



AGENDA

Orange County Council of Governments
Board of Directors Meeting

Orange County Council of Governments

May 28, 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 April 23, 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/98045981269?pwd=NFNaaklVbFZaRWdTeFpnLzRPakVUZz09>

Meeting ID: 980 4598 1269

Password: 109062

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 980 4598 1269#

Password 109062 --10:30 a.m. to 12:00 p.m.

Board Members (Voting)

Phil Bacerra, District 16

Art Brown, District 21

Wendy Bucknum, District 13 (Vice Chairman)

Michael Carroll, District 14

Rose Espinoza, Cities-at-Large

Jim Ferryman, Orange County Sanitation District (OCSD)

Dean Grose, District 20

Michael Hennessey, Orange County Transportation Authority (OCTA)

Fred Minagar, District 12

Steve Nagel, District 15

Kim Nguyen, District 18

Trevor O'Neil, District 19 (Chair)

Charles E. Puckett, District 17

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

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

Lyn Semeta, District 64

Marty Simonoff, District 22

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

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

VACANT, Health Care/Hospital Industry



AGENDA

May 28, 2020

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. 1-4)

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 April 23, 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 April 2020** John Hanson, OCCOG Treasurer [Packet Page 9](#)

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

3. **Update Citizens Business Bank Signature Cards** John Hanson, Treasurer [Packet Page 24](#)

Recommended Action: 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.

4. **Approve Engagement Letter with Auditor for FY 2019-2020** John Hanson, Treasurer [Packet Page 27](#)

Recommended Action: Approve engagement letter with Eide Bailly for audit services. The not-to-exceed amount of the contract is \$7,650.

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 [Packet Page 39](#)

Recommended Action: Authorize the OCCOG Executive Director to sign the Participation Agreements for the Orange County Data Acquisition Partnership (OCDAP) Cycle 1.

6. **Legislative Update and Action** Wendy Strack, OCCOG legislative Consultant [Packet Page 62](#)

Recommended Action: Receive and file report provided. Adopt Support positions for SB 995, SB 1299, and SB 1385; an Oppose position for AB 1279; and Watch positions for AB 725, SB 902, SB 1085, and SB 1120.



Discussion Item

7. **Update on Housing Videos Production** Marnie O'Brien Primmer, Executive Director

[Packet Page 87](#)

Recommended Action: Receive and file

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

Recommended Action: Receive and file presentation

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

Announcement of Closed Session

Fred Galante, General Counsel

Recess to Closed Session

Chair O'Neil



AGENDA

May 28, 2020

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

Announcement of Closed Session Action

Attorney Galante

Adjournment of Regular Meeting

The next OCCOG Regular Meeting will be on **June 25, 2020**, at a place to be determined, pending state and local public health orders in force at the time of the meeting.



MINUTES

Thursday, April 23, 2020 | 10:30 a.m.

Call to Order

Chair Berry called the Regular Meeting of the Orange County Council of Governments to order at 10:36 a.m. on Thursday, April 23, 2020 via Zoom; at (669) 900-6833, Meeting ID Number 934 8836 3463#

Board Members Present

Phil Bacerra, District 16
Stacy Berry, District 18 (Outgoing Chairman)
Art Brown, District 21
Wendy Bucknum, District 13 (Vice Chairman)
Tony Cardenas, Orange County Division, League of Cities (Ex-Officio)
Michael Carroll, District 14
Bruce Channing (ACC-OC) (Ex-Officio)
Rose Espinoza, Cities-at-Large
Jim Ferryman, Orange County Sanitary District (OCSD)
Mike Hennessey (OCTA)
Amanda Hughes, University Community (Ex-Officio)
Diana Kotler, Anaheim Resort Transportation (ART) (Ex-Officio)
Debra Kurita, LAFCO (Ex-Officio) (Alternate)
Steven LaMotte, Private Sector (Ex-Officio)
Rachel Rolnicki OCBC, Business Community (Ex-Officio)
Mike Scheafer, Independent Special Districts of Orange County (ISDOC)
Fred Minagar, District 12
Steve Nagel, District 15
Trevor O'Neil, District 19 (Chairman)
Helen O'Sullivan, Non-Profit Housing Community (Ex-Officio)
Charles E. Puckett, District 17 (Outgoing Vice-Chairman)
Carlos Rodriguez, (TCA)
Lyn Semeta, District 64
Marty Simonoff, District 22
Tri Ta, District 20
Scott Voigts, SCAQMD

Board Members Absent

None

Board Vacancies

Health Care/Hospital Industry (Ex-Officio)



MINUTES

Thursday, April 23, 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
Debra Ashby, Senior Public Information Specialist, SCAQMD
Marika Poynter, Principal Planner, City of Irvine
Diane Dixon, Councilmember, City of Newport Beach
Joanne Hwang
Kimberly Nguyen, Incoming SCAG District 18 Representative
Scott Reekstin
Warren Whiteaker
Gail Shimoto-Lohr
Dean Grose, Incoming SCAG District 20 Representative
Dustin Sifford
Kelly Rowe
Melanie Masud
Andrew Henderson

Opening Remarks

Outgoing Chair Stacy Berry thanked all for being present and involved despite the participation challenges presented by the nation, state and county restrictions, which have been imposed due to the COVID-19 Pandemic.

Pledge of Allegiance led by Outgoing Vice Chair Puckett

Public Comments

None



MINUTES

Thursday, April 23, 2020 | 10:30 a.m.

Consent Calendar (Item Nos. 1 - 5)

- 1. **Approval of Meeting Minutes for February 27, 2020, Regular Meetings** Eileen White, OCCOG Clerk of the Board

It was moved by Outgoing Vice Chair Puckett, seconded by Director Voigts to receive and file the minutes as presented. Said motion was carried by the following vote:

AYES: (18) BECERRA, BERRY, BROWN, BUCKNUM, CARROLL, ESPINOZA, FERRYMAN, HENNESSEY, MINAGAR, NAGEL, O'NEIL, PUCKETT, RODRIGUEZ, SCHEAFER, SEMETA, SIMONOFF, TA, VOIGTS

NOES: (0)

ABSENT: (0)

- 2. **OCCOG Financial Reports for February and March, 2020** John Hanson, OCCOG Treasurer

It was moved by Director Ferryman, seconded by Director Simonoff to approve the OCCOG Financial Reports for February and March, 2020. Said motion was carried by the following vote:

AYES: (18) BECERRA, BERRY, BROWN, BUCKNUM, CARROLL, ESPINOZA, FERRYMAN, HENNESSEY, MINAGAR, NAGEL, O'NEIL, PUCKETT, RODRIGUEZ, SCHEAFER, SEMETA, SIMONOFF, TA, VOIGTS

NOES: (0)

ABSENT: (0)

- 3. **Approval FY 2020-2023 Memorandum of Understanding with for Center for Demographic Research (CDR)** Deborah Diep, Center for Demographic Research Director

It was moved by Director Ferryman, seconded by Director Simonoff to Authorize the OCCOG Executive Director to execute the 2020-2023 Memorandum of Understanding with CSU Fullerton for demographic services by the Center for Demographic Research.. Said motion was carried by the following vote:

AYES: (18) BECERRA, BERRY, BROWN, BUCKNUM, CARROLL, ESPINOZA, FERRYMAN, HENNESSEY, MINAGAR, NAGEL, O'NEIL, PUCKETT, RODRIGUEZ, SCHEAFER, SEMETA, SIMONOFF, TA, VOIGTS

NOES: (0)

ABSENT: (0)

- 4. **SCAG Policy Committee Appointment** Marnie O'Brien Primmer, Executive Director

It was moved by Director Ferryman, seconded by Director Simonoff to Ward Smith, councilmember from the City of Placentia to the open SCAG Policy Committee representative position. CM Smith has expressed an interest in serving on the Transportation Committee. Said motion was carried by the following vote:

AYES: (18) BECERRA, BERRY, BROWN, BUCKNUM, CARROLL, ESPINOZA, FERRYMAN, HENNESSEY, MINAGAR, NAGEL, O'NEIL, PUCKETT, RODRIGUEZ, SCHEAFER, SEMETA, SIMONOFF, TA, VOIGTS

NOES: (0)

ABSENT: (0)



5. Ratification of OCCOG General Assembly new date of October 9, 2020 Marnie O'Brien Primmer, Executive Director

It was moved by Director Ferryman, seconded by Director Simonoff to Ratify the decision of the OCCOG EMC to select the October 9, 2020 date for a rescheduled General Assembly due to the COVID-19 pandemic. Said motion was carried by the following vote:

AYES: (18) BECERRA, BERRY, BROWN, BUCKNUM, CARROLL, ESPINOZA, FERRYMAN, HENNESSEY, MINAGAR, NAGEL, O'NEIL, PUCKETT, RODRIGUEZ, SCHEAFER, SEMETA, SIMONOFF, TA, VOIGTS

NOES: (0)

ABSENT: (0)

Action Items

6. OCCOG Comments on Proposed Final Connect SoCal, the 2020 RTP/SCS and PEIR Marnie O'Brien Primmer, Executive Director; Nate Farnsworth, TAC Chair

Marnie O'Brien Primmer, Executive Director, summarized the issues OCCOG has with the final document and discussed outstanding concerns.

Nate Farnsworth, TAC Chair, summarized the staff report; reviewed comments submitted and SCAG responses; opined on likelihood of document revision in response to the comments.

Director LaMotte reviewed a letter the Building Industry Association of Southern California, Inc. (BIASC) is proposing to send to SCAG requesting a 90-day delay on the Final Connect SoCal vote and requested the Board consider supporting BIASC in this endeavor by including supportive language of the 90-day delay in the OCCOG comment letter. Director Voigts announced he will be abstaining from the vote due to his capacity as the TCA representative on this Board.

Public Comment:

Dustin Sifford, OCTA, expressed concern that any delay would impact Federal and/or stimulus funds; stated that even a 30-day delay would impact Federal funds distribution for up to 6 months. *In response to comments regarding difficulties understanding/hearing Mr. Sifford's comments, Mr. Sifford agreed to memorialize his comments in an email to Director Primmer, which will be forwarded to the Board for their consideration.* Additionally, he discussed obstacles that might occur with transportation funding for delayed projects, noting that the CARES Act stimulus funding guidelines limit application to transportation funding. He cautioned that cities seeking to support splitting the RTP from the SCS could face legislation as well as having to open up their statutory codes and revising in response to State mandates.



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Jennifer Hernandez, Attorney representing the BIASC, supported the request for a 90-day delay on the final Connect SoCal vote due to the magnitude and complexity of the 10,000+ page document, as well as the large number of maps and models attached. In addition, she discussed negative impacts to various cities' Housing Elements and CEQA review required projects as a result of the proposed RHNA allocations, problems the cities will face in trying to align FCS with RHNA allocations, the document's inconsistencies with cities' General Plans, and potential issues with ongoing and new projects.

It was moved by Director Nagel, seconded by Director Bucknum to authorize the Executive Director to transmit OCCOG's comment letter on the Proposed Final Connect SoCal (2020 RTP/SCS) and Program EIR to SCAG, as amended to include wording to support the BIASC's request for a 90-day delay on the final Connect SoCal vote. In the alternative to a 90-day delay, the OCCOG supports separation of the RTP from the SCS in order to ensure land use review. Said Motion was carried by the following vote:

AYES: (17) BECERRA, BERRY, BROWN, BUCKNUM, CARROLL, ESPINOZA, FERRYMAN, HENNESSEY, MINAGAR, NAGEL, O'NEIL, PUCKETT, RODRIGUEZ, SCHEAFER, SEMETA, SIMONOFF, TA

NOES: (0)

ABSTAIN: (1) VOIGTS

ABSENT: (0)

- 7. Legislative Update and Action** Wendy Strack, OCCOG Consultant, reviewed the staff report; summarized the support and oppose recommendations.

It was moved by Chair O'Neil, seconded by Director Voigts to receive and file report and adopt an oppose position on SB 899 and SB 902, a support position on SB 795, and watch AB 2580. Said motion was carried by the following vote:

AYES: (18) BECERRA, BERRY, BROWN, BUCKNUM, CARROLL, ESPINOZA, FERRYMAN, HENNESSEY, MINAGAR, NAGEL, O'NEIL, PUCKETT, RODRIGUEZ, SCHEAFER, SEMETA, SIMONOFF, TA, VOIGTS

NOES: (0)

ABSENT: (0)



8. **2020-2021 Budget Guidance** Marnie O'Brien Primmer, Executive Director and John Hanson, Treasurer

Executive Director Primmer provided an update on the OCCOG Budget; noted postponement of the OCCOG General Assembly to October 9, 2020.

9. **Update on Regional Early Action Planning Grants (REAP)** Marnie O'Brien Primmer, Executive Director, provided the update.

10. **Update on Housing Videos Production** Marnie O'Brien Primmer, Executive Director, provided the update.

Updates received and filed.

Elections

Elections of OCCOG Officers Fred Galante, General Counsel

Outgoing Chair Berry nominated Director O'Neil to serve as OCCOG Chairman. There were no other nominations, and Director O'Neil was elected OCCOG Chairman on a unanimous vote.

Chair O'Neil nominated Director Bucknum to serve as OCCOG Vice Chairman. There were no other nominations, and Director Bucknum was elected OCCOG Vice Chairman on a unanimous vote.

The Directors thanked Outgoing Chair Berry and Outgoing Vice Chair Puckett for their exemplary leadership as officers. Outgoing Chair Berry thanked everyone for their support and cooperation.

Special Presentation

Resolutions of Appreciation for Outgoing Chair Stacy Berry and Outgoing Vice Chair Charles Puckett Marnie O'Brien Primmer, Executive Director displayed Resolutions of Appreciation and thanked the outgoing officers for their dedication, work ethic and leadership. The Resolutions will be printed and presented at a later date.

Reports

- **Technical Advisory Committee**

TAC Chair Farnsworth reported that Housing and Community Development (HCD) participated in the last TAC meeting; noted he believes they intend to be flexible with cities wishing to use all or part of their ADU numbers to offset RHNA allocations; encouraged all to apply for LEAP Grants, which are due by July 31, 2020.

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

Johnathan Hughes encouraged all to apply for the LEAP grant funding; thanked outgoing officers for their support; noted that consideration of the RHNA appeals procedures will be considered at the May 7, 2020, SCAG Regular Council meeting. The appeals are scheduled at this time to be considered by the RHNA Subcommittee at their August 2020 meeting. In



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addition, he noted the May 7, 2020, policy subcommittee meetings will be staggered in one-hour increments for the benefit of participants wishing to attend all meetings. He encouraged anyone with questions or comments to reach out to him.

- **South Coast Air Quality Management District**

Debra Ashby, Senior Public Information Specialist, SCAQMD, welcomed Director Rodriguez, representing SCAQMD to his first meeting; noted all meetings at SCAQMD are currently via ZOOM format due to the COVID-19 Pandemic Lockdown; encouraged promotion of the Small Business Assistance Team for those needing assistance. She encouraged all to contact her with any questions they may have. She will forward promotional materials to Executive Director Primmer for distribution to the Board.

- **Executive Director's Report**

No report

- **Board Member Reports**

No reports

- **Member Agency Reports**

No reports

- **Staff Member Reports**

No reports

Announcement of Closed Session

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

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 11:49 a.m.

Closed Session Call to Order

Chair O'Neil called the Closed Session to order at 11:53 a.m. via Zoom at +1 669 900 6833, ID# 942 8741 7173

Directors Present

Phil Becerra, Stacy Berry, Art Brown, Wendy Bucknum, Michael Carroll, Rose Espinoza, James Ferryman, Michael Hennessey, Fred Minagar, Steve Nagel, Trevor O'Neil, Charles Puckett, Carlos Rodriguez, Mike Scheafer, Lyn Semeta, Marty Simonoff, Tri Ta

Directors Absent

Scott Voigts



MINUTES

Thursday, April 23, 2020 | 10:30 a.m.

Staff Present

Executive Director Primmer, TAC Chair Farnsworth, Principal Planner Poynter, Eileen White

Closed Session

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 12:15 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 12:17.

The next regular meeting of the OCCOG Board of Directors will take place at 10:30 a.m. on May 28, 2020, location to be determined pending state and local public health orders in force at the time of the meeting.



AGENDA ITEM #2

OCCOG April 2020 Financial Report

SUMMARY

OCCOG financial information is provided for Board review.

As of April 30, 2020, OCCOG had combined cash and investments of \$397,490.80 consisting of the following: a bank balance of \$136,089.34 at Bank of the West, bank balance of \$20,847.61 at Citizens Business Bank outstanding checks in the amount of \$49,621.24 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 April 30, 2020
- C. Citizens Business Bank Statement as of April 30, 2020
- D. State Local Agency Investment Fund (LAIF) Monthly Statement for April 30, 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						
					Bank of the West	68,180.10
8/21/2019		City of Fountain Valley	6,886.66	318,518.62	O/S Checks	(2,500.00)
8/21/2019		CJPIA	126.68	318,645.30	State LAIF	285,315.39
8/23/2019		City of Rancho Santa Margarita	6,368.05	325,013.35		<u>\$350,995.49</u>
8/23/2019	1508	John Hanson	(963.79)	324,049.56		
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						
					Bank of the West	256,313.53
9/1/2019	1514	Kathryn Morrison	(1,158.64)	349,836.85	O/S Checks	(1,250.00)
9/1/2019	1515	Connected Consulting	(11,569.87)	338,266.98	State LAIF	285,315.39
9/1/2019	1516	Wendy J Strack Consulting	(2,500.00)	335,766.98		<u>\$540,378.92</u>
9/3/2019		City of Laguna Hills	5,195.72	340,962.70		
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	Bank of the West 221,097.51
10/1/2019	1523	Wendy J Strack Consulting	(2,500.00)	526,664.80	Citizens Business Bank 23,287.01
10/1/2019	1524	Kathryn Morrison	(1,267.69)	525,397.11	O/S Checks (1,250.00)
10/1/2019		City of Brea	6,141.92	531,539.03	State LAIF 287,072.85
10/8/2019		City of San Clemente	7,476.80	539,015.83	<u>\$530,207.37</u>
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	

**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					
3/2/2020		Misc General Assembly Registrations	759.03	467,864.93	Bank of the West \$140,581.77
3/20/2020		Jamboree Housing Corporation	1,000.00	468,864.93	Citizens Business Bank \$30,078.42
3/20/2020		Earth Mechanics	500.00	469,364.93	O/S Checks (17,006.04)
3/20/2020		DTN. Tech	500.00	469,864.93	State LAIF 288,722.00
3/20/2020		Citizens Business Bank	(4.56)	469,860.37	<u>\$442,376.15</u>
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	

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

Date	Check #	Description	Amount	General Ledger Balance	Bank Balances and Reconciliation
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
04/30/2020	1543	CSU Fullerton Auxillary Services (May 1 Check)	-	419,580.51	<u>\$397,490.80</u>
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	



BANK OF THE WEST
BNP PARIBAS

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

Account Statement

April 1, 2020 - April 30, 2020

Page 1 of 4



>004443 4216724 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

We Appreciate You

Thank you for banking with Bank of the West. We appreciate your business and look forward to continuing to serve your banking needs.

Remember to confirm your email during your next branch visit or call our Contact Center at 800-488-2265. Our emails keep you educated about our services, products and more.

REGULAR BUSINESS CHECKING 011-244681

ORANGE COUNTY COUNCIL OF GOVERNMENTS
 ATTN JOHN HANSON

ACCOUNT SUMMARY

Beginning Balance	\$140,581.77
1 Credits	2,319.61
0 Deposits	0.00
0 Withdrawals	0.00
2 Checks	-6,812.04
Ending Balance	\$136,089.34

EARNINGS SUMMARY

Interest this statement period	\$0.00
Interest credited year-to-date	\$0.00
Annual percentage yield earned	0.00%
Average monthly balance	\$139,976.18



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.

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



04443 4216724 006742 013483 0001/0002



REGULAR BUSINESS CHECKING xxx-xx4681 (continued)

ACCOUNT DETAIL

Credits

<i>Date</i>	<i>Amount</i>	<i>Description</i>
04/02	\$2,319.61	ELECTRONIC DEP WePay PAYMENTS 040220 3383308CCD NTE*ZZZ*Payouts\
1 credit for a total of \$2,319.61		

Checks Paid

<i>Number</i>	<i>Date paid</i>	<i>Amount</i>	<i>Number</i>	<i>Date paid</i>	<i>Amount</i>
1539	04/02	2,500.00	1540	04/28	4,312.04
2 checks paid for a total of \$6,812.04					

024284 1226393 0000000 052944 105888 01/02



IMPORTANT INFORMATION

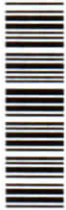
IN CASE OF ERRORS OR QUESTIONS ABOUT YOUR ELECTRONIC TRANSFERS

(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.



04443 4216724 006743 013485 0002/0002



*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

Account Type	Account Number	Ending Balance
ANALYZED BUSINESS PLAN GOVERNMENT SRVCS	591004948	\$20,847.61

ANALYZED BUSINESS PLAN GOVERNMENT SRVCS-591004948

Account Summary

Date	Description	Amount
04/01/2020	Beginning Balance	\$30,078.42
	0 Credit(s) This Period	\$0.00
	4 Debit(s) This Period	\$9,230.81
04/30/2020	Ending Balance	\$20,847.61

Other Debits

Date	Description	Amount
04/24/2020	Account Analysis Fees	\$36.81
		1 item(s) totaling \$36.81

Checks Cleared

Check Nbr	Date	Amount	Check Nbr	Date	Amount	Check Nbr	Date	Amount
2030	04/03/2020	\$3,120.00	2031	04/01/2020	\$3,574.00	2034*	04/03/2020	\$2,500.00

* Indicates skipped check number

3 item(s) totaling \$9,194.00

Daily Balances

Date	Amount	Date	Amount	Date	Amount
04/01/2020	\$26,504.42	04/03/2020	\$20,884.42	04/24/2020	\$20,847.61

OUTSTANDING CHECKS		INSTRUCTIONS
No.	Amount	<p style="text-align: center;">PLEASE EXAMINE THIS STATEMENT AT ONCE AND IMMEDIATELY NOTIFY THE BANK OF ANY ERRORS.</p> <p style="text-align: center;">ALL ITEMS CREDITED ARE SUBJECT TO FINAL PAYMENT.</p> <ol style="list-style-type: none"> 1. Compare each paid check with your check stub or register and mark as paid. 2. Bank balance shown on front of your statement..... _____ 3. Compare any deposits shown on statement, including bank originated credits, with those entered in your check register. Add any not shown on statement..... _____ 4. Subtotal..... _____ 5. Subtract total of outstanding checks..... _____ 6. Account Balance..... _____ 7. Your check book balance..... _____ 8. Subtract any bank charges including monthly service charge or transfers you have authorized and have been deducted on this statement..... _____ 9. Adjusted check book balance..... _____ <p style="font-size: small; margin-top: 10px;"><i>* Denotes a point at which one or more check serial numbers are unaccounted for this statement period. It may indicate outstanding checks or checks shown on previous statements.</i></p>
TOTAL		

STATEMENTS AND IMAGES

Your account statement will include the following information with respect to each check paid against your account during the statement cycle: (1) the check number (2) the amount of the check; and (3) the date of the payment. Copies of checks can be requested by calling customer service at (888) 222-5432. Please refer to our Bank Product and Service Information for applicable fees under Research Requests.

THE FOLLOWING NOTICE CONCERNING ELECTRONIC TRANSFER APPLIES IF YOUR ACCOUNT IS MAINTAINED FOR PERSONAL, FAMILY OR HOUSEHOLD PURPOSES.

IN CASE OF ERRORS OR QUESTIONS ABOUT YOUR ELECTRONIC TRANSFERS CONTACT US AT:

Telephone: (888) 222-5432
or write us at:
Citizens Business Bank P O Box 51000, Ontario, CA 91761

Contact us as soon as you can if you think your statement or receipt is wrong or if you need more information about a transfer on the statement or a 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. If you have a question concerning your statement, please be prepared to:

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

We will investigate your complaint and will correct any error promptly. If we take more than 10 business days 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

California State Treasurer *Fiona Ma, CPA*



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

May 01, 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

April 2020 Statement

Effective Date	Transaction Date	Tran Type	Confirm Number	Web Confirm Number	Authorized Caller	Amount
4/15/2020	4/14/2020	QRD	1636590	N/A	SYSTEM	1,453.09

Account Summary

Total Deposit:	1,453.09	Beginning Balance:	288,722.00
Total Withdrawal:	0.00	Ending Balance:	290,175.09



PMIA/LAIF Performance Report as of 05/06/20



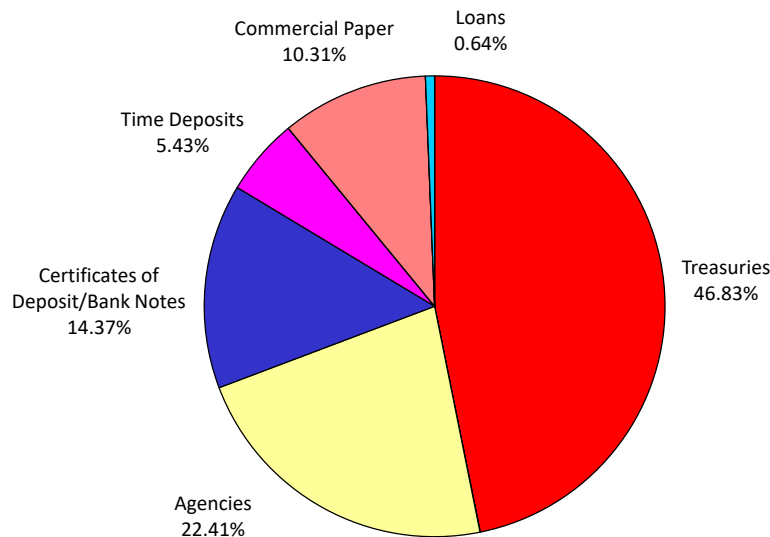
PMIA Average Monthly Effective Yields⁽¹⁾

Apr	1.648
Mar	1.787
Feb	1.912

LAIF Quarterly Performance Quarter Ended 03/31/20

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

Pooled Money Investment Account Monthly Portfolio Composition ⁽¹⁾ 03/31/20 \$98.1billion



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)
				(48,658.05)



AGENDA ITEM #3

Resolution no. 2020-01 Removing Expired Officers Stacy Berry and Charles Puckett from Citizens Business Bank Checking Account Signature Cards and Adding New Officers Trevor O'Neil and Wendy Bucknum

SUMMARY

Citizens Business Bank requires the OCCOG submit a formal resolution indicating removal of any signatories no longer authorized to sign checks from the OCCOG Checking Account. The Resolution also authorizes the addition of new officers Chair Trevor O'Neil and Vice Chair Wendy Bucknum as signatories on the account.

STAFF RECOMMENDATION

Adopt Resolution no. 2020-01, removing expired officers Stacy Berry and Charles Puckett from Citizens Business Bank Signature Cards; authorize signatories for Trevor O'Neil and Wendy Bucknum.

Attachments

A. Resolution no. 2020-01

STAFF CONTACT

Marnie O. Primmer
OCCOG Executive Director
949.698.2856
marnie@occog.com

RESOLUTION 2020-01

**A RESOLUTION OF THE ORANGE COUNTY COUNCIL
OF GOVERNMENTS BOARD OF DIRECTORS
DIRECTING CITIZENS BUSINESS BANK TO REMOVE
FROM SIGNATURE CARDS EXPIRED OFFICERS STACY
BERRY AND CHARLES PUCKETT AND ADD OFFICERS
TREVOR O'NEIL AND WENDY BUCKNUM**

WHEREAS, the Orange County Council of Governments (OCCOG) serves as a Southern California Association of Governments (SCAG) subregional organization that represents the interests of Orange County in the consideration of SCAG plans, programs, policies and legislative platforms; and,

WHEREAS, the OCCOG has a regular business checking account no. 591 004 948 with the Citizens Business Bank; and

WHEREAS, in the conduct of its business, the OCCOG has further established bylaws which govern the effective and efficient conduct of the OCCOG, with the founding OCCOG bylaws adopted on May 17, 1997; and the most recent update on October 22, 2015; and

WHEREAS, according to its bylaws, the OCCOG requires that all checks be co-signed, one signature from the Executive Director or her designee and one signature from a current OCCOG Board member. The signing requirements are intended to be an internal policy, binding only the officers and designated employees of OCCOG. Citizens Business Bank is not required or expected to monitor the transactions on any of OCCOG's deposit accounts to see if its officers and employees are complying with the internal policy. OCTA and OCCOG hereby agree to indemnify and hold Citizens Business Bank harmless from and against all claims, liability, loss, costs, damages or expenses, including attorneys' fees, which Bank may incur by reason of any dispute or claim regarding OCCOG's two-signature internal policy, including a situation where authorized officers and designated persons do not act jointly; and

WHEREAS, the OCCOG Board of Directors duly conducted elections in a public hearing at its Regular Meeting of April 23, 2020, and

WHEREAS, the OCCOG is updating its signature authority with Citizens Business Bank to remove expired officers and add new officers; and

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE ORANGE COUNTY COUNCIL OF GOVERNMENTS DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Authorize Citizens Business Bank to remove the signature cards of expired officers Stacy Berry and Charles Puckett on Citizens Business Bank Regular Business Checking account no. 591 004 948.

SECTION 2. Establish or affirm signatories on the OCCOG's Regular Business Checking account no. 591 004 948. The following OCCOG Representatives shall have signature authority:

- Trevor O'Neil, OCCOG Chair
- Wendy Bucknum, OCCOG Vice Chair
- Marnie O'Brien Primmer, OCCOG Executive Director
- John Hanson, OCCOG Treasurer

SECTION 3. The Clerk of the Board shall certify the adoption of the resolution.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Orange County Council of Governments this 28th day of May 2020.

Trevor O'Neil, Chair

I, EILEEN WHITE, Clerk of the Board of the Orange County Council of Governments, do hereby certify that said Resolution was duly and regularly adopted by the Board of Directors of the Orange County Council of Governments at a regular meeting thereof held on the 28th day of May 2020, by the following votes:

AYES:

NOES:

ABSENT:

Eileen White
Clerk of the Board



AGENDA ITEM #4 **Contract for Independent Auditing Services**

SUMMARY

Independent auditing services have been provided to the Orange County Council of Governments by the CPA firm of Eide Bailly., LLP for the past fiscal year (FY 2018-19).

Eide Bailly is a national accounting firm that provides governmental auditing services to governmental agencies throughout the Country. They place within the top 25 public accounting firms in the United States. The firm employs professionals in ten offices located in California, and have offices in eleven other states. They have issued an unqualified audit opinion on the OCCOG financial statements for the past fiscal year. The quality of service provided to OCCOG over the past year has been excellent. The Eide Bailly staff members assigned to our audit have been very knowledgeable and efficient, and the audit was completed in a timely manner. In addition, the audit office servicing our account is in Laguna Hills, which is in close proximity to where the OCCOG Treasurer maintains the OCCOG accounting records. For these reasons, staff recommends that this firm be retained for the upcoming fiscal year audit.

Eide Bailly proposes to conduct the financial statement audit for the fiscal year ended June 30, 2020 at a cost of \$7,650., which is a 6% increase over their FY 2018-19 fee of \$7,210.

OCCOG staff will prepare the annual financial statements. Jessica Andersen, an Eide Bailly partner, will oversee the audit and will meet with management and the OCCOG Board of Directors as necessary to ensure communication lines remain open, that any outstanding issues are resolved timely, and that all needs are met.

STAFF RECOMMENDATION

Approve the accompanying contract with Eide Bailly for financial statement audit services for the fiscal year ending June 30, 2020 at a cost of \$7,650.

Attachments

1. Contract Services Agreement for Audit Services

STAFF CONTACT

John Hanson, CPA
OCCOG Treasurer
949 929 0073
john@occog.com



May 1, 2020

Orange County Council of Governments

The following represents our understanding of the services we will provide to Orange County Council of Governments (OCCOG).

You have requested that we audit the governmental activities and general fund of OCCOG, as of June 30, 2020, and for the year then ended, and the related notes, which collectively comprise OCCOG's basic financial statements. We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter. Our audit will be conducted with the objective of our expressing an opinion on each opinion unit applicable to those basic financial statements.

Accounting principles generally accepted in the United States of America (U.S. GAAP), as promulgated by the Governmental Accounting Standards Board (GASB) require that certain information be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the GASB, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the required supplementary information (RSI) in accordance with auditing standards generally accepted in the United States of America (U.S. GAAS). These limited procedures will consist primarily of inquiries of management regarding their methods of measurement and presentation, and comparing the information for consistency with management's responses to our inquiries. We will not express an opinion or provide any form of assurance on the RSI. The following RSI is required by U.S. GAAP. This RSI will be subjected to certain limited procedures but will not be audited:

- 1) Management's Discussion and Analysis
- 2) Budgetary Comparison Schedule

Auditor Responsibilities

We will conduct our audit in accordance with U.S. GAAS and in accordance with *Government Auditing Standards*. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the basic financial statements are free from material misstatement. An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the basic financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the basic financial statements, whether due to fraud or error, misappropriation of assets, or violations of laws, governmental regulations, grant agreements, or contractual agreements.

An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the basic financial statements. If appropriate, our procedures will therefore include tests of documentary evidence that support the transactions recorded in the accounts, tests of the physical existence of inventories, and direct confirmation of cash, investments, and certain other assets and liabilities by correspondence with creditors and financial institutions. As part of our audit process, we will request written representations from your attorneys, and they may bill you for responding. At the conclusion of our audit, we will also request certain written representations from you about the basic financial statements and related matters.

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatements (whether caused by errors, fraudulent financial reporting, misappropriation of assets, or violations of laws or governmental regulations) may not be detected exists, even though the audit is properly planned and performed in accordance with U.S. GAAS and, if applicable, in accordance with *Government Auditing Standards*.

In making our risk assessments, we consider internal control relevant to the entity's preparation and fair presentation of the basic financial statements in order to design audit procedures that are appropriate in the circumstances but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. However, we will communicate to you in writing concerning any significant deficiencies or material weaknesses in internal control relevant to the audit of the basic financial statements that we have identified during the audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any other periods.

We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions on the basic financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

Compliance with Laws and Regulations

As previously discussed, as part of obtaining reasonable assurance about whether the basic financial statements are free of material misstatement, we will perform tests of OCCOG's compliance with the provisions of applicable laws, regulations, contracts, and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance, and we will not express such an opinion.

Management Responsibilities

Our audit will be conducted on the basis that management and, when appropriate, those charged with governance, acknowledge and understand that they have responsibility:

- a. For the preparation and fair presentation of the basic financial statements in accordance with accounting principles generally accepted in the United States of America;
- b. For the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of basic financial statements that are free from material misstatement, whether due to error fraudulent financial reporting, misappropriation of assets, or violations of laws, governmental regulations, grant agreements, or contractual agreements; and
- c. To provide us with:

- i. Access to all information of which management is aware that is relevant to the preparation and fair presentation of the basic financial statements such as records, documentation, and other matters;
 - ii. Additional information that we may request from management for the purpose of the audit; and
 - iii. Unrestricted access to persons within the entity from whom we determine it necessary to obtain audit evidence.
- d. For including the auditor's report in any document containing basic financial statements that indicates that such basic financial statements have been audited by the entity's auditor;
- e. For identifying and ensuring that the entity complies with the laws and regulations applicable to its activities;
- f. For adjusting the basic financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the current period under audit are immaterial, both individually and in the aggregate, to the basic financial statements as a whole; and
- g. For maintaining adequate records, selecting and applying accounting principles, and safeguarding assets.
- h. For informing us of any known or suspected fraud affecting the entity involving management, employees with significant role in internal control and others where fraud could have a material effect on the financials; and
- i. For the accuracy and completeness of all information provided.

As part of our audit process, we will request from management and, when appropriate, those charged with governance, written confirmation concerning representations made to us in connection with the audit.

Reporting

We will issue a written report upon completion of our audit of OCCOG's basic financial statements. Our report will be addressed to the governing body of OCCOG. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions, add an emphasis-of-matter or other-matter paragraph(s), or withdraw from the engagement.

Other

We understand that your employees will prepare all confirmations we request and will locate any documents or support for any other transactions we select for testing.

If you intend to publish or otherwise reproduce the basic financial statements and make reference to our firm, you agree to provide us with printers' proofs or masters for our review and approval before printing. You also agree to provide us with a copy of the final reproduced material for our approval before it is distributed.

Provisions of Engagement Administration, Timing and Fees

During the course of the engagement, we may communicate with you or your personnel via fax or e-mail, and you should be aware that communication in those mediums contains a risk of misdirected or intercepted communications.

Jessica Andersen is the engagement partner for the audit services specified in this letter. Responsibilities include supervising services performed as part of this engagement and signing or authorizing another qualified firm representative to sign the audit report. We expect to begin our audit in August 2020.

Our fees are based on the amount of time required at various levels of responsibility, plus actual out-of-pocket expenses. Invoices are payable upon presentation. We estimate that our fee for the audit will not exceed \$7,650. We will notify you immediately of any circumstances we encounter that could significantly affect this initial fee estimate. Whenever possible, we will attempt to use OCCOG's personnel to assist in the preparation of schedules and analyses of accounts. This effort could substantially reduce our time requirements and facilitate the timely conclusion of the audit. Further, we will be available during the year to consult with you on financial management and accounting matters of a routine nature.

In addition, we will be compensated for any time and expenses, including time and expenses of legal counsel, we may incur in conducting or responding to discovery requests or participating as a witness or otherwise in any legal, regulatory, or other proceedings as a result of our Firm's performance of these services. You and your attorney will receive, if lawful, a copy of every subpoena we are asked to respond to on your behalf and will have the ability to control the extent of the discovery process to control the costs you may incur.

Should our relationship terminate before our audit procedures are completed and a report issued, you will be billed for services to the date of termination. All bills are payable upon receipt. A service charge of 1% per month, which is an annual rate of 12%, will be added to all accounts unpaid 30 days after billing date. If collection action is necessary, expenses and reasonable attorney's fees will be added to the amount due.

During the course of the audit, we may observe opportunities for economy in, or improved controls over, your operations. We will bring such matters to the attention of the appropriate level of management, either orally or in writing.

We may use third party service providers and/or affiliated entities (including Eide Bailly Shared Services Private Limited) (collectively, "service providers") in order to facilitate delivering our services to you. Our use of service providers may require access to client information by the service provider. We will take reasonable precautions to determine that they have the appropriate procedures in place to prevent the unauthorized release of confidential information to others. We will remain responsible for the confidentiality of client information accessed by such service provider and any work performed by such service provider.

You agree to inform us of facts that may affect the basic financial statements of which you may become aware during the period from the date of the auditor's report to the date the financial statements are issued.

We agree to retain our audit documentation or work papers for a period of at least eight years from the date of our report.

At the conclusion of our audit engagement, we will communicate to management and board of directors the following significant findings from the audit:

- Our view about the qualitative aspects of the entity's significant accounting practices;
- Significant difficulties, if any, encountered during the audit;
- Uncorrected misstatements, other than those we believe are trivial, if any;
- Disagreements with management, if any;
- Other findings or issues, if any, arising from the audit that are, in our professional judgment, significant and relevant to those charged with governance regarding their oversight of the financial reporting process;
- Material, corrected misstatements that were brought to the attention of management as a result of our audit procedures;
- Representations we requested from management;
- Management's consultations with other accountants, if any; and

- Significant issues, if any, arising from the audit that were discussed, or the subject of correspondence, with management.

The audit documentation for this engagement is the property of Eide Bailly LLP and constitutes confidential information. However, we may be requested to make certain audit documentation available to a cognizant or oversight agent or its designee, a federal agency, or the U.S. Government Accountability Office pursuant to authority given to it by law or regulation, or to peer reviewers. If requested, access to such audit documentation will be provided under the supervision of Eide Bailly LLP's personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. The cognizant or oversight agent or its designee, a federal agency, or the U.S. Government Accountability Office may intend, or decide, to distribute the copies of information contained therein to others, including other governmental agencies.

Government Auditing Standards require that we provide, upon request, a copy of our most recent external peer review report and any subsequent review reports to the party contracting for the audit. Accordingly, we will provide a copy of our most recent peer review report at your request.

Eide Bailly, LLP has owners that are not licensed as certified public accountants as permitted under Section 5079 of the California Business Code. It is not anticipated that any of the non-licensee owners will be performing audit services for OCCOG.

DISPUTE RESOLUTION

The following procedures shall be used to resolve any disagreement, controversy or claim that may arise out of any aspect of our services or relationship with you, including this engagement, for any reason ("Dispute"). Specifically, we agree to first mediate.

Mediation

All Disputes between us shall first be submitted to non-binding mediation by written notice ("Mediation Notice") to the other party. In mediation, we will work with you to resolve any differences voluntarily with the aid of an impartial mediator. The mediator will be selected by mutual agreement, but if we cannot agree on a mediator, one shall be designated by the American Arbitration Association ("AAA").

The mediation will be conducted as specified by the mediator and agreed upon by the parties. The parties agree to discuss their differences in good faith and to attempt, with the assistance of the mediator, to reach an amicable resolution of the Dispute. Mediation will be conducted with the parties in person in Laguna Hills, California.

Each party will bear its own costs in the mediation. The fees and expenses of the mediator will be shared equally by the parties.

Either party may commence suit on a Dispute after the mediator declares an impasse.

INDEMNITY

You agree that none of Eide Bailly LLP, its partners, affiliates, officers or employees (collectively "Eide Bailly") shall be responsible for or liable to you for any misstatements in your financial statements that we may fail to detect as a result of knowing representations made to us, or the concealment or intentional withholding of information from us, by any of your owners, directors, officers or employees, whether or not they acted in doing

so in your interests or for your benefit, and to hold Eide Bailly harmless from any claims, losses, settlements, judgments, awards, damages and attorneys' fees from any such misstatement, provided that the services performed hereunder were performed in accordance with professional standards, in all material respects.

If a claim is brought against you by a third-party that arises out of or is in any way related to the services provided under this engagement, you agree to indemnify Eide Bailly LLP, its partners, affiliates, officers and employees against any losses, including settlement payments, judgments, damage awards, punitive or exemplary damages, and the costs of litigation (including attorneys' fees) associated with the services performed hereunder provided that the services were performed in accordance with professional standards, in all material respects.

ASSIGNMENTS PROHIBITED

You agree that you will not and may not assign, sell, barter or transfer any legal rights, causes of actions, claims or Disputes you may have against Eide Bailly LLP, its partners, affiliates, officers and employees, to any other person or party, or to any trustee, receiver or other third party.

Please sign and return the attached copy of this letter to indicate your acknowledgment of, and agreement with, the arrangements for our audit of the basic financial statements including our respective responsibilities.

We appreciate the opportunity to be your certified public accountants and look forward to working with you and your staff.

Respectfully,



Jessica Andersen
Partner

RESPONSE:

This letter correctly sets forth our understanding.

Acknowledged and agreed on behalf of Orange County Council of Governments by:

Signature: _____

Title: _____

Date: _____

Certificate Of Completion

Envelope Id: B7B1DFF39D3D4A3A9ABAF9B3E1E2CB77	Status: Delivered
Subject: Please DocuSign: OCCOG 2020 ENG LTR.pdf	
Source Envelope:	
Document Pages: 6	Signatures: 0
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelopeld Stamping: Enabled	Deborah Lewis
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	4310 17th Ave. S.
	Fargo, ND 58103
	dlewis@eidebailly.com
	IP Address: 174.193.203.124

Record Tracking

Status: Original	Holder: Deborah Lewis	Location: DocuSign
5/1/2020 3:20:41 PM	dlewis@eidebailly.com	

Signer Events

Signature	Timestamp
Marnie Primmer marnie@occog.com	Sent: 5/8/2020 2:15:03 PM Resent: 5/19/2020 10:50:43 AM Viewed: 5/19/2020 1:59:27 PM
Security Level: Email, Account Authentication (None)	
Electronic Record and Signature Disclosure: Accepted: 5/19/2020 1:59:27 PM ID: 3633f980-e25f-4868-9a82-a2f027e887b5 Company Name: Eide Bailly LLP	

In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

Timestamp

Agent Delivery Events

Status

Timestamp

Intermediary Delivery Events

Status

Timestamp

Certified Delivery Events

Status

Timestamp

Carbon Copy Events

Status

Timestamp

Jessica Andersen
jandersen@eidebailly.com
Partner

COPIED

Sent: 5/1/2020 3:37:30 PM

Security Level: Email, Account Authentication (None)

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

John Hanson
jhoccog@gmail.com

COPIED

Sent: 5/1/2020 3:37:29 PM
Resent: 5/8/2020 2:15:02 PM
Viewed: 5/15/2020 9:30:40 PM

Security Level: Email, Account Authentication (None)

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Witness Events

Signature

Timestamp

Notary Events

Signature

Timestamp

Envelope Summary Events

Status

Timestamps

Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	5/19/2020 10:50:43 AM
Certified Delivered	Security Checked	5/19/2020 1:59:27 PM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure

CONSUMER DISCLOSURE

From time to time, Eide Bailly LLP (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through your DocuSign, Inc. (DocuSign) Express user account. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to these terms and conditions, please confirm your agreement by clicking the "I agree" button at the bottom of this document.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. For such copies, as long as you are an authorized user of the DocuSign system you will have the ability to download and print any documents we send to you through your DocuSign user account for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign "Withdraw Consent" form on the signing page of your DocuSign account. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use your DocuSign Express user account to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through your DocuSign user account all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact Eide Bailly LLP:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: salesforcehelpdesk@eidebailly.com

To advise Eide Bailly LLP of your new e-mail address

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at salesforcehelpdesk@eidebailly.com and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

In addition, you must notify DocuSign, Inc to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in DocuSign.

To request paper copies from Eide Bailly LLP

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to salesforcehelpdesk@eidebailly.com and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with Eide Bailly LLP

To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your DocuSign account, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an e-mail to salesforcehelpdesk@eidebailly.com and in the body of such request you must state your e-mail, full name, IS Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

Operating Systems:	Windows2000 or WindowsXP
Browsers (for SENDERS):	Internet Explorer 6.0 or above
Browsers (for SIGNERS):	Internet Explorer 6.0, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum

Enabled Security Settings:	<ul style="list-style-type: none"> ò Allow per session cookies ò Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection
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** These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the æI agreeÆ button below.

By checking the æI AgreeÆ box, I confirm that:

- I can access and read this Electronic CONSENT TO ELECTRONIC RECEIPT OF ELECTRONIC CONSUMER DISCLOSURES document; and
- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and
- Until or unless I notify Eide Bailly LLP as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by Eide Bailly LLP during the course of my relationship with you.



AGENDA ITEM #5

Approval of Participant Agreements for Orange County Data Acquisition Partnership (OCDAP)

SUMMARY

Request OCCOG Board authorize OCCOG Executive Director to sign separate Participation Agreements with interested agencies.

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/>

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 June 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.

DISCUSSION

SCAG is awaiting receipt of sufficient interest from participating agencies before finalizing its contract with Pictometry. A draft of that contract between SCAG and Pictometry is provided with this report for reference. As such, if SCAG does not receive sufficient commitments from participating agencies, the contract will not proceed. In anticipation that sufficient agencies will participate so that SCAG proceeds to authorize its agreement with Pictometry, today's request is for the OCCOG Board to authorize the OCCOG Executive Director to sign PAs received, in the same form as the attached, as may be received from Orange County agencies for OCDAP Cycle 1.

ATTACHMENTS

- A. Participation Agreement for the Orange County Data Acquisition Partnership
- B. OCDAP FAQ

RECOMMENDED ACTION

Authorize the OCCOG Executive Director to sign the 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 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 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

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 Local Agency chooses to participate beyond Cycle 1, 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 disclosure provisions of Section 5. If applicable, an amendment to this Agreement will be executed by the Parties for Cycle 2.

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 LAC Agreement.

4. Invoicing/Payment

OCCOG, on behalf of SCAG, will submit an invoice to Local Agency for \$XXX as payment for Cycle 1 Digital Aerial Data. 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

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 Local Agency under Section 2.

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 Local Agency 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.

Local Agency agrees to indemnify and defend SCAG, its 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-Discout %) * 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-**
Coverage Area Format: **per sq mi**
Leaf: **Shapefile**
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>

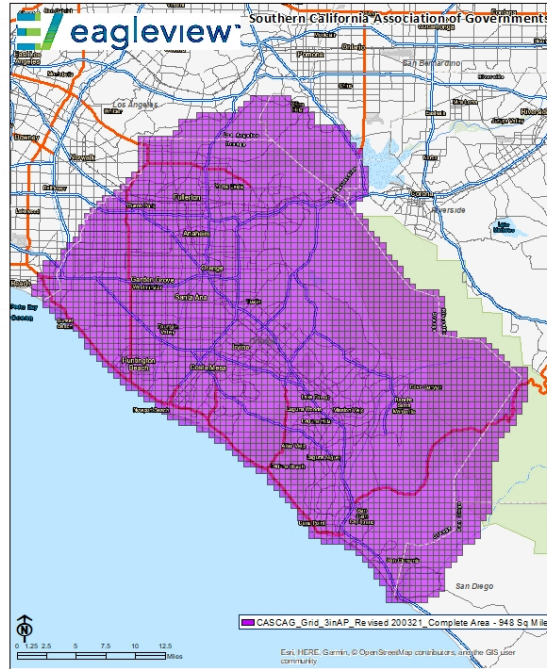
	Do not capture temporary structures such as construction trailers or tool storage sheds.
Vector data	Features should be closed polygons that are snapped and joined to create continuous segments without overruns and gaps.
Buildings/townhouses and parcels	Features will be cut by parcel lines (downtown 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



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

LEGISLATIVE UPDATE

SUMMARY

This legislative update provides information related to federal economic recovery and reauthorization proposals, state bills of interest to OCCOG, upcoming legislative deadlines, and an overview of the May Revise.

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

COVID Economic Recovery Proposals

As the economic repercussions of COVID-19 continue to be felt nationwide, the House passed an additional economic recovery package (HR 6800) on May 15th. HR 6800 includes:

- \$1 trillion for state (\$500 billion), local (\$375 billion), territories (\$20 billion) and tribal (\$20 billion) governments
- \$200 billion for supplemental hazard pay for essential workers
- \$175 billion for a Public Health and Social Services Emergency Fund to reimburse for COVID-19 health care or testing/contact tracing related expenses or lost revenue
- \$10 billion for COVID-19 emergency grants through the Economic Injury Disaster Loan Program
- \$75 billion in housing assistance funding
- \$15 billion for state departments of transportation and transit agencies, with an estimated \$1.3 billion of that for California
- Funding for a second round of economic stimulus payments up to \$6,000 per household
- Requires the Occupational Safety and Health Administration (OSHA) to issue standards within seven days for workplaces to implement infection control plans



- Expands eligibility for the Paycheck Protection Program (PPP) to include non-profits, hospitals in bankruptcy, and local news outlets
- Extends additional federal pandemic unemployment benefits through January 2021
- Allows the administration to delay the publication of apportionment and state redistricting data by 120 days

Senate Majority Leader Mitch McConnell (R-KY) has stated that the Senate is focused on the implementation of existing relief efforts passed to date. However, with the PPP set to run out of funding again in late May or early June, there could be an opportunity for action in the Senate at that time. In addition, business and employee COVID-19 liability issues may also present opportunities for a future Senate package. The White House has sent mixed signals on another package, however most recently Treasury Secretary Mnuchin and Federal Reserve Chair Jerome Powell signaled that another package may be needed.

FAST Act Reauthorization

With the Fixing America's Surface Transportation (FAST) Act set to expire on September 30th, declining gas tax revenues could complicate the funding picture for the next reauthorization. During the COVID-19 crisis, vehicle miles traveled dropped by 42% between January and April – dramatically lowering anticipated revenues for the Highway Trust Fund (HTF). The HTF was already set to require an additional \$69-\$146 billion over five years depending on spending levels adopted for the next reauthorization.

Current activity levels indicate that an extension is likely in September rather than a full reauthorization. The Senate's proposed bill (S.2302) is not yet on the Senate floor and funding details have not yet been worked out. In the House, the House Transportation & Infrastructure Committee has not yet released their proposed bill.

STATE UPDATE

Updated Legislative Deadlines

After an extended recess resulting from the COVID-19 crisis, the State Assembly resumed activity on May 4th with the State Senate resuming on May 11th. The legislative deadlines have been adjusted to account for the extended break and are shown below. Normally, the calendars are lined up for both houses and will return to being lined up after returning from summer recess on July 13th.



	Assembly	Senate
Pass fiscal bills out of policy committee	May 22	May 29
Pass non-fiscal bills out of policy committee	May 29	June 5
Pass bills out of fiscal committees	June 5	June 19
State Budget Deadline	June 15	June 15
House of Origin deadlines	June 19	June 26
Summer Recess	June 19 - July 12	July 3 - 12

For the remainder of the session, bills advancing are likely to be extremely limited in nature beyond those necessary to address the COVID 19 crisis. For example, the Assembly Agriculture Committee decided not to hear any new policy bills introduced this year and the Assembly Education Committee held a hearing for less than 10% of their original bill load. On the Senate side, the Senate Education Committee considered only five bills and the Senate Veterans Affairs Committee considered only one bill.

The constitutional requirement to pass the budget by June 15th is not a negotiable deadline, though the scope of the adopted budget could initially be limited with adjustments later made as the depth of the economic slowdown resulting from COVID 19 becomes more concrete.

Senate Pro Tem Outlines Housing Bill Package

On May 20th, Senate Pro Tem Toni Atkins (D-San Diego) unveiled a package of five bills that are proposed as the Senate’s approach to housing legislation for the remainder of the 2020 session. These bills are expected to be heard the week of May 25th prior to the Senate’s deadline for policy bills on May 29th. As many of the bills noted below were amended the day prior to the writing of this report, we may have additional information to provide at the meeting as we gain greater understanding of their impacts.

The bills below are included in the package.

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

Since the OCCOG Board of Directors last took action on this bill, significant amendments were approved on May 20th and released on May 21st. The language that declared neighborhood multi-family projects as a “use-by-right” has been removed and replaced to authorize local governments to pass an ordinance, notwithstanding local restrictions on adopting zoning ordinance to allow for up to 10 units of residential density per parcel. Heights would be specified by the local agency in



the ordinance and the parcel must be located in a transit or jobs rich area, or an urban infill site. This ordinance would not be considered a project under CEQA. The Department of Housing and Community Development would also be required to determine jobs-rich areas and publish a map of those areas every five years.

The OCCOG Board of Directors may want to reconsider the previously adopted Oppose position for this bill given the significant amendments published on May 21st. As more information becomes available about the overall approach to housing likely to move forward this year, staff recommends monitoring this bill for further developments. **Recommendation: Watch**

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

Existing CEQA law allows for the preparation of a Master Environmental Impact Report (EIR) and to limit the environmental review of subsequent projects that are described in the Master EIR. SB 995 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. Additionally, the Jobs and Economic Improvement Through Environmental Leadership Act of 2011 authorized the Governor to certify specified projects for CEQA and judicial review streamlining through January 1, 2020. SB 995 extends this deadline to January 1, 2024 and additionally includes housing projects that are at least \$15 million, are located on an infill site, are at least two-thirds residential use, are consistent with the adopted Sustainable Communities Strategy/Alternative Planning Strategy for the area, and that include at least 15% affordable housing.

By providing CEQA streamlining for housing projects, SB 995 provides another tool for local agencies to address state housing goals through incentives. This bill would allow projects to move forward in an expedited manner, increasing housing supply sooner than otherwise would have been provided. **Recommendation: Support**

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

SB 1085 would require the following:

- A unit designated to satisfy the inclusionary zoning requirements of a city or county to be included in the total number of units on which a density bonus and the number of incentives or concessions are based.



- A city or county to grant a density bonus and certain incentives or concessions if the developer agrees to construct a housing development that will contain a specified percentage of units for low or moderate income households and for which the rent is 30% below the market rate for that city or county. Incentives or concessions are also required for student housing development projects that include a percentage of units for lower income students.
- Increase the percentage density bonus to 40% for housing developments that have 11% of their units for very low-income households.

The bill would also remove the specified adverse impact on the physical environment from the list of reasons for which a local agency can refuse a concession or incentive, or refuse to waive or reduce development standards. Lastly, SB 1385 prohibits fees related to affordable housing from being imposed on a development's affordable or bonus units.

Staff's recommendation is to monitor developments surrounding this bill and consider a position on the bill as discussions continue and more information becomes available. **Recommendation: Watch**

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

SB 1120 would require ministerial approval of a proposed duplex, without discretionary review or a hearing, in single family residential zones if the development does not require demolition, if the property is subject to rent control, is located in a historic district, or require the evacuation/eviction of moderate, low, or very low-income residents. The bill also requires the ministerial approval of a parcel map for an urban lot split, as long as the parcel does not contain housing for moderate, low, or very low-income residents. A local agency may require any of the following for proposed urban lot splits: easements, parcels must have access to the public right-of-way, and off-street parking except when the parcel is located within one-half mile of public transit, car share vehicles are within one block, or it is located in a historic district.

Staff's recommendation is to monitor developments surrounding this bill and consider a position on the bill as discussions continue and more information becomes available. **Recommendation: Watch**

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

SB 1385 would allow housing to become an eligible use on land currently zoned for office or retail use. Under this bill, the density for these projects must meet or exceed density that would accommodate lower income households including a density of at least 20 units per acre for a suburban jurisdiction. These projects would be subject to local zoning, parking, and design



ordinances, as well as any design review or public notice, comment, hearing, or procedure applicable to the development in other areas in that jurisdiction with that density.

SB 1385 also authorizes a local agency that has met its share of the regional housing need to exempt a neighborhood lot from these provisions if the lost residential density is reallocated to other lots so there is no net loss in residential production capacity. Lastly, this bill would also extend the existing streamlined ministerial housing approval process to office and retail sites that have been vacant or has had no existing tenants on site for 50% or more of its square footage for at least three years that also meet the following requirements:

- Consistent with zoning, subdivision, and design review standards
- Does not require demolition of a historic structure
- Located outside of environmentally sensitive areas
- Provides at least 10% affordable housing (up 50% in areas that do not have enough low-income housing)
- Does not impact affordable or rent-controlled housing where tenants have resided in the last 10 years

SB 1385 may provide an additional tool for local agencies to address vacant or underutilized commercial sites while also meeting state housing goals by providing additional areas for higher density housing development outside of single-family neighborhoods. **Recommendation: Support**

Other Bills of Interest

The following additional bills are recommended for consideration by the OCCOG Board of Directors.

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

AB 725 requires that a minimum of 25% of a jurisdictions share of the regional housing need for moderate income and above moderate income housing must be allocated to sites that allow at least 2, but no more than 35, units of housing per acre. The goal of AB 725 is to create a density minimum for this type of housing similar to what is required for very low- and low-income housing. AB 725 proponents indicate that moderate- and above moderate-income housing represents 60% of the housing allocation and that this bill would increase the zoning for multi-family housing from approximately 40% to 55%.

The bill also specifies that a project proponent may propose, and a jurisdiction may approve, a single-family detached home; this allocation cannot be the basis for a jurisdiction to deny a project



that does not comply with the allocation; and that this allocation cannot be the basis for a jurisdiction to not impose price controls, or in lieu thereof, any exactions or conditions of approval. Given the bill's allowance for single family housing as part of the increase in minimum densities, staff's recommendation is to monitor developments surrounding this bill and participate in discussions related to future amendments as part of a final housing package considered by the Assembly. **Recommendation: Watch**

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

This bill would require the State to designate areas as "high resource" areas, defined as areas of high opportunity and low residential density that are not currently experiencing gentrification or displacement and are not at future risk for that. For these areas, housing development projects would be considered a "use-by-right" if they satisfy the following criteria:

- For single family zoned areas, the project would consist of up to four residential units with a height of up to 20 feet and would need to be affordable for households making the area median income (AMI). The property could be sold or rented at a higher AMI if the developer pays 10% of the difference to the local jurisdiction for construction of units for households making 50% of the AMI or less.
- For the residential properties at least one-quarter acre in size and located on a major street or central business district, the project can consist of up to 40 units with a height of up to 30 feet. Projects with more than 10 units would need to dedicate at least 10% of units for low-income households and 5% to very low-income households. Projects with less than 10 units would need to meet the same affordability requirements noted for single family zones.
- For properties exceeding one-half acre, the project will need to dedicate at least 25% of the units to low-income households and 25% to very low-income households. These projects would be allowed to have up to 100 residential units with a height of up to 55 feet.
- Projects could not require the demolition of housing currently being rented or has been rented in the last 10 years, or be located in an environmentally sensitive area.

Beyond previous concerns with bills designating "use-by-right", this bill adds an additional layer of complication by potentially conflicting with "high resource areas" defined by the State Tax Credit Allocation Committee. These existing definitions have various items included, but do not include residential density. **Recommendation: Oppose**



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

SB 1299 would require the Department of Housing and Community Development to administer a program to provide grants to local governments that rezone idle used for big box retail or commercial shopping centers for the purpose of developing workforce housing. The amounts of the grants would be equal to the average amount of annual sales and use tax revenue generated by the idle site over the seven years preceding the project application. The local agency would receive this amount of funding for seven years following project approval.

As local agencies seek to meet the state's housing needs and increase the supply of workforce housing, many tools will be required to meet these goals. Incentives and grants will play an important role in assisting local jurisdictions with meeting these targets. **Recommendation: Support**

Bill Status – Existing Positions

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

Position: Support if Amended

Status: Referred to Committee on Natural Resources and Committee on Housing & Community Development. Bill hearing canceled at the request of the author.

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

Position: Watch

Status: From Assembly Housing & Community Development Committee: Do pass as amended

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

Position: Support

Status: Set for hearing in the Senate Housing Committee on May 26 and 27

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

Position: Oppose

Status: Referred to Senate Housing Committee

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

Position: Oppose

Status: Set for hearing in the Senate Housing Committee on May 26 and 27



State Budget Update

The Governor released his May Revise on May 14th, providing a much different outlook for the coming fiscal year than what was proposed in the January Budget Proposal. At that time, a \$5.6 billion surplus was projected for Fiscal Year (FY) 2020-2021. The Governor's May Revise indicates a potential \$54 billion deficit as the state deals with the economic fallout from COVID-19. This figure is almost 37% of the General Fund Budget. Driving the deficit is a projected \$41.2 billion loss in personal income, sales and corporate taxes over the next 14 months coupled with a projected \$7.1 billion increase in health and human services programs to meet demand. Existing reserves are anticipated to cover \$16 billion of the expected deficit.

The May Revise proposes to cover the projected \$54 billion deficit through a combination of cancelling \$6.1 billion in planned program expansions/spending increases, use of \$8.3 billion in reserves, borrowing \$4.1 billion from special funds, suspending specified tax credits to provided \$4.4 billion for education, and assumes \$8.3 billion in additional federal funding, among other items.

Major items of interest from the May Revise include the following:

- A scaled down proposed budget, down to \$203 billion from the January Budget Proposal of \$222.2 billion.
- \$14 billion in cuts would be triggered absent the receipt of additional federal relief funds including a 10% reduction in state worker pay and a 10% reduction for several programs including K-12 and Higher Education programs, childcare programs, trial court funding, Medi-Cal benefits, and In-Home Supportive Services
- COVID-19 Response
 - \$2.9 billion in anticipated expenditures for COVID-19 response.
 - \$1.8 billion in direct expenditures for the COVID-19 response to support PPE and critical medical supply procurements; hospital surge preparation; temporary housing for medical staff; assistance for the homeless, foster youth, and seniors; state response and support services; and statewide testing and contact tracing.
 - \$532 million in federal funds for housing and homeless programs under the CARES Act
- Transportation
 - Transportation fuel tax revenues are anticipated to decline \$1.8 billion through 2025, majority of losses to occur in the current and next fiscal year
 - Majority of funding streams appear to remain intact, with \$130 million in General Fund transfers proposed



- In anticipation of future federal stimulus funding for infrastructure projects, the Mayo Revise maintains planning and engineering staffing levels within the California Department of Transportation (Caltrans) to accelerate projects to achieve cost savings and support job creation.
- Housing Programs
 - Maintains the following state funding sources for housing:
 - \$500 million in tax credits for low-income housing
 - \$277 million in real estate transaction fee revenues to support affordable housing
 - \$452 million in cap and trade funds for infill development that reduces VMT and greenhouse gas emissions
 - \$4 billion in Proposition 1 funding for veterans and affordable housing programs
 - Proposes \$750 million in federal funding allocated to local governments to support the purchases of hotels and motels used for Project Room Key for long term homeless housing support
 - Allocates \$450 million to cities and \$1.3 billion to counties from the state's CARES Act funding
 - \$450 million to cities that did not receive a direct allocation from the federal government to address the impacts of COVID-19 on the homeless
 - Cities over 300,000 will receive a direct allocation. Cities under that threshold will receive funding from their respective County.
 - \$1.3 billion to counties based on population to address public health, behavioral health, and health and human services needs.
 - Reverts funding for the following:
 - \$250 million in mixed-income development funds over three years
 - \$200 million in infill infrastructure grant funds
 - \$115 million in other housing programs
 - Proposes to leverage federal funds and existing state programs to support the preservation, protection, and production of housing including:
 - Preserving existing subsidized affordable housing stock by stabilizing existing deed-restricted affordable housing and guarding against private sector actors buying up distressed assets
 - Seeking strategies to stabilize tenants in existing units
 - Significantly streamlining, upzoning and producing new housing units, especially on excess and surplus lands, in transit-oriented infill areas and on public land



- Building a workforce development strategy to support a skilled and trained housing workforce pipeline with high-road wage rates, and promoting innovative alternative construction methods.
- Environmental Programs
 - Cap and Trade Modifications
 - Establishes a “pay-as-you-go” mechanism to authorize expenditures based on actual auction proceeds received, anticipating lower than projected receipts. Priority will be given for Air Quality in Disadvantaged Communities, Forest Health and Fire Prevention, and Safe and Affordable Drinking Water programs.
 - Reverts \$250 million originally proposed for the Climate Catalyst Fund
 - Uses \$24 million from the Air Pollution Control Fund to support related General Fund programs for the State Water Resources Control Board on a one-time basis
 - Reversion of \$40 million proposed for Sustainable Groundwater Management Act Implementation

Following the release of the May Revise, the State Legislative Analyst’s Office released their analysis of the proposal. The LAO’s office estimates the deficit to be closer to \$18-\$31 billion, depending on how quickly the economy recovers. While revenue estimate declines in their analysis were close to the Governor’s (\$39 billion versus \$41 billion), the difference in estimates assumed funding for K-12 and Community Colleges would stay at existing levels above constitutionally required minimums. The LAO also included \$7 billion in spending on the COVID-19 response and did not count program increases originally included in the Governor’s January Proposal that were removed from the May Revise. Lastly, the LAO included assumptions regarding federal funding relief already approved for Medicaid costs.

RECOMMENDED ACTION

Receive and file report provided. Adopt Support positions for SB 995, SB 1299, and SB 1385; an Oppose position for AB 1279; and Watch positions for AB 725, SB 902, SB 1085, and SB 1120.

STAFF CONTACT

Wendy Strack

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

Status Report Thursday, May 21, 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 1839](#) (Bonta D) Economic, environmental, and social recovery: California COVID-19 Recovery Deal.

Last Amend: 5/7/2020

Status: 5/11/2020-Re-referred to Com. on NAT. RES.

Location: 4/24/2020-A. NAT. RES.

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

Summary: Would enact the California COVID-19 Recovery Deal. The bill would make a series of legislative findings and declarations pertaining to the coronavirus (COVID-19) pandemic and various economic, environmental, and social conditions in the state. The bill would state the intent of the Legislature that the state adopt a policy framework with principles and goals committed to accomplish specified economic, environmental, and social objectives and priorities as part of the state's COVID-19 recovery spending. The bill would state that the Legislature establishes various spending rules for the COVID-19 recovery, including adopting spending measures that prohibit businesses, organizations, or agencies from accepting public funds for any long-term projects that prolong the emission of greenhouses gases or lead to the expansion of fossil fuel projects and ensuring that recovery spending includes specific measures for California populations and communities most negatively impacted by COVID-19.

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

Status: 3/11/2020-Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 1.) (March 11). Re-referred to Com. on APPR.

Location: 3/11/2020-A. APPR.

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 Governor's 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 the various federal, state, and local departments and agencies that provide housing and services to individuals experiencing homelessness or at risk of homelessness.

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

Last Amend: 5/5/2020

Status: 5/12/2020-Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (May 12). Re-referred to Com. on APPR.

Location: 5/12/2020-A. APPR.

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 1860](#) (Santiago D) Local government finance: special taxes: homeless housing and services.

Last Amend: 5/4/2020

Status: 5/5/2020-Re-referred to Com. on REV. & TAX.

Location: 4/24/2020-A. REV. & TAX

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

Summary: Would authorize a local government to impose, extend, or increase a sales and use tax or transactions and use tax in accordance with specified law or a parcel tax, as defined, for the purposes of funding homeless housing and services, as defined, subject to a majority vote of the electorate of the local government voting on the proposition. The measure would require that the ordinance or resolution proposing the tax be approved by a 2/3 vote of the governing board of the local government, include specified additional accountability requirements, and otherwise comply with specified requirements relating to the imposition of special taxes. The bill would also make conforming and other nonsubstantive changes.

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

Status: 5/13/2020-In committee: Set, first hearing. Hearing canceled at the request of author.

Location: 1/30/2020-A. NAT. RES.

Desk	Policy	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 2137](#) (Wicks D) Planning and Zoning Law: court orders: housing development projects.

Status: 2/27/2020-Referred to Coms. on L. GOV. and H. & C.D.

Location: 2/27/2020-A. L. GOV.

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

Summary: The Housing Accountability Act, which is part of the Planning and Zoning Law, prohibits a local agency from disapproving a housing development project for very low, low-, or moderate-income households, or an emergency shelter, or condition approval in a manner that renders the housing development project infeasible for development for the use of very low, low-, or moderate-income households, or an emergency shelter, including through the use of design review standards, unless it makes prescribed written findings. The act defines a housing development project for these purposes to mean residential units, mixed-use developments consisting of residential and nonresidential uses with at least two-thirds of the square footage designated for residential use, and transitional housing or supportive housing. This bill would remove the option of a court, when issuing a final order or judgment in favor of a plaintiff challenging the validity of a general plan or mandatory element, to suspend the authority of the city, county, or city and county to issue specified building permits, to grant zoning changes or variances, and to grant subdivision map approvals, for housing development projects, as defined in the Housing Accountability Act.

[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: 5/20/2020-Read second time and amended.

Location: 5/20/2020-A. APPR.

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: 5/13/2020-Read second time. Ordered to Consent Calendar.

Location: 2/14/2020-A. CONSENT CALENDAR

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: 5/4/2020

Status: 5/14/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 2.) (May 13). Re-referred to Com. on APPR.

Location: 5/13/2020-A. APPR.

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

Summary: CEQA exempts from its requirements a transit priority project that is declared by the legislative body of a local government to be a sustainable communities project and various housing projects, including, among others, agricultural employee housing projects, affordable housing projects, housing projects on infill sites, and residential or mixed-use housing projects, that meet certain requirements. This bill would allow a project located on a site that is included in lists regarding the presence of hazardous substances compiled by specified state agencies to be exempt from those requirements if the Department of Toxic Substances Control has cleared the site for the proposed land use.

[AB 2329](#) (Chiu D) Homelessness: statewide needs and gaps analysis.

Last Amend: 5/11/2020

Status: 5/20/2020-VOTE: Do pass and be re-referred to the Committee on [Appropriations] with recommendation: To Consent Calendar (PASS)

Location: 5/20/2020-A. APPR.

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 to, among other things, identify mainstream resources, benefits, and services that can be accessed to prevent and end homelessness in California and to serve as a statewide facilitator, coordinator, and policy development resource on ending homelessness in California. This bill, upon

appropriation by the Legislature, would require the 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 2345](#) (Gonzalez D) Planning and zoning: density bonuses: affordable housing.

Last Amend: 5/11/2020

Status: 5/20/2020-VOTE: Do pass as amended and be re-referred to the Committee on [Appropriations] (PASS)

Location: 5/20/2020-A. APPR.

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

Summary: Current law specifies the number of incentives or concessions that an applicant can receive under the Density Bonus Law. Current law specifies that an applicant shall receive 3 incentives or concessions for projects that include at least 30% of the total units for lower income households, at least 15% for very low income households, or at least 30% for persons or families of moderate income in a common interest development. Current law specifies that an applicant shall receive 4 incentives or concessions for projects in which 100% of the total units are for lower income households, as specified. This bill, instead, would authorize an applicant to receive 3 incentives or concessions for projects that include at least 30% of the total units for lower income households, at least 12% of the total units for very low income households, or at least 30% for persons or families of moderate income in a common interest development.

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

Last Amend: 5/4/2020

Status: 5/20/2020-Action From H. & C.D.: Do pass.To APPR..

Location: 5/20/2020-A. APPR.

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.

[AB 2553](#) (Ting D) Shelter crisis declarations.

Last Amend: 5/12/2020

Status: 5/20/2020-VOTE: Do pass as amended, and be re-referred to the Committee on [Appropriations] with recommendation: To Consent Calendar (PASS)

Location: 5/20/2020-A. APPR.

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, among other things, 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. 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: 5/11/2020

Status: 5/20/2020-Action From H. & C.D.: Do pass as amended.

Location: 5/20/2020-A. H. & C.D.

Desk	Policy	Fiscal	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 20% of the proposed housing units for lower income households. The bill would not apply to a hotel or motel conversion on a site that is in a coastal zone, as defined. The bill would require a local government to notify the development proponent in writing if the local government determines that the development conflicts with any of those objective standards within 30 days of submitting a complete application; otherwise, the development would be deemed to comply with those standards.

[AB 2586](#) (Berman D) Shelter crisis: safe parking programs.

Last Amend: 3/16/2020

Status: 3/17/2020-Re-referred to Com. on H. & C.D.

Location: 3/12/2020-A. H. & C.D.

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

Summary: Would provide that a political subdivision is immune from liability for ordinary negligence in the provision of a safe parking program during a declared shelter crisis and would suspend the application of the Special Occupancy Parks Act, the Mobilehome Parks Act, the Mobilehome Residency Law, and the Recreational Vehicle Park Occupancy Law to the safe parking program. The bill would define "safe parking program" for these purposes as a program that provides homeless individuals and families living in a vehicle a safe place to park while accessing services to end their homelessness.

[AB 2603](#) (Daly D) Accessory dwelling units.

Status: 2/21/2020-From printer. May be heard in committee March 22.

Location: 2/20/2020-A. PRINT

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

Summary: Current law provides for the creation by local ordinance, or by ministerial approval if a local agency has not adopted an ordinance, of accessory dwelling units to allow single-family or multifamily dwelling residential use in accordance with specified standards and conditions. Current law, with certain exceptions, prohibits a local agency from using or imposing any additional standards, including, until January 1, 2025, owner-occupant requirements. This bill would make a nonsubstantive change to these provisions.

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

Last Amend: 5/11/2020

Status: 5/20/2020-VOTE: Do pass and be re-referred to the Committee on [Appropriations] (PASS)

Location: 5/20/2020-A. APPR.

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: 5/20/2020-VOTE: Do pass and be re-referred to the Committee on [Appropriations] (PASS)

Location: 5/20/2020-A. APPR.

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 3155 (Rivas, Robert D) Subdivision Map Act: streamlined approval process: subdivisions.

Last Amend: 5/12/2020

Status: 5/20/2020-VOTE: Do pass as amended and be re-referred to the Committee on [Appropriations] (PASS)

Location: 5/20/2020-A. APPR.

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

Summary: The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. Existing law provides for various incentives intended to facilitate and expedite the construction of affordable housing. Existing law, until January 1, 2026, authorizes a development proponent to submit an application for a multifamily housing development that is subject to a streamlined, ministerial approval process, as provided, and not subject to a conditional use permit, if the development satisfies 3 specified objective planning standards. This bill would exempt a project from the 3 objective planning standards, as specified, if the project involves the subdivision of a parcel for 10 or fewer units and is not a part of a larger project involving more than 10 units, the project is not a public work, as defined, and the project satisfies the requirements of any applicable inclusionary housing ordinance of the local government, as specified.

AB 3205 (Salas D) Regions Rise Grant Program.

Last Amend: 5/19/2020

Status: 5/19/2020-Read second time and amended.

Location: 5/19/2020-A. APPR.

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: 5/19/2020-Re-referred to Com. on APPR.

Location: 5/12/2020-A. APPR.

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: 5/18/2020

Status: 5/19/2020-Re-referred to Com. on APPR.

Location: 5/13/2020-A. APPR.

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: 5/4/2020

Status: 5/20/2020-VOTE: Do pass as amended and be re-referred to the Committee on [Appropriations] (PASS)

Location: 5/20/2020-A. APPR.

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

Summary: Would state the intent of the Legislature that each state and local agency aim to reduce homelessness within its jurisdiction by 90% by December 31, 2028. The bill would require the Homeless Coordinating and Financing Council to set a benchmark goal in reducing homelessness by January 1, 2028, for each state and local agency subject to these provisions, based upon the needs and gaps analysis described above, and annual homelessness reduction benchmarks that progress toward the benchmark goal. The bill, on or before January 1, 2022, would require each state and local agency, as defined, to develop an actionable plan to achieve the benchmark goal set by the coordinating council.

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

Last Amend: 5/4/2020

Status: 5/20/2020-VOTE: Do pass and be re-referred to the Committee on [Appropriations] (PASS)

Location: 5/20/2020-A. APPR.

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.

AB 3320 (Gloria D) Regional housing need allocation.

Status: 2/24/2020-Read first time.

Location: 2/21/2020-A. PRINT

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

Summary: Current law requires the Department of Housing and Community Development, in consultation with each council of governments, to determine each region's current and projected housing need, as provided. Current law requires each council of governments, or the department for cities and counties without a council of governments, to adopt a final regional housing need plan that allocates a share of the regional housing need to each city, county, or city and county and that furthers specified objectives. This bill would make nonsubstantive changes to these 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: 5/14/2020-Set for hearing May 26 and May 27.

Location: 5/12/2020-S. HOUSING

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

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: 5/18/2020

Status: 5/18/2020-From committee with author's amendments. Read second time and amended. Re-referred to Com. on HOUSING.

Location: 5/18/2020-S. HOUSING

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

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: neighborhood multifamily project: use by right: density.

Last Amend: 3/9/2020

Status: 5/14/2020-Set for hearing May 26 and May 27.

Location: 2/12/2020-S. HOUSING

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

Summary: Current law, until January 1, 2026, authorizes a development proponent to submit an application for a multifamily housing development that satisfies specified planning objective standards to be subject to a streamlined, ministerial approval process, as provided, and not subject to a conditional use permit. This bill would provide that a neighborhood multifamily project is a use by right in zones where residential uses are permitted if the project is not located in a very high fire severity zone, does not demolish sound rental housing or housing that has been placed on a national or state historic register, follows specified local objective criteria, and meets specified density requirements.

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

Last Amend: 5/19/2020

Status: 5/19/2020-From committee with author's amendments. Read second time and amended. Re-referred to Com. on EQ.

Location: 2/20/2020-S. E.Q.

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

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 1015](#) (Skinner D) Keep Californians Housed Assistance Fund.

Status: 3/18/2020-March 31 hearing postponed by committee.

Location: 3/5/2020-S. HOUSING

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

Summary: Would establish in the State Treasury the Keep Californians Housed Assistance Fund and require the moneys in the fund, upon appropriation, to be made available to the Department of Housing and Community Development for rental assistance purposes. The bill would require the department to distribute funds to cities and administrative entities in the form of grants awarded on a competitive basis, as specified.

SB 1049 (Glazer D) Local ordinances: short-term rentals.

Status: 3/5/2020-Referred to Com. on GOV. & F.

Location: 3/5/2020-S. GOV. & F.

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

Summary: Current law authorizes a city legislative body to impose fines, penalties, and forfeitures for violations of ordinances, provided that a fine may not exceed \$1,000. This bill would authorize a city legislative body to impose a fine of up to \$5,000 for a violation of a short-term rental ordinance. The bill would define "short-term rental" for these purposes as a residential property that is rented to a visitor for fewer than 30 days through a centralized online platform where the rental is advertised and payments for the rental are securely processed.

SB 1065 (Hertzberg D) CalWORKs: homeless assistance.

Last Amend: 3/20/2020

Status: 5/21/2020-Action From APPR.: Read second time.Re-referred to APPR..

Location: 5/21/2020-S. APPR.

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

Summary: Under current law, in addition to the monthly CalWORKs aid, after a family has used all available liquid resources in excess of \$100, the family is entitled to receive an allowance for certain nonrecurring special needs, including homeless assistance. The bill would eliminate the requirement that the family have used all available liquid resources in excess of \$100 in order to receive the homeless assistance allowance.

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: 5/18/2020

Status: 5/18/2020-From committee with author's amendments. Read second time and amended. Re-referred to Com. on HOUSING.

Location: 5/18/2020-S. HOUSING

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 1100 (Atkins D) Coastal resources: sea level rise.

Status: 5/12/2020-Referral to Coms. on EQ., and G.O. rescinded due to the shortened 2020 Legislative Calendar.

Location: 5/12/2020-S. N.R. & W.

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

Summary: The California Coastal Act of 1976 establishes the California Coastal Commission and provides for planning and regulation of development in the coastal zone, as defined. The act requires the commission, within 90 days after January 1, 1977, to adopt, after public hearing, procedures for the preparation, submission, approval, appeal, certification, and amendment of a local coastal program, including a common methodology for the preparation of, and the determination of the scope of, the local coastal programs, as provided. This bill would also include, as part of the procedures the commission is required to adopt, recommendations and guidelines for the identification, assessment,

minimization, and mitigation of sea level rise within each local coastal program, as provided.

SB 1118 (Caballero D) Multifamily Housing Program.

Status: 3/18/2020-March 31 hearing postponed by committee.

Location: 2/27/2020-S. HOUSING

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

Summary: Current law establishes the Multifamily Housing Program, pursuant to which the Department of Housing and Community Development provides loans to pay specified costs of housing projects that meet specified criteria. Current law requires the loans to be provided using a project selection process that, among other things, evaluates projects for funding based on weighted underwriting and evaluative criteria that give consideration to projects that meet certain criteria, including whether the project services households at the lowest income levels, as specified. This bill would include among the evaluative criteria whether the projects allocate 25% of units for individuals with disabilities who receive regional center services or in-home supportive services.

SB 1120 (Atkins D) Subdivisions: tentative maps.

Last Amend: 5/20/2020

Status: 5/20/2020-From committee with author's amendments. Read second time and amended. Re-referred to Com. on GOV. & F.

Location: 2/27/2020-S. GOV. & F.

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: 5/14/2020-Set for hearing May 26 and May 27.

Location: 2/27/2020-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 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 1201 (Jones R) Homelessness: state programs: Housing First.

Status: 5/12/2020-Referral to Com. on HOUSING rescinded due to the shortened 2020 Legislative Calendar.

Location: 5/12/2020-S. HUM. S.

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

Summary: Current law requires agencies and departments administering state programs to adopt guidelines and regulations to incorporate core components of Housing First, as defined. Current law defines "state programs" for this purpose as any program a California state agency or department funds, implements, or administers for the purpose of providing housing or housing-based services to people experiencing homelessness or at risk of homelessness, except as provided. This bill, notwithstanding the requirement to adopt guidelines and regulations to incorporate core components of Housing First or any guidelines or regulations adopted pursuant to that requirement, would authorize an agency or department that administers a state program that has incorporated core components of Housing First to provide funding in accordance with the state program to housing that does not comply with Housing First.

SB 1289 (Chang R) California Environmental Quality Act: exemption: housing projects.

Status: 3/18/2020-April 1 hearing postponed by committee.

Location: 3/5/2020-S. E.Q.

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

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. This bill would, until January 1, 2029, exempt from the requirements of CEQA, housing projects that meet certain requirements. The bill would require a lead agency, if it determines that a housing project is exempt from CEQA under the above provision, to file a specified notice with the county clerk in each county in which the project is located.

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

Last Amend: 4/3/2020

Status: 5/13/2020-Set for hearing May 29.

Location: 5/11/2020-S. TRANS.

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

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: 5/14/2020-Set for hearing May 26 and May 27.

Location: 5/11/2020-S. HOUSING

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

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 1302 (Morrell R) California Environmental Quality Act: housing development projects: judicial proceedings.

Last Amend: 4/1/2020

Status: 5/12/2020-Referral to Com. on JUD. rescinded due to the shortened 2020 Legislative Calendar.

Location: 5/12/2020-S. E.Q.

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

Summary: Would prohibit additional or subsequent CEQA actions or proceedings if an action or proceeding under CEQA has already been instituted against a housing development project, as defined, and a trial court has issued a peremptory writ of mandate, as prescribed. The bill would require that any claims regarding the lead agency's noncompliance with the peremptory writ be raised during the public comment period provided in connection with the lead agency's action to comply with the peremptory writ and when the lead agency makes a return to the peremptory writ.

SB 1363 (Allen D) Regional transportation plans: sustainable communities strategies: greenhouse gas emissions and vehicle miles traveled reduction targets.

Status: 5/12/2020-Referral to Coms. on TRANS., and HOUSING rescinded due to the shortened 2020 Legislative Calendar.

Location: 5/12/2020-S. TRANS.

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

Summary: Would also require the State Air Resources Board to provide, no later than December 31, 2022, each affected region with greenhouse gas emission reduction targets for the automobile and light truck sector for 2045 and 2050, and with vehicle miles traveled reduction targets for 2035, 2045, and 2050, and to release, no later than September 30, 2022, a draft of those targets, as specified.

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

Last Amend: 5/20/2020

Status: 5/20/2020-From committee with author's amendments. Read second time and amended. Re-referred to Com. on GOV. & F.

Location: 5/11/2020-S. GOV. & F.

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: 58

Total Tracking Forms: 58



AGENDA ITEM #7

OCCOG Housing Videos Project Update

SUMMARY

OCCOG collaborates with our ex-officio partners on many topics. Land use and housing is a critical touch point with many of our partners, particularly so during development of the 6th Cycle Regional Housing Needs Assessment (RHNA). OCCOG has been participating in the ACC-OC Housing Working Group since summer of 2019. The group meets regularly to discuss items relating to housing legislation, housing production, and educating the public about housing policy.

As an outcome of discussions in that group and in consultation with the OCCOG Executive Management Committee (EMC) and leadership, OCCOG has been working on developing a series of videos that can be used by our member jurisdictions to communicate the ins and out of housing policy to the public. The videos are short enough to embed on a website or social media post and will be created in the whiteboard illustration video style. They are being designed as stand-alone videos that also work as a series of explainers on different housing topics including RHNA and ADUs. OCCOG had budgeted for video production in the FY 2019-2020 timeframe, typically used for a video at the General Assembly, so we are accessing those funds for this project. We are using consultant support to help with scripting, graphic design, and video production.

BACKGROUND

Beginning in August 2019, OCCOG and ACC-OC worked together to develop the list of up to 10 videos planned to be produced. In January 2020 OCCOG contracted with Lisa Telles to support the general assembly and housing policy communications, and stepped in to lead development of the script and manage the project for OCCOG.

Benefitting from Lisa's years of expertise leading marketing and communications for The Toll Roads, OCCOG honed our key themes and messages we want to communicate throughout the video series. We have called the series *Housing Orange County: Meeting our Regional Housing Need Assessment*. The goal is to educate the public about the complexities of housing policy in an accessible way that empowers them to be part of the process in a nuanced and productive way.

Video #1 and #2: What is RHNA? Big picture overview.

- History of the legislation, what it is intended to do, why it was originally enacted
- process (i.e. 8-year planning cycle)
- important players (state, region, cities, developers, citizens, define role of each)

Video #3: Why does California have a RHNA process?

- 5 objectives of RHNA



- What is “affirmatively furthering fair housing”?
- Changes since last cycle

Video #4: Specifics of the SCAG region 6th cycle RHNA

- Number given by HCD, broken down by socio-economic levels
- Method we’ll use to apportion those numbers, by category, to each jurisdiction.
- The appeals process
- Where to find your jurisdiction’s specific numbers.

Video #5: OK, I have the final RHNA numbers, what does this mean for my city?

- Update your housing element
- Must zone for units allocated by RHNA, by income level
- Finding appropriate sites for more housing: challenges/limitations of selecting viable sites
- Address the “my city is built out” argument
- re-zoning carrots and sticks i.e. Access to funding, penalties for noncompliant housing element.

Video #6: “Not your Father’s Orange County”

- Envisioning a future that is diverse, inclusive and strives to provide housing for all residents.
- Working with developers to make this happen.
- Planning for growth, increased demand for services, increased pressure on infrastructure (traffic, parking, water usage, sewers, schools). Opportunities for more mobility choices.

Video #7: Who’s going to pay for all of this?

- Funding sources and technical resources available to cities
- development and other fees cities can charge

Video #8: Legislating More Housing

- Recent housing legislation that impacts planning and zoning for housing
- **Work with Wendy, Jenn and the OCCOG TAC to identify bills we want to highlight

Video #9: ADU 101

- What they are (casita, granny flat, MIL unit, “accessory dwelling unit”)
- Who can build one
- What are the parameters/restrictions (i.e. size, set backs, parking requirements, fees, permits, etc.)



- Resources for more information → send them to new OCCOG ADU website (like napasonomoaadu.org)

Video #10: What's at stake

- Summary of housing crisis
- Penalties for cities that do not zone for housing allocation/ don't have certified housing elements
- Fines of up to \$600,000 per month until housing element certified
- Freeze ability to approve developments/ home renovations
- State takes over zoning authority

Closing for all videos:

- Logos
- Contact information, website
- "produced by" recognition

The production process for each video is thus:

- produce an initial draft script,
- review and refine the script,
- develop a storyboard, animate the storyboard,
- add professional voiceover and
- edits and finalize production

BUDGET

An initial budget of \$2000-\$3000 per video was envisioned by staff. AJ Designs, the consultant OCCOG utilizes for video production and stage management for the General Assembly, agreed to produce the first two videos for \$4500 and we moved forward with production for the first video. During consultation with the EMC, city representatives from OCCOG member jurisdictions made OCCOG aware of in-house resources that may be accessed moving forward and could significantly reduce the budget needed to produce the videos. OCCOG will therefore coordinate with these member jurisdictions before contracting for any further video production.

SCHEDULE

Video #1 and #2 are scheduled to be complete by the end of the 2019/2020 fiscal year. It is estimated that two to three videos can be produced per quarter in 2020/2021 fiscal year. With this schedule a total of six videos would be complete by the General Assembly in October.



PART OF A LARGER EDUCATION AND OUTREACH PORGRAM

Since the video series project began, OCCOG has been made aware of funding via the Regional Early Action Program (REAP) that is able to be used for public outreach and education-related activities to support housing development. These videos should be eligible for this funding, and OCCOG plans to include them in the program we propose to the Southern California Association of Governments (SCAG) as part of the early action funding to be allocated to the sub-regions as approved by the SCAG Regional Council in March 2020. As previously reported, OCCOG is anticipating approximately \$3.2 million in funding via this grant program to be made available starting in fall 2020, and we are working closely with the Technical Advisory Committees (TAC), EMC, and SCAG staff to develop a program for Orange County that will help us move the needle in building housing for our residents.

STAFF RECOMMENDATION

Receive and file.

STAFF CONTACT

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