 million was allocated to this program.

\$125,000,000 was allocated to Council of Governments (MPOs)
\$125,000,000 was allocated to Cities and Counties

An estimated \$19 million will be available to San Joaquin Valley Councils of Governments, which includes an additional allocation from the state legislature for the San Joaquin Valley.

The **Local Government Planning Support Grants Program** will be Administered by the Housing and Community Development Department (HCD) of the State of California.

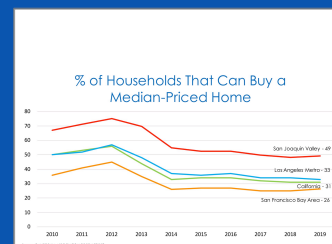
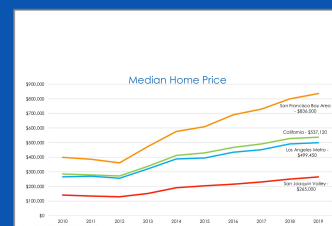
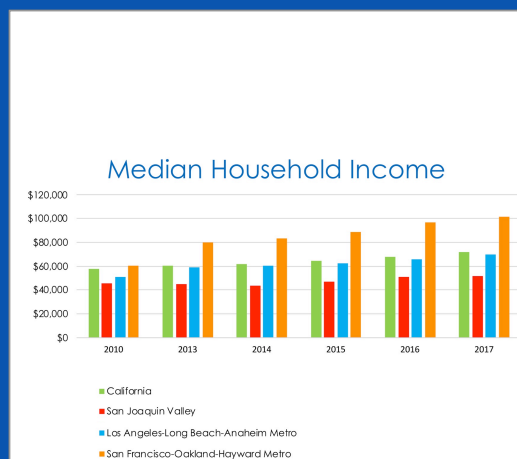
RHNA “REVAMPED”

The Housing Trailer Bill included provisions to revamp the existing regional housing needs allocation process (RHNA)

- HCD and OPR will go through a stakeholder process and make recommendations by the end of 2022
- Create a fair, transparent, and objective process
- Strategically plan for housing growth according to statewide priorities
- Encourage increased development to address housing affordability

Housing Element non-compliance - Some of the biggest news in the Housing Package is that a local agency could be fined for non-compliance up to \$10,000 a month, which could grow to \$600,000 per month, and finally result in a city's housing policy being placed in the hands of a receiver (think failing school district) for substantial noncompliance.

Cities can challenge these findings, and the court must consider mitigating factors and good faith efforts of the agency.



SAN JOAQUIN VALLEY MULTIAGENCY WORKING GROUP

*The planning and administration of the **Local Government Planning Support Grants Program** shall be conducted through the to-be-formed **San Joaquin Valley Multiagency Working Group** consisting of the:*

- Fresno Council of Governments
- Kern Council of Governments
- Kings County Association of Governments
- Madera County Transportation Commission
- Merced County Association of Governments
- San Joaquin Council of Governments
- Stanislaus Council of Governments
- Tulare County Association of Governments



SAN JOAQUIN VALLEY MULTIAGENCY WORKING GROUP

*The **San Joaquin Valley Multiagency Working Group** shall consist of the following members:*

- One County representative from each county.
- Two city representatives from each county appointed by the city selection committee for that county.
- The city representatives shall include one representative of a larger city within the county, and one representative of a smaller city within the county.
- Of the three representatives from each county serving on the multiagency working group, one of the representatives shall also be a member of the governing body of the applicable council of governments representing the county.
- The San Joaquin Valley multiagency working group shall be formed by November 30, 2019.

APPLICATION TO HCD



Until January 31, 2021, the **San Joaquin Valley Multiagency Working Group** may request an allocation of funds by submitting an application to HCD that includes the following information:

- An allocation budget for the funds.
- The amounts retained by the council of governments, regional entity, or county, and any suballocations to jurisdictions.
- An explanation of how proposed uses will increase housing planning and facilitate local housing production.
- Identification of current best practices at the regional and statewide level that promote sufficient supply of housing affordable to all income levels, and a strategy for increasing adoption of these practices at the regional level, where viable.
- 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.

An Initial Application for 25 percent of the funding is currently available.

REGIONAL PRIORITIES AND FUNDING

The region shall establish priorities and use funding to increase housing planning and accelerate housing production, as follows:

- Developing an improved methodology for the distribution of the sixth cycle regional housing need assessment.
- Suballocating moneys directly and equitably to jurisdictions or other subregional entities in the form of grants, to accelerate housing production in a way that aligns with state planning priorities, housing, transportation, equity, and climate goals.
- Providing jurisdictions and other 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.
- Covering the costs of administering any programs.

SUBALLOCATION ACTIVITIES

An entity (city or county) that receives a suballocation of funds shall only use that suballocation for housing-related planning activities, including, but not limited to, the following:

- Technical assistance in improving housing permitting processes, tracking systems, and planning tools.
- Facilitating technical assistance between jurisdictions.
- Establishing regional or countywide housing trust funds for affordable housing.
- Performing infrastructure planning, including sewers, water systems, transit, roads, or other public facilities necessary to support new housing and new residents.
- Performing feasibility studies to determine the most efficient locations to site housing.
- Performing feasibility studies for affordable housing projects on surplus properties owned by school districts of county offices of education.
- Covering the costs of temporary staffing or consultant needs associated with the activities described above.

ANNUAL REPORTING

The Regional Working Group shall submit a report to be made publicly available on its internet website, by April 1 of the year following the receipt of those funds, and annually thereafter until those funds are expended, that contains the following information:

- The status of the proposed uses listed in the entity's application for funding and the corresponding impact on housing within the region.
- A summary of building permits, certificates of occupancy, or other completed entitlements issued by entities within the region.
- A city or county that receives program funds shall provide the information as part of its annual progress report.

No later than December 31, 2024, each council of governments, other regional entity, or county that receives an allocation of funds shall submit a final report on the use of those funds to the department. The report shall include an evaluation of jurisdiction actions taken in support of the entity's proposed uses of those funds, as specified in the entity's application, including which actions had greatest impact on housing production.

ADDITIONAL PROVISIONS OF THE HOUSING TRAILER BILL – PROHOUSING

One of the most powerful parts of the Governor's bill may be the provision that authorizes HCD to identify communities as "**Prohousing**." To earn the "Prohousing" label, a local agency must adopt a combination of policies listed in the accompanying box. Those communities will then get preference in funding programs like Affordable Housing Sustainable Communities, Transformative Climate Communities, and Infill Infrastructure Grants. Other state agencies (e.g., like California State Transportation Agency and California Transportation Commission) are also encouraged to provide priority points.

EXAMPLES OF "PRO-HOUSING" ACTIONS

- Have fiscal incentives to encourage housing
- Reduced parking for residential sites
- Use by right for residential and mixed use
- Exceed RHNA requirements
- Reduce barriers for ADUs
- Reduce permit processing time
- Use objective development standards
- Reduce impact fees
- Create Workforce Housing Opportunity Zones



ADDITIONAL PROVISIONS OF THE HOUSING TRAILER BILL – DIRECT ALLOCATIONS TO CITIES AND COUNTIES

The Housing Trailer Bill also included an allocation of \$125,000,000 million directly to jurisdictions (cities and counties) to conduct housing planning activities.

The maximum amount a jurisdiction may receive under this program is:

- \$1,500,000 – population greater than 750,000
- \$750,000 – population from 300,000 to 749,999
- \$500,000 – population from 100,000 to 299,999
- \$300,000 - population from 60,000 to 99,999
- \$150,000 – population from 20,000 to 59,999
- \$65,000 – population less than 19,999

Applications will be accepted until July 1, 2020. Eligible activities include:

- Rezoning, general plans, specific plans
- Associated environmental clearance
- Establishing workforce opportunity zones
- Infrastructure planning
- Surplus property identification
- Accessory dwelling unit ordinances
- Staffing and consultant cost



QUESTIONS



Robert Phipps, Deputy Director
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**San Joaquin Valley Regional Early Action Planning (REAP) Committee
Bylaws**

WHEREAS, Gov. Gavin Newsom signed Assembly Bill 101 in September 2019, which grants \$125 million in state Regional Early Action Planning (REAP) housing assistance funds to regional planning entities, and

WHEREAS, AB 101's provisions require the San Joaquin Valley's regional planning agencies to form a committee comprising three representatives from each of the Valley's eight counties to administer the Valley's approximately \$20 million share of REAP funds, and

WHEREAS, in 2009, the Valley's eight regional planning agencies executed a Memorandum of Understanding creating the San Joaquin Valley Regional Planning Agencies Policy Council, and

WHEREAS, the Policy Council's organizational structure, process and functions provide a solid foundation for the San Joaquin Valley REAP Committee:

THEREFORE, BE IT RESOLVED:

1. The San Joaquin Valley REAP Committee's (Committee) by-laws shall be specified herein, except that these bylaws shall not limit, restrict, modify or supersede those responsibilities of any member jurisdiction or regional planning agency.
2. Committee membership shall be as provided under AB 101, and specifically Section 11, Chapter 3.1, Section 50515.02 within Part 2 of Division 31 of the California Health and Safety Code.
3. The Committee, as per the Memorandum of Understanding, shall provide guidance on allocating Regional Early Action Planning funds, as defined in Sec. 11. Chapter 3.1. Section 50515.02 within Part 2 of Division 31 of the California Health and Safety Code. The Committee shall also represent the San Joaquin Valley at public forums, including before the California Department of Housing and Community Development, the Governor and his/her administration, and before State and Federal legislative bodies that require a common voice. The Committee shall also provide direction and guidance to the Regional Planning Agencies Executive Directors Committee regarding AB 101's mandates, provisions, funding allocation, reporting and general execution.
4. The Committee shall be advised by a Technical Advisory Subcommittee – comprising the eight-member San Joaquin Valley Regional Planning Agencies Executive Directors Committee (COG Directors), supported by members of the San Joaquin Valley Housing Collaborative – on technical, housing-related issues, policies, plans, statutes, requirements, mandates or other issues of concern, as required.
5. The Committee shall meet at least quarterly each fiscal year, at such time and location as may be prescribed by vote of the membership at a previous meeting. If no time or location is so prescribed, the Chairman, or his representative, shall

be authorized to fix said meeting time and location. Committee staff will ensure accommodations for members to officially participate in all meetings through video-conferencing and/or telephone conference.

The Chairperson may call special meetings at any time. The members shall be notified via e-mail of all special and regular meetings; written notice of meeting shall be delivered by email or other appropriate means not less than five days prior to the meeting.

All regular and special meetings shall be conducted in accordance with the Ralph M. Brown Act, as amended.

Except as provided herein, the most recent edition of Robert's Rules of Order shall constitute the parliamentary authority for the Council.

Items of an emergency nature that require immediate action may be added to the agenda in accordance with the provisions of Government Code Section 54954.2.

6. The duly authorized representatives of a majority of the Committee shall constitute a quorum for transacting all Committee business. No action shall be taken except upon a majority vote of those present and voting.
7. Committee members shall be reimbursed for mileage at the maximum rate allowed under IRS standard rates, and paid a \$100 per meeting stipend for attendance.
8. Committee officers shall consist of a Chairperson and Vice-Chair, who shall be elected from the duly authorized representatives. Their duties shall be as follows:
 - a. Chairperson: To preside over all meetings, maintain order, decide questions of parliamentary procedure, call special meetings, and such other duties as elsewhere herein provided.
 - b. Vice-Chair: To perform the duties of the Chairman in the absence of such officer or upon disqualification of such officer.
9. Nomination and election of officers shall be held in January, at the beginning of each calendar year, or at the first meeting subsequent to January. Such officers shall serve a one-year term. Any vacancy during the term shall be filled by nomination and election of such officer for the remainder of the term.
10. Nominations may be made either by a committee appointed by the Chairperson or directly from the floor by duly authorized representatives.
11. An election for each office, beginning with that of Chairperson, shall be held immediately after all nominations have been declared closed by the Chairperson. If there is more than one nominee for any office, voting shall be by roll call of all duly authorized representatives.

12. Officers shall take office immediately after their election or as soon thereafter as practicable, and serve until disqualified or their successors are duly elected, whichever condition occurs first.
13. The Committee shall be responsible for making all amendments to these bylaws.
 - a. Proposed amendments may be originated by the any duly authorized Committee representative.
 - b. Proposed amendments may not be finally acted upon unless all of the members have been given written notice thereof at a prior meeting or by email at least 15 days prior to the date of the meeting at which final action is to be taken.
 - c. Amendments to these bylaws shall require a majority of the duly authorized representatives of the members to approve, the same number of members that constitute a quorum to transact all Committee business.
14. All administrative work of the REAP Committee shall be performed by or under the direction of the San Joaquin Valley Regional Planning Agencies Executive Directors Committee (COG Directors). The COG Directors, or their designee, shall:
 - a. Hold meetings and conduct business as deemed appropriate
 - b. Recommend agenda items for the Committee's regular agenda
 - c. Serve as the Committee's primary advisory body; review and provide recommendations on all items appearing on its agenda, including but not limited to, funding apportionments, reports, studies, plans and policy items, and
 - d. Provide coordination and direction on all administrative work required to carry out REAP-related responsibilities.

San Joaquin Valley Regional Early Action Planning (REAP) Committee for Housing

INITIAL PLANING GRANT FUNDING APPLICATION

The San Joaquin Valley MPOs, on behalf of the Early Action Planning (REAP) Committee for Housing, are eligible to apply for 25 percent, **\$4,749,860.25**, of the region's total allocation from AB 101 as part of an Initial Funding Application. The total allocation to the San Joaquin Valley is \$18,999,441.

Utilizing a population approach to a funding distribution for the Initial Funding Application, the breakdown by county/MPO is shown below:

MPO HOUSING PLANNING GRANT INITIAL APPLICATION			MPO DISTRIBUTION
MPO Share by Population*			
Fresno Council of Governments	1,021,960	23.5%	\$1,116,888
Kern Council of Governments	917,379	21.1%	\$1,002,593
Kings County Association of Governments	154,446	3.6%	\$168,792
Madera County Transportation Commission	158,940	3.7%	\$173,704
Merced County Association of Governments	283,408	6.5%	\$309,733
San Joaquin Council of Governments	771,700	17.8%	\$843,382
Stanislaus Council of Governments	558,395	12.8%	\$610,264
Tulare County Association of Governments	479,924	11.0%	\$524,503
Total	4,346,152	100.0%	\$4,749,860

*DOF, July 1, 2019 Preliminary Population Estimates (Table E-2)

Staff is recommending that each MPO receive its share of the Initial Funding Application as noted above, and with the funding:

- 1) Allocate funds to its RHNA (regional housing needs allocation) process
- 2) Sub-allocate funds to its County and Cities
- 3) Allocate up to \$500,000 overall for:
 - a. The development of a San Joaquin Valley Housing Trends, Barriers, Best Practices, and Policy Recommendations "White Paper"
 - b. Fresno COG administration costs as the fiscal agent for the Valley
 - c. Other activities that are "Valleywide" in scope

Resolution 01172020
San Joaquin Valley Regional Early Action Planning (REAP)
Committee for Housing, the Multiagency Working Group

AUTHORIZING RESOLUTION

A necessary quorum and majority of the members of the San Joaquin Valley Regional Early Action Planning (REAP) Committee for Housing, the Multiagency Working Group, (“Applicant”) hereby consents to, adopts and ratifies the following resolution:

- A. WHEREAS, the Department is authorized to provide up to \$125,000,000 to Councils of Governments and Fiscal Agents of Multiagency Working Groups (“Applicant”) under the Regional Early Action Planning grant program (REAP), the regional component of the Local Government Planning Support Grants Program (as described in Health and Safety Code section 50515.02).
- B. WHEREAS the State of California (the “State”), Department of Housing and Community Development (“Department”) issued a Notice and Request for Advance Allocation on October 1, 2019 for Regional Early Action Planning grants available to Councils of Government and Fiscal Agents of Multiagency Working Groups;
- C. WHEREAS Applicant is a Council of Governments or Fiscal Agent of a Multiagency Working Group eligible to submit a Request for Advance Allocation pursuant to Health and Safety Code section 50515.02(d)(3) to develop and accelerate the implementation of the requirements contained in the Council of Governments or Multiagency Working Group’s application pursuant to Health and Safety Code section 50515.02(d)(1) including the development of an education and outreach strategy related to the sixth cycle regional housing need allocation.
- D. WHEREAS the Department shall approve the advance allocation request, subject to the terms and conditions of Eligibility, Guidelines, NOFAs, Program requirements, and the Standard Agreement by and between the Department and Local Government Planning Support Grant Recipients;

NOW THEREFORE BE IT RESOLVED THAT:

- 1. The **San Joaquin Valley Regional Early Action Planning (REAP) Committee for Housing, the Multiagency Working Group**, is hereby authorized and directed to request an advance allocation not to exceed **\$4,749,860.25** (up to 25% of the amount allocated pursuant to Health and Safety Code section 50515.02(b) consistent with the methodology described in 50515.03(a)).
- 2. The Fresno Council of Governments is authorized to execute the Advance Allocation Request, on behalf of the **San Joaquin Valley Regional Early Action Planning (REAP) Committee for Housing, the Multiagency Working Group**, as required by

the Department for receipt of REAP funds.

3. When the **San Joaquin Valley Regional Early Action Planning (REAP) Committee for Housing, the Multiagency Working Group**, receives an advance allocation of REAP funds in the authorized amount of **\$4,749,860.25** from the Department pursuant to the above referenced Advanced Allocation Request, it represents and certifies that it will use all such funds only for eligible activities as set forth in Health and Safety Code section 50515.02(d)(1), as approved by the Department and in accordance with all REAP requirements, guidelines, all applicable state and federal statutes, rules, regulations, and the Standard Agreement executed by and between the Applicant, the **San Joaquin Valley Regional Early Action Planning (REAP) Committee for Housing, the Multiagency Working Group**, and the Department.

4. The **Executive Director of Fresno Council of Governments** is authorized to enter into, execute and deliver a State of California Standard Agreement for the amount of **\$4,749,860.25**, and any and all other documents required or deemed necessary or appropriate to evidence and secure the REAP advance allocation, the **San Joaquin Valley Regional Early Action Planning (REAP) Committee for Housing, the Multiagency Working Group**, obligations related thereto and all amendments the Department deems necessary and in accordance with REAP.

PASSED AND ADOPTED at a regular meeting of the **San Joaquin Valley Regional Early Action Planning (REAP) Committee for Housing, the Multiagency Working Group**, this 17th day of January 2020 by the following vote:

AYES: _____ ABSTENTIONS: _____
NOES: _____ ABSENT: _____

Signature of Approving Officer
[Insert printed name and title of Approving Officer]

INSTRUCTION: The attesting officer cannot be the person identified in the resolution as the authorized signor.

ATTEST: _____
Signature of Attesting Officer
[Insert printed name and title of Attesting Officer]

SAVE THE DATE

MAY 13th - 15th 2020



The 15th Annual San Joaquin Valley Policy Conference

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Make hotel reservations now by calling the Pines Resort at
559-692-8816

We look forward to seeing you there!

SAN JOAQUIN VALLEY



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THE ROAD AHEAD
GETTING THERE TOGETHER