



AGENDA ITEM #9 2021-2022 DRAFT LEGISLATIVE POLICY GUIDELINES

SUMMARY

This report offers an overview of proposed updates to the 2021-2022 Legislative Policy Guidelines.

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

The Orange County Council of Governments (OCCOG) is a voluntary joint-powers agency that provides a vehicle for member agencies to engage cooperatively on matters important to the county as a whole. We conduct studies and projects designed to improve and coordinate common governmental responsibilities across the county.

Our Mission

The Orange County Council of Governments convenes jurisdictions throughout the County to address land use, energy, mobility, air quality, and water issues facing our residents and ensure our county is represented in regional decision-making. Through implementing effective governance practices, we deliver value to our member agencies and the tax-payers of Orange County.

To better support this mission, the OCCOG shall implement legislative policy guidelines to enable OCCOG to react in a timely manner to ongoing legislation and regulatory changes related to our mission-directed policy areas. Further, the OCCOG Board of Directors believes that policy decisions are best made at the level of government closest to constituents whenever possible. The protection and enhancement of local autonomy and flexibility for municipal government is an essential element of our region's ability to direct outcomes for our residents. This belief is a driving force behind our legislative principles.

OCCOG staff will work with our member jurisdictions and ex-officio partners on advocacy efforts in accordance with our annual Work Plan and Three-Year Strategic Plan adopted by the Board of Directors.



Advocacy Guidelines

- OCCOG will seek to reach consensus among member jurisdictions and ex-officio partners on legislation prior to taking a position.
- OCCOG will avoid taking a position on legislation that divides rather than unites our members.
- OCCOG Staff is authorized to continue to advocate a position for a bill which has been amended into a new bill number as long as the legislative intent and language remain substantially unchanged.
- Letters of support or opposition will be provided on OCCOG letterhead and signed by the Board Chairman unless directed by the Board to be signed by the Executive Director.

The 2021-2022 Draft Legislative Policy Guidelines are included in Attachment A for review and consideration. Major changes to the proposed guidelines include:

- Inclusion of a principle related to the reauthorization of the Fixing America's Surface Transportation (FAST) Act, currently set to expire in September.
- Supporting funding and flexibility for transit agencies in the wake of COVID-related revenue losses
- Supporting a focus on incentives and removal of barriers/hurdles for housing production.
- Supporting local flexibility in meeting state housing goals as well as funding to achieve those goals.

The proposed guidelines also include support for a potential initiative being advanced by the City of Anaheim and the California Statewide Communities Development Authority (CSCDA). This proposal seeks to allow moderate income housing units created under CSCDA's Workforce Housing program to count towards local Regional Housing Needs Assessment (RHNA) numbers. Presently, moderate income housing units only count if they are new construction. Conversion of market rate housing to moderate income housing units are currently not credited towards RHNA attainment. At the February Board Meeting, representatives from the City of Anaheim and CSCDA will present additional information on the proposal for formal Board Action.

RECOMMENDED ACTION

Adopt the 2021-2022 Legislative Policy Guidelines as presented or amended.



Orange County Council of Governments

STAFF REPORT JANUARY 28, 2021

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Policy Principles

<u>Issue</u>	<u>Principle</u>	<u>Board Position</u>
Governance	Maintain maximum local flexibility in the areas of land use, housing, energy, mobility, air quality, and water.	Support
Governance	Policies that incentivize local agencies to act collaboratively to achieve regional goals.	Support
Governance	Protecting the authority of regional agencies to set regional priorities and program funding.	Support
Governance	Fair and proportionate representation on countywide and regional boards that protects the autonomy of those governing bodies.	Support
Governance	Policies that make cities more dependent on federal, state and/or county government or agencies for policy direction.	Oppose
Funding	Appropriate funding to regional agencies to match new state and federal requirements for enhanced planning, delivery, and performance review.	Support
Funding	Stable funding through identifiable source(s) and a public policy environment conducive to meeting the region's land-use, housing, energy, mobility, air quality, water, and workforce education needs.	Support
Funding	The correction of Orange County's status as a "donor" county with regard to federal and state transportation funding.	Support
Funding	Fair-share Federal and State funding to Orange County based on population, urban nature, and the amount of tax revenue contributed to Federal and State budgets.	Support
Funding	Policies that impose intrusive, unnecessary, or unfunded state-imposed mandates or preempts local authority.	Oppose
Funding	Measures that infringe on the ability of each city to establish or exercise its authority or financing capability.	Oppose
Taxes	The use of private sector investment, rather than governmental taxes and spending, where possible, to accomplish public benefits.	Support
Taxes	Majority vote approval of tax increases for community infrastructure improvements, coupled with oversight and cost-containment.	Support
Taxes	Clear distinctions between taxes and user fees including a direct nexus for fees related to an administrative cost or provision of public service.	Support

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Taxes	Extreme caution in considering the modification or elimination of taxpayers' ability to have elected officials, as opposed to appointed staff, resolve California tax disputes;	Support
Water	Adequate rehabilitation and protection of critical levee and waterway systems in the Bay-Delta and other areas of the State that have critical importance to the long-term and sustained movement of water supplies to their points of use.	Support
Water	Adequate investment in surface water impounds, recycle and reuse projects, and groundwater storage systems that protect the State from droughts, earthquakes, and other events that would otherwise cause significant economic dislocations, loss of human lives, or the loss of significant natural resources.	Support
Infrastructure	Adequate and dedicated funding on an annual basis at Federal, State, and County levels for infrastructure maintenance, rebuilding, and expansion.	Support
Infrastructure	Design-build authority for infrastructure construction.	Support
Infrastructure	Investment strategies based on sound science and public policy criteria that direct resources into the most needed regional and local infrastructure categories, leverage State and Federal dollars, and maximize the return on existing infrastructure investments.	Support
Infrastructure	Accelerated project delivery through streamlined environmental delegation and increased authority to local California Department of Transportation (Caltrans) Districts and through use of alternative project delivery methods such as design-build, public-private partnerships, etc.	Support
Transportation	A continued strong state role in providing funding for transit operations rather than shifting responsibility to local transportation entities.	Support
Transportation	Reauthorization of Federal Surface Transportation Legislation that provides for equitable distribution of funds, maintaining or increasing funding levels for critical programs, prioritizes local discretion in programming and allocation decisions, and rewards regions with local revenue matching abilities.	Support
Transportation	Policies that ensure local flexibility in meeting the goals of the state's greenhouse gas reduction initiatives, including the creation of incentive-based	Support

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	measures and grant programs to assist with compliance.	
Transportation	Efforts to provide secure transit funding for capital and operating expenses.	Support
Transportation	Streamline the Transportation Development Act to create efficiencies and new performance metrics with a reduced focus on farebox recovery.	Support
Transportation	Flexibility should be included in any transit funding source, allowing transit operators to use the funding for both operations and capital expenditures.	Support
Transportation	Policies to divert or reclassify transportation revenue sources, including General Fund and debt service purposes.	Oppose
Transportation	Policies to link or reprioritize local and state transportation funding to support the state's greenhouse gas reduction initiatives.	Oppose
Transportation	Increased funding for the state's Active Transportation Program to provide the necessary funding to implement state and local goals in this category.	Support
Housing	Policies that usurp local zoning authority or that favor a "one size fits all" approach to housing development.	Oppose
Housing / Homelessness	Continued flexibility in the use of Mental Health Services Act and SB 2 funds to allocate the most funds to the most competitive local projects.	Support
Housing/ Homeless	Local control of Regional Housing Needs Assessment (RNHA) allocations and site placements.	Support
Housing/ Homeless	State support to provide funding for emergency shelters, transitional housing, and ongoing program costs.	Support
Housing	Housing affordability initiatives that enable local jurisdictions and the development community to work together to close the housing affordability gap, provide affordable housing that is appropriate for their community, and remove disincentives and regulatory obstacles to providing affordable housing.	Support
Housing	Efforts to develop sustainable and ongoing funding sources for the creation of permanent supportive housing and affordable housing in local communities, including tax increment tools.	Support
Housing / Land Use	Growth control policies and "smart" growth initiatives that may result in unintended consequences such as unreasonably higher housing costs, increased commute times that impact individuals and families,	Oppose

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	limited housing supplies that impact labor supplies, and unreasonably inflated land values that limit economic expansion.	
Housing /Environment	Increased regulation that may place time and resource burdens on approved affordable housing projects.	Oppose
Housing	CEQA Reforms that reduce burdens and hurdles for the implementation of affordable housing projects, including additional flexibility for local agencies.	Support
Housing	Housing policies that incentivize the creation of affordable housing that reflects the character and needs of the region and community where they are located.	Support
Housing	Greater flexibility for local housing element updates as the region seeks to accommodate more than three times the number of units allocated under the most recent RHNA cycle.	Support
Housing	Reinstatement of the ability to share or trade RHNA allocations to facilitate effective planning and development.	Support
Housing	Allow cities to receive RHNA credit for Moderate Income Units generated under the CSCDA Workforce Housing Program.	Support
Environment	CEQA lawsuits for purposes other than for legitimate environmental litigation	Oppose
COVID-19	Direct and flexible funding for state and local governments to backfill lost revenue resulting from the COVID-19 economic downturn.	Support