



375 Beale Street
Suite 700
San Francisco, California
94105

Meeting Agenda - Final

ABAG Executive Board

Thursday, January 19, 2023

5:10 PM

HYBRID (In-Person Option Available)

Association of Bay Area Governments Executive Board Meeting No. 484

In light of Governor Newsom's State of Emergency declaration regarding COVID-19 and in accordance with Assembly Bill 361's (Rivas) provisions allowing remote meetings, this meeting will be accessible via webcast, teleconference, and Zoom for all participants.

A Zoom panelist link for meeting participants will be sent separately to committee, commission, or board members.

The meeting webcast will be available at: <https://abag.ca.gov/meetings-events/live-webcasts>

Meeting attendees may opt to attend in person for public comment and observation at 375 Beale Street, Board Room (1st Floor).

In-person attendees must adhere to posted public health protocols while in the building.

Members of the public are encouraged to participate remotely via Zoom at the following link or phone number:

Please click the link below to join the webinar:

<https://bayareametro.zoom.us/j/84418296091>

Or One tap mobile :

US: +13462487799,,84418296091# or +17193594580,,84418296091#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 346 248 7799 or +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782 or +1 408 638 0968 or +1 669 444 9171 or +1 669 900 6833 or +1 312 626 6799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 646 876 9923 or +1 646 931 3860 or +1 689 278 1000 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or 833 548 0282 (Toll Free) or 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free) or 833 548 0276 (Toll Free)

Webinar ID: 844 1829 6091

Detailed instructions on participating via Zoom are available at:

<https://abag.ca.gov/zoom-information>

Committee members and members of the public participating by Zoom wishing to speak should use the "raise hand" feature or dial "*"9" and dial "*6" to unmute and speak.

In order to get the full Zoom experience, please make sure your application is up to date.

Members of the public may participate by phone or Zoom or may submit comments by email at info@bayareametro.gov by 5:00 p.m. the day before the scheduled meeting date. Please

include the committee or board meeting name in the subject line. Due to the current circumstances, there may be limited opportunity to address comments during the meeting. All comments received will be submitted into the record.

The ABAG Executive Board may act on any item on the agenda.
The meeting is scheduled to begin at 5:10 p.m., or after the preceding ACFA meeting.
Agenda, roster and webcast available at <https://abag.ca.gov>
For information, contact Clerk of the Board at (415) 820-7913.

Roster

Susan Adams, Candace Andersen, Jesse Arreguin, Nikki Fortunato Bas, London Breed,
Ken Carlson, David Cohen, Pat Eklund, Susan Ellenberg, Carroll Fife, Neysa Fligor,
Leon Garcia, David Haubert, Rich Hillis, Dave Hudson, Rosemary Kamei, Otto Lee,
Rafael Mandelman, Yvonne Martinez-Beltran, Nathan Miley, Mark Nagales, Peter Ortiz,
David Rabbitt, Belia Ramos, Carlos Romero, Mary Sackett, Cindy Silva, Aaron Tiedemann,
Steve Young. Donald Young (Advisory).

1. Call to Order / Roll Call / Confirm Quorum

A quorum is a majority of ABAG Executive Board members present.

2. Public Comment

Information

3. Executive Board Announcements

Information

4. President's Report

- 4.a. [23-0201](#) ABAG President's Report for January 19, 2023

Action: Information

Presenter: Jesse Arreguin

- 4.b. [23-0214](#) Adoption of Resolution No. 5-2023, Approval of the Equity Platform

Action: Approval

Presenter: Therese W. McMillan

Attachments: [04b 1 Summary Sheet Resolution 5-2023 Equity Platform v1.pdf](#)
[04b 2 Attachment ABAG Resolution No 5 2023 Equity Platform v1.pdf](#)

5. Executive Director's Report

- 5.a. [23-0202](#) Executive Director's Report for January 19, 2023

Action: Information

Presenter: Therese W. McMillan

6. Consent Calendar

- 6.a. [23-0203](#) Approval of ABAG Executive Board Minutes of November 17, 2022, December 15, 2022, and January 12, 2023
- Action:** Approval
- Presenter:** Clerk of the Board
- Attachments:** [06a 1 EB Minutes 20221117 481 Draft.pdf](#)
[06a 2 EB Minutes 20221215 482 Draft.pdf](#)
[06a 3 EB Minutes 20230112 483 Draft.pdf](#)
- 6.b. [23-0204](#) Adoption of Resolution No. 2-2023 Regarding Remote Meetings Pursuant to Assembly Bill 361
- Action:** Approval
- Presenter:** Kathleen Kane
- Attachments:** [06b 1 Summary Sheet Findings Pursuant to AB 361 v1.pdf](#)
[06b 2 Attachment ABAG Resolution No 2 2023 Findings Pursuant to AB 361 to](#)
- 6.c. [23-0205](#) Adoption of Resolution No. 3-2023, Commemorating the 10 Year Anniversary of ABAG's Bay Area Regional Energy Network (BayREN)
- Action:** Approval
- Presenter:** Jenny Berg
- Attachments:** [06c 1 Summary Sheet Resolution 3-2023 BayREN 10-Year v1.pdf](#)
[06c 2 ABAG Resolution No 3 2023 BayREN 10th Anniversary v1.pdf](#)
- 6.d. [23-0206](#) Adoption of Resolution No, 4-2023, Authorization to submit a proposal to the California Department of Water Resources (DWR) to obtain a Proposition 1 Integrated Regional Water Management (IRWM) implementation grant for integrated regional water management projects and, if awarded, to enter into an agreement with DWR from the notice of award date to December 31, 2027 in the amount of \$32,214,479
- Action:** Approval
- Presenter:** Caitlin Sweeney
- Attachments:** [06d 1 SFEP_DWR Summary Sheet for IRWM P1R2 v2.pdf](#)
[06d 2 ABAG Resolution No 4 2023 Authorization Application IRWMP v1.pdf](#)
[06d 3 Prop 1 Round 2 EB Summary Approval_final.pdf](#)
- 6.e. [23-0224](#) Request from Santa Clara County to transfer a portion of its Regional Housing Needs Allocation (RHNA) to the City of San Jose
- Action:** Approval
- Presenter:** Gillian Adams
- Attachments:** [06e 1 Summary Sheet Santa Clara County RHNA Transfer v2.pdf](#)
[06e 2 Attachment A County of Santa Clara RHNA Transfer Request v2.pdf](#)
[06e 3 Attachment B City of San Jose County of Santa Clara MOA RHNA Tra](#)

- 6.f. [23-0243](#) Adoption of Resolution 8-2023, Delegation of Authority for Purchasing, Contracting and Settlement of Claims

Action: Approval

Presenter: Jenny Berg

Attachments: [06f 1 Summary Sheet Resolution 8-2023 Delegation Purchasing Contracting Se](#)
[06f 2 Attachment ABAG Resolution No 8 2023 Delegation Purchasing Contracti](#)

7. ABAG Administrative Committee

- 7.a. [23-0207](#) Report on ABAG Administrative Committee Meetings of December 9, 2022 and January 13, 2023

Action: Information

Presenter: Jesse Arreguin

8. Joint MTC ABAG Legislation Committee

- 8.a. [23-0208](#) Report on Joint MTC ABAG Legislation Committee Meetings of December 9, 2022 and January 13, 2023

Action: Information

Presenter: Jesse Arreguin

9. ABAG Finance Committee

- 9.a. [23-0210](#) Report on ABAG Finance Committee Meeting of January 19, 2023 and Confirmation of Election of Chair and Vice Chair

Action: Approval

Presenter: Finance Committee Chair

Attachments: [09a Summary Sheet Finance Committee Election Chair Vice Chair v1.pdf](#)

- 9.b. [23-0212](#) Adoption of Resolution No. 7-2023, Authorization of the Metropolitan Transportation Commission (MTC) Investment Policy

Action: Approval

Presenter: Natalie Perkins

Attachments: [09b 1 Summary Sheet ABAG Resolution 7-2023 Investment Policy v1.pdf](#)
[09b 2 Attachment Summary Sheet Finance Committee.pdf](#)

10. ABAG Housing Committee

- 10.a. [23-0213](#) Report on ABAG Housing Committee Meeting of January 12, 2023 and Confirmation of Election of Chair and Vice Chair

Action: Approval

Presenter: Housing Committee Chair

Attachments: [10a Summary Sheet Housing Committee Election Chair Vice Chair v1.pdf](#)

11. MTC Executive Director

- 11.a. [23-0215](#) Adoption of Resolution No. 6-2023, Appreciation for Executive Director Therese W. McMillan on the occasion of her retirement from the Metropolitan Transportation Commission

Action: Approval

Presenter: Jesse Arreguin

Attachments: [11a 1 Summary Sheet Resolution 6-2023, Appreciation for Therese McMillan v](#)
[11a 2 Attachment ABAG Resolution No 6 2023 Appreciation Therese McMillan '](#)

12. Adjournment / Next Meeting

*The next special meeting of the ABAG Executive Board is on February 16, 2023.
The next regular meeting of the ABAG Executive Board is on March 16, 2023.*

Public Comment: The public is encouraged to comment on agenda items at Committee meetings by completing a request-to-speak card (available from staff) and passing it to the Committee secretary. Public comment may be limited by any of the procedures set forth in Section 3.09 of MTC's Procedures Manual (Resolution No. 1058, Revised) if, in the chair's judgment, it is necessary to maintain the orderly flow of business.

Meeting Conduct: If this meeting is willfully interrupted or disrupted by one or more persons rendering orderly conduct of the meeting unfeasible, the Chair may order the removal of individuals who are willfully disrupting the meeting. Such individuals may be arrested. If order cannot be restored by such removal, the members of the Committee may direct that the meeting room be cleared (except for representatives of the press or other news media not participating in the disturbance), and the session may continue.

Record of Meeting: Committee meetings are recorded. Copies of recordings are available at a nominal charge, or recordings may be listened to at MTC offices by appointment. Audiocasts are maintained on MTC's Web site (mtc.ca.gov) for public review for at least one year.

Accessibility and Title VI: MTC provides services/accommodations upon request to persons with disabilities and individuals who are limited-English proficient who wish to address Commission matters. For accommodations or translations assistance, please call 415.778.6757 or 415.778.6769 for TDD/TTY. We require three working days' notice to accommodate your request.

可及性和法令第六章: MTC 根據要求向希望來委員會討論有關事宜的殘疾人士及英語有限者提供服務/方便。需要便利設施或翻譯協助者, 請致電 415.778.6757 或 415.778.6769 TDD / TTY。我們要求您在三個工作日前告知, 以滿足您的要求。

Acceso y el Titulo VI: La MTC puede proveer asistencia/facilitar la comunicación a las personas discapacitadas y los individuos con conocimiento limitado del inglés quienes quieran dirigirse a la Comisión. Para solicitar asistencia, por favor llame al número 415.778.6757 o al 415.778.6769 para TDD/TTY. Requerimos que solicite asistencia con tres días hábiles de anticipación para poderle proveer asistencia.

Attachments are sent to Committee members, key staff and others as appropriate. Copies will be available at the meeting.

All items on the agenda are subject to action and/or change by the Committee. Actions recommended by staff are subject to change by the Committee.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 23-0201 **Version:** 1 **Name:**
Type: Report **Status:** Informational
File created: 1/5/2023 **In control:** ABAG Executive Board
On agenda: 1/19/2023 **Final action:**
Title: ABAG President's Report for January 19, 2023
Sponsors:
Indexes:
Code sections:
Attachments:

| Date | Ver. | Action By | Action | Result |
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ABAG President's Report for January 19, 2023

Jesse Arreguin

Information



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 23-0214 **Version:** 1 **Name:**
Type: Resolution **Status:** Executive Board Approval
File created: 1/5/2023 **In control:** ABAG Executive Board
On agenda: 1/19/2023 **Final action:**
Title: Adoption of Resolution No. 5-2023, Approval of the Equity Platform
Sponsors:
Indexes:
Code sections:
Attachments: [04b 1 Summary Sheet Resolution 5-2023 Equity Platform v1.pdf](#)
[04b 2 Attachment ABAG Resolution No 5 2023 Equity Platform v1.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Adoption of Resolution No. 5-2023, Approval of the Equity Platform

Therese W. McMillan

Approval

Association of Bay Area Governments

Executive Board

January 19, 2023

Agenda Item 4.b.

Equity Platform

Subject:

Adoption of Resolution 5-2023, Approval of the Equity Platform

Background:

Staff will report on the Equity Platform.

Issues:

None

Recommended Action:

The Executive Board is requested to adopt Resolution No. 5-2023.

Attachments

A. Resolution 5-2023

Reviewed:

A handwritten signature in blue ink that reads "Brad Paul". The signature is written in a cursive, flowing style.

Brad Paul

**ASSOCIATION OF BAY AREA GOVERNMENTS
EXECUTIVE BOARD**

RESOLUTION NO. 5-2023

ABSTRACT

A resolution adopting the Equity Platform.

Further discussion of this subject is contained in the ABAG Executive Board Summary Sheet dated January 19, 2023.

**ASSOCIATION OF BAY AREA GOVERNMENTS
EXECUTIVE BOARD**

RESOLUTION NO. 5-2023

ADOPTION OF THE EQUITY PLATFORM

WHEREAS, the San Francisco Bay Area is an economic engine of California and the nation; an area of enviable natural beauty; and home to rich and vibrantly diverse communities; and

WHEREAS, the Bay Area's past and present are marred by the reality that these gifts are not attainable for all the region's people, too many of whom cannot achieve opportunities due to systemic racism, entrenched gender biases, and imbedded discrimination against persons with disabilities through public sector policies and practices that hold back marginalized communities; and

WHEREAS, ABAG's and MTC's Executive Director Therese W. McMillan in October 2019 introduced the Equity Platform as a framework to address such disparities; and

WHEREAS, the Equity Platform is built on four key pillars further outlined in Attachment A: 1) Listen and Learn; 2) Define and Measure; 3) Focus and Deliver; and 4) Train and Grow; and

WHEREAS, the Bay Area's vast planning, community engagement and resource investments in transportation, housing, the environment and the economy must intentionally bring equity to the forefront of these efforts, and be accountable to positive change; and

WHEREAS, the Equity Platform is not a discrete project or program, but a comprehensive paradigm in which equity is a forefront consideration across all lines of internal and external ABAG and MTC business and operations.

**ASSOCIATION OF BAY AREA GOVERNMENTS
RESOLUTION NO. 5-2023**

NOW, THEREFORE, BE IT RESOLVED, that the Executive Board of the Association of Bay Area Governments hereby adopts the Equity Platform as a core commitment to develop an inclusive Bay Area where everyone can participate, prosper and reach their full potential; and be it further

RESOLVED, that in adopting the Equity Platform, the Executive Board recognizes Therese McMillan's contribution as its architect and "first champion," and honors her belief that public leadership is not a torch to be claimed, but a light to be passed hand to hand, guiding a shared path.

The foregoing was adopted by the Executive Board this 19th day of January, 2023.

Jesse Arreguin
President

Certification of Executive Board Approval

I, the undersigned, the appointed and qualified Clerk of the Board of the Association of Bay Area Governments (Association), do hereby certify that the foregoing resolution was adopted by the Executive Board of the Association at a duly called and noticed meeting held in San Francisco, California, and at other remote locations, on the 19th day of January, 2023.

Frederick Castro
Clerk of the Board

**ASSOCIATION OF BAY AREA GOVERNMENTS
RESOLUTION NO. 5-2023**

Attachment A

Principles of the Equity Platform

At the Association of Bay Area Governments and the Metropolitan Transportation Commission, equity means “inclusion into a Bay Area where everyone can participate, prosper and reach their full potential.” The agency strives to advance equity through carefully considered investments and policies directed at historically underserved and systemically marginalized groups, including people with low incomes and communities of color.

By setting policies and delivering programs, holding ourselves accountable to data-backed results, and taking real actions, ABAG and MTC aim to contribute to creating a Bay Area where everyone can thrive.

The Equity Platform is meant to address equity challenges and inform how ABAG and MTC approach complex systems and environments. The Equity Platform is a process and practice to:

- Create designs and solutions that focus on affected communities
- Increase opportunity for those people most affected by exclusion
- Shift decision-making power to the people who are affected by policies
- Invest in training and education to advance goals for fairness and inclusion.

The Equity Platform, at its core, is grounded by a set of Equity Pillars:

- Listen & Learn — It is essential to seek out, understand and collaborate directly with those members of the Bay Area community who have been most harmed by racism, gender biases, disability discrimination and other inequitable outcomes resulting from public policies and practices, intentional or not.
- Define and Measure— Change is difficult without clear goals, and a way to measure success. A shared equity agenda emerging from listening and learning must be grounded in specific objectives and quantitative and qualitative data to ensure accountable progress.
- Focus & Deliver— Defining problems and solutions must be backed up with real investments on the ground; bringing new and/or redirected resources to bear in capital projects and operational services to those who most need it.
- Train and Grow— Equity is a job that is never done; committing to equity throughout the agency is a continuous evaluative process.

ABAG and MTC provide more detail and resources at <https://mtc.ca.gov/about-mtc/what-mtc/equity-platform>
<https://abag.ca.gov/about-abag/abag-mtc-equity-platform>



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 23-0202 **Version:** 1 **Name:**

Type: Report **Status:** Informational

File created: 1/5/2023 **In control:** ABAG Executive Board

On agenda: 1/19/2023 **Final action:**

Title: Executive Director's Report for January 19, 2023

Sponsors:

Indexes:

Code sections:

Attachments:

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
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Executive Director's Report for January 19, 2023

Therese W. McMillan

Information



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

| | | | | | |
|-----------------------|--|----------------------|---|-------------------------|--|
| File #: | 23-0203 | Version: | 1 | Name: | |
| Type: | Minutes | Status: | | Executive Board Consent | |
| File created: | 1/5/2023 | In control: | | ABAG Executive Board | |
| On agenda: | | Final action: | | | |
| Title: | Approval of ABAG Executive Board Minutes of November 17, 2022, December 15, 2022, and January 12, 2023 | | | | |
| Sponsors: | | | | | |
| Indexes: | | | | | |
| Code sections: | | | | | |
| Attachments: | 06a 1 EB Minutes 20221117 481 Draft.pdf | | | | |
| | 06a 2 EB Minutes 20221215 482 Draft.pdf | | | | |
| | 06a 3 EB Minutes 20230112 483 Draft.pdf | | | | |

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
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Approval of ABAG Executive Board Minutes of November 17, 2022, December 15, 2022, and January 12, 2023

Clerk of the Board

Approval



375 Beale Street
Suite 700
San Francisco, California
94105

Meeting Minutes - Draft

ABAG Executive Board

Thursday, November 17, 2022

5:10 PM

HYBRID (In person option available)

Association of Bay Area Governments Executive Board Meeting No. 481

The ABAG Executive Board may act on any item on the agenda.
The meeting is scheduled to begin at 5:10 p.m., or after the preceding ACFA meeting.
Agenda, roster and webcast available at <https://abag.ca.gov>
For information, contact Clerk of the Board at (415) 820-7913.

Roster

Susan Adams, Candace Andersen, Jesse Arreguin, Nikki Fortunato Bas, London Breed,
Tom Butt, David Canepa, Pat Eklund, Susan Ellenberg, Maya Esparza, Carroll Fife,
Neysa Fligor, Leon Garcia, Giselle Hale, Barbara Halliday, David Haubert, Rich Hillis,
Dave Hudson, Otto Lee, Matthew Mahan, Rafael Mandelman, Gordon Mar,
Yvonne Martinez-Beltran, Nathan Miley, Karen Mitchoff, Stephanie Moulton-Peters,
Raul Peralez, David Rabbitt, Belia Ramos, Carlos Romero, James Spering, Loren Taylor,
Steve Young. Donald Young (Advisory).

1. Call to Order / Roll Call / Confirm Quorum

President Arreguin called the meeting to order at about 5:31 p.m. Quorum was present.

Present: 23 - Hollingsworth-Adams, Andersen, Arreguin, Butt, Eklund, Esparza, Fligor, Garcia, Halliday, Haubert, Hudson, Lee, Martinez-Beltran, Miley, Mitchoff, Moulton-Peters, Peralez, Rabbitt, Ramos, Rodgers, Romero, Spering, and Young

Absent: 10 - Bas, Breed, Canepa, Ellenberg, Fife, Hale, Mandelman, Mahan, Mar, and Taylor

2. Public Comment

3. Executive Board Announcements

4. President's Report

4.a. [22-1653](#) ABAG President's Report for November 17, 2022

President Arreguin gave the report.

5. Executive Director's Report

- 5.a. [22-1654](#) Executive Director's Report for November 17, 2022

6. Consent Calendar

Upon the motion by Eklund and second by Halliday, the ABAG Executive Board approved the Consent Calendar. The motion passed unanimously by the following vote:

Aye: 22 - Hollingsworth-Adams, Andersen, Arreguin, Butt, Eklund, Esparza, Fligor, Garcia, Halliday, Haubert, Hudson, Lee, Miley, Mitchoff, Moulton-Peters, Peralez, Rabbitt, Ramos, Rodgers, Romero, Sperling, and Young

Absent: 11 - Bas, Breed, Canepa, Ellenberg, Fife, Hale, Mandelman, Mahan, Mar, Martinez-Beltran, and Taylor

- 6.a. [22-1655](#) Approval of ABAG Executive Board Minutes of September 15, 2022, October 13, 2022, and October 28, 2022
- 6.b. [22-1656](#) Approval of ABAG Meeting Calendar for 2023
- 6.c. [22-1657](#) Adoption of Resolution No. 21-2022 Regarding Remote Meetings Pursuant to Assembly Bill 361
- 6.d. [22-1658](#) Authorization to award three firms with placement on the Evaluation, Measurement & Verification Bench for the Bay Area Regional Energy Network: Grounded Research and Consulting, LLC; Tierra Resource Consultants; and, Industrial Economics, Inc.; and to negotiate and enter into contract(s) with bench firm(s) for evaluation, measurement and verification studies and services, provided the term of any one contract is within the time period from January 1, 2023 through December 31, 2024, and the cumulative amount of said contract(s) does not to exceed \$586,000
- 6.e. [22-1659](#) Authorization to amend a Bay Area Regional Energy Network (BayREN) contract with CLEAResult Consulting, Inc. for implementation and incentive processing in an amount not to exceed \$6,400,000 through December 31, 2023
- 6.f. [22-1679](#) Request from Sonoma County to transfer a portion of its Regional Housing Needs Allocation (RHNA) to the City of Cloverdale
- 6.g. [22-1680](#) Authorization to negotiate and enter into contract with Urban Planning Partners, Inc. (UPP) to provide housing policy research and technical assistance in an amount not to exceed \$500,000 through December 31, 2023

- 6.h. [22-1681](#) Authorization to amend a Bay Area Regional Energy Network (BayREN) contract with CodeCycle in an amount not to exceed \$220,000 for implementation services through December 31, 2023
- 6.i. [22-1696](#) Authorization to negotiate and enter into a five-year subaward agreement (2023-2028) with the Regents of the University of California to provide Sea Grant Fellow services to the Association of Bay Area Governments for San Francisco Estuary Partnership in an amount not to exceed \$875,000 to implement the San Francisco Estuary Blueprint
- 6.j. [22-1730](#) Authorization to negotiate and enter into a three-year subaward agreement with the San Francisco Estuary Institute for a contract amount not to exceed \$650,000, to develop the State of the Estuary Platform

7. ABAG Administrative Committee

- 7.a. [22-1660](#) Report on ABAG Administrative Committee Meetings of October 14, 2022 and November 4, 2022
- President Arreguin gave the report.

8. Joint MTC ABAG Legislation Committee

- 8.a. [22-1661](#) Report on Joint MTC ABAG Legislation Committee Meetings of October 14, 2022 and November 4, 2022
- President Arreguin gave the report.

9. ABAG Finance Committee

- 9.a. [22-1662](#) Report on ABAG Finance Committee Meeting of November 17, 2022
- Karen Mitchoff gave the report.

- 9.b. [22-1725](#) Report on the Association of Bay Area Governments (ABAG) Financial Statements and Accompanying Reports for Fiscal Year 2021-2022

Derek Hansel and Kathy Lai gave the report.

Upon the motion by Mitchoff and second by Romero, the ABAG Executive Board approved the Financial Statements and Accompanying Reports for Fiscal Year 2021-22 and reappointed the firm of Crowe LLP for the Fiscal Year 2022-23 annual external audit. The motion passed unanimously by the following vote:

Aye: 22 - Hollingsworth-Adams, Andersen, Arreguin, Butt, Eklund, Esparza, Fligor, Garcia, Halliday, Haubert, Hudson, Lee, Miley, Mitchoff, Moulton-Peters, Peralez, Rabbitt, Ramos, Rodgers, Romero, Sperling, and Young

Absent: 11 - Bas, Breed, Canepa, Ellenberg, Fife, Hale, Mandelman, Mahan, Mar, Martinez-Beltran, and Taylor

10. ABAG Housing Committee

- 10.a. [22-1663](#) Report on ABAG Housing Committee Meeting of October 13, 2022
Carlos Romero gave the report.
- 10.b. [22-1664](#) Adoption of Resolution No. 19-2022 by ABAG Executive Board as the Executive Board to Bay Area Housing Finance Authority appointing nine members to the Bay Area Housing Finance Authority Advisory Committee
Kate Hartley gave the report.

Upon the motion by Hollingsworth-Adams and second by Romero, the ABAG Executive Board adopted Resolution No. 19-2022. The motion passed unanimously by the following vote:
- Aye:** 22 - Hollingsworth-Adams, Andersen, Arreguin, Butt, Eklund, Esparza, Fligor, Garcia, Halliday, Haubert, Hudson, Lee, Miley, Mitchoff, Moulton-Peters, Peralez, Rabbitt, Ramos, Rodgers, Romero, Spering, and Young
- Absent:** 11 - Bas, Breed, Canepa, Ellenberg, Fife, Hale, Mandelman, Mahan, Mar, Martinez-Beltran, and Taylor
- 10.c. [22-1788](#) Update on 6th Cycle Housing Element drafts submitted to the California Department of Housing and Community Development (HCD) by Bay Area jurisdictions, HCD's comments on those drafts, and available technical assistance provided by ABAG
Daniel Saver gave the report.

11. Adjournment / Next Meeting

President Arreguin adjourned the meeting at about 6:45 p.m. in memory of former ABAG Executive Director Ezra Rappoport. The next regular meeting of the ABAG Executive Board is on January 19, 2023.



375 Beale Street
Suite 700
San Francisco, California
94105

Meeting Minutes - Draft

ABAG Executive Board

Thursday, December 15, 2022

5:05 PM

REMOTE

Special Meeting

Association of Bay Area Governments Executive Board Meeting No. 482

The ABAG Executive Board may act on any item on the agenda.
The meeting is scheduled to begin at 5:05 p.m., or after the preceding ACFA meeting.
Agenda, roster and webcast available at <https://abag.ca.gov>
For information, contact Clerk of the Board at (415) 820-7913.

Roster

Susan Adams, Candace Andersen, Jesse Arreguin, Nikki Fortunato Bas, London Breed,
Tom Butt, David Canepa, Pat Eklund, Susan Ellenberg, Maya Esparza, Carroll Fife,
Neysa Fligor, Leon Garcia, Giselle Hale, Barbara Halliday, David Haubert, Rich Hillis,
Dave Hudson, Otto Lee, Matthew Mahan, Rafael Mandelman, Gordon Mar,
Yvonne Martinez-Beltran, Nathan Miley, Karen Mitchoff, Stephanie Moulton-Peters,
Raul Peralez, David Rabbitt, Belia Ramos, Carlos Romero, James Spering, Loren Taylor,
Steve Young. Donald Young (Advisory).

1. Call to Order / Roll Call / Confirm Quorum

President Arreguin called the meeting to order at about 5:06 p.m. Quorum was present.

Present: 22 - Hollingsworth-Adams, Andersen, Arreguin, Bas, Butt, Eklund, Esparza, Fife, Fligor, Foley, Garcia, Hudson, Lee, Martinez-Beltran, Miley, Mitchoff, Rabbitt, Ramos, Rodgers, Romero, Spering, and Young

Absent: 9 - Breed, Canepa, Ellenberg, Haubert, Mandelman, Mar, Moulton-Peters, Peralez, and Taylor

2. Public Comment

3. Executive Board Announcements

4. President's Report

4.a. [22-1813](#) ABAG President's Report for December 15, 2022

President Arreguin gave the report.

4.b. [23-0096](#) Adoption of Resolution No. 23-2022 Resolution of Appreciation for Karen Mitchoff

Upon the motion by Arreguin and second by Hudson, the ABAG Executive Board adopted Resolution No. 23-2022. The motion passed unanimously by the following vote:

Aye: 21 - Hollingsworth-Adams, Andersen, Arreguin, Bas, Butt, Eklund, Esparza, Fife, Fligor, Foley, Garcia, Hudson, Lee, Martinez-Beltran, Miley, Rabbitt, Ramos, Rodgers, Romero, Sperling, and Young

Absent: 9 - Breed, Canepa, Ellenberg, Haubert, Mandelman, Mar, Moulton-Peters, Peralez, and Taylor

Abstain: 1 - Mitchoff

5. Executive Director's Report**5.a. [22-1814](#) Executive Director's Report for December 15, 2022****6. Consent Calendar**

Upon the motion by Rabbitt and second by Romero, the ABAG Executive Board approved the Consent Calendar. The motion passed unanimously by the following vote:

Aye: 22 - Hollingsworth-Adams, Andersen, Arreguin, Bas, Butt, Eklund, Esparza, Fife, Fligor, Foley, Garcia, Hudson, Lee, Martinez-Beltran, Miley, Mitchoff, Rabbitt, Ramos, Rodgers, Romero, Sperling, and Young

Absent: 9 - Breed, Canepa, Ellenberg, Haubert, Mandelman, Mar, Moulton-Peters, Peralez, and Taylor

6.a. [22-1815](#) Adoption of Resolution No. 22-2022 Regarding Remote Meetings Pursuant to Assembly Bill 361**6.b. [23-0056](#) Authorization to amend a Bay Area Regional Energy Network (BayREN) contract with Collective Strategies Consulting LLC in an amount not to exceed \$175,000 for services for the Bay Area Regional Energy Network (BayREN) through December 31, 2023****7. Joint Advocacy Program**

7.a. [22-1816](#) Approval of Final 2023 MTC and ABAG Joint Advocacy Program

Final 2023 Joint Advocacy Program for MTC and ABAG outlining the agencies' 2023 state and federal legislative priorities.

President Arreguin gave the report.

Upon the motion by Arreguin and second by Ramos, the ABAG Executive Board approved the 2023 Joint Advocacy Program. The motion passed unanimously by the following vote:

Aye: 21 - Hollingsworth-Adams, Andersen, Arreguin, Bas, Butt, Eklund, Esparza, Fife, Fligor, Foley, Garcia, Hudson, Martinez-Beltran, Miley, Mitchoff, Rabbitt, Ramos, Rodgers, Romero, Spering, and Young

Absent: 10 - Breed, Canepa, Ellenberg, Haubert, Lee, Mandelman, Mar, Moulton-Peters, Peralez, and Taylor

8. Adjournment / Next Meeting

President Arreguin adjourned the meeting at about 5:44 p.m. The next regular ABAG Executive Board meeting is on January 19, 2023.



375 Beale Street
Suite 700
San Francisco, California
94105

Meeting Minutes - Draft

ABAG Executive Board

Thursday, January 12, 2023

5:05 PM

REMOTE

Special Meeting

Association of Bay Area Governments Executive Board Meeting No. 483

The ABAG Executive Board may act on any item on the agenda.
The meeting is scheduled to begin at 5:05 p.m., or after the preceding ACFA Governing Board meeting.

Agenda, roster and webcast available at <https://abag.ca.gov>
For information, contact Clerk of the Board at (415) 820-7913.

Roster

Susan Adams, Candace Andersen, Jesse Arreguin, Nikki Fortunato Bas, London Breed, Pat Eklund, Susan Ellenberg, Carroll Fife, Neysa Fligor, Leon Garcia, David Haubert, Rich Hillis, Dave Hudson, Otto Lee, Matthew Mahan, Rafael Mandelman, Yvonne Martinez-Beltran, Nathan Miley, Stephanie Moulton-Peters, David Rabbitt, Belia Ramos, Carlos Romero, Loren Taylor, Steve Young. Donald Young (Advisory).

1. Call to Order / Roll Call / Confirm Quorum

President Arreguin called the meeting to order at about 5:15 p.m. Quorum was present.

Present: 24 - Hollingsworth-Adams, Andersen, Arreguin, Bas, Carlson, Cohen, Eklund, Fife, Fligor, Garcia, Haubert, Hudson, Kamei, Lee, Martinez-Beltran, Miley, Nagales, Ortiz, Ramos, Romero, Sackett, Silva, Tiedemann, and Young

Absent: 5 - Breed, Ellenberg, Hillis, Mandelman, and Rabbitt

2. Public Comment

3. Executive Board Announcements

4. President's Report

4.a. [23-0170](#) ABAG President's Report for January 12, 2023

President Arreguin gave the report.

5. Executive Director's Report

- 5.a. [23-0171](#) Executive Director's Report for January 12, 2023

6. Remote Meetings Pursuant to Assembly Bill 361

- 6.a. [23-0172](#) Adoption of Resolution No. 1-2023 Regarding Remote Meetings Pursuant to Assembly Bill 361

Upon the motion by Arreguin and second by Eklund, the ABAG Executive Board adopted Resolution No. 1-2023. The motion passed unanimously by the following vote:

Aye: 24 - Hollingsworth-Adams, Andersen, Arreguin, Bas, Carlson, Cohen, Eklund, Fife, Fligor, Garcia, Haubert, Hudson, Kamei, Lee, Martinez-Beltran, Miley, Nagales, Ortiz, Ramos, Romero, Sackett, Silva, Tiedemann, and Young

Absent: 5 - Breed, Ellenberg, Hillis, Mandelman, and Rabbitt

7. Committee Appointments

- 7.a. [23-0173](#) Ratification of Appointments to Committees

Upon the motion by Haubert and second by Hudson, the ABAG Executive Board ratified the Appointments to Committees, as reported. The motion passed unanimously by the following vote:

Aye: 24 - Hollingsworth-Adams, Andersen, Arreguin, Bas, Carlson, Cohen, Eklund, Fife, Fligor, Garcia, Haubert, Hudson, Kamei, Lee, Martinez-Beltran, Miley, Nagales, Ortiz, Ramos, Romero, Sackett, Silva, Tiedemann, and Young

Absent: 5 - Breed, Ellenberg, Hillis, Mandelman, and Rabbitt

7. Adjournment / Next Meeting

President Arreguin adjourned the meeting at about 5:38 p.m. The next regular meeting of the ABAG Executive Board is on January 19, 2023.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

| | | | | | |
|-----------------------|---|----------------------|---|-------------------------|--|
| File #: | 23-0204 | Version: | 1 | Name: | |
| Type: | Resolution | Status: | | Executive Board Consent | |
| File created: | 1/5/2023 | In control: | | ABAG Executive Board | |
| On agenda: | 1/19/2023 | Final action: | | | |
| Title: | Adoption of Resolution No. 2-2023 Regarding Remote Meetings Pursuant to Assembly Bill 361 | | | | |
| Sponsors: | | | | | |
| Indexes: | | | | | |
| Code sections: | | | | | |
| Attachments: | 06b 1 Summary Sheet Findings Pursuant to AB 361 v1.pdf 06b 2 Attachment ABAG Resolution No 2 2023 Findings Pursuant to AB 361 to Continue Virtual Public | | | | |

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Adoption of Resolution No. 2-2023 Regarding Remote Meetings Pursuant to Assembly Bill 361

Kathleen Kane

Approval

Association of Bay Area Governments

Executive Board

January 19, 2023

Agenda Item 6.b.

Resolution Providing for Remote Meetings Pursuant to Assembly Bill 361

Subject:

Adoption of Resolution No. 2-2023—Regarding Remote Meetings Pursuant to Assembly Bill 361

Background:

Assembly Bill 361 provides for continuing availability of remote meetings during the pandemic-related state of emergency in California. In order to invoke this option, governing boards of Brown Act bodies, or their authorized designated committees (in this case, the Executive Board) must make certain findings in support of remote meetings within 30 days of the first meeting occurring after October 1, 2021, and every 30 days thereafter.

Attached for your review and approval is a resolution invoking Assembly Bill 361 and providing for remote meetings prospectively for 30 days following the Executive Board's action.

Issues:

Findings in support of Resolution No. 2-2023 are found in the attached. Given the continuing state of public health emergency and the improved public access afforded by holding public meetings of regional bodies in a virtual setting, the resolution under Assembly Bill 361 is supportable.

Recommended Action:

The Executive Board is requested to adopt Resolution No. 2-2023 authorizing the Association of Bay Area Governments, its committees, and related entities, to meet remotely pursuant to the provisions of Assembly Bill 361.

Attachments:

- A. Resolution No. 2-2023

Reviewed:



Brad Paul

**ASSOCIATION OF BAY AREA GOVERNMENTS
EXECUTIVE BOARD**

RESOLUTION NO. 2-2023

ABSTRACT

This resolution makes findings pursuant to Assembly Bill 361 to continue virtual public meetings for the Association of Bay Area Governments (ABAG), its related entities and committees during the COVID-19 State of Emergency.

Further discussion of this subject is contained in the ABAG Executive Board Summary Sheet dated January 19, 2023.

**ASSOCIATION OF BAY AREA GOVERNMENTS
EXECUTIVE BOARD**

RESOLUTION NO. 2-2023

FINDINGS PURSUANT TO ASSEMBLY BILL 361 TO CONTINUE VIRTUAL PUBLIC MEETINGS FOR THE ASSOCIATION OF BAY AREA GOVERNMENTS, WITH ITS RELATED ENTITIES AND COMMITTEES, DURING THE COVID-19 STATE OF EMERGENCY

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency, as defined under the California Emergency Services Act, due to the COVID-19 pandemic; and

WHEREAS, the State of Emergency remains in effect; and

WHEREAS, beginning in March 2020, the Governor's Executive Order N-29-20 suspended Brown Act requirements related to teleconferencing during the COVID-19 pandemic provided that notice, accessibility, and other requirements were met, and the public was allowed to observe and address the legislative body at the meeting; and

WHEREAS, Executive Order N-08-21 extended the previous order until September 30, 2021; and

WHEREAS, the Association of Bay Area Governments (ABAG or Association) and its related entities and committees have conducted their meetings virtually, as authorized by the Executive Order, since March 17, 2020; and

WHEREAS, on September 16, 2021, the Governor signed into law Assembly Bill 361, an urgency measure effective upon adoption, that provides flexibility to government bodies, allowing them to meet virtually without conforming to the Brown Act teleconferencing rules if: (i) the legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; (ii) the legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or (iii) the legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, the San Francisco Public Health Department continues to recommend and/or require measures to promote social distancing in combination with other safety precautions when activities occur in shared indoor spaces to mitigate the risk of COVID-19 transmission; and

**ASSOCIATION OF BAY AREA GOVERNMENTS
RESOLUTION NO. 2-2023**

WHEREAS, recently, multiple COVID-19 variants have surged in the United States and are believed by medical experts to be more contagious than previous variants, and data has shown these variants to have increased transmissibility even among some vaccinated people; and

WHEREAS, due to uncertainty and concerns about recent COVID-19 variants and current conditions, many workplaces that had announced a return to regular in-person operations have pushed back the full return date; and

WHEREAS, virtual meetings have not diminished the public's ability to observe and participate and have expanded opportunities to do so for some communities; and

WHEREAS, given the heightened risks of the predominant variant of COVID-19 in the community, holding meetings with all members of the legislative body, staff, and the public in attendance in person in a shared indoor meeting space would pose an unnecessary and immediate risk to the attendees.

**ASSOCIATION OF BAY AREA GOVERNMENTS
RESOLUTION NO. 2-2023**

NOW, THEREFORE, BE IT RESOLVED, that the Executive Board of the Association of Bay Area Governments hereby determines that, as a result of the emergency, meeting in person presents imminent risks to the health or safety of attendees; and be it further

RESOLVED, that in accordance with Assembly Bill 361, based on the findings and determinations herein, meetings of ABAG, its related entities and its committees will be held virtually, with Brown Act teleconferencing rules suspended; and be it further

RESOLVED, that this resolution shall be effective upon adoption and remain in effect for 30 days in accordance with Assembly Bill 361.

The foregoing was adopted by the Executive Board this 19th day of January, 2023.

Jesse Arreguin
President

Certification of Executive Board Approval

I, the undersigned, the appointed and qualified Clerk of the Board of the Association of Bay Area Governments (Association), do hereby certify that the foregoing resolution was adopted by the Executive Board of the Association at a duly called and noticed meeting held in San Francisco, California, and at other remote locations, on the 19th day of January, 2023.

Frederick Castro
Clerk of the Board



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 23-0205 **Version:** 1 **Name:**

Type: Resolution **Status:** Executive Board Consent

File created: 1/5/2023 **In control:** ABAG Executive Board

On agenda: 1/19/2023 **Final action:**

Title: Adoption of Resolution No. 3-2023, Commemorating the 10 Year Anniversary of ABAG's Bay Area Regional Energy Network (BayREN)

Sponsors:

Indexes:

Code sections:

Attachments: [06c 1 Summary Sheet Resolution 3-2023 BayREN 10-Year v1.pdf](#)
[06c 2 ABAG Resolution No 3 2023 BayREN 10th Anniversary v1.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Adoption of Resolution No. 3-2023, Commemorating the 10 Year Anniversary of ABAG's Bay Area Regional Energy Network (BayREN)

Jenny Berg

Approval

Association of Bay Area Governments

Executive Board

January 19, 2023

Agenda Item 6.c.

Bay Area Regional Energy Network

Subject:

Adoption of Resolution 3-2023 Commemorating the 10 Year Anniversary of ABAG's Bay Area Regional Energy Network (BayREN).

Background:

Since 2013, BayREN has implemented a portfolio of energy efficiency programs across the region. The Association of Bay Area Governments (ABAG) serves as the program administrator and lead agency for a 10-member unincorporated association of local government entities.

BayREN offers rebates, direct funding, and technical assistance to help residents, property owners, businesses, and local governments improve the resource efficiency and carbon footprint of their buildings. BayREN's programs also help to build the green workforce, and advance the state's goals of doubling energy efficiency in existing buildings by 2030, reducing emissions from existing buildings by at least 40% below 1990 levels by 2030, achieving 100 percent renewable and zero-carbon retail electricity, and becoming entirely carbon neutral by 2045.

Issues:

None

Recommended Action:

The Executive Board is requested to adopt Resolution No. 3-2023 commemorating the 10-year anniversary of the Association of Bay Area Governments' Bay Area Regional Energy Network and recognizing the portfolio's extraordinary accomplishments to date in energy and water conservation and greenhouse gas emission reductions.

Attachments

- A. Resolution 3-2023

Reviewed:



Brad Paul

**ASSOCIATION OF BAY AREA GOVERNMENTS
EXECUTIVE BOARD**

RESOLUTION NO. 3-2023

ABSTRACT

A resolution celebrating the accomplishments of the Bay Area Regional Energy Network (BayREN) for its first ten years of operation.

Further discussion of this subject is contained in the ABAG Executive Board Summary Sheet dated January 19, 2023.

**ASSOCIATION OF BAY AREA GOVERNMENTS
EXECUTIVE BOARD**

RESOLUTION NO. 3-2023

**RECOGNIZING AND CELEBRATING THE ACCOMPLISHMENTS OF THE BAY AREA
REGIONAL ENERGY NETWORK FOR TEN YEARS OF OPERATION**

WHEREAS, the Bay Area Regional Energy Network (BayREN), a collaboration between the Association of Bay Area Governments (ABAG) and the nine San Francisco Bay Area counties that began in 2013 has implemented a comprehensive portfolio of resource efficiency programs, focusing on energy, water and greenhouse gas emission reductions; and

WHEREAS, BayREN provides significant climate related services, including promoting healthy and energy-efficient buildings for single family and multifamily residents, owners of small- and medium-sized commercial properties; assisting local governments through training and mentoring programs; education to realtors on the benefits of a green and healthy home and increasing the green workforce; and reducing carbon emissions through regional activities and initiatives; and

WHEREAS, through rebates, direct funding and technical assistance to help renters, property and business owners, realtors and local governments improve buildings' energy efficiency and reduce their carbon footprints, BayREN's programs also build the green workforce and advance the state's goals of doubling energy efficiency in existing buildings by 2030, reducing emissions from existing buildings by at least 40 percent below 1990 levels by 2030, achieving 100 percent renewable and zero-carbon retail electricity, and becoming entirely carbon neutral by 2045; and

WHEREAS, the BayREN coalition includes a representative agency from each of the nine Bay Area counties and each county is able to leverage regional resources that allow its residents, businesses, and local government staff to receive the benefits of BayREN's programs, while also contributing significantly to governance decisions that determine how and where the programs are marketed within each jurisdiction. These actions aid in building local capacity and serving the unique needs of each jurisdiction's residents and businesses; and

WHEREAS, since 2013, BayREN has saved the Bay Area the amount of energy used by 47,357 homes or 52,442 gasoline-powered passenger vehicles per year, provided more than \$66 million in incentive payments to residents, avoided 156 million tons of carbon emissions, upgraded 63,866 housing units and provided \$85.6 million in lifetime utility bill savings, all while creating 12,777 new green energy jobs; and

**ASSOCIATION OF BAY AREA GOVERNMENTS
RESOLUTION NO. 3-2023**

WHEREAS, , the California Public Utilities Commission (CPUC) in 2019 recognized the vast successes of BayREN during its first five years by removing its “pilot” designation and making BayREN a permanent energy efficiency program administrator; and,

WHEREAS, BayREN in 2019 became the first energy efficiency program administrator in California to offer electrification pathways and incentives in its single family and (nationally recognized) multifamily programs; and,

WHEREAS, in the coming years, BayREN intends to build on its work by addressing systemic barriers to energy efficiency and electrification, especially for, and in collaboration with, equity priority communities and those who disproportionately face energy burdens, climate impacts and are underrepresented in policy and decision-making.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Board of the Association of Bay Area Governments hereby congratulates the Bay Area Regional Energy Network on the occasion of its ten years of operations; and be it further

RESOLVED, that the Executive Board acknowledges BayREN’s accomplishments to date in energy and water conservation and greenhouse gas emission reductions are extraordinary; that Bay Area homeowners, renters, business owners, realtors and local governments all benefit from BayREN programs, that the Bay Area and the state both can look with a sense of accomplishment at the greenhouse gas reductions achieved by BayREN’s efforts; and be it further

RESOLVED, that the Executive Board recognizes and celebrates these achievements and supports all the work to come.

The foregoing was adopted by the Executive Board this 19th day of January, 2023.

Jesse Arreguin
President

Certification of Executive Board Approval

I, the undersigned, the appointed and qualified Clerk of the Board of the Association of Bay Area Governments (Association), do hereby certify that the foregoing resolution was adopted by the Executive Board of the Association at a duly called and noticed meeting held in San Francisco, California, and at other remote locations, on the 19th day of January, 2023.

Frederick Castro
Clerk of the Board



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

| | | | | | |
|-----------------------|--|----------------------|---|-------------------------|--|
| File #: | 23-0206 | Version: | 1 | Name: | |
| Type: | Resolution | Status: | | Executive Board Consent | |
| File created: | 1/5/2023 | In control: | | ABAG Executive Board | |
| On agenda: | 1/19/2023 | Final action: | | | |
| Title: | Adoption of Resolution No, 4-2023, Authorization to submit a proposal to the California Department of Water Resources (DWR) to obtain a Proposition 1 Integrated Regional Water Management (IRWM) implementation grant for integrated regional water management projects and, if awarded, to enter into an agreement with DWR from the notice of award date to December 31, 2027 in the amount of \$32,214,479 | | | | |
| Sponsors: | | | | | |
| Indexes: | | | | | |
| Code sections: | | | | | |
| Attachments: | 06d 1 SFEP DWR Summary Sheet for IRWM P1R2 v2.pdf 06d 2 ABAG Resolution No 4 2023 Authorization Application IRWMP v1.pdf 06d 3 Prop 1 Round 2 EB Summary Approval final.pdf | | | | |

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Adoption of Resolution No, 4-2023, Authorization to submit a proposal to the California Department of Water Resources (DWR) to obtain a Proposition 1 Integrated Regional Water Management (IRWM) implementation grant for integrated regional water management projects and, if awarded, to enter into an agreement with DWR from the notice of award date to December 31, 2027 in the amount of \$32,214,479

Caitlin Sweeney

Approval

Association of Bay Area Governments

Executive Board

January 19, 2023

Agenda Item 6.d.

San Francisco Estuary Partnership

Subject:

Adoption of Resolution No, 4-2023, Authorization to submit a proposal to the California Department of Water Resources (DWR) to obtain a Proposition 1 Integrated Regional Water Management (IRWM) implementation grant for integrated regional water management projects and, if awarded, to enter into an agreement with DWR from the notice of award date to December 31, 2027 in the amount of \$32,214,479

Background:

At its meeting on December 5, 2022, the San Francisco Bay Area Integrated Regional Watershed Management (Bay Area IRWM) Coordinating Committee requested that SFEP be the official grant applicant for the second round of Proposition 1 IRWM implementation funding for the Bay Area. This grant totals \$32,214,479 and will support 12 projects across the bay area intended to address the goals and objectives defined by the funding agency. These funds will also support ABAG's administration of this grant. The following is a list of the Local Project Sponsors chosen by the Coordinating Committee to receive grant funding, and with which ABAG will enter into agreements with:

- City of Burlingame
- City of San Jose
- Contra Costa County Flood Control and Water Conservation District
- Contra Costa Resource Conservation District
- Daily Acts
- Marin Municipal Water District
- Roseview Heights Mutual Water Company
- San Francisco Creek Joint Powers Authority
- San Mateo Resource Conservation District
- Santa Clara Valley Water District (Valley Water)
- Zone 7 Water Agency (two projects)

Bay Area IRWM encourages integrated regional strategies for management of water resources and ties to funding for implementation projects that support the plan. San Francisco Bay Area water, wastewater, flood protection and stormwater management agencies; cities and counties; watershed management interests, planning agencies and organizations, and non-governmental organizations are involved in the Bay Area IRWMP.

DWR has been funding IRWM projects through several rounds of grants funded by state bonds for the San Francisco Bay region currently managed by the San Francisco Estuary Partnership (SFEP), a division of the Association of Bay Area Governments (ABAG). There will be no match requirement for ABAG as the project partners are providing all required match. ABAG/SFEP

Association of Bay Area Governments

Executive Board

January 19, 2023

Agenda Item 6.d.

San Francisco Estuary Partnership

was asked to take the grantee role due to its extensive experience in grant management, including managing four other IRWM grants currently underway as well as one grant that was recently completed.

Issues:

None

Recommended Action:

The Executive Board is requested to adopt Resolution No. 4-2023 authorizing the Executive Director of the Metropolitan Transportation Commission, or her designee, on behalf of the Association of Bay Area Governments and the San Francisco Estuary Partnership, to submit a proposal to the California Department of Water Resources (DWR) to obtain a Proposition 1 Integrated Regional Water Management (IRWM) implementation grant for integrated regional water management projects and, if awarded, to enter into an agreement with DWR from the notice of award date to December 31, 2027 in the amount of \$32,214,479.

Attachments:

- A. Resolution No. 4-2023
- B. Summary Approval

Reviewed:



Brad Paul

**ASSOCIATION OF BAY AREA GOVERNMENTS
EXECUTIVE BOARD**

RESOLUTION NO. 4-2023

ABSTRACT

A resolution authorizing submitting a proposal to the California Department of Water Resources to obtain a Proposition 1 Integrated Regional Water Management Grant and to enter into an agreement to receive a grant for the Round 2 Implementation Program.

Further discussion of this subject is contained in the ABAG Executive Board Summary Sheet dated January 19, 2023.

**ASSOCIATION OF BAY AREA GOVERNMENTS
EXECUTIVE BOARD**

RESOLUTION NO. 4-2023

**AUTHORIZING TO SUBMIT A PROPOSAL TO THE CALIFORNIA DEPARTMENT OF
WATER RESOURCES TO OBTAIN A PROPOSITION 1 INTEGRATED REGIONAL
WATER MANAGEMENT GRANT AND TO ENTER INTO AN AGREEMENT TO
RECEIVE A GRANT FOR THE ROUND 2 IMPLEMENTATION PROGRAM**

WHEREAS, the Association of Bay Area Governments (ABAG) is a “public agency” within the meaning of Section 6500 of the California Joint Exercise of Powers Act, consisting of Sections 6500 through 6599.3 of the California Government Code, as amended from time to time (the “Joint Powers Act”); and

WHEREAS, ABAG is the home agency for the San Francisco Estuary Partnership (SFEP), a coalition of resource agencies, nonprofits, citizens, and scientists working to protect, restore and enhance water quality and fish and wildlife habitat in and around the San Francisco Bay Delta Estuary; and,

WHEREAS, ABAG and the Metropolitan Transportation Commission (MTC) have entered into a Contract for Services effective May 30, 2017, whereby MTC staff provide support services for ABAG.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Board of the Association of Bay Area Governments hereby authorizes the Executive Director of the Metropolitan Transportation Commission, or designee, on behalf of the Association of Bay Area Governments and the San Francisco Estuary Partnership, to submit a proposal to the California Department of Water Resources (DWR) to obtain a Proposition 1 Integrated Regional Water Management Implementation Grant pursuant to the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Water Code § 79700 et seq.) for integrated regional water management projects and, and be it further

RESOLVED, that the Executive Board and the Association of Bay Area Governments, hereby authorizes and directs the Executive Director of the Metropolitan Transportation Commission, or designee, on behalf of ABAG and SFEP to enter into an agreement to receive a grant for Round 2 Implementation from the notice of award date to December 31, 2027 in the amount of \$32,214,479, and enter into agreements with subawardees.

The foregoing was adopted by the Executive Board this 19th day of January, 2023.

Jesse Arreguin
President

**ASSOCIATION OF BAY AREA GOVERNMENTS
RESOLUTION NO. 4-2023**

Certification of Executive Board Approval

I, the undersigned, the appointed and qualified Clerk of the Board of the Association of Bay Area Governments (Association), do hereby certify that the foregoing resolution was adopted by the Executive Board of the Association at a duly called and noticed meeting held in San Francisco, California, and at other remote locations, on the 19th day of January, 2023.

Frederick Castro
Clerk of the Board



SUMMARY OF EXECUTIVE BOARD APPROVAL

| | |
|---------------------------------------|---|
| Work Item No.: | 1720 (FSRC tbd) |
| Consultant: | California Department of Water Resources |
| Work Project Title: | Integrated Regional Water Management Grant, Proposition 1 Round 2 (IRWM Prop 1 Round 2) |
| Purpose of Project: | Serve as grantee to provide administrative and project management services for up to twelve projects for the Bay Area Integrated Regional Water Management Grant Program |
| Brief Scope of Work: | Administer regional grants supporting the Integrated Regional Water Management Grant Program. |
| Project Cost Not to Exceed: | \$32,214,479 |
| Funding Source: | California Department of Water Resources Integrated Regional Water Management Grant Program (Proposition 1 funds) |
| Fiscal Impact: | Funds will be programmed into FY23-24 – FY27-28 budget. |
| Motion by Committee: | The Executive Board is requested to adopt Resolution No. 4-2023 authorizing the Executive Director of the Metropolitan Transportation Commission, or her designee, on behalf of the Association of Bay Area Governments and the San Francisco Estuary Partnership, to submit a proposal to the California Department of Water Resources (DWR) to obtain a Proposition 1 Integrated Regional Water Management (IRWM) implementation grant for integrated regional water management projects and, if awarded, to enter into an agreement with DWR from the notice of award date to December 31, 2027 in the amount of \$32,214,479. |
| ABAG Executive Board Approval: | Jesse Arreguin, ABAG President |
| Approval Date: | |



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 23-0224 **Version:** 1 **Name:**

Type: Report **Status:** Executive Board Consent

File created: 1/9/2023 **In control:** ABAG Executive Board

On agenda: 1/19/2023 **Final action:**

Title: Request from Santa Clara County to transfer a portion of its Regional Housing Needs Allocation (RHNA) to the City of San Jose

Sponsors:

Indexes:

Code sections:

Attachments: [06e 1 Summary Sheet Santa Clara County RHNA Transfer v2.pdf](#)
[06e 2 Attachment A County of Santa Clara RHNA Transfer Request v2.pdf](#)
[06e 3 Attachment B City of San Jose County of Santa Clara MOA RHNA Transfer Agreement](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Request from Santa Clara County to transfer a portion of its Regional Housing Needs Allocation (RHNA) to the City of San Jose

Gillian Adams

Approval

Association of Bay Area Governments

Executive Board

January 19, 2023

Agenda Item 6.e.

Regional Housing Needs Allocation (RHNA)

Subject:

Request from Santa Clara County to transfer a portion of its Regional Housing Needs Allocation (RHNA) to the City of San Jose

Background:

Government Code Section 65584.07(a) allows an unincorporated county and one or more jurisdictions in that county to voluntarily agree on a transfer of units from the county to the city or town. Voluntary transfers can be completed during the period between adoption of the Final RHNA (December 16, 2021) and the Housing Element due date (January 31, 2023). The statute stipulates that the county's share of low-income and very low-income housing shall be reduced only in proportion to the amount by which the county's share of moderate- and above moderate-income housing is reduced. The jurisdictions proposing the transfer must submit an analysis of the factors and circumstances, with all supporting data, justifying the revision to ABAG. By statute, ABAG shall approve the proposed transfer if the conditions identified above have been satisfied.

Issues:

On January 6, 2023, the County of Santa Clara submitted a letter to ABAG (Attachment A) requesting the transfer of RHNA units to the City of San Jose. Table 1 shows the number of units to be transferred by income category.

Table 1: Maximum Potential Transfer from Santa Clara County to City of San Jose and Revised Allocations

| | Very Low | Low | Moderate | Above Moderate | Total |
|--------------------------------|-------------|-------------|-------------|----------------|---------------|
| County Original RHNA | 828 | 477 | 508 | 1,312 | 3,125 |
| County Revised RHNA | 0 | 0 | 0 | 0 | 0 |
| Change in County RHNA | -828 | -477 | -508 | -1,312 | -3,125 |
| San Jose Original RHNA | 15,088 | 8,687 | 10,711 | 27,714 | 62,200 |
| San Jose Revised RHNA | 15,916 | 9,164 | 11,219 | 29,026 | 65,325 |
| Change in San Jose RHNA | +828 | +477 | +508 | +1,312 | +3,125 |

ABAG-MTC staff has reviewed Santa Clara County's submittal and recommends that based on the attachments, the Executive Board approve the County's reduction in its RHNA, subject to certain conditions being satisfied. Santa Clara County has demonstrated the transfer will be a voluntary agreement with San Jose by providing a copy of the draft Memorandum of Agreement between the two jurisdictions (Attachment B). For ABAG to approve the transfer and for Santa Clara County to meet the January 31, 2023 deadline, ABAG must consider and approve the

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transfer at its January 19, 2023 meeting. Unfortunately, at the time of publication for materials for the ABAG January 19, 2023 meeting, Santa Clara County is not able to submit an executed copy of the transfer agreement. At its [January 10, 2023, meeting](#), the Santa Clara County Board of Supervisors delegated authority to its County Administrator to negotiate and execute an agreement to transfer the RHNA units. Likewise, the San Jose City Council is scheduled to consider a similar delegation of authority prior to the January 31 deadline for completing the transfer. Assuming both entities approve and execute the Memorandum of Agreement, Santa Clara County will be able to submit an executed version of the attached Memorandum of Agreement by January 31, 2023.

As the final negotiations between the County and City are not yet complete, the attached draft Memorandum of Agreement (Attachment B) reflects the highest number of units (3,125 or 100% of the County's RHNA) that could potentially be transferred to San Jose. However, it is possible that the parties may agree to transfer a smaller number of units. As an example of a smaller total transfer, Table 2 of the County's transfer request (Attachment A) shows the results of a transfer of 2,000 units. The example transfers included in the County's transfer request demonstrate that, regardless of the total number of units to be transferred, the transfers of very low- and low-income units are proportional to the transfers of moderate- and above moderate-income units, as required by law (see Table 1, Attachment A). The final number of units to be transferred, by income category, will be determined in the final agreement approved by Santa Clara County and the City of San Jose.

The submittal includes an analysis of the factors justifying the transfer, which include preservation of agricultural land, city control within Spheres of Influence, and county financial support for affordable developments within city limits. In addition to meeting these statutory requirements, Santa Clara County also included the analysis of how the transfers are consistent with furthering the RHNA objectives identified in Government Code Section 65584(d), as requested by ABAG.

Recommended Action:

The Executive Board is requested to:

1. Approve Santa Clara County's request for the transfer of RHNA units to the City of San Jose up to the number of units described in Table 1 (above), subject to all of the following conditions being satisfied:
 - a. The County of Santa Clara submits an executed copy of the Memorandum of Agreement between County of Santa Clara and the City of San Jose, in substantial form to Attachment B, as determined by MTC's General Counsel, on or before 11:59 p.m. on January 31, 2023; and
 - b. The total number of RHNA units transferred from the County of Santa Clara to the City of San Jose may be a lesser amount than what is shown in Attachment B, provided that the County of Santa Clara's final share of low-income and very low-income housing shall be reduced only in proportion to

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the amount by which the County of Santa Clara's share of moderate- and above moderate-income housing is reduced, as determined by the Executive Director or designee.

- c. Failure to satisfy the conditions above by 11:59 p.m. on January 31, 2023, shall render the approval of Santa Clara County's transfer of RHNA units to the City of San Jose void.
2. Authorize the Executive Director or designee to take any action necessary to implement the approval.

If the conditions identified above are not fulfilled by January 31, 2023, ABAG's provisional approval of the RHNA transfer will no longer be in effect.

Attachments:

- A. Santa Clara County Request for RHNA Transfer
- B. DRAFT Memorandum of Agreement between County of Santa Clara and City of San Jose

Reviewed:



Brad Paul

County of Santa Clara**Department of Planning and Development**

County Government Center, East Wing, 7th Floor
70 West Hedding Street
San Jose, CA 95110



January 6, 2023

Gillian Adams, Principal Planner
Association of Bay Area Governments (ABAG) Executive Board
Bay Area Metro Center
375 Beale Street, Suite 800
San Francisco, CA 94105-2066

Dear Gillian,

I write to you on behalf of the County of Santa Clara, to request ABAG's approval of a RHNA transfer between the County and the City of San José. We appreciate the importance of accommodating the regional housing needs of the San Francisco Bay Area and ABAG's role in this effort. We especially appreciate recent efforts by ABAG staff to support our County in expeditiously preparing and processing this transfer request.

This request follows from the provisions of Government Code Section 65584.07(a), which states that a council of governments shall reduce the RHNA of unincorporated counties if one or more cities within the county agree to increase their shares by an equivalent amount. Pursuant to the statute, such a transfer must occur between adoption of the final RHNA and the close of the current housing element cycle, which in our case is January 31, 2023. When the County's RHNA appeal was rejected, ABAG highlighted such a transfer as an available remedy to accommodate RHNA shares in a way that fosters efficient infill and protection of agricultural and environmental resources. To date, we understand that the Counties of Sonoma and Napa have successfully completed such transfers.


By way of this letter and its attachments, we are providing an analysis of the factors and circumstances justifying the transfer, as well as supporting data.

Since January 12, 1972, when the County Board of Supervisors adopted the Urban Development Policies for Santa Clara County, an important predecessor to the County's first General Plan, the County and those cities within the County have committed through policy and practice to urban infill development and the preservation of peri-urban open space and farmland. We have renewed and redoubled this commitment in recent years, through the 2018 adoption and implementation of the Santa Clara Valley Agricultural Plan, and in 2021, through joint efforts with the City of San José to protect Coyote Valley.

In addition to its abiding commitment to preventing sprawl and preserving farmland, the County is a regional leader in the funding and development of affordable housing. Since the 2016 adoption of a \$950 million Affordable Housing Bond, our Board has approved the construction and/or rehabilitation of 5,052 affordable and supportive housing units throughout the County. The County has also begun residential redevelopment of County-owned sites to directly provide housing to our most vulnerable and poorest residents.

In accordance with Section 65584.07(b)(1), the County and the City will need to use the RHNA as revised by the transfers to complete our respective housing element updates. Given the statutory deadline of January 31, 2023, to complete this transfer, the County is looking forward to ABAG's assistance in concluding this critical step of approving the transfer. We welcome an opportunity to discuss any questions you have regarding our request, the transfer, or the information and analysis provided with this letter, and invite you to contact me at (408) 299-6741, or jacqueline.onciano@pln.sccgov.org, and Deputy Director Leza Mikhail, at (408) 299-5773, or leza.mikhail@pln.sccgov.org.

Respectfully,

DocuSigned by:

58D820A952194DC
Jacqueline R. Onciano, Director

Request for RHNA Transfer Between the County of Santa Clara and the City of San José

I. Request for Transfer

In accordance with Government Code Section 65584.07(a), the County of Santa Clara (County) requests ABAG approval of revised RHNA assignments for the County and the City of San José (City). The County and the City will execute a memorandum of agreement (MOA) wherein the City will agree to increase its RHNA assignment in an amount equivalent to the reduction of the County's RHNA assignment. Given that the statutory deadline for such a transfer is January 31, 2023, the County requests that ABAG grant conditional approval of a transfer of up to 3,125 units in advance of the necessary MOA between the County and City and subject to execution of the MOA between the County and City. The MOA between the County and City will identify the final number of units to be transferred and it will not exceed 3,125 units.

A draft of the transfer MOA is included as an attachment and supports the request for a transfer up to and not to exceed the amounts outlined in the first table below. Such a transfer is in keeping with the County's foundational policies to avoid comprehensive planning for urban densities in unincorporated islands. Analysis of the potential for residential development within the unincorporated islands of San José supports a transfer up to the full amount of the County's RHNA assignment of 3,125 units. Within the City's Urban Service Area (USA), using densities supported by the City's General Plan, the County's analysis shows that the City could realistically accommodate between 4,500 and 6,300 units on the 20 unincorporated parcels that are most appropriate and likely for residential development. These parcels have long been slated for annexation and would be annexed into San José prior to development. Once annexed, these unincorporated island parcels gain access to urban services like sewer and water, and are therefore the best locations for accommodating new residential development in the County.

The first table below delineates the breakdown of a 3,125-unit transfer to the City. As another example, the second table shows what a transfer of a lesser amount (2,000 units) would look like, pursuant to the proportionality requirement of Government Code Section 65584.07(a)(3).

**Table 1. County and City RHNA Allocations Before and After
a 3,125-unit Transfer**

| | RHNA | | Transfer | | Revised RHNA | |
|------------------------------------|--------|--------|----------|--------|--------------|--------|
| | City | County | City | County | City | County |
| Very Low-Income Units | 15,088 | 828 | 828 | -828 | 15,916 | 0 |
| Low-Income Units | 8,687 | 477 | 477 | -477 | 9,164 | 0 |
| Moderate-Income Units | 10,711 | 508 | 508 | -508 | 11,219 | 0 |
| Above Moderate-Income Units | 27,714 | 1,312 | 1,312 | -1,312 | 29,026 | 0 |
| Total | 62,200 | 3,125 | 3,125 | -3,125 | 65,325 | 0 |

**Table 2. County and City RHNA Allocations Before and After
a 2,000-unit Transfer**

| | RHNA | | Transfer | | Revised RHNA | |
|------------------------------------|--------|--------|----------|--------|--------------|--------|
| | City | County | City | County | City | County |
| Very Low-Income Units | 15,088 | 828 | 530 | -530 | 15,618 | 298 |
| Low-Income Units | 8,687 | 477 | 305 | -305 | 8,992 | 172 |
| Moderate-Income Units | 10,711 | 508 | 325 | -325 | 11,036 | 183 |
| Above Moderate-Income Units | 27,714 | 1,312 | 840 | -840 | 28,554 | 472 |
| Total | 62,200 | 3,125 | 2,000 | -2,000 | 67,325 | 1,125 |

Since the 2016 passage of a \$950 million Affordable Housing Bond, the County has already approved funding for the construction and/or rehabilitation of 5,052 units of affordable and supportive housing, and since 2019, the County has begun the process of redeveloping five sites owned by the County for over 300 units of affordable housing, much of which will be reserved specifically for teachers, individuals with disabilities, and former foster youth.

Irrespective of the number of units transferred to the City, the County will continue to make significant investments in affordable housing across jurisdictions in the County and to utilize County-owned properties for the development of the most-needed forms of housing, all of which will be within the USAs.

II. Compliance with Requirements of Section 65584.07(a)

Under Government Code Section 65584.07(a), counties may reduce their share of regional housing needs by transferring units to one or more of the cities within the county. This section of the law serves to recognize the challenges faced by unincorporated jurisdictions, which often steward agricultural and environmental resources and are not broadly served by municipal utilities.

As stated in Section 65584.07(a)(4), the council of governments *"shall approve the proposed reduction if it determines that conditions set forth in paragraphs (1), (2), and (3) have been satisfied."*

- a. The condition in Section 65584.07(a)(1) states: *"One or more cities within the county agree to increase its share or their shares in an amount equivalent to the reduction."* An understood condition of any transfer is that an agreement between the County and the City of San José must be executed on or before January 31, 2023, and that any increase in the City's RHNA will be equivalent to a decrease in the County's RHNA.
- b. The condition in Section 65584.07(a)(2) states: *"The transfer of shares shall only occur between a county and cities within that county."* The requested transfer would only occur between the County and the City of San José, which is within Santa Clara County.
- c. The condition in Section 65584.07(a)(3) states: *"The county's share of low-income and very*

low income housing shall be reduced only in proportion to the amount by which the county's share of moderate- and above-moderate income housing is reduced." Any transfer of units between the City and the County will be proportionately distributed across all income levels.

III. Factors and Circumstances Justifying this Request

Section 65584.07(a)(4) further requires that *"the county and city or cities proposing the transfer shall submit an analysis of the factors and circumstances, with all supporting data, justifying the revision."* The factors and circumstances justifying the requested transfer are summarized below, revolving around a key principle: that cohesive and orderly growth, coordinated between the County and its cities, will result in the preservation of important remaining agricultural lands and open space, and spur the development of infill development that will be inherently more affordable, equitable, sustainable, and climate-resilient than sprawl development.

The County's land use policies have been forged through a longstanding commitment to curtail sprawl by focusing growth within incorporated areas and urban unincorporated areas within USAs. On January 12, 1972, the County Board of Supervisors adopted the Urban Development Policies for Santa Clara County, which explicitly states that "existing and future urban land uses should be in cities" and that unincorporated areas within a city's USA should be: (1) pre-zoned by the city, (2) annexed by the city as soon as possible, and (3) that the County should not allow urban uses. The development of the County's first General Plan followed from and further elaborated upon these policies. Today, the County's General Plan reflects these principles, and each iteration of the General Plan has employed them as a foundation for the policies that have followed.

County policies facilitate greater cohesive development patterns between incorporated and unincorporated areas and should be followed to accommodate the County's RHNA assignment of 3,125 units, which is a 1.028 percent increase from the prior RHNA cycle. This allocation represents an urban scale of housing development that is most appropriately located within the USAs of the County and annexed into incorporated jurisdictions, consistent with countywide policies. First, General Plan Policy C-GD 2 states that "[u]rban development shall occur only within cities' urban services areas (USAs) and under city jurisdiction" and General Plan Policy R-4 further explains that "[p]lanning for and providing services to urban development is the responsibility of cities in cooperation with special districts involved[.]" The General Plan assumes, as a matter of policy, that urban unincorporated areas will be annexed, and General Plan Policy R-6 provides, "[a]ssuming that all urban unincorporated areas will eventually be annexed by the cities, it is appropriate that the city which will have ultimate jurisdiction over an area have the ongoing authority to plan for what are presently unincorporated areas." Relatedly, the County's Zoning Ordinance provides that the County does not allow any significant projects within these areas unless the project conforms with the affiliated city's General Plan, and the city has the option to annex the project area. In addition, the County works with cities to ensure all utilities and services to USAs are provided for by the respective cities. These policies have been in place for over 25 years and are actively utilized by cities to plan for the unincorporated areas within their respective USAs.

Without the transfer of units from the County to the City of San José, the County will be required to consider modifying existing policies to facilitate urban development of unincorporated pockets by the County while concurrently selecting rural sites for housing, outside the USAs, which would upend the County's foundational land use policies and upset longstanding working relationships with the incorporated jurisdictions. Selecting rural sites outside USAs would inevitably result in an

increase of vehicle miles traveled (VMT) and related greenhouse gas emissions and increase the vulnerability and loss of prime agricultural lands and open space.

Additionally, the County continues to be a strong advocate for and significant funder of affordable housing in the incorporated and urbanized areas of the County. The Board has taken a strong leadership position and actions to support housing production within Santa Clara County and to meet the ongoing housing needs of County residents. This includes implementation of the 2016 "Measure A" Affordable Housing Bond, a \$950 million general obligation bond approved by voters in 2016, to fund supportive and affordable housing. As of November 1, 2022, the Board has approved funding to support the construction and/or rehabilitation of 5,052 affordable and supportive housing units throughout the County. All these housing units have been counted towards the individual cities' RHNA requirements. Furthermore, the County continues to purchase parcels in cities and repurpose existing county-owned sites to build affordable housing to address the regional shortage. In 2019, the County began a process to select developers that are aligned with the County's goals of increasing affordable housing for Santa Clara County's most vulnerable and poorest residents, and the County has since begun residential redevelopment of five County-owned sites that are within USAs, which will result in over 300 units of affordable housing, much of which will be reserved for teachers, individuals with disabilities, and former foster youth.

The requested transfer would advance the principles of agricultural preservation and urban-centered infill growth by ensuring that additional housing is planned and developed within the City. In addition, the transfer will support more housing being developed in areas where water and wastewater utilities and access to other urban services are available, something that is not available in the unincorporated County.

IV. Conformance with RHNA Objectives in Section 65584(d)

ABAG has asked that the transfer request demonstrate conformance with the RHNA objectives in Section 65584(d), although this is not a requirement for a transfer. Nonetheless, the requested transfers would conform to the RHNA Objectives in Government Code Section 65584(d), as outlined below.

- **65584(d)(1):** *Increasing the housing supply and the mix of housing types, tenure, and affordability in all cities and counties within the region in an equitable manner, which shall result in each jurisdiction receiving an allocation of units for low- and very low income households.*

The RHNA transfer will not change the total amount or type of housing that must be accommodated within the County but rather will place that housing on sites with available public utilities and access to urban services. The unincorporated areas with the greatest housing development potential have been annexed to the cities. The requested transfer will likely result in greater increases in affordable housing supply than would occur in the County because of the services available to the incorporated areas and access to services is required to obtain tax credits and other affordable housing funds.

The County will also continue to offer financial support for affordable housing developments in the City as well as in the unincorporated urban areas. The County provides a broad array of services to City residents, especially lower-income residents, including child welfare services, public health services, mental health services, self-

sufficiency services, and services for older adults.

- **65584(d)(2):** *Promoting infill development and socioeconomic equity, the protection of environmental and agricultural resources, the encouragement of efficient development patterns, and the achievement of the region's greenhouse gas reductions targets provided by the State Air Resources Board pursuant to Section 65080.*

ABAG encouraged counties that appealed their Draft RHNA (Contra Costa, Sonoma, Marin, Santa Clara) to pursue transfer agreements with their cities to "foster efficient infill and protection of agricultural and environmental resources."

The requested transfer would promote infill development and other listed objectives by encouraging development within urbanized areas, rather than in agricultural zones, where parcel sizes are considerably larger, development is more dispersed, and fewer urban services (including utilities) are available. While residents of the City who work in the unincorporated area will have to travel to their jobs, most jobs in the county are located within the cities, and the cities are where employees go for most urban services like groceries, hospitals, schools, etc. The cities also have more frequent transit service. All this means that, in general, development of infill housing in the cities would result in fewer and shorter auto trips and lower emissions than housing in the unincorporated area.

- **65584(d)(3):** *Promoting an improved intraregional relationship between jobs and housing, including an improved balance between the number of low-wage jobs and the number of housing units affordable to low-wage workers in each jurisdiction.*

The County and the cities within Santa Clara County have long agreed that urban services and development incompatible with agriculture belong within the cities, and approach the preservation of our remaining farmland and open spaces as a joint responsibility. The requested transfer would not change the region's jobs-housing balance, although by encouraging additional units in the City, where development of housing is more likely, it could incrementally improve the balance between jobs and housing while also reducing VMT and associated greenhouse gas emissions.

The County also recognizes that there are agricultural uses within the unincorporated area that involve employment. Farmworkers, winery employees, and similar workers must travel from the cities to their job sites unless they can find housing closer to their employment. The County strongly encourages, and in 2020 significantly streamlined, the permitting of new agricultural employee housing developments. The County is now working with ABAG staff to support similar streamlining efforts in other counties and cities in the region.

- **65584(d)(4):** *Allocating a lower proportion of housing need to an income category when a jurisdiction already has a disproportionately high share of households in that income category, as compared to the countywide distribution of households in that category from the most recent American Community Survey.*

The requested transfer will comply with State law, which requires lower-income (very low-income and low-income) units to be transferred in an amount proportionate to moderate and above-moderate units. In other words, the County is not seeking to transfer a disproportionate share of its lower income units.

- **65584(d)(5):** *Affirmatively furthering fair housing. (Based on Section 65584(e), "affirmatively furthering fair housing" means taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.)*

As stated above, the requested transfer will comply with State law and the County is not seeking to transfer a disproportionate share of its lower income units. Also, consistent with State law and HCD guidance, both the County and City have conducted detailed AFFH assessments as part of their Housing Element updates.

V. Supporting Information

The draft transfer MOA between the City and the County is included here as an attachment.

**MEMORANDUM OF AGREEMENT
BETWEEN THE CITY OF SAN JOSÉ AND THE COUNTY OF SANTA CLARA
REGARDING REGIONAL HOUSING NEEDS ALLOCATIONS FOR 2023-2031
HOUSING ELEMENT PLANNING PERIOD**

This Memorandum of Agreement (“Agreement”) between the City of San José, a chartered city and municipal corporation (“City”), and the County of Santa Clara, a political subdivision of the State of California (“County”), is effective as of the last date upon which it is executed by both the City and the County (“Effective Date”). City and County are both a “Party” and “Parties” to this Agreement.

RECITALS

A. **WHEREAS**, pursuant to Government Code sections 65580 through 65589.11 (the “Housing Element Law”), the Association of Bay Area Governments (ABAG) periodically adopts a Regional Housing Needs Allocation (RHNA) for each county and city in the greater San Francisco Bay Area, including the County and the City. Under the Housing Element Law, each city and county must periodically revise the housing element of its general plan utilizing the latest RHNA adopted by ABAG, including the designation of specific housing sites in a site inventory (“Site Inventory”).

B. **WHEREAS**, on May 20, 2021, the Executive Board of ABAG approved the Final RHNA Methodology and Draft Allocations for the 2023-2031 RHNA cycle. Following the statutory appeal period, on December 16, 2021, ABAG adopted the final RHNA, and the California Department of Housing and Community Development (HCD) approved ABAG’s final RHNA on January 12, 2022. The final RHNA assigned 62,200 and 3,125 units to the City and County, respectively. Housing Element updates for the 2023-2031 RHNA cycle are scheduled to be due to the Department of Housing and Community Development (HCD) by January 31, 2023.

C. **WHEREAS**, for over twenty-five years, the County General Plan has sought to curtail sprawl and preserve agricultural and environmental resources by focusing growth within incorporated areas and urban parts of the unincorporated county within an Urban Service Area (USA). To this end, the County’s General Plan confers to cities land use planning for these urbanized parts of unincorporated county. The County’s General Plan does is not designed to allow significant new development within these areas unless the project conforms with the affiliated city’s General Plan, and the city has the option to annex the project area.

D. **WHEREAS**, in reliance on these County General Plan policies, the City has conducted land use planning in these urbanized parts of unincorporated county, including the identification of over 237 acres of urban unincorporated land in the Site Inventories the City submitted to HCD for the prior 2007-2014 and 2015-2023 RHNA cycles. Accordingly, the County has not identified any parcels within unincorporated urban pockets in Site Inventories for prior RHNA cycles.

E. **WHEREAS**, accommodating the County's current RHNA allocation of 3,125 units will require the County to exert planning control over the urbanized parts of unincorporated county, which would unnecessarily consume administrative resources and decrease the pace of housing development. Alternatively, the County could permit large-scale development in non-urban parts of the county, which is inconsistent with its General Plan principles and would threaten agriculture, natural resources, and climate resiliency. Instead, the City and County wish to continue their success in facilitating housing development, curtailing sprawl, and protecting natural resources during the 2023-2031 RHNA cycle by reallocating the County's RHNA to the City, so that new, urban-scale development will continue to be located within urbanized parts of the unincorporated county.

F. **WHEREAS**, the County selected and analyzed potential housing sites on unincorporated parcels within the Urban Services Area (USA) of the City. The County found that the sites most likely to be developed in the 2023-2031 RHNA cycle would yield between 4,517 and 6,281 housing units in total. More specifically, such sites could realistically yield: 1,095 to 1,430 units of very low-income housing; 692 to 993 units of low-income housing; and 683 to 896 units of moderate-income housing.

G. **WHEREAS**, the Housing Element Law (Government Code section 65584.07) provides that a city may agree to increase its RHNA in proportion to the decrease of the associated county's RHNA share, provided that the county's share of low-income and very low-income housing is reduced only in proportion to the amount by which the county's share of moderate- and above moderate-income housing is reduced.

H. **WHEREAS**, City and County desire to effect a transfer for the 2023-2031 RHNA cycle as set forth in this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, promises, and agreements contained herein, the Parties hereto mutually agree as follows:

1. Transfer of RHNA Share. The Parties agree to transfer a RHNA share totaling 3,125 units for the 2023-2031 RHNA cycle as set forth below, contingent on ABAG's approval of this Agreement pursuant to Government Code section 65584.07(a)(1)-(4):

- a. Very Low-Income Unit Transfer. The County and City agree to transfer 828 very low-income units, resulting in an increase of 828 very low-income units to the City and a decrease of 828 very low-income units to the County. For the purposes of this paragraph, "very low-income units" shall mean units where household income for eligibility to live in the unit does not exceed 50% of the local area median income (AMI) as established by state and federal law.
- b. Low-Income Unit Transfer. The County and City agree to transfer 477 low-income units, resulting in an increase of 477 low-income units to the City and a

decrease of 477 low-income units to the County. For the purposes of this paragraph, “low-income units” shall mean units where household income for eligibility to live in the unit does not exceed 80% of the local AMI as established by state and federal law.

- c. Moderate-Income Unit Transfer. The County and City agree to transfer 508 moderate-income units, resulting in an increase of 508 moderate-income units to the City and a decrease of 508 moderate-income units to the County. For the purposes of this paragraph, “moderate-income units” shall mean units where household income for eligibility to live in the unit does not exceed 120% of the local AMI as established by state and federal law.
- d. Above Moderate-Income Unit Transfer. The County and City agree to transfer 1,312 above moderate-income units, resulting in an increase of 1,312 above moderate-income units to the City and a decrease of 1,312 above moderate-income to the County. For the purposes of this paragraph, “above moderate-income units” shall mean units where household income for eligibility to live in the unit exceeds 120% of the local AMI as established by state and federal law.
- e. Summary of Transfers.

| | RHNA | | Transfer | | Revised RHNA | |
|------------------------------------|--------|--------|--------------|---------------|--------------|--------|
| | City | County | City | County | City | County |
| Very Low-Income Units | 15,088 | 828 | 828 | -828 | 15,916 | 0 |
| Low-Income Units | 8,687 | 477 | 477 | -477 | 9,164 | 0 |
| Moderate-Income Units | 10,711 | 508 | 508 | -508 | 11,219 | 0 |
| Above Moderate-Income Units | 27,714 | 1,312 | 1,312 | -1,312 | 29,026 | 0 |
| Total | 62,200 | 3,125 | 3,125 | -3,125 | 65,325 | 0 |

2. Cooperation. The City and County shall take all steps reasonably necessary to comply with Government Code section 65584.07 and such other transfer statutes, as applicable, to implement this Agreement, including but not limited to executing this Agreement, providing the appropriate documentation to ABAG or any other agency, as required, and receiving ABAG approval of the Agreement by the statutory deadline of January 31, 2023. The Parties agree to work together to obtain ABAG approval and any other approval where required to effectuate this Agreement. The Parties further agree to utilize the revised RHNA that includes the transfer of

RHNA units contemplated by this Agreement in preparing their respective Housing Elements for the 2023-2031 RHNA cycle.

3. Indemnification. In lieu of and notwithstanding the pro rata risk allocation, which might otherwise be imposed between the Parties pursuant to Government Code Section 895.6, the Parties agree that all losses or liabilities incurred by Party shall not be shared pro rata but, instead, County and City agree that, pursuant to Government Code Section 895.4, each of the Parties hereto shall fully indemnify and hold each of the other Parties, their officers, board members, employees, and agents, harmless from any claim, expense, cost, damage, or liability imposed for injury (as defined in Government Code Section 810.8) occurring by reason of the negligent acts or omissions or willful misconduct of the indemnifying party, its officers, employees, or agents, under or in connection with or arising out of any work, authority, or jurisdiction delegated to such party under this Agreement. No Party, nor any officer, board member, or agent thereof shall be responsible for any damage or liability occurring by reason of the negligent acts or omissions or willful misconduct of the other Parties hereto, their officers, board members, employees, or agents, under or in connection with or arising out of any work, authority, or jurisdiction delegated to such other Parties under this Agreement.

4. Termination. This Agreement shall automatically terminate if ABAG does not approve the Parties' RHNA share transfer pursuant to Government Code section 65584.07(a)(1)-(4). If ABAG approves a revised RHNA allocation that differs from the allocations set forth in Section 1 of this Agreement, the Parties shall confer to determine whether to proceed and execute a written amendment to this Agreement.

5. Amendment. This Agreement may not be amended or modified, except in writing signed by all Parties to this Agreement. The authorized representative of the County for any amendments or modifications to the Agreement shall be the County Executive, or its designee, after approval as to form and legality by County Counsel.

6. Entire Agreement. This Agreement constitutes the final, complete, and exclusive statement of the terms of the agreement between the Parties. It incorporates and supersedes all the agreements, covenants, and understandings between the Parties concerning the subject matter hereof, and all such agreements, covenants, and understandings have been merged into this Agreement. No prior or contemporaneous agreement or understanding, verbal or otherwise, of the Parties or their agents shall be valid or enforceable unless embodied in this Agreement.

7. Waiver. No delay or failure to require performance of any provision of this Agreement shall constitute a waiver of that provision as to that or any other instance. Any waiver granted by a party shall be in writing and shall apply to the specific instance expressly stated.

8. Governing Law; Venue. This Agreement has been executed and delivered in, and shall be construed and enforced in accordance with, the laws of the State of California. Proper venue for legal action regarding this Agreement shall be in the County of Santa Clara.

9. Binding. This Agreement shall be binding upon the successors and assigns of the County and City.

10. Execution. Unless otherwise prohibited by law or County policy, the Parties agree that an electronic copy of a signed Agreement, or an electronically signed Agreement, has the same force and legal effect as an Agreement executed with an original ink signature. The term “electronic copy of a signed Agreement” refers to a transmission by facsimile, electronic mail, or other electronic means of a copy of an original signed Agreement in a portable document format. The term “electronically signed Agreement” means an Agreement that is executed by applying an electronic signature using technology approved by the County. This Agreement may be executed in one or more counterparts, each of which will be considered an original, but all of which together will constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed by their respective governing bodies on the dates set forth opposite their signatures.

CITY OF SAN JOSÉ

COUNTY OF SANTA CLARA

By: _____

By: _____
 SUSAN ELLENBERG Date
 President, Board of Supervisors

Signed and certified that a copy of this document has been delivered by electronic or other means to the President, Board of Supervisors.

Attest:

Attest:

By: _____

By: _____
 TIFFANY LENEAR Date
 Acting Clerk of the Board of Supervisors

Approved as to form and legality:

Approved as to form and legality:

By: _____

By: _____
 ELIZABETH G. PIANCA Date
 Lead Deputy County Counsel



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

| | | | | | |
|-----------------------|---|----------------------|---|-------------------------|--|
| File #: | 23-0243 | Version: | 1 | Name: | |
| Type: | Resolution | Status: | | Executive Board Consent | |
| File created: | 1/15/2023 | In control: | | ABAG Executive Board | |
| On agenda: | 1/19/2023 | Final action: | | | |
| Title: | Adoption of Resolution 8-2023, Delegation of Authority for Purchasing, Contracting and Settlement of Claims | | | | |
| Sponsors: | | | | | |
| Indexes: | | | | | |
| Code sections: | | | | | |
| Attachments: | 06f 1 Summary Sheet Resolution 8-2023 Delegation Purchasing Contracting Settlement Claims v2.pdf 06f 2 Attachment ABAG Resolution No 8 2023 Delegation Purchasing Contracting and Settlement | | | | |

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Adoption of Resolution 8-2023, Delegation of Authority for Purchasing, Contracting and Settlement of Claims

Jenny Berg

Approval

Association of Bay Area Governments

Executive Board

January 19, 2023

Agenda Item 6.f.

Purchasing, Contracting, and Settlement of Claims

Subject:

Adoption of Resolution 8-2023, Delegation of Authority for Purchasing, Contracting and Settlement of Claims

Background:

The Contract for Services provides that MTC rules for administration, personnel, payroll, employee relations, purchasing, contracting and other business operations shall apply, except for ABAG contracts and purchases that exceed \$50,000, or another amount set by the ABAG Executive Board, that shall be approved by the ABAG Executive Board. At that time MTC had delegated authority to the Executive Director to execute purchase orders and contracts and their amendments in an amount not to exceed \$200,000 without prior Commission approval.

In September 2020, the ABAG Executive Board adopted Resolution No. 18-2020 authorizing the Executive Director to execute purchase orders and contracts in an amount not to exceed \$200,000 without prior Executive Board approval to align with MTC's policy.

MTC recently adopted MTC Resolution No. 4546 authorizing the General Counsel to negotiate and execute settlement agreements that do not exceed \$50,000, and to execute contracts for legal services in an amount that does not exceed \$200,000. To fully align ABAG and MTC policies regarding delegation of authority for purchasing, contracting and settlement of claims, staff recommends adoption of Resolution 8-2023.

Issues:

None

Recommended Action:

The Executive Board is requested to adopt Resolution No. 8-2023.

Attachments

- A. Resolution 8-2023

Reviewed:



Brad Paul

Date: January 19, 2023

W.I.:

Referred By: ABAG Executive Board

ABSTRACT

ASSOCIATION OF BAY AREA GOVERNMENTS

RESOLUTION NO. 8-2023

This resolution updates the delegation of authority for purchasing, contracting and settlement of claims to make it consistent with the delegation of authority as outlined in Metropolitan Transportation Commission Resolution Nos. 3619 and 4546.

Date: January 19, 2023

W.I.:

ASSOCIATION OF BAY AREA GOVERNMENTS
RESOLUTION NO. 8-2023

Re: Delegation of Authority for Purchasing, Contracting and Settlement of Claims

WHEREAS, the Association of Bay Area Governments (ABAG) is the region's Council of Governments for the San Francisco Bay Area pursuant to the Joint Exercise of Powers Act, California Government Code Section 6500 *et seq.*; and

WHEREAS, prior to 2020, ABAG authorized the Executive Director to execute purchase orders and contracts in an amount not to exceed \$50,000 without prior Executive Board approval; and

WHEREAS, ABAG and the Metropolitan Transportation Commission (MTC), a regional planning organization, created by Government Code Section 66500, *et seq.* executed a Contract for Services dated May 30, 2017 ("Contract for Services"), in which MTC provides staffing services to ABAG; and

WHEREAS, Section 3.3 of the Contract for Services provides that MTC rules for administration, personnel, payroll, employee relations, purchasing, contracting and other business operations shall apply, except that for contracts and purchases that exceed \$50,000, or another amount set by the ABAG Executive Board, shall be approved by the ABAG Executive Board; and

WHEREAS, MTC Resolution No. 3619 delegates authority to the Executive Director or designee to execute purchase orders and contracts and their amendments in an amount not to exceed \$200,000 without prior Commission approval; and

WHEREAS, in September 2020, the ABAG Executive Board adopted Resolution No. 18-2020 authorizing the Executive Director to execute purchase orders and contracts in an amount not to exceed \$200,000 without prior Executive Board approval in an effort to bring ABAG's policies consistent with MTC's policies; and

**ASSOCIATION OF BAY AREA GOVERNMENTS
RESOLUTION NO. 8-2023**

WHEREAS, MTC recently adopted MTC Resolution No. 4546 authorizing the General Counsel to negotiate and execute settlement agreements that do not exceed \$50,000, and to execute contracts for legal services in an amount that does not exceed \$200,000; and

WHEREAS, in addition to ABAG Resolution No. 18-2020, the ABAG Executive Board desires to bring further clarity that it intends for ABAG to follow MTC's delegation of authority for purchases, contracts and settlement of claims; now, therefore be it

RESOLVED, that so long as the ABAG/MTC Contract for Services is in effect, the MTC Executive Director or designee of the Executive Director is hereby authorized to execute all authority delegated as set forth in MTC Resolution No. 3619, provided the funds are available and included in the applicable fiscal year budget, and the MTC General Counsel is authorized to execute all authority delegated as set forth in MTC Resolution No. 4546; and be it further

RESOLVED, the ABAG Executive hereby ratifies any purchase order, contract or contract amendment executed by ABAG after ABAG Resolution No. 18-2020 was adopted and that was in conformance with MTC Resolution No. 3619.

The foregoing was adopted by the Executive Board this 19th day of January, 2023.

Jesse Arreguin
President

Certification of Executive Board Approval

I, the undersigned, the appointed and qualified Clerk of the Association of Bay Area Governments (Association), do hereby certify that the foregoing resolution was adopted by the Executive Board of the Association at a duly called and noticed meeting held in San Francisco, California, and at other remote locations, on the 19th day of January, 2023.

Frederick Castro
Clerk of the Board



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 23-0207 **Version:** 1 **Name:**

Type: Resolution **Status:** Informational

File created: 1/5/2023 **In control:** ABAG Executive Board

On agenda: 1/19/2023 **Final action:**

Title: Report on ABAG Administrative Committee Meetings of December 9, 2022 and January 13, 2023

Sponsors:

Indexes:

Code sections:

Attachments:

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Report on ABAG Administrative Committee Meetings of December 9, 2022 and January 13, 2023

Jesse Arreguin

Information



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 23-0208 **Version:** 1 **Name:**

Type: Report **Status:** Informational

File created: 1/5/2023 **In control:** ABAG Executive Board

On agenda: 1/19/2023 **Final action:**

Title: Report on Joint MTC ABAG Legislation Committee Meetings of December 9, 2022 and January 13, 2023

Sponsors:

Indexes:

Code sections:

Attachments:

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Report on Joint MTC ABAG Legislation Committee Meetings of December 9, 2022 and January 13, 2023

Jesse Arreguin

Information



ABAG

Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 23-0210 **Version:** 1 **Name:**

Type: Report **Status:** Executive Board Approval

File created: 1/5/2023 **In control:** ABAG Executive Board

On agenda: 1/19/2023 **Final action:**

Title: Report on ABAG Finance Committee Meeting of January 19, 2023 and Confirmation of Election of Chair and Vice Chair

Sponsors:

Indexes:

Code sections:

Attachments: [09a Summary Sheet Finance Committee Election Chair Vice Chair v1.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Report on ABAG Finance Committee Meeting of January 19, 2023 and Confirmation of Election of Chair and Vice Chair

Finance Committee Chair

Approval

Association of Bay Area Governments

Executive Board

January 19, 2023

Agenda Item 9.a.

Election of Finance Committee Chair and Vice Chair

Subject:

Confirmation of the Election of ABAG Finance Committee Chair and Vice Chair

Background:

According to the ABAG Bylaws, Article IX, F.:

At the initial meeting of each committee, and annually thereafter at the first committee meeting following January 1 of each year, the committees shall elect their chairpersons and such other officers as may be specified. Committee chairpersons shall be subject to confirmation by the Executive Board.

At its meeting on January 19, 2023, the Finance Committee will elect its Chair and Vice Chair and will submit the election results to the Executive Board for confirmation.

Issues:

None

Recommended Action:

The Executive Board requested to confirm the election of Finance Committee Chair and Vice Chair.

Attachments:

None

Reviewed:



Brad Paul



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 23-0212 **Version:** 1 **Name:**

Type: Resolution **Status:** Executive Board Approval

File created: 1/5/2023 **In control:** ABAG Executive Board

On agenda: 1/19/2023 **Final action:**

Title: Adoption of Resolution No. 7-2023, Authorization of the Metropolitan Transportation Commission (MTC) Investment Policy

Sponsors:

Indexes:

Code sections:

Attachments: [09b 1 Summary Sheet ABAG Resolution 7-2023 Investment Policy v1.pdf](#)
[09b 2 Attachment Summary Sheet Finance Committee.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Adoption of Resolution No. 7-2023, Authorization of the Metropolitan Transportation Commission (MTC) Investment Policy

Natalie Perkins

Approval

Association of Bay Area Governments

Executive Board

January 19, 2023

Agenda Item 9.b.

Investment Policy

Subject:

Adoption of Resolution No. 7-2023, Authorization of the Metropolitan Transportation Commission (MTC) Investment Policy

Background

The Chair of the ABAG Finance Committee will report on the Finance Committee's discussion and recommendation regarding the authorization of the Metropolitan Transportation Committee (MTC) Investment Policy.

ABAG Resolution No. 7-2023 shall be effective upon the Metropolitan Transportation Commission (MTC) adopting MTC Resolution No. 4563 and that resolution becoming effective. ABAG Resolution No. 7-2023 would supersede ABAG Resolution No. 06-17, the current Statement of Investment Policy.

The Finance Committee summary sheet is attached.

Recommended Action

The ABAG Executive Board is requested to adopt ABAG Resolution No. 7-2023.

Attachment

- A. Summary Sheet, Finance Committee

Reviewed



Brad Paul

Association of Bay Area Governments

Finance Committee

January 19, 2023

Agenda Item 8.b.

Investment Policy

Subject:

Adoption of Resolution No. 7-2023, Authorization of the Metropolitan Transportation Commission (MTC) Investment Policy

Background

The Statement of Investment Policy ("Policy") governs the investment of funds for the Association of Bay Area Governments (ABAG) and all entities managed under ABAG. The policy establishes rules and procedures for the administration of all funds, including permitted investments, fund and liquidity levels, and safekeeping.

The Policy also includes requirements for audit of internal controls, investment reports on a quarterly basis at minimum, and signature controls. In addition, broker dealer firms are required to meet licensing requirements to be eligible to work with the Agency.

Staff recommends the following modifications to the current Statement of Investment Policy:

- Updated the Policy to more accurately reflect the current California State Code.
- Improved the layout and updated language to make it more precise.

ABAG Resolution No. 7-2023 shall be effective upon the Metropolitan Transportation Commission (MTC) adopting MTC Resolution No. 4563 and that resolution becoming effective. ABAG Resolution No. 7-2023 would supersede ABAG Resolution No. 06-17, the current Statement of Investment Policy.

Recommended Action

The ABAG Finance Committee is requested to refer ABAG Resolution No. 7-2023 to the Executive Board for adoption.

Attachment

- A. Resolution No. 7-2023

Reviewed



Brad Paul

**ASSOCIATION OF BAY AREA GOVERNMENTS
EXECUTIVE BOARD**

RESOLUTION NO. 7-2023

INVESTMENT POLICY

WHEREAS, the Association of Bay Area Governments (ABAG) is a joint powers entity created pursuant to Government Code §§ 6500 et seq. and serves as the Bay Area's Council of Governments; and

WHEREAS, ABAG has the responsibility to manage funds received in accordance with the provisions of Government Code §§ 53600 et seq. and a Statement of Investment Policy adopted pursuant to those statutory provisions; and

WHEREAS, pursuant to a Contract for Services (CS) between the Metropolitan Transportation Commission (MTC) and ABAG dated May 30, 2017, ABAG and MTC will be consolidating their respective staffs effective July 1, 2017; and

WHEREAS, pursuant to the CS, the consolidated staff will manage ABAG's finances in a manner that is compatible with ABAG's policies.

**ASSOCIATION OF BAY AREA GOVERNMENTS
RESOLUTION NO. 7-2023**

NOW, THEREFORE, BE IT RESOLVED, that the Executive Board of the Association of Bay Area Governments hereby:

1. Authorizes MTC to open new and manage or close existing accounts with banks, financial institutions, and government pooled investment funds as needed in order to manage ABAG's cash and investments under MTC signatures utilizing ABAG's tax identification number.
2. Adopts the Statement of Investment Policy as set forth in Attachment A to this Resolution, attached hereto and incorporated herein as though set forth at length.
3. This Resolution shall take precedence over any prior Resolutions to the extent that they may conflict herewith or with Attachment A.
4. This Resolution shall be effective upon MTC adopting MTC Resolution No. 4563 and that resolution becoming effective.

The foregoing was adopted by the Executive Board this 19th day of January, 2023.

Jesse Arreguin
President

Certification of Executive Board Approval

I, the undersigned, the appointed and qualified Clerk of the Association of Bay Area Governments (Association), do hereby certify that the foregoing resolution was adopted by the Executive Board of the Association at a duly called and noticed meeting held in San Francisco, California, and at other remote locations, on the 19th day of January, 2023.

Frederick Castro
Clerk of the Board

**ASSOCIATION OF BAY AREA GOVERNMENTS
RESOLUTION NO. 7-2023**

Attachment A

Statement of Investment Policy

The Treasurer of the Metropolitan Transportation Commission (MTC) shall invest all funds over which MTC is administratively responsible, including those of MTC, MTC Service Authority for Freeways and Expressways (SAFE), the Bay Area Toll Authority (BATA), the Bay Area Headquarters Authority (BAHA) the Bay Area Infrastructure Financing Authority (BAIFA), the Bay Area Housing Finance Authority (BAHFA), and other MTC affiliated agencies, and the Association of Bay Area Governments (ABAG) a separate joint powers authority, and its affiliated entities, for which MTC is accepting administrative responsibility for management of funds, effective July 1, 2017 pursuant to a contract for services dated May 30, 2017 in accordance with the provisions of §§ 53600 et seq. of the Government Code and the provisions of this investment policy.

1.0 Prudent Investor Rule:

Funds shall be managed under the “prudent investor standard” which requires all agencies investing public funds to be trustees of those funds, and therefore, fiduciaries subject to the prudent investor standard. When investing, reinvesting, purchasing, acquiring, exchanging, selling or managing public funds, a trustee shall act with care, skill, prudence and diligence under circumstances then prevailing, including, but not limited to, the general economic conditions and anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency. All funds shall be invested within the following objectives, in order of priority:

- 1.1 Safety: Preservation and safeguard of capital.
- 1.2 Liquidity: Funds shall be invested in a manner consistent with operating needs of the agency.
- 1.3 Yield: Funds shall be invested to earn a secured and safe return without compromising the objectives of safety and liquidity.

2.0 Permitted Investments:

Investments authorized under this policy shall be limited to:

- 2.1 United States treasury notes, bonds or bills for which the full faith and credit of the United States are pledged for the payment of principal and interest.
- 2.2 Bonds, notes, bills, warrants or obligations issued by an agency of the United States.
- 2.3 Commercial Paper of “prime” quality of the highest ranking or of the highest letter and numerical rating provided by Moody’s Investor Services or Standard & Poor’s Corporation.
 - Eligible paper is further limited to issuing corporations organized and operating in the United

**ASSOCIATION OF BAY AREA GOVERNMENTS
RESOLUTION NO. 7-2023**

States and having total assets in excess of five hundred million dollars (\$500,000,000) and having an “A” or higher rating for the issuers’ debt, other than commercial paper, if any, as provided by Moody’s Investor Services or Standard & Poor’s Corporation or the equivalent of other nationally recognized rating services that may be allowed by statute. Purchases shall not exceed 270 days maturity, 10% of the outstanding commercial paper of a single issuing corporation and 10% of the agency’s funds.

- 2.4 Negotiable certificates of deposit issued by a nationally or State chartered bank, a savings association or a federal association (as defined by Section 5102 of the Financial Code), a state or federal credit union, or by a federally licensed or state-licensed branch of a foreign bank, not to exceed 10% of agency funds.
- 2.5 Medium-Term notes of a maximum five years maturity issued by corporations meeting criteria in Section 2.3, not to exceed 30% of agency’s funds.
- 2.6 Mutual funds registered with the Securities and Exchange Commission, having attained the highest letter and numerical ranking by at least two Nationally recognized statistical rating organizations. Such investments shall not exceed 20% of funds, with no more than 10% invested in any single mutual fund.
- 2.7 Local Agency Investment Fund (LAIF) as authorized by Government Code §§ 16429.1.
- 2.8 The Alameda County Treasury local agency investment fund authorized under Government Code §§ 53684.
- 2.9 Repurchase agreements collateralized by securities of the United States Government or an agency of the United States Government.
- 2.10 Municipal Obligations issued by State or Local agencies:
 - a) Such bonds can include the obligations of the Bay Area Toll Authority and the Bay Area Infrastructure Financing Authority;
 - b) The maturity does not exceed 5 years from the date of purchase;
 - c) With regards to Municipal Obligations in the form of variable rate demand bonds, the obligations shall have mandatory investor tender rights supported by a third-party liquidity facility from a financial institution with short-term ratings of at least A-1 by S&P or P-1 by Moody’s. The maturity of these bonds shall be equivalent to the investor’s tender option supported by the liquidity facility.

3.0 Prohibited Investments:

In addition to any prohibited investments listed in California Code §§ 53601.6 and 53631.5, the following are specifically prohibited:

**ASSOCIATION OF BAY AREA GOVERNMENTS
RESOLUTION NO. 7-2023**

- 3.1 Reverse repurchase agreements.
- 3.2 Financial futures.
- 3.3 Option contracts.
- 3.4 Mortgage interest strips.
- 3.5 Inverse floaters.
- 3.6 Securities lending.
- 3.7 Repurchase agreements purchased for “yield enhancement” purposes and not required for banking and liquidity purposes.
- 3.8 Any investment that fails to meet credit or portfolio limits at the time of investment.

4.0 Sales Prior to Maturity:

- 4.1 The primary strategy of this investment policy is to “buy and hold” securities to maturity, however, a security may be sold prior to maturity if the sale is necessary to avoid further erosion of market value or meet operational or project liquidity needs. All sales prior to maturity shall be detailed in the investment report.
- 4.2 A security whose market or credit quality falls outside the investment policy parameters after purchase may be held to maturity without violation of this policy provided the fact is disclosed in the investment report.

5.0 Investment Pools:

Investment pools operated by LAIF and Alameda County as permitted investments under Section II of this policy, whose portfolios contain specific securities not permitted under this policy, but none-the-less permitted under the law or approved investment policy of the respective pool, are permitted under this policy.

6.0 Fund and Liquidity Levels:

- 6.1 All funds under management for operating requirements shall be commingled for investment purposes. The liquidity level shall be maintained in an appropriate manner but not less than:

| 30 | 90 | 1 | Maximum |
|--------------------|--------------------|--------------------|------------------------|
| <u>Days</u> | <u>Days</u> | <u>Year</u> | <u>Weighted</u> |
| 10% | 15% | 30% | <u>Maturity</u> |
| | | | 5 yrs |

The percentages within the 30 and 90 day counts are cumulative towards the one year minimum.

- 6.2 Reserve Funds:

Specifically designated reserve funds may have a maximum maturity of 40 years or less, provided each fund is clearly identified in the investment report.

**ASSOCIATION OF BAY AREA GOVERNMENTS
RESOLUTION NO. 7-2023**

- 6.3 All funds under management shall be combined for the purpose of evaluating credit and portfolio limits.

7.0 Brokerage Firms:

Only firms meeting the following criteria shall be authorized to buy or sell securities:

- 7.1 Firms licensed to conduct business as a broker-dealer under § 25004 of the Corporations Code, licensed and registered under the Securities Exchange Commission, a Federally or State chartered bank, or designated a “primary dealer” by the Federal Reserve Bank.
- 7.2 The Treasurer will maintain a current list of approved brokers and dealers who may conduct business with MTC. All financial institutions on the approved list will be evaluated individually, with preference given to primary dealers, who possess a strong capital and credit base appropriate to their operations.
If MTC has contracted with an investment advisor to provide investment services, the investment advisor may use their own list of approved brokers/dealers and financial institutions to conduct transactions on MTC’s behalf.
- 7.3 Provided written certification that they received a copy of the approved policy.

8.0 Bond Repurchase Accounts

MTC will use licensed brokerage firms for the purpose of purchasing BATA bonds with the intent of retiring its debt when such debt is offered for sale in the secondary market. Such brokerage firms are for the specific purpose of purchasing and transferring BATA bonds to BATA and as such will be exempt from the requirements of Section VII, except that all firms shall be licensed brokers

9.0 Investment Management Services:

Only firms meeting all of the following criteria shall be authorized to manage investment funds.

- 9.1 Firms licensed to conduct business as an investment advisor under § 25009 of the Corporations Code, licensed and registered under the Securities Exchange Commission.
- 9.2 Firms licensed to conduct business as a Registered Investment Advisor under the Investment Advisors Act of 1940.
- 9.3 Firms must have assets under management of at least five billion dollars (\$5,000,000,000) and the investment fund must be rated at least an “A”.
- 9.4 Firms must provide certification of an annual audit or certification of internal cash controls (i.e. SOC , SSAE-80, or

**ASSOCIATION OF BAY AREA GOVERNMENTS
RESOLUTION NO. 7-2023**

equivalent) satisfactory to the Chief Financial Officer.

- 9.5 Firms must have a minimum of 10 years experience of investment advisory experience in the public sector.
- 9.6 Firms must carry errors and omission insurance in accordance with MTC Policy.
- 9.7 Firms must provide written certification that they meet all of the above criteria.

10.0 Safekeeping:

- 10.1 All securities shall be maintained in a safekeeping account, independent from all broker accounts, with securities held in the name of the agency. Banks with independent “trust” or safekeeping departments shall qualify as independent safekeeping accounts.
- 10.2 Safekeeping accounts shall be maintained with firms or banks with at least fifty million dollars (\$50,000,000) in trust and safekeeping accounts under management and a minimum rating in the “A” category from a nationally recognized rating service.
- 10.3 The Treasurer, Executive Director, or their designated assignee(s) are authorized to sign documents providing for the sale and purchase of securities, as well as all documents required to provide for safekeeping and trust.

11.0 Internal Controls:

The Treasurer shall be responsible for developing a system of internal controls that maintain appropriate records of all transactions as well as individual fund ownership of all investments and interest earnings and shall also be subject to the annual independent audit process.

12.0 Investment Reports:

In accordance with § 53646 of the Government Code, at least quarterly, the Treasurer shall submit an investment report to the Executive Director who shall forward the report to all entities whose funds are subject to this policy. The report shall detail all securities, par value, market value, maturity, liquidity and credit limit thresholds, as well as any sales prior to maturity, any securities no longer meeting policy standards, and any investment policy violations.

13.0 Financial Accounts:

Both the Executive Director and the Treasurer are required to sign documents to open financial accounts with banks, financial institutions and government pooled investment funds as needed in order to manage MTC’s investments as described within this investment policy; provided that all such accounts meet policy standards.

**ASSOCIATION OF BAY AREA GOVERNMENTS
RESOLUTION NO. 7-2023**

14.0 Authorized Signers:

The following positions are authorized to sign on all accounts:

Executive Director

Deputy Executive Directors – all

Treasurer/Chief Financial Officer

Deputy Treasurer/ Director of Treasury

Other Assignee(s) designated by the Executive Director, Treasurer, or
Deputy Treasurer

15.0 Renewal:

This investment policy shall be subject to review annually.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 23-0213 **Version:** 1 **Name:**

Type: Resolution **Status:** Executive Board Approval

File created: 1/5/2023 **In control:** ABAG Executive Board

On agenda: 1/19/2023 **Final action:**

Title: Report on ABAG Housing Committee Meeting of January 12, 2023 and Confirmation of Election of Chair and Vice Chair

Sponsors:

Indexes:

Code sections:

Attachments: [10a Summary Sheet Housing Committee Election Chair Vice Chair v1.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Report on ABAG Housing Committee Meeting of January 12, 2023 and Confirmation of Election of Chair and Vice Chair

Housing Committee Chair

Approval

Association of Bay Area Governments

Executive Board

January 19, 2023

Agenda Item 10.a.

Election of Housing Committee Chair and Vice Chair

Subject:

Confirmation of the Election of ABAG Housing Committee Chair and Vice Chair

Background:

According to the ABAG Bylaws, Article IX, F.:

At the initial meeting of each committee, and annually thereafter at the first committee meeting following January 1 of each year, the committees shall elect their chairpersons and such other officers as may be specified. Committee chairpersons shall be subject to confirmation by the Executive Board.

At its meeting on January 12, 2023, the Housing Committee elected Carlos Romero, Councilmember, City of East Palo Alto, as Chair and Neysa Fligor, Councilmember, City of Los Altos as Vice Chair.

Issues:

None

Recommended Action:

The Executive Board requested to confirm the election of Carlos Romero, Councilmember, City of East Palo Alto, as Chair, and Neysa Fligor, Councilmember, City of Los Altos as Vice Chair, of the Housing Committee.

Attachments:

None

Reviewed:



Brad Paul



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

| | | | | | |
|-----------------------|--|----------------------|---|--------------------------|--|
| File #: | 23-0215 | Version: | 1 | Name: | |
| Type: | Resolution | Status: | | Executive Board Approval | |
| File created: | 1/5/2023 | In control: | | ABAG Executive Board | |
| On agenda: | 1/19/2023 | Final action: | | | |
| Title: | Adoption of Resolution No. 6-2023, Appreciation for Executive Director Therese W. McMillan on the occasion of her retirement from the Metropolitan Transportation Commission | | | | |
| Sponsors: | | | | | |
| Indexes: | | | | | |
| Code sections: | | | | | |
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| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
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Adoption of Resolution No. 6-2023, Appreciation for Executive Director Therese W. McMillan on the occasion of her retirement from the Metropolitan Transportation Commission

Jesse Arreguin

Approval

Association of Bay Area Governments

Executive Board

January 19, 2023

Agenda Item 11.a.

Resolution of Appreciation

Subject:

Adoption of Resolution No. 6-2023, Appreciation for Executive Director Therese W. McMillan on the occasion of her retirement from the Metropolitan Transportation Commission

Background:

A resolution of appreciation for Therese W. McMillan on the occasion of her retirement as Executive Director of the Metropolitan Transportation Commission.

Issues:

None

Recommended Action:

The Executive Board is requested to adopt Resolution No. 6-2023.

Attachments

A. Resolution 6-2023

Reviewed:

A handwritten signature in blue ink that reads "Brad Paul". The signature is fluid and cursive, with the first name "Brad" and last name "Paul" clearly distinguishable.

Brad Paul

**ASSOCIATION OF BAY AREA GOVERNMENTS
EXECUTIVE BOARD**

RESOLUTION NO. 6-2023

**RESOLUTION OF APPRECIATION FOR
THERESE W. MCMILLAN
ON HER RETIREMENT AS EXECUTIVE DIRECTOR**

WHEREAS, Therese W. McMillan is retiring after four years of service as Executive Director of the Association of Bay Area Governments, and after nearly four decades of outstanding, energetic and inspirational service to the public; and

WHEREAS, in her role as Executive Director Therese helped shepherd ABAG's development, approval and adoption of the San Francisco Bay Area's Regional Housing Needs Allocation Plan for the 2023-31 period; and

WHEREAS, Therese has been a steadfast advocate for housing equity, guiding Bay Area cities, towns and counties through ABAG's first-ever adoption of an equity component for the methodology used to develop the 2023-31 RHNA Plan; and

WHEREAS, Therese led the pioneering work to develop and implement the Regional Housing Technical Assistance program (RHTA), using a state grant to support efforts by Bay Area local governments to update the Housing Elements of their general plans and to comply with new state housing laws; and

WHEREAS, the array of channels through which RHTA technical assistance is provided includes interactive trainings, data tools, shared consultant services, planning collaboratives, work groups and peer cohorts that collectively helped Bay Area local governments save money and advance local housing priorities; and

WHEREAS, to advise the Executive Board on the full range of the Association's expanded regional housing portfolio, including programs to address homelessness and coordination with the newly formed Bay Area Housing Finance Authority, Therese galvanized the 2020 formation of the ABAG Housing Committee to advance the "3 Ps" of producing more housing at all income levels, preserving existing affordable housing, and protecting current residents from displacement; and

WHEREAS, Therese steered the joint development and unanimous 2021 adoption by ABAG and the Metropolitan Transportation Commission of Plan Bay Area 2050, which lays out a \$1.4 trillion vision for a more equitable and resilient future for Bay Area residents and features a groundbreaking focus on climate change; and

**ASSOCIATION OF BAY AREA GOVERNMENTS
RESOLUTION NO. 6-2023**

WHEREAS, Therese implemented a comprehensive Equity Platform through which ABAG and MTC pursue carefully considered policies and investments designed to ensure all Bay Area residents—including people with low incomes, communities of color and other historically underserved or systemically marginalized groups—are provided the opportunity to participate, prosper and reach their full potential; and

WHEREAS, the Equity Platform reinforces ABAG-led initiatives such as the San Francisco Estuary Partnership's Disadvantaged Community and Tribal Involvement Program and its Transforming Urban Water Initiative as well as the Bay Area Regional Energy Networks' partnership with the Rising Sun Center for Opportunity to support the Climate Careers job training program for local youth, BayREN's Asthma Initiative in Contra Costa County and its Resilient Libraries pilot program, which includes sites in equity priority communities in East Palo Alto, Oakland and San Jose; and;

WHEREAS, possessed with both a steady hand and uncommon improvisational abilities, Therese skillfully steered her staff and the full spectrum of ABAG programs through the turbulence caused by the COVID-19 pandemic; and

WHEREAS, Therese's steely yet empathetic leadership at a time of crisis reflect not only her keen intellect but also the personal warmth and generosity of spirit that have earned her the respect and affection of colleagues, collaborators, council members, county officials and countless others coast to coast.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Board of the Association of Bay Area Governments hereby congratulates Therese on her well-deserved retirement, commend her remarkable record of achievement and extend their best wishes for soul-satisfying new endeavors and fresh adventures filled with good health and great times among family and friends far and wide.

The foregoing was adopted by the Executive Board this 19th day of January, 2023.

Jesse Arreguin
President

Certification of Executive Board Approval

I, the undersigned, the appointed and qualified Clerk of the Board of the Association of Bay Area Governments (Association), do hereby certify that the foregoing resolution was adopted by the Executive Board of the Association at a duly called and noticed meeting held in San Francisco, California, and at other remote locations, on the 19th day of January, 2023.

Frederick Castro
Clerk of the Board