



375 Beale Street
Suite 700
San Francisco, California
94105

Meeting Agenda - Final

ABAG Executive Board

President, David Rabbitt, Supervisor, County of Sonoma
Vice President, Jesse Arreguin, Mayor, City of Berkeley
Immediate Past President, Julie Pierce, Vice Mayor, City of Clayton

Thursday, July 18, 2019

7:00 PM

Board Room - 1st Floor

Association of Bay Area Governments Executive Board Meeting No. 439

The ABAG Executive Board may act on any item on the agenda.

The meeting is scheduled to begin at 7:00 p.m.

Agenda, roster, and webcast available at <https://abag.ca.gov>

For information, contact Clerk of the Board at (415) 820-7913.

Roster

Candace Andersen, Jesse Arreguin, London Breed, Cindy Chavez, Christopher Clark, David Cortese, Lan Diep, Pat Eklund, Maya Esparza, Nikki Fortunato Bas, Richard Garbarino, Leon Garcia, Liz Gibbons, Lynette Gibson McElhaney, Scott Haggerty, Barbara Halliday, Matt Haney, Erin Hannigan, David Hudson, Wayne Lee, Rafael Mandelman, Nathan Miley, Karen Mitchoff, Raul Peralez, Julie Pierce, Dave Pine, David Rabbitt, John Rahaim, Belia Ramos, Dennis Rodoni, Warren Slocum, Loren Taylor, Lori Wilson, Norman Yee.
William Kissinger (Non-voting).

1. Call to Order / Pledge of Allegiance / Roll Call / Confirm Quorum

2. Public Comment

Information

3. Executive Board Announcements

Information

4. President's Report

4.a. [19-0762](#) President's Report

Action: Information

Presenter: David Rabbitt

4.b. [19-0826](#) Ratification of Appointments to the Regional Planning Committee

Action: Approval

Presenter: Ken Kirkey

Attachments: [Item 04b Summary Sheet RPC Appointments v2.pdf](#)

5. Executive Director's Report

5. [19-0761](#) Executive Directors' Report

Action: Information

Presenter: Therese W. McMillan

6. Executive Board Consent Calendar

6.a. [19-0800](#) Approval of ABAG Executive Board Minutes of May 16, 2019

Action: Approval

Presenter: Clerk of the Board

Attachments: [Item 06a Minutes 20190516 Draft.pdf](#)

6.b. [19-0755](#) Authorization to enter into contract with Frontier Energy for Bay Area Regional Energy Network (BayREN) Consulting Services in an amount not to exceed \$1,300,000

Action: Approval

Presenter: Jenny Berg

Attachments: [Item 06b BayREN Summary Sheet Frontier Energy v2.pdf](#)
[Item 06b BayREN Summary Approval Frontier Energy v2.pdf](#)

6.c. [19-0756](#) Adoption of Resolution No. 03-19 Authorization to receive \$723,421 in bridge toll funds from the Metropolitan Transportation Commission (MTC) to support the San Francisco Bay Trail Project in Fiscal Year 2019/2020

Action: Approval

Presenter: Laura Thompson

Attachments: [Item 06c Bay Trail Summary Sheet Program Capital Support v2.pdf](#)
[Item 06c Bay Trail Attachment Resolution 2019 03 v2.pdf](#)

- 6.d. [19-0763](#) Adoption of Resolution No. 04-19 Authorization 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 Integrated Regional Water Management Disadvantaged Community and Tribal Involvement Program (IRWM DACTIP)

Action: Approval

Presenter: Caitlin Sweeney

Attachments: [Item 06d SFEP Summary Sheet DACTIP Resolution v2.pdf](#)
[Item 06d SFEP Attachment Resolution 2019 04 Authorizing DACTIP.pdf](#)

- 6.e. [19-0815](#) Authorizations related to the Association of Bay Area Governments' (ABAG) Integrated Regional Water Management Disadvantaged Community and Tribal Involvement Program (IRWM DACTIP) Grant

Action: Approval

Presenter: Caitlin Sweeney

Attachments: [Item 06e SFEP Summary Sheet DACTIP CIEA Authorizations.pdf](#)
[Item 06e SFEP Summary Approval DACTIP CIEA Authorizations.pdf](#)

- 6.f. [19-0764](#) Adoption of Resolution No. 05-19 Authorization to submit a Delta Septic Relief proposal with the California State Parks Division of Boating and Waterways for Clean Vessel Act Operation and Maintenance Grant for an amount not to exceed \$24,500 and, if awarded, to enter into a grant agreement and designate an Authorized Representative

Action: Approval

Presenter: Caitlin Sweeney

Attachments: [Item 06f SFEP Summary Sheet CVA Application Resolution v2.pdf](#)
[Item 06f SFEP Attachment Resolution No 05 19 CVA Application v2.pdf](#)

- 6.g. [19-0765](#) Authorization to enter into agreement for catering for the State of the Estuary Conference with either of the two required catering vendors (Checkers Catering or Miraglia Catering) allowed by the conference venue for up to \$95,000 between August 1 and December 31, 2019

Action: Approval

Presenter: Caitlin Sweeney

Attachments: [Item 06g SFEP Summary Sheet SOE Catering.pdf](#)
[Item 06g SFEP Summary Approval SOE Catering.pdf](#)

- 6.h. [19-0802](#) Authorization to enter into contract amendment with CLEAResult Inc. for Bay Area Regional Energy Network (BayREN) consulting services for the Single Family Program in an amount not to exceed \$902,600

Action: Approval

Presenter: Jenny Berg

Attachments: [Item 06h BayREN Summary Sheet CLEAResult.pdf](#)
[Item 06h BayREN Summary Approval CLEAResult.pdf](#)

7. ABAG Administrative Committee Report

7. [19-0757](#) ABAG Administrative Committee Report

Action: Approval

Presenter: David Rabbitt

8. ABAG Legislation Committee Report

- 8.a. [19-0758](#) ABAG Legislation Committee Report

Action: Approval

Presenter: Julie Pierce

- 8.b. [19-0816](#) AB 1487 (Chiu): Bay Area Regional Housing Funding

This bill would authorize a regional housing funding measure for affordable housing production, preservation, and protection of tenants from displacement to be placed on the ballot in the Bay Area with funds administered by MTC and ABAG.

Action: Support if Amended / Executive Board Approval

Presenter: Randy Rentschler

Attachments: [Item 08b Summary Sheet AB 1487 v2.pdf](#)
[Item 08b Attachment Joint Legislation AB 1487.pdf](#)
[Item 08b Attachment AB-1487.pdf](#)
[Item 08b Attachment Eklund Email.pdf](#)

8.c. [19-0817](#) SB 330 (Skinner): Housing Crisis Act of 2019

SB 330 aims to accelerate new housing construction by speeding up project approvals; prohibiting downzoning in high-rent, low-vacancy areas; and providing project proponents with a higher degree of certainty as to the rules and standards that apply when submitting a preliminary application for a housing development.

Action: Support / Executive Board Approval

Presenter: Georgia Gann Dohrmann

Attachments: [Item 08c Summary Sheet SB 330 v2.pdf](#)
[Item 08c Attachment Joint Legislation SB 330 \(Skinner\).pdf](#)

8.d. [19-0819](#) AB 1486 (Ting): Surplus Lands Act Expansion and Revision

AB 1486 would revise the Surplus Lands Act (SLA) - the state law that requires local agencies to prioritize affordable housing, as well as parks and open space, when disposing of land no longer necessary for the agency's use.

Action: Support / Executive Board Approval

Presenter: Georgia Gann Dohrmann

Attachments: [Item 08d Summary Sheet AB 1486 v2.pdf](#)
[Item 08d Attachment Joint Legislation AB 1486 \(Ting\).pdf](#)

9. ABAG Finance Committee Report**9.a. [19-0759](#) ABAG Finance Committee Report**

Action: Approval

Presenter: Karen Mitchoff

9.b. [19-0827](#) Authorization to enter into contract with Visual Strategies for Association of Bay Area Governments website operations and maintenance in an amount not to exceed \$150,000 for Fiscal Year 2019/2020

Action: Approval

Presenter: Nick Roethel

Attachments: [Item 09b Summary Sheet Visual Strategies.pdf](#)
[Item 09b Summary Approval Visual Strategies.pdf](#)

10. ABAG Regional Planning Committee Report**10.a. [19-0760](#) ABAG Regional Planning Committee Report**

Action: Approval

Presenter: Karen Mitchoff

10.b. [19-0774](#) Report on Regional Housing Need Allocation (RHNA)

Staff will introduce the Regional Housing Need Allocation (RHNA) process for the 2022-2030 period.

Action: Information

Presenter: Gillian Adams

Attachments: [Item 10b Summary Sheet RHNA v2.pdf](#)
[Item 10b Attachment A Objectives and Factors.pdf](#)
[Item 10b Attachment B Key Milestones.pdf](#)
[Item 10b Attachment C Proposed HMC Composition v2.pdf](#)
[Item 10b Attachment D Subregions Letter and Fact Sheet.pdf](#)
[Item 10b Attachment E Presentation v2 Corrected.pdf](#)

10.c. [19-0773](#) Report on Plan Bay Area 2050: Regional Growth Forecast Methodology

Staff will present the approach, tools and assumptions underlying the Regional Growth Forecast of total jobs, population, and households for Plan Bay Area 2050.

Action: Information

Presenter: Cynthia Kroll

Attachments: [Item 10c Summary Sheet PBA50_Growth Forecast Methodology_v3.pdf](#)
[Item 10c Attachment A PBA50_Growth Forecast Methodology_v7.pdf](#)
[Item 10c Attachment B PBA50_Growth Forecast Methodology_Presentation_v5](#)

11. Adjournment / Next Meeting

The next meeting of the ABAG Executive Board is on September 19, 2019.

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 #: 19-0762 **Version:** 1 **Name:**
Type: Report **Status:** Informational
File created: 6/10/2019 **In control:** ABAG Executive Board
On agenda: 7/18/2019 **Final action:**
Title: President's Report
Sponsors:
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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President's Report

David Rabbitt

Information



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0826 **Version:** 1 **Name:**
Type: Report **Status:** Executive Board Approval
File created: 7/1/2019 **In control:** ABAG Executive Board
On agenda: 7/18/2019 **Final action:**
Title: Ratification of Appointments to the Regional Planning Committee
Sponsors:
Indexes:
Code sections:
Attachments: [Item 04b Summary Sheet RPC Appointments v2.pdf](#)

Date	Ver.	Action By	Action	Result
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Ratification of Appointments to the Regional Planning Committee

Ken Kirkey

Approval

Association of Bay Area Governments

Executive Board

July 18, 2019

Agenda Item 4.b.

Regional Planning Committee

Subject: Ratification of Appointments to the Regional Planning Committee

Background: The Regional Planning Committee, a standing committee of the Association of Bay Area Governments, is comprised of representatives from member counties, cities and towns, and special interest stakeholders.

According to the ABAG Bylaws, the President makes appointments to committees with the advice and consent of the Executive Board.

President Rabbit is submitting the following appointments for Executive Board ratification. These nominations were received from the Cities Association of Santa Clara County and the Mayors and Councilmembers Association of Sonoma County.


- Cities in Santa Clara County—Neysa Fligor, Councilmember, City of Los Altos
- Cities in Sonoma County—Susan Adams, Councilmember, City of Rohnert Park

Additional appointments are expected to be made at the September meeting.

Issues: None

Recommended Action: The Executive Board is requested to ratify the appointments, as reported, to the Regional Planning Committee.

Attachments: None

Reviewed: 
Therese W. McMillan



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0761 **Version:** 1 **Name:**
Type: Report **Status:** Informational
File created: 6/10/2019 **In control:** ABAG Executive Board
On agenda: 7/18/2019 **Final action:**
Title: Executive Directors' Report
Sponsors:
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Executive Directors' Report

Therese W. McMillan

Information



ABAG

Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0800 **Version:** 1 **Name:**

Type: Minutes **Status:** Executive Board Consent

File created: 6/18/2019 **In control:** ABAG Executive Board

On agenda: 7/18/2019 **Final action:**

Title: Approval of ABAG Executive Board Minutes of May 16, 2019

Sponsors:

Indexes:

Code sections:

Attachments: [Item 06a Minutes 20190516 Draft.pdf](#)

Date	Ver.	Action By	Action	Result
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Approval of ABAG Executive Board Minutes of May 16, 2019

Clerk of the Board

Approval



375 Beale Street
Suite 700
San Francisco, California
94105

Meeting Minutes - Draft

ABAG Executive Board

President, David Rabbitt, Supervisor, County of Sonoma
Vice President, Jesse Arreguin, Mayor, City of Berkeley
Immediate Past President, Julie Pierce, Councilmember, City of Clayton

Thursday, May 16, 2019

7:00 PM

Board Room - 1st Floor

Association of Bay Area Governments ABAG Executive Board Meeting No. 438

The ABAG Executive Board may act on any item on the agenda.

The meeting is scheduled to begin at 7:00 p.m.

Agenda, roster, and webcast available at <http://abag.ca.gov>

For information, contact Clerk of the Board at (415) 820-7913.

Roster

Candace Andersen, Jesse Arreguin, Thom Bogue, London Breed, Cindy Chavez, Christopher Clark, David Cortese, Lan Diep, Pat Eklund, Maya Esparza, Nikki Fortunato Bas, Richard Garbarino, Leon Garcia, Liz Gibbons, Lynette Gibson McElhaney, Scott Haggerty, Barbara Halliday, Matt Haney, Erin Hannigan, David Hudson, Wayne Lee, Jake Mackenzie, Rafael Mandelman, Nathan Miley, Karen Mitchoff, Raul Peralez, Julie Pierce, Dave Pine, David Rabbitt, John Rahaim, Belia Ramos, Dennis Rodoni, Warren Slocum, Loren Taylor, Norman Yee; William Kissinger (Non-voting)

1. Call to Order / Pledge of Allegiance / Roll Call / Confirm Quorum

Vice President Arreguin called the meeting to order at about 7:01 p.m.
Quorum was present.

Present: 23 - Andersen, Arreguin, Bogue, Cheng, Clark, Diep, Eklund, Esparza, Garbarino, Garcia, Haggerty, Halliday, Haney, Hudson, Lee, Mackenzie, Mitchoff, Peralez, Phan, Pierce, Ramos, Rodgers, and Rodoni

Absent: 12 - Bas, Chavez, Cortese, Gibson McElhaney, Hannigan, Mandelman, Miley, Pine, Rabbitt, Slocum, Taylor, and Yee

2. Public Comment

The following gave public comment: Kevin Diamond, Ken Bukowski.

3. Executive Board Announcements

There were no Executive Board member announcements.

4. President's Report

- 4.a. [19-0568](#) Ratification of Appointments to the Joint ABAG MTC Governance Committee

The following gave public comment: Ken Bukowski.

Upon the motion by Ramos and second by Pierce, the following appointments to the Joint ABAG MTC Governance Committee: Rabbitt, Arreguin, Chavez, Pierce, Rodoni, Slocum, including per diem for each meeting attended, was approved.

The motion passed by the following vote:

Aye: 18 - Andersen, Arreguin, Bogue, Cheng, Clark, Diep, Esparza, Garcia, Haggerty, Halliday, Hudson, Mackenzie, Mitchoff, Peralez, Pierce, Ramos, Rodgers, and Rodoni

Nay: 3 - Eklund, Garbarino, and Lee

Absent: 14 - Bas, Chavez, Cortese, Gibson McElhaney, Haney, Hannigan, Mandelman, Miley, Phan, Pine, Rabbitt, Slocum, Taylor, and Yee

- 4.b. [19-0569](#) Report on the General Assembly

Haney and Phan joined the meeting.

5. Executive Director's Report

Therese W. McMillan gave the report.

6. Executive Board Consent Calendar

Pierce requested that Item 6.k. be pulled from the Consent Calendar.

Upon the motion by Pierce and second by Lee, the Consent Calendar was approved with the exception of item 6.k. The motion passed unanimously by the following vote:

Aye: 23 - Andersen, Arreguin, Bogue, Cheng, Clark, Diep, Eklund, Esparza, Garbarino, Garcia, Haggerty, Halliday, Haney, Hudson, Lee, Mackenzie, Mitchoff, Peralez, Phan, Pierce, Ramos, Rodgers, and Rodoni

Absent: 12 - Bas, Chavez, Cortese, Gibson McElhaney, Hannigan, Mandelman, Miley, Pine, Rabbitt, Slocum, Taylor, and Yee

- 6.a. [19-0451](#) Approval of ABAG Executive Board Minutes of March 21, 2019

- 6.b. [19-0452](#) Authorization to enter into Contract Amendment with Frontier Energy for Bay Area Regional Energy Network (BayREN) Consulting Services in an amount not to exceed \$247,500

- 6.c. [19-0453](#) Authorization to enter into a Sole-Source Contract with CodeCycle to continue the Bay Area Regional Energy Network (BayREN) CodeCycle Demonstration Project through December 2020, for an amount not to exceed \$210,000
- 6.d. [19-0454](#) Authorization to enter into a new funding agreement with the United States Environmental Protection Agency (U.S. EPA) for the Transforming Shorelines project for \$1,481,109, anticipated to begin May 2019 and end April 2023, and authorization to enter into three sub-awards during that period: with San Francisco Estuary Institute (SFEI) for \$50,000, with Oro Loma Sanitary District (OLSD) for \$100,000, and with East Bay Dischargers Authority (EBDA) for \$650,000
- 6.e. [19-0455](#) Authorization to revise sub-award amounts in the Urban Greening Bay Area Project for the City of Sunnyvale to decrease to \$50,000 and for the City of San Mateo to increase by \$200,000 for a total of \$400,000
- 6.f. [19-0456](#) Authorization to revise contract funding levels under existing BATA funding (846 8013, Seismic) for the San Pablo Avenue Stormwater Spine project: Reduce EBMUD underground utility work agreement to \$665,000 and add Wilsey Ham, Inc. for \$50,000 in project design coordination through December 31, 2019
- 6.g. [19-0462](#) Authorization to enter into a new funding agreement with the California Department of Water Resources for up to \$3,020,000 for Bay Area Integrated Regional Water Management Plan (IRWMP) for the Disadvantaged Community and Tribal Involvement Program (DACTIP) grant administration and project management between April 25, 2019 and December 31, 2020; to authorize adjustment of the FY 2018-19 operating budget; and to authorize the Executive Director to enter into contracts of up to \$200,000 each with community partners to continue work and develop project needs assessment.
- 6.h. [19-0614](#) AB 393 (Nazarian): Building Standards
- 6.i. [19-0615](#) AB 429 (Nazarian): Seismically Vulnerable Buildings Inventory
- 6.j. [19-0616](#) SB 254 (Hertzberg): The Resilient Homes Initiative
- 6.k. [19-0617](#) SB 152 (Beall): Active Transportation Program Reform

6.l. [19-0600](#) AB 69 (Ting): Small Home Building Standards

AB 69 would require the Department of Housing and Community Development (HCD) to propose small home building standards governing ADUs smaller than 800 square feet, junior ADUs and detached dwelling units smaller than 800 square feet.

6.m. [19-0602](#) SB 6 (Beall): Statewide Housing Site Inventory

SB 6 would require that the Department of Housing and Community Development (HCD) add to the statewide surplus lands inventory locally-identified sites available for housing development as identified in a local agency's housing element site inventory.

6.n. [19-0613](#) AB 1485 (Wicks): Workforce Housing

AB 1485 would modify affordability requirements applicable to a developer who wants to take advantage of current law's by-right provisions in Senate Bill 35 (Wiener, 2017) such that a project could either dedicate 10 percent of the total number of units to housing affordable to households making below 80 percent of the area median income (AMI)-as provided for in current law-or 20 percent to households earning below 120 percent AMI with an average income of units at or below 100 percent-which the bill would add as a new option.

7. ABAG Finance Committee (Mitchoff)

Mitchoff gave the report.

7.a. [19-0459](#) ABAG Finance Committee Report

Upon the motion by Mitchoff and second by Hudson, the ABAG Finance Committee report and the authorization to terminate legislative advocacy contract with Michael J. Arnold and Associates and to seek representation in Sacramento through a competitive process, and precluding the MTC lobbyist from becoming the ABAG lobbyist, were approved. The motion passed unanimously by the following vote:

Aye: 23 - Andersen, Arreguin, Bogue, Cheng, Clark, Diep, Eklund, Esparza, Garbarino, Garcia, Haggerty, Halliday, Haney, Hudson, Lee, Mackenzie, Mitchoff, Peralez, Phan, Pierce, Ramos, Rodgers, and Rodoni

Absent: 12 - Bas, Chavez, Cortese, Gibson McElhaney, Hannigan, Mandelman, Miley, Pine, Rabbitt, Slocum, Taylor, and Yee

7.b. [19-0464](#) Authorization to Terminate Legislative Advocacy Contract with Michael J. Arnold and Associates and to Seek Representation in Sacramento through a Competitive Process

8. ABAG Regional Planning Committee (Mitchoff)

Mitchoff gave the report.

8. [19-0460](#) ABAG Regional Planning Committee Report

Upon the motion by Mitchoff and second by Mackenzie, the ABAG Regional Planning Committee report was approved. The motion passed unanimously by the following vote:

Aye: 23 - Andersen, Arreguin, Bogue, Cheng, Clark, Diep, Eklund, Esparza, Garbarino, Garcia, Haggerty, Halliday, Haney, Hudson, Lee, Mackenzie, Mitchoff, Peralez, Phan, Pierce, Ramos, Rodgers, and Rodoni

Absent: 12 - Bas, Chavez, Cortese, Gibson McElhaney, Hannigan, Mandelman, Miley, Pine, Rabbitt, Slocum, Taylor, and Yee

9. ABAG Legislation Committee (Pierce)

Pierce gave the report.

9.a. [19-0463](#) Adoption of Resolution No. 01-19, Policy for Interim Action on Legislation and Administrative Policy Proposals

Upon the motion by Pierce and second by Lee, Resolution No. 01-19 was adopted. The motion passed unanimously by the following vote:

Aye: 23 - Andersen, Arreguin, Bogue, Cheng, Clark, Diep, Eklund, Esparza, Garbarino, Garcia, Haggerty, Halliday, Haney, Hudson, Lee, Mackenzie, Mitchoff, Peralez, Phan, Pierce, Ramos, Rodgers, and Rodoni

Absent: 12 - Bas, Chavez, Cortese, Gibson McElhaney, Hannigan, Mandelman, Miley, Pine, Rabbitt, Slocum, Taylor, and Yee

9.b. [19-0554](#) Report on the ABAG MTC Housing Legislative Working Group

Pierce gave the report.

The following gave public comment: Ken Bukowski.

California Housing Legislation: Protection Bills**9.c.i. [19-0604](#) AB 1481 (Bonta) and AB 1697 (Grayson) - Tenancy Termination: Just Cause**

Prohibits eviction of a tenant without just cause stated in writing. Requires tenant be provided a notice of a violation of lease and opportunity to cure violation prior to issuance of notice of termination.

Pierce gave the report.

Haney left the meeting.

Upon the motion by Pierce and second by Rodoni, a support position on AB 1481 was approved. The motion passed by the following vote:

Aye: 18 - Arreguin, Bogue, Cheng, Clark, Diep, Eklund, Esparza, Garcia, Haggerty, Halliday, Hudson, Mitchoff, Peralez, Phan, Pierce, Ramos, Rodgers, and Rodoni

Nay: 3 - Andersen, Garbarino, and Lee

Absent: 14 - Bas, Chavez, Cortese, Gibson McElhaney, Haney, Hannigan, Mackenzie, Mandelman, Miley, Pine, Rabbitt, Slocum, Taylor, and Yee

Upon the motion by Pierce and second by Eklund, action on AB 1697 was deferred. The motion passed unanimously by the following vote:

Aye: 22 - Andersen, Arreguin, Bogue, Cheng, Clark, Diep, Eklund, Esparza, Garbarino, Garcia, Haggerty, Halliday, Hudson, Lee, Mackenzie, Mitchoff, Peralez, Phan, Pierce, Ramos, Rodgers, and Rodoni

Absent: 13 - Bas, Chavez, Cortese, Gibson McElhaney, Haney, Hannigan, Mandelman, Miley, Pine, Rabbitt, Slocum, Taylor, and Yee

9.c.ii. [19-0605](#) AB 1482 (Chiu) - Statewide Annual Cap on Rent Increases

Caps annual rent increases by five percent above the percent change in the cost of living and limits the total rental rate increase within a 12 month period to 10 percent.

Pierce gave the report.

Upon the motion by Pierce and second by Mackenzie, a support position on AB 1482 was approved. The motion passed by the following vote:

Aye: 14 - Arreguin, Cheng, Clark, Eklund, Esparza, Garcia, Haggerty, Halliday, Mackenzie, Peralez, Pierce, Ramos, Rodgers, and Rodoni

Nay: 8 - Andersen, Bogue, Diep, Garbarino, Hudson, Lee, Mitchoff, and Phan

Absent: 13 - Bas, Chavez, Cortese, Gibson McElhaney, Haney, Hannigan, Mandelman, Miley, Pine, Rabbitt, Slocum, Taylor, and Yee

9.c.iii. [19-0606](#) SB 18 (Skinner) - Keep Californians Housed Act

Authorizes a competitive grant program to be administered by Department of Housing and Community Development (HCD) to provide emergency rental assistance and legal aid for tenants facing eviction, meditation between landlords and tenants and legal education.

Pierce gave the report.

Upon the motion by Pierce and second by Halliday, a support position on SB 18 was approved. The motion passed by the following vote:

Aye: 17 - Andersen, Arreguin, Cheng, Clark, Diep, Eklund, Esparza, Garcia, Halliday, Mackenzie, Mitchoff, Peralez, Phan, Pierce, Ramos, Rodgers, and Rodoni

Nay: 5 - Bogue, Garbarino, Haggerty, Hudson, and Lee

Absent: 13 - Bas, Chavez, Cortese, Gibson McElhaney, Haney, Hannigan, Mandelman, Miley, Pine, Rabbitt, Slocum, Taylor, and Yee

California Housing Legislation: Production and Preservation Bills**9.c.iv. [19-0607](#) SB 330 (Skinner): Housing Crisis Act of 2019**

SB 330 is a wide reaching bill that aims to accelerate housing development, provide project proponents more certainty and lower fees, and reduce displacement of existing residents from substandard buildings.

Pierce gave the report.

Bogue left the meeting.

The following gave public comment: Ken Bukowski.

Upon the motion by Pierce and second by Ramos, a seek amendments position on SB 330, including an amendment on narrow streets and public safety, was approved. The motion passed by the following vote:

Aye: 21 - Andersen, Arreguin, Cheng, Clark, Diep, Eklund, Esparza, Garbarino, Garcia, Haggerty, Halliday, Hudson, Lee, Mackenzie, Mitchoff, Peralez, Phan, Pierce, Ramos, Rodgers, and Rodoni

Absent: 14 - Bas, Bogue, Chavez, Cortese, Gibson McElhaney, Haney, Hannigan, Mandelman, Miley, Pine, Rabbitt, Slocum, Taylor, and Yee

9.c.v. [19-0608](#) SB 50 (Wiener): Equitable Communities Incentives - Upzoning Near Transit & Jobs-Rich Areas & By Right Allowance for Small Residential Projects in Specified Areas

SB 50 would allow varying degrees of higher-density multifamily housing to be built within ½-mile of transit stations, ¼-mile of high-quality bus corridors and in areas designated as “jobs-rich” by the Department of Housing and Community Development. The bill also provides for smaller, by-right residential development on vacant parcels in urbanized areas.

Pierce gave the report.

Upon the motion by Pierce and second by Ramos, staff was directed to continue working with the bill author and to report back to the Board. The motion passed unanimously by the following vote:

Aye: 21 - Andersen, Arreguin, Cheng, Clark, Diep, Eklund, Esparza, Garbarino, Garcia, Haggerty, Halliday, Hudson, Lee, Mackenzie, Mitchoff, Peralez, Phan, Pierce, Ramos, Rodgers, and Rodoni

Absent: 14 - Bas, Bogue, Chavez, Cortese, Gibson McElhaney, Haney, Hannigan, Mandelman, Miley, Pine, Rabbitt, Slocum, Taylor, and Yee

9.c.vi. [19-0609](#) AB 1487 (Chiu): Housing Alliance for the Bay Area

AB 1487 (Chiu) would establish the Housing Alliance for the Bay Area (HABA) to increase funding for affordable housing in the nine-county region.

Pierce gave the report.

Cheng left the meeting.

The following gave public comment: Geeta Rao, Ken Bukowski.

Upon the motion by Pierce and second by Ramos, a seek amendments position on AB 1487 was approved. The motion passed by the following vote:

Aye: 13 - Arreguin, Clark, Diep, Esparza, Garcia, Haggerty, Halliday, Hudson, Mackenzie, Peralez, Pierce, Ramos, and Rodgers

Nay: 7 - Andersen, Eklund, Garbarino, Lee, Mitchoff, Phan, and Rodoni

Absent: 15 - Bas, Bogue, Chavez, Cheng, Cortese, Gibson McElhaney, Haney, Hannigan, Mandelman, Miley, Pine, Rabbitt, Slocum, Taylor, and Yee

9.c.vii. [19-0610](#)**AB 11 (Chiu): Community Redevelopment Law of 2019**

AB 11 would restore to cities and counties the option to form an entity that can use “tax-increment financing” to pay for affordable housing and other local infrastructure priorities, subject to approval of the Strategic Growth Council.

Pierce gave the report.

Upon the motion by Pierce and second by Hudson, a support and seek amendments position AB 11 was approved. The motion passed by the following vote:

Aye: 20 - Andersen, Arreguin, Clark, Diep, Eklund, Esparza, Garbarino, Garcia, Haggerty, Halliday, Hudson, Lee, Mackenzie, Mitchoff, Peralez, Phan, Pierce, Ramos, Rodgers, and Rodoni

Absent: 15 - Bas, Bogue, Chavez, Cheng, Cortese, Gibson McElhaney, Haney, Hannigan, Mandelman, Miley, Pine, Rabbitt, Slocum, Taylor, and Yee

9.c.viii. [19-0611](#)**SB 13 (Wieckowski): Accessory Dwelling Units**

SB 13 would revise ADU law to require that a local government allow studio and one-bedroom ADUs of at least 850 square feet and two-bedroom or more ADUs of up to 1,000 square feet, and would prohibit ADU owner-occupancy requirements.

Pierce gave the report.

Upon the motion by Pierce and second by Mackenzie, a support if amended position on SB 13 was approved. The motion passed by the following vote:

Aye: 17 - Andersen, Arreguin, Clark, Diep, Esparza, Garcia, Haggerty, Halliday, Hudson, Mackenzie, Mitchoff, Peralez, Phan, Pierce, Ramos, Rodgers, and Rodoni

Nay: 3 - Eklund, Garbarino, and Lee

Absent: 15 - Bas, Bogue, Chavez, Cheng, Cortese, Gibson McElhaney, Haney, Hannigan, Mandelman, Miley, Pine, Rabbitt, Slocum, Taylor, and Yee

9.c.ix. [19-0603](#)**AB 68 (Ting): Accessory Dwelling Units**

AB 68 would prohibit local Accessory Dwelling Unit (ADU) standards from including certain requirements related to minimum lot size and replacement parking and would require an ADU (attached or detached) of at least 800 square feet and 16 feet in height to be allowed. The bill would also reduce the allowable time to issue an ADU permit to 60 days after an agency receives a completed application.

Pierce gave the report.

Upon the motion by Pierce and second by Garcia, a support position on AB 68 was approved. The motion passed by the following vote:

Aye: 17 - Andersen, Arreguin, Diep, Esparza, Garcia, Haggerty, Halliday, Hudson, Lee, Mackenzie, Mitchoff, Peralez, Phan, Pierce, Ramos, Rodgers, and Rodoni

Nay: 3 - Clark, Eklund, and Garbarino

Absent: 15 - Bas, Bogue, Chavez, Cheng, Cortese, Gibson McElhaney, Haney, Hannigan, Mandelman, Miley, Pine, Rabbitt, Slocum, Taylor, and Yee

9.c.x. [19-0612](#) AB 1486 (Ting): Surplus Lands Act Expansion and Revision

AB 1486 would revise the Surplus Lands Act (SLA) - the state law that requires local agencies to prioritize affordable housing, as well as parks and open space, when disposing of land no longer necessary for the agency's use - and other state laws related to making surplus public land available for affordable housing development.

Pierce gave the report.

Phan left the meeting.

The following gave public comment: Ken Bukowski.

Upon the motion by Pierce and second by Mackenzie, a support if amended position on AB 1486 was approved. The motion passed by the following vote:

Aye: 16 - Arreguin, Clark, Diep, Esparza, Garbarino, Garcia, Haggerty, Halliday, Hudson, Lee, Mackenzie, Mitchoff, Peralez, Pierce, Ramos, and Rodgers

Nay: 3 - Andersen, Eklund, and Rodoni

Absent: 16 - Bas, Bogue, Chavez, Cheng, Cortese, Gibson McElhaney, Haney, Hannigan, Mandelman, Miley, Phan, Pine, Rabbitt, Slocum, Taylor, and Yee

9.c.xi. [19-0601](#) AB 1483 (Grayson): Housing Data/Transparency

This bill seeks to make housing fee and zoning standards more transparent by requiring that they be posted on local agency and state web sites, requires local agencies to provide additional reporting of housing permit requests, production and permitting data annually, and requires the Department of Housing and Community Development (HCD) to develop an online database of housing production data accessible to the public.

Pierce gave the report.

Upon the motion by Pierce and second by Mackenzie, a support and seek amendments position on AB 1483 was approved. The motion passed unanimously by the following vote:

Aye: 19 - Andersen, Arreguin, Clark, Diep, Eklund, Esparza, Garbarino, Garcia, Haggerty, Halliday, Hudson, Lee, Mackenzie, Mitchoff, Peralez, Pierce, Ramos, Rodgers, and Rodoni

Absent: 16 - Bas, Bogue, Chavez, Cheng, Cortese, Gibson McElhaney, Haney, Hannigan, Mandelman, Miley, Phan, Pine, Rabbitt, Slocum, Taylor, and Yee

10. ABAG Administrative Committee

Quorum was not present.

McMillan noted that the ABAG President can call a meeting of the Administrative Committee to consider taking action on Resolution No. 02-19.

Vice President Arreguin directed that the report on Plan Bay Area 2050 - Regional Growth Strategies Framework Revisions: Next Steps can be included in the next Executive Board agenda.

10.a. [19-0457](#) ABAG Administrative Committee Report

10.b. [19-0555](#) Adoption of Resolution No. 02-19 Approval of the Plan Bay Area 2050 - Regional Growth Strategies Framework Revisions: Next Steps

11. Adjournment / Next Meeting

Vice President Arreguin adjourned the meeting at about 9:57 p.m.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0755 **Version:** 1 **Name:**

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

File created: 6/10/2019 **In control:** ABAG Executive Board

On agenda: 7/18/2019 **Final action:**

Title: Authorization to enter into contract with Frontier Energy for Bay Area Regional Energy Network (BayREN) Consulting Services in an amount not to exceed \$1,300,000

Sponsors:

Indexes:

Code sections:

Attachments: [Item 06b BayREN Summary Sheet Frontier Energy v2.pdf](#)
[Item 06b BayREN Summary Approval Frontier Energy v2.pdf](#)

Date	Ver.	Action By	Action	Result
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Authorization to enter into contract with Frontier Energy for Bay Area Regional Energy Network (BayREN) Consulting Services in an amount not to exceed \$1,300,000

Jenny Berg

Approval

Association of Bay Area Governments

Executive Board

July 18, 2019

Agenda Item 6.b.

Bay Area Regional Energy Network (BayREN)

Subject: Authorization to enter into contract with Frontier Energy for Bay Area Regional Energy Network (BayREN) Consulting Services in an amount not to exceed \$1,300,000 through December 31, 2021.

Background: The Bay Area Regional Energy Network (BayREN) implements 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. The California Public Utilities Commission (CPUC), in Decision 12-11-015, first authorized funding for BayREN. In Decision 18-05-041, the CPUC authorized BayREN funding through 2025, or when the Commission issues a superseding decision.

ABAG has contracts with several third-party consultants who were chosen through competitive processes to implement BayREN activities. On April 19, 2019, ABAG issued a Request for Proposals (RFP) for consulting services for BayREN's Codes and Standards Program, as the current consultant, Frontier Energy, has served in that role since 2014. The RFP requested proposals extending through December 31, 2021 and providing assistance with tasks including program reporting, compliance improvement, and energy policy support. One addendum was issued on April 22. Staff held a Proposer's Conference on April 30 and also posted written responses to questions received during and immediately after the conference.

The proposal was downloaded by 33 interested parties of which five firms indicated that they intended to submit a proposal. The Metropolitan Transportation Commission (MTC) received one proposal by the due date of May 21, 2019. To produce this proposal three of the firms that had planned to submit partnered together along with additional consulting firms. The proposal was submitted by Frontier Energy as the prime consultant.

The proposal met the minimum qualifications stated in the RFP and was also evaluated by a panel of four members made up of in-house staff and staff from three BayREN member agencies (Napa County Department of Public Works; Contra Costa County Department of Conservation and Development; and San Francisco City and County Department of the Environment). The proposal was scored on experience and qualifications, expertise of personnel, the work plan and approach, communication, and

Association of Bay Area Governments

Executive Board

July 18, 2019

Agenda Item 6.b.

Bay Area Regional Energy Network (BayREN)

cost. The average total score from the four reviewers was 88 points out of 100, with a range among the reviewers from 85 to 90 points.

Issues:

None.

Recommended Action:

The Executive Board is requested to authorize the Executive Director of the Metropolitan Transportation Commission, or her designee, on behalf of the Association of Bay Area Governments and the Bay Area Regional Energy Network, to enter into a contract with Frontier Energy for BayREN Codes and Standards Consulting Services from on or about August 1, 2019 through December 31, 2021, in the amount not to exceed \$1,300,000, with the option to extend up to two years.

Attachments:

Summary Approval

Reviewed:



Therese W. McMillan

**S U M M A R Y O F E X E C U T I V E B O A R D A P P R O V A L**

Work Item No.:	1721 (NFSN 2307)
Consultant:	Frontier Energy Oakland, CA
Work Project Title:	BayREN
Purpose of Project:	Provide consulting services for BayREN Codes & Standards.
Brief Scope of Work:	Provide support for general program administration and implementation, energy code compliance improvement, and policy options related to Codes & Standards.
Project Cost Not to Exceed:	\$1,300,000
Funding Source:	PG&E (ratepayer funds) as directed by the CPUC
Fiscal Impact:	Funds programmed in FY 2019-20, 2020-21, and 2021-22 Budgets
Motion by Committee:	The Executive Board is requested to authorize the Executive Director of the Metropolitan Transportation Commission, or her designee, on behalf of the Association of Bay Area Governments and the Bay Area Regional Energy Network, to enter into a contract with Frontier Energy for BayREN Codes and Standards Consulting Services from on or about August 1, 2019 through December 31, 2021, in the amount not to exceed \$1,300,000 with the option to extend up to two years.
Executive Board Approval:	David Rabbitt, ABAG President
Approval Date:	



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #:	19-0756	Version:	1	Name:	
Type:	Report	Status:		Executive Board Consent	
File created:	6/10/2019	In control:		ABAG Executive Board	
On agenda:	7/18/2019	Final action:			
Title:	Adoption of Resolution No. 03-19 Authorization to receive \$723,421 in bridge toll funds from the Metropolitan Transportation Commission (MTC) to support the San Francisco Bay Trail Project in Fiscal Year 2019/2020				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Item 06c Bay Trail Summary Sheet Program Capital Support v2.pdf Item 06c Bay Trail Attachment Resolution 2019 03 v2.pdf				

Date	Ver.	Action By	Action	Result
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Adoption of Resolution No. 03-19 Authorization to receive \$723,421 in bridge toll funds from the Metropolitan Transportation Commission (MTC) to support the San Francisco Bay Trail Project in Fiscal Year 2019/2020

Laura Thompson

Approval

Association of Bay Area Governments

Executive Board

July 18, 2019

Agenda Item 6.c.

San Francisco Bay Trail Project

Subject: Adoption of Resolution No. 03-19 Authorization to receive \$723,421 in bridge toll funds from the Metropolitan Transportation Commission (MTC) to support the San Francisco Bay Trail Project in Fiscal Year 2019/2020

Background: On June 22, 2011, MTC adopted revised programming and allocation policies for the Two Percent Bridge Toll Reserve Funds and Five Percent Unrestricted State Funds. These funds are allocated to projects which are designed to reduce vehicular traffic congestion – such as the San Francisco Bay Trail, a visionary plan for a shared-use bicycle and pedestrian path that will one day allow 500 miles of continuous travel around San Francisco Bay. MTC Resolution No. 4015 establishes annual program management and capital support for the San Francisco Bay Trail Project by identifying Bridge Toll funds for this purpose.

Bridge Toll Funds provide a stable annual funding source for program management and capital support to complete the remaining 144 miles of planned Bay Trail. MTC has been providing program operations support since 1989.

Issues: None.

Recommended Action: The Executive Board is requested to adopt Resolution No. 03-19 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 Bay Trail, to receive Fiscal Year 2019/2020 Two Percent Bridge Toll Reserve Funds and Five Percent Unrestricted State Funds in the amount of \$723,421 for program and capital support of the San Francisco Bay Trail Project.

Attachments: Resolution No. 03-19

Reviewed:


Therese W. McMillan

**ASSOCIATION OF BAY AREA GOVERNMENTS
EXECUTIVE BOARD**

RESOLUTION NO. 03-19

**AUTHORIZING THE ASSOCIATION OF BAY AREA GOVERNMENTS TO RECEIVE
FISCAL YEAR 2019/2020 TWO PERCENT BRIDGE TOLL RESERVE FUNDS AND
FIVE PERCENT UNRESTRICTED STATE FUNDS FOR PROGRAM AND CAPITAL
SUPPORT OF THE SAN FRANCISCO BAY TRAIL**

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, the San Francisco Bay Trail Project (Bay Trail Project), administered by ABAG, is a visionary plan for a shared-use bicycle and pedestrian path that will one day allow continuous travel around San Francisco Bay extending over 500 miles to link the shoreline of nine counties, passing through 47 cities, and crossing seven toll bridges as a transportation alternative to motor vehicles; and

WHEREAS, pursuant to Streets and Highways Code Section 30913(b), the Metropolitan Transportation Commission (MTC) has allocated two-thirds of the Two Percent Bridge Toll Reserve Funds of the Regional Measure 1 (RM1) toll increase to projects which are designed to reduce vehicular traffic congestion and improve bridge operations on any bridge, including, but not limited to, bicycle facilities; and

WHEREAS, the Five Percent Unrestricted State Funds are to be programmed and allocated for ferry transit and bicycle-related planning and the Bay Trail Project is identified as the sole priority for the Five Percent Unrestricted State Funds for bicycle planning; and

WHEREAS, the Bay Trail Project has received annual allocations from the Five Percent Unrestricted State Funds since the early 1990s and is an eligible recipient of the Two Percent Bridge Toll Reserve Funds; and

WHEREAS, MTC sets forth in adopted Resolution No. 4015 annual funding allocations for the Bay Trail Project from the Two Percent Bridge Toll Reserve Funds (\$450,000) and the Five Percent Unrestricted State Funds (\$273,421); and

WHEREAS, staff has identified a need for program and capital support for projects necessary to complete the remaining 144 miles of Bay Trail;

**ASSOCIATION OF BAY AREA GOVERNMENTS
RESOLUTION NO. 03-19**

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 her designee, on behalf of the Association of Bay Area Governments and the San Francisco Bay Trail, to receive Fiscal Year 2019/2020 Two Percent Bridge Toll Reserves Funds and Five Percent Unrestricted State Funds in the amount of \$723,421 for program and capital support of the San Francisco Bay Trail Project.

The foregoing was adopted by the Executive Board this 18th day of July, 2019.

David Rabbitt
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 meeting held on the 18th day of July, 2019.

Frederick Castro
Clerk of the Board



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0763 **Version:** 1 **Name:**
Type: Report **Status:** Executive Board Consent
File created: 6/10/2019 **In control:** ABAG Executive Board
On agenda: 7/18/2019 **Final action:**
Title: Adoption of Resolution No. 04-19 Authorization 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 Integrated Regional Water Management Disadvantaged Community and Tribal Involvement Program (IRWM DACTIP)

Sponsors:

Indexes:

Code sections:

Attachments: [Item 06d SFEP Summary Sheet DACTIP Resolution v2.pdf](#)
[Item 06d SFEP Attachment Resolution 2019 04 Authorizing DACTIP.pdf](#)

Date	Ver.	Action By	Action	Result
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Adoption of Resolution No. 04-19 Authorization 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 Integrated Regional Water Management Disadvantaged Community and Tribal Involvement Program (IRWM DACTIP)

Caitlin Sweeney

Approval

Association of Bay Area Governments

Executive Board

July 18, 2019

Agenda Item 6.d.

San Francisco Estuary Partnership

Subject: Adoption of Resolution No. 04-19 Authorization 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 Integrated Regional Water Management Disadvantaged Community and Tribal Involvement Program (IRWM DACTIP)

Background: At its meeting on May 16, 2019, the Executive Board authorized entering into a new funding agreement with the California Department of Water Resources (DWR) for up to \$3,020,000 for the Integrated Regional Water Management (IRWM) Disadvantaged Community and Tribal Involvement Program (DACTIP). The state has subsequently asked the Executive Board to provide a resolution approving such action.

The San Francisco Bay Area Integrated Regional Water Management Plan (Bay Area IRWMP) 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 IRWMP projects through several rounds of grants funded by state bonds, including three grants 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).

In 2016, DWR granted \$6,500,000 for the San Francisco Bay Region through its IRWM Disadvantaged Community Involvement Program (IRWM DACIP). Environmental Justice Coalition for Water (EJCW) was selected as grantee to administer the regional grant funds for IRWM partners' work with disadvantaged, underrepresented, and tribal communities throughout the Bay Area. DWR has determined that EJCW was not able to fulfill its grantee role under the IRWM DACIP and issued a stop work order to EJCW. On an emergency basis, DWR and the Bay Area IRWMP CC have requested that ABAG take on the grantee role for the remaining funding of up to \$3,020,000 and manage remaining work under the DACIP.

Association of Bay Area Governments

Executive Board

July 18, 2019

Agenda Item 6.d.

San Francisco Estuary Partnership

The \$3,020,000 in remaining grant funding will fund several projects as well as ABAG work for grant administration and project management. There will be no match requirement from ABAG. ABAG/SFEP was asked to take the grantee role due to its extensive experience in grant management, including managing three other IRWM grants currently underway as well as its previous work with disadvantaged communities in the region.

Issues: None.

Recommended Action: The Executive Board is requested to adopt Resolution No. 04-19 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 for Proposition 1 Integrated Regional Water Management Disadvantaged Community and Tribal Involvement Program funding and to enter into a new funding agreement with the California Department of Water Resources for up to \$3,020,000 for IRWM DACTIP grant administration and project management between April 25, 2019 and December 31, 2020.

Attachments: Resolution No. 04-19

Reviewed:


Therese W. McMillan

**ASSOCIATION OF BAY AREA GOVERNMENTS
EXECUTIVE BOARD**

RESOLUTION NO. 04-19

AUTHORIZATION TO SUBMIT A PROPOSAL TO THE CALIFORNIA DEPARTMENT OF WATER RESOURCES TO OBTAIN A PROPOSITION 1 INTEGRATED REGIONAL WATER MANAGEMENT GRANT AND TO ENTER IN AN AGREEMENT TO RECEIVE A GRANT FOR THE DISADVANTAGED COMMUNITY AND TRIBAL INVOLVEMENT 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 provides 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 her designee, on behalf of ABAG and SFEP, to submit a proposal to the California Department of Water Resources 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.), and to enter into an agreement to receive a grant for the Disadvantaged Community and Tribal Involvement Program (DACTIP); and, be it further

**ASSOCIATION OF BAY AREA GOVERNMENTS
RESOLUTION NO. 04-19**

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 her designee, on behalf of ABAG and SFEP, to prepare the necessary data, conduct investigations, file such proposal, and execute a grant agreement with California Department of Water Resources.

The foregoing was adopted by the Executive Board this 18th day of July, 2019.

David Rabbitt
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 meeting held on the 18th day of July, 2019.

Frederick Castro
Clerk of the Board



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #:	19-0815	Version:	1	Name:	
Type:	Report	Status:		Executive Board Consent	
File created:	6/25/2019	In control:		ABAG Executive Board	
On agenda:	7/18/2019	Final action:			
Title:	Authorizations related to the Association of Bay Area Governments' (ABAG) Integrated Regional Water Management Disadvantaged Community and Tribal Involvement Program (IRWM DACTIP) Grant				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Item 06e SFEP Summary Sheet DACTIP CIEA Authorizations.pdf Item 06e SFEP Summary Approval DACTIP CIEA Authorizations.pdf				

Date	Ver.	Action By	Action	Result
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Authorizations related to the Association of Bay Area Governments' (ABAG) Integrated Regional Water Management Disadvantaged Community and Tribal Involvement Program (IRWM DACTIP) Grant

Caitlin Sweeney

Approval

Association of Bay Area Governments

Executive Board

July 18, 2019

Agenda Item 6.e.

San Francisco Estuary Partnership

Subject: Authorizations related to the Association of Bay Area Governments' (ABAG) Integrated Regional Water Management Disadvantaged Community and Tribal Involvement Program (IRWM DACTIP) Grant

Background: On May 16, 2019, the Executive Board authorized the Executive Director of the Metropolitan Transportation Commission (MTC), or her designee, to enter into contracts up to \$200,000 each with 8-13 community partners, to conduct outreach and to develop the project needs assessment related to the IRWM DACTIP grant. This item provides detailed information about those community partners and requests approval for entering into a contract with the California Indian Environmental Alliance (CIEA) for up to \$1,000,000.

ABAG is being awarded \$3,020,000 in grant funding from the California Department of Water Resources' IRWM Disadvantaged Community Involvement Program funded by California Proposition 1. As described in more detail in the May Executive Board agenda materials, the previous grantee was issued a stop work order and previously initiated projects will restart once ABAG has completed contracting to serve as the new grantee. This work will fund local community partners to work with disadvantaged, underrepresented, and tribal communities throughout the Bay Area to conduct needs assessments to identify water-related needs and solutions. The goal of this work is to identify projects in these communities that could be proposed in future rounds of funding and to integrate these communities into the IRWM program funding and management process. This work included significant outreach to local community groups and was to be followed with technical development of projects for proposals as early as 2020.

To complete this work with disadvantaged communities, ABAG will contract with the local project partners listed below. An initial authorization was issued at the May Executive Board meeting. As full details were not yet available at that time, this item presents the remainder of the required information for entering into subcontracts. ABAG reviewed the list of initially contracted organizations selected by the previous grantee, Environmental Justice Coalition for Water, and confirmed which were willing and able to continue work. The agreement term will pick up where the stop work order left off i.e., April 25, 2019 through December 31,

Association of Bay Area Governments

Executive Board

July 18, 2019

Agenda Item 6.e.

San Francisco Estuary Partnership

2020. Subcontracts with these local community partners and their not-to-exceed budgets are as follows:

- Marin County Community Development Commission—\$15,000;
- Friends of Sausal Creek—\$25,000;
- Nuestra Casa—\$35,000;
- Greenaction—\$35,000;
- The Watershed Project—\$30,000;
- Shore Up Marin—\$40,000;
- Institute for Sustainable Policy Studies and Action—\$40,000;
- Contra Costa Resource Conservation District—\$55,000;
- Sonoma Ecology Center on behalf of Daily Acts—\$70,000.

The May authorization request included subcontracts up to \$200,000.

An additional authorization is requested for a subcontract with the California Indian Environmental Alliance (CIEA) for \$1,000,000 to conduct needs assessments with Bay Area tribes and tribal organizations. CIEA has worked with tribes and tribal organizations throughout California to conduct needs assessments for the IRWM program and is prepared to bring such expertise to this project.

Issues:

None

Association of Bay Area Governments

Executive Board

July 18, 2019

Agenda Item 6.e.

San Francisco Estuary Partnership

Recommended Action:

The Executive Board is requested to authorize 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 enter into subcontracts to conduct outreach and to develop project needs assessment, between April 25, 2019 and December 31, 2020, with the following organizations for up to the listed amounts:

- Marin County Community Development Commission—up to \$15,000;
- Friends of Sausal Creek—up to \$25,000;
- Nuestra Casa—up to \$35,000;
- Greenaction—up to \$35,000;
- The Watershed Project—up to \$30,000;
- Shore Up Marin—up to \$40,000;
- Institute for Sustainable Policy Studies and Action—up to \$40,000;
- Contra Costa Resource Conservation District—up to \$55,000;
- Sonoma Ecology Center on behalf of Daily Acts—up to \$70,000;
- California Indian Environmental Alliance—up to \$1,000,000.

Attachments:

Summary Approval

Reviewed:



Therese W. McMillan

**S U M M A R Y O F E X E C U T I V E B O A R D A P P R O V A L**

Work Item No.:	1720
Consultant:	10 consultants listed below
Work Project Title:	Integrated Regional Water Management Disadvantaged Community and Tribal Involvement Program (DACTIP) Grant.
Purpose of Project:	Identify projects that could be proposed in future rounds of funding and integrate underserved communities into the IRWM funding and management process
Brief Scope of Work:	Conduct outreach and develop project needs assessment
Project Cost Not to Exceed:	\$15,000-\$1,000,000 (as below)
Funding Source:	California Department of Water Resources IRWM Grant (Proposition 1)
Fiscal Impact:	Funds programmed in FY 2019-20 Budget, 2018-19 Budget will be amended



Motion by Committee:	<p>The Executive Board is requested to authorize 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 enter into subcontracts to conduct outreach and to develop project needs assessment, between April 25, 2019 and December 31, 2020, with the following organizations for up to the listed amounts:</p> <p>Marin County Community Development Commission—up to \$15,000;</p> <p>Friends of Sausal Creek—up to \$25,000;</p> <p>Nuestra Casa—up to \$35,000;</p> <p>Greenaction—up to \$35,000;</p> <p>The Watershed Project—up to \$30,000;</p> <p>Shore Up Marin—up to \$40,000;</p> <p>Institute for Sustainable Policy Studies and Action—up to \$40,000;</p> <p>Contra Costa Resource Conservation District—up to \$55,000;</p> <p>Sonoma Ecology Center on behalf of Daily Acts—up to \$70,000;</p> <p>California Indian Environmental Alliance—up to \$1,000,000.</p>
ABAG Executive Board Approval:	David Rabbitt, ABAG President
Approval Date:	



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0764 **Version:** 1 **Name:**
Type: Report **Status:** Executive Board Consent
File created: 6/10/2019 **In control:** ABAG Executive Board
On agenda: 7/18/2019 **Final action:**
Title: Adoption of Resolution No. 05-19 Authorization to submit a Delta Septic Relief proposal with the California State Parks Division of Boating and Waterways for Clean Vessel Act Operation and Maintenance Grant for an amount not to exceed \$24,500 and, if awarded, to enter into a grant agreement and designate an Authorized Representative

Sponsors:

Indexes:

Code sections:

Attachments: [Item 06f SFEP Summary Sheet CVA Application Resolution v2.pdf](#)
[Item 06f SFEP Attachment Resolution No 05 19 CVA Application v2.pdf](#)

Date	Ver.	Action By	Action	Result
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Adoption of Resolution No. 05-19 Authorization to submit a Delta Septic Relief proposal with the California State Parks Division of Boating and Waterways for Clean Vessel Act Operation and Maintenance Grant for an amount not to exceed \$24,500 and, if awarded, to enter into a grant agreement and designate an Authorized Representative

Caitlin Sweeney

Approval

Association of Bay Area Governments

Executive Board

July 18, 2019

Agenda Item 6.f.

San Francisco Estuary Partnership

Subject: Adoption of Resolution No. 05-19 Authorization to submit a Delta Septic Relief proposal with the California State Parks Division of Boating and Waterways for Clean Vessel Act Operation and Maintenance Grant for an amount not to exceed \$24,500 and, if awarded, to enter into a grant agreement and designate an Authorized Representative

Background: The San Francisco Estuary Partnership's (SFEP) Clean Vessel Act (CVA) Program focuses on preventing sewage pollution to waterways through work at marinas, boater education, and enhancing the sewage pumpout network within the eleven county San Francisco Bay-Delta region plus Monterey and Santa Cruz counties. CVA work is SFEP's longest-running grant program; it is funded through an annual award from the Department of Boating and Waterways (DBW).

DBW has invited the Association of Bay Area Governments (ABAG) to apply for new funds dedicated to removing waste from marina septic systems to increase the capacity of septic-based marinas to receive more boater sewage for up to three years.

To apply for the DBW Operation and Maintenance Grant opportunity, a resolution is needed authorizing ABAG to submit an application and to execute an agreement if the application is successful.

The resolution requires including that ABAG can meet the match commitment in the grant. DBW has confirmed that a portion of the current annual allocation of \$242,992.52 may be applied, which will more than sufficiently cover the match commitment for the additional funds of \$24,500.

Issues: None

Association of Bay Area Governments

Executive Board

July 18, 2019

Agenda Item 6.f.

San Francisco Estuary Partnership

Recommended Action: The Executive Board is requested to adopt Resolution No. 05-19 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 State Parks Division of Boating and Waterways under the Clean Vessel Act in an amount not to exceed \$24,500 and, if awarded, to enter into a grant agreement with the California State Parks Division of Boating and Waterways and to designate the Executive Director of the Metropolitan Transportation Commission, or her designee, as authorized representative; and to meet the match rate of 25% unless waived by the State.

Attachments: Resolution No. 05-19

Reviewed:



Therese W. McMillan

**ASSOCIATION OF BAY AREA GOVERNMENTS
EXECUTIVE BOARD**

RESOLUTION NO. 05-19

AUTHORIZATION TO SUBMIT A PROPOSAL TO THE CALIFORNIA DEPARTMENT OF BOATING AND WATERWAYS TO OBTAIN A CLEAN VESSEL ACT OPERATION AND MAINTENANCE GRANT, TO ENTER IN AN AGREEMENT TO RECEIVE SAID GRANT, AND TO MEET THE MATCH RATE OF 25% UNLESS WAIVED BY STATE

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 provides 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 her designee, on behalf of the Association of Bay Area Governments and the San Francisco Estuary Partnership, to submit a proposal to the California State Parks Division of Boating and Waterways under the Clean Vessel Act in an amount not to exceed \$24,500 and, if awarded, to enter into a grant agreement with the California State Parks Division of Boating and Waterways and to designate the Executive Director of the Metropolitan Transportation Commission, or her designee, as authorized representative; and to meet the match rate of 25% unless waived by the State; and, be it further

**ASSOCIATION OF BAY AREA GOVERNMENTS
RESOLUTION NO. 05-19**

RESOLVED, that the Executive Board of the Association of Bay Area Governments hereby authorizes and directs the Executive Director of the Metropolitan Transportation Commission, or her designee, on behalf of ABAG and SFEP, to prepare the necessary data, conduct investigations, file such proposal, and execute a grant agreement with California Department of Boating and Waterways.

The foregoing was adopted by the Executive Board this 18th day of July, 2019.

David Rabbitt
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 meeting held on the 18th day of July, 2019.

Frederick Castro
Clerk of the Board



ABAG

Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #:	19-0765	Version:	1	Name:	
Type:	Report	Status:		Executive Board Consent	
File created:	6/10/2019	In control:		ABAG Executive Board	
On agenda:	7/18/2019	Final action:			
Title:	Authorization to enter into agreement for catering for the State of the Estuary Conference with either of the two required catering vendors (Checkers Catering or Miraglia Catering) allowed by the conference venue for up to \$95,000 between August 1 and December 31, 2019				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Item 06g SFEP Summary Sheet SOE Catering.pdf Item 06g SFEP Summary Approval SOE Catering.pdf				

Date	Ver.	Action By	Action	Result
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Authorization to enter into agreement for catering for the State of the Estuary Conference with either of the two required catering vendors (Checkers Catering or Miraglia Catering) allowed by the conference venue for up to \$95,000 between August 1 and December 31, 2019

Caitlin Sweeney

Approval

Association of Bay Area Governments

Executive Board

July 18, 2019

Agenda Item 6.g.

San Francisco Estuary Partnership

Subject: Authorization to enter into agreement for catering for the State of the Estuary Conference with either of the two required catering vendors (Checkers Catering or Miraglia Catering) allowed by the conference venue for up to \$95,000 between August 1 and December 31, 2019

Background: The Association of Bay Area Governments' (ABAG) San Francisco Estuary Partnership (SFEP) section hosts the State of the Estuary Conference every two years, focused on management and ecological health of the San Francisco Bay-Delta Estuary. The next conference will be held October 21-22, 2019 at the Scottish Rite Center in Oakland.


Lunches, morning coffee and light snacks, and light food and drink for one evening reception are provided as part of the conference to the approximately 800 attendees. The Oakland Scottish Rite Center requires the use of one of two on-site caterers namely, Checkers Catering or Miraglia Catering. Staff are currently working to finalize a contract with one of the two required on-site caterers for an amount not to exceed \$95,000.

Issues: Final catering selection will be made in August, but authorization is needed now to allow timely contracting.

Recommended Action: The Executive Board is requested to authorize 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 enter into contract with either Checkers Catering or Miraglia Catering for catering for the 2019 State of the Estuary Conference for up to \$95,000 between August 1, 2019 and December 31, 2019.

Attachments: Summary Approval

Reviewed:


Therese W. McMillan

**S U M M A R Y O F E X E C U T I V E B O A R D A P P R O V A L**

Work Item No.:	6995
Consultant:	Checkers Catering or Miraglia Catering
Work Project Title:	State of the Estuary Conference 2019
Purpose of Project:	Convene natural resource managers and scientists to review ecological health of the San Francisco Bay-Delta Estuary
Brief Scope of Work:	Provide catering for 2019 State of the Estuary Conference
Project Cost Not to Exceed:	\$95,000.00
Funding Source:	Conference sponsorships and registration fees
Fiscal Impact:	Funds programmed in FY 2019-20 Budget
Motion by Committee:	The Executive Board is requested to authorize 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 enter into contract with either Checkers Catering or Miraglia Catering for catering for the 2019 State of the Estuary Conference for up to \$95,000 between August 1, 2019 and December 31, 2019.
ABAG Executive Board Approval:	David Rabbitt, ABAG President
Approval Date:	



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0802 **Version:** 1 **Name:**
Type: Report **Status:** Executive Board Consent
File created: 6/19/2019 **In control:** ABAG Executive Board
On agenda: 7/18/2019 **Final action:**
Title: Authorization to enter into contract amendment with CLEAResult Inc. for Bay Area Regional Energy Network (BayREN) consulting services for the Single Family Program in an amount not to exceed \$902,600

Sponsors:

Indexes:

Code sections:

Attachments: [Item 06h BayREN Summary Sheet CLEAResult.pdf](#)
[Item 06h BayREN Summary Approval CLEAResult.pdf](#)

Date	Ver.	Action By	Action	Result
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Authorization to enter into contract amendment with CLEAResult Inc. for Bay Area Regional Energy Network (BayREN) consulting services for the Single Family Program in an amount not to exceed \$902,600

Jenny Berg

Approval

Association of Bay Area Governments

Executive Board

July 18, 2019

Agenda Item 6.h.

Bay Area Regional Energy Network (BayREN)

Subject: Authorization to enter into contract amendment with CLEAResult Inc. for Bay Area Regional Energy Network (BayREN) consulting services for the Single Family Program in an amount not to exceed \$902,600

Background: The Bay Area Regional Energy Network (BayREN) implements a portfolio of energy efficiency programs across the region. ABAG serves as the program administrator and lead agency for a 10-member unincorporated association of local government entities. The California Public Utilities Commission (CPUC), in Decision 12-11-015, first authorized funding for BayREN. In Decision 18-05-041, the CPUC authorized BayREN funding through 2025, or when the Commission issues a superseding decision. The current budget for 2019 is approximately \$23 million and is set on a calendar year basis.

In 2018, CLEAResult Inc. was selected through a competitive process to assist in the implementation of the Single Family Program. The program is currently well subscribed and will need additional incentive dollars to fulfill all the approved applications by the end of 2019. CLEAResult Inc. processes and pays the incentives to the program participants. The program marketing activities are also being expanded to reach a larger Bay Area target audience of moderate-income households.

This contract amendment will continue existing services with CLEAResult Inc. through December 2019 and increase the total contracted amount to \$8,122,835 of which \$4,790,000 are customer incentives.

Issues: None

Association of Bay Area Governments

Executive Board

July 18, 2019

Agenda Item 6.h.

Bay Area Regional Energy Network (BayREN)

Recommended Action: The Executive Board is requested to authorize the Executive Director of the Metropolitan Transportation Commission, or her designee, on behalf of the Association of Bay Area Governments and the Bay Area Regional Energy Network, to enter into a contract amendment with CLEAResult Inc. for Bay Area Regional Energy Network consulting services for the Single Family Program in an amount not to exceed \$902,600.

Attachments: Summary Approval

Reviewed:


Therese W. McMillan

**S U M M A R Y O F E X E C U T I V E B O A R D A P P R O V A L**

Work Item No.:	1721
Consultant:	CLEAResult Inc.
Work Project Title:	BayREN Program – Single Family Program Design and Implementation 2019
Purpose of Project:	Offers rebates to Bay Area single family residents undertaking home energy efficiency upgrades. Amendment expands consultant's implementation and marketing services and increases program incentive budget to fulfill all 2019 program applications.
Brief Scope of Work:	In addition to existing Scope of Work, assist with Contractor events; conduct marketing activities to residents of Solano County and Participating Contractors; survey existing Participating Contractors and recruit and train them to offer comprehensive home upgrades; raise energy efficiency and health impact awareness and collect data.
Project Cost Not to Exceed:	Amendment is for \$902,600, for a total contract of \$8,122,835.
Funding Source:	2307, 2309
Fiscal Impact:	None. This is included in FY19-20 budget.
Motion by Committee:	The Executive Board is requested to authorize the Executive Director of the Metropolitan Transportation Commission, or her designee, on behalf of the Association of Bay Area Governments and the Bay Area Regional Energy Network, to enter into a contract amendment with CLEAResult Inc. for Bay Area Regional Energy Network consulting services for the Single Family Program in an amount not to exceed \$902,600.
ABAG Executive Board Approval:	David Rabbitt, ABAG President
Approval Date:	



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0757 **Version:** 1 **Name:**
Type: Report **Status:** Executive Board Approval
File created: 6/10/2019 **In control:** ABAG Executive Board
On agenda: 7/18/2019 **Final action:**
Title: ABAG Administrative Committee Report
Sponsors:
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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ABAG Administrative Committee Report

David Rabbitt

Approval



ABAG

Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0758 **Version:** 1 **Name:**

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

File created: 6/10/2019 **In control:** ABAG Executive Board

On agenda: 7/18/2019 **Final action:**

Title: ABAG Legislation Committee Report

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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ABAG Legislation Committee Report

Julie Pierce

Approval



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #:	19-0816	Version:	1	Name:	
Type:	Report	Status:		Executive Board Approval	
File created:	6/25/2019	In control:		ABAG Executive Board	
On agenda:	7/18/2019	Final action:			
Title:	AB 1487 (Chiu): Bay Area Regional Housing Funding				

This bill would authorize a regional housing funding measure for affordable housing production, preservation, and protection of tenants from displacement to be placed on the ballot in the Bay Area with funds administered by MTC and ABAG.

Sponsors:

Indexes:

Code sections:

Attachments: [Item 08b Summary Sheet AB 1487 v2.pdf](#)
[Item 08b Attachment Joint Legislation AB 1487.pdf](#)
[Item 08b Attachment AB-1487.pdf](#)
[Item 08b Attachment Eklund Email.pdf](#)

Date	Ver.	Action By	Action	Result
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AB 1487 (Chiu): Bay Area Regional Housing Funding

This bill would authorize a regional housing funding measure for affordable housing production, preservation, and protection of tenants from displacement to be placed on the ballot in the Bay Area with funds administered by MTC and ABAG.

Randy Rentschler

Support if Amended / Executive Board Approval

Association of Bay Area Governments

Executive Board

July 18, 2019

Agenda Item 8.b.

AB 1487 (Chiu): Bay Area Regional Housing Funding

Subject: AB 1487 (Chiu): Bay Area Regional Housing Funding

Background: At the July 12, 2019 joint ABAG Legislation Committee and MTC Legislation Committee meeting, staff reported on the status of AB 1487 (Chiu).

The Chair of the Legislation Committee directed the Executive Director to forward this item to the Executive Board with the direction for staff to include a support if amended position on this bill.

Specifically, the amendments need to be consistent with the positions as outlined in the summary sheet dated July 12, 2019 and Attachment A describing the recommendations of the ABAG-MTC AB 1487 Ad Hoc Committee to the joint ABAG Legislation Committee and MTC Legislation Committee (see attachments).

Also included is the bill as currently held, and to be amended, in the Senate Appropriations Committee, as well as an email Committee Member Pat Eklund, Councilmember, City of Novato, distributed at the joint committee meeting.

Issues: For consideration by the Executive Board.

Recommended Action: The Executive Board is requested to support if amended AB 1487 (Chiu).

Attachments: A. Summary Sheet, Joint MTC Legislation Committee and ABAG Legislation Committee, July 12, 2019 (and attachments)

B. Bill Text

C. Eklund Email

Reviewed:


Therese W. McMillan

**Metropolitan Transportation Commission and Association of Bay Area Governments
Joint MTC Legislation Committee and ABAG Legislation Committee**

July 12, 2019

Agenda Item 5a

AB 1487 (Chiu): Bay Area Regional Housing Funding

Subject: This bill would authorize a regional housing funding measure for affordable housing production, preservation, and protection of tenants from displacement to be placed on the ballot in the Bay Area with funds administered by MTC and ABAG.

Background: Unlike transportation, which has long had access to substantial regional funding through bridge tolls and federal and state funds distributed at the regional level, affordable housing is reliant upon private, local, state and federal funding, including state and federal tax breaks. Given the Bay Area faces an estimated \$2.5 billion annual affordable housing funding shortfall, a new flexible fund source to help close the funding gap for housing projects especially in those jurisdictions that have less resources available at the local level would benefit the entire Bay Area.

Discussion: As originally proposed, AB 1487 (Chiu) would have established the Housing Alliance for the Bay Area (HABA) to oversee new funding for affordable housing in the nine-county region.

In May, ABAG and MTC took a “seek amendment” position on AB 1487 as follows:

Issue	Concern Addressed	Notes
Revenue - Exclude sales tax from revenue options	✓	Author has agreed and will be reflected in amendments
Start-up Funding - Ensure no new responsibilities are assigned to MTC or ABAG without a guaranteed source of ongoing funding and bill includes a provision allowing for dissolution of HABA if not enough revenue is generated to be meaningful	✓	In addition, the FY 2019-20 Budget will provide at least \$25 million to ABAG for flexible housing planning work Proposed amendments will give ABAG and MTC authority to determine whether to place on ballot and set tax rates, thereby determining what level of revenue is ‘meaningful’
Split Board - Ensure the bill doesn’t require MTC staff report to a newly structured board	✓	Author has agreed not to form HABA and instead to split up duties between MTC and ABAG
Revenue Distribution - Develop a distribution formula that distributes <i>more than</i> 25 percent of any employer-based revenue to a regional pool	✓	Author has agreed to bill language which provide that “at least 50 percent” of head tax shall be distributed to counties, with up to 50 percent for regional pool

Ad Hoc Committee Discussions

Another component of the MTC and ABAG boards' actions on AB 1487 called for the formation of a joint ad hoc committee to work with the author on governance and other issues. The membership on the Ad Hoc Committee on AB 1487 (appointed by the MTC Chair and ABAG President) include for MTC: Vice Chair Alfredo Pedroza, Jim Spering, Amy Worth, Libby Schaaf and Damon Connolly; and for ABAG: President David Rabbit, Vice President Jesse Arreguin, Cindy Chavez, Julie Pierce and Warren Slocum.

The committee met three times, including with Assemblymember Chiu on a number of important matters related to governance of this process within the constraints of our existing regional governmental structures, primarily that no new board would be created. Discussions also addressed revenue distribution frameworks. A summary is included as Attachment A.

Amendments to AB 1487 released on July 5th are largely consistent with the discussion of the ad hoc committee though not entirely complete, as a number of items need to be included in a later draft of the bill. Staff was still combing through the most recent draft bill language at the time this memo was finalized, but is aware of further changes needed for the timely use of fund provisions, at a minimum.

The July Joint MTC and ABAG Legislation Committee meeting will be an opportunity to continue the discussion and to consider forwarding AB 1487 to the Commission and the ABAG Executive Committee for their deliberation.

AB 1487 is up against a final hearing deadline for 2019 as the session is set for summer break on July 12th. As of this writing it remains uncertain if the bill will be scheduled for a hearing in the Senate Governance & Finance Committee on July 10th, or if it will receive a waiver to allow it to be heard in August.

Recommendation: Information Item

Bill Positions: See attached

Attachments: **Attachment A:** ABAG-MTC AB 1487 Ad Hoc Committee Recommendations
Attachment B: Bill Positions


Therese W. McMillan

ABAG-MTC AB 1487 Ad Hoc Committee Recommendations

June 28, 2019

Governance

Rather than establishing a new regional entity with a new board, AB 1487 should be amended to rely upon the existing governance structures, strengths and areas of expertise of MTC and ABAG, as outlined in the table below.

A shared arrangement for our two agencies has precedent in state law (Government Code 65080 (b)(2)(C)) which assigned different roles to each agency relative to the development of the sustainable communities strategy (Plan Bay Area). Likewise, MTC agreed to give ABAG a formal role in the selection process for the new MTC Executive Director (who currently serves as the ABAG Executive Director).

Summary of Proposed Decision-Making Responsibilities in AB 1487

	ABAG Executive Board	MTC
Developing ballot expenditure plan (including setting tax rates and revenue sources, setting minimum shares for 3Ps, criteria, potentially minimum shares at county level)	√	√
Project selection/ programming of funds for specific purposes	√	√
Commercial Linkage Fee Study & Expenditure Plan	√	√
Placement of measure on ballot		√
Financial administration (including collecting revenue, authorizing payments and issuing bonds)		√

Option to Adjust in Future

We recommend the bill add a provision requiring MTC and the ABAG Executive Board to revisit the division of roles five years after the bill takes effect. To the extent it can work from a legal standpoint, the bill would ideally grant the agencies the authority to take formal action to modify the roles to one another if agreed to by both bodies. The bill should also provide a statement of legislative intent to transfer this responsibility to a successor agency to MTC and ABAG if one is established in future legislation.

Expenditures & Revenue

We spent a lot of time on how the funds are distributed in terms of usage and in terms of county versus region. Below is our proposal:

1. Splitting up the 3Ps:

The regionwide and county **required** minimums (“at least” floors) for the different components of the 3Ps should be the same, as follows:

	Regionwide Minimum	County Minimum
Production	50%	50%
Preservation	15%	15%
Protection	5%	5%
Incentive Funds for local governments	5%	NA

- There should be no caps on the 3P shares.
- Retain flexibility in bill now to modify the regionwide 3P shares (subject to board action and 30 day notice), but require a 55% vote requirement of both bodies to make changes.

2. Region vs. County Split of Funds

The bill should specify that the head tax should be distributed with at least 50% of the funds remaining in the county of origin based on revenue, leaving up to 50 percent available to be spent regionwide, while the other taxes in the bill should be distributed so that at least 75% of revenue goes to the county of origin based on revenue, leaving up to 25% for a regional fund.

The bill should allow the ABAG Executive Board and MTC to revisit this periodically and modify it but subject to a very high bar.

3. Distribution of local funds to and within a county

We agreed that the county share funds should go to the county – to be administered at the county level, leaving details about how the funds are distributed up to each county in coordination with their cities (subject to the minimum shares and potential details added in the ballot measure language) with one exception – big cities.

For the first five years, the four biggest cities in the region should get a direct allocation of their county’s share based on their share of the county’s RHNA. This can be extended at the option of the ABAG EB and MTC. Counties may want to also use RHNA in some manner for distributing within their county, but the bill should not mandate a formula distribution for smaller cities as this could result in funds not being put to use as efficiently as on a first-come, first-served basis for qualifying projects within each county.

4. Timely Use of Fund Provisions

We agreed that the bill shouldn't mandate a specific deadline by which counties have to commit or expend their share of the funds. However, to encourage that funds are put to use as swiftly as possible, the bill should include annual reporting requirements about use of the funds by counties and the regional agencies. The bill should also provide for evaluation of each county's use of funds and delivery of projects at least once every five years, and permit the ABAG EB and MTC with the authority to jointly assess and establish deadlines applicable to the county funds, considering, among other factors, best practices deployed over that period by the counties and cities.

We suggested that timely use of fund requirements could be applied to specific projects, but we have not discussed the exact number of years or the appropriate benchmarks. Funds for projects that miss a timely use of funding deadline should return to the original fund (county or regional) from where they originated.

5. Commercial Linkage Fee

We would like the bill to broaden where the fee revenue can be spent (not just in the local jurisdiction where it was imposed), consistent with whatever the legal nexus study determines. Also, we support the offset provision in bill now, which reduces the rate of the regional linkage fee in any jurisdiction that already has a local commercial linkage fee.

6. Revenue Sources

As adopted by the MTC and the ABAG Executive Board's position on AB 1487, we would like the sales tax removed as one of the funding options in the bill. We understand removing the sales tax from AB 1487 does not mean that the sales tax is off the table as a funding option that might be considered in a broader Bay Area transportation and housing "mega measure" that would require separate legislative authorization and may be pursued legislatively and on the ballot in 2020 or beyond.

Other

1. Land Acquisition & Assembly

We recommend removing this aspect of the bill since neither MTC nor ABAG have experience or skill set in this regard. The regional funds can instead help support local agencies which do have such expertise in this work.

AB 1487 (Chiu) Bill Positions

SUPPORT

- PICO California
- Silicon Valley Community Foundation
- Non-Profit Housing Association of Northern California
- Bay Area Council
- Burbank Housing Development Corporation
- Greenbelt Alliance
- TMG Partners
- Community Housing Development Corporation
- SPUR
- Habitat for Humanity East Bay/Silicon Valley
- Silicon Valley at Home
- California Community Builders
- Hamilton Families
- California YIMBY
- TechEquity Collaborative
- Chan Zuckerberg Initiative
- Enterprise Community Partners, Inc.
- Urban Displacement Project, UC-Berkeley
- Ensuring Opportunity Campaign to End Poverty in Contra Costa County
- Bay Area Housing Advocacy Coalition

Source: Senate Housing Committee, 6/13/2019 - SENATE Housing (Based on text dated 5/16/2019)

OPPOSE

- California Taxpayers Association
- Howard Jarvis Taxpayers Association
- Coalition for San Francisco Neighborhoods
- Alameda County Transportation Commission



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AB-1487 San Francisco Bay area: housing development: financing. (2019-2020)

Text	Votes	History	Bill Analysis	Today's Law As Amended ⓘ	Compare Versions	Status	Comments To Author
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Date Published: 07/11/2019 09:00 PM

AMENDED IN SENATE JULY 11, 2019

AMENDED IN SENATE JULY 03, 2019

AMENDED IN ASSEMBLY MAY 16, 2019

AMENDED IN ASSEMBLY APRIL 29, 2019

AMENDED IN ASSEMBLY APRIL 04, 2019

AMENDED IN ASSEMBLY MARCH 26, 2019

CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

ASSEMBLY BILL

NO. 1487

Introduced by Assembly Member Chiu
(Coauthors: Assembly Members Mullin and Wicks)
(Coauthor: Senator Wiener)

February 22, 2019

An act to add Title 6.8 (commencing with Section 64500) to the Government Code, relating to housing.

LEGISLATIVE COUNSEL'S DIGEST

AB 1487, as amended, Chiu. San Francisco Bay area: housing development: financing.

Existing law provides for the establishment of various special districts that may support and finance housing development, including affordable housing special beneficiary districts that are authorized to promote affordable housing development with certain property tax revenues that a city or county would otherwise be entitled to receive.

This bill, the San Francisco Bay Area Regional Housing Finance Act, would establish the Bay Area Housing

Finance Authority (hereafter the authority) and would state that the authority’s purpose is to raise, administer, and allocate funding for affordable housing in the San Francisco Bay area, as defined, and provide technical assistance at a regional level for tenant protection, affordable housing preservation, and new affordable housing production. The bill would provide that the governing board of the Metropolitan Transportation Commission serve as the governing board of the authority. ~~The bill would authorize the authority to exercise various specified powers, including the power to raise revenue and allocate funds throughout the San Francisco Bay area, subject to applicable voter approval requirements and other specified procedures, as provided. The bill would also require the board to provide for annual audits of the authority and financial reports, as provided. The bill would include findings that the changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities within the San Francisco Bay area, including charter cities.~~

~~The bill would authorize the authority to, among other things, raise and allocate new revenue, incur and issue indebtedness, and allocate funds to the various cities, counties, and other public agencies and affordable housing projects within its jurisdiction to finance affordable housing development projects, subject to specified procedures, preserve and enhance existing affordable housing, and fund tenant protection programs, as specified, in accordance with applicable constitutional requirements. In this regard, the bill would authorize the entity to impose various special taxes, including a parcel tax, and certain business taxes, within its jurisdiction and to issue bonds, subject to specified procedures. The bill would also authorize the executive board of the Association of Bay Area Governments to impose a commercial linkage fee, as defined, and require a city or county in the San Francisco Bay area that has jurisdiction over the approval of a commercial development project, as defined, to collect that fee as a condition of that approval and remit the amount of fee to the authority, as provided. The bill would require the authority to ratify the commercial linkage fee adopted by the executive board of the Association of Bay Area Governments. The bill would require that revenue generated by the authority pursuant to these provisions be used for specified housing purposes and require the authority to distribute those funds as provided.~~

This bill would make legislative findings and declarations as to the necessity of a special statute for the San Francisco Bay area.

By adding to the duties of local officials with respect to (1) providing staff for the authority and (2) elections procedures for revenue measures on behalf of the authority, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

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

SECTION 1. Title 6.8 (commencing with Section 64500) is added to the Government Code, to read:

TITLE 6.8. San Francisco Bay Area Regional Housing Finance
PART 1. Formation of the Bay Area Housing Finance Authority and General Powers
CHAPTER 1. General Provisions

64500. This title shall be known, and may be cited, as the San Francisco Bay Area Regional Housing Finance Act.

64501. The Legislature finds and declares the following:

(a) The San Francisco Bay area is facing the most significant housing crisis in the region’s history, as countless residents are contemplating moving, spend hours driving every day, are one paycheck away from an eviction, or experience homelessness.

(b) The San Francisco Bay area faces this crisis because, as a region, it has failed to produce enough housing at all income levels, preserve affordable housing, protect existing residents from displacement, and address the housing issue regionally.

(c) The housing crisis in the San Francisco Bay area is regional in nature and too great to be addressed individually by the region's 101 cities and 9 counties.

(d) However, the current process is anything but regional; instead each city and county is each responsible for their own decisions around housing.

(e) The San Francisco Bay area faces an annual funding shortfall of two billion five hundred million dollars (\$2,500,000,000) in its efforts to address the affordable housing crisis.

(f) Regional funding is necessary to help address the housing crisis in the San Francisco Bay area by delivering resources and technical assistance at a regional scale, including:

(1) Providing critically needed funding to affordable housing projects across the San Francisco Bay area.

(2) Providing staff support to local jurisdictions that require capacity or technical assistance to expedite the preservation and production of housing.

(3) Funding tenant services, such as emergency rental assistance and access to counsel, thereby relieving local jurisdictions of this cost and responsibility.

(4) Monitoring and reporting on progress at a regional scale.

64502. For purposes of this title:

(a) "Authority" means the Bay Area Housing Finance Authority established pursuant to Section 64510.

(b) "Board" means the governing board of the Bay Area Housing Finance Authority.

(c) "Executive board" means the executive board of the Association of Bay Area Governments.

(d) "San Francisco Bay area" means the entire area within the territorial boundaries of the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma, and the City and County of San Francisco.

~~(e) "Lower income households" has the same meaning as that term is defined in Section 50079.5 of the Health and Safety Code.~~

~~(f) "Low or moderate income households" has the same meaning as "persons and families of low or moderate income," as defined in Section 50093 of the Health and Safety Code.~~

64503. The Legislature finds and declares that providing a regional financing mechanism for affordable housing development and preservation in the San Francisco Bay area, as described in this section and Section 64501, is a matter of statewide concern and is not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this title applies to all cities within the San Francisco Bay area, including charter cities.

CHAPTER 2. The Bay Area Housing Finance Authority and Governing Board

64510. (a) (1) The Bay Area Housing Finance Authority is hereby established with jurisdiction extending throughout the San Francisco Bay area.

(2) The authority is a public instrumentality and shall be governed by the same board that governs the Metropolitan Transportation Commission. The authority shall be a separate legal entity from the Metropolitan Transportation Commission.

(b) The formation and jurisdictional boundaries of the authority are not subject to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Division 3 (commencing with Section 56000) of Title 5).

(c) The authority's purpose is to raise, administer, and allocate funding and provide technical assistance at a regional level for tenant protection, affordable housing preservation, and new affordable housing production.

(d) The authority shall be staffed by the existing staff of the Metropolitan Transportation Commission or any successor agency, with the understanding that additional staff with expertise in affordable housing finance will be needed to administer the funding authorized in this chapter.

(e) It is the intent of the Legislature that the powers granted to the authority and the executive board under this title shall be transferred to a future regional agency if an agency is established to replace the Metropolitan Transportation Commission and the Association of Bay Area Governments and integrate regional transportation and housing funding and policy decisions within the San Francisco Bay area under one governing board, subsequent to a robust public engagement process at the regional level.

64511. (a) (1) The executive board shall review and approve projects authorized by this chapter prior to review, approval, and allocation by the authority.

(2) The executive board shall form an advisory committee comprised of nine representatives with knowledge and experience in the areas of affordable housing finance and development, tenant protection, and housing preservation to assist in the development of funding guidelines and the overall implementation of the program.

(b) The board shall select from its members a chair, who shall preside over meetings of the board, and a vice chair from its members, who shall preside in the absence of the chair.

(c) (1) A member of the board appointed pursuant to this section may receive a per diem for each board meeting that the member attends. The board shall set the amount of that per diem for a member's attendance, but that amount shall not exceed one hundred dollars (\$100) per meeting. A member shall not receive a payment for more than two meetings in a calendar month.

(2) A member may waive a payment of per diem authorized by this subdivision.

(d) (1) Members of the board are subject to Article 2.4 (commencing with Section 53234) of Chapter 2 of Part 1 of Division 2 of Title 5.

(2) The authority shall be subject to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5), the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1), and the Political Reform Act of 1974 (Title 9 (commencing with Section 81000)).

~~(e)(1) Five years after the voters approve an initial ballot measure pursuant to Section 64521, the authority and the executive board shall review the implementation of the measure. The review shall include the following:~~

~~(A) An analysis of the expenditures to date.~~

~~(B) The number of affordable housing units produced and preserved at different household income levels.~~

~~(C) The tenant protection services provided, and the roles of the executive board and the authority.~~

~~(2) The executive board and the authority may, upon mutual concurrence, as a part of the review described in this subdivision elect to transfer or delegate a responsibility authorized in this title to the executive board or the authority, as applicable, except for the provisions of Chapter 3.~~

64512. A member of the board shall exercise independent judgment on behalf of the interests of the residents, the property owners, and the public as a whole in furthering the intent and purposes of this title.

64513. (a) The time and place of the first meeting of the board shall be at a time and place within the San Francisco Bay area fixed by the chair of the board.

(b) After the first meeting described in subdivision (a), the board shall hold meetings at times and places determined by the board.

64514. (a) The board may make and enforce rules and regulations necessary for governing the authority, the preservation of order, and the transaction of business.

(b) In exercising the powers and duties conferred on the authority by this title, the board may act by resolution.

~~3.Powers of the Bay Area Housing Finance Authority~~

~~64520.In implementing this title, the authority may do all of the following:~~

~~(a)Subject to the approval of the executive board, place a measure on the ballot to raise revenue and allocate funds throughout the San Francisco Bay area, as provided in Part 2 (commencing with Section 64600):~~

~~(b)Apply for and receive grants from federal and state agencies:~~

~~(c)Solicit and accept gifts, fees, grants, and allocations from public and private entities:~~

~~(d)Deposit or invest moneys of the authority in banks or financial institutions in the state, as provided in Chapter 4 (commencing with Section 53600) of Part 1 of Division 2 of Title 5:~~

~~(e)Sue and be sued, except as otherwise provided by law, in all actions and proceedings, in all courts and tribunals of competent jurisdiction:~~

~~(f)Engage counsel and other professional services:~~

~~(g)Enter into and perform all necessary contracts:~~

~~(h)Enter into joint powers agreements pursuant to the Joint Exercise of Powers Act (Chapter 5 (commencing with Section 6500) of Division 7 of Title 1):~~

~~(i)Hire staff, define their qualifications and duties, and provide a schedule of compensation for the performance of their duties:~~

~~(j)Use staff provided by the Metropolitan Transportation Commission:~~

~~(k)Collect data on housing production and monitor progress on meeting regional and state housing goals:~~

~~(l)Provide support and technical assistance to local governments in relation to producing and preserving affordable housing:~~

~~(m)Provide public information about the authority's housing programs and policies:~~

~~(n)Any other express or implied power necessary to carry out the intent and purposes of this title:~~

~~64521.(a)Subject to the approval of the executive board before voter approval, if the authority proposes a measure pursuant to Part 2 (commencing with Section 64600) that will generate revenues and that requires voter approval pursuant to the California Constitution, the board of supervisors of the county or counties in which the authority has determined to place the measure on the ballot shall call a special election on the measure. The special election shall be consolidated with the next regularly scheduled statewide election and the measure shall be submitted to the voters in the appropriate counties, consistent with the requirements of Articles XIII A, XIII C, and XIII, or Article XVI of the California Constitution, as applicable:~~

~~(b)(1)For the purpose of placement of a measure on the ballot, the authority is a district, as defined in Section 317 of the Elections Code. Except as otherwise provided in this section, a measure proposed by the authority that requires voter approval shall be submitted to the voters of the counties, as determined by the authority, in accordance with the provisions of the Elections Code applicable to districts, including the provisions of Chapter 4 (commencing with Section 9300) of Division 9 of the Elections Code:~~

~~(2)Because the authority has no revenues as of the effective date of this section, the appropriations limit for the authority shall be originally established based on receipts from the initial measure that would generate revenues for the authority pursuant to subdivision (a), and that establishment of an appropriations limit shall not be deemed a change in an appropriations limit for purposes of Section 4 of Article XIII B of the California~~

~~Constitution:~~

~~(c)The authority shall file with the board of supervisors of each county in which the measure shall appear on the ballot a resolution of the board requesting consolidation, and setting forth the exact form of the ballot question, in accordance with Section 10403 of the Elections Code.~~

~~(d)The legal counsel for the authority shall prepare an impartial analysis of the measure. The impartial analysis prepared by the legal counsel for the authority shall be subject to review and revision by the county counsel of the county that contains the largest population, as determined by the most recent federal decennial census, among those counties in which the measure will be submitted to the voters.~~

~~(e)Each county included in the measure shall use the exact ballot question, impartial analysis, and ballot language provided by the authority. If two or more counties included in the measure are required to prepare a translation of ballot materials into the same language other than English, the county that contains the largest population, as determined by the most recent federal decennial census, among those counties that are required to prepare a translation of ballot materials into the same language other than English shall prepare the translation, or authorize the authority to prepare the translation, and that translation shall be used by the other county or counties, as applicable.~~

~~(f)Notwithstanding Section 13116 of the Elections Code, the elections officials of the counties where the measure proposed by the authority is placed on the ballot shall mutually agree to use the same letter designation for the measure.~~

~~(g)The county clerk of each county shall report the results of the special election to the authority. If two-thirds of all voters voting on the question at the special election vote affirmatively, or a different approval threshold required by the California Constitution at the time the election is held, the measure shall take effect in the counties in which the measure appeared on the ballot within the timeframe specified in the measure.~~

~~(h)(1)Notwithstanding Section 10520 of the Elections Code, for any election at which the authority proposes a measure pursuant to subdivision (a) of Section 64520 that would generate revenues, the authority shall reimburse each county in which that measure appears on the ballot only for the incremental costs incurred by the county elections official related to submitting the measure to the voters with proceeds from the measure, or if the measure fails, with any eligible funds transferred to the authority from the Association of Bay Area Governments or the Metropolitan Transportation Commission or other public or private entity.~~

~~(2)For purposes of this subdivision, "incremental costs" include all of the following:~~

~~(A)The cost to prepare, review, and revise the impartial analysis of the measure that is required by subdivision (d).~~

~~(B)The cost to prepare a translation of ballot materials into a language other than English by any county, as described in subdivision (e).~~

~~(C)The additional costs that exceed the costs incurred for other election races or ballot measures, if any, appearing on the same ballot in each county in which the measure appears on the ballot, including both of the following:~~

~~(i)The printing and mailing of ballot materials.~~

~~(ii)The canvass of the vote regarding the measure pursuant to Division 15 (commencing with Section 15000) of the Elections Code.~~

~~64522.The authority shall not do either of the following:~~

~~(a)Regulate or enforce local land use decisions.~~

~~(b)Acquire property by eminent domain.~~

~~4.Financial Provisions~~

~~64530.The board shall provide for regular audits of the authority's accounts and records and shall maintain accounting records and shall report accounting transactions in accordance with generally accepted accounting~~

~~principles adopted by the Governmental Accounting Standards Board of the Financial Accounting Foundation for both public reporting purposes and for reporting of activities to the Controller.~~

~~64531. The board shall provide for annual financial reports. The board shall make copies of the annual financial reports available to the public.~~

~~2. Financing Activities of the Bay Area Housing Finance Authority~~

~~1. General Provisions~~

~~64600. The authority may do all of the following:~~

~~(a)(1) Raise and allocate new revenue through the following funding mechanisms:~~

~~(A) Special taxes, subject to voter approval, as provided in Article 1 (commencing with Section 64610) of Chapter 2, as follows:~~

~~(i) A parcel tax, as provided in Section 64610.~~

~~(ii) A gross receipts business license tax, as provided in Section 64611.~~

~~(iii) A special business tax, as provided in Section 64612.~~

~~(B) A commercial linkage fee, as provided in Article 2 (commencing with Section 64620) of Chapter 2.~~

~~(C) Bonds, as provided in Article 3 (commencing with Section 64630) of Chapter 2.~~

~~(2) Any funding mechanism or combination of funding mechanisms authorized pursuant to paragraph (1) that requires voter approval pursuant to the California Constitution or this part may be placed on the ballot in all or a subset of the nine counties in the San Francisco Bay area, but in no case shall it be placed on the ballot in fewer than four counties. A measure placed on the ballot in a subset of those nine counties shall apply only in those counties in which the measure was submitted to the voters.~~

~~(3) It is the intent of the Legislature that the funding measures authorized by this subdivision distribute the responsibility of addressing the affordable housing needs of the region across commercial developers, businesses above a certain size, taxpayers, and property owners within the region.~~

~~(b) Incur and issue indebtedness and assess fees on any debt issuance and loan products for reinvestment of fees and loan repayments in affordable housing production and preservation.~~

~~(c) Allocate funds to the various cities, counties, and other public agencies and affordable housing developers for housing projects approved by the executive board within its jurisdiction, as provided in Chapter 3 (commencing with Section 64650), to finance affordable housing development, preserve and enhance existing affordable housing, and fund tenant protection programs, pursuant to this title, in accordance with applicable constitutional requirements.~~

~~2. Revenue~~

~~1. Special Taxes~~

~~64610. (a) Subject to Section 4 of Article XIII A of the California Constitution, and approval by the executive board before the measure is placed on the ballot, the authority may impose, by resolution, a parcel tax within the San Francisco Bay area pursuant to the procedures established in Article 3.5 (commencing with Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5, Section 64521, and any other applicable procedures provided by law.~~

~~(b) "Parcel tax" means a special tax imposed upon a parcel of real property at a rate that is determined without regard to that property's value and that applies uniformly to all taxpayers or all real property within the jurisdiction of the local government. "Parcel tax" does not include a tax imposed on a particular class of property or taxpayers.~~

~~(c) The authority shall provide notice of any parcel tax imposed pursuant to this section in the manner specified in Section 54930.~~

~~64611.(a)(1)The authority may impose, subject to approval by the executive board before placement on the ballot, by resolution, a special tax, measured by gross receipts, for the privilege of engaging in any kind of lawful business transacted in the San Francisco Bay area pursuant to the procedures established in Article 3.5 (commencing with Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5, Section 64521, and any other applicable procedures provided by law.~~

~~(2)The resolution imposing a special tax pursuant to this subdivision may provide for the following:~~

~~(A)Variable rates based on the business sector of each person subject to the tax.~~

~~(B)Exemptions for small businesses.~~

~~(C)Collection of the tax by suit or otherwise.~~

~~(b)If the authority levies a special tax pursuant to subdivision (a) upon a business operating both within and outside the authority's taxing jurisdiction, the authority shall levy the tax so that the measure of tax fairly reflects that proportion of the taxed activity actually carried on within the taxing jurisdiction.~~

~~(c)A special tax levied pursuant to subdivision (a) shall not apply to any nonprofit organization that is exempted from taxes by Chapter 4 (commencing with Section 23701) of Part 11 of Division 2 of the Revenue and Taxation Code or Subchapter F (commencing with Section 501) of Chapter 1 of Subtitle A of the Internal Revenue Code of 1986, or the successor of either, or to any minister, clergyman, Christian Science practitioner, rabbi, or leader of any religious organization that has been granted an exemption from federal income tax by the United States Commissioner of Internal Revenue as an organization described in Section 501(c)(3) of the Internal Revenue Code or a successor to that section.~~

~~64612.(a)(1)Subject to concurrence of the executive board before the measure is placed on the ballot, the authority may impose, by resolution, a special tax measured by the number of employees employed by the taxpayer for the privilege of engaging in any kind of lawful business activity transacted in the San Francisco Bay area pursuant to the procedures established in Article 3.5 (commencing with Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5, Section 64521, and any other applicable procedures provided by law.~~

~~(2)The resolution imposing a special tax pursuant to this subdivision may provide for collection of the tax by suit or otherwise.~~

~~(b)If the authority levies a special tax pursuant to subdivision (a) upon a business operating both within and outside the authority's taxing jurisdiction, the authority shall levy the tax so that the measure of tax fairly reflects that proportion of the taxed activity actually carried on within the taxing jurisdiction.~~

~~(c)A special tax levied pursuant to subdivision (a) shall not apply to any nonprofit organization that is exempted from taxes by Chapter 4 (commencing with Section 23701) of Part 11 of Division 2 of the Revenue and Taxation Code or Subchapter F (commencing with Section 501) of Chapter 1 of Subtitle A of the Internal Revenue Code of 1986, or the successor of either, or to any minister, clergyman, Christian Science practitioner, rabbi, or leader of any religious organization that has been granted an exemption from federal income tax by the United States Commissioner of Internal Revenue as an organization described in Section 501(c)(3) of the Internal Revenue Code or a successor to that section.~~

~~64613.An action to determine the validity of any special taxes levied pursuant to this article may be brought pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure.~~

~~2.Commercial Linkage Fee~~

~~64620.As used in this article:~~

~~(a)"Commercial development project" means any project involving the issuance of a permit by an underlying land use jurisdiction for construction or reconstruction that is undertaken within the San Francisco Bay area for the development of land for commercial use, but does not include any project involving solely a permit to operate.~~

~~(b)"Commercial linkage fee" means a monetary exaction, other than a tax or special assessment, established for a broad class of projects by legislation of general applicability that is charged to an applicant in connection~~

~~with the approval of a commercial development project by an underlying land use jurisdiction for the purpose of addressing the need for additional housing development necessitated by that commercial development project, as determined pursuant to the nexus study undertaken pursuant to subdivision (b) of Section 64621.~~

~~(c)“Underlying land use jurisdiction” means any of the following entities, as applicable, that has jurisdiction over the approval of a commercial development project:~~

~~(1)The following counties:~~

~~(A)The County of Alameda:~~

~~(B)The County of Contra Costa:~~

~~(C)The County of Marin:~~

~~(D)The County of Napa:~~

~~(E)The County of San Mateo:~~

~~(F)The County of Santa Clara:~~

~~(G)The County of Solano:~~

~~(H)The County of Sonoma:~~

~~(2)A city that is located within the territorial boundaries of any of the counties specified in paragraph (1):~~

~~(3)The City and County of San Francisco:~~

~~64621.(a)(1)The executive board may establish, increase, or impose a commercial linkage fee within the San Francisco Bay area by enactment of a resolution, in accordance with the requirements of this article, that is in addition to any fee, as defined in Section 66000, that is levied by an underlying land use jurisdiction. The board shall ratify, by resolution, any commercial linkage fee or modification to a commercial linkage fee adopted by the executive board.~~

~~(2)(A)A commercial linkage fee may be established, increased, or imposed pursuant to this article by resolution of the executive board that provides for either of the following:~~

~~(i)A variable rate fee assessed on a commercial development project within the San Francisco Bay area that establishes a higher fee in jurisdictions with a greater imbalance between job creation and new housing development and a lower fee or no fee in jurisdictions with lesser imbalance between job creation and new housing development.~~

~~(ii)A flat fee assessed on all commercial development projects within the San Francisco Bay area:~~

~~(B)A resolution establishing or revising the fee shall provide that the amount of the fee required to be paid shall be reduced by the amount that the applicant is required to pay, if any, for a commercial linkage fee imposed by the relevant underlying land use jurisdiction.~~

~~(b)Before establishing, increasing, or imposing a commercial linkage fee, the executive board shall prepare a regional jobs and housing nexus study in order to support the necessity and amount of the fee.~~

~~(c)In any action to establish, increase, or impose a commercial linkage fee, the executive board shall do all of the following:~~

~~(1)Identify the purpose of the commercial linkage fee.~~

~~(2)Determine how there is a reasonable relationship between the fee’s use and the type of commercial development project on which the fee is imposed, based on the regional nexus study prepared pursuant to subdivision (b):~~

~~(3)Determine how there is a reasonable relationship between the need for housing and the type of commercial development project on which the fee is imposed, based on the regional nexus study prepared pursuant to~~

~~subdivision (b):~~

~~(4)Determine how there is a reasonable relationship between the amount of the fee and the cost of the housing necessitated by the commercial development project that is attributable to the development on which the fee is imposed, based on the regional nexus study prepared pursuant to subdivision (b):~~

~~64622.(a)A commercial linkage fee established, increased, or imposed pursuant to this article shall not exceed the reasonable cost of providing the housing necessitated by the commercial development project for which the commercial linkage fee is imposed, as determined in the regional nexus study pursuant to subdivision (b) of Section 64621:~~

~~(b)It is the intent of the Legislature in adding this section to codify existing constitutional and decisional law with respect to the imposition of development fees and monetary exactions on developments by local agencies. This section is declaratory of existing law and shall not be construed or interpreted as creating new law or as modifying or changing existing law:~~

~~64623.(a)Before adopting a resolution establishing or imposing a new commercial linkage fee or approving an increase in an existing commercial linkage fee pursuant to this article, the executive board shall hold a public hearing, at which oral or written presentations can be made, as part of a regularly scheduled meeting. Notice of the time and place of the meeting, including a general explanation of the matter to be considered, shall be published in accordance with Section 6062a:~~

~~(b)Any costs incurred by the executive board in conducting the hearing required pursuant to subdivision (a) may be recovered as part of the commercial linkage fee that is the subject of the hearing:~~

~~64624.(a)Except as otherwise provided in subdivision (c), if the executive board adopts a resolution or other legislative enactment establishing or imposing a new commercial linkage fee or approving an increase in an existing commercial linkage fee, the board shall adopt a resolution concurring with the establishment, imposition, or increase of the fee and each underlying land use jurisdiction shall, as a condition of approving a commercial development project for which it receives an application for a conditional use permit or other discretionary or ministerial approval, require an applicant to pay the amount of commercial linkage fee established, imposed, or increased by the executive board and the authority pursuant to this article. The underlying land use jurisdiction shall provide notice to the applicant that does all of the following:~~

~~(1)Notifies the applicant that the executive board and the authority have established, increased, or imposed a commercial linkage fee pursuant to this article:~~

~~(2)States the amount of commercial linkage fee established, increased, or imposed by the executive board and the authority:~~

~~(3)States that the applicant may protest the commercial linkage fee, as provided in Section 64625, and notifies the applicant that the 90-day period for that protest and the 180-day period for filing an action specified in subdivision (c) of Section 64625 has begun:~~

~~(b)Each underlying land use jurisdiction shall collect and, after deduction of any actual and necessary administrative costs incurred by the underlying land use jurisdiction, remit the amount of commercial linkage fee established, increased, or imposed pursuant to this article to the authority. An underlying land use jurisdiction shall remit the amounts required by this subdivision on or before the last day of the month next succeeding each calendar quarterly period:~~

~~(c)If any amount of commercial linkage fee established, increased, or imposed pursuant to this article is found to be invalid pursuant to Section 64625, each underlying land use jurisdiction shall immediately cease collection of the commercial linkage fee:~~

~~64625.(a)Any party may protest the imposition of a commercial linkage fee imposed on a commercial development project by the executive board and the authority pursuant to this article as follows:~~

~~(1)The party shall pay the total amount of commercial linkage fee required by the resolution enacted pursuant to Section 64621, or providing satisfactory evidence of arrangements to pay the commercial linkage fee when due, in accordance with Section 64624:~~

- ~~(2)Serving a written notice on the board and the legislative body of the relevant underlying land use jurisdiction that contains all of the following information:~~
- ~~(A)A statement that the required payment is tendered or will be tendered when due under protest.~~
- ~~(B)A statement informing the board and legislative body of the underlying land use jurisdiction of the factual elements of the dispute and the legal theory forming the basis for the protest.~~
- ~~(b)Compliance by any party with subdivision (a) shall not be the basis for an underlying land use jurisdiction to withhold approval of any map, plan, permit, zone change, license, or other form of permission, or concurrence, whether discretionary, ministerial, or otherwise, incident to, or necessary for, the commercial development project. This section does not limit the ability of an underlying land use jurisdiction to ensure compliance with all applicable provisions of law in determining whether or not to approve or disapprove a commercial development project.~~
- ~~(c)(1)A protest filed pursuant to subdivision (a) shall be filed at the time of approval or conditional approval of the commercial development project or within 90 days after the date of the imposition of the commercial linkage fee to be imposed on a commercial development project.~~
- ~~(2)Any party who files a protest pursuant to subdivision (a) may file an action to attack, review, set aside, void, or annul the imposition of the commercial linkage fee imposed on a commercial development project within 60 days after the delivery of the notice required by subdivision (a) of Section 64624. Thereafter, notwithstanding any other law, all persons shall be barred from any action or proceeding or any defense of invalidity or unreasonableness of the imposition. Any proceeding brought pursuant to this subdivision shall take precedence over all matters of the calendar of the court except criminal, probate, eminent domain, forcible entry, and unlawful detainer proceedings.~~
- ~~(d)(1)If the court grants a judgment to a plaintiff invalidating, as enacted, all or a portion a resolution establishing, increasing, or imposing a commercial linkage fee, the court shall direct the authority to refund the unlawful portion of the payment, plus interest at an annual rate equal to the average rate accrued by the Pooled Money Investment Account during the time elapsed since the payment occurred, or to return the unlawful portion of the exaction imposed.~~
- ~~(2)If an action is filed within 120 days of the date at which a resolution to establish or modify a commercial linkage fee to be imposed on a commercial development project takes effect, the portion of the payment or exaction invalidated shall also be returned to any other person who, under protest pursuant to this section and under that invalid portion of that same resolution as enacted, tendered the payment or provided for or satisfied the exaction during the period from 90 days prior to the date of the filing of the action which invalidates the payment or exaction to the date of the entry of the judgment referenced in paragraph (1).~~
- ~~(e)The imposition of a commercial linkage fee occurs, for the purposes of this section, when it is imposed or levied on a specific commercial development project.~~

~~64626.(a)In any judicial action or proceeding to validate, attack, review, set aside, void, or annul any resolution providing for the establishment, increase, or imposition of a commercial linkage fee pursuant to this article in which there is an issue whether the fee is a special tax within the meaning of Section 50076, the executive board and the authority shall have the burden of producing evidence to establish that the commercial linkage fee does not exceed the reasonable cost of providing the housing necessitated by the commercial development project for which the commercial linkage fee is imposed, as determined in the regional nexus study pursuant to subdivision (b) of Section 64621.~~

~~(b)A party may only initiate any action or proceeding pursuant to subdivision (a) if both of the following requirements are met:~~

~~(1)The commercial linkage fee was directly imposed on the party as a condition of project approval, as provided in Section 64624.~~

~~(2)At least 30 days before initiating the action or proceeding, the party requests that the executive board provide a copy of the documents, including, but not limited to, the regional nexus study prepared pursuant to~~

~~subdivision (b) of Section 64621, that establish that the commercial linkage fee does not exceed the reasonable cost of providing the housing necessitated by the commercial development project for which the commercial linkage fee is imposed. In accordance with subdivision (b) of Section 6253, the executive board may charge a fee for copying the documents requested pursuant to this paragraph.~~

~~(c)For purposes of this section, costs shall be determined in accordance with fundamental fairness and consistency of method as to the allocation of costs, expenses, revenues, and other items included in the calculation.~~

~~64627.(a)Any person may request an audit in order to determine whether any fee or charge levied by the executive board and the authority exceeds the amount necessary to cover the reasonable cost of providing the housing necessitated by the commercial development project for which the commercial linkage fee is imposed, as determined in the regional nexus study pursuant to subdivision (b) of Section 64621. If a person makes that request, the executive board and the authority may retain an independent auditor to conduct an audit to determine whether the commercial linkage fee is reasonable, but is not required to conduct the audit if an audit has been performed for the same fee within the previous 12 months.~~

~~(b)If an audit pursuant to this section determines that the amount of any commercial linkage fee or charge does not meet the requirements of this article, the executive board and the authority shall adjust the fee accordingly.~~

~~(c)The authority shall retain an independent auditor to conduct an audit only if the person who requests the audit deposits with the authority the amount of the executive board's and the authority's reasonable estimate of the cost of the independent audit. At the conclusion of the audit, the authority shall reimburse unused sums, if any, or the requesting person shall pay the authority the excess of the actual cost of the audit over the sum which was deposited.~~

~~(d)Any audit conducted by an independent auditor pursuant to this section shall conform to generally accepted auditing standards.~~

~~(e)This section shall not be construed as granting any additional authority to any local agency to levy any fee or charge which is not otherwise authorized by another provision of law, nor shall its provisions be construed as granting authority to any local agency to levy a new fee or charge when other provisions of law specifically prohibit the levy of a fee or charge.~~

~~64628.Any action by the executive board and the authority or interested person under this article shall be brought pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure.~~

3.Bonds

~~64630.The board may, by majority vote, initiate proceedings to issue bonds pursuant to this chapter by adopting a resolution stating its intent to issue the bonds.~~

~~64631.The resolution adopted pursuant to Section 64630 shall contain all of the following information:~~

~~(a)A description of the facilities or developments to be financed with the proceeds of the proposed bond issue.~~

~~(b)The estimated cost of the facilities or developments, the estimated cost of preparing and issuing the bonds, and the principal amount of the proposed bond issuance.~~

~~(c)The maximum interest rate and discount on the proposed bond issuance.~~

~~(d)The date of the election on the proposed bond issuance and the manner of holding the election.~~

~~(e)A determination of the amount of tax revenue available or estimated to be available, for the payment of the principal of, and interest on, the bonds.~~

~~(f)A finding that the amount necessary to pay the principal of, and interest on, the proposed bond issuance will be less than, or equal to, the amount determined pursuant to subdivision (e).~~

~~64632.(a)Except as otherwise provided in subdivision (b), the clerk of the board shall publish the resolution~~

~~adopted pursuant to Section 64630 once a day for at least seven successive days in a newspaper published in each county in the San Francisco Bay area at least six days a week, or at least once a week for two successive weeks in a newspaper published in a county less than six days a week.~~

~~(b) If there are no newspapers meeting the criteria specified in subdivision (a), the resolution shall be posted in three public places within each county in the San Francisco Bay area for two succeeding weeks.~~

~~64633.(a) The authority shall submit the proposal to issue bonds to the voters who reside within the San Francisco Bay area in accordance with Section 64521 and this section.~~

~~(b) Ballots for the special election authorized by subdivision (a) may be distributed to qualified electors by mail with return postage prepaid or by personal service by the election official. The official conducting the election may certify the proper mailing of ballots by an affidavit, which shall be exclusive proof of mailing in the absence of fraud. The voted ballots shall be returned to the election officer conducting the election not later than the hour specified in the resolution calling the election. However, if all the qualified voters have voted, the election shall be closed.~~

~~64634.(a) Bonds may be issued if two-thirds of the voters voting on the proposition vote in favor of issuing the bonds.~~

~~(b) If the voters approve the issuance of the bonds as provided by subdivision (a), the board shall proceed with the issuance of the bonds by adopting a resolution that shall provide for all of the following:~~

~~(1) The issuance of the bonds in one or more series.~~

~~(2) The principal amount of the bonds that shall be consistent with the amount specified in subdivision (b) of Section 64631.~~

~~(3) The date the bonds will bear.~~

~~(4) The date of maturity of the bonds.~~

~~(5) The denomination of the bonds.~~

~~(6) The form of the bonds.~~

~~(7) The manner of execution of the bonds.~~

~~(8) The medium of payment in which the bonds are payable.~~

~~(9) The place or manner of payment and any requirements for registration of the bonds.~~

~~(10) The terms of call or redemption, with or without premium.~~

~~(c) If any proposition submitted to the voters pursuant to this part is defeated by the voters, the authority shall not submit, or cause to be submitted, a similar proposition to the voters for at least one year after the first election.~~

~~(d) Every two years after the issuance of bonds pursuant to this section, the authority shall contract for an independent financial and performance audit. The audit shall be conducted according to guidelines established by the Controller. A copy of the completed audit shall be provided to the Controller, the Director of Finance, and to the Joint Legislative Budget Committee.~~

~~64635. The board may, by majority vote, provide for refunding of bonds issued pursuant to Section 64634. However, refunding bonds shall not be issued if the total net interest cost to maturity on the refunding bonds plus the principal amount of the refunding bonds exceeds the total net interest cost to maturity on the bonds to be refunded.~~

~~64636.(a) The authority or any person executing the bonds issued pursuant to Section 64634 shall not be personally liable on the bonds by reason of their issuance. The bonds and other obligations of the authority issued pursuant to Section 64634 are not a debt of any city or county, the Association of Bay Area Governments, the Metropolitan Transportation Commission or any of its affiliated entities, or of the state or of~~

~~any of its political subdivisions, other than the authority, and neither a city or county nor the state or any of its political subdivisions, other than the authority, shall be liable on the bonds, and the bonds or obligations shall be payable exclusively from funds or properties of the authority. Bonds issued pursuant to Section 64634 shall contain a statement to this effect on their face:~~

~~(b)If any member of the boards whose signature appears on bonds issued pursuant to Section 64634 ceases to be a member of the board before delivery of the bonds, that member's signature shall be as effective as if the member had remained in office:~~

~~64637.(a)The bonds issued pursuant to Section 64634 may be sold at discount not to exceed 5 percent of par at public sale. At least five days before the sale, notice shall be published, pursuant to Section 6061, in a newspaper of general circulation and in a financial newspaper published in the City and County of San Francisco and in the City of Los Angeles. The bonds may be sold at not less than par to the federal government at private sale without any public advertisement.~~

~~(b)Bonds issued pursuant to Section 64634 are fully negotiable:~~

~~64638.An action to determine the validity of bonds issued pursuant to Section 64634 may be brought pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure:~~

~~3.Expenditures~~

~~64650.(a)Revenue generated pursuant to this part shall be used for the construction of new affordable housing, affordable housing preservation, tenant protection programs, and general funds made available to local jurisdictions as an incentive to achieve or reward for achieving affordable housing benchmarks to be established by the authority and executive board as follows:~~

~~(1)Subject to funding eligibility and adjustment pursuant to paragraph (2), the authority shall distribute the revenues derived from any special tax imposed pursuant to Article 1 (commencing with Section 64610) of Chapter 2 and the proceeds of bonds issued pursuant to Article 2 (commencing with Section 64620) of Chapter 2 for the region in a manner that achieves the following minimum shares over a five-year period commencing after revenue is approved by voters as follows:~~

~~(A)A minimum of 50 percent for production of housing units affordable to lower income households. Funding for production programs may be used for either of the following:~~

~~(i)To finance the development and construction of affordable housing for at least 55 years.~~

~~(ii)To acquire land for the purpose of building affordable housing:~~

~~(B)A minimum of 5 percent for tenant protection programs. The authority, with concurrence of the executive board, shall prioritize nonbond proceeds revenue sources for tenant protection programs to meet the minimum requirement of this subparagraph. Funding for tenant protection programs may be used for any of the following:~~

~~(i)Legal aid, including representation in eviction proceedings, preeviction legal services, and legal education and awareness for communities:~~

~~(ii)Providing emergency rental assistance for lower income households. Rental assistance provided pursuant to this clause shall not exceed 48 months for each assisted household, and rent payments shall not exceed two times the current fair market rent for the local area, as determined by the United States Department of Housing and Urban Development pursuant to Part 888 of Title 24 of the Code of Federal Regulations:~~

~~(iii)Providing relocation assistance for lower income households:~~

~~(iv)Collection and tracking of information related to displacement risk and evictions in the region:~~

~~(C)A minimum of 15 percent for preservation of housing affordable to low or moderate income households. Funding for preservation programs may be used to acquire, rehabilitate, and preserve existing affordable housing units, in order to prevent the loss of affordable housing:~~

~~(D)A minimum of 5 percent and a maximum of 10 percent for general funds awarded to a local government~~

~~that achieves affordable housing benchmarks established by the authority and executive board. Subject to any limitations on the funding source, including limitations on the use of bond proceeds, eligible expenditures pursuant to this subparagraph include, but are not limited to the following:~~

- ~~(i) Staffing costs to help accelerate the production of housing in a jurisdiction;~~
- ~~(ii) Infrastructure needs associated with increased housing production, including, but not limited to, transportation, schools, and parks;~~
- ~~(iii) Homeless shelters, infrastructure to support those shelters, and supportive services and related programs that serve the homeless;~~

~~(2) Subject to consultation with the advisory committee and a 55 percent approval of the executive board, the authority may, by a 55 percent vote, change the distribution requirements in subparagraph (A), (B), (C), or (D) of paragraph (1) if the executive board and the authority adopt a finding pursuant to this paragraph that the region's needs differ from those requirements. The finding shall be placed on a meeting agenda of the executive board and the authority for discussion at least 30 days before either the executive board or the authority adopt the finding;~~

~~(3) The authority shall distribute the revenues derived from a commercial linkage fee established, increased, or imposed pursuant to Article 2 (commencing with Section 64620) of Chapter 2 to each city or county in a manner that is consistent with the nexus fee adopted by the executive board. A city or county that receives revenues pursuant to this paragraph shall use that revenue solely for the production of housing units necessitated by a commercial development project on which the fee was imposed, as determined by the executive board pursuant to Section 64621;~~

~~(b) Except as otherwise provided in paragraph (3) of subdivision (a), the authority may allocate funds directly to a city, a county, a public entity, or a private project sponsor;~~

~~(c)(1) Subject to paragraph (3) of subdivision (a), the authority shall distribute funds received through the funding measures authorized in Sections 64610 and 64611 as follows:~~

~~(A) At least 75 percent of the revenue received shall be allocated to the county of origin for expenditure in that county. Each county board of supervisors shall determine the appropriate entity within their county to administer the funds. Counties may use up to 3 percent of these funds for administrative purposes to assist with the delivery of the expenditure plan in their county;~~

~~(B) Up to 25 percent of the revenue received shall be collected by the authority for expenditures consistent with the purposes set forth in subdivision (a) and shall be eligible to be spent in any county in which the measure is in effect. These funds can also be leveraged and grown for reinvestment in affordable housing;~~

~~(2) Subject to paragraph (3) of subdivision (a), the authority shall distribute funds received through the funding measure authorized in Section 64512 as follows:~~

~~(A) At least 50 percent of the revenue received shall be allocated to the county of origin. Each county board of supervisors shall determine the appropriate entity within their county to administer the funds allocated to their county. Counties may use up to 3 percent of these funds for administrative purposes to assist with the delivery of the expenditure plan in their county;~~

~~(B) Up to 50 percent of the revenue received shall be collected by the authority for expenditures consistent with the purposes set forth in subdivision (a) and shall be eligible to be spent in any county in which the measure is in effect;~~

~~(3) For funds distributed pursuant to subparagraph (A) of paragraph (1) and subparagraph (A) of paragraph (2), counties shall provide a direct allocation to a city in their county if it is one of the three largest cities in the nine-county region, as determined on the basis of the most recent population estimate by the Department of Finance. The allocation shall be based on the city's share of the county's regional housing need allocation for very low, low, and moderate income households;~~

~~(4) The executive board and the authority shall, in consultation with the advisory committee, adopt a regional~~

~~expenditure plan for the use of any available funds pursuant to subparagraph (B) of paragraph (1) and subparagraph (B) of paragraph (2) by July 1 of each year. The expenditure plan shall set forth the share and estimated funding amount to be spent on each of the categories as established in subdivision (a), indicate the household income levels to be served within each category of expenditures, and estimate the number of affordable housing units to be built or preserved.~~

~~(5)Each county shall submit an expenditure plan to the authority as follows:~~

~~(A)The expenditure plan shall be submitted by July 1 of each year.~~

~~(B)To be deemed complete, the expenditure plan shall specify the proposed allocation of funds for the next 12 months, as follows:~~

~~(i)The proposed share of revenues to be allocated to the construction of new affordable housing, affordable housing preservation, and tenant protection programs. The plan shall include a minimum allocation of 50 percent towards construction of new affordable housing, 15 percent towards affordable housing preservation, and 5 percent towards tenant protection programs, unless the county adopts a finding and the executive board and the authority concur that those minimum targets are inconsistent with subdivision (a) or are otherwise not feasible or are otherwise not the best use of funds to achieve the county's regional housing need allocation.~~

~~(ii)The plan shall include a description of any specific project or program proposed to receive funding, including the location, amount of funding, and anticipated outcomes.~~

~~(iii)Commencing with the second year, each county shall include in its expenditure plan a report on its allocations and expenditures to date of projects funded and the extent to which the minimum targets in subdivision (a) were achieved.~~

~~(6)If the authority determines, by a vote of its board, that a county has not submitted a complete expenditure plan pursuant to the requirements of subparagraph (B) of paragraph (2), the authority may, by a vote of its board, withhold allocation of revenues to a county until the county submits a complete expenditure plan.~~

~~(7)The authority shall post each completed expenditure plan on its internet website.~~

~~(8)A county may request the authority to administer its share of the funds pursuant to paragraphs (1) and (2). If the authority agrees to administer the funds, it shall develop and adopt an annual expenditure plan that shall be jointly approved by the authority and the executive board, and projects allocated according to that plan shall be subject to the same timelines described in paragraph (9).~~

~~(9)After funds administered by a county pursuant to subparagraph (A) of paragraph (1) and subparagraph (A) of paragraph (2) are committed to a specific project, they shall remain available for expenditure for three years. However, the authority may authorize expenditure beyond three years pursuant to guidelines that shall be reviewed and adopted by the executive board and the authority. The authority and the executive board may adopt further guidelines designed to expedite the use of these funds.~~

~~(10)Funds allocated to a city pursuant to paragraph (3) shall be committed to a specific project within five years of receipt. Once committed to a specific project, funds shall be remain available for expenditure for an additional three years. However, the authority may authorize expenditure beyond those additional three years. The authority may require that any funds allocated to a city pursuant to paragraph (3) that are not committed to a specific project within three years shall be transferred to the authority for use in any county in which the measure appeared on the ballot.~~

~~(d)The authority shall be entitled to up to 3 percent of funds for program administration.~~

~~64651.The authority shall monitor expenditures in coordination with local jurisdictions.~~

~~64652.To ensure oversight and accountability, the authority shall provide an annual report on allocations and expenditures under its control, which shall include a tracking of projects funded and the extent to which the minimum targets in subdivision (a) of Section 64650 were achieved.~~

SEC. 2. The Legislature finds and declares that a special statute is necessary and that a general statute

cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the uniquely severe shortage of available funding and resources for the development and preservation of affordable housing and the particularly acute nature of the housing crisis within the nine counties of the San Francisco Bay area region.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

Pat Eklund

From: Pat Eklund <peklund@novato.org>
Sent: Monday, July 8, 2019 6:10 PM
To: assemblymember.chiu@assembly.ca.gov; David.Chiu@asm.ca.gov
Cc: Erin.Baum@asm.ca.gov; senator.moorlach@senate.ca.gov; senator.Beall@senate.ca.gov; Senator.Hertzberg@senate.ca.gov; External_eklund; Senator Mike McGuire; Scott.weiner@senate.ca.gov; Jim.Nielsen@senate.ca.gov; Melissa.Hurtado@senate.ca.gov; assemblymember.levine@assembly.ca.gov
Subject: Questions on AB 1487

Assembly member Chiu. After reviewing the latest changes to AB 1487, there are a few questions and clarifications needed prior to the hearing scheduled for Wednesday, July 10, 2019.

- 1) What are the powers of the Authority, as defined, and what are the powers of the Executive Board? What happens when there is a disagreement? How are those differences reconciled?
- 2) Why does this bill empower the Metropolitan Transportation Commission to 'serve as the governing board of the authority'? Shouldn't the Executive Board who currently has the legal authority for housing, be the entity to serve as the governing board of the authority?
- 3) Section 64511(a)(1) states: "The executive board shall review and approve projects authorized by this chapter prior to review, approval, and allocation by the authority." Why doesn't the Executive Board make the decisions since they are the Council of Governments with legal authority over housing issues?
- 4) Does this bill empower the new authority to legally buy and sell property including land. If so, which sections provide that authority?
- 5) If local governments are collecting a commercial linkage fee that is imposed by the Executive Board and/or the authority, where is the provision for local governments to be reimbursed for the costs associated with collecting and dispersing the commercial linkage fee to the authority?
- 6) This bill empowers the authority to place a revenue measure on the ballot to institute a parcel tax. Please clarify whether this parcel tax would be on commercial and/or residential properties?

thanks for providing additional clarification on these issues.

Pat Eklund, Council Member
City of Novato
415-883-9116



ABAG

Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #:	19-0817	Version:	1	Name:	
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File created:	6/25/2019	In control:		ABAG Executive Board	
On agenda:	7/18/2019	Final action:			
Title:	SB 330 (Skinner): Housing Crisis Act of 2019				

SB 330 aims to accelerate new housing construction by speeding up project approvals; prohibiting downzoning in high-rent, low-vacancy areas; and providing project proponents with a higher degree of certainty as to the rules and standards that apply when submitting a preliminary application for a housing development.

Sponsors:

Indexes:

Code sections:

Attachments: [Item 08c Summary Sheet SB 330 v2.pdf](#)
[Item 08c Attachment Joint Legislation SB 330 \(Skinner\).pdf](#)

Date	Ver.	Action By	Action	Result
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SB 330 (Skinner): Housing Crisis Act of 2019

SB 330 aims to accelerate new housing construction by speeding up project approvals; prohibiting downzoning in high-rent, low-vacancy areas; and providing project proponents with a higher degree of certainty as to the rules and standards that apply when submitting a preliminary application for a housing development.

Georgia Gann Dohrmann

Support / Executive Board Approval

Association of Bay Area Governments

Executive Board

July 18, 2019

Agenda Item 8.c.

SB 330 (Skinner): Housing Crisis Act of 2019

Subject: SB 330 (Skinner): Housing Crisis Act of 2019

Background: At the July 12, 2019 joint ABAG Legislation Committee and MTC Legislation Committee meeting, staff reported on the status of SB 330 (Skinner)

Staff reported that the major areas of concern expressed by the Metropolitan Transportation Commission and Association of Bay Area Governments in their May action have since been addressed (see attachments).

Issues: The Legislation Committee did not have a quorum and did not act.

Recommended Action: The Executive Board is requested to support SB 330 (Skinner).

Attachments: Summary Sheet, Joint MTC Legislation Committee and ABAG Legislation Committee, July 12, 2019 (and attachments)

Reviewed:



Therese W. McMillan

**Metropolitan Transportation Commission and Association of Bay Area Governments
Joint MTC Legislation Committee and ABAG Legislation Committee**

July 12, 2019

Agenda Item 5b

SB 330 (Skinner): Housing Crisis Act of 2019

Subject: SB 330 aims to accelerate new housing construction by speeding up project approvals; prohibiting downzoning in high-rent, low-vacancy areas; and providing project proponents with a higher degree of certainty as to the rules and standards that apply when submitting a preliminary application for a housing development.

Background: MTC and ABAG took a “Seek Amendments” position on SB 330 in May. The bill has since been substantially amended. The following amendments to the bill address our concerns:

- Removal of provisions that would have limited a city’s ability to apply parking minimums;
- Removal of the provision that would have frozen impact fees at January 1, 2018 levels;
- Removal of provisions that would have hampered voters’ ability to set supermajority requirements or to require a vote of the people before certain land use changes are made; and
- Removal of the “look back” provision on allowable densities to allow a developer to build at densities in effect “prior to” January 1, 2018.

Other substantial amendments made since our May action include:

- Elimination of a provision that would have allowed residents to remain in “substandard buildings” that didn’t meet state building code as long as the code violations were not “health and safety” related;
- Reduced duration of the bill’s provisions to just five years (through 2025) rather than 2030;
- Aligns the new requirements related to housing applications with the existing Permit Streamlining Act (1970), rather than creating new duplicative process.

Discussion: Staff continues to find SB 330’s provisions related to streamlining zoning-compliant projects reasonable and likely to speed up the construction of new housing in high-rent, low-vacancy jurisdictions throughout the Bay Area. Eight Bay Area cities do not meet the SB 330 high-rent, low vacancy criteria and would therefore be exempted from the bill, as detailed in Attachment A. Many of the concerns raised by MTC and ABAG as well as the Housing Legislative Working Group have been addressed through the amendments to the bill, such as restrictions on imposing minimum parking requirements (struck); requirement that a project be approved within 12 months (struck); cap on impact fees (struck); and the allowance for a developer to build at densities that had been allowed *prior to* January 1, 2018 (struck); and a provision related to occupied substandard buildings (struck).

Project Approval Acceleration

Given the amendments made to the bill, it is now focused on providing developers with greater certainty as to what is required when proposing a new housing development in a given jurisdiction and speeding up the overall project review process. Specifically, SB 330 establishes new criteria applicable to determining when a housing development project proponent has submitted a “preliminary application.” The bill has been amended to require that each local agency compile its own checklist

July 12, 2019

Page 2 of 2

and application form that applicants for housing development projects can use to submit a preliminary application but also requires the Department of Housing and Community Development to adopt a standardized form for this purpose if a local agency hasn't adopted its own form. This change is responsive to concerns we heard at the Housing Legislative Working Group: Don't mandate that cities use a state form; let them develop the form but rely on HCD if they need to do so. Importantly, the bill includes a list of 13 general categories of information that shall be included in the checklist for a preliminary application to be deemed complete and prohibits a jurisdiction from requiring additional items.

The bill continues to require that a project may not be subject to new ordinances, rules or fees after a preliminary application is submitted except under certain circumstances, such as when necessary for health and safety, to mitigate a project under the California Environmental Quality Act, or the project has not begun construction within three years of receiving final approval. If a project complies with existing zoning and the general plan, the bill provides that a local government may not: (1) require more than five hearings or 2) delay a decision about whether or not to issue a permit beyond 12 months, with an extension allowed in certain circumstances.

Prohibit Downzoning in Affected Areas

The bill would prohibit a local agency, or its voters, from (1) adopting any policy that would result in a "less intensive" residential use than what was in effect on January 1, 2018; (2) imposing a moratoria or cap on housing development, unless HCD determines that it is to protect against an immediate health and safety threat for persons residing in or near the area subject to the moratorium or to protect projects identified as existing restricted affordable housing; or (3) imposing or enforcing design standards that are not objective. Importantly, the bill allows for a reduction in residential density if the local agency adjusts zoning elsewhere to ensure no net loss in residential capacity.

Because SB 330 is the most significant "production" related housing policy bill still moving in 2019 and because the major areas of concern expressed by MTC and ABAG in our May action have since been addressed, staff recommends a support position on the bill.

Recommendation: Support

Bill Positions: See attached

Attachments: **Attachment A:** SB 330 (Skinner) Definitions and Affected Cities and Counties in the Bay Area
Attachment B: SB 330 (Skinner) Bill Positions
Attachment C: Preliminary Checklist items


Therese W. McMillan

Definitions of Affected Cities and Counties in SB 330 (Skinner)

“Affected city or county” in the bill means a city, or city and certain unincorporated areas of a county, including a charter city, for which the Department of Housing and Community Development determines that the average of both of the following amounts is greater than zero:

- The percentage by which the city’s average rate of rent differed from 130 percent of the national median rent in 2017, based on the federal 2013–2017 American Community Survey 5-year Estimates.
- The percentage by which the vacancy rate for residential rental units differed from the national vacancy rate, based on the federal 2013–2017 American Community Survey 5-year Estimates.

Additionally, “affected city” does not include any city that has a population of 5,000 or less and is not located within an urban core “Affected county” means unincorporated portions of a county that are wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau, for which the Department of Housing and Community Development determines that the average of both of the following amounts is greater than zero:

- The percentage by which the average rate of rent for residential uses in the unincorporated portions of the county that are wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau, differed from 130 percent of the national median rent in 2017, based on the federal 2013-2017 American Community Survey 5-year Estimates.
- The percentage by which the vacancy rate for residential rental units in the unincorporated portions of the county that are wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau, differed from the national vacancy rate, based on the federal 2013-2017 American Community Survey 5-year Estimates.

Affected Cities and Counties in the Bay Area

The following cities are NOT considered “affected cities” for purposes of the bill:

- Belvedere, Marin County
- Ross, Marin County
- Yountville, Napa County
- Los Altos Hills, Santa Clara County
- Monte Sereno, Santa Clara County
- City of Brisbane, San Mateo County
- Town of Colma, San Mateo County
- Town of Portola Valley, San Mateo County

All other Bay Area cities are considered affected cities.

SB 330 (Skinner) Bill Positions

Support

Bay Area Council
Bridge Housing Corporation
Building Industry Association of the Bay Area
California Apartment Association
California Association of Realtors
California Building Industry Association
California Chamber of Commerce
California Community Builders
California-Hawaii State Conference of the NAACP
California YIMBY
Chan Zuckerberg Initiative
East Bay for Everyone
East Bay Leadership Council
Eden Housing
Emerald Fund
Enterprise Community Partners
Facebook
Hamilton Families
Local Government Commission
Martin Luther King Jr. Freedom Center
MidPen Housing Corporation
Non-Profit Housing Association of Northern California
North Bay Leadership Council
Oakland Metropolitan Chamber of Commerce
Orange County Business Council
PICO California
Related California
The San Francisco Foundation
San Francisco Housing Action Coalition
Santa Cruz YIMBY
Silicon Valley At Home
Silicon Valley foundation
SPUR
Terner Center for Housing Innovation
TMG Partners
Urban Displacement Project, UC-Berkeley
Working Partnerships USA

Oppose

AIDS Healthcare Foundation
Association of California Cities - Orange County
Boyle Heights Community Partners
Cities Association Of Santa Clara County
City of Bellflower
City of Beverly Hills
City of Burbank
City of Camarillo
City of Cloverdale
City of Clovis
City of Cupertino
City of Downey
City of Garden Grove
City of Glendale
City of La Mirada
City of Laguna Hills
City of Los Alamitos
City of Mountain View
City of Novato
City of Orinda
City of Paramount
City of Pasadena
City of Rancho Cucamonga
City of San Carlos
City of San Dimas
City of San Marcos
City of Solana Beach
City of Thousand Oaks
City of Torrance
City of Tulare
City of Ventura
City of Vista
Coalition for Economic Survival
Coalition for San Francisco Neighborhoods
Coalition for Valley Neighborhoods
Coalition to Preserve LA
Cultural Action Network
Dolores Heights Improvement Club
East Mission Improvement Association
Environmental Defense Center
Grayburn Avenue Block Club
Individuals Opposed to SB 330

Oppose, cont'd.

Jorge Castaneda
Keep Sunnyvale Beautiful
League of California Cities
Livable California
Los Angeles County Division, League of
California Cities
Marin County Council of Mayors and
Council Members
Paul Koretz, Councilmember, City of Los
Angeles

San Gabriel Valley Council of Governments
Save our Heritage Organization
Solano County Board of Supervisors
South Bay Cities Council of Governments
Spaulding Square Neighborhood
Association
Sustainable TamAlmonte
Town of Colma
Ventura Council of Governments
Individuals - 96

Oppose Unless Amended

California State Association of Counties
City of Morgan Hill
Urban Counties of California

SB 330 (Skinner) Preliminary Application Checklist

Section 65941.1 (a) specifies the following information shall be included in a preliminary application for it to have been deemed submitted:

- (1) The specific location, including parcel numbers, a legal description, and site address, if applicable.
- (2) The existing uses on the project site and identification of major physical alterations to the property on which the project is to be located.
- (3) A site plan showing the location on the property, elevations showing design, color, and material, and the massing, height, and approximate square footage, of each building that is to be occupied.
- (4) The proposed land uses by number of units and square feet of residential and nonresidential development using the categories in the applicable zoning ordinance.
- (5) The proposed number of parking spaces.
- (6) Any proposed point sources of air or water pollutants.
- (7) Any species of special concern known to occur on the property.
- (8) Any portion of the property located within any of the following:
 - (A) A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178.
 - (B) Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).
 - (C) A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code.
 - (D) A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency.
 - (E) A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.
- (9) Any historic or cultural resources known to exist on the property.
- (10) The number of proposed below market rate units and their affordability levels.
- (11) The number of bonus units and any incentives, concessions, waivers, or parking reductions requested pursuant to Section 65915.
- (12) Whether any approvals under the Subdivision Map Act, including, but not limited to, a parcel map, a tentative map, or a condominium map, are being requested.
- (13) The applicant's contact information and, if the applicant does not own the property, consent from the property owner to submit the application.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #:	19-0819	Version:	1	Name:	
Type:	Report	Status:		Executive Board Approval	
File created:	6/25/2019	In control:		ABAG Executive Board	
On agenda:	7/18/2019	Final action:			
Title:	AB 1486 (Ting): Surplus Lands Act Expansion and Revision				

AB 1486 would revise the Surplus Lands Act (SLA) - the state law that requires local agencies to prioritize affordable housing, as well as parks and open space, when disposing of land no longer necessary for the agency's use.

Sponsors:

Indexes:

Code sections:

Attachments: [Item 08d Summary Sheet AB 1486 v2.pdf](#)
[Item 08d Attachment Joint Legislation AB 1486 \(Ting\).pdf](#)

Date	Ver.	Action By	Action	Result
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AB 1486 (Ting): Surplus Lands Act Expansion and Revision

AB 1486 would revise the Surplus Lands Act (SLA) - the state law that requires local agencies to prioritize affordable housing, as well as parks and open space, when disposing of land no longer necessary for the agency's use.

Georgia Gann Dohrmann

Support / Executive Board Approval

Association of Bay Area Governments

Executive Board

July 18, 2019

Agenda Item 8.d.

AB 1486 (Ting): Surplus Lands Act Expansion and Revision

Subject: AB 1486 (Ting): Surplus Lands Act Expansion and Revision

Background: At the July 12, 2019 joint ABAG Legislation Committee and MTC Legislation Committee meeting, staff reported on the status of AB 1486 (Ting).

Staff reported that Association of Bay Area Governments and Metropolitan Transportation Commission's concerns have either been incorporated through amendments or commitment received that these will be addressed (see attachments).

Issues: The Legislation Committee did not have a quorum and did not act.

Recommended Action: The Executive Board is requested to support AB 1486 (Ting).

Attachments: Summary Sheet, Joint MTC Legislation Committee and ABAG Legislation Committee, July 12, 2019 (and attachments)

Reviewed:



Therese W. McMillan

Metropolitan Transportation Commission and the Association of Bay Area Governments Joint MTC Legislation Committee and ABAG Legislation Committee

July 12, 2019

Agenda Item 5c

AB 1486 (Ting): Surplus Lands Act Expansion and Revision

Subject: AB 1486 would revise the Surplus Lands Act (SLA) – the state law that requires local agencies to prioritize affordable housing, as well as parks and open space, when disposing of land no longer necessary for the agency’s use.

Background: In May, MTC and ABAG adopted a “support if amended” position on AB 1486. MTC and ABAG supported the policy of expanding the scope of public lands required to be considered for affordable housing and making it easier for local agencies and organizations seeking to develop affordable housing to identify land purchase opportunities. However, there were a number of concerns that needed to be addressed, as described in the May Commission item and Joint MTC and ABAG Legislation Committee memo (Attachment A). As detailed in the chart below, two of our concerns have been incorporated into amendments. Staff believes the bill will be amended to address the remaining concerns but have not yet received confirmation on the language. We will provide an update at your meeting on July 12th.

Issue	Concern Addressed	Notes
<i>Broader Negotiations:</i> Expand negotiations scope beyond sales and lease price to ensure other valid topics, such as a project’s financial viability, are allowed.	✓	Sole remaining limitation: Negotiations may not disallow residential use of the site, except for public health or safety
<i>Require Local Support for Zoning Override:</i> Tie provision allowing 100% affordable housing, regardless of zoning, to local subsidy.	✓	Provision removed from the bill
<i>Redevelopment Agency Successors:</i> Ensure the bill does not limit a successor agency’s ability to comply with existing asset disposal requirements.	Pending confirmation	Awaiting written confirmation on language
<i>No Lookbacks:</i> Ensure AB 1486 changes only apply to land disposals initiated after the bill’s effectiveness date.	Pending confirmation	Awaiting written confirmation on language

Discussion: It is widely recognized that one of the barriers to low-income and workforce housing production in the Bay Area is a lack of available and affordable land. Public lands have been identified as an opportunity to address this issue. AB 1486 would expand the scope of public lands required to be considered for affordable housing, provide clarity as to how local agencies should prioritize affordable housing development when disposing of excess public land, and make it easier for

local agencies and organizations seeking to develop affordable housing to identify land purchase opportunities. The bill would also provide the Department of Housing and Community Development with new tools to enforce the longstanding SLA mandate.

AB 1486 has the potential to support the Bay Area in addressing the region's chronic housing shortage and two of our amendment recommendations have been incorporated into the bill. However, as of the writing of this memo, two issues remain outstanding. Staff will provide an update at your meeting on July 12th.

Recommendation: If we receive confirmation by July 12th that the outstanding issues related to redevelopment agency successors and the lookback provisions will be addressed, we will recommend a "support" position.

Bill Positions: See attached

Attachments: **Attachment A:** AB 1486 May Meeting Materials (Commission Cover Memo and Joint MTC Legislation Committee and ABAG Legislation Committee Memo)
Attachment B: AB 1486 (Ting) Bill Positions (as of 6/21/19)


Therese W. McMillan

Metropolitan Transportation Commission

May 22, 2019

Agenda Item 9b. vi.

AB 1486 (Ting): Surplus Lands Act Expansion & Revision

Subject: Position on AB 1486 (Ting): Surplus Lands Act Expansion & Revision

Background: On May 10, the Legislation Committee reviewed legislation and recommended a “support if amended” position on AB 1486 with the following requested amendments:

- 1) Expand negotiations scope beyond sales and lease price to ensure that valid topics such as a project’s financial viability are not prohibited in the scope of negotiations.
- 2) Ensure that the bill would not limit a successor to a redevelopment agency’s ability to comply with existing asset disposal requirements, as mandated in ABX1 26.
- 3) Amend the provision permitting residential use for 100 percent affordable housing developments to limit the allowance to those projects that have received local subsidies.
- 4) Pursue amendments to ensure that the proposed changes not disrupt the sale of the Oakland Coliseum property, by clarifying that the bill would only apply to land disposals initiated after the effective date of the bill.

Issues: None.

Recommendation: The Commission is requested to adopt a “support if amended” position on AB 1486.

Attachments: May 10 Legislation Committee summary sheet. Note: The charts in Attachment A to the staff memo reflect 2016 tax accessor’s data. The charts do not reflect land transfers and/or developments that have been initiated since the data was initially collected.

Reviewed:



Therese W. McMillan

**Metropolitan Transportation Commission and the Association of Bay Area Governments
Joint MTC Legislation Committee and
ABAG Legislation Committee**

May 10, 2019

Agenda Item 7c6

AB 1486 (Ting): Surplus Lands Act Expansion and Revision

Subject: AB 1486 would revise the Surplus Lands Act (SLA) – the state law that requires local agencies to prioritize affordable housing, as well as parks and open space, when disposing of land no longer necessary for the agency’s use – and other state laws related to making surplus public land available for affordable housing development.

Background: Enacted in 1968 and revised in 2014, the SLA requires that prior to disposing of surplus land, local agencies—including cities, counties and districts—give right of first refusal to other local governments or organizations that agree to use sites for low- and moderate-income housing developments or parks and open space. Top priority is given to affordable housing development proposals with at least 25 percent of the units reserved for families earning 80 percent area median income or below. Specifically, local agencies are required to give notice of available surplus property to relevant public entities and interested affordable housing developers and if a preferred entity expresses interest within 60 days, the parties must enter into good faith negotiations. If no agreement on sales price or lease terms is reached after 90 days, the local agency may proceed with disposing of the land through other avenues. The California Department of General Services is similarly required to prioritize affordable housing development when disposing of land no longer necessary for the state’s use.

AB 1486 would revise the Surplus Lands Act and related law as follows:

- Expand the scope of the SLA so that the provisions apply to parcels owned by successors to redevelopment agencies and provide that land would be presumed to be “surplus” when a local agency takes an action to dispose of it.
- Revise and clarify surplus land disposal process requirements.
- Permit that 100 percent affordable housing be allowed on surplus land, regardless of local zoning; Provision would not apply to exempt surplus land (e.g., protected open space) or land ineligible for affordable housing financing programs and the project would remain subject to environmental review.
- Require that the Department of Housing and Community Development (HCD) create and maintain a statewide inventory of local surplus public lands sourced from local land inventories.
- Expand HCD’s enforcement mandate to include SLA compliance.

Joint MTC Legislation Committee and ABAG Legislation Committee

May 10, 2019

Page 2 of 2

Issues:

It is widely recognized that one of the barriers to low-income and workforce housing production in the Bay Area is a lack of available and affordable land. Public lands have been identified as an opportunity to address this issue. For example, a 2018 MTC Workforce Housing Action Plan memorandum identified nearly 700 acres of Bay Area public lands suitable for housing near transit estimated to have capacity for roughly 35,000 housing units (see Attachment A).¹

AB 1486 would expand the scope of public lands required to be considered for affordable housing, making it easier for local agencies and organizations seeking to develop affordable housing to identify land purchase opportunities. However, staff has a number of concerns that we believe should be addressed, detailed below:

- *Negotiations Scope:* Narrowing negotiations to sales and lease price, as proposed by AB 1486, would limit a local agency's ability to incorporate other important considerations such as a project's financial viability into the negotiation. Staff recommends the bill be amended to ensure that these and other valid topics are not prohibited in the scope of negotiations.
- *Redevelopment Agency Successors:* The Housing Legislative Working Group (HLWG) raised that first offering to affordable housing developers parcels owned by successors to redevelopment agencies may impede a successor agency from disposing of land consistent with ABX1 26 (2011), including the mandate to pay for existing obligations to the various taxing agencies in the redevelopment area. Staff recommends working with the author to ensure that the bill would not limit successor agency's ability to comply with existing asset disposal requirements.
- *100% Affordable Housing, Notwithstanding Local Zoning:* The HLWG expressed concerns that AB 1486 might result in development in areas that are inappropriate for housing. Staff recommends that the provision permitting residential use for 100 percent affordable housing developments be amended to limit the allowance to those projects that have received local subsidies, and therefore would not be in locations deemed inappropriate.

Recommendation: Support if Amended

Bill Positions: See Attachment B

Attachments: Attachment A: Attachment A: Public Land Suitable for Housing Near Transit
Attachment B: Bill Positions



Therese W. McMillan

¹ MTC in 2016 took steps to increase awareness of the SLA by conditioning certain One Bay Area Grant (OBAG) 2 eligibility on the adoption of a resolution confirming SLA compliance. As of December 2017, all general law cities and counties that were recommended for OBAG 2 county program funding had met this requirement.

Bill Positions on AB 1486 (Ting)
(6/27/19)

Support

East Bay Housing Organizations (Co-Sponsor)
NonProfit Housing Association of Northern California (Co-Sponsor)
Bay Area Council
Bay Area Housing Advocacy Coalition
Bay Area Regional Health Inequities Initiative
Building Industry Association of the Bay Area
California Apartment Association
California Coalition for Rural Housing
California Community Builders
California Housing Consortium
California Housing Partnership
California Rural Legal Assistance Foundation
California YIMBY
Chan Zuckerberg Initiative
Community Legal Services in East Palo Alto
EAH Housing
East Bay Asian Local Development Corporation

Enterprise Community Partners, Inc.
Greenbelt Alliance
Habitat for Humanity California
Habitat for Humanity East Bay/Silicon Valley
Hamilton Families
Midpen Housing Corporation
North Bay Leadership Council
Related California
San Diego Housing Federation
San Francisco Foundation
San Francisco Housing Action Coalition
Silicon Valley At Home
Silicon Valley Community Association
Southern California Association of Nonprofit Housing
Tenderloin Neighborhood Development
TMG Partners
Transform
Urban Displacement Project, UC Berkeley
Western Center on Law & Poverty, Inc.

Oppose

Association Of California Healthcare Districts
Association Of California Water Agencies
California Association Of Sanitation Agencies
California Municipal Utilities Association
California Special Districts Association
California State Association Of Counties
Cambria Community Services District
Central Contra Costa Sanitary District
Chino Valley Independent Fire District
Coachella Valley Water District
Costa Mesa Sanitary District
Crestline Sanitation District
Cucamonga Valley Water District
Denair Community Services District
Desert Recreation District

Dublin San Ramon Services District
East Contra Costa Fire Protection District
Eastern Kern County Resource Conservation District
El Dorado Hills Community Services District
Fallbrook Public Utilities District
Fresno Mosquito And Vector Control District
Garberville Sanitary District
Georgetown Divide Public Utility District
Goleta Sanitary District
Goleta West Sanitary District
Greenfield County Water District
Helix Water District
Humboldt Bay Municipal Water District
Ironhouse Sanitary District

Oppose, cont.

Irvine Ranch Water District
Kern County Cemetery District
Leucadia Wastewater District
Mckinleyville Community Services District
Merced County Mosquito Abatement District
Mesa Water District
Montara Water And Sanitary District
Mt. View Sanitary District
North County Fire Protection District
North Tahoe Fire Protection District
Northern Salinas Valley Mosquito Abatement District
Oceano Community Services District
Ojai Valley Sanitary District
Orange County Cemetery District
District Orange County Mosquito And Vector Control District
Orange County Water District
Palo Verde Cemetery District
Rainbow Municipal Water District
Reclamation District 1000
Rural County Representatives Of California
San Bernardino Valley Water District
San Juan Water District
San Marcos; City Of
San Ramon Valley Fire Protection District

Sanitation Districts of Los Angeles County
Santa Clara County
Santa Margarita Water District
Silveyville Cemetery District
Solano County
Solano Irrigation District
South Coast Water District
Stallion Springs Community Services District
Steger Sanitary District
Tahoe City Public Utility District
Templeton Community Services District
Three Valleys Municipal Water District
Town Of Discovery Bay Community Services District
Tulare Mosquito Abatement District
Tulare Public Cemetery District
Urban Counties Of California
Valley Center Municipal Water District
Ventura Port District
Visalia Public Cemetery District
Vista Irrigation District
West County Wastewater District
West Side Recreation & Park District
Yucaipa Valley Water District



Metropolitan Transportation Commission

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Legislation Details (With Text)

File #: 19-0759 **Version:** 1 **Name:**
Type: Report **Status:** Executive Board Approval
File created: 6/10/2019 **In control:** ABAG Executive Board
On agenda: 7/18/2019 **Final action:**
Title: ABAG Finance Committee Report
Sponsors:
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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ABAG Finance Committee Report

Karen Mitchoff

Approval



Metropolitan Transportation Commission

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San Francisco, CA 94105

Legislation Details (With Text)

File #:	19-0827	Version:	1	Name:	
Type:	Report	Status:		Executive Board Approval	
File created:	7/1/2019	In control:		ABAG Executive Board	
On agenda:	7/18/2019	Final action:			
Title:	Authorization to enter into contract with Visual Strategies for Association of Bay Area Governments website operations and maintenance in an amount not to exceed \$150,000 for Fiscal Year 2019/2020				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Item 09b Summary Sheet Visual Strategies.pdf Item 09b Summary Approval Visual Strategies.pdf				

Date	Ver.	Action By	Action	Result
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Authorization to enter into contract with Visual Strategies for Association of Bay Area Governments website operations and maintenance in an amount not to exceed \$150,000 for Fiscal Year 2019/2020

Nick Roethel

Approval

Association of Bay Area Governments

Executive Board

July 18, 2019

Agenda Item 9.b.

ABAG Website Operations and Maintenance

Subject: Authorization to enter into contract with Visual Strategies for Association of Bay Area Governments website operations and maintenance in an amount not to exceed \$150,000 for Fiscal Year 2019/2020

Background: In support of the Association of Bay Area Governments (ABAG) and its programs, the Metropolitan Transportation Commission (MTC) Technology Services Section (TSS) maintains contracts to operate several websites. Currently, MTC supports the following ABAG-related websites:

- ABAG—abag.ca.gov
- BAPDA—bapda.net
- BayREN—bayrenresidential.org
- Ecowise Certification—exowisecertified.org
- Resilience—resilience.abag.ca.gov
- SF Bay Restoration Authority—sfrestore.org
- SF Bay Trail—baytrail.org

These websites exist on a variety of platforms and operating systems. Since the staff transition, TSS has been working to standardize the websites onto MTC's single, upgradeable, secure and supportable platform. Thus far, two ABAG-related websites have been transitioned to the new platform. In addition to operating funds for websites, staff intends to transition the remainder of the non-standard websites to the standard platform in the 2019/20 fiscal year.

Funds will be allocated to Visual Strategies and distributed via a joint MTC/ABAG contract for overall website operations. This joint work takes advantage of the scale of economies created by the integrated ABAG/MTC staff.

The MTC Administration Committee approved this work on April 3, 2019. Visual Strategies is MTC's primary website support company. This contract is required to keep the websites operating and secure.

Association of Bay Area Governments

Executive Board

July 18, 2019

Agenda Item 9.b.

ABAG Website Operations and Maintenance

Issues: None

Recommended Action: The Executive Board is requested to authorize the Executive Director of the Metropolitan Transportation Commission, or her designee, to enter into a contract with Visual Strategies on behalf of the Association of Bay Area Governments for website operations and maintenance in an amount not to exceed \$150,000 for Fiscal Year 2019/2020.

Attachments: Summary Approval for Visual Strategies

Reviewed:


Therese W. McMillan

**S U M M A R Y O F E X E C U T I V E B O A R D A P P R O V A L**

Work Item No.:	1161
Consultant:	Visual Strategies
Work Project Title:	ABAG Website Maintenance and Operations
Purpose of Project:	Maintenance and Operations of ABAG websites.
Brief Scope of Work:	Provide maintenance, operations, enhancement and migration services for ABAG and its associated websites.
Project Cost Not to Exceed:	\$150,000
Funding Source:	ABAG General Fund
Fiscal Impact:	\$150,000 in FY19/20
Motion by Committee:	The Executive Board is requested to authorize the Executive Director of the Metropolitan Transportation Commission, or her designee, to enter into a contract with Visual Strategies on behalf of the Association of Bay Area Governments for website operations and maintenance in an amount not to exceed \$150,000 for Fiscal Year 2019/2020.
ABAG Executive Board Approval:	David Rabbitt, ABAG President
Approval Date:	July 18, 2019



Metropolitan Transportation Commission

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Legislation Details (With Text)

File #: 19-0760 **Version:** 1 **Name:**

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

File created: 6/10/2019 **In control:** ABAG Executive Board

On agenda: 7/18/2019 **Final action:**

Title: ABAG Regional Planning Committee Report

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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ABAG Regional Planning Committee Report

Karen Mitchoff

Approval



Metropolitan Transportation Commission

375 Beale Street, Suite 800
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Legislation Details (With Text)

File #: 19-0774 **Version:** 1 **Name:**
Type: Report **Status:** Informational
File created: 6/11/2019 **In control:** ABAG Executive Board
On agenda: 7/18/2019 **Final action:**
Title: Report on Regional Housing Need Allocation (RHNA)

Staff will introduce the Regional Housing Need Allocation (RHNA) process for the 2022-2030 period.

Sponsors:

Indexes:

Code sections:

Attachments: [Item 10b Summary Sheet RHNA v2.pdf](#)
[Item 10b Attachment A Objectives and Factors.pdf](#)
[Item 10b Attachment B Key Milestones.pdf](#)
[Item 10b Attachment C Proposed HMC Composition v2.pdf](#)
[Item 10b Attachment D Subregions Letter and Fact Sheet.pdf](#)
[Item 10b Attachment E Presentation v2 Corrected.pdf](#)

Date	Ver.	Action By	Action	Result
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Report on Regional Housing Need Allocation (RHNA)

Staff will introduce the Regional Housing Need Allocation (RHNA) process for the 2022-2030 period.

Gillian Adams

Information

Association of Bay Area Governments

Executive Board

July 18, 2019

Agenda Item 10.b.

Regional Housing Need Allocation (RHNA)

Subject: Report on Regional Housing Need Allocation (RHNA)

Background: Staff will introduce the Regional Housing Need Allocation (RHNA) process for the 2022-2030 period.

RHNA is the state-mandated¹ process to identify the number of housing units (by affordability level) that each jurisdiction must accommodate in the Housing Element of its General Plan. As part of this process, the California Department of Housing and Community Development (HCD) develops the total housing need determination (RHND) for the Bay Area for an eight-year period (in the next cycle, from 2022 to 2030). ABAG has an opportunity to consult with HCD on the forecast assumptions used in the RHND.

ABAG must then develop a methodology to distribute this need to local governments in a manner consistent with the development pattern in *Plan Bay Area 2050*. RHNA statutes outline a detailed process and schedule for how ABAG must develop an allocation methodology that meets the statute's objectives. The methodology must consider 12 statutory factors and accomplish two outcomes:

- Allocate a share of housing need (in units) to each jurisdiction
- Identify each jurisdiction's share of need by income category²

The RHNA objectives and methodology factors are summarized in Attachment A.

After ABAG adopts the methodology it issues a draft allocation to jurisdictions. Jurisdictions and HCD then have an opportunity to appeal a jurisdiction's allocation. After ABAG takes action on the appeals, it issues the final allocation. Each local government must then revise its Housing Element to show how it plans to accommodate its portion of the region's housing need. The Housing Element must include an inventory of sites that have been zoned for sufficient capacity to accommodate the jurisdiction's RHNA allocation. ABAG's formal role within RHNA ends with adoption of the final allocation—it does not have a say

¹ Government Code §65584

² Very Low Income is 0-50% of Area Median Income (AMI), Low Income is 50-80% of AMI, Moderate Income is 80-120% AMI, and Above Moderate is 120%+ AMI. For reference, the county AMI for a four-person household ranges from \$83,700 in Solano County to \$125,200 in Santa Clara County.

Association of Bay Area Governments

Executive Board

July 18, 2019

Agenda Item 10.b.

Regional Housing Need Allocation (RHNA)

in approval of local jurisdictions' Housing Elements. Attachment B shows the schedule of key milestones for the RHNA process.

Issues:

(1) Recent legislation will result in the following key changes for this RHNA cycle:

Expected higher total regional housing need. HCD's identification of the region's total housing need has changed to account for unmet existing need, rather than only projected housing need. HCD is now required to consider overcrowded households, cost burdened households, and a minimum target vacancy rate.

RHNA plan and local Housing Elements must affirmatively further fair housing. According to HCD, achieving this objective includes preventing segregation and poverty concentration as well as increasing access to areas of opportunity. HCD has mapped Opportunity Areas³ and will develop guidance for jurisdictions about how to address affirmatively furthering fair housing in Housing Elements.

More HCD oversight of RHNA. ABAG and subregions must now submit the draft allocation methodology to HCD for review and comment.

Identifying Housing Element sites for affordable units will be more challenging. Recent legislation has limited the extent to which jurisdictions can reuse sites included in previous Housing Elements and increased the level of scrutiny of small, large, and non-vacant sites when these sites are proposed to accommodate units for very low- and low-income households.

(2) Housing Methodology Committee: For the last three RHNA cycles, ABAG has convened an ad hoc Housing Methodology Committee (HMC) to advise staff on the allocation methodology and to ensure the methodology and resulting allocation meet statutory requirements and are consistent with the development pattern of the RTP/SCS. ABAG staff is recommending to again convene an HMC that includes local elected officials and staff as well as regional stakeholders to facilitate sharing of diverse viewpoints across multiple sectors. The proposed composition for the HMC is outlined in Attachment C.

³ See <https://www.treasurer.ca.gov/ctcac/opportunity.asp>

Association of Bay Area Governments

Executive Board

July 18, 2019

Agenda Item 10.b.

Regional Housing Need Allocation (RHNA)

(3) Subregions: Housing Element law allows two or more jurisdictions to form a “subregion” to conduct a parallel RHNA process to allocate the subregion’s housing need among its members. A subregion is responsible for conducting its own RHNA process that meets all of the statutory requirements related to process and outcomes, including developing its own RHNA methodology, allocating a share of need to each member jurisdiction, and conducting its own appeals process. The subregion’s final allocation must meet the same requirements as the regional allocation: it must further the statutory objectives, have considered the statutory factors, and be consistent with the development pattern of the SCS. Attachment D is a letter and fact sheet about subregions that was sent to jurisdictions to let them know about the opportunity to form a subregion.

Next Steps:

Staff will seek nominations for the HMC and present the proposed committee roster to the ABAG Executive Board for approval in September.

Recommended Action:

Information

Attachments:

- A. RHNA Objectives and Factors
- B. 2022-2030 RHNA Key Milestones
- C. Proposed HMC Composition
- D. Subregions Letter and Fact Sheet
- E. Presentation

Reviewed:



Therese W. McMillan

RHNA Objectives and Factors

Summary of RHNA Objectives *(from Government Code §65584(d) and (e))*

The regional housing needs allocation plan shall further all of the following objectives:

- (1) Increase housing supply and mix of housing types, tenure, and affordability all cities and counties within the region in an equitable manner
- (2) Promote infill development and socioeconomic equity, protect environmental and agricultural resources, encourage efficient development patterns, and achieve GHG reduction targets
- (3) Promote improved intraregional jobs-housing relationship, including balance between low-wage jobs and housing units affordable to low-wage workers in each jurisdiction
- (4) Balance disproportionate household income distributions (more high-income RHNA to lower-income areas and vice-versa)
- (5) Affirmatively further fair housing

Summary of RHNA Factors *(from Government Code §65584.04(d))*

- (1) Existing and projected jobs and housing relationship, particularly low-wage jobs and affordable housing
- (2) Lack of capacity for sewer or water service due to decisions outside the jurisdiction's control.
- (3) The availability of land suitable for urban development.
- (4) Lands protected from urban development under existing federal or state programs
- (5) County policies to preserve prime agricultural land.
- (6) The distribution of household growth assumed for regional transportation plans and opportunities to maximize use of public transportation and existing transportation infrastructure.
- (7) Agreements between a county and cities in a county to direct growth toward incorporated areas of the county
- (8) The loss of units in assisted housing developments as a result of expiring affordability contracts.
- (9) The percentage of existing households paying more than 30 percent and more than 50 percent of their income in rent.
- (10) The rate of overcrowding.
- (11) The housing needs of farmworkers.
- (12) The housing needs generated by the presence of a university within the jurisdiction.
- (13) The loss of units during a state of emergency that have yet to be rebuilt or replaced at the time of the analysis.
- (14) The region's greenhouse gas emissions targets provided by the State Air Resources Board.

ABAG 2022-2030 RHNA and Plan Bay Area 2050 Key Milestones

Per Government Code §65588(e)(3)(A), the Housing Element Due Date is 18 months after adoption of the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). Plan Bay Area 2050, the next regional plan, is scheduled to be adopted in June 2021, with the Housing Element Due Date in December 2022. This schedule assumes that there are subregions. Dates are tentative and subject to change.

	Key Milestones	Deadline
1	Plan Bay Area 2050 and RHNA Kickoff	September 2019
2	Release Draft Plan Bay Area 2050 Regional Growth Forecast, Adopt Growth Framework Update	September 2019
3	Jurisdiction Survey on RHNA factors, Fair Housing ¹	December 2019
4	Deadline for Subregions to Form ²	February 2020
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Glossary of Acronyms

ABAG – Association of Bay Area Governments
 EIR – Environmental Impact Report
 HCD – California Department of Housing and Community Development
 RHNA – Regional Housing Need Allocation
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⁶ GC §65584.04(h).

⁷ GC §65584.04(i).

⁸ GC §65584.05(a). No later than Jun 2021.

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¹² GC §65584.05(e). No later than 45 days after public hearing.

¹³ GC §65584.05(g). Within 45 days after final allocation issued.

¹⁴ Within 30 days after HCD receives Final Plan.

Proposed Housing Methodology Committee (HMC) Composition

For the last three Regional Housing Need Allocation (RHNA) cycles, ABAG has convened an ad hoc Housing Methodology Committee (HMC) to advise staff on the allocation methodology. ABAG staff is recommending to again convene an HMC that includes local elected officials and staff as well as regional stakeholders to facilitate sharing of diverse viewpoints across multiple sectors. Members of the HMC will be asked to commit to attending meetings for up to one year starting in Fall 2019.

To reinforce the role of the ABAG Regional Planning Committee (RPC) in guiding the RHNA process, staff proposes to invite elected officials and stakeholders who are RPC members to self-nominate to be on the HMC. The number of RPC members on the HMC will be limited to 15 to avoid having a quorum of the RPC at the meetings. The HMC will provide regular updates on development of the allocation methodology to the RPC, which will forward its recommendation about the proposed methodology to the ABAG Executive Board.

Per ABAG's bylaws, members of the HMC must be appointed by the President, with the advice and consent of the Executive Board. Staff will present the recommended HMC composition to the Executive Board in July 2019 and return in September 2019 to have the Board ratify the members. Upon the Board's approval of the HMC composition, staff will distribute a call for nominations, with a deadline at the end of August 2019.

Staff's recommendation for the composition of the HMC is below:

Elected Officials – 9 members

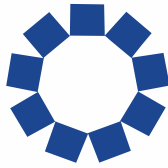
- One elected official per county, with self-nominations from RPC members
- Elected officials will have the ability to delegate participation on the HMCC to a staff person if necessary
- If multiple members put their names forward for a county, final selection will be made by President Rabbitt
- If no RPC members put their names forward for a county, ABAG/MTC staff will work with the ABAG Executive Board to identify a representative

Local Jurisdiction Staff – 12 members

- One housing or planning staff per county for Marin, Napa, San Francisco, San Mateo, Solano, and Sonoma
- Two housing or planning staff per county for Alameda, Contra Costa, and Santa Clara counties, with a recommendation that one seat go to Oakland and San Jose from their respective counties
- Representatives will be nominated by the planning directors in each county

Regional Stakeholders – 11 members

- The HMC will include representatives for the following sectors:
 - 2 social equity
 - 2 business community
 - 1 non-profit housing
 - 1 for-profit housing
 - 1 open space/agriculture
 - 1 public education
 - 1 public health
 - 1 philanthropy
 - 1 public/alternative transportation
- Self-nominations will be requested from RPC members
- ABAG staff will also reach out to organizations beyond those represented on the RPC to achieve the proposed mix of regional stakeholders and ensure the committee includes the areas of expertise needed to develop the RHNA allocation methodology.



ASSOCIATION
OF BAY AREA
GOVERNMENTS

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415.820.7900
www.abag.ca.gov

David Rabbit, President
Supervisor, Sonoma County

Jesse Arreguin, Vice President
Mayor of Berkeley

Julie Pierce, Immediate Past President
Councilmember, City of Clayton

Julie Combs, Chair, Regional Planning Committee
Councilmember, City of Santa Rosa

Scott Haggerty, Chair, Legislation Committee
Supervisor, Alameda County

Karen Mitchoff, Chair, Finance Committee
Supervisor, County of Solano

To: City Managers/County Administrators, Community Development and Planning Directors
From: Ken Kirkey, ABAG/MTC Planning Director
CC: ABAG Executive Board, MTC Commission
Date: June 24, 2019
RE: Regional Housing Need Allocation – Opportunity to Form a Subregion

The Regional Housing Need Allocation (RHNA) is the state-mandated process to identify the number of housing units, by affordability level, that each jurisdiction must accommodate in the Housing Element of its General Plan (Government Code §65584). As part of this process, the California Department of Housing and Community Development (HCD) identifies the total housing need for the Bay Area for an eight-year period (in this cycle, from 2022 to 2030).

As the Council of Governments for the San Francisco Bay Area, ABAG is responsible for developing a methodology to allocate to each city and county a portion of the region's total housing need received from HCD. Key milestones for completing the RHNA process include:

- Release proposed methodology for public comment
- Publish draft methodology and submit to HCD for review
- Adopt final methodology
- Release draft allocation
- Consider appeals of allocations to jurisdictions
- Adopt final RHNA

ABAG will kick off the RHNA process by convening a Housing Methodology Committee (HMC) in Fall 2019 to advise staff during development of the allocation methodology. For more information about RHNA, visit <https://abag.ca.gov/our-work/housing/rhna-regional-housing-need-allocation>.

Opportunity to Form a Subregion

Housing Element law allows two or more jurisdictions to form a “subregion” to conduct a parallel RHNA process to allocate the subregion's housing need among its members. Jurisdictions that form a subregion will accept responsibility for meeting all statutory requirements for RHNA, including undertaking all of the milestones highlighted above.

Jurisdictions that wish to form a subregion must inform ABAG by February 1, 2020. The requirements for forming a subregion and other key details about subregions are available in the attached RHNA Subregion Fact Sheet.

The subregion process allows for greater collaboration among jurisdictions, potentially enabling RHNA allocations that are more tailored to the local context as well as greater coordination of local housing policy implementation. I encourage you to consider partnering with your neighboring communities to form a subregion for completing the RHNA process.

Please contact Gillian Adams, RHNA Project Manager, at gadams@bayareametro.gov or 415-820-7911, to discuss the subregion option or to answer any questions you may have.

KK: GA

C:\Users\gadams\Box\RHNA\Subregions\Subregion Memo to Local Planners 062419.docx

Attachments *ABAG 2022-2030 RHNA and Plan Bay Area 2050 Key Milestones*
RHNA Subregion Fact Sheet

ABAG 2022-2030 RHNA and Plan Bay Area 2050 Key Milestones

Per Government Code §65588(e)(3)(A), the Housing Element Due Date is 18 months after adoption of the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). Plan Bay Area 2050, the next regional plan, is scheduled to be adopted in June 2021, with the Housing Element Due Date in December 2022. This schedule assumes that there are subregions. Dates are tentative and subject to change.

	Key Milestones	Deadline
1	Plan Bay Area 2050 and RHNA Kickoff	September 2019
2	Release Draft Plan Bay Area 2050 Regional Growth Forecast, Adopt Growth Framework Update	September 2019
3	Jurisdiction Survey on RHNA factors, Fair Housing ¹	December 2019
4	Deadline for Subregions to Form ²	February 2020
5	Adopt Final Plan Bay Area 2050 Regional Growth Forecast; Release Plan Bay Area 2050 Draft Preferred Scenario	April 2020
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RHNA SUBREGION FACT SHEET

What is a RHNA Subregion?

A subregion receives a share of the region's total housing need and must allocate a portion to each participating jurisdiction. Creating a subregion provides an opportunity for local governments to exercise greater control over the housing allocation process and provides expanded opportunities for collaboration.

Under the law, by accepting delegation, the subregion is tasked with responsibility for all RHNA tasks, including maintaining the subregion's total housing need, developing an allocation methodology for the subregion that is reviewed by HCD, releasing a draft housing allocation by income using the subregion's adopted allocation methodology, addressing any appeals of the subregion's draft allocation, preparing and approving the subregion's final allocation and conducting the required public hearings.

What are the benefits and challenges of a subregion?

Benefits

- Fosters collaboration among jurisdictions and creates new opportunities for partnerships
- Facilitates dialogue between jurisdictions and the public on housing issues
- Allows potential for allocations that are more tailored to the local context as well as greater coordination of local housing policy implementation
- Promotes better alignment between local and regional needs

Challenges

- Increased scrutiny and HCD oversight for upcoming cycle
- Jurisdictions must commit resources and staff time, which can be significant
- Potential for lack of compromise

Who can form a subregion?

By statute, a subregion "may include a single county and each of the cities in that county or any other combination of geographically contiguous local governments."¹ The subregion must include the unincorporated county as a member. It does not need to include all jurisdictions within the county, but the subregion members must be geographically contiguous.

What must a subregion do?

The subregion must carry out all requirements in Government Code Section 65584 to allocate its share of the region's housing need to its members. Major tasks include:

- Develop a draft allocation methodology, to be submitted to HCD for review and comment
- Adopt a final method and issue a draft allocation
- Conduct the process by which allocations can be appealed
- Adopt the final allocation plan

If the subregion fails to complete the allocation, ABAG must make allocations to subregion members.

¹ Government Code Section 65584.03.

How has the subregion process changed from previous RHNA cycles?

Major changes include:

- **A greater focus on equity outcomes:** as a result of recent legislation, the subregion's final RHNA plan must now meet a new objective to "affirmatively further fair housing."² Generally speaking, this means "taking meaningful actions to overcome historic patterns of segregation, promote fair housing choice, and foster inclusive communities that are free from discrimination."³
- **New factors to be considered for the allocation methodology:** overcrowding, loss of units during a state of emergency, and the region's greenhouse gas emissions target.
- **Greater HCD oversight:** the subregion must submit its methodology to HCD for review and comment prior to issuing the draft allocation.

What is the process for forming a subregion?

1. **Obtain local commitment:** By statute, each jurisdiction must adopt a resolution approving its participation in the subregion and then ABAG must adopt a resolution acknowledging formation of the subregion. This must be completed by February 1, 2020.
2. **Identify coordinating agency:** The subregion must identify a lead agency to which ABAG can delegate the authority for conducting RHNA. This usually consists of an existing institutional body that convenes multiple jurisdictions. This must be completed by February 1, 2020.
3. **Sign a Memorandum of Understanding (MOU) with ABAG:** The MOU outlines the process, timing, and other terms and conditions for delegation of responsibility by ABAG to a subregion. After the subregion has been adopted by the ABAG Executive Board (expected March 2020), ABAG staff will work with the lead agency of the subregion to develop the MOU.

How is a subregion implemented locally?

The subregion's lead agency manages the activities to complete the RHNA process. In the previous RHNA cycle, lead agencies were the Napa Valley Transportation Authority, the Solano City County Coordinating Council, and the City/County Association of Governments of San Mateo County. Starting a subregion without an existing institutional entity is possible, but it would likely require additional planning and coordination.

Lead agencies have typically established committees with representation from each member jurisdiction to carry out the following roles:

- A Technical Advisory Committee to make recommendations related to the methodology and allocation.
- A Policy Advisory Committee made up of elected officials to review the work of the TAC and develop policy recommendations for consideration by the Governing Body.
- Governing Body to provide policy direction and take all actions required to fulfill the statutory obligations of the subregion.

How much time does the subregional process take? How much does it cost?

Completion of the RHNA plan takes approximately 18 months from the time of formal designation (February 2020) to adoption of the final RHNA (July 2021), with an additional 2 to 6 months prior to designation to obtain resolutions from participating jurisdictions. In previous cycles, subregions have spent between \$50,000-\$200,000 for staff time and consultant support.

² Government Code Section 65584(d).

³ <https://www.hudexchange.info/programs/affh/>

Regional Housing Need Allocation

ABAG Executive Board
July 18, 2019

What is RHNA?

- State law: all jurisdictions must plan to meet the housing needs of everyone in the community
- State identifies total number of units, across all income groups, for which the region must plan
- ABAG allocates a share of need, by income, to each jurisdiction
- Jurisdiction updates the Housing Element of its General Plan to show how it plans to meet its share of the region's need

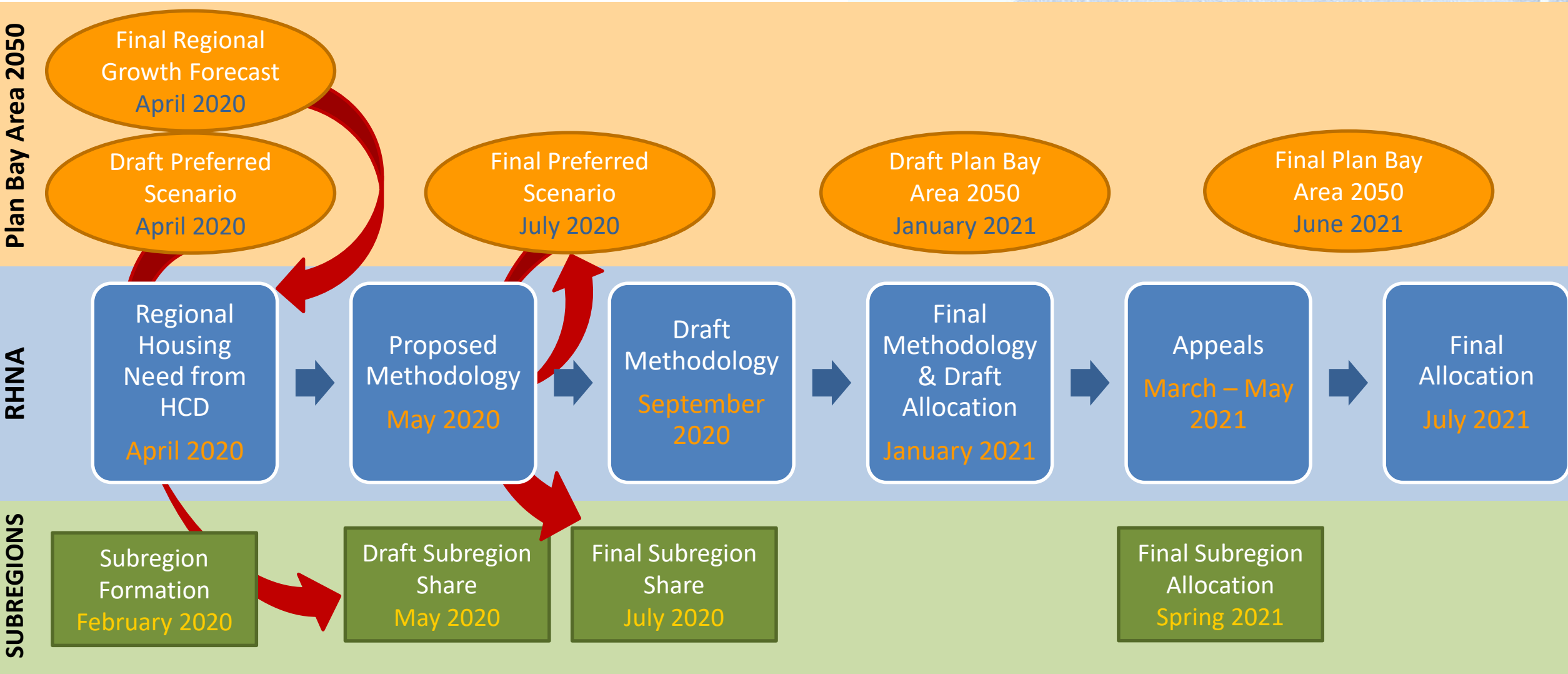
What are Subregions?

- Jurisdictions can form a subregion to carry out its own RHNA
- Same process/steps, requirements as region's RHNA
- Primary benefit is local ownership of RHNA process
- Currently under consideration: San Mateo, Santa Clara, Napa, Solano

Key Changes This Cycle

- Expected higher total regional housing need
- RHNA Plan and Housing Element must Affirmatively Further Fair Housing
- More HCD oversight
- Identifying Housing Element sites for affordable units more challenging for jurisdictions

Relationships Between Plan Bay Area 2050 and RHNA



RHNA Process Overview

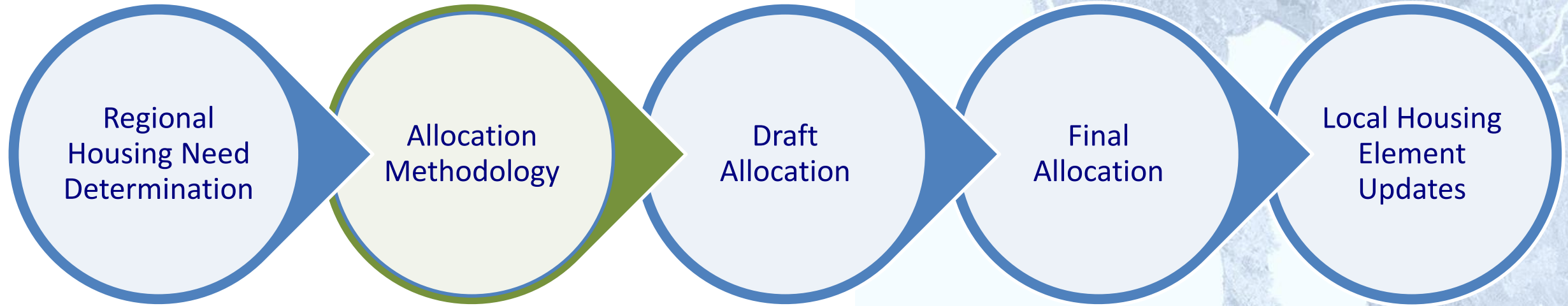


RHNA Process Overview



- ABAG consults with HCD on assumptions
- Expect higher total regional housing need
 - Need to account for unmet housing need
 - New factors: overcrowding, cost burden, target vacancy rate

RHNA Process Overview



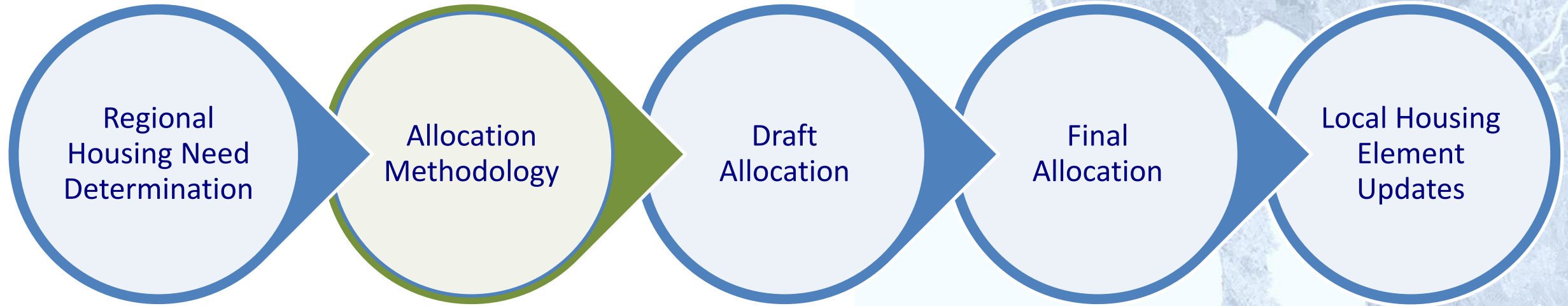
- Housing Methodology Committee advises staff
 - Elected officials, stakeholders, as well as local staff
 - Encourage self-nominations of RPC members, up to 15 members
 - Regular updates to RPC; RPC recommends methodology to Executive Board

Proposed HMC Composition

- 9 Elected Officials: 1 from each county
- 12 Jurisdiction Housing or Planning Staff
 - 1 from Marin, Napa, San Francisco, San Mateo, Solano, and Sonoma
 - 2 from Alameda, Contra Costa, and Santa Clara
- 11 Regional Stakeholders
 - 2 social equity
 - 2 business community
 - 1 non-profit housing
 - 1 for-profit housing
 - 1 open space/agriculture
 - 1 public education
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 - 1 public/alternative transportation

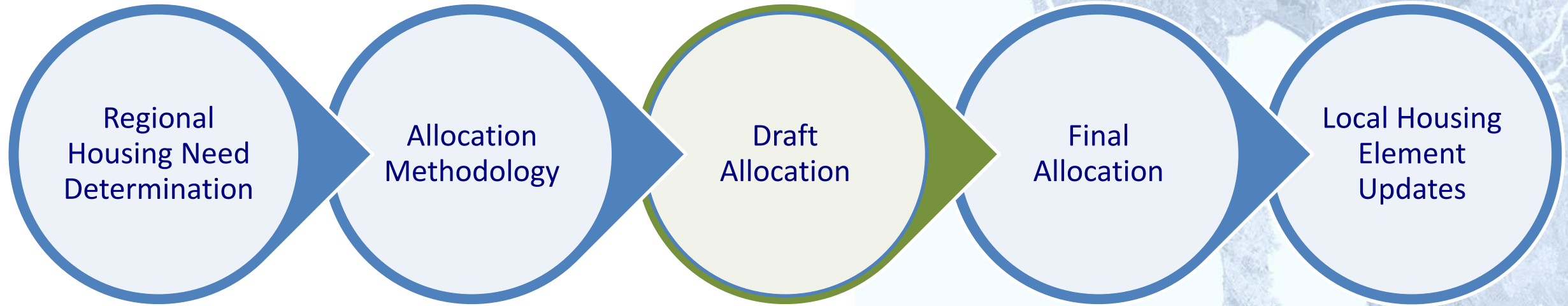


RHNA Process Overview



- Statutorily required objectives and factors
 - **New objective:** Affirmatively further fair housing
- Draft methodology reviewed by HCD (**New**)

RHNA Process Overview



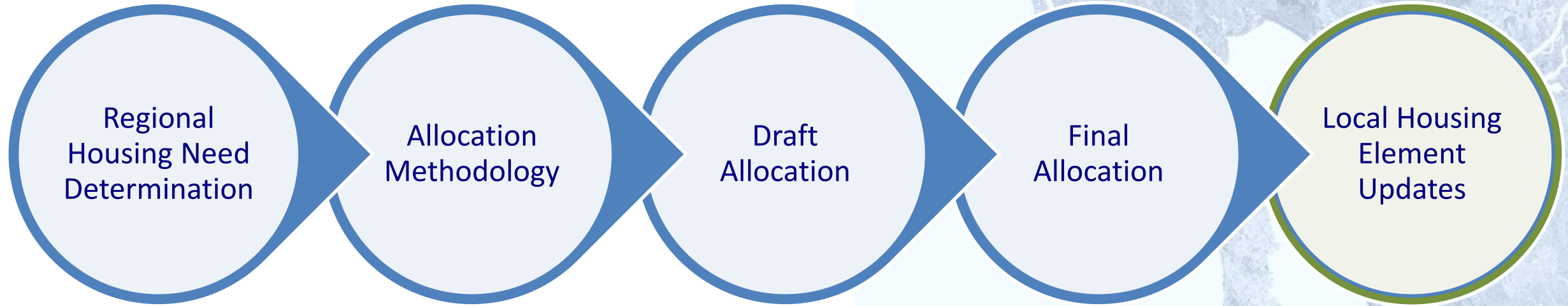
- Jurisdictions and HCD can appeal allocations (New)

RHNA Process Overview



- Adopt RHNA one month after Plan Bay Area 2050

RHNA Process Overview



- New restrictions on identifying sites
- Must affirmatively further fair housing

Summary of Key Milestones

Key Milestones	Proposed Deadline
Housing Methodology Committee kick-off	September 2019
Subregions form	February 2020
Regional Housing Need Determination	April 2020
Proposed methodology	May 2020
Draft methodology	September 2020
Final methodology, draft allocation	January 2021
Appeals	March – May 2021
Final allocation	July 2021
Housing Element due date	December 2022

Dates are tentative and subject to change





Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0773 **Version:** 1 **Name:**
Type: Report **Status:** Informational
File created: 6/11/2019 **In control:** ABAG Executive Board
On agenda: 7/18/2019 **Final action:**
Title: Report on Plan Bay Area 2050: Regional Growth Forecast Methodology

Staff will present the approach, tools and assumptions underlying the Regional Growth Forecast of total jobs, population, and households for Plan Bay Area 2050.

Sponsors:

Indexes:

Code sections:

Attachments: [Item 10c Summary Sheet PBA50 Growth Forecast Methodology v3.pdf](#)
[Item 10c Attachment A PBA50 Growth Forecast Methodology v7.pdf](#)
[Item 10c Attachment B PBA50 Growth Forecast Methodology Presentation v5.pdf](#)

Date	Ver.	Action By	Action	Result
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Report on Plan Bay Area 2050: Regional Growth Forecast Methodology

Staff will present the approach, tools and assumptions underlying the Regional Growth Forecast of total jobs, population, and households for Plan Bay Area 2050.

Cynthia Kroll

Information

Association of Bay Area Governments

Executive Board

July 18, 2019

Agenda Item 10.c.

Plan Bay Area 2050: Regional Growth Forecast Methodology

Subject: Report on Plan Bay Area 2050: Regional Growth Forecast Methodology

Background: Staff will present the approach, tools and assumptions underlying the Regional Growth Forecast of total jobs, population, and households for Plan Bay Area 2050.

In preparation for crafting the growth pattern for Plan Bay Area 2050, it is necessary to first understand how much the region will likely grow over the next 30 years.

Building upon the work from Horizon which explored three different futures and associated growth trajectories, Plan Bay Area 2050 will require a Regional Growth Forecast for use in the development of the regional plan.

The Regional Growth Forecast estimates of jobs, population, and households will serve as a key input to the UrbanSim 2.0 land use model, which will identify likely locations for future growth based on the ultimate Plan's strategies.

This presentation will focus on the methods used for creating the Regional Growth Forecast, putting it in the broader context of the Plan Bay Area 2050 development process.

Issues: **How will Plan Bay Area 2050 be analyzed?**

Each version of Plan Bay Area (officially the Regional Transportation Plan / Sustainable Communities Strategy) has relied upon a Regional Growth Forecast of how total levels of employment, population, and households will change across the nine-county region over the Plan lifespan and at what income levels. Further analysis of the Plan is conducted using a land use model (UrbanSim 2.0) to identify where growth will locate inside the region, and a transportation model (Travel Model 1.5) that will explore the travel patterns and transportation impacts generated by this growth.

What tools are used?

The Regional Growth Forecast makes use of the Bay Area Regional Economic Modeling Inc. (REMI) 2.2 model. Additional analysis of household, income and in-commute patterns are done using analytic techniques created in-house. Ultimately, the results inform and may be informed by UrbanSim 2.0 and Travel Model 1.5.

Association of Bay Area Governments

Executive Board

July 18, 2019

Agenda Item 10.c.

Plan Bay Area 2050: Regional Growth Forecast Methodology

How are the underlying assumptions determined?

At the regional forecast stage, the assumptions are mainly technical in nature. When we reach the stage of the local area forecast, a number of land use policy assumptions will be made in consultation with regional planners, while at the same time strategies will be vetted by the public and key stakeholders. For the Regional Growth Forecast, the ABAG/MTC team has worked with the Center for Continuing Study of the California Economy and with a technical advisory committee of economic, demographic, real estate, and model experts to discuss assumptions and provide feedback on the Regional Growth Forecast methodology. Economists and demographers from the California Department of Finance are also consulted.

What is new for Plan Bay Area 2050?

There will be more attention to how the information provided by one model can inform other parts of the analysis, so that the Regional Growth Forecast of population, jobs and households takes into account the impacts of strategies for housing, economic development, and beyond. Furthermore, the Regional Growth Forecast will for the first time extend through the year 2050 – the horizon year for this planning cycle.

Next Steps:

This initial presentation of the forecasting methodology gives staff time to incorporate suggestions and address unanticipated concerns.

The methodology was presented to the ABAG Regional Planning Committee on June 5 and to the ABAG Administrative Committee on July 12 with input from committee members and public comment.

Between mid-July and mid-August, public comments are requested on the Regional Growth Forecast methodology; in combination with a public hearing, final approval of this methodology will be requested by the September ABAG Executive Board meeting.

Staff will continue improving the method of iterating results between REMI 2.2, UrbanSim 2.0 and Travel Model 1.5 over the summer with the goal of developing a Draft Regional Growth Forecast by fall 2019.

Further testing of strategies will be done in fall 2019 and early 2020, with a final Regional Growth Forecast slated for adoption in spring 2020.

Association of Bay Area Governments

Executive Board

July 18, 2019

Agenda Item 10.c.

Plan Bay Area 2050: Regional Growth Forecast Methodology

Attachments:

Attachment A: Plan Bay Area 2050: Regional Growth Forecast
Methodology
Attachment B: Presentation

Reviewed:



Therese W. McMillan

Plan Bay Area 2050: Regional Growth Forecast Methodology
[Proposed Methodology as of July 2019]

The Regional Growth Forecast is an important element of the Plan Bay Area 2050 long-range planning process. It sets expectations for how much the Bay Area might grow between today and 2050, and for characteristics of that growth. These include total employment and employment by major industrial sectors, total population and population by age and ethnic characteristics, and the number, size, demographic characteristics and income of households. This information in turn informs *where* growth (employment and households) may go and the nature and amount of travel demand associated with it, as well as expectations for housing production. The Regional Growth Forecast is a key analytical underpinning of much of the policy work associated with the regional planning process.

Opportunities for Input on This Document

In addition to spring 2019 workshops on the three Horizon futures - which described the benefits and drawbacks of different regional growth trajectories - the Regional Growth Forecast methodology has sought public and stakeholder input through public meetings in June and July:

- Regional Advisory Working Group (June 2019)
- MTC Policy Advisory Council (June 2019)
- MTC Planning Committee (July 2019)
- ABAG Administrative Committee (July 2019)
- ABAG Executive Board (July 2019)

To allow for additional public comment before the public hearing and adoption by the ABAG Executive Board in September, ABAG/MTC has opened a public comment period on this document. Comments should be submitted to ABAG/MTC via info@bayareametro.gov by **August 19, 2019** for consideration in advance of the **September 19, 2019** public hearing at the ABAG Executive Board meeting, consistent with the BIA Bay Area settlement agreement.

Further public input will be sought through fall 2019 and spring 2020 public outreach on the Preferred Scenario for Plan Bay Area 2050. As the final Regional Growth Forecast will not be adopted in September - solely the methodology - there will be additional time for review of the Regional Growth Forecast in the months ahead as well.

Tools and Expertise

The Plan Bay Area 2050 Regional Growth Forecast is produced by ABAG/MTC Planning staff with consultant and technical advisory committee input. The Regional Growth Forecast makes use of multipurpose tools that can be used to describe future possibilities and to test the effects of different assumptions and strategies on future projections.

Expertise

The Regional Growth Forecast is being developed in consultation with the Center for Continuing Study of the California Economy, with input and review by a technical advisory committee of experts as well as from ABAG and MTC advisory committees.

The technical advisory committee (list and affiliation included as Attachment 1) includes:

- 6 Bay Area economists
- 3 California Department of Finance experts (*chief economist, senior economist and demographer*)
- 3 megaregion representatives (*Sacramento Area Council of Governments, San Joaquin Council of Governments, University of the Pacific*)
- 3 experienced REMI users (*from the Atlanta Regional Commission, a Michigan think tank, and a Colorado nonprofit*)

Input is also sought from other experts, including California Department of Finance (DOF) and Housing and Community Development (HCD) staff working on developing accurate counts of housing units and occupancy.

Tools

Central to the Regional Growth Forecast development is the REMI (Regional Economic Modeling Inc.) model for the San Francisco Bay Area [version 2.2]. The REMI model integrates into one package a dynamic accounting of the core components of the economy - industry structure and competitiveness relative to other regions; propensity to export; and population and labor market structure. The population is explicitly connected to industry growth and demand for labor, with migration increasing in times of strong employment growth.¹ The model specifically characterizes the local economy in the context of the national economy, recognizing the relationships to the state, nation, and surrounding metropolitan planning areas. Downstream, separate staff modules are used to compute households, income distribution, and in-commute levels. The Regional Growth Forecast then serves as an input into the small-scale distribution of land uses (including employment, population and households) using UrbanSim 2.0, a land use model that simulates the urban development process and the location choices of employers and households.² The local allocation in turn informs the modeling of travel patterns and investments using Travel Model 1.5. The relationship among these models is described further below, followed by brief discussions of major elements of the models. Detailed descriptions of the versions of these tools used for *Plan Bay Area 2040* can be found in <http://2040.planbayarea.org/reports> (under the Land Use and Transportation sections).

Adjustments to the Overall Forecast Methodology from Plan Bay Area 2040

This will be the first Plan Bay Area done with a consolidated regional planning team for ABAG and MTC, the two regional agencies responsible for crafting the long-range plan. While the overall suite of tools is similar to the Plan Bay Area 2040 approach, staff proposes to make use of the model output and analytic results in a more iterative fashion between models to better capture

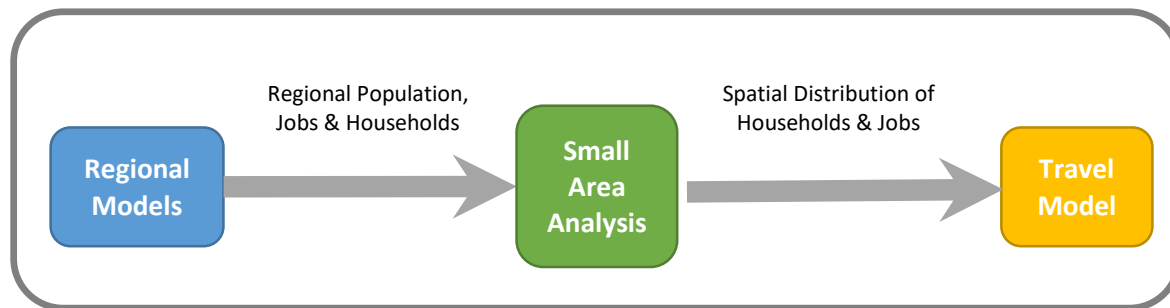
¹ REMI is an integrated set of input-output, computable general equilibrium, econometric, and economic geography methodologies that describe the key relationships in the economy. See Regional Economic Modeling Inc., *REMI PI+ v. 2.2*, *REMI Transight v.4.2*, *REMI Tax-PI v.2.2*, *Metro PI v. 2.2 Model Equations*.

² <http://www.urbansim.com/urbansim>

feedback mechanisms in the economy. This will ideally create stronger bridges among the different technical elements of the forecast for Plan Bay Area 2050, including the Regional Growth Forecast, the small area distribution of the forecast, and forecasts of travel patterns and transportation impacts.

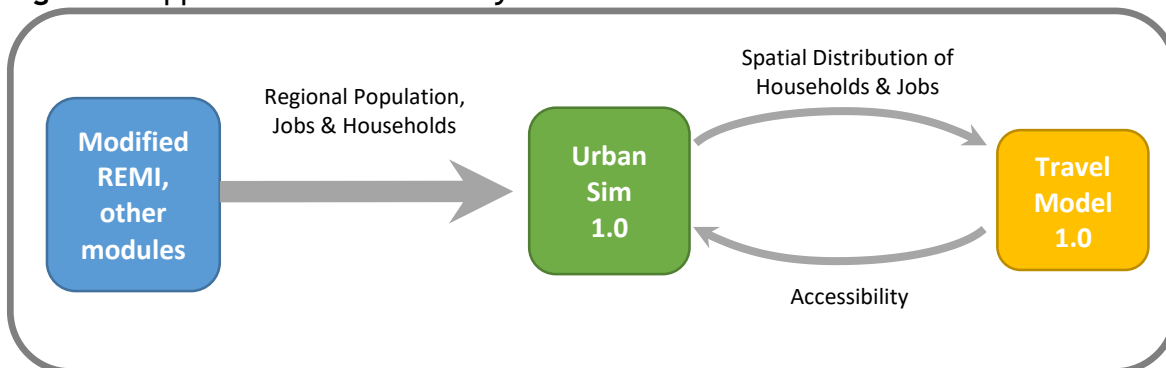
For decades, the general approach to forecasting proceeded in a linear fashion consisting of the steps outlined in Figure 1, although the specific tools used at each step changed over time. The Regional Growth Forecast of employment, population and households fed directly into the small area analysis, which then provided data used by the travel model.

Figure 1: Historic Approach to Regional, Spatial and Transportation Forecasts



With a changeover of tools for the Plan Bay Area 2040 forecast, the land use and travel modelers added additional feedback loops between the small area analysis (developed using UrbanSim 1.0) and Travel Model 1.0, as shown in Figure 2. We have long known that land use impacts transportation demand, but it has also been recognized that transportation, through accessibility, in turn impacts land use patterns. The model system was modified to include this two-way connection, so that the location of growth can be influenced by improved accessibility following planned transportation investments. At the same time, growth and location affect congestion and multimodal accessibility, shifting transportation investment decisions. This coupling of land use and transportation was reflected in the modeling approach for the first time in *Plan Bay Area 2040* but did not include a feedback loop to the Regional Growth Forecast.

Figure 2: Approach Used in Plan Bay Area 2040



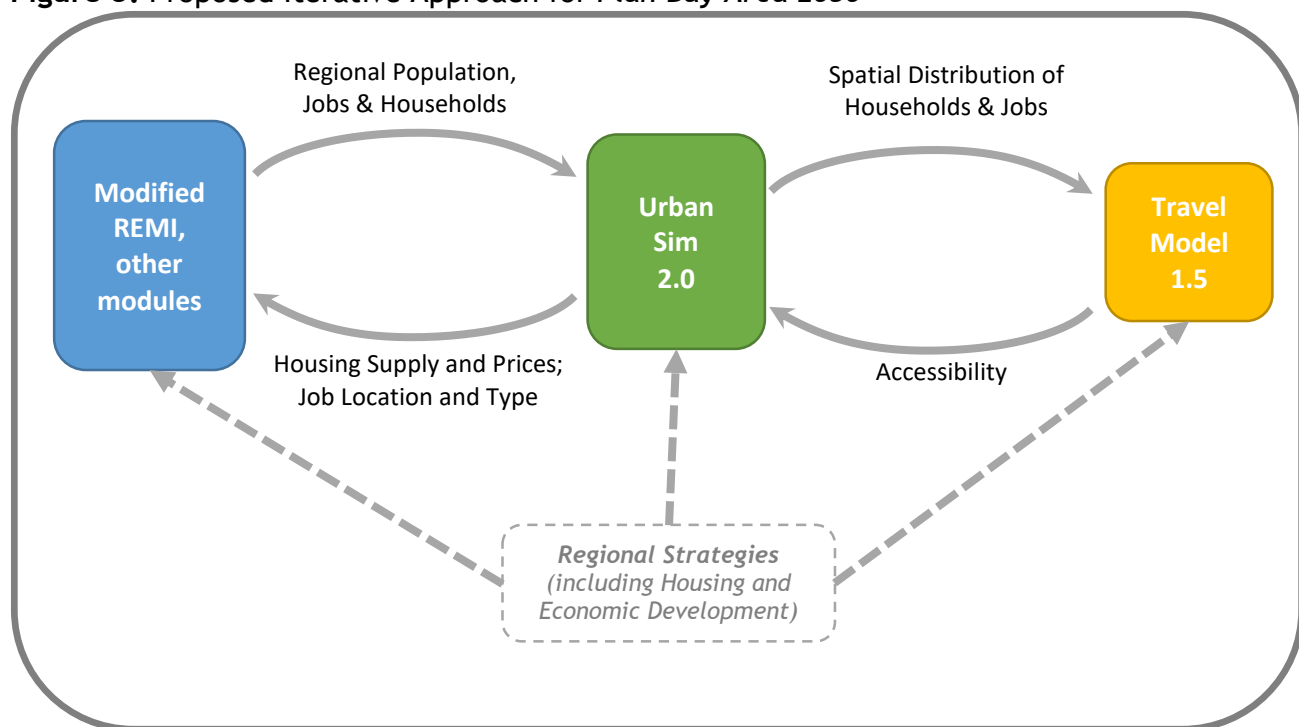
Land use and transportation are not the only connected systems, however. Local land markets may have regional implications. For example, economists have pointed to constrained housing markets as in turn reducing the overall size of the economy. When preparing a Regional Growth Forecast for Plan Bay Area 2050, we intend to consider how model results from UrbanSim 2.0 and Travel Model 1.5 could be factored into the modified REMI model, altering the Regional Growth

Forecast. For example, where and how much housing is built could change the cost of housing, as well as the cost and demand for labor. Similarly, a change in housing prices and location overall could further change the number and types of jobs that can be generated in the region as well as the labor force that can live in the region (see Figure 3).

The first aim of this integration is to seek a fuller representation of these types of effects. The second aim is, by having a better accounting of housing markets across the model systems, to better capture effects of policy interventions (i.e., strategies) addressing housing and labor markets. If we are successful in incorporating housing changes into the regional employment and population analysis, we may also be better positioned to then analyze the effects of other strategies, such as economic development strategies like workforce training programs and Priority Production Areas, which could affect the ability of middle-wage jobs to remain in the region.

The remainder of the memo focuses on the first of the three elements of the Regional Growth Forecast: the projection of jobs, population, and households at the *regional level*.

Figure 3: Proposed Iterative Approach for *Plan Bay Area 2050*



What Does the Regional Forecast Do?

The Regional Growth Forecast projects total employment, population, households, income distribution and in-commute change for the region as a whole between the Plan baseline year of 2015 and the Plan horizon year of 2050. As part of the iterative process, we will begin with a baseline employment and population forecast that will be consistent with likely national economic and demographic trends, layering in new strategies as the Preferred Scenario is developed. Table 1 summarizes the approach this cycle and how this was done in the last cycle.

Table 1: Summary of Approach to Regional Growth Forecast

Forecast Element	Plan Bay Area 2040	Plan Bay Area 2050 (<i>Draft</i>)
Employment	Adjustments to REMI, with input from CCSCE and TAC	Update - different base compared to <i>Plan Bay Area 2040</i> , CCSCE and TAC recommended adjustments to REMI
Population	Minor REMI adjustments only	Update - REMI adjusted to some DOF fertility assumptions and to match labor force requirements.
Households	Average headship rates for the most recent 5 years, some decrease over time for seniors and multigenerational households	Update - Goal in this cycle is to provide a more detailed accounting of households by size, number of workers, and income level categories. Headship, or household formation rates in consultation with TAC and CCSCE, are applied to population age and race estimates. ACS workforce characteristics will be added to households. Distribution of income among households will be based on historic patterns and regional economic forecast trends.
Income distribution	Econometric equations for each of four categories based on national cross-sectional data by income category. Reconciliation of numbers to total household control.	
In-commute change	Took the larger of two alternative estimates drawn from REMI data on residence workforce, labor force and jobs	No change in method, but further informed by iterations with other models and by multiregional results of REMI model.

The Regional Growth Forecast begins with the structure of the REMI model, which describes employment, population, gross regional product, and total personal income for the historical period back to 2000 and for a forecast period through 2060 (our forecast goes only to 2050). The model includes a built-in forecast that reflects one of several possible sets of assumptions about the factors underlying growth at the national level and a set of interrelated regional forecasts for 22 custom-designed “regions” for our Bay Area version of the model. The regions include the nine Bay Area counties, metropolitan areas bordering our region, several southern California counties, the rest of California, and the rest of the US. Our focus when developing the Regional Growth Forecast described here is on the nine Bay Area counties as aggregated into one region. REMI is designed to be adjusted to be customized by the user to better reflect expectations about national trends, as well as their detailed knowledge about the relevant region.

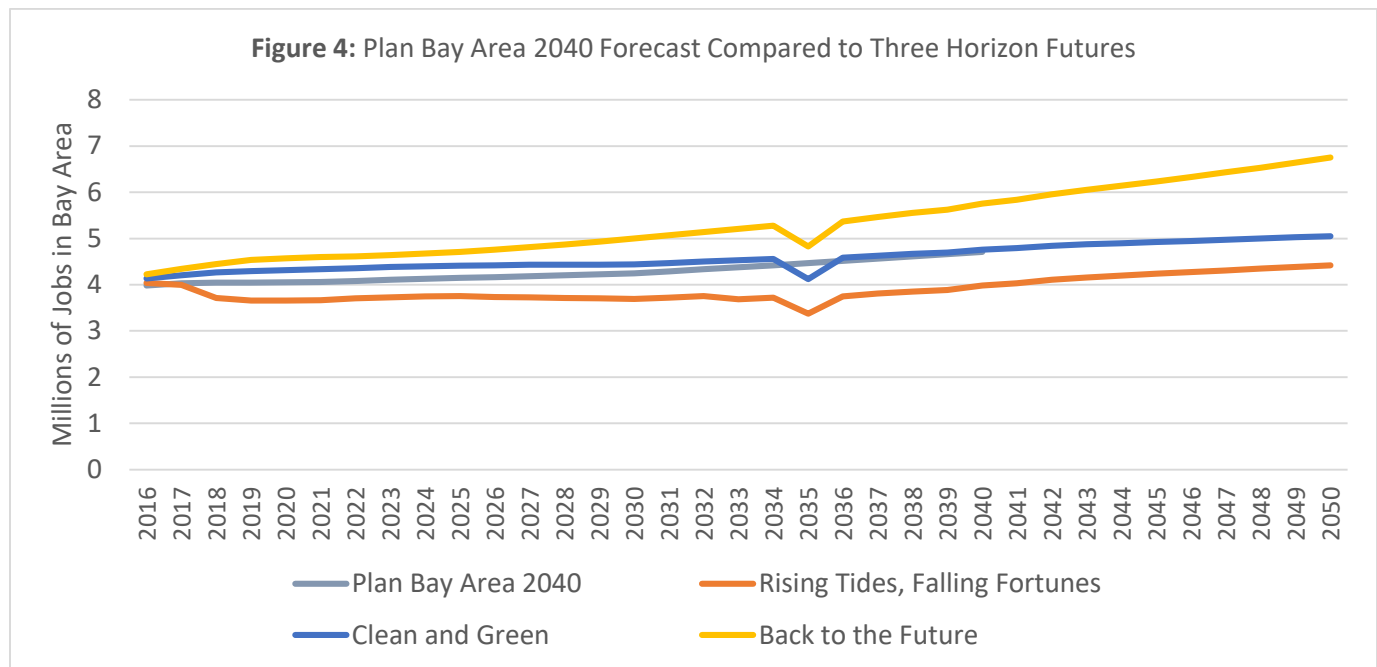
As described in Table 1, we propose to use the REMI model with multiple adjustments, after consultation with CCSCE and the technical advisory committee, to describe the employment and population forecasts. We then separately forecast households, income distribution, and any change in the level of in-commuting. The types of assumptions underlying the adjustments to the REMI model and the other elements of the Regional Growth Forecast are summarized below, by element of the forecast.

Employment

Baseline employment for the Bay Area is driven by national trends in population growth and employment, by the Bay Area employment mix by sector and by the competitiveness of Bay Area sectors relative to the equivalent sectors in the US. REMI accounts for the Bay Area's strong competitiveness in many industries relative to other regions, leading to a representation of a generally favorable jobs outlook across a range of sectors, which in turn grows the labor force through migration. At the same time, REMI represents the relatively high cost of housing and labor as well, which all other things equal serves to temper the growth outlook.

In the previous Regional Growth Forecast, there was a great deal of uncertainty about how the region would fare both in the near future and over the decades of the plan's forecast. The forecast for *Plan Bay Area 2040* is quite low compared to recent experience, when Bay Area knowledge sectors rapidly expanded employment for almost a decade. Should we adjust the forecast upward to account for this continued strength, or consider the possibility that going forward a national recession or a reversal of fortunes of our leading sectors could lead to an extended period of stagnant growth or job loss? In the last three decades, new industry formation of new industries has led to strong surges of growth in the region following downturns. Will we continue to have this generative capacity over the next 30 years?

We began to address these uncertainties in the Horizon process. For the "futures," we modified the built-in REMI forecast based on widely varying assumptions about external forces beyond our control—national policy, international events, and the possibility of severe natural hazards. We modeled the range of possible futures for the region should these events occur in the policy framework encompassed in the last Plan Bay Area (*Plan Bay Area 2040*). These forecasts gave several possible trajectories of growth, as shown in Figure 4. In one future, Rising Tides, Falling Fortunes, with high sea level rise and low government spending, there is a long period of stagnation followed by modest job growth, leaving little net change overall. At the other extreme, Back to the Future, with few land use constraints on growth and generous public spending leads to growth that far exceeds our projections from *Plan Bay Area 2040*. The third future, Clean and Green, is closer to our previous projected level of growth, but with a very different occupation mix and energy, high levels of taxation, but also selected high levels of public investment.



Source: ABAG/MTC Analysis, 2019

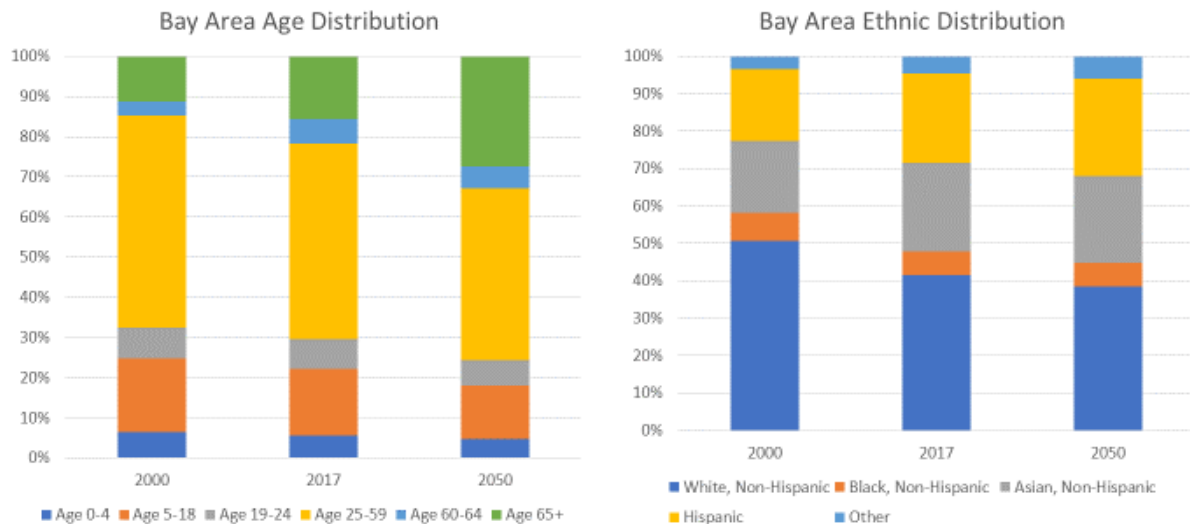
As we proceed into analysis for *Plan Bay Area 2050*, we will craft a base employment forecast with a less divergent set of assumptions at the national level, assuming policies similar to those today and those encompassed in *Plan Bay Area 2040*. We will also examine how additional strategies proposed for *Plan Bay Area 2050* could affect employment. Strategies to be tested iteratively before reaching a final employment figure could include:

- **Improved access to housing in the region:** this can change the cost of labor, affecting rates of growth of middle and lower wage sectors.
- **Workforce training:** this could have complex effects, improving productivity, allowing higher output without necessarily more jobs, although a more skilled workforce could also attract additional employers.
- **Priority Production Area protections:** this could slow further declines in industrial sectors and associated middle-wage jobs, especially in production, distribution, and repair sectors.

Population

REMI, like most population projection models, predicts future population growth based on a detailed accounting of the population in terms of age, gender and ethnicity, with schedules of fertility and mortality determining natural increase, while migration is determined through the interaction with the economic portion representing labor market demand of the model. Retirement migration is also represented. While California Department of Finance (DOF) similarly uses a cohort-component model, the differences are in how some of the population is categorized, as well as assumptions for future mortality, fertility and migration rates. At this stage we note that apart from population totals, there are age and ethnic differences between the REMI forecast and the DOF 2017 forecast that need to be better understood. We are examining how assumptions about trends in birth and mortality rates and in immigration levels and composition affect the REMI levels. This will help us create a population forecast that is both consistent with expected growth levels and reflective of our understanding of the composition of the California population.

Figure 5: Bay Area Age and Ethnic Distribution, 2000, 2017 and DOF 2050 Projection



Source: ABAG/MTC from US Census and California Department of Finance.

Through the iterative process, it may be possible to capture benefits from strategies to increase housing production and lower housing prices. These strategies may include market mechanisms or subsidies, helping to retain lower- and middle-wage earners while encouraging economic in-migration to increase working age population. Separately, demand-side rental subsidies would also help to retain lower- and middle-income households.

Households

The vast majority (currently 98 percent) of the population lives in households, with a small remainder living in group quarters. ABAG/MTC translates a given population age structure into households using headship rates. Headship rate is defined as the share of adults in a particular age group (e.g., 25 to 29 years old) who are heads of households. The rate underlies the average household size and thereby how much housing will be needed to house the population. The share can be applied to population projections by age and race/ethnicity to estimate the number of households by these demographic characteristics. A *higher* headship rate would imply *lower* average household sizes.

The household estimate for *Plan Bay Area 2040* was built using headship rates for the 2006 to 2014 period, with additional marginal adjustments. The *Plan Bay Area 2050* analysis will test more than one headship estimate approach, addressing two key questions:

- Are rates relatively constant over time, or do they move with some other factor, such as cost of housing?
- What determines the differences in rates of household formation among different ethnic groups, and how does this propensity change over time for new immigrants?

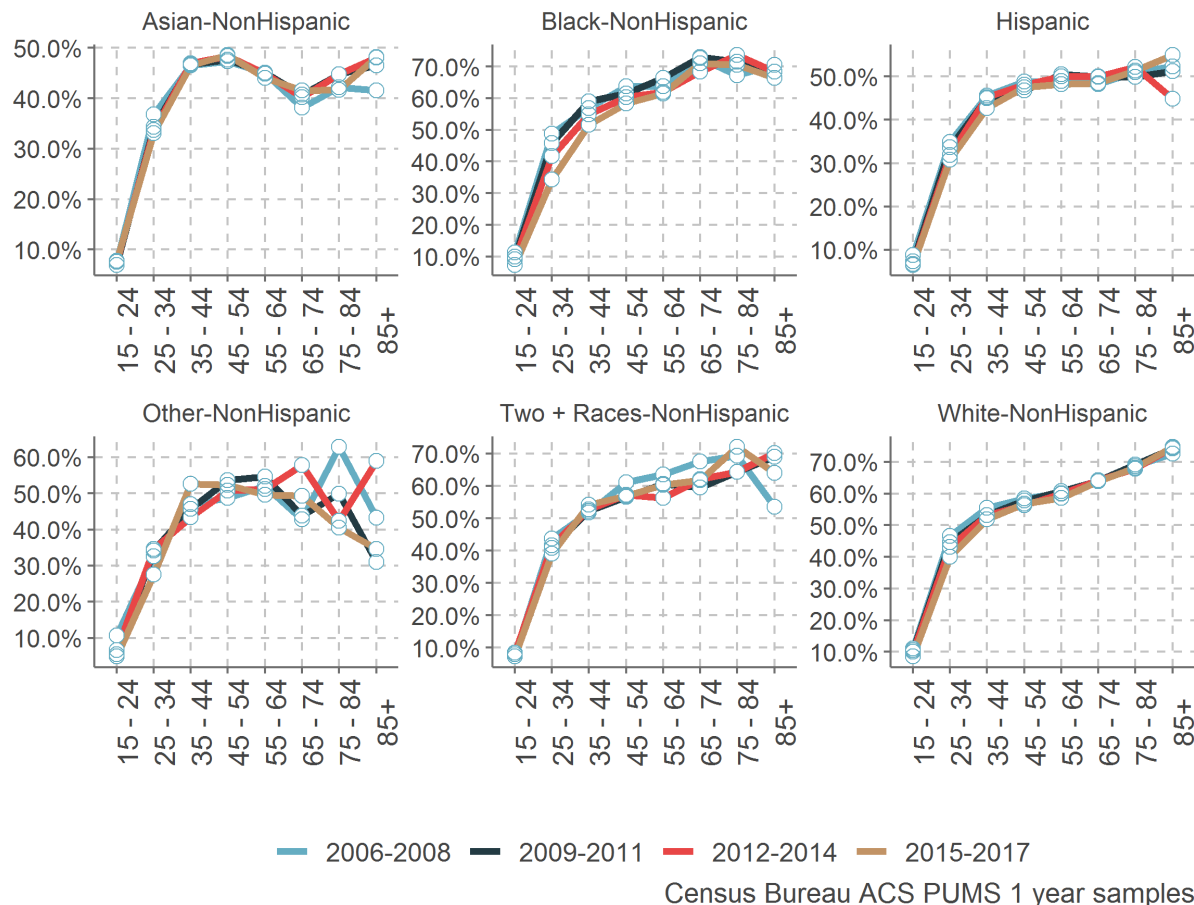
Staff will explore different headship rates that come from varying assumptions about these factors. These may include using the most recent headship rates (2012-2017), gradually converging rates to the previous 2005-2009 rates, or averaging over a full economic cycle (2010-2017). We will also test possible rates of convergence of Hispanic and Asian/Other rates to the average rate of the remaining non-Hispanic groups.

In making these tests, we want to explore potential challenges, such as:

- i) The current headship rate may be artificially compressed due first to the Great Recession and then to the high cost of housing. We will seek a way to capture a wider mix of economic experiences in the rate used.
- ii) Hispanic and Asian/Other headship rates may converge toward the average headship of the two other ethnic categories, as the native-born share of households in those groups increases and the household characteristics of immigrants move towards those in the U.S.

Figure 6 illustrates the variability of headship rates by age category, ethnic group and over time, with both Asian and Hispanic ethnic categories have lower headship rates (higher household sizes) than their counterpart white or black households (with generally much lower shares of immigrant households).

Figure 6: Comparative Headship Rates by Ethnicity, Age Group and Time Period

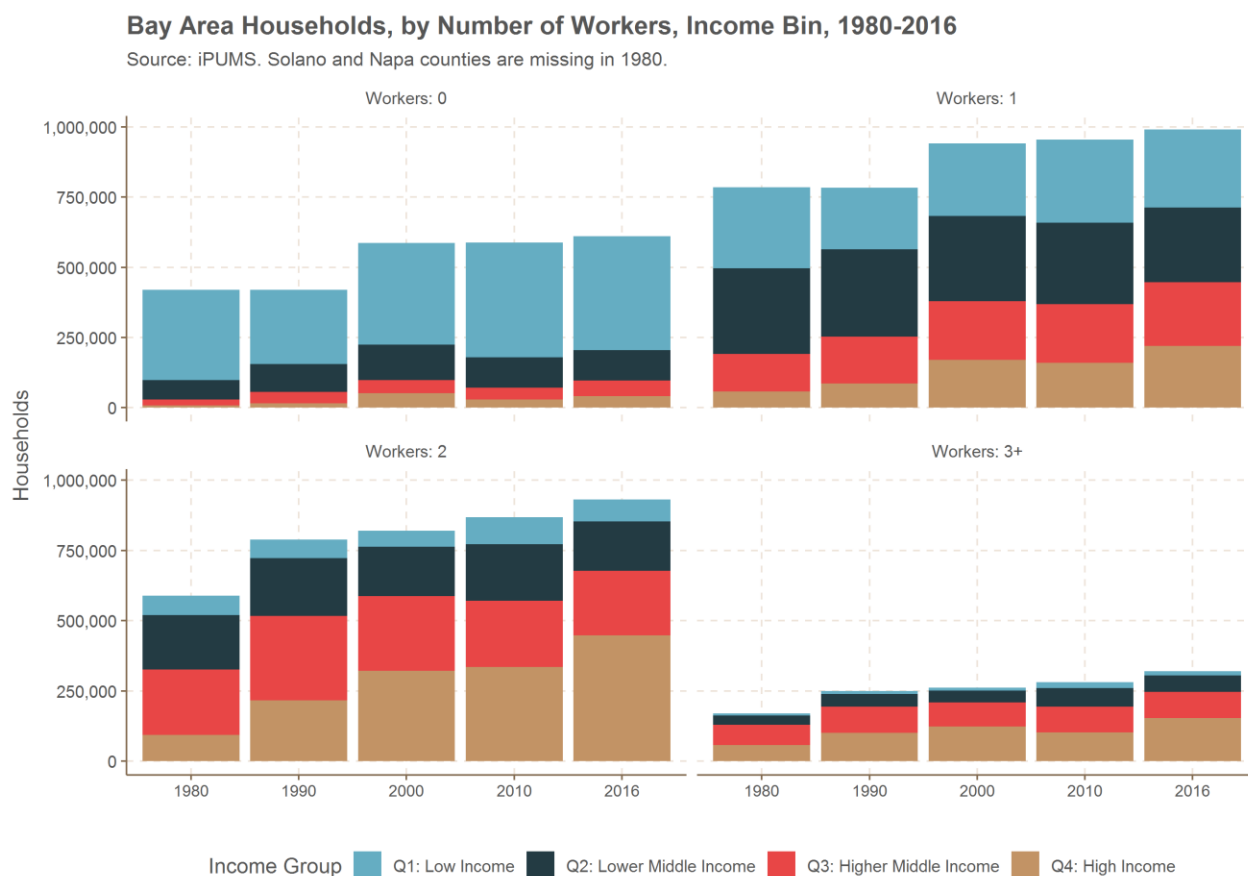


High housing costs may affect not only labor markets and money available for other goods, but they may affect how families form households and consume housing. Housing strategies may affect overall household formation leading to lower or higher household sizes, changing costs, and changing locations of new households. Through the iterative process, it may be possible to reflect the benefits of housing strategies that allow new households to form (increasing headship rates among young adults, for example) as well as the type of new units (which may target young adults or seniors with smaller household sizes).

Income Distribution by Household

The household income distribution is generally determined both by overall wages and other source of incomes, and separately by how households tend to form, including how persons in different parts of the income spectrum pair up, or not. Figure 7 offers information on how many households have, respectively, 0, 1, 2 and 3 or more workers in them, and for each of these household types, the share in different income groups. Counts are shown for 1980, 1990, 2000, 2010, and 2016. There are about the same number of households with one or two workers in them, but two-worker households are much more likely to be in the highest income quartile. Conversely, households with zero workers, typical for seniors, are frequently lower income (though some of these may be relatively wealthy).

Figure 7: Change in Workers per Household, by income quartile, 1980-2016 (Source: IPUMS)



The method for this calculation will seek to link age of head of household and number of working household members with income levels. Other factors that may also influence overall household income categories will include the overall change in the economy between high and low wage sectors, the relationship of output to employment (e.g., is value added rising, dropping or remaining constant in the growing sectors), and any changes between the proportions of wage income with other income sources. There are two general ways to approach this part of the forecast, which will be further explored this summer.

Approach 1: Project total households in each income category. Use recent ACS household profiles to disaggregate into the detailed categories needed for UrbanSim. For *Plan Bay Area 2040*, the household numbers in each income bin were estimated using separate econometric equations that predicted the number of households in each income category (one predictive equation per household income quartile). UrbanSim 1.0 and Travel Model 1.0 then synthesized the types of households in each income category. This approach could be used again using the latest models, or the income quartile analysis could then be disaggregated to more fine-grained household types based on recent ACS profiles.

Approach 2: Define the full array of the 2017 baseline household types needed for UrbanSim 2.0 using ACS data, and trend these categories for each five-year increment of time, under the influence of how the economy, total income, occupations, and age profiles change over time. This approach is not econometric in nature.

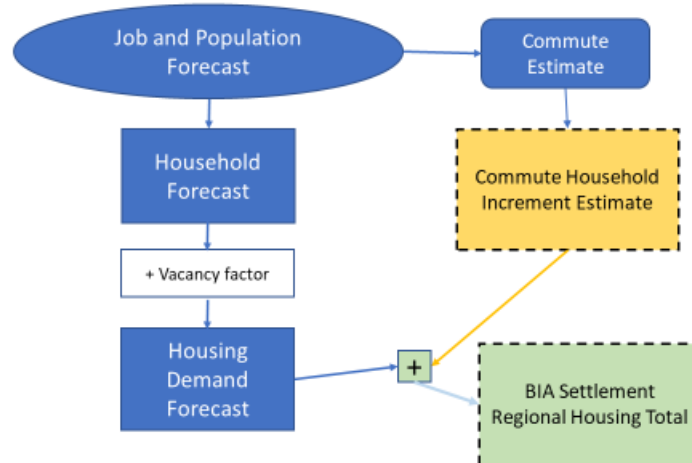
Through the iterative process, it may be possible to reflect strategies that affect the income mix of the region, ranging from incentives for middle-wage jobs in housing-rich areas to affordable housing programs to transit subsidies. To the extent that these strategies are modeled in terms of employment or population impacts, they may in turn be translated into household and income level implications. Alternatively, if the specific impacts cannot be reliably modeled, the qualitative implications will be discussed.

In-Commute

The in-commute analysis was conducted in *Plan Bay Area 2040* as diagrammed in Figure 7. We propose doing a more nuanced in-commute analysis compared to the approach used for *Plan Bay Area 2040*. Rather than simply estimating the overflow, ABAG/MTC will examine how the distribution of *employment location* may change for some sectors between the Bay Area and its neighboring MPOs in the REMI model, possibly reducing the need for in-commuting. In the iterative process, we will look at how housing availability may change based on policies affecting the amount of housing built and the cost-mix of housing between market rate and subsidized housing. Through this iterative process, ABAG/MTC can test to what extent a larger housing stock may decrease in-commuting versus increasing employment growth.

Apart from these efforts, if adjustments are needed to reduce the in-commute, we will follow the method used in *Plan Bay Area 2040*.

Figure 8: Schematic for Adding In-Commute Housing to the Regional Housing Total, PBA 2040



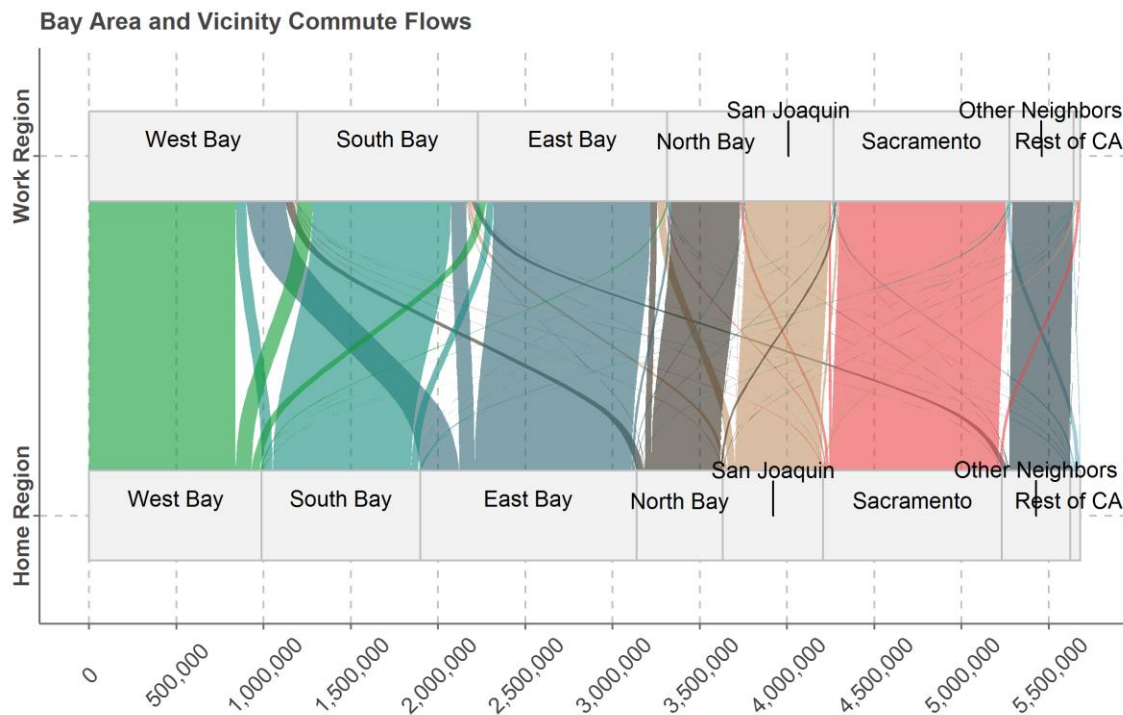
Source: ABAG Regional Forecast Approach, Presentation to the ABAG Executive Board, July 2015.

In reality, commute flows occur across MPOs for many reasons, going in two directions, a function of the size and pull of job centers, the resident labor force in the subregions, as well as the difference in housing costs and the relative ease of transportation. For a large region such as the Bay Area, it is expected that the concentration and diversity of specialized functions will attract workers from beyond the region's labor force. Further, a strong job node on the edge of the region, such as parts of the Tri-Valley, is much closer to the resident labor force of Tracy and Stockton. This draw will continue, even with more housing added west of the Altamont Pass. This is evident in Figure 9, where most commute flows into and outside the region are very small, but the most significant inflows are to Santa Clara County from its southern neighbors and to Alameda County from the Central Valley. Using the multiregional REMI model - an enhancement since Plan Bay Area 2040 - will allow us to examine further how Bay Area strategies may affect the net in- or out- commute flows the different regions experience as well as possible changes in job mix that occur because of the different strategies.

A number of strategies may affect in-commuting:

- Construction of housing for low and middle income workers could reduce the numbers commuting in from outside the region.
- Improved rail networks and bus rapid transit could reduce this number of current in-commuters by auto, although the net effects on total in-commuting would be more complex.
- Higher tolls on freeways and subsidies for transit ridership would reduce the number of in-commuters in private vehicles, but not necessarily in-commuting overall.

Figure 9: Commute Flows to and from the Bay Area, 2015



Source: CTPP 2012-2016, Table B302102

Note: Subregion definitions by county—West Bay—Marin, San Francisco, San Mateo; South Bay—Santa Clara; East Bay—Alameda, Contra Costa; North Bay—Napa, Solano, Sonoma

Beyond the Regional Growth Forecast: Crafting the Growth Pattern

The Regional Growth Forecast focuses on the nine-county total level of growth for jobs, population, and households, acting as a key input into the modeling process. To develop the Plan's growth pattern on a localized level, MTC/ABAG will use Bay Area UrbanSim 2.0, a spatially explicit economic model that forecasts future business and household locations. MTC/ABAG used a version of the Bay Area UrbanSim 1.0 model to inform the environmental assessment for the region's first RTP/SCS (Plan Bay Area) and both the Plan process and the environmental assessment for the region's second RTP/SCS (Plan Bay Area 2040). An updated version of Bay Area UrbanSim (Version 1.5) is also currently being used for the Horizon long-range planning process.

Bay Area UrbanSim 2.0 forecasts future land use change (e.g., development or redevelopment) starting from an integrated (across different source data) base year database containing information on the buildings, households, businesses and land use policies within the region. Running in five-year steps, the model predicts that some households will relocate and a number of new households will be formed or enter the region (as determined by the adopted regional growth forecasts). The model system micro-simulates the behavior of both these types of currently unplaced households and assigns each of them to a currently empty housing unit. A similar process is undertaken for businesses and jobs. The various submodels are "trained" on existing data in order to represent how households or businesses "respond" to different features of locations considered; from accessibility to jobs and open space to the relative cost of real estate. During the simulation, Bay Area UrbanSim 2.0 micro-simulates the choices real estate developers make on how much of, what, and where to build. This adds additional housing units and commercial space in profitable locations (i.e., land use policies at the site allow the construction of a building that is profitable under forecast demand).

In this way, the preferences of households, businesses and real estate developers are combined with the existing landscape of building and policies to generate a forecast of the overall land use pattern in future years. As the model is explicit in how the urban environment changes, the model system is ideally suited to a range of systematic *what-if* tests: Given behavioral information on how households and businesses tend to locate based on observed data, and given land use policy assumptions, what might happen to overall patterns over time as regulations change, constraints are variably eased and increased in different parts of the region? For example, the land use policies in place in the base year can be changed (e.g., allowable zoned residential density could be increased) and Bay Area UrbanSim 2.0 responds by forecasting a different land use pattern consistent with the constraints or opportunities resulting from the change. After each five-year step, the model produces a zonal output file for the transportation model that contains household counts by type and employee counts by sector. This provides the travel model with information on land use intensity in different locations and the spatial distribution of potential origins and destinations within the region. Documentation for Bay Area UrbanSim 2.0 is available online³.

To build the forecasted land use development pattern, Bay Area UrbanSim 2.0 will be used to iteratively build the Preferred Scenario in a manner that is vetted and assessed for policy realism by regional planners and feedback from local jurisdictions. Through this iterative process, we intend to bring to bear a forecasted development pattern that provides the best from both human planners and computer simulation tools before presenting them to the Commission and the ABAG Board for their consideration.

Next Steps

The Regional Growth Forecast methodology is anticipated to be presented to both the ABAG Administrative Committee and the ABAG Executive Board with input from the public in July. During the 30-day comment period between July 19 and August 19, public comments are requested on the Regional Growth Forecast methodology; in combination with a public hearing, final approval will be requested by the September ABAG Executive Board meeting. Staff will continue improving the method of iterating results between REMI 2.2, UrbanSim 2.0 and Travel Model 1.5 over the summer with the goal of developing a Draft Regional Growth Forecast by fall 2019. Further testing of strategies will be done in fall 2019 and early 2020, with a final Regional Growth Forecast slated for adoption in spring 2020.

Table 2 shows the timing for the Regional Growth Forecast and its place in the development of the Preferred Plan. Staff have already started working on the associated forecasting and data analysis; ABAG/MTC will further develop the draft baseline Regional Growth Forecast over the summer for use in crafting the Draft Preferred Plan this fall. Further refinement of the forecast will continue through early 2020. The final Regional Growth Forecast to be used in the Plan is scheduled to be completed in April 2020 in time for the Final Preferred Plan to be advanced into the EIR phase by July 2020.

³ Bay Area UrbanSim documentation is available at: http://bayareametro.github.io/bayarea_urbansim/

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Technical Advisory Committee for the Regional Growth Forecast

Organization	Title	Name
City of San Francisco	Chief Economist	Ted Egan
Center for Business and Policy Research, University of the Pacific	Director	Jeffrey Michael
Trulia	Chief Economist	Issi Romen
SPUR	Regional Planning Director (alternate: Research Manager)	Egon Terplan (Sarah Jo Szambelan)
Bay Area Council Economic Institute	Executive Director (alternate: Acting Executive Director)	Micah Weinberg (Jeff Bellisario)
San Joaquin Council of Governments	Senior Regional Planner	Kim Anderson
California Department of Finance	Chief Economist	Irena Asmundson
Atlanta Regional Commission	Principal Planner	Colby Lancelin
Sonoma State University	Dean	Robert Eyler
Common Sense Policy Roundtable	Director, Policy and Research	Chris Brown
Economic Growth Institute, University of Michigan	Senior Research Area Specialist	Don Grimes
Sacramento Council of Governments	Senior Regional Planner	Garett Ballard-Rosa
California Department of Finance	Researcher	Ethan Sharygin
Indeed.com	Chief Economist	Jed Kolko
MTC/ABAG Staff Advisors	Assistant Director	Matt Maloney
	Principal Planner	Dave Vautin
	Principal Planner	Mike Reilly

Consultant: Stephen Levy, President, Center for Continuing Study of the California Economy



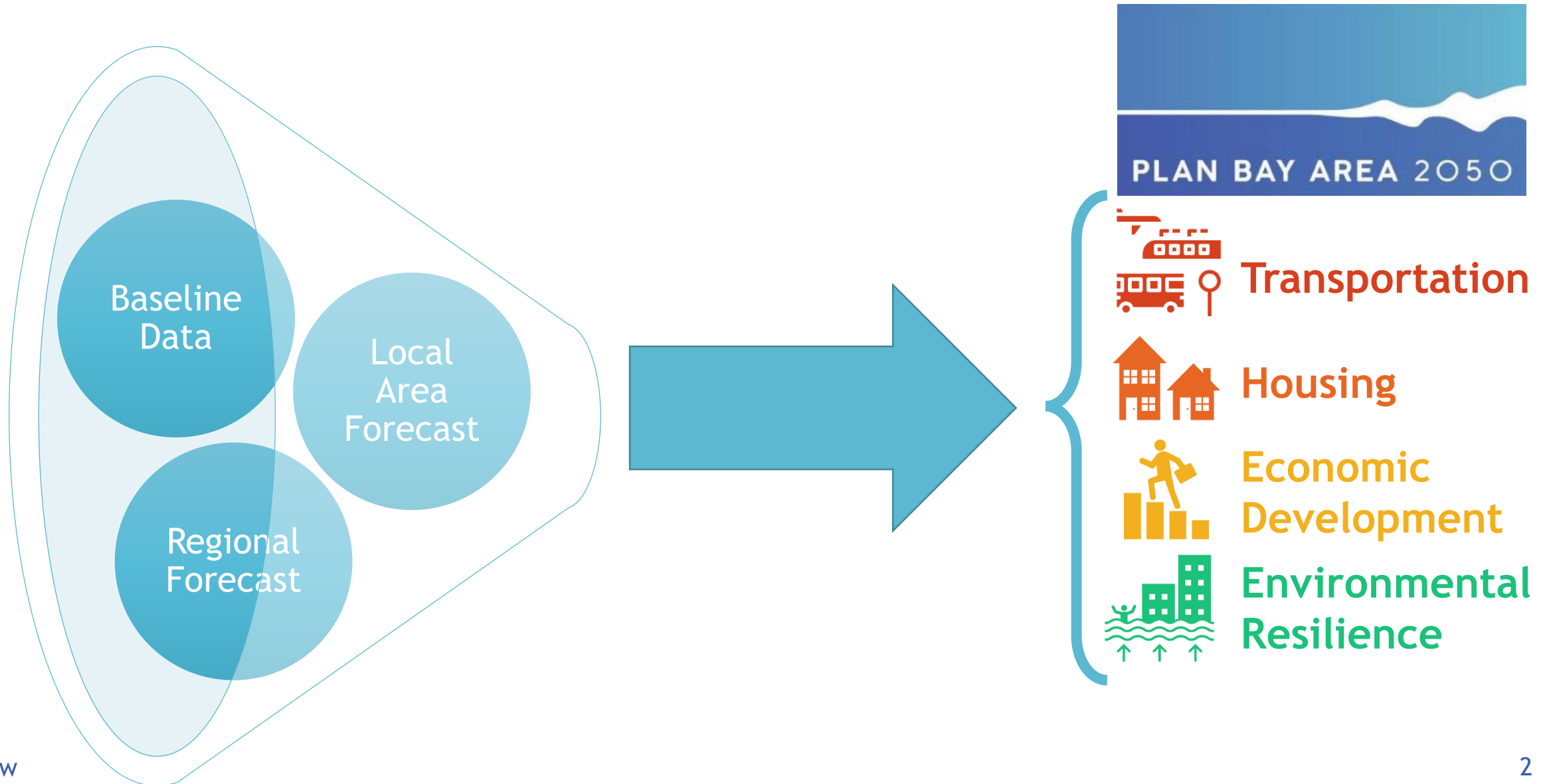
PLAN BAY AREA 2050

Regional Growth Forecast Methodology

Setting the Stage for Crafting Plan Bay Area 2050's
Growth Pattern

Cynthia Kroll, Kearey Smith, David Vautin - ABAG/MTC
July 2019

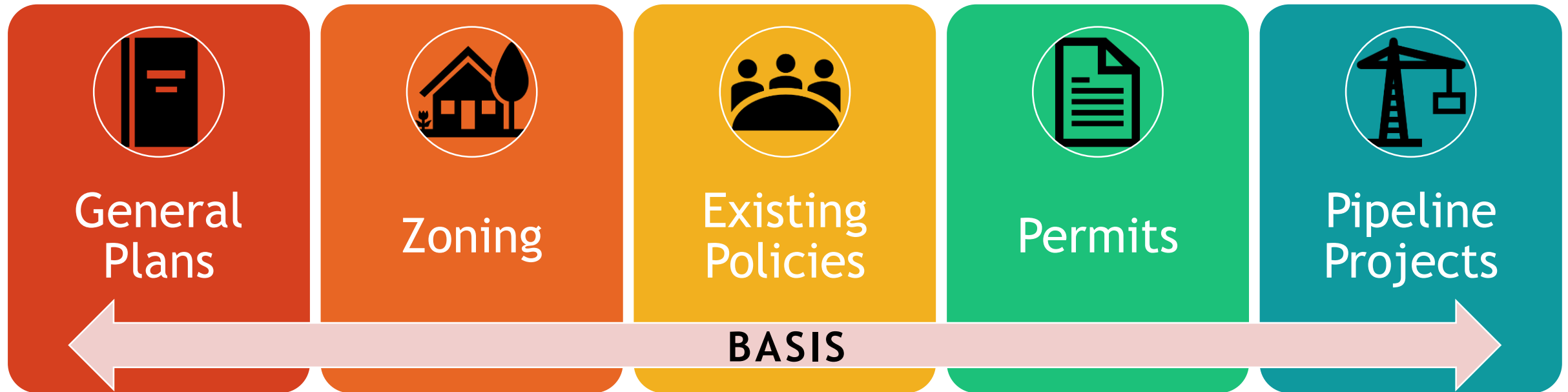
How Will We Forecast the Growth Pattern?



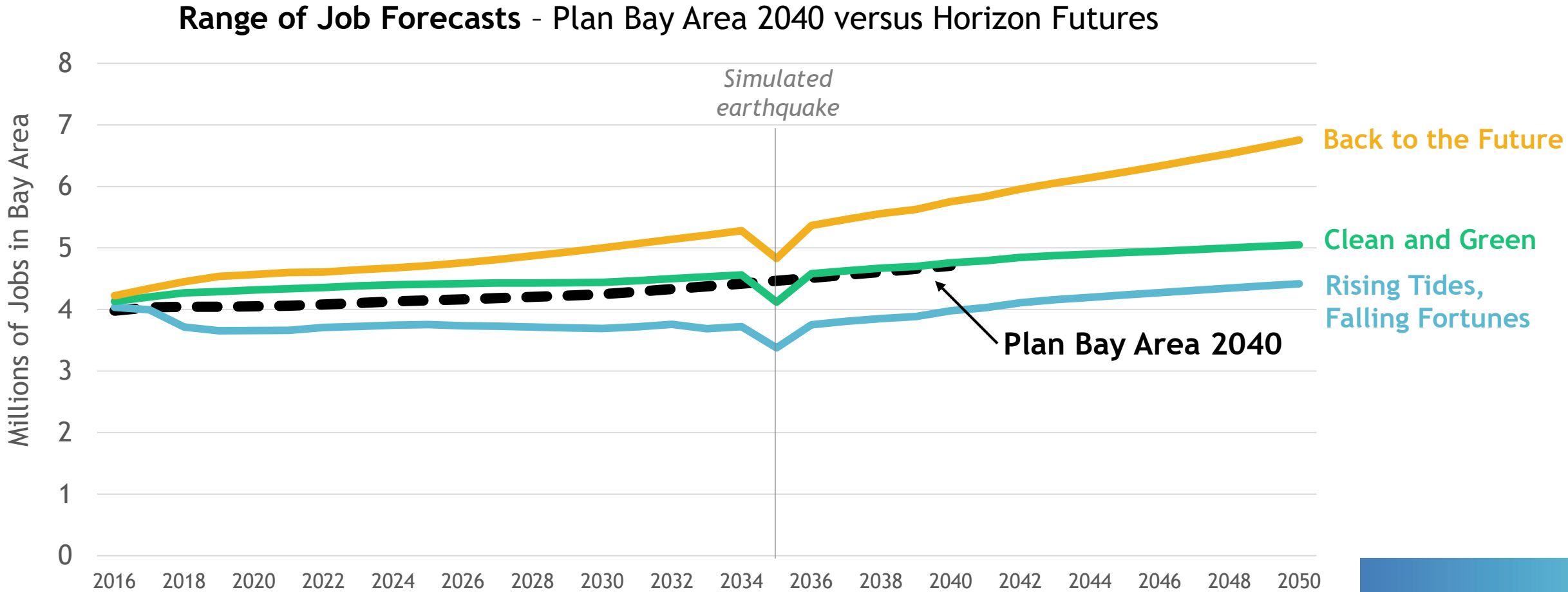
BASIS: Working to Improve Baseline Data

Baseline
Data

What datasets are specifically being updated at this time?



Exploring Uncertain Futures: What Have We Learned from Horizon?



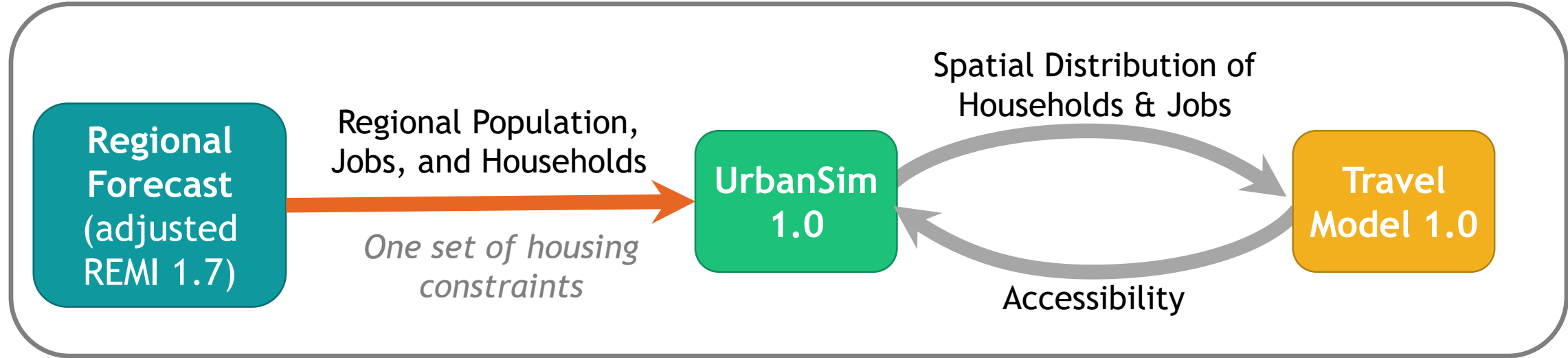
Pivoting to Plan Bay Area 2050: Developing the Regional Forecast

Regional
Forecast

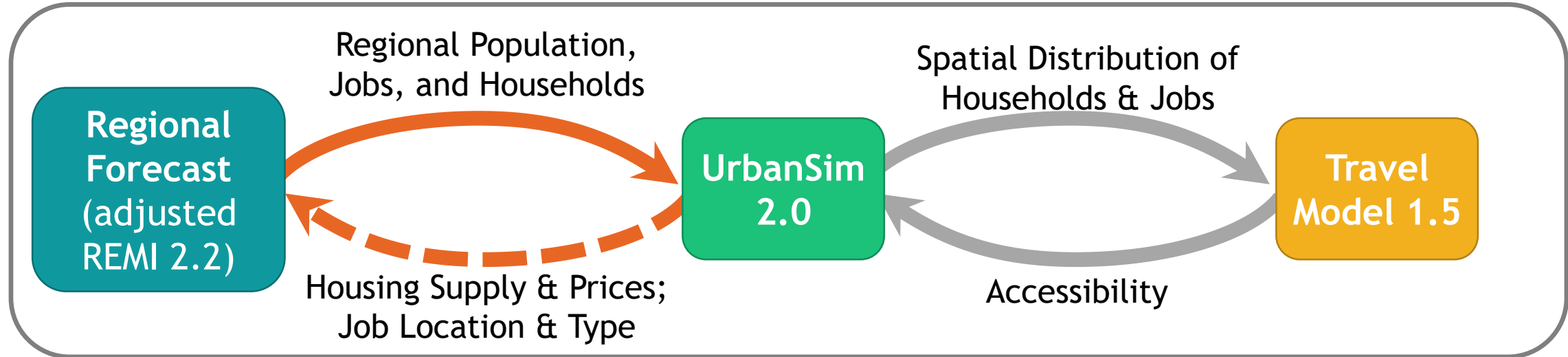
- Consulting with Center for Continuing Study of the California Economy (CCSCE) and a Technical Advisory Committee
- Tools to craft the Regional Growth Forecast
 - Regional Economic Models, Inc. (REM) version 2.2 - for the San Francisco Bay Area
 - Household + Income Model (*developed in-house*)
 - In-Commute Assessment (*developed in-house*)
- In general, our approach **builds upon the REMI model**, making adjustments when supported by further data analysis by ABAG/MTC or CCCSE.
- **Attachment A** provides additional technical information on the draft methodology under development.

Model Flow Chart: Interactive Approach

Plan
Bay
Area
2040

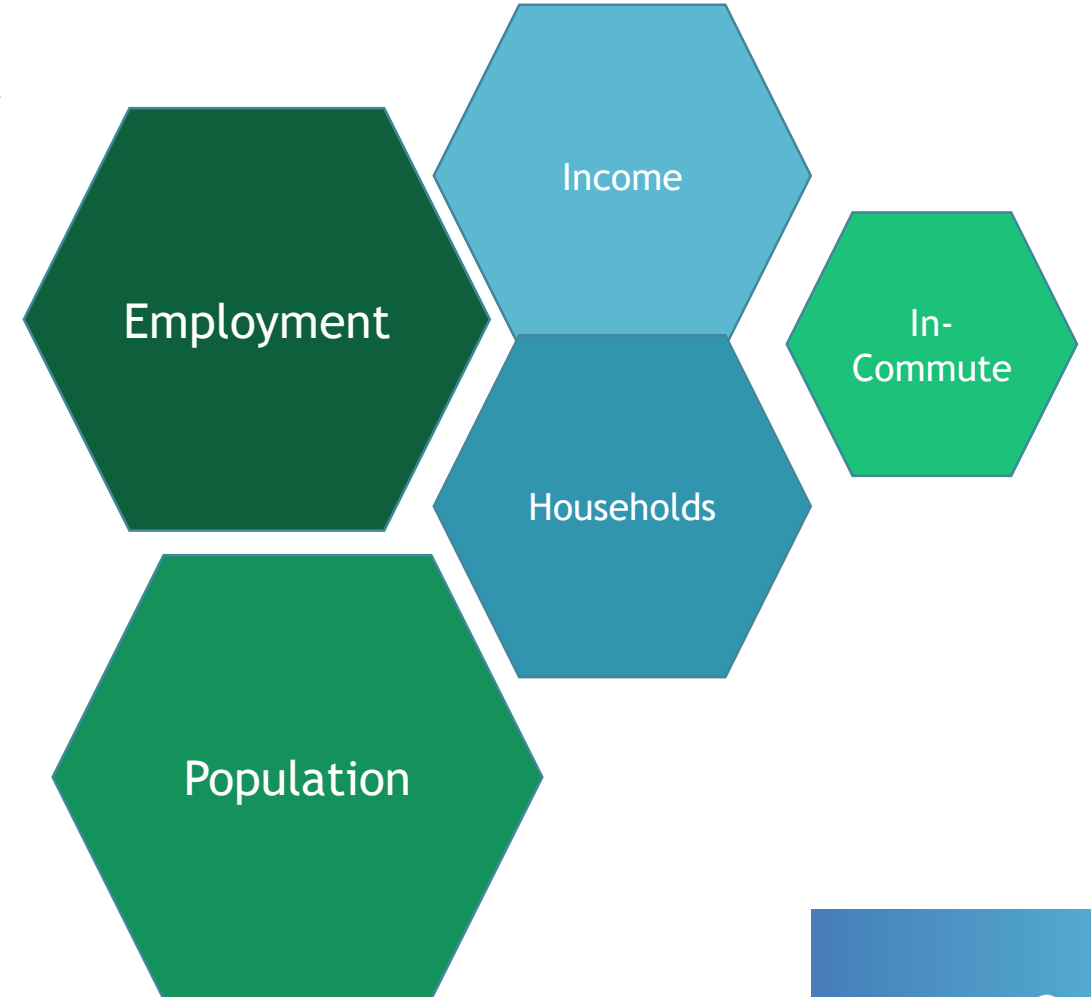


Plan
Bay
Area
2050
(draft)



Elements of the Regional Forecast

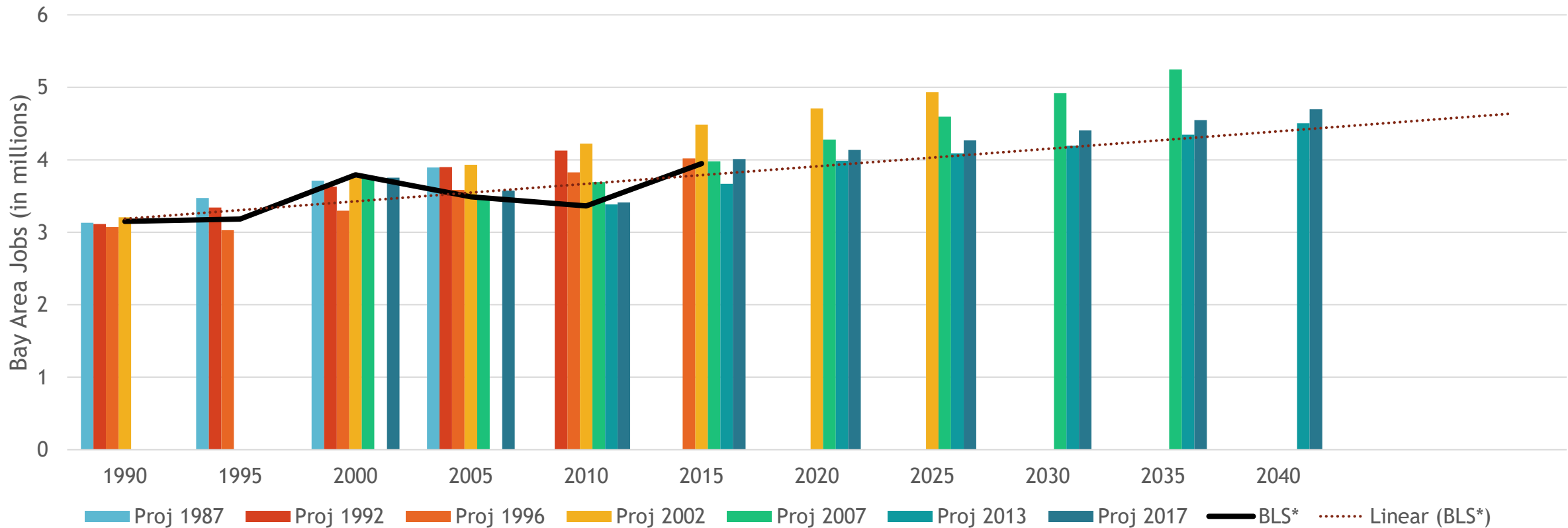
- **The Regional Growth Forecast** estimates employment and population, households by income category, and how much in-commuting may change.
- **Key underlying factors:**
 - Bay Area employment drivers: national growth, competitiveness and strength of key industries.
 - Population drivers: who is here today, economic conditions, immigration trends.
 - Household drivers: job growth, population growth, housing prices.



Understanding Job Predictions: Jobs are volatile



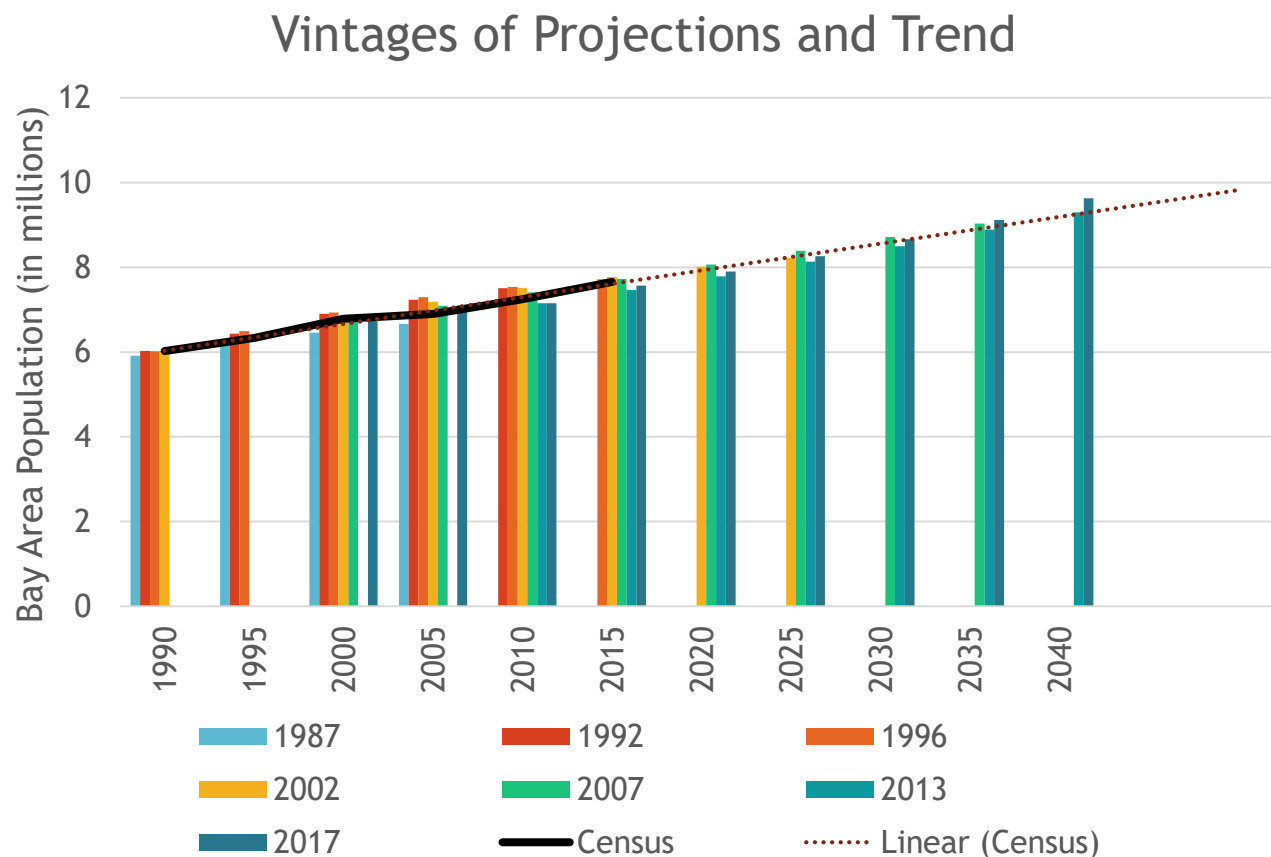
Vintages of Projections Compared to Trend Line Forecast Since 1990



Source: ABAG Projections Series and ABAG/MTC analysis from USBLS and Census data.

Population Less Volatile, More Predictable But small changes affect housing demand

Regional
Forecast



- Population age, ethnicity affect household numbers and size
- Immigration, income levels, and housing prices all affect how people choose to form households
- Both housing supply and economic prosperity affect household income.

Questions? Comments?

Contact Cynthia Kroll at
ckroll@bayareametro.gov

PLAN BAY AREA 2050

What's Next for the Regional Growth Forecast?

- Public Comment Period - through August 19, 2019
- Seek Methodology Adoption - September 19, 2019
- Draft Regional Growth Forecast - Fall 2019
- Final Regional Growth Forecast - Spring 2020