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**MEMBER, CALIFORNIA LEGISLATURE**  
 18TH ASSEMBLY DISTRICT  
 SAN FRANCISCO

**MEMBER:**  
 BOARD OF REGENTS  
 UNIVERSITY OF CALIFORNIA  
 BOARD OF TRUSTEES  
 THE CALIFORNIA STATE  
 UNIVERSITY AND COLLEGE

# Assembly California Legislature



**FILED** **FILED**  
 By the City Clerk Office of the City Clerk  
**LEO J. MCCARTHY**  
 SPEAKER OF THE ASSEMBLY  
 Office of the City Clerk

**RECEIVED**  
 CITY CLERK'S OFFICE  
 CITY OF SACRAMENTO  
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OCT 7 1980  
 October 1, 1980  
 OCT 7 1980

Dear Friend:

I am pleased to report that the Legislature has taken an increasingly positive attitude toward housing matters during the past session. As a result, tools are being forged today to alleviate the burden imposed on the lives of millions of Californians and the state's economy by the lack of affordable housing.

Last February, Assemblywoman Teresa Hughes, Chairwoman of the Housing and Community Development Committee, and I announced our active support for a package of 17 bills designed to facilitate the increased production of badly needed housing in all price ranges.

In response to the growing housing shortage and the continuing increase in home prices and rents, the Legislature sent to the Governor 12 measures from the package and adopted several other important measures which address this state's critical housing needs. A brief description of the key bills enacted in 1980 is enclosed for your information.

The successful passage of these key housing bills this session demonstrates that we have now placed an increased housing supply at the top of our agenda and have made housing production as high a priority as environmental protection. Throughout the 1970's, we fought to protect our environment from degradation. Now, without breaking faith with our commitment to a clean California, we are asking state and local governments to balance land use and other policy decisions with the need for new housing. We are encouraging government agencies to use their resources to aid, rather than inhibit, the production of affordable housing.

This new legislative attitude toward housing matters is reflected in a series of bills authored by Assembly members which, for the first time, enact comprehensive policies governing land use decisions affecting housing production.

• AB 2853 (Roos) requires that by October 1, 1981, every community must have a housing element as part of its general plan. It must set out a specific program, including positive use of zoning powers, by which a community will meet its fair share of regional housing needs.

• AB 2320, which I authored, requires local governments to zone enough land at appropriate densities to meet their housing needs and to refrain from using their authority to drive up the cost of new housing.

• AB 3252 (Papan) shifts the burden of proof in a court action to a local government enacting a no-growth ordinance and requires a community to consider the impact of such an ordinance on the regional housing market.

• AB 2804 (Costa) prevents a city or county from prohibiting new housing because that housing is affordable to low or middle income families.

It is rare that the Legislature enacts policies to control local land use decisions. However, the dimensions of the housing crisis demand a break with tradition, just as the need for open space and environmental controls led to legislative action in the past.

The successes of 1980, coupled with the passage of other bills in 1979 (such as the Hughes-Roberti \$100 million rental construction and home ownership assistance bill), made the 1979-80 session the most productive session ever for housing. We began to speed up the permit process through a series of reforms of the Department of Real Estate public report process and of local permit procedures. We dramatically increased state and local assistance for new low and moderate income housing, and we gave a boost to the manufactured housing industry by changes in tax laws and zoning practices.

The passage of these measures would not have been possible without the cooperation of local government, the real estate and development community, organized labor, and legal services and community organizations. While we have taken significant first steps in focusing legislative attention on housing, it is clear that the work before us is tremendous. As long as home prices and rents continue at unacceptable levels, we must actively seek out new ways to restore the dream of home ownership to our young families and to ensure that all our citizens are decently housed.

Sincerely,

*Leo T. McCarthy*  
LEO T. MCCARTHY

LTMCC:blk  
Enc.

MAJOR HOUSING BILLS ENACTED IN 1980

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- AB 329 (Hannigan) HOUSING AUTHORITY AND REDEVELOPMENT AGENCY BONDS: Lifts bond interest limit from 8% to 10% to effectively allow agencies to sell bonds to finance housing.
- AB 2102 (Hughes) DEPARTMENT OF REAL ESTATE (DRE) SUBDIVISION REVIEW: Temporary increase of DRE staff to wipe out backlog in approving subdivisions (\$800,000 appropriation).
- AB 2151 (Hughes) FRAUD JUDGMENTS: Transfers funds to DRE Recovery Fund to pay judgments to fraud victims unable to collect on judgment.
- AB 2234 (Wray) MOBILEHOME PARK CONVERSIONS: Requires local governments to prepare a report on the impact on tenants of conversion of a mobilehome park to another use and provides that the local government may require mitigation of adverse impacts.
- AB 2320 (McCarthy) PERMIT PROCESSING AND LAND USE POLICIES: Among other things, streamlines DRE subdivision review; makes several major changes in local permit process including reducing time deadlines, shortening litigation time frames, allowing more general plan amendments; requires establishment of single permit centers in all communities; enacts state policies to require zoning of sufficient land for housing and consideration of regional needs.
- AB 2530 (Bates) HOUSING AUTHORITY SURPLUS LANDS: Requires housing authorities to first offer their surplus lands to sponsors who will develop low and moderate income housing.
- AB 2698 (Roos) MOBILEHOME ZONING AND MOVEMENT: Requires local agencies to either allow mobilehomes in single family zones or other designated zones. Local governments could not prohibit mobilehomes. Allows movement of 14 feet wide mobilehomes. (Zoning provisions will be chaptered out by SB 1960.)
- AB 2740 (Mangers) FINANCIAL ASSISTANCE TO MANUFACTURED HOUSING: Opens up existing state housing assistance programs to mobilehome developments. Directs CHFA and the Department of HCD to assist mobilehome parks and subdivisions. Reorganizes CHFA Board. Increases loan limits under the Cal-Vet program.

AB 2804 (Costa)

**NON-DISCRIMINATION IN ZONING:** Prohibits local governments from treating low and moderate income housing differently (more stringent architectural standards, greater lot sizes) than conventional housing.

\*AB 2853 (Roos)

(Formerly AB 2464) **HOUSING ELEMENTS:** Requires every city and county to adopt, by October 1, 1981, a housing element of their general plan which must contain an assessment of housing needs and which must set out a specific action program to meet those needs. Requires that local governments assume their fair share of regional housing needs.

AB 3213 (Hughes)

**REDEVELOPMENT:** Allows redevelopment agencies to transfer funds from one project to another project if 20% of redevelopment monies are used for low and moderate income housing.

AB 3252 (Papan)

**NO-GROWTH ORDINANCES:** Establishes presumption in court action that no-growth ordinances have impact on the regional housing market and shifts burden of proof to localities to uphold such ordinances.

SB 1474 (Presley)

**FACTORY-BUILT HOUSING SALES TAX:** Applies sales tax to factory-built housing in a manner similar to conventional housing and mobilehomes, thereby reducing purchase costs. (Identical to AB 2541 (Hughes).)

\*SB 1960 (Rains)

**MOBILEHOME ZONING:** Requires cities and counties to allow mobilehomes on foundations in all residential zones or designated areas of such zones.

\*Not included in original 17-bill package.



# CITY OF SACRAMENTO

## OFFICE OF THE CITY CLERK

915 STREET

SACRAMENTO, CALIFORNIA 95814

CITY HALL ROOM 203

TELEPHONE (916) 449-6426

LORRAINE MAGANA  
CITY CLERK

### MEMORANDUM

TO: WALTER SLIPE, CITY MANAGER

FROM: LORRAINE MAGANA, CITY CLERK *LM*

SUBJECT: REFERRAL OF ITEM NO. 23, COUNCIL  
AGENDA OF OCTOBER 7, 1980

DATE: OCTOBER 8, 1980

Pursuant to Council action, the following matter was referred to you:

Leo T. McCarthy, Speaker of Assembly, regarding legislation relating to Housing matters, Rains bill analysis to Planning and Community Development in relation to mobile home ordinance.

LM/mm/23

cc: City Attorney  
Planning Director  
City Engineer

# RESOLUTION NO. 8-659

Adopted by The Sacramento City Council on date of

**OCT - 7 1980**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACRAMENTO APPROVING THE JOINT POWERS AGREEMENT OF THE SACRAMENTO AREA COUNCIL OF GOVERNMENTS, AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT AND AUTHORIZING THE TERMINATION OF THE SACRAMENTO REGIONAL AREA PLANNING COMMISSION

WHEREAS, the City of Sacramento is a member of the Sacramento Regional Area Planning Commission (SRAPC); and

WHEREAS, membership in SRAPC has been beneficial to the City because it has provided a forum for local elected officials to address area wide problems through communication, planning, policy-making, coordination and technical assistance; and

WHEREAS, the members of SRAPC desire to terminate SRAPC and establish a Council of Governments which will succeed to the responsibilities, powers and duties of SRAPC; and

WHEREAS, the City has participated in the development and review of the attached Joint Powers Agreement which establishes the Sacramento Area Council of Governments (SACOG) and desires to become a member of SACOG; and

WHEREAS, the City desires to authorize the termination of SRAPC only if the Sacramento Area Council of Governments is established;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO AS FOLLOWS:

Section 1. The "Joint Powers Agreement of the Sacramento Area Council of Governments," attached hereto and incorporated herein, establishing the Sacramento Area Council of Governments and providing for its authority, functions and powers, is hereby approved, and the Mayor is hereby authorized and directed to execute the Agreement thereby authorizing the membership of the City in the Sacramento Area Council of Governments.

Section 2. The City Council of the City of Sacramento approves and authorizes the termination of the Sacramento Regional Area Planning Commission effective January 15, 1981. The termination of SRAPC shall be conditioned upon the establishment of the Sacramento Area Council of Governments in accord with Section 90 of the Joint Powers Agreement and shall be effective upon an affirmative vote of the Commission terminating SRAPC.

Section 3. The City Clerk is directed to send a copy of this resolution to the Chairman of SRAPC within ten (10) days after the adoption of this resolution.

**PHILLIP L. ISENBERG**

MAYOR

ATTEST:

**LORRAINE MAGANA**

CITY CLERK

