



Executive Committee Agenda

Friday, October 11, 2024
9 a.m.

Welcome to SANDAG. The Executive Committee meeting scheduled for Friday, October 11, 2024, will be held in person in the SANDAG Board Room. While Executive Committee members will attend in person, members of the public will have the option of participating either in person or virtually.

For public participation via Zoom webinar, click the link to join the meeting:

<https://us02web.zoom.us/j/82499324473>

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If you desire to provide in-person verbal comment during the meeting, please fill out a speaker slip, which can be found in the lobby. If you have joined the Zoom meeting by computer or phone, please use the "Raise Hand" function to request to provide public comment. On a computer, the "Raise Hand" feature is on the Zoom toolbar. By phone, enter *9 to "Raise Hand" and *6 to unmute. Requests to provide live public comment must be made at the beginning of the relevant item, and no later than the end of any staff presentation on the item. The Clerk will call on members of the public who have timely requested to provide comment by name for those in person and joining via a computer, and by the last three digits of the phone number of those joining via telephone. Should you wish to display media in conjunction with your comments, please inform the Clerk when called upon. The Clerk will be prepared to have you promoted to a position where you will be able to share your media yourself during your allotted comment time. In-person media sharing must be conducted by joining the Zoom meeting on the personal device where the content resides. Please note that any available chat feature on the Zoom meeting platform should be used by panelists and attendees solely for procedural or other "housekeeping" matters as comments provided via the chat feature will not be retained as part of the meeting record. All comments to be provided for the record must be made in writing via email or speaker slip, or verbally per the instructions above.

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San Diego Association of Governments

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Vision Statement: *Pursuing a brighter future for all*

Mission Statement: *We are the regional agency that connects people, places, and innovative ideas by implementing solutions with our unique and diverse communities.*

Our Commitment to Equity: *We hold ourselves accountable to the communities we serve. We acknowledge we have much to learn and much to change; and we firmly uphold equity and inclusion for every person in the San Diego region. This includes historically underserved, systemically marginalized groups impacted by actions and inactions at all levels of our government and society.*

We have an obligation to eliminate disparities and ensure that safe, healthy, accessible, and inclusive opportunities are available to everyone. The SANDAG equity action plan will inform how we plan, prioritize, fund, and build projects and programs; frame how we work with our communities; define how we recruit and develop our employees; guide our efforts to conduct unbiased research and interpret data; and set expectations for companies and stakeholders that work with us.

We are committed to creating a San Diego region where every person who visits, works, and lives can thrive.

Executive Committee

Friday, October 11, 2024

Comments and Communications

1. Non-Agenda Public Comments/Member Comments

Members of the public shall have the opportunity to address the Executive Committee on any issue within the jurisdiction of the Executive Committee that is not on this agenda. Public speakers are limited to three minutes or less per person. Public comments under this agenda item will be limited to five public speakers. If the number of public comments under this agenda item exceeds five, additional public comments will be taken at the end of the agenda. Executive Committee members and SANDAG staff also may present brief updates and announcements under this agenda item.

Consent

+2. Approval of Meeting Minutes

Tessa Lero, SANDAG

Approve

The Executive Committee is asked to approve the minutes from its September 13, 2024, meeting.

[Meeting Minutes.pdf](#)

+3. Review of Draft Board Agendas

Ariana Galvan, SANDAG

Approve

The Executive Committee is asked to approve the draft agendas for the October 25, 2024, and November 8, 2024, Board of Directors meetings.

[Draft Board Agenda - October 25, 2024.pdf](#)

[Draft Board Agenda - November 08, 2024.pdf](#)

+4. Legislative Status Report

Ryan Williams, Jose Alvarez, Hector Vanegas, SANDAG

Information

This report provides an update on SANDAG legislative and policy activities.

[Legislative Status Report.pdf](#)

[Att. 1 - Ellison Wilson Advocacy LLC - State Report.pdf](#)

[Att. 2 - Peter Peyser Associates LLC - Federal Report.pdf](#)

+5. Proposed 2025 Program Budget Amendment: Department of Justice Inquiry Costs

Amberlynn Deaton, SANDAG

Approve

The Executive Committee is asked to approve the allocation of up to \$500,000 from the Contingency Reserve in FY 2025 to fund ongoing costs associated with responding to the inquiries from the Department of Justice.

[Budget Amendment DOJ Inquiry Costs.pdf](#)

[Att. 1 - Proposed Program Budget Amendment OWP 8000100.pdf](#)

+6. Proposed Amendment to Board Policy No. 004: Rules of Procedure for Board of Directors, Policy Advisory Committees, and Other Legislative Bodies

Amberlynn Deaton, SANDAG

Recommend

The Executive Committee is asked to recommend that the Board of Directors approve an amendment to Board Policy No. 004: Rules of Procedure for Board of Directors, Policy Advisory Committees, and other Legislative Bodies.

[Proposed Amendment to Board Policy No. 004.pdf](#)

[Att. 1 - Board Policy No. 004_October 2024 Draft Update.pdf](#)

Reports

+7. Regional Housing Needs Allocation Reform: SANDAG Revised Legislative Principles

Approve

Antoinette Meier, Tuere Fa'aola, Stacey Cooper, SANDAG

The Sustainable Communities Working Group recommends that the Executive Committee approve the revised letter outlining legislative principles and direct staff to submit the letter to the Chairs of the Senate and Assembly Housing Committees.

[RHNA Reform Revised Legislative Principles.pdf](#)

[Att. 1 - Revised Draft Letter to Senate and Assembly Housing Chairs.pdf](#)

[Supporting Materials.pdf](#)

Adjournment

8. Adjournment

The next meeting of the Executive Committee is scheduled for Friday, November 8, 2024, at 9 a.m.

+ next to an agenda item indicates an attachment

October 11, 2024

September 13, 2024, Meeting Minutes

[View Meeting Video](#)

Chairwoman Nora Vargas (County of San Diego) called the meeting of the Executive Committee to order at 9:02 a.m.

1. Public Comments/Communications/Member Comments

Public Comments: Purita Javier, Cesar Javier, Jim Bennett, Truth, and Mary Davis.

Member Comments: Mayor Rebecca Jones (North County Inland) and Councilmember John Duncan (South County).

Consent

2. Approval of Meeting Minutes

The Executive Committee was asked to approve the minutes from its July 12, 2024, meeting.

3. Review of Draft Board Agendas

The Executive Committee was asked to approve the draft agendas for its September 27, 2024, as amended, and October 11, 2024, Board of Directors meetings.

Public Comments: Allegedly Audra, Truth, Mark, Paul the Bold, and Phone #672.

Action: Upon a motion by Second Vice Chair Lesa Heebner (North County Coastal), and a second by Vice Chair Sean Elo-Rivera (City of San Diego), the Executive Committee voted to approve the Consent Agenda, as amended.

The motion passed.

Yes: Chairwoman Vargas, Vice Chair Elo-Rivera, Second Vice Chair Heebner, Mayor Racquel Vasquez (East County), Mayor Jones, and Councilmember Luz Molina (South County).

No: None.

Abstain: None.

Absent: None.

Reports

4. Legislative Status Report

Manager of Government Relations Hannah Stern, Senior Government Relations Analyst Jose Alvarez, and Border Program Manager Hector Vanegas presented an update on SANDAG's legislative and policy activities.

Public Comments: Allegedly Audra, Truth, Mark, Phone #672, and Paul the Bold.

Action: Information.

Continued Non-Agenda Public Comments: Allegedly Audra, Mark, and Paul the Bold.

5. Adjournment

The next meeting of the Executive Committee is scheduled for Friday, October 11, 2024, at 9 a.m.

Chairwoman Vargas adjourned the meeting at 10:04 a.m.

DRAFT

Confirmed Attendance at Executive Committee Meeting

Jurisdiction	Name	Member/ Alternate	Attend
City of San Diego	Vice Chair Sean Elo-Rivera	Primary	Yes
	Councilmember Raul Campillo	Alternate	No
	Councilmember Vivian Moreno	Alternate	No
County of San Diego	Chairwoman Nora Vargas	Primary	Yes
	Supervisor Monica Montgomery Steppe	Alternate	No
East County	Mayor Racquel Vasquez	Primary	Yes
	Councilmember Jack Shu	Alternate	Yes
North County Coastal	Mayor Lesa Heebner, 2nd Vice Chair	Primary	Yes
	Councilmember Melanie Burkholder	Alternate	Yes
North County Inland	Mayor Rebecca Jones	Primary	Yes
	Mayor Steve Vaus	Alternate	No
South County	Councilmember Luz Molina	Primary	Yes
	Councilmember John Duncan	Alternate	Yes
Ex-Officio Members	Name		Attend
Chair, Transportation Committee	Councilmember Jack Shu		Yes
Chair, Public Safety Committee	Councilmember Jose Rodriguez		No
Chair, Borders Committee	Supervisor Jesus Eduardo Escobar		No
Chair, Audit Committee	Councilmember David Zito		No
Chair, Regional Planning Committee	Council President Pro Tem Joe LaCava		No

Board of Directors

Friday, October 25, 2024

Comments and Communications

1. Non-Agenda Public Comments/Member Comments

Members of the public shall have the opportunity to address the Board of Directors on any issue within the jurisdiction of SANDAG that is not on this agenda. Public speakers are limited to three minutes or less per person. Public comments under this agenda item will be limited to five public speakers. If the number of public comments under this agenda item exceeds five, additional public comments will be taken at the end of the agenda. Board members and SANDAG staff also may present brief updates and announcements under this agenda item.

Consent

+2. Approval of Meeting Minutes

Approve

Tessa Lero, SANDAG

The Board of Directors is asked to approve the minutes from its October 11, 2024, meeting.

+3. Chief Executive Officer Delegated Actions*

Information

Beth Lupu, SANDAG

In accordance with various Board Policies, this report summarizes delegated actions taken by the Chief Executive Officer.

+4. Policy Advisory Committee Actions

Approve

Francesca Webb, SANDAG

The Board of Directors is asked to ratify the actions taken by the Policy Advisory Committees as noted in the report.

+5. 2025 Legislative Calendar

Approve

Tessa Lero, SANDAG

The Board of Directors is asked to approve the calendar of meetings of the Board and the Policy Advisory Committees for the upcoming year.

+6. Master Fund Transfer Agreement with Caltrans

Adopt

Tyler Woods, SANDAG

The Transportation Committee recommends that the Board of Directors adopt Resolution No. 2024-xx, authorizing the Chief Financial Officer to execute the Master Fund Transfer Agreement with Caltrans (2025-2035).

Reports

+7. FY 2024 Compilation of External Audit Recommendations and OIPA Annual Audit and Investigations Recommendation and Corrective Action Plan Reports

Information

Courtney Ruby, Independent Performance Auditor

The Audit Committee recommends that the FY 2024 Compilation of External Audit Recommendations and OIPA Annual Audit and Investigations Recommendation and Corrective Action Plan Reports be provided to the Board of Directors for information.

- +8. Office of the Independent Performance Auditor's Companion Investigation Reports to the State Route 125 Toll Operations Investigation** Discussion
Courtney Ruby, Independent Performance Auditor

The Office of the Independent Performance Auditor will present the reports for information and discussion.

- +9. TransNet Major Corridor Projects Updates*** Information
David Cortes, SANDAG
Victor Mercado, Caltrans

+9A. North Coast Corridor

Staff will present an update on the North Coast Corridor program of projects.

+9B. State Route 78

Staff will present an update on the SR 78 Corridor program of projects.

Adjournment

10. Adjournment

The next Board of Directors meeting is scheduled for Friday, November 8, 2024, at 10 a.m.

+ next to an agenda item indicates an attachment

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

Board of Directors

Friday, November 8, 2024

Comments and Communications

1. Non-Agenda Public Comments/Member Comments

Members of the public shall have the opportunity to address the Board of Directors on any issue within the jurisdiction of SANDAG that is not on this agenda. Public speakers are limited to three minutes or less per person. Public comments under this agenda item will be limited to five public speakers. If the number of public comments under this agenda item exceeds five, additional public comments will be taken at the end of the agenda. Board members and SANDAG staff also may present brief updates and announcements under this agenda item.

Consent

+2. Approval of Meeting Minutes

Tessa Lero, SANDAG

Approve

The Board of Directors is asked to approve the minutes from its October 25, 2024, meeting.

+3. Policy Advisory Committee Actions

Francesca Webb, SANDAG

Approve

The Board of Directors is asked to ratify the actions taken by the Policy Advisory Committees as noted in the report.

+4. Meetings and Events Attended on Behalf of SANDAG

Francesca Webb, SANDAG

Information

This report provides an update on meetings and events attended by Board members.

+5. Approval of Proposed Solicitations and Contract Awards

Kelly Mikhail, SANDAG

Approve

The Board of Directors is asked to authorize the Chief Executive Officer to conduct the proposed solicitation(s) and to award contracts as identified in this report.

+6. Transnet Smart Growth Incentive Program*

Susan Huntington, Antoinette Meier, Jenny Russo, SANDAG

Approve

The Regional Planning and Transportation Committees recommend that the Board of Directors approve the evaluation criteria and release the call for projects for Smart Growth Incentive Program Cycle 6.

Reports

+7. Proposed FY 2025 Program Budget Amendment: Border Climate Adaptation and Environmental Justice Plan

Antoinette Meier, Keith Greer, Kim Smith, SANDAG

Approve

The Board of Directors is asked to approve an amendment to the FY 2025 SANDAG Program Budget, accepting a Climate Adaption Planning grant of \$3 million to address environmental challenges facing the border region, including water quality.

+8. Otay Mesa East Schedule and Finance Update

Information

Maria Rodriguez Molina, SANDAG

Staff will present an update on the Otay Mesa East schedule and financing plan.

Adjournment

9. Adjournment

The next Board of Directors meeting is scheduled for Friday, November 22, 2024,
at 9 a.m.

+ next to an agenda item indicates an attachment

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

October 11, 2024

Legislative Status Report

Overview

Status reports on SANDAG legislative activities are provided to the Executive Committee on a regular basis.

Attachment 1 includes a summary from Ellison Wilson, LLC on state legislative activity related to SANDAG for September 2024.

Attachment 2 includes a summary from Peyser Associates, LLC on federal legislative activity related to SANDAG for September 2024.

Action: **Information**

This report provides an update on SANDAG legislative and policy activities.

Fiscal Impact:

None.

Schedule/Scope Impact:

None.

Robyn Wapner, Director of Public Affairs

- Attachments:
1. Report from Ellison Wilson Advocacy, LLC
 2. Report from Peter Peyser Associates, LLC



TO: SANDAG BOARD OF DIRECTORS
FROM: ELLISON WILSON ADVOCACY, LLC
SUBJECT: SANDAG LEGISLATIVE REPORT – SEPTEMBER 2024

Legislative Overview

Following the Legislature’s adjournment of the 2023-24 Legislative Session on August 31st, the Governor has until September 30th to sign or veto all bills sent to him. Additionally, the Governor called a special session to address California’s gas prices, which will bring legislators back to Sacramento throughout the fall. On December 2nd, following this November’s election, the Legislature will convene for an Organizational Session for the 2025-26 Regular Session.

Governor Signs Package of Affordable Housing/RHNA Legislation

On September 19th, Governor Newsom was joined by Attorney General Rob Bonta, several state legislators, San Francisco’s Mayor, the Secretary of the Business, Consumer Services and Housing Agency Tomiquia Moss, and union members to sign a package of bills “aimed at addressing homelessness and expanding affordable housing.” Amongst others, this included signing the following RHNA bills:

- **AB 3093 (Ward)** – sponsored by the Newsom Administration and HCD, AB 3093 would implement an HCD recommendation contained in its April 2024 report by creating 2 new homelessness-related income categories for RHNA – Acutely Low Income (ALI) and Extremely Low Income (ELI).
- **SB 7 (Blakespear)** – by the Inner City Law Center (a homelessness advocacy nonprofit), SB 7 implements various technical revisions to the RHNA process from HCD’s report, much of which solely applies in the situation when HCD is required to act as the COG.
- **AB 1886 (Alvarez)** – establishes that a housing element is in “substantial compliance” with housing element law when both a local agency has adopted a housing element and HCD had found the element in compliance. This bill would eliminate arguments made by local governments that by “self-certifying” or adopting a housing element that does not reflect HCD’s findings, the local government satisfies the requirement for compliance per the Builder’s Remedy.
- **AB 1893 (Wicks)** – this Attorney General-sponsored bill amends the Housing Accountability Act (HAA) to revise the standards a housing development project must meet in order to qualify for the “Builder’s Remedy,” as well as expands the scope of actions that constitute disapproval of a housing development project by a local government. In particular, the bill specifies that a local government may not disapprove a Builder’s Remedy project if the local government’s housing element was not in substantial compliance with the HAA on the date the Builder’s Remedy project application was deemed complete.

- **SB 1037 (Wiener)** – this is also an AG-sponsored bill that creates new legal remedies that can be used by the AG to enforce the adoption of housing element revisions or to enforce any state law that requires a local government to ministerially approve any planning or permitting application related to a housing development project. The bill would apply penalties only when the agency’s acts or omissions are arbitrary, capricious, entirely lacking in evidentiary support, contrary to established public policy, unlawful, or procedurally unfair. Penalties include: 1) a civil penalty of, at minimum, \$10,000 per month, and not exceeding \$50,000 per month, for each violation, accrued from the date of the violation until the violation is cured; 2) all costs of investigating and prosecuting the action, including expert fees, reasonable attorney’s fees, and costs, whenever the AG or HCD prevails in a civil action to enforce any state laws under this bill; and 3) other relief as the court deems appropriate, including equitable and injunctive relief.
- **AB 2023 (Quirk-Silva)** – creates a rebuttable presumption of invalidity in any legal action challenging a local government’s action or failure to act if HCD finds that the action or failure to act does not substantially comply with the local government’s adopted housing element or housing element obligations, among other changes.
- **SB 450 (Atkins)** – specifically applies SB 9 (2021) to charter cities, which requires the ministerial approval of a housing development of no more than two units in a single-family zone (duplex), the subdivision of a parcel zoned for residential use into two parcels (lot split), or both.

Governor Calls Special Session on Gas Prices

In the final weeks of this year’s legislative session, Governor Newsom made a failed effort to get legislation jammed through that would add additional regulations on oil refinery inventory and maintenance in order to “to address the pernicious problem of gasoline price spikes at the pump.” However, these efforts were ultimately thwarted in the Assembly due to oil industry opposition and frustration over Newsom’s last-minute tactics. As such, on the last night of the regular session, the Governor called a special session of Legislature to continue to work on legislation to address gas price spikes throughout the fall.

Shortly thereafter, the Assembly formally convened the special session prior to leaving Sacramento on August 31st and subsequently announced the formation of the Petroleum and Gasoline Supply Committee to hold multiple hearings throughout September on the matter, as well as scheduling a floor session on October 1st to vote on any special session legislation.

Initially, the Senate pro Tem Mike McGuire announced that the Senate would not be returning to Sacramento for the special session, but has since softened his stance somewhat, most recently stating that the Senate would only come back if the Assembly can show it has “the votes to move reform forward” and has reportedly tentatively scheduled the Senate to convene to vote on the matter on October 11th.

Thus far, Assembly Democrats have introduced 3 special session bills, most notably ABX2 1 (Hart), which contains the Governor’s proposal and would authorize the California Energy Commission (CEC) to require petroleum refiners to maintain a minimum inventory of refined fuel throughout the distribution chain to avoid supply shortages that create higher prices at the pump for consumers. It would also authorize the CEC to require refiners to plan for resupply during scheduled refiner maintenance. Additionally, Assembly Democrats have introduced ABX2 8 (Gipson), which would delay CARB’s ability to enforce its Control Measure for Ocean-Going Vessels At Berth regulation with respect to tanker vessels carrying petroleum crude or petroleum products, and ABX2 9 (Petrie-Norris), which would require CARB to complete its review of whether drivers should be allowed to use gasoline that has a higher percentage of ethanol by the end of 2025.

Assembly Republicans have also introduced 6 special session bills, including ABX2 3 by Assembly Republican Leader James Gallagher, which would let state regulators switch to cheaper winter-blend fuel earlier in the year.

Assembly Rules Chair Blanca Pacheco has since announced that the Assembly will only be taking up 3 of these bills – ABX2 1 (Hart), ABX2 3 (Gallagher), and ABX2 9 (Petrie-Norris). It remains to be seen if any of these bills will garner the necessary votes for passage in the Assembly, and if so, whether the Senate will subsequently return to pass any to the Governor.

PEYSER ASSOCIATES LLC

Peter A. Peyser

September 27, 2024

Congress Clears Continuing Resolution and Clears Out from Washington

With a surprising lack of drama, the House and Senate on Wednesday passed a Continuing Resolution until December 20 with strong bipartisan votes of 341-82 in the House and 78-18 in the Senate.

The bill was a relatively “clean” one, with minimal add-ons (aka “anomalies”) besides a straight extension of funding for at current levels through December 20. The bill does provide additional funding for the Secret Service along with requirements to cooperate with congressional investigators. The bill does not include disaster relief and FEMA funding as Senate Democrats had hoped. The House insisted on keeping that off the bill. It is expected those provisions and others will be considered either in a follow-on CR or the final full-year appropriation bills – whichever comes first.

Having approved the measure on Wednesday, the House and Senate both recessed for their election break two days earlier than expected. Members are expected to return on November 12.

After several meetings on the staff level in the House and Senate this week, it remains the case that most observers believe the most likely path for appropriations for fiscal 2025 is another CR that will kick the process into the New Year.

Mega Grant Awards Filter Out But are Not Yet Announced

After this report went out last Friday, a list of Mega project awards for Fiscal Years 2025 and 26 emerged. Some Senators and House Members have been issuing press releases on awards but DOT has not yet officially announced them. Awards for the INFRA and Rural programs, which were bundled in the same NOFO as Mega are anticipated soon.

The list of Mega awards includes 23 projects. The largest award by far is \$472 million to replace a drawbridge in Boston and make station and track improvements in the area of North Station. Other major rail projects awarded include \$210 million for rail improvements on a Norfolk Southern Line in Chicago as part of the CREATE program and \$54 million for the Madera train station in California, which will serve as a junction point for California high-speed rail and regional rail services.

In this round the Mega program lives up to its billing as a multimodal program. There are \$736 in rail projects, \$553 million in highway projects and \$381 in Port projects.

September 20, 2024

Transportation Update from Peyser Associates

House Rejects GOP Leadership CR and Prepares Another Option

The House on Wednesday defeated the proposed six-month Continuing Resolution (CR) by a vote 220-202, with 14 GOP Members voting against. The measure included the SAVE Act, an election reform measure viewed by Democrats as a poison pill provision.

In the aftermath of that defeat, Speaker Mike Johnson (R-LA) appears ready to put a relatively clean three-month CR before the House next week. Appropriations Committee Chair Tom Cole (R-OK) confirmed to reporters yesterday that he is working on that measure. If the House can get that measure on the floor by Wednesday of next week there will be time for the Senate to pass it before the midnight September 30 deadline for avoiding a government shutdown.

The Senate, meanwhile, is talking about what to include in a CR that would garner support on their side of the Capitol. In the aftermath of a second assassination attempt on former President Trump, there is sentiment building to appropriate additional funds for the Secret Service in the CR. There is also a strong constituency for including disaster relief funding in the bill. Conversations among Senate leaders are ongoing on these topics but there does not appear to have been much contact between Senate and House leaders. This may complicate the process of including these extra provisions given the shortness of time available to finalize the CR.

Next week will be a busy one, but there is every reason to believe a CR until December 15 will be the product of the week's labors.

DOT Announces Grant Awards for Innovative Approaches to TOD

The Build America Bureau on Tuesday announced the award of \$49.5 million to 45 grantees under the Innovative Finance and Asset Concession Grant Program. More than two-thirds of the awarded projects include Transit Oriented Development (TOD) and downtown redevelopment initiatives. The program provides technical assistance grants designed to help grantees develop partnerships that will advance development opportunities and help build a pipeline of projects that can take advantage of the Bureau's TIFIA TOD loan program.

Examples of awarded projects called out in the press release issued by DOT include:

- Capital Metro (CapMetro) in Austin, Texas, will use \$1 million in IFACGP funding to explore an Equitable TOD pilot site. Building off their experience completing the Plaza Saltillo development, CapMetro will evaluate multiple sites and create a pipeline of future TOD opportunities.
- Merced County, California is producing a blueprint to modernize and expand operational capacity of the Castle Commerce Center Inland Port, a 1,912 acre multi-modal freight

transportation hub located less than 100 miles from the ports of Oakland and Stockton. With \$450,000 of IFACGP funds, the County will partner with expert advisors to identify financing and private sector investment opportunities.

- The City of New Rochelle, New York, will use \$1 million in IFACGP funds to scan city-owned assets to determine future TOD projects that will promote economic revitalization opportunities and reconnect disadvantaged communities.
- Rhode Island Public Transit Authority (RIPTA) is working to reimagine its Kennedy Plaza outdoor bus hub into a modern mixed-use development that includes a new transit center, housing, and commercial development. With \$2 million from IFACGP funding, and \$1 million contributed by RIPTA, this \$3 million study will position RIPTA to engage private sector developers to deliver the project.

Click [HERE](#) to see the press release and project summaries for the awarded applications.

DOT To Announce MPDG Grant Awards in the Coming Week

DOT is today alerting Senators and House Members to expect awards under the most recent round of funding for the MPDG Notice of Funding Opportunity. This NOFO included funding for the Mega, INFRA and Rural programs. These “heads-up” notifications give Members the opportunity to issue press releases touting the awards before the official announcement by DOT, which is expected to occur early next week.

September 13, 2024

Transportation Update from Peyser Associates

House Balks at Six-Month Continuing Resolution

House Speaker Mike Johnson (R-LA) this week failed in his attempt to bring before the House a six-month Continuing Resolution (CR) paired with legislation requiring voters to show proof of citizenship. As the week comes to a close, he is vowing to spend the weekend consulting with Members of the Appropriations Committee and others on a path forward.

The week started with Johnson putting his proposal on the table and pushing it through the Rules Committee to approve the rules for debate on the floor. The House vote was scheduled for Wednesday, but Johnson pulled it when it became clear that it could not pass.

Democratic Leaders and Appropriations Committee Members on both sides of the aisle are urging the Speaker to move forward on a CR into December without the voting legislation attached. Senate Appropriators have also indicated that a long CR is a non-starter for them, especially with “poison pill” legislation attached.

Faced with this, Johnson is trying to find a path forward that will placate his more conservative Members and also be true to his own convictions about the importance of including the voting legislation. One option under consideration is a CR until December with the voting measure attached. This may help but it will definitely ensure unified Democratic opposition. In spite of the unlikelihood such a measure would clear the House, Johnson may feel compelled to put it up for a vote.

The ultimate outcome of the CR debate will in all likelihood be a relatively clean CR (i.e. with no substantive legislation) into December.

NEPA Reform Emerging as a Potential Issue for Next Year

Bipartisan House and Senate Members are working on concepts for permitting reform that could result in legislation next year impacting the course of NEPA clearances for infrastructure and energy projects.

House Natural Resources Committee Chair Sam Westerman (R-AK) has been working closely with San Diego Congressman Scott Peters (D-CA) on a bill that would place limits on the scope of NEPA reviews, narrow the universe of “major federal actions” that would trigger a review, and narrow the basis for litigation against a project sponsor over the NEPA process. Westerman has released a discussion draft that does not yet have Peters’ endorsement, but reflects the nature of their conversations.

Westerman held a hearing this week on the topic and heard some blow-back from Democrats and others who believe the legislation will harm the ability of communities to see their concerns addressed in the NEPA process. In particular, Reps. Debbie Dingell (D-MI) and Susie Lee (R-NV) expressed misgivings about the Westerman approach.

The Westerman draft is a more expansive approach to NEPA reform than a bill co-sponsored by Sens. Joe Manchin (I-WV) and John Barrasso (R-WY) that focus on litigation reforms and applies only to energy projects, not to infrastructure projects broadly. The Manchin-Barrasso bill was approved earlier this year by the Committee on Energy and Natural Resources. The two sponsors are hoping to advance that bill in the lame duck session this fall. Westerman is hoping he might be able to catch up to the Senate’s pace and be ready to push his broader approach later this year, but that does not appear to be a realistic goal.

It is important for transportation project sponsors to start focusing on this issue as there appears to be a growing chorus from the renewable energy and transportation communities to address the

project delays related to NEPA clearance. This issue is likely to achieve a higher profile in the next Congress.

October 11, 2024

Proposed 2025 Program Budget Amendment: Department of Justice Inquiry Costs

Overview

As the Executive Committee is aware, SANDAG has received inquiries from the Department of Justice (DOJ). To ensure full cooperation, SANDAG has engaged outside counsel to assist the agency and requested FY 2024 funding to support coordination with the DOJ at the Executive Committee's [May 10, 2024](#), meeting. Based on the continuing DOJ requests and to ensure that the Board's direction is carried out, additional FY 2025 funding will be needed to respond to the DOJ. Staff is seeking approval to use Contingency Reserve to fund the associated costs.

Key Considerations

Consistent with Board Policy No. 030, Contingency Reserve may be used for one-time, non-recurring purposes, unless otherwise approved by the Executive Committee, including the following potential uses:

(1) opportunities to advance urgent, high-priority needs; (2) unanticipated needs relating to a crucial existing commitment; and (3) unforeseen withdrawal or cutback of a revenue source.

Costs associated with the continued DOJ requests represent an unanticipated need relating to a crucial existing commitment to cooperate with federal authorities with their ongoing inquiry. These costs are an authorized use of Contingency Reserve funds and other fund sources are not available to support this effort. It is expected that additional costs for the remainder of this fiscal year will reach up to \$500,000. The length and breadth of the inquiry is currently unknown. Any requested funds not expended for this purpose would be returned to Contingency Reserve.

Next Steps

Pending approval by the Executive Committee and ratification by the Board, staff will continue working with outside counsel in cooperating with inquiries from the DOJ.

Amberlynn Deaton, Deputy General Counsel

Attachment: 1. Proposed Program Budget Amendment for Overall Work Program Project No. 8000100

Action: **Approve**

The Executive Committee is asked to approve the allocation of up to \$500,000 from the Contingency Reserve in FY 2025 to fund ongoing costs associated with responding to the inquiries from the Department of Justice.

Fiscal Impact:

Approval of the proposed budget amendment will add \$500,000 to the FY 2025 Program Budget in Overall Work Program Project No. 8000100.

Schedule/Scope Impact:

Approval of this action would facilitate SANDAG's continued cooperation with the inquiries from the Department of Justice.

Pre-Amendment							
OWP Contingency Reserve (\$s in thousands)	Committed	Uncommitted	Budget	Uncommitted as % of Budget	Initial Amendment: Administration Budget Reallocations (Whole \$s)		
FY 2025 Budgeted Changes:					Funds Application		
FY 2025 Beginning Balance	\$ -	\$ 8,945					
Changes in Commitment		\$ -					
Expenditures	\$ -						
Projected deposit		\$ -					
FY 2025 Projected Ending Balance	\$ -	\$ 8,945	\$ 80,905	11%			
					FY 2025		
					Salaries, Benefits, Indirect		\$ 13,843,005
					Other Direct Costs	\$ 5,970,134	\$ 6,855,134
					Contracted Services	\$ 7,149,452	\$ 6,704,452
					Admin Contingency	\$ 250,000	\$ 190,000
					TOTAL		\$ 27,592,591

Post-Amendment					
OWP Contingency Reserve (\$s in thousands)	Committed	Uncommitted	Budget	Uncommitted as % of Budget	Proposed Amendment: Use of Agency Contingency (Whole \$s)
FY 2025 Beginning Balance	\$ -	\$ 8,945			Funds Application
Changes in Commitment		\$ -			
Expenditures	\$ -				
Projected deposit		\$ -			
Proposed Withdrawal		\$ (500)			
FY 2025 Projected Ending Balance	\$ -	\$ 8,445	\$ 80,905	10%	

FY 2025	
Salaries, Benefits, Indirect	\$ 13,843,005
Other Direct Costs	\$ 6,855,134
Contracted Services	\$ 6,704,452 \$ 7,204,452
Admin Contingency	\$ 190,000
TOTAL	\$ 28,092,591

October 11, 2024

Proposed Amendment to Board Policy No. 004: Rules of Procedure for Board of Directors, Policy Advisory Committees, and Other Legislative Bodies

Overview

Board Policy No. 004 is intended to define and clarify Rules of Procedure for the Board of Directors, Policy Advisory Committees (PACs) and other legislative bodies.

Key Considerations

At its meeting on September 13, 2024, the Board of Directors considered a request to add to its Board Policies a requirement that meetings be opened with the recitation of the Pledge of Allegiance and an acknowledgement of the tribal nations of the San Diego region. The proposed amendment adding this requirement is reflected in redline in Attachment 1.

Next Steps

Upon recommendation by the Executive Committee, the proposed amendment would be presented to the Board of Directors for approval at a future meeting.

Amberlynn Deaton, Deputy General Counsel

Attachment: 1. Board Policy No. 004: Rules of Procedure for Board of Directors, Policy Advisory Committees and Other Legislative Bodies

Action: **Recommend**

The Executive Committee is asked to recommend that the Board of Directors approve an amendment to Board Policy No. 004: Rules of Procedure for Board of Directors, Policy Advisory Committees, and other Legislative Bodies.

Fiscal Impact:

None.

Schedule/Scope Impact:

None.



BOARD POLICY NO. 004

RULES OF PROCEDURE FOR BOARD OF DIRECTORS, POLICY ADVISORY COMMITTEES, AND OTHER LEGISLATIVE BODIES

This policy is intended to define and clarify Rules of Procedure for the Board of Directors and Policy Advisory Committees (PACs).

Procedures for the Board and Policy Advisory Committees

1. Ordinances

- 1.1 Every ordinance shall be signed by the Chair of the Board, or for the comprehensive fare ordinance the Chair of the Transportation Committee, and attested by the Clerk of the Board.
- 1.2 Upon the passage of an ordinance, the votes of the Board members or Transportation Committee members, as appropriate, shall be entered in the minutes.
- 1.3 Ordinances shall not be passed within five days of their introduction, nor at any meeting other than a regular meeting. An urgency ordinance may, however, be passed immediately upon introduction and either at a regular or special meeting. Except when, after reading the title, further reading is waived by regular motion adopted by unanimous vote of the Board or Transportation Committee members present, all ordinances shall be read in full at the time of introduction or passage. When ordinances, other than urgency ordinances, are altered after introduction, they shall be passed only at a regular or at an adjourned regular meeting held at least five days after alteration. Corrections of typographical or clerical errors are not alterations within the meaning of this section.
- 1.4 The Clerk of the Board shall cause a proposed ordinance or proposed amendment to an ordinance, and any ordinance adopted by the Board or Transportation Committee to be published at least once in a newspaper of general circulation in the SANDAG area of jurisdiction.
- 1.5 The publication of an ordinance as required by this policy, may be satisfied by either of the following actions:
 - 1.5.1 Publication of a summary of a proposed ordinance or proposed amendment to an ordinance. The summary shall be prepared by the Clerk of the Board and the Office of General Counsel. The summary shall be published and a certified copy of the full text of the proposed ordinance or proposed amendment shall be posted in the office of the Clerk of the Board at least five days prior to the meeting at which the proposed ordinance or amendment is to be adopted. Within fifteen (15) days after adoption of the ordinance or amendment, the Clerk of the Board shall publish a summary of the ordinance or amendment with the names of the Board or Transportation

Committee members voting for and against the ordinance or amendment and the Clerk of the Board shall post in the office of the clerk a certified copy of the full text of the adopted ordinance or amendment along with the names of those members voting for and against the ordinance or amendment; or

1.5.2 If the person designated by the Board determines that it is not feasible to prepare a fair and adequate summary of the proposed ordinance or amendment, and if the Board or Transportation Committee so orders, a display advertisement of at least one-quarter of a page in a newspaper of general circulation in the SANDAG area of jurisdiction shall be published at least five (5) days prior to the meeting at which the proposed ordinance or amendment is to be adopted. Within fifteen (15) days after adoption of the ordinance or amendment, a display advertisement of at least one-quarter of a page shall be published. The advertisement shall indicate the general nature of, and provide information regarding, the adopted ordinance or amendment including information sufficient to enable the public to obtain copy of the complete text of the ordinance or amendment, and the name of those members voting for and against the ordinance amendment.

1.6 Ordinances and amendments shall take effect thirty (30) days after their final passage. Exceptions to this effective date are: 1. When the ordinance is for the immediate preservation of the public peace, health or safety, and contains a declaration of facts constituting urgency, and is passed by a two-thirds vote of the Board or Transportation Committee, the ordinance or amendment will take effect immediately; and 2. If otherwise provided by the ordinance or another law.

2. Board Policies

- 2.1 Board policies shall be reviewed to determine if updates are needed no less often than every three years.
- 2.2 Once updated, policies shall contain a footer identifying the last date they were modified by the Board.

3. Public Comment and Public Meetings

- 3.1 Persons wishing to provide comment or testimony shall be permitted to address the Board or PAC after submitting a written request to speak, identifying themselves and the agenda item on which they want to be heard. Ordinarily, each speaker will be allowed no more than three minutes. The Chair, however, may extend or limit the time for each presentation or may permit additional time to speakers representing a group of individuals or organizations to avoid duplicative testimony or for other reasons that are in the best interest of the Board or committee in the Chair's discretion. Testimony must be limited to issues relevant to the agenda item.

- 3.2 The Board wishes to maximize the number of people who can address SANDAG legislative bodies within the time limits set for the meeting while a quorum is present. The Board believes that meetings that last longer than the time set for meeting adjournment can discourage public participation and can hinder the conduct of government business due to loss of a quorum. Therefore, meetings of SANDAG legislative bodies shall be adjourned by the end time set forth in the agenda, unless extended to a specific time by a majority vote of the legislative body. The meeting shall be extended no more than once and may be adjourned to a later date. The Board of Directors wishes to maximize the number of people who can address SANDAG legislative bodies within the time limits set for the meeting while a quorum is present. Accordingly, the chair of a SANDAG legislative body may reduce the speaking time allocated for each speaker or establish a time certain for completion of one or more agenda items when the number of speakers and/or number of items on the agenda are reasonably likely to prevent the conclusion of business prior to the time the meeting is set to adjourn. Decisions by the chair shall be based on the time allocated for the meeting, the number of agenda items, the complexity of each item, and the number of persons wishing to address the legislative body on each item.
- 3.3 Public comment on matters not on the agenda will be permitted on items of interest to the public that are within the subject matter jurisdiction of the Board or committee. Persons wishing to comment during the general public comment period must submit a written request in advance identifying themselves and the subject matter on which they wish to speak. The Chair may limit the time for each speaker. Ordinarily, each speaker will be allowed no more than three minutes.
- 3.4 The Board or a PAC Chair, as applicable, will determine with staff's assistance whether additional public meetings at which formal public testimony will be taken outside of regularly scheduled Board or PAC meetings are appropriate. Such additional public meetings may take the form of scoping meetings, focus group meetings, open houses, workshops or similar alternative formats. The applicable Chair will appoint one or more members of the relevant legislative body to act as public meeting officer(s) at SANDAG public meetings that are not held during a meeting of a SANDAG legislative body. If no Board or PAC members are available to serve as public meeting officers, the Chair may appoint the Executive Director or his/her delegate to serve as the public meeting officer. When a public meeting occurs before a public meeting officer, the public meeting officer or Clerk of the Board shall ensure that all official public testimony given at the public regarding the subject matter of the public meeting are accurately included in the written records, and ensure those written records are forwarded to the Board of Directors or PAC for review prior to the time designated for the relevant legislative body to render its recommendation or final decision.
- 3.5 The public meeting officer's written records regarding the public meeting must include, at least, the following elements:
- 3.5.1 An objective description of the subject matter of the public meeting.

- 3.5.2 The public comments received by proponents and opponents of the meeting's subject matter. The records shall indicate the hour and minute when the public meeting was opened and closed.
- 3.5.3 A list of the notices that were published, mailed, or Internet-posted, including the date of mailing or publication, the name of any newspaper, Internet address or web site, and a list of addresses and entities to which the notice was delivered. If multiple public meetings at which official public testimony is taken regarding the same subject matter are held throughout San Diego County, information regarding the notices and agendas for each public meeting shall be included in the public meeting records.
- 3.5.4 A copy of the agenda for the public meeting, including the time period during which public testimony was heard. The agenda also shall list contact information for the transcriber attending the public meeting.
- 3.5.5 A reference to the location where an audio and/or video recording, or transcript of the public meeting is archived, and where all original written comments submitted to the public meeting officer are available for viewing.
- 3.6 Before the Board of Directors or PAC takes action on the item that was the subject of a public meeting conducted by a public meeting officer, it will allow additional public comment at a regularly scheduled meeting of the legislative body.
- 3.7 By voting at a meeting where a public meeting officer's records will be relied upon, each voting member of the legislative body will be affirming that he or she has:
 - 3.7.1 Thoroughly reviewed the public meeting officer's records of any minutes or transcript from, or listened to an audio or watched a sound video recording of, the public meeting(s); and
 - 3.7.2 Given due consideration to any letters, emails, voicemails, or other comments submitted by the public that are part of the public meeting record.
 - 3.7.3 If a voting member of a legislative body cannot attest that he or she has met the criteria listed in Section 3.6, he or she may participate in the discussion regarding the subject matter of the public meeting, and need not leave the legislative body meeting room, but should not vote on the matter.

4. Standards of Conduct & Ethics Applicable to All of SANDAG Legislative Bodies

- 4.1 This policy shall be supplemental to the SANDAG Conflict of Interest Code and is not intended to supersede such Code or any provisions thereof. All Board and PAC members, and all other members of committees or working groups covered by the Brown Act, including alternates and advisory members, shall file a Statement of Economic Interests in accordance with the California Fair Political Practices Commission guidelines and deadlines imposed by the Political Reform Act. Failure to file a Statement of Economic Interests by the deadlines imposed by the Political Reform Act shall result in a loss of voting privileges for the member.

- 4.2 Each Board member and alternate occupies a position of public trust that demands the highest moral and ethical standards of conduct. All references to "Board members" in Section 4 of this Policy shall be read to include all Board and PAC members, and all other members of committees or working groups covered by the Brown Act, including ex officio members and alternates.
- 4.3 Board members shall not engage in any business or transaction or have a financial or other personal interest, actual, potential, or apparent that is incompatible with the proper discharge of his or her official duties or would tend to impair his or her independence of judgment or action in the performance of such duties. Such business, transaction, or interest shall constitute a conflict of interest.
- 4.4 Generally, no Board member shall engage in any enterprise or activity that will result in any of the following:
- 4.4.1 Using the prestige or influence of the Board office for private gain or advantage of the member or another person.
 - 4.4.2 Using time, facilities, equipment, or supplies of the Board for the private gain or advantage of the member or another person.
 - 4.4.3 Receiving or accepting money or other consideration from anyone other than the Board or another government agency for the performance of acts done in the regular course of duty.
 - 4.4.4 Receiving or accepting, directly or indirectly, any gift or favor from anyone doing business with the Board under circumstances from which it could reasonably be inferred that such was intended to influence such person in their duties or as a reward for official action.
 - 4.4.5 Soliciting any gift or favor in the member's official capacity, either directly or indirectly, when such solicitation might reasonably be inferred as to have a potential effect on the member's duties or decisions, or when the individual's position as a Board member would in any way influence the decision of the person being solicited.
- 4.5 Prohibited Interests
- 4.5.1 It is unlawful for any current SANDAG Board member to render a decision where a party to the decision has given the SANDAG Board member, promised to give the SANDAG Board member, or acted as an intermediary for the SANDAG Board member to have, an opportunity for compensation. For purposes of this section, opportunities for compensation provided to a SANDAG Board member include opportunities for compensation provided to the SANDAG Board member's immediate family. When such an opportunity for compensation is provided to a member of the SANDAG Board member's immediate family, the SANDAG Board member shall not participate in a decision involving a party to the decision unless the SANDAG Board member had no knowledge or involvement in securing the opportunity for compensation.

- 4.5.2 It is unlawful for any current SANDAG Board member to make, participate in making, or use his or her Board member position to influence a decision involving the interests of a person with whom he or she is seeking, negotiating, or securing an agreement concerning future employment.
- 4.5.3 It is unlawful for any current SANDAG Board Member to be financially interested in any contract made by them in their Board member capacity. It is also unlawful for any contract to be made by SANDAG or any board or commission established by SANDAG if any individual member of the body has a financial interest in the contract.
- 4.5.4 Definitions
- 4.5.4.1 For purposes of the prohibitions set forth in this section, the term "financial interest" means any interest, other than a remote interest as prescribed in California Government Code section 1091 or a noninterest prescribed in California Government Code section 1091.5, that would prevent SANDAG Board members involved from exercising absolute loyalty and undivided allegiance to the best interests of SANDAG.
- 4.5.4.2 For purposes of this section, "material financial effect" has the same meaning as that term is used in title 2, sections 18705 through 18705.5 of the California Code of Regulations.
- 4.5.4.3 For purposes of this section, "render a decision" means to take part personally and substantially in the project by rendering a decision, approval, or disapproval; by making a formal written recommendation; by conducting an investigation; by rendering advice on a significant basis; or by using confidential information.
- 4.5.4.4 For purposes of this section, "project" means any matter where a private business has made an application to SANDAG for discretionary funding or discretionary entitlements, or where SANDAG exercises discretion to enter into a lease, agreement, or contract with a private business.
- 4.5.5 Any SANDAG Board Member with a remote financial interest in a prospective contract of SANDAG must disclose the existence of the remote interest to the body of the board in which the SANDAG Board member is a member if that board has any role in creating, negotiating, reviewing, or approving the contract; and the SANDAG Board member must abstain from influencing or participating in the creation, negotiation, review, or approval of the contract.
- 4.5.6 It is unlawful for any SANDAG Board member to knowingly influence a decision of the SANDAG Board if it is reasonably foreseeable that the decision will have a material financial effect on:
- 4.5.6.1 the SANDAG Board member or a member of his or her immediate family, if the material financial effect is distinguishable from its effect on the public generally; or any of the following economic interests:

- 4.5.6.1.1 any business entity in which SANDAG Board member or a member of SANDAG Board member's immediate family has invested \$2,000 or more; and
- 4.5.6.1.2 any business entity for which a SANDAG Board member or a member of the SANDAG Board member's immediate family is a director, officer, partner, trustee, employee, or holds any position of management; and
- 4.5.6.1.3 any real property which SANDAG Board member or a member of SANDAG Board member's immediate family has invested \$2,000 or more; and
- 4.5.6.1.4 any person from whom a SANDAG Board member or a member of the SANDAG Board member's immediate family has received (or by whom you have been promised) \$500 or more in income within twelve months prior to the decision; and
- 4.5.6.1.5 any person from whom a SANDAG Board member or a member of the SANDAG Board member's immediate family has received gifts that total \$420¹ or more within twelve months prior to the decision;
- 4.5.6.1.6 the personal expenses, income, assets, or liabilities of a SANDAG Board member or a member of SANDAG Board member's immediate family.

4.5.7 Prohibitions Applicable to Former Board Members

- 4.5.7.1 It is unlawful for any former SANDAG Board Member who received compensation from SANDAG to render a decision on a particular project during his or her SANDAG service to engage in direct communication with SANDAG, for compensation, with regard to any pending application for discretionary funding or discretionary entitlements before SANDAG relating to that particular project on behalf of any person other than a public agency for a one year period immediately following the last payment from SANDAG to the Board Member.
- 4.5.7.2 It is unlawful for any former SANDAG Board member, for compensation, to knowingly counsel or assist any person other than a public agency in connection with an appearance or communication in which the former SANDAG Board Member is prohibited from engaging pursuant to subsection 4.5.7.1 for a one year period immediately following termination of service with SANDAG.

¹ This amount is subject to adjustment by the Fair Political Practices Commission.

4.6 Lobbying and Campaign-Related Activities

4.6.1 It is unlawful for any SANDAG Board Member to engage in campaign-related activities, such as fund-raising, the development of electronic or written materials, or research, for a campaign for any elective office using SANDAG facilities, equipment, supplies, or other SANDAG resources. Nothing in this section, however, shall prohibit the use of SANDAG resources to provide information to the public about the possible effects of any bond issue or other ballot measure relating to SANDAG activities, operations, or policies, provided that:

4.6.1.1 the use of public resources is otherwise legally authorized; and

4.6.1.2 the information provided constitutes a fair and impartial presentation of relevant facts to aid the electorate in reaching an informed judgment regarding the bond issue or ballot measure.

4.6.2 It is unlawful for any former SANDAG Board Member to engage in direct communication for the purpose of lobbying SANDAG if all of the following circumstances apply:

4.6.2.1 the former SANDAG Board Member served as a SANDAG Board Member within the previous twelve months; and

4.6.2.2 the former SANDAG Board Member received compensation from SANDAG for his or her service as a SANDAG Board Member; and

4.6.2.3 the former SANDAG Board Member is receiving compensation from a private business to engage in the direct communication with SANDAG.

4.6.3 The prohibitions contained in 4.6.2 shall not apply:

4.6.3.1 to prevent a former SANDAG Board Member from making or providing a statement, based on the former SANDAG Board Member's own special knowledge in the particular area that is the subject of the statement, provided that no compensation is thereby received other than that regularly provided for by law or regulation for witnesses;

4.6.3.2 to prevent any former SANDAG Board Member from representing himself or herself, or any member of his or her immediate family, in their individual capacities, in connection with any matter pending before SANDAG;

4.6.3.3 to the activities of any former SANDAG Board Member who is an elected or appointed officer or employee of any public agency, or a consultant of any public agency, when that former SANDAG Board Member is solely representing that agency in his or her Board Member capacity as an officer, employee, or consultant of the agency;

4.6.3.4 to any ministerial action. A ministerial action is one that does not require a SANDAG Board Member to exercise discretion concerning any outcome or course of action; or

4.6.3.5 to any individual who terminated status as a SANDAG Board Member prior to July 1, 2003, except that any such individual who returns to service as a SANDAG Board Member on or after July 1, 2003, shall thereafter be subject to the provisions of this section.

- 4.7 If a Board member has an actual, potential, or apparent conflict of interest in the subject of an agenda item, and the Board will be making a decision regarding the agenda item during an open session meeting, the Board member must recuse himself or herself or, in the case of uncertainty, request a binding determination from the Board's legal counsel. If the Board member has a conflict, he or she may observe, but not participate, in the decision-making process.
- 4.8 If a Board member has an actual, potential, or apparent conflict of interest in the subject of an agenda item to be discussed during a closed session meeting, the Board member must state that he or she has a conflict of interest and shall be disqualified and shall leave the room during such discussion so as not to make, participate in making, or in any way attempt to use his or her official position to influence the decision or discussion. In the case of uncertainty, the Board member must request a binding determination from the Board's legal counsel. In accordance with the Brown Act, any Board member who is disqualified shall be entitled to any information that is publicly reported. The Board member will not, however, be privy to any confidential or privileged information or communications pertaining to the closed session agenda item.
- 4.9 No Board member shall disclose to any person, other than members of the Board and other Board staff designated to handle such confidential matters, the content or substance of any information presented or discussed during a closed session meeting unless the Board authorizes such disclosure by the affirmative vote of a majority of the Board.
- 4.10 No Board member may disclose confidential or privileged information or communication to any person other than a Board member, counsel to the Board, or other Board staff designated to handle such matters, unless disclosure is mandated by law or the Board authorizes such disclosure by the affirmative vote of a majority of the Board.
- 4.11 Confidential or privileged information concerning threatened, anticipated, or actual litigation or claims will not be disclosed to a Board member if he or she has an actual, potential, or apparent conflict of interest. In the case of uncertainty as whether a conflict of interest exists, the Board's legal counsel will issue a binding determination.
- 4.12 No Board member shall represent a position on an issue to be the Board's position unless the Board has formally adopted such position at a public meeting.
- 4.13 Any violation of this policy shall constitute official misconduct if determined as such by an affirmative vote of the majority of the Board in an open and public meeting. The Board may elect to censure the Board member and the violation may be subject to criminal and/or civil penalties as provided for by applicable law.

- 4.14 All SANDAG Board or committee members (including alternates) who may receive any type of stipend, compensation, salary, or reimbursement for travel expenses from SANDAG must attend at least two hours of ethics training every two years. All such persons who hold office with SANDAG as of January 1, 2006, must complete their first course no later than January 1, 2007. The ethics training course materials must be approved by the Fair Political Practices Commission and Attorney General's Office in compliance with the requirements of Government Code § 53234 et seq. Proof of attendance may be issued by SANDAG or any other local government agency providing an ethics training course that complies with these requirements.
- 4.15 Pursuant to Section 18944.1 and 18944.2 of Title 2 of the California Code of Regulations, certain procedures must be followed in order for a gift (travel, tickets, seats at an event, food, etc.) to be considered a gift to SANDAG instead of to an individual SANDAG public official or designated employee. A document entitled "Guidance Regarding Gifts" shall be posted on the SANDAG Web site to provide information regarding SANDAG practices, which are intended to assist public officials and designated employees in complying with regulations promulgated by the California Fair Political Practices Commission.

5. Additional Advisory Membership on Board and PACs

- 5.1 From time to time, the Board may determine it is in best interest of SANDAG to supplement the Board with additional members that can provide beneficial advice and information to the Board on matters of interest to the region.
- 5.2 In determining whether to supplement the Board with additional regular or temporary advisory members, the Board will first review whether the existing Board and PAC membership structures provide the opportunity for beneficial advice and information to SANDAG on matters of interest to the region.
- 5.2.1 The Board will consider adding a new regular advisory member to the Board or a PAC if it finds that the additional advisory member would provide beneficial advice and information to the Board or PAC, and that such advice/information cannot be provided by the existing Board and PAC membership structures. The agency/group wishing to become a regular advisory member shall submit a written request to the Board Chair or PAC Chair. For new regular advisory Board or PAC members, the finding and review required by this Section 5.2.1 as well as the selection criteria in Section 5.3 shall apply.
- 5.2.2 From time to time, the Board or a PAC may determine it is in best interest of SANDAG to provide an agency/group with temporary advisory "seat" at the Board or at one of its PACs when specific agenda items arise. The agency/group wishing to obtain a temporary advisory seat shall meet the criteria listed in Section 5.3 and shall submit a written request to the Board Chair or PAC Chair at least three days prior to the meeting, identifying the reasons for its request and the specific agenda item(s) to be considered. The decision about whether to fulfill the request shall be at the sole discretion of the Board Chair or PAC Chair.
- 5.3 The following criteria for selection of additional advisory members also apply:

- 5.3.1 Agency/group has land use and/or eminent domain authority;
- 5.3.2 Agency/group has regional authorities and responsibilities important to the SANDAG mission;
- 5.3.3 Membership by the agency/group would enhance SANDAG's regional decision-making;
- 5.3.4 Agency/group desires representation, submits a written request, and commits to participation; and
- 5.3.5 Agency/group is able to agree on the form of representation and who will represent it.

6. Agenda Creation for PACs

- 6.1 PAC agendas will be developed jointly by the Committee's Chair and SANDAG staff.
- 6.2 Any request by a primary member of the Board or PAC to add an item to a PAC agenda shall be presented in writing to the PAC Chair and the Board Chair for consideration.

7. Procedures Applicable to All SANDAG Legislative Bodies

- 7.1 The Brown Act is a state law which governs open meetings for local governmental bodies. The Brown Act (also "Act") is contained in the Government Code at § 54950 et seq., and establishes rules designed to ensure that actions and deliberations of public bodies of local agencies are taken openly and with public access and input. The Brown Act governs the meetings of all local "legislative bodies," that is, all multi-member committees and the like, of a local governmental agency such as SANDAG. Bodies created by ordinance, resolution, or formal action of the SANDAG Board or one of the PACs are covered by the Act.
 - 7.1.1 All of the SANDAG legislative bodies are required to comply with the requirements of the Act, including but not limited to the following:
 - 7.1.1.1 Agendas for all regular meetings must be posted at least 72 hours in advance of the meeting and all meetings must be open to the public.
 - 7.1.1.2 The Act applies whenever a majority of the voting members of the legislative body meet to discuss, deliberate or acquire information about a matter within the subject matter of the body.
 - 7.1.1.3 A public comment period must be provided at each meeting.
 - 7.1.1.4 The Act prohibits "serial meetings." Serial meetings are a series of in-person meetings, phone calls, emails, or other types of communication that ultimately involve a majority of the legislative body to develop a consensus as to action to be taken on a matter coming before the body. This prohibition is based on the Act's goal to ensure that the public's business is in fact conducted in public. In addition, a third party cannot be used to communicate among the members to obtain a consensus; an intermediary cannot be used to accomplish the actions directly prohibited by the Act.

- 7.1.1.5 Secret ballots and anonymous voting are prohibited.
 - 7.1.1.6 An attendance registration, or sign-in sheet may be used at public meetings to document the presence of persons other than the members of the legislative body, however, the sheet must clearly state that its completion is voluntary and not a precondition for attendance.
 - 7.1.1.7 Meetings may not be held in facilities that are inaccessible to disabled persons or in facilities that prohibit the admittance of any persons on the basis of race, religious creed, color, national origin, ancestry or sex.
 - 7.1.1.8 Meetings must be held within the County of San Diego, unless some exception under the Act applies. Questions regarding the applicability of the Act should be directed to the SANDAG Office of General Counsel.
 - 7.1.1.9 The agenda must list all items that will be discussed or acted upon by the legislative body. That listing should be described in an informative way so that members of the body as well as members of the public understand the general nature of the agenda item and can make an informed decision whether to attend the meeting or not. The Act provides that this description need not exceed 20 words, but as many words as necessary to give adequate notice should be used.
 - 7.1.1.10 Members may take action to add an item to the agenda of a regular meeting if, by two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, the body determines that there is a need to act immediately, that the body's consideration of the matter cannot await the next meeting and that the need for immediate action arose after the posting of the agenda. This should only occur in very rare occasions, and the SANDAG Office of General Counsel should be consulted before relying on this exception.
- 7.2 In addition to the requirements of the Act, SANDAG legislative bodies must also comply with the following requirements:
- 7.2.1 Only the regular members, or in their absence, a designated alternate, may vote on action items. Seating or placards at meetings should be arranged so that it is clear which persons in the room are voting members, as compared to nonvoting members, alternates, speakers, or members of the public. Nonvoting members and alternates in attendance may participate in the body's discussion, but may not vote.
 - 7.2.2 The members of a legislative body may only designate an alternate if their service on the legislative body is based on their capacity as a representative of another group; members selected for their individual qualifications do not act as a representative of another group and may not designate an alternate.
 - 7.2.3 A quorum shall be a majority of the voting members of a legislative body. A majority of the quorum must approve all actions taken by the legislative

body.

7.2.4 Unless otherwise provided by the Board or PAC, each legislative body should select a chair and vice chair by a vote of the majority of a quorum on an annual basis.

7.2.5 Roberts Rules of Order should be used by legislative bodies for guidance on procedural matters such as the making of motions and voting.

7.2.6 The chair of a legislative body may direct that comments from the public shall be limited to no more than three minutes per person. Comments from the public should be requested following introduction of each agenda item. Efforts should be made to make it clear to the members of the legislative body and audience when a comment is being made by a member of the public versus a member of the legislative body.

7.2.7 In the event a legislative body is having difficulty taking action on items due to lack of attendance to create a quorum, the legislative body may make a recommendation regarding changes to membership and seek approval of these recommendations from the Board or PAC that created the legislative body.

~~7.2.7~~ 7.2.8 Every meeting of a legislative body should be opened with the body reciting the Pledge of Allegiance and an acknowledgement of the Tribal nations of the San Diego region.

7.3 The scope of topics within the jurisdiction of the legislative body shall be limited to those issues delegated to the legislative body by the Board or relevant PAC.

7.4 Legislative bodies created by the Board or a PAC do not have authority to take action on behalf of SANDAG, make a final determination on behalf of SANDAG, and/or take a position on behalf of SANDAG, unless that authority has been specifically delegated and ratified by an action of the Board.

7.5 The SANDAG Committee and Working Group Guidelines should be used for additional guidance.

7.6 New committees shall not be created by SANDAG staff without approval of either (1) the Board, (2) a PAC, or (3) the Executive Director with the concurrence of the Chair of the Board. A PAC or the Board must approve all charter or membership changes for committees that are created by ordinance, resolution, or formal action of the Board or one of the PACs.

7.6.1 When appointing new committees or working groups, PACs may provide for the appointment of alternates.

7.6.2 As the Board creates standing subcommittees, it shall specify the method for appointing persons to those subcommittees.

7.6.3 Ad hoc working groups may be appointed by the Board or PACs as the need arises to accomplish specific tasks. Upon completion of its assignment, each working group shall disband. Standing subcommittees may be appointed by the Board as may be required to carry out general and continuing functions and may be abolished only upon specific action by the Board.

- 7.6.4 An informational report shall be provided to the Board on an annual basis concerning the status of all standing and ad hoc committees and working groups.
- 7.7 A quorum shall be required for the conduct of any business. A simple majority of members (either primary or alternates) shall constitute a quorum.
- 7.8 Primary members vote on all legislative body action items. Alternates vote only when their corresponding primary member from their area is absent. A simple majority of the quorum of primary and eligible alternate members voting constitutes approval.
- 7.9 Upon assuming office, the Chair of Board shall be provided with a list of all of the SANDAG legislative bodies that are not PACs and the Chairs and Vice Chairs of those bodies. The Chair shall determine if a new Chair and/or Vice Chair should be appointed for these bodies and shall report any changes he/she wishes to make at a Board meeting. When making decisions concerning the Chair and Vice Chair appointments to legislative bodies, the potential appointee's participation at the PAC reported to by the legislative body shall be taken into consideration.

Adopted June 2003

Amended November 2004

Amended January 2006

Amended December 2006

Amended July 2007

Amended December 2007

Amended September 2008

Amended January 2010

Amended February 2012

Amended November 2015

Amended June 2021

Amended October 2024

October 11, 2024

Regional Housing Needs Allocation Reform: SANDAG Revised Legislative Principles

Overview

In April 2024, the California Department of Housing and Community Development (HCD) released the *California's Housing Future 2040: The Next RHNA full report* and *executive summary* which includes recommendations related to the Regional Housing Needs Allocation (RHNA) process and methodology. Over the past year, SANDAG staff have discussed HCD's reform efforts with the Board of Directors, Sustainable Communities Working Group (SCWG), Executive Committee, and Regional Planning Committee (RPC).

In response to Board member feedback on HCD's proposed RHNA reform, staff drafted a letter to the senate and assembly housing committee chairs outlining guiding principles to consider during upcoming legislative cycles. The letter was presented to the Executive Committee for consideration at its [July 12, 2024](#), meeting. The five principles outlined in the letter focused on: Sustainable Funding, Local Context, Greater Transparency, Regional Approach, and Prioritizing the Number of People Housed. The Executive Committee supported the principles and directed staff to work directly with the SCWG to strengthen the language in the letter and add language related to preserving affordable housing, housing allocations in unincorporated areas, and accounting for short-term and vacation rentals.

At the [September 6, 2024](#), SCWG meeting, and the [September 7, 2024](#), RPC meeting, staff presented the draft letter and shared the detailed feedback provided by the Executive Committee for discussion. RPC members generally expressed support of the legislative principles and SCWG members provided specific feedback and suggestions that were incorporated into the revised letter. A [letter with the revised language](#) was presented to SCWG on [September 19, 2024](#). SCWG made a recommendation to Executive Committee to submit the letter with additional proposed changes.

Key Considerations

SCWG feedback on the legislative principles from both meetings is summarized below and incorporated into the revised draft letter:

- **Sustainable Funding:** Members agreed that stronger language was needed and added that the estimated cost of \$700,000 per unit only included construction costs. Housing supportive infrastructure and service costs are also needed to subsidize new housing and funding should be proportional to where the housing is allocated. They added additional language to encourage the state to develop a two-tiered approach that would consider funding availability to determine what is achievable within an 8-year cycle.

Action: **Approve**

The Sustainable Communities Working Group recommends that Executive Committee approve the revised letter outlining legislative principles and direct staff to submit the letter to the Chairs of the Senate and Assembly Housing Committees.

Fiscal Impact:

None.

Schedule/Scope Impact:

None.

- **Local Context:** Members generally agreed with this principle. In addition to market conditions being out of a local jurisdictions' control, they requested that the state consider other state mandated regulatory processes that can impede housing production. Examples cited were Coastal Commission review and challenges in areas that are less Vehicle Miles Traveled efficient, as defined by SB 743. Members also expressed that local context include consideration of housing produced for the region's military and higher education as progress towards RHNA goals.
- **Greater Transparency:** Members agreed with this principle and added that HCD should work with local governments throughout the RHNA process (determination and allocation phases) and use only publicly available data sources.
- **Regional Approach:** Members agreed with the need for regional solutions and the ability for jurisdictions to work together to build additional housing.
- **Preservation of Affordable Housing:** Members agreed with the importance of preserving naturally occurring affordable housing (NOAH) and added that HCD should develop guidance to allow local jurisdictions to report on NOAH units that are not deed restricted in annual progress reports.

There was not regional consensus on several principles. The Executive Committee is asked to consider the diverse opinions of the SCWG and determine whether these principles should be incorporated into the draft letter.

- **Prioritize the Number of People Housed:** Members could not come to a consensus on this principle. There was concern that this principle could further complicate the RHNA process and not all jurisdictions have the capacity to track the number of people housed.
- **Short-term and Vacation Rentals:** Not all members agreed with the addition of this principle. Members recognized that these types of units impact available housing supply in our region but emphasized that the short-term and vacation rental market is incredibly volatile and there is a lack of reliable data that could be used for tracking purposes.

SCWG members agreed that the letter did not need to address HCD's recommendations for Reducing Housing Allocations in Unincorporated Areas. SANDAG staff confirmed with HCD that this likely will not impact our region in Cycle 7. The implementation action outlined in HCD's report focuses on areas in the state where HCD acts as the Council of Governments (primarily rural counties where there is no designated council of governments).

Staff will provide a brief legislative recap on recently signed RHNA and housing bills including AB 3093, SB 7, AB 1886, AB 1893. For a complete list of bills, please refer to the State Legislative Report attachment under the Legislative Status Report in the consent agenda.

Next Steps

Pending approval from the Executive Committee, the letter will be sent to Chairs of the Senate and Assembly Housing Committees. Staff will continue to monitor legislation related to housing and RHNA reform and bring additional information to working groups and committees as it becomes available.

Antoinette Meier, Senior Director of Regional Planning

Attachment: 1. Revised Letter to Senate and Assembly Housing Chairs from the SANDAG Board of Directors



October 11, 2024

The Honorable Chris Ward
Chair of the Housing and Community Development Committee
Capitol Office, 1021 O Street, Suite 6350
Sacramento, CA 95814

The Honorable Nancy Skinner
Chair, Senate Housing Committee
Capitol Office, 1021 O Street, Suite 8630
Sacramento, CA 95814

Dear Chair Ward and Chair Skinner,

Subject: Assembly Bill 101 (2019) Implementation of Regional Housing Needs Assessment (RHNA) Reform

The San Diego Association of Governments (SANDAG) has been closely participating in the RHNA reform process under Assembly Bill 101 (2019) and appreciates your leadership on addressing the ongoing housing challenges throughout the state. We recognize that the development of housing is critical and requires government commitment. However, it is also expensive and complex and the RHNA process does not reflect that complexity. As you take on RHNA reform in the upcoming legislative cycles, we encourage you to consider the following principles.

Sustainable Funding

More funding, including funding for capital investments, for local jurisdictions and developers -is needed to support affordable housing. Local jurisdictions need funding to enact policies and processes that encourage housing development and provide infrastructure and services, and developers need funding to make non-market rate projects financially viable. -The Regional Early Action Planning (REAP) grants provided by the State furthered jurisdictions' ability to implement the sixth cycle RHNA, however additional ongoing state and federal funding for planning and capital investments is necessary to meet housing goals.

Fulfilling our region's sixth cycle need of 68,959 low and very low units, with an average cost of \$700,000 per unit, will cost almost \$49 billion in construction costs. Construction costs are not the only expense associated with additional housing. Additional funding proportional to the number of new units allocated is needed to provide the housing supportive infrastructure such as water, sewer, parks, and other ongoing maintenance services. We encourage the state to collaborate with regions to develop a two-tiered approach that analyzes the overall housing need and a funding analysis to determine what is achievable within an 8-year production cycle.

Local Context

Local jurisdictions are responsible for planning and developing policies that encourage housing development, but do not control market conditions or the building industry. -An 8-year cycle is not enough time to make up for the decades-long housing shortage as nNew policies and processes take time to take effect. -When assessing each jurisdiction's progress towards RHNA, HCD should evaluate jurisdictions based on good faith efforts and consider factors outside of their control such as market conditions and other state mandated regulatory processes that can impede housing production. For example, Coastal Commission review often delays the approval of housing permits and reducing vehicle miles traveled (VMT) and greenhouse gas (GHG) emissions in less VMT efficient areas can pose an additional hurdle to housing development in certain areas of our county. consider comprehensive efforts taken throughout the cycle to encourage housing development.

In addition, given the large military and student population in the San Diego region, we strongly advocate for HCD to consider the role of the military and higher education as partners in solving the housing crisis. Housing built on campuses and military bases helps alleviate the pressure on the housing stock in local jurisdictions and should be considered as progress towards achieving RHNA targets.

Greater Transparency

The HCD RHNA report recommends implementing procedural and informational enhancements to the current process, but there is a lack of information on how and when these changes will be made. -To ensure transparency, we strongly advocate that only publicly available data sources are used and that HCD works directly with local governments throughout the RHNA process (determination and allocation phases) regional housing need determination. We request timely guidance and greater transparency on changes to the RHNA process and any changes that will be required in housing elements.

Regional Approach

~~Future~~ RHNA cycles should include a more collaborative regional approach to solving the housing crisis, as not all jurisdictions have the resources or capacity to support additional housing. Since housing is a quality-of-life issue that crosses jurisdictional boundaries, HCD should allow a collective effort to produce affordable housing that may be funded by multiple jurisdictions and share progress towards our regional goal. Through the collaboration of local leaders, we can identify and build housing in the right places and provide the supportive transportation options that align with state climate goals. ~~When more housing is built in the right places, the entire region benefits, but currently just one jurisdiction gets credit in their Annual Progress Reports. A regional approach would also ensure that housing gets developed in locations that support state climate goals.~~

Prioritize the Number of People Housed

~~Currently, RHNA focuses on the number of housing units produced rather than the number of people housed. This approach does not encourage housing types that support families and multigenerational households. To better address the diverse housing needs of our population, we urge HCD and state legislators to consider housing people a priority within the RHNA process.~~

Preservation of Affordable Housing

We urge state leaders to take steps to preserve naturally occurring affordable housing (NOAH), by passing legislation that provides tax incentives to landlords or offers other creative financial incentives. HCD should develop guidance to allow local jurisdictions to report on NOAH units that are not deed restricted in annual progress reports. Preserving existing affordable housing is a critical component to addressing current and future housing needs in our region.

We thank you for your consideration and welcome the opportunity for further collaboration with your offices as we work towards meeting the housing needs of existing and future San Diego residents.

Sincerely,

Nora Vargas
SANDAG Chairwoman

SCOO



Regional Housing Needs Assessment (RHNA) Reform: Revised Legislative Principles

Executive Committee | Item 7
Jose Alvarez and Stacey Cooper, SANDAG
Kirk Blackburn, Ellison Wilson Advocacy, LLC
October 11, 2024

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RHNA Reform Timeline

March – September
2023



HCD and SANDAG outreach efforts

March – April 2024



HCD Listening Session with SANDAG
BOD & HCD releases CA Housing
Future 2040 Legislative Report

June – July 2024



SANDAG presents overview of
HCD's report to SCWG and EC

September
2024



SANDAG presents proposed legislative
principles letter to SCWG and RPC for
feedback

October
2024



Staff presents revised legislative
principles letter to for EC approval

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Chaptered RHNA Legislation

- AB 3093
- SB 7
- AB 1886
- AB 1893

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Proposed Legislative Principles

- Sustainable Funding
- Local Context
- Greater Transparency
- Regional Approach
- Prioritize Number of People Housed
- Preservation of Affordable Housing
- Vacation & Short-term Rentals
- Reducing Housing Allocations in Unincorporated Areas

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SCWG Feedback

Consensus Achieved

Sustainable Funding with the following comments/additions:

- Funding for capital, not just planning dollars
- The \$49 billion estimate included construction costs which are not the only expense associated with additional housing
- Encourage the state to develop a two-tiered approach to determine what is achievable within an 8-year cycle (need and a subset of the need - what is realistic and implementable need over the next cycle)
- Discussion regarding the proportion of funding – the letter reads proportional to the number of new units allocated but it was also mentioned that it should be number of units permitted instead.

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SCWG Feedback

Consensus Achieved

Local Context with the following comments/additions:

- Other state mandated regulatory processes that can impede housing production (e.g. Coastal Commission review and challenges in areas that are less Vehicle Miles Traveled (VMT) efficient)
- Housing produced for the region's military and higher education as progress towards RHNA goals.

Greater Transparency with the following comments/additions:

- HCD should work with local governments throughout the RHNA process and use only publicly available data sources.

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SCWG Feedback

Consensus Achieved

Regional Approach with the following comments/additions:

- Not all jurisdictions have the resources or capacity to support additional housing.
- HCD should allow a collective effort to produce affordable housing that may be funded by multiple jurisdictions and share progress towards our regional goal.

Preservation of Affordable Housing with the following comments/additions:

- HCD should also develop guidance to allow local jurisdictions to report on Naturally Occurring Affordable Housing (NOAH) units that are not deed restricted in annual progress reports

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SCWG Feedback

No Consensus Achieved

Prioritize the Number of People Housed

- **SCWG Concerns**

- Further complicates the RHNA Process
- Not all jurisdictions have the capacity to track this information

- **RPC Feedback**

- Jurisdictions should be given the flexibility to choose between number of units and number of people

Short-term and Vacation Rentals

- These types of units impact available housing supply in our region
- Short-term and vacation rental market is incredibly volatile and there is a lack of reliable data that could be used for tracking purposes.

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SCWG Feedback

Consensus to Not Include Principle

Reducing housing allocations in unincorporated areas

SANDAG staff confirmed with HCD this likely will not impact our region in Cycle 7. The implementation action outlined in the report is focused on areas in the state where HCD acts as the Council of Governments (primarily rural counties).

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Next Steps


- Finalize and submit letter to the Senate and Assembly Housing Chairs
- Actively monitor legislation related to housing and RHNA and HCD's implementation efforts
- Continue to provide updates on RHNA reform to jurisdiction staff, SCWG, RPC, Executive Committee and Board

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