



## **CEAC Transportation Policy Committee**

127th CSAC Annual Meeting

Portola Hotel | Two Portola Plaza, Monterey, California

De Anza I

Wednesday, December 1, 2021 | 1:00 p.m. – 2:30 p.m.

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### **AGENDA**

Chair, David Fleisch, Ventura County

Vice Chair, Stephen Kowalewski, Contra Costa County

Vice Chair, Najee Zarif, San Joaquin County

Vice Chair, Jeff Moneda, San Diego County

- |           |      |  |
|-----------|------|--|
| 1:00 p.m. | I.   | <b>Welcome and Introductions</b><br><i>Chair, David Fleisch, Ventura County</i>  |
| 1:05 p.m. | II.  | <b>Implementing AB 43 (Friedman, 2021) – Traffic Safety</b><br><i>Julia Kingsley, Consultant, California Assembly Transportation Committee</i><br><i>David Fleisch, Ventura County, CTCDC County Member</i><br><i>Bob Bronkall, Humboldt County, CTCDC County Member</i><br>Attachment One: AB 43 Senate Floor Analysis  |
| 1:25 p.m. | III. | <b>Caltrans Update</b><br><i>Dee Lam, Chief, Caltrans Division of Local Assistance</i>   |
| 1:40 p.m. | IV.  | <b>Legislative and Administrative Update</b> <ul style="list-style-type: none"><li>• Infrastructure Investment and Jobs Act and State Implementation</li><li>• Active Transportation Program/SB 1 Competitive Programs</li><li>• Climate Adaptation and Transportation Projects</li></ul> <i>Chris Lee, CSAC Legislative Representative</i><br><i>Marina Espinoza, CSAC Senior Legislative Analyst</i><br>Attachment Two: IIJA Transportation Summary<br>Attachment Three: Prohousing Designation Resolution |
| 2:00 p.m. | V.   | <b>Committee Updates</b> <ul style="list-style-type: none"><li>• Highway Bridge Program (HBP) Advisory Committee</li><li>• Strategic Highway Safety Plan (SHSP) Steering Committee</li><li>• Federal Lands Access Program (FLAP) Programming Decisions Committee</li><li>• California Traffic Control Devices Committee (CTCDC)</li></ul>  |
| 2:25 p.m. | VI.  | <b>Future Agenda Items</b>   |
| 2:30 p.m. | VII. | <b>Adjournment</b>   |

## **LIST OF ATTACHMENTS**

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### **Implementing AB 43 (Friedman, 2021) – Traffic Safety**

Attachment One.....AB 43 Senate Floor Analysis

### **Legislative and Administrative Update**

Attachment Two.....IIJA Transportation Summary

Attachment Three..... Prohousing Designation Resolution

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**Attachment One**  
AB 43 Senate Floor Analysis

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THIRD READING

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Bill No: AB 43  
Author: Friedman (D), Chiu (D), Gipson (D), Quirk (D) and Ting (D), et al.  
Amended: 9/1/21 in Senate  
Vote: 21

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SENATE TRANSPORTATION COMMITTEE: 14-1, 7/13/21  
AYES: Gonzalez, Bates, Allen, Becker, Cortese, Dodd, McGuire, Melendez, Min,  
Newman, Rubio, Skinner, Wieckowski, Wilk  
NOES: Dahle  
NO VOTE RECORDED: Archuleta, Umberg

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 65-3, 5/10/21 - See last page for vote

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**SUBJECT:** Traffic safety

**SOURCE:** Author

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**DIGEST:** This bill provides Caltrans and local authorities greater flexibility in setting and reducing speed limits.

*Senate Floor Amendments* of 9/1/21 delay implementation of portions of the bill until June 30, 2024 or until the Judicial Council has developed a tool to determine a defendants ability to pay, whichever is sooner. The amendments also require warning notices rather than citations for 30 days after certain speed limits are reduced.

**ANALYSIS:**

Existing law:

- 1) Prohibits driving at a speed greater than is reasonable or prudent having due regard for weather, visibility, traffic, and the surface and width of the highway,

and in no event at a speed which endangers the safety of persons or property. This is known as California's Basic Speed Law.

- 2) Establishes a maximum speed of 65 mph under most circumstances and allows for lower speed limits under numerous specified conditions.
- 3) Authorizes Caltrans and local authorities to establish a speed limit on most streets of between 25 mph and 60 mph in 5 mph increments on the basis of an engineering and traffic survey (ETS), as defined. The ETS establishes the 85<sup>th</sup> percentile speed, which is rounded to the nearest 5 mph.
- 4) Establishes speed limits of 15 mph when traversing railroad crossings, at specified intersections, and in alleys, and of 25 mph in any business or residence district, near schools and near senior centers. These speed limits do not need to be justified by an ETS.
- 5) Prohibits the use of speed traps, as defined, in arresting or prosecuting any violation of the Vehicle Code including speeding.
- 6) Requires every court to offer an ability-to-pay determination, which reduces the cost of infractions for those who can demonstrate an inability to pay. The Judicial Council is required to develop a tool for making this determination by June 30, 2024. (Chapter 79 of 2021: AB 143, Committee on Budget)

This bill:

- 1) Authorizes local authorities, when performing an ETS, to consider the safety of bicyclists and pedestrians, with increased consideration for vulnerable pedestrian groups.
- 2) Authorizes Caltrans and local authorities, on streets where a 65 mph limit is applicable, to lower the speed limit to as low as 15 mph pursuant to an ETS. Current law permits the speed limit to be as low as 25 mph.
- 3) Authorizes Caltrans or a local authority to round the 85<sup>th</sup> percentile speed either up or down to the nearest 5 mph. (e.g. if the 85<sup>th</sup> percentile speed is 43 mph the speed limit would be set at either 40 mph or 45 mph). Current law requires the 85<sup>th</sup> percentile speed to be rounded to the nearest 5 mph. (e.g. if the 8<sup>th</sup> percentile speed is 43 mph the speed limit could be set at 45 mph.)

- 4) Authorizes a local authority who, after completing an ETS, finds that the speed limit is more than reasonable or safe, to reduce the speed limit by 5 mph by ordinance if the highway is designated as a safety corridor, as defined by Caltrans, or the portion of highway is adjacent to any land or facility that generates high concentrations of bicyclists or pedestrians, as determined by Caltrans. A local authority may not lower speed limits pursuant to this section until June 30, 2024 or until the Judicial Council creates a tool for local jurisdictions to determine an individual's ability to pay, whichever is sooner. A local authority may only issue warning citations for violations exceeding the speed limit by 10 mph or less for the first 30 days that the lower speed limit is in effect.
- 5) Authorizes a local authority who, after completing an ETS, finds that the resulting speed limit is higher than is reasonable or safe, to retain the current speed limit or restore the immediately prior speed limit if a registered engineer determines that no additional general purpose lanes have been added to the roadway since completion of the ETS that established the prior speed limit. A local authority may only issue warning citations for violations exceeding the speed limit by 10 mph or less for the first 30 days that the lower speed limit is in effect.
- 6) Defines a business activity district as a central or neighborhood downtown, urban village or zoning designation that prioritizes commercial land uses at the downtown or neighborhood scale and meets three of following four tests:
  - a) No less than 50% of the property fronting the highway is used either for retail or dining.
  - b) There is street parking.
  - c) Traffic control signals are no more than 600 feet apart.
  - d) Marked crosswalks are not controlled by a traffic control device.

A local authority may only issue warning citations for violations exceeding the speed limit by 10 mph or less for the first 30 days that the lower speed limit is in effect.

- 7) Authorizes a local authority by ordinance to declare a 25 mph or 20 mph speed limit in a business activity district when the highway has a maximum of four traffic lanes.

## Background

- 1) *Zero Fatalities Task Force*. In 2018 AB 2363 (Friedman, Chapter 650, Statutes of 2018) required the Secretary of the State Transportation Agency to convene a task force to develop policies for reducing traffic fatalities to zero. The task force commissioned research on speed setting from the UC Institute of Transportation Studies (UC ITS) and issued a report on its findings based on that research in January 2020 entitled “CalSTA Report of Findings; AB 2363 Zero Traffic Fatalities Task Force” (Task Force Report).
- 2) *Setting Speed Limits*. The Task Force Report describes how speed limits are currently set, a practice known as the 85<sup>th</sup> percentile, which is based on an ETS:

“Drivers play an important role in how posted speed limits are set. Many U.S. states and California rely on a long-standing and widespread methodology known as the 85<sup>th</sup> percentile speed to establish speed limits. As its name implies, the 85<sup>th</sup> percentile speed is the velocity at which 85% of vehicles drive at or below on any given road. This approach was developed in the U.S. in the mid-20<sup>th</sup> century and is still the dominant factor in how speed limits are set in the U.S today. The 85<sup>th</sup> percentile methodology assumes that most drivers will drive at a safe and reasonable speed based on the road conditions. It is also based on the idea that speed limits are safest when they conform to the natural speed driven by most drivers and that uniform vehicle speeds increase safety and reduce the risks for crashes.”<sup>1</sup>

Over the last several years, the conventional wisdom supporting the 85<sup>th</sup> percentile methodology has been criticized. The UC ITS report finds that the 85<sup>th</sup> percentile speed was intended to only be a starting point for setting speed limits, with subsequent adjustments made to account for safety concerns. The Task Force Report criticizes the 85<sup>th</sup> percentile methodology as privileging driver behavior, not requiring consideration of other road users such as pedestrians and bicyclists, and assuming that drivers will choose reasonable speeds.

- 3) *How Safe Are We?* California has many traffic fatalities and injuries: nearly 3,600 people die each year in traffic crashes and more than 13,000 are severely injured.<sup>2</sup> However, the trend has been relatively steady over the near term --

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<sup>1</sup> CalSTA Report of Findings, AB 2363 Zero Traffic Fatalities Task Force; January 2020.

<sup>2</sup> California Office of Traffic Safety, California Highway Safety Plan (2019), 5.

traffic fatalities decreased 5.1% from 2018 to 2019<sup>3</sup> -- and declining over the long term. Pedestrian fatalities have also been relatively steady; the CHP notes that statewide pedestrian fatalities increased only slightly, from 947 in 2016 to 1021 in 2019. Excess speed is only one of many factors that can cause these fatalities, including alcohol, drugs and distracted driving. CalSTA reports that about one-third of driving fatalities are due to speeding. Concerns about a recent significant increase in traffic fatalities are not born out by the data.

- 4) *What Determines How Fast We Actually Drive?* Driver speed is in part based on the driver perception of circumstances, such as width of the road, road geometry, surrounding environment, and smoothness of the road. As cars have become quieter, more powerful, and handle better, the perception of a safe speed has increased, leading to higher actual speeds. Some researchers contend that drivers tend to be poor judges of safe speeds.

## Comments

- 1) *Purpose.* Speed limit reform is far overdue in California. Speed limits are based on the speed driver's feel comfortable driving at, not safety. The 85<sup>th</sup> percentile is outdated, and has led locals to increase speed limits at the same time traffic fatalities continue to increase. Implementation of AB 43 at the local level has the potential to save hundreds of lives. This bill is the culmination of the Zero Traffic Fatalities Task Force recommendations on speed setting, verified and contributed to by experts across the state.
- 2) *Lower Speed Limits = Lower Speeds?* The goal of this bill is to lower speeds. However, lowering speed limits does not by itself slow speeds much. The Federal Highway Administration notes that simply lowering speed limits has little impact on driver behavior.<sup>4</sup> While the UC Institute of Transportation Studies concludes that reducing speed limits almost universally reduce speeds, "the absolute magnitude of speed changes from speed limits alone is quite small."<sup>5</sup>

Bill supporters note that 1/3 of traffic fatalities are speed related. They believe reducing speed limits will reduce speed, reducing fatalities and injuries.

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<sup>3</sup> California Office of Traffic Safety, Quick Statistics website, June 29, 2021.

<sup>4</sup> FHWA; Effects of Raising and Lowering Speed Limits on Selected Roadway Sections (No. FHWA RD-97-084); p.24.

<sup>5</sup> UC Institute of Transportation Studies: Research Synthesis for AB 2363 Zero Traffic Fatalities Task Force; December 31, 2019; p21.



Lowering speed limits too much carries its own risks. The Task Force Report notes “artificially low speed limits can lead to poor compliance as well as large variations in speed within the traffic stream. Increased speed variance can also create more conflicts and passing maneuvers.”

- 3) *Using All the Tools.* The most effective way to reduce speeds is through a combination of signage, street engineering and enforcement. As noted by the UC Institute of Transportation Studies, speed limits are a mechanism that can be used to control speed, but most studies suggest that effectively controlling speed relies on numerous other factors including enforcement, features of the road, land use, and traffic control devices.<sup>6</sup>

Perhaps the most important factor in reducing speeds is the street engineering, which describes the physical character of the streets and the surrounding environment. The Task Force Report acknowledges this:

“Many studies find that engineering changes are the most effective interventions at reducing pedestrian injury and fatality rates.”

“Task Force members overwhelmingly agree that changing a road’s infrastructure is the most important factor to reduce vehicle operating speeds.”

The Task Force Report identifies many potential street engineering changes, which they call engineering countermeasures, such as curb extensions, median islands, raised crosswalks, roundabouts, and speed bumps, which naturally result in lower speeds. Despite noting the effectiveness of engineering countermeasures, the Task Force Report recommendations state that these measures can be costly and time-consuming to implement, only recommending that they be reviewed and considered. Instead the Task Force Report supports automated speed enforcement (e.g. speed cameras), a more punitive and surveillance-heavy approach.

- 4) *What is Next?* This bill allows local governments to lower speed limits in an incremental way subject to a public process. However, significantly lowering actual driving speeds will also require stepped up enforcement and engineering changes to the roads. As noted above, engineering changes are the most important factor in reducing speeds. Stepping up enforcement, such as through

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<sup>6</sup> ibid

video cameras, without engineering changes will result in many more citations issued, a concern raised by the opponents. This interaction should be a foremost consideration in any subsequent speed limit legislation.

- 5) *Delayed Enforcement.* Legislation enacted as part of the 2021-22 budget requires courts to offer an ability-to-pay determination, which significantly lowers or waives fines for those who can demonstrate an inability to pay. The Judicial Council is charged with developing an on-line tool by June 30, 2024 so that individuals can determine if they qualify. Implementation of parts of this bill is delayed until that tool is available or until June 30, 2024, whichever is sooner.
- 6) *Supporters Arguments:* The bill provides flexibility to lower speed limits, which will make streets safer for all road users, as 1/3 of traffic fatalities are speed related, and will help cities prevent and reverse speed creep. Speed limits should account for all road users, not just cars. Reducing speed even a little will reduce deaths and injuries substantially.
- 7) *Opponent Arguments:* Studies demonstrate that lowering speed limits by itself will not reduce speed. It will criminalize normal behavior; result in many more issued citations and will not make streets safer.

**FISCAL EFFECT:** Appropriation: No   Fiscal Com.: Yes   Local: No

**SUPPORT:** (Verified: 8/23/21)

Active San Gabriel Valley

Activesgv

Alameda County Board of Supervisors

Alameda County Transportation Commission

Alameda-Contra Costa Transit District

Asian Pacific Islander Forward Movement

Association of Bay Area Governments

Authority

Bay Area Council

CalBike

California Bicycle Coalition

California City Transportation Initiative

California State Association of Counties

California WalksCentral City Association of Los Angeles

Circulate San Diego

City and County of San Francisco  
City and County of San Francisco, Board of Supervisors  
City of Alameda  
City of Berkeley  
City of Chula Vista, Mayor Casillas Salas  
City of Downey  
City of Glendale  
City of Long Beach  
City of Los Angeles  
City of Novato  
City of Oakland  
City of Oakland Bicyclist and Pedestrian Advisory Commission  
City of Redondo Beach  
City of San Jose  
City of San Mateo  
City of Santa Barbara  
City of Thousand Oaks  
City/County Association of Governments of San Mateo County  
County of Santa Clara  
Day One  
Families on Fremont  
Fresno Metro Ministry  
Glendale Environmental Coalition  
Independent Hospitality Coalition  
Institute for Transportation & Development Policy  
League of California Cities  
Los Angeles County Bicycle Coalition  
Los Angeles County Metropolitan Transportation Authority  
Los Angeles Neighborhood Land Trust  
Los Angeles Police Department  
Los Angeles Walks  
Metropolitan Transportation Commission  
Move LA  
Nacto  
Napa County Transportation and Planning Agency/Napa Valley Transportation  
National Association of City Transportation Officials  
National Safety Council  
NRDC  
Pasadena Complete Streets Coalition  
Policylink

Potrero Boosters Neighborhood Association  
Puente Latino Association  
Sacramento Area Council of Governments  
Safe Routes Partnership  
San Diego Association of Governments  
San Francisco Bay Area Families for Safe Streets  
San Francisco Bicycle Coalition  
San Francisco Board of Supervisors  
San Francisco County Transportation Authority  
San Francisco Municipal Transportation Agency  
Santa Cruz County Regional Transportation Commission  
Santa Monica Spoke  
Save Meridian Avenue for Its Residents Together Families  
Silicon Valley Leadership Group  
South Bay Bicycle Coalition  
Southern California Association of Governments  
SpurStop4aidan  
Street Racing Kills  
Streets are For Everyone  
Streets for All  
Sustainable Claremont  
The Happy City Coalition  
The League of American Bicyclists  
Transform  
Vision Zero Network  
Walk Oakland Bike Oakland  
Walk San Francisco

**OPPOSITION:** (Verified: 8/23/21)

ACLU California Action  
California Association of Highway Patrolmen  
California Traffic Defense Bar Association, a California Not for Profit  
Peace Officers Research Association of California  
Safer Streets LA  
Western Center on Law & Poverty

ASSEMBLY FLOOR: 65-3, 5/10/21

AYES: Aguiar-Curry, Arambula, Bauer-Kahan, Bennett, Berman, Bloom, Boerner  
Horvath, Burke, Calderon, Carrillo, Cervantes, Chau, Chiu, Cooley, Cooper,

Cunningham, Daly, Davies, Flora, Fong, Friedman, Gabriel, Gallagher, Cristina Garcia, Gipson, Lorena Gonzalez, Grayson, Holden, Irwin, Jones-Sawyer, Kalra, Lackey, Lee, Levine, Low, Maienschein, Mayes, McCarty, Medina, Mullin, Muratsuchi, Nazarian, Nguyen, O'Donnell, Petrie-Norris, Quirk, Quirk-Silva, Ramos, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Salas, Santiago, Seyarto, Stone, Ting, Villapudua, Waldron, Ward, Akilah Weber, Wicks, Wood, Rendon

NOES: Bigelow, Kiley, Mathis

NO VOTE RECORDED: Chen, Choi, Megan Dahle, Frazier, Eduardo Garcia, Gray, Patterson, Smith, Valladares, Voepel

Prepared by: Randy Chinn / TRANS. / (916) 651-4121  
9/2/21 16:43:34

\*\*\*\* END \*\*\*\*

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**Attachment Two**  
IIJA Transportation Summary



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**EXECUTIVE DIRECTOR**

Graham Knaus

November 15, 2021

To: Housing, Land Use, and Transportation Policy Committee

From: Chris Lee, Legislative Representative  
Marina Espinoza, Senior Legislative Analyst

Re: **Transportation Provisions of the Infrastructure Investment and Jobs Act**

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The following memo includes a summary of key transportation provisions from the Infrastructure Investment and Jobs Act (IIJA), which was signed by President Biden on November 15. The IIJA includes a full, five-year surface transportation reauthorization bill, which supersedes the FAST Act, for federal fiscal years 2022 through 2026.

**National Highway Performance Program (NHPP)**

- 17.3% increase in funding from federal fiscal year (FFY) 2021 to 2022, with 2% annual increases in years two through five, for an average of \$2.56 billion annually to California.
- Under the FAST Act in California, majority of funding allocated to Caltrans for state highway projects.
- Newly eligible project types include climate/natural disaster resiliency for transportation infrastructure, cybersecurity, and undergrounding utility infrastructure.
- Under the FAST Act in California, approximately \$230 million annually allocated to federally eligible county/local bridge repair or replacement projects.
- CSAC implementation goal: Maintain or increase allocation to local bridges.

**Surface Transportation Block Grant Program (STBGP)**

- 4.4% increase in funding from FFY 2021 to 2022, with 2% annual increases in years two through five, for an average of \$1.25 billion annually to California.
- Majority of this funding (55%) is suballocated to RTPAs or MPOs (regional transportation planning agencies or metropolitan planning agencies, respectively) for regional and local projects.
- Newly eligible project types include construction of wildlife crossing structures, electric vehicle charging infrastructure and vehicle-to-grid infrastructure, installation and deployment of intelligent transportation technologies.

- Dedicated STBGP Funding Set-Asides:
  - **Active Transportation Projects:** 10% of California’s share of STBGP funds must be dedicated to bicycle/pedestrian projects, estimated at \$125 million annually; an increase from approximately \$75 million annually under the FAST Act.
  - **“Off-system” bridge projects:** \$100 million of California’s share of STBGP funds must be spent on off-system bridges; an increase from approximately \$75 million annually under the FAST Act (*off-system bridges are locally-serving and would otherwise not be eligible for federal funds*)

### **Bridge Formula Program (NEW)**

- Estimated \$4.2 billion to California over five years.
- Eligible uses include state/local highway bridge replacement, rehabilitation, preservation, protection, or construction projects on public roads.
- 15% dedicated to “off-system” bridge projects at 100% federal cost share.
- *CSAC implementation goal:* *Ensure a fair and needs-based allocation of funding between state and local bridges, with a goal of a combined allocation of at least \$800 million annually for local bridges from the formula program, STBG off-system set-aside, and NHPP funding for on-system bridges.*

### **Highway Safety Improvement Program (HSIP)**

- 23.8% increase from FFY 2021 to 2022, with 2.2% annual increases in years two through five, for an average of \$274 million annually for California.
- Under the FAST Act in California, HSIP funding is shared between Caltrans and local government grants, with a share allocated to regional agencies.
- Up to 10% can be dedicated to non-infrastructure safety purposes.
- *CSAC implementation goal:* *Maximize funding available for county safety projects.*

**Discretionary Grant Programs:** IIJA funds several grant programs including the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grants and the Infrastructure for Rebuilding America (INFRA) Grant Program. It also creates new programs, including the Rural Surface Transportation Grant Program, the National Infrastructure Project Assistance Grant Program, a Wildlife Crossings Pilot Program, and the Reconnecting Communities Pilot Program.

**Public Transit:** The IIJA increases allocations from \$10.2 billion in FFY 2021 to \$13.4 billion in FFY 2022 and includes significant funding for Urbanized Area Formula Grants, State of Good Repair Grants Program, rural transit, bus/bus facility formula grants, and other transit investments.

### **Resources and Detailed Summaries:**

- [National Association of Counties Infrastructure Investment and Jobs Act Website](#)
- [National Association of Counties Transportation Reauthorization Summary](#)
- [American Association of State Highway and Transportation Officials IIJA Summary](#)



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**Attachment Three**  
Prohousing Designation Resolution

## Formal Resolution for the Prohousing Designation Program (New 04/21)

RESOLUTION NO. [INSERT RESOLUTION NUMBER]

A RESOLUTION OF THE GOVERNING BODY OF  
[INSERT THE NAME OF THE CITY OR COUNTY]  
AUTHORIZING APPLICATION TO AND PARTICIPATION IN THE PROHOUSING  
DESIGNATION PROGRAM

WHEREAS, Government Code section 65589.9 established the Prohousing Designation Program (“**PDP**” or “**Program**”), which creates incentives for jurisdictions that are compliant with state housing element requirements and that have enacted Prohousing local policies; and

WHEREAS, such jurisdictions will be designated Prohousing, and, as such, will receive additional points or other preference during the scoring of their competitive applications for specified housing and infrastructure funding; and

WHEREAS, the Department of Housing and Community Development (“**Department**”) has adopted emergency regulations (Cal. Code Regs., tit. 25, § 6600 et seq.) to implement the Program (“**Program Regulations**”), as authorized by Government Code section 65589.9, subdivision (d); and

WHEREAS, the [INSERT THE NAME OF THE CITY OR COUNTY] (“**Applicant**”) desires to submit an application for a Prohousing Designation (“**Application**”).

### THEREFORE, IT IS RESOLVED THAT:

1. Applicant is hereby authorized and directed to submit an Application to the Department.
2. Applicant acknowledges and confirms that it is currently in compliance with applicable state housing law.
3. Applicant acknowledges and confirms that it will continue to comply with applicable housing laws and to refrain from enacting laws, developing policies, or taking other local governmental actions that may or do inhibit or constrain housing production. Examples of such local laws, policies, and action include moratoriums on development; local voter approval requirements related to housing production; downzoning; and unduly restrictive or onerous zoning regulations, development standards, or permit procedures. Applicant further acknowledges and confirms that it commits itself to affirmatively furthering fair housing pursuant to Government Code section 8899.50.

4. If the Application is approved, Applicant is hereby authorized and directed to enter into, execute, and deliver all documents required or deemed necessary or appropriate to participate in the Program, and all amendments thereto (the **"Program Documents"**).
5. Applicant acknowledges and agrees that it shall be subject to the Application; the terms and conditions specified in the Program Documents; the Program Regulations; and any and all other applicable law.
6. **[INSERT THE TITLE OF THE APPLICANT'S AUTHORIZED SIGNATORY]** is authorized to execute and deliver the Application and the Program Documents on behalf of the Applicant for participation in the Program.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by the following vote:

AYES: **[Insert #]**    NOES: **[Insert #]**    ABSENT: **[Insert #]**    ABSTAIN: **[Insert #]**

The undersigned, **[INSERT NAME AND TITLE OF NONSIGNATORY]** of Applicant, does hereby attest and certify that the foregoing is a true and full copy of a resolution of the Applicant's governing body adopted at a duly convened meeting on the date above-mentioned, and that the resolution has not been altered, amended, or repealed.

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_