



LEGISLATIVE ACTION COMMITTEE MEETING AGENDA - revised May 12, 2020
THURSDAY, MAY 14, 2020|

VIRTUAL MEETING VIA ZOOM

Livestream available here: [Youtube.com → Cities Association of Santa Clara County Channel](https://www.youtube.com/channel/UCkVtR1uYUW5vY1D5z8F1Y3Q)

Zoom Instructions:

[Public and attendees please register for the meeting here:](https://us02web.zoom.us/webinar/register/WN_xZs6AXEcS7KawfpL8eooHw)

https://us02web.zoom.us/webinar/register/WN_xZs6AXEcS7KawfpL8eooHw

An email address and a name is required to register. Your email address will not be disclosed to the public.

After registering, you will receive a confirmation email with instructions on how to connect to the meeting.

Please note: Executive Board Members will receive specific login instructions.

In accordance with Governor Newsom's Executive Order No-29-20,
this meeting will be a teleconference meeting without a physical location.

Public may join via zoom or by dialing the above number received after registering for the meeting.

Public will be allowed to give testimony on each topic and also on those items not on the agenda.
Public is encouraged to send written comments to executive_director@citiesassociation.org prior by
WEDNESDAY, MAY 13, 2020 by 3 PM.

Times are approximate.

Discussion & action may be taken on any of the following items:

1. Welcome and Roll Call (Vice Mayor Neysa Fligor, Chair) 6:00 PM

2. Consent Agenda
 - Approval of January 9, 2020 Legislative Action Committee Minutes
 - Approval of February 13, 2020 Legislative Action Committee Minutes

3. Discussion of Legislative Priorities for remainder of 2020
 - COVID
 - Public Safety
 - Housing
 - Other priorities

4. Discussion and consideration of: 6:10 PM
 - draft transportation priorities/guiding principles
 - housing priorities/guiding principles

5. Discussion and consideration of bills:
 - AB 1279
 - Criminal Justice Reform/Public Safety Realignment
 - AB 109 (pass 2011)
 - Propositions 47 (passed 2014)
 - Propositions 57 (passed 2016)

- California Criminal Sentencing, Parole, & DNA Collection Initiative (on 11/3/20 Ballot): *Reducing Crime and Keeping Californians Safe Act of 2020*
6. Bills to watch (see next page)
 - SB 795 (was SB 5) – **previously supported as SB 5– recently amended with significant changes**
 - SB 899
 - SB 902
 - COVID related funding packages – federal government
 - Panetta – increase funding for contact tracing
 7. Discussion of bills and future agenda items by members. 6:35 PM
 8. Public Comment 6:40 PM
 9. Adjournment until TBD

Times are approximate.

Note that Committee actions are presented to the Board of Directors Meeting for consideration.

Bill	Subject	Status
AB-5	Worker status: employees and independent contractors.	Secretary of State-Chartered
AB-10	Income taxes: credits low-income housing: farmworker housing.	Senate-In Committee Process-Appropriations
AB-69	Land use: accessory dwelling units.	Senate-In Floor Process-Inactive
AB-291	Local Emergency Preparedness and Hazard Mitigation Fund.	Senate-Pending Referral
AB-516	Authority to remove vehicles.	Senate-In Committee Process-Appropriations
AB-1251	Planning and zoning: housing development.	Senate-In Committee Process-Rules
AB-1279	Planning and zoning: housing development: high-opportunity areas.	Senate-In Committee Process-Housing
AB-1484	Mitigation Fee Act: housing developments.	Senate-In Committee Process-Rules
SB-5	Affordable Housing and Community Development Investment Program.	Senate-Vetoed
SB-378	Electrical corporations: deenergization events: procedures: allocation of costs: reports.	Assembly-Pending Referral
SB-592	Housing development: Housing Accountability Act: permit streamlining.	Assembly-In Committee Process-Rules
SB-795	Economic development: housing: workforce development: climate change infrastructure.	Senate-In Committee Process-Governance and Finance
SB-899	Planning and zoning: housing development: nonprofit hospitals or religious institutions.	Senate-In Committee Process-Housing
SB-902	Planning and zoning: neighborhood multifamily project: use by right: density.	Senate-In Committee Process-Housing



LEGISLATIVE ACTION COMMITTEE MINUTES
THURSDAY, JANUARY 9, 2020 | 6:00 PM
CITY OF SUNNYVALE | WEST CONFERENCE ROOM
456 WEST OLIVE | SUNNYVALE, CA 94088

1. Vice Mayor Neysa Fligor, Chair, called the meeting to order at 6:03 PM.

Present:

Campbell – Liz Gibbons
Cupertino - Rod Sinks
Gilroy – absent
Los Altos - Neysa Fligor
Los Altos Hills - Michelle Wu
Los Gatos – absent
Milpitas - Carmen Montano
Monte Sereno - Rowena Turner
Morgan Hill – absent
Mountain View – Margaret Abe-Koga
Palo Alto - Liz Kniss
San José - absent
Santa Clara - absent
Saratoga - Manny Cappello
Sunnyvale – Gustav Larsson
Executive Director – Andi Jordan

Also in attendance:

Adina Levin –
Mayor Larry Klein – Sunnyvale
Kent Steffens – CM, Sunnyvale

2. Consent Agenda: November 14, 2020 Legislative Action Committee Minutes was approved unanimously.

Motion: Montano (Milpitas)
Second: Gibbons (Campbell)

AYES: Gibbons (Campbell), Sinks (Cupertino), Fligor (Los Altos), Wu (Los Altos Hills),
Montano (Milpitas), Turner (Monte Sereno), Abe-Koga (Mountain View), Kniss (Palo Alto),
Cappello (Saratoga), Larsson (Sunnyvale)

NOS:

ABSTENTIONS:

ABSENT: Tucker (Gilroy), Sayoc (Los Gatos), Constantine (Morgan Hill), Jones (San José), Davis (Santa Clara)

3. Legislative Action Committee introduction and discussion (Fligor & Jordan) – *no action taken*

- Legislative Action Committee process and role with Board of Directors
- Guiding Principles (adopted 2018)
- Housing Priorities (adopted 2019)
- Legislative Calendar
- Meeting with legislators

4. Discussion of draft transportation priorities/guiding principles. *No action taken.*

5. Discussion and consideration of bills:

- SB 50 update
- SB 278 (FASTER)

By consensus, the committee appointed a housing sub-committee:

Margaret Abe-Koga (Mountain View), Liz Gibbons (Campbell), Gustav Larsson (Sunnyvale), Liz Kniss (Palo Alto).

AYES: 10 - Gibbons (Campbell), Sinks (Cupertino), Fligor (Los Altos), Wu (Los Altos Hills), Montano (Milpitas), Turner (Monte Sereno), Abe-Koga (Mountain View), Kniss (Palo Alto), Cappello (Saratoga), Larsson (Sunnyvale)

NOS: 0

ABSTENTIONS: 0

ABSENT: 5 - Tucker (Gilroy), Sayoc (Los Gatos), Constantine (Morgan Hill), Jones (San José), Davis (Santa Clara)

6. Public Comment – no public comment was received.

7. Adjournment until February 13, 2020.

Respectfully submitted,
Andi Jordan
Executive Director

Approved on DATE

MOTION to approves:

SECOND:

AYES:

NOS:

ABSTENTIONS:

ABSENT:

DRAFT



LEGISLATIVE ACTION COMMITTEE MEETING AGENDA
THURSDAY, FEBRUARY 13, 2020 | 6:00 PM
CITY OF SUNNYVALE | WEST CONFERENCE ROOM
456 WEST OLIVE | SUNNYVALE, CA 94088

Discussion & action may be taken on any of the following items:

1. Legislative Action Committee Chair Neysa Fligor called the meeting to order at 6:05 PM. A quorum was not present until 6:17 PM.

Present:

Campbell – Liz Gibbons
Cupertino - Rod Sinks
Gilroy – absent
Los Altos - Neysa Fligor
Los Altos Hills – 6:37 PM
Los Gatos – Marico Sayoc
Milpitas - Carmen Montano 6:17 PM
Monte Sereno – Rowena Turner 6:30 PM
Morgan Hill – absent
Mountain View - absent
Palo Alto - Liz Kniss 6:45 PM
San José – Chappie Jones
Santa Clara – 6:28 PM
Saratoga – Mary-Lynne Bernald
Sunnyvale – Gustav Larsson
Executive Director – Andi Jordan
Chris Lepe – by phone at 6:30 PM

2. Consent Agenda
 - Approval of January 9, 2020 Legislative Action Committee Minutes

A quorum was not present to vote on the minutes.

3. Discussion and consideration of
 - draft transportation priorities/guiding principles will return in March with suggested changes. Public comment was received from Councilmember Jeannie Bruins (Los Altos) & Mayor Steven Scharf (Cupertino).
 - housing priorities/guiding principles will return in March with suggested changes. Public comment was received from Councilmember Jeannie Bruins (Los Altos) & Mayor Steven Scharf (Cupertino).
 - Committee endorsed concept of Bay Area Region Express Transit Network (ReX) to Board of Directors

MOTION to endorse concept of ReX: Gibbons (Campbell)

SECOND: Sinks (Cupertino)

AYES: 10 - Gibbons (Campbell), Sinks (Cupertino), Fligor (Los Altos), Wu (Los Altos Hills), Sayoc (Los Gatos), Montano (Milpitas), Davis (Santa Clara) Jones (San José), Bernald (Saratoga), Larsson (Sunnyvale)

NOS: 0

ABSTENTIONS: 0

ABSENT: 4 - Tucker (Gilroy), Turner (Monte Sereno), Constantine (Morgan Hill), Abe-Koga (Mountain View, Kniss (Palo Alto)

4. Discussion and consideration of bills:

- SB 50 update – discussion only.
- SB 278 (FASTER) – no discussion.
Public Comment was received from Councilmember Jeannie Bruins (Los Altos).
- **SB 378 PSPS (San José sponsor) cost recovery** – penalties for power companies
 - Requiring that large IOUs compensate customers, businesses, and local governments for costs incurred during a planned blackout.
 - Levelling modest hourly fees on large IOUs during planned blackouts to ensure that they are as brief and circumscribed as is reasonably possible.
 - Preventing large IOUs from making money off of planned blackouts (through changing electricity prices, arbitrage, and the like) and from charging customers for electricity use during a blackout.
 - Improving data collection and reporting on both the potential for and consequences of planned blackouts. Taken together, these measures will ensure that planned blackouts are used only when truly necessary, protecting our communities, businesses, and local governments in the process.

MOTION to support SB 378: Jones (San José)

SECOND: Bernald (Saratoga)

AYES: 9 - Gibbons (Campbell), Sinks (Cupertino), Fligor (Los Altos), Wu (Los Altos Hills), Sayoc (Los Gatos), Turner (Monte Sereno), Kniss (Palo Alto), Jones (San José), Bernald (Saratoga)

NOS: 0

ABSTENTIONS: 3 - Montano (Milpitas), Davis (Santa Clara), Larsson (Sunnyvale)

ABSENT: 3 - Tucker (Gilroy), Constantine (Morgan Hill), Abe-Koga (Mountain View)

There was no discussion on these items:

- AB 291 (San José sponsor) This bill establishes a new state fund to support staffing, planning and other mitigation projects to help local governments become better prepared for disasters. Direct allocation of funds for emergencies, LCC and County supporting
- Valley Water – Anderson Dam Seismic Retrofit Bill (awaiting a number and sponsor)
- AB 1788 (Mid Pen Open Space)
- **SB 795 (Support) – new SB 5 with identical language
- **AB 2057 (Chiu) Seamless Bay Area Transit

5. Legislative Committee Members opportunity for bills to consider:
Gibbons: 725 (Wicks)
6. Public Comment – no public comment
7. Meeting was adjourned at 6:55 PM until March 12, 2020.

** no action needed, already position to support

Note that Committee actions are presented to the Board of Directors Meeting for consideration.

Respectfully submitted,
Andi Jordan
Executive Director

Minutes approved on DATE

MOTION:

SECOND:

AYES

NAYES

ABSTENTIONS

ABSENT

Agenda item 3:

Discussion of Legislative Priorities for remainder of 2020

- COVID
- Public Safety
- Housing
- Other priorities

Attachments:

- Cities Association Letter re: HR6467
- Correspondence to Eshoo, Khanna, Lofgren, Panetta
- Correspondence from Rep. Khanna's Office regarding Cares Act 2
- Health Force - 3 attachments (sponsored by Panetta) – contact tracing funds

Agenda Item 4:

Discussion and consideration of:

- draft transportation priorities/guiding principles
- housing priorities/guiding principles

This information will be provided separately and uploaded as supplemental information on the meeting agenda page of the website.

Agenda Item 5:

Discussion and consideration of bills:

- AB 1279 (attachment)
- Criminal Justice Reform/Public Safety Realignment
 - *A zoom meeting between Chair Fligor and DA Jeff Rosen will be uploaded and linked to the agenda page and available prior to the LAC meeting.
 - AB 109 (pass 2011)
 - Propositions 47 (passed 2014)
 - Propositions 57 (passed 2016)
 - California Criminal Sentencing, Parole, & DNA Collection Initiative (on 11/3/20 Ballot): *Reducing Crime and Keeping Californians Safe Act of 2020*

ASSEMBLY THIRD READING
AB 1279 (Bloom)
As Introduced February 21, 2019
Majority vote

SUMMARY:

Requires certain development sites in high resource areas to allow for more density and height and makes these sites subject to "use by-right" approval.

Major Provisions

- 1) Requires the Department of Housing and Community Development (HCD) to designate areas in this state as "high-resource areas," as defined as an area of high opportunity and low residential density that is not currently experiencing gentrification and displacement, and that is not at a high risk of future gentrification and displacement;
- 2) Requires that a housing development project must be a use by right in any high-resource area if the development satisfies the following criteria:
 - a) In areas zoned only for single-family residential development, the development project consists of up to four residential units with a height of up to 20 feet. The units would have to be either affordable to households making 100% of the area median income (AMI), or 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 at 50% AMI or less;
 - b) In areas zoned for residential use that are at least one-quarter acre in size and located on a major street and/or the central business district, the development project consists of up to 40 residential units with a height of up to 30 feet. Projects with 10 or fewer units would need to meet the same affordability parameters as the projects in single-family zones discussed above. Projects of more than 10 units would need to dedicate at least 10% of the units to households with low incomes (typically 50%-80% AMI) and 5% to very low incomes (typically under 50% AMI);
 - c) If the parcel exceeded one-half acre in these prime locations, a project that had at least 25% of its units dedicated to low-income households and 25% to very-low income households would be allowed to have up to 100 residential units with a height of up to 55 feet. Such a project could receive a density bonus if it were to include additional affordable units; and,
 - d) No qualifying project must require the demolition of housing that is currently for rent or has been in the past ten years, or be located in an environmentally unsafe or sensitive area.

COMMENTS:

The cost of housing in California is the highest of any state in the nation. According to the Legislative Analyst's Office, the foremost reason for this is that far less housing has been built in California's coastal areas than people demand. Facilitating the necessary growth will require building at higher densities than are currently allowed in much of the state.

Additionally, multiple studies have shown that life outcomes improve for those living in "high-resource areas," i.e., neighborhoods with high quality public schools, proximity to well-paying jobs, and a clean and safe environment. Such studies have also shown that living in such communities can have a particularly beneficial outcome for low-income people in terms of health, employment, and educational attainment. However, historically low-income people have been excluded from high-resource areas through a number of means that have only been exacerbated by the rapidly rising cost of housing in California.

The bill is intended to help alleviate the housing crisis and reduce exclusionary practices by making housing a use by right in high resource areas when certain criteria are met, allowing increased densities and heights that are tailored to proximity to arterial streets and central business districts. The bill would establish minimum amounts of affordable housing, and create additional incentives for projects that are at least 50 percent affordable. The bill would preclude the use of this provision for projects that would result in demolition of housing that is currently for rent or has been in the past ten years, or be located in an environmentally unsafe or sensitive area. To facilitate the implementation of these requirements, the bill requires HCD to undergo a process, with defined stakeholders, to define "high-resource areas" as areas that are not experiencing nor at risk of gentrification and displacement.

According to the Author:

According to the author, "California's housing shortage is well-documented, and it is primarily a shortage of units affordable to households at the lower end of the income spectrum. Facilitating the production of affordable housing units requires increasing allowable residential densities in many communities and creating more opportunities for multifamily development. Allowing these types of projects to be developed by right in the most exclusionary places is crucial to ensuring that they are able to proceed."

Arguments in Support:

Supporters argue that this bill addresses exclusionary zoning practices in high-resource areas, which exacerbate racial and economic segregation and reduce opportunities for lower-wage workers to live close to where they work, and will facilitate mixed-income and affordable housing in high-resource, lower-density communities.

Arguments in Opposition:

According to the City of La Palma, "this bill would usurp cities' authority to protect and preserve the quality of residential areas and quality of life by allowing housing developments that meet minimum standards, including affordability requirements, by-right".

FISCAL COMMENTS:

According to the Assembly Committee on Appropriations:

- 1) Estimated one-time costs to HCD of \$100,000 (GF) in the first year for a mapping consultant contract and \$225,000 (GF) for HCD staff to coordinate with stakeholders and the mapping consultant.
- 2) Estimated ongoing costs of \$207,000 (GF) annually to HCD for program staff to support the program.
- 3) Unknown ongoing administrative costs to support the program

VOTES:

ASM RULES: 12-0-0

YES: Cooley, Cunningham, Carrillo, Flora, Grayson, Kamlager-Dove, Maienschein, Mathis, Quirk-Silva, Ramos, Robert Rivas, Wicks

ASM HOUSING AND COMMUNITY DEVELOPMENT: 6-1-1

YES: Chiu, Gabriel, Gloria, Kiley, Maienschein, Quirk-Silva

NO: Diep

ABS, ABST OR NV: Limón

ASM LOCAL GOVERNMENT: 5-2-1

YES: Aguiar-Curry, Bloom, Ramos, Luz Rivas, Robert Rivas

NO: Lackey, Voepel

ABS, ABST OR NV: Boerner Horvath

ASM APPROPRIATIONS: 12-6-0

YES: Gonzalez, Bloom, Bonta, Calderon, Carrillo, Chau, Eggman, Gabriel, Eduardo Garcia, Maienschein, Quirk, Robert Rivas

NO: Bigelow, Brough, Diep, Fong, Obernolte, Petrie-Norris

UPDATED:

VERSION: February 21, 2019

CONSULTANT: Steve Wertheim / H. & C.D. / (916) 319-2085

FN: 0000743



SENATOR JIM BEALL, SENATOR MIKE MCGUIRE, AND SENATOR ANTHONY PORTANTINO

SB 795 Building Affordable and Inclusive Communities

Principle Coauthors: Senator Roth & Assemblymember Mullin

Coauthors: Senators Bradford, Caballero, Hueso, Wieckowski, and Wiener; Assemblymembers Gloria, Kalra, and Low

ISSUE

At the time of its dissolution in 2012, Redevelopment Agencies (RDA) were the largest single source of funding for affordable housing and spent over \$1 billion on its construction annually. This lost revenue, in addition to budget cuts at the federal level, created a significant gap in the construction and availability of affordable units.

The aim of this legislation is to thoughtfully tackle the housing crisis by responding to the needs of cities and counties. It will create desperately needed housing opportunities for hard-working Californians and also help alleviate poverty, create jobs, and meet our statewide environmental goals without affecting school funding.

BACKGROUND

California's housing crisis is staggering: 2.2 million extremely low-income and very low-income renter households are competing for only 664,000 affordable rental homes. This leaves more than 1.54 million of California's lowest-income households without access to housing. Furthermore, low-income families are forced to spend more of their income on rent, which leaves little else for other basic necessities. Many renters must postpone or forego homeownership, live in more crowded housing, commute further to work, or, in some cases, choose to live and work elsewhere. This also leaves low-income families more vulnerable to becoming homeless.

Historically, the Community Redevelopment Law (CRL) allowed local government to establish a redevelopment area and capture a portion of the increase in property taxes generated within the area (referred to as "tax increment") over a period of decades. The law required redevelopment agencies to deposit 20% of tax increment into a Low and Moderate Income Housing Fund (L&M fund) to be used to increase, improve, and

preserve the community's supply of low- and moderate-income housing available at an affordable-housing cost.

In 2011, the Legislature enacted legislation to dissolve RDA's in response to the Great Recession and a need to close a massive budget shortfall. The elimination of RDAs returned billions of dollars of property tax revenues to schools, cities, and counties to fund core services.

Since the elimination of RDAs, local governments and lawmakers have searched for ways to raise the capital needed to invest in public works projects including affordable housing.

A number of new laws have brought back some of the tools of RDAs to help combat our growing affordable housing crisis. Most notably is the establishment of Enhanced Infrastructure Finance Districts. These tools have not been widely used by local governments for many reasons including the need for local governments to opt-in and partner on IFDs and a lack of state financial support.

THIS BILL

This bill allows local governments to collaborate on state-approved redevelopment plans, which would be funded by reducing their contributions to local Education Revenue Augmentation Funds (ERAFs). Funding can be used for the following five purposes: (1) affordable housing, (2) transit-oriented development, (3) infill development, (4) revitalizing and restoring neighborhoods, and (5) planning for projects that mitigate the effects of climate change.

The funding mechanism will allow local governments that have opted-in and have an approved project plan to use local property tax. This bill will commit \$2 billion in ongoing state funding (ramping up from \$200 million over 9 years) and will ensure schools are held harmless to meet the Prop 98 guarantee.

At a minimum, 50% of the program's funding must be used to construct affordable housing. Of the 50% funds for affordable housing, a minimum of 80% must be used for low-income housing (below 80% AMI) and be consistent with the Low Income Housing Tax Credit program. The remaining 20% can be used for moderate-income housing (80% to 120% AMI). Provisions also ensure that housing is, and remains, affordable to renters.

The bill also creates a Sustainable Investment Incentive Committee to review and approve or disapprove proposed projects. The Committee will be comprised of individuals appointed by the Legislature and the Governor.

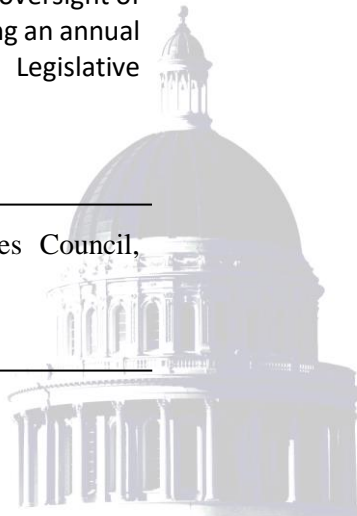
Each applicant that has received financing pursuant to the program for any fiscal year shall provide a report to the Committee. The Committee will provide oversight of the funds and will be responsible for providing an annual report on program outputs to the Joint Legislative Budget Committee.

SUPPORT

State Building and Construction Trades Council,
ALF-CIO (Sponsor)

FOR MORE INFORMATION

Sunshine Borelli
Office of Senator Jim Beall
(916) 651-4015
Sunsine.Borelli@sen.ca.gov





SENATORS JIM BEALL, SENATOR MIKE MCGUIRE, AND SENATOR ANTHONY PORTANTINO

SB 795 Building Affordable and Inclusive Communities

Principle Coauthors: Senator Roth & Assemblymember Mullin

Coauthors: Senators Bradford, Caballero, Hueso, Wieckowski, and Wiener; Assemblymembers Gloria, Kalra, and Low

ISSUE

These unprecedented times call for urgent action to help protect our most vulnerable Californians. Keeping people in their homes and building more affordable housing must be at the top of our priority list.

COVID-19 illuminates what we already knew, there is a dramatic shortfall of over 1.5 million units of affordable housing in our state. With unemployment rates skyrocketing, more and more Californians are facing housing insecurity. While rent moratoriums provide a short-term reprieve, once they are lifted, an even greater number of families will be pushed into homelessness.

To make matters worse, housing production programs in California are almost entirely funded with bond revenue. According to HCD, there is only about \$2 billion in bond funds remaining.

SB 795 creates a sustainable state fund source, with the sole purpose of tackling the homeless and affordable housing crisis. The bill invests in existing programs to quickly get local government the funding they need to address and prevent homelessness and jumpstart the construction of affordable housing.

BACKGROUND

California's housing crisis is staggering: 2.2 million extremely low-income and very low-income renter households are competing for only 664,000 affordable rental homes. This leaves more than 1.54 million of California's lowest-income households without access to housing.

Furthermore, low-income families are forced to spend more of their income on rent, which leaves little else for other basic necessities. Many renters must postpone or forego homeownership, live in more crowded housing, commute further to work, or, in some cases, choose to live and work elsewhere. This also leaves low-income families more vulnerable to becoming homeless.

Despite significant multi-billion dollar, one-time investments as well as the establishment of penalties for negligent cities, California's homeless population rose again last year. Further, all recent reports indicate housing production is slowing and we are falling even further behind. What has been missing from these efforts is a sustainable state commitment to quickly build affordable housing units to keep up with demand.

Although a long-term investment in housing is difficult in today's fiscal climate, we can't continue to operate business as usual. We need a stimulus measure to boost our economy and get people back to work.

SB 795 invests in existing emergency housing programs to help those living on our streets as well as housing production programs that will generate high wage jobs.

THIS BILL

This bill invests \$2 billion annually for 5 years into the immediate construction of affordable housing units and programs that address and prevent homelessness. Additionally, the bill creates two new programs administered by the Office of Business and Economic Development Office (GoBiz) to help local governments with their economic recovery and natural disaster preparedness.

Of the \$2 billion, \$1.15 billion shall be used to construct affordable housing, spur economic development and create jobs through infrastructure and employment programs. Funds will be distributed as follows:

- Multi-family Rental Housing—\$500 million (25%) to the existing Multifamily Housing Program.
- Infill Incentive Grant Program-- \$300 (15%) million.
- Local Housing Trust Fund Matching Grant Program-- \$200 million (10%)
- Cal Home Program \$75 million (3.75%)
- Joe Serna, Jr. Farmworker Housing Grant Fund--\$75 million--(3.75%)

- Community Economic Development - \$95 million (4.75%)
- Climate/Sea Level Rise/Natural Disaster Fund - \$100 million--(5%)

The remaining funding, \$650 million is allocated to the Homeless Housing, Assistance and Prevention (HHAP) to support regional and local homelessness efforts.

Finally, the bill invests \$5 million a year to the California Workforce Development Board's regional pre-apprenticeship program to complete projects faster by increasing training and employment for unemployed and disadvantaged Californians ensuring our workforce keeps pace with our infrastructure needs.

Unlike prior iterations of SB 795, the most recent version does not rely on ERAF funds, ensuring schools are held harmless to meet the Prop 98 guarantee.

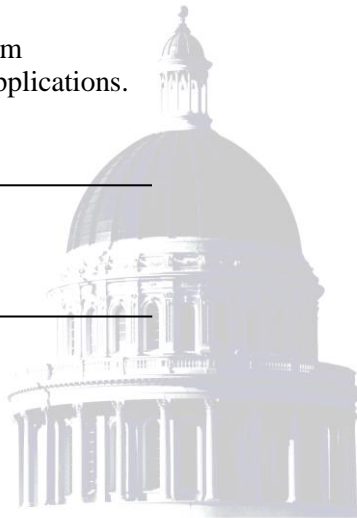
The bill relies on California's existing program guidelines to review and approve proposed applications.

SPONSOR

League of California Cities (Sponsor)

FOR MORE INFORMATION

Sunshine Borelli
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**PRINT ON LETTERHEAD & E-MAIL TO: Sunshine.Borelli@sen.ca.gov; and
Estevan.Ginsburg@sen.ca.gov**

DATE

The Honorable Jim Beall
California State Senate
State Capitol Building, Room 2082
Sacramento, CA 95814

RE: SUPPORT SB 795 (Beall, McGuire, and Portantino) — Building Affordable and Inclusive Communities

Dear Senator Beall,

(Your organization) is pleased to support Senate Bill 795, which thoughtfully tackles the housing crisis by meeting the needs of cities and counties. It creates desperately needed housing for hard-working Californians to alleviate poverty, create jobs, and meet our statewide environmental goals without affecting school funding.

California's housing shortage is staggering. This is a clear crisis that must be addressed. SB 795 is the right tool to help not just the homeless but the growing number of working people and their families who can no longer afford even modest housing.

SB 795 helps fill the affordable housing gap created by the dissolution of redevelopment in 2012. At the time, redevelopment was the largest single source of funds for affordable housing. The lost RDA revenue, in addition to budget cuts at the federal level, has left a significant gap in the construction of affordable housing. This bill restores and provides resources to communities to help build transit-oriented development, affordable housing, repair infrastructure, and revitalize our neighborhoods and downtowns. SB 795 brings back the state as a long-term partner to collaborate with local governments on state-approved development plans, which would be funded by reduced contributions to local Education Revenue Augmentation Funds (ERAFs), awarded to state-approved projects.

Unlike RDAs, SB 795 provides immediate funding for cities instead of forcing them to wait years for the tax increment to increase. The aim is to be responsive to the needs of cities and counties.

SB 795 provides timely and on-going funding for affordable housing projects to give economic relief for working families while also creating good-paying construction jobs in communities throughout our state. We also appreciate the efforts to include accountability and oversight to ensure the development of housing for Californians at all income levels.

(your organization) thanks you for authoring this valuable bill and strongly supports its passage.

Sincerely,

Name, title and signature



P.O. Box 3144
Los Altos, CA 94024
www.citiesassociation.org
408-766-9534

April 14, 2020

The Honorable Anna Eshoo
United States House of Representatives
202 Cannon House Office Building
Washington, DC 20515

RE: H.R. 6467 which provides \$250 billion in direct federal government aid to local governments with a population of less than 500,000

Dear Representative Eshoo:

As the President and Legislative Action Committee Chair of the Cities Association of Santa Clara County, we are writing to express support of H.R. 6467, the Coronavirus Community Relief Act and to urge you to cosponsor this bill. H.R. 6467 provides \$250 billion in direct aid from the federal government to local governments with a population of less than 500,000 as they face mounting challenges related to the global COVID-19 pandemic.

We write to you today, on behalf of the Cities Association of Santa Clara County which represents the 15 cities of the county. Since 1990, representatives from the 15 cities of Santa Clara County have been meeting monthly and collaborating on issues that affect each of us, striving to create a unified voice. The CASCC is comprised of the elected representatives of over 1.9 million Bay Area residents. Our diverse community includes cities with a few thousand residents to a large city with a million people.

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The Coronavirus Community Relief Act also addresses some other gaps not covered by the CARES Act. The proposed bill allows units of local government to use allocated funds to cover losses. Section 601 of the CARES Act restricts use of funds to cover "necessary expenditures." Cities, towns,

and villages will need federal assistance to persevere through the hardship resulting from rising costs and decreasing tax revenue and fees due to COVID-19. This change from the CARES Act will help local communities deal with revenue shortfalls that will happen as a result of the COVID-19 crisis.

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To co-sponsor the bill, please contact Bo Morris in the office of Rep. Joe Neguse at Bo.Morris@mail.house.gov.

Sincerely,



Larry Klein
President, CASCC
Mayor, City of Sunnyvale



Neysa Fligor
Legislative Action Chair, CASCC
Vice Mayor, Los Altos

Cc: Seth Miller, Regional Public Affairs Manager, smiller@cacities.org
Meg Desmond, League of California Cities, cityletters@cacities.org



*Congress of the United States
House of Representatives
Washington, D.C. 20515*

*Anna G. Eshoo
Eighteenth District
California*

April 16, 2020

The Honorable Larry Klein, President
Cities Association of Santa Clara County
Post Office Box 3144
Los Altos, California 94024

Dear Mayor Klein,

I want to let you know that I'm a cosponsor of H.R. 6467, the *Coronavirus Community Relief Act*. This critical legislation provides \$250 billion in support to smaller local governments with populations under 500,000 people to cover costs associated with the coronavirus pandemic. Smaller cities and counties were not specifically included in the CARES Act, and H.R. 6467 corrects this.

I advocated hard for local governments in the CARES Act, and I'll continue to do so as Congress considers further coronavirus relief legislation. As always, whenever I can be of assistance to you, just let me know.

All my best,

A handwritten signature in blue ink, appearing to read "Anna Eshoo".

Anna G. Eshoo
Member of Congress

cc: Andi Jordan, Executive Director, Cities Association of Santa Clara County



P.O. Box 3144
Los Altos, CA 94024
www.citiesassociation.org
408-766-9534

April 13, 2020

The Honorable Ro Khanna
United States House of Representatives
513 Cannon House Office Building
Washington, DC 20515

RE: H.R. 6467 which provides \$250 billion in direct federal government aid to local governments with a population of less than 500,000

Dear Representative Khanna:

As the President and Legislative Action Committee Chair of the Cities Association of Santa Clara County, and as a member of the League of California Cities, we are writing to express support of H.R. 6467, the Coronavirus Community Relief Act and to urge you to cosponsor this bill. H.R. 6467 provides \$250 billion in direct aid from the federal government to local governments with a population of less than 500,000 as they face mounting challenges related to the global COVID-19 pandemic.

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Mayor, City of Sunnyvale



Neysa Fligor
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Cc: Seth Miller, Regional Public Affairs Manager, smiller@cacities.org
Meg Desmond, League of California Cities, cityletters@cacities.org



P.O. Box 3144
Los Altos, CA 94024
www.citiesassociation.org
408-766-9534

April 13, 2020

The Honorable Zoe Lofgren
United States House of Representatives
1401 Longworth House Office Building
Washington, DC 20515

RE: H.R. 6467 which provides \$250 billion in direct federal government aid to local governments with a population of less than 500,000

Dear Representative Lofgren:

As the President and Legislative Action Committee Chair of the Cities Association of Santa Clara County, and as a member of the League of California Cities, we are writing to express support of H.R. 6467, the Coronavirus Community Relief Act and to urge you to cosponsor this bill. H.R. 6467 provides \$250 billion in direct aid from the federal government to local governments with a population of less than 500,000 as they face mounting challenges related to the global COVID-19 pandemic.

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President, CASCC
Mayor, City of Sunnyvale



Neysa Fligor
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Vice Mayor, Los Altos

Cc: Seth Miller, Regional Public Affairs Manager, smiller@cacities.org
Meg Desmond, League of California Cities, cityletters@cacities.org



P.O. Box 3144
Los Altos, CA 94024
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408-766-9534

April 13, 2020

The Honorable Jimmy Panetta
United States House of Representatives
228 Cannon House Office Building
Washington, DC 20515

RE: H.R. 6467 which provides \$250 billion in direct federal government aid to local governments with a population of less than 500,000

Dear Representative Panetta:

As the President and Legislative Action Committee Chair of the Cities Association of Santa Clara County, and as a member of the League of California Cities, we are writing to express support of H.R. 6467, the Coronavirus Community Relief Act and to urge you to cosponsor this bill. H.R. 6467 provides \$250 billion in direct aid from the federal government to local governments with a population of less than 500,000 as they face mounting challenges related to the global COVID-19 pandemic.

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Sincerely,



Larry Klein
President, CASCC
Mayor, City of Sunnyvale



Neysa Fligor
Legislative Action Chair, CASCC
Vice Mayor, Los Altos

Cc: Seth Miller, Regional Public Affairs Manager, smiller@cacities.org
Meg Desmond, League of California Cities, cityletters@cacities.org



May 4, 2020

Dear Colleague,

State and local governments are in desperate need of federal assistance to address lost revenue as a result of the coronavirus pandemic. Failure to act could lead to mass layoffs of teachers, public health officials, first responders, and other workers who keep us safe and provide services on which our constituents depend.

In the coming days, House Democrats will release our full proposal for the next phase of relief. In advance of that, there has been great interest in the formula for providing assistance to county and municipal governments. In working in close coordination with the Speaker and Senate Democratic Leader, the bill will include two separate and equal funds for counties and cities as follows:

- The County fund would be awarded directly to counties on the basis of population, with all counties receiving an award.
- The Municipality fund would be awarded to cities using a modified Community Development Block Grant (CDBG) formula. 70% would be awarded directly to cities with a population of 50,000 or more using the CDBG formula. The remaining 30% would be awarded to municipalities with populations less than 50,000 on the basis of population so that all municipalities benefit.

This is in addition to what we would provide for states. Unlike the initial CARES Act, I think it is vital we have separate programs for state and local governments, so there is less competition between governors, municipal leaders, and county executives.

Prior to introducing the bill, I will provide estimated awards for all municipalities and counties in the country, in addition to details on funds for states, the District of Columbia, territories, and tribes.

Sincerely,

A handwritten signature in black ink that reads "Nita M. Lowey".

Nita M. Lowey
Chairwoman
House Committee on Appropriations

Subject: CARES-2 update from Rep. Khanna
Date: Thursday, May 7, 2020 at 11:45:44 AM Pacific Daylight Time
From: Pyke, Tom
To: Larry Klein, Andi Jordan
Attachments: image001.png, image002.png, image003.png, image004.png, dear colleague on local formula.pdf

Hi Larry and Andi:

This was addressed at the County Federal Affairs Task Force yesterday, but I wanted you to be aware directly.

Below is the update from our DC office (Kate Gould) on the status of CARES-2, along with the House Committee letter referenced below. Kate noted that we won't be able to provide more guidance on how cities can access the funding until the bill is passed and signed by the President — or as she put it, “just want to make sure we're setting expectations on the whole sausage making process happening here.”

Here's the update *from yesterday*:

First, Speaker Pelosi could come out with her bill—the Dem House ‘opening bid’—as early as today, sounds like more likely tmrw....and as with anything Congress related of course tomorrow can also turn into next week. CARES2 could potentially be on the floor as early as next week....though that's the most optimistic scenario....this could drag on for a while.

Second, Chairwoman Lowey put out the attached Dear Colleague, feel free to share, on a framework for her proposed formula for funding states/localities in CARES 2. It's a similar formula to that proposed by the National Association of Counties, US Conference of Mayors, and National League of Cities, and under the Lowey proposal (in consultation w House Leadership):

- The locality funding would be evenly split between counties & municipalities
- Counties & cities of every size would get some amount of funding.
- The County fund would be awarded directly to counties on the basis of population.
- Municipality funds would be awarded to cities using a modified CDBG formula—70% of it would be awarded to cities with a population of 50K or more using the CDBG formula, and the remaining 30% would be awarded to municipalities with populations <50K on the basis of population.

The letter doesn't say the topline amount that Dems are pushing for, but it's been widely reported Leadership is pushing for nearly a trillion dollars in S/L aid as opening bid. The Speaker said "there will not be a bill w/o state and local", has called it the "centerpiece of the bill." Note: Natl Gov Assoc requesting \$500B, Cities/County groups are asking for addtl \$250B in 4th package—that totals \$750B

So I would expect the Speaker to include something around \$750B in her bill if such a bill is released that week—obviously with everyone expecting Rs will try to decrease dramatically.

Some Mod D's & R's are pushing for half a trillion for states/locals—more on that here: <https://www.wsj.com/articles/a-bipartisan-plan-to-support-state-budgets-11588719071> (Good news if that brings R's along, bad news if that undermines topline push for Pelosi/other Ds, and I'm not sure which it is.

On the state funding side we expect that there will be countercyclical FMAP \$ in the bill like last time, though need to learn more about this.

In summary, it sounds like the Speaker and Dem Leadership are on the same page about ensuring a fairer formula is used to get \$ to localities, but of course the main danger is what topline amount of funding we'll get in the final package to ensure funding actually gets to counties.

I'll keep sending whatever you have to DC, and we'll keep pushing.

Take care!!

Tom

Tom Pyke

District Director

CONGRESSMAN RO KHANNA (CA-17)

3150 De La Cruz Blvd., #240 Santa Clara, CA 95054

Office: 408-436-2720



[Visit our website](#)

[Sign up for our monthly newsletter](#)

April 17, 2020

The Honorable Dianne Feinstein
Senator
U.S. Senate
Washington, D.C. 20515

The Honorable Kamala Harris
Senator
U.S. Senate
Washington, D.C. 205015

The Honorable Zoe Lofgren
Congresswoman
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Anna Eshoo
Congresswoman
U.S. House of Representatives
Washington, D.C. 205015

The Honorable Ro Khanna
Congressman
U.S. House of Representatives
Washington, D.C. 20515

Dear Senator Feinstein, Senator Harris, Congresswoman Lofgren, Congresswoman Eshoo, and Congressman Khanna:

On behalf of the City of San José, I applaud your leadership in passing H.R. 748, the Coronavirus Aid Response and Economic Security (CARES) Act, and your continued and effective advocacy for the needs of our Valley and California. As Congress considers additional funding packages, I'd like to identify several priority areas of need in our community:

Mitigating Severe Cuts to Public Safety and Other Critical Services

As a result of the necessary stay-home measures we have undertaken to mitigate the spread of COVID-19, revenues for the City of San José, including sales taxes, hotel taxes, business taxes, utility taxes, and revenues from Convention Center activities have plummeted. Even with the anticipated lifting of shelter-in-place restrictions, City budget staff estimates General Fund revenue losses exceeding \$110 million through our upcoming fiscal year, and I'd expect even deeper losses. For perspective, our budget team estimates an anticipated 8.6% drop in revenue for 2020-2021, compared to a 2.9% revenue decrease in the Great Recession of 2008-10. Although the CARES Act provides \$150 billion in direct funding for states and localities to address unanticipated COVID-related expenses, we expect that it will not backfill any of this lost city revenue.

Like San Jose, most major cities face steep and imminent cuts in public safety and other critical city services. We will need to eliminate valued programs and layoff employees to satisfy our constitutional requirement to balance our budget. Backfilling lost City revenue

will help us maintain police and fire response, critical programs—like after-school learning and senior nutrition programs for low-income residents—and retain jobs. Moreover, federal funding could also help us to implement overdue capital infrastructure projects—as described in the attachment to this letter—to catalyze a local recovery. As you consider additional stimulus packages, we request authorization of expanded scope and funding—of \$750 billion—of Coronavirus Relief Funds for cities facing severe service cuts.

Accelerating Homelessness Response and Housing

San José's 2019 Point-In-Time Count revealed 6,097 unhoused individuals in the City, with 84% of them unsheltered, and all vulnerable to rapid transmission of COVID-19. At the intersection of these dual crises—homelessness and COVID-19—we have the opportunity. That is, the implementation of emergency orders at the state and local level has enabled us to waive red tape to move quickly to expand our inventory of emergency and transitional housing that we can use to isolate COVID-positive and COVID-vulnerable residents today, and house homeless residents for many years in the future. This expansion of capacity can come in various ways, such as the purchase of motels, and the rapid construction of inexpensive pre-fabricated housing. Cities like San Jose are doing both—but we need more resources.

Of course, to cope with this pandemic, the City has already moved hundreds of homeless out of overcrowded shelters and encampments into temporary facilities, to enable them to comply with social distancing imperatives. We need more emergency funding to provide this basic shelter and food through the deployment of motel vouchers, non-congregate shelters, and rental assistance.

With federal resources, we could do far more—to support our current populations of homeless in public facilities like our convention halls, to expand quarantine facilities for future contagions of COVID, and to ensure we have housing for the many residents we'll need to push out of our public facilities months from now. We urge Congress to allocate a one-time allocation of funding for expansion of emergency housing options like motels and prefabricated housing, and to boost funding in existing Department of Housing and Urban Development (HUD) programs that, with additional flexibility and waivers, can provide this range of solutions to help meet residents' basic needs of shelter and food. Congress should approve an additional \$11.5 billion for the Emergency Solutions Grant (ESG), \$11 billion for the Community Development Block Grant Program (CDBG), \$30 billion for HOME, and \$100 billion for rental assistance funded through contributions to Housing Choice Vouchers, Emergency Solutions Grants, and the Disaster Housing Assistance Program.

Making Small Business Support More Equitable

While the CARES Act provides emergency loans, loan guarantees, and loan forgiveness if businesses maintain employees, smaller businesses with no revenue, ongoing expenses, and less than 45 days of cash reserves still face a significant need. We urge Congress to provide additional relief to small businesses, by:

- Including certified Community Development Financial Institutions (CDFI) and other qualified mission lenders as eligible lenders to participate in loans made under the Paycheck Protection Program.

- Creating a funding program that specifically targets low-income, immigrant, and minority-owned businesses with less than 5 FTEs that cannot access Small Business Administration (SBA) loans.
- Adding \$1 billion to the CDFI Fund, and provide equity investments for them to stabilize their own loan portfolios which have been hit hard by the crisis. Create a loan buyback program to purchase CDFI loans as was done for the 2009 downturn.
- Providing mortgage relief for landlords subject to moratoriums on commercial tenant evictions, with conditions that they “pay it forward” to tenants needing relief.

Supporting our Immigrant Community

In areas with a large immigrant population such as San José, it is crucial that critical services are available widely, regardless of immigration status. We request that the upcoming legislation remove current restrictions that prevent Medicaid coverage of testing for permanent legal residents, Deferred Action for Childhood Arrival (DACA), and Temporary Protected Status recipients. Further, we request that Congress remove the provisions of the CARES Act that exclude people who have family members who use Individual Tax Identification Numbers (ITINs) from receiving direct cash assistance, and that exclude “non-resident aliens” from receiving unemployment insurance.

We look forward to continuing to work with you to ensure the passage of a legislative relief package that enables long-term recovery for local communities through a strategy that is federally supported, state managed, and locally executed. Please do not hesitate to call me on my cell if you’d like to discuss further, or to any member of our City team.

Thank you again for your exceptional leadership and stewardship in this perilous time.

Stay healthy,

A handwritten signature in black ink that reads "Sam Liccardo". The signature is fluid and cursive, with a large initial "S" and "L".

Sam Liccardo
Mayor
City of San José

ATTACHMENT - City of San José Economic Stimulus Projects

To assist with the economic and financial recovery, the City has identified a number of infrastructure projects that can be implemented immediately to jump start the local economy. The City seeks funding for the following projects to spur job creation:

- **Airport:** Increasing the Passenger Facility Charge (PFC)'s \$4.50 cap could help San José Airport (SJC) with additional contributions for its debt services payments, and would provide San José and other airports with an additional tool to address the revenue shortfalls. Passenger traffic at SJC is down by over 90 percent, with daily passenger counts below 1,000 down from the 20,000+ before COVID-19.
- **Clean Energy:** Zero Emission backup generation projects for solar and storage infrastructure at critical facilities would help the City provide essential services during outages and public safety power shutoff events. In addition, microgrid projects will ensure safe, secure operation of critical facilities, and provide local employment opportunities during a period of economic downturn.
- **Water:** Additional funding would enable the San José-Santa Clara Regional Wastewater Facility (RWF) to integrate cutting-edge treatment technologies into its processes, rebuild aging infrastructure, and build an additional reservoir that will offset peak demands, increase reliability, and support continued usage of recycled water. Additionally, the San José Municipal Water System seeks funding to immediately implement the Fowler Pump Station replacement project and the Alviso Water Main Replacement Project that will replace aging water infrastructure.
- **Mobility and Street Maintenance:** Funding through the Surface Transportation Block Grant (STBG) Program would enable pavement maintenance of San José streets. In addition, the City is positioned to utilize “quick build” methods for Vision Zero Safety Improvement Projects to deliver street safety improvement projects on roads with a high incidence of fatal and severe injury crashes. These infrastructure projects will improve safety for pedestrians, bicycles, and motorists. Finally, the City seeks support for Congestion Mitigation and Air Quality Improvement (CMAQ) programs to modernize aging and inefficient streetlight and traffic signal lighting, and install and update communication infrastructure, smart controllers, and signal reconfiguration.
- **Affordable Housing (H.R. 5187):** As the City acts swiftly to shelter and house residents for the sake of public health, this crisis demonstrates the inherently critical role that emergency shelter and affordable housing play in giving residents long-term resilience to disasters of all types. H.R. 5187, the Housing Infrastructure Act, would support \$100 billion in infrastructure spending to support the long-term availability of affordable housing and the creation of hundreds of thousands, if not millions, of jobs.

THE HEALTH FORCE

By Senators Gillibrand, Bennet, Booker, Duckworth, Markey, Rosen, Udall, Van Hollen

Summary: The Health Force would recruit, train and employ Americans to cope with a near-term surge in COVID-19 patients, provide capacity for public health needs, and build skills for new workers to enter the public health and healthcare workforce.

Background on the Health Force

[America is "flattening the coronavirus curve,"](#) but it will be months before effective treatments are established and at least a year before a vaccine is deployable. Social distancing is buying us time to launch wide scale testing, contact tracing, and suspected case isolation while preparing our hospitals and community health centers with necessary beds, supplies, and personnel.

Opening the economy and assuring every American of their safety will require one of the most ambitious and expansive public health campaign in our history. With some [22 million Americans now unemployed](#) in the wake of the pandemic, there is an opportunity to help Americans sustain themselves and directly participate in the national response to this crisis.

An effective COVID-19 response requires a new federally funded and locally managed initiative that massively expands diagnostic testing and [contact tracing](#) while growing and developing our public health workforce to meet existing and emerging needs. Congress must harness American patriotism, resilience, and ingenuity by establishing the Health Force to fight on the frontlines of this new threat to America.

Overview of the Health Force

The Health Force would be ready-made to confront the most pressing COVID-19-related response efforts, like contact tracing, and would also be primed to deal with myriad public health needs during this crisis and beyond.

The Health Force is inspired by the Depression-era Works Progress Administration, which similarly tapped millions of job-seekers to help the nation recover from a sharp economic downturn, and builds from existing service models such as the U.S. Public Health Service, U.S. National Guard, Teach for America, and Peace Corps.

The Health Force would work at the direction of State, local, territorial, and tribal entities to:

- Conduct contact tracing;
- Test for COVID-19, including antibody tests;
- Vaccinate against COVID-19 (when available);
- Communicate COVID-19 public health messages, including debunking misperceptions;
- Collect and provide data to inform broader public health programs and goals;
- Provide home- and community-based services, including food/medical supply delivery;
- Provide palliative, hospice, and end-of-life care;
- Provide other community health-related and direct care services, as needed;
- Continue to support underserved communities post-emergency.

1 Title: To provide for the establishment of a Health Force and a Resilience Force to respond to
2 public health emergencies and meet public health needs.
3
4

5 Be it enacted by the Senate and House of Representatives of the United States of America in
6 Congress assembled,

7 SECTION 1. SHORT TITLE.

8 This Act may be cited as the “Health Force and Resilience Force Act of 2020”.

9 SEC. 2. HEALTH FORCE.

10 (a) Purpose.—It is the purpose of the Health Force established under this section to recruit,
11 train, and employ Americans to respond to the COVID-19 pandemic in their communities,
12 provide capacity for ongoing and future public health care needs, and build skills for new
13 workers to enter the public health and health care workforce.

14 (b) Establishment.—There shall be established within the Centers for Disease Control and
15 Prevention a Health Force (referred to in this section as the “Force”) composed of community
16 members dedicated to responding to public health emergencies as declared by the Secretary of
17 Health and Human Services under Section 319 of the Public Health Service Act, including the
18 COVID–19 emergency, and providing increased capacity to address ongoing and future public
19 health needs.

20 (c) Organization and Administration.—

21 (1) IN GENERAL.—The Centers for Disease Control and Prevention shall award funding
22 for the recruitment, hiring, managing, administration, and organization of Health Force to
23 States, localities, territories, Indian Tribes, Tribal organizations, urban Indian health
24 organizations, or health service providers to Tribes using the Public Health Emergency
25 Preparedness and Public Health Crisis Response programs implemented through such
26 Centers. The Centers for Disease Control and Prevention shall--

27 (A) Authorize pre-award expenses incurred by States, localities, territories, Indian
28 Tribes, Tribal organizations, urban Indian health organizations, or health service
29 providers to Tribes funded entities in order to facilitate the Health Force
30 implementation, including planning and recruitment activities, per 42 U.S.
31 Code § 5189b.

32 (2) DUTIES OF THE DIRECTOR.—The Director of the Centers for Disease Control and
33 Prevention (referred to in this section as the “Director”) shall—

34 (A) identify training resource packages to be utilized by the Force and develop new
35 training resource packages, as needed, including by—

36 (i) collaborating with other federal agencies, including but not limited to Health
37 Resources and Services Administration; and

38 (ii) collaborating with Centers for Disease Control and Prevention implementing
39 partners, including but not limited to public health, healthcare, and community-based
40 organizational partners, to identify and develop such training resource packages.

1 (B) carry out any other activities determined appropriate by the Director to carry out
2 this section.

3 (d) Service.—

4 (1) IN GENERAL.—The Force shall be composed of eligible members selected pursuant to
5 guidelines developed by the Director in consultation with States, localities, territories,
6 Indian Tribes, Tribal organizations, urban Indian health organizations, or health service
7 providers to Tribes funded entities. At a minimum such guidelines shall ensure that—

8 (A) a Force member is at least 18 years of age;

9 (B) a Force member has a high school diploma or equivalent OR has successfully
10 completed an employment literacy test;

11 (C) No individual with authorization to work, including individuals with Deferred
12 Action for Childhood Arrivals (DACA) or Temporary Protected Status (TPS) under
13 the Immigration and Nationality Act (INA) § 244 (8 U.S.C. § 1254a), shall be
14 disqualified for appointment under this section on account of citizenship or
15 immigration status; and

16 (D) No individual shall be disqualified for appointment to a position under this
17 section because of bankruptcy or a poor credit rating.

18 (2) RECRUITMENT.—

19 (A) IN GENERAL.—The guidelines developed under paragraph (1) shall provide for
20 Force recruitment information to be distributed at the national level through all
21 available channels and partnerships as practicable. Such guidelines shall also, as
22 practicable, require that all graduating high school seniors be made aware of Force
23 employment opportunities while in their senior year, and every 2 years thereafter,
24 unless they opt out of receiving notifications or have joined the Force. As practicable,
25 Federal and State Departments of Labor shall share information about Health Force
26 opportunities with those individuals applying for or receiving unemployment benefits.

27 (B) RECRUITMENT BY STATE, LOCALITY, TERRITORY, INDIAN TRIBES, TRIBAL
28 ORGANIZATIONS, URBAN INDIAN HEALTH ORGANIZATIONS, OR HEALTH SERVICE
29 PROVIDERS TO TRIBES FUNDED ENTITIES.—Funded entities such areas shall support
30 extensive recruitment efforts for Force personnel, including efforts to recruit Force
31 members among focal communities as described in subsection g, as well as low-
32 income, minority, and historically marginalized populations.

33 (3) PREFERENCE.—Preference in the hiring of Force members shall be given to
34 individuals who are veterans, unemployed or underemployed, recently furloughed
35 community-based nonprofit, public health or health care professionals, or from focal
36 communities as described in subsection g.

37 (4) TRAINING.—

38 (A) INITIAL TRAINING.—

39 (i) IN GENERAL.—Not later than 14 days after the date of enactment of this Act,
40 the Director shall identify an evidence-informed training program for Force
41 members in accordance with this paragraph. Such initial training program shall

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1 focus on building public health surveillance knowledge and skills, particularly
2 contact tracing knowledge and skills, to address training requirements for Force
3 members to successfully conduct contact tracing activities of subsection (e)(1).
4 States, localities, territories, Indian Tribes, Tribal organizations, urban Indian
5 health organizations, or health service providers to Tribes shall determine which
6 Force recruits will be provided with initial training to meet State, locality,
7 territory, and Tribal public health needs.

8 (ii) REQUIREMENTS.—Such initial training program shall—

9 (I) be adaptable by State, locality, territorial, Indian Tribe, Tribal
10 organization, urban Indian health organization, or health service
11 providers to Tribes funded entities to meet local needs;

12 (II) be implemented as quickly as possible by either/both the Centers for
13 Disease Control and Prevention and State, locality, territorial, Indian
14 Tribe, Tribal organization, urban Indian health organization, or health
15 service providers to Tribes funded entities, based on local needs and
16 abilities;

17 (III) be distance-based eLearning that can be accessed with a smartphone,
18 with the goal of limiting opportunities for disease transmission while
19 maximizing knowledge and skills acquisition and retention among Force
20 trainees;

21 (IV) include refresher training at regular and frequent intervals as
22 determined appropriate by the Director;

23 (V) include training components on personal safety, including staying safe
24 around animals in home- and community-based settings, use of personal
25 protective equipment, and health privacy and ethics;

26 (VI) include standardized testing to measure knowledge and skills
27 acquisition and retention; and

28 (VII) use individual results of such standardized testing to ensure that only
29 successfully trained individuals are maintained as Force members.

30 (B) ADDITIONAL TRAINING.—Not later than 90 days after the date of enactment of
31 this Act, the Director shall identify and, as necessary, develop additional
32 evidence-informed training resource packages to provide Force members the
33 knowledge and skills necessary to conduct the full complement of activities listed
34 in subsections e and f. States, localities, territories, Indian Tribes, Tribal
35 organizations, urban Indian health organizations, or health service providers to
36 Tribes shall determine which Force members will be provided with additional
37 training to meet State, locality, territory, and Tribal public health needs.

38 (C) MISCELLANEOUS.—Where determined necessary, the Director may—

39 (I) notwithstanding clause (ii)(I), recommend training under this
40 subparagraph that includes face-to-face interaction; and

41 (II) collaborate with public universities, including nursing, medical, and
42

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1 veterinary schools, community colleges, or other career and technical
2 education institutes, community health centers and other community-based
3 organizations, federally recognized Minority Serving Institutions, as well as
4 public health associations and state and local health departments, to develop
5 and implement training under this subparagraph, particularly for skills that
6 typically have licensure requirements.

7 (III) develop training and communications materials in multiple
8 languages.

9 (D) TIMING.—The training under subparagraph (A)(i) shall be designed to be
10 completed by Force members within 14 days of training start. The training programs
11 under subparagraph (A)(iii) shall be made available where necessary to ensure that
12 Force members are fully trained as soon as possible after commencing such training.

13 (E) SPECIALIZED TRAINING.—In organizing the Force under this section, the
14 Director may elect to establish divisions of Force members who receive specialized
15 comprehensive training, including divisions of Force members who have met State
16 licensure requirements, have prior relevant experience, or have supervisory skills
17 and/or demonstrated aptitude

18 (F) PAYMENT DURING TRAINING.—Individuals shall be paid for each hour spent in
19 training (including refresher training) under this paragraph at a rate of not less than \$15
20 per hour (to be increased each year based on increases in the Consumer Price Index for
21 such year).

22 (5) SALARY AND BENEFITS.—Members of the Force shall be paid directly by State,
23 locality, territorial, Indian Tribe, Tribal organization, urban Indian health organization, or
24 health service providers to Tribes funded entities and sub-partners using funds provided by
25 the Centers for Disease Control and Prevention. All Health Force positions shall be salaried
26 with health and retirement benefits, including paid family leave. Payment of salaries and
27 fringe benefits must be in accordance with the policies of the state or unit(s) of local
28 government and have the approval of the State or the Centers for Disease Control and
29 Prevention, whichever is applicable.

30 (A) OVERTIME PAY. The entire amount of overtime costs, including payments
31 related to backfilling personnel, that are the direct result of time spent on the design,
32 development and conduct of Health Force activities are allowable expenses. These
33 costs are allowed only to the extent the payment for such services is in accordance
34 with the policies of the state or unit(s) of local government and have the approval of
35 the State or the Centers for Disease Control and Prevention, whichever is applicable.
36 Dual compensation is never allowable, meaning, in other words, that an employee of
37 a unit of government may not receive compensation from their unit or agency of
38 government and from an award for a single period of time (e.g., 1:00 p.m. to 5:00
39 p.m.), even though their work may benefit both entities.

40 (6) PLACEMENT.— To the extent feasible, as determined by State, locality, territorial,
41 Indian Tribe, Tribal organization, urban Indian health organization, or health service
42 providers to Tribes funded entities, members of the Force shall be recruited from and serve
43 in their home communities. Force members may be physically co-located with local public

1 health, healthcare, and community-based organizations, including community health
2 centers, as determined appropriate by funded entities.

3 (7) SUPERVISORY STRUCTURES.— Members of the Force shall receive ongoing supportive
4 supervision from staff members of State, locality, territorial, Indian Tribe, Tribal
5 organization, urban Indian health organization, or health service providers to Tribes funded
6 entities or their sub-partners, as described in subsection d(9). Funded entities may choose
7 the most appropriate supervisory structure to use based on local needs, and may promote
8 Force members into supervisory roles. Such supervision may be also be provided by
9 Disease Intervention Specialists. The Centers for Disease Control and Prevention shall
10 provide or direct their implementing partners to provide, technical assistance and training
11 opportunities to funded entities to strengthen supportive supervision skills and practices.

12 (8) SUPPLIES AND EQUIPMENT.— Members of the Force and their supervisors shall
13 receive all necessary supplies and equipment, including personal protective equipment,
14 through State, locality, territorial, Indian Tribe, Tribal organization, urban Indian health
15 organization, or health service providers to Tribes funded entities, which may use awarded
16 funds to pay for such supplies and equipment.

17 (9) SUBAWARDS.— As authorized by the Centers for Disease Control and Prevention,
18 State, locality, territorial, Indian Tribe, Tribal organization, urban Indian health
19 organization, or health service providers to Tribes funded entities may make subawards to
20 local partners, including but not limited to Community Health Centers and other
21 community-based and not-for-profit organizations, in order to facilitate Health Force
22 member recruitment, management, supervision, management, and retention as well as to
23 facilitate Health Force integration into existing public health, healthcare, and community-
24 based services.

25 (10) SERVICE IN PUBLIC HEALTH EMERGENCY.—A State, locality, territory, Indian Tribe,
26 Tribal organization, urban Indian health organization, or health service providers to Tribes
27 receiving funding under this section shall assign one or more Force members to respond to a
28 public health emergency in the area served by such entity. Such Force members shall be
29 under the supervision and management of the State, locality, territory, Indian Tribe, Tribal
30 organization, urban Indian health organization, or health service providers to Tribes
31 involved.

32 (11) SERVICE POST EMERGENCY.—A State, locality, territory, Indian Tribe, Tribal
33 organization, urban Indian health organization, or health service providers to Tribes may
34 retain one or more Force members to continue to work in the area served by the entity after
35 a public health emergency has ended in order to a) prevent and respond to future public
36 health emergencies and b) respond to ongoing and future public health and healthcare
37 needs.

38 (12) LIMITATION.—A Force member may not be assigned for international deployment
39 on behalf of the Health Force.

40 (13) FUNDING.—All costs associated with the service and functions of Force members
41 under this section, including salary and employment benefits as well as associated direct
42 and indirect costs, shall be paid by the Federal Government through grants or cooperative
43 agreements to States, localities, territories, Indian Tribes, Tribal organizations, urban Indian

1 health organizations, or health service providers to Tribes.

2 (e) Activities to respond to the COVID-19 pandemic.—The Force shall provide for the
3 training and employment of Force personnel to address the COVID–19 pandemic, including by
4 conducting or assisting with the following activities, where aligned with State licensure
5 requirements:

6 (1) Conducting COVID–19 related contact tracing.

7 (2) When available, supporting the administration of diagnostic, serologic, or other
8 COVID–19 tests.

9 (3) As appropriate based on state licensing requirements, supporting the provision of
10 palliative care, including by providing support to palliative care teams for seriously ill
11 patients.

12 (4) When available, supporting the provision of COVID–19 vaccinations, flu
13 vaccinations, and recommended vaccinations for individuals who have missed vaccinations
14 because of the pandemic.

15 (5) Sharing COVID–19 public health messages with community members, including
16 debunking myths and misperceptions, and building health literacy.

17 (6) Providing data collection and entry or other administrative duties in support of
18 epidemic surveillance and to meet broader health information system requirements.

19 (7) Providing community-based and direct-care services, including food and medical
20 supply delivery.

21 (8) Providing coordination or case management of public health and human services
22 needs related to COVID-19.

23 (9) Carrying out any other activities, including but not limited to those described in
24 subsection f, as determined appropriate by the Director.

25 (10) Carrying out any other activities, including but not limited to those described in
26 subsection f, as determined appropriate by State, locality, territory, Indian Tribe, Tribal
27 organization, urban Indian health organization, or health service providers to Tribes funding
28 recipients, in accordance with grant and cooperative agreement scope and stipulations.

29 (f) Activities post-emergency.— After the COVID-19 emergency concludes, the Force shall
30 provide for the training and employment of Force personnel to prevent and respond to future
31 public health emergencies and respond to ongoing and future public health and healthcare needs.

32 Post-emergency, Force members shall carry out or assist with activities described in subsection
33 (e) as well as any of the following activities, where aligned with State licensure requirements:

34 (A) Sharing public health messages with community members.

35 (B) Providing home-based check-ins for new mothers and infants.

36 (C) Providing vaccination schedule reminders, especially for parents and legal
37 guardians of children under the age of 6.

38 (D) Providing services to help community members navigate medical, behavioral
39 health, well health, and social services.

1 (E) Connecting community members with health and social services, including but
2 not limited to services provided by the Federal or State governments and community-
3 based organizations.

4 (F) Providing or supportive provision of additional perinatal health services, such as
5 serving as doulas, peer supporters, certified lactation consultants, and home visitors.

6 (G) Providing community-based information to local health departments to inform
7 and improve health programming for hard-to-reach communities.

8 (H) Preventing the spread of sexually transmitted disease, including through contact
9 tracing.

10 (I) Support the provision of mental and behavioral health services, including mental
11 health first aid and peer-to-peer support.

12 (J) Other activities determined appropriate by the Director.

13 (K) Other activities, including but not limited to response to localized public health
14 emergencies, as determined appropriate by State, locality, territory, Indian Tribe,
15 Tribal organization, urban Indian health organization, or health service providers to
16 Tribes funding recipients and in accordance with grant and cooperative agreement
17 scope and stipulations.

18 (g) Focal Communities.— State, locality, territorial, Indian Tribe, Tribal organization, urban
19 Indian health organization, or health service providers to Tribes funded entities shall dedicate
20 substantial number of Health Force members to addressing the needs of focal communities. To
21 be designated as a focal community, a community shall at a minimum—

22 (A) be in the bottom 50% in terms of life expectancy, infant mortality, poverty, or
23 other measure, as recommended by the National Academies of Sciences, Engineering,
24 and Medicine and approved by the Director; or

25 (B) be identified as a “most vulnerable” community according to the Centers for
26 Disease Control and Prevention’s Social Vulnerability Index.

27 (h) Coordination and Collaboration.—

28 (1) IN GENERAL.—The Director shall facilitate coordination and collaboration between the
29 Force and other national public health service programs within and external to the
30 Department of Health and Human Services, including the Public Health Service and
31 Medical Reserve Corps.

32 (A) Not later than 6 months after the date of enactment of this Act, the Director
33 shall convene a stakeholder advisory group comprised of leadership of other
34 national health service programs, other relevant federal agencies, including but
35 not limited to Department of Labor and Centers for Medicare and Medicaid,
36 and leaders representing State, locality, territorial, Indian Tribe, Tribal
37 organization, urban Indian health organization, or health service providers to
38 Tribes funded entities. The stakeholder working group shall meet on a yearly
39 basis to provide guidance for Health Force’s programmatic success and
40 longevity.
41
42

1 (2) STATES, LOCALITIES, TERRITORIES, INDIAN TRIBES, TRIBAL ORGANIZATIONS, URBAN
2 INDIAN HEALTH ORGANIZATIONS, OR HEALTH SERVICE PROVIDERS TO TRIBES
3 COLLABORATION.-- shall ensure coordination and, as appropriate, collaboration between
4 the Force and local public health, and health care, and community-based programs, to
5 ensure complementarity and further strengthen the local public health response.
6

7 (A) Not later than 3 months after the date of enactment of this Act, funded entities
8 shall convene a stakeholder advisory group comprised of community leaders
9 and other key stakeholders to meet on a regular, recurring basis to provide
10 guidance for Health Force's programmatic success and longevity.
11

12 (B) Per 42 USC 5315, The consent of the Congress is hereby given to any two or
13 more States to enter into agreements or compacts, not in conflict with any law
14 of the United States, for cooperative effort and mutual assistance in support of
15 community development planning and programs carried out under this chapter
16 as they pertain to interstate areas and to localities within such States, and to
17 establish such agencies, joint or otherwise, as they may deem desirable for
18 making such agreements and compacts effective.
19

20 (i) Monitoring.—The Director shall develop a performance monitoring template for State,
21 locality, territorial, Indian Tribe, Tribal organization, urban Indian health organization, or health
22 service providers to Tribes funded entities adaptation and use. The template shall at a minimum
23 report the number of Health Force members hired, the role hired into, and the demographic
24 characteristics of Health Force members. Such monitoring data shall be shared by funded
25 entities to the Centers for Disease Control and Prevention on a regular, recurring basis, and shall
26 be made publicly available.

27 (j) Learning and Adaptation.—The Director shall develop a learning and evaluation
28 component of the Health Force to identify successful components of local activities to be
29 replicated, to identifying opportunities for continuing education and career advancement for
30 Force members, and to evaluate the degree to which Health Force created a pathway to longer-
31 term public health and healthcare careers among Force members, and to identify how Health
32 Force impacted the health knowledge, behaviors, and outcomes of the community members
33 served. Results of this learning shall be made publicly available.
34

35 (k) Reporting.-- Not later than 180 days after the close of each fiscal year, the Director shall
36 submit to the Congress a report which shall contain—

37 (1) a description of the progress made in accomplishing the objectives of Health Force;

38 (2) a summary of the use of such funds during the preceding fiscal year;

39 (3) a listing of each funding recipient and the amount of such cooperative agreement or grant,
40 as well as a brief summary of the projects funded for each such recipient, the extent of
41 financial participation by other public or private entities, and the impact on employment and
42 economic activity of such projects during the previous fiscal year; and
43
44

1
2 (4) a description of the activities carried out under Section 2 of this Act.

3 (l) Authorization of Appropriations.—

4 (1) IN GENERAL.—There is authorized to be appropriated, and there is appropriated, to
5 carry out this section, \$55,000,000,000 for each of fiscal years 2020 and 2021, such
6 amounts to remain available until expended, to be reauthorized in subsequent years.

7 (2) EMERGENCY.—The amounts appropriated under paragraph (1) are designated as an
8 emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of
9 2010 (2 U.S.C. 933(g)).

10 (3) DESIGNATION IN SENATE.—In the Senate, this section is designated as an emergency
11 requirement pursuant to section 4112(a) of H. Con. Res. 71 (115th Congress), the
12 concurrent resolution on the budget for fiscal year 2018.

13 SEC. 3. RESILIENCE FORCE.

14 (a) In General.— For fiscal years 2020 to 2022, the Administrator of the Federal Emergency
15 Management Agency shall appoint, administer, and expedite the training of 62,000 Cadre of On-
16 Call Response/Recovery Employees, under the Response and Recover Directorate (referred to in
17 this section as a “CORE employee”) under the Office of Response and Recovery, above the level
18 of such employees in fiscal year 2019, to address the coronavirus public health emergency and
19 other disasters and public emergencies.

20 (b) Detail of Core Employees.—A CORE employee may be detailed, through mutual
21 agreement, to any Federal agency that is a participating agency in the White House Coronavirus
22 Task Force, or to a State, Local, or Tribal Government to fulfill an assignment for the Task force,
23 including—

24 (1) providing logistical support for the supply chain of medical equipment and other
25 goods involved in COVID–19 response efforts;

26 (2) facilitating COVID–19 testing and surveillance activities;

27 (3) tracing contacts of infected individuals and their status while being quarantined;

28 (4) providing nutritional assistance to vulnerable populations;

29 (5) supporting the dissemination of timely information about COVID–19 preparedness,
30 response, and recovery; and

31 (6) carrying out other disaster preparedness and response functions for other emergencies
32 and natural disasters.

33 (c) Requirement.—As soon as practicable, the Administrator of the Federal Emergency
34 Management Agency shall make public job announcements to fill the CORE employee positions
35 authorized under subsection (a), which shall prioritize hiring from among the following groups
36 of individuals:

37 (1) Unemployed veterans of the Armed Forces.

38 (2) Individuals who have become unemployed or underemployed as a result of the
39 coronavirus public health emergency.

1 (3) AmeriCorps members, Peace Corps Volunteers, or United States Fulbright Scholars
2 who have had their service terms ended as a result of the coronavirus public health
3 emergency.

4 (4) Recent graduates of public health, medical, nursing, social work or related health-
5 services programs.

6 (5) Members of communities who have experienced a disproportionately high number of
7 COVID-19 cases.

8 (d) Hiring. – The Federal Emergency Agency shall hire employees under this section pursuant
9 to Section 306 of the Stafford Act and make use of existing statutory authorities that permit
10 regional offices and site managers to advertise for and hire such employees.

11 (e) Training. The Administrator of the Federal Emergency Management Agency may make
12 appropriate adjustments to the standard training course curriculum for employees under this
13 section to include on-site trainings at FEMA regional offices, virtual trainings, or trainings
14 conducted by other Federal, State, Local or Tribal agencies, including those described in Section
15 2(d)(4), necessary to fulfill functions in subsection 5(b).

16
17 (f) Authorization of Appropriations.—There are authorized to be appropriated to the
18 Administrator of the Federal Emergency Management Agency, \$6,500,000,000, for each of
19 fiscal years 2020 through 2022, not less than \$1,500,000,000 of which shall be made available
20 each such fiscal year for the administrative costs associated with carrying out this section.

21 (g) Clarification – For the purposes of hiring employees under this section——

22 (1) No individual with authorization to work, including individuals with Deferred Action
23 for Childhood Arrivals (DACA) or Temporary Protected Status (TPS) under the
24 Immigration and Nationality Act (INA) § 244 (8 U.S.C. § 1254a), shall be disqualified for
25 appointment under this section on account of citizenship or immigration status.

26 (2) No individual shall be disqualified for appointment to a position under this section
27 because of bankruptcy or a poor credit rating determined to be the result of the Coronavirus
28 public health emergency.

Resilience Corps

Summary: *To surge employment at the Federal Emergency Management Agency (FEMA) in the fight against the coronavirus and natural disasters.*

Background on the Resilience Corps:

- Along with the Center for Disease Control and Prevention (CDC), FEMA is a key part of the whole-of-government effort to combat the COVID-19 outbreak and to responsibly reopen the country. However, FEMA's workforce of approximately 20,000 must be significantly expanded to address the growing national needs of testing, tracing, and managing emergency supply chain logistics for states and communities in need. FEMA has unique existing hiring authorities and experience that make it a very practical vehicle for the surge workforce needed at this time. In addition, FEMA will need to respond to natural disasters this year with a heavier-than-average hurricane season predicted this year. By funding existing authorities at FEMA, tens of thousands of Americans can serve the country in good-paying jobs.

Summary of Provisions:

- Appropriates funds needed to hire and train 62,000 additional FEMA Cadre of On-Call Response/Recovery Employees (CORE) to perform public health and related functions as well as respond to natural disasters such as hurricanes and wildfires.
- The CORE program uses the existing infrastructure at FEMA – with additional administrative support – to offer much-needed job opportunities with full-benefits for those individuals wishing to fight COVID-19 and natural disasters.
- Training and hiring of FEMA CORE members can rapidly occur within communities in need, and other Federal Agencies can request they be detailed to their Departments.
- FEMA is directed to prioritize hiring from groups that include unemployed veterans, other unemployed due to the coronavirus, and AmeriCorps volunteers, Peace Corps volunteers, and Fulbright Scholars, whose service involuntarily ended.
- Poor credit and/or bankruptcy due to the Coronavirus pandemic will not disqualify any individual for eligibility to be hired as a FEMA Core employee.
- Among the needs for FEMA CORE teams may include:
 1. providing logistical support for emergency procurement of medical equipment and other goods involved in COVID-19 response efforts;
 2. facilitating COVID-19 testing and surveillance activities;
 3. tracing contacts of infected individuals and their status while being quarantined;
 4. providing other disaster preparedness and response functions for other emergencies and natural disasters.

Agenda Item 6:

Bills to watch (see next page)

- SB 795 (was SB 5) – already supported as SB 5 – introduced with identical language. Recently amended. (attachments)

The amendments respond to the significant challenges created by the pandemic. The amended bill invests in existing emergency housing programs to help those living on our streets as well as housing production programs that will generate high wage jobs. It invests \$2 billion annually for 5 years into the construction of affordable housing units and programs that address and prevent homelessness. Of the \$2 billion, \$1.15 billion shall be used to construct affordable housing, spur economic development and create jobs through infrastructure and employment programs. Funds will be distributed as follows:

- Multi-family Rental Housing—\$500 million (25%) to the existing Multifamily Housing Program.
- Infill Incentive Grant Program-- \$300 (15%) million.
- Local Housing Trust Fund Matching Grant Program-- \$200 million (10%)
- Cal Home Program \$75 million (3.75%)
- Joe Serna, Jr. Farmworker Housing Grant Fund--\$75 million--(3.75%)
- Community Economic Development - \$95 million (4.75%)
- Climate/Sea Level Rise/Natural Disaster Fund - \$100 million--(5%)

The remaining funding, \$650 million is allocated to the Homeless Housing, Assistance and Prevention (HHAP) to support regional and local homelessness efforts.

Additionally, the bill creates two new programs administered by the Office of Business and Economic Development Office (GoBiz) to help local governments with their economic recovery and natural disaster preparedness.

Attachments provided.

- SB 899
- SB 902
- COVID related funding packages – federal government
 - Panetta – increase funding for contact tracing (included in

AMENDED IN SENATE MAY 6, 2020
AMENDED IN SENATE APRIL 2, 2020

SENATE BILL

No. 795

Introduced by Senators Beall, McGuire, and Portantino
(Principal coauthor: Senator Roth)
(Principal coauthor: Assembly Member Mullin)
(Coauthors: Senators Bradford, Caballero, Dodd, Hueso, Stern,
Wieckowski, and Wiener)
(Coauthors: Assembly Members Gloria, Kalra, and Low)

January 6, 2020

~~An act to add Section 41202.6 to the Education Code, to add Part 4 (commencing with Section 55900) to Division 2 of Title 5 of, and to add Division 6 (commencing with Section 62300) to Title 6 of, the Government Code, and to add Section 97.68.1 to the Revenue and Taxation Code, relating to local government finance. 50220.5 to the Health and Safety Code, relating to economic development, and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 795, as amended, Beall. ~~Affordable Housing and Community Development Investment Program. Economic development: housing: workforce development: climate change infrastructure.~~

Existing law establishes various housing programs administered by the Department of Housing and Community Development, including the Multifamily Housing Program, pursuant to which the department provides financial assistance in the form of deferred payment loans to pay for the eligible costs of development for specified types of housing projects. Existing law also establishes the Homeless Housing, Assistance, and Prevention program, administered by the Business,

Consumer Services, and Housing Agency, for the purpose of providing jurisdictions with one-time grant funds to support regional coordination and expand or develop local capacity to address their immediate homelessness challenges, as provided.

Existing law requires that the California Workforce Development Board and each local workforce development board ensure that programs and services funded by the federal Workforce Innovation and Opportunity Act of 2014 and directed to apprenticeable occupations are conducted in coordination with apprenticeship programs approved by the Division of Apprenticeship Standards, as specified.

Existing law establishes the Governor's Office of Business and Economic Development, known as "GO-Biz," within the Governor's office to serve the Governor as the lead entity for economic strategy and the marketing of California on issues relating to business development, private sector investment, and economic growth.

This bill 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 described above. 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.

The bill would require the Controller for each of those 5 fiscal years to allocate \$195,000,000 to GO-Biz, to be used for the the Climate, Sea Level, and Natural Disaster Program and the Community Economic Development Program, both of which the bill would establish in GO-Biz. The bill would require GO-Biz to allocate \$100,000,000 under the Climate, Sea Level, and Natural Disaster Program among specified eligible entities for the purpose of protecting communities dealing with the effects of climate change, as specified. The bill would require GO-Biz to allocate \$95,000,000 under the Community Economic Development Program among these specified eligible entities for various purposes

relating to community development. The bill would require eligible applicants to comply with specified requirements, including submitting plans for outreach to, and retention of, women, minority, disadvantaged youth, formerly incarcerated, and other underrepresented subgroups and, subject to certain exceptions, certifying that a skilled and trained workforce, as defined, will be used to complete any project funded under those programs.

By requiring the certification of certain information, thereby expanding the scope of the crime of perjury, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

~~Existing property tax law requires the county auditor, in each fiscal year, to allocate property tax revenue to local jurisdictions in accordance with specified formulas and procedures, subject to certain modifications. Existing law requires an annual reallocation of property tax revenue from local agencies in each county to the Educational Revenue Augmentation Fund (ERAF) in that county for allocation to specified educational entities.~~

~~Existing law authorizes certain local agencies to form an enhanced infrastructure financing district, affordable housing authority, transit village development district, or community revitalization and investment authority for purposes of, among other things, infrastructure, affordable housing, and economic revitalization.~~

~~This bill would establish in state government the Affordable Housing and Community Development Investment Program, which would be administered by the Affordable Housing and Community Development Investment Committee. The bill would authorize a city, county, city and county, joint powers agency, enhanced infrastructure financing district, affordable housing authority, community revitalization and investment authority, transit village development district, or a combination of those entities, to apply to the Affordable Housing and Community Development Investment Committee to participate in the program and would authorize the committee to approve or deny plans for projects meeting specific criteria. The bill would also authorize certain local agencies to establish an affordable housing and community~~

~~development investment agency and authorize an agency to apply for funding under the program and issue bonds, as provided, to carry out a project under the program. Among other things, the bill would require that an applicant certify that a skilled and trained workforce, as defined, will be used to complete the project if the plan is approved, except as specified. The bill would also require the Department of Housing and Community Development to certify to the committee whether the housing element of the applicant, if applicable, is in substantial compliance with specified law and whether any rezoning of sites required by law have been completed. By requiring the applicant and the department to make these certifications, the bill would expand the scope of the crime of perjury.~~

~~The bill would require the Affordable Housing and Community Development Investment Committee to adopt guidelines for plans. Subject to the Legislature enacting a budget bill for the applicable fiscal year that specifies the amount for the committee to allocate pursuant to the program, the bill would require the committee to approve no more than \$200,000,000 per year from July 1, 2022, to June 30, 2027, and \$250,000,000 per year from July 1, 2027, to June 30, 2031, in transfers from a county's ERAF for applicants for plans approved pursuant to this program. The bill would provide that eligible projects include, among other things, the predevelopment, development, acquisition, rehabilitation, and preservation of workforce, student, and affordable housing, certain transit-oriented development, and projects promoting strong neighborhoods.~~

~~The bill would require the Affordable Housing and Community Development Investment Committee, upon approval of a plan and subject to specified conditions, to issue an order directing the county auditor to transfer an amount of ad valorem property tax revenue that is equal to the affordable housing and community development investment amount approved by the committee, except as provided, from the county's ERAF. The bill would require the county auditor to either deposit that amount into the Affordable Housing and Community Development Investment Fund, which this bill would create in the treasury of each county, or, if the applicant is a specified type of authority or special district to transfer to the city or county that created the authority or district an amount of property tax revenue equal to the amount approved by the Affordable Housing and Community Development Investment Committee for that authority or district. The bill would require the city or county that created the district to, upon~~

receipt, transfer those funds to the authority or district in an amount equal to the affordable housing and community development investment amount for that authority or district. The bill would authorize applicants to use approved amounts to incur debt or issue bonds or other financing to support an approved project.

The bill also would require each applicant that has received funding to submit annual reports, as specified, and would require the Affordable Housing and Community Development Investment Committee to provide a report to the Joint Legislative Budget Committee, if it approves funding under the program, that includes certain project information.

Section 8 of Article XVI of the California Constitution sets forth a formula for computing the minimum amount of revenues that the state is required to appropriate for the support of school districts and community college districts for each fiscal year.

This bill would require the Director of Finance to adjust the percentage of General Fund revenues appropriated for school districts and community college districts for these purposes in a manner that ensures that the transfers from a county's ERAF pursuant to the Affordable Housing and Community Development Investment Program have no net fiscal impact upon the total amount of the General Fund revenue and local property tax revenue allocated to school districts and community college districts pursuant to Section 8 of Article XVI of the California Constitution, as specified.

By imposing new duties on local officials with respect to transferring funds from a county's ERAF, and by expanding the scope of the crime of perjury by requiring the certification of certain information, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority^{2/3}. Appropriation: ~~no~~yes. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 *SECTION 1. The Legislature finds and declares the following:*

2 *(a) These unprecedented times call for action to help protect*
3 *our most vulnerable Californians. Keeping people in their homes*
4 *and building more affordable housing must be at the top of our*
5 *priority list.*

6 *(b) COVID-19 illuminates what we already knew, that*
7 *California's housing crisis is staggering. There are 2,200,000*
8 *extremely low income and very low income renter households*
9 *competing for only 664,000 affordable rental homes. This means*
10 *more than 1,540,000 of California's lowest income households*
11 *are without access to housing. With unemployment rates*
12 *skyrocketing, more and more Californians are facing housing*
13 *insecurity. While rent moratoriums provide a short-term reprieve,*
14 *once they are lifted an even greater number of families will be*
15 *pushed into homelessness.*

16 *(c) Despite significant multibillion-dollar, one-time investments*
17 *as well as the establishment of penalties for negligent cities,*
18 *California's homeless population rose again last year. Further,*
19 *recent reports indicate housing production is slowing and we are*
20 *falling even further behind annual production goals. What has*
21 *been missing from these efforts is a sustainable state commitment*
22 *to quickly build affordable housing units to keep up with demand.*

23 *(d) It is the intent of the Legislature that this act create a*
24 *sustainable state funding source, with the sole purpose of tackling*
25 *the homeless and affordable housing crisis. The Legislature further*
26 *intends to provide investment in existing programs, including*
27 *emergency housing programs, to quickly get local governments*
28 *the funding they need to address and prevent homelessness and*
29 *jumpstart the construction of affordable housing.*

30 *(e) Although a long-term investment in housing is difficult in*
31 *today's fiscal climate, we cannot continue to operate business as*
32 *usual. It is therefore the intent of the Legislature to invest in*
33 *existing programs, including emergency housing programs, to*
34 *quickly get local governments the funding they need to address*
35 *and prevent homelessness and jumpstart the construction of*
36 *affordable housing and related infrastructure. These strategic*
37 *investments will allow cities to promote needed infrastructure and*
38 *community improvements, and help communities prepare and*

1 *adapt to the impacts of climate change. Furthermore, the state*
2 *must make smart investments that help stimulate and boost our*
3 *economy and get people back to work. By investing in the*
4 *production of affordable housing, it is the intent of the Legislature*
5 *to provide high-skilled job opportunities that provide livable wages.*

6 *(f) It is the intent of the Legislature that the funding appropriated*
7 *by this act be allocated for the following purposes:*

8 *(1) Homelessness services.*

9 *(2) Housing production grants.*

10 *(3) Economic development and climate resiliency programs.*

11 *SEC. 2. Section 50220.5 is added to the Health and Safety*
12 *Code, to read:*

13 *50220.5. (a) Notwithstanding Section 50220, the agency shall*
14 *establish one or more deadlines to make award determinations*
15 *for program allocations in accordance with this chapter with*
16 *moneys appropriated for purposes of this chapter by the act adding*
17 *this section.*

18 *(b) Notwithstanding subdivision (b) of Section 50221, the agency*
19 *shall establish deadlines for each applicant that receives a program*
20 *application from moneys made available by the act adding this*
21 *section to submit to the agency a final report in a format provided*
22 *by the agency, as well as uses of all program funds received out*
23 *of those moneys.*

24 *SEC. 3. Notwithstanding Section 13340 of the Government*
25 *Code, the sum of ten billion dollars (\$10,000,000,000) is hereby*
26 *continuously appropriated, without regard to fiscal years, from*
27 *the General Fund, to be expended over the 2020–21 fiscal year*
28 *and each of the four subsequent fiscal years, for the purpose of*
29 *providing emergency economic recovery and development and*
30 *climate disaster and response, to be used as provided in Sections*
31 *4 and 5 of this act.*

32 *SEC. 4. (a) Of the amount appropriated in Section 3 of this*
33 *act, the Controller shall allocate and deposit one billion eight*
34 *hundred five million dollars (\$1,805,000,000) in each fiscal year*
35 *described in Section 3 of this act in the following manner:*

36 *(1) Five hundred million dollars (\$500,000,000) to be deposited*
37 *in the Housing Rehabilitation Loan Fund established pursuant to*
38 *Section 50661 of the Health and Safety Code and used for the*
39 *Multifamily Housing Program (Chapter 6.7 (commencing with*

1 Section 50675) of Part 2 of Division 31 of the Health and Safety
2 Code).

3 (2) Three hundred million dollars (\$300,000,000) to be allocated
4 to the Department of Housing and Community Development and
5 used for the Infill Incentive Grant Program of 2007 established
6 by Section 53545.13 of the Health and Safety Code.

7 (3) Two hundred million dollars (\$200,000,000) to be deposited
8 in the Affordable Housing Innovation Fund established pursuant
9 to subparagraph (F) of paragraph (1) of subdivision (a) of Section
10 53545 and used, without further appropriation by the Legislature,
11 for the Local Housing Trust Fund Matching Grant Program in
12 accordance with Chapter 13 (commencing with Section 50842.1)
13 of Part 2 of Division 31 of the Health and Safety Code.

14 (4) Seventy-five million dollars (\$75,000,000) to be deposited
15 in the Self-Help Housing Fund established pursuant to Section
16 50697.1 of the Health and Safety Code and used for the CalHome
17 Program (Chapter 6 (commencing with Section 50650) of Part 2
18 of Division 31 of the Health and Safety Code).

19 (5) Seventy-five million dollars (\$75,000,000) to be deposited
20 in the Joe Serna, Jr. Farmworker Housing Grant Fund established
21 pursuant to subdivision (b) of Section 50517.5 of the Health and
22 Safety Code and used for the Joe Serna, Jr. Farmworker Housing
23 Grant Program in accordance with Chapter 3.2 (commencing with
24 Section 50517.2) of Part 2 of Division 31 of the Health and Safety
25 Code.

26 (6) Six hundred fifty million dollars (\$650,000,000) to be
27 allocated to the Business, Consumer Services, and Housing Agency
28 and used for the Homeless Housing, Assistance, and Prevention
29 program in accordance with Chapter 6 (commencing with Section
30 50216) of Part 1 of Division 31 of the Health and Safety Code.

31 (7) Five million dollars (\$5,000,000) to be allocated to the
32 California Workforce Development Board for distribution to local
33 agencies to participate in, invest in, or partner with new or existing
34 preapprenticeship training programs established pursuant to
35 subdivision (e) of Section 14230 of the Unemployment Insurance
36 Code.

37 (b) Projects funded under the Multifamily Housing Program
38 (Chapter 6.7 (commencing with Section 50675) of Part 2 of
39 Division 31 of the Health and Safety Code), the Infill Incentive
40 Grant Program of 2007 (Section 53545.13 of the Health and Safety

1 *Code), or the Local Housing Trust Fund Matching Grant Program*
2 *(Chapter 13 (commencing with Section 50842.1) of Part 2 of*
3 *Division 31 of the Health and Safety Code) shall be deemed to be*
4 *public works in accordance with Chapter 1 (commencing with*
5 *Section 1720) of Part 7 of Division 2 of the Labor Code.*

6 *SEC. 5. (a) Of the amount appropriated in Section 3 of this*
7 *act, the Controller shall allocate one hundred ninety-five million*
8 *dollars (\$195,000,000) in each fiscal year described in Section 3*
9 *of this act to the Governor’s Office of Business and Economic*
10 *Development, hereinafter referred to as “the office,” to be used*
11 *as follows:*

12 *(1) (A) One hundred million dollars (\$100,000,000) for the*
13 *Climate, Sea Level, and Natural Disaster Program, which is hereby*
14 *established within the office. Subject to the requirements of this*
15 *section, the office shall award moneys under the program to*
16 *eligible entities described in subdivision (c) for the purpose of*
17 *protecting communities dealing with the effects of climate change,*
18 *including, but not limited to, sea level rise, wildfires, and flood*
19 *protection.*

20 *(B) Recipients may use moneys allocated under this*
21 *subparagraph to finance projects for the construction, repair,*
22 *replacement, and maintenance of infrastructure, including natural*
23 *infrastructure, relating to protecting communities from the effects*
24 *of climate change.*

25 *(2) Ninety-five million dollars (\$95,000,000) for the Community*
26 *Economic Development Program, which is hereby established*
27 *within the office. Subject to the requirements of this section, the*
28 *office shall award moneys under the program to eligible entities*
29 *described in subdivision (c) for the following purposes:*

30 *(A) Promoting strong neighborhoods through support of local*
31 *community planning and engagement efforts to revitalize and*
32 *restore neighborhoods, including repairing infrastructure and*
33 *parks, and rehabilitating and building housing and public facilities.*

34 *(B) Converting vacant and underutilized commercial property*
35 *into housing affordable to families earning less than 120 percent*
36 *of the area median income, determined in accordance with Section*
37 *50093 of the Health and Safety Code.*

38 *(C) Developing on-campus or off-campus housing for students,*
39 *faculty, and school employees of a campus of the University of*

1 *California, California State University, or California Community*
2 *Colleges.*

3 *(D) Promoting public-private partnerships.*

4 *(E) Supporting small businesses and job growth for affected*
5 *residents.*

6 *(b) Consistent with the requirements of this section, the office*
7 *shall adopt guidelines for the the allocation and use of moneys*
8 *allocated pursuant to this section in accordance with the*
9 *rulemaking provisions of the Administrative Procedure Act*
10 *(Chapter 3.5 (commencing with Section 11340) of Part 1 of*
11 *Division 3 of Title 2 of the Government Code).*

12 *(c) Subject to subdivision (d), the following entities shall be*
13 *eligible to apply for funding under the programs described in*
14 *subdivision (a):*

15 *(1) A city, county, or city and county.*

16 *(2) A joint powers authority formed pursuant to Chapter 5*
17 *(commencing with Section 6500) of Division 7 of Title 1 of the*
18 *Government Code that is composed of entities that may submit a*
19 *plan pursuant to this subdivision.*

20 *(3) An enhanced infrastructure financing district established*
21 *pursuant to Chapter 2.99 (commencing with Section 53398.50) of*
22 *Part 1 of Division 2 of Title 5 of the Government Code.*

23 *(4) An affordable housing authority established pursuant to*
24 *Division 5 (commencing with Section 62250) of Title 6 of the*
25 *Government Code.*

26 *(5) A community revitalization and investment authority*
27 *established pursuant to Division 4 (commencing with Section*
28 *62000) of Title 6 of the Government Code.*

29 *(6) A transit village development district established pursuant*
30 *to Article 8.5 (commencing with Section 65460) of Chapter 3 of*
31 *Division 1 of Title 7 of the Government Code.*

32 *(7) The University of California, the California State University,*
33 *or the California Community Colleges.*

34 *(d) (1) In order to be eligible to receive funding under the*
35 *programs described in subdivision (a), an applicant shall comply*
36 *with all of the following requirements:*

37 *(A) If applicable, the applicant has a housing element that the*
38 *Department of Housing and Community Development has*
39 *determined to be in substantial compliance with Article 10.6*
40 *(commencing with Section 65580) of Chapter 3 of Division 1 of*

1 *Title 7 of the Government Code, pursuant to Section 65585 of the*
2 *Government Code.*

3 *(B) If applicable, the applicant has not been found to have*
4 *violated the Housing Accountability Act (Section 65589.5 of the*
5 *Government Code) within the past five years, or on or after*
6 *January 1, 2021, whichever is more recent.*

7 *(C) The applicant has not taken any of the actions described in*
8 *paragraph (2).*

9 *(2) An entity described in subdivision (c) shall not be eligible*
10 *for funding under the programs described in subdivision (a) if the*
11 *applicant has taken any action, whether by the legislative body of*
12 *the applicant or the electorate exercising its local initiative or*
13 *referendum power, that has any of the following effects:*

14 *(A) Established or implemented any provision that:*

15 *(i) Limits the number of land use approvals or permits necessary*
16 *for the approval and construction of housing that will be issued*
17 *or allocated within all or a portion of the applicant.*

18 *(ii) Acts as a cap on the number of housing units that can be*
19 *approved or constructed either annually or for some other time*
20 *period.*

21 *(iii) Limits the population of the applicant.*

22 *(B) Imposes a moratorium or enforces an existing moratorium*
23 *on housing development, including mixed-use development, within*
24 *all or a portion of the jurisdiction of the applicant, except pursuant*
25 *to a zoning ordinance that complies with the requirements of*
26 *Section 65858 of the Government Code.*

27 *(C) Requires voter approval of any updates to the applicant's*
28 *housing element to comply with Article 10.6 (commencing with*
29 *Section 65580) of Chapter 3 of Division 1 of Title 7 of the*
30 *Government Code, or any rezoning of sites or general plan*
31 *amendment to comply with an updated housing element or Section*
32 *65863 of the Government Code.*

33 *(D) Changes the zoning of a parcel or parcels of property to a*
34 *less intensive use or reduces the intensity of land use within an*
35 *existing zoning district below what was allowed under the general*
36 *plan land use designation and zoning ordinances of the applicant*
37 *in effect on January 1, 2018. For purposes of this subparagraph,*
38 *“less intensive use” includes, but is not limited to, reductions to*
39 *height, density, floor area ratio, or new or increased open space*

1 or lot size requirements, for property zoned for residential use in
2 the applicant's general plan or other planning document.

3 (e) An applicant for funding under the programs described in
4 subdivision (a) shall submit to the office a plan for outreach to,
5 and retention of, women, minority, disadvantaged youth, formerly
6 incarcerated, and other underrepresented subgroups in
7 coordination with the California Workforce Investment Board and
8 local boards, to increase their representation and employment
9 opportunities in the building and construction trades.

10 (f) (1) Except as provided in paragraph (3), an applicant for
11 funding under the programs described in subdivision (a) shall
12 certify that a skilled and trained workforce will be used to complete
13 any project funded under those programs.

14 (2) If the applicant has certified that a skilled and trained
15 workforce will be used to complete the project or projects and the
16 application is approved, the following shall apply:

17 (A) The applicant shall require every contractor and
18 subcontractor at every tier performing work on a project to provide
19 the applicant with an enforceable commitment that the contractor
20 or subcontractor will individually use a skilled and trained
21 workforce to complete the project.

22 (B) Every contractor and subcontractor shall individually use
23 a skilled and trained workforce to complete the project.

24 (C) The applicant shall be considered an awarding body for
25 purposes of Section 2602 of the Public Contract Code.

26 (3) This subdivision shall not apply to a housing project that
27 meets any of the following criteria:

28 (A) One hundred percent of the housing project's units, exclusive
29 of any legally required manager's unit or units, are affordable to
30 households earning 80 percent or below of the area median
31 income, determined in accordance with Section 50093 of the Health
32 and Safety Code.

33 (B) The housing project consists of 25 units or less.

34 (C) The housing project is located in a county with a population
35 of 100,000 or less.

36 (D) With respect to the Community Economic Development
37 Program described in paragraph (2) of subdivision (a) only, the
38 housing project is for student or faculty housing.

39 (4) For purposes of this subdivision, "skilled and trained
40 workforce" has the same meaning as set forth in Chapter 2.9

1 *(commencing with Section 2600) of Part 1 of Division 2 of the*
2 *Public Contract Code.*

3 *(g) A project funded pursuant to either of the programs*
4 *described in subdivision (a) shall be considered a public work and*
5 *subject to the requirements of Chapter 1 (commencing with Section*
6 *1720) of Part 7 of Division 2 of the Labor Code, regardless of*
7 *whether an exemption under Section 1720 of the Labor Code*
8 *applies to the project.*

9 *SEC. 6. No reimbursement is required by this act pursuant to*
10 *Section 6 of Article XIII B of the California Constitution because*
11 *the only costs that may be incurred by a local agency or school*
12 *district will be incurred because this act creates a new crime or*
13 *infraction, eliminates a crime or infraction, or changes the penalty*
14 *for a crime or infraction, within the meaning of Section 17556 of*
15 *the Government Code, or changes the definition of a crime within*
16 *the meaning of Section 6 of Article XIII B of the California*
17 *Constitution.*

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**All matter omitted in this version of the bill
appears in the bill as amended in the
Senate, April 2, 2020. (JR11)**

O



SENATOR JIM BEALL, SENATOR MIKE MCGUIRE, AND SENATOR ANTHONY PORTANTINO

SB 795 Building Affordable and Inclusive Communities

Principle Coauthors: Senator Roth & Assemblymember Mullin

Coauthors: Senators Bradford, Caballero, Hueso, Wieckowski, and Wiener; Assemblymembers Gloria, Kalra, and Low

ISSUE

At the time of its dissolution in 2012, Redevelopment Agencies (RDA) were the largest single source of funding for affordable housing and spent over \$1 billion on its construction annually. This lost revenue, in addition to budget cuts at the federal level, created a significant gap in the construction and availability of affordable units.

The aim of this legislation is to thoughtfully tackle the housing crisis by responding to the needs of cities and counties. It will create desperately needed housing opportunities for hard-working Californians and also help alleviate poverty, create jobs, and meet our statewide environmental goals without affecting school funding.

BACKGROUND

California's housing crisis is staggering: 2.2 million extremely low-income and very low-income renter households are competing for only 664,000 affordable rental homes. This leaves more than 1.54 million of California's lowest-income households without access to housing. Furthermore, low-income families are forced to spend more of their income on rent, which leaves little else for other basic necessities. Many renters must postpone or forego homeownership, live in more crowded housing, commute further to work, or, in some cases, choose to live and work elsewhere. This also leaves low-income families more vulnerable to becoming homeless.

Historically, the Community Redevelopment Law (CRL) allowed local government to establish a redevelopment area and capture a portion of the increase in property taxes generated within the area (referred to as "tax increment") over a period of decades. The law required redevelopment agencies to deposit 20% of tax increment into a Low and Moderate Income Housing Fund (L&M fund) to be used to increase, improve, and

preserve the community's supply of low- and moderate-income housing available at an affordable-housing cost.

In 2011, the Legislature enacted legislation to dissolve RDA's in response to the Great Recession and a need to close a massive budget shortfall. The elimination of RDAs returned billions of dollars of property tax revenues to schools, cities, and counties to fund core services.

Since the elimination of RDAs, local governments and lawmakers have searched for ways to raise the capital needed to invest in public works projects including affordable housing.

A number of new laws have brought back some of the tools of RDAs to help combat our growing affordable housing crisis. Most notably is the establishment of Enhanced Infrastructure Finance Districts. These tools have not been widely used by local governments for many reasons including the need for local governments to opt-in and partner on IFDs and a lack of state financial support.

THIS BILL

This bill allows local governments to collaborate on state-approved redevelopment plans, which would be funded by reducing their contributions to local Education Revenue Augmentation Funds (ERAFs). Funding can be used for the following five purposes: (1) affordable housing, (2) transit-oriented development, (3) infill development, (4) revitalizing and restoring neighborhoods, and (5) planning for projects that mitigate the effects of climate change.

The funding mechanism will allow local governments that have opted-in and have an approved project plan to use local property tax. This bill will commit \$2 billion in ongoing state funding (ramping up from \$200 million over 9 years) and will ensure schools are held harmless to meet the Prop 98 guarantee.

At a minimum, 50% of the program's funding must be used to construct affordable housing. Of the 50% funds for affordable housing, a minimum of 80% must be used for low-income housing (below 80% AMI) and be consistent with the Low Income Housing Tax Credit program. The remaining 20% can be used for moderate-income housing (80% to 120% AMI). Provisions also ensure that housing is, and remains, affordable to renters.

The bill also creates a Sustainable Investment Incentive Committee to review and approve or disapprove proposed projects. The Committee will be comprised of individuals appointed by the Legislature and the Governor.

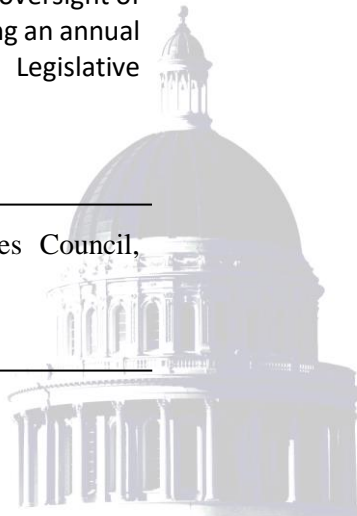
Each applicant that has received financing pursuant to the program for any fiscal year shall provide a report to the Committee. The Committee will provide oversight of the funds and will be responsible for providing an annual report on program outputs to the Joint Legislative Budget Committee.

SUPPORT

State Building and Construction Trades Council,
ALF-CIO (Sponsor)

FOR MORE INFORMATION

Sunshine Borelli
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SENATORS JIM BEALL, SENATOR MIKE MCGUIRE, AND SENATOR ANTHONY PORTANTINO

SB 795 Building Affordable and Inclusive Communities

Principle Coauthors: Senator Roth & Assemblymember Mullin

Coauthors: Senators Bradford, Caballero, Hueso, Wieckowski, and Wiener; Assemblymembers Gloria, Kalra, and Low

ISSUE

These unprecedented times call for urgent action to help protect our most vulnerable Californians. Keeping people in their homes and building more affordable housing must be at the top of our priority list.

COVID-19 illuminates what we already knew, there is a dramatic shortfall of over 1.5 million units of affordable housing in our state. With unemployment rates skyrocketing, more and more Californians are facing housing insecurity. While rent moratoriums provide a short-term reprieve, once they are lifted, an even greater number of families will be pushed into homelessness.

To make matters worse, housing production programs in California are almost entirely funded with bond revenue. According to HCD, there is only about \$2 billion in bond funds remaining.

SB 795 creates a sustainable state fund source, with the sole purpose of tackling the homeless and affordable housing crisis. The bill invests in existing programs to quickly get local government the funding they need to address and prevent homelessness and jumpstart the construction of affordable housing.

BACKGROUND

California's housing crisis is staggering: 2.2 million extremely low-income and very low-income renter households are competing for only 664,000 affordable rental homes. This leaves more than 1.54 million of California's lowest-income households without access to housing.

Furthermore, low-income families are forced to spend more of their income on rent, which leaves little else for other basic necessities. Many renters must postpone or forego homeownership, live in more crowded housing, commute further to work, or, in some cases, choose to live and work elsewhere. This also leaves low-income families more vulnerable to becoming homeless.

Despite significant multi-billion dollar, one-time investments as well as the establishment of penalties for negligent cities, California's homeless population rose again last year. Further, all recent reports indicate housing production is slowing and we are falling even further behind. What has been missing from these efforts is a sustainable state commitment to quickly build affordable housing units to keep up with demand.

Although a long-term investment in housing is difficult in today's fiscal climate, we can't continue to operate business as usual. We need a stimulus measure to boost our economy and get people back to work.

SB 795 invests in existing emergency housing programs to help those living on our streets as well as housing production programs that will generate high wage jobs.

THIS BILL

This bill invests \$2 billion annually for 5 years into the immediate construction of affordable housing units and programs that address and prevent homelessness. Additionally, the bill creates two new programs administered by the Office of Business and Economic Development Office (GoBiz) to help local governments with their economic recovery and natural disaster preparedness.

Of the \$2 billion, \$1.15 billion shall be used to construct affordable housing, spur economic development and create jobs through infrastructure and employment programs. Funds will be distributed as follows:

- Multi-family Rental Housing—\$500 million (25%) to the existing Multifamily Housing Program.
- Infill Incentive Grant Program-- \$300 (15%) million.
- Local Housing Trust Fund Matching Grant Program-- \$200 million (10%)
- Cal Home Program \$75 million (3.75%)
- Joe Serna, Jr. Farmworker Housing Grant Fund--\$75 million--(3.75%)

- Community Economic Development - \$95 million (4.75%)
- Climate/Sea Level Rise/Natural Disaster Fund - \$100 million--(5%)

The remaining funding, \$650 million is allocated to the Homeless Housing, Assistance and Prevention (HHAP) to support regional and local homelessness efforts.

Finally, the bill invests \$5 million a year to the California Workforce Development Board's regional pre-apprenticeship program to complete projects faster by increasing training and employment for unemployed and disadvantaged Californians ensuring our workforce keeps pace with our infrastructure needs.

Unlike prior iterations of SB 795, the most recent version does not rely on ERAF funds, ensuring schools are held harmless to meet the Prop 98 guarantee.

The bill relies on California's existing program guidelines to review and approve proposed applications.

SPONSOR

League of California Cities (Sponsor)

FOR MORE INFORMATION

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