



# CITY MANAGERS STEERING COMMITTEE GATEWAY CITIES COUNCIL OF GOVERNMENTS

Thursday, April 21, 2022, 11:30 AM – 1:00 PM

## TELECONFERENCE MEETING VIA ZOOM

<https://us02web.zoom.us/j/88445764013?pwd=dENzVTRYbXQzNG1kOWJuZFpRdEdCQT09>

or Call: (669) 900-6833 Meeting ID: 884 4576 4013

## AGENDA

### CALL TO ORDER

T. McCormack, Chair

1. Presentation on AB 2630 – California Interagency Council on Homelessness

Shane Weaver, Office of Assemblymember O'Donnell

2. Bills Proposed for COG Positions
  - AB 2419 – Environmental Justice: Federal Infrastructure Investment and Jobs Act Support
  - SB 1251 - Office of the Zero-Emission Vehicle Equity Advocate Support
  - SB 1104 – Governor's Office of Business and Economic Development: Office of Freight
  - SB 679 – Los Angeles County: Affordable Housing Support with Amendments

Nancy Pfeffer/Melani Smith

3. Homelessness Program Update

Gilbert Saldade

4. Broadband Program Update

Gerald Caton

5. Regional Project Opportunities with ARPA Funding

T. McCormack & Committee Members

6. Upcoming Vacancy on Steering Committee

T. McCormack & Committee Members



7. COG Organizational Report

- Staffing Update
- Audit/Accounting Update

Nancy Pfeffer

**OTHER**

**ADJOURNMENT**

**AB 2419—Environmental Justice: Federal Infrastructure Investment and Jobs Act**  
**Introduced by Assembly Member Bryan**  
**(Coauthors: Assembly Members Cristina Garcia and Stone)**  
**(Coauthors: Senator Stern)**

Analysis: Requires that a minimum of 40% of federal funds be allocated to projects that provide direct benefits to disadvantaged communities (DACs) and a minimum of 10% be allocated to projects that provide direct benefits to low-income households or low-income communities. Establishes the Justice40 Oversight Committee (Committee) to guide, oversee, track, and report on the state’s expenditures of federal funding. There must be a transformative and accountable process developed for the fair and just distribution of 40% or more of the benefits to be invested in frontline communities. Otherwise, the investment will not reach frontline communities, given the bias and ambivalence of many state and local governments, and the systemic racial bias, inertia, and resistance to change that we must never underestimate

AB 2419 responds to the following element of the COG’s 2022 Legislative Agenda:  
“Community-Enhancing Activities: Lead and support legislative efforts to reverse the effects of inequitable policies, processes, and practices that disproportionately impact communities in the Gateway Cities area.”

**SB 1251—Office of the Zero-Emission Vehicle Equity Advocate**  
**Introduced by Senator Gonzalez**  
**Principle coauthor: Senator Stern**  
**Coauthor: Senator Archuleta**

Analysis: Establishes the Office of the Zero Emission Vehicle Equity Advocate (ZEV Advocate), within the Governor’s office and under the authority of an executive director, to steer the development of a shared, cross-agency definition of equity, and set an equity agenda for the deployment of light-, medium-, and heavy-duty ZEVs, the supporting infrastructure, and workforce development. Requires the ZEV Advocate to serve as a point of contact for stakeholders to provide concerns and suggestions related to the state’s progress in equitably achieving the state’s ZEV deployment goals. Provides for "State funding for multiyear projects that advance deployment of zero-emission vehicles in communities identified as disadvantaged communities prioritized by severity of air pollution from mobile sources, lack of charging infrastructure and electric vehicles, and transportation or transit deserts.”

SB 1251 responds to the following elements of the COG’s 2022 Legislative Agenda:  
“Community-Enhancing Activities: Lead and support legislative efforts to reverse the effects of inequitable policies, processes, and practices that disproportionately impact communities in the Gateway Cities area, including policies that advance:...

- Equitable technology funding, infrastructure, and access.”

“Air Quality and Climate:

- Seek investment and partnership in the development and deployment of zero-emission and clean-fuel vehicles, vehicle charging and fueling stations, including heavy-duty trucks, locomotives, and other cargo-moving equipment...
- Support the equitable and expeditious implementation of clean air plans that reduce emissions from all sources in the Gateway Cities region.”

**Committee Updates: Senate Transportation Committee Approved Senator Gonzalez’s SB 1251.**

**SB 1104—Governor’s Office of Business and Economic Development: Office of Freight Introduced by Senator Gonzalez**

Analysis: This bill would establish the Office of Freight within GO-Biz. The bill would require the office to serve as the coordinating entity to steer the growth, competitiveness, and sustainability for freight and ports across the state and to promote and assess the continued economic vitality and sustainability of the freight sector. The bill would require the office, in coordination with specified state agencies, to prepare an assessment of statewide economic growth, competitiveness, prosperity, resiliency, and sustainability for the state’s freight sector. The bill would require the office to submit the assessment to the Legislature on or before December 31, 2024, and an updated assessment at least once every 5 years thereafter. The bill would require the Transportation Agency to incorporate the findings of the assessment into the state freight plan, as specified.

SB 1104 responds to the following element of the COG’s 2022 Legislative Agenda:

“Equitable workforce development and employment/ Line 4: Equitable technology funding, infrastructure, and access”

**Committee Update: The Senate Transportation Committee Approved Senator Gonzalez’s SB 1104**

**SB 679—Los Angeles County: Affordable Housing.**

**Introduced by Senator Kamlager**

**(Principal coauthor: Assembly Member Bloom)**

**(Coauthors: Senators Allen, Bradford, Durazo, Gonzalez, Hertzberg, Leyva, Stern)**

**(Coauthors: Assembly Members Bryan, Carrillo, Friedman, Gipson, Holden, Nazarian, and Luz Rivas)**

Analysis: This bill establishes the Los Angeles County Affordable Housing Solutions Agency (LACAHS) and authorizes LACAHS to utilize specified local financing tools for the purpose of funding renter protections, and the preservation and production of housing units affordable to households earning up to 80% of the area median income (AMI). The Los Angeles County Affordable Housing Solutions Agency is hereby established with jurisdiction extending throughout Los Angeles County. The agency’s purpose is to increase the supply of affordable housing in Los Angeles County by providing for significantly enhanced funding and technical assistance at a regional level for renter protections, affordable housing preservation, and new affordable housing production of 100 percent affordable housing for households earning 80 percent of the appropriate area median income or below, with financing priority on the lowest levels of affordability.

SB 679 responds to the following element of the COG’s 2022 Legislative Agenda:

“Equitable creation of and access to open spaces and places that encourage physical activity and wellness. Neighborhood transitions and revitalization of urban communities to promote economic opportunity and community prosperity”

AB2419—Environmental justice: federal Infrastructure Investment and Jobs Act  
Introduced by Assembly Member Bryan  
(Coauthors: Assembly Members Cristina Garcia and Stone)  
(Coauthors: Senator Stern)

\*As Amends the Law Today

**SECTION 1.**

*The Legislature finds and declares all of the following:*

*(a) On January 27, 2021, President Biden signed Executive Order 14008, which established the federal Justice40 Initiative “with the goal of delivering 40 percent of the overall benefits of relevant federal investments to disadvantaged communities.”*

*(b) On May 28, 2021, the White House Environmental Justice Advisory Committee submitted its final recommendations on the federal Justice40 Initiative to President Biden. This included the request “that there must be a transformative and accountable process developed for the fair and just distribution of 40% or more of the benefits to be invested in frontline communities. Otherwise, the investment will not reach frontline communities, given the bias and ambivalence of many state and local governments, and the systemic racial bias, inertia, and resistance to change that we must never underestimate.”*

*(c) On November 15, 2021, President Biden signed into law the federal Infrastructure Investment and Jobs Act (Public Law 117-58), hereinafter “IIJA.”*

*(d) On the same day, President Biden also signed Executive Order 14052, which was published on November 18, 2021, stating that implementation of the IIJA should prioritize “investing public dollars equitably, including through the [federal] Justice40 Initiative, which is a Government-wide effort toward a goal that 40 percent of overall benefits from Federal investments in climate change and clean energy flow to disadvantaged communities.”*

*(e) Throughout the history of the United States, racist infrastructure policies and investments have cemented inequities in housing, education, economic opportunity, health, and environmental pollution. These inequities lock millions of Americans out of prosperity and opportunity, nowhere more so than in low-income communities of color.*

*(f) California has its own legacy of creating, upholding, or exacerbating inequities through infrastructure investments. California’s highway system was often built in ways that broke up Black, Indigenous, and people of color communities, forcing the destruction of homes and displacing residents.*

*(g) Equity should be a primary consideration in determining how to spend billions of dollars in infrastructure investments to deliver jobs and other benefits where they are needed most.*

*(h) This is a historic moment to seize the opportunities provided by the IIJA and the federal Justice40 Initiative to reverse inequities and build a new vision of infrastructure as the foundation for an inclusive society.*

*(i) States must play a crucial role in achieving the goals of the federal Justice40 Initiative by ensuring that these investments target and benefit disadvantaged communities, especially those harmed by the long history of inequitable and racist policies.*

*(j) On September 1, 2021, Governor Newsom joined a group of 10 governors to submit a letter to Congressional leaders requesting that “any infrastructure package ensure 40 percent of the benefits of climate and clean infrastructure investments are directed to disadvantaged communities and invests in rural communities and communities impacted by the market-based transition to clean energy.”*

*(k) California’s disadvantaged communities need significant improvements in the areas of public transit, broadband access, water systems, and climate resilience throughout the state.*

*(l) Committing to the federal Justice40 Initiative could help provide, among other things, better and less polluting public transit, reliable and affordable high-speed internet access, and clean drinking water to those communities.*

*(m) California is committed to being a leader in the push for a cleaner and more just future.*

## **SEC. 2.**

*Part 3.2 (commencing with Section 71119) is added to Division 34 of the Public Resources Code, to read:*

### **PART 3.2. California Justice40 Act**

#### **71119.**

*This part shall be known, and may be cited, as the California Justice40 Act.*

#### **71119.1.**

*(a) For purposes of this section, the following definitions apply:*

*(1) “Committee” means the Justice40 Oversight Committee established pursuant to subdivision (i).*

*(2) “Council” means the Strategic Growth Council established pursuant to subdivision (a) of Section 75121.*

*(3) “Covered program” means a federal government program, as outlined in the Interim Implementation Guidance for the Justice40 Initiative released by the Office of Management and Budget (M-21-28), that makes covered investment benefits in one or more of the following areas:*

*(A) Climate change.*

*(B) Clean energy and energy efficiency.*

*(C) Clean transportation.*

*(D) Affordable and sustainable housing.*

*(E) Training and workforce development related to climate, natural disasters, environment, clean energy, clean transportation, housing, water and wastewater infrastructure, and legacy pollution reduction, including in energy communities.*

*(F) Remediation and reduction of legacy pollution.*

*(G) Critical clean water and waste infrastructure.*

*(4) “Disadvantaged community” means a community identified as disadvantaged pursuant to Section 39711 of the Health and Safety Code.*

*(5) "Federal act" means the federal Infrastructure Investment and Jobs Act (Public Law 117-58).*

*(6) "Federal funds" means moneys received by the state under the federal act.*

*(7) "Infrastructure" means all sectors included in the federal act, including, but not limited to, transportation, water, energy, broadband, and resilience and rehabilitation of the nation's natural resources.*

*(8) "Low-income communities" are census tracts with median household incomes at or below 80 percent of the statewide median income or with median household incomes at or below the threshold designated as low income by the Department of Housing and Community Development's list of state income limits adopted pursuant to Section 50093 of the Health and Safety Code.*

*(9) "Low-income households" are those with household incomes at or below 80 percent of the statewide median income or with household incomes at or below the threshold designated as low income by the Department of Housing and Community Development's list of state income limits adopted pursuant to Section 50093 of the Health and Safety Code.*

*(b) (1) In allocating federal funds, a minimum of 40 percent of the federal funds shall be allocated to projects that provide direct benefits to disadvantaged communities in the state.*

*(2) In allocating federal funds, a minimum of an additional 10 percent of the federal funds shall be allocated to projects that provide direct benefits to low-income households in the state or to projects that provide direct benefits to low-income communities in the state.*

*(c) All investments of federal funds shall avoid substantial burdens to disadvantaged communities, low-income communities, and low-income households, including physical or economic displacement of low-income households and small businesses in disadvantaged communities and low-income communities, increased local exposure to toxics or other health risks, or other substantial economic, environmental, or public health burdens.*

*(d) All investments of federal funds shall maximize economic cobenefits by including labor and workforce standards, and give preference to projects that include wage standards, targeted hire provisions for disadvantaged and underrepresented workers, project labor agreements, community workforce agreements, and community benefits agreements.*

*(e) A public agency administering federal funds shall maximize benefits for disadvantaged communities, low-income households, and low-income communities in alignment with the framework established by the investment plan developed by the State Air Resources Board pursuant to Chapter 4.1 (commencing with Section 39710) of Part 2 of Division 26 of the Health and Safety Code.*

*(f) Administering agencies shall conduct, or participate in, outreach and engagement and require qualifying projects to demonstrate community support to improve funding accessibility and to maximize participation by, and benefits to, disadvantaged communities, low-income communities, and low-income households.*

*(g) A public agency administering federal funds shall consider a project's potential impacts on goals that include, but are not limited to, advancing environmental justice, reducing emissions of greenhouse gases, promoting climate adaptation and resilience, meaningfully consulting with and incorporating input from communities, promoting registered apprenticeship and preapprenticeship programs, and creating high-road jobs.*

*(h) A state agency administering federal funds shall annually report on, and make available to the public, the state agency's activities and progress toward implementing the committee's*

*recommendations and the use of federal funds for projects, including the total amount of federal funds disbursed, the entities that received federal funds, and the projects funded.*

*(i) The Justice40 Oversight Committee is hereby established in the Strategic Growth Council to do all of the following:*

*(1) Identify infrastructure deficiencies in disadvantaged communities and low-income communities throughout the state.*

*(2) Recommend climate, clean energy, and infrastructure projects for federal funding.*

*(3) Recommend climate and labor standards for projects that receive federal funds.*

*(j) (1) The committee shall consist of the following members:*

*(A) Not less than eight members appointed by the Governor as follows:*

*(i) At least one representative of a Native American tribal community.*

*(ii) At least one representative of a local or regional group that works on environmental issues affecting frontline communities.*

*(iii) A representative of a local or regional group that works on transportation equity.*

*(iv) A representative of an environmental justice organization.*

*(v) At least one representative of an equity- or racial justice-focused organization that works with a disadvantaged community.*

*(vi) At least one representative of a local or regional group that works with a low-income community.*

*(vii) A representative of a public sector labor union.*

*(viii) A representative from a labor union that represents building and construction trades.*

*(B) Two members appointed as follows:*

*(i) One public member appointed by the Speaker of the Assembly.*

*(ii) One public member appointed by the Senate Committee on Rules.*

*(2) Committee members shall serve on the committee without compensation, but may be reimbursed for their actual expenses incurred in connection with their duties as members of the committee.*

*(k) The committee shall work with the California Environmental Protection Agency, the Transportation Agency, and other appropriate entities to implement this section.*

*(l) The council shall track the use of federal funds and make available to the committee and to the public on the council's internet website the tracking information.*

*(m) A public agency administering federal funds shall coordinate with the council's Community Assistance for Climate Equity Program to assist communities in applying for, and accessing, federal funds for infrastructure projects.*

*(n) (1) On or before December 31, 2024, the committee shall submit an interim report to the Legislature, and to the council at a public meeting of the council, that identifies infrastructure deficiencies in disadvantaged communities, recommends infrastructure projects, provides agency*

*guidelines on the climate and labor standards developed pursuant to paragraph (3) of subdivision (i), and reports on the expenditure of federal funds.*

*(2) On or before December 31, 2027, the committee shall submit a final report to the Legislature, and to the council at a public meeting of the council, on the expenditure of federal funds and that includes an evaluation of state agencies' success in meeting the climate and labor standards developed pursuant to paragraph (3) of subdivision (i).*

*(3) The reports submitted to the Legislature pursuant to paragraphs (1) and (2) shall be submitted in accordance with Section 9795 of the Government Code.*

*(4) The council shall make available to the public on its internet website the reports required pursuant to paragraphs (1) and (2).*

*(o) This section shall remain in effect only until January 1, 2031, or January 1 of the year following the date of the submission of the report, whichever is earlier, and as of that date is repealed.*

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SB 679—Los Angeles County: affordable housing.

Introduced by Senator Kamlager

(Principal coauthor: Assembly Member Bloom)

(Coauthors: Senators Allen, Bradford, Durazo, Gonzalez, Hertzberg, Leyva, Stern)

(Coauthors: Assembly Members Bryan, Carrillo, Friedman, Gipson, Holden, Nazarian, and Luz Rivas)

*\*As Amends the Law Today*

## **SECTION 1.**

*Title 6.9 (commencing with Section 64700) is added to the Government Code, to read:*

### **TITLE 6.9. Los Angeles County Affordable Housing Solutions Agency**

#### **PART 1. Formation of the Los Angeles County Affordable Housing Solutions Agency and General Powers**

##### **CHAPTER 1. General Provisions**

###### **64700.**

*This title shall be known, and may be cited, as the Los Angeles County Regional Housing Finance Act.*

###### **64701.**

*The Legislature finds and declares the following:*

*(a) Los Angeles County is facing the most significant housing crisis in the region's history, as tens of thousands of residents are living in overcrowded housing, being pushed out of their homes, spending hours driving every day to and from work, one paycheck away from an eviction, or experiencing homelessness.*

*(b) The impacts of Los Angeles County's affordable housing crisis are disproportionately being borne by people of color, including Black, Latino, Asian and Pacific Islander Americans, and low-income residents.*

*(c) Women of color face an even greater burden due to systemic barriers, including wage discrimination, unsafe transit options, and lack of access to affordable childcare.*

*(d) Los Angeles County faces this crisis because, as a region, it has failed to produce enough housing at all income levels, particularly at the lowest levels of affordability, preserve affordable housing, protect existing residents from displacement, and address the housing issue throughout the county in a comprehensive fashion.*

*(e) Housing costs have dramatically outpaced wage growth. An average two-bedroom apartment in Los Angeles County requires a household income of forty-one dollars and ninety-six cents (\$41.96) per hour.*

*(f) The housing crisis in Los Angeles County is regional in nature and existing municipality-specific programming would benefit from a regional agency that could supplement the programming with additional supports and services, especially in the context of ambitious Regional Housing Needs Assessments goals – 341,000 affordable units in the sixth cycle, which the county as a whole is on track to produce 25,000.*

*(g) Seventy-nine percent of extremely low income households in Los Angeles County are paying more than half of their income on housing costs compared to just 3 percent of moderate-income households.*

*(h) However, the current process is anything but regional; instead each city and the county is each responsible for their own decisions around housing financing and renter protection programs.*

*(i) Based on the most recent regional housing needs assessment cycle, Los Angeles County faces an annual gap of 39,375 units between what is being created and what is needed to achieve the sixth cycle affordable housing countywide goals.*

*(j) A multistakeholder countywide agency is necessary to help address the affordable housing crisis in Los Angeles County by supplementing resources and technical assistance at a regional scale, including:*

*(1) Generating new dedicated regional funding for critical capital and other supports for affordable housing developments across Los Angeles County to supplement, rather than supplant, existing funding.*

*(2) Providing staff support to local jurisdictions that require capacity or technical assistance to expedite the preservation and production of housing.*

*(3) Funding renter programs and services, such as emergency rental assistance and access to counsel.*

*(4) Assembling parcels, acquiring land, and supporting community land trusts for the purpose of building affordable housing.*

*(5) Monitoring and reporting on progress at a regional scale.*

**64702.**

*For purposes of this title:*

*(a) "Agency" means the Los Angeles County Affordable Housing Solutions Agency established pursuant to Section 64710.*

*(b) "Board" means the governing board of the Los Angeles County Affordable Housing Solutions Agency.*

*(c) "Los Angeles County" means the entire area within the territorial boundary of the County of Los Angeles.*

**64703.**

*The Legislature finds and declares that providing a regional financing mechanism for affordable housing development, preservation, and renter protections in Los Angeles County, as described in this section and Section 64701, is a matter of statewide concern and is not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this title applies to all cities within Los Angeles County, including charter cities.*

**CHAPTER 2. The Los Angeles County Affordable Housing Solutions Agency and Governing Board**

**64710.**

*(a) The Los Angeles County Affordable Housing Solutions Agency is hereby established with jurisdiction extending throughout Los Angeles County, except that the agency shall only have jurisdiction to act in a supplemental capacity when a municipality has, as of January 1, 2022, an existing program that provides similar supports and services, and in no circumstances shall any functions of existing programs be transferred to or undertaken by the agency, nor shall the agency perform or undertake any functions related to supports and services provided to people experiencing homelessness, unless such supports and services are explicitly authorized by this chapter or are directly related to the provision of other supports and services authorized explicitly by this chapter.*

*(b) The formation and jurisdictional boundaries of the agency are not subject to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Division 3 (commencing with Section 56000) of Title 5).*

*(c) The agency's purpose is to increase the supply of affordable housing in Los Angeles County by providing for significantly enhanced funding and technical assistance at a regional level for renter protections, affordable housing preservation, and new affordable housing production of 100 percent affordable housing for households earning 80 percent of the appropriate area median income or below, with financing priority on the lowest levels of affordability.*

*(d) The agency shall complement and supplement existing efforts by cities, counties, districts, and other local, regional, and state entities, related to addressing the goals described in this title.*

**64711.**

*(a) The agency shall be governed by a board of directors composed of 19 voting members and one nonvoting member, as follows:*

*(1) Five members of the Los Angeles County Board of Supervisors. If the number of members of the Los Angeles County Board of Supervisors is increased, the agency shall, within 60 days of the increase, submit a plan to the Legislature for revising the composition of the agency.*

*(2) (A) The mayor of the City of Los Angeles.*

*(B) Three members appointed by the mayor of the City of Los Angeles, each of whom shall be either a member of the Los Angeles City Council or a housing expert or advocate.*

*(C) One member who is a city council member or a housing expert or advocate appointed by the President of the Los Angeles City Council.*

*(3) The mayor of the City of Long Beach or the vice mayor of the City of Long Beach, as determined by the mayor of the City of Long Beach.*

*(4) (A) Four members, each of whom shall be a mayor or a member of a city council, appointed by the Los Angeles County City Selection Committee.*

*(B) For purposes of the selection of the four members appointed pursuant to subparagraph (A), Los Angeles County, excluding the City of Long Beach, shall be divided into the following four sectors:*

*(i) The North County and San Fernando Valley sector.*

*(ii) The Southwest Corridor sector.*

*(iii) The San Gabriel Valley sector.*

*(iv) The Southeast sector.*

*(C) The League of California Cities, Los Angeles County Division, shall define the sectors. Every city within a sector shall be entitled to vote to select a candidate from that sector for consideration for appointment by the Los Angeles County City Selection Committee. A city's vote shall be weighted in the same proportion that its population bears to the total population of all cities within the sector.*

*(D) The members appointed pursuant to this subdivision shall be appointed by the Los Angeles County City Selection Committee upon an affirmative vote of its members that represent a majority of the population of all cities within the county, excluding the City of Los Angeles and the City of Long Beach.*

*(E) The members selected by the city selection committee shall serve four-year terms with no limitation on the number of terms that may be served by any individual. The city selection committee may shorten the initial four-year term for one or more of the members for the purpose of ensuring that the members serve staggered terms.*

*(5) (A) (i) The interim chair of the citizens' oversight committee created by Section 64718.*

*(ii) The interim chair shall be selected by the three members described in subparagraph (A) of paragraph (6) and then submitted to the full board for approval.*

*(iii) The interim chair shall have lived or experienced homelessness or housing instability.*

*(B) The chair of the citizens' oversight committee created by Section 64718 after the chair is elected pursuant to Section 64718.1, at which time the chair shall replace the interim chair described in subparagraph (A).*

*(6) (A) Until permanent expert members are selected, three members as follows:*

*(i) One member with expertise in affordable housing production, who shall be a designee from the Southern California Association of Non Profit Housing.*

*(ii) One member with expertise in affordable housing preservation, who shall be a designee from the Los Angeles Community Land Trust Coalition.*

*(iii) One member with expertise in renter protection and support, who shall be a designee from the steering committee for Stay Housed L.A. County.*

*(B) (i) The chief executive officer of the agency shall facilitate a selection process that results in three members as follows:*

*(I) One member with clear and demonstrated expertise in affordable housing production, including, but not limited to, affordable housing project finance and development.*

*(II) One member with clear and demonstrated expertise in affordable housing preservation, including, but not limited to, naturally occurring affordable housing, expiring affordability covenants, community land trusts, or related affordable housing preservation strategies.*

*(III) One member with clear and demonstrated expertise in renter protection and support, including, but not limited to, experience in advocating for or enforcing tenants' rights.*

*(ii) (I) The chief executive officer of the agency shall create three lists, one for each subclause in clause (i), each with at least five candidates who satisfy the criteria of that subclause.*

*(II) Members of the public shall be entitled to submit their names for consideration or to nominate other persons for consideration by the chief executive officer of the agency for inclusion in the candidates list required by subclause (I).*

*(III) The candidates required by subclause (I) shall be subject to the agency's conflict-of-interest policies.*

*(iii) The members described in clause (i) shall be selected by a vote of the 15 elected members of the board described in paragraphs (1) to (4), inclusive, from the lists created pursuant to this clause.*

*(7) The Executive Director of the Southern California Association of Governments shall be a nonvoting member.*

*(b) If the population of the City of Los Angeles, at any time, becomes less than 35 percent of the combined population of all cities in the county, the position of one of the three members appointed pursuant to subparagraph (B) of paragraph (2) of subdivision (a), as determined by the mayor of the City of Los Angeles by lot, shall be vacated, and the vacant position shall be filled by appointment by the city selection committee pursuant to paragraph (4) of subdivision (a) from a city not represented by any other member appointed pursuant to paragraph (4) of subdivision (a).*

*(c) The board members specified in paragraphs (1) to (4), inclusive, of subdivision (a) may each appoint an alternate member to the agency to represent, at a meeting of the agency, a regular member it has appointed, but only if the regular member cannot attend the meeting.*

*(d) For purposes of this section, an alternate member shall be:*

*(1) In the case of the member of the City Council of the City of Los Angeles appointed by the mayor of the City of Los Angeles, any person appointed by the mayor with the consent of the city council. If the alternate member is a member of the city council, then consent of that city council is not necessary.*

*(2) In the case of any public members, any persons designated by the appointing member so long as that person is a resident of Los Angeles County.*

*(e) The board shall designate a chair, vice chair, and second vice chair, as well as establish guidelines for designation process and the term of each office.*

*(f) (1) A member of the board may receive a per diem for each board meeting that the member attends. The board shall set the amount of that per diem for a member's attendance, but that amount shall not exceed one hundred dollars (\$100) per meeting. A member shall not receive a payment for more than two meetings in a calendar month.*

*(2) A board member may waive a payment of per diem authorized by this subdivision.*

*(3) Out-of-state travel and conference travel shall be compensated by the board member's home city or county.*

*(h) In addition to the requirements under subdivision (i), the agency shall engage in public participation processes, which shall include the following:*

*(1) Outreach efforts to encourage the active participation of a broad range of stakeholder groups in the planning process, including, but not limited to, affordable housing and homelessness advocates, nonprofit developers, neighborhood and community groups, environmental advocates, equity organizations, home builder representatives, and business organizations.*

*(2) The agency shall require proactive community engagement related to any project or development funded by the agency, in advance of any public meeting or notice of impending action, with a focus on residents of an impacted building and immediately adjacent residents. The agency shall give public notice, through posting on the internet, of any plans or projects funded directly by the agency or by any eligible jurisdiction, at least 30 days in advance of that action. The agency staff may hold a public meeting where deemed appropriate, at a time and a location convenient for members of the public for any project that receives funding from the agency either through the agency itself or a local jurisdiction. The board may choose to hold a public meeting to discuss a project or development when appropriate.*

*(3) A process for enabling members of the public to provide an annual written request to receive agency notices, information, and updates.*

*(i) (1) Members of the board are subject to Article 2.4 (commencing with Section 53234) of Chapter 2 of Part 1 of Division 2 of Title 5.*

*(2) The agency shall be subject to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5), the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1), and the Political Reform Act of 1974 (Title 9 (commencing with Section 81000)).*

**64711.1.**

*Notwithstanding paragraph (5) of subdivision (a) of Section 64711, if a member appointed by the mayor of the City of Los Angeles is not a member of the city council of that city, the person appointed may serve for 60 days without consent of the city council.*

**64711.2.**

*Every member of the board is subject to Section 87200.*

**64711.3.**

*(a) Except as provided in subdivision (b), each member of the board shall serve a term of four years or until a successor is appointed and qualified. A member may be removed at the pleasure of the appointing entities described in subdivision (a) of Section 64711. A member that is not an elected official shall only be reappointed for one additional term.*

*(b) The membership of any member serving on the agency as a result of holding another public office shall terminate when the member ceases holding the other public office.*

**64711.4.**

*(a) The board shall appoint a full-time chief executive officer who shall act for the agency under its direction and perform those duties delegated by the agency.*

*(b) The chief executive officer shall be appointed to a renewable term of four years and shall be removed from office only upon the occurrence of one or both of the following:*

*(1) A two-thirds majority of the members of the board votes for removal.*

*(2) The board determines that the chief executive officer violates a federal or state law, regulation, local ordinance, or policy or practice of the agency, relative to ethical practices, including, but not limited to, the acceptance of gifts or contributions.*

*(c) The agency shall appoint a general counsel, inspector general, and board secretary.*

**64711.5.**

*(a) The board shall appoint an inspector general to a renewable term of office of four years. The inspector general shall be removed from office by a two-thirds vote of the members of the board if the board determines that the inspector general violates a federal or state law or regulation, a local ordinance, or a policy or practice of the agency, relative to ethical practices, including, but not limited to, acceptance of gifts or contributions.*

*(b) The inspector general shall, at a noticed public hearing of the agency, report quarterly on the expenditures of the agency for travel, meals and refreshments, private club dues, membership fees and other charges, and any other expenditures specified by the agency.*

*(c) Any investigatory file compiled by the inspector general is an investigatory file compiled by a local law enforcement agency subject to disclosure pursuant to subdivision (f) of Section 6254.*

**64712.**

*(a) The agency may determine its organizational structure, which may include, but is not limited to, the establishment of departments, divisions, subsidiary units, or similar entities. Any department, division, subsidiary unit, or similar entity established by the agency shall be referred to in this chapter as an “organizational unit.”*

*(b) The board may delegate to an organizational unit or to its chief executive officer any powers and duties it deems appropriate. Powers and duties that may be delegated to an organizational unit include, but are not limited to, the following:*

*(1) Approval of contracts up to authority limits established by the board, except that final approval of labor contracts shall require board approval.*

*(2) Hearing and resolving bid protests.*

**64713.**

*(a) In light of the purpose of the agency, the agency shall be exempt from Chapter 5 (commencing with Section 54220) of Part 1 of Division 2 of Title 5.*

*(b) Notwithstanding subdivision (a), the agency shall be deemed a local public entity, as defined in Section 50079 of the Health and Safety Code, for the purposes of receiving notice of the disposing of surplus land by a local agency, pursuant to paragraph (1) of subdivision (a) of Section 54222.*

**64714.**

*The members of the board shall be appointed by April 1, 2022. The agency shall have no powers, duties, or responsibilities until April 1, 2022.*

**64715.**

*A member of the board shall exercise independent judgment on behalf of the interests of the residents, the property owners, and the public of Los Angeles County in furthering the intent and purposes of this title.*

**64716.**

*(a) The board shall hold its first meeting at a time and place within Los Angeles County fixed by the Los Angeles County Clerk, as a ministerial duty.*

*(b) After the first meeting described in subdivision (a), the board shall hold meetings at times and places determined by the board.*

**64717.**

*(a) The board may make and enforce rules and regulations necessary for governing the board, the preservation of order, and the transaction of business.*

*(b) In exercising the powers and duties conferred on the agency by this title, the board may act by ordinance, resolution, or minute action.*

**64717.5.**

*(a) Five years after the voters approve an initial ballot measure pursuant to Section 64721, the board shall review the implementation of the measure. The review shall include the following:*

*(1) An analysis of the expenditures to date.*

*(2) The number of affordable housing units produced and preserved at different household income levels.*

*(3) The tenant protection services provided, and the role of the agency.*

*(b) No earlier than five years after approval of a funding measure under Chapter 2 (commencing with Section 64810) and subject to consultation with the agreement of the citizens' oversight committee by a two-thirds vote, the board may change any of the minimum requirements in subdivision (d) of Section 64830 if the board adopts a finding that both allocated funding has been unspent in a given category across multiple years and the region's needs in a given category differ from those requirements. The board is required to approve the finding by a two-thirds vote. Approval of the finding shall be subject to the public participation requirements provided in subdivision (h) of Section 64711.*

*(c) (1) The board shall, after the citizens' oversight committee approves the annual expenditure plan, adopt the annual expenditure plan for the use of housing revenue by July 1 of each year, except the board shall select the deadline to adopt the first annual expenditure plan. To support long-term planning, the annual expenditure plan may cover multiple years, as determined by the board. In the event any of the planned annual expenditures do not correspond to actual expenditures that meet the minimum annual expenditure requirements set forth in this chapter, the board shall ensure subsequent expenditure plans account for previous underspending so that the average spending over at least a three-year budget period achieves the minimum annual expenditure set forth in this chapter.*

*(2) The annual expenditure plan shall set forth the share of revenue and estimated funding amount to be spent on each of the categories established in subdivision (d) of Section 64830, indicate the household income levels to be served within each category of expenditures, and estimate the number of affordable housing units to be built or preserved and the number of tenants to be protected. To the extent feasible, the annual expenditure plan shall include a description of any specific project or program proposed to receive funding, including the location, amount of funding, and anticipated outcomes.*

#### **64718.**

*(a) The board shall form a citizens' oversight committee that adheres to the guiding principles of ensuring that the region produce enough housing at all income levels, particularly at the lowest levels of affordability, while preserving affordable housing, and protecting residents from displacement. The committee shall be composed of 11 voting members and 1 nonvoting member with knowledge and experience in the areas of affordable housing finance and development, or tenant protection, or housing preservation. The citizens' oversight committee shall meet as necessary and provide substantial assistance in the development of funding guidelines and the overall implementation of agency programs. The committee shall have a vote to approve the annual organizational expenditure plan prior to approval by the board pursuant to subdivision (e) of Section 64830. The committee shall report directly to the board and the public. Consistent with the provisions of this chapter, the committee shall provide consultation and make recommendations to the board. The committee shall meet as often as is necessary to fulfill its roles and responsibilities.*

*(b) Committee members shall carry out the responsibilities laid out in this section and play a valuable and constructive role in the ongoing improvement and enhancement of the agency. Committee members will offer their unique knowledge and experience in the areas of affordable housing finance and development, tenant protection, and housing preservation. The committee members shall meet the following requirements:*

*(1) All members shall reside in Los Angeles County.*

*(2) All members shall be subject to conflict-of-interest provisions. No person currently serving as an elected or appointed city, county, special district, state, or federal public officeholder, or currently employed by a city or county agency, shall be eligible for membership on the committee.*

*(3) In addition to all conflict-of-interest provisions all members shall be required to divest of any investments from which their participation on the committee may further their personal or institutional financial interests.*

*(c) A person may apply to the office of the inspector general to become a member of the committee. The office of the inspector general shall select the members of the committee by a date set by the board. The committee shall have at least one member representing each of the following professions or areas of expertise, except as provided in subdivision (d):*

*(1) A person with experience in the field of municipal or public finance and budgeting with a minimum of five years of relevant experience in that field.*

*(2) A person with experience in senior-level decision making in affordable housing development, preservation, and operations and with a minimum of five years of relevant experience in that field.*

*(3) A person with experience in housing finance and with a minimum of five years of experience in that field.*

*(4) A person with experience in tenant rights organizing or advocacy and with a minimum of five years of experience in that field.*

*(5) A person with experience in housing seniors or people with disabilities and with a minimum of five years of experience in that field.*

*(6) A person with experience as a legal expert advancing or enforcing fair housing policies on behalf of a community-based organization and with a minimum of five years of experience in that field.*

*(7) A person with experience in the management of large-scale housing construction projects and associated labor practices and with a minimum of five years of experience in that field.*

*(8) A person with lived experience as a low- or moderate-income tenant (minimum five years) experiencing homelessness (minimum one year).*

*(9) A person with lived experience as a low- or moderate-income tenant (minimum five years) or experiencing homelessness (minimum one year).*

*(10) A recognized representative of employees at the Los Angeles Homeless Services Authority.*

*(11) A person with experience in managing, forming, serving, or operating community land trusts or community development corporations and with a minimum of five years of experience in that field.*

*(12) A young person between 18 and 24 years of age with demonstrated lived experience of homelessness, experience as a low- or moderate-income tenant, or demonstrated experience as an organizer or advocate for tenant rights with community based organizations, who shall be a nonvoting member.*

*(d) If, after making a good faith effort to select individuals who meet the requirements of subdivision (c), the office of the inspector general is unable to identify individuals who meet the requirements of subdivision (c), then no more than two members from one or more of the remaining areas of expertise may be selected, except in the case of paragraphs (8) and (9) of subdivision (c), which positions shall remain vacant until filled.*

*(e) A committee member may be removed from their position if a majority of the committee members votes for removal upon finding that the committee member has violated a federal or state law, a regulation, a local ordinance, or a policy or practice of the agency, relative to ethical practices.*

**64718.1.**

*(a) The members of the citizens' oversight committee shall be subject to the agency's conflict-of-interest policies. The members shall have no legal action pending against the agency and are prohibited from acting in any commercial activity directly or indirectly involving the agency, such as being a consultant to the agency or to any party with pending legal actions against the agency during their committee tenure. Committee members shall not have direct commercial interest or employment with any public or private entity that receives funds authorized by this title.*

*(b) The committee members shall receive a reasonable stipend as compensation, which shall be set by the office of the inspector general and shall be subject to board approval. A member may choose to waive this stipend in its entirety.*

*Each member of the committee shall serve for a term of five years, and until a successor is appointed, except that initial appointments may be staggered with terms of three years as proposed by the inspector general.*

*(c) A committee member shall serve no more than two terms on the committee.*

*(d) Any member may, at any time, resign from the committee upon written notice delivered to the agency. Acceptance of any public office, the filing of intent to seek public office, including a filing under Section 85200, or change of residence to outside Los Angeles County shall constitute a member's automatic resignation.*

*(e) The members shall elect a chair and vice chair at the first meeting of the citizens' oversight committee. The chair and vice chair shall each serve a renewable one-year term for as long as the chair or vice chair is eligible to serve on the commission.*

**64718.2.**

*The committee shall, at a minimum, meet on a quarterly basis to carry out its responsibilities and is hereby charged with the following responsibilities:*

*(a) The committee shall have the annual responsibility to consider and approve the annual expenditure plan pursuant to subdivision (e) of Section 64830 as a precondition to approval by the full board of directors.*

*(b) Each recipient of revenue under this title shall contract for an annual audit, to be completed within six months after the end of the fiscal year being audited, for the purpose of determining compliance by the recipient with the provisions of this title relating to the receipt and expenditure of revenues during the fiscal year. The audit shall be required by any contract between the agency and any recipient. The board may establish standards for these audits, and the committee may provide input on the standards for recipients that are not public agencies. Audits of public agencies shall comply with generally applicable standards. The committee shall review the results of the audits and prepare an annual report on the audits.*

*(c) The agency, led by the Office of the Inspector General and in partnership with the Citizens Oversight Committee, shall conduct a comprehensive review of all projects and programs implemented under the expenditure plan every five years. The review shall evaluate project and program performance and make recommendations to improve plan performance, based on current practices, best practices, and organizational changes that could improve coordination.*

*(d) The agency shall establish an internet website dedicated to the oversight of this title. The internet website shall include the agency's periodic financial reports and its current adopted plans required by this title. The committee shall review all audits and hold an annual public hearing to report on the*

results of the audits. All audit reports, findings, and recommendations shall be made accessible to the public on the internet website prior to the public hearing and upon request.

*(e) The committee may review all of the following, in its discretion:*

*(1) For each agency area of focus, the efficiency and effectiveness of the agency's use of funds.*

*(2) For local direct allocations of funding pursuant to subdivision (b) of Section 64830.5, the programmed revenues and uses for each local jurisdiction.*

*(3) The percentage of the expenditure plan expenditures compared to project milestone completion.*

**CHAPTER 3. Powers of the Los Angeles County Affordable Housing Solutions Agency  
64720.**

*In implementing this title, the agency may do all of the following:*

*(a) Place on the ballot in Los Angeles County, including all of its incorporated cities, funding measures, in accordance with applicable constitutional and statutory requirements, to raise and allocate funds to Los Angeles County, the cities in Los Angeles County, and other public agencies and affordable housing projects within its jurisdiction for purposes of preserving and enhancing existing housing, funding renter protection programs, and financing new construction of housing developments that are 100 percent affordable to households earning 80 percent of the relevant area median income or below, with a priority on the lowest levels of affordability.*

*(b) Apply for and receive grants from federal and state agencies.*

*(c) Incur and issue indebtedness and assess fees on the purchaser of any debt issuance and agency loan products for reinvestment of those fees and loan repayments in affordable housing production and preservation in accordance with applicable constitutional requirements.*

*(d) Incur debt and issue bonds and otherwise incur liabilities or obligations in accordance with Article 2 (commencing with Section 64820) of Chapter 2 of Part 2, and in accordance with applicable constitutional requirements.*

*(e) Solicit and accept gifts, fees, grants, and other allocations from public and private entities.*

*(f) Deposit or invest moneys of the agency in banks or financial institutions in the state.*

*(g) Sue and be sued, except as otherwise provided by law, in all actions and proceedings, in all courts and tribunals of competent jurisdiction.*

*(h) Engage counsel and other professional services.*

*(i) Enter into and perform all necessary contracts.*

*(j) Enter into joint powers agreements pursuant to the Joint Exercise of Powers Act (Chapter 5 (commencing with Section 6500) of Division 7 of Title 1).*

*(k) Hire staff, define their qualifications and duties, and provide a schedule of compensation for the performance of their duties.*

*(l) Assemble parcels and lease, purchase, or otherwise acquire land for housing development. Sell or dispose of land or assets consistent with the agency's purpose and eligible activities or where a parcel under the agency's control is deemed to be inappropriate for housing development.*

*(m) Collect data on housing production and monitor progress on meeting regional and state housing goals.*

*(n) Provide support and technical assistance to local governments in relation to producing and preserving affordable housing.*

*(o) Provide public information about the agency's housing programs and policies.*

*(p) Act in compliance with the Marks-Roos Local Bond Pooling Act of 1985 (Article 4 (commencing with Section 6584)) of Chapter 5 of Division 7 of Title 1.*

*(q) Allocate and deploy capital and generated fees or income in the form of grants, loans, equity, interest rate subsidies, and other financing tools to the cities and other public agencies within the Los Angeles County area, and private affordable housing developers to finance affordable housing development, preserve and enhance existing affordable housing, and fund tenant protection programs, pursuant to this title, in accordance with applicable constitutional requirements.*

*(r) Collaborate with staff employed by the Los Angeles Metropolitan Transportation Authority with shared planning and services.*

*(s) Any other express or implied powers necessary to carry out the intent and purposes of this title.*

**64721.**

*(a) If the agency or a qualified voter initiative proposes a measure pursuant to subdivision (a) of Section 64720 that will generate revenues, the board of supervisors of Los Angeles County shall call a special election on the measure. The special election shall be consolidated with a statewide election and the measure shall be submitted to the voters of Los Angeles County.*

*(b) (1) For the purpose of placement of a measure on the ballot, the agency is a district, as defined in Section 317 of the Elections Code. Except as otherwise provided in this section, a measure proposed by the agency or by a qualified voter initiative that requires voter approval shall be submitted to the voters of Los Angeles County, as determined by the agency, in accordance with the provisions of the Elections Code applicable to districts, including the provisions of Chapter 4 (commencing with Section 9300) of Division 9 of the Elections Code.*

*(2) Because the agency has no revenues as of the operative date of this section, the appropriations limit for the agency shall be originally established based on receipts from the initial measure that would generate revenues for the agency pursuant to subdivision (a), and that establishment of an appropriations limit shall not be deemed a change in an appropriations limit for purposes of Section 4 of Article XIII B of the California Constitution.*

*(c) (1) Notwithstanding Section 10520 of the Elections Code, for any election at which the agency or a qualified voter initiative proposes a measure pursuant to subdivision (a) of Section 64720 that would generate revenues, the agency shall reimburse Los Angeles County for the incremental costs incurred by the county elections official related to submitting the measure to the voters with any eligible funds transferred to the agency.*

*(2) For purposes of this subdivision, "incremental costs" include all of the following:*

*(A) The cost to prepare, review, and revise the impartial analysis of the measure.*

*(B) The cost to prepare a translation of ballot materials into a language other than English by the county.*

*(C) The additional costs that exceed the costs incurred for other election races or ballot measures, if any, appearing on the same ballot in Los Angeles County, including both of the following:*

*(i) The printing and mailing of ballot materials.*

*(ii) The canvass of the vote regarding the measure pursuant to Division 15 (commencing with Section 15000) of the Elections Code.*

*(d) Notwithstanding Section 9313 of the Elections Code, the legal counsel for the board shall prepare an impartial analysis of the measure. The impartial analysis prepared by the legal counsel for the board shall be subject to review and revision by the county counsel.*

*(e) The summary of the annual expenditure plan shall be prepared by the board and include all of the following:*

*(1) A description of the purpose and goals of the measure.*

*(2) A description of the categories of eligible expenditures to be funded.*

*(3) An estimate of the number of affordable housing units to be built or preserved by household income category served, and a description of any specific projects planned to be funded.*

*(4) An estimate of minimum funding levels to be provided to different expenditure categories.*

*(5) An overview of decisionmaking and oversight provisions applicable to the funds.*

*(f) The county elections official for Los Angeles County shall serve as the elections official of the agency for purposes of administering the ballot measure process and any election for the purposes set forth in this chapter. In the alternative, the board, at its discretion, may appoint an elections official to administer any election for the purposes set forth in this chapter. If the board appoints an elections official, the board may authorize that elections official to retain the services of the elections official of Los Angeles County to administer the ballot measure process and any election, and the elections official of Los Angeles County shall perform those services.*

**64722.**

*The board and the agency shall not do either of the following:*

*(a) Regulate or enforce local land use decisions.*

*(b) Acquire property by eminent domain.*

**CHAPTER 4. Financial Provisions**

**64730.**

*The board shall provide for regular audits of the agency's accounts and records, shall maintain accounting records, and shall report accounting transactions in accordance with generally accepted accounting principles adopted by the Governmental Accounting Standards Board of the Financial Accounting Foundation for both public reporting purposes and for reporting of activities to the Controller.*

**64731.**

*The board shall provide for annual financial reports. The board shall make copies of the annual financial reports available to the public.*

**PART 2. Financing Activities of the Los Angeles County Affordable Housing Solutions Agency**

**CHAPTER 1. General Provisions**

**64800.**

*(a) The agency, either directly or through qualified voter initiative, may raise and allocate new revenue through all of the following funding mechanisms:*

*(1) Special taxes, subject to voter approval, as provided in Article 1 (commencing with Section 64810) of Chapter 2, as follows:*

*(A) A parcel tax, as provided in Section 64810.*

*(B) A gross receipts business license tax, as provided in Section 64811.*

*(C) A documentary transfer tax, as provided in Section 64813.*

*(2) The issuance of bonds, including, but not limited to, general obligation bonds, revenue bonds, mortgage revenue bonds, and private activity bonds as provided in Article 2 (commencing with Section 64820) of Chapter 2, in accordance with applicable constitutional requirements.*

*(b) It is the intent of the Legislature that the funding measures authorized by this subdivision distribute the responsibility for addressing the affordable housing needs of the region across commercial developers, taxpayers, and property owners within the region.*

## **CHAPTER 2. Revenue**

### **Article 1. Special Taxes**

#### **64810.**

*(a) Subject to Section 4 of Article XIII A of the California Constitution, qualified voter initiative, or approval by the board, the agency may impose, by resolution or by ordinance, a parcel tax within Los Angeles County pursuant to the procedures established in Article 3.5 (commencing with Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5, Section 64721, and any other procedures applicable by law.*

*(b) (1) For purposes of this section, "parcel tax" means a special tax imposed upon a parcel of real property at a rate that is determined without regard to that property's value and that applies uniformly to all taxpayers or all real property within the jurisdiction of the local government. "Parcel tax" does not include a tax imposed on a particular class of property or taxpayers. A tax applies uniformly for purposes of this subdivision if a common measure and rate of tax are applied to all property zones or used for residential purposes notwithstanding that a different measure and rate of tax are applied to all property zoned or used for nonresidential purposes.*

*(2) A tax applies uniformly for the purposes of this subdivision if a common measure and rate of tax is applied to all property zoned or used for residential purposes notwithstanding that a different measure and rate of tax is applied to all property zoned or used for nonresidential purposes.*

*(c) The agency shall provide notice of any parcel tax imposed pursuant to this section in the manner specified in Section 54930.*

*(d) Thereafter, the tax shall be collected at the same time, and in the same manner, as the ad valorem taxes on real property authorized by Section 1 of Article XIII A of the California Constitution are collected, and shall be subject to the same penalties and interest and to the same procedure under foreclosure and sale in case of delinquency as provided for those taxes. All laws applicable to the levy, collection, and enforcement of the ad valorem taxes on real property authorized by Section 1 of Article XIII A of the California Constitution are hereby made applicable to the special assessment taxes.*

#### **64811.**

*(a) (1) The agency may impose, subject to approval by the board before the agency takes action to approve the placement of a measure on the ballot, by resolution or by ordinance, or via action by the designated elections official, a special tax, measured by gross receipts, for the privilege of engaging in any kind of lawful business transacted in the Los Angeles County area pursuant to the procedures*

established in Article 3.5 (commencing with Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5, Section 64721, and any other applicable procedures provided by law.

(2) The resolution imposing a special tax pursuant to this subdivision may provide for the following:

(A) Variable rates based on the business sector of each person subject to the tax.

(B) Exemptions for small businesses.

(C) Collection of the tax by suit or otherwise.

(b) If the agency levies a special tax pursuant to subdivision (a) upon a business operating both within and outside the agency's taxing jurisdiction, the agency shall levy the tax so that the measure of tax fairly reflects that proportion of the taxed activity actually carried on within the taxing jurisdiction.

(c) A special tax levied pursuant to subdivision (a) shall not apply to any nonprofit organization that is exempted from taxes by Chapter 4 (commencing with Section 23701) of Part 11 of Division 2 of the Revenue and Taxation Code or Subchapter F (commencing with Section 501) of Chapter 1 of Subtitle A of the Internal Revenue Code of 1986, or the successor of either, or to any minister, clergyman, Christian Science practitioner, rabbi, or leader of any religious organization that has been granted an exemption from federal income tax by the United States Commissioner of Internal Revenue as an organization described in Section 501(c)(3) of the Internal Revenue Code or a successor to that section.

#### **64812.**

Taxes levied pursuant to Section 64811 shall be collected in the following manner:

(a) The county tax collector shall be responsible for collecting the tax revenue.

(b) The county shall create policies and procedures necessary to collect tax revenue, including, but not limited to, policies that achieve both of the following:

(1) Ensure adequate enforcement of taxes levied pursuant to Section 64811.

(2) Provide subjects of a tax with an opportunity to appeal the amount of tax owed.

#### **64813.**

Subject to Section 4 of Article XIII A of the California Constitution, either the designated elections official or the board may act by resolution or by ordinance to place a measure on the ballot seeking voter approval of a special documentary transfer tax pursuant to Part 6.7 (commencing with Section 11901) of Division 2 of the Revenue and Taxation Code, provided, however, that the agency's tax shall be in addition to any city or county tax under that section and not subject to the limit provided in Section 11911 of the Revenue and Taxation Code.

#### **64814.**

All special taxes levied pursuant to this article shall be administered in the following manner:

(a) Taxes collected shall be deposited in a separate fund, which shall be established in the treasury of the county and used only as prescribed by this section.

(b) The county shall transfer moneys intended for regional projects pursuant to Section 64830 from the fund to the agency periodically as promptly as feasible. The transmittals shall be made at least twice in each calendar quarter.

### **Article 2. Bonds**

#### **64820.**

*The board may, by majority vote, initiate proceedings to issue general obligation bonds pursuant to this chapter by adopting a resolution or ordinance stating its intent to issue the bonds.*

**64821.**

*(a) The agency, with approval of two-thirds of the voters, may levy ad valorem property taxes to secure debt pursuant to paragraph (2) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.*

*(b) For purposes of incurring bonded indebtedness pursuant to this subdivision, the agency shall comply with the requirements of Chapter 3 (commencing with Section 53400) of Part 1 of Division 2 of Title 5.*

**64822.**

*(a) (1) For purposes of this section, "agency revenues" includes, without limitation, revenues generated by any special tax, fee, or charge imposed by the agency, other than ad valorem property taxes.*

*(2) The agency may issue revenue bonds, payable from agency revenues, in accordance with the Revenue Bond Law of 1941 (Chapter 6 (commencing with Section 54300) of Part 1 of Division 2 of Title 5), for the purposes set forth in this title and in any resolution adopted by the board, or measure adopted by voters, in connection with the generation of agency revenues or imposition of those special taxes, fees, or other charges. For purposes of issuing revenue bonds pursuant to this section, the special taxes, fees, or other charges described in the previous sentence shall constitute an "enterprise" within the meaning of Section 54309.*

*(3) To exercise the powers described in this section, the agency shall ensure that any annual expenditure plan summary prepared pursuant to Section 64721 related to voter approval of a special tax under this title notifies the voters that proceeds from the special tax may be used as payment for revenue bonds.*

*(4) For purposes of this section, the agency shall be deemed to be a local agency within the meaning of Section 54307. Article 3 (commencing with Section 54380) of Chapter 6 of Part 1 of Division 2 of Title 5 does not apply to the issuance and sale of bonds pursuant to this section. Instead, the agency shall authorize the issuance of bonds by resolution at any time, and from time to time, which shall specify all of the following:*

*(A) The purposes for which the bonds are to be issued.*

*(B) The maximum principal amount of the bonds.*

*(C) The maximum term for the bonds.*

*(D) (i) The maximum rate of interest to be payable upon the bonds, which shall not exceed the maximum rate permitted for bonds of the agency by Section 53531 or any other applicable provisions of law.*

*(ii) In the case of bonds bearing a variable interest rate, the variable rate shall not, on any day, exceed the maximum rate permitted for bonds of the agency by Section 53531 or any other applicable provisions of law. However, the variable interest rate may, on any day, exceed that maximum rate in clause (i), if the interest paid on the bonds from their date of original issuance to that day does not exceed the total interest that would have been permitted if the bonds had borne interest at all times from the date of issuance to that day at the maximum rate permitted from time to time by Section 53531 or any other applicable provisions of law.*

*(E) The maximum original issue premium or discount on the sale of the bonds.*

*(F) The denomination or denominations of the revenue bonds, which shall not be less than five thousand dollars (\$5,000).*

*(b) The resolution may also contain any other matters authorized by this chapter or any other law.*

*(c) The revenue bonds may be sold at public or private sale or on a negotiated sale basis and at the prices, above or below par, as determined by the board.*

*(d) The revenue bonds, or each series thereof, shall be dated and numbered consecutively and shall be signed by the executive director of the agency, whose signature may be printed, lithographed, or mechanically reproduced. If any officer whose signature appears on the revenue bonds ceases to be that officer before the delivery of the bonds, the officer's signature is as effective as if the officer had remained in office.*

*(e) This section provides a complete, additional, and alternative method or the issuance of revenue bonds by the agency. An issuance does not need to comply with the procedures specified elsewhere in this article or other laws, but shall, if bonds are issued pursuant to this article, be issued in accordance with this article.*

**64822.5.**

*The agency may issue mortgage revenue bonds pursuant to Part 5 (commencing with Section 52000) of Division 31 of the Health and Safety Code, and other applicable law.*

**64822.7.**

*The agency may issue private activity bonds pursuant to the Tax Reform Act of 1986 (Public Law 99-514) and Sections 1112 and 1401 of the American Recovery and Reinvestment Act of 2009, as it read prior to repeal (26 U.S.C. Secs. 54a and 1400U-1).*

**64823.**

*(a) The agency or any person executing the bonds issued pursuant to this title shall not be personally liable on the bonds by reason of their issuance.*

*(b) The bonds and other obligations of the agency are not a debt of any city or Los Angeles County, or any of its affiliated entities, or of the state or of any of its political subdivisions, other than the agency, and neither a city or county nor the state or any of its political subdivisions, other than the agency, shall be liable on the bonds, and the bonds or obligations shall be payable exclusively from funds or properties of the agency, as specified in the applicable bond or other debt instrument. Bonds issued pursuant to this title shall contain a statement to this effect on their face.*

*(c) If the signature of any member of the agency or staff member of the agency appears on bonds issued pursuant to this title, and that individual ceases to be a member of the agency or staff member of the agency before delivery of the bonds, that member's signature shall be as effective as if the member had remained in office.*

**64824.**

*(a) Every two years after the issuance of bonds pursuant to this section, the agency shall contract for an independent financial and performance audit. The audit shall be conducted according to guidelines established by the Controller. A copy of the completed audit shall be provided to the Controller, the Director of Finance, and the Joint Legislative Budget Committee.*

*(b) Upon the request of the Governor or the Legislature, the Bureau of State Audits may conduct a financial and performance audit of the agency. The results of any audit shall be provided to the board, the Controller, the Director of Finance, and the Joint Legislative Budget Committee.*

**64825.**

*Bonds issued pursuant to this article are fully negotiable.*

**64826.**

*Any action to determine the validity of any tax, fee, or other charge provided for in, or the validity of bonds issued pursuant to, this title, or any of the proceedings, contracts, agreements, or other arrangements or matters entered into, shall be commenced within 60 days from date of the election or the adoption of the resolution approving those matters, as applicable, pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure. After that date, the adoption of that tax, fee, or other charge, the issuance of the bonds, and all proceedings in relation thereto, shall be held valid and incontestable in every respect.*

**CHAPTER 3. Expenditures**

**64830.**

*(a) Revenue generated pursuant to this part shall be used for the construction of new affordable housing, affordable housing preservation, tenant protection programs, planning and technical assistance related to affordable housing, and for other purposes, as provided for in this section.*

*(b) For purposes of this section, "regional housing revenues" are those revenues generated pursuant to this Chapter 2 (commencing with Section 64810).*

*(c) The allocation of regional housing revenues to projects and programs shall be approved by the board.*

*(d) Subject to funding eligibility and adjustment pursuant to subdivision (b) of Section 64717.5, the agency shall distribute regional housing revenue in the form of a grant, loan, or other financing tool pursuant to subdivision (q) of Section 64720 in a manner that achieves the following shares in the annual expenditure plan:*

*(1) A minimum of 40 percent of the annual programmatic budget, excluding any bond indebtedness, shall be spent on affordable housing creation, preservation, and ownership as follows:*

*(A) The following conditions shall apply with regard to affordable housing creation:*

*(i) Funding pursuant to this subparagraph may be used for the following purposes, including, but not limited to, land acquisition, housing acquisition, financing, and ownership programs, including the agency serving as a single source of financing as appropriate, and project-based rental assistance contracts with no time limit that are restricted to the support of extremely low income households.*

*(ii) Financing for any development costs associated with a project or funding grant that is for housing that is 100 percent affordable, which means restricted to any household that earns less than 80 percent of the area median income (AMI). An eligible project may also include a subset of at least 50 units, or 50 percent of the total units, whichever is greater, in a larger development that includes units targeted up to 120 percent of AMI, in which case the agency may only fund units that are designated for extremely low and very low income households, and agency funds shall not be used in connection with any unit that is income restricted due to development incentives, density bonuses, or similar programs.*

*(1) For each of the eligible jurisdictions, as defined in paragraph (1) of subdivision (a) of Section 64830.5, 25 percent of all funded units shall be reserved for extremely low income households, defined*

*as a household earning 0 to 30 percent of area median income (AMI), and 25 percent shall be reserved for very low income households, defined as a household earning 30 to 50 percent of AMI, over any two-year period, with regular monitoring by the citizens' oversight committee and board of units funded and constructed during that two-year period.*

*(II) For each project, 10 percent of the units in the project shall be reserved for extremely low income households and 10 percent of the units shall be reserved for very low income households.*

*(B) The following conditions shall apply with regard to affordable housing preservation:*

*(i) Funding pursuant to this subparagraph for preservation programs may be used to acquire, rehabilitate, place affordability restrictions on, and preserve existing housing units, housing from the private market, and units in residential hotels as defined in paragraph (1) of subdivision (b) of Section 50519 of the Health and Safety Code for affordability, in order to prevent the loss of affordability and expand permanent affordability. Funding provided pursuant to this subparagraph shall be subject to both of the following conditions:*

*(I) Existing residents of buildings acquired for the purpose of affordable housing preservation shall not be permanently displaced, even if the resident's household income exceeds the moderate-income limits in Section 50093 of the Health and Safety Code.*

*(II) Buildings acquired for the purpose of affordable housing preservation shall achieve 100 percent occupancy by extremely low or very low income households over time through unit turnover.*

*Grants, loans or other financing provided to Community land trusts and other similarly structured nonprofit entities to acquire, rehabilitate, and preserve existing housing units are an eligible use pursuant to this subparagraph.*

*Programs to enable low- or moderate-income households to become or remain homeowners, including, but not limited to, below market rate ownership programs, down payment assistance programs, residential rehabilitation loan programs, and grants or loans to assist in the rehabilitation or replacement of existing mobilehomes located in a mobilehome or manufactured home community.*

*(C) Funding provided pursuant to this paragraph shall be subject to the following conditions in the event that demolition or rehabilitation of housing units is required:*

*(i) (I) Any funded development or affordable housing grant on any property that includes a parcel or parcels that currently have residential uses, or within the five years preceding the grant have had residential uses that have been vacated or demolished, that are or were subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of low- or very low income, subject to any other form of rent or price control through a public entity's valid exercise of its police power, or occupied by low- or very low income households, shall be subject to a policy requiring the replacement of all those units to be made available at affordable rent or affordable housing cost to, and occupied by, persons and families in the same or lower income category as those households in occupancy.*

*(II) Replacement requirements shall be consistent with those set forth in paragraph (3) of subdivision (c) of Section 65915, provided that any dwelling unit that is or was, within the five-year period preceding the grant, subject to a form of rent or price control through a local government's valid exercise of its police power and that is or was occupied by persons or families above lower income shall be replaced with units made available at affordable rent or affordable housing cost to, and occupied by, low-income persons or families.*

*(ii) If existing residents are required to be relocated due to demolition or rehabilitation needs, the developer is required to provide relocation benefits to the occupants of those housing rental units subject to Chapter 16 (commencing with Section 7260) of Division 7 of Title 1. The developer shall comply with either the local government requirements for relocation assistance to displaced households or the policy set by the agency for relocation assistance to displaced households, whichever provides a greater benefit to the relocated or displaced households.*

*(iii) If existing occupants that are lower income households are required to vacate their units due to demolition or rehabilitation needs, the developer shall provide a right of first refusal for a comparable unit available in the new or rehabilitated housing development that is affordable to the household at an affordable rent, as defined in Section 50053 of the Health and Safety Code, or an affordable housing cost, as defined in Section 50052.5 of the Health and Safety Code.*

*(2) (A) At least 30 percent of the total annual programmatic budget, excluding any bond indebtedness, shall be spent on countywide renter protection and support programs.*

*(B) These programs include any effort that helps low-income renters, defined as a household that earns 80 percent or less of the area median income (AMI).*

*(C) Eligible uses of the funds include, but are not limited to, all of the following:*

*(i) Preeviction and eviction legal services, counseling, advice and consultation, training, renter education and representation, and services to improve habitability that protect against displacement of tenants.*

*(ii) Providing rental assistance for lower income households. Rental assistance shall be provided to a specific household for a reasonable amount of time not to exceed six months, and shall be paired with supportive services, such as eviction prevention and defense, to the greatest extent possible.*

*(iii) Providing relocation assistance for lower income households beyond what is legally required of landlords according to local or state law.*

*(3) Fifteen percent of the total annual programmatic budget shall be allocated as “annual priorities,” and these funds may be used for any eligible activity outlined in this chapter as part of the annual expenditure plan.*

*(4) At least 5 percent of the total annual programmatic budget, excluding any bond indebtedness, shall be used for technical assistance, research, and policy development. Eligible uses for these funds include, but are not limited to, all of the following:*

*(A) Collecting and tracking information related to displacement and displacement risk, rents, and evictions in the region.*

*(B) Drafting model affordable housing land use ordinances that may be adopted by any jurisdiction in Los Angeles County.*

*(C) Drafting model affordable housing land use ordinances that may be adopted by any jurisdiction in Los Angeles County.*

*(5) Not more than 10 percent of the percent of the total annual programmatic budget, excluding any bond indebtedness, shall be used for the agencies administrative and operations expenses.*

**64830.5.**

*(a) (1) In this subdivision, “eligible jurisdictions” shall mean the following jurisdictions:*

*(A) The councils of governments in Los Angeles County, excluding the jurisdictions described in subparagraphs (B) through (E), inclusive.*

*(i) Funds, or a portion of the funds, provided to the San Gabriel Valley Council of Governments may be allocated by the council to the San Gabriel Valley Regional Housing Trust, and the trust shall use the funds pursuant to the same requirements as funding provided to the councils of governments.*

*(ii) A council of government that creates and operates a regional housing trust that is consistent with the San Gabriel Valley Regional Housing Trust model shall be eligible to receive a direct allocation.*

*(B) The City of Los Angeles.*

*(C) The City of Long Beach.*

*(D) The City of Glendale.*

*(E) The unincorporated areas of Los Angeles County.*

*(2) Revenue generated pursuant to this part shall be allocated according to the following geographic distribution schedule:*

*(A) (i) Seventy percent of annual funding for the purpose of affordable housing preservation, affordable housing production, and long-term rental assistance shall be allocated, on an affordable regional housing needs assessment goal basis to the eligible jurisdictions, provided that the allocation is consistent with the eligible uses of the funding set forth in paragraph (2) of subdivision (d) of Section 64830.*

*(ii) (I) Thirty percent of annual funding for the purpose of affordable housing preservation, affordable housing production, and long-term rental assistance, with no time limit, shall be allocated by the agency to the eligible jurisdictions consistent with the guiding principles of the agency and the eligible uses outlined in Section 64830.*

*(II) At least 5 percent of funds allocated pursuant to subclause (I) shall be used for technical assistance grants to cities with a population under 50,000.*

*(iii) If an eligible jurisdiction is found to be out of compliance with affordability targets at the end of a two-year period, the board may take any of the following actions:*

*(I) Limit the funding for the jurisdiction to extremely low and very low income housing units only until compliance is reestablished.*

*(II) Require the funding allocated to the jurisdiction to be administered by the agency instead of the jurisdiction.*

*(III) Increase funding incentives as needed to meet project and programmatic targets.*

*(iv) (I) Any eligible jurisdiction may receive a direct allocation of all or part of the jurisdiction's funding described in this subparagraph if all of the following conditions are met:*

*(ia) The jurisdiction agrees to adopt and adhere to agency financing policies and guidelines, including public engagement and notice provisions outlined in this chapter.*

*(ib) All funded projects are in compliance with the agency's eligible uses and affordability requirements.*

*(ic) The jurisdiction agrees to allocate its funding within 12 months through administrative processes without being subject to additional legislative process.*

*(id) The jurisdiction is in compliance with Affirmatively Furthering Fair Housing in California guidelines.*

*(II) (ia) Once committed to a specific project, funds shall remain available for expenditure for an additional five years, unless an extension is authorized pursuant to sub-subclause (ib).*

*(ib) If the funds have not been expended within five years of receipt as required in sub-subclause (ia), the jurisdiction shall show that it has made adequate progress towards completing the project. If the agency finds that the city has made adequate progress, the agency shall authorize an additional 24 months to grant entitlements to the remainder of the project. If the agency does not find that the city has made adequate progress, the funds shall be transferred to the agency. The agency shall hold the funds until the city submits a plan satisfactory to the agency to move forward with the project or allocate funds to another qualified project consistent with the jurisdiction's expenditure plan.*

*(ic) For purposes of this subclause, "adequate progress" means the project has received the land use approvals or entitlements necessary for at least 75 percent of the project's units.*

*(B) (i) Seventy percent of annual funding for the purpose of renter protections and support shall be allocated to the eligible jurisdictions, provided that the allocation is consistent with the eligible uses of the funding set forth in paragraph (2) of subdivision (d) of Section 64830.*

*(ii) (I) Thirty percent of annual funding for the purpose of renter protections and support shall be allocated by the agency to the eligible jurisdictions consistent with the guiding principles of the agency and the eligible uses outlined in Section 64830.*

*(II) At least 5 percent of funds allocated pursuant to subclause (I) shall be used for technical assistance grants to cities with a population under 50,000.*

*(iii) The agency shall have the discretion to fund any programs operated by any governmental or nonprofit entity that are consistent with the eligible uses outlined for renter protections and support. Direct unrestricted allocations are not permitted to any governmental entity.*

*(C) (i) Seventy percent of annual funding for the purpose of technical assistance, research, and policy development shall be allocated, on a per low-income renter household basis, to the eligible jurisdictions, provided that the allocation is consistent with the eligible uses of the funding set forth in paragraph (2) of subdivision (d) of Section 64830.*

*(ii) (I) Thirty percent of annual funding for the purpose of technical assistance, research, and policy development shall be allocated by the agency on an at-large basis consistent with the guiding principles of the agency and the eligible uses outlined in Section 64830, subject to both of the following conditions:*

*(II) At least 5 percent of funds allocated pursuant to subclause (I) shall be used for technical assistance grants to cities with a population under 50,000.*

*(III) The agency shall create a list of consultants who shall be available to provide technical assistance, research, and policy development to these cities consistent with this subclause. Cities with a population under 50,000 shall be entitled to a 10 percent administrative cost reimbursement as part of this application cost.*

*(b) Councils of governments in Los Angeles County shall be subject to the following requirements:*

*(1) Funds allocated to a council of governments shall be administered by the agency in collaboration with the council receiving funding.*

*(2) Each city within each council of government may have its own set aside, which shall be proportional to its respective affordable housing needs assessment goal. The council of government and its members may develop policies to allocate set-aside funds.*

*(3) Funds, or a portion of the funds, provided to the San Gabriel Valley Council of Governments may be allocated by the council to the San Gabriel Valley Regional Housing Trust, and the trust shall use the funds pursuant to the same requirements as funding provided to the councils of governments.*

*(c) Cities receiving a direct allocation shall be subject to the following requirements:*

*(1) The City of Los Angeles shall have its own set aside proportional to its respective affordable housing needs assessment goal, subject to a 50-percent limit on total funding that is set aside for councils of governments, cities, and unincorporated communities.*

*(2) The City of Long Beach shall have its own set aside proportional to its respective affordable housing needs assessment goal.*

*(d) The unincorporated area of Los Angeles County shall have its own set aside, which shall be proportional to its respective affordable housing needs assessment goal.*

*(e) The following factors shall be considered for at-large funding allocations:*

*(1) Whether the allocation affirmatively furthers fair housing.*

*(2) The allocation's effect on displacement indicators.*

*(3) The allocation's effect on rent-burdened populations.*

*(4) Whether the allocation serves populations with disabilities.*

#### **64831.**

*The board shall monitor expenditures in coordination with local jurisdictions. At least once every five years, the monitoring shall include a review of revenues allocated to cities. The board may adopt guidelines applicable to those funds as deemed necessary to ensure they are spent in a timely manner consistent with the goals of this chapter.*

#### **64832.**

*To ensure oversight and accountability, the agency shall prepare and submit an annual report to the Legislature, in conformance with Sections 9795 and 53411 on allocations and expenditures under its control, and those controlled by the county or a city pursuant to subdivision (d) of Section 64830. The report shall include a description of projects funded and their status, the households served by income level, and the extent to which the minimum targets in subdivision (d) of Section 64830 were achieved.*

#### **SEC. 2.**

*The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the uniquely severe shortage of available funding and resources for the development and preservation of affordable housing and the particularly acute nature of the housing crisis within Los Angeles County.*

#### **SEC. 3.**

*If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.*

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SB 1104—Governor’s Office of Business and Economic Development: Office of Freight  
Introduced by Senator Gonzalez

*\*As Amends the Law Today*

**SECTION 1.**

*Section 12096.3.6 is added to the Government Code, to read:*

**12096.3.6.**

*(a) For purposes of this section, the following definitions apply:*

*(1) “Economic competitiveness” means the ability of the California freight sector to successfully compete with freight sectors in other states as measured by using existing comparable metrics, to increase the productivity of freight and related sectors, and to contribute to the growth of the state’s economy. Economic competitiveness is affected by policies, institutions, and investments that influence the freight sector’s productivity.*

*(2) “Freight sector” means all transportation-based and transportation-dependent enterprises involved in the supply chain from point of origin to point of consumption, including ports, rail, freight corridors, and warehouses and distribution centers.*

*(b) The Office of Freight is hereby established within the Governor’s Office of Business and Economic Development. The Office of Freight shall serve as the coordinating entity to steer the growth, competitiveness, and sustainability for freight and ports across the state, and shall promote and assess the continued economic vitality and sustainability of the freight sector.*

*(c) (1) The Office of Freight, in coordination with the State Air Resources Board, the California Transportation Commission, and the Transportation Agency, shall prepare an assessment of statewide economic growth, competitiveness, prosperity, resiliency, and sustainability for the state’s freight sector.*

*(2) Notwithstanding Section 10231.5, the office shall submit the assessment to the Legislature on or before December 31, 2024, and an updated assessment at least once every five years thereafter. The assessment shall be submitted in compliance with Section 9795.*

*(d) In developing the assessment, the Office of Freight shall do all of the following:*

*(1) Consult with a representative cross section of public and private sector freight stakeholders, including representatives of ports, shippers, carriers, freight-related associations, supply chain businesses, the freight industry workforce, the Public Utilities Commission, the State Lands Commission, local air pollution control districts, environmental, safety, and community organizations and representatives from communities that are adjacent to, or environmentally impacted by, the freight sector.*

*(2) Consult with the Legislature.*

*(3) Use the most current data reasonably available to ensure the assessment reflects current market conditions.*

*(4) Consider relevant data and outcomes from the assessment required by Section 14517.*

*(e) The assessment shall do all of the following:*

- (1) Evaluate the resiliency of the state's freight sector, including assessing the ongoing needs to address supply chain congestion outlined in Executive Order No. N-19-21.*
- (2) Expand on the California Sustainable Freight Action Plan developed pursuant to Executive Order No. B-32-15 and evaluate the role and capacity of the freight sector in advancing the zero-emission goals set forth in Executive Order No. N-79-20.*
- (3) Identify the economic competitiveness of all sectors of freight movement along the supply chain. This identification shall include an evaluation of the state's supply chain competitiveness, international trade and exports, manufacturing, warehousing, distribution centers, capacity to expand, defense, and workforce development, that may impact businesses, workers, and communities as they relate to the freight industry.*
- (4) Identify metrics and baselines from which to measure the effectiveness of the goals, recommendations, and actions proposed in the assessment, including, but not limited to, financial performance, market share performance, workforce development, labor market effects, emerging technologies including logistics, and overall short- and long-term economic performance of the freight sector.*
- (5) Assess the relative competitiveness and resiliency of different sectors of the supply chain, the impacts of trends in the economy across the supply chain, and the impacts of state and federal climate and air pollution policies on economic competitiveness for businesses and the freight sector.*
- (6) Identify goals to increase economic competitiveness and strengthen resilience to economic downturns and the effects of climate change.*
- (7) Identify a process to track, at least annually, progress being made to reach the goals and implement the recommendations and other actions proposed in the assessment. This process shall include a mechanism for modifying those goals and actions to address immediate and emerging issues, stay-at-home orders, or other crises that may impact the competitiveness of the freight sector.*
- (8) Identify ongoing strategies the state is employing to address freight mobility issues, such as congestion, truck bottlenecks, inefficiencies, and a deficit of workforce, and prioritize and recommend to the California Transportation Commission and the Transportation Agency complementary or additional strategies to reduce these mobility issues.*
- (9) Identify challenges the California freight sector faces in meeting the state's emission reduction goals, quantify the costs associated with meeting those emission reduction goals, and prioritize and recommend strategies the state can use to address these challenges.*
- (10) Include a data sheet indicating the source of the data and the time period that the data reflects.*

## **SEC. 2.**

Section 13978.8 of the Government Code is amended to read:

### **13978.8.**

(a) The Transportation Agency shall prepare a state freight plan. The state freight plan shall comply with the relevant provisions of the federal Moving Ahead for Progress in the 21st Century Act (MAP-21), Public Law 112-141. The agency shall develop a state freight plan that provides a comprehensive plan to govern the immediate and long-range planning activities and capital investments of the state with respect to the movement of freight.

(b) (1) The agency shall establish a freight advisory committee consisting of a representative cross section of public and private sector freight stakeholders, including representatives of ports,

shippers, carriers, freight-related associations, the freight industry workforce, the California Transportation Commission, the Department of Transportation, the Public Utilities Commission, the State Lands Commission, the State Air Resources Board, regional and local governments, and environmental, safety, and community organizations.

(2) The freight advisory committee shall do all of the following:

- (A) Advise the agency on freight-related priorities, issues, projects, and funding needs.
- (B) Serve as a forum for discussion for state transportation decisions affecting freight mobility.
- (C) Communicate and coordinate regional priorities with other organizations.
- (D) Promote the sharing of information between the private and public sectors on freight issues.
- (E) Participate in the development of the state freight plan.

(c) The state freight plan shall include, at a minimum, all of the following:

- (1) An identification of significant freight system trends, needs, and issues.
- (2) A description of the freight policies, strategies, and performance measures that will guide freight-related transportation investment decisions.
- (3) A description of how the state freight plan will improve the ability of California to meet the national freight goals established under Section 167 of Title 23 of the United States Code.
- (4) Evidence of consideration of innovative technologies and operational strategies, including intelligent transportation systems, that improve the safety and efficiency of freight movement.
- (5) In the case of routes on which travel by heavy vehicles, including mining, agricultural, energy cargo or equipment, and timber vehicles, is projected to substantially deteriorate the condition of roadways, a description of improvements that may be required to reduce or impede the deterioration.
- (6) An inventory of facilities with freight mobility issues, such as truck bottlenecks within California, and a description of the strategies California is employing to address those freight mobility issues.
- (7) A description of needed infrastructure, projects, and operations for the deployment of zero-emission medium- and heavy-duty vehicles and the development of freight corridors identified pursuant to Section 14517.

*(8) Beginning with the state freight plan due on or before December 31, 2029, and each state freight plan thereafter, the findings of the assessment prepared pursuant to Section 12096.3.6.*

(d) Notwithstanding Section 10231.5, the state freight plan shall be submitted to the Legislature, the Governor, the California Transportation Commission, the Public Utilities Commission, and the State Air Resources Board on or before December 31, 2014, and every five years thereafter. The state freight plan shall be submitted pursuant to Section 9795.

(e) The state freight plan required by this section may be developed separately from, or incorporated into, the statewide strategic long-range transportation plan required by Section 135 of Title 23 of the United States Code.

(f) The freight rail element of the state freight plan may be developed separately from, or incorporated into, the state rail plan prepared by the Department of Transportation pursuant to Section 14036.

*(g) The Transportation Agency shall incorporate the findings of the assessment prepared pursuant to Section 12096.3.6 into the state freight plan that is due on or before December 31, 2024, as an addendum by December 31, 2024.*

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AB 2630—Housing: California Interagency Council on Homelessness: report.  
Introduced by Assembly Member O'Donnell

As Amends the Law Today

**SECTION 1.**

*Section 8257.3 is added to the Welfare and Institutions Code, to read:*

**8257.3.**

*A city, county, or city and county that has used funds from any source to assist in addressing homelessness shall submit a report on or before July 1, 2023, and annually thereafter, to the California Interagency Council on Homelessness that includes all of the following:*

*(a) A list of each agency of the city, county, or city and county that has received or spent funds to assist in addressing homelessness.*

*(b) The name of each program under which the city, county, or city and county received or spent funds to assist in addressing homelessness.*

*(c) For each program identified pursuant to subdivision (b), all of the following:*

*(1) The amount of funding received.*

*(2) The amount of funding spent.*

*(3) A description of every service provided.*

*(4) The number of individuals experiencing homelessness that were housed as a result of the program.*

*(5) The number of individuals experiencing homelessness that occupied a bed funded by the program.*

*(6) The number of individuals experiencing homelessness that received services funded by the program.*

*(7) The number of permanent housing units created with funding from the program.*

*(8) The number of new shelter beds created with funding from the program.*

**SEC. 2.**

*The Legislature finds and declares that Section 1 of this act adding Section 8257.3 of the Welfare and Institutions Code address a matter of statewide concern rather than a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, Section 1 of this act applies to all cities, including charter cities.*

**SEC. 3.**

*If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.*

SB 1251—Office of the Zero-Emission Vehicle Equity Advocate  
Introduced by Senator Gonzalez  
(Principal coauthor: Senator Stern)  
(Coauthor: Senator Archuleta)

**\*As Amends the Law Today**

**SECTION 1.**

*The Legislature finds and declares all of the following:*

*(a) California is the national leader in the adoption of zero-emission vehicles, recently surpassing one million electric vehicles sold in the state, more than the total sales in the next 10 states combined. California's leadership on electric vehicle policy has helped spur a strong and growing transportation electrification and zero-emissions goods movement industry, with electric vehicles becoming the state's number one export in 2020.*

*(b) On September 23, 2020, Governor Newsom issued Executive Order No. N-79-20, calling upon the State Air Resources Board to develop passenger vehicle and truck regulations requiring increasing volumes of new zero-emission vehicles sold in the state towards the target of 100 percent of in-state sales by 2035, and also to develop regulations requiring increasing volumes of medium- and heavy-duty vehicles such as zero-emission trucks and buses to be sold and operated in the state by 2045.*

*(c) Senate Bill 1275 (Chapter 530 of the Statutes of 2014) established the Charge Ahead California Initiative, which created various goals, including to increase access to, and benefits for, disadvantaged, low-income, and moderate-income communities to zero-emission vehicles.*

*(d) In advancing the executive order and the goals created by the Charge Ahead California Initiative, the state must prioritize clean transportation solutions that are accessible to all Californians, particularly those who are low-income, experience a disproportionate share of pollution, lack access to adequate transportation solutions, or are otherwise underserved.*

**SEC. 2.**

*Section 43022.7 is added to the Health and Safety Code, to read:*

**43022.7.**

*(a) (1) The Office of the Zero-Emission Vehicle Equity Advocate is hereby established within the Governor's office. The office shall steer the development of a shared, cross-agency definition of equity, and set an equity agenda for the deployment of light-, medium-, and heavy-duty zero-emission vehicles, the supporting infrastructure, and workforce development.*

*(2) The office shall have an executive director.*

*(3) The office shall serve as a point of contact for stakeholders to provide concerns and suggestions related to the state's progress in equitably achieving the state's zero-emission vehicle deployment goals.*

*(4) The office shall provide information and propose policy and procedural changes to relevant state agencies, including, but not limited to, the State Air Resources Board, the State Energy Resources*

*Conservation and Development Commission, the Transportation Agency, the California Transportation Commission, and the Governor's Office of Business and Economic Development, as needed, to ensure consistency among equity definitions, criteria, and targets utilized in the state's zero-emission vehicle and infrastructure programs and to ensure best practices related to equity are incorporated into state planning for zero-emission vehicle deployment, funding, and program design.*

*(5) In order to facilitate alignment of equity goals, the office may convene meetings or task forces, or both, between state agencies, local government, utilities, labor, or private sector actors key to advancing zero-emission transportation goals, or any combination of these entities.*

*(b) (1) The office shall provide guidance to state agencies by developing and adopting an equity action plan. The plan shall provide actionable steps to advance equity in access to zero-emission vehicles, infrastructure, and zero-emission vehicle transportation options in low-income and disadvantaged communities as well as to advance equity by reducing pollution driven by the transportation sector and related industries in low-income and disadvantaged communities and by supporting an equitable zero-emission vehicle industry and workforce.*

*(2) The equity action plan shall include all of the following:*

*(A) Guidance on the design and implementation of state funding programs with the aim of ensuring that programs are designed so that funding is allocated to most effectively advance an equitable deployment of zero-emission vehicles towards the state's zero-emission vehicle deployment goals.*

*(B) Recommendations on funding criteria to be applied to all relevant state agencies to prioritize an equitable advancement of zero-emission vehicles. These recommendations may include prioritization of either of the following projects:*

*(i) Vehicles and charging infrastructure in communities disproportionately impacted by pollution from the transportation sector.*

*(ii) Pilot projects deployed through existing aligned State Energy Resources Conservation and Development Commission, state board, and other multiyear projects and programs identified by community-based organizations for deployment in disadvantaged communities and prioritized by severity of air pollution from mobile sources, lack of charging infrastructure and electric vehicles, and transportation or transit deserts.*

*(C) Propose additional financing tools and policy needs to address community-based transit and transportation solutions that address key gaps and obstacles.*

*(D) Develop and set milestones for equity for intervening years on the path toward goals for 2035 and beyond.*

*(3) The office shall assess progress towards the equity action plan and publish an update of the progress on each of the activities described in this section on its internet website on or before January 1, 2025, and every two years thereafter, and notify the relevant policy committees of the Legislature of the information provided in that update. This update shall include, but is not limited to, metrics tracking all of the following:*

*(A) State funding spent toward the deployment of zero-emission vehicle ownership and supporting infrastructure in emissions-overburdened communities and disadvantaged and low-income*

*communities, and the number and type of vehicles or charging infrastructure deployed with this funding.*

*(B) State funding for multiyear projects that advance deployment of zero-emission vehicles in communities identified as disadvantaged communities prioritized by severity of air pollution from mobile sources, lack of charging infrastructure and electric vehicles, and transportation or transit deserts.*

*(C) Progress towards equity milestones as set in the equity action plan.*

*(4) In developing the equity action plan, the office shall coordinate with community organizations, local entities, state agencies, and other private and public stakeholders to steer for an equitable zero-emission vehicle deployment.*

*(c) For purposes of this section, "office" means the Office of the Zero-Emission Vehicle Equity Advocate established pursuant to this section.*

*(d) This section shall remain in effect only until January 1, 2028, and as of that date is repealed.*

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