



METROPOLITAN TRANSPORTATION COMMISSION

Meeting Transcript



MARCH 28, 2024

BAY AREA HOUSING FINANCING AUTHORITY ADVISORY COMMITTEE

THURSDAY, MARCH 28TH, 2024, 10:00 AM

CHAIR, EFREN CARRILLO: GOOD MORNING. GOOD TO SEE STAFF AND MEMBERS OF THE PUBLIC. THIS IS BEING WEBCAST ON THE METROPOLITAN TRANSPORTATION COMMISSION WEBSITE. THOSE PARTICIPATING BY ZOOM I BELIEVE THIS MORNING WE DON'T HAVE ANY COMMITTEE MEMBERS PARTICIPATING BY ZOOM. ONLY POTENTIAL PUBLIC PARTICIPATION. I WISH -- THAT WISH TO SPEAK, PLEASE RAISE A HAND FEATURE, USE A RAISE HAND FEATURE OR DIAL STAR 9 AND YOU WILL BE CALLED UPON AT THE APPROPRIATE TIME. TELECONFERENCE ATTENDEES WILL BE CALLED UPON BY THE LAST FOUR DIGITS OF THEIR PHONE NUMBER. WITH THAT WE WILL BRING THE MEETING TO ORDER. WE'LL START WITH AGENDA ITEM NUMBER 1. THIS IS CALL THE MEETING TOURED OF THE BAHFA ADVISORY COMMITTEE. I'LL ASK THE SECRETARY TO DO THE ROLL CALL AND CONFIRM A QUORUM.

SPEAKER: JAMIE ALMANZA IS ABSENT. AISSIA ASHOORI. NEVADA MERRIMAN.

NEVADA MERRIMAN: HERE.

CLERK, FRED CASTRO: LEO DUBOSE IS ABSENT, LEELEE THOMAS IS ABSENT. MICHELLE WHITMAN.



MARCH 28, 2024

1

2 **MICHELLE WHITMAN:** PRESENT.

3

4 **CHAIR:** EFREN CARRILLO: FIRST, I'LL ASK THE SECOND TO LIST
5 ITEMS THAT ARE ASSOCIATED WITH THIS ITEM. IF THERE WAS
6 ANYTHING ON RECORD BY 5:00 P.M. LAST NIGHT SUBMITTED THROUGH
7 THE INFO@BAYAREAMETRO.GOV?

8

9 **CLERK, FRED CASTRO:** DONE AT THE ATTENDEE SPACE OR ZOOM SPACE
10 AT THIS TIME.

11

12 **CHAIR, EFREN CARRILLO:** THANK YOU. THESE ARE COMMITTEE MEMBER
13 ANNOUNCEMENTS. WE'LL START WITH ANY ANNOUNCEMENTS FROM
14 COMMITTEE MEMBERS. SEEING -- COMMITTEE MEMBER RAMIREZ.

15

16 **HUGO RAMIREZ:** THANK YOU. AT THE CITY AND COUNTY OF SAN
17 FRANCISCO, I AM NOW SERVING AT OAKLAND HOUSING AND COMMUNITY
18 DEVELOPMENT AS THEIR DEPUTY DIRECTOR OF COMMUNITY DEVELOPMENT
19 AND I AM VERY HAPPY TO BE THERE SO I JUST WANT TO SHARE THAT
20 WITH MY COLLEAGUES. THANK YOU.

21

22 **CHAIR, EFREN CARRILLO:** THANK YOU. IT'S EXCITING TO SEE YOU IN
23 THAT ROLE. THE ANNOUNCEMENT HAD YOU AND ALLIE GAYLORD. AND
24 COMMITTEE MEMBER RAMIREZ, I DIDN'T REALIZE YOU HAD BUSINESS IN



MARCH 28, 2024

1 -- BEEN IN THIS SECTOR, PUBLIC SECTOR FOR CLOSE TO 20 YEARS.

2 STARTED AS A TEENAGER. [LAUGHTER]

3

4 **CHAIR, EFREN CARRILLO:** I THINK WE'RE GLAD TO SEE LONG-SERVING

5 PUBLIC MEMBERS MOVING INTO POSITIONS OF VISION AND STRATEGY

6 AND AUTHORITY AROUND HOUSING AND THAT'S CERTAINLY THE CASE IN

7 OAKLAND SO WE WISH YOU WELL AND YOU ARE GOING TO DO AN AWESOME

8 JOB. WITH THAT, SEE IF THERE'S ANY OTHER MEMBER -- COMMITTEE

9 MEMBER ANNOUNCEMENTS. SEEING NONE, WE WILL -- DO I INVITE

10 PUBLIC COMMENT ON COMMITTEE MEMBER ANNOUNCEMENTS, MR.

11 SECRETARY?

12

13 **CLERK: FRED CASTRO:** YES.

14

15 **CHAIR: EFREN CARRILLO:** DID WE SEE ANY?

16

17 **CLERK, FRED CASTRO:** NONE.

18

19 **CHAIR, EFREN CARRILLO:** AND WE'LL GO TO THE CHAIR'S REPORT. I

20 DO NOT HAVE A CHAIR'S REPORT FOR THIS MORNING. I DO WANT TO

21 SAY THE NEXT MEETING IS CANCELED. THE NEXT WILL BE HELD ON MAY

22 23, 2024. WITH THAT I'LL ASK COMMITTEE MEMBERS DISCUSSION ON

23 THAT ITEM. MR. SECRETARY, DID WE RECEIVE ANY PUBLIC COMMENT

24 ASSOCIATED WITH THIS ITEM OR ANY MEMBERS OF THE PUBLIC WISHING

25 TO ADDRESS?



MARCH 28, 2024

1

2 **CLERK, FRED CASTRO:** NONE. THANK YOU.

3

4 **CHAIR, EFREN CARRILLO:** GREAT. THANK YOU. WE'LL GO AHEAD AND
5 MOVE TO ITEM NUMBER 5. IN IS OUR CONSENT CALENDAR. WE DO HAVE
6 ONLY ONE ITEM ON CONSENT CALENDAR 5-A. THESE ARE THE MINUTES,
7 I BELIEVE. NO, NOT THE MINUTES. YES, THE MINUTES. HERE WE ARE.
8 I AM READING AN ANNOTATED AGENDA. WITH THAT I'LL NEED A MOTION
9 AND SECOND ON THE CONSENT CALENDAR.

10

11 **SPEAKER:** SO MOVED.

12

13 **CHAIR, EFREN CARRILLO:** DO WE HAVE A SECOND?

14

15 **SPEAKER:** SECOND.

16

17 **CHAIR, EFREN CARRILLO:** WE HAVE A SECOND. ANY COMMITTEE MEMBER
18 DISCUSSION ON THE CONSENT CALENDAR DISCUSSION? SEEING NONE,
19 MR. SECRETARY, WERE THERE ANY ITEMS RECEIVED UNDER PUBLIC
20 COMMENT ASSOCIATED WITH IN ITEM?

21

22 **CLERK, FRED CASTRO:** NO WRITTEN COMMENTS WERE RECEIVED FOR THIS
23 ITEM. NO ONE IN THE BOARDROOM FOR PUBLIC COMMENT AND NONE IN
24 THE ZOOM SPACE FOR PUBLIC COMMENT. THANK YOU.

25



MARCH 28, 2024

1 **CHAIR, EFREN CARRILLO:** THANK YOU. WITH THAT WE WILL GO AHEAD
2 AND ASK THE COMMITTEE MEMBERS FOR ANY DISCUSSION ON THIS ITEM.
3 SEEING NONE, ALL COMMITTEE MEMBERS THAT ARE IN FAVOR, PLEASE
4 SAY AYE.

5

6 **SPEAKER:** AYE.

7

8 **CHAIR, EFREN CARRILLO:** ARE THERE ANY OPPOSED? ANY ABSTENTIONS?
9 SEEING NONE, THIS MOTION PASSES UNANIMOUSLY BY ALL MEMBERS
10 PRESENT. NEXT, WE'LL GO AHEAD AND FOR THE -- JUST FOR THE
11 RECORD, MR. SECRETARY, COULD YOU PLEASE NOTE THE COMMITTEE
12 MEMBER ALMANZA HAS JOINED THE ADVISORY COMMITTEE AS WELL?

13

14 **CLERK, FRED CASTRO:** I WILL, THANK YOU.

15

16 **CHAIR, EFREN CARRILLO:** IT'S GREAT TO SEE YOU. THANK YOU. WITH
17 THAT WE'LL MOVE TO AGENDA ITEM 6-A. THIS IS THE BAHFA ADVISORY
18 COMMITTEE VICE CHAIR. THE CHAIR IS ELECTED TO VOTE FOR A VICE
19 CHAIR. WE HAVE GONE A LONG TIME WITHOUT ONE. WITH THAT I DO
20 THINK WE HAVE A REPORT ON THIS ITEM OR IS THERE NOT A REPORT
21 ON THIS ITEM, SECRETARY? NO REPORT, OKAY. I WILL SAY FOLLOWING
22 THE REPORT -- AND THE REPORT IS I THINK MY REPORT. SO WE DO
23 HAVE -- I WOULD LIKE TO MAKE A MOTION AND COMMITTEE MEMBER
24 RAMIREZ, SINCE YOU ARE ON THE SPOTLIGHT, I'D LIKE TO RECOMMEND
25 THAT -- PASS THE MOTION TO INVITE YOU TO SERVE AS VICE CHAIR



MARCH 28, 2024

1 IF YOU ARE SO WILLING. AND IF I CAN GET A SECOND I'D LIKE TO
2 MOVE THAT COMMITTEE MEMBER RAMIREZ BE VICE CHAIR.

3

4 **SPEAKER:** I'D LIKE TO MAKE THE SECOND.

5

6 **CHAIR, EFREN CARRILLO:** WE HAVE A SECOND. WITH THAT WE WILL
7 INVITE FIRST MEMBERS OF THE PUBLIC TO PROVIDE COMMENT ON THIS
8 PARTICULAR ITEM. DO WE HAVE -- DID WE RECEIVE ANY WRITTEN
9 PUBLIC COMMENT OR ANY MEMBERS OF THE PUBLIC WISHING TO ADDRESS
10 --

11

12 **CLERK, FRED CASTRO:** NO MEMBERS OF THE PUBLIC. AND IN THE
13 ATTENDEE SPACE, NONE THERE FOR COMMENT.

14

15 **CHAIR, EFREN CARRILLO:** THANK YOU. WITH THAT I'LL INVITE
16 ADVISORY DISCUSSION -- ADVISORY COMMITTEE DISCUSSION, IF
17 THERE'S ANY DISCUSSION, PLEASE, YOU CAN SAY NO, COMMITTEE
18 MEMBER RAMIREZ. ARE YOU WILLING TO ACCEPT THE APPOINTMENT TO
19 VICE CHAIR?

20

21 **HUGO RAMIREZ:** I AM HAPPY TO SERVE. THANK YOU.

22

23 **CHAIR, EFREN CARRILLO:** THANK YOU FOR STEPPING UP. WITH THAT
24 I'LL ASK ALL ADVISORY MEMBERS PLEASE ACKNOWLEDGE BY STATING
25 AYE.



MARCH 28, 2024

1

2 **SPEAKER:** AYE.

3

4 **CHAIR, EFREN CARRILLO:** ANY OPPOSED? ANY ABSTENTIONS? THIS
5 MOTION PASSES UNANIMOUSLY BY ALL MEMBERS PRESENT. THANK YOU,
6 MR. VICE CHAIR. WITH THAT WE'LL MOVE TO AGENDA ITEM 7-A. THIS
7 IS THE BAHFA GENERAL OBLIGATION BOND EXPENDITURE PLAN LABOR
8 STANDARDS DISCUSSION. THIS IS AN UPDATE ONLY. THERE IS NO
9 ACTION BEING REQUIRED OR REQUESTED OF THE ADVISORY. THIS IS AN
10 UPDATE ON THE LABOR STANDARDS FOR INCLUSION IN BAHFA'S 20%
11 REGIONAL FUNDING EXPENDITURE PLAN. WE HAVE EXECUTIVE DIRECTOR
12 HARTLEY HERE TO MAKE A PRESENTATION.

13

14 **KATE HARTLEY:** THANK YOU, CHAIR CARRILLO. IF I CAN GET THE
15 DECK. AND THANK YOU, COMMITTEE MEMBERS. AT THE TIME WE
16 PRESENTED OUR DRAFT EXPENDITURE PLAN TO YOU IN JANUARY, WE
17 WERE STILL IN NEGOTIATIONS WITH LABOR REPRESENTATIVES AND
18 AFFORDABLE HOUSING DEVELOPERS REGARDING POTENTIAL LABOR
19 STANDARDS FOR BAHFA. AND SO TODAY WE WANT TO GIVE YOU AN
20 UPDATE TO -- AS TO WHERE THOSE NEGOTIATIONS STAND. NEXT SLIDE.
21 AS YOU RECALL, OUR EXPENDITURE PLAN IS FOR BAHFA'S 20% OF
22 FUNDS ONLY. AND THIS PAST -- THIS -- THE PAST TWO MONTHS, BOTH
23 YOU AND THE JOINT HOUSING COMMITTEES APPROVED ALL THE SPENDING
24 ELEMENTS THAT WE PUT FORWARD IN OUR EXPENDITURE PLAN. THE LAST
25 PIECE WE NEED TO FINALIZE THAT PLAN IS OUR LABOR STANDARDS.



MARCH 28, 2024

1 NEXT SLIDE. AND AS YOU KNOW, BAHFA'S POWERS AND AUTHORITIES
2 ARE LIMITED TO WHAT IS DEFINED IN OUR ENABLING STATUTE, WHICH
3 IS THE REGIONAL AFFORDABLE HOUSING FINANCE ACT. THE ACT DOES
4 NOT ALLOW BAHFA TO IMPOSE LABOR STANDARDS ON THE
5 JURISDICTIONS. HOWEVER, OUR STATUTE COULD BE AMENDED TO SAY
6 THAT BAHFA MAY IMPOSE LABOR STANDARDS ON THE JURISDICTIONS,
7 AND SOME LABOR REPRESENTATIVES HAVE EXPRESSED THE DESIRE TO
8 MAKE THAT AMENDMENT IN SACRAMENTO WITH THE STATE LEGISLATURE
9 TO ENABLE REGIONWIDE LABOR STANDARDS. BUT EVEN IF OUR STATUTE
10 WERE AMENDED, THERE ARE STILL LIMITS TO WHAT WE CAN DO. FOR
11 EXAMPLE, OUR GENERAL COUNSEL HAS ADVISED US THAT WE CANNOT
12 IMPOSE A PROJECT LABOR AGREEMENT ON JURISDICTIONS BECAUSE OF
13 THE LEGAL NATURE OF P.L.A.'S AND THE WAY OUR ACT LIMITS
14 BAHFA'S ROLE IN DETERMINING HOW CITY AND COUNTY FUNDS CAN BE
15 SPENT, AND I'LL SAY MORE ABOUT P.L.A.'S LATER ON IN THE
16 PRESENTATION. NEXT SLIDE. SO WE DID WANT TO LOOK AT THE WHOLE
17 LANDSCAPE OF LABOR PROVISIONS THAT ARE CURRENTLY IN USE IN THE
18 BAY AREA TO ANALYZE WHAT STANDARDS COULD BE USED BY THE REGION
19 AND -- EXCUSE ME -- EXCUSE ME -- AND WHAT WOULD BE MOST
20 APPROPRIATE FOR ALL OF US TO REACH OUR GOALS. SO FIRST UP IS
21 THE CALIFORNIA LABOR CODE WHICH SAYS THAT PROJECTS THAT USE
22 PUBLIC FUNDS MUST PAY PREVAILING WAGES. BUT HOWEVER, THERE IS
23 A SECTION IN THE LABOR CODE. IT'S 1720-C-5 THAT EXEMPTS
24 PRIVATELY OWNED RESIDENTIAL CONSTRUCTION FROM USING PUBLIC
25 FUNDS FROM THOSE STANDARDS IF THERE ARE CERTAIN TERMS THAT ARE



MARCH 28, 2024

1 MET. AND FOR AFFORDABLE HOUSING DOCUMENTS, IT IS PRETTY EASY
2 TO MEET THOSE TERMS. SO SIMPLY APPLYING THE LABOR CODE DOES
3 NOT GUARANTEE A PAYMENT STANDARD FOR WORKERS, UNLIKE OTHER
4 PUBLIC WORKS JOBS LIKE INFRASTRUCTURE JOBS, THAT ARE OWNED BY
5 A PUBLIC ENTITY AND THAT DON'T HAVE SIMILAR EXEMPTIONS. THERE
6 ARE MANY WAYS TO APPLY AN ENFORCEABLE PREVAILING WAGE
7 STANDARD, HOWEVER, AS I KNOW THAT YOU ARE ALL AWARE. SOME
8 CITIES ATTACH AN ENFORCEABLE PREVAILING WAGE TO SUBSIDY LOANS
9 REGARDLESS OF SOURCE OF FUNDING IS. AND THE HOUSING AND
10 COMMUNITY DEVELOPMENT PROJECT REQUIRE PREVAILING STANDARDS.
11 THE NEXT STANDARD WE WANT TO HIGHLIGHT CONSISTS OF THREE MAIN
12 COMPONENTS. THE FIRST IS AN ENFORCEABLE PREVAILING WAGE
13 STANDARD. AND THEN FOR BUILDINGS OVER 50 UNITS, TWO THINGS.
14 BOTH A HEALTH CARE PAYMENT REQUIREMENT AND THE USE OF APPROVED
15 APPRENTICESHIP PROGRAMS. THE STANDARD IS INCLUDED IN RECENTLY
16 PASSED LEGISLATION, INCLUDING AB-2011 WHICH WAS BUFFY WICKS'
17 STREAMLINING LEGISLATION. ALSO, SB-4, A.K.A., YES IN GOD'S
18 BACK YEAR-OLD THAT SENATOR WIENER OFFERED. AND ALSO IN A
19 MODIFIED FORM IN SB-423 AND SB-423 IS ALSO A STREAMLINING
20 BILL. IT REQUIRES FOR BUILDINGS OVER 85 FEET THAT ARE EITHER
21 MIXED INCOME OR MARKET RATE TO USE SKILLED AND TRAINED LABOR.
22 BUT 100% AFFORDABLE DEVELOPMENTS ARE EXEMPT FROM THE SKILLED
23 AND TRAINED REQUIREMENT. WHICH BRINGS US TO ANOTHER STANDARD
24 WHICH IS SKILLED AND TRAINED. THAT'S CAPITAL S, CAPITAL T.
25 GENERALLY SPEAKING, THIS IS A RESTRICTED STANDARD THAT



MARCH 28, 2024

1 REQUIRES THE WORKFORCE TO BE SKILLED JOURNEYMEN AND GRADUATES
2 OF APPROVED TRAINING PROGRAMS. THIS STANDARD WAS RECENTLY
3 INCLUDED IN SENATE BILL 6 CARRIED BY SENATOR CABALLERO. AND IT
4 WAS COMMERCIAL ZONED PROPERTIES WITHOUT A REZONING IF YOU
5 USE SKILLED AND TRAINED LABOR. AND THEN THE LAST LEGAL
6 FRAMEWORK TO THINK ABOUT IS OUR PROJECT LABOR AGREEMENTS. SO
7 AS I MENTIONED, OUR GENERAL COUNSEL HAS ADVISED THAT FEDERAL
8 LEGAL REQUIREMENTS, WHICH PREEMPT STATE AND LOCAL LAWS,
9 PREVENT BAHFA FROM IMPOSING P.L.A.'S ON JURISDICTIONS. BAHFA
10 COULD POTENTIALLY IMPOSE A P.L.A. ON ITS OWN USE OF OUR
11 REGIONAL 20% FUNDS, HOWEVER, BUT ONLY IF WE MET CERTAINLY
12 FINDINGS THAT WE WERE ACTING AS A MARKET PARTICIPANT PROCURING
13 LABOR SERVICES. STAFF HAVE ADVISED THAT ADMINISTERING A P.L.A.
14 IN NINE COUNTIES WOULD ADD A LAYER OF REGULATORY BURDEN THAT
15 WOULD BE VERY CHALLENGING BECAUSE AS YOU RECALL FOR OUR
16 PRODUCTION FUNDS AT THE DIRECTION OF OUR BOARDS, WE WILL BE
17 ISSUING A NINE-COUNTY P.L.A. WITH INVESTMENT TARGETS IN EVERY
18 COUNTY. SO IMPOSING P.L.A.'S ON THAT WILL BE VERY DIFFICULT.
19 WE KNOW THAT REGULATORY BURDEN DRIVES COSTS UP, SO WE HAVE TO
20 CONSIDER THAT AS WELL.

21

22 **CHAIR, EFREN CARRILLO:** KATE, I THINK YOU SAID A NINE-COUNTY
23 R.F.P. OR R.F.Q.?

24



MARCH 28, 2024

1 **KATE HARTLEY:** NOTICE OF FUNDING AVAILABILITY. DID I SAY
2 P.L.A.? NINE COUNTY. WE WILL BE ISSUING A NOTICE OF FUNDING
3 AVAILABILITY, NOFA, THANK YOU. SO TO ADD TO THAT NINE-COUNTY
4 P.L.A. WILL MAKE THAT PROCESS ADMINISTRATIVELY BURDENSOME.

5

6 **CHAIR, EFREN CARRILLO:** GREAT, THANK YOU.

7

8 **KATE HARTLEY:** APPRECIATE IT. ALSO, WE HAVE ADVISED ALL THE
9 COMMITTEES THAT -- ALL THE COUNTIES THAT WE INTEND TO BE VERY
10 COLLABORATIVE AND TO NOT -- WE WILL NOT BE COMPETING WITH THEM
11 FOR COMPETITIVE STATE FUNDS SUCH AS TAX-EXEMPT BONDS AND 4%
12 TAX CREDITS. SO OUR ABILITY TO SUCCESSFULLY INVEST IN NONTAX
13 CREDIT DEVELOPMENTS IN ALL THE NINE COUNTIES REQUIRES US TO BE
14 NIMBLE AND TO HAVE THE LOWEST TAX AS WE CAN. TO HAVE A TAX ON
15 ALL THE NINE COUNTIES IF THE ACT WAS AMENDED, BAHFA HAS NO
16 ROLE IN THE COUNTY'S AND CITY'S TRANSACTIONS SO BAHFA WOULD
17 NOT MEET THE MARKET PARTICIPANT ROLE THAT IS REQUIRED OF
18 P.L.A.'S. THIS PUTS US IN A VERY DIFFERENT SITUATION FROM
19 OTHER JURISDICTIONS THAT HAVE SUCCESSFULLY IMPLEMENTED
20 P.L.A.'S SUCH AS ALAMEDA COUNTY IN 2016. THAT WAS A ONE-COUNTY
21 STANDARD. ALSO IN LOS ANGELES, RECENT LEGISLATION THAT
22 ESTABLISHED LACAHS, ANOTHER REGIONAL HOUSING FINANCE AGENCY,
23 HAS A P.L.A. BUT, AGAIN, IT'S ONE COUNTY AND LACAHS, UNLIKE
24 BAHFA, HAS DISCRETION OVER HOW ITS FUNDS WILL BE SPENT. NEXT
25 SLIDE. SO AS THE BOARDS CONSIDER THESE COMPETING FRAMEWORKS,



MARCH 28, 2024

1 ESPECIALLY IN THE CONTEXT OF AN APPLICATION TO THE ENTIRE
2 REGION, WE WANT TO CALL OUT RELEVANT GOALS AND PRINCIPLES
3 WHICH ARE CENTRAL TO BAHFA'S BUSINESS PLAN. FIRST, WE WANT TO
4 EXPAND THE PROTECTION OF WORKERS IN THE BAY AREA'S AFFORDABLE
5 HOUSING CONSTRUCTION INDUSTRY AS PART OF OUR EQUITY FRAMEWORK.
6 WE WANT TO BUILD AND PRESERVE HOUSING AT SCALE TO ADDRESS THE
7 REGION'S LONG-TERM HOUSING SHORTAGE. AND TO MEET OUR GOALS, WE
8 WANT TO PURSUE NEW STRATEGIES IN FINANCING AND DEVELOPMENT
9 THAT CAN HELP US TO CONTROL COSTS AND DELIVER HOUSING FASTER
10 AND EFFECTIVELY. NEXT SLIDE. WE ALSO WANTED TO HIGHLIGHT SOME
11 RELEVANT CONSIDERATIONS ABOUT WHO IS LIKELY TO USE BAHFA BOND
12 PROCEEDS AND HOW -- HOW THOSE DEVELOPMENTS OPERATE. THIS IS
13 VERY HIGH LEVEL DESCRIPTION AND I AM GENERALIZING, BUT
14 GENERALLY SPEAKING, IF YOU LOOK AT DATA FROM THE LAST SEVERAL
15 YEARS OF TAX CREDIT AND BOND APPLICATIONS, WHICH ARE, AS YOU
16 KNOW, THE MAIN SOURCES OF AFFORDABLE HOUSING DEVELOPMENT IN
17 THE REGION AND THE COUNTRY, THERE ARE TWO DIFFERENT
18 DEVELOPMENT TYPES THAT EMERGE. FIRST ARE DEVELOPERS THAT USE
19 CITY AND COUNTY FUNDS. THEY TAKE CITY AND COUNTY SUBSIDY LOANS
20 AS PART OF THEIR DEVELOPMENT FINANCING. THEY ARE USUALLY
21 THOUGH DEFINITELY NOT ALWAYS NONPROFITS. THEY WORK IN HIGHLY
22 REGULATED ENVIRONMENTS. THEY ALMOST ALWAYS PAY PREVAILING
23 WAGES. AND THE PROJECTS THAT THIS COHORT BUILDS ARE TYPICALLY
24 SUBJECT TO ADDITIONAL REGULATORY OBLIGATIONS THAT COME WITH
25 LOCAL FUNDS. TOTAL DEVELOPMENT COSTS FOR THIS DEVELOPER COHORT



MARCH 28, 2024

1 IN THE DATA THAT WE ANALYZED OVER THE LAST FEW YEARS ARE
2 CORRESPONDINGLY HIGH. THE SECOND GROUP OF DEVELOPERS,
3 GENERALLY SPEAKING, DOES NOT TAKE LOCAL FUNDS. THEY ARE OFTEN,
4 THOUGH NOT ALWAYS, FOR-PROFIT BUSINESSES. THEY USUALLY FINANCE
5 THEIR PROJECTS ONLY WITH CREDITS -- TAX CREDITS, BONDS, AND
6 THEN A VERY HIGH-LEVEL DEVELOPER FEES. THEY ARE NOT SUBJECT TO
7 REGULATORY REQUIREMENTS THAT ATTACH TO LOCAL FUNDING. AND
8 BECAUSE TAX CREDITS DON'T REQUIRE PREVAILING WAGES, PREVAILING
9 WAGE COMPLIANCE IS NOT TYPICAL ON THESE JOBS. SO APPLICATION
10 OF A LABOR STANDARD, THESE PROJECTS WOULD PROVIDE ENFORCEABLE
11 WORKER PROTECTIONS WHERE THEY DON'T NOW EXIST IN MANY CASES,
12 THOUGH NOT ALL CASE, BUT IN MANY CASES. NEXT SLIDE. SO
13 SHIFTING NOW TO WHAT WE SEE AS THE NEED, THE HOUSING NEED IN
14 THE REGION, WE ALL KNOW THE CONSEQUENCES OF OUR REGION'S LACK
15 OF AFFORDABLE HOUSING, AND IT'S ESPECIALLY ALARMING TO SEE IN
16 MANY COUNTIES THE CONTINUING RISE IN THE RATE OF HOMELESSNESS.
17 SO THE NEED TO BUILD AT SCALE AND TO BETTER MEET THE REGION'S
18 HOUSING NEEDS IS PUT IN STARK RELIEF WHEN YOU SEE THE OUTCOMES
19 OF THE FIFTH RHNA CYCLE, WHICH JUST ENDED IN 2023, AND
20 ESPECIALLY WHEN YOU COMPARE THOSE RESULTS WITH OUR CURRENT
21 RHNA CYCLE, THE SIXTH CYCLE. BETWEEN 2015 AND 2023, THE REGION
22 PERMITTED MARKET RATE HOUSING AT A RATE THAT WAS DOUBLE THE
23 TARGET. BUT AFFORDABLE HOUSING FELL FAR SHORT OF THE TARGETS.
24 YOU CAN SEE THOSE FIGURES. VERY LOW INCOME ACHIEVED ONLY 40%,
25 FOR EXAMPLE, OF THE TARGETS. THE HIGH COST OF HOUSING AND THE



MARCH 28, 2024

1 LACK OF SUFFICIENT RESOURCES TO BUILD AFFORDABLE HOUSING ARE
2 MAJOR FACTORS IN THIS FAILURE. NEXT SLIDE. SO WITH THOSE
3 RESULTS, WE KNOW THAT MEETING THE SIXTH CYCLE RHNA MANDATE
4 WILL BE CHALLENGING. THE 441,000 HOMES NEEDED IS 225% MORE
5 THAN WHAT WE HAD AS OUR TARGET IN CYCLE FIVE. AND THE HIGH
6 LEVEL OF AFFORDABLE HOMES NEEDED IS ESPECIALLY DAUNTING. SO TO
7 MEET THESE GOALS, FULFILL ITS MISSION, BAHFA, CITIES AND
8 COUNTIES, THE ENTIRE HOUSING INDUSTRY MUST BUILD SIGNIFICANTLY
9 MORE HOUSING, AND THIS IS GOING TO REQUIRE CHANGING THE WAY
10 THAT WE DO THINGS NOW. NEXT SLIDE. AND SO TAKING OUR
11 SIGNIFICANT HOUSING NEEDS, TOGETHER WITH THE COSTS OF
12 OPERATING IN A HIGHLY REGULATED ENVIRONMENT, SHOWS HOW
13 DIFFICULT MEETING THOSE NEEDS CAN BE. THE DEVELOPMENT COST
14 THAT YOU SEE ON THIS SLIDE COME FROM TAX CREDIT AND BOND
15 APPLICATION -- FUNDED ALLOCATED PROJECTS BETWEEN '21 AND '23,
16 AGAIN. THE AVERAGE PER UNIT PRICES OF THOSE PROJECTS THAT USED
17 LOCAL CITY AND COUNTY FUNDS AS PART OF THEIR FINANCING STACK.
18 THE NEXT COLUMN OVER ARE THE AVERAGE PER UNIT PRICES OF THE
19 PROJECTS THAT DID NOT NEED OR TAKE LOCAL FUNDS. AS YOU CAN
20 SEE, THE COST DIFFERENCES BETWEEN THEM FAR EXCEED THE
21 INCREMENTAL COST OF PAYING PREVAILING WAGES. SO THEY POINT TO
22 ADDITIONAL -- ADDITIONAL REGULATORY BURDENS AND THE CHALLENGES
23 OF SECURING LAYERS OF SUBSIDIES FROM LOCAL, STATE, AND FEDERAL
24 SOURCES. TO MEET OUR GOALS, THESE NUMBERS REQUIRE THAT WE
25 UNDERSTAND THE COST OF NONESSENTIAL REGULATORY REQUIREMENTS



MARCH 28, 2024

1 AND THAT WE, TOGETHER AS AN INDUSTRY, WORK TO EASE THOSE
2 REGULATORY BURDENS THAT WE PLACE ON DEVELOPMENT. AND THIS IS
3 GOING TO INCLUDE THINGS LIKE EXPEDITING FINANCING AT THE LOCAL
4 LEVEL. ADVOCATING FOR A MORE RATIONAL STATE FUNDING SYSTEM.
5 AND PRIORITIZING PROJECTS THAT CAN USE RECENTLY PASSED
6 STREAMLINING LEGISLATION SO THEY CAN MOVE FASTER AND SAVE
7 MONEY. WE ALSO WANT TO PRIORITIZE PROJECTS THAT ARE ABLE TO
8 IMPLEMENT DESIGN STANDARDS THAT CAN SAVE TIME AND COST WHILE
9 ALSO ACHIEVING SAFE, DECENT, QUALITY HOUSING. NEXT SLIDE. AND
10 THIS IS JUST THE ISOLATED AVERAGE COST FOR 2023, CDLAC AND
11 TCAC APPLICATIONS. YOU CAN SEE THE COST TRENDS WORSENING, BUT
12 WITH A SUCCESSFUL BOND, WE HAVE AN OPPORTUNITY TO TAKE THESE
13 NEW RESOURCES IN EVERY SINGLE COUNTY AND START TO IMPLEMENT
14 SOME NEW FINANCING AND DEVELOPMENT SYSTEMS THAT CAN START TO
15 REVERSE THESE TRENDS. NEXT SLIDE. SO TO SUMMARIZE, WE KNOW
16 THERE ARE THOUSANDS OF AFFORDABLE HOUSING UNITS BUILT WITH NO
17 LABOR STANDARDS WHATSOEVER. AND IN THAT CONTEXT, WORKERS CAN
18 BE VULNERABLE. BUT RIGID, RESTRICTED STANDARDS, AS WELL AS
19 OTHER REGULATORY BURDENS CAN MAKE PROJECTS SO EXPENSIVE THAT
20 IT'S VERY DIFFICULT TO MEET OUR GOALS. WE HAVE THE OPPORTUNITY
21 WITH THE REGIONAL HOUSING BOND TO EXPAND WORKER PROTECTIONS,
22 TO CREATE MORE JOBS, AND BUILD THE HOUSING WE HAVE NEEDED FOR
23 A VERY LONG TIME. WE WANT TO TRY TO CREATE A BALANCED,
24 INCLUSIVE LABOR STANDARD THAT WILL WORK IN EVERY SINGLE COUNTY
25 AND TO THEREBY ACHIEVE OUR SYSTEMS CHANGE IN A VERY RESPONSIVE



MARCH 28, 2024

1 HOUSING INDUSTRY. NEXT SLIDE. SO NEXT STEPS -- WE'RE GOING TO
2 CONTINUE OUR DISCUSSIONS WITH LABOR REPRESENTATIVES AND
3 AFFORDABLE HOUSING DEVELOPERS. WE'RE PURSUING A COMPROMISE
4 THAT IS BUILT ON INCLUSIVE STANDARDS THAT PROTECT WORKERS AND
5 WORK IN EVERY COUNTY, AND WE WANT STRONG SUPPORT FROM ALL
6 STAKEHOLDERS, ALL PARTIES BECAUSE OF THE MYRIAD HOUSING AND
7 EMPLOYMENT BENEFITS THAT THIS BOND CAN BRING. AND THEN, WE'LL
8 BRING WRITTEN RECOMMENDATIONS TO OUR JOINT HOUSING COMMITTEE
9 IN APRIL. THE ABAG AND BAHFA -- SORRY -- EXCUSE ME -- THE ABAG
10 EXECUTIVE BOARD WILL BE VOTING TO ADVANCE THE BALLOT APRIL IN
11 APRIL AND THEN WILL BE BEFORE THE BAHFA BOARD IN MAY WITH
12 PUBLIC HEARING FIRST AND THEN FINAL VOTE IN JUNE. WE SEEK YOUR
13 INPUT AS THE BOARD'S ADVISORY COMMITTEE ON GUIDANCE AND HOW TO
14 PROVIDE THE EXPERTISE AND KNOWLEDGE OF THE INDUSTRY AND TO
15 HELP THE BOARDS IN THEIR DECISION-MAKING. THESE ARE VERY
16 IMPORTANT DECISIONS, AND I KNOW THEY WILL BE VERY ANXIOUS AND
17 HAPPY TO HAVE YOUR INPUT. AND THAT CONCLUDES THE PRESENTATION.
18 THANK YOU.

19

20 **CHAIR, EFREN CARRILLO:** OKAY. THANK YOU, KATE, FOR A VERY
21 THOROUGH PRESENTATION, ONCE AGAIN. CERTAINLY APPRECIATE
22 HEARING THE CONTEXT OF THE CONVERSATION THAT'S OCCURRING AT
23 THE ADVISORY AND CERTAINLY OCCURRING WITH ELECTED OFFICIALS
24 AND LABOR REPRESENTATIVES ACROSS THE BOARD. ONCE AGAIN, THIS
25 IS NOT AN ACTION ITEM FOR THE ADVISORY. IT'S ONLY



MARCH 28, 2024

1 INFORMATIONAL, BUT WE ARE ASKING THE ADVISORY FOR QUESTIONS
2 AND COMMENTS AS WELL AS INVITE MEMBERS OF THE PUBLIC TO
3 COMMENT ON THE ITEM. SO I'LL START WITH COMMITTEE MEMBERS TO
4 SEE IF THERE ARE ANY QUESTIONS AND/OR COMMENTS AT THE TIME. IF
5 NOT, I'M -- YEP. START.

6

7 **JAMIE ALMANZA:** THANK YOU SO MUCH. THANK YOU FOR SUCH A
8 THOROUGH PRESENTATION. I CAN SEE THE TENSION AND THE TENSION
9 HURTS, FRANKLY, BECAUSE I THINK WE DO NEED TO DO BOTH AND I
10 SEE THE PHILOSOPHY AROUND COMMITTING TO BOTH. THE QUICK
11 TECHNICAL QUESTION THAT I HAD. THERE WAS A SLIDE THAT SAID
12 HEALTH CARE FEES. SO ONE COULD ACQUIRE -- REQUIRE HEALTH CARE
13 FEES. IS THAT ESSENTIALLY ENSURING THAT CONSTRUCTION, LABOR
14 FORCES HAVE HEALTH CARE ACCESS AND FEES AND THAT WE WOULD BAKE
15 THAT INTO THE REQUIREMENTS AT A CERTAIN LEVEL OR IF YOU COULD
16 JUST EXPLAIN MORE ABOUT THAT.

17

18 **KATE HARTLEY:** YES, THANK YOU. THAT -- THAT STANDARD, WAGES,
19 HEALTH CARE, TRAINING, COMES FROM THE AB-2011 LEGISLATION. IT
20 WAS ALSO INCLUDED IN SB-423. IT IS PRETTY CLEARLY DEFINED IN
21 THE LEGISLATION, AND ESSENTIALLY WHAT IT MEANS IS THAT IF YOU
22 ARE A CONTRACTOR NOT ALREADY ENGAGED IN THE COLLECTIVE
23 BARGAINING AGREEMENT THAT PAYS HEALTH CARE TO YOUR WORKER,
24 THEN YOU NEED TO PAY ADDITIONAL FUNDS TO YOUR WORKER AT A
25 DEFINED STANDARD OF -- TO PAY FOR HEALTH CARE. SO IT DOESN'T



MARCH 28, 2024

1 PROVIDE A HEALTH CARE POLICY, BUT IT PROVIDES THAT INCREMENTAL
2 INCOME TO THE WORKER TO SECURE HEALTH CARE FOR THEM. SO IT
3 WOULD BE -- IT WOULD VERY MUCH ADVANCE WORKER PROTECTIONS
4 BEYOND PREVAILING WAGES.

5

6 **CHAIR, EFREN CARRILLO:** OKAY. THANK YOU. JUST AS MORE OF A BIG
7 PICTURE FOR, YOU KNOW, FOR MY PERSPECTIVE AS FAR AS THE
8 PREMISE OF BAHFA AND THE PREMISE OF MARRYING OR CONNECTING THE
9 LEGISLATION AND THE FINANCING TO THE NEED AND TO THE CRISES TO
10 BUILD AS MANY UNITS AS POSSIBLE WITH THE RESOURCES. I'VE
11 ALWAYS BEEN OF THE BELIEF THAT FLEXIBILITY AND LESS REGULATION
12 AND IMPOSITION OF, YOU KNOW, CERTAIN REQUIREMENTS ON HOW TO
13 UTILIZE FUNDING WAS IN THE BEST INTEREST OF THE PEOPLE THAT
14 WOULD EVENTUALLY LIVE AND BE HOUSED IN THOSE UNITS. AND THAT'S
15 TOUGH. AND WE'VE SEEN THAT THROUGH THE CONVERSATION OF VARIOUS
16 HOUSING BILLS THAT HAVE COME OUT OF SACRAMENTO, THAT HAVE
17 STARTED WITH THE OVERARCHING GOAL OF REMOVING AS MANY BARRIERS
18 AS POSSIBLE, TO STIMULATE AND INCENTIVIZE DEVELOPMENT OF
19 HOUSING ACROSS THE BOARD. MOSTLY HOUSING FOR WORKING CLASS
20 PEOPLE. MOSTLY HOUSING FOR LOW-INCOME FAMILIES OR SENIORS OR
21 FARM WORKERS. AND I THINK WHAT'S OCCURRED, EVERY TIME YOU TACK
22 ON ADDITIONAL REGULATION, ADDITIONAL REQUIREMENTS THAT ARE
23 IMPOSED, IT BEGINS TO CHIP AWAY AT THE -- AT THE PREMISE OF
24 THE ESSENCE OF WHY THAT INITIAL LEGISLATION WAS CREATED IN THE
25 FIRST PLACE. AND I GET IT THAT THERE'S VARIOUS INTERESTS THAT



MARCH 28, 2024

1 ARE INVITED TO MAKE, YOU KNOW, TO THE POLICYMAKING AND IN THE
2 END YOU END UP GETTING WHAT YOU CAN. OVER THE LAST TWO MONTHS,
3 WE'VE BEEN HAVING CONVERSATIONS IN THE NORTH BAY WITH ELECTED
4 OFFICIALS AROUND DEVELOPMENT IMPACT FEES. IF YOU LOOK AT
5 DEVELOPMENT IMPACT FEES ACROSS THE BOARD, IT'S GENERALLY DONE
6 ON A PER UNIT BASIS, AT LEAST IN THE NORTH BAY. DOESN'T MATTER
7 IF YOU'RE PROPOSING A 500, 600 SQUARE FOOT, YOU KNOW, ONE
8 BEDROOM OR A 5,000 SQUARE FOOT SINGLE FAMILY HOME. YOU'RE
9 PAYING OUT OF POCKET \$30,000 TO \$40,000 IN DEVELOPMENT IMPACT
10 FEES OFF THE GATE. WHAT HAPPENS, YOU INCENTIVIZE LARGER, MORE
11 EXPENSIVE DEVELOPMENTS. IN CONVERSATIONS WE'VE BEEN HAVING UP
12 IN THE NORTH BAY WITH ELECTED OFFICIALS AROUND TRYING TO BREAK
13 DOWN SOME OF THOSE BARRIERS TO REDUCE THE COST OF BUILDING,
14 ONE OF THE IMMEDIATE RESPONSES BACK IS THE EXCITEMENT AROUND
15 BAHFA AND THE POTENTIAL FUNDING THAT CAN BE CREATED ACROSS THE
16 REGION. AND THAT'S NOT -- YOU KNOW, THAT COMES DIRECTLY FROM
17 ELECTED OFFICIALS AT THE CITIES, AT THE TOWNS, AT THE COUNTY
18 LEVEL WHERE THEY SAY, HEY, BAHFA IS A REALLY UNIQUE
19 OPPORTUNITY TO INCENTIVIZE DEVELOPMENT AND BUILD-OUT. WHILE
20 THE DECISION ISN'T FOR US TO MAKE IN THIS ADVISORY TO WHAT IS
21 INCLUDED AND WHAT'S NOT INCLUDED, I DO THINK THAT THERE IS A
22 PREMISE THAT THERE IS A COST ESCALATION WHEN YOU INCLUDE
23 PROJECT LABOR AGREEMENTS INTO THE CONSTRUCTION OF AFFORDABLE
24 OR MARKET OR, YOU KNOW, UNITS ACROSS THE BOARD. STUDIES RANGE
25 ALL OVER THE PLACE. I'VE HEARD 5%. I'VE HEARD 10%. I'VE HEARD



MARCH 28, 2024

1 AS HIGH AS 30%. I THINK IT DEPENDS ON THE JURISDICTION AND
2 DEPENDS ON YOUR CONSTRUCTION TYPE, BUT I DO THINK WE NEED TO
3 PUSH BACK WHERE WE CAN AND COME BACK TO THE PREMISE AS TO WHY
4 IT WAS THAT BAHFA WAS ORIGINALLY PROPOSED. AND YOU KNOW,
5 INCLUDE FLEXIBILITY THAT ALLOWS THE MARKET TO HELP US GET TO
6 THOSE NUMBERS. I MEAN, MY BIGGEST CONCERN, KATE, IS THAT WE
7 SET UP THIS -- WE SET UP THIS EXPECTATION THAT THESE FUNDS,
8 WHETHER THEY'RE THE RETURN TO SOURCE OR THE 20% BAHFA, WILL
9 HELP CREATE OR INCENTIVIZE A CERTAIN NUMBER OF UNITS. AND THE
10 ADDITIONAL REGULATIONS OR PROVISIONS THAT WE INCLUDE START
11 CHIPPING AWAY AT THOSE EXPECTATIONS ON A UNIT COUNT. AND RIGHT
12 NOW, I THINK WE ALL HEAR IT FROM COMMUNITY MEMBERS THAT THE
13 COST OF STUFF, THE COST OF HOUSING, ELECTRICITY, FOOD,
14 INSURANCE, THE INFLATIONARY PRESSURES ARE GOING UP. AND THE
15 RESPONSE TOWARDS GREATER PUBLIC SUBSIDY THROUGH BONDS OR TAX
16 OR REVENUE MEASURES IS WANING. I FEAR THAT, YOU KNOW, PUSHING
17 TOO HARD ON ONE END MAY ACTUALLY NOT EVEN GET US THE
18 OPPORTUNITY TO DECIDE WHAT TO DO WITH THOSE FUNDS DOWN THE
19 ROAD. SO, YOU KNOW, IT'S MY OWN OPINION. IT'S MINE AND NO ONE
20 ELSE'S, BUT I DO THINK, YOU KNOW, WHATEVER GOES BACK TO THE
21 COMMITTEES OR TO THE DECISIONMAKERS IS THAT THERE IS AN
22 EXPECTATION AS TO HOW TO MAKE THE INVESTMENT GO FURTHER AND TO
23 TRY NOT TO CHIP AWAY TOO MUCH AT THAT. I'LL LOOK TO OTHER
24 COMMITTEE MEMBERS BEFORE WE GO TO MEMBERS OF THE PUBLIC AND
25 DECIDE. COMMITTEE MEMBER WHITMAN.



MARCH 28, 2024

1

2 **MICHELLE WHITMAN:** THANK YOU. I AM HAPPILY AM A PUBLIC
3 ADMINISTRATOR AND NOT AN ELECTED OFFICIAL. AND PUBLIC
4 ADMINISTRATORS ALWAYS FAKE TAKE THE -- ALWAYS TAKE THE -- IT'S
5 EXPECTED THAT WE'RE GOING TO BE COMPLETELY NEUTRAL. AND I RUN
6 A SAFETY NET AGENCY, A HOUSING AUTHORITY AND A COMMUNITY
7 DEVELOPMENT COMMITTEE IN SONOMA COUNTY, AND THE -- LET ME BACK
8 UP ONE STEP. I HAVE ARGUED FOR P.L.A.'S ON PUBLIC WORKS
9 PROJECTS. MY HEARTBURN WHEN WE'RE TALKING ABOUT HOUSING IS
10 THAT WE'RE TALKING ABOUT GENERALLY PRIVATE DEVELOPMENTS ON
11 PRIVATE PROPERTY. THEY'RE NOT PUBLIC WORKS PROJECTS. A
12 PREVAILING WAGE VERY EASY FOR ME TO WRAP MY HEAD AROUND MY
13 ARMS AROUND. THE -- I THINK WE'RE GOING INTO -- WE'RE KIND OF
14 ALREADY IN THE DOLDRUMS OF HAVING CONDITIONS RIGHT FOR HOUSING
15 DEVELOPMENT AND LOOK -- I THINK WE'RE LOOKING FOR A SWEET SPOT
16 HERE. WE'RE NOT LOOKING FOR AN ALL OR NOTHING WINNER TAKES ALL
17 KIND OF COMPROMISE, I DON'T THINK. THIS REMINDS ME OF OTHER
18 PUBLIC POLICY AMBITIONS LIKE INCLUSIONARY REQUIREMENTS, AND IF
19 YOU SET THEM TOO HIGH, NOTHING GETS BUILT. IF YOU SET THEM TOO
20 LOW, YOU'RE NOT ACHIEVING, REALLY, YOUR PUBLIC POLICY GOAL.
21 BUT IF YOU GET THEM JUST RIGHT, MAYBE THEY'RE NOT AS AMBITIOUS
22 AS YOU ARE IN YOUR HEART AND YOUR MIND. AT LEAST YOU'RE
23 GETTING SOMETHING. YOU'RE NOT GETTING ZERO. AND I FEEL LIKE
24 THAT'S THE KIND OF CONVERSATION WE'RE IN AROUND LABOR
25 STANDARDS AND BAHFA. AB-2011 FEELS LIKE A GOOD MIDDLE GROUND,



MARCH 28, 2024

1 A SWEET SPOT. I WON'T BE THE ULTIMATE DECISION MAKER, BUT WHAT
2 IT -- I GUESS THE BOTTOM LINE FOR ME IS FOR THE PEOPLE THAT
3 COME TO OUR FRONT COUNTER AT SONOMA COUNTY HOUSING AUTHORITY,
4 AM I GOING TO BETTER SERVE THEM BY CREATING CONDITIONS SO THAT
5 WE GET MORE UNITS SOONER RATHER THAN LATER OR ARE THEY GOING
6 TO BE BETTER SERVED BY HAVING A P.L.A. IN PLACE? AND I'M VERY
7 CONFIDENT, EVEN IN MY NEUTRALITY, THAT IF WE CAN BE SOMEWHAT
8 FLEXIBLE, FIND THE SWEET SPOT, FIND THE COMPROMISE, THAT I'M
9 GOING TO BE ABLE TO SERVE OUR MOST VULNERABLE POPULATIONS IN
10 SONOMA COUNTY A LOT BETTER IF WE AREN'T REQUIRING P.L.A.'S ON
11 PRIVATE PROJECTS ON PRIVATE PROPERTY. THANKS.

12

13 **CHAIR, EFREN CARRILLO:** COMMITTEE MEMBER MERRIMAN.

14

15 **NEVADA MERRIMAN:** HI. THANK YOU FOR THE PRESENTATION. I WANT TO
16 START BY ACKNOWLEDGING THAT MY EMPLOYERS HAVE A LEGACY OF
17 COOPERATION AND ACKNOWLEDGE ON A COUNTY-BY-COUNTY BASIS THAT
18 WE HAVE WORKED CLOSELY WITH LABOR REPRESENTATIVES. I ALONE
19 HAVE WORKED TOGETHER WITH MY TEAM TO PRODUCE OVER 3,000 HOMES
20 VIRTUALLY ALL PREVAILING WAGE JOBS AND THERE'S NO WAY YOU GET
21 THAT KIND OF PRODUCTION WITHOUT REALLY EXCEPTIONAL TEAM WORK.
22 WE'VE STOOD SHOULDER-TO-SHOULDER FOR YEARS ON MANY DIFFERENT
23 PUBLIC POLICY AND FUNDING OPPORTUNITIES, BE IT MEASURE K IN
24 SAN MATEO, OR OTHER KIND OF SMALLER CITY-BY-CITY WAYS OF
25 GENERATING REVENUE. AND SO THAT'S REALLY THE STARTING POINT



MARCH 28, 2024

1 FOR ME IS ACKNOWLEDGING THAT WE HAVE OVER MANY YEARS COME
2 TOGETHER TO FIND BALANCE AND RECOGNIZE WHERE WE HAVE A SHARED
3 GOAL WHICH IS SIMPLY PRODUCING HOUSING BUT ALSO CREATING JOBS,
4 CREATING THE ECONOMIC STIMULUS THAT KIND OF ITERATES FROM WHEN
5 YOU PRODUCE THAT HOME. MY COMMENTS, THOUGH, ARE REALLY ABOUT
6 COST, COMPETITION, AND SUPPLIER DIVERSITY. SO COST IS A MAJOR
7 FACTOR IN NOT BEING ABLE TO PRODUCE WHAT WE NEED TO DO HERE IN
8 THE REGION OR SOMETIMES DEALS NEVER EVEN GET TO WHERE THEY ARE
9 LOOKING FOR FINANCING BECAUSE THEY'RE SIMPLY INFEASIBLE. I
10 CAN'T TELL YOU THE NUMBER OF DEALS WE LOOK AT AND WE'RE LIKE,
11 WE'LL NEVER BE ABLE TO GET THE SUBSIDY FOR THAT. IT'S TOO
12 SMALL. IT'S IN A PLACE WHERE WE CAN'T GET FOLKS TO COME AND
13 WORK. AND COUNTLESS REASONS. I COULD GO ON. NOW, FOR PROJECTS
14 THAT ARE BEING POSITIONED AS TAX CREDIT PROJECTS, IT'S ALSO --
15 THE COST -- THE COST PART IS ALSO A LOT ABOUT THAT
16 COOPERATION. SO IT'S NOT JUST ABOUT GETTING THE BEST BID BUT
17 GETTING REAL COMMITMENT TO COME IN. YOU KNOW, WE'RE TALKING
18 ABOUT 18 MONTHS, 12 MONTHS, NINE MONTHS AT A MINIMUM FOR THAT
19 CUSTOMER SERVICE TO REALLY LOOK IN AND DIG AT THE PLANS. WHEN
20 YOU HAVE COMPETITION, IT'S NOT ONLY ON PRICE. WE DON'T ONLY
21 SELECT ON WHERE THE NUMBER IS. THE ALSO, YOU KNOW, HAVE THEY
22 COME TO THE TABLE WITH SOLUTIONS TO EITHER VALUE ENGINEER FOR
23 THEIR TRADE BUT IT'S NOT A HYPERBOLE TO SAY THEY CAN WORK TO
24 CLOSE. IF THEY'VE COME BACK WITH US TO PUSH BACK ON THE CITY
25 TO MAYBE SOME REQUIREMENTS THAT ARE A BIT OVERKILL. IF THEY'VE



MARCH 28, 2024

1 GONE TO ALL THE AREAS WHERE THESE TRADES INTERSECT AND SORTED
2 IT OUT SO THEY'RE NOT EACH CARRYING THE NUMBER, I MEAN,
3 THERE'S A LOT THAT CAN BE DONE ON THEIR PART TO DEMONSTRATE
4 GOOD CUSTOMER SERVICE AND HELP US GET TO THAT NUMBER. NOW, IF
5 YOU DO ANYTHING TO LIMIT COMPETITION, I THINK YOU LOSE THAT IN
6 THE PROCESS. AND IT'S -- THIS ISN'T -- I LIKE TO -- THE
7 DOLDRUMS AND WE NEED THAT BIT OF MOMENTUM AND JUST GENERAL
8 CUSTOMER SERVICE. AND THERE'S A LOT OF FOLKS OUT THERE THAT
9 ARE INTERESTED IN POTENTIALLY GAINING THE -- BEING CONSIDERED
10 IN THE STABLE OF FOLKS THAT WORKS WITH SOMEBODY LIKE MY
11 EMPLOYER. THEY'RE WILLING TO DO THE WORK. THEY MAY NOT BE --
12 THEY MAY NOT BE A UNION GROUP. I JUST WANTED TO BRING THAT IN.
13 I KNOW IT'S LABOR INTENSIVE FOR BIDDERS, BUT HAVING A BIGGER
14 STABLE ONLY CREATES VALUE FOR US IN BEING ABLE TO CONTAIN THAT
15 COST. YOU KNOW, LOOKING, ALSO, AHEAD, SOMETHING THAT WE'VE
16 BEEN TRACKING -- AND THIS IS, AGAIN, FOR TAX CREDIT PROJECTS,
17 IS A BILL INTRODUCED BY JONES SAWYER IN 2021-2022, IT'S CALLED
18 AB-73. THE STATE JUST CAME OUT WITH REPORTING GUIDELINES FOR
19 SUPPLIER DIVERSITY AND THE FREQUENT FLIERS OF THE ITECH
20 PROGRAM WILL BE REQUIRED NEXT SPRING TO REQUIRE DATA ON THIS.
21 THE LAW DOESN'T SET GOALS BUT THE TAX CREDIT ALLOCATION
22 COMMITTEE WILL BE REQUIRED TO AGGREGATE THAT AND START TO
23 REPORT ON THAT. I CAN ONLY ASSUME THAT ONE DAY THERE MAY BE
24 GOALS ATTACHED TO THIS. SO THAT'S SOMETHING ON THE HORIZON
25 THAT WILL INTERSECT WITH THIS CONVERSATION. AND I'D JUST LIKE



MARCH 28, 2024

1 TO FLAG THAT. IT'S NOT A NEW CONCEPT FOR MY EMPLOYER TO LOOK
2 AT SUPPLIER DIVERSITY. YOU KNOW, WE'VE BEEN DOING THIS FOR
3 YEARS WITH OUR OWN ELECTED SPEND. YOU DON'T GET TO CHOOSE
4 WHETHER OR NOT YOU PAY PG&E, BUT YOU CAN WORK WITH A BIGGER
5 STABLE OF FOLKS TO GET INTO PROVIDING THE LANDSCAPING AND
6 OTHER -- OTHER SERVICES THAT ARE REQUIRED. AND THAT TAKES A
7 LOT OF FLEXIBILITY AS WELL. LIKE, SOME OF THESE FOLKS WE HAVE
8 TO REDO OUR CORPORATION CONSIDERATIONS. THEY MAY NOT MEET OUR
9 INSURANCE STANDARDS. THEY MAY NOT HAVE EXACTLY THE SAME AMOUNT
10 OF HISTORY IN THE FIELD OR THEY MAY NOT HAVE THE CAPITAL TO BE
11 ABLE TO FLOAT ONLY GETTING PAID ONCE A MONTH FOR SOMETHING
12 THAT -- AND BE ABLE TO FLOAT THAT \$2 MILLION OR WHATEVER. BUT
13 WE'RE IN IT -- WE'RE IN THAT THROUGH OUR VALUES OF REALLY
14 TRYING TO MAKE THAT -- NOT ONLY THAT GROUP OF FOLKS MORE FOR
15 COMPETITION BUT ALSO TO MAKE SURE THAT -- THAT A LOT OF LOCAL
16 WORKERS WILL HAVE ACCESS TO WHAT AMOUNTS TO REALLY HIGH VALUE
17 JOBS THAT WE ARE BEING ENTRUSTED TO SEE THROUGH. SO I THINK
18 THERE'S A LOT THERE IN TERMS OF DIVERSITY GOALS THAT -- IT'S
19 NOT JUST A CONVERSATION AT THE REGIONAL LEVEL, BUT IT'S -- YOU
20 KNOW, PRESIDENT BIDEN HAS ISSUED SOME GUIDELINES ABOUT IT AND
21 IT'S ALSO STARTING TO GET SERIOUS AT THE STATE LEVEL. SO
22 THANKS.

23

24 **CHAIR, EFREN CARRILLO:** GREAT, THANK YOU. THANK YOU. KATE,
25 THERE WAS A SLIDE THAT WAS NOT -- I WASN'T SURPRISED BY IT BUT



MARCH 28, 2024

1 I CERTAINLY WAS STRUCK BY THE PERCENTAGES. IT WAS A PRODUCTION
2 AT SCALE SLIDE AROUND THE RECENT TRENDS THAT DEMONSTRATED THE
3 RHNA NUMBERS PERMITTED. DO WE HAVE A SENSE BETWEEN 2015 AND
4 2023 OF THOSE PERMITTED, WHICH ONES ACTUALLY WERE BUILT?
5 BECAUSE THIS GIVES US HALF OF THE PICTURE BUT IT DOESN'T TELL
6 YOU THE FULL PICTURE, I THINK IN HEARING COMMITTEE MEMBER
7 MERRIMAN. OFTENTIMES YOU'LL HEAR PROJECTS GET VERY CLOSE. YOU
8 GOT FULLY ENTITLED BUT FOR, YOU KNOW, FOR WHATEVER REASON, OUR
9 VARIABLES ARE THERE, INTEREST RATES ARE TOO HIGH OR THEY
10 NEEDED ADDITIONAL INCOME THAT DIDN'T COME THROUGH. YOU DON'T
11 HAVE A SHOVEL IN THE GROUND OR YOU HAVE A SHOVEL IN THE
12 GROUND. IT'S HALFWAY THROUGH. THEY'VE DONE FOUNDATION. THEY'VE
13 DONE THE DIRT, THE GROUNDWORK, AND THEIR NEXT, YOU KNOW,
14 FINANCING ISN'T THERE. DO WE HAVE THAT OR IS THAT -- DO WE NOT
15 KNOW?

16

17 **KATE HARTLEY:** I DON'T HAVE THAT INFORMATION RIGHT NOW, BUT I
18 BELIEVE THAT MY COLLEAGUE, DANIEL SAVER, MIGHT BE ON THE CALL
19 AND I MAY ELEVATE HIM TO THE PANEL. I CAN CERTAINLY GET IT.

20

21 **CHAIR, EFREN CARRILLO:** IT'S NOT NECESSARILY FOR THE CONTEXT OF
22 THIS DISCUSSION, BUT I THINK AS YOU'RE HAVING CONVERSATIONS AS
23 TO THE -- YOU KNOW, THE -- AROUND THE CONTEXT OF WHAT WE'VE --
24 WHAT WE'VE PERMITTED UNDER RHNA AND WHAT WE ACTUALLY PRODUCED,
25 I THIS I -- I THINK IT GIVES, IN MY OPINION, A MORE STARKER



MARCH 28, 2024

1 PICTURE THAT IT'S REALLY, REALLY, REALLY DIFFICULT TO GET A
2 PROJECT OFF THE GROUND. I MEAN, WE'VE HAD LUCK, TO SOME
3 EXTENT, WITH SOME OF THE BOND MEASURES THAT HAVE BEEN, YOU
4 KNOW, HAVE BEEN PASSED LOCALLY AT THE BAY AREA LEVEL, IN THE
5 NORTH BAY, UNFORTUNATELY, WE HAD SIGNIFICANT FIRES THAT
6 BROUGHT IN DISASTER TAX CREDITS. SO ONE OF THE NARRATIVES THAT
7 WE HEAR FROM COMMUNITY MEMBERS IS, WELL, THERE'S ALL THIS --
8 THERE'S ALL THIS TYPE OF CONSTRUCTION IN HOUSING. WELL, SOME
9 OF THOSE PROJECTS HAVE BEEN IN THE PIPELINE FOR 15 YEARS,
10 EIGHT YEARS, 10 YEARS. SOME -- SOME PROJECTS CONVERTED. THEY
11 WERE, YOU KNOW, MARKET RATE PROJECTS OR WORKFORCE OR MISSING
12 MIDDLE SO NOW THERE'S FINANCING AVAILABLE AND THEY PIVOTED.
13 THEY SAID, LISTEN, WE CAN'T MAKE THIS PROJECT WORK. WE CAN DO
14 A 60% OR 50% WORK. HEY, GOOD NEWS ON MEETING THOSE DEEPER
15 AFFORDABILITY TARGETS. I JUST THINK IT CREATES A MORE PRESSING
16 VISUAL THAT, YOU KNOW, WE MET A PERCENTAGE OF WHAT WAS
17 PERMITTED AND OF THOSE PERMITTED, I THINK WE MET A PERCENTAGE
18 BECAUSE NOT EVERYTHING IS BUILT OF WHAT WAS ACTUALLY ENTITLED.
19 TO, AGAIN -- SO, AGAIN, NOT FOR THE PURPOSES OF THIS
20 CONVERSATION, BUT JUST THE NARRATIVE AROUND REALLY TRYING TO
21 WORK TOWARDS GETTING UNITS BUILT RATHER THAN JUST GETTING THEM
22 ENTITLED.

23

24 **KATE HARTLEY:** IT'S AN EXCELLENT POINT. I WILL GET THAT
25 INFORMATION, AND I'LL PASS IT ALONG TO THE COMMITTEE. I CAN



MARCH 28, 2024

1 CONFIRM ANTIDOTALLY, THE COUNTLESS CALLS WE GET FROM
2 DEVELOPERS WHO HAVE ENTITLED PROJECTS WHO ARE STILL SEARCHING
3 FOR ADDITIONAL FUNDS BECAUSE OF THE HIGH COST OF DEVELOPMENT.
4 THE NUMBER OF THOSE CALLS IS MANY AND DAILY. SO FOR WHAT
5 THAT'S WORTH ON AN ANTIDOTAL LEVEL, IT IS VERY DIFFICULT.

6

7 **CHAIR, EFREN CARRILLO:** GREAT, THANK YOU. I AM GOING TO LOOK TO
8 THE COMMITTEE ONE MORE TIME BEFORE WE GO TO PUBLIC COMMENT.
9 COMMITTEE MEMBER.

10

11 **SPEAKER:** I THINK WITH THE STACK OF FUNDING THAT GOES ON THE
12 80% PROJECTS, IT'S A HUGE, HUGE LIST.

13

14 **AISSIA ASHOORI:** AND I THINK WITH THE HARD COST AND AS WE LOOK
15 AT THE ENTIRE PICTURE, WE HAVE TO ALSO BE MINDFUL OF THE 20%
16 THAT BAHFA'S PROPOSING AND HOW CAN WE BE INNOVATIVE WITH THAT
17 WHILE ALSO SERVING THE NEEDS OF NOT JUST CREATING THE HOUSING
18 BUT CREATING THE JOBS AS WELL. SO I JUST WANT TO SUPPORT THAT
19 WE JUST GO INTO THIS BEING INNOVATIVE AND OPEN BUT ALSO
20 REALIZING THERE'S STILL A HUGE CHUNK OF FUNDING GOING TO THE
21 COUNTIES AT THE 80%. SO HOW CAN WE WIN THIS -- I'M HOPEFUL.
22 HOW CAN WE JUST LOOK AT THE 20% AND SEE WHAT KIND OF PROJECTS
23 COME THROUGH AND WHAT THAT LOOKS AT SO WE ARE NOT A \$1 MILLION
24 PER UNIT CAP. SO I JUST WANT TO BE OPEN ON THAT BUT ALSO
25 ACKNOWLEDGE IT IS -- IT'S A DIFFICULT SOMEBODY AND IT'S ONE OF



MARCH 28, 2024

1 THE PURPOSES AS, THE CHAIR SAID, IS TO BE INNOVATIVE AND TO
2 FIGURE OUT, HOW DO WE GET THESE UNITS BUILT AND GET PEOPLE
3 HOUSED? SO THAT'S MY COMMENT.

4

5 **CHAIR, EFREN CARRILLO:** GREAT, THANK YOU. WITH THAT, I DON'T
6 SEE ADDITIONAL COMMITTEE DISCUSSION. SO HOPEFULLY, KATE,
7 YOU'VE GOT KIND OF A FULL CONTEXT AS TO JUST THE CONVERSATION
8 FROM THIS GROUP AND CERTAINLY WISH YOU AND STAFF WELL IN THE
9 ONGOING CONVERSATIONS WITH FOLKS IN LABOR AS WELL AS WITH THE
10 ELECTED OFFICIALS THAT ARE MAKING THESE DECISIONS. WITH THAT,
11 WE DO HAVE MEMBERS OF THE PUBLIC, I BELIEVE, THAT WISH TO
12 ADDRESS THE ADVISORY HERE WITH US TODAY. MR. SECRETARY, I'LL
13 ASK YOU TO BOTH TELL US IF THERE WAS ANY WRITTEN PUBLIC
14 COMMENT RECEIVED OR THIS ITEM AS WELL AS ANYBODY ON ZOOM OR
15 PUBLIC MEMBERS WISHING TO ADDRESS THE ADVISORY.

16

17 **CLERK, FRED CASTRO:** THERE WERE NO WRITTEN COMMENTS. WE HAVE
18 ONE MEMBER OF THE PUBLIC IN THE BOARDROOM AND CURRENTLY NONE
19 IN THE ZOOM ATTENDEE SPACE. IF YOU'D LIKE TO SET A TIME LIMIT
20 FOR THE PUBLIC COMMENT.

21

22 **CHAIR, EFREN CARRILLO:** IT'S ONE PERSON. WE'LL GIVE THEM A
23 HALF-HOUR. [LAUGHTER]

24

25 **CHAIR, EFREN CARRILLO:** NO. I AM NOT GOING TO SET A TIME LIMIT.



MARCH 28, 2024

1

2 **SPEAKER:** ACTUALLY, I DO RECOMMEND -- SORRY. I DO RECOMMEND
3 SETTING A TIME LIMIT BECAUSE OF OTHER PEOPLE IF THEY JOIN, WE
4 COULD END UP BEING HERE FOR A WHILE.

5

6 **CHAIR, EFREN CARRILLO:** SURE. WE'LL START WITH THREE MINUTES.
7 I'LL MANAGE IT. YEAH, THANK YOU.

8

9 **SPEAKER:** [INAUDIBLE] CHARLIE WITH THE OPERATING ENGINEERS
10 UNION. I'M ALSO A MEMBER OF THE BUILDING TRADES COUNCIL IN SAN
11 FRANCISCO AND SAN MATEO COUNTIES. AND I WANT TO START BY
12 RECOGNIZING THE HOUSING CRISIS THAT WE FACE AND THE IMPORTANCE
13 OF PARTNERING TOGETHER TO SOLVE IT. I GOT ABOUT 16 YEARS'
14 EXPERIENCE ON STAFF WORKING ON THE IMPLEMENTATION,
15 NEGOTIATION, ENFORCEMENT, AND COMPLIANCE OF LABOR STANDARDS.
16 SO I'VE SEEN THINGS EVOLVE IN THAT TIME. I KNOW KATE SPOKE TO
17 THE BURDEN OF ADMINISTERING THESE TYPES OF PROGRAMS. IN MY
18 EARLY YEARS ON STAFF, I DID SEE THIRD PARTIES BEING CONTRACTED
19 OUT TO AND ADMINISTRATORS BEING EMPLOYED. THAT'S EVOLVED NOW.
20 MOST OF THE ENFORCEMENT IS DONE BY THE UNIONS JUST UNDER THE
21 UNION CONTRACTS. SO I'D LIKE TO CHARACTERIZE THAT AS WE ARE
22 NIMBLE. IT IS A MUCH MORE LIGHTER -- LIGHTER BURDEN THAN IT
23 WAS. AND I KNOW BAHFA IS RELATIVELY NEW, AND I WOULD ENCOURAGE
24 KATE TO CONTINUE TO ENGAGE WITH THE PEOPLE WHO HAVE THE
25 EXPERIENCE OF IMPLEMENTING AND NEGOTIATING THESE TYPES OF



MARCH 28, 2024

1 AGREEMENTS. AND I'M GLAD WE'RE NOT LIMITING THE DISCUSSION TO
2 P.L.A.'S, BECAUSE I THINK THERE'S THAT FLEXIBILITY AND THERE
3 NEEDS TO BE THAT FLEXIBILITY SO WE CAN BUILD THE HOUSING. THE
4 HOUSING IS ALSO FOR OUR MEMBERS. WE'RE KIND OF INVESTED ON
5 BOTH SIDES OF THIS -- THIS DISCUSSION. AND I'D ALSO LIKE US TO
6 KIND OF DRILL DOWN ON SOME OF THE DATA AROUND THE
7 EFFECTIVENESS OF LABOR STANDARDS. I MEAN, WE HAVE DATA THAT
8 SHOWS THAT LABOR STANDARDS CREATE MORE PRODUCTIVITY. THEY'RE
9 SAFER AND COSTS CAN BE REDUCED. SO I WOULD JUST ENCOURAGE KATE
10 TO CONTINUE AND MAKE SURE SHE'S ENGAGING WITH PEOPLE WHO HAVE
11 THAT EXPERIENCE AND THAT WE PARTNER TO SOLVE THE STATE'S
12 HOUSING CRISIS. THANK YOU.

13

14 **CHAIR, EFREN CARRILLO:** GREAT. THANK YOU. THANK YOU, CHARLIE,
15 FOR JOINING US THIS MORNING AND FOR YOUR COMMENT. I DO KNOW
16 THAT I WAS SUPPOSED TO ASK IF WE HAVE PUBLIC MEMBERS JOINING
17 US THROUGH ZOOM OR VIA HOME, THEY CAN RAISE THEIR HAND OR DIAL
18 STAR 9, MR. SECRETARY, DO WE HAVE ANYBODY WISHING TO ADDRESS
19 THE ADVISORY?

20

21 **CLERK, FRED CASTRO:** THERE ARE NO MEMBERS IN THE ZOOM ATTENDEE
22 SPACE WITH HANDS RAISED FOR PUBLIC COMMENT AT THIS TIME.

23

24 **CHAIR, EFREN CARRILLO:** ALL RIGHT, THANK YOU. WITH THAT WE'LL
25 BRING THE ITEM BACK TO THE ADVISORY. AND WE'LL ASK DIRECTOR



MARCH 28, 2024

1 HARTLEY IF SHE HAS ANY ADDITIONAL CLOSING REMARKS BEFORE WE
2 MOVE TO THE NEXT ITEM.

3

4 **KATE HARTLEY:** THANK YOU. I JUST REALLY APPRECIATE YOUR INPUT.
5 I WILL BE LETTING OUR BOARD MEMBERS KNOW YOUR COMMENTS AND
6 IT'S VERY HELPFUL AND WE ARE ABSOLUTELY INTENT ON FINDING THAT
7 SWEET SPOT AND CREATING A PROGRAM THAT HAS STRONG WORKER
8 PROTECTIONS THAT ADDRESSES OUR HOUSING SHORTAGE, PROVIDES
9 QUALITY HOUSING AND JOBS AND I KNOW WE CAN GET THERE. SO YOUR
10 PARTNERSHIP ON THAT IS MUCH APPRECIATED.

11

12 **CHAIR, EFREN CARRILLO:** GREAT, THANK YOU. THANK YOU FOR THAT.
13 WITH THAT WE'LL MOVE TO OUR FINAL ITEM. THIS IS ITEM NUMBER 8.
14 THE ADJOURNMENT. OUR NEXT MEETING OF THE BAHFA ADVISORY
15 COMMITTEE IS SCHEDULED TO BE HELD HERE AT THE METRO THURSDAY
16 ON THURSDAY, MAY 23, 2024. AND ANY CHANGES TO THE SCHEDULE
17 WILL BE DULY NOTICED TO THE PUBLIC. WITH THAT, I HOPE EVERYONE
18 HAS A WONDERFUL MORNING. AND SOON ENOUGH, WE'LL HAVE SOME SIGN
19 -- SOME SUN AND SUNSHINE, ACTUALLY ENJOY THE START OF SPRING.
20 WITH THAT, THIS MEETING IS ADJOURNED. THANK YOU.



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