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SB-1177 Joint powers authorities: Cities of Burbank, Glendale, and Pasadena. (2021-2022)

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Senate Bill No. 1177

CHAPTER 173

An act to add Section 6539.8 to the Government Code, relating to housing.

[Approved by Governor August 22, 2022. Filed with Secretary of State August 22, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1177, Portantino. Joint powers authorities: Cities of Burbank, Glendale, and Pasadena.

The Joint Exercise of Powers Act authorizes 2 or more public agencies, by agreement, to form a joint powers authority to exercise any power common to the contracting parties, as specified. That act authorizes the agreement to set forth the manner by which the joint powers authority will be governed. That act specifically authorizes the creation of the Orange County Housing Finance Trust, a joint powers authority, for the purposes of funding housing to assist the homeless population and persons and families of extremely low, very low, and low income within the County of Orange.

This bill would similarly authorize the creation of the Burbank-Glendale-Pasadena Regional Housing Trust, a joint powers authority, by the Cities of Burbank, Glendale, and Pasadena, with the stated purpose of funding housing to assist the homeless population and persons and families of extremely low, very low, low, and moderate income. The bill would authorize the Burbank-Glendale-Pasadena Regional Housing Trust to fund the planning and construction of housing, receive public and private financing and funds, and authorize and issue bonds. The bill would require that the joint powers agreement establishing the Burbank-Glendale-Pasadena Regional Housing Trust incorporate specified annual financial reporting and auditing requirements.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Cities of Burbank, Glendale, and Pasadena.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) California has an affordable housing crisis, which is especially acute in the Arroyo Verdugo areas of Burbank, Glendale, and Pasadena due to the high cost of housing in those areas.

(b) The Cities of Burbank, Glendale, and Pasadena each operate their own respective housing authority, which enables each city to provide a full spectrum of affordable housing opportunities ranging from rental subsidies for projects targeting very and extremely low-income households to large affordable housing project development.

(c) The Cities of Glendale and Pasadena are two of only three cities in the state to have their own homeless continuum of care and both cities have greatly outperformed their surrounding larger continuums of care in reducing homelessness.

(d) Collectively, the Cities of Burbank, Glendale, and Pasadena have nearly 3,000 affordable housing units in the combined development pipeline, including permanent supportive housing, senior housing, missing middle housing, and affordable home ownership units, with insufficient funding to bring all their pipeline affordable housing projects to completion. Moreover, the insufficient funding hinders the ability of these cities to grow the pipeline to meet the affordable housing need.

(e) The establishment of the Burbank-Glendale-Pasadena Regional Housing Trust to receive available public and private funds would help finance affordable housing projects for homeless and low-income populations. Furthermore, this trust would benefit not only the immediate region, but would be a benefit to all of those in need in the area of the County of Los Angeles, as well.

SEC. 2. Section 6539.8 is added to the Government Code, to read:

6539.8. (a) (1) Notwithstanding any other law, the Cities of Burbank, Glendale, and Pasadena may enter into a joint powers agreement pursuant to this chapter to create and operate a joint powers agency to fund housing to assist the homeless population and persons and families of extremely low, very low, low income, and moderate income, as defined in Section 50093 of the Health and Safety Code within those jurisdictions.

(2) The joint powers agency created pursuant to this section shall be known as the Burbank-Glendale-Pasadena Regional Housing Trust, and shall be created and operated in accordance with this section and pursuant to the joint powers agreement entered pursuant to paragraph (1).

(b) (1) The Burbank-Glendale-Pasadena Regional Housing Trust shall be governed by a board of directors consisting of a minimum of three directors who are elected officials representing the cities that are party to the joint powers agreement. Those directors shall consist of members equally appointed by each of the three representative cities that are a party to the joint powers agreement.

(2) The board of directors shall elect a chairperson and a vice chairperson from among its members at the first meeting held in each calendar year.

(3) (A) Members of the board of directors shall serve without compensation.

(B) Members of the board of directors may be reimbursed for actual expenses. Actual expenses shall be approved before they are incurred.

(4) (A) A member of the board of directors shall serve a term of two years.

(B) If a vacancy occurs on the board of directors, an individual shall fill the vacancy as outlined in the joint powers agreement. An appointment to fill a vacancy pursuant to this subparagraph shall be effective only for the remainder of the term of the office that became vacated.

(c) Notwithstanding any other law, the Burbank-Glendale-Pasadena Regional Housing Trust may do any of the following:

(1) Fund the planning, acquisition, and construction of housing of all types and tenures for the homeless population and persons and families of extremely low, very low, low, and moderate income, as defined in Section 50093 of the Health and Safety Code, including, but not limited to, permanent supportive housing.

(2) Receive public and private financing and funds.

(3) Authorize and issue bonds, certificates of participation, or any other debt instrument repayable from funds and financing received pursuant to paragraph (2) and pledged by the Burbank-Glendale-Pasadena Regional Housing Trust.

(d) The Burbank-Glendale-Pasadena Regional Housing Trust shall incorporate into its joint powers agreement annual financial reporting and auditing requirements that shall maximize transparency and public information as to the receipt and use of funds by the agency. The annual financial report shall show how the funds have furthered the purposes of the Burbank-Glendale-Pasadena Regional Housing Trust.

(e) The Burbank-Glendale-Pasadena Regional Housing Trust shall comply with the regulatory guidelines of each specific state funding source received.

SEC. 3. The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances, described in Section 1 of this act, in the Cities of Burbank, Glendale, and Pasadena.