ASSOCIATION OF BAY AREA GOVERNMENTS

Meeting Transcript

ASSOCIATION OF BAY AREA GOVERNMENTS

ADMINISTRATIVE COMMITTEE

FRIDAY, OCTOBER 8, 2021, 2:00 P.M.

JESSE ARREGUIN, PRESIDENT: GOOD AFTERNOON I'M BERKELEY MAYOR JESSE ARREQUIN CHAIR OF THE ASSOCIATION OF BAY AREA GOVERNMENTS ADMINISTRATIVE COMMITTEE. I WILL NOW CALL THE MEETING TO ORDER AND ASK STAFF TO PLAY THE COVID-19 ANNOUNCEMENT. THANK YOU. [RECORDED MEETING PROCEDURES ANNOUNCEMENT] DUE TO COVID-19 THIS MEETING WILL BE CONDUCTED AS A ZOOM WEBINAR PURSUANT TO THE PROVISIONS OF THE GOVERNOR'S EXECUTIVE ORDER N-29-20 WHICH SUSPENDS CERTAIN REQUIREMENTS OF THE BROWN ACT. THIS MEETING IS BEING WEBCAST ON THE ABAG WEB SITE. THE CHAIR WILL CALL UPON COMMISSIONERS, PRESENTERS, STAFF, AND OTHER SPEAKERS BY NAME AND ASK THAT THEY SPEAK CLEARLY AND STATE THEIR NAMES BEFORE GIVING COMMENTS OR REMARKS. PERSONS PARTICIPATING VIA WEBCAST AND ZOOM WITH THEIR CAMERAS ENABLED ARE REMINDED THAT THEIR ACTIVITIES ARE VISIBLE TO VIEWERS. COMMISSIONERS AND MEMBERS OF THE PUBLIC PARTICIPATING BY ZOOM WISHING TO SPEAK SHOULD USE THE RAISE HAND FEATURE, OR DIAL STAR NINE, AND THE CHAIR WILL CALL UPON THEM AT THE APPROPRIATE TIME. TELECONFERENCE ATTENDEES WILL BE CALLED UPON BY THE LAST FOUR DIGITS OF THEIR PHONE NUMBER. IT IS REQUESTED THAT PUBLIC SPEAKERS STATE THEIR NAMES AND ORGANIZATION, BUT PROVIDING SUCH INFORMATION IS VOLUNTARY.

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WRITTEN PUBLIC COMMENTS RECEIVED AT INFO@BAYAREAMETRO.GOV BY 5:00 P.M. YESTERDAY WILL BE POSTED TO THE ONLINE AGENDA AND ENTERED INTO THE RECORD BUT WILL NOT BE READ OUT LOUD. IF AUTHORS OF THE WRITTEN CORRESPONDENCE WOULD LIKE TO SPEAK, THEY ARE FREE TO DO SO. A ROLL CALL VOTE WILL BE TAKEN FOR ALL ACTION ITEMS. PANELISTS AND ATTENDEES SHOULD NOTE THAT THE CHAT FEATURE IS NOT ACTIVE. DUE TO COVID-19 THIS MEETING WILL BE CONDUCTED AS A ZOOM WEBINAR PURSUANT TO THE PROVISIONS OF THE GOVERNOR'S EXECUTIVE ORDER N-29-20 WHICH SUSPENDS CERTAIN REQUIREMENTS OF THE BROWN ACT. THIS MEETING IS BEING WEBCAST ON THE ABAG WEB SITE. THE CHAIR WILL CALL UPON COMMISSIONERS, PRESENTERS, STAFF, AND OTHER SPEAKERS BY NAME AND ASK THAT THEY SPEAK CLEARLY AND STATE THEIR NAMES BEFORE GIVING COMMENTS OR REMARKS. PERSONS PARTICIPATING VIA WEBCAST AND ZOOM WITH THEIR CAMERAS ENABLED ARE REMINDED THAT THEIR ACTIVITIES ARE VISIBLE TO VIEWERS. COMMISSIONERS AND MEMBERS OF THE PUBLIC PARTICIPATING BY ZOOM WISHING TO SPEAK SHOULD USE THE RAISE HAND FEATURE, OR DIAL STAR NINE, AND THE CHAIR WILL CALL UPON THEM AT THE APPROPRIATE TIME. TELECONFERENCE ATTENDEES WILL BE CALLED UPON BY THE LAST FOUR DIGITS OF THEIR PHONE NUMBER. IT IS REQUESTED THAT PUBLIC SPEAKERS STATE THEIR NAMES AND ORGANIZATION, BUT PROVIDING SUCH INFORMATION IS VOLUNTARY. WRITTEN PUBLIC COMMENTS RECEIVED AT INFO@BAYAREAMETRO.GOV BY 5:00 P.M. YESTERDAY WILL BE POSTED TO THE ONLINE AGENDA AND ENTERED INTO THE RECORD BUT WILL NOT BE

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READ OUT LOUD. IF AUTHORS OF THE WRITTEN CORRESPONDENCE WOULD LIKE TO SPEAK, THEY ARE FREE TO DO SO. A ROLL CALL VOTE WILL BE TAKEN FOR ALL ACTION ITEMS. PANELISTS AND ATTENDEES SHOULD NOTE THAT THE CHAT FEATURE IS NOT ACTIVE.

JESSE ARREGUIN, PRESIDENT: OKAY. THANK YOU. AND I WANT TO CLARIFY BEFORE WE CALL THE ROLL THAT WE NEED TO UPDATE THAT VIDEO THAT THIS MEETING IS ACTUALLY BEING CONDUCT PURSUANT TO ASSEMBLY BILL 361, AND THE NEW AUTHORITY, PROVIDED UNDER THE BROWN ACT TO CONNECT MEETINGS REMOTELY DUE TO THE STATE DECLARED EMERGENCY.

KATHLEEN KANE: THAT'S RIGHT. THROUGH THE CHAIR, WE HAVEN'T HAD THE VIDEOS UPDATED YET. THE AGENDAS ARE CORRECT AS TO THAT AND ABAG WILL BE TAKING APPROPRIATION ACTION TO INVOKE THE A.B. 361 REVISIONS.

JESSE ARREGUIN, PRESIDENT: WITH THAT I'LL ASK THE CLERK TO CONDUCT ROLL CALL TO CONFIRM QUORUM.

CLERK, FRED CASTRO: ARREGUIN.

JESSE ARREGUIN, PRESIDENT: HERE.

CLERK, FRED CASTRO: EKLUND.

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PAT ECKLUND: HERE.

CLERK, FRED CASTRO: HUDSON?

DAVID E. HUDSON: HERE.

CLERK, FRED CASTRO: SUPERVISOR LEE IS ABSENT. SUPERVISOR MANDELMAN?

RAFAEL MANDELMAN: HERE.

CLERK, FRED CASTRO: MITCHOFF?

KAREN MITCHOFF: HERE.

CLERK, FRED CASTRO: COUNCILMEMBER PERALEZ? -- PLEASE MUTE YOURSELF.

JESSE ARREGUIN, PRESIDENT: NOT COUNCILMEMBER PERALEZ.

CLERK, FRED CASTRO: OF RABBIT?

DAVID RABBIT: HERE.

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CLERK, FRED CASTRO: RAMOS.

BELIA RAMOS: HERE.

CLERK, FRED CASTRO: ROMERO IS ABSENT. WILSON.

LORI WILSON: HERE.

CLERK, FRED CASTRO: [INDISCERNIBLE] IS PRESENT.

CLERK, FRED CASTRO: WE IS A QUORUM.

JESSE ARREGUIN, PRESIDENT: BEFORE WE PROCEED WE HAVE AN ANNOUNCEMENT.

CLERK, FRED CASTRO: PLEASE NOTE THAT THE POSTED OCTOBER 8TH, 2021 AGENDA LISTED UNDER ITEM SIX THE CORRECTED AGENDA WAS SENT OUT TO ALL MEMBERS AND WAS POSTED TO LEGISTAR.COM.

JESSE ARREGUIN, PRESIDENT: ITEM TWO. THIS IS AN INFORMATION ITEM, IS THERE ANYONE WHO WISHING TO GIVE PUBLIC COMMENT ON ITEMS NOT ON TODAY AGENDA. IF YOU WISH TO SPEAK TO ITEMS NOT ON OUR CALENDAR PLEASE WAIT UNTIL WE CALL PUBLIC COMMENT ON THAT ITEM THIS IS OPPORTUNITY FOR PUBLIC COMMENT ON NON-AGENDA MATTERS. I'LL ASK IF THERE ARE ANY SPEAKERS.

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CLERK, FRED CASTRO: THERE ARE NO MEMBERS OF THE PUBLIC WITH THEIR HAND RAISED, AND THERE WAS NO PUBLIC COMMENT SUBMITTED ON THIS ITEM.

JESSE ARREGUIN, PRESIDENT: OKAY. THANK YOU. THAT COMPLETES ITEM TWO. PUBLIC COMMENT ON NON-AGENDA MATTERS. ITEM THROUGH COMMITTEE MEMBER ANNOUNCEMENTS. THERE IS AN INFORMATION ITEM. ARE THERE ANY ANNOUNCEMENTS FROM MEMBERS OF THE COMMITTEE? SEEING NONE. I'LL ASK IF THERE IS PUBLIC COMMENT ON THIS ITEM

CLERK, FRED CASTRO: THERE ARE NO MEMBERS OF THE PUBLIC WITH THEIR HAND RAISED, AND THERE WAS NO PUBLIC COMMENT SUBMITTED ON THIS ITEM.

JESSE ARREGUIN, PRESIDENT: OKAY. THANK YOU VERY MUCH. SO MOVING NOW TO ITEM FOUR, THE CHAIR'S REPORT. THIS IS MY REPORT. I WOULD LIKE TO WELCOME MY COLLEAGUES ON THE ABAG ADMINISTRATIVE COMMITTEE, AND STAFF AND REPRESENTATIVES FROM MEMBER JURISDICTIONS TO THE CONTINUED RHNA APPEALS HEARING. OUR MEETING AGENDA INCLUDES A CONSENT CALENDAR WHICH WE WILL HEAR BEFORE THE APPEALS HEARING. RHNA IDENTIFIES HOUSING UNITS THAT EACH JURISDICTION MUST ACCOMMODATE AS PART OF ITS HOUSING ELEMENT PLAN ACCOUNTING FOR 400,176 UNITS FROM 2023 TO 2021. RHNA METHODOLOGY APPROVED FINAL ALLOCATIONS AND WE RECEIVED 22

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APPEALS BY THE DEADLINE. THIS IS OUR THIRD DAY OF AN APPEAL HEARING AND WE WILL HEAR THREE APPEALS TODAY, WHICH ARE AGENDAIZED AS ITEM SEVEN AND CONSIDER THESE APPEALS SCHEDULED. AND I MAY CALL A RECESS DURING THE DAY IF NECESSARY. AND I WILL READ THE REST OF MY REPORT BEFORE WE START THE HEARING BUT WITH THAT I'LL ASK ARE THERE ANY QUESTIONS ON MY REPORT? IF NOT, IS THERE ANY PUBLIC COMMENT ON MY REPORT? ANY PUBLIC COMMENT, MR. CASTRO?

CLERK, FRED CASTRO: THERE ARE NO MEMBERS OF THE PUBLIC WITH THEIR HAND RAISED, AND THERE WAS NO PUBLIC COMMENT SUBMITTED ON THIS ITEM.

JESSE ARREGUIN, PRESIDENT: OKAY THANK YOU. WE'LL GO TO ITEM FIVE THE EXECUTIVE DIRECTOR'S REPORT. IS THERE A REPORT TODAY?

ALIX BOCKELMAN: THIS IS ALIX BOCKELMAN DEPUTY EXECUTIVE DIRECTOR. I DON'T BELIEVE THERE IS ANY REPORT TODAY.

JESSE ARREGUIN, PRESIDENT: THANK YOU. ITEM SIX, THE CONSENT CALENDAR. IS THERE A MOTION ON THE CONSENT CALENDAR? OR DOES SOMEONE WANT TO PULL AN ITEM?

PAT ECKLUND: I'LL MOVE THE CONSENT CALENDAR.

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JESSE ARREGUIN, PRESIDENT: IS THERE A SECOND?

CARLOS ROMERO: SECOND.

JESSE ARREGUIN, PRESIDENT: MOTION AND SECOND ON THE CONSENT CALENDAR. ANY PUBLIC COMMENT?

CLERK, FRED CASTRO: THERE ARE NO MEMBERS OF THE PUBLIC WITH THEIR HAND RAISED, AND THERE WAS NO PUBLIC COMMENT SUBMITTED ON THIS ITEM.

JESSE ARREGUIN, PRESIDENT: OKAY. THANK YOU. SO I'LL ASK THE CLERK TO PLEASE CALL THE ROLL.

CLERK, FRED CASTRO: ROLL ON CONSENT. MOTION EKLUND, SECOND ROMERO. [ROLL CALL VOTE] MOTION PASSES, TEN VOTES, AYE.

JESSE ARREGUIN, PRESIDENT: THANK YOU VERY MUCH. WE'LL NOW PROCEED TO OUR APPEAL HEARING. AND BEFORE WE START, I WANT TO JUST READ A SUMMARY OF THE PROCEDURES FOR THIS HEARING. FOR EACH JURISDICTION THE HEARING BEGINS WITH THE JURISDICTION'S PRESENTATION ON ITS APPEAL AND THE INFORMATION PRESENTED BY APPLICANT OR APPELLATE SHOULD BE LIMITED TO WHAT WAS ON THE WRITTEN APPEAL SUBMITTED THIS WILL BE FOLLOWED BY RESPONSE FROM MTC/ABAG STAFF AND THE APPLICANT WILL HAVE OPPORTUNITY TO

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REBUT OR PROVIDE COMMENTS IN RESPONSE TO THE PRESENTATION, THE PUBLIC WILL HAVE OPTION TO COMMENT ON ARGUMENTS OF EACH PALE BASED ON PROCEDURES ADOPTED BY ABAG POSTED TO OUR WEB SITE SPEAKERS WILL HAVE TWO MINUTES FOR PUBLIC COMMENT BUT THE CHAIR HAS THE DISCRETION TO ADJUST TIME IF NECESSARY TO ENSURE THE ORDERLY CONDUCT OF THE PROCEEDING. TO BE FAIR TO ALL JURISDICTIONS TO ENSURE APPEALS ARE HEARD IN A TIMELY MANNER ON DAY OF NOTICE IF THERE ARE MORE THAN FIVE MEMBERS OF THE PUBLIC WHO WISH TO COMMENT ON AN APPEAL EACH MEMBER OF THE PUBLIC WILL HAVE ONE MINUTE TO SPEAK. IF THE TIME FOR PUBLIC COMMENT RELATED TO A JURISDICTION'S APPEAL EXCEEDS 30 MINUTES IN TOTAL THEN CONSIDERATION OF THE JURISDICTION'S APPEAL MAY BE SUSPENDED AND CONTINUED TO LATER IN THE DAY UNTIL AFTER APPEALS HEARD FROM OTHER JURISDICTIONS IN ORDER TO HEAR THE OTHER APPEALS ON TIME. FOLLOWING PUBLIC COMMENT THE ADMINISTRATIVE COMMITTEE WILL HAVE OPPORTUNITY TO DISCUSS THE APPEAL AND ROLL CALL VOTE WILL BE TAKEN A PRELIMINARY DECISION ON THE APPEAL. AND I WANT TO EMPHASIZE IT IS A PRELIMINARY DECISION AS A FINAL VOTE ON ALL OF THE APPEALS WILL BE TAKEN AT THE CLOSE OF THE PUBLIC HEARING IN ORDER TO ENSURE UNIFORM DECISION MAKING. ABAG WILL THEN ISSUE FINAL ALLOCATIONS THAT INCORPORATE ANY ADJUSTMENTS AS NEEDED AS A RESULT OF ANY SUCCESSFUL APPEALS WITH A PUBLIC HEARING AND ADOPTION ON THE FINAL RHNA PLAN SCHEDULED FOR DECEMBER 2021. I WANT TO NOTE THAT STAFF IS MAINTAINING A RUNNING LIST OF ISSUES OR

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QUESTIONS THAT HAVE BEEN RAISED BY COMMITTEE MEMBERS WHICH WILL THEN BE PRESENTED TO THE EXECUTIVE BOARD FOR FUTURE CONSIDERATION. AND IF THERE IS AN UPDATED LIST I WOULD LIKE TO RESPECTFULLY SUGGEST THAT BE SENT TO THE ABAG ADMINISTRATIVE COMMITTEE MEMBERS TODAY. SO I JUST WANT TO SUMMARIZE THE PROCEDURE FOR THE HEARING TODAY. AND WE WILL NOW TAKE UP ITEM SEVEN, THE CONTINUATION OF THE PUBLIC HEARING ON THE REGIONAL HOUSING NEEDS ALLOCATION APPEALS. THE PUBLIC HEARING IS NOW REOPENED, AND A CERTIFIED SHORTHAND REPORTER IS TRANSCRIBING THESE PROCEEDINGS. WHEN IT IS TIME FOR PUBLIC COMMENT IF YOU WISH TO TESTIFY, PLEASE USE THE RAISED HAND FEATURE ON ZOOM OR PRESS STAR NINE AND PLEASE WAIT TO BE RECOGNIZED. WITH THAT WE'LL PROCEED TO ITEM SEVEN A, A REPORT ON THE REGIONAL HOUSING NEEDS ALLOCATION APPEAL FOR THE TOWN OF FAIRFAX. BEFORE I TAKE UP THE ITEM, MAYOR EKLUND, DO YOU WISH TO BE RECOGNIZED?

PAT ECKLUND: THANK YOU VERY MUCH PRESIDENT ARREGUIN FOR CALLING ON ME. AND THANK YOU FOR ASKING FOR AN UPDATED LIST. I HAVE NOT RECEIVED IT YET. AND I THINK THE LAST LIST THEY RECEIVED WAS DATED SEPTEMBER 28TH. I THINK IT'S IMPORTANT FOR THOSE WHO HAVE NOT BEEN PARTICIPATING IN PREVIOUS APPEALS, ESPECIALLY THE PUBLIC, AND THE APPLICANT, THAT THIS LIST IS A -- OUR LIST OF TOPICS THAT THE ABAG EXECUTIVE BOARD OR ADMINISTRATIVE COMMITTEE WILL BE TAKING UP AND LOOKING AT IN

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THE FUTURE THAT DEFINITELY HAS A RELATIONSHIP TO ESTABLISHING THE REGIONAL HOUSING NEEDS ALLOCATION. AND, UNFORTUNATELY, THERE ARE ISSUES THAT CANNOT BE DEALT WITH AS PART OF THE APPEALS. BECAUSE THEY WERE NOT PART OF THE METHODOLOGY. SO I JUST THINK THAT IT'S IMPORTANT FOR THE PUBLIC AND THE APPLICANT TO REALIZE THE SIGNIFICANCE OF THAT LIST AND SO I LOOK FORWARD TO GETTING IT BEFORE WE MOVE TOO FAR DOWN THE LIST.

JESSE ARREGUIN, PRESIDENT: IN SEPTEMBER LEGAL NOTICES WERE PUBLISHED IN MULTIPLE LANGUAGES IN NEWSPAPERS IN EACH OF THE NINE COUNTIES IN THE BAY AREA PUBLIC HEARING DATES WERE POSTED ON THE ABAG WEB PAGE IN ORDER FOR US TO CONSIDER THESE APPEALS. WITH THAT WE'LL CONTINUE TO THE TOWN OF FAIRFAX AND START WITH A PRESENTATION FROM THE TOWN OF FAIRFAX ON THEIR APPEAL AND YOU HAVE FIVE MINUTES. WHO WILL BE PRESENTING?

BEN BERTO: THERE ARE THREE BASIS FOR OUR APPEAL FIRST IS FIRE RISK AND EVALUATION FACTORS ARE INACCURATE AND INCOMPLETE AS PRESENTED BY ABAG. THE SECOND IS THAT THE JOBS/HOUSING RATIO WILL NOT BE IMPROVED WITH THE ADDITIONAL HOUSING, AND THE THIRD IS THAT OUR WATER SUPPLY IS CURRENTLY INADEQUATE. NEXT SLIDE. THE REDUCTION REQUEST IS FAIRLY MODEST, THE DRAFT RHNA FOR THE SIX CYCLE FOR FAIRFAX IS 490 HOUSING UNITS AND REQUEST REDUCTION IS 370 HOUSING UNITS AND THE PROPOSED DRAFT RHNA IS

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800 INCREASE OVER OUR CURRENT NUMBER. NEXT SLIDE. I WANT TO MAKE THIS POINT CLEARLY. FAIRFAX SUPPORTS HOUSING. WE ARE SCHEDULED TO BUILD, BASICALLY, DOUBLE OUR CURRENT FIFTH CYCLE RHNA WE HAVE ALREADY DOUBLED OUR CURRENT CYCLE RHNA IN THE VERY LOW AND LOW-INCOME CATEGORY. AND AGAIN OUR REQUEST IS FOR 370 HOUSING UNITS WHICH WILL REPRESENT AN INCREASE IN OUR RHNA ALLOCATION BY OVER 500%. NEXT SLIDE PLEASE. SO, IN TERMS OF APPEAL BASIS, FIRE AND EVACUATION, THE HOUSING ELEMENT SITE SELECTION TOOL INACCURATELY DEPICTS OVER HALF OF FAIRFAX'S CONTAINING POTENTIAL HOUSING SITE WHEREAS THE CAL FIRE, FIRE RISK MAPS THAT ARE USED TO DETERMINE THE HES TOOL IN POTENTIAL CONSTRAINT SHOW THAT THE DESIGN TOWN IS IN CONSTRAINT. FURTHERMORE, AND THIS IS STILL SOMETHING THAT WE'RE DEVELOPING, FAIRFAX HAS UNIQUELY HAZARDOUS EVACUATION CIRCUMSTANCES. BASICALLY, A HIGH PERCENTAGE OF OUR ROADS ARE ONE WAY IN AND OUT, NARROW, LESS THAN 20 FEET WIDE, HILLY AND WINDING. FURTHERMORE, OUR POSITION AT THE END OF ROSS VALLEY MEANS THAT WE HAVE THE LONGEST AND MOST CONGESTED EVACUATION TO ANY REALISTIC POINT OF SAFETY OF ANY JURISDICTION IN MARIN. YOU SEE IN THE YELLOW THE CONSIDERED POTENTIAL HOUSING SITES AND IF YOU WANT TO ZOOM IN, WE HAVE SUPER IMPOSED THE CAL FIRE RISK SECURITY ZONES AND THE ENTIRE AREA SHOWN IN YELLOW ON THAT MAP IS IN FACT RED. SO EVERY LOCATION IN FAIRFAX IS CONSTRAINED. ON THE RIGHT, WHAT YOU SEE ARE THE ROADS THAT ARE ONE WAY IN AND ONE WAY OUT. AND I DON'T THINK ANY OF US NEED

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TO THINK TOO LONG ABOUT TOWNS LIKE PARADISE THAT WERE SIMILARLY CONSTRAINED AND THE ABSOLUTE DISASTEROUS CONSEQUENCES IN THE EVENT OF A WILDLAND FIRE. KEEP THAT IN MIND OUR STREETS ARE IN REALLY BAD SHAPE FOR EVACUATION AND ADDING CONSIDERABLE HOUSING DENSITY WILL ONLY WORSEN THE FIRE RISK. NEXT SLIDE. IN TERMS OF JOBS/HOUSING RATIO, ONE OF THE STATED GOALS FOR THE RHNA IS TO IMPROVE JOBS AND HOUSING MIX. AND ABAG'S OWN DATA SHOWS THAT FAIRFAX HAS A JOBS/HOUSING RATIO THAT'S 1/3 OVERALL OF THAT OF THE BAY AREA AND ONE HALF OF THAT OF THE REST OF MARIN. WE ARE A BEDROOM COMMUNITY. OVER 90% OF OUR EMPLOYED RESIDENTS LIVE OUTSIDE THE COMMUNITY. THE LARGEST LOCATION BY FAR IN FACT CONSIDERABLY HIGHER NAN THAN OUR RHNA FROM SAN FRANCISCO SIGNIFICANT ADDITIONAL HOUSING WILL WORSEN TRAFFIC CONGESTION AND POLLUTION AND NOT ASSIST WITH VEHICLE MILES TRAVELED AND I WANT TO EMPHASIZE WE ARE COMMITTED TO TRULY AFFORDABLE HOUSING. NEXT SLIDE. YOU CAN SEE THERE IS ROUGHLY 1600 PEOPLE NON-RESIDENTS COMMUTING IN. 3,000 RESIDENTS COMMUTING OUT AND ONLY 300 RESIDENTS WHO ARE EMPLOYED LOCALLY. YOU SEE ON THE LEFT THIS COMES DIRECTLY FROM THE UNITED STATES CENSUS BUREAU, THE MOST RECENT STATISTICS. NEXT SLIDE. THIS IS THE DETAIL SHOWING WHERE THE ACTUAL COMMUTE LOCATIONS ARE. NEXT SLIDE. THE THIRD BASIS FOR OUR APPEAL IS THE SEVERE WATER SHORTAGE. AND IT'S RECOGNIZED THAT THE STATE IS IN MUCH THE SAME BOAT AS THE COUNTY. THE COUNTY IS ACTUALLY IN AN UNPRECEDENTED DROUGHT AND WE'RE HEADING INTO

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WHAT LOOKS LIKE A DRY WINTER. MARIN COUNTY LIKE MOST OF THE STATE HAS NO OPTIONS FOR OUTSIDE WATER. WE DERIVE THE VAST MAJORITY OF OUR WATER FROM IN-COUNTY WATER SUPPLIES. THERE ISN'T ANOTHER LARGER USER FOR EXAMPLE, AGRICULTURE WHERE LAND CAN BE FOUND AND WATER REALLOCATE. ADDING 15% TOWN'S OVERALL HOUSING STOCK IN THE NEXT EIGHT YEARS IGNORES A FUNDAMENTAL LIMIT TO GROW. THIS IS LAKE NICASIO, ONE OF OUR PRIMARY WATER SUPPLIES TWO MONTHS AGO, SO IT'S ONLY GOTTEN LOWER. IN CONCLUSION FAIRFAX HAS COMMITTED TO PROVIDING A FAIR SHARE OF NEW HOMES AS ALREADY DEMONSTRATED IN THE CURRENT HOUSING CYCLE. PROPOSED FOR OUR TOWN OUR REDUCTION IS FAIRLY MODEST FROM 490 TO 370 HOUSING UNITS. NEXT SLIDE. AND I'M READY TO TAKE ANY QUESTIONS YOU MAY HAVE. THANK YOU.

JESSE ARREGUIN, PRESIDENT: THANK YOU SO MUCH FOR YOUR PRESENTATION. AND THERE WILL BE QUESTIONS. THERE MAY BE QUESTIONS AFTER THE PUBLIC COMMENT PERIOD. AND ONCE AGAIN, YOU WILL HAVE AN OPPORTUNITY TO PROVIDE A RESPONSE TO THE ABAG STAFF PRESENTATION. SO, I WOULD LIKE TO ASK ABAG MTC STAFF TO PROVIDE THEIR RESPONSE TO THE TOWN OF FAIRFAX'S APPEAL, AND YOU ALL HAVE FIVE MINUTES.

ELI KAPLAN: CAN YOU PULL UP THE SLIDES, PLEASE? THANK YOU. GOOD AFTERNOON EVERYONE MY NAME IS ELI KAPLAN, THE REGIONAL HOUSING POLICY ANALYST FOR ABAG AND MTC. NEXT SLIDE PLEASE.

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THE TOWN OF FAIRFAX IS REQUESTING A REDUCTION OF 120 UNITS WHICH REPRESENTS A REDUCTION OF 24% FROM ITS DRAFT ALLOCATION. STAFF'S RECOMMENDATION IS TO DENY THE APPEAL. NEXT SLIDE PLEASE. FAIRFAX ARGUES THAT THE HOUSING ELEMENT SITE SELECTION TOOL OR HES TOOL DEVELOPED BY ABAG CONTAINS ERRONEOUS DATA AND THE INACCURATE DATA RESULTS IN RHNA FOR FAIRFAX THAT IS TOO HIGH. THE DEVELOPED REALLOCATION DATA IS NOT USED EITHER IN MODELING FOR PLANNED BAY AREA 2050 OR AN INPUT FOR THE RHNA METHODOLOGY ITSELF. THE HES TOOL IS A WEB BASED MAPPING TOOL DEVELOPED BY MTC AND ABAG STAFF TO ASSIST IN THE JURISDICTION PREPARING SITE INVENTORY REQUESTED FOR THEIR HOUSING UPDATES. THEREFORE CRITIQUES OF THE HES TOOL FALL OUTSIDE OF THE APPEALS SCOPING PROCESS AND ARE UNRELATED TO FAIRFAX'S RHNA. NEXT SLIDE PLEASE. AS YOU HEARD FROM THE PRESENTATION, ARGUMENT IS FAIRFAX DOESN'T HAVE SUFFICIENT LAND TO ACCOMMODATE ITS RHNA. HES TOOL DOESN'T ACCURATELY SHOW DEVELOPMENT CONSTRAINTS. THE HES TOOL WAS NOT USED TO DEVELOP THE REALLOCATION THEREFORE DOES NOT HAVE EFFECT ON THE TOWN'S ALLOCATION ALTHOUGH STAFF UNDERSTANDS FAIRFAX'S CONCERNS ABOUT NATURAL HAZARDS HOUSING ELEMENT LAW LARGELY DOES NOT IDENTIFY AREAS AT RISK FROM NATURAL HAZARDS AS CONSTRAINT TO HOUSING. IMPORTANTLY SITES IDENTIFIED IN THE HES TOOL AS CONSTRAINT EITHER AT RISK MAY STILL BE DEVELOPABLE. HOUSING ON SITES WITH HAZARDS IS UNAVOIDABLE TO ACCOMMODATE THEIR HOUSING NEED IN THIS CASE APPROPRIATE MITIGATION MEASURES SHOULD BE

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CONSIDERED. ABAG IS COMMITTED TO ASSISTING LOCAL JURISDICTIONS INTEGRATING RESILIENCE INTO THEIR HOUSING AND PLANNING IS GUIDING IS PART OF THE WORK. FAIRFAX HAS NOT DEMONSTRATED THAT THE TOWN CANNOT ACCOMMODATE ITS RHNA IN WITHIN THE JURISDICTION THAT ARE SUBJECT TO LOWER RISK OF NATURAL HAZARD. CONSIDERING AVAILABILITY OF UNDERUTILIZED LAND AND OPPORTUNITIES FOR INFILL DEVELOPMENT INCREASE RESIDENTIAL DENSITY. NEXT SLIDE PLEASE. FAIRFAX'S ARGUMENT THAT ITS RHNA ALLOCATION WILL NOT IMPROVE THE JOBS/HOUSING RELATIONSHIP CHALLENGES THE FINAL METHODOLOGY ADOPTED BY ABAG AND HCD WHICH FALLS OUTSIDE OF THE SCOPE OF THE APPEALS PROS. HCD HAS THE AUTHORITY TO DETERMINE IF THE RHNA METHODOLOGY FURTHERS THE STATUTORY OBJECTIVES AND FOUND THE METHODOLOGY DOES MEET OBJECTIVES. FURTHERMORE THE RHNA METHODOLOGY IMPROVES INTER-REGIONAL RELATIONSHIPS BETWEEN JOBS AND HOUSING NOT JUST JOBS/HOUSING BALANCE IN ANY PARTICULAR JURISDICTION. ADDING MORE HOUSING IN AREAS WITH EASY ACCESS TO JOBS LEADS TO SHORTER COMMUTES. FAIRFAX'S OWN PRESENTATION SHOWED THAT 83% OF THE 1900 PEOPLE EMPLOYED IN FAIRFAX LIVE OUTSIDE OF THE JURISDICTION SO BUILDING THE HOUSING THAT WILL ENABLE THESE WORKERS TO LIVE CLOSER TO THEIR JOBS WILL REDUCE VMT AND GHG. NEXT SLIDE PLEASE. STAFF UNDERSTANDS THE TOWN'S CONCERNS ABOUT THE DROUGHT CURRENTLY BEING EXPERIENCED BY THE BAY AREA, HOWEVER, STATUTE DEFINES WATER SUPPLY CONSTRAINTS IN THE TERMS OF RHNA AS THOSE THAT PRECLUDE THE JURISDICTION FROM PROVIDING

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THE NECESSARY INFRASTRUCTURE FOR DEVELOPMENT DURING THE RHNA PERIOD. THE TOWN HAS NOT DEMONSTRATED THAT IT IS PRECLUDED FROM ACCOMMODATING ITS RHNA ALLOCATION BECAUSE OF A DECISION ON MARIN WATER, ITS WATER SERVICE PROVIDER. WHILE MARIN WATER HAS DISCUSSED A POTENTIAL MORATORIUM ON NEW WATER CONNECTION IN RESPONSE TO THE DROUGHT THIS ACTION HAS NOT BEEN IMPLEMENTED. THE ARGUMENTS PUT FORWARD BY FAIRFAX DO NOT MEET THE REQUIREMENTS FOR A VALID RHNA APPEAL IF THE TOWN HAS NOT DEMONSTRATED PRECLUSION FROM MEETING ITS RHNA ALLOCATION BECAUSE OF THE DECISION BY THE WATER SERVICE PROVIDER. THEREFORE STAFF RECOMMENDS DENIAL OF THE APPEAL BY THE TOWN OF FAIRFAX.

JESSE ARREGUIN, PRESIDENT: THANK YOU. WE WILL GIVE THE TOWN OF FAIRFAX OPPORTUNITY TO RESPOND. YOU HAVE THREE MINUTES. YOU ARE MUTED.

BEN BERTO: IN TERMS OF DENIAL, THE HESITATE TOOL ILLUSTRATES THE DISCONNECT BETWEEN HOUSING ALLOCATION AND FUNDAMENTAL HAZARDS. AND THAT WE HAVE EXAMPLES IN THIS STATE OF MILLIONS OF ACRES LOST, THOUSANDS OF HOMES DESTROYED AND HUNDREDS OF LIVES LOST. I SERIOUSLY QUESTION THE VALIDITY OF ANY PLANNING TOOL THAT IGNORES THAT AND IGNORES THE SEVERE FIRE RISK TO THE COMMUNITY. HOWEVER, I DO ACKNOWLEDGE THAT THAT IS TAKING PLACE. IN TERMS OF THE JOBS/HOUSING RELATIONSHIP, OR THE

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JOBS/HOUSING RATIO AND THE INTRAREGIONAL RELATIONSHIP, I WOULD SIMPLE COMMENT THAT WE HAVE PROVIDED CLEAR EVIDENT THAT FAIRFAX IS A BEDROOM COMMUNITY THAT THE ENTIRE RHNA NUMBER IS COMMUTING OUT OF FAIRFAX INTO SAN FRANCISCO WHICH IS THE TRUE JOB GENERATOR IN THE REGION AND THESE RATIOS OF PEOPLE COMMUTING IN FOR JOBS AND COMMUTING OUT FOR JOBS IS UNLIKELY TO CHANGE. THEREFORE, STAFF HAS FAILED TO DOCUMENT THAT PROVIDING THIS SIGNIFICANTLY LARGER NUMBER OF HOUSING WOULD NOT, IN FACT, GO AGAINST STATED RHNA GOALS. AND, FINALLY, IN TERMS OF THE WATER SUPPLY SITUATION, THAT WILL LIKELY SPEAK FOR ITSELF AS THIS DROUGHT CONTINUES TO PLAY OUT. I WOULD SIMPLY FURTHER MAKE THE COMMON SENSE OBSERVATION THAT IF YOU DON'T HAVE WATER, YOU CAN'T BUILD MORE HOUSING. THANK YOU FOR THE OPPORTUNITY TO SPEAK.

JESSE ARREGUIN, PRESIDENT: THANK YOU VERY MUCH. WE'LL NOW TURN TO THE PUBLIC COMMENT PORTION OF THIS HEARING. AND WE HAVE OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO TESTIFY ON ZOOM AND THERE IS A LOCATION AT 375 BEALE STREET WHERE MEMBERS OF THE PUBLIC CAN ALSO PROVIDE TESTIMONY. STAFF WILL ADVISE IF THERE IS ANYONE AT 375 BEALE TO PROVIDE TESTIMONY. FIRST WE'LL GO OUR SPEAKERS ON ZOOM IF YOU WANT TO SPEAK ON THE TOWN OF FAIRFAX'S APPEAL, PLEASE RAISE YOUR HAND AT THIS TIME. OR PRESS STAR NINE IF YOU ARE PHONING IN. I SEE WE HAVE SEVERAL RAISED HANDS M CASTRO.

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CLERK, FRED CASTRO: YES. FIRST IS VALERIE. YOU HAVE TWO MINUTES.

SPEAKER: THERE ARE MULTIPLE PROBLEM WITH THE RHNA PROCESS. FAIRFAX REQUESTED THAT THE RHNA NUMBERS BE REDUCED FROM 490 TO 30070 DURING THE EIGHT YEAR HOUSING CYCLE THIS IS UNREASONABLE TO REACH THIS UNREALISTIC NUMBER WE WOULD HAVE TO FORCE FAIRFAX TO ADOPTING ZONING STANDARDS THAT THREATEN THE SAFETY OF HUMAN LIFE AND RESIDENTS. UNREACHABLE AND UNCONTAINABLE RHNA ALLOCATIONS. WHY IS THIS A CRAZY IDEA? MUCH OF FAIRFAX IS IN THE URBAN WILDLAND INTERFACE ZONE WITH ONE ROAD IN AND ONE ROAD OUT IT WOULD ALMOST BE IMPOSSIBLE TO EVACUATE IN CARS WHICH WOULD BE THE BEST PLACE TO BE IF THERE IS HEAVY FIREFIGHTING ENGINES AND EQUIPMENT COMING IN AND OUT OF SIR FRANCIS DRAKE. PUTTING THE ENTIRE UPPER ROSS VALLEY IN GRIDLOCK NO WAY TO GET OUT WE'RE TALKING ABOUT 50,000 PEOPLE. ARE YOU -- AM I DONE?

CLERK, FRED CASTRO: NO. YOU HAVE ONE MINUTE.

SPEAKER: OKAY GOOD. I GOT INTERRUPTED. I WOULD LIKE THAT TIME GIVEN BACK. THERE WAS A PERSON TALKING. THE POLICE WILL HELP AS MUCH AS THEY CAN, BUT IF AN EVACUATION HAPPENS IN THE MIDDLE OF THE NIGHT, GOOD LUCK, YOU'RE PRETTY MUCH ON YOUR OWN

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YOU HAVE TWO OFFICERS ON DUTY UNTIL 3:00 A.M. AND 1 BETWEEN 3 AND 7. NOT TO MENTION WE HAVE DEFUNDED OUR COPS THAT MEANS WE'RE LACKING THE MONEY WE NEED FOR EVACUATION TO PAY ANYONE. DON'T IGNORE WARNINGS ABOUT GLOBAL CLIMATE CHANGE THE MMWD HAS SENT RESIDENTS NOTICE OF DROUGHT TO CONSERVE WATER PEOPLE HAVE LET THEIR LANDSCAPES DIE WE'RE IN A SEVERE CRISIS PERHAPS ABAG BELIEVES MARIN RESIDENTS SHOULD DRINK SEWER WATER OR PEE WATER LIKE THEY TELL YOU IN SAN DIEGO AND SHOULDN'T HAVE TO DO THAT. NOT TO MENTION REALLY BAD SHAPE BECAUSE MONEY'S NOT -- [INDISCERNIBLE].

JESSE ARREGUIN, PRESIDENT: MA'AM. I'LL ASK IF YOU CONCLUDE YOUR COMMENTS. TIME IS UP. AS I ANNOUNCED AT THE BEGINNING OF THIS HEARING IF THERE ARE LESS THAN FIVE SPEAKERS, SPEAKERS WILL HAVE TWO MINUTES IF THERE ARE MORE THAN FIVE SPEAKERS TIME WILL BE REDUCED TO ONE MINUTE TO ENSURE ORDERLY CONDUCT OF THE MANAGER. WE'LL PROCEED TO THE NEXT SPEAKER.

CLERK, FRED CASTRO: OF NEXT SPEAKER IS CALUM WEEKS.

SPEAKER: I NEVER RAISED MY HAND.

CLERK, FRED CASTRO: THANK YOU. NEXT SPEAKER IS RICK HAIMER. GO AHEAD, PLEASE.

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SPEAKER: HELLO. HI THERE. WITH THE PREVIOUS SPEAKER MENTIONED ABOUT HOW OUR EXIT ROUTE OF WHICH THERE IS ONLY TWO EXIT ROUTES WHICH ARE WITHIN 200 FEET OF EACH OTHER AND THAT IS EVEN FOR OUR INFILL AREAS WHICH WILL BE CONSIDERED POSSIBLE PLACES IN ORDER TO PLACE OUR RHNA NUMBERS, RATHER THAN THE EXTREME OUTLYING AREAS, AND EVEN THOSE NUMBERS ARE IMPACTED BY EVEN A SIMPLE, ANY CONSTRUCTION, ANY TRAFFIC OBJECTION TURNS THEM INTO GRIDLOCK. I WOULD LIKE TO POINT OUT, NOT ONLY THAT, BUT ON THE 2019 CALIFORNIA FIRE CODE, SECTION D 106, ABOUT REMOTENESS, IS THAT IF THE TWO EXIT ROUTES ARE THIS CLOSE TOGETHER, THEY'RE NOT ACCEPTABLE AS FIRE ESCAPE ROUTES. SO I THINK THE EVACUATION OF FAIRFAX AND THE FACT THAT THERE IS A LOT OF GROWTH AND DRY GROWTH BECAUSE WE'RE HEAVILY FORESTED OUT THIS WAY TO PREVENT US FROM BEING ABLE TO MEET THE FULL RHNA NUMBERS. SO 370 IS A VERY REASONABLE NUMBER. THANK YOU VERY MUCH.

JESSE ARREGUIN, PRESIDENT: THANK YOU, SIR.

CLERK, FRED CASTRO: NEXT SPEAKER IS SUSAN KIRSCH. GO AHEAD, PLEASE.

SPEAKER: SO, THANK YOU FOR HOLDING THESE HEARINGS. AND I WANT TO UNDERSCORE THE IMPORTANCE OF THE APPEAL STATEMENTS AND VALERIE'S COMMENTS ABOUT SAFETY AND WATER, SAYING THAT THOSE

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ARE TWO IMPORTANT ISSUES THAT IT SEEMS AS IF WE ARE OPERATING IN SOME KIND OF WORLD WHERE PAPER IS RULING THE REALITY OF WHERE IS THE WATER GOING TO COME FROM. AND, IT -- YOUR RESPONSES, STAFF RESPONSES TO WHAT I HAVE HEARD IN OTHER PRESENTATIONS ABOUT THE WATER ARE, PART OF IT CONTRIBUTING TO THIS FEELING LIKE SUCH AN ANTAGONISTIC PROCESS WE HAVE EXPLAINED TODAY AND LAST WEEK WITH FAIRFAX PRESENTATION OF DEDICATED CITY STAFF WHO ARE DOING THE BEST TO PROTECT THE HEALTH AND WILL BEING AND SAFETY REGARDING BASICS OF WATER IN THEIR COMMUNITIES AND STAFF'S RESPONSE IS IT'S NOT OUR PROBLEM TO FIND MITIGATION MEASURES I WANT TO UNDERSCORE THE DISSATISFACTION OF THE METHODOLOGY THAT'S GUIDING THIS AND THE RESULTS IT'S BRINGING US TO. I'M FINISHED.

CLERK, FRED CASTRO: NEXT SPEAKER IS KEVIN CURTIS GO AHEAD, PLEASE.

SPEAKER: I'M A LOCAL COMMUNITY MEMBER SUPPORTING MR. BETO'S STAFF CITY OF FAIRFAX APPEAL HE HAS SUCCESSFULLY DEMONSTRATED REDUCTION IS JUSTIFIED. 490 HOUSING UNITS WILL BE BUILT INTO THE FAIRFAX ACROSS NINE YEARS POTENTIALLY FINDING THREE ACRES AVAILABLE SITES FOR 15 HOUSING UNIT DENSITIES ESTIMATED FOR SOME BUILDING LOCATIONS AND DEVELOPERS WILL LEVERAGE THE RIGHT TO STATE DENSITY BONES ADDING AN ADDITIONAL 25% BY RIGHT. THIS WILL HAPPEN IN FAIRFAX IT'S DIFFERENT THAN MANY OTHER CITIES

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IN THE BAY AREA GIVEN THE SMALL PERCENTAGE OF ALLOCATIONS. NO FERRY SERVICE, NO PROXIMITY OF 35 MILE PER HOUR ROADWAYS DIRECTLY FEED INTO A ROADWAY. THEN 225 MILE PER HOUR LANES IN OR THROUGHOUT EACH DAY. THAT'S IT. AND WHILE FAIRFAX WOULD BENEFIT FROM MORE TRANSPORTATION INFRASTRUCTURE INVESTMENT AS PART OF THE 2050 BAY AREA PLAN IT RECEIVES A MINISCULE NUMBER THAT MAY NOT CORRELATE TO THE SAME PERCENTAGE OF HOUSING UNIT ALLOCATIONS GIVEN THIS CYCLE. I ASK THAT YOU CONSIDER THREE THINGS, ONE THAT THEY ARE NOT ASKING FOR A HUGE REDUCTION, BUT CLOSER TO THE SAME OR LESS THAN 25% DENSITY INCREASE THE DEVELOPERS WILL BE ASKING FOR MEANING THAT EVEN WITH THE APPROVAL OF REDUCTION NOW YOU IS FAIRFAX WILL STILL ATTAIN THE LARGER NUMBERS INSTEAD OF BEING OVERBUILT. TWO THAT YOU CONSIDER STAFF'S FAIRFAX APPEAL CONTENT IN THAT EVIDENT IS UNIQUE CHARACTERIZATION OF THE ENVIRONMENT TOOL AND CONCERNS LACK OF INFRASTRUCTURE THREE YOU APPROVE THE REDUCTION BASED ON THE ABILITY TO MOVE A SMALL NUMBER OF HOUSING UNITS CLOSER TO THE MAIN TRANSPORTATION CORRIDOR KNOWING THAT THE SAME DEVELOPERS WILL BE GENERATING 20% POINT DENSITY BONUS US. FIRST, I'M FOR HOUSING. WE DO NEED IT. AND YOU'RE DOING A GREAT JOB.

CLERK, FRED CASTRO: NEXT SPEAKER IS PAMELA MEEKS.

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SPEAKER: HELLO EVERYONE. I HAVE BEEN FAIRFAX SINCE 1987 I AM A REGISTERED NURSE FOR THE LAST 47 YEARS I HAVE BEEN INVOLVED IN THE GENERAL PLAN FOR TEN YEARS ON THE PLANNING COMMISSION. I WANT TO BRING UP THE ISSUE OF QUALITY OF LIFE. DENSITY DOES NOT CREATE QUALITY OF LIFE, NOR DO WE HAVE THE WATER. I'M ALSO WITH THE FIRE-WISE COMMITTEE HERE AND WE ARE IN A TERRIBLE ZONE TO GET EMERGENCY VEHICLE IN AND OUT OF HERE AND WE WITNESSED THIS RECENTLY WHEN WE HAD GRIDLOCK. I ALSO WANT TO BRING UP -- I'M ALSO ON THE SIERRA CLUB, ON THE EXECUTIVE COMMITTEE, AND YOU KNOW, BUILDING IS SO DESTRUCTIVE. I DO BELIEVE IN AFFORDABLE HOUSING. I UNDERSTAND IT. I WAS RAISED IN THE BAY AREA. MY OWN CHILDREN CAN'T LIVE HERE. BUT IT HAS TO BE DONE IN A REASONABLE, LIVABLE WAY, AND LET PEOPLE HAVE INPUT. I ALSO WANT TO SAY THAT THERE IS MANY, PROBABLY, MANY THAT I KNOW OF, IN TOWN, MANY ADUS THAT ARE NOT LEGAL. AND WE NEED TO FIGURE OUT A WAY FIGURE OUT WHERE ARE THESE UNITS AND FIND OUT IF THEY ARE LEGAL. THE NUMBER IS TOO HIGH. AND I WAS HOPING THAT YOU WOULD BE MORE REASONABLE AND LET THE TOWN COME TOGETHER AND FIGURE IT OUT. THANK YOU.

JESSE ARREGUIN, PRESIDENT: THANK YOU.

CLERK, FRED CASTRO: NEXT SPEAKER IS JOHNSON 49. GO AHEAD, PLEASE.

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SPEAKER: YES, I WOULD LIKE TO TURN AROUND TO THE WATER, AGAIN. MARIN MUNICIPAL GETS 25% OF ITS WATER FROM SONOMA. IF IT LOSES THAT 25%, EVEN WITH THE CONSTRUCTION OF THE PIPELINE OVER THE RICHMOND SAN RAFAEL BRIDGE, AS THE MARIN MUNICIPAL HAD SAID F IT BRIGHT 8 MILLION GALLONS A DAY TO MARIN, THERE WOULD NOT -- THERE WOULD BE A SERIOUS LACK OF WATER AND A DECREASE IN OVERALL PRESSURE IN THE WATER MAINS WHICH GETS BACK TO YOUR FIREFIGHTING CAPACITY. IF YOU LOWER THAT PRESSURE, THEN YOU'RE GOING TO HAVE TO, IF YOU HAVE A CONFLAGRATION BACK IN FAIRFAX, YOU'RE GOING TO HAVE TO JUMP IN THERE AND FIGURE OUT A WAY OF GETTING ENOUGH WATER WITHOUT GOING TOTALLY TO THE BORE FARMERS. MARIN OVERALL, THE RHNA NUMBERS SHOULD BE SUSPENDED UNTIL EITHER A PIPELINE, A DESAL UNIT, OR SOME OTHER WAY OF GETTING WATER IN HERE IS CONSIDERED. THANK YOU.

CLERK, FRED CASTRO: THANK YOU. THERE ARE NO OTHER MEMBERS OF THE PUBLIC WITH HAND RAISED, AND THERE WERE PUBLIC COMMENT RECEIVED AFTER THE POSTED COMMENT PERIOD AND THAT WAS POSTED ON THE AGENDA AND LINKS WERE SENT OUT TO THE COMMITTEE.

JESSE ARREGUIN, PRESIDENT: ARE THERE ANY SPEAKERS ON THE 375 BEALE LOCATION?

CLERK, FRED CASTRO: I'LL ASK STAFF IF THEY'RE LISTENING IN COULD VERIFY? I UNDERSTAND THERE IS NO -- THERE ARE NONE.

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JESSE ARREGUIN, PRESIDENT: OKAY. THANK YOU. SO UNLESS THERE ARE ANY OTHER ATTENDEES WHO WISH TO SPEAK ON THE APPEAL OF THE TOWN OF FAIRFAX THAT COMPLETES THE PORTION OF THE APPEAL IT'S IN ORDER FOR THE ADMINISTRATIVE COMMITTEE TO DISCUSS AND TAKE ACTION ON THE APPEAL TO CONSIDER THE ACTION. FIRST I WOULD LIKE TO RECOGNIZE MAYOR EKLUND.

PAT ECKLUND: THANK YOU VERY MUCH PRESIDENT ARREGUIN. FIRST OF ALL, I DO HAVE SOME QUESTIONS FOR BEN, WITH THE TOWN OF FAIRFAX. BUT I DID WANT TO DISCLOSE THEY THAT I GREW UP IN MARIN COUNTY, AND I ACTUALLY LIVED IN FAIRFAX FOR THREE YEARS, WHEN I WAS GOING TO COLLEGE, AND LIVED ON SCENIC AND TAMALPAIS AND DEFINITELY EXPERIENCED THE ONE WAY ROADS, THE HEAVY TREES, AND WOODLANDS, AND THAT'S ONE OF THE REASONS WHY FAIRFAX IS SO POPULAR IS BECAUSE ITS QUALITY OF LIFE IS REALLY GOOD. I ALSO WANTED TO DISCLOSE, FOR ALL OF THE ATTENDEES, AS WELL, IS THAT I VOTED AGAINST THE REGIONAL HOUSING NEEDS ALLOCATION METHODOLOGY. I FOUGHT HARD AND TRIED TO GET THE METHODOLOGY CHANGED, UNFORTUNATELY, THOSE OF US WHO ARE IN OPPOSITION, WERE UNSUCCESSFUL. AS A COMMITTEE MEMBER FOR THE APPEALS BOARD, I AM HELD TO THE STANDARD OF EVALUATING AN APPLICATION BASE ON A METHODOLOGY THAT WAS APPROVED BY THE BOARD. SO, THOSE ARE MY PRELIMINARY STATEMENTS. MY TWO QUESTIONS -- MY FIRST QUESTION FOR BEN IS, ABAG INDICATED THAT THE TOWN OF

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FAIRFAX DID NOT SUBMIT A LOCAL JURISDICTION SURVEY. AND THAT'S SOMETHING THAT I, AS THE ABAG REP FOR MARIN COUNTY, EMPHASIZED IN MY REPORTS TO ALL THE TOWNS, AND AT ALL THE MEETINGS. CAN YOU HELP ME TO UNDERSTAND WHY FAIRFAX DID NOT?

BEN BERTO: THANK YOU FOR THE OPPORTUNITY TO SPEAK. I BELIEVE YOU ANSWERED THE QUESTION DISCUSSED IN THE METHODOLOGY USED BY ABAG THAT THE PRIMARY BASIS FOR DOING THAT SURVEY WERE ALREADY REMOVED FROM THE DISCUSSION.

PAT ECKLUND: OKAY. I AM SURE YOU HAVE HEARD STAFF'S RESPONSE, AND THEY HAVE INDICATED IN HERE THAT IN ORDER TO -- AND I MENTION THIS ALSO IN MY ABAG REPORTS, ALSO, AS WELL, IS THAT IN ORDER FOR A JURISDICTION TO HAVE THE ABILITY TO EVEN SUBMIT AN APPEAL, THE JURISDICTION MUST HAVE COMPLETED THAT SURVEY AND SUBMITTED THE RESPONSE BACK TO ABAG. AND SO MY FOLLOW-UP QUESTION, BEN, IS THAT, DID YOU INDICATE TO THE TOWN COUNCIL WHEN YOU BROUGHT THIS ITEM TO THEM IS THAT FAIRFAX DID NOT SUBMIT THE SURVEY RESPONSE AND THEREFORE BY CALIFORNIA GOVERNMENT CODE IS INELIGIBLE FOR SUBMITTING AN APPEAL?

JESSE ARREGUIN, PRESIDENT: I JUST WANT TO CLARIFY THAT. THEY CAN SUBMIT AN APPEAL BUT ON OTHER BASIS. ONE OF THE BASIS DOES REQUIRE THAT THEY HAVE TO SUBMIT THE LOCAL JURISDICTION SURVEY. I WANT TO CLARIFY THAT FOR THE RECORD.

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PAT ECKLUND: RIGHT. DID YOU DID YOU EXPLAIN THAT TO THE TOWN COUNCIL.

BEN BERTO: THE COUNCIL IS AWARE THAT WE DID NOT COMPLETE A SURVEY, AS I STATED THE REASONS BEHIND THAT. I WOULD POINT OUT THAT APPEALS BASIS THAT WE CITED IN TERMS OF THE JOBS/HOUSING RATIO AND THE FACT THAT IT WILL GO AGAINST ABAG'S OWN STATED GOALS AND FAIRFAX IS COMMITTED TO PROVIDING AFFORDABLE HOUSING AND, IN FACT, HAS DOUBLED ITS CURRENT RHNA NUMBERS AND WE ARE PLANNING FOR WAYS TO PROVIDE MEANING, AFFORDABLE HOUSING TO PEOPLE WHO WORK IN TOWN, I THINK SPEAKS TO WELL FOR THE FAIRFAX COMMITMENT'S TO AFFORDABLE HOUSING. THE JOBS/HOUSING RATIO IN FAIRFAX IS UNIQUE TO OUR TOWN UNIQUELY LOW AND WILL ADDING THIS HOUSING WILL GO AGAINST ABAG'S STATED GOALS.

PAT ECKLUND: THANK YOU.

JESSE ARREGUIN, PRESIDENT: SOMEBODY CALLED IN? -- HUDSON?

DAVID E. HUDSON: MANY OF THE OTHERS THAT HAVE A RIDICULOUS, WAY MORE HOUSES THAN THEY HAVE JOBS AND THEY HAVE GREAT REASONS WHY THINGS SHOULD BE CHANGED. UNFORTUNATELY WHAT THEY DON'T HAVE IS A METHODOLOGY, AND IF I COULD ADD ON TO WHAT PAT DIDN'T TELL YOU, THAT WAS APPROVED BY HCD. ONCE THAT WAS

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APPROVED, AND YOU SETUP THIS COMMITTEE, WE'RE BOUND TO FOLLOW THE RULES OF THIS COMMITTEE FOR THE APPEAL. AND I'M LOOKING AT THE APPEAL BASIS CITED ON TWO THINGS, AND NEITHER OF THEM IS MET BY FAIRFAX, AND I WILL BE -- NOT MAKING A MOTION TO DENY THE APPEAL, I'LL WAIT FOR OTHER PEOPLE. I THINK IT WOULD BE APPROPRIATE. BECAUSE FAIRFAX ISN'T UNIQUE. ALL OF OUR CITIES OR MANY OF OUR CITIES ARE RUNNING INTO THE SAME PROBLEM.

JESSE ARREGUIN, PRESIDENT: I'LL JUSTICE SAY THAT, YOU KNOW, WHAT'S DRIVING THESE HIGHER RHNA NUMBERS IS A SIGNIFICANTLY HIGHER ALLOCATION FROM THE STATE OF CALIFORNIA THAT WAS -- THAT WAS PROVIDED, DUE TO RECENT CHANGES IN STATE LEGISLATION SPECIFICALLY SENATE BILL 828 AND THAT HAS ROUGHLY DOUBLED THE REGION'S RHNA NUMBERS. SO OUR RESPONSIBILITY IS TO COME UP WITH A METHODOLOGY THAT MEETS THE STATUTORY BASIS UNDER STATE LAW AND TO ALLOCATE THAT HOUSING NEED EQUITABLY THROUGHOUT THE REGION. SO I JUST WANT TO EMPHASIZE THAT, YOU KNOW, THIS IS A RESPONSE TO SIGNIFICANTLY HIGHER NUMBERS THE STATE HAS REQUIRED THAT THE SAN FRANCISCO BAY AREA HAS TO MEET. AND I RECOGNIZE THE CHALLENGES THAT JURISDICTIONS FACE THROUGHOUT THE BAY AREA. IN MY CITY, WE HAVE A 200% INCREASE IN OUR RHNA NUMBERS AND IT'S GOING TO BE VERY CHALLENGING FOR US TO MEET THAT. BUT ABAG IS HERE TO SUPPORT LOCAL GOVERNMENTS AS THEY'RE WORKING TO UPDATE THEIR HOUSING ELEMENTS AND ALSO TO PROVIDE THE FUNDING FOR AFFORDABLE HOUSING AND INFRASTRUCTURE WHICH WE

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KNOW IT'S GOING TO BE CRITICAL TO SUPPORT THE ADDITIONAL UNITS THAT DIFFERENT LOCAL JURISDICTIONS HAVE TO PLAN FOR. SO I JUST WANT TO ACKNOWLEDGE THE CONTEXT AND RECOGNIZE THE CHALLENGES THAT ALL OF OUR JURISDICTIONS HAVE TO FACE IN MEETING THESE RHNA TARGETS. MAYOR HUDSON?

DAVID E. HUDSON: YEAH. I THINK ONE OF THE THINGS THAT THROUGH ME FROM THE VERY BEGINNING SO I WAS ASKING QUESTIONS IN THE FIRST OR SECOND ROUND OF APPEALS. IS THE JOBS/HOUSING BALANCE. IT ISN'T THE JOBS/HOUSING BALANCE WITHIN YOUR CITY IT WAS INTER-REGIONAL IMPROVEMENT, WE ASKED THAT QUESTION, AND GO OKAY, WE HAVE CLAYTON IS IT IN CONCORD IS THAT REGIONAL? NO. IT'S IN THE BAY AREA AND ONCE DO YOU THAT, IT'S LIKE, OKAY, IT'S KIND OF HARD TO ARGUE THAT THREE OR 400 IS GOING TO SOLVE THE PROBLEM OR 440,000. BUT, YOU KNOW, I HATE TO BE THE PERSON THAT KEEPS BRINGING BACK THE BAD NEWS AND UNFORTUNATELY IT WAS MY NEIGHBORS THAT CAUGHT THE FIRST ROUND OF APPEALS BUT I'LL PLAY THE BAD GUY TO DENY THE APPEAL OF FAIRFAX ON WHAT DO WE CALL -- PRELIMINARY ACTION -- HEARING -- I'M GOING TO LEAVE IT AT THAT. I'LL MOVE TO DENY THE PRELIMINARY APPEAL.

JESSE ARREGUIN, PRESIDENT: WE HAVE A MOTION BY HUDSON. IS THERE A SECOND.

DAVID E. HUDSON: SECOND WAS HUDSON.

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JESSE ARREGUIN, PRESIDENT: DAVID RABBIT.

DAVID RABBIT: I AM SYMPATHETIC WITH THE TOWN. WE'RE ALL IN THE SAME BOAT. I FEEL COMPELLED AS DIRECTOR OF SONOMA WATER AS THE ONE WHO SUPPLIED THAT LETTER TO MARIN COUNTY WE'RE IN CONSTANT COMMUNICATION WITH OUR COLLEAGUES, AND WE REALLY NEED TO BUILD RESILIENCY IN OUR SYSTEM. JUST TWO AND A HALF YEARS THERE WERE THREE FEET OF WATER RUNNING DOWN THE MIDDLE OF GUERNEVILLE SO IT'S REALLY MAKING PLACES FOR STORAGE OF THOSE WATERS LOOKING AT THE PIPELINE WHETHER IT GOES TO EAST BAY OR WHETHER OR NOT THE DESALINIZATION APPROACH COMES BACK. THE WATER RIGHTS ARE THERE, THERE HAS BEEN ADEQUATE WINTER TIME FLOWS AND IT'S A MATTER OF MAKING SURE WE TAKE THE WINTER FLOWS, AND I ALSO UNDERSTAND THE EVACUATION WITH WILDFIRES. I KNOW AN AS A FAMILY IN FAIRFAX, THERE ARE EXISTING EVACUATION CONCERNS. AND HOUSING IN THOSE LOCATIONS IN THE FLAT LANDS SIR FRANCES DRAKE CENTER, GOING FORWARD, THE CHALLENGING IS IN FRONT OF US AND ABAG WILL BE THERE WORKING WITH YOU.

JESSE ARREGUIN, PRESIDENT: THANK YOU VERY MUCH. QUESTIONS OR COMMENTS FROM THE ABAG ADMINISTRATIVE COMMITTEE ON THE MOTION? -- -- OKAY. SEEING NO ADDITIONAL RAISED HANDS. THANK YOU VERY MUCH, MR. BERTO FOR COMING TODAY, AND FOR YOUR PRESENTATION. AND, JUST, ONCE AGAIN, TO SECOND WHAT SUPERVISOR RABBIT SAID

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WE'RE HERE TO WORK WITH YOU IN THIS NEXT STEP OF THE PROCESS IN THE MOTION BEFORE THE COMMITTEE IS A PRELIMINARY ACTION TO DENY THE APPEAL FROM THE TOWN OF FAIRFAX. I WILL ASK THE CLERK TO PLEASE CALL THE ROLL.

CLERK, FRED CASTRO: MOTION BY HUDSON. SECOND BY MITCHOFF. ON THE MOTION: [ROLL CALL VOTE]

PAT ECKLUND: I. SYMPATHETIC TO THE APPLICANT BUT I WILL SUPPORTING THE MOTION. [ROLL CALL - CONTINUED]. MOTION PASSES TEN AYES, TWO ABSENCES.

JESSE ARREGUIN, PRESIDENT: THANK YOU VERY MUCH. THAT COMPLETES THIS ITEM. WE'LL PROCEED TO THE NEXT APPEAL HEARING. WHICH IS CONSIDERATION OF THE RHNA APPEAL FOR THE CITY OF LARKSPUR. AND THIS IS A PRELIMINARY ACTION ITEM. SUMMARIZE, FIRST WE'LL HEAR FROM THE APPELLATE JURISDICTION, THE CITY OF LARKSPUR, AND I BELIEVE NEIL BUILDING AND PLANNING DIRECTOR FOR LARKSPUR WILL BE PRESENTING ON BEHALF OF THE CITY. IS THERE A POWERPOINT PRESENTATION? YES.

SPEAKER: THANK YOU MAYOR ARREGUIN AND MEMBERS OF THE ADMINISTRATIVE COMMITTEE AND STAFF. WE APPRECIATE YOU HEARING THE APPEAL WE RECOGNIZE THIS IS A HERCULEAN TASK THAT YOU HAVE EMBARKED ON. OUR COMMUNITY PARTICULARLY IS COMMITTED TO

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ADDRESSING THE NEED FOR AFFORDABLE HOUSING, HOUSING FOR SPECIAL NEEDS AND OUR GROWING ELDERLY POPULATION AND CONCERN OVER REQUIREMENTS FAILING INFRASTRUCTURE, AND UTILITIES AND LACK OF SERVICE. OF PARTICULAR CONCERN IS THE LACK OF WATER SUPPLY ASTHMA RIDDEN IS LARGELY SERVED BY RAIN WATER COLLECTED IN THE LOCAL RESERVOIRS. NEXT SLIDE PLEASE. JUST QUICKLY, AGAIN, FOR A SMALL CITY OF 12,000, LARKSPUR'S RHNA IS AMONGST THE HIGHEST IN THE REGION OF MARIN COUNTY IN TERMS OF INCREASED IN PAST RHNA, AND I WOULD LIKE TO POINT OUT, THE AFFORDABLE COMPONENT SHOULD BE RECOGNIZED WE NEED TO TRIPLE THE AMOUNT OF MARKET UNITS. THAT IS BASED ON MEETING 50% OF OUR AFFORDABLE UNITS THROUGH INCLUSIONARY HOUSING, SOMEWHAT CONSERVATIVE BUT THE RHNA OF 979 TRANSLATES TO APPROXIMATELY 1800 UNITS, LARGELY MARKET HOUSING TO MEET THAT AFFORDABLE. THIS HIGH REQUIREMENT IS DRIVEN BY OUR CITY CONTAINING TRANSIT-RICH AREAS DUE TO FERRY AND COMMUTER TRAIN IN THE CITY'S BOUNDARIES. WE HAVE BEEN SIGNED HIGH-RESOURCES ON SIR FRANCES DRAKE BOULEVARD AND [INDISCERNIBLE] AVENUE. THESE AREAS ARE LARGELY DEVELOPED AND REMAINING SUBJECT TO CONSTRAINTS PARTICULARLY FROM FLOODING AND FIRE HAZARD. UNDERUTILIZED PARCELS, AND WE NEED TO ACCOMMODATION THE SCALE. NEXT SLIDE PLEASE. TWO MAJOR CONSTRAINTS IS WATER, FLOODING AND FIRE. ONE MAJOR CONSTRAINT IS THAT CORTE MADERA CREEK IT'S A WATERWAY FED BY THE CITY WATER SHED IN LARGE SPUR LOCATED IN THE CONFLUENCE OF THE WATER SHED SIGNIFICANT PORTIONS OF

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EXISTING NEIGHBORHOODS ARE AFFECTED BY STORM EVENTS AND SEA LEVEL RISE DUE TO CLIMATE CHANGE. NEXT SLIDE. YOU SEE THE CONFLUENCE OF CORTE MADERA CREEK HERE IT INTERSECTS CAN HIGHWAY 101. NEXT SLIDE. THIS CONSTRAINT IS LIMITED ALSO BY THE AMOUNT OF STEEP HILLSIDE TERRAIN WOODLAND AREAS THAT MAKE UP MUCH OF LARKSPUR'S AREA. THESE WUI AREAS AND SEVERE TOPOGRAPHY MAKE UP A LOT OF THE CITY AND IN 2007 THE CITY ORDINANCE IDENTIFIED AS A VERY HIGH FIRE HAZARD ZONES. THIS IS LARKSPUR LANDING AREA. IT IS THE SITE OF THE FERRY LANDING AND THE TRAIN TER MIN US, THERE IS VERY THE DEVELOPABLE LAND DUE TO WATER AND HILLSIDES SURROUNDING IT. THE CREEK BAY FLOOD ZONES FIRE HAZARD FREEWAY INTERCHANGE AND SIR FRANCES DRAKE ITSELF, THERE'S ONE VACANT LARGE PARCEL. THE LOT IS DETERMINED INFEASIBLE. AREAS ALONG SIR FRANCES DRAKE BOULEVARD NO SIGNIFICANT PARCELS AND IT'S ADJACENT TO THE CREEK. NEXT SLIDE PLEASE. YOU SEE THIS, AN AERIAL, POTENTIAL HOUSING SITE, YOU CAN SEE A LARGE PARKING AREA. IT ALSO IS IMPORTANT TO RETAIN THE VITAL COMMERCIAL USES AS WELL TO MAINTAIN A WALKABLE LIVABLE NEIGHBORHOOD AND MINIMIZE VMT IN OUR COMMUNITY. NORTH MAGNOLIA CORRIDOR IS A HIGH-RESOURCE AREA, SMALL LOTS, SQUEEZED BETWEEN HOUSING AND CONCERNING FLOOD LEVELS AND AGAIN RETAINING FOR COMMERCIAL UNIT USE. AND WE ARE CURRENTLY ENTERTAINING A HOUSING PROJECT TO REPLACE THE SMALL SHOPPING CENTER. NEXT SLIDE PLEASE. MAGNOLIA SMALL LOTS, ONE LOT, ONE DEVELOPABLE SITE IS LOCATED IN HILLY AND WOODED TERRAIN. NEXT

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SLIDE PLEASE. DOWNTOWN MAGNOLIA AVENUE, THAT'S PART OF THE HIGH-RESOURCE AREA. THIS IS A HISTORIC DISTRICT IN HISTORIC NEIGHBORHOODS LOTS LARGELY DEVELOPED AND NO MAJOR SITES. EAST OF HIGHWAY 101, INDUSTRIAL USES ARE VALUED HERE AND WE DO HAVE MOBILE HOME PARK SITES AND YOU CAN SEE FROM THE SLIDE THIS IS ENTIRELY LOCATED IN A FLOOD ZONE.

CLERK, FRED CASTRO: TIME.

JESSE ARREGUIN, PRESIDENT: YOUR TIME IS UP.

SPEAKER: I'M ALMOST DONE. LAST POINT HERE IS INFRASTRUCTURE IS A CONCERN. WATER SUPPLY, I WONT REPEAT. YOU HEARD FROM BEN BERTO, AND IT'S IN OUR PO, BUT WE'RE REQUESTING THAT -- AND YOU CAN GO TO THE LAST SLIDE. WE'RE REQUESTING THE COMMITTEE RECOGNIZE THE CHALLENGES OF FOCUSING DEVELOP THE IN THE COMMUNITY LIKE LARKSPUR, AND WE BELIEVE ABAG FAILED TO RECOGNIZE THE SEVERE AND PHYSICAL ENVIRONMENTAL CONSTRAINTS A CONSTRAINT THAT WILL CONTINUE DISPLACEMENT AND AFFECT JOBS/HOUSING BALANCE AND WE'RE REQUESTING THE HOUSING ALLOCATION BE REDUCED TO 743 UNITS TO ALIGN WITH THE WATER PROVIDER'S MANAGEMENT PLAN. THANK YOU.

JESSE ARREGUIN, PRESIDENT: THANK YOU. AND AS I STATED, YOU WILL HAVE AN OPPORTUNITY TO PROVIDE A RESPONSE TO THE STAFF

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PRESENTATION. SO, NOW IN ORDER FOR THE ABAG MTC STAFF TO PRESENT ON THEIR RESPONSE TO THE APPEAL, AND YOU WILL HAVE FIVE MINUTES.

GILLIAN ADAMS: THANK YOU. I'M GILLIAN ADAMS PROJECT MANAGER FOR THE RHNA PROCESS. IF WE COULD PULL UP OUR SLIDES, PLEASE. THANK YOU. NEXT SLIDE PLEASE. SO THE CITY OF LARKSPUR IS REQUESTING A REDUCTION OF 236 UNITS A REDUCTION OF 24% FROM ITS DRAFT ALLOCATION. STAFF'S RECOMMENDATION IS TO DENY THE APPEAL. NEXT SLIDE PLEASE. REGARDING THE CITY'S ARGUMENT THAT ABAG DID NOT ADEQUATELY CONSIDER THE CONSTRAINTS IN AVAILABILITY OF LAND THE RHNA METHODOLOGY CONSIDERS THE DEVELOPMENT CONSTRAINTS NAMED IN THE APPEAL BY INCORPORATING DATA FROM THE PLANNED BAY AREA 2050 FINAL BLUEPRINT AS THE BASELINE ALLOCATION. THE FINAL BLUEPRINT EXCLUDES AREAS WITH UNMITIGATED HIGH HAZARD RISK RELATED TO SEA LEVEL RISE AND WILDFIRES IN GROWTH GEOGRAPHIES STAFF UNDERSTANDS CONCERNS ABOUT NATURAL HAZARDS HOUSING ELEMENT LAW DOES NOT IDENTIFY AREAS AT RISK FROM HAZARDS AS A CONSTRAINT TO HOUSING WHILE THERE MAY BE AT RISK TO FLOODING IN LARKSPUR REPRESENTATIVE HAS NOT DEMONSTRATED EVIDENCE OF FLOOD MANAGEMENT INFRASTRUCTURE. HOUSING ELEMENT LAW STATES THAT ABAG MAY NOT LIMIT CONSIDERATION OF SUITABLE HOUSING SITES TO EXISTING ZONING AND LAND USE RESTRICTIONS AND FURTHER POTENTIAL INCREASED DEVELOPMENT UNDER ALTERNATIVE ZONING IN

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JURISDICTIONS THIS MEANS HOUSING PLANNING CANNOT BE LIMITED TO VACANT LANDS AND EVEN COMMUNITIES THAT VIEW THEMSELVES AS BUILT OUT OR LIMITED DUE TO OTHER NATURAL CONSTRAINTS SUCH AS FIRE AND FLOOD RISK AREAS MUST PLAN FOR HOUSING THROUGH MEANS SUCH AS REZONING COMMERCIAL AREAS AS MIXED USE AREAS AND UPZONING NON-VACANT LAND LARKSPUR HAS NOT PROVIDED IT IS UNABLE TO CONSIDER UNDERUTILIZED LAND OPPORTUNITIES AND INFILL DEVELOPMENT TO INCREASE RESIDENTIAL DENSITY AND OTHER PLANNING TOOLS TO ACCOMMODATE ITS RHNA. LARKSPUR ARGUES THE RHNA METHODOLOGY DOESN'T IDENTIFY FURTHER STATUTORY OBJECTIVE RELATED TO PROMOTING SOCIAL ECONOMIC EQUITY AND ENCOURAGING EFFICIENT DEVELOPMENT APPEARANCE AND OBJECTIVE RELATED TO IMPROVING RELATIONSHIP BETWEEN JOBS AND HOW LONG. THE ARGUMENTS CHALLENGE THE FINAL RHNA METHODOLOGY ADOPTED BY ABAG AND HMM CD WHICH FALLS OUTSIDE OF THE SCOPE OF THE APPEALS PROCESS. HCD AFFIRMS THE OBJECTIVE DOES FURTHER. ALLOCATING MORE RHNA TO JURISDICTIONS WITH BETTER JOBS ACCESS AS WELL AS MORE RHNA TO JURISDICTIONS WITH THE LOWEST VEHICLE MILES TRAVELED. IMPORTANTLY, HOUSING ELEMENT LAW REQUIRES THE RHNA METHODOLOGY TO IMPROVE THE INTRAREGIONAL RELATIONSHIP BETWEEN JOBS AND HOUSING AS MENTIONED EARLIER NOT THE JOBS/HOUSING BALANCE IN ANY JURISDICTION THE RHNA METHODOLOGY ALLOCATES HALF OF THE RHNA RELATED TO JOBS/HOUSING PROXIMITY BASED ON COMMUTE SHEDS TO CAPTURE THE LIVED EXPERIENCE OF RESIDENTS TRAVELING TO JOBS OUTSIDE OF THEIR JURISDICTION'S BOUNDARIES.

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SOUTH MARIN IS NEAR MANY OF THE REGION'S JOBS SO ADDING HOUSING CAN LEAD TO SHORTER COMMUTES HELPING TO REDUCE VEHICLE MILES TRAVELED AND REDUCING GREENHOUSE GAS EMISSIONS. NEXT SLIDE PLEASE. STAFF UNDERSTANDS LARKSPUR'S CONCERNS ABOUT THE DROUGHT CURRENTLY BEING EXPERIENCED BY THE BAY AREA AGAIN AS WAS MENTIONED EARLIER HOUSING ELEMENT LAW DEFINING WATER SUPPLY CONSTRAINTS AS THOSE THAT PRECLUDE A JURISDICTION FROM PROVIDING NECESSARY INFRASTRUCTURE FOR DEVELOPMENT DURING THE RHNA PERIODS. THE ARGUMENTS PUT FORD BY LARKSPUR DO NOT PUT FORWARD THE REQUIREMENTS FOR A VALID RHNA APPEAL ALTHOUGH DRAFT ALLOCATION EXCEEDS POPULATION GROWTH ASSUMPTIONS AND ITS SERVICE PROVIDERS URBAN WATER MANAGEMENT PLAN IT HAS NOT DEMONSTRATED THAT ITS PRECLUDED FROM MEETING ITS ALLOCATION. STAFF RECOMMENDS DENIAL OF THE APPEAL FILED BY LARKSPUR.

JESSE ARREGUIN, PRESIDENT: THANK YOU VERY MUCH. I WOULD LIKE TO GIVE THE CITY OF LARKSPUR OPPORTUNITY TO RESPONSE TO THE STAFF'S PRESENTATION.

NEAL TOFT: THANK YOU. I'LL BE BRIEF. I THINK STAFF HAS CITED THE STATUTORY REQUIREMENTS WELL, AND WE UNDERSTAND THAT. WE DO HAVE CONCERNS, PARTICULARLY, REGARDING THE ISSUE OF INFRASTRUCTURE, IN THESE AREAS, AT THE CONFLUENCE OF THE CREEK AND THE BAY. AND PARTICULARLY AREAS THAT ARE LOW-LYING AND CURRENT SUBJECT TO FLOOD. THE COMBINATION OF SEA LEVEL RISE,

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AS WE HAVE STUDIED THE COMBINATION OF SEA LEVEL RISE AND SEVERE STORM EVENTS WILL CHALLENGE DEVELOPMENT IN THESE AREAS THAT ARE TARGETED AS TRANSIT-RICH AND HIGH-RESOURCE. RHNA RELIES LARGELY ON DEVELOPMENT IN THESE AREAS AND IMPROVEMENTS WILL REQUIRE RAISING ROADS, DRAINAGE, SANITARY SYSTEMS. THE CITED PLANNED BAY AREA IS A LONG-TERM PLAN. THIS IS A VERY IMMEDIATE HOUSING GOAL JUST TO BEGIN DEVELOPING THIS HOUSING IN THE NEXT SEVERAL YEARS, OVER THE NEXT EIGHT-YEAR CYCLE AND THERE IS LITTLE IN THE WAY OF ACTUAL FUNDING FOR PROGRAMS PLANNING FOR THIS INFRASTRUCTURE IMPROVEMENT THIS'S CITED IN PLANNED BAY AREA. JOBS/HOUSING, LARKSPUR IS A BEDROOM COMMUNITY, AND WILL CONTINUE, AND WE BELIEVE INDUSTRY AND SERVICES WILL BE DISPLACED AS A LOT OF THIS REQUIRED MARKET RATE HOUSING IS BROUGHT IN TO INFILL SITES. AND MARKET HOUSING IS REQUIRED TO SUPPORT AFFORDABLE, AND THIS WILL FURTHER DRIVE THAT IMBALANCE. AND IN TERMS OF WATER SUPPLY, I WON'T -- I'LL ECHO THE COMMENTS OF THE PRIOR DIRECTOR BERTO, AND SOME OF THE MEMBERS OF FAIRFAX, I DON'T NEED TO REPEAT THAT, BUT THAT REMAINS A CONCERN FOR THE CITY OF LARKSPUR, AS WELL. THANK YOU.

JESSE ARREGUIN, PRESIDENT: THANK YOU VERY MUCH. SO WE'LL NOW TURN TO THE PUBLIC COMMENT PORTION OF THIS HEARING. AND, AS STATED ON THE LAST APPEAL, THERE IS AN OPPORTUNITY FOR IN-PERSON PUBLIC COMMENT, 375 BEALL, AS WELL, ON THE ZOOM

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PLATFORM, AND I'LL ASK IS THERE ANY ATTENDEES ON ZOOM THAT WISH TO SPEAK ON THE RHNA APPEAL FOR THE CITY OF LARKSPUR. IF YOU WOULD LIKE TO SPEAK PLEASE RAISE YOUR HAND OR PRESS STAR NINE IF YOU ARE PHONING IN. AND, I SEE WE HAVE ONE RAISED HAND. MR. CASTRO?

CLERK, FRED CASTRO: SUSAN KIRSCH, GO AHEAD, PLEASE. TWO MINUTES.

SPEAKER: THANK YOU. I APPRECIATE HAVING A CHANCE TO COMMENT ON THIS, TOO, AND IT REALLY IS WITH APPRECIATION FOR ALL THE WORK THAT THE COMMITTEE AND EVERYONE IS DOING. BUT I WANT TO COMMENT ABOUT HOW OFTEN WE HEAR THAT HCD HAS THE AUTHORITY TO DETERMINE THE METHODOLOGY AND HOW CONCERNED MANY PEOPLE ARE THAT THIS METHODOLOGY IS TYING KNOTS IN OUR OWN ABILITY TO BE THOUGHTFUL AND TO HAVE CRITERIA BY WHICH WE SOLVE IMMEDIATE AND LONG-TERM PROBLEM. AND FOR MANY OF US, WHAT WE'RE GETTING FROM HCD IS ESSENTIALLY BOILING DOWN TO A LOT OF GIBBERISH THAT IS VERY HARD TO MAKE SENSE OF FOR ALL OF THE DETAIL THAT IT ROLLS OUT PARADING AS IF IT'S REALLY LOGICAL. AND I WANT TO GIVE YOU ONE EXAMPLE OF THAT I'M NOT SURE HOW MUCH I CAN GET THROUGH IN THE TWO MINUTES. BUT I WANT TO READ FROM A LETTER THAT HCD SENT TO ABAG WHERE THEY'RE DESCRIBING THE METHODOLOGY OF THE COST BURDEN ADJUSTMENT, AND I WOULD CHALLENGE ANY OF THE MEMBERS OF THE ABAG COMMITTEE TO MAKE SENSE OF THIS. HCD

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WRITES: "HCD APPLIES AN ADJUSTMENT TO THE PROTECTED NEED BY COMPARING THE DIFFERENCE IN COST BURDEN BY INCOME GROUP FOR THE REGION TO THE COST BURDEN INCOME GROUP FROM COMPARABLE REGIONS AS DETERMINED BY ABAG. THE VERY LOW END AND LOW-INCOME RHNA IS INCREASED BY THE PERCENTAGE DIFFERENCE ESTIMATED AT .64.BETWEEN THE REGION AND COMPARABLE REGION COST BURN RATE HER HOUSEHOLD AND EARNINGS 80% OF BAY AREA MEDIAN INCOME BELOW THAN DIFFERENCE APPLIED THAN LOW INCOME AND RHNA PROPORTIONS PROPORTIONATE TO SHARE OF THE POPULATION VOTE THESE GROUPS CURRENTLY REPRESENT." I WON'T GO ON MORE. THIS IS GIBBERISH LANGUAGE THAT MAKES IT UNRELIABLE AND MAKES IT DIFFICULT AND CONFIDENT IN THE PROCESS OF THE METHODOLOGY GUIDING THE COST PERSON BURDEN AS AN EXAMPLE. THANK YOU.

CLERK, FRED CASTRO: THANK YOU. NEXT SPEAKER IS JOHNSON 49, GO AHEAD, PLEASE. UNMUTE YOURSELF.

SPEAKER: ONE THING THAT HAS BEEN BROUGHT UP IS THE OVERALL SHAPE OF MARIN'S MUNICIPAL SYSTEM. IF YOU GO THEIR WEB SITE, YOU WILL SEE THAT THEY TALK OF MANY OF THEIR MAINS AND SERVICES BEING IN THE 60 TO 100-YEAR-OLD STATE. I CHALLENGE ABAG STAFF TO CONSIDER THIS. BECAUSE WHEN YOU ADD 900 UNITS YOU'RE GOING TO TAP INTO A MAIN. ANY TIME YOU TAP INTO A MAIN, YOU ARE PUTTING PRESSURE ON THAT MAIN, AND IT CAN -- IT'S ONLY GOING TO PUT MORE AND MORE PRESSURE, BESIDES THE FACT THAT YOU

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HAVE, NOW, A DIMINISHED WATER CAPACITY. YOU'RE ALSO GOING TO EFFECT THE INFRASTRUCTURE. AND THE OTHER THING IS, ABAG AND RHNA CALLS FOR HOUSING. THEY DON'T CALL FOR AFFORDABLE HOUSING. WHY AREN'T ALL THE RHNA NUMBERS AFFORDABLE RATHER THAN MARKET RATE? THANK YOU.

CLERK, FRED CASTRO: THANK YOU. THERE ARE NO OTHER MEMBERS OF THE PUBLIC WITH THEIR HAND RAISED, AND NO OTHER MEMBERS OF THE PUBLIC AT 375 BEALE STREET, THERE WERE COMMENTS POSTED ONLINE, AND THOSE HAVE BEEN POSTED TO THE AGENDA AND SENT TO COMMITTEE MEMBERS.

JESSE ARREGUIN, PRESIDENT: THAT CONCLUDES THE APPEALS FROM LARKSPUR. I'LL ASK FOR COMMITTEE MEMBER COMMENTS. PAT?

PAT ECKLUND: I AM SYMPATHETIC TO THIS APPLICANT, AS WELL. NEIL, I HAVE ONE QUESTION. THE CITY OF LARKSPUR ALSO DID NOT SUBMIT THE LOCAL JURISDICTION SURVEY RESPONSE. YOU CAN HELP ME TO UNDERSTAND WHY LARKSPUR DID NOT?

NEAL TOFT: THANK YOU, MAYOR EKLUND. I WOULD SAY THAT DUE TO THE CONTINUING PROCESS THAT WAS INVOLVED WITH WORKING THROUGH THE STUDIES, WHETHER IT WAS PLANNED BAY AREA, AND THE HOUSING, THE RHNA PROCESS, THERE WAS A NUMBER OF -- AND IN ADDITION THAT, THE NEW STATE MANDATES REGARDING HOUSING IMPLEMENTING

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ADUS, ET CETERA, ET CETERA, THERE WAS JUST SIMPLY A LACK OF RESOURCES AND TIME AT GETTING REALLY BACK TO AND DIGGING INTO THOSE ISSUES. IT'S BEEN A CONTINUOUS. WE DID WORK WITH MTC AND ABAG ON THE PROCESS FOR THE PLANNED BAY AREA, REVIEWING THE INITIAL -- AND I'M TRYING TO REMEMBER THE TERMS FOR THAT PROCESS TWO YEARS AGO, BY GOING THROUGH AND EVALUATING THE SITES AT THAT TIME, BUT I THINK THAT WAS PART OF THE PROCESS AND IT'S UNFORTUNATE THAT WE DID NOT PARTICIPATE SOONER. I DON'T KNOW THAT IT MAY HAVE CHANGED MUCH. WE'RE STILL TRYING TO GRASP EXACTLY WHAT THE CRITERIA ARE, WHAT SITES ARE CONSIDERED DEVELOPABLE OR VIABLE AS OPPOSED TO WHAT SITES ARE NOT. JUST EARLIER TODAY, I RECEIVED RESPONSE ON THE HES TOOL WHICH IS THE TOOL TO HELP EVALUATE SITES, AND EVEN THEN IT WAS IDENTIFIED WE HAVE OVER A THOUSAND SITES THAT ARE IDENTIFIED IN RED, BUT THOSE, IN FACT, MAY BE CHANGED AND MAY BE CONSIDERED VIABLE. THEY'RE STILL WORKING ON THAT TOOL. SO IT'S CHALLENGING FOR A SMALL COMMUNITY, TO, IF I MAY SAY, TO KEEP UP WITH THE EVER-MOVING PROCESS HERE. I TAKE SOME RESPONSIBILITY FOR THAT.

PAT ECKLUND: I REALLY APPRECIATE THAT RESPONSE, NEAL, AND I THINK THAT'S SOMETHING THAT WE SHOULD PUT ON THE LIST FOR OUR FUTURE DISCUSSION. WHEN YOU HAVE JURISDICTIONS LIKE FAIRFAX, OR LARKSPUR, OR EVEN SMALL -- EVEN LARGE JURISDICTIONS, SOMETIMES A REGIONAL ENTITY THAT IS JUST ASKING FOR A LOT OF

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FEEDBACK ON A LOT OF DIFFERENT THINGS AT THE SAME TIME, THE CAPACITY OF THAT COMMUNITY IS VERY LIMITED. AND I THINK THAT WE NEED TO PUT THAT DOWN AS A FUTURE DISCUSSION LIST, BECAUSE WE CAN DEFINITELY UNDERSTAND HOW LARKSPUR IS LOOKING AT THIS. THERE IS, WHAT? VERY FEW PLANNING PEOPLE, BASED ON THE NUMBER OF REQUESTS THAT WE'RE GETTING. SO I APPRECIATE YOUR RESPONSE VERY MUCH. UNFORTUNATELY, I WILL BE SUPPORTING STAFF'S RECOMMENDATION. THE METHODOLOGY -- I WISH IT WASN'T APPROVED, BUT IT WAS. SO, UNFORTUNATELY, I FEEL VERY CONFLICTED. OKAY. GREAT. THANK YOU.

JESSE ARREGUIN, PRESIDENT: THANK YOU. AND I THINK, YOU KNOW, ONCE AGAIN, WE HAVE IDENTIFIED AN ISSUE THAT WE DISCUSS PREVIOUSLY WHICH IS, WE'RE ONLY EMPHASIZING THE IMPORTANCE OF LOCAL GOVERNMENTS PARTICIPATING IN THIS SURVEY, AND WHAT THE IMPLICATIONS OF NOT PARTICIPATING IN THE SURVEY ARE. AND, YOU KNOW, PROVIDING SUPPORT, SO THAT LOCAL GOVERNMENTS ARE AWARE OF THEIR OBLIGATIONS AND OPPORTUNITIES TO PARTICIPATE IN THIS PROCESS. I THINK IT'S EXTREMELY IMPORTANT AS WE PLAN FOR THE NEXT RHNA CYCLE. I'LL ASK ARE THERE ANY OTHER QUESTIONS OR COMMENTS OR A MOTION TO TAKE A PRELIMINARY ACTION? MAYOR HUDSON?

DAVID E. HUDSON: I'M TRYING NOT TO BE COLD HEARTED ABOUT IT, BUT ALL OF THE DISCUSSION IS ABOUT THE METHODOLOGY. AND I

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DON'T THINK IF WE WERE TO MAKE FINDINGS ON IT WE SHOULD CHANGE THE METHODOLOGY WHEN WE HAVE A LEG TO STAND ON. ON THIS THING, THE APPEAL BASIS, I'M READING THE OVERVIEW, ABAG FAILED TO DETERMINE THE JURISDICTION'S DRAFT ALLOCATION IN ACCORDANCE WITH THE FINAL RHNA METHODOLOGY. SO I WOULD ASK THE QUESTION, IS -- WHAT IS THE NUMBER THAT IS DIFFERENT THAT YOU'RE SAYING THE MISTAKE WAS MADE? THERE IS ALSO A SECOND PART THAT SAYS, IN A MANNER THAT FURTHERS AND DOES NOT UNDERMINE THE RHNA OBJECTIVES. WELL, WHEN YOU GO TO PAGE FOUR OF WHAT STAFF PUT UP ABOUT HOUSING ELEMENT LAW AND THE IMPROVED INTRAREGIONAL RELATIONSHIPS, THAT PART OF THE DISCUSSION REALLY IS OUT THE DOOR. IT'S, WHAT MISTAKE WAS MADE? AND IN THESE APPEALS NOBODY HAS ATTACKED -- WELL, THE COUNTY DID IN PITTSBURG, BUT I GUYS CAN BE -- I GET TO KICK THE CORD AND GET TO HEAR THE END OF IT -- THERE WAS NO BASIS TO DENY THE APPEAL UNDER WHAT WE HEARD TODAY. I WILL MAKE THE MOTION THAT WE SUPPORT THE TEMPORARY MOTION ON THE PRELIMINARY DENIAL OF THE APPEAL.

BELIA RAMOS: SECOND.

JESSE ARREGUIN, PRESIDENT: MOTION BY HUDSON SECOND BY RAMOS. WE HAVE TAKEN AN ACTION TO DENY THE APPEAL. FLIGOR DID YOU HAVE A COMMENT?

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NEYSA FLIGOR: IT WAS TO SECOND THE MOTION. VICE MAYOR RAMOS BEAT ME TO IT.

JESSE ARREGUIN, PRESIDENT: I'LL ASK IF THERE IS ANY FURTHER DISCUSSION? I'M ASK FOR A ROLL CALL ON THE MOTION.

CLERK, FRED CASTRO: MOTION HUDSON, SECOND RAMOS. ON THE MOTION. [ROLL CALL VOTE] MOTION PASSES. TEN VOTES AYE. TWO ABSENCES.

JESSE ARREGUIN, PRESIDENT: THIS IS A PRELIMINARY ACTION. FINAL ACTION ON ALL APPEALS WILL BE TAKEN AFTER CLOSE OF THE PUBLIC HEARING AND ALL JURISDICTIONS WILL BE NOTIFIED. THANK YOU TO THE CITY OF LARKSPUR FOR COMING TODAY FOR YOUR PRESENTATION. THE LAST APPEAL FOR CONSIDERATION TODAY IS THE FOR THE CITY OF MILL VALLEY. THIS IS A PRELIMINARY ACTION ITEM. WE WILL HEAR FROM THE CITY OF MILL VALLEY WHO WILL PRESENTING?

DANIEL: THANK YOU ARE THE OPPORTUNITY TO DISCUSS THE CITY OF MILL VALLEY'S APPEAL. NEXT SLIDE. THE RHNA STATUTORY OBJECTIVE OF PROMOTING INFILL DEVELOPMENT THROUGH THE EFFICIENT DEVELOPMENT PATTERNS IS NOT ACHIEVED WE CONTINUE TO ARGUE THAT THERE IS A FAILURE TO ACT FOR THE ENVIRONMENTAL AND TOP GRAPHICAL CONSTRAINTS THAT ARE TRUE BARRIERS TO HOUSING AND THE INTENSIFICATION OF LAND USE THIS IS ERROR BOTH IN

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METHODOLOGY AND HOW IT WAS APPLIED AND LISTENING TO THE LOCAL SURVEY WHICH WE DID RESPOND TO. THESE ENVIRONMENTAL BARRIERS DIRECTLY RESULT TO AND CORRELATE WITH THE CITY'S ROADWAY STRUCTURE WITH THE MAJORITY OF ROADWAYS BEING LESS THAN 20 FEET WIDE AND ONLY TWO ACCESS POINTS IN AND OUT OF TOWN THERE'S LIMIT TRANSIT OPPORTUNITIES, AND ONLY A SMALL PORTION OF EASTERN PART OF MILL VALLEY BEING PART OF ABAG GEOGRAPHY. ABAG RESPONSE INDICATES THAT CITIES WITH LOCAL BARRIERS SHOULD CONSIDER REZONING COMMERCIAL AREAS TO MIXED USE, AND UPZONING NON-VACANT LAND AND THAT'S A GREAT IDEA WHEN THE LAND IS NOT CONSTRAINED. THIS SLIDE ILLUSTRATES THE SEVERITY OF MILL VALLEY'S SITUATION WITH 33% OF PARCELS IN VERY HIGH FIRE ZONES AND ANOTHER 30% IN THE HIGH FIRE SEVERITY ZONE. NEXT SLIDE. BOTH THESE AREAS, WHICH ACCOUNT FOR 63% OF OUR AREA, THEY'RE HIGHLY FORESTED STEEP SLOPED AND LIMITED ROADWAY ACCESS ACTUALLY ROADS ARE 16 FEET OR LESS IN WIDTH AND COMPROMISE IN TERMS OF ACCESS AND EGRESS OPPORTUNITIES KEY SAFETY CONCERNS FOR RESIDENTS EMERGENCY RESPONSE PERSONNEL AND OUR CITY COUNCIL. NEXT SLIDE. IT'S IMPORTANT TO ACKNOWLEDGE THAT 65 PERCENT OF THE PARCELS WHEN YOU INCLUDE THE FEMA FLOODWAY DO NOT ALLOW FOR MUCH CHANGE OR GROWTH. NEXT SLIDE. WHEN THINKING OF OPPORTUNITIES TO INCREASE DENSITY OR ACCOMMODATE NEW HOUSING THAT LEAVES MILL VALLEY WITH APPROXIMATELY 35% OF ITS LAND. IT'S HARD TO BELIEVE THAT WAS TAKING INTO CONSIDERATION WITH THE ALLOCATION OF 865 UNITS FOR AN EIGHT-YEAR CYCLE. NEXT

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SLIDE. MILL VALLEY'S LOCAL CONDITIONS ARE A CONSTRAINT AND BARRIER AS I MENTIONED MOVING PAST THE FIRE SEVERITY INFORMATION MILL VALLEY HIS SMALL PARCELS MAJORITY ARE NOT VACANT RESPONSE INDICATES FROM ABAG UNDER UTILIZED OPPORTUNITIES INCLUDING INFILL 35 PARCELS CONSIDERED UNIMPROVED OUTSIDE OF PEAS FIRE ZONES OF 35 PARCELS TWO ARE OVER AN ACRE 26 OF THE PARCELS ARE LESS THAN A QUARTER ACRE. SO THE RESPONSE NOTES THAT WE CAN INCREASE THESE DENSITIES AND THAT IS ALL WELL AND GOOD BUT PUTTING THAT THEORY TO A LOCAL LEVEL BEING BUILT-OUT, HAVING THESE FIRE ZONES, THE ILLUSTRATION IS THE TYPICAL 8,000 SCARE FOOT LOT, WHICH IS TYPICAL OF WHAT'S GOING ON. SO WE HAVE FOUR-PLEXES AND SIX-PLEXES, 25 UNITS AN ACRE WITH ONE PARKING SPOT WE COULD CREATE DENSITIES AND CREATE INCENTIVE TO TEAR DOWN THESE AFFORDABLE COMMUNITIES DISPLACING LOCAL COMMUNITY MEMBERS IS REPLACING UNITS THAT WOULD BE MORE EXPENSIVE THAT WOULD LIKELY INCREASE THE NUMBER OF UNITS ON THESE LOTS. THAT'S A HUGE DISCONNECT. ALSO CLAIMING THE CITY HAS NOT PROVIDED ENOUGH EVIDENCE, 97% OF OUR PARCELS ARE BUILT OUT, 65% OF LAND IS IN A HAZARD ZONE STREETS LESS THAN 25 FEET WIDE, LESS THAN 35 PARCELS UNIMPROVED. THE CITIES INTENDS TO ADDRESS AND ACCOMMODATE HOUSING NEEDS FOR THE FUTURE AND TODAY BUT IT'S REALLY APPARENT THAT BASED ON THE SUGGESTIONS OF UPZONING AND CHANGING DENSITIES, WE CAN'T ACCOMMODATE WHAT'S BEING ASKED OF US IT ALSO SEEMS LIKE THE WRONG APPROACH, REALLY, TO TELL OUR

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LOCAL COMMUNITIES MEMBERS THIS YOUR EXISTING LAND USE IS NOT VALUED OR WANTED ANYMORE, BECAUSE IT DOESN'T PROVIDE ADEQUATE HOUSING. I THINK THE LOCAL HARDWARE STORE AND THE MECHANIC SHOP WOULD DISAGREE WITH THAT. NEXT SLIDE, PLEASE. I'LL SKIP THIS. NEXT SLIDE. DURING THE LAST RHNA CYCLE IT WAS ACKNOWLEDGED THAT THERE IS AN ECONOMIC DOWNTURN. I WOULD ENCOURAGE A SIMILAR APPROACH RELATED TO POPULATION GROWTH. THERE IS A TREND IN POPULATION GROWTH DECLINING. WE USE THE CENSUS DATA AS PART OF THE HOUSING ELEMENT. I ENCOURAGE THE REGION TO DO SO ALSO. NEXT SLIDE. IN SUMMARY, THE CITY CONTINUES TO ASSERT THE ASSIGNMENT OF 865 UNITS DOES NOT MEET THE STATUTORY OBJECTIVES, NOR DOES IT ADDRESS THE LOCAL BARRIERS WE CONTINUE TO ADDRESS. AND THEN NEXT SLIDE IS JUST THE SUMMARY SLIDE THAT I UNDERSTAND THAT THIS IS TOUGH, AND HOUSING IS SERIOUS. WE WANT TO DO OUR PART. WE'RE INTERESTED IN REALLY DOING OUR PART FOR AFFORDABLE HOUSING AND USE THE LIMITED LAND OPPORTUNITIES WE HAVE FOR BELOW MARKET RATE HOUSING. THANK YOU.

JESSE ARREGUIN, PRESIDENT: THANK YOU VERY MUCH. AND, AS, WITH THE OTHER APPEALS THIS AFTERNOON, THERE WILL BE AN OPPORTUNITY FOR REBUTTAL OR RESPONSE TO THE STAFF'S PRESENTATION AFTER THEY RESPOND TO THE APPEAL. SO, NOW I WOULD LIKE TO TURN IT OVER TO ABAG MTC STAFF TO PRESENT A RESPONSE TO THE APPEAL FROM MILL VALLEY.

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GILLIAN ADAMS: THANK YOU. IF WE COULD PULL UP THE SLIDES, PLEASE?

GILLIAN ADAMS: THANK YOU. NEXT SLIDE. SO THE CITY OF MILL VALLEY IS REQUESTING A REDUCTION OF 286 UNITS FOR REDUCTION OF 33% FROM ITS DRAFT ALLOCATION. STAFF'S RECOMMENDATION IS TO DENY THE APPEAL. NEXT SLIDE PLEASE. MILL VALLEY ARGUES THAT THE RHNA METHODOLOGY DOES NOT PROMOTE INFILL DEVELOPMENT IN ASSOCIATE ECONOMIC EQUITY THROUGH THE DEVELOPMENT PATTERNS OF GREENHOUSE EMISSIONS TARGETS ARGUMENT CHALLENGES FINAL METHODOLOGY ADOPTED BY ABAG APPROVED BY HCD FALLING OUTSIDE THE SCOPE OF THE APPEALS PROCESS OBJECTIVES AT HCD FOUND METHODOLOGY MEETS THE DEVELOPMENT CONSTRAINTS. INCORPORATING THE 2050 BLUEPRINT AS THE BASELINE ALLOCATION INCLUDING INFORMATION FROM LOCAL GOVERNMENTS ABOUT PLANS ZONING AND PHYSICAL CHARACTERIZATION THAT MIGHT AFFECT DEVELOPMENT STRENGTH OF THE LAND USE MODEL USED FOR THE FINAL BLUEPRINT IS IT ACCESSES FEASIBILITY INCLUDING HIGHER COSTS OF THE BUILDING ON PARCELS WITH PHYSICAL CONSTRAINTS, HOUSING ELEMENT LAW DOES NOT IDENTIFY AREAS AT RISK FROM HAZARDS AS A CONSTRAINT TO HOUSING. FURTHERMORE, STATUTE FORBIDS ABAG FROM LIMITING ITS CONSIDERATION OF SUITABLE HOUSING SITES TO A JURISDICTION'S EXISTING ZONING AND LAND USE CONSIDERATIONS. IN ITS COMMENT LETTER ON APPEALS HCD SPECIFICALLY NOTED THAT HOUSING PLANNING

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CANNOT BE LIMITED TO VACANT LAND AND EVEN COMMUNITIES THAT VIEW THEMSELVES AS BUILT OUT, OR LIMITED DUE TO OTHER NATURAL CONSTRAINTS SUCH AS FIRE AND FLOOD RISK AREAS MUST PLAN FOR HOUSING THROUGH MEANS SUCH AS REZONING COMMERCIAL AREAS AS MIXED USE AREAS AND UPZONING NON-VACANT LAND. MILL VALLEY DOES NOT PROVIDE EVIDENCE THAT IT CANNOT CONSIDER THESE OTHER STRATEGIES FROM MEETING ITS RHNA NUMBERS. MILL VALLEY ARGUES THAT THE PLANNED BAY AREA 2050 STRATEGY HCD SHOULD ONLY APPLY TO THE EASTERN PART OF THE CITY'S HIGH-RESOURCE AREA TRANSIT AND OUTSIDE OF AREAS AT RISK OF [INDISCERNIBLE] [AUDIO DIFFICULTIES]

PAT ECKLUND: PRESIDENT ARREGUIN, I CAN'T HEAR.

JESSE ARREGUIN, PRESIDENT: IT'S THE BLUE ANGELS.

GILLIAN ADAMS: IT'S VERY DISTURBING. HCD CONFLICT WITH THE CITY'S ARGUMENT IS IT ONLY APPLIES TO GROWTH GEOGRAPHIES WHICH ENCOMPASSES A SMALL AREA OF THE MILL VALLEY SHOWN ON THE MAP REGARDLESS OF ARGUMENT AGAIN CHALLENGES FINAL METHODOLOGY ADOPTED ABAG -- REQUIRES RHNA TO BE CONSISTENT WITH THE PLAN'S DEVELOPMENT PATTERN IT DOESN'T SPECIFY HOW TO DETERMINE CONSISTENCY THIS GIVES ABAG'S DISCRETION TO DEFINE THE APPROACH. THE FINAL BLUEPRINT GROWTH FORECAST ARE ADOPTED AT THE COUNTY ASK SUBCOUNTY LEVELS AND THE APPROACH USED

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THROUGHOUT THE PROCESS -- [INDISCERNIBLE] [AUDIO DIFFICULTIES] DOES NOT EXCEED THE PLAN'S 35 YEAR HOUSING GROWTH OF COUNTY OR SUBCOUNTY EVALUATION. INCLUDING SOUTH MARIN DISTRICT WHERE MILL VALLEY IS LOCATED. NEXT SLIDE PLEASE. MILL VALLEY HAS ARGUED THAT ABAG MADE AN HER OR IN CALCULATING THE CITY'S DRAFT ALLOCATION MTC/ABAG STAFF HAS DETERMINE THERE WAS NO ERROR. ENSURING THE METHODOLOGY ALLOCATES 100% OF UNIT IN EACH INCOME CATEGORY AS ASSIGNED BY HCD AND IS CONSISTENT WITH THE CITY'S DRAFT ALLOCATION. NEXT SLIDE PLEASE. MILL VALLEY ARGUES FACTORS IN THE METHODOLOGY ARE ALL IN THE SAME AREA AND SHOULD BE COUNTED ONLY ONES, THE CITY CHALLENGES THE METHODOLOGY AND THOUSANDS THUS IS OUTSIDE THE SCOPE OF THE PROCESS. NEXT SLIDE PLEASE. IN ITS COMMENT LETTER HCD NOTED THAT INCREASED WILDFIRE RISK IS NOT A VALID BASIS FOR APPEAL AS THE ISSUE DOES NOT AFFECT ONE CITY, COUNTY, OR REGION IN ISOLATION. ALSO THE RHNA METHODOLOGY IS NOT IN CONFLICT WITH THE STATE'S FIRE HAZARD PLANNING TECHNICAL ADVISORY AS THE CITY CAN CHOOSE HOUSING SITE TO LOWER RISK AREAS RECOMMENDED REDUCTION MEASURES FOR DEVELOPMENT OF HIGHER RISK AREAS. HOUSING ELEMENT LAW STATES THAT STABLE POPULATION NUMBERS CANNOT BE USED AS A JUSTIFICATION FOR REDUCING A JURISDICTION'S RHNA. NEXT SLIDE PLEASE. ABAG MTC STAFF RECOMMENDS THE COMMITTEE DENY THE APPEAL FILED BY THE CITY OF MILL VALLEY. THANK YOU.

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JESSE ARREGUIN, PRESIDENT: THANK YOU VERY MUCH. I WOULD LIKE TO GIVE THE CITY OF MILL VAL OPPORTUNITY TO PROVIDE A RESPONSE TO STAFF'S PRESENTATION. YOU HAVE ONE MINUTE.

SPEAKER: I WOULD LIKE TO KNOW IF THE HIGH FIRE ZONES WERE INCLUDED IN THE ANALYSIS? THERE WAS SOME RESPONSE THAT WAS MADE BUT THEN THERE WAS ALSO A RESPONSE THAT SAID IF THERE WAS AN UNMITIGATED HIGH HAZARD RISK IT WAS CONSIDERED. SO I WOULD JUST LIKE MORE INFORMATION ON THAT. AND WE JUST RESPECTFULLY DISAGREE THAT OUR LOCAL CONDITIONS HAVE NOT BEEN TAKEN SERIOUSLY OR AS PART OF THE PROCESS. THANK YOU.

JESSE ARREGUIN, PRESIDENT: OKAY. THANK YOU. STAFF WOULD LIKE TO RESPOND TO THAT, WE CAN DO SO AFTER THE PUBLIC COMMENT PORTION. BUT I WANT TO ENSURE THAT WE DON'T HAVE ANY OTHER COMMENTS. YOU HAVE TWO MORE MINUTES, IF YOU WOULD LIKE TO USE YOUR TIME.

SPEAKER: WE DID RESPOND TO THE SURVEY SO I WOULD BE INTERESTED TO SEE IF THAT DOES MAKE A DIFFERENCE OR NOT. WE DID MENTION THE LOCAL CONDITIONS THAT I PRESENTED IN MY PRESENTATION, AND AS PART OF THE RESPONSE LETTER. SO, PLEASE TAKE THAT INTO CONSIDERATION. AND THAT'S IT.

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JESSE ARREGUIN, PRESIDENT: THANK YOU VERY MUCH. SO, NOW I'LL OPEN PUBLIC COMMENT ON THE CITY OF MILL VALLEY'S APPEAL OF ITS RHNA ALLOCATION. AND WE'LL BE TAKING PUBLIC TESTIMONY NOT ONLY ON ZOOM BUT IF THERE ARE ANY SPEAKERS AT 375 BEALL I'LL ASK IF THERE ARE ANY ATTENDEES WHO WISH TO SPEAK ON THE APPEAL FOR THE CITY OF MILL VALLEY. PLEASE RAISE YOUR HAND OR DIAL STAR NINE. WE HAVE ONE SPEAKER.

CLERK, FRED CASTRO: SUSAN KIRSCH, GO AHEAD, PLEASE. TWO MINUTES.

SPEAKER: HI. THANK YOU. AND I WANT TO THANK DANIEL FOR MAKING MILL VAL APPEAL. THE ISSUES ABOUT WATER AND RISK FACTORS BEING DENIED ABOUT THE GIBBERISH THAT COMES OUT OF HCD AND I WOULD ACKNOWLEDGE DAVE HUDSON REPEATED STATEMENTS, WE KNOW STATE SENATORS AND ASSEMBLY MEMBERS FREQUENTLY REWRITE LEGISLATION BECAUSE THEY DIDN'T GET IT RIGHT THE FIRST TIME, AND I WOULD POINT OUT THAT THIS METHODOLOGY FOR ALL OF THE CONTENTION THAT IT'S CREATING OUGHT TO BE LOOKED AT TO GET IT RIGHT RATHER THAN INTENDING TO GO FORWARD WITH ALL OF THE ERRORS THAT SEEM TO BE POINTED ON YOU BY CITY PLANNING STAFF. I WOULD ALSO LIKE POINTS THAT SHOULD BE TAKEN INTO CONSIDERATION THE METHODOLOGY PARENTAL USES CENSUS DATA FROM 2014 TO 202018 WHERE WE KNOW THAT PATTERNS HAVE CHANGED AND WE ALSO KNOW THAT THE CURRENT CENSUS DATA FOR 2018 IS NOT AVAILABLE SO IF THERE WERE TO BE

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CORRECTIONS FOR THE RHNA METHODOLOGY THE NEW CENSUS DATA OUGHT TO BE TAKEN INTO ACCOUNT. THERE WAS A STUDY DONE AT THE EMBARCADERO INSTITUTE AND MANY PEOPLE HAVE SAID WE'RE NOT GOING TO PAY ATTENTION TO THAT, BUT I WOULD ENCOURAGE EVERYBODY TO GO BACK AND LOOK AT THAT FASTIDIOUS RESEARCH THAT WAS DONE AROUND 820, WHICH IS PART OF WHAT'S DRIVING ALL OF THIS WHAT PEOPLE ARE AGREEING WITH THE NUMBERS AND THAT DOESN'T MAKE ANY SENSE AND EMBARCADERO INSTITUTE YOU CAN GOOGLE THE REPORT, AND THERE IS CONCERN ABOUT HCD BECAUSE OF THE PECULIAR DECISIONS AND METHODOLOGIES AND PRACTICES THAT THEY'RE PUSHING. THANK YOU.

JESSE ARREGUIN, PRESIDENT: THANK YOU.

CLERK, FRED CASTRO: NEXT SPEAKER.

SPEAKER: THANK YOU. MY NAME IS AARON ECKHOUSE, I'M THE REGIONAL POLICY MANAGER WITH CALIFORNIA YIMBY, YES IN MY BACKYARD I HAVE INTERACTED WITH MANY OF YOU DURING THE COURSE OF DEVELOPING THE RHNA METHODOLOGY. I THINK THOSE OF YOU INVOLVED IN THAT DESERVE TO BE COMMENDED FOR HAVING PRODUCED A STRONG METHODOLOGY THAT HCD CERTIFIED. I THINK THE PREVIOUS COMMENTS BASICALLY BOIL DOWN TO A CONTENTION THAT THE HOUSING CRISIS IS ACTUALLY NOT SO BAD AND WE SHOULD DO LESS ABOUT IT. I THINK THAT DESERVES TO BE WHOLLY REJECTED JUST LIKE THESE

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APPEALS FROM WEALTHY EXCLUSIONARY JURISDICTIONS THAT ARE FEELING CONSTERNATION OVER THE FACT THAT FOR THE FIRST TIME IN MANY YEARS THEY'RE BEING ASKED TO ACTUALLY CONTRIBUTE THEIR FAIR SHARE TO ADDRESS HOUSING IN OUR REGION. THANK YOU.

CLERK, FRED CASTRO: THERE ARE NO MEMBERS OF THE PUBLIC WITH THEIR HAND RAISED, AND THERE WAS NO PUBLIC COMMENT SUBMITTED ON THIS ITEM. NO PUBLIC COMMENTERS AT 375 BEALE STREET. THERE WAS WRITTEN COMMENT SUBMITTED THAT HAS BEEN POSTED ONLINE AND E-MAILED TO COMMITTEE MEMBERS.

JESSE ARREGUIN, PRESIDENT: THANK YOU. NOW WE'LL TAKE COMMENT FROM ADMINISTRATIVE COMMITTEE MEMBERS TO DISCUSS THE ACTION ON THE APPEAL. PAT?

PAT ECKLUND: THANK YOU TO DANIEL FOR HER PRESENTATION. I AM SYMPATHETIC TO MILL VALLEY'S CONCERNS. I AM HEARTENED TO SEE THAT YOU DID COMPLETE THE SURVEY, WHICH I REALLY EMPHASIZED IN THE MTC MEETINGS THAT CITIES SHOULD DO AND I AM GLAD THAT YOU HEARD THAT CALL. I WOULD LIKE TO HAVE STAFF ADDRESS THE CONCERN THAT MILL VALLEY RAISED ABOUT, FOR SOME REASON, THE VERY HIGH SEVERITY FIRE ZONES WERE NOT ADDRESSED ADEQUATELY. CAN WE GET A RESPONSE TO THAT? >DAVE VAUTIN: SURE. HAPPY TO PROVIDE A RESPONSE. JUST TO CLARIFY THE GROWTH GEOGRAPHIES IN PLANNED BAY AREA 2050 EXCLUDE VERY HIGH FIRE HAZARD SEVERITY

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AREAS WITHIN CITIES AND EXCLUDE VERY HIGH AND HIGH IN THE UNINCORPORATED AREAS SO THAT WAS REFLECTED. THE LANGUAGE THE CITY WAS RAISING ABOUT THE UNMITIGATED HAZARD AREAS IS REALLY REFERRING TO SEA LEVEL RISE. WHILE THERE ARE MITIGATIONS FOR FIRE IN PLANNED BAY AREA 2050 WE HAVE INCORPORATED INTO THE MAPPING OF GEOGRAPHIES, ARE AREAS OF SEA LEVEL RISE AND MITIGATION PROJECT AREAS THOSE CONTINUE TO BE INCLUDED AS GROWTH GEOGRAPHIES BECAUSE THERE IS A SEA WALL OR LEVY OR SOMETHING PROTECTING LAND FROM FLOODING SO WE HAVE EXCLUDED THESE FIRE SEVERITY AREAS FROM THE GEOGRAPHIES.

PAT ECKLUND: ONLY VERY HIGH FIRE SEVERITY AREAS IN CITIES WERE FACTORED IN. I BELIEVE WE HAVE ADDED HAVING DISCUSSION ABOUT HIGH SEVERITY ZONES AND VERY HIGH SEVERITY ZONES FOR CITIES BEING CONSIDERED THE SAME WAY AS COUNTIES. I DON'T UNDERSTAND. THEN ALSO A DISCUSSION ABOUT THE MAPS, CAL FIRE, AND WUIS. I DIDN'T GET AN UPDATED LIST BUT I WOULD LIKE TO MAKE SURE WE HAVE THAT DISCUSSION IN THE FUTURE. AND EVEN THOUGH I'M SYMPATHETIC, DANIEL, I WILL BE SUPPORTING STAFF'S RECOMMENDATION. I WISH THAT WE WERE MORE SUCCESSFUL IN MAKING SURE THAT THE METHODOLOGY WAS DIFFERENT BUT WE WERE NOT ABLE TO DO THAT.

JESSE ARREGUIN, PRESIDENT: MAYOR HUDSON.

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DAVID E. HUDSON: I THINK THE TWO SPEAKERS ACTUALLY BROUGHT UP THE SAME IMPORTANT QUESTION THAT WE HAVE BEEN TALKING ABOUT FOR THE LAST THREE APPEAL SESSIONS. THIS RHNA METHODOLOGY, ACCORDING TO EVERYBODY THIS'S APPEALING IS JUST TERRIBLE. WE DON'T WANT IT. YOU CAN CHANGE WHAT HCD -- WE CAN'T EVEN CHANGE WHAT THE BOARD'S DOING. WE'RE A SUBCOMMITTEE LOOKING AT A VERY NARROW REASON TO DENY OR UPHOLD AN APPEAL. I JUST WANT TO SAY TO THE PEOPLE THAT THINK THAT THIS METHODOLOGY IS BAD AND IT'S HURTING ALL THE CITIES, THE MAJORITY OF THE E-MAILS THAT I GOT DURING THE DISCUSSION PERIOD OF THE METHODOLOGY SAID THAT THE NUMBER OF HOMES THAT WE ARE RESPONSIBLE TO ALLOT TO ALL OF 101 CITIES IN THE BAY AREA AND THE COUNTIES WAS ABOUT HALF OF WHAT IT SHOULD BE. I HAD MORE E-MAILS TO MAKE THAT NUMBER A MILLION, THAN I DID SUPPORTING THE 441,000, OR REDUCING IT. I DON'T THINK THE CITIES THAT ARE FILING THESE APPEALS WANT -- WE CAN'T DO IT ANYWAY, BUT THEY DO NOT WANT THIS RHNA METHODOLOGY OPENED UP, BECAUSE THERE IS A LOT DIFFERENT THINGS AVAILABLE. I AM NOT -- [INDISCERNIBLE] US ON THIS APPEAL COMMITTEE BUT I HAVE NO DESIRE TO BE PART OF THAT METHODOLOGY COMMITTEE AND GO BACK AND REDO IT AGAIN. BECAUSE THE NUMBERS ARE STILL THE SAME. WHAT AARON ECKHOUSE SAID WE'RE BEHIND AND WE HAVE TO FULFILL THIS RESPONSIBILITY OR WE'RE GOING TO GET FURTHER BEHIND SO I WILL BE SUPPORTING THIS APPEAL.

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JESSE ARREGUIN, PRESIDENT: I'LL ADD TO THAT, THAT BY REOPENING THE METHODOLOGY RIGHT NOW YOU'RE BASICALLY SETTING UP CITIES TO FAIL, AS WELL, BECAUSE WE HAVE A YEAR -- A LITTLE BIT OVER A YEAR TO UPDATE OUR HOUSING ELEMENTS AND THE STATE HAS NOT ADJUSTED THAT TIMELINE. WE ALL HAVE UNTIL JANUARY 2023 TO ADOPT UPDATED HOUSING ELEMENTS OR ELSE WE WILL BE DENIED FUNDING FROM THE STATE OF CALIFORNIA, THE STATE CAN TAKE LEGAL ACTION. WE KNOW THE STATE HAS TAKEN MUCH MORE AGGRESSIVE ACTION IN ENFORCING HOUSING ELEMENT LAW. I YOU THINK THE RESPONSIBLE THING TO DO IS TO MOVE AHEAD WITH THE METHODOLOGY THAT WAS APPROVED OVER THE LAST YEAR BY DEMOCRATICALLY ELECTED REPRESENTATIVES WHICH REPRESENT THE NINE BAY AREA COUNTIES AND IDENTIFY AND ADDRESS ANY ISSUES IN FUTURE LEGISLATION. FOR THE NEXT CYCLE OF RHNA. MAYOR ROMERO?

CARLOS ROMERO: YES. I CONCUR WITH YOU JESSE, AS WELL AS DAVE HUDSON. I WANT TO GIFT BROADER PERSPECTIVE. WE ARE, INDEED, AT ABAG, CHARGED TO LOOK AT THE NINE COUNTIES, REGIONALLY, HOW WE ARE INTERCONNECTED, WE KIND OF MOVE TOGETHER IN TERMS OF DEVELOPMENT OF TRANSPORTATION SYSTEMS, WHERE WE PLACE HOUSING, SO THAT, INDEED, WE CAN GROW. IT IS, I THINK, ONE OF THE TENANTS OF CAPITALISM THAT GROWTH IS NECESSARY. AND I THINK THAT ONE OF THE SPEAKERS SAID THAT THE STATE HAS THE OPPORTUNITY TO REWRITE ITS WRONG, OR INCORRECT LEGISLATION. I THINK THAT'S EXACTLY WHAT THE STATE DID OVER THE LAST 3 TO 4

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YEARS. IS THAT UNDERSTOOD THAT THE LEGISLATION THAT WAS OUT THERE TO ADDRESS OUR HOUSING ISSUE ACROSS THE STATE, OR ISSUES ACROSS THE STATE, CLEARLY WAS INADEQUATE, AND WAS NOT WORKING AT THE LOCAL LEVEL. AND WHAT THEY DID WAS PROVIDE A FRAMEWORK FOR US FOR THE MPOS, FOR THE COUNCIL OF CITY -- OF GOVERNMENT ORGANIZATIONS THROUGHOUT THE STATE, TO APPLY THAT THESE METHODOLOGY, THAT NEW APPROACH, SO THAT WE COULD INDEED ELIMINATE THAT VASTLY POPULAR PAROCHIALISM THROUGHOUT THE STATE, THAT IS REALLY BALKANIZED OUR CITIES AND NOT ALLOWED US TO WORK COLLABORATIVELY TO FIX AN ISSUE THAT HAS BEEN WITH US FOR DECADES. SO, I THINK THE STATE -- OUR STATE LEGISLATORS GOT IT RIGHT, AND I THINK THAT WE, AT ABAG, OVER, I WOULD SAY, TWO YEARS, IN PUTTING TOGETHER THE METHODOLOGY AND HAVING THE PUBLIC COMMENTS, INDEED, RESPONDING TO ALL THE CONCERNS, WE'RE ABLE TO LAND ON AN APPROACH THAT NONE OF US LIKED, BUT THAT WE FELT WE ALL HAD TO ACCEPT, IS THAT WAS BUTTRESSED AND BASED ON STUDY, RESEARCH, AND REASON DISCOURSE. I WILL BE VOTING YES TO DENY.

JESSE ARREGUIN, PRESIDENT: THANK YOU. SUPERVISOR RABBIT.

DAVID RABBIT: THANK YOU VERY MUCH. I APPRECIATE THE COMMENTS. I REALLY DO. AND I THINK FOR SOME, THOUGH, THAT ARE APPEALING THE LOCATION AND NOT THE NUMBER. THAT'S THE CASE IN OUR PARTICULAR COUNTY. AND IT GOES BACK TO THE METHODOLOGY AND

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THOSE THINGS. I'M NOT GOING TO REHASH THAT. BECAUSE YOU WILL HEAR FROM OUR COUNTY LATER. TO ME, IT ALSO POINTS OUT, MAYBE THE APPROACH THAT WE HAVE TAKEN IN THE PAST, ABOUT, LIKE, NOT ENTERING THE NUMBERS COMING UP WITH THE METHODOLOGY IN THIS VALUE, TO ME, IT'S BETTER TO HAVE A STRONGER COMMUNICATION FROM THE GET-GO. AND THAT REALLY, I REALLY DISAPPOINTED THAT THE MAJORITY OF CITY IN OUR COUNTY DID NOT WANT TO FORM A SUBREGION. BECAUSE THE LOCATION THEN COULD BE FIGURED OUT AMONGST OURSELVES AND WE'RE THE ONES WHO KNOW THAT THE BEST, QUITE FRANKLY. AND I THINK THAT, ULTIMATELY, I AM SURE NEXT TIME AROUND KNOWING THE NUMBERS THIS TIME THAT'S GOING TO BE A PUSH TO MAKE SURE THAT WE DO THAT. THE OVERALL NUMBERS ARE FINE WE JUST THINK CITY CENTER GROWTH IS A BETTER WAY TO GO IN OUR CASE, PARTICULARLY, FOR SOME, I THINK THERE ARE SOME OTHER ISSUES AT PLAY, AND CERTAINLY YOU KNOW, I'M SYMPATHETIC TO, LIKE I SAID EARLIER, THE WILDFIRE INTERFACE, THE WATER ISSUES, ALL OF THOSE THINGS. THAT'S -- BUT THAT CAN'T BE AN EXCUSE TO HOLD BACK HOUSING EITHER. AND THAT'S ALSO BEEN, QUITE FRANKLY, USED IN THE PAST. SO I THINK IT'S TIME FOR US TO BREAK OUT OF THAT, BE HOUSING ADVOCATES WITH OUR CITY AND COUNTY BRETHREN IN PUSHING IN THE SAME DIRECTION.

JESSE ARREGUIN, PRESIDENT: I'LL ASK FOR AIR MOTION?

DAVID E. HUDSON: I'LL MAKE THE MOTION.

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JESSE ARREGUIN, PRESIDENT: MOTION IS TO DENY THE APPEAL TAKEN BY THE CITY OF MILL VALLEY.

CARLOS ROMERO: SECOND.

JESSE ARREGUIN, PRESIDENT: COMMENTS?

DAVID E. HUDSON: I HAVE ONE COMMENT. I HAVE TO GO OUT AND PERFORM A WEDDING.

JESSE ARREGUIN, PRESIDENT: WE'LL TAKE ROLL CALL FIRST.

CLERK, FRED CASTRO: MOTION BY ROMERO, SECOND BY HUDSON? [ROLL CALL VOTE] MOTION PASSES, TEN AYES, AND TWO ABSENCES.

JESSE ARREGUIN, PRESIDENT: THANK YOU. THAT COMMITTEES THIS MATTER. I WANT TO THANK THE CITY OF MILL VALLEY FOR ATTENDING TODAY, AND FOR YOUR PRESENTATION. AND, I BELIEVE THAT COMPLETES OUR BUSINESS FOR THIS AFTERNOON. SO, UNLESS THERE ARE ANY OTHER COMMENTS, WE'LL MOVE TO ITEM EIGHT, ADJOURNMENT. THE ABAG ADMINISTRATIVE COMMITTEE WILL CONTINUE THIS PUBLIC HEARING ON RHNA APPEALS TO FRIDAY OCTOBER 15TH, 2021, FROM 1:00 TO 5:00 P.M. VIRTUALLY, AND ALSO AT THE BAY AREA METRO

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CENTER. AND WITH THAT, THIS MEETING OF THE ABAG ADMINISTRATIVE COMMITTEE IS ADJOURNED. THANK YOU ALL. [ADJOURNED]

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