

**SOLANO**  
**City-County Coordinating Council**

MEMBERS

Jack Batchelor  
Chair  
*City of Dixon*

Linda J. Seifert  
Vice Chair  
*Supervisor, Solano  
County, District 2*

Elizabeth Patterson  
*Mayor, City of Benicia*

Harry Price  
*Mayor, City of Fairfield*

Norm Richardson  
*Mayor, City of Rio Vista*

Pete Sanchez  
*Mayor, City of Suisun  
City*

Steve Hardy  
*Mayor, City of Vacaville*

Osby Davis  
*Mayor, City of Vallejo*

Erin Hannigan  
*Supervisor, Solano  
County, District 1*

Jim Sperring  
*Supervisor, Solano  
County, District 3*

John Vasquez  
*Supervisor, Solano  
County, District 4*

Skip Thomson  
*Supervisor, Solano  
County, District 5*

SUPPORT STAFF:

Birgitta Corsello  
*Solano County  
Administrator's Office*

Michelle Heppner  
*Solano County  
Administrator's Office*

Daryl Halls  
*Solano Transportation  
Authority*

Sean Quinn  
*City of Fairfield*

**AGENDA**

**January 10, 2013**

Location - Solano County Water Agency, Berryessa Room,  
810 Vaca Valley Parkway, Suite 203, Vacaville, CA.

**7:00 P.M. Meeting**

**PURPOSE STATEMENT – City County Coordinating Council**

“To discuss, coordinate, and resolve City/County issues including but not necessarily limited to land use, planning, duplication of services/improving efficiencies, as well as other agreed to topics of regional importance, to respond effectively to the actions of other levels of government, including the State and Federal government, to sponsor or support legislation at the State and Federal level that is of regional importance, and to sponsor or support regional activities that further the purpose of the Solano City-County Coordinating Council.”

*Time set forth on agenda is an estimate. Items may be heard before or after the times designated.*

**ITEM**

**AGENCY/STAFF**

**I. CALL TO ORDER (7:00 p.m.)**

Roll Call

**II. APPROVAL OF AGENDA (7:00 p.m.)**

**III. OPPORTUNITY FOR PUBLIC COMMENT (7:05 p.m.)**

Pursuant to the Brown Act, each public agency must provide the public with an opportunity to speak on any matter within the subject matter of the jurisdiction of the agency and which is not on the agency's agenda for that meeting. Comments are limited to no more than 5 minutes per speaker. By law, no action may be taken on any item raised during public comment period although informational answers to questions may be given and matter may be referred to staff for placement on future agenda.

This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the Americans with Disabilities Act of 1990 (42U.S.C.Sec12132) and the Ralph M. Brown Act (Cal.Govt.Code Sec.54954.2) Persons requesting a disability-related modification or accommodation should contact Jodene Nolan, 675 Texas Street, Suite 6500, Fairfield CA 94533 (707.784.6108) during regular business hours, at least 24 hours prior to the time of the meeting.

**IV. CONSENT CALENDAR**

- a. Approval of Minutes for December 13, 2012  
(Action Item)

Chair Batchelor

**V. DISCUSSION CALENDAR**

1. Update on Solano Community College and Measure Q Projects. (Oral Report)  
(7:10 p.m. – 7:30 p.m.)

Presenters: Dr. Jowel Laguerre,  
Solano Community College

2. Adopt a resolution approving the draft Solano Subregional Housing Allocation and methodology and direct staff to submit the resolution to the Association of Bay Area Governments (ABAG). (Action Item)  
(7:30 p.m. – 8:15 p.m.)

Presenters: Matthew Walsh, Solano County, Resource Management

3. Federal and State Legislative Update and Adopt the 2013 Legislative Platform for the City-County Coordinating Council. (Action Item)  
(8:15 p.m. – 8:45 p.m.)

Presenters: Michelle Heppner, Solano County Administrator's Office and Paul Yoder, Shaw, Yoder, Antwih, Inc.

## **VI. ANNOUNCEMENTS**

## **VII. CCCC CLOSING COMMENTS**

**ADJOURNMENT:** The next City-County Coordinating Council meeting is scheduled for March 14, 2013 at 7:00 p.m. at the Solano County Water Agency – Berryessa Room, 810 Vaca Valley Parkway, Suite 203, Vacaville, CA.

**CITY-COUNTY COORDINATING COUNCIL**  
**December 13, 2012 Meeting Minutes**

The December 13, 2012 meeting of the Solano City-County Coordinating Council was called to order at 7:00 p.m. in the Berryessa Room at the Solano County Water Agency located at 810 Vaca Valley Parkway, Ste 303, Vacaville, CA 95688.

**I Roll and Call to Order**

**Members Present**

Jack Batchelor, Chair	Mayor, City of Dixon
Steve Hardy, Vice-Chair	Mayor, City of Vacaville
Elizabeth Patterson	Mayor, City of Benicia
Catherine Moy (Alternative)	Council Member, City of Fairfield
Norm Richardson	Mayor, City of Rio Vista
Pete Sanchez	Mayor, City of Suisun
Osby Davis	Mayor, City of Vallejo
Linda Seifert	Solano County Board of Supervisors (District 2)
Jim Spering	Solano County Board of Supervisors (District 3)
John Vasquez	Solano County Board of Supervisors (District 4)
Mike Reagan,	Solano County Board of Supervisors (District 5)

**Members Absent:**

Barbara Kondylis	Solano County Board of Supervisors (District 1)
Harry Price	Mayor, City of Fairfield

**Staff to the City-County Coordinating Council Present:**

Birgitta Corsello	County Administrator, Solano County
Sean Quinn	City Manager, City of Fairfield
Daryl Halls,	Executive Director, Solano Transportation Authority
Michelle Heppner	Legislative, Intergovernmental, & Public Affairs Office, Solano County

**Other Staff Present**

David Okita	General Manager, Solano County Water Agency
Bill Emlen	Director, Dept. of Resource Management Solano County
Roberta Goulart	Delta Project, Solano County
Christina Arrostuto	Director, Solano First 5, Solano County

**I. Meeting Called to Order**

The meeting called to order at 7 pm.

## **II. Approval of Agenda**

*Motion to approve the Agenda was made by Mayor Hardy and seconded by Supervisor Spering. Agenda approved by 11-0 vote.*

## **III. Opportunity for Public Comment**

There were no public comments.

## **IV. Consent Calendar**

### **a. Approval of minutes for August 9, 2012**

*Motion to approve the August 9, 2012 minutes was made by Mayor Patterson and seconded by Mayor Hardy. Minutes approved by 11-0 vote.*

## **V. Discussion Calendar**

### **1. “Moving from Poverty toward Prosperity” – Solano Safety Net Summits on Poverty.**

Solano First 5 Director introduced Laura Escobar from United Way of the Bay Area and Kari Rader from Community Action Partnership Solano. She provided an overview of the “Moving from Poverty to Prosperity” project citing that approximately twenty four percent of children in Solano County are living in poverty, of which closer to fifty percent are under the age of five years. Ms. Arrostituto noted that the amount currently spent on social programs to deal with the impacts of poverty is more costly than the potential cost for intervention programs to alleviate poverty. Ms. Arrostituto noted that she serves on the planning group for United Way in the Bay Area that has set a goal to cut poverty in half by 2020. The Solano Safety Net Summit on Poverty was started to contribute to United Way’s effort by creating a roadmap with goals at the local level. The short-term goal is to match existing resources with current needs in the community (System Scan). The medium-term goal is to have an opportunity conference aimed at low-income and poverty-stricken individuals and families. The focus was on fighting poverty by the people who live in it and providing training on relationships across poverty by unraveling the shame and blame caused by poverty by connecting the community to “navigators” to help them navigate through the systems currently in place for the services they need. The long-term goal is to create a five-year plan with measurable results. Specifically, with a focus on education and jobs. A plan was developed that includes a fiscal approach, a policy approach, a program approach, and a safety net approach. This multi-plan approach was designed to align with United Way’s ten-year goal to cut poverty in half by 2020. Ms. Arrostituto reminded the group that the aim of the presentation was to pique the interest of the cities in Solano County to have the same presentation made to and have the respective City Councils endorse the roadmap to cut poverty in Solano County. She also noted that the Solano County Board of Supervisors has already endorsed the roadmap.

Mayor Patterson asked for clarification on the action of the City-County Coordinating Council. Chair Batchelor stated it was to receive the presentation and suggest staff make presentations at individual city councils. Mayor Patterson agreed to make a motion with the caveat that this item return to the CCCC as a consent item on the next agenda for formal action.

Following a lively discussion on poverty and matching existing resources to specific needs, *Mayor Patterson modified her motion to have this item brought back to the CCCC once heard by the various City Councils. Supervisor Spring seconded the motion. Motion approved by 11-0 vote.*

## **2. Update on Delta Water Issues.**

Bill Emlen and Roberta Goulart provided an update on Delta issues and the projects related to Solano County. Mr. Emlen noted that the next couple of years might see action of some of the Delta issues including the Bay Delta Conservation Plan (BDCP) and the Delta Plan. In particular, Mr. Emlen noted that the issues in the Delta not only affected the unincorporated areas of the County but most of the cities as well therefore the presentation to the CCCC is very timely. The attached presentation illustrates the update provided. Mr. Emlen noted that over the years the natural state of the Delta has been greatly altered. The proposals through the BDCP and Delta Plan attempt to restore some of the various aspects of the natural system however, the question is whether the habitat restoration that is being proposed compensate for the potential reduction or changes in flows that may occur. Mr. Emlen noted that the answers are not clear however the plans being proposed so far are making certain assumptions that could end up significantly impacting the County, particularly in terms of large acreage of viable farmland. Mr. Emlen also noted the various players in Delta and the differences in perspectives on the issues, in particular the Governor's push on the conveyance tunnel to shift water to Southern California. He urged that Solano County and its residents need to be concerned with water flow, water quality, potential loss of farmland, and adequate funds for restoration proposals. Also potential economic loss due to loss of agriculture.

Ms. Goulart provided an overview of the Delta Stewardship Council, which released its final draft of the Delta Plan at the end of November for public comment. The comment period extends through January 14, 2013. Solano County, along with other Delta counties are doing in-depth reviews of the Delta Plan. She noted that this is the eighth draft of the Delta Plan and Solano County has provided comments on the preceding seven drafts however, Solano County's previous comments have not been addressed. Ms. Goulart stated that Solano County's main concern in the final draft relates to regulations for covered actions. Covered actions relate to regulating land use in the Delta and will affect agriculture and preservation of farmlands. She further noted that the Delta Plan's ecosystem restoration does not account for agricultural preservation in the Delta. Similarly, the Delta Plan does not incorporate near-term actions, several of which were provided jointly by several agencies interested in the Delta issues.

On a positive note, Ms. Goulart noted recent progress on with respect to the conversion of agricultural lands to habitat, Solano County has received \$100k from state and federal contractors to study land use, do a base-line study in the Cache Slough region.

Mr. Emlen referred the CCCC to the Principles/Assurances document included in the staff report. One of the key provisions in the document is the no harm/net-benefit to the County as the result of all the efforts related to Delta issues.

**3. Approval of 2013 Calendar / Work Plan.**

Ms. Heppner presented the draft 2013 CCCC Work Plan and 2013 CCCC Meeting Calendar was presented to the CCCC on November 8, 2012 with the intention of being approved at the December 13, 2012 CCCC meeting. *Supervisor Seifert made a motion to approve the 2013 Work Plan and 2013 Calendar. The motion was seconded by Mayor Patterson. The 2013 Work Plan and 2013 Calendar was approved by a 11-0 vote.*

**VI. ANNOUNCEMENTS:**

Supervisor Reagan thanked the CCCC for the opportunity to work with them during his tenure on the Board.

Councilmember Moy, on behalf of the City of Fairfield, noted she was sad to see Supervisor Reagan leave office and thanked him for his service and dedication to the public. Mayor Richardson also thanked Supervisor Reagan on behalf of the City of Rio Vista.

**VII. ADJOURNMENT:**

The meeting was adjourned at 8:19 p.m. The next meeting will be March 14, 2013 in the Berryessa Room at the Solano County Water Agency located at 810 Vaca Valley Parkway, Ste 303, Vacaville, CA 95688.

**SOLANO  
City County Coordinating Council  
Staff Report**

**Meeting of: January 10, 2013  
Agenda Item No: V.2**

**Agency/Staff: Matt Walsh, Solano County**

**Title /Subject:** Adopt a resolution approving the draft Solano Subregional Housing Allocation and methodology and direct staff to submit the resolution to the Association of Bay Area Governments (ABAG).

**Background:**

Under State Housing Element law, the Regional Housing Needs Allocation (RHNA) process is the procedure for allocating a “fair share” of housing units, in all income categories, to each city and county in California, including the Bay Area. Under State law, the Association of Bay Area Governments (ABAG) is responsible for formulating the methodology and allocating the housing units to each jurisdiction. The RHNA planning period has historically addressed a 7 year planning period, however, as referenced below, the next RHNA cycle will be for an 8 year planning period.

As the 4Cs are aware, Solano County agencies have formed a Subregion, which is also provided for under State law. Formation of a subregion provides for more control and cooperation in housing allocation at the local level. Under the RHNA process, a subregion is allocated a total number of units, and the subregion itself must develop its own internal methodology for distributing those units among its agencies. The methodology must comply with both California housing law and with the Sustainable Communities Strategy (SCS) which promotes the development of housing in employment and transit based areas. Once the allocation is final, each agency must then update its Housing Element to incorporate those units into its next planning period for the years 2014 – 2022.

**Discussion:**

On July 19, 2012, the ABAG Executive Board adopted the final methodology and released its draft allocation based on that methodology. The allocation to the Solano subregion is 6,977 total housing units. This figure is based on the percentage of growth of the County as identified in the Sustainable Communities Strategy (SCS) Jobs Housing Connection Strategy. The Subregion received the equivalent proportion of the Bay Area’s RHND allocation as its growth percentage in the SCS (approximately 3.7%). By way of comparison, the total allocation to Solano County and its cities in the last planning period (2007-2014) was 12,985 housing units.

The Subregion has formed a Working Group, made up of staff representatives and Planning Directors of each local agency. The Working Group and its consultant David Early have met

several times to discuss and decide upon the Subregion's internal methodology for distributing the 6,977 housing unit allocation among the agencies, including each agency's share based on income category. Each jurisdiction agreed to the tentative numbers, but recognized at the time that the allocation could still be adjusted among the agencies as needed.

In October, the agreed upon draft allocation was published, which provided for a 60 day public comment period and period for which agencies could request a change to their allocation. This comment period ended on December 17, 2012. No written public comments were submitted. The only adjustment to the allocation based on agency requests is for Suisun City to accept an additional 50 units from Fairfield's allocation. Both cities agreed to this request. The allocation attached to the Resolution reflects this "transfer".

State statute provides an opportunity for a local agency to appeal, if the Subregional authority (the 4Cs) does not approve or accommodate the agency's request for an adjustment to the allocation. For the Solano Subregion, this does not appear to apply as the only adjustment requested is a mutually agreed upon "transfer" of units between the Cities of Fairfield and Suisun City. Once adopted, and with no appeal, the executed resolution will be forwarded to ABAG. ABAG staff will then review the resolution and Subregional allocation to confirm consistency with the SCS. Assuming that ABAG staff does not identify a problem with the allocation, the Subregional allocation will be formally acted on and approved by the ABAG Executive Board in April 2013. Once adopted and finalized by ABAG, local agencies will then be expected to incorporate their allocations into their respective General Plan Housing Elements. The deadline for Housing Element updates is currently set for December 2014.

Attachment B contains resolutions adopted by the County and each of its cities. These resolutions reflect individual agency's support of the 4Cs submission of the resolution to ABAG.

**Recommendation: Adopt a resolution approving the draft Solano Subregional Housing Allocation and methodology and direct staff to submit the resolution to the Association of Bay Area Governments (ABAG).**

Attachments:

Attachment A: Resolution to ABAG with Draft Subregional Housing Allocation

Attachment B: Resolutions of Support from each Agency in the Solano Subregion



**RESOLUTION OF THE SOLANO COUNTY CITY COUNTY COORDINATING COUNCIL (4C's)  
APPROVING THE SOLANO COUNTY SUB-REGIONAL HOUSING ALLOCATION AND  
DIRECTING ITS SUBMITTAL TO THE ASSOCIATION OF BAY AREA GOVERNMENTS  
(ABAG)**

WHEREAS, in March 2011, the cities of Solano County and the County of Solano all agreed to form a "Subregion" for the purpose of allocating the Solano County's subregional housing need ("SubRHNA") among its member jurisdictions for the 2014 to 2022 Housing Element cycle, as allowed by section 65584.03 of the Government Code; and

WHEREAS, the cities and the County further designated the Solano County City-County Coordinating Council (the "4 C's") to act as a subregional entity to represent them in this effort; and

WHEREAS, the Association of Bay Area Governments ("ABAG") has determined the methodology by which it will assign housing allocations to cities and subregions in the San Francisco Bay Area for the 2014 to 2022 Housing Element Cycle and has published a draft allocation based on this methodology, which assigns 6,977 housing units to Solano County as a whole; and

WHEREAS, the 4C's published a draft subregional housing allocation methodology and an estimate of the number of housing units that will be assigned to each of the County's cities and to unincorporated Solano County on October 19, 2012; and

WHEREAS, after the draft methodology and allocations were published, the City of Suisun City further agreed to accept an additional 50 housing units, which are to be deducted from the City of Fairfield's allocation. No other changes to the draft methodology and allocations were made or proposed by any other city or the County; and

WHEREAS, the seven Cities in the County and the County itself have all passed resolutions accepting the draft methodology and allocations and supporting the 4C's submittal of the methodology and the allocations to ABAG; and

WHEREAS, the proposed methodology uses factors described in section 65584.04 of the Government Code; and

WHEREAS, the Subregional RHNA incorporates the land use pattern identified in the draft Preferred Scenario of the Sustainable Communities Strategy (entitled the *Jobs-Housing Connection Strategy*) adopted by ABAG and MTC on May 17, 2012; and

WHEREAS, the RHNA for each jurisdiction in the Subregion is consistent with the number of housing units assigned to the jurisdiction in the *Jobs-Housing Connection Strategy* for the RHNA period of 2014-2022; and

WHEREAS, the Subregional RHNA allocates by jurisdiction and the *Jobs-Housing Connection Strategy* development pattern envisions growth at a sub-jurisdictional level based on locally-identified areas for growth (known as Priority Development Areas), there is a reasonable expectation a jurisdiction with adopted PDAs will plan for a significant portion of its RHNA in the PDAs;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Subregion's RHNA is consistent with the Jobs-Housing Connection Strategy of the Sustainable Communities Strategy for the San Francisco Bay Area, as required by California Government Code Section 65584.04(i)(3), and that
  
2. The Solano County City-County Coordinating Council (4C's) hereby authorizes Solano County Planning staff to submit the proposed methodology for allocating the Solano County Subregion's housing need and the resulting estimate of subregional housing allocations, attached to this resolution, to ABAG on behalf of the cities of Solano County and the County of Solano.

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Passed and adopted by the Solano County City-County Coordinating Council on January 10, 2013, by the following vote:

AYES:	
NOES:	
EXCUSED:	

\_\_\_\_\_  
Linda Seifert, Chair  
Solano County City-County Coordinating Council

ATTEST:  
Birgitta Corsello, Clerk

By: \_\_\_\_\_

Attachments  
Exhibit A: Draft Allocation  
Exhibit B: Draft Methodology

**Exhibit A**  
**Solano Subregional Housing Allocation**

Jurisdiction	Income Distribution				Regional Housing Needs Allocation				
	Very Low	Low	Mod	Above Mod	Very Low	Low	Mod	Above Mod	Total
Benicia	28.7%	16.5%	17.1%	37.6%	94	54	56	123	<b>327</b>
Dixon	25.3%	12.1%	15.2%	47.2%	50	24	30	93	<b>197</b>
Fairfield	24.6%	12.9%	14.7%	47.6%	779	404	456	1,461	<b>3,100</b>
Rio Vista	15.1%	12.1%	16.1%	56.5%	45	36	48	170	<b>299</b>
Suisun City	29.5%	11.2%	11.5%	47.6%	147	57	60	241	<b>505</b>
Vacaville	26.4%	12.3%	15.9%	45.2%	287	134	173	490	<b>1,084</b>
Vallejo	20.7%	13.0%	15.4%	50.6%	283	178	211	690	<b>1,362</b>
County	25.3%	14.2%	19.0%	41.2%	26	15	19	43	<b>103</b>
<b>Subregion Total</b>					<b>1,711</b>	<b>902</b>	<b>1,053</b>	<b>3,311</b>	<b>6,977</b>

## Exhibit B

### **Solano County Subregional Housing Allocation Methodology For the 2014 – 2022 Planning Period**

The Solano County Subregion's methodology for assigning both total numbers of units to each jurisdiction in the County and for assigning units in each income category will be based largely on the methodologies employed for the same purposes by the Association of Bay Area Governments (ABAG) in the Bay Area as a whole. These methodologies are summarized below. More information about ABAG's methodologies can be found at [http://www.abag.ca.gov/planning/housingneeds/pdfs/methodology/RHNA\\_Update\\_Letter\\_7-30-12.pdf](http://www.abag.ca.gov/planning/housingneeds/pdfs/methodology/RHNA_Update_Letter_7-30-12.pdf).

#### **Allocation of Total Unit Counts**

To assign the total number of units to each jurisdiction, the Subregion will use the same methodology that ABAG proposes to use to assign units to jurisdictions that are outside of subregions. This methodology takes into account the presence of Priority Development Areas (PDAs) within a jurisdiction, each jurisdiction's ratio of projected PDA growth to household formation growth, past RHNA performance, local employment and proximity to transit.

Once allocations are calculated using the ABAG methodology, the Subregion will make minor reallocations of units among the jurisdictions as may be seen as appropriate by the jurisdictions themselves, in light of the following two principles: 1) Units should be assigned among the Subregion's jurisdictions so as to reflect the mutually agreed-upon potential for housing development within each jurisdiction, and 2) the method by which the Solano Transportation Authority (STA), acting on behalf of the Subregion's jurisdictions, allocates transportation and other funding under the One Bay Area Grant (OBAG) program should ensure equitable distribution of funds to each of the Subregion's jurisdictions in a way that takes into account both the subregional housing allocation and the need for each jurisdiction to receive a share of OBAG funds.

#### **Allocation Among Income Categories**

Once the overall count of units is assigned to each jurisdiction, the Subregion will assign units by income category to each jurisdiction using the same method used by ABAG for the region. Under this methodology, each jurisdiction will receive a proportion of units in each income category that reflects the proportion of units in that income category that currently exists in the jurisdiction, adjusted by 175% of the difference between the proportion of units in that category that exists in the jurisdiction and the proportion of units in that category that exists in the Bay Area as a whole.

Using this methodology, rounding may result in a total allocation for the Subregion within each income category that differs from the income allocations in each category that ABAG assigns to the Subregion. If this occurs, the income allocations will be modified as necessary so as to reassign units in each category in the most equitable manner possible while still achieving the total income allocations assigned by ABAG to the Subregion.

## RESOLUTION NO. 2012 - 246

### RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS SUPPORTING THE SOLANO COUNTY CITY-COUNTY COORDINATING COUNCIL'S SUBMISSION OF THE SOLANO COUNTY SUB-REGIONAL HOUSING ALLOCATION TO THE ASSOCIATION OF BAY AREA GOVERNMENTS ON BEHALF OF THE COUNTY OF SOLANO AND TO MAKE FINAL ALLOCATIONS OF THE SUB- REGIONAL HOUSING ALLOCATION TO THE COUNTY

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WHEREAS, in March 2011, the County of Solano and the seven cities within Solano County designated the Solano County City-County Coordinating Council (the "4C's") to act as a subregional entity for the purpose of allocating the Solano County Subregion's housing need ("SubRHNA") among its member jurisdictions for the 2014 to 2022 Housing Element cycle, as allowed by section 65584.03 of the Government Code; and

WHEREAS, the Association of Bay Area Governments ("ABAG") has determined the methodology by which it will assign housing allocations to cities and subregions in the San Francisco Bay Area for the 2014 to 2022 Housing Element cycle and has published a draft allocation based on this methodology; and

WHEREAS, ABAG requires that a single entity submit to it the Subregion's draft methodology for allocating housing need within the region; and

WHEREAS, the 4C's published a draft subregional housing allocation methodology and an estimate of the number of housing units that will be assigned to the County of Solano and the seven cities in the County on October 19, 2012; and

WHEREAS, the proposed methodology uses factors described in section 65584.04 of the Government Code;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Solano as follows:

1. The County of Solano hereby supports the Solano County City-County Coordinating Council (4C's) submission of the proposed methodology for allocating the Solano County Subregion's housing need and the resulting estimate of subregional housing allocations dated October 19, 2012 to ABAG on behalf of the County and in conjunction with the seven cities within Solano County.
2. The County of Solano further supports 4C's in making a final assignment of a portion of the subregional housing need to it, provided that such assignment is based on the proposed allocation methodology and the estimates published on October 19, 2012, with additional minor reallocations of units among the jurisdictions as the 4C's may deem appropriate, provided that such minor reallocations are consistent with the allocation methodology.

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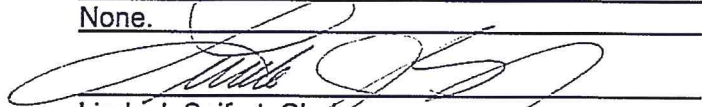
Passed and adopted by the Solano County Board of Supervisors on December 4, 2012, by the following vote:

AYES: Supervisors  
NOES: Supervisors  
EXCUSED: Supervisors

Kondylis, Reagan, Spering, Vasquez, and  
Chair Seifert.

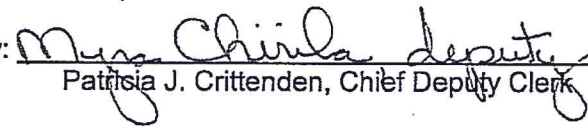
None.

None.



Linda J. Seifert, Chair  
Solano County Board of Supervisors

ATTEST:  
Birgitta Corsello, Clerk  
Board of Supervisors

By:   
Patricia J. Crittenden, Chief Deputy Clerk

**RESOLUTION NO. 12-150**

**A RESOLUTION OF THE BENICIA CITY COUNCIL AUTHORIZING THE SOLANO COUNTY CITY-COUNTY COORDINATING COUNCIL TO SUBMIT THE SOLANO COUNTY SUB-REGIONAL HOUSING ALLOCATION TO THE ASSOCIATION OF BAY AREA GOVERNMENTS ON BEHALF OF THE CITY OF BENICIA AND TO MAKE FINAL ALLOCATIONS OF THE SUB-REGIONAL HOUSING ALLOCATION TO THE CITY OF BENICIA**

**WHEREAS**, in March 2011, the City of Benicia, the County of Solano and the remaining six cities within Solano County designated the Solano County City-County Coordinating Council (the "4 C's") to act as a subregional entity for the purpose of allocating the Solano County Subregion's housing need ("SubRHNA") among its member jurisdictions for the 2014 to 2020 Housing Element cycle, as allowed by section 65584.03 of the Government Code; and

**WHEREAS**, the Association of Bay Area Governments ("ABAG") has determined the methodology by which it will assign housing allocations to cities and subregions in the San Francisco Bay Area for the 2014 to 2020 Housing Element Cycle and has published a draft allocation based on this methodology; and

**WHEREAS**, ABAG requires that a single entity submit to it the Subregion's draft methodology for allocating housing need within the region; and

**WHEREAS**, the 4C's published a draft subregional housing allocation methodology and an estimate of the number of housing units that will be assigned to the City of Benicia, unincorporated Solano County and the remaining six cities in the County on October 19, 2012; and

**WHEREAS**, the proposed methodology uses factors described in section 65584.04 of the Government Code.

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council of the City of Benicia hereby authorizes the Solano County City-County Coordinating Council (4C's) to submit the proposed methodology for allocating the Solano County Subregion's housing need and the resulting estimate of subregional housing allocations dated October 19, 2012 to ABAG on behalf of the City and in conjunction with the County of Solano and the other cities of Solano County.

**BE IT FURTHER RESOLVED THAT** the City Council of the City of Benicia further authorizes 4C's to make a final assignment of a portion of the subregional housing need to it, provided that such assignment is based on the proposed allocation methodology and the estimates published on October 19, 2012, with additional minor reallocations of units among the jurisdictions as the 4C's may deem appropriate, provided that such minor reallocations are consistent with the allocation methodology.

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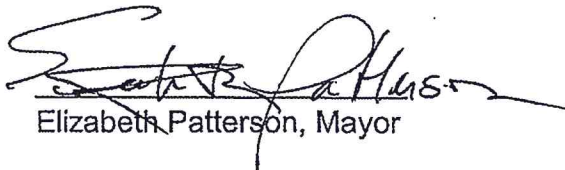
On motion of Council Member **Schwartzman**, seconded by Council Member **Campbell**, the above Resolution was adopted by the City Council of the City of Benicia at a regular meeting of said Council held on the 20<sup>th</sup> day of November, 2012 and adopted by the following vote:

**Ayes: Council Members Campbell, Hughes, Schwartzman, Strawbridge and Mayor Patterson**

**Noes: None**

**Absent: None**

**Abstain: None**



Elizabeth Patterson, Mayor



Lisa Wolfe, City Clerk



**RESOLUTION NO. 12-136**

**RESOLUTION SUPPORTING THE SOLANO COUNTY CITY-COUNTY  
COORDINATING COUNCIL (THE 4C'S) TO SUBMIT THE  
SOLANO COUNTY SUB-REGIONAL HOUSING ALLOCATION  
TO THE ASSOCIATION OF BAY AREA GOVERNMENTS ON BEHALF OF  
THE CITY OF DIXON AND TO MAKE FINAL ALLOCATIONS OF THE SUB-  
REGIONAL HOUSING ALLOCATION TO THE CITY**

**WHEREAS**, in March 2011, the City of Dixon, the County of Solano and the remaining six cities within Solano County designated the Solano County City-County Coordinating Council (the "4 C's") to act as a subregional entity for the purpose of allocating the Solano County Subregion's housing need ("SubRHNA") among its member jurisdictions for the 2014 to 2022 Housing Element cycle, as allowed by section 65584.03 of the Government Code; and

**WHEREAS**, the Association of Bay Area Governments ("ABAG") has determined the methodology by which it will assign housing allocations to cities and subregions in the San Francisco Bay Area for the 2014 to 2022 Housing Element Cycle and has published a draft allocation based on this methodology; and

**WHEREAS**, ABAG requires that a single entity submit to it the Subregion's draft methodology for allocating housing need within the region; and

**WHEREAS**, the 4C's published a draft subregional housing allocation methodology and an estimate of the number of housing units that will be assigned to the City of Dixon, unincorporated Solano County and the remaining six cities in the County on October 19, 2012; and

**WHEREAS**, the proposed methodology uses factors described in section 65584.04 of the Government Code;

**NOW, THEREFORE, BE IT RESOLVED THAT** the City of Dixon hereby supports the Solano County City-County Coordinating Council (4C's) to submit the proposed methodology for allocating the Solano County Subregion's housing need and the resulting estimate of subregional housing allocations dated October 19, 2012 to ABAG on behalf of the City and in conjunction with the County of Solano and the other cities of Solano County.

**BE IT FURTHER ESOLVED THAT** the City of Dixon consents to the 4C's making a final assignment of a portion of the subregional housing need to it, provided that such assignment is based on the proposed allocation methodology and the estimates published on October 19, 2012, with additional minor reallocations of units among the jurisdictions as the 4C's may deem appropriate,

provided that such minor reallocations are consistent with the allocation methodology.

**PASSED AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF DIXON ON THE 13th DAY OF NOVEMBER, 2012, BY THE FOLLOWING VOTE:**

**AYES:** Besneatte, Fuller, Batchelor

**NOES:** Bogue, Ceremello

**ABSTAIN:** None

**ABSENT:** None

  
\_\_\_\_\_  
Jack Batchelor  
Mayor

**Attest:**

  
\_\_\_\_\_  
Steve Johnson - Deputy  
Acting City Clerk

**RESOLUTION NO.:** 12-136  
**DATE:** NOV 13 2012

CITY OF FAIRFIELD

RESOLUTION NO. 2012 - 245

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIRFIELD SUPPORTING  
THE SOLANO COUNTY CITY-COUNTY COORDINATING COUNCIL (4C'S)  
SUBMITTAL OF THE SOLANO COUNTY SUBAREA HOUSING ALLOCATION TO  
THE ASSOCIATION OF BAY AREA GOVERNMENTS ON BEHALF OF THE CITY OF  
FAIRFIELD AND TO MAKE FINAL ALLOCATIONS OF THE SUBAREA HOUSING  
ALLOCATION TO THE CITY**

**WHEREAS**, in March 2011, the City of Fairfield, the County of Solano and the remaining six cities within Solano County designated the Solano County City-County Coordinating Council (the "4C's") to act as a sub-regional entity for the purpose of allocating the Solano County Sub-region's housing need ("SubRHNA") among its member jurisdictions for the 2014 to 2020 Housing Element cycle, as allowed by Section 65584.03 of the Government Code; and

**WHEREAS**, the Association of Bay Area Governments ("ABAG") has determined the methodology by which it will assign housing allocations to cities and sub-regions in the San Francisco Bay Area for the 2014 to 2020 Housing Element cycle and has published a draft allocation based on this methodology; and

**WHEREAS**, ABAG requires that a single entity submit to it the sub-region's draft methodology for allocating housing need within the region; and

**WHEREAS**, the 4C's published a draft sub-regional housing allocation methodology and an estimate of the number of housing units that will be assigned to the City of Fairfield, unincorporated Solano County and the remaining six cities in the County on October 19, 2012, and it is attached hereto as Exhibit "A"; and

**WHEREAS**, the proposed methodology uses the required factors described in Section 65584.04 of the Government Code.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF FAIRFIELD HEREBY  
RESOLVES:**

Section 1. The City of Fairfield hereby supports the submittal by the Solano County City-County Coordinating Council (4C's) of the proposed methodology for allocating the Solano County Sub-region's housing need and the resulting estimate of sub-regional housing allocations dated October 19, 2012 to ABAG on behalf of the City and in conjunction with the County of Solano and the other cities of Solano County.

Section 2. The City of Fairfield further supports the 4C's final assignment of a portion of the sub-regional housing need to it, provided that such assignment is based on the proposed allocation methodology and the estimates published on October 19, 2012, with additional minor reallocations of units among the jurisdictions as the 4C's may deem appropriate, provided that such minor reallocations are consistent with the allocation methodology.

**PASSED AND ADOPTED** this 20th day of November, 2012, by the following vote:

AYES:	COUNCILMEMBERS:	<u>Price/Vaccaro/<del>2500</del>/Moy/Mraz</u>
NOES:	COUNCILMEMBERS:	<u>None</u>
ABSENT:	COUNCILMEMBERS:	<u>Bertani</u>
ABSTAIN:	COUNCILMEMBERS:	<u>None</u>

Nancy P. Price  
MAYOR

ATTEST:

Jaudia Archer, Deputy  
CITY CLERK

## EXHIBIT "A"

Jurisdiction	Very Low	Low	Moderate	Above Moderate	Total RHNA Units	% of County Total	Jan 1 2012 Population	% of County Total	Jan 1 2012 HOUSEHOLD population	% of County Total
Benicia	94	54	56	123	327	4.7%	26,919	6.5%	26,893	6.7%
Dixon	50	24	30	93	197	2.8%	18,282	4.4%	18,281	4.5%
Fairfield	861	451	514	1,664	3,150	45.1%	106,379	25.7%	103,958	25.9%
Rio Vista	15	12	16	56	299	4.3%	7,418	1.8%	7,415	1.8%
Suisun City	105	40	41	169	455	6.5%	27,978	6.8%	27,934	6.9%
Vacaville	287	134	173	490	1,084	15.5%	92,092	22.3%	84,886	21.1%
Vallejo	283	178	211	690	1,362	19.5%	<u>115,928</u>	28.0%	114,032	28.4%
County	16	9	12	26	103	1.5%	18,790	4.5%	18,579	4.6%
<b>TOTAL</b>	<b>1,711</b>	<b>902</b>	<b>1,053</b>	<b>3,311</b>	<b>6,977</b>		<b>413,786</b>		<b>401,978</b>	

**RESOLUTION NO. 2012-110**

**RESOLUTION OF THE CITY COUNCIL RIO VISTA AUTHORIZING THE SOLANO COUNTY CITY-COUNTY COORDINATING COUNCIL TO SUBMIT THE SOLANO COUNTY SUB-REGIONAL HOUSING ALLOCATION TO THE ASSOCIATION OF BAY AREA GOVERNMENTS ON BEHALF OF THE CITY OF RIO VISTA AND TO MAKE FINAL ALLOCATIONS OF THE SUB-REGIONAL HOUSING ALLOCATION TO THE CITY**

**WHEREAS**, in March 2011, the City of Rio Vista, the County of Solano and the remaining six cities within Solano County designated the Solano County City-County Coordinating Council (the "4 C's") to act as a subregional entity for the purpose of allocating the Solano County Subregion's housing need ("SubRHNA") among its member jurisdictions for the 2014 to 2022 Housing Element cycle, as allowed by section 65584.03 of the Government Code; and

**WHEREAS**, the Association of Bay Area Governments ("ABAG") has determined the methodology by which it will assign housing allocations to cities and subregions in the San Francisco Bay Area for the 2014 to 2022 Housing Element Cycle and has published a draft allocation based on this methodology; and

**WHEREAS**, ABAG requires that a single entity submit to it the Subregion's draft methodology for allocating housing need within the region; and

**WHEREAS**, the 4C's published a draft subregional housing allocation methodology and an estimate of the number of housing units that will be assigned to the City of Rio Vista, unincorporated Solano County and the remaining six cities in the County on October 19, 2012; and

**WHEREAS**, the proposed methodology uses factors described in section 65584.04 of the Government Code;

**NOW, THEREFORE, BE IT RESOLVED THAT:**

The City of Rio Vista hereby authorizes the Solano County City-County Coordinating Council (4C's) to submit the proposed methodology for allocating the Solano County Subregion's housing need and the resulting estimate of subregional housing allocations dated October 19, 2012 to ABAG on behalf of the City and in conjunction with the County of Solano and the other cities of Solano County.


The City of Rio Vista further authorizes 4C's to make a final assignment of a portion of the subregional housing need to it, provided that such assignment is based on the proposed allocation methodology and the estimates published on October 19, 2012, with additional minor reallocations of units among the

jurisdictions as the 4C's may deem appropriate, provided that such minor reallocations are consistent with the allocation methodology.

**PASSED, ADOPTED AND APPROVED** this 15<sup>th</sup> day of **November 2012** by the following roll call vote:

**AYES:** Councilmembers Boulware, Kubli, Norman, Vice Mayor Krebs & Mayor Vick  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

**ATTEST:**

  
\_\_\_\_\_  
Anna Olea-Moger, CMC, City Clerk

- Attachment 1. Draft Regional Housing Needs Allocation Solano County Subregion (SubRHNA)
- Attachment 2. Solano County Subregional Housing Allocation Methodology for the 2014- 2022 Planning Period

MEMBERS

Mike Reagan  
Chair  
*Supervisor, District 5*

Jack Batchelor  
Vice Chair  
*City of Dixon*

Elizabeth Patterson  
*City of Benicia*

Harry Price  
*City of Fairfield*

Jan Vick  
*City of Rio Vista*

Pete Sanchez  
*City of Suisun City*

Steve Hardy  
*City of Vacaville*

Osby Davis  
*City of Vallejo*

Barbara Kondylis  
*Supervisor District 1*

Linda Seifert  
*Supervisor District 2*

Jim Spering  
*Supervisor District 3*

John Vasquez  
*Supervisor District 4*

SUPPORT STAFF:

Birgitta Corsello  
*Solano County  
Administrator's Office*

Nancy Huston  
*Solano County  
Administrator's Office*

Daryl Halls  
*Solano Transportation  
Authority*

Sean Quinn  
*City of Fairfield*

**SOLANO**  
**City-County Coordinating Council**

**NOTICE OF PUBLIC COMMENT PERIOD**  
**DRAFT REGIONAL HOUSING NEEDS ALLOCATION**  
**SOLANO COUNTY SUBREGION (SubRHNA)**

In March 2011, the County of Solano and all of the seven cities within Solano County designated the Solano County City-County Coordinating Council (the "4 C's") to act as a subregional entity for the purpose of allocation of the Solano County Subregion's existing and projected need for housing ("SubRHNA") among its member jurisdictions, as allowed by section 65584.03 of the Government Code. The Association of Bay Area Governments ("ABAG") has determined the share of regional housing need assigned to the Solano County Subregion, and the 4C's is now responsible for fully allocating the Solano County Subregion's share of the regional housing need to the County and the seven cities.

The 4C's has developed a proposed methodology for distributing the SubRHNA to the County of Solano and the seven cities within Solano County, using the factors described in section 65584.04 of the Government Code. Under this proposed methodology and in accordance with section 65584.05 of the Government Code, the 4C's has developed a draft allocation of regional housing needs to each local government within the Solano County Subregion, as follows:

Jurisdiction	Income Distribution				Regional Housing Needs Allocation				
	Very Low	Low	Mod	Above Mod	Very Low	Low	Mod	Above Mod	Total
Benicia	28.7%	16.5%	17.1%	37.6%	94	54	56	123	327
Dixon	25.3%	12.1%	15.2%	47.2%	50	24	30	93	197
Fairfield	24.6%	12.9%	14.7%	47.6%	791	410	463	1,486	3,150
Rio Vista	15.1%	12.1%	16.1%	56.5%	45	36	48	170	299
Suisun City	29.5%	11.2%	11.5%	47.6%	135	51	53	216	455
Vacaville	26.4%	12.3%	15.9%	45.2%	287	134	173	490	1,084
Vallejo	20.7%	13.0%	15.4%	50.6%	283	178	211	690	1,362
County	25.3%	14.2%	19.0%	41.2%	26	15	19	43	103
<b>Subregion Total</b>					<b>1,711</b>	<b>902</b>	<b>1,053</b>	<b>3,311</b>	<b>6,977</b>

Note: The allocation of housing units shown above is in draft form at this time. The allocation could change as a result of comments received, the statutory appeal process, or other adjustments by ABAG prior to its final adoption of the RHNA, anticipated for May 2013.



The 4C's is soliciting public comments on the Subregion's proposed methodology and draft allocation. The 4C's will accept comments at a public meeting at 7pm on Thursday November 8, 2012, at the following location:

Solano County Water Agency – Berryessa Room  
810 Vaca Valley Parkway, Ste. 203  
Vacaville, CA 95688

In addition, written comments may be mailed or delivered to the following address:

Matt Walsh, Principal Planner  
675 Texas Street, Ste. 5500  
Fairfield, CA 94533  
[MWalsh@solanocounty.com](mailto:MWalsh@solanocounty.com)

All comments must be received by 5:00 p.m. on \_\_\_\_\_; a postmark will not be accepted. Information about the proposed methodology, underlying data and assumptions, and the factors incorporated into the proposed methodology, may be obtained by contacting Mr. Walsh at the above address.

**Attachment 2**  
**Solano County SubRHNA**  
**Rio Vista City Council Meeting of November 15, 2012**

**Solano County Subregional Housing Allocation Methodology**  
**For the 2014 – 2022 Planning Period**

The Solano County Subregion's methodology for assigning both total numbers of units to each jurisdiction in the County and for assigning units in each income category will be based largely on the methodologies employed for the same purposes by the Association of Bay Area Governments (ABAG) in the Bay Area as a whole. These methodologies are summarized below. More information about ABAG's methodologies can be found at [http://www.abag.ca.gov/planning/housingneeds/pdfs/methodology/RHNA\\_Update\\_Letter\\_7-30-12.pdf](http://www.abag.ca.gov/planning/housingneeds/pdfs/methodology/RHNA_Update_Letter_7-30-12.pdf).

**Allocation of Total Unit Counts**

To assign the total number of units to each jurisdiction, the Subregion will use the same methodology that ABAG proposes to use to assign units to jurisdictions that are outside of subregions. This methodology takes into account the presence of Priority Development Areas (PDAs) within a jurisdiction, each jurisdiction's ratio of projected PDA growth to household formation growth, past RHNA performance, local employment and proximity to transit.

Once allocations are calculated using the ABAG methodology, the Subregion will make minor reallocations of units among the jurisdictions as may be seen as appropriate by the jurisdictions themselves, in light of the following two principles: 1) Units should be assigned among the Subregion's jurisdictions so as to reflect the mutually agreed-upon potential for housing development within each jurisdiction, and 2) the method by which the Solano Transportation Authority (STA), acting on behalf of the Subregion's jurisdictions, allocates transportation and other funding under the One Bay Area Grant (OBAG) program should ensure equitable distribution of funds to each of the Subregion's jurisdictions in a way that takes into account both the subregional housing allocation and the need for each jurisdiction to receive a share of OBAG funds.

**Allocation Among Income Categories**

Once the overall count of units is assigned to each jurisdiction, the Subregion will assign units by income category to each jurisdiction using the same method used by ABAG for the region. Under this methodology, each jurisdiction will receive a proportion of units in each income category that reflects the proportion of units in that income category that currently exists in the jurisdiction, adjusted by 175% of the difference between the proportion of units in that category that exists in the jurisdiction and the proportion of units in that category that exists in the Bay Area as a whole.

Using this methodology, rounding may result in a total allocation for the Subregion within each income category that differs from the income allocations in each category that ABAG assigns to the Subregion. If this occurs, the income allocations will be modified as necessary so as to reassign units in each category in the most equitable manner possible while still achieving the total income allocations assigned by ABAG to the Subregion.

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**RESOLUTION NO. 2012-99**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY  
SUPPORTING THE SOLANO COUNTY CITY-COUNTY COORDINATING  
COUNCIL'S SUBMISSION OF THE SOLANO COUNTY SUBREGIONAL  
HOUSING ALLOCATION TO THE ASSOCIATION OF BAY AREA  
GOVERNMENTS ON BEHALF OF THE COUNTY OF SOLANO AND THE  
DETERMINATION AND ASSIGNMENT OF FINAL ALLOCATIONS OF THE  
SUBREGIONAL HOUSING ALLOCATIONS WITHIN SOLANO COUNTY**

**WHEREAS**, in March 2011, the City of Suisun City, the County of Solano, and the remaining six cities within Solano County designated the Solano County City-County Coordinating Council (4C's) to act as a subregional entity for the purpose of allocating the Solano County Subregion's housing needs (SubRHNA) among its member jurisdictions for the 2014 to 2020 Housing Element cycle, as allowed by section 65584.03 of the Government Code; and

**WHEREAS**, the Association of Bay Area Governments (ABAG) has determined the methodology by which it will assign housing allocations to cities and subregions in the San Francisco Bay Area for the 2014 to 2020 Housing Element Cycle and has published a draft allocation based on this methodology; and

**WHEREAS**, ABAG requires the submission of the Subregion's draft methodology for allocating housing need within the region be made to ABAG by a single entity, which in the case of Solano County will be the 4C's; and

**WHEREAS**, on October 19, 2012, the 4C's published a draft subregional housing allocation methodology and an estimate of the number of housing units that will be assigned to the City of Suisun City, unincorporated Solano County and the remaining six cities in the County; and

**WHEREAS**, the proposed methodology uses factors described in Section 65584.04 of the Government Code.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Suisun City hereby supports the 4C's submittal of the proposed methodology for allocating the Solano County

1 Subregion's housing need and the resulting estimate of subregional housing allocations to  
2 ABAG on behalf of the City and in conjunction with the County of Solano and the other cities  
3 of Solano County; and

4 **BE IT FURTHER RESOLVED**, that the City of Suisun City further supports the  
5 4C's determination and assignment of a portion of the subregional housing need to the City,  
6 provided that such assignment is based on the proposed allocation methodology and the  
7 estimates published on October 19, 2012, (adjusted for minor reallocations of units among the  
8 jurisdictions, as requested by the City and deemed appropriate by the 4C's), provided that  
9 such minor reallocations are consistent with the allocation methodology.

10 **PASSED AND ADOPTED** at a regular meeting of the City Council of the City of  
11 Suisun City duly held on Tuesday the 4<sup>th</sup> day of December 2012 by the following vote:

12	<b>AYES:</b>	Councilmembers:	<u>Day, Segala, Wilson, Sanchez</u>
13	<b>NOES:</b>	Councilmembers:	<u>Hudson</u>
14	<b>ABSENT:</b>	Councilmembers:	<u>None</u>
14	<b>ABSTAIN:</b>	Councilmembers:	<u>None</u>

15 **WITNESS** my hand and the seal of said City this 4<sup>th</sup> day of December 2012.

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18 Donna Pock, CMC  
19 Deputy City Clerk  
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**RESOLUTION 2012-113**

**RESOLUTION AUTHORIZING THE SOLANO COUNTY CITY-COUNTY COORDINATING COUNCIL TO SUBMIT THE SOLANO COUNTY SUB-REGIONAL HOUSING ALLOCATION TO THE ASSOCIATION OF BAY AREA GOVERNMENTS ON BEHALF OF THE CITY OF VACAVILLE AND TO MAKE FINAL ALLOCATIONS OF THE SUB-REGIONAL HOUSING ALLOCATION TO THE CITY**

**WHEREAS**, in February 2011, the City of Vacaville, the County of Solano, and the remaining six cities within Solano County, designated the Solano County City-County Coordinating Council (the "4 C's") to act as a sub-regional entity for the purpose of allocating the Solano County Subregion's housing need ("SubRHNA") among its member jurisdictions for the 2014 to 2022 Housing Element cycle, as allowed by section 65584.03 of the Government Code; and

**WHEREAS**, the Association of Bay Area Governments ("ABAG") has determined the methodology by which it will assign housing allocations to cities and subregions in the San Francisco Bay Area for the 2014 to 2022 Housing Element Cycle and has published a draft allocation based on this methodology; and

**WHEREAS**, ABAG requires that a single entity submit to it the Subregion's draft methodology for allocating housing need within the region; and

**WHEREAS**, the 4C's published a draft sub-regional housing allocation methodology and an estimate of the number of housing units that will be assigned to the City of Vacaville unincorporated Solano County and the remaining six cities in the County on October 19, 2012; and

**WHEREAS**, the proposed methodology uses factors described in section 65584.04 of the Government Code;

**NOW, THEREFORE, BE IT RESOLVED** that the City of Vacaville hereby authorizes the Solano County City-County Coordinating Council (4C's) to submit the proposed methodology for allocating the Solano County Subregion's housing need and the resulting estimate of sub-regional housing allocations dated October 19, 2012 to ABAG on behalf of the City and in conjunction with the County of Solano and the other cities of Solano County.

**NOW THEREFORE BE IT FURTHER RESOLVED** the City of Vacaville authorizes 4C's to make a final assignment of a portion of the sub-regional housing need to it, provided that such assignment is based on the proposed allocation methodology and the estimates published on October 19, 2012, with additional minor reallocations of units among the jurisdictions as the 4C's may deem appropriate, provided that such minor reallocations are consistent with the allocation methodology.

I HEREBY CERTIFY that the foregoing resolution was introduced and passed at a regular meeting of the City Council of the City of Vacaville, held on the 13th day of November, 2012, by the following vote:

AYES: Council members Harris, Hunt, Mashburn, Vice-Mayor Rowlett and Mayor Hardy

NOES: None

ABSENT: None

ATTEST:

By:   
Michelle A. Thornbrugh, City Clerk

**RESOLUTION NO. 12-168 N.C.**

**AUTHORIZING THE SOLANO COUNTYWIDE SUB-REGIONAL ENTITY TO SUBMIT THE SOLANO COUNTY SUB-REGIONAL HOUSING ALLOCATION TO THE ASSOCIATION OF BAY AREA GOVERNMENTS ON BEHALF OF THE CITY OF VALLEJO AND TO MAKE FINAL ALLOCATIONS OF THE SUB-REGIONAL HOUSING ALLOCATION TO THE CITY**

**BE IT RESOLVED** by the Council of the City of Vallejo as follows:

**WHEREAS**, on March 8, 2011, the City Council of the City of Vallejo authorized the City to form and to become a member of a Solano Countywide Sub-Regional Entity to locally administer the Association of Bay Area Governments (ABAG) Regional Housing Needs Allocation (RHNA) process as part of the Regional Sustainable Communities Strategy; and,

**WHEREAS**, together with other Solano County Cities, and the County of Solano, the City of Vallejo created and is represented in the Solano County Sub-Region, which was created to develop the methodology to determine the Solano County Sub-Region's housing need among its member jurisdictions for the 2014 to 2022 Housing element cycle, as allowed by Section 65584.03 of the Government Code; and,

**WHEREAS**, the ABAG has determined the methodology by which it will assign housing allocations to cities and Sub-Regions in the San Francisco Bay Area for the 2014 to 2022 Housing Element Cycle and has published a draft allocation based on this methodology; and,

**WHEREAS**, ABAG requires that a single entity submit to it the Sub-Region's draft methodology for allocating housing need within the region; and,

**WHEREAS**, the Solano County Sub-Region has published a draft Sub-Regional housing allocation methodology and an estimate of the number of housing units that will be assigned to the City of Vallejo, unincorporated Solano County and the remaining six cities in the County on October 19, 2012; and


**WHEREAS**, the proposed methodology uses factors described in Section 65584.04 of the Government Code.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Vallejo hereby authorizes the Solano County City-County Coordinating Council (CCCC), which includes mayors from each Solano county city and members of the Board of Supervisors to act as the Solano County Countywide Sub-Regional entity, and to submit the proposed methodology for allocating the Solano County Sub-Region's housing need and the resulting estimate of Sub-Regional housing allocations dated October 19, 2012, to ABAG on behalf of the City and in conjunction with the County of Solano and the other cities of Solano County.

**BE IT FURTHER RESOLVED** that the City of Vallejo further authorizes Solano County Countywide Sub-Regional Entity to make a final assignment of the Sub-Regional housing need allocated to the Sub-Region by ABAG, provided that such assignment is based on the proposed allocation methodology and the estimates published on October 19, 2012, with additional minor reallocations of units among the jurisdictions as the Solano County Countywide Sub-Regional Entity may deem appropriate, provided that such minor reallocations are consistent with the allocation methodology.

Adopted by the Council of the City of Vallejo at a regular meeting held on December 11, 2012 with the following vote:

AYES:	Mayor Davis, Vice Mayor Gomes, Councilmembers Brown, Hannigan, McConnell, Sampayan and Sunga
NOES:	None
ABSTAIN:	None
ABSENT:	None

  
\_\_\_\_\_  
OSBY DAVIS, MAYOR

ATTEST:

  
\_\_\_\_\_  
DAWN G. ABRAHAMSON, CITY CLERK



**SOLANO  
City County Coordinating Council  
Staff Report**

**Meeting of:** January 10, 2013  
**Agenda Item No:** V.3

**Agency/Staff:** Michelle Heppner, Solano County  
Legislative, Intergovernmental, & Public Affairs Officer

**Title /Subject:** Consider adoption of City-County Coordinating Council's Draft Proposed 2013 State and Federal Legislative Platform and Receive a Legislative Update from Staff and the County's State Legislative Advocate.

**Background/Discussion:**

The Solano City County Coordinating Council (CCCC) began adopting annual State and Federal legislative platforms in 2006 and has continued this practice for the past six years.

CCCC legislative platforms represent a compilation of shared concepts and priorities created with input from Solano cities, the County, the Solano County Water Agency, the Solano Transportation Authority, and the Travis Community Consortium with the goal of capturing all of the significant regional priorities, as well as the priorities established by the League of Cities and the California State Association of Counties.

Consistent with CCCC direction, staff has developed the proposed 2013 State and Federal Legislative Priorities platform (*Attachment A*). For purposes of consistency, the upcoming legislative session, the Proposed 2013 State and Federal Legislative Platform has been modified to reflect the County's new format and highlights specific "Priority Issues" that have the greatest potential and need for state and federal participation and provide the main focus areas on which the state and federal legislative advocates can concentrate.

Staff is recommending that the CCCC's "Priority Issues" for 2013 (listed alphabetically) are Funding for Key Infrastructure Projects, Protect the Sacramento-San Joaquin Delta, Public Safety and Emergency Preparedness, and State Realignment & Cost-Shifts.

In addition, the Proposed 2013 State and Federal Legislative Platform outlines, by policy area, general legislative principles on issues that enables the CCCC's to respond timely to state and federal legislative proposals throughout the legislative session.

While the Proposed 2013 State and Federal Legislative Platform seeks to accurately reflect the current challenges and threats imposed by both the state and federal governments, should unanticipated issues arise, additional modifications may be required in future.

In addition, Attachment B provides an update on the deal recently reached on the federal fiscal cliff and Attachment C provides an update on federal legislative issues pertinent to Solano County. Solano County's Federal legislative advocates, Waterman and Associates, provided the attachments.

**Recommendation:** Consider adoption of the CCCC's Proposed 2013 State and Federal Legislative Platform.

**Attachments:**

- Attachment A – City-County Coordinating Council's 2013 State and Federal Legislative Platform
- Attachment B – Fiscal Cliff Deal, Waterman and Associates
- Attachment C – Solano County Fourth Quarter Report, Waterman and Associates

## Overview

The Solano City-County Coordinating Council (CCCC) consists of the Mayors of all seven cities in Solano County – Benicia, Dixon, Fairfield, Rio Vista, Suisun, Vacaville and Vallejo - and the five members of the County Board of Supervisors. On an annual basis, the CCCC adopts a legislative platform; recommending positions and strategies on both state and federal legislative and budget related issues. The platform takes into consideration and seeks to support the legislative priorities of all seven cities, the County of Solano, Solano Transportation Agency (STA), Solano County Water Agency (SCWA), Travis Community Consortium (TCC), Yolo-Solano Air Quality Management District and our public higher education institutions (Solano College, UC Davis and CSU Maritime Academy).

Listed below are the CCCC's highest State and Federal legislative priorities as well as other significant policy issues. These are issues that CCCC believes are important to support and partner on. These priorities are extracted from other regional entities and are not intended to conflict or compete, but rather support and compliment efforts to improve funding of regional needs and priorities.

### 2013 State and Federal Legislative Priorities (Listed Alphabetically)

1. **Funding for Key Infrastructure Projects.** Support efforts in Congress to authorize and appropriate funding for infrastructure projects in Solano cities and the county, including Water Resources Development Act (WRDA) funding for water projects identified as priorities by Solano cities and the county.
2. **Protect the Sacramento-San Joaquin Delta.** Ensure that Solano cities and the county is adequately represented in efforts to develop policy impacting the Sacramento-San Joaquin Delta, including policies to address water quality and supply, flood protection, environmental preservation and emergency response. Support legislation that provides for mitigation with regard to disaster preparedness, water rights, socio-economic vitality, water elevation, levee protection, loss of agricultural production, aquaculture, and fresh water supplies. *Support efforts to reduce reliance on Delta exports.* In general, support legislation that would provide for mitigations to the County, local Districts, and our residents and ensure sustainable funding outside of the General Fund for existing and future obligations created by State / Federal water projects and their Habitat Conservation Plans.
3. **Public Safety and Emergency Preparedness.** Support funding for programs that assist Solano cities and the county with efforts aimed at reducing crime and enhancing public safety through community partnerships and multi-jurisdictional efforts, such as the Community Oriented Policing Services (COPS) program and the Justice Assistance Grant (JAG) program. In addition, support funding for programs that assist the County with disaster preparedness and homeland security-related needs, including efforts aimed at achieving communications interoperability.
4. **State Realignment & Cost-Shifts.** Oppose proposals to restructure, realign, or otherwise shift the cost of state programs to local government, without commensurate compensation and a legislative ability for counties to draw down available federal funding. Support efforts to constitutionally guarantee continued funding for realigned programs. Support efforts to improve the stability of current Solano cities and the county's revenue sources. Oppose any realignment initiatives, which fail to fully fund services shifted to the County.

## 2013 State and Federal Legislative Principles (Sections Listed Alphabetically)

### **Agriculture, Natural Resources, and Water**

- Support efforts to protect the Suisun Marsh consistent with the Suisun Marsh Preservation Act and the Suisun Marsh Plan;
- Support funding for local mapping of flood hazard areas and advocate for the US Army Corps of Engineers and other federal agencies to protect the County from these hazards.
- Support, develop, or seek out legislation that protects the Solano cities and the county's quality of life, its diverse natural resources, and preserves the essence and history of Solano.
- Support legislation to establish the Sacramento-San Joaquin Delta National Heritage Area to protect and promote the economic vitality and cultural, historical, and natural assets of the region.
- Support funding for an alternate intake to the North Bay Aqueduct.

### **General Government**

- Support efforts to realign government services with necessary funding in order to improve the delivery of services and make government more accountable and efficient to the people they serve.
- Seek out, develop, and support legislative, regulatory, and budget efforts that protect and/or enhance local governments' revenues, maximize Solano cities and the county's access to Federal funding sources, and/or increases local funding flexibility.
- Support legislation that provides tax and funding formulas and regulations for the equitable distribution of Federal monies while opposing attempts to decrease, restrict, or eliminate Solano cities and the county's revenue sources.
- Support any expansion, continuation, and/or increased flexibility in the bidding/procurement, delivery, and management of construction projects.
- Oppose legislative or administrative actions that would create State or Federal unfunded mandates and/or preempt local decision-making authority.
- Oppose attempts to restrict local authority with respect to issues that affect local communities.
- Oppose any effort to balance the state budget through the taking of local government resources.
- Support the enactment of legislation to allocate statewide bond funding based on objective criteria developed with local input.

### **Housing, Community and Economic Development, and Workforce Investment**

- Support Housing Element reform that provides for self-certification process for jurisdictions that have small housing allocation.
- Support continued funding for existing programs including the Community Development Block Grant (CDBG) program, the HOME Investment Partnerships Program (HOME), and the Neighborhood Stabilization Program (NSP). Oppose efforts to reduce funding and operational flexibility for these programs.
- Encourage and seek legislation to facilitate orderly economic expansion and growth, and increase the opportunity for discretionary revenues, programmatic and financial flexibility for Solano cities and the county.
- Support funding and incentives for smart growth and sustainable development.
- Oppose Federal legislation that would reduce U.S. Economic Development Administration (EDA) funds and support the expanded eligibility and access to these funds.
- Support legislation that encourages job growth and the success of the business community.

- Support legislation that provides a stable national-level appropriation for workforce development programs as a longer-term investment strategy for the nation's economy.
- Support or seek federal grant funding opportunities that advance and improve housing, community and economic development, and workforce investment opportunities Solano cities and the county.

### **Public Safety and Emergency Disaster Preparedness**

- Support the preservation of funding levels for existing public safety programs such as the Byrne Justice Assistance Grant (Byrne/JAG) Program, and the Community Oriented Policing Services (COPS) program. Oppose efforts to reduce or divert funding away from these programs.
- Support continued or new funding for emergency disaster preparedness programs such as FEMA - Emergency Management Performance Grants (EMPG), the Urban Areas Security Initiative (UASI), and emergency disaster preparedness and infrastructure damage recovery programs. Oppose efforts to reduce or divert funding away from these programs.
- Support funding to address emergency preparedness needs, particularly those that include communications equipment, training/exercises, or ongoing operations and maintenance costs.

### **Resource Management, Environmental Health, and Sustainability**

- Support measures and funding for County programs and projects that address sustainability issues such as air quality improvement, energy efficiency, water efficiency, renewable energy, fuel efficiency, energy adequacy, and security while balancing the reduction of emissions with impacts on business.
- Support legislation and administrative action that further the goals of the Solano cities and the county's climate protection and sustainability efforts, including programs that promote energy-efficient home improvements like the Property Assessed Clean Energy (PACE) program.
- Support Federal climate change legislation and policies that include local government funding and consideration for implementation at the local level.
- Support legislation and grant funding opportunities that improve land use planning for major economic drivers and infrastructure projects in Solano cities and the county.
- Support sensible CEQA reform that streamlines processes for broader range of infill development while maintaining strong analytic and mitigation requirements for large projects that clearly have significant environmental consequences at a regional or statewide level.
- Support regulatory processes that are not a one-size-fits-all approach and maintain flexibility for Solano cities and the county to determine the best means of achieving water conservation mandates.
- Seek to reverse the current diversion of the Off Highway Vehicle funding so that it returns to local agencies.

### **Transportation**

- Support efforts to maintain existing or increased funding for transportation programs and projects within the County.
- Support legislative efforts for Federal transportation reauthorization measures that reflect the needs of Solano cities and the county and project priority in funding streams.
- Support consideration of an increase or the indexing of the Federal gasoline tax and alternative sources of funding.
- Support legislation and budget action that provides additional and continuing funding for local infrastructure, including local roads, bridges, and transit priorities.
- Ensure that existing transportation funding sources are retained.

- Seek to reverse the current diversion of the Off highway vehicle funding so that it returns to local source.
- Seek funding from the Cap and Trade measure to pay for green road maintenance and other enhancements to the transportation network that reduce greenhouse gas emissions.
- Support or sponsor legislation that provides for the imposition, extension, or increase of a special tax for the purpose of providing funding for local transportation projects and lowers the threshold for voter approval to 55%.

#### **Other Agency Interests**

- Travis Community Consortium. Support the mission of all military organizations located within the County. Support the 2013 state legislative priorities adopted by the Travis Community Consortium. Furthermore, encourage the State to adopt proactive measures regarding the Base Realignment and Closure (BRAC) and convene an office at the State level to work with each community that has a military installation or defense contractors to protect California's interest with the decline in defense spending and the probable realignment of missions and closure of bases.
- Solano Transportation Authority. Support the 2013 legislative state priorities and programs as outlined and adopted by the Solano Transportation Authority.

## MISSION:

As we move into 2013, community support for Travis AFB (Travis) will continue to be imperative to protecting and enhancing the overall military value of the Base. Continued federal budget pressures are likely to make that job even more difficult. Therefore, community support is a crucial component for ensuring the long-term viability of Travis and Madison Government Affairs envisions that the Travis Community Consortium (TCC) will continue to be very active in this area. **Though Travis was not adversely affected by the last round of BRAC, the TCC needs to remain vigilant in its support of Travis because individual missions can be moved, without BRAC, as evidenced by the Secretary of Defense disestablishing Joint Forces Command (JFCOM) as well as the Secretary of the Air Force decision to eliminate 13,000 civilian personnel positions from the Air Force civilian force structure and the reorganization of test and evaluation mission at Eglin AFB that would have reassigned a significant number of civilian and contractor positions.** From the present to the next BRAC round (which could very possibly occur in 2015) there will be opportunities for Travis to grow and enhance its military missions and/or prepare to accommodate missions resulting from potential consolidations. Similarly, protection of the Base from potentially harmful moves or actions will require a united front in Solano County, the State of California and in Washington D.C., especially with the unknown changes that could be occurring on Capitol Hill and in the Executive Branch. One should recognize that although there is not an official BRAC round scheduled (it will probably be requested again by the Obama Administration when they release the FY 2014 Budget), military mission moves continue “under the radar”, so it is imperative that the TCC remain fully engaged **and be the “eyes and ears” for Travis interests.**

## GOALS OF THE TCC:

- Identify new assets. Over the course of the next several years, new military assets will come on line. Travis needs to continue to be positioned to accept additional missions, whether it is an additional squadron of C-17s, the KC-10 Maintenance, KC-46A Tanker, or Unmanned Aerial Vehicle assets.
- Continue support of C-5M and C-17 programs. TCC lobbying in Washington has made a proven difference in the success of the C-5 and C-17 programs. This effort needs to continue into the future to ensure that these vital programs are funded at the proper levels to add to the military value of Travis AFB. Support of the C-17 program should focus on bed down opportunities since the production line is being geared for international orders and not DoD. The modernization of the Travis C-5 fleet will be taking place over the next two years and the TCC should work to ensure that all the funding required is in the Air Force Budget.
- Secure additional federal funding for military construction at Travis AFB. Approximately \$370 million has been secured for Travis AFB projects since FY2000. Of this, **\$105 million was as a direct result of TCC advocacy for Congressional insert projects.** These projects significantly impact and improve the overall military value of the Base. The TCC’s efforts in this area will continue to be imperative to bringing in additional military construction funds. At present there is a moratorium on earmarking so

the TCC should work with the California Congressional Delegation on ensuring funding for military construction.

- Continue to explore and develop an Enhanced Use Lease (EUL) Agreement for Travis. The goal of the EUL should be to leverage underutilized assets at Travis AFB in exchange for new military construction projects and/or increased services with the long-term goal being enhanced military value. David Grant Medical Center is an outstanding, underutilized asset as well as the refurbishment of the railroad spur line to reduce the number of large trucks from the regions highways and roadways. Additionally, Travis continues to look for other EUL opportunities and the community should be as supportive as possible.
- Sometime in 2013 the military will have a new authority for entering into agreements with local and regional governments. The Intergovernmental Support Agreement legislation should be approved when the 2013 National Defense Authorization Bill is conference and voted on by the 112<sup>th</sup> Congress. This authority will allow more easily for public-public partnerships or collaborations. The TCC should begin exploring potential collaborations with Travis.
- Military Housing. The TCC should stay engaged on military housing issues as well as carefully watch the privatized Travis housing plan. The TCC also should stay informed to assure that the plan achieves the needs of the Air Force, the service member and the community. This should include monitoring any changes to the plan and looking for opportunities to further enhance housing opportunities for Travis personnel.
- Continue to protect Travis from encroachment and negative environmental impacts potentially stemming from such projects as Solar and Wind Farms and/or electromagnetic radio frequency interference. The TCC members worked closely with Travis' ICEMAP consultant during 2012 and will continue to work with Travis if any encroachment is identified as well as to prevent future encroachment.
- Look for new opportunities to support Travis AFB, e.g., re-open study into the renewal of the railroad spur line, , a revised AICUZ due to aircraft modifications, and joint use of existing off-base activities to support Air Force efforts to minimize base operating support costs.

#### **ACTIONS:**

- Serve in Washington DC as the “eyes and ears” of the community relative to Travis AFB and military issues while working closely with the TCC, the Congress, the Department of the Air Force, and the Office of the Secretary of Defense.
- Position Travis and actively work to accommodate expansions and new or different missions consistent with the changing world role of the United States military. Without a BRAC, the Department of Defense can still move missions in and out of their military bases.

- Identify problems, deficiencies and areas that can adversely impact the continued improvement of military value and development of Travis and provide strategies to mitigate problems and deficiencies.
- Identify opportunities and develop strategies to improve the military value of Travis and its value to the Department of Defense through military construction, new missions, and improvement to existing facilities or processes.
- Retain and grow the rapport between Travis leadership and local/regional officials to ensure that the communities are meeting the needs of the Base and its personnel. Relationship building beneficial to Travis would include continuing the outstanding rapport that exists between the TCC and Air Mobility Command and the Air Force Secretariat.
- Interact with members of the TCC and brief elected leaders and senior staff as required through emails, telephone communication, and during visits.
- Where appropriate, interact with California elected officials and their staffs as well as the State Executive Branch officials (Washington DC office and Sacramento) in an effort to keep them fully engaged on issues important to Travis AFB.
- Assist in the continued relationship building with key Travis personnel. During BRAC 2005, at the direction of the Secretary of Defense, consistent and valuable dialogue with local officials and consultants was severely curtailed. It is important to have open lines of communication with the senior leadership at Travis prior to another BRAC consistent with the Department of Defense's efforts to institute a realignment and closure process. Continue to work closely with the 60<sup>th</sup> Air Mobility Wing's Director of Staff. This position recently changed from a civilian to a military officer.
- Carry out the planning and implementation of visits to lobby members of Congress, the Department of Defense, and Air Mobility Command when community leaders visit Washington DC. This would include visits by the Travis Regional Armed Forces Committee (TRAFC) and all other entities of the TCC.
- Make regular visits and stay engaged with the appropriate Congressional and agency offices in between community leadership trips. Any changes in Congressional leadership should not affect Travis AFB and the military presence in northern California. Given the size and diversity of the California congressional delegation, Travis and the region are in a very good position.
- Continue to develop and maintain relationships with all members of the US House and Senate, specifically regional representatives Congressmen John Garamendi, Mike Thompson, George Miller, and newly elected Ami Bera, as well as Senators Dianne Feinstein and Barbara Boxer. Congressman Garamendi continues to serve on the House Armed Services Committee (HASC). His membership on the HASC is important as the



TCC works to retain and enhance Travis AFB. Congressman Thompson again represents areas within Solano County as a result of the recent redistricting resulting from the 2010 census.

**Options:**

If additional funds are provided by other entities for the TCC effort, the City Manager, with concurrence from the TCC members, may include the following options for execution by Madison Government Affairs (MGA):

- A second MGA Team Member will be authorized to visit Fairfield/Solano County/Travis for data gathering, briefings, and meeting with AMC and Reserve Forces personnel in support of the TCC efforts to protect and enhance Travis. The cost of this Team Member for 2 days is estimated at \$900.00 and includes airfare and hotel/meals.
- The Scope of Services to be performed by MGA remains robust and has not been reduced from the previous Scopes of Services, although the annual retainer has remained reduced. If additional funds are provided to the City by other regional entities, the City Manager has the discretion to increase the annual retainer paid to Madison Government Affairs in their support of the TCC effort.



## LEGISLATIVE PRIORITIES

1. Pursue federal funding for the following priority project and programs:

### Roadway/Highway:

#### Tier 1:

- I-80/I-680/SR 12 Interchange
- Jepson Parkway
- I-80 Express Lanes

#### Tier 2:

- I-80 Westbound Truck Scales
- SR 12 East Improvements

### Transit Centers:

#### Tier 1:

- Fairfield/Vacaville Multimodal Train Station, Phase 2
- Vallejo Transit Center at Curtola and Lemon, Phase 1
- Vallejo USPS Relocation (advance project of Transit Center Parking Structure)

#### Tier 2:

- Fairfield Transportation Center Expansion
- Vallejo Transit Center (Downtown) Parking Structure Phase 2
- Parkway Blvd. Overcrossing / Dixon Intermodal Station
- Vacaville Transit Center, Phase 2

### Programs:

- Safe Routes to School
- Mobility Management
- Climate Change/Alternative Fuels

2. Monitor/support/seek/sponsors, as appropriate, legislative proposals in support of initiatives that increase funding for transportation, infrastructure, operations and maintenance in Solano County.
3. Support legislation that encourages public private partnerships and provides low cost financing for transportation projects.
4. Oppose efforts to reduce or divert funding from transportation projects.
5. Support initiatives to pursue the 55% voter threshold for county transportation infrastructure measures.

6. Support establishment of regional Express Lanes network with assurance that revenues collected for the use of Express Lanes are spent to improve operations and mobility for the corridor in which they originate.
7. Monitor and participate in the implementation of state climate change legislation, including the California Global Warming Solutions Act and SB 375. Participate in the development of the Bay Area Sustainable Communities Strategy (SCS), and ensure that locally-beneficial projects and programs are contained in the SCS. Support the funding and development of a program to support transportation needs for agricultural and open space lands as part of the SCS.
8. Monitor proposals and, where appropriate, support efforts to exempt projects funded by local voter-approved funding mechanisms from the provisions of SB 375 (Steinberg).
9. Support efforts to protect and preserve funding in the Public Transportation Account (PTA).
10. Support timely reauthorization of MAP-21 with stable funding for highway and transit programs.
11. Monitor state implementation of MAP-21 and support efforts to ensure Solano receives fair share of federal transportation funding.
12. Support development of a national freight policy that incentivizes funding for critical projects such as I-80, SR 12, Capitol Corridor and Cordelia Truck Scales.
13. Support funding of federal discretionary programs, including Projects of National and Regional Significance such as I-80 and Westbound Truck Scales.
14. Support federal laws and policies that incentivize grant recipients that develop performance measures and invest in projects and programs designed to achieve the performance measures.
15. Support laws and policies that expedite project delivery.
16. Support legislation that identifies long-term funding for transportation.
17. *Support “fix it first” efforts that prioritize a large portion of our scarce federal and state resources on maintaining, rehabilitating and operating Solano County’s aging transportation infrastructure over expansion.*

## LEGISLATIVE PLATFORM

### I. Alternative Modes (Bicycles, HOV, Livable Communities, Ridesharing)

1. Support legislation promoting bicycling and bicycle facilities as a commuter option.
2. Support legislation promoting the planning, design and implementation of complete streets.
3. Support legislation providing land use incentives in connection with rail and multimodal transit stations – Transit Oriented Development.
4. Support legislation and regional policy that provide qualified Commuter Carpools and Vanpools with reduced tolls on toll facilities as an incentive to encourage and promote ridesharing.
5. Support legislation that increases employers' opportunities to offer commuter incentives.
6. Support legislative and regulatory efforts to ensure that projects from Solano County cities are eligible for federal, state and regional funding of Transportation Oriented Development (Transit Oriented Development) projects. Ensure that development and transit standards for TOD projects can be reasonably met by developing suburban communities.
7. Support establishment of regional Express Lanes network with assurance that revenues collected for the use of Express Lanes are spent to improve operations and mobility for the corridor in which they originate. *(Priority #6)*

### II. Climate Change/Air Quality

1. Monitor implementation of federal attainment plans for pollutants in the Bay Area and Sacramento air basins, including ozone and particulate matter attainment plans. Work with MTC and SACOG to ensure consistent review of projects in the two air basins.
2. Monitor and participate in the implementation of state climate change legislation, including the California Global Warming Solutions Act and SB 375. Participate in the development of the Bay Area Sustainable Communities Strategy (SCS), and ensure that locally-beneficial projects and programs are contained in the SCS. Support the funding and development of a program to support transportation needs for agricultural and open space lands as part of the SCS. *(Priority #7)*
3. Monitor proposals and, where appropriate, support efforts to exempt projects funded by local voter-approved funding mechanisms from the provisions of SB 375 (Steinberg). *(Priority #8)*

4. Support legislation, which ensures that any fees imposed to reduce vehicle miles traveled, or to control mobile source emissions, are used to support transportation programs that provide congestion relief or benefit air quality.
5. Support legislation providing infrastructure for low, ultra-low and zero emission vehicles.
6. Support policies that improve and streamline the environmental review process.
7. Support legislation that allows for air emission standards appropriate for infill development linked to transit centers and/or in designated Priority Development Areas. Allow standards that tolerate higher levels of particulates and other air pollutants in exchange for allowing development supported by transit that reduces greenhouse gas emissions.
8. Monitor energy policies and alternative fuel legislation or regulation that may affect fleet vehicle requirements for mandated use of alternative fuels.
9. Support legislation to provide funding for innovative, intelligent/advanced transportation and air quality programs, which relieve congestion, improve air quality and enhance economic development.
10. Support legislation to finance cost effective conversion of public transit fleets to alternative fuels and/or to retrofit existing fleets with latest emission technologies.
11. Support income tax benefits or incentives that encourage use of alternative fuel vehicles, vanpools and public transit without reducing existing transportation or air quality funding levels.
12. Support federal climate change legislation that provides funding from, and any revenue generated by, emission dis-incentives or fuel tax increases (e.g. cap and trade programs) to local transportation agencies for transportation purposes.
13. Support the State Cap and Trade program:
  - a. Dedicate the allocation revenues related to fuels to transportation investments.
  - b. Invest a major portion of fuels related revenues to implement the AB 32 regulatory program by reducing GHG emissions from transportation.
  - c. Structure the investments to favor integrated transportation and land use strategies.
  - d. Allow flexibility at the regional and local level to develop the most cost effective ways to meet GHG reduction goals through transportation and land use investments.
  - e. Provide the incentives and assistance that local governments need to make

SB 375 work.

### **III. Employee Relations**

1. Monitor legislation and regulations affecting labor relations, employee rights, benefits, and working conditions. Preserve a balance between the needs of the employees and the resources of public employers that have a legal fiduciary responsibility to taxpayers.
2. Monitor any legislation affecting workers compensation that impacts employee benefits, control of costs, and, in particular, changes that affect self-insured employers.
3. Monitor legislation affecting the liability of public entities, particularly in personal injury or other civil wrong legal actions.

### **IV. Environmental**

1. Monitor legislation and regulatory proposals related to management of the Sacramento-San Joaquin River Delta, including those that would impact existing and proposed transportation facilities such as State Route 12 and State Route 113.
2. Monitor sea-level rise and climate change in relation to existing and proposed transportation facilities in Solano County.
3. Monitor proposals to designate new species as threatened or endangered under either the federal or state Endangered Species Acts. Monitor proposals to designate new "critical habitat" in areas that will impact existing and proposed transportation facilities.
4. Monitor the establishment of environmental impact mitigation banks to ensure that they do not restrict reasonably-foreseeable transportation improvements.
5. Monitor legislation and regulations that would impose requirements on highway construction to contain stormwater runoff.
6. Monitor implementation of the environmental streamlining provisions in MAP-21.

### **V. Ferry**

1. Protect the existing source of operating and capital support for Vallejo Baylink ferry service, most specifically the Bridge Tolls-Northern Bridge Group "1st and 2nd dollar" revenues which do not jeopardize transit operating funds for Vallejo Transit bus operations.
2. Support efforts to ensure appropriate levels of service directly between Vallejo and San Francisco.
3. Monitor surface transportation authorization legislation to ensure adequate funding for

ferry capital projects.

## **VI. Funding**

1. Protect Solano County's statutory portions of the state highway and transit funding programs.
2. Seek a fair share for Solano County of any federal and state discretionary funding made available for transportation grants, programs and projects.
3. Protect State Transportation Improvement Program (STIP) funds from use for purposes other than those covered in SB 45 of 1997 (Chapter 622) reforming transportation planning and programming, and support timely allocation of new STIP funds.
4. Support state budget and California Transportation Commission allocation to fully fund projects for Solano County included in the State Transportation Improvement Program and the Comprehensive Transportation Plans of the county.
5. Support efforts to protect and preserve funding in the Public Transportation Account (PTA). *(Priority #9)*
6. Seek/sponsor legislation in support of initiatives that increase the overall funding levels for transportation priorities in Solano County. *(Priority #2)*
7. Support legislation that encourages public private partnerships and provides low cost financing for transportation projects in Solano County. *(Priority #3)*
8. Support measures to restore local government's property tax revenues used for general fund purposes, including road rehabilitation and maintenance.
9. Support legislation to secure adequate budget appropriations for highway, bus, rail, air quality and mobility programs in Solano County.
10. Support initiatives to pursue the 55% or lower voter threshold for county transportation infrastructure measures. *(Priority #5)*
11. Ensure that fees collected for the use of Express Lanes are spent to improve operations and mobility for the corridor in which they originate. *(Priority #6)*
12. Support timely reauthorization of MAP-21 with stable funding for highway and transit programs. *(Priority #10)*
13. Support development of a national freight policy that incentivizes funding for critical projects such as the I-80, SR 12, Capitol Corridor and Cordelia Truck Scales. *(Priority #12)*

14. Support legislation that provides funding for Safe Routes to Schools and bike and pedestrian paths.
15. Support legislation or the development of administrative policies to allow a program credit for local funds spent on accelerating STIP projects through right-of-way purchases, or environmental and engineering consultant efforts.
16. Support or seek legislation to assure a dedicated source of funding, other than the State Highway Account for local streets and roads maintenance/repairs, and transit operations.
17. Monitor the distribution of State and regional transportation demand management funding
18. Monitor any new bridge toll proposals, support the implementation of projects funded by bridge tolls in and/or benefitting Solano County.
19. Oppose any proposal that could reduce Solano County's opportunity to receive transportation funds, including diversion of state transportation revenues for other purposes. Fund sources include, but are not limited to, State Highway Account (SHA), Public Transportation Account (PTA), and Transportation Development Act (TDA) and any local ballot initiative raising transportation revenues. *(Priority #4)*
20. Support legislation that encourages multiple stakeholders from multiple disciplines to collaborate with regard to the application for and the awarding of Safe Routes to School grants.

## **VII. Project Delivery**

1. Monitor implementation of MAP-21 provisions that would expedite project delivery. *(Priority #15)*
2. Support legislation and/or administrative reforms to enhance Caltrans project delivery, such as simultaneous Environmental Impact Report (EIR) and engineering studies, design-build authority, and a reasonable level of contracting out of appropriate activities to the private sector.
3. Support legislation and/or administrative reforms that result in cost and/or time savings to environmental clearance processes for transportation projects.
4. Continue to streamline federal application/reporting/monitoring requirements to ensure efficiency and usefulness of data collected and eliminate unnecessary and/or duplicative requirements.
5. Support legislation that encourages public private partnerships and provides streamlined and economical delivery of transportation projects in Solano County. *(Priority #3)*



6. Support legislation and/or administrative reforms that require federal and state regulatory agencies to adhere to their statutory deadlines for review and/or approval of environmental documents that have statutory funding deadlines for delivery, to ensure the timely delivery of projects funded with state and/or federal funds.

## **VIII. Rail**

1. In partnership with other counties located along Capitol Corridor, seek expanded state commitment for funding passenger rail service, whether state or locally administered.
2. Support legislation and/or budgetary actions to assure a fair share of State revenues of intercity rail (provided by Capitol Corridor) funding for Northern California and Solano County.
3. Seek legislation to assure that dedicated state intercity rail funding is allocated to the regions administering each portion of the system and assure that funding is distributed on an equitable basis.
4. Seek funds for the expansion of intercity, and development of regional and commuter rail service connecting Solano County to the Bay Area and Sacramento regions.
5. Monitor the implementation of the High Speed Rail project.
6. Support efforts to fully connect Capitol Corridor trains to the California High Speed Rail system, and ensure access to state and federal high speed rail funds for the Capitol Corridor.
7. Oppose legislation that would prohibit Amtrak from providing federal funds for any state-supported Intercity Passenger Rail corridor services.

## **IX. Safety**

1. Monitor legislation or administrative procedures to streamline the process for local agencies to receive funds for road and levee repair and other flood protection.
2. Monitor implementation of the Safety Enhancement-Double Fine Zone designation on SR 12 from I-80 in Solano County to I-5 in San Joaquin County, as authorized by AB 112 (Wolk).
3. Support legislation to adequately fund replacement of at-grade railroad crossings with grade-separated crossings.
4. Support legislation to further fund Safe Routes to School and Safe Routes to Transit programs in Solano County.

## **X. Transit**

1. Protect funding levels for transit by opposing state funding source reduction without substitution of comparable revenue.
2. Protect funding levels for transit by opposing state funding source reduction without substitution of comparable revenue.
3. Support tax benefits and/or incentives for programs to promote use of public transit.
4. In partnership with other transit agencies, seek strategies to assure public transit receives a fair share of funding for welfare-to-work social services care, and other community-based programs.
5. Monitor efforts to change Federal requirements and regulations regarding the use of federal transit funds for transit operations for rural, small and large Urbanized Areas (UZAs).
6. Support efforts that would minimize the impact of any consolidations of UZAs on Solano County transit agencies.
7. In addition to new bridge tolls, work with MTC to generate new regional transit revenues to support the ongoing operating and capital needs of transit services, including bus, ferry and rail.
8. In partnership with other affected agencies and local governments seek additional funding for paratransit operations, including service for persons with disabilities and senior citizens.
9. Monitor implementation of requirements in MAP-21 for transit agencies to prepare asset management plans and undertake transportation planning.

## **XI. Movement of Goods**

1. Monitor and participate in development of a national freight policy and California's freight plan.
2. Monitor and support initiatives that augment planning and funding for movement of goods via maritime-related transportation, including the dredging of channels, port locations and freight shipment.
3. Support efforts to mitigate the impacts of additional maritime goods movement on surface transportation facilities.

4. Monitor and support initiatives that augment planning and funding for movement of goods via rail involvement.
5. Monitor and support initiatives that augment planning and funding for movement of goods via aviation.
6. Monitor proposals to co-locate freight and/or passenger air facilities at Travis Air Force Base (TAFB), and to ensure that adequate highway and surface street access is provided if such facilities are located at TAFB.
7. Monitor legislation to establish a national freight policy and fund freight-related projects. *(Priority #12)*

## **XII. Reauthorization of MAP-21**

1. Support timely reauthorization of MAP-21. *(Priority #10)*
2. Legislation should provide stable funding source for highway and transit programs.
3. Between 2015 and 2025:
  - a) Federal fuel tax should be raised and indexed to the construction cost index.
  - b) Federal user-based fees (such as freight fees for goods movement, dedication of a portion of existing customs duties, ticket taxes for passenger rail improvements) should be implemented to help address the funding shortfall.
  - c) State and local governments need to raise motor fuel, motor vehicle, and other related user fees.
4. Post 2025:
  - A vehicle miles traveled (VMT) fee should be implemented.
5. Legislation should include separate funding for goods movement projects.
6. Legislation should include discretionary programs for high priority transit and highway projects.
7. Legislation should further streamline project delivery.



## MEMORANDUM

**TO:** Michelle Heppner, Legislative, Intergovernmental and Public Affairs Officer

**FROM:** Joe Krahn, Tom Joseph, and Hasan Sarsour  
Solano County Washington Representatives

**CC:** Birgitta Corsello, County Administrator

**DATE:** January 2, 2013

**SUBJECT:** Summary of Fiscal Cliff Legislation - HR 8

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In one of its final official acts, the 112th Congress approved early in the new year legislation that will keep the nation's economy from falling off the "fiscal cliff." The centerpiece of the bill, entitled the *American Taxpayer Relief Act* (HR 8), is a permanent extension of most of the Bush-era tax rates. The measure also will delay by two months the *Budget Control Act's* (BCA) across-the-board spending cuts, known as sequestration, which were originally scheduled to commence on January 2.

The eleventh-hour deal was reached after House Speaker John Boehner (R-OH) withdrew from the negotiations, leaving it to Senate leaders and Vice President Joe Biden to construct a final compromise. The resulting bill was approved in the Senate on an 89-8 vote in the early morning hours of January 1.

For its part, the House convened a rare New Year's day session in which GOP leaders discussed the possibility of amending the Senate package due to dissatisfaction within the Republican conference over the scope of the measure's tax and spending cuts. However, after failing to garner sufficient support for an alternative that would have called for targeted domestic spending cuts to offset the impending sequestration, the House approved HR 8 on a 257-167 margin, with 172 Democrats joining 85 Republicans in voting for the package.

In addition to major tax-related provisions, the fiscal cliff bill also provided for a number of other key changes to federal law, including an extension of the 2008 farm bill through the end of the current fiscal year (September 30, 2013). To the disappointment of House and Senate Agriculture Committee leaders, the bill does not fund energy provisions or other expired programs that were a part of the 2008 law. Accordingly, committee leaders consider the measure a "partial extension" of the previous farm bill.

Additionally, the bill includes an extension of emergency unemployment insurance (UI) benefits for two million individuals. Under HR 8, UI benefits will be extended in January for one additional year.

The legislation also includes a so-called Medicare "doc-fix," which avoids a 27 percent cut to reimbursements for doctors seeing Medicare patients for 2013. Under the bill, the cost of avoiding the reductions is offset by adjustments to a number of other payments made to Medicare providers, many of which have been used to pay for previous patches.

With regard to budget sequestration, the BCA's across-the-board cuts will be delayed for two months, until March 1, 2013. In order to pay for the two-month deferral - the cost of which is roughly \$24 billion - the White House and congressional leaders agreed to a combination of new revenue and alternative spending cuts.

Under HR 8, half of the \$24 billion in needed offsets will be realized by reducing the fiscal year 2013 and 2014 discretionary spending caps in the BCA. The \$12 billion in spending cuts will be divided evenly between defense and non-defense programs.

The remaining \$12 billion in offsets will come from new revenue generated from a change in law that will make it easier for owners of certain tax-deferred retirement plans to switch to Roth IRAs. Under the legislation, 401(k)s, 403(b)s, 457(b) plans offered by state or local governments, and federal thrift savings plans could be converted to a Roth IRA at anytime (not just during certain events such as changing jobs or retirement), which will generate additional revenue when taxes are paid on contributions to a Roth account.

With regard to tax relief, the fiscal cliff deal will protect millions of middle-class taxpayers from rate increases that were set to take effect later this month. Specifically, the legislation permanently extends tax provisions enacted in the 2001 and 2003 tax laws (PL 107-16 and PL 108-27) for taxable income levels of up to \$400,000 for individuals, \$425,000 for heads of households, and \$450,000 for families. The legislation allows income tax rates, as well as capital gains and dividend tax rates, to rise on taxable income over those levels.

It should be noted that the legislation permanently extends the current 10, 25, 28, and 33 percent tax brackets, as well as the current 35 percent bracket - but only for taxable income that does not exceed the new threshold. Taxable income in excess of those levels will be taxed at the top 39.6 percent rate for income levels up from 35 percent.

The legislation also includes a number of provisions that will provide beneficial tax treatment to energy companies, with the renewable and fossil fuel industries viewed as big winners under the fiscal cliff deal. For example, the wind production tax credit was extended through 2013, with biofuels and other alternative fuels receiving retroactive extensions of credits that expired in 2011.

Notably, the bill does not extend the two-percentage-point reduction in worker's Social Security payroll tax that has been in effect for the past two years. Accordingly, employees will have more withheld from their paychecks beginning in January of 2013.

The legislation also does not include provisions to raise the debt ceiling, despite the fact that the country hit its debt limit on December 31. Although the Treasury Department is taking emergency measures to

ensure that the nation does not default on its financial obligations, Congress will need to raise the debt ceiling by late February or early March.

To follow are other key tax-related provisions of HR 8:

### **Permanent and Temporary Tax Provisions**

- Permanently repeals the Personal Exemption Phaseout (PEP) on income at or below \$250,000 (individual filers), \$275,000 (heads of households) and \$300,000 (married filing jointly). Personal exemptions allow a certain amount per person to be exempt from tax.
- Permanently repeals the itemized deduction limitation on income at or below \$250,000 (individual filers), \$275,000 (heads of households) and \$300,000 (married filing jointly).
- Permanently extends the capital gains and dividend rates on income at or below \$400,000 (individual filers), \$425,000 (heads of households) and \$450,000 (married filing jointly). For income in excess of \$400,000 (individual filers), \$425,000 (heads of households) and \$450,000 (married filing jointly), the rate for both capital gains and dividends will be 20 percent.
- Permanently extends marriage penalty relief for the standard deduction, the 15 percent bracket, and the Earned Income Tax Credit (EITC).
- Permanently extends the expanded dependent care credit, which provides a taxpayer credit for an applicable percentage of child care expenses for children under 13 and disabled dependents.
- Permanently extends the increased adoption tax credit and the adoption assistance programs exclusion.
- Permanently extends the credit for employer expenses for child care assistance, whereby employers are provided with a credit of up to \$150,000 for acquiring, rehabilitating, or expanding property which is used for a child care facility.
- Permanently extends the 2001 modifications to the child tax credit, which generally allows taxpayers with incomes below a certain threshold to claim the child tax credit to reduce federal income tax for each qualifying child under the age of 17.
- Extends through 2017 modifications to the child tax credit so that earnings above \$3,000 count towards refundability.
- Temporarily extends the third-child EITC. Under current law, working families with two or more children qualify for an EITC equal to 40 percent of the family's first \$12,570 of earned income. HR 8 extends through 2017 provisions that increase the EITC to 45 percent for families with three or more children.
- Permanent Alternative Minimum Tax (AMT) patch. HR 8 prevents tens of millions of taxpayers from being subject to the AMT, which was created by the Tax Reform Act of 1986 to prevent higher-income taxpayers from using credits and deductions to completely offset their federal

income tax liability. HR 8 increases the exemption amounts for 2012 to \$50,600 (previously \$33,750 for individuals) and \$78,750 (previously \$45,000 for married filing jointly) and adjusts those amounts yearly for inflation.

- Permanent increase in estate tax. The legislation increases tax rates to 40 percent from 35 percent on the value of estates over \$5 million.

### **Tax Extenders and Key Business Tax Provisions**

- Deduction for state and local general sales taxes. The bill extends for two years the option to take an itemized deduction for State and local sales taxes in lieu of the itemized deduction permitted for State and local income taxes.
- Temporary extension of tax-free benefits for transit and parking. HR 8 extends through 2013 a provision of the economic stimulus law that increases the monthly exclusion for employer-provided transit and vanpool benefits from \$125 to \$240 (the provision ensures that the benefits would be the same as the exclusion for employer-provided parking benefits).
- Mortgage Debt Relief. Under HR 8, up to \$2 million of forgiven mortgage debt is eligible to be excluded from income (\$1 million if married filing separately) through tax year 2013. This provision was created in the Mortgage Debt Relief Act of 2007 to prevent the taxation of so-called "shadow income" from foreclosures.
- Contributions of capital gain real property made for conservation purposes. The bill extends for two years the increased contribution limits and carryforward period for contributions of appreciated real property (including partial interests in real property) for conservation purposes.
- Temporary extension of above-the-line deduction for qualified tuition related expenses. HR 8 extends through 2013 the "above-the-line" tax deduction for qualified higher education expenses. The maximum deduction is \$4,000 for taxpayers with adjusted gross income (AGI) of \$65,000 or less (\$130,000 for joint returns) or \$2,000 for taxpayers with AGI of \$80,000 or less (\$160,000 for joint returns).
- Tax-free distributions from individual retirement plan for charitable purposes. The bill extends for two years a rule that allows those age 70-and-a-half or older to make up to \$100,000 in tax-free distributions to charities from their individual retirement accounts.
- Empowerment zone tax incentives. HR 8 extends for two years the designation of certain economically depressed census tracts as Empowerment Zones, which allows individuals and business within the zones to be eligible for special tax incentives.
- Temporary Credit Rate Freeze for Low-Income Housing Tax Credit Program. The temporary minimum low-income housing tax credit rate of nine percent for non-federally subsidized new buildings is extended for one year.

- Temporary extension of the New Markets Tax Credit (NMTC). HR 8 extends for two years the NMTC, which is provided to businesses that make certain investments in community development entities. Under the bill, a maximum annual amount of qualified equity investments of \$3.5 billion is allowed.
- The work opportunity tax credit (WOTC) is extended for two years. The provision allows businesses to claim a WOTC equal to 40 percent of the first \$6,000 of wages paid to new hires of certain targeted groups, including but not limited to members of families receiving TANF benefits, food stamps, and SSI payments.
- Qualified zone academy bond (QZAB) tax credit program. QZABs, which can be used to finance renovations, equipment purchases, and training teachers and personnel at a qualified zone academy, are extended through 2013, providing \$400 million in bond volume per year.
- Treatment of military basic housing allowances under low-income housing credit. HR 8 continues for two years the practice of allowing a member of the military's basic housing allowance not to be considered income for purposes of calculating whether the individual qualifies as a low-income tenant for the low income housing tax credit program.
- Returning Heroes and Wounded Warriors WOTC. HR 8 allows businesses to claim for an additional year a work WOTC for hiring qualified veterans in certain targeted groups, such as veterans who receive SNAP benefits, disabled veterans, and both short and long-term unemployed veterans.
- Indian employment tax credit. The bill extends through 2013 the business tax credit for employers of qualified employees who work and live on or near an Indian reservation.

We hope this information is useful to you. Please do not hesitate to contact us if you have any questions or if you need any additional information.





## SOLANO COUNTY WASHINGTON BRIEFS

FOURTH QUARTER 2012

Following the most expensive election in U.S. history, lawmakers returned to Capitol Hill in mid-November for a high stakes lame-duck session of Congress. Although there were several major items remaining on the congressional agenda, no single issue loomed larger than the "fiscal cliff."

With all eyes focused initially on President Obama and House Speaker John Boehner (R-OH), the nation watched as the two leaders were unable to agree on a plan to address the expiring Bush-era tax cuts or the impending across-the-board spending cuts prescribed by the *Budget Control Act* (PL 112-25). In the absence of a deal with the White House, Speaker Boehner attempted to advance a so-called "Plan-B" approach, which would have preserved most of the Bush tax cuts while allowing tax rates to rise on the wealthiest Americans. In the end, Boehner was forced to pull the Plan B proposal due to a lack of votes within the GOP conference.

With Boehner's position weakened by the failure of his backup plan, the White House, through Vice President Joe Biden, began negotiating directly with Senate Minority Leader Mitch McConnell (R-KY). On December 31, Senate leaders announced that they had reached a deal under which income tax rates would increase for families earning more than \$450,000 and sequestration would be delayed for two months. The deal also included, among other things, provisions to extend most farm bill programs for the remainder of fiscal year 2013.

The full Senate subsequently voted to pass the measure - the *American Taxpayer Relief Act* (HR 8) - by a vote of 89 to 8. Across Capitol Hill, the House approved the measure by a vote of 257-167, with 172 Democratic votes and only 85 Republicans.

In related news, Treasury Secretary Timothy Geithner informed lawmakers in late December that the federal government had reached its statutory debt limit. It should be noted that the Treasury Department can undertake "extraordinary measures" to extend the nation's borrowing authority for a short time, though there is considerable uncertainty about how long the deadline can be extended. For his part, Boehner has vowed to seek cuts commensurate to the amount the debt limit is increased. Additionally, a number of House conservatives believe they can use the debt ceiling as leverage in early 2013 to obtain more spending concessions from Democrats.

Congress also grappled this past quarter with how to advance an emergency supplemental spending bill for communities hit hard by Superstorm Sandy. In late December, the Senate cleared legislation (HR 1) that would provide \$60.4 billion, as requested by the White House, for Sandy relief efforts. House Republicans, however, questioned the size of the request and did not act on the measure. GOP leaders have expressed support for a scaled-back bill to meet immediate needs and have indicated a willingness to provide more money once Congress receives additional information regarding storm damage estimates.

Meanwhile, the tragedy at Sandy Hook Elementary has renewed a nationwide debate over gun control. As the country mourned the victims of the deadly shooting, a number of lawmakers promised to pursue gun control legislation in the 113th Congress. While similar calls have taken place after other mass shootings, there seems to be a growing consensus, among even gun enthusiasts, that something must be done.

For his part, President Obama on December 19 announced the creation of an interagency commission that will be tasked with finding solutions to reduce gun violence. Recommendations from the group, which will be headed by Vice President Biden, are expected sometime in January. The president also outlined several measures he wants to see move through Congress early in 2013, including a ban on assault weapons and high-capacity clips, as well as mandatory background checks for all gun sales.

In other news, lawmakers used the year-end session to conduct organizational meetings, including the selection of party leaders and committee chairmen. There will be a number of new faces in Washington next year as the 113th Congress will welcome eight new senators and 84 new House members.

In the Senate, Democrats voted to return Senator Harry Reid (D-NV) to his position as majority leader and Senator Richard Durbin (D-IL) as majority whip. For their part, Republicans voted to stick with Senator McConnell as minority leader. Senator John Cornyn (R-TX) was elected minority whip, replacing the retiring Senator John Kyl (R-AZ).

There were no surprises in the lower chamber, where Speaker Boehner and Majority Leader Eric Cantor (R-VA) retained their posts. There was some speculation that Representative Nancy Pelosi (D-CA) would step down as minority leader, but she ultimately decided to seek another term and was reelected. Representative Steny Hoyer (D-MD) will stay on as minority whip, with Representative James Clyburn (D-SC) continuing in his role as assistant minority leader.

## **WATER RESOURCES/DELTA**

This past quarter, Congressman John Garamendi (D-CA) led a press conference at the Freeport Regional Water Project Facility in which he and several state and local elected officials discussed the need to strengthen Delta levees. Congressman Garamendi has authored legislation, entitled the *SAFE Levee Act* (HR 6484), which would provide a funding stream for the Delta region's flood infrastructure. The bill also would direct the secretary of the Interior to

carry out a cost-benefit analysis of the Bay Delta Conservation Plan (BDCP) process, including analysis of at least one option that does not require the construction of one or more water conveyance tunnels.

For its part, the Delta Counties Coalition (DCC) sent a letter to Representative Garamendi expressing its strong support for the goals reflected in the legislation. As the congressman prepares to reintroduce the bill in the new 113th Congress, he has indicated that he would like to work with the DCC on ways to improve the legislation. Representatives George Miller (D-CA), Doris Matsui (D-CA), Mike Thompson (D-CA), and Jerry McNerney (D-CA) cosponsored HR 6484 in the 112th Congress, and are expected to endorse the bill once it is reintroduced.

With regard to BDCP, state officials have indicated that they will release a pre-public draft of the BDCP in February of 2013. The document will be a complete draft and will allow for a review of the modifications that have been made to the project since February of 2012. It should be noted that the Public Draft BDCP will be released for formal review and public comment when the Draft Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) is released in the spring of 2013.

On a related matter, the Delta Stewardship Council began this past quarter the final rounds of public review for its long-term management plan for the Delta, including a 45-day comment period on both a re-circulated draft Programmatic EIR and a Notice of Proposed Rulemaking. The documents are based on a final draft Delta Plan, which has been through seven drafts, as well as a draft Programmatic EIR.

Notably, officials with the Bureau of Reclamation recently acknowledged that federal legislation will be needed prior to implementation of any final BDCP. These statements run counter to remarks made by Deputy Secretary Jerry Meral in late October of 2011, who indicated that the State does not need federal legislation to implement BDCP and that current authorizations will suffice.

In other water-related developments, the Coalition to Support Near-Term Delta Projects agreed this past quarter to support 43 short-term projects that would help the estuary, including levee upgrades, ecosystem restoration, and wildlife research. Some of the projects will require additional action by the California Legislature or regulatory agencies, but there also are some that could be funded by money already available from local governments or ratepayers.

The group, which is comprised of stakeholders from across the state, includes elected officials, Delta residents, farmers, water agencies, and environmental groups. The coalition has no decision-making power per se, but the individual members are considered key players in Delta water policy, and their recommendations are expected to carry considerable weight with policymakers. It should be noted that with such a broad array of perspectives concerning BDCP, the coalition decided at the outset to avoid discussion on projects that would impact any statewide plans for water conveyance.

On the Water Resources Development Act (WRDA) reauthorization front, the chairman of the Senate Environment and Public Works Committee, Senator Barbara Boxer (D-CA), released this past quarter a draft WRDA bill. Among other things, and in a positive development for Solano County, the draft legislation includes a section on levee vegetation.

Under the draft bill, the secretary of the Army would be required to undertake a comprehensive review of the Corps' policy guidelines on vegetation management for levees. The draft also would require the secretary to consider factors that promote and allow for variances from the national guidelines on a regional or watershed basis. Additionally, the draft would require the secretary to solicit and consider the views of the National Academy of Engineering as part of the review process.

The impetus for the WRDA language on vegetation management stems from the Corps' levee vegetation removal policy, which generally requires local flood control agencies to remove woody vegetation from levees in order to allow for easier inspections and to reduce any potential weakening of, or damage to, levees from root growth and overturned trees. Levees that the Corps deems to be out of compliance with its vegetation standards would no longer be eligible for federal disaster assistance. Incidentally, in advancing its policy, the Corps cites no documentation that links actual levee failures to the presence of woody vegetation.

With regard to projects, and as expected, the draft WRDA legislation does not include specific project authorizations due to the current earmark ban in Congress. However, it is believed that the EPW Committee will provide direction to the Corps to commence project work via language that will be included in the committee's report that will accompany the bill's legislative text.

Looking ahead, Senator Boxer has indicated that WRDA reauthorization will be a top priority for the EPW Committee in 2013. Accordingly, the committee is expected to consider the bill early in the new Congress. Likewise, in the House, the incoming chairman of the House Transportation & Infrastructure (T&I) Committee, Representative Bill Shuster (R-PA), has stated that a WRDA bill will be one of the first items the T&I panel will deal with in 2013.

## HEALTH AND HUMAN SERVICES

Year-end efforts to amend the child support enforcement program fell short, given the congressional focus on avoiding the fiscal cliff. Before the holidays, House and Senate committee staff were drafting a bill to put the U.S. on a course to ratify the 2007 Hague International Convention on child support under which participants would cooperate in ensuring that families receive the financial support they are legally entitled to. Such a measure would make it easier for states and counties to pursue support from non-custodial parents who live outside the U.S. The House adopted a bill (HR 4282) containing that provision in June.

The draft bill also contained language to create a federal child support commission. The body would be tasked with identifying best practices and making recommendations on improving the program.

Earlier in the year, Congress extended funding for the Temporary Assistance for Needy Families (TANF) program through March 27, 2013. Exempt from sequestration, TANF's six-month extension was part of the fiscal year 2013 continuing resolution (CR) which funds all federal programs until that date. Given the lack of a reauthorization bill in either the House or the Senate and the anticipated focus on debt reduction early in the new Congress by the Senate Finance and House Ways and Means Committees, TANF is likely to be extended once again through September 30, 2013. That extension will give the committees time later in the year to review the program and make changes to it before the end of the federal fiscal year.

In related news, with the reelection of President Obama, Republican efforts to block the administration's guidance to states to allow waivers of work participation requirements have died. While no state has applied to date, the U.S. Department of Health and Human Services has stated that it would consider state or county applications to waive certain federal work participation requirements if such alternative programs achieved TANF's goals of moving families into self-sufficiency. As is the case with all federal waivers, counties would have to go through the state to apply for a sub-state waiver.

#### JUSTICE PROGRAM FUNDING

Congressional appropriators continued this past quarter their discussions aimed at finalizing the fiscal year 2013 budget. Despite some progress, lawmakers failed to advance a budget deal, choosing instead to allow the current CR to fund programs at fiscal year 2012 levels through March 27. This includes justice funding for programs such as the State Criminal Alien Assistance Program (SCAAP), the Community Oriented Policing Services (COPS) program, and the Byrne Justice Assistance Grants (JAG) program. It should be noted that the *Budget Control Act* stipulates that the aforementioned programs are subject to an 8.2 percent budget cut.

In other news, the U.S. Department of Justice (DOJ) announced last quarter that it was postponing for one year a recent policy change aimed at eliminating SCAAP payments to jurisdictions for the costs of incarcerating inmates whose immigration statuses are "unknown." The decision marked a major victory for Solano County, which lobbied heavily to prevent the policy change from being implemented.

Pursuant to DOJ's announcement, the Agency will continue in fiscal year 2012 the practice of providing payments to jurisdictions for the cost of detaining individuals whose immigration statuses are unable to be confirmed by the Department of Homeland Security (DHS). It should be noted that so-called "unknown" inmates are classified as such because they have not had prior contact with federal immigration authorities and therefore are not included in the DHS database.

If DOJ's policy had been implemented in 2012, Solano County would have lost a significant portion of its SCAAP funding. For the 2010 Solicitation Year (the year for which the most recent DOJ vetting data is available), Solano County's SCAAP allocations would have been reduced from \$340,700 to \$116,151, a decrease of nearly 66 percent. Conversely, the state of California

and most other states would have seen their SCAAP allocations significantly increase under the policy shift. The reason for the state-county discrepancy is that states house a much lower percentage of "unknown" inmates in their correctional facilities in relation to county jails.

Because DOJ is expected to reissue the policy of eliminating reimbursements for the unknown category of SCAAP inmates in 2013, Solano County is once again poised to oppose it.

#### **COMMUNITY DEVELOPMENT BLOCK GRANT**

As part of the CR approved last quarter, the Community Development Block Grant (CDBG) program will continue to be funded at fiscal year 2012 levels until March 27. Congress will have until that date to decide on funding levels for the remainder of fiscal year 2013. With regard to sequestration, the White House estimates that most HUD and USDA Rural Housing Service programs will be reduced by 8.2 percent beginning in March. According to HUD Secretary Shaun Donovan, this would cut CDBG funding to levels not seen since 1975.

It should be noted that Senator Barbara Mikulski (D-MD) recently took over as chairman of the Appropriations Committee after the passing of Senator Daniel Inouye (D-HI). Mikulski was a senior member of the Transportation-Housing and Urban Development (HUD) subcommittee and has advocated for additional CDBG funds in the past. She will likely continue to do so as chair of the committee. With local sources of funding drying up across the country, CDBG funds will be relied on more heavily to promote private investment and supplement the cost of community development projects.

In other news, the aforementioned Superstorm Sandy Supplemental Appropriations bill would have designated \$17 billion for CDBG, \$2 billion of which would have been set aside for mitigation against future storms. The legislation also would have provided HUD with greater flexibility in determining the expenditure of CDBG grants.

#### **PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM**

Legislation to restart stalled Property Assessed Clean Energy (PACE) programs, specifically the *PACE Assessment Protection Act of 2011* (HR 2599), did not see action in the fourth quarter as lawmakers awaited a decision from the Federal Housing Finance Agency (FHFA). FHFA was required to proceed through a formal rulemaking process after a California court ruled that the agency had violated the *Administrative Procedure Act* in its decision to block Fannie Mae and Freddie Mac from purchasing residential mortgages with PACE assessments.

As required, FHFA issued a proposed rule in June that essentially maintained the status quo with regard to PACE programs. The comment period ended in mid-September, and FHFA is expected to issue a final rule soon. While PACE advocates remain optimistic regarding the prospects of a positive outcome, FHFA is not likely to considerably shift its position on residential PACE programs.

The outcome of the agency's final rule will likely determine the fate of PACE legislation in the new Congress. Because HR 2599 has expired, it will need to be reintroduced in 2013 to be eligible for consideration. Representative Mike Thompson (D-CA), one of the primary champions of the legislation, has indicated a willingness to sponsor the measure in the 113th Congress. However, as a result of the November elections, the bill will be losing its two primary Republican sponsors, namely Representatives Dan Lungren (R-CA) and Nan Hayworth (R-NY). Once FHFA issues its final regulations, Thompson's staff plans to touch base with stakeholder groups to discuss next steps.

In other news, PACENow recently released a study, entitled *Lender Support Study: Enhancing the Commercial Real Estate Lender Consent Process for PACE Transactions*, which surveyed national mortgage lenders whose interests in commercial properties could be affected by PACE programs. Among other things, the study found that lenders generally were not opposed to PACE programs. In fact, most would be open to approving projects that benefit their customers and improving the value of their collateral.

We hope this information is useful to Solano County officials. Please do not hesitate to contact our office if you have any questions or need additional information.