



AGENDA

Orange County Council of Governments
Board of Directors Meeting

Orange County Council of Governments

June 25, 2020

As set forth in Orange County Council of Governments Bylaws and Joint Powers Agreement - the Orange County Council of Governments is a voluntary agency established to serve as a sub- regional organization to the Southern California Association of Governments representing Orange County on mandated and non-mandated regional planning activities, to provide a vehicle for Members to engage cooperatively on such activities, and to conduct studies and projects designed to improve and coordinate common governmental responsibilities and services on an area-wide and regional basis.

Pursuant to Executive Order N-29-20 issued on March 17, 2020 by Governor Gavin Newsom, which directs Californians to follow public health directives including canceling large gatherings, certain provisions of the Ralph M. Brown Act are suspended due to a State of Emergency in response to COVID-19. Consistent with the Executive Order, OCCOG Board meetings will be conducted by teleconference only. Those persons wishing to speak on any item included on the agenda, or on any matter within the subject matter jurisdiction of the OCCOG Board, are invited to submit electronic written comments to eileen@occog.com. If you do not have access to email, you may also call the Board Clerk at (949) 291-3455 before 10:00 a.m. on June 25, 2020 to submit your comments over the phone.

If you would like to participate and speak via the teleconference, please use the following URL:

<https://zoom.us/j/92512234001?pwd=ZTh0ZXgvRUlaMW1yY1p2Z1hPckVVdz09>

Meeting ID: 925 1223 4001

Password: 039155

**One tap mobile
+16699006833,,98045981269# US (San Jose)**

In compliance with the Americans with Disabilities Act, if you require a reasonable accommodation to participate in this meeting, please contact the Board Clerk at (949) 291-3455 at least 48 hours prior to the advertised starting time of the meeting.

Any documents produced by the Board and distributed to a majority of the Board regarding any item on this agenda will be posted on the Board's website at <https://www.occog.com/>.

For all other questions, please call the Board Clerk at (949) 291-3455.



Zoom Format Only

1 (669) 900-6833 Meeting ID Number 925 1223 4001#

Password 039155 - 10:30 a.m. to 12:00 p.m.

Board Members (Voting)

Trevor O'Neil, District 19 (Chair)

Wendy Bucknum, District 13 (Vice Chair)

Fred Minagar, District 12

Michael Carroll, District 14

Steve Nagel, District 15

Phil Bacerra, District 16

Charles E. Puckett, District 17

Kim Nguyen, District 18

Dean Grose, District 20

Art Brown, District 21

Marty Simonoff, District 22

Lyn Semeta, District 64

Rose Espinoza, Cities-at-Large

Jim Ferryman, Orange County Sanitation District (OCSD)

Michael Hennessey, Orange County Transportation Authority (OCTA)

Carlos Rodriguez, South Coast Air Quality Management District (SCAQMD)

Mike Scheafer, Independent Special Districts of Orange County (ISDOC)

Scott Voigts, Transportation Corridor Agencies (TCA)

Ex-Officio Members (Non-Voting)

Tony Cardenas, Orange County Division, League of California Cities

Ryan Chamberlain, Caltrans District 12

Bruce Channing, Association of California Cities Orange County (ACC-OC)

Carolyn Emery, Orange County, Local Agency Formation Committee (OC LAFCO)

Amanda Hughes, UC Irvine representing University Community

Diana Kotler, Anaheim Resort Transportation (ART)

Steven LaMotte, BIAOC, representing Private Sector

Rachel Rolnicki, Business Community

Helen O'Sullivan, NeighborWorks Orange County, representing Non-Profit Housing Community

VACANT, Health Care/Hospital Industry



Agenda Descriptions

The agenda descriptions are intended to provide members of the public a general summary of items of business to be transacted or discussed. The posting of the recommended actions does not indicate what action will be taken. The Board of Directors may take any action deemed to be appropriate and is not limited by the notice of the recommended action.

Public Comments on Agenda Items

Members of the public wishing to address the Board of Directors regarding any item appearing on the agenda may do so by completing a Speaker Card and submitting it to the Clerk of the Board. Speakers will be recognized by the Chair at the time the agenda item is considered. A speaker's comments shall be limited to three minutes.

Public Availability of Agenda Materials

All documents relative to the items referenced in this agenda are available for public inspection at www.occog.com

Accessibility

Any person with a disability requiring a modification or accommodation in order to participate in this meeting should contact the Clerk of the Board at (949) 291-3455, no less than three business days prior to this meeting to enable the Orange County Council of Governments to make reasonable arrangements to assure accessibility to this meeting.

Call to Order

Roll Call

Pledge of Allegiance

Public Comments

Members of the public may address the Board of Directors regarding any items within the subject matter jurisdiction of the Board of Directors; however, action may not be taken on matters that are not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per speaker, unless different time limits are set by the Chairman, subject to the approval of the Board of Directors.

Consent Calendar (Item Nos. 1-3)



AGENDA

June 25, 2020

All matters listed under the Consent Calendar are routine and will be enacted by one vote without separate discussion unless Members of the Board, the public, or staff request specific items be removed for separate action or discussion.

1. **Approval of Meeting Minutes for May 28, 2020, Regular Meeting** Eileen White, OCCOG Clerk of the Board [Packet Page 1](#)

Recommended Action: Receive and file the minutes as amended or presented.

2. **OCCOG Financial Reports for May 2020** John Hanson, OCCOG Treasurer [Packet Page 7](#)

Recommended Action: Approve the OCCOG Financial Reports for May 2020.

3. **Concur with SCAG's Revisions to the Form Participant Agreements for Orange County Data Acquisition Partnership (OCDAP)** Marnie O'Brien Primmer, Executive Director; Deborah Diep, Center for Demographic Research Director; Fred Galante, General Counsel [Packet Page 22](#)

Recommended Action: Concur with SCAG's revisions to the form Participation Agreements with interested agencies approved by the OCCOG Board in May, 2020 and Authorize the OCCOG Executive Director to sign the revised form Participation Agreements for the Orange County Data Acquisition Partnership (OCDAP) Cycle 1.

Presentations

4. **Transportation Corridors Agency Presentation** Samuel Johnson, Interim CEO, TCA
5. **Connect SoCal Update** Kome Ajise, Executive Director of SCAG

Action Items

6. **Approval of 2020-2021 Fiscal Year Budget** Marnie O'Brien Primmer, Executive Director and John Hanson, Treasurer [Packet Page 47](#)

Recommended Action: Approve the 2020-2021 fiscal year budget of the OCCOG as presented or amended.



AGENDA

June 25, 2020

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7. **Approval of 2020-2021 Work Plan** Marnie O'Brien Primmer, Executive Director
[Packet Page 57](#)

Recommended Action: Approve the 2020-2021 OCCOG Work Plan as presented or amended.

8. **Contract Extension for John Hanson, OCCOG Treasurer**

[Packet Page 61](#)

Recommended Action: Approve the contract extension for a term of 1 year, through June 30, 2021.

9. **Contract Extension for Wendy J. Strack Consulting, Legislative Policy Analysis and Advocacy, and Grant Writing Support**

[Packet Page 64](#)

Recommended Action: Approve the contract extension for a term of 1 year, through June 30, 2021.

10. **Contract Extension for Kathryn Morrison, Administrative Support Services**

[Packet Page 67](#)

Recommended Action: Approve the contract extension for a term of 1 year, through June 30, 2021.

11. **Contract Extension for Lisa Telles, General Assembly Support and Project Management**

[Packet Page 70](#)

Recommended Action: Approve the contract extension for a term of 1 year, through June 30, 2021.

12. **Contract Extension and Change in Terms for Communications LAB**

[Packet Page 73](#)

Recommended Action: Approve the contract extension for a term of 1 year, through June 30, 2021 at the new rate of \$2500 per month.

13. **Contract Extension and Change in Terms for Eileen White, Clerk of the Board**

[Packet Page 78](#)

Recommended Action: Approve the contract extension for a term of 1 year, through June 30, 2021. Change the form of contract from hourly to retainer-based contract at a rate of \$1500 per month with an annual maximum of \$18,000.



- 14. Resolution No. 2020-02 Regarding Proposed Requested Delay of VMT Rule Implementation** Marnie O'Brien Primmer, Executive Director with guest experts: Tony Petros, LSA Associates and Jason Pack, Fehr & Peers [Packet Page 81](#)

Recommended Action: Approve Resolution No. 2020-02 formally requesting the Governor to delay the implementation of the Vehicle Miles Traveled analysis mandated by SB 743 until July 1, 2022.

Discussion Items

- 15. Legislative Update** Wendy J. Strack, OCCOG Legislative Consultant

[Packet Page 87](#)

Reports

- **OCCOG Technical Advisory Committee**
Nate Farnsworth, Technical Advisory Committee Chair
- **Southern California Association of Governments**
Jonathan Hughes, Regional Affairs Officer, SCAG
- **South Coast Air Quality Management District**
Debra Ashby, Senior Public Information Specialist, SCAQMD
Link to South Coast AQMD Advisor Newsletter, May/June Edition:
<https://www.aqmd.gov/home/research/publications/may-june-2020>
- **Executive Director Report**
Marnie O'Brien Primmer, Executive Director
-
- **Board Member Reports**
- **Member Agency Reports**
- **Staff Member Reports**

Future Agenda Items

Adjournment of Regular Meeting

The next OCCOG Regular Meeting will be on **August 27, 2020**, at a place to be determined, pending state and local public health orders in force at the time of the meeting.



MINUTES

Thursday, May 28, 2020 | 10:30 a.m.

Call to Order

Chair O'Neil called the Regular Meeting of the Orange County Council of Governments to order at 10:36 a.m. on Thursday, May 28, 2020 via Zoom; at (669) 900-6833, Meeting ID Number 980 4598 1269#

Board Members Present

Phil Bacerra, District 16
Art Brown, District 21
Wendy Bucknum, District 13 (Vice Chairman)
Tony Cardenas, Orange County Division, League of Cities (Ex-Officio)
Michael Carroll, District 14
Rose Espinoza, Cities-at-Large
Jim Ferryman, Orange County Sanitary District (OCSD)
Dean Grose, District 20
Steven LaMotte, Private Sector (Ex-Officio)
Jenn Lowe (ACC-OC) (Ex-Officio) (Alternate)
Kim Nguyen, District 18
Rachel Rolnicki OCBC, Business Community (Ex-Officio)
Mike Scheafer, Independent Special Districts of Orange County (ISDOC)
Fred Minagar, District 12
Trevor O'Neil, District 19 (Chairman)
Helen O'Sullivan, Non-Profit Housing Community (Ex-Officio)
Charles E. Puckett, District 17
Carlos Rodriguez, (TCA)
Lyn Semeta, District 64
Marty Simonoff, District 22

Board Members Absent

Ryan Chamberlain, Caltrans District 12
Carolyn Emery, LAFCO (Ex-Officio)
Mike Hennessey (OCTA)
Amanda Hughes, University Community (Ex-Officio)
Diana Kotler, Anaheim Resort Transportation (ART) (Ex-Officio)
Steve Nagel, District 15
Scott Voigts, SCAQMD

Board Vacancies

Health Care/Hospital Industry (Ex-Officio)



MINUTES

Thursday, May 28, 2020 | 10:30 a.m.

Staff Present

Marnie O'Brien Primmer, Executive Director
Fred Galante, General Counsel
John Hanson, Treasurer
Nate Farnsworth, TAC Chair
Eileen White, Clerk of the Board
Kathryn Morrison, Administrative Assistant

Others Present

Deborah Diep, Center for Demographic Research Director
Jonathan Hughes, SCAG Public Affairs Officer
Marika Poynter, Principal Planner, City of Irvine
Gail Shimoto-Lohr
Kelly Rowe

Pledge of Allegiance led by Chair O'Neil

Public Comments

None

Consent Calendar (Item Nos. 1 - 4)

- 1. Approval of Meeting Minutes for April 23, 2020, Regular Meetings** Eileen White, OCCOG Clerk of the Board
It was moved by Vice Chair Bucknum, seconded by Director Simonoff to receive and file the minutes as presented. Said motion was carried by the following vote:
AYES: (15) BECERRA, BROWN, BUCKNUM, CARROLL, ESPINOZA, FERRYMAN, GROSE, MINAGAR, O'NEIL, PUCKETT, RODRIGUEZ, NGUYEN, SCHEAFER, SEMETA, SIMONOFF,
NOES: (0)
ABSENT: (3) HENNESSEY, NAGEL, VOIGTS
- 2. OCCOG Financial Reports for April 2020** John Hanson, OCCOG Treasurer
It was moved by Vice Chair Bucknum, seconded by Director Simonoff to approve the OCCOG Financial Reports for April 2020. Said motion was carried by the following vote:
AYES: (15) BECERRA, BROWN, BUCKNUM, CARROLL, ESPINOZA, FERRYMAN, GROSE, MINAGAR, O'NEIL, PUCKETT, RODRIGUEZ, NGUYEN, SCHEAFER, SEMETA, SIMONOFF,
NOES: (0)
ABSENT: (3) HENNESSEY, NAGEL, VOIGTS



- 3. Update Citizens Business Bank Signature Cards** John Hanson, Treasurer
It was moved by Vice Chair Bucknum, seconded by Director Simonoff to approve updating Citizens Business Bank signature cards to add Chair O’Neil and Vice Chair Bucknum as signatories and remove Director Puckett and former Director Berry. Said motion was carried by the following vote:
AYES: (15) BECERRA, BROWN, BUCKNUM, CARROLL, ESPINOZA, FERRYMAN, GROSE, MINAGAR, O’NEIL, PUCKETT, RODRIGUEZ, NGUYEN, SCHEAFER, SEMETA, SIMONOFF,
NOES: (0)
ABSENT: (3) HENNESSEY, NAGEL, VOIGTS
- 4. Approve Engagement Letter with Auditor for FY 2019-2020** John Hanson, Treasurer
It was moved by Vice Chair Bucknum, seconded by Director Simonoff to approve engagement letter with Eide Bailly for audit services. The not-to-exceed amount of the contract is \$7,650. Said motion was carried by the following vote:
AYES: (15) BECERRA, BROWN, BUCKNUM, CARROLL, ESPINOZA, FERRYMAN, GROSE, MINAGAR, O’NEIL, PUCKETT, RODRIGUEZ, NGUYEN, SCHEAFER, SEMETA, SIMONOFF,
NOES: (0)
ABSENT: (3) HENNESSEY, NAGEL, VOIGTS

Action Items

- 5. Approval of Participant Agreements for Orange County Data Acquisition Partnership (OCDAP)** Deborah Diep, Center for Demographic Research Director and Fred Galante, General Counsel, reviewed the staff report.

It was moved by Vice Chair Bucknum, seconded by Director Espinoza to authorize the OCCOG Executive Director to sign the Participation Agreements for the Orange County Data Acquisition Partnership (OCDAP) Cycle 1. Said motion was carried by the following vote:

AYES: (15) BECERRA, BROWN, BUCKNUM, CARROLL, ESPINOZA, FERRYMAN, GROSE, MINAGAR, O’NEIL, PUCKETT, RODRIGUEZ, NGUYEN, SCHEAFER, SEMETA, SIMONOFF,
NOES: (0)
ABSENT: (3) HENNESSEY, NAGEL, VOIGTS

- 6. Legislative Update and Action** Wendy Strack, OCCOG legislative Consultant, summarized the staff report and Legislative recap. She noted that the recommended action for SB 902 (from oppose to watch) was revised to reflect revisions made in the Bill.

Following discussion, the Directors concurred to retain the existing Oppose position on SB 902.



MINUTES

Thursday, May 28, 2020 | 10:30 a.m.

Recommended Action: Receive and file report provided

It was moved by Vice Chair Bucknum, seconded by Director Espinoza receive and file the report; adopt Support positions for SB 995, SB 1299, and SB 1385; an Oppose position for AB 1279 and continue Oppose position on SB 902; and Watch positions for AB 725, SB 1085, and SB 1120. The Directors authorized Executive Director Primmer to draft a letter under her signature regarding Board-opposed SB 743 regarding the implementation of VMT versus LOS analysis in preparation of environmental documentation for projects. Said motion was carried by the following vote:

AYES: (14) BECERRA, BROWN, BUCKNUM, CARROLL, ESPINOZA, FERRYMAN, GROSE, MINAGAR, O'NEIL, PUCKETT, NGUYEN, SCHEAFER, SEMETA, SIMONOFF,

NOES: (0)

ABSTENTION: (1) RODRIGUEZ

ABSENT: (3) HENNESSEY, NAGEL, VOIGTS

Discussion Items

- 7. Update on Housing Videos Production** Marnie O'Brien Primmer, Executive Director, reviewed the staff report; displayed a draft copy of the first video for the Board's consideration.

Update received and filed.

Presentations

- 8. Proposed Amendment to the Orange County Local Transportation Authority Measure M2 Ordinance No. 3** Kia Mortazavi, Executive Director, Planning, Orange County Transportation Authority, described an amendment OCTA is considering at its next Board meeting on 6/22/20, whereby cities can revise their mandatory Maintenance of Efforts (MOE) funds set aside for street repair from a fixed to varied amount to help cities navigate the impacts from the COVID 19 Pandemic Lockdown; provided a brief overview of additional efforts OCTA is considering to help cities mitigate negative impacts resulting from the lockdown.

Presentation received and filed.



Reports

- **Technical Advisory Committee**

TAC Chair Farnsworth reported that the TAC is working closely with HCD to establish ways for cities to be able to use ADU's to satisfy RHNA numbers; advised Connect SoCal has been delayed up to 120 days.

- **Southern California Association of Governments (SCAG)**

Johnathan Hughes reported City Managers will be receiving an email regarding direction for reporting property numbers on June 4, 2020; announced an online SCAG Workshop/meeting scheduled for June 11 and 18, 2020; announced that in light of the COVID 19 Pandemic, SCAG is proposing a 20% reduction in fees for Cities next year.

- **South Coast Air Quality Management District**

Link to South Coast AQMD Advisor Newsletter, May/June Edition:

<https://www.aqmd.gov/home/research/publications/may-june-2020>; Carlos Rodriguez, SCAQMD Boardmember, encouraged the Board to promote the Small Business Assistance Program to small businesses in need of assistance during the Pandemic; urged Orange County cities to use/apply for the remaining 2.1 million in unspent AB 2766 funds; encouraged all to email him with any questions they may have.

- **Executive Director's Report**

Executive Director Primmer advised she is in the process of developing a proposal for Orange County cities to use for acquiring REAP funds as well as helping to develop tools for cities to use to get ADU credits in RHNA allocations. In addition, she is involved in the Housing video making process and will be bringing the 2020-2021 Budget and Work Plan to their next meeting.

- **Board Member Reports**

Vice Chair Bucknum announced she has submitted an application for voting membership on LAFCO and requested support from the Board.

- **Member Agency Reports**

Director Cardenas announced the OCD, LOCC has written to the Governor's office to request a delay in the launch of the RHNA 6th Cycle.

- **Staff Member Reports**

No reports

Next Month's agenda

Resolution to support delay of Vehicle Miles Traveled (VMT) issue.

Announcement of Closed Session Fred Galante, General Counsel

Attorney Galante announced that the OCCOG Board would recess to Closed Session to discuss the following Closed Session item:

1. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9.



Number of cases: One case

Recess to Closed Session

Chair O’Neil recessed the Regular Meeting at 12:00 p.m.

Closed Session Call to Order

Chair O’Neil called the Closed Session to order at 12:03 p.m. via Zoom at +1 669 900 6833.

Directors Present

Art Brown, Wendy Bucknum, Michael Carroll, Rose Espinoza, James Ferryman, Dean Grose, Kim Nguyen, Trevor O’Neil, Charles Puckett, Carlos Rodriguez, Mike Scheafer, Marty Simonoff

Directors Absent

Phil Bacerra, Mike Hennessey, Fred Minagar, Steve Nagel, Lyn Semeta, Scott Voigts,

Staff Present

Executive Director Primmer, TAC Chair Farnsworth, Principal Planner Poynter, Board Clerk White, Admin Assistant Morrison

Closed Session

- 1. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION** Fred Galante, OCCOG General Counsel
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9.
Number of cases: One case

Return to Regular Meeting

Chair O’Neil recessed the Closed Session and reconvened the Regular Meeting at 12:51 p.m. with the Directors remaining in attendance.

Announcement of Closed Session Action

Attorney Galante announced that the OCCOG Board held a discussion and no action was taken on the sole Closed Session item, entitled, “Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9” during the Closed Session.

Adjournment

There being no further business before the Board, Chair O’Neil adjourned the meeting at 12:54 p.m. The next regular meeting of the OCCOG Board of Directors will take place at 10:30 a.m. on August 27, 2020, location to be determined pending state and local public health orders in force at the time of the meeting.



AGENDA ITEM #2

OCCOG May 2020 Financial Report

SUMMARY

OCCOG financial information is provided for Board review.

As of May 31, 2020, OCCOG had combined cash and investments of \$339,762.76 consisting of the following: a bank balance of \$60,822.56 at Bank of the West, bank balance of \$10,572.68 at Citizens Business Bank outstanding checks in the amount of \$21,807.57 and an investment balance at the State Local Agency Investment Fund of \$290,175.09.

STAFF RECOMMENDATION

Approve financial report.

ATTACHMENTS

- A. OCCOG Fiscal Year 2019-20 Cash and Investments
- B. Bank of the West Statement as of May 31, 2020
- C. Citizens Business Bank Statement as of May 29, 2020
- D. State Local Agency Investment Fund (LAIF) Monthly Statement for May 31, 2020
- E. LAIF Performance Report - Quarter Ending March 31, 2020, Pooled Money Investment Account (PMIA) Average Monthly Effective Yields – February 2020 – March 2020 – April 2020 and PMIA Portfolio Composition at 3/31/20.
- F. OCCOG Fiscal Year 2019-20 Cash Receipts/Disbursements Report

STAFF CONTACT

John Hanson, CPA
OCCOG Treasure
949-929-0073
jhoccog@gmail.com

**Orange County Council of Governments
Cash and Investments
Fiscal Year 2019-20**

Date	Check #	Description	Amount	General Ledger Balance	Bank Balances and Reconciliation
July					
		Balance Forward		357,656.39	
7/15/2019		Local Agency Investment Fund	1,811.61	359,468.00	
7/23/2019	1501	Aleshire & Wynder, LLP	(1,296.00)	358,172.00	Bank of the West 68,691.81
7/23/2019	1502	Eileen White	(6,291.41)	351,880.59	O/S Checks #REF!
7/23/2019	1503	John Hanson	(600.11)	351,280.48	State LAIF 285,315.39
7/23/2019	1504	CSUFAS	(25,077.90)	326,202.58	<u>#REF!</u>
7/23/2019	1505	CALCOG	(2,300.00)	323,902.58	
7/23/2019	1506	Communications Lab	(1,250.00)	322,652.58	
7/23/2019	1507	Connected Consulting	(10,880.13)	311,772.45	
7/31/2019		Bank of the West	(140.49)	311,631.96	
August					
8/21/2019		City of Fountain Valley	6,886.66	318,518.62	Bank of the West 68,180.10
8/21/2019		CJPIA	126.68	318,645.30	O/S Checks (2,500.00)
8/23/2019		City of Rancho Santa Margarita	6,368.05	325,013.35	State LAIF 285,315.39
8/23/2019	1508	John Hanson	(963.79)	324,049.56	<u>\$350,995.49</u>
8/23/2019	1509	Aleshire & Wynder, LLP	(486.00)	323,563.56	
8/23/2019	1510	Wendy J Strack Consulting	(2,500.00)	321,063.56	
8/23/2019	1511	VOID	-	321,063.56	
8/23/2019	1512	Communications Lab	(1,250.00)	319,813.56	
8/23/2019	1513	Disney Resorts	(2,500.00)	317,313.56	
8/28/2019		City of Placentia	6,595.46	323,909.02	
8/28/2019		City of Buena Park	8,688.98	332,598.00	
8/28/2019		City of Seal Beach	4,757.54	337,355.54	
8/28/2019		City of Fullerton	4,071.11	341,426.65	
8/28/2019		City of Mission Viejo	9,568.84	350,995.49	
September					
9/1/2019	1514	Kathryn Morrison	(1,158.64)	349,836.85	Bank of the West 256,313.53
9/1/2019	1515	Connected Consulting	(11,569.87)	338,266.98	O/S Checks (1,250.00)
9/1/2019	1516	Wendy J Strack Consulting	(2,500.00)	335,766.98	State LAIF 285,315.39
9/3/2019		City of Laguna Hills	5,195.72	340,962.70	<u>\$540,378.92</u>
9/3/2019		City of Dana Point	5,376.20	346,338.90	
9/3/2019		City of Garden Grove	14,876.36	361,215.26	
9/3/2019		City of Villa Park	3,467.09	364,682.35	
9/3/2019		City of Santa Ana	25,836.53	390,518.88	
9/5/2019		City of San Juan Capistrano	5,549.62	396,068.50	
9/5/2019		City of Huntington Beach	8,553.12	404,621.62	
9/5/2019		City of Tustin	16,805.03	421,426.65	

**Orange County Council of Governments
Cash and Investments
Fiscal Year 2019-20**

Date	Check #	Description	Amount	General Ledger Balance	Bank Balances and Reconciliation
9/9/2019		City of La Palma	4,133.68	425,560.33	
9/9/2019		City of Lake Forest	8,888.69	434,449.02	
9/9/2019		City of Laguna Woods	4,180.74	438,629.76	
9/9/2019		City of Laguna Niguel	7,567.35	446,197.11	
9/23/2019		City of Anaheim	27,294.40	473,491.51	
9/23/2019		City Stanton	5,717.23	479,208.74	
9/23/2019		City Newport Beach	8,944.92	488,153.66	
9/23/2019		City of Costa Mesa	10,876.55	499,030.21	
9/23/2019		City of Laguna Beach	4,641.91	503,672.12	
9/23/2019		City of Westminster	9,311.02	512,983.14	
9/23/2019		City of La Habra	7,351.20	520,334.34	
9/23/2019		City of Aliso Viejo	6,530.67	526,865.01	
9/23/2019		Orange County Sanitation District	7,500.00	534,365.01	
9/23/2019		City of Cypress	6,426.91	540,791.92	
9/23/2019		City of Los Alamitos	3,857.33	544,649.25	
9/26/2019	1517	Communications Lab	(1,250.00)	543,399.25	
9/26/2019	1518	Aleshire & Wynder, LLP	(756.00)	542,643.25	
9/26/2019	1519	Aleshire & Wynder, LLP	(1,152.00)	541,491.25	
9/26/2019	1520	VOID	-	541,491.25	
9/26/2019	1521	John Hanson	(1,112.33)	540,378.92	
<hr/>					
October					
10/1/2019	1522	Connected Consulting	(11,214.12)	529,164.80	
10/1/2019	1523	Wendy J Strack Consulting	(2,500.00)	526,664.80	
10/1/2019	1524	Kathryn Morrison	(1,267.69)	525,397.11	
10/1/2019		City of Brea	6,141.92	531,539.03	
10/8/2019		City of San Clemente	7,476.80	539,015.83	
10/8/2019		City of Orange	12,620.15	551,635.98	
10/8/2019		City of Yorba Linda	7,699.37	559,335.35	
10/21/2019		Bank of the West	(48.23)	559,287.12	
10/24/2019	2001	John Hanson	(836.81)	558,450.31	
10/24/2019	2002	Communications Lab	(1,250.00)	557,200.31	
10/24/2019	2003	Aleshire & Wynder, LLP	(3,672.50)	553,527.81	
10/29/2019	1525	CSUFAS	(25,077.90)	528,449.91	
10/31/2019		Local Agency Investment Fund	1,757.46	530,207.37	
					Bank of the West 221,097.51
					Citizens Business Bank 23,287.01
					O/S Checks (1,250.00)
					State LAIF 287,072.85
					<u>\$530,207.37</u>

**Orange County Council of Governments
Cash and Investments
Fiscal Year 2019-20**

Date	Check #	Description	Amount	General Ledger Balance	Bank Balances and Reconciliation
November					Bank of the West 214,695.92
11/4/2019	2004	Connected Consulting	(11,084.99)	519,122.38	Citizens Business Bank 19,202.02
11/4/2019	2005	VOID	-	519,122.38	O/S Checks -
11/4/2019	2006	VOID	-	519,122.38	State LAIF 287,072.85
11/12/2019		Independent District of O.C	500.00	519,622.38	<u>520,970.79</u>
11/21/2019	1526	Aleshire & Wynder	(2,034.00)	517,588.38	
11/21/2019	2007	Communications Lab	(1,250.00)	516,338.38	
11/21/2019	1527	John Hanson	(818.79)	515,519.59	
11/21/2019	1528	Wendy J Strack Consulting	(2,500.00)	513,019.59	
11/21/2019	1529	Kathryn Morrison	(1,048.80)	511,970.79	
11/22/2019		TCA	9,000.00	520,970.79	
December					Bank of the West 203,733.68
12/2/2019		Orange County Business Council	1,000.00	521,970.79	Citizens Business Bank 52,092.07
12/6/2019	1530	Eileen White	(13,232.95)	508,737.84	O/S Checks (13,232.95)
12/6/2019	1531	Connected Consulting	(10,962.24)	497,775.60	State LAIF 287,072.85
12/6/2019	2008	Aleshire & Wynder	(1,728.00)	496,047.60	<u>529,665.65</u>
12/6/2019	2009	Wendy J Strack Consulting	(2,530.00)	493,517.60	
12/6/2019	2010	Communications Lab	(1,250.00)	492,267.60	
12/6/2019	2011	Kathryn Morrison	(1,046.50)	491,221.10	
12/12/2019		SC AQMD	7,500.00	498,721.10	
12/12/2019		Orange County TA	9,000.00	507,721.10	
12/19/2019		City of Irvine	21,958.83	529,679.93	
12/31/2019		Citizens Business Bank	(14.82)	529,665.11	
January					Bank of the West \$171,613.44
1/14/2020	1532	Eide Bailly	(7,426.00)	522,239.11	Citizens Business Bank \$44,577.27
1/14/2020	1533	Connected Consulting	(11,245.14)	510,993.97	O/S Checks -
1/14/2020	2012	John Hanson	(896.95)	510,097.02	State LAIF 288,722.00
1/14/2020	2013	Wavelength Automation	(948.00)	509,149.02	<u>504,912.71</u>
1/14/2020	2014	Kathryn Morrison	(1,000.00)	508,149.02	
1/14/2020	2015	Wendy J Strack Consulting	(2,500.00)	505,649.02	
1/23/2020	2016	VOID	-	505,649.02	
1/23/2020	2017	John Hanson	(630.13)	505,018.89	
1/23/2020	2018	Aleshire & Wynder	(1,530.00)	503,488.89	
1/23/2020	1534	VOID	-	503,488.89	
1/23/2020	1535	Kathryn Morrison	(216.15)	503,272.74	
1/31/2020		Citizens Business Bank	(9.72)	503,263.02	
1/31/2020		Local Agency Investment Fund	1,649.15	504,912.17	

**Orange County Council of Governments
Cash and Investments
Fiscal Year 2019-20**

Date	Check #	Description	Amount	General Ledger Balance	Bank Balances and Reconciliation
February					
02/05/2020		Misc General Assembly Registrations	1,104.88	506,017.05	
02/05/2020	1536	Connected Consulting	(11,285.04)	494,732.01	Bank of the West \$149,797.79
02/05/2020	2019	Kathryn Morrison	(1,708.53)	493,023.48	Citizens Business Bank \$37,551.68
02/05/2020	2020	Wendy J Strack Consulting	(2,500.00)	490,523.48	O/S Checks (8,965.03)
02/05/2020	2021	Communications Lab	(1,250.00)	489,273.48	State LAIF 288,722.00
02/10/2020		Aleshire & Wynder, LLP	500.00	489,773.48	<u>\$467,106.44</u>
02/27/2020	2022	John Hanson	(514.19)	489,259.29	
02/27/2020	2023	Communications Lab	(1,250.00)	488,009.29	
02/27/2020	2024	Dtn.Tech	(1,622.53)	486,386.76	
02/27/2020	2025	Aleshire & Wynder, LLP	(2,592.50)	483,794.26	
02/27/2020	2026	Orange County Forum	(1,000.00)	482,794.26	
02/27/2020	2027	Kathryn Morrison	(1,552.87)	481,241.39	
02/27/2020	1537	VOID	0.00	481,241.39	
02/27/2020	1538	Connected Consulting	(11,635.49)	469,605.90	
02/27/2020	1539	Wendy J Strack Consulting	(2,500.00)	467,105.90	
March					
					Bank of the West \$140,581.77
3/2/2020		Misc General Assembly Registrations	759.03	467,864.93	Citizens Business Bank \$30,078.42
3/20/2020		Jamboree Housing Corporation	1,000.00	468,864.93	O/S Checks (17,006.04)
3/20/2020		Earth Mechanics	500.00	469,364.93	State LAIF 288,722.00
3/20/2020		DTN. Tech	500.00	469,864.93	<u>\$442,376.15</u>
3/20/2020		Citizens Business Bank	(4.56)	469,860.37	
3/27/2020	2028	Sustain SoCal	(1,000.00)	468,860.37	
3/27/2020	2029	Communications Lab	(1,250.00)	467,610.37	
3/27/2020	2030	Lisa Telles Communications	(3,120.00)	464,490.37	
3/27/2020	2031	Aleshire & Wynder, LLP	(3,574.00)	460,916.37	
3/27/2020	2032	John Hanson	(731.67)	460,184.70	
3/27/2020	2033	Kathryn Morrison	(1,022.00)	459,162.70	
3/27/2020	2034	Wendy J Strack Consulting	(2,500.00)	456,662.70	
3/27/2020	1540	Eileen White	(4,312.04)	452,350.66	
3/27/2020	1541	Connected Consulting	(10,975.05)	441,375.61	
3/30/2020		City of Anaheim	1,000.00	442,375.61	
April					
					Bank of the West \$136,089.34
04/02/2020		WePay	2,319.61	444,695.22	Citizens Business Bank \$20,847.61
04/24/2020		Citizens Business Bank	(36.81)	444,658.41	O/S Checks (49,621.24)
04/30/2020	1542	CSU Fullerton Auxillary Services	(25,077.90)	419,580.51	State LAIF 290,175.09
					<u>\$397,490.80</u>

**Orange County Council of Governments
Cash and Investments
Fiscal Year 2019-20**

Date	Check #	Description	Amount	General Ledger Balance	Bank Balances and Reconciliation
	1543	CSU Fullerton Auxillary Services (May 1 Check)	-	419,580.51	
04/30/2020					
04/30/2020	1544	Communications Lab	(1,250.00)	418,330.51	
04/30/2020	1545	Lisa Telles	(880.00)	417,450.51	
04/30/2020	1546	Connected Consulting	(10,802.99)	406,647.52	
04/30/2020	1547	Kathryn Morrison	(1,375.00)	405,272.52	
04/30/2020	2035	John Hanson	(504.35)	404,768.17	
04/30/2020	2036	Aleshire & Wynder, LLP	(1,116.00)	403,652.17	
04/30/2020	2037	Eileen White	(5,115.00)	398,537.17	
04/30/2020	2038	VOID	-	398,537.17	
04/30/2020	2039	Wendy J Strack Consulting	(2,500.00)	396,037.17	
04/30/2020		Local Agency Investment Fund	1,453.09	397,490.26	
May					
					Bank of the West \$60,822.56
					Citizens Business Bank \$10,572.68
5/1/2020	1543	CSU Fullerton Auxillary Services	(25,077.90)	372,412.36	O/S Checks (21,807.57)
5/29/2020	2040	Communications Lab	(1,250.00)	371,162.36	State LAIF 290,175.09
5/29/2020	2041	Kathryn Morrison	(1,250.00)	369,912.36	<u>\$339,762.76</u>
5/29/2020	2042	Wendy J Strack Consulting	(2,500.00)	367,412.36	
5/29/2020	2043	John Hanson	(686.07)	366,726.29	
5/29/2020	2044	City of Placentia	(157.50)	366,568.79	
5/29/2020		Citizens Communication Bank	(39.58)	366,529.21	
5/29/2020	1548	Connected Consulting	(10,802.99)	355,726.22	
5/29/2020	1549	Aleshire & Wynder, LLP	(4,464.00)	351,262.22	
5/29/2020	1550	CJPIA	(11,500.00)	339,762.22	



BANK OF THE WEST
BNP PARIBAS

P.O. Box 2830, Omaha, NE 68103-2830

Account Statement

May 1, 2020 - May 31, 2020

Page 1 of 4



>007691 4327134 0001 008230 10Z
 ORANGE COUNTY COUNCIL OF GOVERNMENTS
 ATTN JOHN HANSON
 3972 BARRANCA PKWY STE J127
 IRVINE CA 92606-1204



At your service



bankofthewest.com



1-800-488-2265



1-800-659-5495 TTY

07691 4327134 013241 026481 0001/0002

REGULAR BUSINESS CHECKING 011-244681

ORANGE COUNTY COUNCIL OF GOVERNMENTS
 ATTN JOHN HANSON

ACCOUNT SUMMARY

Beginning Balance	\$136,089.34
0 Credits	0.00
0 Deposits	0.00
0 Withdrawals	0.00
7 Checks	-75,266.78
Ending Balance	\$60,822.56

EARNINGS SUMMARY

Interest this statement period	\$0.00
Interest credited year-to-date	\$0.00
Annual percentage yield earned	0.00%
Average monthly balance	\$84,168.47



For your protection:

Examine this statement promptly. Any discrepancy must be reported within 30 days. Consumer customers: A discrepancy regarding an electronic payment or line of credit must be reported within 60 days.





REGULAR BUSINESS CHECKING xxx-xx4681 (continued)

ACCOUNT DETAIL

Checks Paid

<i>Number</i>	<i>Date paid</i>	<i>Amount</i>	<i>Number</i>	<i>Date paid</i>	<i>Amount</i>	<i>Number</i>	<i>Date paid</i>	<i>Amount</i>
1542	05/07	25,077.90	1545	05/06	880.00	1548	05/29	10,802.99
1543	05/07	25,077.90	1546	05/11	10,802.99			
1544	05/04	1,250.00	1547	05/04	1,375.00			
7 checks paid for a total of \$75,266.78								

023108 1231273 0000000 044083 088166 01/02



IMPORTANT INFORMATION

IN CASE OF ERRORS OR QUESTIONS ABOUT YOUR ELECTRONIC TRANSFERS

(For accounts that are maintained primarily for personal, family or household purposes.)

Telephone us at (800) 488-2265, or write us at Bank of the West*, Branch Service Center, P.O. Box 2573, Omaha, NE 68103-2573 as soon as you can if you think your statement or receipt is wrong or if you need more information about a transfer listed on the statement or receipt. We must hear from you no later than 60 days after we sent you the FIRST statement on which the error or problem appeared. We will need to know the following:

1. Tell us your name and account number (if any).
2. Describe the error or the transfer you are unsure about, and explain as clearly as you can why you believe it is an error or why you need more information.
3. Tell us the dollar amount of the suspected error.

We will investigate your complaint and will correct any error promptly. If we take more than 10 business days (20 business days for transactions involving new accounts) to do this, we will credit your account for the amount you think is in error, so that you will have the use of the money during the time it takes us to complete our investigation.

*In South Dakota, Bank of the West operates under the name of Bank of the West California.



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PO Box 3938, Ontario, CA 91761

RETURN SERVICE REQUESTED

 ORANGE COUNTY COUNCIL OF GOVERNMENTS
 3972 BARRANCA PKWY STE J127
 IRVINE CA 92606-1204

Account Number:591004948
Managing Your Accounts


Phone Number 888.222.5432


 Website cbbank.com

 Email customersupport@cbbank.com

Citizens Business Bank provides a variety of fraud prevention services to protect your accounts. Contact your Relationship Manager today to discuss ways to reduce risk and establish customized fraud solutions that fit your needs.

Summary of Accounts

Effective July 1, 2020, our Funds Availability Policy is changing.

We are increasing the amount we make available for withdrawal on deposited checks that are not subject to next day availability from \$200 to \$225. In addition, the amount available for withdrawal on exception holds for large deposits, new accounts, and repeated overdrafts will increase from \$5,000 to \$5,525.

Account Type	Account Number	Ending Balance
ANALYZED BUSINESS PLAN GOVERNMENT SRVCS	591004948	\$10,572.68

ANALYZED BUSINESS PLAN GOVERNMENT SRVCS-591004948
Account Summary

Date	Description	Amount
05/01/2020	Beginning Balance	\$20,847.61
	0 Credit(s) This Period	\$0.00
	6 Debit(s) This Period	\$10,274.93
05/29/2020	Ending Balance	\$10,572.68

Other Debits

Date	Description	Amount
05/22/2020	Account Analysis Fees	\$39.58
		1 item(s) totaling \$39.58

Checks Cleared

Check Nbr	Date	Amount	Check Nbr	Date	Amount	Check Nbr	Date	Amount
2026	05/15/2020	\$1,000.00	2036	05/05/2020	\$1,116.00	2039*	05/07/2020	\$2,500.00
2035*	05/04/2020	\$504.35	2037	05/07/2020	\$5,115.00			

* Indicates skipped check number

5 item(s) totaling \$10,235.35

Daily Balances

Date	Amount	Date	Amount	Date	Amount
05/04/2020	\$20,343.26	05/07/2020	\$11,612.26	05/22/2020	\$10,572.68
05/05/2020	\$19,227.26	05/15/2020	\$10,612.26		

California State Treasurer *Fiona Ma, CPA*



Local Agency Investment Fund
P.O. Box 942809
Sacramento, CA 94209-0001
(916) 653-3001

June 02, 2020

[LAIF Home](#)
[PMIA Average Monthly Yields](#)

ORANGE COUNTY COUNCIL OF GOVERNMENTS

TREASURER
3972 BARRANCA PKWY
SUITE J127
IRVINE , CA 92606

[Tran Type Definitions](#)

Account Number: 40-30-020

May 2020 Statement

Account Summary

Total Deposit:	0.00	Beginning Balance:	290,175.09
Total Withdrawal:	0.00	Ending Balance:	290,175.09



PMIA/LAIF Performance Report as of 05/14/20



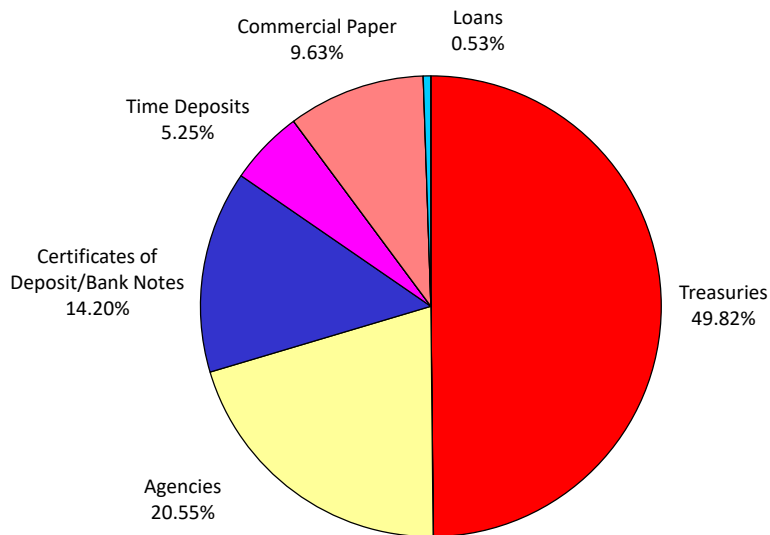
PMIA Average Monthly Effective Yields⁽¹⁾

Apr	1.648
Mar	1.787
Feb	1.912

Quarterly Performance Quarter Ended 03/31/20

LAIF Apportionment Rate ⁽²⁾ :	2.03
LAIF Earnings Ratio ⁽²⁾ :	0.00005535460693046
LAIF Fair Value Factor ⁽¹⁾ :	1.007481015
PMIA Daily ⁽¹⁾ :	1.73%
PMIA Quarter to Date ⁽¹⁾ :	1.89%
PMIA Average Life ⁽¹⁾ :	208

Pooled Money Investment Account Monthly Portfolio Composition ⁽¹⁾ 04/30/20 \$103.6 billion



Percentages may not total 100% due to rounding

Daily rates are now available here. [View PMIA Daily Rates](#)

Notes: The apportionment rate includes interest earned on the CalPERS Supplemental Pension Payment pursuant to Government Code 20825 (c)(1) and interest earned on the Wildfire Fund loan pursuant to Public Utility Code 3288 (a).

Source:

⁽¹⁾ State of California, Office of the Treasurer

⁽²⁾ State of California, Office of the Controller

**Orange County Council of Governments
Cash Receipts/Disbursements Report
For the Quarter ending June 30, 2020**

Cash Receipts

Date	Payer	Description	Amount
4/2/2020	WePay	General Assembly Registrations	2,319.61
4/30/2020	Local Agency Investment Fund	Quarterly Interest	1,453.09
			3,772.70

Cash Disbursements

Date	Check #	Payee	Description	Amount
04/24/2020		Citizens Business Bank	April Service Charge	(36.81)
04/30/2020	1542	CSU Fullerton Auxillary Services	3rd Quarter Demographic Research	(25,077.90)
	1543	CSU Fullerton Auxillary Services		-
04/30/2020		(May 1 Check)		
04/30/2020	1544	Communications Lab	Social Media/Web Site March 2020	(1,250.00)
04/30/2020	1545	Lisa Telles	General Assembly Special Events	(880.00)
04/30/2020	1546	Connected Consulting	Executive Director April 2020	(10,802.99)
04/30/2020	1547	Kathryn Morrison	Administrative Assistant April 2020	(1,375.00)
04/30/2020	2035	John Hanson	March/April Treasurer Services/Mileage	(504.35)
04/30/2020	2036	Aleshire & Wynder, LLP	Legal March 2020	(1,116.00)
04/30/2020	2037	Eileen White	March, April Clerk of the Board	(5,115.00)
04/30/2020	2038	VOID		-
04/30/2020	2039	Wendy J Strack Consulting	Strategy and Advocacy Services April 2020	(2,500.00)
5/1/2020	1543	CSU Fullerton Auxillary Services		(25,077.90)
			4th Quarter Demographic Research	
5/29/2020	2040	Communications Lab	Social Media/Web Site April 2020	(1,250.00)
5/29/2020	2041	Kathryn Morrison	Administrative Assistant May 2020	(1,250.00)
5/29/2020	2042	Wendy J Strack Consulting	Strategy and Advocacy Services May 2020	(2,500.00)
5/29/2020	2043	John Hanson	April/May Treasurer Services/Mileage	(686.07)
5/29/2020	2044	City of Placentia	Refund General Assembly Registration	(157.50)
5/29/2020		Citizens Communication Bank	Service charges	(39.58)
5/29/2020	1548	Connected Consulting	Executive Director May 2020	(10,802.99)
5/29/2020	1549	Aleshire & Wynder, LLP	Legal April 2020	(4,464.00)
5/29/2020	1550	CJPIA	General Liability Inurance 2020/21	(11,500.00)
				(106,386.09)



AGENDA ITEM #3

Concur with SCAG's Revisions to the Form Participant Agreements for Orange County Data Acquisition Partnership (OCDAP)

SUMMARY

Request OCCOG Board concur with SCAG's revisions to the form Participation Agreements with interested agencies approved by the OCCOG Board in May 2020.

BACKGROUND

Orange County agencies are partnering with SCAG to pool resources to purchase online and GIS-accessible aerial imagery for Orange County. This is tiered off of LA County's collaborative GIS effort known as LARIAC (Los Angeles Region Imagery Acquisition Consortium). <https://egis3.lacounty.gov/dataportal/lariac/>

At its May 28, 2020 meeting, the OCCOG Board approved the form Participation Agreement and authorized the OCCOG Executive Director to execute each separate Participation Agreement between OCCOG, SCAG and interested Orange County agencies.

By way of background, this joint effort will reduce the cost of purchasing aerial imagery and other GIS information that can be used by all departments within an agency without the need for GIS software by including a user-friendly, non-GIS platform; GIS users would have access to GIS data. Cycle 1 will include 3-inch pixel aerial/ortho imagery, infrared, and building footprints. The services will include in-person training, webinars, and additional support. Imagery and reference information is planned for early summer 2020, which would provide a critical baseline reference for the 2020 U.S. Decennial Census, CDR's 2022 Orange County Projections (OCP) and the 2024 RTP/SCS. Some of the goals are to reduce or eliminate duplicate purchases across the region, reduce costs using economies of scale, and allow for unlimited and cross-departmental users within an agency. Some sample uses are:

- Reference/point-in-time snapshots
- Measuring height of buildings, distance between manhole openings, curb-to-curb
- Counting number of floors in a building
- Sidewalk analyses
- Tree canopy coverage
- Vegetation coverage

The total project cost for Cycle 1 is \$383,603. SCAG has selected Eagle Aerial/Pictometry as the vendor and will handle the contract procurement. Currently, 16 agencies have indicated



participation and full funding has been reached to proceed with the project. Project details, data, and fees have been discussed and worked out via a small working group of participating Orange County agencies, which include water agencies, cities, and other special districts. For the FY2019/20 budget, the OCCOG Board approved a budget that included a contribution of \$20,000 to assist in lowering the cost for participating Orange County agencies; this is being carried over into FY2020-21. Several agencies are still considering joining and those interested in participation should contact Javier Aguilar, SCAG: (213) 236-1845 aguilar@scag.ca.gov.

At its February 2020 meeting, the OCCOG Board authorized OCCOG to take the lead in invoicing the participating agencies in Cycle 1 for the OCDAP. OCCOG will collect the funds and send them to SCAG. A Participation Agreement (PA) will need to be signed by each agency participating in Cycle 1 of OCDAP; the PA will also be signed by OCCOG, which will be invoicing and collecting the funds, and SCAG who is handling the procurement of the vendor contract. Copies of the PA will be prepared and distributed by SCAG for signature; this is expected to occur in late June or early July 2020. Each participating agency will also be required to sign a non-disclosure agreement, attached as an exhibit to the PA, requiring it and its employees, consultants and subcontractors to use the imagery solely on projects that are outsourced from its own operations.

SCAG has received sufficient notices of interest from participating agencies and is taking the contract with Pictometry to its Executive and Administration Committee (EAC) on Monday, June 22, 2020 for approval.

DISCUSSION

At its May 28, 2020 meeting, the OCCOG Board authorized the OCCOG Executive Director to sign separate Participation Agreements with interested agencies in the same form as attached to the May 28 staff report, as may be received from Orange County agencies for OCDAP Cycle 1. Since the May 28 meeting, SCAG staff reached out to the OCDAP working group and informed them that there were additional items and clarifications it required to include in the Participation Agreement after further review by multiple departments within SCAG. Though the working group was told by SCAG staff in mid-May that the PA was finalized, which is why it was brought to the Board on May 28, the working group met again on June 17 to go over SCAG's additional changes. The additional changes are attached in redline format. The most significant substantive change pertains to the dispersal of any surplus funds if the program does not continue past Cycle 1. SCAG wanted to ensure that any excess funds collected by OCCOG that are returned to the local agencies also include SCAG on a proportional basis since SCAG is contributing significant funding. The other changes confirm that any agency that drops out in subsequent cycles forfeits any excess funds that would be available following Cycle 1. Finally, OCCOG's General Counsel clarified the indemnification provision.



The OCDAP working group generally concurred that SCAG’s proposed revisions are reasonable in light of the strong expectation that Cycle 2 will also move forward and communicated their understanding that their separate agencies would approve the revised PA. OCCOG Legal Counsel provided further clarifications to SCAG’s proposed changes and finds the draft provided with this report acceptable.

ATTACHMENTS

- A. Striked changes version of the Cycle 1 Participation Agreement for the Orange County Data Acquisition Partnership
- B. OCDAP FAQ

RECOMMENDED ACTION

Concur with SCAG’s revisions to the form Participation Agreements with interested agencies approved by the OCCOG Board in May, 2020 and Authorize the OCCOG Executive Director to sign the revised form Participation Agreements for the Orange County Data Acquisition Partnership (OCDAP) Cycle 1.

STAFF CONTACTS

Marnie O’Brien Primmer
OCCOG Executive Director
marnie@occog.com
(949) 698-2856

Fred Galante
OCCOG Counsel
fgalante@awattorneys.com
(949) 223-1170

**ORANGE COUNTY DATA ACQUISITION PARTNERSHIP (OCDAP)
Participation Agreement between the Southern California Association of
Governments, Orange County Council of Governments and [local agency name]**

THIS ORANGE COUNTY DATA ACQUISITION PARTNERSHIP (OCDAP) PARTICIPATION AGREEMENT (“Agreement”) is made and entered into this XX day of XX 2020, by and between [local agency name], hereinafter referred to as “[Local Agency]”, Orange County Council of Governments, hereinafter referred to as “OCCOG” and the Southern California Association of Governments, hereinafter referred to as “SCAG” (hereinafter collectively also the “Parties”).

RECITALS

WHEREAS, the County of Los Angeles established a Los Angeles Region Imagery Acquisition Consortium (LARIAC) to lead the acquisition of purchasing Digital Aerial Data, in partnership with cities and agencies to reduce costs and enable participants to acquire more data than would be possible individually;

WHEREAS, the County of Los Angeles entered into an agreement with Pictometry International Corp. (“Pictometry”) dated December 2013, including duly-approved amendments and/or addenda thereto, (collectively, the “LAC Agreement”) after a competitive process, and each Party signing this Agreement acknowledges it has been provided a copy of such LAC Agreement, a true and correct copy of which is available at https://scag-my.sharepoint.com/:f/g/personal/aguilar_scag_ca_gov/EqDGf9DeuuZFmLfG3yq8nuMBJAMpNHIX_HhmV6fnZ5Dujg?e=K72q5I.

WHEREAS, the LAC Agreement provides that an External Entity (i.e., City, County, Joint Powers Authority or any governmental entity) may license or otherwise acquire rights to Digital Aerial Data outside of Los Angeles County pursuant to the pricing and other terms of the LAC Agreement;

WHEREAS, SCAG meets the criteria necessary to be an External Entity and SCAG therefore qualifies for the same pricing as the LAC Agreement, and, pursuant to its rights as an External Entity, SCAG is authorized to enter into this Agreement with OCCOG and the Local Agency;

WHEREAS, SCAG and Orange County agencies wish to enter into an agreement to obtain Digital Aerial Data to leverage the same pricing as the LAC Agreement. The group of participating agencies is known as the Orange County Data Acquisition Partnership (“OCDAP”);

WHEREAS, SCAG entered or will enter into an Agreement with Pictometry for Digital Aerial Data (“SCAG Agreement”) for the Orange County Data Acquisition Partnership Project (“Project”), which is substantially in the form attached to this Agreement as Attachment A. The Project includes one (1) cycle of data capture anticipated to begin in June 2020 for the period of July 2020 – June 2022 (“Cycle 1”);

WHEREAS, the Parties intend for any funds contributed under this Agreement in excess of the SCAG Agreement cost to be allocated toward a cycle two (2) of data capture anticipated for the period of July 2022- June 2024 (“Cycle 2”), and to execute an amendment to this Agreement or new participation agreement for Cycle 2;

WHEREAS, the Parties recognize the need to invest in Digital Aerial Data to conduct local and regional planning and to evaluate current and future legislative and regulatory proposals and wish to utilize the Digital Aerial Data from the SCAG Agreement;

WHEREAS, OCCOG is responsible for invoicing the Parties for the Project in Cycle 1;

WHEREAS, the Parties wish to enter into this Agreement to outline the roles and responsibilities for the Project: and

WHEREAS the “Recitals” are incorporated herein by this reference:

TERMS OF AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the Parties hereby agree as follows:

1. Compensation

The Local Agency will compensate SCAG as described in Section 4 for the Digital Aerial Data, described in Section 2 for the data capture in 2020 for Cycle 1. The total cost of Cycle 1 is \$383,603.10. The next geospatial data capture is expected in 2022 (“Cycle 2”). Agencies participating in Cycle 1 are not obligated to participate in Cycle 2. Regardless of whether the Local Agency chooses to participate beyond Cycle 1, the Local Agency is authorized to possess and use the Cycle 1 Digital Aerial Data described in Section 2 for its organizational purposes in perpetuity, subject to the use provisions set forth in Section 3 and disclosure provisions of Section 5. If applicable, an amendment to this Agreement or separate participation agreement will be executed by the Parties for Cycle 2 and the distribution of funds for Cycle 2 will be addressed separately by such amendment or separate participation agreement. In such event, funds received in excess of the Cycle 1 costs shall be applied to Cycle 2. In the event that the Local Agency determines not to participate in Cycle 2, funds paid in excess of the Cycle 1 costs, shall be forfeited. If the OCDAP does not continue past Cycle 1, any funds collected by OCCOG in excess of the Cycle 1 costs shall be returned to the Local Agencies and SCAG in proportion to their separate contributions.

2. Digital Aerial Data Description

- A. Digital Imagery: 3-inch resolution, 4 band (red, green, blue, and near infrared) true natural color digital orthophoto/ortho-rectified data covering Orange County as shown in the map in Attachment B, attached hereto and incorporated herein by this reference. Digital imagery will be provided in the following formats: GeoTIFF tiles and mosaic of ECW or Mr.SID tile format (which includes seamline generation, radiometric balancing and final color balancing to ensure seamless consistent coverage of the area of interest). These data will be California State Plane Coordinate System, Zone 6 (US feet), Datum NAD 83.
- B. Building footprints: Outlines of building footprints for structures that are 300 square feet or greater will be provided for all Orange County in shapefile format with z values. These data will be California State Plane Coordinate System, Zone 6 (US feet), Datum NAD 83. The vertical datum will be North American Vertical Datum of 1988 (NAVD88), US Feet.
- C. Pursuant to the terms of the LAC Agreement, which is fully incorporated herein by reference, the Parties will have access and use of all imagery collected and processed through the online viewing software hosted by Pictometry through the LAC Agreement or be provided copies of the data by SCAG as described in Section 3.

3. Data Delivery

When possible, the digital data will be provided electronically through the online platform hosted by Pictometry or through File Transfer Protocol (FTP) by SCAG. Alternatively, upon request and receipt of a hard drive from the Local Agency, the digital imagery data will be provided by SCAG on such hard drive within 30 days of receipt by SCAG, subject to any use restrictions set forth in the agreement between SCAG and Pictometry or the LAC Agreement.

4. Invoicing/Payment

OCCOG, on behalf of SCAG, will submit an invoice to the Local Agency for **SXXX** as payment for Cycle 1 Digital Aerial Data. The Local Agency will submit payment to OCCOG within 30 days. This will be a line item invoice for those agencies that also receive an annual invoice for OCCOG dues (for OCCOG member agencies) and CDR fees. OCCOG shall invoice the Parties in July 2020. OCCOG will remit collected payments to SCAG within three months of invoicing Parties. In the event payment is not received by OCCOG from the Local Agency, the Local Agency will be denied access to the online data platform and will not receive copies of the data from SCAG.

The parties further understand and acknowledge that if SCAG does not proceed to approve the SCAG Agreement, this Agreement shall be deemed null and void and the parties will have no further obligations.

5. Disclosure of Information

The Local Agency may distribute the Digital Aerial Data to its subcontractors or consultants on projects that are outsourced from its own operations. The Local Agency shall require each subcontractor or consultant to whom the Digital Aerial Data is transferred or distributed to execute a written acknowledgement and agreement provided as Attachment C, Orange County Data Acquisition Partnership (OCDAP) Authorized User Confidentiality and Non-Disclosure Agreement, attached hereto and incorporated herein by this reference.

6. Representations and Warranties

SCAG warrants that the Digital Aerial Data does not and shall not violate: (a) any applicable law, rule, or regulation (“**Laws**”); or (b) any contracts with third parties; or (c) any third-party rights in any patent, trademark, copyright, trade secret, or any other proprietary or intellectual property right.

SCAG represents that it will identify, obtain and keep current all necessary licenses, approvals, permits and authorizations as may be required from time to time under applicable Laws and third-party contracts with respect to the Digital Aerial Data.

SCAG warrants that it has full authority and sufficient right, title, and interest in and to the Digital Aerial Data subject to the terms set forth in the LAC Agreement to grant and convey the rights accorded to the Local Agency under Section 32.

The Local Agency warrants that its use, grant, and conveyance of the Digital Aerial Data will not violate any applicable terms set forth in the LAC Agreement.

7. Indemnification

SCAG agrees to indemnify and defend the Local Agency and OCCOG against all third-party claims, liabilities, losses, expenses, suits, actions and causes of actions (including reasonable attorneys’ fees and legal expenses), fines, penalties, or damages (collectively, the “**Liabilities**”) to the extent such Liabilities

arise out of or result from: (a) the negligent acts or omissions, the willful or intentional misconduct of SCAG or its employees, subcontractors or agents, in the course of providing the Digital Aerial Data; (b) SCAG's breach of the terms of this Agreement; or (c) any claim that any of Digital Aerial Data provided by SCAG infringes or misappropriates a third party's intellectual property rights.

The Local Agency agrees to indemnify and defend SCAG and OCCOG, ~~its~~ their directors, officers and employees, against all Liabilities to the extent such Liabilities arise out of or result, from: (a) the negligent acts or omissions, the willful or intentional misconduct of Local Agency or its employees, subcontractors or agents under this Agreement; or (b) Local Agency's breach of the terms of this Agreement.

8. Amendments

No alteration or deviation of the terms of this Agreement shall be valid unless made in writing and properly executed by the Parties.

9. Notices

Any notice or notices required or permitted to be given pursuant to this Agreement may be personally served on the other party by the party giving such notice, or may be served by certified mail, return receipt requested, to the following addresses:

To SCAG: **Basil Panas**
Chief Financial Officer
Southern California Association of Governments
900 Wilshire Blvd., Suite 1700
Los Angeles, CA 90017
Phone: (213) 236-1817
panas@scag.ca.gov

To OCCOG: **Marnie Primmer**
Executive Director
Orange County Council of Governments
3972 Barranca Pkwy., Suite J-127
Irvine, CA 92606

To **Local Agency Name:**

10. Force Majeure

No Parties shall be liable or deemed to be in default for any delay or failure in performance under this Agreement or interruption of services resulting, directly or indirectly, from acts of God, civil or military authority, acts of public enemy, war, strikes, labor disputes, pandemics, or any other similar cause beyond the reasonable control of the Parties.

11. Entire Agreement

This Agreement represents and contains the entire agreement of the Parties with respect to the matters set forth herein. This Agreement supersedes any and all prior negotiations, discussions and, if any, previous agreements between the Parties.

12. Execution of Agreement or Amendment

This Agreement, or any amendment related thereto (Amendment), may be executed in multiple counterparts, each of which shall be deemed to be an original, but all of which shall constitute one and the same agreement. The signature page of this Agreement or any Amendment may be executed by way of a manual or authorized digital signature. Delivery of an executed counterpart of a signature page to this Agreement or an Amendment by electronic transmission scanned pages shall be deemed effective as a delivery of a manually or digitally executed counterpart to this Agreement or any Amendment.

**SIGNATURE PAGE TO
ORANGE COUNTY DATA ACQUISITION PARTNERSHIP (OCDAP) AGREEMENT**

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized representatives as of the dates indicated below:

By
XXX
Local agency name

By
Basil Panas
Southern California Association of Governments

Date

Date

By
Marnie Primmer, Executive Director
Orange County Council of Governments

Date

ATTACHMENT “A”

SCAG AGREEMENT FOR THE ORANGE COUNTY DATA ACQUISITION PARTNERSHIP PROJECT

AND

ATTACHMENT “B”

ORANGE COUNTY DATA ACQUISITION PARTNERSHIP (OCDAP)
SECTOR MAP/AERIAL IMAGERY COVERAGE AREA

[See Following Pages]

**LAC EXTERNAL ENTITY AGREEMENT BETWEEN
PICTOMETRY INTERNATIONAL CORP. (“Pictometry”) AND
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (“SCAG” OR “CUSTOMER”)**

Whereas, Pictometry is a party to an Agreement By and Between County of Los Angeles and Pictometry for Digital Aerial Data dated December 2013 (the “LAC Agreement”); and

Whereas the LAC Agreement provides that an External Entity (as defined in the LAC Agreement) may license or otherwise acquire rights to digital aerial data outside of Los Angeles County pursuant to or based upon the pricing and/or other terms set forth in Exhibit C (Schedule for External Entities) of the LAC Agreement; and

Whereas, Customer meets the criteria necessary to be an External Entity; and

Whereas, Customer wishes to obtain certain Pictometry products and services as an External Entity based upon the LAC Agreement;

Now therefore, Customer and Pictometry hereby agree as follow

1. This order form (“Order Form”), in combination with certain provisions of the LAC Agreement identified below and the contract components listed below and attached hereto:

Section A: Product Descriptions, Prices and Payment Terms
Section B: Non-Standard Terms and Conditions
Appendix I: Photogrammetric Product Specifications
Sector Map

(all of which, collectively, constitute the “SCAG Agreement”), which sets forth the entire understanding between Pictometry and Customer with respect to the subject matter hereof and supersedes all prior representations, agreements and arrangements, whether oral or written, relating to the subject matter hereof. Modifications to the SCAG Agreement must be made in writing and be signed by duly authorized officers of each party. Any purchase order or similar document issued by Customer in connection with this SCAG Agreement is issued solely for Customer’s internal administrative purposes and the terms and conditions set forth on any such purchase order shall be of no force or effect as between the parties.

2. In the event of any conflict among any contract components comprising the SCAG Agreement, order of precedence for resolving such conflict shall be, from highest (i.e., supersedes all others) to lowest (i.e., subordinate to all others): Non-Standard Terms and Conditions (if any), Photogrammetric Product Specifications (if any), and Order Form (including provisions incorporated from the LAC Agreement).
3. All notices under the SCAG Agreement shall be in writing and shall be sent to the following respective addresses:

CUSTOMER NOTICE ADDRESS	PICTOMETRY NOTICE ADDRESS
818 West 7th Street,	25 Methodist Hill Drive
12th Floor	Rochester, NY 14623
Los Angeles, CA 90017-3435	Attn: Contract Administration
Attn: Javier Aguilar, Senior Regional Planner	Phone: (585) 486-0093

Either party may change their respective notice address by giving written notice of such change to the other party at the other party’s then-current notice address. Notices shall be given by any of the following methods: personal delivery; reputable express courier providing written receipt; or postage-paid certified or registered United States mail, return receipt requested. Notice shall be deemed given when actually received or when delivery is refused.

4. All of the SCAG Agreement, including all licenses granted pursuant to it, shall be binding upon and inure to the benefit of the parties hereto, their successors and permitted assigns, but shall not be assignable by either party except that (i) Pictometry shall have the right to assign its right to receive Fees under the SCAG Agreement, provided no such assignment shall affect Pictometry’s obligations hereunder, and (ii) Pictometry shall have the right to assign all its rights under the SCAG Agreement to any person or entity, provided the assignee has assumed all of Pictometry’s obligations under the SCAG Agreement.
5. Customer shall have the rights set forth in Section 10 of the LAC Agreement to use the products and services described in Section

A to the SCAG Agreement.

6. The products and services described in Section A to the SCAG Agreement are provided to Customer subject to the provisions of Sections 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 28, 30, 31, 32, 33, 34, 35, 39, 40, 41, 42, 43, 53, 54, 55, 56, 57, and 58 of the LAC Agreement as if those provisions were set forth herein, *mutatis mutandis*.
7. In consideration of, and subject to, payment by Customer of the Fees specified in Section A of the SCAG Agreement, Pictometry agrees to provide Customer with access to and use of the products specified in Section A of the SCAG Agreement, subject to the terms and conditions set forth in the SCAG Agreement.
8. Customer hereby agrees to pay the Fees specified in Section A of the SCAG Agreement in accordance with the stated payment terms and accepts and agrees to abide by the terms of the SCAG Agreement.

The SCAG Agreement shall become effective upon execution by duly authorized officers of the Customer and Pictometry and receipt by Pictometry of such fully executed document, such date of receipt by Pictometry being the "Effective Date."

PARTIES:

CUSTOMER	PICTOMETRY
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS	PICTOMETRY INTERNATIONAL CORP.
a political subdivision of the State of California	a Delaware corporation
SIGNATURE:	SIGNATURE:
NAME:	NAME:
TITLE:	TITLE:
DATE:	EXECUTION DATE:
	DATE OF RECEIPT (EFFECTIVE DATE)

SECTION A

PRODUCT DESCRIPTIONS, PRICES AND PAYMENT TERMS

Pictometry International Corp.
 25 Methodist Hill Drive
 Rochester, NY 14623

ORDER #
C11074408

BILL TO
Southern California Association of Governments
Javier Aguilar, Senior Regional Planner
818 West 7th Street, 12th Floor Los Angeles, CA 90017-3435
(213) 236-1845
aguilar@scag.ca.gov

SHIP TO
Southern California Association of Governments
Javier Aguilar, Senior Regional Planner
818 West 7th Street, 12th Floor Los Angeles, CA 90017-3435
(213) 236-1845
aguilar@scag.ca.gov

CUSTOMER ID	SALES REP
A133917	bgarcia

QTY	PRODUCT NAME	PRODUCT DESCRIPTION	LIST PRICE	DISCOUNT PRICE (%)	AMOUNT
948	IMAGERY-Color Digital Orthophotography Four Band-3in GSD-Industry-Stnd Delivery Format-per sq mi	Product includes: Color Digital Orthophotography Four Band - 3 inch GSD ("CDO4") consists of 3-inch GSD ortho mosaics delivered to Customer in an open industry-standard digital delivery format not proprietary to Pictometry. See Appendix for mosaic specifications and selected delivery format. Customer shall own the copies of the CDO4 delivered to the Customer in an industry-standard digital delivery format not proprietary to Pictometry pursuant to this Agreement (the "CDO4 Deliverables"), notwithstanding anything in this Agreement to the contrary. Pictometry shall retain copies of the CDO4 Deliverables and shall own those copies. Applicable Terms and Conditions: Order Form	\$325.00	\$225.00 (30.769%)	\$213,300.00
685,354	Third Party Planimetrics	Planimetrics provided by third-party vendor. Refer to attached Appendix for specifications. Applicable Terms and Conditions: Order Form	\$0.15		\$102,803.10
2	Pictometry Connect - CA - 1000	Pictometry Connect - CA - 1000 (Custom Access) provides up to 1000 concurrent authorized users the ability to login and access the Pictometry-hosted custom imagery libraries specified elsewhere in this Agreement via a web-based, server-based or desktop integration. The default deployment is through web-based Pictometry Connect. Term commences on date of activation. The quantity represents the number of years in the Connect term. Applicable Terms and Conditions: Online Services General Terms and Conditions; Software License Agreement	\$30,000.00		\$60,000.00
1	AccuPLUS Project Fee - PICT DTM	AccuPLUS project fee for projects without customer-supplied DTM. Applicable Terms and Conditions: Delivered Content Terms and Conditions of Use	\$7,500.00		\$7,500.00
1	RapidAccess - Disaster Response Program	RapidAccess - Disaster Response Program is an emergency response program offering flights after an emergency or disaster. Refer to the attached detailed description of the Disaster Response Program. Applicable Terms and Conditions: Order Form	\$0.00		\$0.00
1	AccuPlus Imagery Bundle w/ Two(2) Yrs of EFS Maint & Support	Includes digital copy of the Licensed Documentation for the License Software, two (2) End User Training Sessions, one (1) Advanced User Technical Training, one (1) Administration / IT Training Session, ten (10) hours of telephone support, one copy of Pictometry Electronic Field Study (EFS) software, latest version, on the storage media specified herein, and access to download updated versions of the EFS Licensed Software for a period of two years from the initial date of shipment of the EFS software, along with a copy of the updated documentation. Applicable Terms and Conditions: Software License Agreement	\$0.00		\$0.00

QTY	PRODUCT NAME	PRODUCT DESCRIPTION	LIST PRICE	DISCOUNT PRICE (%)	AMOUNT
1	Media Drive Capacity 931G - Drive Model 1T - EXTPOWER	External USB 2.0 / eSATA Externally Powered. Delivery media prices include copying a complete image library onto media. Sub-warehousing sold separately. Applicable Terms and Conditions: Order Form	\$199.00	\$0.00 (100%)	\$0.00
1	Pictometry for Esri Web AppBuilder	Pictometry for Esri Web AppBuilder is a server based widget for installation on Customer's server that allows users with valid Pictometry Connect accounts to access oblique and orthogonal imagery within web applications authored using Web AppBuilder for ArcGIS (Developer Edition) available separately from Esri. Requires a Pictometry Connect account. Applicable Terms and Conditions: Software License Agreement	\$1,990.00	\$0.00 (100%)	\$0.00
2	CONNECT ImageService CA	Connect Image Service - CA (Custom Access) provides access via a secure web mapping service to existing orthomosaics available within Customer's Connect account. This service allows use by Customer each calendar month of a total number of image request transactions equal to the product resulting from multiplying (a) the number of concurrent users authorized to use the Connect Image Service pursuant to this Agreement, by (b) 1500 (such product being the "Monthly Image Request Limit"). To the extent use of the Connect Image Service pursuant to this Agreement results in a total number of image request transactions in excess of the Monthly Image Request Limit, Pictometry may review the usage with Customer, increase the price for Customer's Connect Image Service with Customer's consent or, in Pictometry's discretion, suspend further access by Customer to the Connect Image Service. This offering is provided solely for internal use within Customer's organization. Customer must maintain an active paid Pictometry Connect account in order to utilize the Connect Image Service. Applicable Terms and Conditions: Online Services General Terms and Conditions	\$2,000.00	\$0.00 (100%)	\$0.00
2	Pictometry Connect View - CA	Pictometry Connect View - CA (Custom Access) provides visualization-only access to the Pictometry-hosted custom imagery libraries specified elsewhere in this Agreement via a web application or server based integration. Requires a customer-provided web application or server based application. With respect to imagery available through this product to third parties or the Public, Pictometry reserves the right to reduce the resolution of the imagery available. Term commences on date of activation. The quantity represents the number of years in the Connect term. Applicable Terms and Conditions: Web Visualization Offering Terms and Conditions	\$750.00	\$0.00 (100%)	\$0.00
1	Integrated Pictometry Application	Integrated Pictometry Applications are web based technologies that allow a developer to embed a web instance into a product / application that connects to a customers Licensed Pictometry-hosted imagery. Currently supports JavaScript / iFrame applications for both Visualization (External or Public Facing) use and/or Analytics (Internal with Measurement Tools) use. Requires a Pictometry Connect or Pictometry Connect PFW / View Account depending on use type. Applicable Terms and Conditions: Online Services General Terms and Conditions; Software License Agreement	\$1,990.00	\$0.00 (100%)	\$0.00

Thank you for choosing Pictometry as your service provider.	TOTAL	\$383,603.10
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¹Amount per product = ((1-Discount %) * Qty * List Price)

FEES; PAYMENT TERMS

All amounts due to Pictometry pursuant to this Agreement ("Fees") are expressed in United States dollars and do not include any duties, taxes (including, without limitation, any sales, use, ad valorem or withholding, value added or other taxes) or handling fees, all of which are in addition to the amounts shown above and, to the extent applicable to purchases by Customer, shall be paid by Customer to Pictometry without reducing any amount owed to Pictometry unless documents satisfactory to Pictometry evidencing exemption from such taxes is provided to Pictometry prior to billing. To the extent any amounts properly invoiced pursuant to this Agreement are not paid within thirty (30) days following the invoice due date, such unpaid amounts shall accrue, and Customer shall pay, interest at the rate of 1.5% per month (or at the maximum rate allowed by law, if less). In

In addition, Customer shall pay Pictometry all costs Pictometry incurs in collecting past due amounts due under this Agreement including, but not limited to, attorneys' fees and court costs.

Due at Signing	\$79,963.27
Due at Initial Shipment of Imagery	\$111,838.28
Due at First Anniversary of Shipment of Imagery	\$191,801.55
Total Payments	\$383,603.10

PRODUCT PARAMETERS

ACCUPLUS IMAGERY

Product: IMAGERY-Color Digital Orthophotography Four Band-3in GSD-Industry-Stnd Delivery Format-per sq mi
Coverage Area Format: Shapefile
Leaf: Leaf On: Foliage on trees and shrubs will likely be present

CONNECT

Product: Pictometry Connect - CA - 1000
Admin User Name: Javier Aguilar
Admin User Email: aguilar@scag.ca.gov
Geofence: CA Orange
CA Los Angeles

Product: Pictometry Connect View - CA
Admin User Name: Javier Aguilar
Admin User Email: aguilar@scag.ca.gov
Geofence: CA Orange
CA Los Angeles

CONNECT-SERVER INTEGRATION

Product: Pictometry for Esri Web AppBuilder
Server Integration: Web AppBuilder (Both Visualization and Analytics)

Product: Integrated Pictometry Application
Server Integration: IPA (Both Visualization & Analytics)

RapidAccess—Disaster Response Program (“DRP”)

Customer is eligible for DRP described below from the Effective Date through the second anniversary of the initial Project delivery. Following payment to Pictometry of amounts due with respect to each subsequent Project, Customer will be eligible for the then-current DRP for a period of two years from delivery of such subsequent Project. Customer must be in good-standing with Pictometry to maintain eligibility for DRP.

- A. Disaster Coverage Imagery at No Additional Charge** – Pictometry will, upon request of Customer and at no additional charge, provide standard quality imagery of up to 200 square miles of affected areas (as determined by Pictometry) upon the occurrence of any of the following events during any period Customer is eligible for DRP:
- Hurricane:** areas affected by hurricanes of Category 2 and higher.
 - Tornado:** areas affected by tornados rated EF4 and higher.
 - Terrorist:** areas affected by damage from terrorist attack.
 - Earthquake:** areas affected by damage to critical infrastructure resulting from earthquakes measured at 6.0 or higher on the Richter scale.
 - Tsunami:** areas affected by damage to critical infrastructure resulting from tsunamis.
- B. Discounted Rate** – Coverage for areas affected by the events set forth above exceeding 200 square miles will be, subject to Pictometry resource availability, offered to Customer at the then current DRP rates. Also, coverage for areas affected by hurricanes below Category II, tornadoes below EF4 or earthquakes rated below 6.0 on the Richter scale will be, subject to Pictometry resource availability, offered to Customer at the then current DRP rates.
- C. Online Services – Use of Pictometry Connect Explorer™** – Pictometry’s DRP includes the use of Connect Explorer for a term of ninety days from the date of delivery of the DRP imagery. Customer shall have access to the DRP imagery for as long as they maintain an active Connect account.

SECTION B

NON-STANDARD TERMS AND CONDITIONS

1. Pictometry shall use commercially reasonable efforts to complete the image capture in this Agreement during the Summer of 2020 capture season. This is a target season only because the image capture process and the delivery dates may be affected by numerous conditions outside of Pictometry's control including weather, aircraft availability, and airspace permissions.

APPENDIX 1

PHOTOGRAMMETRIC PRODUCT SPECIFICATIONS

Color Digital Orthophotography

Product Overview:

Seamless, 4-band, digital ortho-mosaic produced from individual frames and tiled to County's preferred tiling scheme. Specifications and deliverables as follows:

Acquisition:

Frame Overlap: 60% forward/30% side

Capture Window: solar elevation >30 degrees or most optimal 4-hour window

Environmental Conditions: ground free of snow cover; imagery free of clouds, fog, haze, smoke, and dust

Camera System: Pictometry PentaView Sensor based system; dynamic range of 12 bits per band, RGB + NIR, resampled to 8 bits during processing

Ground Control:

Points surveyed to meet ASPRS Positional Accuracy Standards Edition 1 Version 1 – November 2014

Image Processing:

Aerial Triangulation: Pictometry will perform aerial triangulation utilizing post-processed exterior orientations, calibrated camera model(s), and specified ground control points as input to the aerial triangulation process. Aerial triangulation process to be performed using Trimble Inpho's Match-AT software.

Elevation Surface: Best available terrain model will be used to support orthorectification; if surface is found to be of insufficient accuracy/quality to support accuracy specifications, Pictometry will use automated surface extraction with limited manual editing to generate a surface to support generation of orthoimagery.

Orthorectification: Pictometry will use the triangulated exterior orientation values, calibrated camera interior orientation models, and the specified digital terrain model to perform the Orthorectification. When rectification requires a resampling of the source imagery, cubic convolution will be used.

Mosaicking: Global color balancing will be applied to all orthophotos to create homogeneous orthophotos within the project area. Local adjustments of brightness values, color, and contrast will be performed if needed. There will be no obvious seam edge between two adjacent orthophotos. Mosaic will be created using automated seamline steering, with manual edits to eliminate feature misalignment caused by seamlines which pass thru features above the elevation surface. Feature alignment across seamlines will be 3 pixels or better. When possible, seamlines will be steered away from elevated features to improve orthophoto quality. Final mosaic will be tiled and named according to the agreed upon schema for delivery or as specified below.

Tiling Schema: Imagery will be tiled according to mutually agreed upon schema.

Deliverables:

The following will be delivered:

3-inch GSD four-band (R,G,B,NIR) ortho mosaic tiles (GeoTIFF format; according to specified tiling schema)

3-inch GSD area-wide ortho mosaic (RGB, ECW format)

3-inch GSD area-wide ortho mosaic (RGB, MrSID format)

3-inch GSD area-wide ortho mosaic (CIR, ECW format)

3-inch GSD area-wide ortho mosaic (CIR, MrSID format)

FGDC compliant metadata

AT/Survey report

Orthomosaic Accuracy

3-inch GSD: RMSE(x or y) 0.75 ft; RMSE(r) 1.06 ft; NSSDA (95%) 1.84 ft

Third Party Planimetrics

Statement of Work

INTRODUCTION

Pictometry and its Subcontractor (DatasetSolutions) shall deliver under this Statement of Work (SOW) Building Representations collected from stereo imagery. The planimetric features (building representations) shall be topologically correct and meet the American Society for Photogrammetry and

Remote Sensing (ASPRS) accuracy standards for large scale class 1 maps for 1" = 100' (and 1" = 200' for some areas) mapping in order to be incorporated into existing participants' GIS systems.

DEFINITIONS

The following definitions shall apply throughout this SOW:

1. Building Representation

The term "Building Representation" shall mean Planimetric Feature representing the representation of an erect building (not under construction or ruin) that serves a primary business, government, or residential function.

SCOPE OF WORK

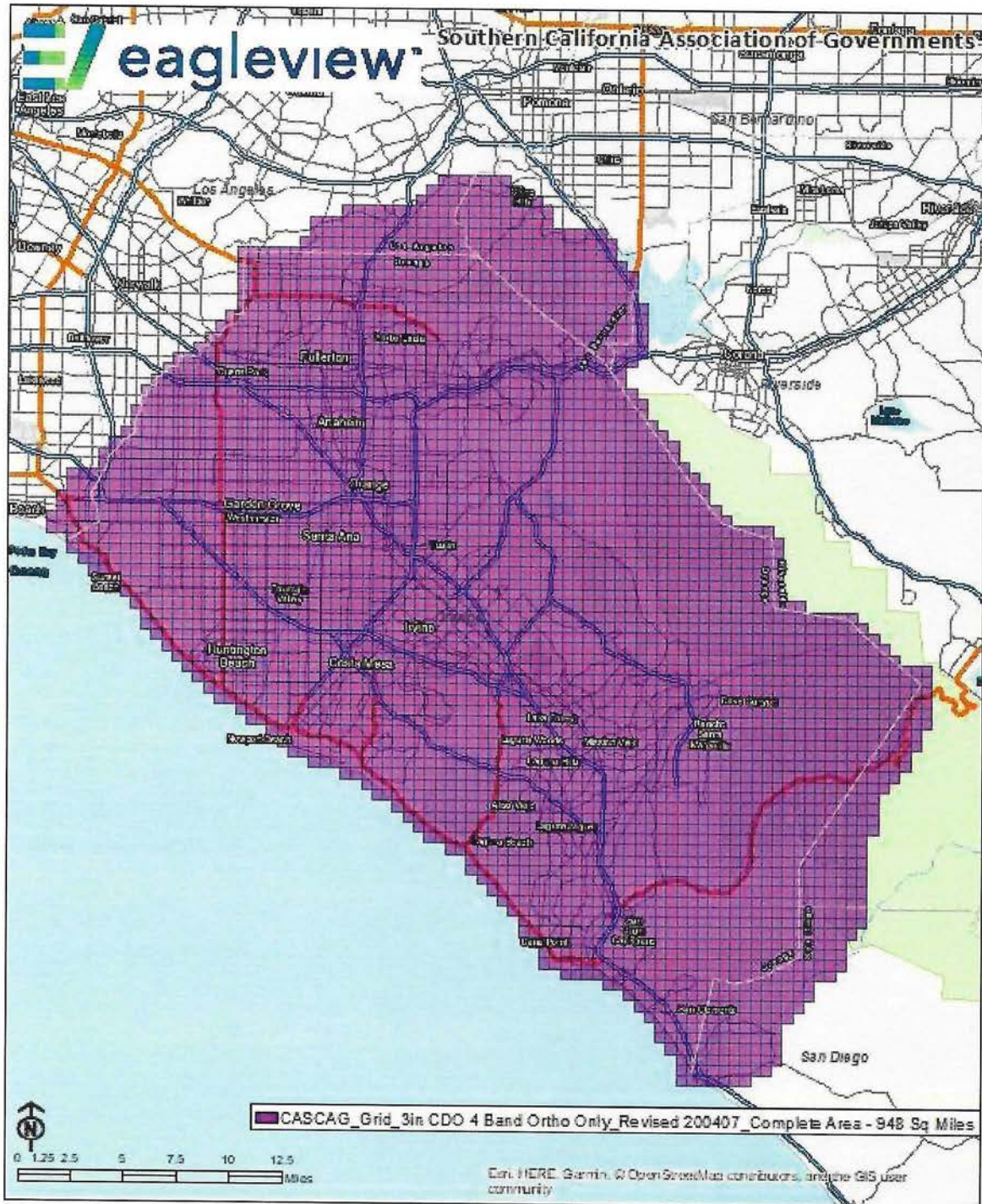
Utilization of stereo imagery to generate building representations with height attribution. This method will allow for data extraction without radial displacement and delineation of features obstructed by building lean.

1. Horizontal accuracy shall be consistent with Second Order, Class I, i.e. ninety- five percent (95%) confidence interval of 2 cm base error and 20 parts per million linear errors.
2. Data creation shall be constrained to American Society for Photogrammetry and Remote Sensing (ASPRS) accuracy standards for large scale class 1 maps for 1" = 100'.
3. Vertical datum shall be NAVD88. All vertical stations set will be tied directly to NGS monuments whose orthometric height was determined by differential leveling and adjusted by the NGS on, or after June 1995.
4. Units shall be U.S. Survey Feet.
5. All features will conform to the representative State Plane Coordinate System required by the customer.
6. Each enclosed building representation polygon shall contain two "z" (elevation) attributes representing the highest point on the building (building height above ground and mean sea level), excluding flagpoles, chimneys, and other features smaller than 4 square feet.
7. Original building IDs shall be maintained with new building IDs generated for buildings. A separate data set for demolished/removed building representations will also be created.

TESTED CHARACTERISTIC	MEASURE OF ACCEPTABILITY
Feature	Features captured will represent building representations for permanent structures that meet the minimum size requirements. This excludes RV parks.
Feature Types	<p>Primary building - Polygon enclosing all erect buildings (not under construction or ruin) that serve primary business and residential functions (i.e., houses, apartments, commercial facilities). Includes attached covered porches, permanent overhangs, carport roofs, covered sidewalks, etc. as part of the building. Do not show common rooflines (e.g., between town homes, or interior sections/firewalls in commercial buildings).</p> <p>Courtyard or Atrium - Polygon created inside a primary building that is fully encompassing of an open area.</p> <p>Secondary building - Polygon enclosing all erect buildings (not under construction or ruin) that serve as secondary or minor buildings (garage/outbuilding). Includes the following:</p> <p>Smokestack - A closed circle enclosing the base of a large cylindrical smokestack.</p> <p>Silo/Bin - Polygon enclosing a large cylindrical receptacle for farm product storage.</p> <p>Tank - Polygon enclosing commercial storage tank features (Oil, chemical and propane). Do not capture small private/residential propane tanks.</p> <p>Water tower - Polygon enclosing water tower.</p>

	Do not capture temporary structures such as construction trailers or tool storage sheds.
Vector data	Features should be closed polygons that are snapped and joined to create continuous segments without overruns and gaps.
Buildings/townhouses and parcels	Features will be cut by parcel lines (downtown core buildings only) unless extending 1' or less into the next parcel. In this case, it should be snapped to the parcel. Townhouses and contiguous buildings crossing parcel lines will not be cut.
Buildings connected by corridors, covers, and walkways	Each building portion shall be created or digitized as a separate polygon (when possible) .
Building generalization	Building shapes can be "interpreted" (and attributed as such) when factors such as shadows or occlusions exist.
Vertical or "Z" values and building IDs	Z-values for height above ground and mean sea level will be gathered from the highest point of the roof (rounded to the nearest 1/10 th of a foot). This excludes non-structural features such as chimneys, air conditioning units, antennas, and flag poles. Original building IDs will be maintained with new IDs generated for updated/new buildings. Demolished/removed building representations will be consolidated into a separate data set.
Minimum building size	Building shapes (polygons) should be created for all structures 20' X 20' (or 400 sq. ft.) or larger in size.
Minimum segment length	1.5' excluding awnings
Metadata	Meets minimum FGDC Content Standard.
Attribute Table Contents	Attribute contents shall include the following; <ul style="list-style-type: none"> • FID • Shape (Polygon) • ObjectID • BLD_ID • Height • Elevation • Source (imagery) • Area • Shape_Length • Shape_Area

SECTOR MAP

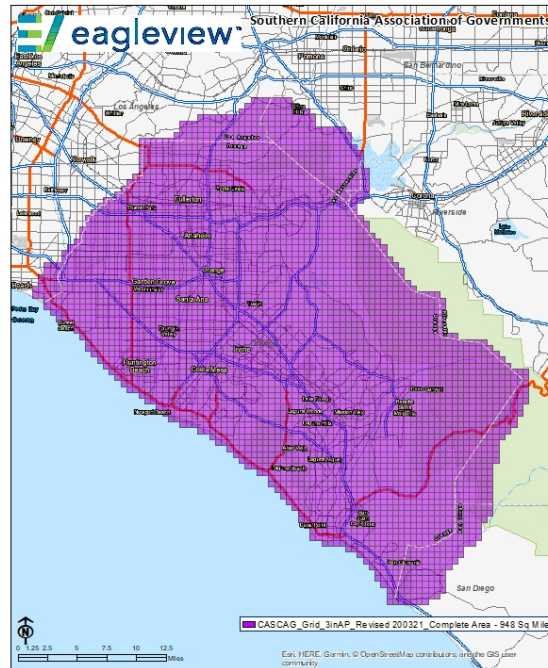




Coverage Map

Proposal for: Southern California Association of Governments
Project Name: Orange County - 3in CDO Four Band
Contract Term: 2 Year(s)

EagleView Rep: Brian Garcia
Expiration Date: 7/1/2020
Targeted Capture: 2020-c-Summer



This quote is non-binding, creates no legal rights, duties or obligations, expressed or implied, on either party, and shall become binding only in the event that Pictometry and Customer enter into a definitive agreement incorporating it. The pricing quoted above does not reflect applicable taxes, which will be reflected in any resulting definitive agreement with Customer. This quote is valid until the date shown above, after which it expires. All Discounts are approximate.

ATTACHMENT “C”

ORANGE COUNTY DATA ACQUISITION PARTNERSHIP (OCDAP)
AUTHORIZED USER CONFIDENTIALITY AND NON-DISCLOSURE AGREEMENT

[See Following Page]

**ORANGE COUNTY DATA ACQUISITION PARTNERSHIP (OCDAP)
AUTHORIZED USER CONFIDENTIALITY AND NON-DISCLOSURE AGREEMENT**

This ORANGE COUNTY DATA ACQUISITION PARTNERSHIP (“OCDAP”) AUTHORIZED USER CONFIDENTIALITY AND NON-DISCLOSURE AGREEMENT (“NDA”) is entered as of _____, 2020 by and between [Local Agency Name] and the undersigned entity (“Authorized User”).

1. Pictometry International Corp., a Delaware company with offices at 100 Town Centre Drive, Suite A, Rochester, NY 14623 (“Pictometry”), and the Southern California Association of Governments (“SCAG”) have entered into that certain agreement dated _____ (“Agreement”) for the delivery of licensed digital mapping data and software (“Licensed Products”) to SCAG. Under the Agreement, certain governmental entities, including SCAG departments and non-SCAG Authorized Participants, which participate in OCDAP (“OCDAP Member Agencies”) shall be granted copies of or otherwise provided access to the Licensed Products through a Participation Agreement (“Participation Agreement”) with SCAG.
2. Pursuant to the Participation Agreement and for purposes of this NDA, the OCDAP Member Agency includes [Local Agency Name].
3. Pursuant to Section 5 of the Participation Agreement, Licensed Products may only be accessed or otherwise used by other entities besides SCAG such as OCDAP Member Agencies. OCDAP Member Agencies in turn may choose to share Licensed Products with other partners, contractors or consultants that use the Licensed Products either at their facilities or for any Project (as defined below).
4. The undersigned (“Authorized User”) desires to use the Licensed Products solely for noncommercial use and for purposes no greater than reasonably needed to achieve the objectives of an actual project (“Project”).
5. The undersigned Authorized User understands and agrees that the Licensed Products contain trade secret and/or confidential information (“Confidential Information”) of Pictometry. Therefore, by signing this NDA, the Authorized User agrees that it will use, and require any of its authorized employees, agents or consultants to use, the Licensed Products solely for the Project, which is a nonexclusive, nontransferable and non-assignable right, from the effective date of this NDA in perpetuity. The Authorized User understands and hereby acknowledges that it shall be solely responsible for assuring its authorized employees, agents and consultants comply with the terms of this NDA and shall implement whatever methods it deems necessary to assure such compliance.

IN WITNESS WHEREOF, the undersigned Authorized User, by his/her authorized signature, agrees to all terms and conditions of this NDA as of the date set forth below.

AUTHORIZED USER:

Signature: _____ Address: _____
 Name: _____
 Organization: _____ City/Zip: _____
 Date: _____ Phone: _____
 Email: _____

[Local Agency Name]:

Signature: _____ Name: _____
 Date: _____ Title: _____

Jurisdiction	1 Price covers 2 years	Cycle 1 Participation?
Aliso Viejo	\$2,000	
Anaheim	\$5,000	yes
Brea	\$2,000	yes
Buena Park	\$2,000	Interested
Costa Mesa	\$2,000	yes
Cypress	\$2,000	
Dana Point	\$2,000	Cycle 2
Fountain Valley	\$2,000	yes
Fullerton	\$2,000	
Garden Grove	\$2,000	Interested
Huntington Beach	\$5,000	
Irvine	\$5,000	Interested
Laguna Beach	\$2,000	
Laguna Hills	\$2,000	yes
Laguna Niguel	\$2,000	yes
Laguna Woods	\$2,000	
La Habra	\$2,000	Interested
Lake Forest	\$2,000	Interested
La Palma	\$2,000	
Los Alamitos	\$2,000	
Mission Viejo	\$2,000	yes
Newport Beach	\$2,000	yes
Orange	\$2,000	Interested
Placentia	\$2,000	
Rancho Santa Margarita	\$2,000	
San Clemente	\$2,000	yes
San Juan Capistrano	\$2,000	
Santa Ana	\$5,000	yes
Seal Beach	\$2,000	
Stanton	\$2,000	
Tustin	\$2,000	Interested
Villa Park	\$2,000	
Westminster	\$2,000	Interested
Yorba Linda	\$2,000	yes
County of Orange	\$15,000	

Project cost for Cycle 1: \$383,603

Includes:

- 3" aerial/ortho imagery with infrared for all Orange County (tif, ecw...)
- Building Footprints
- Ability to download and retain local copies of above data to use in GIS and/or CAD systems software
- Vendor-hosted online software application for unlimited non-GIS users to view data listed above and perform data analysis
- Training for all participants
- One price for two years' worth of access

Committed Regional Agencies:

- SCAG- \$230,000
- MWDOC- \$50,000
- OCWD- \$50,000
- OCFA- \$62,275
- OCCOG- \$20,000
- Cities- \$28,000

Project funding: Reached

Draft pricing for jurisdictions is based on minimum base fee of \$2,000 that covers the online software/user-interface and aerial images.

CONTACT JAVIER AGUILAR IF INTERESTED IN PARTICIPATING BY MAY 31, 2020.

With unlimited user access, all departments within an agency can utilize the information to address their unique needs. This can be done on mobile devices or at their workstation instead of having to go out into the field.

Some example uses are:

- Reference/point-in-time snapshots
- Planning: Measuring height of buildings or setbacks
- Public Works: distance between manhole openings, curb-to-curb
- Fire: Counting number of floors in a building; locating fire hydrants
- Police: assessing access points on a building
- Sidewalk analyses
- Tree canopy coverage
- Vegetation coverage

Project Overview

Through the SCAG GIS Services Program and SCAG Future Communities Initiative, SCAG has worked to build a consortium in Orange County with local jurisdictions and partner agencies to procure and share orthogonal, obliques, building footprints, LiDAR and digital terrain imagery. Cycle 1 will have imagery flights completed to serve as a benchmark for the 2020 Decennial Census and RTP 2024 base year. Envisioned as a 10-year program with five two-year cycles, this data collaborative between Orange County and SCAG is part of a broader, region-wide effort SCAG is undertaking.

As part of the project, SCAG staff is helping to manage the project, assist to secure funds, host a consortium website, and coordinate activities with agency technical staff. Currently, a small group of staff from SCAG, Orange County jurisdictions, water districts, non-profits, and special districts are working to secure funds for the project, establish project parameters, and oversee the project. Meetings have been held around Orange County to discuss the project. Contact Javier Aguilar, SCAG at aguilar@scag.ca.gov to be included on the email distribution list regarding the project and future meetings.

Objectives

1. Obtain high accuracy aerial imagery (and related products) to support local agencies' needs, such as land use and asset monitoring, pre-engineering design, and geospatial analyses.
2. Unify imagery acquisition to improve communication among Orange County agencies and SCAG.
3. Eliminate duplicate imagery acquisitions for many agencies and leverage economies of scale to obtain more and better products.
4. Save taxpayer money and increase efficiency through collaboration.
5. Integrate aerial imagery and related products with the SCAG land use database and other geographic information system (GIS) layers.

What's Included in Cycle 1?

- Aerial imagery flown in late spring/early summer 2020
 - 3" aerial/ortho imagery with infrared for all Orange County (tif, ecw...)
 - Building Footprints
- Ability to download and retain local copies of above data to use in GIS and/or CAD systems software
- Vendor-hosted online software application for unlimited non-GIS users to view data listed above and perform data analysis
- Training for all participants
- One price for two years' worth of access

Timeline

- Ongoing - Outreach to OC agencies for participation
- SCAG RFP & vendor selection in late fall 2019
- Imagery flights in late June 2020
- Training and outreach on product beginning in summer 2020 & ongoing throughout Cycle 1
- Products available in late 2020
- Billing for Cycle 1 in ~July 2020 (FY2020/21)

FAQs

- Cycle 2 expected to include everything in Cycle 1 plus:
 - Obliques/45-degree angle aerial imagery
 - Contours
 - LiDAR (Light Detection and Ranging)— a remote sensing method used to examine the surface of the Earth
- An agency can sign up for one cycle at a time; this is not a 10-year commitment.
- If an agency needs to drop out in future cycles, they will still have access to their original cycle's data.
- Even if you only want some of the products, there is a minimum base fee on the pricing that covers the online software/user-interface and aerial images; no city will pay less than the \$2,000 base fee.
- Recognizing agencies may currently be in multi-year contracts, this information can be used for future budgeting and procurement.
- Cycles run for two fiscal years:
 - Cycle 1: July 2020-June 2022
 - Cycle 2: July 2022-June 2024
 - Cycle 3: July 2024-June 2026
 - Cycle 4: July 2026-June 2028
 - Cycle 5: July 2028-June 2030
- Aerials will be flown every two years
- LiDAR- about every 5-6 years (TBD)



AGENDA ITEM # 6

Approval of FY 2020-2021 OCCOG Budget

SUMMARY

The draft 2020-21 Budget is presented for Board review and feedback. The following are key points about the budget.

Programs and Work Plan items included in the FY 2020-21 Budget

- General Assembly will be held in Spring 2021
- New Orange County Data Acquisition Partnership
- Consultant services retained for financial bookkeeping, counsel, clerk of the board, executive director, legislative tracking and analysis, grant-writing, marketing/communications, general assembly support, video development, and administrative support

Revenues:

- Data Acquisition Collection, net of \$56,672 held in reserve by OCCOG
- Dues level will remain the same as June 2019/20 Budget
- CDR fees slightly by \$6,000 in total per previously approved MOU.

A mid-year budget adjustment will be required for the Board-approved REAP program to be submitted to SCAG this fall.

The draft FY 2020-21 Budget anticipates total revenues of \$607,506 and expenditures of \$605,970, for a net increase in fund balance of \$1,536 for the year. With an opening fund balance estimated at \$362,141, the ending fund balance at June 30, 2021 is projected to be \$363,677. Per the Board-approved reserve policy the funds held in reserve for emergency purposes are \$236,184.

STAFF RECOMMENDATION

Approve the OCCOG FY 2020-21 Budget as presented or amended.



ATTACHMENTS

- A. 2020-21 Budget, including details for OCDAP and General Assembly
- B. 2020-21 OCCOG Dues Schedule
- C. 2020-21 CDR Dues Schedule
- D. 2020-21 GA Budget Detail
- E. OCDAP Cycle Payment Log

STAFF CONTACT

John Hanson, CPA
OCCOG Treasurer
949-929-0073
jhoccog@gmail.com

**Orange County Council of Governments
Revenues and Expenditures - Adopted FY 18-19
Budget**

	FY 2018-19 Actual	FY 19-20 July 19 - May 20 Actual	FY 19-20 Budget	FY 19-20 Actual as % of Budget	Proposed FY 20-21 Budget
Revenues					
45000 - Investments					
45030 - Interest	\$ 6,909	\$ 4,860	\$ 5,000	97%	\$ 5,000
Total 45000 - Investments	6,909	4,860	5,000		5,000
47200 - Program Income					
47225 - Data Acquisition	-	-	-		190,275 a1
47230 - Membership Dues	237,679	237,404	246,030	96%	246,030 b.
47240 - CDR Fees	94,089	100,312	100,312	100%	106,201 c.
47250 - General Assembly Revenue	27,296	8,684	60,000	14%	60,000 d.
47260 - Other Program revenue	-	-	5,000	0%	-
Total 47200 - Program Income	359,064	346,400	411,342	84%	602,506
48000 - Government Grants	-	-	-	0%	-
Total Revenues	365,973	351,260	416,342	84%	607,506
Expenditures					
61000 - Program Expenditures					
61050 - Data Acquisition Costs	-	-	-		133,603 a2
61010 - CDR Fees	94,089	100,312	95,000	106%	106,201 c.
61050 - General Assembly Costs	40,457	5,280	50,000	11%	52,000 d.
61100 - Consulting Services					
Total 61000 - Program Expenditures	134,546	105,592	145,000	73%	291,804
62100 - Contract Services					
62110 - Executive Director Services	-	-	-		
62110 - Exec Dir Services - General	120,000	107,500	129,000	83%	129,000
Total 62110 - Executive Director Services	120,000	107,500	129,000	83%	129,000 e.
62121 - Administrative Support	-	14,750	20,000	74%	25,000 f.
62122 - Planning Support	-	-	20,000	0%	20,000 g.
62125 - Clerk of the Board Services	20,200	22,300	13,200	169%	18,000 h.
62130 - Legal Services	6,904	23,105	15,000	154%	20,000 i.
62140 - Accounting/Bookkeeping Svcs	7,475	6,780	8,000	85%	8,000

**Orange County Council of Governments
Revenues and Expenditures - Adopted FY 18-19
Budget**

	FY 2018-19 Actual	FY 19-20 July 19 - May 20 Actual	FY 19-20 Budget	FY 19-20 Actual as % of Budget	Proposed FY 20-21 Budget
62150 - Website Consultant	1,250	8,750	-	100%	-
62155 - Website Hosting	306	92	316	29%	316
62160 - Audit Services	7,210	7,458	7,200	104%	7,650
62165 - Grant writing and policy/legislativ	22,500	27,530	30,000	92%	30,000 j.
62170 - Marketing/Comms Support	17,750	5,750	17,500	33%	30,000 k.
Total 62100 - Contract Services	203,595	224,015	260,216	86%	287,966
62800 - Facilities and Equipment				0%	
62891 - Parking FTA Grant	-	-	-	0%	-
62890 - Parking	-	-	-	0%	-
Total 62800 - Facilities and Equipment	-	-	-	0%	-
65000 - Operations					
65010 - Books, Subscriptions, Reference	3,529	1,160	4,000	29%	2,500 l
65020 - Postage, Mailing Service	527	647	500	129%	700
65030 - Printing and Copying	213	636	1,000	64%	800
65040 - Supplies	402	634	500	127%	700
65050 - Telephone, Telecommunications	-	-	-	0%	-
65060 - CALCOG Dues	2,287	2,300	2,300	100%	2,300
65070 - Banking Fees	1,495	240	1,000	24%	350
65090 - Miscellaneous	-	14	1,000	1%	500
Total 65000 - Operations	8,453	5,631	10,300	55%	7,850
65100 - Other Types of Expenses					
65120 - Insurance - Liability, D and O	11,812	11,542	12,750	91%	11,850
Total 65100 - Other Types of Expenses	11,812	11,542	12,750	91%	11,850
68300 - Travel and Meetings					
68310 - Conference, Convention, Meeting	4,757	842	5,000	17%	3,000 m
68320 - Travel	3,984	3,079	2,000	154%	3,500
68300 - Travel and Meetings - Other	-	-	-	0%	-
Total 68300 - Travel and Meetings	8,741	3,921	7,000	56%	6,500
Total Expenditures	367,147	350,701	435,266	81%	605,970
Fund Balance, Beginning of Year	362,756				362,141

**Orange County Council of Governments
Revenues and Expenditures - Adopted FY 18-19
Budget**

	FY 2018-19 Actual	FY 19-20 July 19 - May 20 Actual	FY 19-20 Budget	FY 19-20 Actual as % of Budget	Proposed FY 20-21 Budget
Net Revenues over Expenditures	(1,174)	559	(18,924)	-3%	1,536 n
Funds Held in Reserve for OCDAP					56,672 o
Funds held in reserve per OCCOG reseve policy					236,184
Fund Balance, End of Year	<u>\$ 361,582</u>	<u>362,141</u>			<u>363,677</u> p
Available funds for FY 2021-2022					70,822
					60.0% q

FOOTNOTES:

FY 20/21 Budget Notes

- a1 OCDAP- \$56,672 will be held in reserve; OCCOG acting as pass-through for billing. This line is revenue from other agencies.
- a2 OCDAP- \$56,672 will be held in reserve; OCCOG acting as pass-through for billing.
- b Fullerton has committed to return in FY 20/21, 0% dues increase
- c increase has been approved by CDR stakeholders in new MOU
- d see details on next sheet, does not include in-kind
- e no change for FY20-21 per contract terms
- f 20/21 includes Lisa Telles retainer as well as time from Kathryn Morrison
- g OCCOG contribution to OCDAP
- h change from 55/hr to 1500/month retainer in 2020-21 to better contain costs
- i 2020 additional support for potential litigation and also contract development for OCDAP
- j legislative advocacy and grant writing support
- k media, social media, newsletter, annual video
- l cancel GrantFinder due to lack of use
- m CalCOG, Mobility 21, SCAG
- n Net revenue over expenditures includes \$56,672 in reserves for OCDAP.
- o OCCOG is caretaker of OCDAP revenue and reserve balance.
- p Funds Held in Reserve Per OCCOG Reserve Policy
- q Reserve balance share: Fund balance / Total FY expenditures

**Orange County Council of Governments
Revenues and Expenditures - Adopted FY 18-19
Budget**

FY 2018-19 Actual	FY 19-20 July 19 - May 20 Actual	FY 19-20 Budget	FY 19-20 Actual as % of Budget	Proposed FY 20-21 Budget

Fiscal Year 2020-21 OCCOG Dues Schedule

0% increase

	Agency Name	City Population*	% Population	2/3 Weighted Dues % of Total Pop.	1/3 Base Dues	Fixed Dues (Non-City Members)	Total Dues
1	Aliso Viejo	50,044	1.63%	\$2,312.71	\$2,083.63		\$4,396.34
2	Anaheim	357,325	11.65%	\$16,513.25	2,083.63		18,596.87
3	Brea	45,629	1.49%	\$2,108.68	2,083.63		\$4,192.30
4	Buena Park	81,998	2.67%	\$3,789.42	2,083.63		5,873.04
5	Costa Mesa	114,778	3.74%	\$5,304.30	2,083.63		7,387.92
6	Cypress	49,272	1.61%	\$2,277.03	2,083.63		4,360.66
7	Dana Point	33,146	1.08%	\$1,531.79	2,083.63		3,615.42
8	Fountain Valley	55,878	1.82%	\$2,582.32	2,083.63		4,665.95
9	Fullerton	141,863	4.63%	\$6,555.99	2,083.63		8,639.62
10	Garden Grove	174,801	5.70%	\$8,078.17	2,083.63		10,161.80
11	Huntington Beach	201,281	6.57%	\$9,301.91	2,083.63		11,385.53
12	Irvine	281,707	9.19%	\$13,018.67	2,083.63		15,102.30
13	Laguna Beach	22,343	0.73%	\$1,032.55	2,083.63		3,116.17
14	Laguna Hills	31,508	1.03%	\$1,456.10	2,083.63		3,539.72
15	Laguna Niguel	65,316	2.13%	\$3,018.48	2,083.63		5,102.11
16	Laguna Woods	16,243	0.53%	\$750.65	2,083.63		2,834.27
17	La Habra	63,371	2.07%	\$2,928.60	2,083.63		5,012.22
18	Lake Forest	84,711	2.76%	\$3,914.79	2,083.63		5,998.42
19	La Palma	15,492	0.51%	\$715.94	2,083.63		2,799.57
20	Los Alamitos	11,567	0.38%	\$534.55	2,083.63		2,618.18
21	Mission Viejo	94,267	3.07%	\$4,356.41	2,083.63		6,440.04
22	Newport Beach	85,780	2.80%	\$3,964.20	2,083.63		6,047.82
23	Orange	140,065	4.57%	\$6,472.90	2,083.63		8,556.52
24	Placentia	51,494	1.68%	\$2,379.72	2,083.63		4,463.35
25	Rancho Santa Margarita	48,793	1.59%	\$2,254.90	2,083.63		4,338.52
26	San Clemente	64,581	2.11%	\$2,984.52	2,083.63		5,068.14
27	San Juan Capistrano	36,318	1.18%	\$1,678.38	2,083.63		3,762.01
28	Santa Ana	335,052	10.93%	\$15,483.94	2,083.63		17,567.56
29	Seal Beach	24,992	0.82%	\$1,154.97	2,083.63		3,238.59
30	Stanton	39,077	1.27%	\$1,805.89	2,083.63		3,889.51
31	Tustin	80,382	2.62%	\$3,714.74	2,083.63		5,798.36
32	Villa Park	5,766	0.19%	\$266.47	2,083.63		2,350.09
33	Westminster	92,421	3.01%	\$4,271.10	2,083.63		6,354.73
34	Yorba Linda	68,650	2.24%	\$3,172.56	2,083.63		5,256.18
35	County of Orange (withdrew)					-	-
36	OCTA					9,000.00	9,000.00
37	TCA					9,000.00	9,000.00
38	OC Sanitation District					7,500.00	7,500.00
39	ISDOC					500.00	500.00
40	South Coast AQMD					7,500.00	7,500.00

Incorporated City totals 3,065,911 100.00% \$141,686.57 \$70,843.27 \$33,500.00 \$246,029.84

Unincorporated total 128,421
Total County Population 3,194,332

Population Estimate - January 1, 2020 California State Department of Finance (www.dof.ca.gov).

Base Dues - 1/3 of total Dues Less Fixed Dues	\$ 70,843.27
Dues Based on Population - 2/3 of total Dues Less Fixed Dues	<u>\$141,686.57</u>
Fixed Dues - Non-City agencies	<u>\$33,500.00</u>
	<u>\$246,029.84</u>

Rev. 6/22/2020

Fiscal Year 2020-21 Cost for Demographic Research (CSUF) Schedule

	City Name	City Population*	% Population	Weighted Fees % of Total Pop.	1/3 Base Fees	Total Fees
1	Aliso Viejo	50,044	1.63%	\$1,155.66	\$1,041.18	2,196.84
2	Anaheim	357,325	11.65%	8,251.63	1,041.18	9,292.81
3	Brea	45,629	1.49%	1,053.70	1,041.18	2,094.88
4	Buena Park	81,998	2.67%	1,893.56	1,041.18	2,934.75
5	Costa Mesa	114,778	3.74%	2,650.54	1,041.18	3,691.73
6	Cypress	49,272	1.61%	1,137.83	1,041.18	2,179.01
7	Dana Point	33,146	1.08%	765.43	1,041.18	1,806.62
8	Fountain Valley	55,878	1.82%	1,290.38	1,041.18	2,331.56
9	Fullerton	141,863	4.63%	3,276.01	1,041.18	4,317.19
10	Garden Grove	174,801	5.70%	4,036.64	1,041.18	5,077.82
11	Huntington Beach	201,281	6.57%	4,648.14	1,041.18	5,689.32
12	Irvine	281,707	9.19%	6,505.40	1,041.18	7,546.58
13	Laguna Beach	22,343	0.73%	515.96	1,041.18	1,557.14
14	Laguna Hills	31,508	1.03%	727.61	1,041.18	1,768.79
15	Laguna Niguel	65,316	2.13%	1,508.33	1,041.18	2,549.51
16	Laguna Woods	16,243	0.53%	375.10	1,041.18	1,416.28
17	La Habra	63,371	2.07%	1,463.41	1,041.18	2,504.60
18	Lake Forest	84,711	2.76%	1,956.21	1,041.18	2,997.40
19	La Palma	15,492	0.51%	357.75	1,041.18	1,398.94
20	Los Alamitos	11,567	0.38%	267.11	1,041.18	1,308.30
21	Mission Viejo	94,267	3.07%	2,176.89	1,041.18	3,218.07
22	Newport Beach	85,780	2.80%	1,980.90	1,041.18	3,022.08
23	Orange	140,065	4.57%	3,234.49	1,041.18	4,275.67
24	Placentia	51,494	1.68%	1,189.14	1,041.18	2,230.32
25	Rancho Santa Margarita	48,793	1.59%	1,126.77	1,041.18	2,167.95
26	San Clemente	64,581	2.11%	1,491.36	1,041.18	2,532.54
27	San Juan Capistrano	36,318	1.18%	838.68	1,041.18	1,879.87
28	Santa Ana	335,052	10.93%	7,737.28	1,041.18	8,778.47
29	Seal Beach	24,992	0.82%	577.13	1,041.18	1,618.32
30	Stanton	39,077	1.27%	902.40	1,041.18	1,943.58
31	Tustin	80,382	2.62%	1,856.24	1,041.18	2,897.43
32	Villa Park	5,766	0.19%	133.15	1,041.18	1,174.34
33	Westminster	92,421	3.01%	2,134.26	1,041.18	3,175.44
34	Yorba Linda	68,650	2.24%	1,585.32	1,041.18	2,626.50

Incorporated City totals	3,065,911	100.00%	\$70,800.43	\$35,400.21	<u>106,200.64</u>
Unincorporated total	<u>0</u>				
Total County Population	3,065,911				

Population Estimate - January 1, 2020 California State Department of Finance (www.dof.ca.gov).

Base Fees - 1/3 of total Fees	\$ 35,400.21
Fees Based on Population - 2/3 of total Fees	<u>\$70,800.43</u>
Total CDR Fees for FY 2020-21	<u>\$106,200.64</u>

	<u>2020-21</u>	<u>2021-22</u>	<u>2022-23</u>
OCCOG Board approved 3-Year CDR MOU and Bud	\$106,200.64	\$110,378.62	\$114,924.00

6/22/2020

2020 General Assembly Working Budget

Income	2017 Actual	2018 Actual	2019 Budget	2019 Actual	2020 Budget	2020 Actual	2021 Budget	Notes
Sponsorship	\$ 18,000.00	\$ 29,500.00	\$ 50,000.00	\$ 21,500.00	\$ 50,000.00	\$ 3,500.00	\$ 50,000.00	2020 based on in-hand, additional pledges received
Registration	\$ 8,663.21	\$ 4,081.00	\$ 8,200.00	\$ 9,406.00	\$ 10,000.00	\$ 4,026.00	\$ 10,000.00	
In-kind	\$ 8,000.00	\$ 2,500.00	\$ 2,500.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	in-kind show runner from AJ Design
Total Income	\$ 34,663.21	\$ 36,081.00	\$ 60,700.00	\$ 31,906.00	\$ 61,000.00	\$ 8,526.00	\$ 61,000.00	
Expenses								
Food & Beverage								
meals	\$ 17,842.00	\$ 19,161.00	\$ 20,000.00	\$ 14,886.00	\$ 21,000.00	\$ 2,500.00	\$ 21,000.00	2020 is deposit to hold date, will be rolled over to 2021
service charge	\$ 4,010.85	\$ 4,215.42	\$ 4,400.00	\$ 3,274.92	\$ 4,620.00		\$ 4,620.00	22% service charge
tax	\$ 1,723.93	\$ 1,870.11	\$ 1,952.00	\$ 1,452.87	\$ 2,049.60		\$ 2,049.60	7.75%
Total F&B	\$ 23,576.78	\$ 25,246.53	\$ 26,352.00	\$ 19,613.79	\$ 27,669.60		\$ 27,669.60	
Décor	\$ 673.44	\$ 700.38	\$ 1,000.00	\$ 550.00	\$ 750.00		\$ 750.00	centerpieces, stage décor, etc.
A/V	\$ 9,286.69	\$ 9,597.55	\$ 10,000.00	\$ 8,170.00	\$ 9,000.00		\$ 9,000.00	
Parking	\$ 960.00	\$ 800.00	\$ 1,960.00	\$ 985.00	\$ 1,500.00		\$ 1,500.00	based on 300*5
Room Charge	\$ 600.00	\$ 1,000.00	\$ 500.00	\$ -	\$ -		\$ -	room fee waived, charge for 6' display tables for expo
Graphic Design	\$ -	\$ -	\$ 1,000.00	\$ -	\$ -		\$ -	INCLUDED WITH COMMS LAB RETAINER 2020, 2021
Printing	\$ 2,318.78	\$ 2,477.33	\$ 3,000.00	\$ 2,179.00	\$ 2,500.00		\$ 2,500.00	signage, program, fliers
Event Planning Support	\$ 8,830.52	\$ 10,616.31	\$ 10,000.00	\$ 2,650.00	\$ 3,000.00	\$ 3,000.00	\$ 6,000.00	
Speaker Fees	\$ 5,000.00	\$ 20,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	
Lodging	\$ -	\$ 3,733.60	\$ 1,320.00	\$ 753.48	\$ 800.00		\$ 800.00	
Online Registration								
registration fees	\$ 238.00	\$ 176.13	\$ 297.00	\$ -	\$ -	\$ -	\$ -	included a convenience fee this year for tickets purchased with credit cards
credit card fees	\$ 400.00	\$ 118.74	\$ 250.00	\$ -	\$ -	\$ -	\$ -	included a convenience fee this year for tickets purchased with credit cards
Videography	\$ -	\$ 1,500.00	\$ 1,500.00	\$ -	\$ -	\$ -	\$ 2,000.00	budget added for live streaming in 2021
Miscellaneous	\$ 285.23	\$ 740.00	\$ 1,000.00	\$ 810.00	\$ 1,000.00		\$ 1,000.00	name badges+ stuffing, ribbons, tax
Promotional Items	\$ 1,621.48	\$ 1,345.31	\$ 2,500.00	\$ 687.00	\$ 2,000.00	\$ 1,622.53	\$ 500.00	2020 is conference bags, will be used in 2021
Total Expenses	\$ 53,790.92	\$ 78,051.88	\$ 60,679.00	\$ 36,398.27	\$ 48,219.60	\$ 4,622.53	\$ 51,719.60	
Revenues from GA	\$ (19,127.71)	\$ (41,970.88)	\$ 21.00	\$ (4,492.27)	\$ 12,780.40	\$ 3,903.47	\$ 9,280.40	

OCDAP Cycle 1 Payment Log (2020-2022)

Agency	Cycle 1	Date Billed	Amount Paid	Date Paid	Type
Anaheim	\$5,000.00				city
Brea	\$2,000.00				city
Costa Mesa	\$2,000.00				city
Fountain Valley	\$2,000.00				city
Laguna Hills	\$2,000.00				city
Laguna Niguel	\$2,000.00				city
Mission Viejo	\$2,000.00				city
Newport Beach	\$2,000.00				city
San Clemente	\$2,000.00				city
Santa Ana	\$5,000.00				city
Yorba Linda	\$2,000.00				city
MWDOC	\$50,000.00				Agency
OCCOG	\$20,000.00				Agency
OCFA	\$62,275.00				Agency
OCWD	\$50,000.00				Agency
NON-SCAG subtotal	\$210,275.00	NA	\$0.00	NA	

SCAG	\$230,000.00	NA	NA	NA	OCCOG will not bill SCAG
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Funding Partners Total \$440,275.00

Cycle 1 cost \$383,603.10

Non-SCAG Cycle 1 cost \$153,603.10 This amount will be paid to SCAG from funds collected by OCCOG and includes OCCOG's \$20,000.

Potential balance \$56,671.90 This amount will be kept in OCCOG-held account as a reserve for Cycle 1.

6/23/2020



AGENDA ITEM #7

Approve 2020-2021 OCCOG Work Plan

SUMMARY

The OCCOG has chosen to operate using contract staff to conduct its business in a cost-effective and efficient manner. The 2020-2021 draft Work Plan reflects the resources available to the OCCOG for the 2020-2021 fiscal year and the priorities the Board has expressed. The FY 20-21 Work Plan includes several major initiatives and ongoing projects:

- 2021 General Assembly
- Orange County Aerial Imagery Project (OCDAP)
- REAP Grant Program Development and Management
- Legislative and Grant Writing Support
- Marketing and Communications

The team of consultant resources will be managed by the Executive Director and will work cooperatively to achieve the goals and support the mission of the OCCOG. The Work Plan is intended to support OCCOG's member jurisdiction activities, including providing support for grant writing, legislative tracking and analysis, facilitating discussion and continued education on important policy areas including water, energy, land use and housing, transportation, and air quality, and delivering educational tools to support public engagement on policy issues important to members.

In addition, this fiscal year includes the launch of Orange County's aerial imagery data consortium. The Orange County Data Acquisition Partnership (OCDAP) has been spearheaded by CDR's Director, Deborah Diep and is largely funded by the Southern California Association of Government (SCAG) with contributions from over a dozen Orange County partner agencies. OCCOG will be acting as the pass-through billing agency for the consortium. We hope that additional partners will be joining the consortium as we move forward, as the data provided is very useful to multiple jurisdictions and functional units within agencies.

FY 20/21 will also see a one-time infusion of funding provided by SCAG for the Regional Early Action Planning (REAP) Grant. Funds from this grant can be used to support planning activities around increasing the housing supply. OCCOG staff has been working with the Executive Management Committee (EMC) and the Technical Advisory Committee (TAC), as well as the Orange County City Managers Association (OCCMA), to develop a plan that will benefit all OCCOG members for using the available REAP funding to present to the OCCOG Board and SCAG for approval in early fall 2020.



ACTIVITY	RESPONSIBLE	BUDGET IMPACT	TIME FRAME
TIME-BOUND INITIATIVES			
1. Under direction from EMC, update OCCOG Strategic Plan and other tasks as assigned.	Marnie Primmer Fred Galante	No added program cost	Q2
2. Working with the TAC and EMC, develop a plan for using approximately \$3.2M in REAP grant funding made available to the COG by SCAG for approval by the Board.	Marnie Primmer Nate Farnsworth	\$3.2M (+/-)	Q1
3. Working with the EMC and ex-officio partners, plan and execute a General Assembly in Spring 2021. Specific tasks include: <ul style="list-style-type: none"> a. Develop budget b. Identify event theme c. Identify sponsorship packages and seek sponsors/exhibitors d. Determine venue e. Determine format and develop program f. Publicity: direct mail, partner publications, social media, website g. Design and manage online registration and mobile app h. Develop debrief/lessons learned document 	Marnie Primmer Lisa Telles	\$50,000	Q3/Q4
4. Update OCCOG’s approved legislative guidelines as needed. Develop priorities for 2021, aligned with the updated Strategic Plan. Track relevant legislation and OCCOG positions	Wendy Strack	No added program cost	Q2
5. Update OCCOG’s Communications Plan for 2020-2021 to include tactics and metrics for success.	Lisa Telles Communications LAB	TBD	Q2
6. Develop script, storyboard, and produce a series of up to 10 videos on housing topics to support member jurisdictions. <ul style="list-style-type: none"> a. Implement video distribution plan b. Manage Housing Orange County website landing page 	Lisa Telles Marnie Primmer	Up to \$2,500 per video*	Q1-Q4
7. Complete program set-up for OCDAP and ensure that aerial imagery meets needs.	Deborah Diep	\$20,000 (funds go to product purchase)	Q1



ONGOING ACTIVITIES			
8. Working with SCAG’s project manager and OCDAP partner agencies, act as payment clearinghouse for OCDAP.	John Hanson	No added program cost	Ongoing
9. Working with EMC, TAC, CDR and in cooperation with OCTA and SCAG staff, provide accurate and detailed information to OCCOG Board, OCCMA, and member jurisdictions regarding RTP/SCS and/or RHNA and other planning activities.	Marnie Primmer Nate Farnsworth	No added program cost	Ongoing
10. Oversee operations of OCCOG including work of consultant team.	Marnie Primmer	No added program cost	Ongoing
11. Develop monthly EMC and Board of Directors meeting agenda and prepare staff reports.	Marnie Primmer Eileen White Kathryn Morrison	No added program cost	Ongoing
12. Provide regular updates to the Board regarding activities of the OCCOG and progress on Strategic Plan and Work Plan.	Marnie Primmer	No added program cost	Quarterly/ As- needed
13. Monitor SCAG agendas and prepare briefings for Board and SCAG committee representatives in advance of committee and regional council meetings so that OC representation is prepared.	Marnie Primmer	No added program cost	Monthly
14. As appropriate, develop strategic guidance for OCCOG representatives, and work to develop consensus around policy issues to position Orange County as a leader within the SCAG region and to influence regional planning in a direction favorable to Orange County.	Marnie Primmer	No added program cost	As needed
15. Work with CDR to develop Orange County’s projections.	Deborah Diep OCCOG TAC	No added program cost	Ongoing
16. Identify opportunities for OCCOG to provide additional services to member jurisdictions and to generate new revenue sources allowing diversification from dues-based income.	Marnie Primmer Nate Farnsworth	TBD	Ongoing



<p>17. Represent OCCOG at regional planning meetings and industry events, such as, but not limited to:</p> <ul style="list-style-type: none"> a. SCAG Technical Working Group b. Sub-regional Executive Directors (Chair) c. CalCOG meetings d. CDR MOC meetings as needed e. OCCMA monthly meetings f. Member agency events & meetings g. SCAG policy committee and Regional Council meetings, general assembly, and summits h. Ex-officio partner networking events and board meetings as appropriate 	Marnie Primmer	No added program cost	Monthly
<p>18. Assist OCCOG Board to actively engage in development of SCAG strategic documents and governance.</p>	Marnie Primmer	No added program cost	Ongoing
<p>19. Identify areas where OCCOG can partner with other sub-regions.</p>	Marnie Primmer Nate Farnsworth	TBD	Ongoing
<p>20. Coordinate legislative advocacy efforts with partners and member jurisdictions.</p>	Wendy Strack	No added program cost	Ongoing

STAFF RECOMMENDATION

Approve 2020-2021 OCCOG Work Plan as presented or amended.

STAFF CONTACT

Marnie O'Brien Primmer
 OCCOG Executive Director
 949-698-2856
 marnie@occog.com



AGENDA ITEM #8

Approve Contract Extension for John Hanson, OCCOG Financial Bookkeeping and Treasurer Services

SUMMARY

The current contract between OCCOG and John Hanson for Treasurer services ends June 30, 2020. A contract amendment is required to extend his services. There is no change in scope of services or hourly rate for the 2020-2021 fiscal year.

STAFF RECOMMENDATION

Approve Amendment No. 2, extending the terms of the contract with John Hanson to June 30, 2021.

ATTACHMENTS

- A. Contract Amendment No. 2

STAFF CONTACT

Marnie O'Brien Primmer
OCCOG Executive Director
949-698-2856
marnie@occog.com

**AMENDMENT NO. 2 TO CONTRACT SERVICES AGREEMENT FOR
FINANCIAL BOOKKEEPING, AUDITOR/CONTROLLER AND TREASURER
SERVICES**

This AMENDMENT NO. 2 TO CONTRACT SERVICES AGREEMENT FOR FINANCIAL BOOKKEEPING, AUDITOR/CONTROLLER AND TREASURER SERVICES ("Amendment") is made and entered into this 25th day of June, 2020, by and between the ORANGE COUNTY COUNCIL OF GOVERNMENTS, a California Joint Powers Authority ("OCCOG") and JOHN HANSON, C.P.A. ("Contractor").

RECITALS

WHEREAS, on January 25, 2018, the OCCOG and Contractor entered into a Contract Services Agreement for Financial Bookkeeping, Auditor/Controller and Treasurer Services, as amended, (collectively, "Agreement") for Contractor to provide various financial services to the OCCOG, as further provided in the Agreement;

WHEREAS, the parties now wish to amend the Agreement pursuant to this Amendment to extend the term by one year and clarify that the maximum compensation payable to Consultant shall be in the amount set by the OCCOG Board in its annual budget.

NOW, THEREFORE, in consideration of performance by the parties of the covenants and conditions herein contained, the parties hereto agree as follows:

1. Compensation. Section 2.1 of the Agreement, entitled "Contract Sum", shall be amended to specify that the maximum compensation shall be based on amounts approved by the OCCOG Board in its annual budget to read as follows:

"2.1 Contract Sum. For the services rendered pursuant to this Agreement, the Contractor shall be compensated at the rate of Sixty (\$60.00) per hour, which amount shall exclude those reimbursable expenses that are pre-approved in writing by the Executive Director; provided such total compensation and expenses shall not exceed the amount authorized in the OCCOG's approved annual budget, without the need to further amend this Agreement ("Contract Sum"). Mileage to and from OCCOG's office or location of monthly board meetings shall not be subject to reimbursement."

2. Term. Section 5.1 of the Agreement, entitled "Term", shall be amended to read as follows:

"5.1 Term. Unless earlier terminated in accordance with Section 5.3 below, this Agreement shall begin on the Effective Date and continue in full force and effect until June 30, 2021"

2. Full Force and Effect. The parties further agree that, except as specifically provided

in this Amendment, the terms of the Agreement, as previously amended, shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the date written in the preamble above.

ORANGE COUNTY COUNCIL OF
GOVERNMENTS

Trevor O'Neil, Chair of the Board

ATTEST:

OCCOG Secretary

APPROVED AS TO FORM
Aleshire & Wynder, LLP

OCCOG Counsel

CONTRACTOR

By: John Hanson, C.P.A.



AGENDA ITEM #9

Approve Contract Extension for Wendy J. Strack Consulting LLC

SUMMARY

The current contract between OCCOG and Wendy J. Strack Consulting, LLC for legislative tracking and analysis, and grant writing services ends June 30, 2020. A contract amendment is required to extend her services. There is no change in scope of services or monthly retainer for the 2020-2021 fiscal year. The annual contract amount will not exceed the approved OCCOG Budget.

STAFF RECOMMENDATION

Approve Amendment No. 1, extending the terms of the contract with Wendy J. Strack Consulting, LLC to June 30, 2021.

ATTACHMENTS

- A. Contract Amendment No. 1

STAFF CONTACT

Marnie O'Brien Primmer
OCCOG Executive Director
949-698-2856
marnie@occog.com

**AMENDMENT NO. 1 TO AGREEMENT FOR CONTRACT SERVICES
BETWEEN THE ORANGE COUNTY COUNCIL OF GOVERNMENTS AND
WENDY J. STRACK CONSULTING, LLC**

This AMENDMENT NO. 1 TO CONTRACT SERVICES AGREEMENT ("Amendment") is made and entered into this 25th day of June, 2020, by and between the ORANGE COUNTY COUNCIL OF GOVERNMENTS, a California Joint Powers Authority ("OCCOG") and WENDY J. STRACK CONSULTING, LLC, a California limited liability company ("Consultant").

RECITALS

WHEREAS, on or about July 25, 2019, the OCCOG and Consultant entered into a Contract Services Agreement ("Agreement") to provide various services to OCCOG, including for legislative policy analysis and legislative advocacy and assist OCCOG member agencies with grant writing as needed, as further described in the Agreement;

WHEREAS, the parties now wish to amend the Agreement pursuant to this Amendment to extend the term of the Agreement and clarify that the maximum compensation payable to Consultant shall be in the amount set by the OCCOG Board in its annual budget.

NOW, THEREFORE, in consideration of performance by the parties of the covenants and conditions herein contained, the parties hereto agree as follows:

1. Compensation. Section 2.1 of the Agreement, entitled "Contract Sum", shall be amended to specify that the maximum compensation shall be based on amounts approved by the OCCOG Board in its annual budget to read as follows:

"2.1 The services shall be billed to the OCCOG at the rates set forth in Exhibit "B" attached and incorporated herein by reference. Included within the compensation are all of the Consultant's ordinary office and overhead expenses incurred by it, its agents and employees, including meetings with the OCCOG representatives and incidental costs to perform the stipulated services. The total compensation to be paid to Consultant for the services herein shall be in the amount authorized in the OCCOG's approved annual budget, without the need to further amend this Agreement ("Contract Sum"), billed at the rates set forth in Section 2.4 below; provided that any change to the hourly rate approved by the parties shall require an amendment to this Agreement."

2. Term. Section 3.3 of the Agreement, entitled “Term”, shall be amended to read as follows:

“3.3 Term. Unless earlier terminated in accordance with Article 7 of this Agreement, this Agreement shall continue in full force and effect until completion of the services but not later than June 30, 2021, except as otherwise provided in the Scope of Services (Exhibit “A”).”

3. Full Force and Effect. The parties further agree that, except as specifically provided in this Amendment, the terms of the Agreement, as previously amended, shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the date written in the preamble above.

ORANGE COUNTY COUNCIL OF GOVERNMENTS

Trevor O’Neil, Chair of the Board

ATTEST:

OCCOG Secretary

APPROVED AS TO FORM
Aleshire & Wynder, LLP

OCCOG Counsel

CONSULTANT

WENDY J. STRACK CONSULTING, LLC, a
California limited liability company

By: _____
Name: Wendy J. Strack
Title: Managing Member



AGENDA ITEM #10

**Approve Contract Extension for
Kathryn Morrison for Administrative
Support Services**

SUMMARY

The current contract between OCCOG and Kathryn Morrison for administrative support services ends June 30, 2020. A contract amendment is required to extend her services. There is no change in scope of services or hourly rate for the 2020-2021 fiscal year. The annual contract amount will not exceed the approved OCCOG Budget.

STAFF RECOMMENDATION

Approve Amendment No. 1, extending the terms of the contract with Kathryn Morrison to June 30, 2021.

ATTACHMENTS

- A. Contract Amendment No. 1

STAFF CONTACT

Marnie O'Brien Primmer
OCCOG Executive Director
949-698-2856
marnie@occog.com

**AMENDMENT NO. 1 TO AGREEMENT FOR CONTRACT SERVICES
BETWEEN THE ORANGE COUNTY COUNCIL OF GOVERNMENTS AND
KATHRYN MORRISON**

This AMENDMENT NO. 1 TO CONTRACT SERVICES AGREEMENT ("Amendment") is made and entered into this 25th day of June, 2020, by and between the ORANGE COUNTY COUNCIL OF GOVERNMENTS, a California Joint Powers Authority ("OCCOG") and KATHRYN MORRISON an individual ("Consultant").

RECITALS

WHEREAS, on or about July 25, 2019, the OCCOG and Consultant entered into a Contract Services Agreement ("Agreement"), as amended, for Consultant to provide various support administrative tasks to the OCCOG, such as scheduling, filing, note taking, meeting coordination, etc., as further described in the Agreement;

WHEREAS, the parties now wish to amend the Agreement pursuant to this Amendment to extend the term of the Agreement clarify that the maximum compensation payable to Consultant shall be in the amount set by the OCCOG Board in its annual budget..

NOW, THEREFORE, in consideration of performance by the parties of the covenants and conditions herein contained, the parties hereto agree as follows:

1. Compensation. Section 2.1 of the Agreement, entitled "Contract Sum", shall be amended to specify that the maximum compensation shall be based on amounts approved by the OCCOG Board in its annual budget to read as follows:

"2.1 The services shall be billed to the OCCOG at the rates set forth in Exhibit "B" attached and incorporated herein by reference. Included within the compensation are all of the Consultant's ordinary office and overhead expenses incurred by it, its agents and employees, including meetings with the OCCOG representatives and incidental costs to perform the stipulated services. The total compensation to be paid to Consultant for the services herein shall be in the amount authorized in the OCCOG's approved annual budget, without the need to further amend this Agreement ("Contract Sum"), billed at the rates set forth in Section 2.4 below; provided that any change to the hourly rate approved by the parties shall require an amendment to this Agreement."

2. Term. Section 3.3 of the Agreement, entitled “Term”, shall be amended to read as follows:

“3.3 Term. Unless earlier terminated in accordance with Article 7 of this Agreement, this Agreement shall continue in full force and effect until completion of the services but not later than June 30, 2021, except as otherwise provided in the Scope of Services (Exhibit “A”).”

3. Full Force and Effect. The parties further agree that, except as specifically provided in this Amendment, the terms of the Agreement, as previously amended, shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the date written in the preamble above.

ORANGE COUNTY COUNCIL OF GOVERNMENTS

Trevor O’Neil, Chair of the Board

ATTEST:

OCCOG Secretary

APPROVED AS TO FORM
Aleshire & Wynder, LLP

OCCOG Counsel

CONSULTANT

KATHRYN MORRISON

By: _____
Name: Kathryn Morrison



AGENDA ITEM #11

Approve Contract Extension for Lisa Telles for General Assembly Support and Project Management

SUMMARY

The current contract between OCCOG and Lisa Telles for General Assembly support and project management related to the housing videos OCCOG is producing ends June 30, 2020. A contract amendment is required to extend her services. There is no change in scope of services or monthly retainer for the 2020-2021 fiscal year. The annual contract amount will not exceed the approved OCCOG Budget.

STAFF RECOMMENDATION

Approve Amendment No. 1, extending the terms of the contract with Lisa Telles to June 30, 2021.

ATTACHMENTS

- A. Contract Amendment No. 1

STAFF CONTACT

Marnie O'Brien Primmer
OCCOG Executive Director
949-698-2856
marnie@occog.com

**AMENDMENT NO. 1 TO AGREEMENT FOR CONTRACT SERVICES
BETWEEN THE ORANGE COUNTY COUNCIL OF GOVERNMENTS AND
LISA TELLES, CONSULTANT**

This AMENDMENT NO. 1 TO CONTRACT SERVICES AGREEMENT ("Amendment") is made and entered into this 25th day of June, 2020, by and between the ORANGE COUNTY COUNCIL OF GOVERNMENTS, a California Joint Powers Authority ("OCCOG") and LISA TELLES an individual ("Consultant").

RECITALS

WHEREAS, on or about January 23, 2020, the OCCOG and Consultant entered into a Contract Services Agreement ("Agreement"), as amended, for Consultant to provide various services to OCCOG, including General Assembly preparation, joint communications and coordination with ACC-OC materials and events and website development relating to resources available to member jurisdiction as they update their housing elements, as further described in the Agreement;

WHEREAS, the parties now wish to amend the Agreement pursuant to this Amendment to extend the term of the Agreement and clarify that the maximum compensation payable to Consultant shall be in the amount set by the OCCOG Board in its annual budget.

NOW, THEREFORE, in consideration of performance by the parties of the covenants and conditions herein contained, the parties hereto agree as follows:

1. Compensation. Section 2.1 of the Agreement, entitled "Contract Sum", shall be amended to specify that the maximum compensation shall be based on amounts approved by the OCCOG Board in its annual budget to read as follows:

"2.1 The services shall be billed to the OCCOG at the rates set forth in Exhibit "B" attached and incorporated herein by reference. Included within the compensation are all of the Consultant's ordinary office and overhead expenses incurred by it, its agents and employees, including meetings with the OCCOG representatives and incidental costs to perform the stipulated services. The total compensation to be paid to Consultant for the services herein shall be in the amount authorized in the OCCOG's approved annual budget, without the need to further amend this Agreement ("Contract Sum"), billed at the rates set forth in Section 2.4 below; provided that any change to the hourly rate approved by the parties shall require an amendment to this Agreement."

2. **Term.** Section 3.3 of the Agreement, entitled “Term”, shall be amended to read as follows:

“3.3 Term. Unless earlier terminated in accordance with Article 7 of this Agreement, this Agreement shall continue in full force and effect until completion of the services but not later than June 30, 2021, except as otherwise provided in the Scope of Services (Exhibit “A”).”

3. **Full Force and Effect.** The parties further agree that, except as specifically provided in this Amendment, the terms of the Agreement, as previously amended, shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the date written in the preamble above.

ORANGE COUNTY COUNCIL OF GOVERNMENTS

Trevor O’Neil, Chair of the Board

ATTEST:

OCCOG Secretary

APPROVED AS TO FORM
Aleshire & Wynder, LLP

OCCOG Counsel

CONSULTANT

LISA TELLES

By: _____
Name: Lisa Telles



AGENDA ITEM #12

Approve Contract Extension and Increased Monthly Retainer for Communications LAB for Marketing and Communications Support Services

SUMMARY

The current contract between OCCOG and Communications LAB for marketing and communications support services ends June 30, 2020. A contract amendment is required to extend their services. OCCOG staff has negotiated an expanded scope and is supporting an increase in the monthly retainer both for cost of living increase and to support the additional services proposed. Since FY 2017-2018, Communications LAB has been supporting the OCCOG by publishing our monthly newsletter and social media posts, and handling general assembly publicity and graphic design needs such as signage and printed program with a monthly compensation of \$1250. The level of effort to provide support to OCCOG has increased over that time as we have increased our marketing and communications-related activities and become more visible in online social media platforms. For FY 2020-2021, the monthly retainer will therefore increase from \$1250 per month to \$2500 per month. The annual contract amount will not exceed the approved OCCOG Budget.

STAFF RECOMMENDATION

Approve Amendment No. 3, extending the term of the contract with Communications LAB to June 30, 2021 and increasing the monthly retainer amount from \$1250 to \$2500 per month. The annual contract amount will not exceed the amount budgeted in the OCCOG approved FY 2020-21 budget.

ATTACHMENTS

- A. Contract Amendment No. 3
- B. FY 2020-2021 Proposed Scope of Services

STAFF CONTACT

Marnie O'Brien Primmer
OCCOG Executive Director
949-698-2856
marnie@occog.com



Letter of Agreement

Upon acceptance of the terms and conditions set forth below, this document shall serve as a Memorandum of Agreement (“Agreement”) between Barrios & Associates, LLC., DBA Communications LAB (the “Firm”) and Orange County Council of Governments (the “Client”).

1. The Client has retained the Firm to assist the Client on various projects to be determined by the Client. The Firm shall provide services as noted in the attached Scope of Work.
2. This Agreement shall commence on July 1, 2020 for a term of one (1) year.
3. In consideration for the services provided under this Agreement, the Client shall pay the Firm a monthly retainer fee of \$2,500.00 with a total not-to-exceed value of \$30,000.
4. The Firm shall bill the Client at the end of each month for services performed in the month prior.
5. The Client shall not reimburse the Firm for any costs and expenses incurred on its behalf in connection with services to be provided hereunder unless such costs are pre-approved by the Client prior to such costs being incurred by Firm. The Firm shall not charge for telephone, mileage or meals.
6. The Firm has designated Arianna Barrios, CEO as the key contact with the Client. Any change in this key contact by the Firm will be communicated in writing to the Client.
7. Either party has the right to terminate this Agreement upon 30 days written notice to the other party with or without cause. Any amounts, which remain due and owing up to the date of termination, shall be paid within 15 days of said termination.
8. All final information, artwork and data resulting from this Agreement shall be the sole property of the Client, and the Client shall have the right to use such materials for any purpose whatsoever. The Firm may retain for its own internal use, copies of such materials.
9. Unless the Client otherwise consents, the Firm shall not disclose to or use for the benefit of third parties, (1) information disclosed by the Client to the Firm, pursuant to this Agreement, which the Client has advised the Firm shall be considered confidential information, and (2) fact sheets, other Client specific information, or similar type of materials developed by the Firm pursuant to this Agreement which the Client has advised the Firm shall be considered confidential.

10. Any dispute arising under this Agreement shall be submitted to binding arbitration in Orange County, in accordance with the commercial arbitration rules of the American Arbitration Association. The costs and attorney's fees of the prevailing party in any such arbitration shall be borne by the other party and shall be set by the arbitration. Said finding shall be binding on both parties.
11. The Client shall indemnify Firm and hold the Firm harmless from and against any and all claims that may at any time be made against the Firm as a result of statements made or materials produced by the Firm provided that such statements and materials are pre-approved by the Client, except to the extent that such claims result from the negligence of the Firm. The Firm shall submit all proposed statements or materials to the Client for approval prior to the publication of such statements and materials.
12. The Firm shall indemnify and hold the Client harmless from and against any and all claims that may at any time be made against the Client as a result of statements made or materials distributed by the Firm without the approval of the Client.
13. Both parties agree and understand that the Firm represents s/he has the ability to enter into this agreement as an independent contractor. Further, both parties agree and understand that this agreement shall not act as a limitation on the Firm's ability to accept like or similar employment with other persons and entities. However, the Firm shall not accept employment in opposition to the Client's position or its client's position relating to work the Firm has done on behalf of the Client. It is understood and agreed that Firm is an independent contractor of the Client and not an employee.

Accepted and Approved:

Marnie O'Brien Primmer,
Executive Director
Orange County Council of Governments



Arianna Barrios, CEO Barrios & Associates,
LLC.
(dba Communications Lab)

DATE

June 18, 2020

DATE



June 18, 2020

Ms. Marnie O'Brien Primmer, Executive Director
1 Civic Center Plaza,
Planning Department
Irvine, CA 92623

RE: 2020/2021 Scope of Work / Budget Estimates

Dear Marnie,

Communications LAB has enjoyed our partnership over these past several years and looks forward to continuing our work with the Orange County Council of Governments (OCCOG).

We appreciate the opportunity to present an updated scope of services and budget for the upcoming year that begins in July. As requested, we have outlined on the next page continued support in social media, email marketing, graphic design, marketing support for the 2020 General Assembly and strategy/media relations, and the option to add video production services.

Please let me know if this covers all your stated need and do not hesitate to contact me if you have any questions or concerns.

Thank you,

A handwritten signature in black ink that reads 'Arianna Barrios'.

Arianna Barrios, CEO
Communications LAB
Orange, CA



Scope of Work / Budget

Item	Sequence	Staff
CURRENT SERVICES		
Email Newsletter	Once Per Month	J. Glover M. Gonzalez
Social Media Calendar	Once Per Month	M. Gonzalez
Social Media Postings	Four (4) Times Per Month Instagram Feed Build Out	M. Gonzalez
Graphic Design	Support for Gen. Assembly	J. Van Oyen
Strategy/Media Relations	As needed	J. Glover
Monthly Cost		\$2,500.00
Annual Cost		\$30,000.00
ADD SERVICES		
Video Production	As needed	Quote provided on a project basis



AGENDA ITEM #13

Approve Contract Extension and Change to Monthly Retainer for Eileen White, Clerk of the Board Services

SUMMARY

The current contract between OCCOG and Eileen White for clerk of the board services ends June 30, 2020. A contract amendment is required to extend her services. Additionally, OCCOG staff and Ms. White have agreed to adjust the form of the contract from an hourly rate of \$55/hour to a retainer-based contract. In FY 19-20, OCCOG brought Kathryn Morrison on board to assist in administrative tasks that were extraneous to the scope of services for Clerk of the Board. Staff anticipated that the change would result in a reduced cost for Clerk of the Board services, however the level of effort was greater than either the Clerk or the Executive Director anticipated. To better manage costs, the clerk has suggested a retainer arrangement and the OCCOG and Ms. White have agreed to a retainer of \$1500 per month for clerk of the board related services. This will help keep costs in line with the budget, while still compensating Ms. White fairly for her excellent work. The annual contract amount will not exceed the approved OCCOG Budget.

STAFF RECOMMENDATION

Approve Amendment No. 4, changing the form of the contract from an hourly rate to a retainer amount of \$1500 per month. The annual contract amount will not exceed the amount budgeted in the OCCOG approved FY 2020-21 budget.

ATTACHMENTS

- A. Contract Amendment No. 2

STAFF CONTACT

Marnie O'Brien Primmer
OCCOG Executive Director
949-698-2856
marnie@occog.com

**AMENDMENT NO. 2 TO CONTRACT SERVICES AGREEMENT FOR
CLERK OF THE BOARD SERVICES**

This AMENDMENT NO. 2 TO CONTRACT SERVICES AGREEMENT FOR CLERK OF THE BOARD SERVICES ("Amendment") is made and entered into this 25th day of June, 2020, by and between the ORANGE COUNTY COUNCIL OF GOVERNMENTS, a California Joint Powers Authority ("OCCOG") and EILEEN WHITE, an individual ("Consultant").

R E C I T A L S

WHEREAS, on June 23, 2016, the OCCOG and Consultant entered into a Contract Services Agreement for Clerk of the Board Services, as amended on July 25, 2019 (collectively, "Agreement") for Consultant to provide various financial services to the OCCOG, as further provided in the Agreement;

WHEREAS, the parties now wish to amend the Agreement again pursuant to this Amendment pursuant to this Amendment to extend the term of the Agreement for one year and amend the compensation payable to Consultant to be a flat monthly retainer.

NOW, THEREFORE, in consideration of performance by the parties of the covenants and conditions herein contained, the parties hereto agree as follows:

1. Rate Schedule. The provisions of Section 3, at Subsection 3.1 of the Agreement, entitled "Rate Schedule," shall be amended in its entirety to read as follows:

"3.1 Rate Schedule.

The services shall be billed to the OCCOG at the flat monthly retainer amount set forth in Exhibit "A" attached and incorporated herein by reference. Included within the compensation are all of the Consultant's ordinary office and overhead expenses incurred by it, its agents and employees, including meetings with the OCCOG representatives and incidental costs to perform the stipulated services. The total compensation to be paid to Consultant for the services herein shall be in the amount authorized in the OCCOG's approved annual budget, without the need to further amend this Agreement; provided that any change to the retainer amount approved by the parties shall require an amendment to this Agreement."

Invoice submittals shall be in accordance with Section 3.2"

2. **Exhibit A.** The section entitled “RATE SCHEDULE” within Exhibit “A” of the Agreement is hereby amended in its entirety to read as follows:

“RATE SCHEDULE

“For the services rendered pursuant to this Agreement, Consultant shall be compensated a monthly retainer fee of One Thousand Five Hundred Dollars (\$1,500.00), not to exceed the maximum contract amount of Eighteen Thousand and 00/100 Dollars (\$18,000.00).”

3. **Full Force and Effect.** The parties further agree that, except as specifically provided in this Amendment, the terms of the Agreement, as previously amended, shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the date written in the preamble above.

ORANGE COUNTY COUNCIL OF GOVERNMENTS

Trevor O’Neil, Chair of the Board

ATTEST:

OCCOG Secretary

APPROVED AS TO FORM
Aleshire & Wynder, LLP

OCCOG Counsel

CONSULTANT

By: Eileen B. White



AGENDA ITEM #14

**Resolution Regarding SB 743 VMT
Analysis Delay Request**

SUMMARY

For the past seven years, local jurisdictions have been working with the Governor’s Office of Planning and Research (OPR), California Natural Resources Agency (CNRA), California Department of Transportation (Caltrans), Southern California Association of Governments (SCAG), and stakeholders to transition to Vehicle Miles Traveled (VMT) analysis as required by SB 743.

SB 743 mandates that this transition be finalized by June 30, 2020 with VMT going into effect July 1, 2020. As part of the legislative update agenda item at the May 28, 2020 OCCOG Board of Directors meeting, the Board discussed the request by ex-officio member Steve LaMotte of the Orange County Chapter of the Building Industry Association (BIAOC) to consider sending a letter or passing a resolution requesting the Governor to delay the implementation of SB 743 VMT analysis until July 1, 2022. The Board had previously taken an opposed position to SB 743 and had been monitoring the process of developing the VMT guidelines over the seven-year period. This position consistent with the OCCOG legislative guidelines allowed the Board to direct Executive Director Primmer to write a letter, which was done on June 10, 2020 (see Attachment A), The Board further directed that the item be brought back for Board action at the next meeting, June 25, 2020.

BACKGROUND

On September 27, 2013, Senate Bill 743 (SB 743) was signed by then-Governor Brown. The new law precluded the use of “Level of Service” (LOS), a metric of automobile delay, from being used in California Environmental Quality Act (CEQA) analysis in favor of a new metric, Vehicle Miles Traveled (VMT), as a determinant of environmental impacts for transportation. Subsequently, in December of 2018, after five years of public consultation the California Natural Resources Agency (CNRA) certified and adopted the CEQA Guidelines update package, which included the Guidelines section implementing Senate Bill 743. In addition, the State of California Office of Planning and Research (OPR) developed a Technical Advisory on Evaluating Transportation Impacts in CEQA, which contains OPR’s technical recommendations regarding assessment of (VMT), thresholds of significance, and mitigation measures.

CEQA is California’s environmental law that sets standards and practices for reviewing a project’s impact on the environment. CEQA requires jurisdictions to review and disclose the impact a project would have on the environment to the public and decision makers and as a result reduce those impacts. CEQA establishes four categories of environmental impacts:



1. No impact
2. Less than significant impact
3. Less than significant impact with the adoption of mitigation measures
4. Significant unavoidable impacts

A “threshold of significance” is the point at which an impact moves from less than significant to significant. CEQA defines a significant impact as “a substantial, or potentially substantial, adverse change in the environment.” Agencies adopt defined thresholds of significance for each of the 18 areas studied under CEQA.

With the passage of SB 743, California mandated that local jurisdictions move away from LOS, the traditional method of quantifying the environmental impact from projects on the transportation network, which measures the creation of congestion. In lieu of LOS, SB 743 requires that VMT be considered for CEQA purposes. VMT measures the volume and distance vehicles travel as a result of project development. VMT is the number of miles all vehicles travel, and it is the State’s goal to reduce VMT and thereby reduce greenhouse gas emissions and the adverse impacts associated with climate change.

While SB 743 changes the focus of traffic analysis to reducing VMT, it also does not prohibit jurisdictions from setting LOS standards for infrastructure planning purposes. In fact, many jurisdictions are opting to keep their level of service analysis to ensure General Plan or Specific Plan consistency for projects, as well as implementing VMT analysis for projects under CEQA. The added cost for undertaking both analyses has been a main point of contention for OCCOG and many of our jurisdictions.

SB 743 reorients CEQA away from the negative impacts of traffic congestion and toward potential negative environmental effects of automobile travel (air pollution and greenhouse gas emissions). Despite being required to adopt VMT thresholds there may be some areas in which jurisdictions have some discretion. Jurisdictions can use this discretion to determine whether they risk potential litigation and/or whether they can reduce the expensive and onerous CEQA process on projects that comply with their General Plan. Examples of some areas where jurisdictions may have some discretion include:

- Local-Serving Projects – The State allows cities to filter or “screen out” local serving projects so that they do not even require a traffic study for CEQA purposes. The idea behind this is that since they serve the local population, they are likely reducing the need for people to drive further away and thus are reducing VMT. Jurisdictions could consider adopting a list of local serving project types that are consistent with the state’s Office of Planning and Research’s (OPR) guidance.



- Projects in Low VMT Areas – The State allows jurisdictions to filter out regions of their sphere of influence that are already considered “low VMT” traffic analysis zones (TAZs). Low VMT zones are identified through the use of sophisticated travel demand models. The rationale is that the area likely already has a good mix of uses and adding additional uses in this area provides for less and/or shorter trips and bundling of trips.
- Projects in Transit Priority Areas (TPA) - OPR guidance allows jurisdictions to screen out projects in TPAs, which are defined as locations within a half-mile of a transit stop or station with a minimum of 15-minute headways during peak commute hours.
- Affordable Housing Projects – OPR guidance allows jurisdictions to screen out affordable housing developments or affordable housing units within mixed-use developments.

VMT continues to be an imperfect metric for quantifying environmental impacts of transportation. Mitigation measures for VMT impacts associated with specific land development projects is difficult if not impossible. Most land development projects will therefore require the preparation of costly EIRs, and risk significant time delays and approval uncertainty as Statements of Overriding Considerations are prepared. We have made strides in increasing market share of electric, hybrid, and alternative fuel vehicles, which have lower GHG and particulate matter emissions. California funds our transportation network via a gas tax, which acts as a proxy for VMT. If we actively seek to reduce VMT, without replacing the funds needed to maintain and expand our transportation network, air quality will continue to suffer and congestion will only worsen.

Proximity to the July 1, 2020 deadline means most jurisdictions have begun to make the transition to VMT. However, with the impacts of COVID-19 quarantine orders on local jurisdictions and significant budget impacts, a request for a delay of at least 6 months, and up to the BIA-requested delay of 2 years will ensure that the VMT implementation goes smoothly, to avoid costly delays.

STAFF RECOMMENDATION

Approve the Board-requested Resolution No. 20-02 as presented or amended.

ATTACHMENTS

- A. Letter to Governor Newsom dated June 10, 2020
- B. Draft Resolution No. 20-02

STAFF CONTACT

Marnie O'Brien Primmer, OCCOG Executive Director
949-698-2856
marnie@occog.com



Orange County Council of Governments

Orange County Council of Governments (OCCOG)
3972 Barranca Parkway, Ste. J127
Irvine, CA 92606

www.occog.com

June 10, 2020

Hon. Gavin Newsom
Governor of the State of California
California State Capitol
Sacramento, CA 95814

Subject: Extension of July 1 VMT Implementation

Dear Governor Newsom:

On behalf of the Orange County Governments (OCCOG), I would like to thank you for your leadership and prompt and decisive action to protect our state from the COVID-19 pandemic. By taking this threat seriously and taking the necessary actions to prevent its rapid spread, you have likely reduced the impacts on our healthcare system, economy, and housing that are sure to come. It is in this spirit that I bring to your attention a regulation that will dramatically impact the ability for many Californians, including young families, essential workers, and communities of color, to purchase a home - Vehicle Miles Travelled (VMT), and respectfully request the extension of the implementation date of the integration of VMT analyses in CEQA, to July 1st, 2022.

Pursuant to SB 743, in December 2018, the California Natural Resources Agency adopted new regulations for the implementation of the California Environmental Quality Act (CEQA). The new CEQA Guidelines contain many provisions that will increase the likelihood that housing projects will be subject to litigation and cost increases. Among them was the newly-proposed impact known as VMT which would replace the previous analysis of traffic impacts called Level of Service (LOS).

Whereas LOS analysis examines the delay created by a new project, and therefore the impact to the overall mobility system, the CEQA implementation of SB 743 will now require VMT to be the new metric for transportation impacts under CEQA. This new analysis requires local governments to analyze the vehicular trips generated by future development projects. This will require housing projects to quantify how many miles home buyers, renters, and tenants will drive to work, to the store, for recreation, and other purposes. The VMT analysis will also require commercial and industrial projects to quantify the miles generated by the employees and services related to such uses.

The ideological approach of VMT is to get people to abandon their individual vehicles and use alternative mobility options such as walking, biking, carpooling, and public transit. The regulation views road congestion as a good thing, since it slows down traffic and incentivizes individuals to use alternative forms of transit. Improvements like road widening are considered a negative impact on greenhouse gas reductions because it increases commuter speeds which the regulation assumes will encourage people to



drive longer distances. The new regulation advocates that California go on a "road diet" and calls into question whether the voters understood this when they approved an increase in the gas tax.

In addition to existing laws, which require the quantification and mitigation of air quality impacts, including greenhouse gas emissions, from tail pipes, VMT introduces a new impact, and added costs, to the environmental review process. Disturbingly, it will apply even once we convert to 100% zero emission vehicles. And, not coincidentally, since we fund transportation improvements, including transit service and active transportation infrastructure as well as highways and local streets and roads, from the state gas tax, as we see VMT drop and more alternative fuel vehicle on our roads, funds that support our transportation network will drop as well.

VMT regulation disproportionately impacts communities of color, and those farther away from job centers, which are often the most affordable areas. Not surprisingly then, these locations provide much needed housing for low- and middle-class Californians. Measures to mitigate VMT, especially in rural areas, significantly drive up the costs of residential development.

Our partners in the development community are sounding the alarm that VMT regulation will increase, not decrease, the cost of housing. They have identified that every \$1,000 increase in the cost of a home eliminates 8,870 households from the ability to afford a home, putting the American dream of homeownership - the primary method of establishing economic stability, community participation and economic growth - further out of reach for those struggling to afford a home today. OCCOG is concerned that this will have its greatest impacts on classes protected by the federal and state constitutions and a variety of federal and state laws prohibiting housing discrimination.

While our member jurisdictions are taking steps to ready themselves to make the transition from LOS to VMT analysis, I would be remiss if I did not point out to you how big of a disconnect there is between the aspirations of SB743 and the implications of the implementation of the VMT impact on the housing crisis and our ability to pay for critical transportation infrastructure improvements. Further, there is still a critical missing piece in the implementation puzzle: a more comprehensive approach on how to effectively implement VMT mitigation. Researchers are concluding that on-site mitigation alone cannot effectively reduce project-level VMT to local government-adopted targets. Thus, the time extension requested, would allow our regional and county transportation partners to not just study, but implement regional and area-wide approaches for VMT mitigation that can be achieved collaboratively and with support of our development community partners. OCCOG is ready to assist in this effort.

There are also special impacts from the COVID-19 health crisis, which has already produced dramatic reductions in VMT, that should result in further refinement of how VMT is implemented to ensure equity and a steady funding source for transportation investments across our state. Therefore, we respectfully request that you extend the implementation of the VMT regulation for two years, to July 1, 2022. Thank



Orange County Council of Governments

Orange County Council of Governments (OCCOG)
3972 Barranca Parkway, Ste. J127
Irvine, CA 92606

www.occog.com

you again for your leadership during these challenging times and know that we stand ready to assist you in our mutual effort to address the housing crisis in California.

Sincerely,

Marnie O. Primmer
Executive Director



AGENDA ITEM #15

LEGISLATIVE UPDATE

SUMMARY

This legislative update provides updates on federal appropriations and surface transportation activities, as well as state bills of interest to OCCOG, upcoming legislative deadlines, and the state budget.

BACKGROUND

The Legislative Update is provided to keep the OCCOG Board apprised of legislative and regulatory actions that address land use and housing, energy, mobility, air quality and water issues.

DISCUSSION

FEDERAL UPDATE

Federal Appropriations Update

The House is scheduled to begin marking up appropriations bills for Federal Fiscal Year (FFY) 2021 during the weeks of July 6th and 13th, with floor votes targeted for the weeks of July 20th and 27th. On the Senate side, the Senate Appropriations Committee is scheduled to begin marking up FFY 2021 bills the week of June 22nd with the remainder being considered after the July 4th recess.

Surface Transportation Reauthorization Update

The House released a surface transportation bill, HR 2, on June 4th, with some amendments released shortly thereafter that includes new provisions related to toll credits and restricting transit agencies from using federal funds to support mobility services like bike-sharing and ride-hailing apps. On June 17th, the House Transportation & Infrastructure Committee is scheduled to begin markup and consider hundreds of proposed amendments.

The Investing in a New Vision for the Environment and Surface Transportation in America (INVEST in America) is a five-year, \$494 billion proposal. Major elements include:



- \$319 billion for Highways
 - Prioritizes a “fix it first” approach to fixing the existing system before new capacity is built.
 - Incentivizes greenhouse gas emission reductions and provides funding for resilient infrastructure that can withstand climate change
 - Provides funding for charging stations and alternative fueling options for electric and zero emission vehicles
 - Expands eligibility for safe routes to school
 - Provides funding for active transportation projects
 - Funds technology deployments that increase innovation and supports the creation of more efficient transportation systems.
- \$105 billion for Transit
 - Increases funding for new routes and to increase service reliability
 - Creates a Mobility Innovation program to incentivize collaboration for mobility on demand services
 - Strengthens Buy America provisions
 - Increases investment in zero-emission buses
 - Proposes to streamline the Capital Investment Grant program to deliver projects more quickly
 - Addresses transit maintenance backlog needs
- \$60 billion for Rail
 - Allocates \$29 billion over five years to Amtrak
 - Creates a \$19 billion Passenger Rail Improvement, Modernization and Expansion (PRIME) grant program to fund passenger rail improvements and expansion
 - Includes \$7 billion for the Consolidated Rail Infrastructure and Safety Improvements (CRISI) program
 - Establishes a new \$2.5 billion grade separation grant program
- \$10 billion for Passenger Vehicle and Motor Vehicle Safety Investments
 - Provides \$5.3 billion over five years for highway safety programs
 - Allocates \$4.6 billion over five years for truck and bus safety programs

The Senate Environment and Public Works Committee has already approved the highway portion of its bill, S. 2302. It has not yet been taken up on the Senate floor. Neither house has yet determined how the reauthorizations would be paid for.

The Fixing America’s Surface Transportation (FAST) Act is currently set to expire on September 30, 2020.



STATE UPDATE

Legislative Deadlines

The remaining legislative deadlines for 2020 are as follows:

	Assembly	Senate
Pass bills out of fiscal committees	June 5	June 19
House of Origin deadlines	June 19	June 26
Summer Recess	June 19 - July 12	July 3 - 12

Status of OCCOG Bills of Interest

The status of OCCOG Bills of Interest are show below. Attachment A has been updated to reflect recent legislative deadlines and bill changes.

AB 725 (Wicks, D-Oakland) General plans: housing element: moderate-income and above moderate-income housing: suburban and metropolitan jurisdictions

Position: Watch

Status: 1/30/20 – Read third time. Passed. Ordered to the Senate. In Senate. Read first time. To Committee on Rules for assignment.

AB 1279 (Bloom, D-Santa Monica) Planning and zoning: housing development: high-opportunity areas

Position: Oppose

Status: 4/24/2020-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Committee on Housing.

AB 1907 (Santiago, D-Los Angeles) California Environmental Quality Act: emergency shelters: supportive and affordable housing: exemption

Position: Support if Amended

Status: 5/29/20 Failed Deadline pursuant to Rule 61(b)(5).

AB 2580 (Eggman, D-Stockton) Conversion of motels and hotels: streamlining

Position: Watch

Status: 6/5/20 Failed deadline pursuant to Rule 61(b)(8).



SB 795 (Beall, D-San Jose) Affordable Housing and Community Development Investment Program

Position: Support

Status: 6/11/20 Set for hearing June 18

SB 899 (Wiener, D-San Francisco) Planning and zoning: housing development: nonprofit hospitals or religious institutions

Position: Oppose

Status: 6/11/20 Set for hearing June 18

SB 902 (Wiener, D-San Francisco) Planning and zoning: neighborhood multi-family project: use by right: density

Position: Oppose

Status: 6/11/20 Set for hearing June 18

SB 995 (Atkins, D-San Diego) Environmental quality: Jobs and Economic Improvement Through Environmental Leadership Act of 2011: housing projects

Position: Support

Status: 6/11/20 Set for hearing June 18

SB 1085 (Skinner, D-Berkeley) Density Bonus Law: qualifications for incentives or concessions: student housing for lower income students: moderate-income persons and families: local government constraints

Position: Watch

Status: 6/11/20 Set for hearing June 18

SB 1120 (Atkins, D-San Diego) Subdivisions: tentative maps

Position: Watch

Status: 6/11/20 Set for hearing June 18

SB 1299 (Portantino, D-Los Angeles) Housing development: incentives: rezoning of idle retail sites

Position: Support

Status: 6/11/20 Set for hearing June 18

SB 1385 (Caballero, D-Salinas) Local planning: housing: commercial zones

Position: Support

Status: 6/11/20 Set for hearing June 18



State Budget Update

On June 15th, the Legislature approved SB 74 (Mitchell, D-Los Angeles), a “placeholder budget” in order to meet the constitutionally required deadline for passage of the budget. The Legislature is continuing to negotiate with the Governor to reach an agreement before July 1st. As of the writing of this report, the agreement had not yet been reached though agreement may come as early as June 19th when the Assembly breaks for summer recess. Remaining issues include anticipated revenue for the coming fiscal year, how much the state can expect in aid from the federal government, and emergency pandemic spending as well as funding for schools, county realignment funding, and Medi-Cal payments.

The placeholder budget adopted by the Legislature largely avoids the cuts proposed by Governor Newsom in the May Revise. Elements of the approved budget include:

- \$11.8 billion in reserves
 - \$2.6 billion in regular reserves, including \$700 million for COVID-19
 - \$900 million Safety Net Reserve
 - \$8.35 billion in the Rainy Day Fund
- \$14 billion in federal aid
 - If federal aid is not received by October 1st:
 - Reserve accounts drop to \$1 billion in regular reserves and \$6.5 billion in the Rainy Day Fund
 - The following trigger cuts occur:
 - \$1.3 billion to reinstate a PERS payment deferral
 - \$5.3 billion in Proposition 98 deferrals, rather than cuts
 - \$600 million in county realignment funds
 - \$770 million for the UC and CSU systems
 - \$100 million to the Judiciary
 - A June Payroll deferral if January’s updated budget forecast is worse than anticipated
- Maintains corporate tax changes proposed in the May Revise, raising an estimated \$4.4 billion in FY 2020-2021, as well as \$3.3 billion FY 2021-2022 and \$1.9 billion in FY 2022-2023.
- Other major differences with the May Revise in areas of interest include:
 - Provides \$50 million for AB 617 Community Air Grants to reduce air pollution in impacted communities
 - Provides \$13 million for transitional housing and housing navigators for foster youth
 - Provides \$350 million for local government homelessness programs
 - Provides an additional \$130 million for transportation projects
 - Rejects a proposed transfer from the State Highway Account



- Rejection of proposals by the Governor to reduce affordable housing funding, provides nearly \$250 million for affordable housing development in FY 2020-2021
- Rejection of proposals to cut \$8.1 billion from K-12 schools
- Recommends that the California Air Resources Board initiate rule making to improve the Cap and Trade Fund

GRANT UPDATE

The California Air Resources Board (CARB) has announced funding through the Sustainable Transportation Equity Project (STEP) for planning and clean transportation projects through two grant programs, with up to \$22 million in funding available.

The planning and capacity building grant program has up to \$2 million available to help identify community transportation needs and prepare for the implementation of clean transportation projects. The implementation grant program has up to \$20 million available for one to three grants for clean transportation projects. Funded projects must increase residents' access to the transportation system without the use of a personal vehicle.

Applications are due to CARB by Monday, August 31, 2020 at 5:00 p.m.

RECOMMENDED ACTION

Receive and file report provided.

STAFF CONTACT

Wendy Strack

OCCOG Legislative Consultant, Wendy J. Strack Consulting LLC
wendy@wjsconsulting.com
951.712.3173

Status Report Tuesday, June 16, 2020

[AB 69](#)

(Ting D) Land use: accessory dwelling units.

Last Amend: 6/20/2019

Status: 9/15/2019-Failed Deadline pursuant to Rule 61(a)(15). (Last location was INACTIVE FILE on 9/5/2019)(May be acted upon Jan 2020)

Location: 9/15/2019-S. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	2 year	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires the Department of Housing and Community Development to propose building standards to the California Building Standards Commission, and to adopt, amend, or repeal rules and regulations governing, among other things, apartment houses and dwellings, as specified. This bill would require the department to propose small home building standards governing accessory dwelling units smaller than 800 square feet, junior accessory dwelling units, and detached dwelling units smaller than 800 square feet, as specified, and to submit the small home building standards to the California Building Standards Commission for adoption on or before January 1, 2021.

[AB 725](#)

(Wicks D) General plans: housing element: moderate-income and above moderate-income housing: suburban and metropolitan jurisdictions.

Last Amend: 1/16/2020

Status: 1/30/2020-Read third time. Passed. Ordered to the Senate. In Senate. Read first time. To Com. on RLS. for assignment.

Location: 1/30/2020-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Planning and Zoning Law requires that the housing element include, among other things, an inventory of land suitable for residential development, to be used to identify sites that can be developed for housing within the planning period and that are sufficient to provide for the jurisdiction's share of the regional housing need determined pursuant to specified law. This bill would require that at least 25% of a metropolitan jurisdiction's share of the regional housing need for moderate-income housing be allocated to sites with zoning that allows at least 2 units of housing, but no more than 35 units per acre of housing. The bill would require that at least 25% of a metropolitan jurisdiction's share of the regional housing need for above moderate-income housing be allocated to sites with zoning that allows at least 2 units of housing, but no more than 35 units per acre of housing.

[AB 953](#)

(Ting D) Land use: accessory dwelling units.

Last Amend: 1/6/2020

Status: 1/30/2020-Read third time. Passed. Ordered to the Senate. In Senate. Read first time. To Com. on RLS. for assignment.

Location: 1/30/2020-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires a local agency to ministerially approve or deny a permit application for the creation of an accessory dwelling unit or junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. This bill would deem a permit application for the creation of an accessory dwelling unit or junior accessory dwelling unit approved if the local agency has not acted upon the completed application within 60 days.

[AB 1279](#)

(Bloom D) Planning and zoning: housing development: high-opportunity areas.

Last Amend: 4/24/2020

Status: 4/24/2020-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on HOUSING.

Location: 4/24/2020-S. HOUSING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Planning and Zoning Law allows a development proponent to submit an application for a development that is subject to a specified streamlined, ministerial approval process not subject to a conditional use permit if the development satisfies certain objective planning standards, including that the development is (1) located in a locality determined by the Department of Housing and Community Development to have not met its share of the regional housing needs for the reporting period, and (2) subject to a requirement mandating a minimum percentage of below-market rate housing, as provided. This bill would require the department to designate areas in this state as high-opportunity areas, as

provided, by January 1, 2022, in accordance with specified requirements and to update those designations within 6 months of the adoption of new Opportunity Maps by the California Tax Credit Allocation Committee.

[AB 1484](#) (Grayson D) Mitigation Fee Act: housing developments.

Last Amend: 9/6/2019

Status: 9/9/2019-Read second time. Ordered to third reading. Re-referred to Com. on RLS. pursuant to Senate Rule 29.10(b).

Location: 9/9/2019-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Mitigation Fee Act requires a local agency that establishes, increases, or imposes a fee as a condition of approval of a development project to, among other things, determine a reasonable relationship between the fee's use and the type of development project on which the fee is imposed. This bill would prohibit a local agency from imposing a housing impact requirement adopted by the local agency on a housing development project, as defined, unless specified requirements are satisfied by the local agency, including that the housing impact requirement be roughly proportional in both nature and extent to the impact created by the housing development project.

[AB 1845](#) (Rivas, Luz D) Homelessness: Office to End Homelessness.

Last Amend: 6/4/2020

Status: 6/11/2020-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 6/11/2020-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would create, within the Governor's office, the Office to End Homelessness, which would be administered by the Secretary on Housing Insecurity and Homelessness appointed by the Governor. The bill would require that the office serve the Governor as the lead entity for ending homelessness in California and would task the office with coordinating homeless programs, services, data, and policies between federal, state, and local agencies, among other responsibilities. The bill would require the office to exercise various powers and duties, including, among others, making recommendations to the Governor and the Legislature regarding new state policies, programs, and actions on homelessness.

[AB 1851](#) (Wicks D) Religious institution affiliated housing development projects: parking requirements.

Last Amend: 5/5/2020

Status: 6/11/2020-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 6/11/2020-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would prohibit a local agency from requiring the replacement of religious-use parking spaces that a developer of a religious institution affiliated housing development project proposes to eliminate as part of that housing development project. The bill would prohibit the number of religious-use parking spaces requested to be eliminated from exceeding 50% of the number that are available at the time the request is made. The bill would prohibit a local agency from requiring the curing of any preexisting deficit of the number of religious-use parking spaces as a condition of approval of a religious institution affiliated housing development project.

[AB 1907](#) (Santiago D) California Environmental Quality Act: emergency shelters: supportive and affordable housing: exemption.

Status: 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was NAT. RES. on 1/30/2020)

Location: 5/29/2020-A. DEAD

Desk	Dead	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would, until January 1, 2029, exempt from environmental review under CEQA certain activities approved by or carried out by a public agency in furtherance of providing emergency shelters, supportive housing, or affordable housing, as each is defined. The bill would require a lead agency that determines to carry out or approve an activity that is within this CEQA exemption to file a notice of exemption, as specified.

[AB 1962](#) (Voepel R) Sales and use taxes: exemption: senior housing.

Status: 3/9/2020-In committee: Hearing for testimony only.

Location: 1/30/2020-A. REV. & TAX

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current state sales and use tax laws impose a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state of, or on the storage, use, or other consumption in this state of, tangible personal property purchased from a retailer for storage, use, or other consumption in this state. This bill, on and after January 1, 2021, and before January 1, 2026, would exempt from these taxes the gross receipts from the sale of, and the storage, use, or other consumption in this state of, building materials and supplies purchases by a qualified person for use by that qualified person in the construction of specified senior housing developments.

[AB 2168](#) (McCarty D) Planning and zoning: electric vehicle charging stations: permit application: approval.

Last Amend: 5/4/2020

Status: 5/5/2020-Re-referred to Com. on L. GOV.

Location: 3/2/2020-A. L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require an application to install an electric vehicle charging station to be deemed complete if, 5 business days after the application was submitted, the building official of the city, county, or city and county has not deemed the application complete, as specified, and if the building official has not issued a one-written correction notice, as specified. The bill would require an application to install an electric vehicle charging station to be deemed approved if 15 business days after the application was deemed complete certain conditions are met, including that the building official of the city, county, or city and county has not approved the application, as specified, and the building official has not made findings that the proposed installation could have an adverse impact, as described above, and required the applicant to apply for a use permit.

[AB 2265](#) (Quirk-Silva D) Mental Health Services Act: use of funds for substance use disorder treatment.

Last Amend: 5/20/2020

Status: 6/9/2020-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 6/9/2020-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would authorize funding from the Mental Health Services Act, to be used to treat a person with cooccurring mental health and substance use disorders when the person would be eligible for treatment of the mental health disorder pursuant to the MHSA. The bill would also authorize the use of MHSA funds to assess whether a person has cooccurring mental health and substance use disorders and to treat a person who is preliminarily assessed to have cooccurring mental health and substance use disorders, even when the person is later determined not to be eligible for services provided with MHSA funds. The bill would require a person being treated for cooccurring mental health and substance use disorders who is determined to not need the mental health services that are eligible for funding pursuant to the act, to be, as quickly as possible, referred to substance use disorder treatment services.

[AB 2275](#) (Nazarian D) State armories: homeless shelters: security.

Status: 5/27/2020-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 5/27/2020-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires that a county or city that elects to use an armory as a temporary shelter obtain a license that meets specified requirements. Current law also requires that the county or city that obtains a license to use an armory as a temporary shelter ensure that local law enforcement officers conduct periodic visits to the armory on each night of operation. This bill would instead require, prior to shelter services commencing, that the county or city notify local law enforcement officers and request that officers make periodic visits to the armory on each night of operation.

[AB 2323](#) (Friedman D) California Environmental Quality Act: exemptions.

Last Amend: 6/4/2020

Status: 6/9/2020-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 6/9/2020-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: CEQA exempts from its requirements certain residential, employment center, and mixed-use development projects meeting specified criteria, including that the project is undertaken and is consistent with a specific plan for which an environmental impact report has been certified. This bill would require that the project is undertaken and is consistent with either a specific plan prepared pursuant to specific provisions of law or a community plan, as defined, in order to be exempt. Because a lead agency would be required to determine the applicability of this exemption, this bill would impose

a state-mandated local program.

AB 2345 (Gonzalez D) Planning and zoning: density bonuses: annual report: affordable housing.

Last Amend: 5/22/2020

Status: 6/11/2020-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 6/11/2020-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Planning and Zoning Law requires the planning agency of a city or county to provide by April 1 of each year an annual report to, among other entities, the Department of Housing and Community Development that includes, among other specified information, the number of net new units of housing that have been issued a completed entitlement, a building permit, or a certificate of occupancy, thus far in the housing element cycle, as provided. This bill would require that the annual report include specified information regarding density bonuses granted in accordance with specified law.

AB 2405 (Burke D) Housing: children and families.

Last Amend: 6/4/2020

Status: 6/11/2020-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 6/11/2020-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would declare that it is the policy of the state that every child and family has the right to safe, decent, and affordable housing, and would require the policy to consider homelessness prevention, emergency accommodations, and permanent housing, as specified. The bill would, among other things, require all relevant state agencies and departments, including, but not limited to, the Department of Housing and Community Development, the State Department of Social Services, and the Office of Emergency Services, and local jurisdictions to consider that state policy when revising, adopting, or establishing policies, regulations, and grant criteria when those policies, regulations, and criteria are pertinent to advancing the guidelines listed as core components of Housing First. The bill would make these provisions operative on January 1, 2026. 2026, and would make implementation of these provisions subject to an appropriation of funds in the annual Budget Act for these purposes.

AB 2553 (Ting D) Shelter crisis declarations.

Last Amend: 5/22/2020

Status: 6/11/2020-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 6/11/2020-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law, upon a declaration of a shelter crisis by specified local jurisdictions, specifies additional provisions applicable to a shelter crisis declared by one of those jurisdictions. Current law exempts from the California Environmental Quality Act specified actions by a state agency or a city, county, or city and county relating to land owned by a local government to be used for, or to provide financial assistance to, a homeless shelter constructed pursuant to these provisions, and provides that homeless shelters constructed or allowed pursuant to these shelter crisis declarations are not subject to specified laws, including the Special Occupancy Parks Act. Current law also defines a "homeless shelter" as a facility with overnight sleeping accommodations, the primary purpose of which is to provide temporary shelter for the homeless that is not in existence after the declared shelter crisis. Current law requires a city, county, or city and county that declares a shelter crisis pursuant to these provisions to develop a plan to address the shelter crisis on or before July 1, 2019, or July 1, 2020, as applicable, and to annually report to specified committees of the Legislature on or before January 1, 2019, or on or before January 1 of the year following the declaration of the shelter crisis, as applicable, and annually thereafter until January 1, 2023. Current law repeals these additional provisions as of January 1, 2023. This bill would instead apply those additional provisions to a shelter crisis declared by any county or city.

AB 2580 (Eggman D) Conversion of motels and hotels: streamlining.

Last Amend: 5/22/2020

Status: 6/5/2020-Failed Deadline pursuant to Rule 61(b)(8). (Last location was A. APPR. SUSPENSE FILE on 6/2/2020)

Location: 6/5/2020-A. DEAD

Desk	Policy	Dead	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would authorize a development proponent to submit an application for a development for the complete conversion, as defined, of a structure with a certificate of occupancy as a motel or hotel into multifamily housing units to be subject to a streamlined, ministerial approval process, provided

that development proponent reserves at least 15% of the proposed housing units for lower income households and 5% of the proposed housing units for extremely low income households, unless a local government has affordability requirements that exceed these requirements. The bill would require the structure proposed to be converted be vacant for at least 6 months prior to the submission of the application, except as provided.

[AB 3030](#) (Kalra D) Resource conservation: land and ocean conservation goals.

Last Amend: 6/4/2020

Status: 6/9/2020-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 6/9/2020-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would declare it to be the goals of the state by 2030 to protect at least 30% of the state’s land areas and waters; to help advance the protection of 30% of the nation’s oceans; and to support regional, national, and international efforts to protect at least 30% of the world’s land areas and waters and 30% of the world’s ocean. The bill would authorize the state to achieve these goals through specified activities.

[AB 3040](#) (Chiu D) Local planning: regional housing need assessment.

Last Amend: 5/11/2020

Status: 6/11/2020-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 6/11/2020-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would authorize a city or county to include in its inventory of land suitable for residential development specified sites that contain an existing single-family dwelling unit, but that the city or county authorizes to contain 4 dwelling units as a use by right. The bill would require these sites to be identified to satisfy either the moderate or the above-moderate income regional housing need income level. The bill would require a city or county identifying a site pursuant to these provisions to adopt a resolution or ordinance that, among other things, establishes that the additional units may be developed as a use by right on the site. The bill would require the department to review and make findings regarding a resolution or ordinance adopted by a city or county under these provisions.

[AB 3107](#) (Bloom D) Planning and zoning: general plan: housing development.

Last Amend: 5/11/2020

Status: 6/11/2020-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 6/11/2020-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Planning and Zoning Law requires that the housing element include, among other things, an inventory of land suitable and available for residential development, as provided. If that inventory does not identify adequate sites to accommodate the need for groups of all household income levels, as specified, existing law requires the city or county to rezone those sites within specified periods. This bill, notwithstanding any inconsistent provision of a city’s or county’s general plan, specific plan, zoning ordinance, or regulation, would require that a housing development be an authorized use on a site designated in any element of the general plan for commercial if certain conditions apply. Among these conditions, the bill would require that the housing development be subject to a recorded deed restriction requiring that at least 20% of the units have an affordable housing cost or affordable rent for lower income households, as those terms are defined, and located on a site that satisfies specified criteria.

[AB 3205](#) (Salas D) Regions Rise Grant Program.

Last Amend: 5/19/2020

Status: 6/11/2020-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 6/11/2020-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would establish the Regions Rise Grant Program within the Governor’s Office of Business and Economic Development for the purpose of supporting inclusive, cross-jurisdictional, and innovative processes that lead to inclusive strategies to address barriers and challenges confronting communities in creating economic prosperity for all. The bill would define “region” as a geographic area comprised of one or more counties and cities that form a functional economy.

[AB 3234](#) (Gloria D) Subdivision Map Act.

Last Amend: 5/18/2020

Status: 6/8/2020-From Consent Calendar. Ordered to inactive file at the request of Assembly Member

Gloria.

Location: 6/8/2020-A. INACTIVE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would specify that no tentative or final map shall be required for the creation of a parcel or parcels necessary for the development of a small lot subdivision for a housing development project, as defined in the Housing Accountability Act, that meets specified criteria, including that the site is an infill site, as defined, is located in an urbanized area or urban cluster, as defined, and the proposed site to be subdivided is no larger than 5 acres, among other requirements. The bill would authorize a city, county, or city and county to provide by ordinance for the creation of a small lot subdivision if that ordinance meets the same requirements or requires smaller lots, less parking, or greater density than those requirements.

[AB 3256](#) (Garcia, Eduardo D) Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020.

Last Amend: 6/4/2020

Status: 6/8/2020-Re-referred to Com. on RLS.

Location: 6/3/2020-A. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would enact the Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$6,980,000,000 pursuant to the State General Obligation Bond Law to finance projects for an economic recovery, wildfire prevention, safe drinking water, drought preparation, and flood protection program.

[AB 3269](#) (Chiu D) State and local agencies: homelessness plan.

Last Amend: 6/4/2020

Status: 6/11/2020-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 6/11/2020-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires the Governor to create the Homeless Coordinating and Financing Council and to appoint up to 19 members of that council, as provided. Current law specifies the duties of the coordinating council, including creating partnerships among state agencies and departments, local government agencies, and specified federal agencies and private entities, for the purpose of arriving at specific strategies to end homelessness. This bill, upon appropriation by the Legislature or upon receiving technical assistance offered by the federal Department of Housing and Urban Development, if available, would require the coordinating council to conduct, or contract with an entity to conduct, a statewide needs and gaps analysis to, among other things, identify state programs that provide housing or services to persons experiencing homelessness and create a financial model that will assess certain investment needs for the purpose of moving persons experiencing homelessness into permanent housing.

[AB 3300](#) (Santiago D) Homelessness: California Access to Housing and Services Act.

Last Amend: 6/4/2020

Status: 6/15/2020-Read third time. Passed. Ordered to the Senate.

Location: 6/15/2020-S. DESK

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: By executive order, the Governor required the Department of Finance to establish the California Access to Housing and Services Fund, administered by the State Department of Social Services, to provide funding for additional affordable housing units, providing rental and operating subsidies, and stabilizing board and care homes. This bill, the California Access to Housing and Services Act, would establish the California Access to Housing and Services Fund in the State Treasury and continuously appropriate moneys in the fund solely for the purpose of implementing and administering the bill's provisions.

[ACA 10](#) (Bonta D) Personal rights: right to housing.

Last Amend: 5/11/2020

Status: 5/12/2020-Re-referred to Com. on E. & R.

Location: 6/6/2019-A. E. & R.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would declare that the fundamental human right to housing exists in this state. The

measure would declare that this right is exclusively enforceable by a public right of action. The measure would specify that it is the shared obligation of state and local jurisdictions to respect, protect, and fulfill this right through progressively implemented measures, consistent with available resources, within an aggressive but reasonable time frame.

SB 9 (Beall D) Income taxes: low-income housing credits: allocation: sale of credits.

Last Amend: 4/3/2019

Status: 7/10/2019-Failed Deadline pursuant to Rule 61(a)(10). (Last location was H. & C.D. on 5/30/2019)(May be acted upon Jan 2020)

Location: 7/10/2019-A. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law, beginning on or after January 1, 2009, and before January 1, 2020, requires, in the case of a project that receive a preliminary reservation of a state low-income housing tax credit, that the credit be allocated to the partners of a partnership owning the project in accordance with the partnership agreement, as provided. Existing law, beginning on or after January 1, 2016, and before January 1, 2020, authorizes a taxpayer that is allowed a low-income housing tax credit to elect to sell all or a portion of that credit to one or more unrelated parties for each taxable year in which the credit is allowed, as described. This bill would delete the January 1, 2020, date with respect to both of these provisions, thereby requiring the allocation of credits among partners in accordance with the partnership agreement and authorizing the sale of a credit, as described above, indefinitely.

SB 45 (Allen D) Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020.

Last Amend: 1/23/2020

Status: 1/30/2020-In Assembly. Read first time. Held at Desk.

Location: 1/29/2020-A. DESK

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$5,510,000,000 pursuant to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, drought preparation, and flood protection program.

SB 592 (Wiener D) Housing development: Housing Accountability Act: permit streamlining.

Last Amend: 9/9/2019

Status: 9/11/2019-Re-referred to Com. on RLS. pursuant to Assembly Rule 96.

Location: 9/11/2019-A. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Housing Accountability Act (the HAA), among other things, requires a local agency that proposes to disapprove or impose specified conditions on a housing development project that complies with applicable, objective general plan, zoning, and subdivision standards and criteria in effect at the time the application for the project is deemed complete, within the meaning of the Permit Streamlining Act, to make specified written findings based on a preponderance of the evidence in the record. This bill would additionally require a local agency to make those findings if it proposes to disapprove or impose specified conditions on a housing development project that is determined to be complete, as provided, and would make other related conforming changes.

SB 664 (Allen D) Electronic toll and transit fare collection systems.

Last Amend: 9/10/2019

Status: 9/15/2019-Failed Deadline pursuant to Rule 61(a)(15). (Last location was P. & C.P. on 9/10/2019)(May be acted upon Jan 2020)

Location: 9/15/2019-A. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires the Department of Transportation, in cooperation with the Golden Gate Bridge, Highway and Transportation District and all known entities planning to implement a toll facility, to develop and adopt functional specifications and standards for an automatic vehicle identification system, in compliance with specified objectives, including that a vehicle owner shall not be required to purchase or install more than one device to use on all toll facilities, and generally requires any automatic vehicle identification system purchased or installed after January 1, 1991, to comply with those specifications and standards. Current law authorizes operators of toll facilities on federal-aid highways engaged in an interoperability program to provide only specified information regarding a vehicle's use of the toll facility. This bill would expand the above-described objective so

that a user of a toll facility shall also not be required to purchase or install more than one device to use on all toll facilities.

[SB 773](#) (Skinner D) Land use: accessory dwelling units.

Last Amend: 1/6/2020

Status: 1/27/2020-Read third time. Passed. (Ayes 39. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Location: 1/27/2020-A. DESK

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires a local agency to ministerially approve or deny a permit application for the creation of an accessory dwelling unit or junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. This bill would deem a permit application for the creation of an accessory dwelling unit or junior accessory dwelling unit approved if the local agency has not acted upon the completed application within 60 days.

[SB 795](#) (Beall D) Economic development: housing: workforce development: climate change infrastructure.

Last Amend: 5/6/2020

Status: 6/11/2020-Set for hearing June 18.

Location: 6/9/2020-S. APPR. SUSPENSE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would continuously appropriate the sum of \$10,000,000,000 from the General Fund for expenditure over the 2020-21 fiscal year and each of the 4 following fiscal years. Of that amount, the bill would require the Controller to allocate for each of those fiscal years \$1,805,000,000 among various housing programs administered by the Department of Housing and Community Development, the Homeless Housing, Assistance, and Prevention program, and for distribution by the California Workforce Development Board among local agencies to participate in, invest in, or partner with new or existing preapprenticeship training programs established as specified. The bill would require the Business, Consumer Services, and Housing Agency to establish deadlines for applications and submitting final reports under the Homeless Housing, Assistance, and Prevention program with respect to moneys allocated to that program under the bill.

[SB 899](#) (Wiener D) Planning and zoning: housing development: higher education institutions, nonprofit hospitals, or religious institutions.

Last Amend: 5/27/2020

Status: 6/11/2020-Set for hearing June 18.

Location: 6/9/2020-S. APPR. SUSPENSE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for its physical development, and the development of certain lands outside its boundaries, that includes, among other mandatory elements, a housing element. That law allows a development proponent to submit an application for a development that is subject to a specified streamlined, ministerial approval process not subject to a conditional use permit if the development satisfies certain objective planning standards. This bill would require that a housing development project be a use by right upon the request of an independent institution of higher education, nonprofit hospital, nonprofit diagnostic or treatment center, nonprofit rehabilitation facility, nonprofit nursing home, or religious institution that partners with a qualified developer on any land owned in fee simple by the applicant if the development satisfies specified criteria. The bill would define various terms for these purposes.

[SB 902](#) (Wiener D) Planning and zoning: housing development: density.

Last Amend: 5/21/2020

Status: 6/11/2020-Set for hearing June 18.

Location: 6/9/2020-S. APPR. SUSPENSE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would authorize a local government to pass an ordinance, notwithstanding any local restrictions on adopting zoning ordinances, to zone any parcel for up to 10 units of residential density per parcel, at a height specified by the local government in the ordinance, if the parcel is located in a transit-rich area, a jobs-rich area, or an urban infill site, as those terms are defined. In this regard, the bill would require the Department of Housing and Community Development, in consultation with the Office of Planning and Research, to determine jobs-rich areas and publish a map of those areas every

5 years, commencing January 1, 2022, based on specified criteria.

SB 995 (Atkins D) Environmental quality: Jobs and Economic Improvement Through Environmental Leadership Act of 2011: housing projects.

Last Amend: 6/2/2020

Status: 6/11/2020-Set for hearing June 18.

Location: 6/9/2020-S. APPR. SUSPENSE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: CEQA requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA authorizes the preparation of a master EIR and authorizes the use of the master EIR to limit the environmental review of subsequent projects that are described in the master EIR, as specified. This bill would require a lead agency to prepare a master EIR for a general plan, plan amendment, plan element, or specified plan for housing projects where the state has provided funding for the preparation of the master EIR.

SB 1049 (Glazer D) Cities and counties: ordinances: short-term rentals.

Last Amend: 5/29/2020

Status: 5/29/2020-Read second time and amended. Ordered to third reading.

Location: 5/29/2020-S. THIRD READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would authorize the legislative body of a city or county, for the violation of a short term rental ordinance that is an infraction, to impose a fine not exceeding \$1,500 for a first violation, \$3,000 for a 2nd violation of the same ordinance within one year, and \$5,000 for each additional violation of the same ordinance within one year of the first violation. The bill would define "short term rental" for purposes of these provisions to mean a residential property that is not a hotel or motel that is rented to a visitor for fewer than 30 consecutive days or less. The bill, with respect to cities, would also make these violations subject to the process for granting a hardship waiver.

SB 1065 (Hertzberg D) CalWORKs: homeless assistance.

Last Amend: 5/21/2020

Status: 6/11/2020-Set for hearing June 18.

Location: 6/9/2020-S. APPR. SUSPENSE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Under current law, a family is considered homeless for the purpose of establishing eligibility for homeless assistance benefits if, among other things, the family has received a notice to pay rent or quit. Current law requires the family to demonstrate that the eviction is the result of a verified financial hardship, as specified, and not other lease or rental violations, and that the family is experiencing a financial crisis that may result in homelessness if preventive assistance is not provided. This bill would eliminate the requirement for a family to demonstrate the reason for the eviction and the existence of the financial crisis.

SB 1085 (Skinner D) Density Bonus Law: qualifications for incentives or concessions: student housing for lower income students: moderate-income persons and families: local government constraints.

Last Amend: 5/27/2020

Status: 6/11/2020-Set for hearing June 18.

Location: 6/9/2020-S. APPR. SUSPENSE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Density Bonus Law requires a city or county to provide a developer that proposes a housing development in the city or county with a density bonus and other incentives or concessions for the production of lower income housing units, or for the donation of land within the development, if the developer agrees to, among other things, construct a specified percentage of units for very low income, low-income, or moderate-income households or qualifying residents, including lower income students. Current law defines "incentives or concessions" to include, among other things, regulatory incentives or concessions proposed by the developer or the city or county that result in identifiable and actual cost reductions to provide for affordable housing costs, as specified. This bill would revise that definition of "incentives or concessions" to include those proposed regulatory incentives or concessions that the developer determines result in identifiable and actual cost reductions to provide for affordable housing costs.

SB 1120 (Atkins D) Subdivisions: tentative maps.

Last Amend: 5/20/2020

Status: 6/11/2020-Set for hearing June 18.

Location: 6/9/2020-S. APPR. SUSPENSE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require a proposed housing development containing 2 residential units to be considered ministerially, without discretionary review or hearing, in zones where allowable uses are limited to single-family residential development if the proposed housing development meets certain requirements, including that the proposed housing development would not require demolition or alteration requiring evacuation or eviction of an existing housing unit that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

SB 1138 (Wiener D) Housing element: emergency shelters: rezoning of sites.

Last Amend: 3/24/2020

Status: 6/11/2020-Set for hearing June 18.

Location: 6/9/2020-S. APPR. SUSPENSE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Planning and Zoning Law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city that includes a housing element. Current law requires that the housing element identify adequate sites for housing, including rental housing, factory-built housing, mobilehomes, and emergency shelters, and to make adequate provision for the existing and projected needs of all economic segments of a community. This bill would revise the requirements of the housing element, as described above, in connection with identifying zones or zoning designations that allow residential use, including mixed use, where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. If an emergency shelter zoning designation where residential use is a permitted use is unfeasible, the bill would permit a local government to designate zones for emergency shelters in a nonresidential zone if the local government demonstrates that the zone is connected to amenities and services, as specified, that serve homeless people.

SB 1291 (Committee on Transportation) Federal Statewide Transportation Improvement Program: submissions.

Last Amend: 4/3/2020

Status: 6/11/2020-Read third time. Urgency clause adopted. Passed. (Ayes 39. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Location: 6/11/2020-A. DESK

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires each metropolitan planning organization and transportation planning agency, not later than October 1 of each even-numbered year, to submit its Federal Transportation Improvement Program to the Department of Transportation for incorporation into the Federal Statewide Transportation Improvement Program, which current law requires the department to submit to the United States Secretary of Transportation by not later than December 1 of each even-numbered year. This bill would provide that a metropolitan planning organization or transportation planning agency is not required to submit a Federal Transportation Improvement Program to the department, and the department is not required to submit the Federal Statewide Transportation Improvement Program to the secretary, for 2020.

SB 1299 (Portantino D) Housing development: incentives: rezoning of idle retail sites.

Last Amend: 4/1/2020

Status: 6/11/2020-Set for hearing June 18.

Location: 6/9/2020-S. APPR. SUSPENSE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law establishes, among other housing programs, the Workforce Housing Reward Program, which requires the Department of Housing and Community Development to make local assistance grants to cities, counties, and cities and counties that provide land use approval to housing developments that are affordable to very low and low-income households. This bill, upon appropriation by the Legislature, would require the department to administer a program to provide incentives in the form of grants allocated as provided to local governments that rezone idle sites used for a big box retailer or a commercial shopping center to instead allow the development of workforce housing. The bill would define various terms for these purposes. In order to be eligible for a grant, the bill would require a local government, among other things, to apply to the department for an allocation of grant funds and provide documentation that it has met specified requirements.

SB 1385 (Caballero D) Local planning: housing: commercial zones.

Last Amend: 5/20/2020

Status: 6/11/2020-Set for hearing June 18.

Location: 6/9/2020-S. APPR. SUSPENSE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for its physical development, and the development of certain lands outside its boundaries, that includes, among other mandatory elements, a housing element. This bill, the Neighborhood Homes Act, would deem a housing development project, as defined, an authorized use on a neighborhood lot that is zoned for office or retail commercial use under a local agency’s zoning code or general plan. The bill would require the density for a housing development under these provisions to meet or exceed the density deemed appropriate to accommodate housing for lower income households according to the type of local jurisdiction, including a density of at least 20 units per acre for a suburban jurisdiction.

SCA 1 (Allen D) Public housing projects.

Status: 9/10/2019-Read. Adopted. (Ayes 38. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Location: 9/10/2019-A. DESK

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The California Constitution prohibits the development, construction, or acquisition of a low-rent housing project, as defined, in any manner by any state public body until a majority of the qualified electors of the city, town, or county in which the development, construction, or acquisition of the low-rent housing project is proposed approve the project by voting in favor at an election, as specified. This measure would repeal these provisions.

Total Measures: 44

Total Tracking Forms: 44