ASSOCIATION OF BAY AREA GOVERNMENTS

Meeting Transcript

ASSOCIATION OF BAY AREA GOVERNMENTS

ADMINISTRATIVE COMMITTEE

FRIDAY, OCTOBER 15, 2021, 1:00 P.M.

JESSE ARREGUIN: GOOD AFTERNOON I'M JESSE ARREQUIN MAYOR OF BERKELEY. I WOULD LIKE TO CALL THE ABAG ADMINISTRATIVE MEETING TO ORDER. PLEASE PLAY THE RECORDING. [PLAYBACK OF AUDIO RECORDING] DUE TO COVID-19, THIS MEETING WILL BE CONDUCTED AS A ZOOM WEBINAR PURSUANT TO THE PROVISIONS OF ASSEMBLY BILL 361 WHICH SUSPENDS CERTAIN REQUIREMENTS OF THE BROWN ACT. THIS MEETING IS BEING WEBCAST ON THE ABAG WEBSITE. 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 PARTICIPATION BY ZOOM, WISHING TO SPEAK, SHOULD USE THE RAISE HAND FEATURE OR DIAL STAR 9, 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 INFOATBAYAREAMETRO.GOV BY 5 P.M., YESTERDAY, WILL BE POSTED TO THE ONLINE AGENDA AND ENTERED

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INTO THE RECORD, BUT WILL NOT BE SIDES READ OUT LOUD. IF AUTHORS OF THE WRITTEN CORRESPONDENCE WOULD LIKE TO SPEAK, THEY ARE FREE TO DO SO. THEY SHOULD RAISE THEIR HAND AND THE CHAIR WILL CALL UPON THEM AT THE APPROPRIATE TIME. A ROLL CALL VOTE WILL BE TAKEN FOR ALL ACTION ITEMS. PANELISTS AND ATTENDEES SHOULD NOTE THAT THE CHAT FEATURE IS NOT ACTIVE. IN ORDER TO GET THE FULL ZOOM EXPERIENCE, PLEASE MAKE SURE YOUR APPLICATION IS UP TO DATE.

JESSE ARREGUIN, PRESIDENT: THANK YOU VERY MUCH. WILL THE ABAG CLERK OF THE BOARD CONDUCT ROLL CALL TO CONFIRM QUORUM?

CLERK, FRED CASTRO: ARREGUIN?

JESSE ARREGUIN, PRESIDENT: HERE.

CLERK, FRED CASTRO: EKLUND?

PAT ECKLUND: HERE.

CLERK, FRED CASTRO: FLIGOR?

NEYSA FLIGOR: HERE.

CLERK, FRED CASTRO: HUDSON?

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DAVID E. HUDSON: HERE.

CLERK, FRED CASTRO: LEE?

OTTO LEE: LEE.

CLERK, FRED CASTRO: MANDELMAN IS ABSENT.

CLERK, FRED CASTRO: MITCHOFF?

KAREN MITCHOFF: HERE.

CLERK, FRED CASTRO: PERALEZ IS ABSENT. RABBIT?

DAVID RABBIT: HERE.

CLERK, FRED CASTRO: RAMOS? ABSENT. ROMERO IS ABSENT. WILSON? ^

LORI WILSON: ^

LOREN TAYLOR: HERE.

CLERK, FRED CASTRO: QUORUM IS PRESENT.

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JESSE ARREGUIN, PRESIDENT: PUBLIC COMMENT. ANYONE WISHING TO SPEAK? MR. CASTRO ANY HANDS RAISED?

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. MOVING TO ITEM THREE, COMMITTEE MEMBER ANNOUNCEMENTS. INFORMATION ITEM. ANY MEMBER ANNOUNCEMENTS FROM THE COMMITTEE? IF SO RAISE YOUR HAND. SEEING NONE. 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 WE'LL GO TO THE CHAIR'S REPORT. I WANT TO WELCOME EVERYBODY TO THIS RHNA APPEALS HEARING AND I WANT TO SUMMARIZE OUR PROCEDURE. SO PER GOVERNMENT CODE SECTION 65584.058 D ABAG IS REQUIRED TO HOLD A PUBLIC HEARING ON ALL APPEALS FILED THIS IS THE FOURTH DAY OF THE PUBLIC HEARING CONTINUED OVER SIX MEETINGS. IN LATE AUGUST AND SEPTEMBER LEGAL NOTICES WERE PUBLISHED WE WILL HEAR FOUR APPEALS TODAY AND WRITTEN COMMENTS WERE PUBLISHED UNDER AGENDA ITEM SIX AND WE WILL CONSIDER EACH APPEAL SEQUENTIALLY

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I WILL CALL A BRIEF RECESS IF NECESSARY DURING THE DAY. I WOULD LIKE TO SUMMARIZE THE PROCEDURES REGARDING THE CONDUCT OF THE HEARING. WE WILL BE HEARING ALL FOUR APPEALS SUBSEQUENTLY AND LOOK FORWARD TO THE PRESENTATIONS. I'LL ASK ARE THERE ANY QUESTIONS FROM MEMBERS OF THE COMMITTEE ON MY REPORT? MAYOR EKLUND?

PAT ECKLUND: YES, WELL, ACTUALLY, I HAVE A QUESTION OF STAFF. IS IT APPROPRIATE FOR ME TO ASK THE QUESTION NOW?

JESSE ARREGUIN, PRESIDENT: OKAY. SURE.

PAT ECKLUND: SO, THE QUESTION I HAVE IS, THE APPLICANTS THAT WE HAVE SEEN BEFORE, AND ESPECIALLY THE APPLICANT THAT WE'RE GOING TO BE HEARING THE APPEALS ON TODAY, ALL OF THEM HAVE IDENTIFIED THAT THE -- THAT THEY DO NOT HAVE AVAILABILITY OF LAND, SUITABLE FOR DEVELOPMENT OR CONVERSION TO RESIDENTIAL. AND THAT'S ONE OF THE ARGUMENTS THAT ARE BEING PRESENTED ON WHY THE RHNA ALLOCATION SHOULD BE REDUCED. AND, WHAT IS CONSISTENT IN ALL OF THE ABAG REPORT RESPONSES IS THAT, WELL, THE APPLICANT DIDN'T DEMONSTRATE THAT. I GREW UP IN MARIN COUNTY. I HAVE LIVED HERE FOR OVER 60 YEARS, AND I KNOW THESE TOWNS LIKE THE BACK OF MY HAND. AND I KNOW THAT THEY DO NOT HAVE THE LAND AVAILABLE FOR THE NUMBER OF UNITS THAT ARE BEING ASSIGNED TO THEM. SO, CAN STAFF HELP ME TO UNDERSTAND EXACTLY

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WHAT IT IS THAT THESE CITIES THAT NEED TO DEMONSTRATE THAT THEY HAVE NOT PROVIDED IN THEIR APPLICATION?

JESSE ARREGUIN, PRESIDENT: THANK YOU.

GILLIAN ADAMS: SORRY --

JESSE ARREGUIN, PRESIDENT: NO PROBLEM. I WAS GOING TO ASK WHICH OF STAFF WOULD LIKE TO ANSWER THE QUESTION. THANK YOU FOR JUMPING IN.

GILLIAN ADAMS: I UNDERSTAND THIS IS A CHALLENGING QUESTION. I THINK ONE OF THE THINGS ABOUT THE RHNA STATUTE IS THAT THERE IS DIRECTION FOR LOCAL JURISDICTIONS TO CONSIDER, AS YOU MENTIONED, UNDER UTILIZED LAND AND REZONING OF SITES, BUT THERE -- YOU KNOW -- AND WE HAVE GOTTEN DIRECTION AS YOU HAVE SEEN IN THE COMMENT LETTER FROM HCD, THAT THAT IS THE EXPECTATION OF STAFF. LOCAL JURISDICTIONS NEED TO -- ALTHOUGH THEY MAY CONSIDER THEMSELVES TO BE BUILT OUT, NEED TO CONSIDER ZONING CHANGES. THERE AREN'T REALLY DIRECTION IN THE STATUTE ABOUT WHAT, SORT OF, THE EXPECTATIONS ARE FOR LOCAL JURISDICTION IN TERMS OF WHAT THOSE ZONING CHANGES OR REGULATION CHANGES SHOULD LOOK LIKE.

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PAT ECKLUND: SO, IN ORDER FOR US TO REALLY DO THIS, I GUESS -- OH OKAY -- WELL, I JUST -- THAT STILL DOESN'T HELP ME TO UNDERSTAND WHAT THEY NEED TO DO TO DEMONSTRATE T BUT EVEN IF THEY REZONED EXISTING PROPERTY, MOST PEOPLE ARE STILL GOING TO LIVE IN THERE SO THEY'RE NOT GOING TO BE ABLE TO ISSUE PERMITS. SO, ANYWAY, OKAY, THANK YOU. THIS QUESTION APPLIES TO ALL FOUR APPLICANTS THAT WE'RE GOING TO BE HEARING TODAY, AND I DIDN'T WANT TO HAVE TO ASK IT FOUR DIFFERENT TIMES, ESPECIALLY SINCE ALL FOUR APPLICANTS ARE ONLINE. AND, SO -- SO, THANK YOU GILLIAN. APPRECIATE IT. THANK YOU CHAIR ARREGUIN FOR ALLOWING ME THE OPPORTUNITY TO ASK THAT ONE QUESTION.

JESSE ARREGUIN, PRESIDENT: OF COURSE. VERY IMPORTANT CONTEXT FOR THE HEARINGS WE'RE GOING TO HAVE TODAY. APPRECIATE IT. OTHER QUESTIONS ON THE CHAIR'S REPORT. IF SO PLEASE RAISE YOUR HAND. SEEING NO RAISED HANDS. MR. CASTRO 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. GREAT. WE'LL NOW MOVE TO THE NEXT ITEM WHICH IS THE EXECUTIVE DIRECTOR'S REPORT. AND, MR. PAUL, DO YOU HAVE A REPORT TODAY?

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BRAD PAUL: ACTUALLY, ALIX?

ALIX BOCKELMAN: EITHER WAY, NEITHER OF US HAVE A REPORT.

JESSE ARREGUIN, PRESIDENT: THAT COMPLETES ITEM 5, THE EXECUTIVE DIRECTOR'S REPORT. ANY COMMENTS.

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: ITEM SIX REGIONAL HOUSING NEEDS ALLOCATION ABAG ADMINISTRATIVE COMMITTEE WILL NOW HEAR FROM JURISDICTION IN RESPONSE TO ISSUES RAISED BY MTC STAFF ABAG JURISDICTIONS WERE LISTED ON THE PUBLIC AGENDA AND THE HEARING IS SCHEDULED FOR A SPECIAL MEETING OF THE ABAG ADMINISTRATIVE COMMITTEE OCTOBER 22ND, 2021 AT 9:00 A.M. WITH ADDITIONAL JURISDICTION TO BE HEARD. I WILL CONTINUE THE PUBLIC HEARING REGIONAL ADVISORY WORKING GROUP THE OFFICIAL OPENING OF THE APPEALS HEARING. A CERTIFIED REPORTER IS RECORDING THE HEARING. I WANT TO SUMMARIZE THE PROCEED TODAY. INFORMATION WAS PROVIDED TO ALL THE APPELLANTS. EACH HEARING BEGINS WITH A JURISDICTION'S PRESENTATION ON ITS APPEAL AND ARGUMENTS AND INFORMATION PRESENTED BY THE APPLICANT SHOULD BE LIMITED TO WHAT WAS WRITTEN IN THE APPEAL FOLLOWED BY RESPONSE OF ABAG

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MTC STAFF AND THEN THE APPLICANT WILL HAVE OPPORTUNITY TO RESPOND OR REBUT ARGUMENTS MADE BY MTC/ABAG STAFF AT THE CONCLUSION OF THE PRESENTATIONS MEMBERS OF THE PUBLIC WILL HAVE OPPORTUNITY TO COMMENT ON ARGUMENTS PRESENTED BY THE APPEAL AND BASED ON THE APPEAL PROCEDURES ADOPTED BY THE EXECUTIVE BOARD THE SPEAKERS WILL HAVE TWO MINUTES TO COMMENT BUT THE CHAIRMAN MAY ADJUST THE TIME TO ENSURE AN ORDERLY AND FAIR PROCEEDING. EACH PERSON WILL HAVE ONE MINUTE TO SPEAK AND THE TOTAL TIME FOR PUBLIC COMMENT IF IT EXCEEDS 30 MINUTES CONSIDERATION OF THAT JURISDICTION'S APPEAL MAY BE SUSPENDED AND CONTINUED TO LATER IN THE DAY AFTER THE APPEALS FROM OTHER JURISDICTIONS HAVE BEEN HEARD. FOLLOWING PUBLIC COMMENT, THE ABAG ADMINISTRATIVE COMMITTEE WILL DISCUSS THE APPEAL AND THEN TAKE A PRELIMINARY DECISION. I WANT TO EMPHASIZE, IT'S A PRELIMINARY DECISION AS THE FINAL VOTE ON ALL APPEALS WILL HAPPEN AFTER THE CLOSE OF THE PUBLIC HEARING TO ENSURE UNIFORM DECISION MAKING. AT THE CLOSE OF THE PUBLIC HEARING AND AFTER A FINAL DECISION HAS BEEN RENDERS ABAG WILL THEN ISSUE FINAL ALLOCATIONS AND INCORPORATE ANY ADJUSTMENTS NEEDED AS A RESULT OF SUCCESS APPEALS, AND THE FINAL RHNA PLAN SCHEDULED FOR DECEMBER 2021. STAFF IS MAINTAINING A RUNNING LIST OF ISSUES AND QUESTIONS RAISED BY COMMITTEE MEMBERS WITH RESPECT TO ISSUES RAISED DURING THE APPEAL HEARINGS AND WILL REPORT TO THE EXECUTIVE BOARD. WE'LL GO TO THE APPEAL FROM THE TOWN OF ROSS, YOU WILL HAVE FIVE MINUTES TO PRESENT. I BELIEVE THAT

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PATRICK STREETER WILL BE REPRESENTING THE TOWN OF ROSS, CORRECT?

PATRICK ROSS: CORRECT.

JESSE ARREGUIN, PRESIDENT: DO YOU HAVE A POWERPOINT PRESENTATION?

SPEAKER: WE HAVE A POWERPOINT PRESENTATION. THANK YOU MAYOR ARREGUIN AND MEMBERS OF THE COMMITTEE I'M PATRICK STREETER ON THE PLANNING AND BUILDING DIRECTOR FOR THE TOWN OF ROSS. NEXT SLIDE. I WANT TO THANK THE COMMITTEE FOR GIVING EACH APPEAL ITS DUE AND -- IN THIS MATTER IT'S A DAUNTING PROCESS. AND WE APPRECIATE ABAG STAFF FOR CONSIDERING EACH APPEAL FOR ITS MERITS AND PREPARING THOUGHTFUL RESPONSES. WE'RE ALL USED TO WORKING ON THE SAME TEAM, SO IT'S A LITTLE FRICTION, AND MORE CHALLENGING. WE ALL WANT THE SAME THING, WE WANT TO CORRECT THE IMBALANCE AND THE POOR ZONING AND DEVELOPMENT THAT'S BEEN EXCLUSIONARY IN CALIFORNIA HISTORY. WE ALL WANT THE SAME THINGS AND ALL TRYING TO DO OUR PART. IN THE TOWN OF ROSS IT'S BEEN BROUGHT UP PART OF THE CHALLENGE FOR THE ALLOCATION FOR THE BAY AREA HAS MORE THAN DOUBLED SINCE THE LAST CYCLE. IN ROSS WE ARE A COMMUNITY OF 820 UNITS. OUR ALLOCATION WENT UP 600% SO WE'RE ALLOCATED 111 OF THOSE -- 111 NEW UNITS ON TOP OF OUR EXISTING 820. IT'S A FAIRLY BIG PERCENTAGE OF OUR

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EXISTING UNITS THAT ARE BEING ASKED TO ADD TO THE ALREADY FULLY BUILT OUT COMMUNITY. NEXT SLIDE PLEASE. AS YOU HAVE HEARD IN MANY OF THESE OTHER HEARINGS, A LOT OF THE RESPONSE FROM ABAG STAFF HAS BEEN -- THERE IS ALREADY A METHODOLOGY. WE MAY AGREE WITH IT BUT WE'RE STUCK WITH IT. BUT THERE ARE GROUNDS FOR APPEAL THAT ARE PERMITTED WHICH ARE BASED ON THE LOCAL JURISDICTION SURVEY. THE TOWN DID TAKE THAT SURVEY AND RAISED SEVERAL ISSUES WHICH WE'LL PRESENT LATER IN THE PRESENTATION THAT WE FEEL WEREN'T CONSIDERED WHEN THE ALLEGATIONS WERE MADE IF WE'RE NOT GOING TO LOOK AT THE APPEALS WHAT'S POINT FOR HAVING THE APPEALS PROCESS IN THE FIRST PLACE? NEXT SLIDE PLEASE. AS MANY COMMUNITIES HAVE POINTED YOU OUT WE'RE IN THE MIDST OF A HISTORIC DROUGHT RIGHT NOW AND ABAG'S RESPONSE HAS BEEN THAT MARIN WATER HAS NOT FORMALLY ADOPTED A MORATORIUM ON NEW DEVELOPMENT AND IF THEY DID THERE IS NO GUARANTEE THAT WOULD STAY IN PLACE THROUGH THE NEXT HOUSING CYCLE. FAIR ARGUMENT. WE WENT DENY BUT WE WANT TO GO ON THE RECORD THAT THERE IS A REAL LIKELIHOOD THAT ADDITIONAL HOUSING WILL BE NOT FEASIBLE, BASED ON THE -- WHAT ARE AVAILABILITY, AND MANY COMMUNITIES, IN MARIN, PARTICULARLY, WHERE WE'RE VERY CONSTRAINED ALREADY ON WHAT OUR AVAILABILITY WILL NOT BE ABLE TO MEET OUR RHNA NUMBERS. SO, WE CONCEDE TO THE FACT THAT THERE IS NOT A CONSTRAINT RIGHT NOW BUT THERE IS A LIKELIHOOD THAT ONE COULD ARISE DURING THE NEXT CYCLE. WHAT WE DID WANT TO POINT OUT WAS, THERE ARE SEVERAL

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OTHER CONSTRAINTS THAT WERE RAISED AS PART OF THE JURISDICTIONAL SURVEY THAT THERE IS NO INDICATION THAT THEY WERE TAKEN INTO CONSIDERATION WHEN THESE ALLOCATIONS WERE MADE. THE PLANNED BAY AREA 2050 DOES INCLUDE A HIGH FIRE SEVERITY ZONES THAT IT'S NOT ANTICIPATING HOUSING IN THOSE AREAS. BUT, AS YOU CAN SEE MAPS, PURSUANT TO THE CALIFORNIA PUBLIC UTILITIES COMMISSION MOST OF THE TOWN OF ROSS IS, ABOUT 80% OF THE TOWN OF ROSS IS WITHIN AN EXTREME FIRE THREAT ZONE. IF YOU LOOK TO THE LOWER LEFT MANY OF THE PARCELS ARE ALSO CONSIDERED STEEP SLOPE HAZARDS, AND THEN THE LOWER RIGHT, WE HAVE OUR FEMA FLOOD HAZARD MAP. SO IF YOU'RE NOT IN A STEEP HILLSIDE AREA WHERE MANY OF THE ROADS DON'T MEET EMERGENCY VEHICLE ACCESS STANDARDS YOU'RE IN THE BOTTOM OF THE VALLEY WHERE WE HAVE HIGH FEMA FLOOD RISK, WE HAVE SEVERAL PROPERTY IN THAT AREA THAT HAVE SUFFERED REPETITIVE FLOOD LOSS.

CLERK, FRED CASTRO: ONE MINUTE.

SPEAKER: IT'S LIKELY THAT EVEN IF THERE WERE A DISASTER AND THESE UNITS WERE DESTROYED THEY WOULDN'T ALLOWING TO REBUILT THAT WAS INCLUDED IN OUR SURVEY THAT WE PROVIDED. IF I HAD A COOL TV GRAPHIC SOFTWARE THAT I COULD OVERLAP ALL THESE MAPS IT WOULD BE ESTIMATED THAT BASICALLY THE ENTIRETY OF THE TOWN IS UNDEVELOPABLE. NEXT SLIDE PLEASE. AND MAYOR EKLUND BROUGHT UP EARLIER, SO WHAT DO TOWNS NEED TO DO TO DEMONSTRATE -- THEY

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HAVE THOUGHT ABOUT THIS, WE'RE TRYING TO AVOID THE HIGH HAZARD AREAS WE COULD CONSIDER UPZONING OUR UNDER DEVELOPED PARCELS AND ALLOWING MIXED USE IN OUR COMMERCIAL DISTRICTS TOWNS ARE ALREADY DOING THAT OUR MODEST LESS THAN TWO ACRE COMMERCIAL DISTRICT IS ALREADY ALLOWED FOR MIXED USE DEVELOPMENT WE TOOK OUR ART GARDEN CENTER WHICH IS PRIVATELY OPERATED OPEN SPACE AND ALLOWED BY RIGHT MIXED USE THERE, WE ARE ALREADY LOOKING AT WHERE WE CAN PUT HOUSING AND THAT'S BEEN PART OF OUR PREVIOUS HOUSING ELEMENT PLAN. TOUCHING ON THE PREVIOUS JOBS/HOUSING BALANCE BROUGHT UP BY OTHER COMMUNITIES ROSS IS UNIQUE IF YOU WERE TO LOOK FROM 10,000 FEET UP IT LOOKS LIKE THERE IS EASY CONNECTIONS FROM DIFFERENT AREAS REALISTICALLY FROM FAIRFAX ROSS AND SAN ANSELMO WE'RE ON A ONE LANE EACH WAY ARTICLE TELLER ROAD IT'S NOT EASY CONNECTIONS BETWEEN THESE DIFFERENT AREAS. WE'RE NOT APPEALING DOING OUR PART FOR THE HOUSING ALLOCATION. WE'RE ONLY REQUESTING REDUCTION SO WE CAN HAVE A FEASIBLE AMOUNT OF HOUSING THAT WE PLAN FOR IN THE FUTURE. AND THAT CONCLUDES THE PRESENTATION. THANK YOU.

JESSE ARREGUIN, PRESIDENT: THANK YOU VERY MUCH. THERE WILL BE OPPORTUNITY TO RESPOND TO THE STAFF PRESENTATION AFTER WE HEAR FROM ABAG MTC STAFF. SO, WE'LL NEXT HEAR FROM ABAG MTC STAFF ON THE RESPONSE TO THE TOWN OF ROSS'S APPEAL. AND YOU WILL HAVE FIVE MINUTES.

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ELI KAPLAN: THANK YOU.

JESSE ARREGUIN, PRESIDENT: STAFF CAN PULL UP THE PRESENTATION.

ELI KAPLAN: GOOD AFTERNOON I'M ELI K POLICY ANALYST FOR ABAG MTC ROSS IS REQUESTING REDUCTION OF 59 UNITS REDUCTION OF 53% FROM ITS ALLOCATION STAFF'S RESPONSE IS TO DENY THE APPEAL. NEXT SLIDE PLEASE. THE TOWN OF ROSS ARGUES THAT THE RHNA METHODOLOGY DOES NOT CONSIDER HOW NATURAL HAZARDS OR THE AMOUNT OF VACANT LAND IN A JURISDICTION AFFECT THE AVAILABILITY OF DEVELOPABLE LAND BUT THE RHNA METHODOLOGY DOES CONSIDER THE DEVELOPMENT CONSTRAINED IN THIS APPEAL BY INCORPORATING DATA FROM THE PLANNED BAY AREA 2050 BLUEPRINT AS THE BASELINE ALLOCATION. STRENGTH OF THE LAND USE MODEL BY THE FINAL BLUEPRINT ACCESSES FEASIBILITY INCLUDING HIGHER COST OF BUILDING ON PARCELS WITH PHYSICAL CONSTRAINTS LIKE STEEP SLOPES OR HILLSIDES FINAL BLUEPRINT EXCLUDES AREAS WITH UNMITIGATED HIGH HAZARD RISK RELATED TO SEA LEVEL RISE AND WILDFIRES IN GROWTH GEOGRAPHIES. ALTHOUGH STAFF UNDERSTANDS ROSS'S CONCERNS ABOUT NATURAL HAZARDS WITH ONLY A SMALL EXCEPTION HOUSING ELEMENT LAW DOES NOT IDENTIFY AREAS AT RISK FROM HAZARDS AS A CONSTRAINT TO HOUSING. WHILE THERE MAY BE AREAS AT RISK OF FLOODING IN ROSS THE TOWN HAS NOT PROVIDED EVIDENCE ITS FLOOD MANAGEMENT INFRASTRUCTURE IS NOT ADEQUATE TO AVOID THE RISK OF FLOODING AS REQUIRED BY STATUTE.

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FURTHERMORE STATUTE FORBIDS ABAG FROM CONSIDERING SUITABLE HOUSING SITES TO JURISDICTIONS ARE EXISTING ZONING AND LAND USE RESTRICTION. SPECIFICALLY NOTED HOUSING PLANNING CANNOT BE LIMITED TO VACANT LAND AND EVEN COMMUNITIES THAT VIEW THEMSELVES AS BUILT OUT LIMITED TO OTHER NATURAL CONSTRAINTS SUCH AS FIRE AND FLOOD RISK BY MEANS OF REZONING COMMERCIAL AREAS AS MIXED USE AREAS AND UPZONING NON-VACANT LAND ROSS DOES NOT PROVIDE EVIDENCE IT IS UNABLE TO CONSIDER UNDER UTILIZED LAND OPPORTUNITIES FOR DEVELOPMENT INCREASE DENSITY ADUS AND OTHER TO ACCOMMODATE ITS RHNA NEXT SLIDE PLEASE. SLIDE AFTER THIS, PLEASE. THANK YOU. ROSS'S APPEAL ALSO ARGUES THAT THE MODELING OF JOBS AND HOUSING FOR PLANNED BAY AREA 2050 DID NOT OBSERVE THE TOWN'S JURISDICTION AT BOUNDARIES AND ROSS CONTENDS THAT ADDING HOUSING TO AREAS WITH FEW JOBS IN LOCATION TO TRANSIT WILL INCREASE VEHICLE MILES TRAVELED AND GREENHOUSE GAS EMISSIONS. BUT CONTRARY TO THE TOWN'S CLAIMS THE FINAL BLUEPRINT INCORPORATES INFORMATION ABOUT EACH JURISDICTION EXISTING IN PROJECTED JOBS AND HOUSEHOLDS. MORE IMPORTANTLY AS DISCUSSED BEFORE HOUSING ELEMENT LAW REQUIRES THE RHNA METHODOLOGY IMPROVE INTER-REGIONAL RELATIONSHIP BETWEEN JOBS AND HOUSING AND NOT JOBS/HOUSING BALANCE IN ANY PARTICULAR JURISDICTION HCD DETERMINED THAT THE RHNA METHODOLOGY ACHIEVED THE STATUTORY REQUIREMENT AND ALSO REQUIRES THE METHODOLOGY CONSIDER JURISDICTIONS JOBS/HOUSING FIT WITH RATIO ON LOW WAGE JOBS TO

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HOUSING AFFORDABLE TO WOE WAGEWORKERS DATA INDICATES -- ROSS'S LOWERING INCOME RHNA WOULD ENABLE MANY WORKERS TO LIVE CLOSER TO JOBS IMPROVING JOB HOUSING FIT AND REDUCE COMMUTE TIMES AND LOWER GREENHOUSE GAS EMISSIONS AND VEHICLE MILES TRAVELED. DECLARING DROUGHT CONDITIONS AND PLACEMENT OF A MORATORIUM ON EXPANDED WATER SERVICE IN THE TOWN UNCERTAINTY -- MERITING THE RHNA. THE TOWN UNDERSTANDS THE CONCERNS ABOUT THE DROUGHT CURRENTLY BEING EXPERIENCED BY THE BAY AREA BUT STATUTE DEFINES WATER SUPPLY CONSTRAINTS AS THOSE THAT PRECLUDE THE JURISDICTIONS FROM PROVIDING NECESSARY INFRASTRUCTURE FOR DEVELOPMENT DURING THE RHNA PERIOD THE ARGUMENTS PUT FORWARD BY ROSS DO NOT MEET THE REQUIREMENTS FOR A VALID RHNA APPEAL THE TOWN HAS NOT DEMONSTRATED IT IS PRECLUDED FROM MEETING ITS RHNA ALLOCATION BECAUSE OF DISSERVICE BY WATER SERVICE PROVIDER. IMPORTANTLY HCD BAY AREA APPEALS NOTED THAT ALLOCATION ENCOURAGES EFFICIENT LAND USE PATTERNS AND ARE KEY TO ADAPTING MORE INTENSE -- THESE ISSUES DO NOT AFFECT ONE CITY OR COUNTY IN ISOLATION ACTION CAN BE TAKEN TO MEET THE REGION'S FUTURE WATER DEMAND EVEN IN THE FACE OF ADDITIONAL PERIODS OF DROUGHT. NEXT SLIDE PLEASE. SO IN CONCLUSION ABAG MTC STAFF RECOMMENDS THAT THE COMMITTEE DENY THE APPEAL FILED BY THE TOWN OF ROSS. THANK YOU.

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JESSE ARREGUIN, PRESIDENT: THANK YOU. WOULD LIKE TO GIVE THE TOWN OF ROSS OPPORTUNITY TO RESPOND TO THE PRESENTATION. IF YOU WOULD LIKE. AND YOU WILL HAVE THREE MINUTES.

PATRICK STREETER: THANK YOU. WE ACKNOWLEDGE THAT THE FACT THAT MUCH OF THIS METHODOLOGY IS IN PLACE AND REGIONALLY IT DOES MAKE SENSE. OUR ONLY ARGUMENT IS THAT THERE ARE CERTAIN CONSTRAINTS ON THE PROPERTY THAT -- OR ON THE TOWN, THAT WERE NOT TAKEN INTO CONSIDERATION. THE STAFF'S REBUTTAL IS THAT WE HAVEN'T DEMONSTRATED THAT WE CAN'T FIND LOCATIONS FOR ALL OF THESE OPPORTUNITY INS, PROVIDING THE FEMA FLOOD MAPS THAT SAY THAT, THAT THEY CAN'T BEING LOCATED THERE PROVIDING THE FIRE HAZARD MAPS SAYING THEY CAN'T BE LOCATED THERE DEMONSTRATING WHERE WE HAVE ALREADY REZONED FOR HIGHER DENSITY DEVELOPMENT I THINK THAT'S THE BIGGEST DEMONSTRATION THAT WE CAN DO. INITIALLY, WE HAVE ADOPTED AGGRESSIVE ADU PROMOTION IN THE TOWN BEYOND WHAT STATE MINIMUMS REQUIRE INCLUDING INCENTIVES FOR PROVIDING AFFORDABILITY. WE DON'T DISPUTE THE FACT THAT THE PROPORTION OF AFFORDABLE UNITS SHOULD BE HIGHER FOR ROSS AND WE WOULD LIKE TO SEE THAT HAPPEN SO WE'RE FINE WITH THE PROPORTION OF AFFORDABILITY THAT'S BEEN ASSIGNED TO US, IT'S JUST THE VOLUME OF UNITS, THE ALLOCATION WE'RE REQUESTING THAT VOLUME BE REDUCED TO SOMETHING THAT'S FEASIBLE THAT WE CAN ACTUALLY ACCOMPLISH THE UNITS WOULD THEN BE DISTRIBUTED IN ACCORDANCE WITH THE BLUEPRINT SO WE WOULDN'T BE GOING AGAINST

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THE METHODOLOGY WE'RE ONLY ASKING THAT FACTORS RAISED DURING JURISDICTION AT SURVEY BE CONSIDERED WHEN CONSIDERING ASSIGNMENTS UNITS TO THE TOWN. THANK YOU.

JESSE ARREGUIN, PRESIDENT: THANK YOU VERY MUCH. ANY COMMENTS ON THE APPEAL FROM THE TOWN OF ROSS. IF YOU PUNISH TO SPEAK PLEASE RAISE YOUR HAND OR PRESS STAR NINE IF YOU'RE PHONING INTO THE MEETING. ONE, MR. CASTRO.

CLERK, FRED CASTRO: YES. GO AHEAD, PLEASE.

SPEAKER: MY NAME IS AARON ECKHOUSE REGIONAL POLICY MANAGER WITH CALIFORNIA YIMBY. I WAS INTERESTED TO HEAR THE TOWN OF ROSS INDICATE THEY HAVE ALLOWED MIXED USE IN THERE COMMERCIAL DISTRICTS. I LOOKED UP THE DATA THEIR MIXED USE COMMERCIAL ZONE HAS A HEIGHT LIMIT OF TWO STORIES, CONTINUING TO PERUSE THE ZONING CODE, I SEE IN THE R ONE ZONES THERE ARE MINIMUM OF 65% OF THE DEBT OF A MINIMUM LOT STANDARD THAT WOULD BE REQUIRED FOR FRONT AND BACKYARDS AND 60% OF THE WIDTH DIMENSION THAT WOULD BE REQUIRED FOR SIDE YARDS. AGAIN I DON'T THINK ROSS HAS EXHAUSTED ITS CAPACITY TO PROMOTE INFILL DEVELOPMENT WHEN THE STANDARDS IN THOSE ZONINGS ARE RESTRICTED.

JESSE ARREGUIN, PRESIDENT: WE HAVE ANOTHER RAISED HANDS.

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CLERK, FRED CASTRO: YES, SIR. JEN L, GO AHEAD, PLEASE.

SPEAKER: HI. MY NAME IS JEN LARSEN, AND I AM FROM ROSS. I THOUGHT IT WAS REALLY INTERESTING READING THROUGH THE LETTERS FROM THE PEOPLE THAT SUPPORTED THIS MEASURE. ONE WAS A COUPLE IN NEW YORK THAT SAID THEY MOVED TO SAUSALITO. I FIND IT INTERESTING THAT PEOPLE THAT MOVE FROM DENSE CITIES FROM NO CONTEST TO SAUSALITO WOULD BE ADVOCATING FOR MORE DENSITY. THERE IS A PLACE FOR EVERYONE THAT SUITS THEM WHEN TALKING ABOUT ADDING DENSITY WHERE IT'S GOING TO IMPACT PEOPLE'S SAFETY, HEALTH, AND WELL-BEING, SHOULD BE A NON-STARTER. THEY DO NOT LOOK PAST 40 OR 50 YEARS OUT. IS THE PLAN TO CONTINUE TO BUILD IN ROSS SO IT LOOKS LIKE NEW YORK? BECAUSE THAT'S WHAT YOU'RE ASKING FOR. ON THE RHNA APPEAL THAT ROSS SUBMITTED, ABAG, ITSELF, HAD A CHECKLIST WHETHER SAFETY, HEALTH, WATER DROUGHT WERE ISSUES AND ROSS CHECKED ALL OF THE BOXES AND NOW ABAG IS COMING BACK SAYING THESE AREN'T A LEGITIMATE CONCERN. YOU HAVE TO TAKE EVERYTHING INTO ACCOUNT. PEOPLE ARE GOING TO NUMBER A SITUATION LIKE PARADISE CALIFORNIA ONCE YOU START ALLOWING HUGE DEVELOPMENT IN PLACES THAT ARE FIRE ZONES. PLEASE, NOT ONLY FOR ROSS, BUT ROLL BACK THE UNIT REQUIREMENT FOR ALL OF MARIN COUNTY.

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CLERK, FRED CASTRO: THANK YOU. THERE ARE NO OTHER MEMBERS OF THE ATTENDEES THAT HAVE THEIR HAND RAISED. NO MEMBERS AT 375 BEALE, THERE WERE COMMENTS RECEIVED AND THOSE HAVE BEEN POSTED ONLINE AND ADMITTED INTO THE RECORD.

JESSE ARREGUIN, PRESIDENT: THANK YOU. WE WILL TAKE COMMITTEE DISCUSSION ON THE APPEAL. MAYOR EKLUND?

PAT ECKLUND: THANK YOU VERY MUCH MAYOR ARREGUIN. ON PAGE SHE, OR SLIDE THREE OF ABAG'S RESPONSE, IT STATES, IF YOU COULD PUT IT UP ON THE SCREEN SO EVERYBODY CAN SEE IT, IS THAT ROSS HAS NOT PROVIDED EVIDENCE. IT CANNOT ACCOMMODATE THE RHNA ALLOCATION DUE TO DETERMINATION BY FEMA OR THE DEPARTMENT OF WATER RESOURCES THAT FLOOD MANAGEMENT INFRASTRUCTURE IS INADEQUATE TO AVOID RISK OF FLOODING. SO, I THOUGHT THAT THE APPLICATION DID ADDRESS THAT. CAN YOU HELP ME TO UNDERSTAND WHAT ELSE THEY NEEDED TO SUBMIT TO BE ABLE TO INDICATE THAT THE INFRASTRUCTURE IS NOT THERE TO PROTECT THEM FROM THE RISE OF, ESPECIALLY IN THE CREEK THAT GOES THROUGH ROSS?

GILLIAN ADAMS: AGAIN, BASED ON WHAT'S IN THE STATUTORY LANGUAGE, WHAT IT SAYS IS WHAT WE MENTIONED ON THE SLIDE ABOUT A DESIGNATION THAT, BY FEMA OR THE DEPARTMENT OF WATER RESOURCES THAT THE INFRASTRUCTURE IS NOT SUFFICIENT TO PROTECT THE AREA FROM FLOODING. THAT DOES NOT -- THAT'S A DIFFERENT

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DEFINITION THAN THE FACT THAT THERE ISN'T A FLOOD ZONE OR AREA OF RISK OF FLOODING WITHIN THE JURISDICTION. IT'S AN ADDITIONAL STEP, A DECLARATION FROM ONE OF THOSE TWO WATER AGENCY THAT IS THE AREA CANNOT BE PROTECTED.

PAT ECKLUND: SO I GUESS I WOULD LIKE TO ASK PATRICK STREETER, HAS FEMA OR DEPARTMENT OF WATER RESOURCES MADE A DETERMINATION THAT YOU DON'T HAVE ADEQUATE INFRASTRUCTURE TO AVOID THE RISK OF FLOODING, THROUGH THE TOWN OF ROSS?

PATRICK STREETER: I DON'T HAVE THAT INFORMATION AT THIS TIME. SO, I DON'T KNOW.

PAT ECKLUND: OKAY. THANK YOU.

JESSE ARREGUIN, PRESIDENT: I'LL FOLLOW UP ON THAT BEFORE MAYOR HUDSON THE STATUTE DOES SAY THAT YOU MUST CONSIDER POTENTIAL INCREASED RESIDENTIAL DEVELOPMENT UNDER ALTERNATIVE ZONING ORDINANCES AND LAND USE RESTRICTIONS. THERE IS A HEIGHT LIMIT IN THE COMMERCIAL DOWNTOWN AREA. AND WE NEED TO CONSIDER THE POTENTIAL FOR ALTERNATIVE LAND USE SCENARIOS INCLUDING INCREASED HEIGHT IN THEIR COMMERCIALLY ZONED AREAS TO ACCOMMODATE ADDITIONAL DENSITY. I WANT TO BRING IT BACK TO THE STATUTE THAT'S ANOTHER ELEMENT THAT WE HAVE TO CONSIDER AS WELL. MAYOR HUDSON?

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DAVID E. HUDSON: ACTUALLY, TO A POINT OF CLARIFICATION, ARE YOU TALKING ABOUT THE WATERWAY LEAVING PHOENIX DAM, OR THE CONCRETE CREEK RUNNING THROUGH ROSS?

PAT ECKLUND: I AM NOT -- I THINK THERE IS CONCRETE GOING THROUGH [INDISCERNIBLE] BUT I DO NOT THINK THE CREEK IS CONCRETE ALL THE WAY THROUGH ROSS. I DON'T KNOW.

DAVID E. HUDSON: HAVEN'T RUN THROUGH THERE FOR 25 YEARS, BUT I HAVE BEEN THREE THERE DURING A DROUGHT AND WHEN IT RAINS IT HANDLES WATER VERY WELL AND I DON'T THINK THAT'S WHERE THE PLANNER WAS GOING WITH IT ANYWAY. I THINK THE BIGGER PROBLEM IS WITH ROSS AND WE'RE GOING TO GET IT ON THE OTHER THREE APPEALS TOO WHICH IS WHY I WANTED TO COMMEND YOU PAT FOR JUMPING ON THIS AT THE VERY BEGINNING THAT'S THE SCOPE WE LOOK AT ONCE METHODOLOGY HAS TAKEN. AND ONCE THE METHODOLOGY IS TAKING WE'RE GOING TO BE CONFINED FOR ALL OF THESE CITIES THAT SAY THE RHNA DOESN'T MAKE SENSE FOR VEHICLE MILES TRAVELED. ROSS, LIKE A LOT OF CITIES WE'RE GOING TO HEAR TODAY IS CLOSE TO THE -- I WANT TO SAY WETA, THAT'S NOT IT. THE FERRIES ARE BROUGHT UP. ONCE THE METHODOLOGY IS ESTABLISHED THEN EVERYBODY THAT IS CLOSE TO JOBS AND THAT'S THAT STATEMENT IMPROVED INTER-REGIONAL RELATIONSHIP BETWEEN JOBS AND HOUSING IS GOING TO FIND IT'S NOT WHAT THAT I THINK IT IS. IT'S NOT

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JURISDICTION. MARIN COUNTY IS SUPPLYING JOBS IN SAN FRANCISCO. AND, UNFORTUNATELY, THAT'S GOING TO BE ONE OF THE THINGS WE'RE GOING HAVE TO TAKE A LOOK AT WHEN WE SAY WE'RE GOING TO DENY AN APPEAL. AND I DON'T KNOW HOW I CAN UPHOLD AN APPEAL WHEN YOU HAVE THAT JOBS/HOUSING BALANCE GRAPH THAT I WAS HOPING WE WOULD GET TO LOOK AT THAT SHOWS SAN MATEO, SANTA CLARA, AND SAN FRANCISCO, SO WAY OUT OF WHACK. I MEAN, I'M SYMPATHETIC. I USED TO RUN THROUGH THERE EVERY WEDNESDAY NIGHT WITH ULTRA MARIN AND I THOUGHT THE TOWN WAS BUILT OUT, WELL I THOUGHT CLAYTON WAS TOO, AND DANVILLE COULD MAKE AN ARGUMENT BUT THE RESPONSIBILITY THAT THIS METHODOLOGY POSSESSIONS ON ALL 101 CITIES IS REAL AND I THINK STAFF IS RIGHT ON THIS ONE I'M GOING SUPPORT DENYING THE APPEAL.

PAT ECKLUND: MAYOR, ARREGUIN, I HAVE A RESPONSE.

JESSE ARREGUIN, PRESIDENT: YES, MAYOR EKLUND.

PAT ECKLUND: YES. I HAVE A RESPONSE TO MAYOR HUDSON IS THAT, IN FACT, ELISE, WHO IS A PLANNER IN THE TOWN OF SAN ANSELMO, WHO WILL BE SPEAKING ON THEIR APPEAL, SHE AND I REPRESENTED MARIN COUNTY ON THE METHODOLOGY COMMITTEE, AND WE DID RAISE THE ISSUES OF THE HAZARDS, NOT ONLY OF FIRE, FLOODING, AND CLIMATE CHANGE, AND UNFORTUNATELY THAT WAS NOT WELL RECEIVED BY THE ENTIRE COMMITTEE. I HAVE A QUESTION FOR ROSS ON SLIDE

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THREE, THEY HAVE NOT INDICATE THAT THEY ARE NOT ABLE TO CONSIDER UNDERUTILIZATION OF EXISTING SITES, INCREASED DENSITIES, ACCESSORY DWELLING UNITS AND OTHER PLANNING TOOLS TO ACCOMMODATE ITS ASSIGNED NEEDS. IT WAS MY UNDERSTANDING THAT YOU HAVE MADE SOME OF THOSE CHANGES ALREADY. BUT YOU CAN HELP ME TO UNDERSTAND WHETHER OR NOT YOU PROVIDED ADDITIONAL EVIDENCE? EVIDENCE THAT THE STAFF WAS INDICATING THAT THEY NEEDED TO SEE, IN ORDER TO CONSIDER THIS APPEAL?

PATRICK STREETER: MAYOR EKLUND, THE PURPOSE OF THIS PRESENTATION WAS AN ATTEMPT TO PROVIDE THAT EVIDENCE BECAUSE IT WAS IN RESPONSE TO THE STAFF RESPONSE TO THE APPEAL WRITTEN. WE TRIED TO DEMONSTRATE IN THIS PRESENTATION THAT WE HAD CONSIDERED THOSE OTHER METHODS OF INCREASING OUR ABLE TO ACCOMMODATE HOUSING. AND WE'RE NOT SAYING THAT WE COULDN'T ACCOMMODATE ANY MORE HOUSING. WE JUST SAYING THAT EVEN WITH THESE STRATEGIES IN PLACE, THERE IS A LIMIT TO HOW MUCH HOUSING WE CAN SUPPORT AND THAT'S WHY WE'RE ASKING FOR THAT REDUCTION.

PAT ECKLUND: SO IF THE APPLICANT DID ATTEMPT TO ANSWER THAT QUESTION, WHAT ELSE DOES THE TOWN NEED TO PROVIDE FOR ABAG TO UNDERSTAND THAT THEY CANNOT ACCOMMODATE THE NUMBER OF THE UNITS THAT WERE ASSIGNED WITH THIS FACTOR? I MEAN, THEY ARE GOING TO, I BELIEVE, LOOK AT REZONING EXISTING SITES, BUT THAT

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WON'T GET THEM TO BE 111, OR WHATEVER IT IS THAT THEY'RE REQUIRED. SO, CAN YOU HELP ME TO UNDERSTAND WHAT ELSE THAT THEY NEED TO DO?

JESSE ARREGUIN, PRESIDENT: THAT'S A QUESTION FOR STAFF, I BELIEVE.

PAT ECKLUND: YES. I'M SORRY.

GILLIAN ADAMS: SO, I WANT TO ACKNOWLEDGE THAT WE'RE NOT SAYING THAT THE TOWN HASN'T MADE ANY EFFORTS OR THAT THEY HAVEN'T TRIED. I THINK THE POINT IS A COUPLE OF THINGS. ONE IS, I THINK IT'S UNDERSTANDABLE THAT STAFF SEES HAZARD CONSTRAINTS, AS A CONSTRAINT TO DEVELOPMENT. HOWEVER, THAT IS NOT ACKNOWLEDGED IN THE RHNA STATUS. SO WHEN YOU ARE LOOKING AT THOSE AREAS THOSE ARE AREAS THAT SHOULD STILL BE CONSIDERED AS POTENTIAL AREAS FOR GROWTH. AND I THINK THE SECOND ISSUE IS, YOU KNOW, THERE IS, AGAIN, NO, SORT OF, DEFINITION WITHIN THE STATUTE TO SAY WHAT IS ENOUGH OF A ZONING INCREASE TO ACCOMMODATE FUTURE HOUSING. SO, ALTHOUGH THE TOWN MAY HAVE CHANGED SOME OF ITS STANDARDS TO MAKE SOME OF THEM MORE FLEXIBLE, I THINK THE EXPECTATION IS THAT ADDITIONAL CHANGE CAN HAPPEN.

PAT ECKLUND: THANK YOU.

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JESSE ARREGUIN, PRESIDENT: I'LL ASK IS THERE A MOTION AND SECOND FOR THIS APPEAL?

DAVID E. HUDSON: I'LL MAKE A MOTION TO DENY THE APPEAL.

SPEAKER: SECOND.

JESSE ARREGUIN, PRESIDENT: WE HAVE A MOTION AND SECOND TO DENY THE APPEAL TO THE TOWN OF ROSS. ANY QUESTIONS?

CLERK, FRED CASTRO: YES --

JESSE ARREGUIN, PRESIDENT: SUPERVISOR RABBIT, FIRST, PLEASE.

DAVID RABBIT: THANK YOU CHAIR ARREGUIN. AS A SUPERVISOR IN SONOMA COUNTY AND SOMEONE WHO IS FAMILIAR WITH ROSS, I HAVE DESIGNED A FEW HOMES THERE, IN UNDERSTANDING THE HAZARDS SITUATION, IF THERE WERE NO EXISTING HOMES BUILT IN THOSE HIGH HAZARD AREAS BE IT FLOOD, FIRE, OR SLOPE, THOSE SITES WOULD NOT BE INCLUDED AND IT'S ONLY BECAUSE THEY'RE ALL RIGHT BUILT UPON THAT INCLUDED TO REQUIRE ADDITIONAL UNITS I'M JUST CURIOUS. BECAUSE THE BIG DEBATE WAS THE 7,000 STRUCTURES DO WE ALLOW THOSE HOMES TO BE BUILT BACK IN THOSE AREAS OR PUT THEM ELSEWHERE.

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GILLIAN ADAMS: THERE IS NO DISTINCTION BETWEEN THE HAZARD AREAS THAT HAVE GROWTH AND OTHERS THAT DON'T. THE STATUTE WITH THE EXCEPTION OF THIS ONE MENTION FLOODING AREAS WHERE FEMA OR THE DEPARTMENT OF WATER RESOURCES HAS INDICATED MADE A DECLARATION THAT FLOOD INFRASTRUCTURE IS INSUFFICIENT IS THE ONLY PLACE THAT HAS ACKNOWLEDGED CONSTRAINT TO HOUSING FOR NATURAL HAZARDS.

DAVID RABBIT: HYPOTHETICALLY IF WE DID HAVE A SEVEN YEAR MORATORIUM ON WATER HOOK UPS, IN AN INDEPENDENT DISTRICT, AND FOR A RECESSION OR ECONOMIC DOWNTURN OR HIGH PERIODS OF INTEREST RATES WHERE HOUSING WAS ESSENTIALLY KIND OF STOPPED IN ITS TRACKS, IT DOESN'T MEAN THAT THE EIGHT YEAR CYCLE IS -- NEEDS TO -- THE EIGHT YEAR CYCLE STILL NEEDS TO BE FULFILLED, CORRECT, BY ALL JURISDICTIONS?

GILLIAN ADAMS: SO, CERTAINLY, IF IT'S FINANCIAL, OR THAT KIND OF SITUATION, THAT'S, AGAIN, NOT ACKNOWLEDGED IN HOUSING ELEMENT LAW, I THINK THERE IS A DISTINCTION CONSIDERED FOR A DECISION MADE BY A WATER SERVICE PROVIDER THAT IS NOT THE LOCAL JUNCTION THAT PRECLUDES THE JURISDICTION FROM ACCOMMODATING ITS RHNA. ASSOCIATION AGAIN, IF -- I DON'T REALLY WANT TO GET INTO HYPOTHETICALS. BUT IF THERE WAS THAT KIND OF DECISION THAT MIGHT AFFECT THE EIGHT YEAR RHNA PERIOD

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IN ITS ENTIRETY, THEN I THINK THAT WOULD BE SOMETHING THAT WOULD, YOU KNOW, BE CONSIDERED. BUT THAT DOESN'T EXIST AT THIS TIME. AND, SO, I THINK IF THAT WERE TO OCCUR WITHIN SOMEWHERE IN THE NEXT TEN YEARS, BEFORE THE END OF THE RHNA CYCLE, IT WOULD BE OUTSIDE OF THE SCOPE OF THIS PROCESS, AT THIS TIME, TO ANTICIPATE WHAT REMEDY WOULD HAPPEN FOR LOCAL JURISDICTIONS. I THINK THAT WOULD BE TAKEN UP BY THE LEGISLATURE.

DAVID RABBIT: YEAH, BECAUSE AT THIS TIME IT'S ONLY THIS -- I MEAN, ONCE WE LOCK IN THIS EIGHT YEAR ALLOTMENT IT IS WHAT IT IS AND THERE COULD BE A WATER MORATORIUM IN A YEAR OR TWO, DEPENDING ON WHAT HAPPENS IN THE FUTURE. OKAY. I ASK THAT AS A WATER DIRECTOR FOR A WATER AGENCY THAT SUPPLIES A QUARTER OF THE WATER TO MARIN COUNTY. THANK YOU FOR YOUR ANSWERS.

JESSE ARREGUIN, PRESIDENT: TO THE SAME THING WE TALKED ABOUT BEFORE IS THE CAL FIRE MAPS WE DON'T HAVE THE LATEST CAL FIRE MAPS SO WE COULDN'T CONSIDER THAT BECAUSE THIS METHODOLOGY HAS ALREADY BEEN DETERMINED BUT IT'S KIND OF A SIMILAR POINT TO WHAT YOU'RE MAKING.

DAVID RABBIT: TO MY FRIENDS IN THE COUNTY WE'RE GOING TO THE DEPARTMENT OF FORESTRY AND THAT'S ACTUALLY IN THE GOVERNOR'S OFFICE REGARDING WHAT THE FUTURE OF FIRE SAFETY STANDARDS

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REALLY ARE, IN ANY JURISDICTION ON SUBSTANDARD, QUOTE UNQUOTE SUBSTANDARD ROADS THAT DON'T MEET A WAIVER. THANK YOU.

JESSE ARREGUIN, PRESIDENT: MAYOR EKLUND.

PAT ECKLUND: THANK YOU VERY MUCH. I WANT TO ADD, TOO, THAT WITH THE FIRE RISK, THE CITIES ARE BEING TREATED DIFFERENTLY THAN THE COUNTIES, AND WE TALKED ABOUT THIS AT THE LAST MEETING IS THAT THE CITIES ARE ONLY BEING CONSIDERED FOR THE VERY HIGH FIRE RISK, WHERE THE COUNTIES ARE ALLOWED TO INCLUDE THE VERY HIGH AND THE HIGH FIRE RISK, AND I BELIEVE THAT THAT IS NOT A FAIR ASSESSMENT. BECAUSE, IN MY OPINION -- AND THAT'S ONE OF THE REASONS WHY I WAS THE ALONE ABAG BOARD MEMBER VOTING NO ON THE METHODOLOGY, BUT UNFORTUNATELY I'M NOT GOING TO BE ABLE TO SUPPORT THE MOTION. ALL THE CITY IN MARIN COUNTY, BELVEDERE AND ROSS, AND FORGET ABOUT THE INCOME PART OF IT BECAUSE THAT DOESN'T -- IN MY MIND, I JUST KNOW THE TERRITORY, AND FOR ROSS TO BE REQUIRED TO PLAN FOR AND PERMIT 111 HOUSING UNITS, I DON'T KNOW WHERE THEY'RE GOING TO BE PUTTING THEM. AND WITHOUT REALLY ADVERSELY AFFECTING THEIR QUALITY OF LIFE. AND I'M NOT EVEN SURE THAT THAT'S EVEN POSSIBLE WITHIN THE NEXT CYCLE. SO, I'M GOING TO BE VOTING NO ON THIS MOTION THAT'S BEFORE US.

JESSE ARREGUIN, PRESIDENT: MAYOR HUDSON?

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DAVID E. HUDSON: YEAH. I WANT A CLARIFICATION HERE. DID I JUST HEAR THAT ONLY ONE PERSON ON ABAG VOTED AGAINST OPTION 8A FOR THE METHODOLOGY? BECAUSE I THOUGHT THAT WAS ME.

JESSE ARREGUIN, PRESIDENT: MAYOR HUDSON, I THINK SHE'S TALKING ABOUT THE HOUSING METHODOLOGY COMMITTEE. BEFORE IT CAME TO THE --

DAVID E. HUDSON: OKAY.

PAT ECKLUND: ON THE ABAG EXECUTIVE BOARD JANUARY 1ST, '20 --

DAVID E. HUDSON: NO. I DEFINITELY VOTED AGAINST THAT METHODOLOGY.

PAT ECKLUND: DAVID, I WILL SEND YOU THE MINUTES THAT REFLECT. THERE IS ONLY ONE PERSON. I WILL SEND THAT TO YOU.

JESSE ARREGUIN, PRESIDENT: JULIE PIERCE ALSO DIDN'T SUPPORT THE METHODOLOGY AT THE COMMITTEE, MY RECOLLECTION. THAT IS HERE NOR THERE. THE QUESTION BEFORE THE COMMITTEE IS ON THE MOTION WHICH IS TO MAKE A PRELIMINARY ACTION TO DENY THE APPEAL?

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CLERK, FRED CASTRO: [ROLL CALL VOTE] MOTION PASSES TEN VOTES AYE. ONE VOTE NO.

JESSE ARREGUIN, PRESIDENT: NEXT IS HEARING ON THE APPEAL FROM THE TOWN OF SAN ANSELMO.

SPEAKER: CAN YOU HEAR ME?

JESSE ARREGUIN, PRESIDENT: YES.

SPEAKER: GOOD AFTERNOON CHAIR AND ABAG ADMINISTRATIVE COMMITTEE. I AM MAYOR BRYAN COLBERT FROM THE CITY OF SAN ANSELMO. MANY OF YOU ON THE ADMINISTRATIVE COMMITTEE VOTED AGAINST THE RHNA METHODOLOGY THAT GAVE US SEVEN TIMES OUR CURRENT ALLOCATION ASKING YOU TO REDUCE ALLOCATION TO 250% OF COUNTER ALLOCATION I'M GOING TO TURN IT OVER TO OUR PLANNING DIRECTOR ELISE.

SPEAKER: THANK YOU. GOOD AFTERNOON CHAIR AND ADMINISTRATIVE COMMITTEE. I WOULD LIKE TO BEGIN BY ACKNOWLEDGING THAT SAN ANSELMO IS ON THE UNSEEDED ANCESTRAL LANDS OF THE NATIVE PEOPLE. THE SAN ANSELMO COUNCIL APPEALED ITS RHNA ALLOCATION AND REQUESTS REDUCTION OF ALLOCATION FROM 558 TO 833 UNITS. NEXT SLIDE. SAN ANSELMO IS 2.7 SQUARES MILES IN AREA, WE ARE APPROVING AVERAGE OF 20 UNITS PER YEAR. MOST OF OUR EXISTING

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UNITS ARE SINGLE FAMILY WE HAVE A LOT OF MULTI-FAMILY HOUSING AND 20% OF OUR UNITS ARE IN APARTMENT BUILDINGS WITH THREE OR MORE UNITS. THE ENTIRE TOWN ALLOWS RESIDENTIAL UNITS EXCEPT FOR OPEN SPACE AREAS EVEN COMMERCIAL AREAS ALLOW 100% RESIDENTIAL AREAS WITH DENSITIES OF 20 TO 30 UNITS PER ACRE IN CONFORMANCE WITH STATE LAW, AND FOR PROJECTS THAT INCLUDE AFFORDABLE HOUSING. NEXT SLIDE. 24% OF OUR UNITS ARE RENTAL UNITS. NEXT SLIDE. THE TOWN'S DRAFT RHNA IS A 686% INCREASE OVER OUR EXISTING RHNA AND GREATER THAN THE SUM OF OUR LAST FIVE HOUSING ELEMENT CYCLES. NEXT SLIDE. THE GOVERNMENT CODE MANDATES ABAG TO SURVEY INFORMATION ON SPECIFIC FACTORS OUTLINED IN STATE LAW. THE SURVEY FOCUSED ONLY ON LOW WAGE JOBS AND NOT ALL JOBS IN HOUSING THE SURVEY DID NOT REQUEST INFORMATION ON DISTRIBUTION EVER DISTRIBUTION OF HOUSEHOLD GROWTH. FAILURE TO INCLUDE THESE QUESTIONS IN THE SURVEY DEPRIVED OUR JURISDICTION OF OPPORTUNITY TO PROVIDE IMPORTANT INPUT THAT WOULD BE RELATIVE TO THE DEVELOPMENT OF THE RHNA METHODOLOGY AND IMPACT OUR RIGHT TO SEEK GRIEVANCES. ALLOCATION WAS NOT DETERMINED IN ACCORDANCE WITH THE METHODOLOGY. THESE ARE FILES WE WERE ASKED TO REVIEW. I URGE TO YOU REVIEW THE DATA FOLDER YOURSELF AND SEE IF YOU CAN REPLICATE HOW IT WAS APPLIED TO YOUR JURISDICTION TOWNS HAVE HIRED OUTSIDE CONSULTANTS FOR VERIFICATION TYPICALLY JOB DATA IS EXTRAPOLATED FROM COUNTY DATA THERE IS VERY HIGH MARGIN OF ERROR FOR SMALL JURISDICTIONS. TOWN OF SAN ANSELMO HAS TWO BUS

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AN HOUR DURING PEAK PERIODS YET WE WERE IDENTIFIED AS A TRANSIT-RICH AREA IN THE BAY AREA WHICH INFLUENCES OUR PROJECTED HOUSEHOLD ALLOCATION. THIS PROCESS IS NOT TRANSPARENT. THE DATA IS NOT VERIFIABLE AND IT HAS DENIED THE TOWN AN OPPORTUNITY TO DETERMINE IF OUR ALLOCATION WAS DETERMINED CORRECTLY. NEXT SLIDE. FAILED TO CONSIDER THE LOCAL GOVERNMENT SURVEY RESPONSES FOR THE METHODOLOGY AS NOTED BY MANY OF THE JURISDICTIONS THAT HAVE PRESENTED BEFORE US WE HAVE SERIOUS CONSTRAINTS TO DEVELOPMENT THAT WERE NOT GIVEN CONSIDERATION. NEXT SLIDE.

CLERK, FRED CASTRO: ONE MINUTE.

SPEAKER: THIS IS AN EXAMPLE OF A TYPICAL HOUSING SITE IN SAN ANSELMO NOTE THAT THERE IS ONLY -- IT'S THE ONLY POTENTIAL MULTI-FAMILY HOUSING SITE THAT'S CURRENTLY FOR SALE IN SAN ANSELMO. SITE IS UNDER 5,000 SQUARE FEET AND NEARLY $2 MILLION EVEN DENSITY OF 100 UNITS WOULD ALLOW FOR MARKET RATE UNITS AND -- [INDISCERNIBLE] AFFORDABLE HOUSING. TO ACCOMMODATE THE AFFORDABLE HOUSING PROJECT WON'T COME CLOSE TO HITTING THE TOWN'S RHNA. DEVELOPERS ARE ONLY COMING IN FOR 20 UNITS A YEAR THIS IS THE EVIDENCE OF OUR CONSTRAINTS. NEXT SLIDE. THE DRAFT RHNA CONFLICTS WITH THE DISTRIBUTION OF HOUSE GROWTH IN PLANNED BAY AREA 2050 TRUE FOR MARIN COUNTY WHICH IS PROJECTED TO FALL IN POPULATION AND LOSE 19,000 JOBS. NEXT SLIDE. THERE

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HAS BEEN SIGNIFICANT AND UNFORESEEN CHANGE IN CIRCUMSTANCES IN THE LAST 12 MONTHS SAN ANSELMO HAS EXPERIENCED DROUGHT CONDITIONS RESERVOIRS ARE LOWEST IN 144 YEARS MARIN WATER IS TELLING OUR DEVELOPERS THE WATER SUPPLY IS UNCERTAIN AND THEY CANNOT GUARANTEE FUTURE WATER SERVICE. THANK YOU FOR YOUR TIME TODAY, AND THAT CONCLUDES OUR APPEAL PRESENTATION.

JESSE ARREGUIN, PRESIDENT: THANK YOU. GOOD TO SEE YOU ELISE. AND THERE WILL BE AN OPPORTUNITY FOR A REBUTTAL AFTER THE STAFF PRESENTATION. I WOULD LIKE TO TURN THE FLOOR OVER TO MTC/ABAG STAFF TO PRESENT ON THE APPEAL. YOU WILL HAVE FIVE MINUTES.

GILLIAN ADAMS: THANK YOU. I'M GILLIAN ADAMS PROJECT MANAGER FOR THE REGIONAL HOUSING NEEDS ALLOCATION PROCESS. NEXT SLIDE PLEASE. THE TOWN OF SAN ANSELMO IS REQUESTING A REDUCTION OF 558 UNITS WHICH IS A REDUCTION OF 67% FROM ITS DRAFT ALLOCATION. STAFF'S RECOMMENDATION IS TO DENY THE APPEAL. NEXT SLIDE PLEASE. SAN ANSELMO ARGUES THAT ABAG DID NOT PROVIDE ADEQUATE DATA TO PROVIDE IF THE RHNA METHODOLOGY WAS APPLIED CORRECTLY HOWEVER DATA AND RELEVANT CALCULATIONS FOR THE RHNA METHODOLOGY ARE SHOWN IN THE DRAFT PLAN ON THE RHNA'S WEB SITE STAFF PROVIDED ACCESS TO THE PUBLIC OPEN SOURCE RHNA CALCULATIONS POSTED ON THE WEB SITE. GAVE JURISDICTIONS ACCESS TO THE UNDERLYING DATA F THE PLANNED BAY AREA 2050 FINAL

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BLUEPRINT USED AS THE RHNA METHODOLOGY'S BASELINE ALLOCATION. LOCAL STAFF HAS SEVERAL MONTHS TO REVIEW AND CORRECT THEIR LAND USE DEVELOPMENT PIPELINE DATA THAT WAS USED FOR 2050 FORECASTING MODELING JURISDICTIONS COULD REVIEW THE GROWTH PATTERN FOR THE DRAFT BLUEPRINT IN SUMMER OF 2020 AND PRIOR TO ADOPTION OF THE FINAL BLUEPRINT IN JANUARY 2021. ABAG MTC STAFF HELD OFFICE HOURS TO DISCUSS MODEL INPUTS AND FORECASTED GROWTH FROM THE URBAN SIM MODEL. ADDITIONALLY PLANNED BAY AREA 2050 MODELING ASSUMPTIONS ARE DOCUMENTED IN THE FORECASTING AND MODELING REPORT AVAILABLE ON THE PLANNED BAY AREA 2050 WEB SITE. NEXT SLIDE PLEASE. SAN ANSELMO ARGUES THAT LOCAL JURISDICTION SURVEY DID NOT REQUEST ALL INFORMATION REQUIRED BY STATUTE. FOR FACTOR RELATED TO JOBS/HOUSING RELATIONSHIP ABAG SURVEY INCLUDED SIX QUESTIONS ABOUT THE NUMBER OF LOW WAGE JOBS WITHIN A JURISDICTION AND HOW MANY HOUSING UNITS WITHIN A JURISDICTION ARE AFFORDABLE TO LOW-WAGE WORKERS. BECAUSE THE TOPIC OF JOBS/HOUSING FIT WAS SPECIFICALLY CALLED OUT IN THE STATUTE. THE SURVEY INCLUDE SAID MULTIPLE OPEN-ENDED QUESTIONS FOR LOCAL STAFF TO COMMENT ON WHAT ABAG SHOULD INCORPORATE IN THE RHNA METHODOLOGY. THESE QUESTIONS PROVIDED SAN ANSELMO WITH ADDITIONAL OPPORTUNITIES TO SUBMIT INFORMATION ABOUT ITS JOBS/HOUSING RELATIONSHIP THAT THE OTHER QUESTIONS WERE NOT SUFFICIENT. STAT FORE FACTOR RELATE TO THE DISTRIBUTION OF HOUSEHOLD GROWTH IN PLANNED BAY AREA 2050 AND OPPORTUNITIES TO MAXIMIZE USE OF PUBLIC TRANSPORTATION AND

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TRANSPORTATION INFRASTRUCTURE ARE ADDRESSED IN THE QUESTION TEN OF THE SURVEY. SAN ANSELMO ARGUES THAT SALE OF AVAILABILITY FOR SUITABLE DEVELOPMENT -- [INDISCERNIBLE] AS DISCUSSED PREVIOUSLY THE RHNA METHODOLOGY CONSIDERS THESE DEVELOPMENT CONSTRAINTS BY INCORPORATING DATA FROM THE FINAL BLUEPRINT AS THE BASELINE ALLOCATION. HOUSING ELEMENT LAW GENERALLY DOES NOT IDENTIFY AREAS OF RISK FROM HAZARD AS A CONSTRAINT TO HOUSING. IMPORTANTLY HCD HAS STATED THAT HOUSING PLANNING CANNOT BE LIMITED TO VACANT LAND AND EVEN COMMUNITIES THAT VIEW THEMSELVES AS BUILT OUT OR LIMITED DUE TO NATURAL CONSTRAINTS SUCH AS FIRE FLOOD RISK AREAS FOR HOUSING THROUGH REZONING COMMERCIAL USE MIXED USE AREAS ZONING ON VACANT LANDS. STATUTE REQUIRES RHNA TO BE CONSISTENT WITH THE PLAN'S DEVELOPMENT PATTERN IT DOES NOT SPECIFY HOW TO DETERMINE CONSISTENCY. THIS GIVES ABAG DISCRETION TO DEFINE ITS APPROACH. THE FINAL BLUEPRINT GROWTH FORECASTS ARE ADOPTED AT THE COUNTY AND SUBCOUNTY LEVELS ONLY AND THE APPROACH USED THROUGHOUT THE RHNA METHODOLOGY DEVELOPMENT PROCESS DEEMS RHNA CONSISTENT WITH THE PLAN IF THE EIGHT YEAR RHNA DOES NOT EXCEED THE PLAN'S 35 YEAR HOUSING GROWTH AT THE COUNTY OR SUBCOUNTY LEVELS THIS EVALUATION SHOWS THAT RHNA IS CONSISTENT WITH PLANNED BAY AREA 2050. NEXT SLIDE PLEASE. SAN ANSELMO ARGUMENTS THAT THE RHNA METHODOLOGY DOES NOT FURTHER THE STATUTORY OBJECT IS CHALLENGE THE FINAL RHNA METHODOLOGY

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ADOPTED BY ABAG AND HCD WHICH FALLS OUTSIDE OF SCOPE OF THE APPEALS PROCESS. NEXT SLIDE PLEASE.

CLERK, FRED CASTRO: ONE MINUTE.

GILLIAN ADAMS: SAN ANSELMO ARGUES DECLARATION OF DROUGHT BY MARIN WATER REPRESENTS CHANGE IN CIRCUMSTANCES MERITING REVISION OF THE TOWN'S RHNA. THE TOWN HAS NOT DEMONSTRATED IT'S PRECLUDED FROM ITS RHNA ALLOCATION BECAUSE OF A DECISION BY ITS WATER SERVICE PROVIDER. NEXT SLIDE PLEASE. SAN ANSELMO ARGUES THE IMPACTS OF COVID-19 ON TRANSIT SERVICE REPRESENT A CHANGE IN CIRCUMSTANCES MERITING A RHNA REVISION IMPACTS FROM COVID-19 ARE NOT UNIQUE TO ANY SINGLE JURISDICTION AND THE APPEAL DOES NOT INDICATE THAT SAN ANSELMO HOUSING NEED HIS BEEN DISPROPORTIONATELY IMPACTED RELATIVE TO THE REST OF THE BAY AREA. NEXT SLIDE PLEASE. THUS ABAG MTC STAFF RECOMMENDS THAT THE COMMITTEE DENY THE APPEAL FILED BY SAN ANSELMO. THANK YOU. IS

JESSE ARREGUIN, PRESIDENT: THANK YOU VERY MUCH. WOULD LIKE TO GIVE SAN ANSELMO STAFF OPPORTUNITY TO RESPOND TO THE PRESENTATION. YOU WILL HAVE THREE MINUTES.

ELISE SEMONIAN: YOUR COMMITTEE DOES NOT HAVE TO ACCEPT THE APPROACH DEFINED BY STAFF AND CAN DEFINE ITS OWN APPROACH

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REQUEST TO RHNA TO BE CONSISTENT WITH A COMPARABLE PLANNED BAY AREA. PLANNED BAY AREA ONLY CONSIDERED STATE FIRE HAZARD MAPS AND NOT OUR LOCALLY DESIGNATED FIRE HAZARD AREAS. AND FINALLY THE FIRST STATUTORY OBJECTIVE OF RHNA IS TO INCREASE THE HOUSING SUPPLY AND MIX OF HOUSING TYPES. THE GOAL IS TO ENSURE THE HOMES ACTUALLY GET BUILT. TO MEET OUR DRAFT RHNA OUR LIMITED STAFF WOULD NEED TO CONVINCE HUNDREDS OF PROPERTY OWNERS THAT ARE NOT PLANNING TO SELL TO DEVELOP THOUSANDS OF MARKET RATE UNITS TO GENERATE 519 UNITS DESTROYING AFFORDABLE RENTAL HOUSING AND SMALL LOW BUSINESSES MANY OWNED BY WOMEN AND PEOPLE OF COLOR THAT WILL NOT LIKELY RETURN WHEN THE RENT IS RAISED. IT'S NOT REALISTIC TO EXPECT US TO ISSUE PERMITS FOR 833 HOUSING UNIT IN THE NEXT EIGHT YEARS. WE RESPECTFULLY REQUEST YOU TO REDUCE OUR ALLOCATION TO 275, WHICH IS AN INCREASE OF 250% OVER OUR CURRENT RHNA ALLOCATIONS. THANK YOU.

JESSE ARREGUIN, PRESIDENT: THANK YOU. NOW I'LL TURN TO PUBLIC COMMENT ON THE APPEAL FROM SAN ANSELMO. ANY MEMBER OF THE PUBLIC WISHES TO SPEAK ON THIS APPEAL, PLEASE RAISE YOUR HAND. THERE ARE ANY SPEAKERS, MR. CASTRO.

CLERK, FRED CASTRO: ONE SPEAKER, AARON ECKHOUSE. GO AHEAD, PLEASE.

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SPEAKER: HELLO. THANK YOU. ARON ECKHOUSE AGAIN REGIONAL POLICY MANAGER WITH CALIFORNIA YIMBY. I DECIDED TO LOOK AT THE SAN ANSELMO ZONING CODE. LOOKING TO THE MAP OF SINGLE FAMILY, BAY AREA CITIES 94% OF THE RESIDENTIAL ONLY ZONED LAND IN SAN ANSELMO IS EXCLUSIONARY FOR SINGLE FAMILY HOUSING THAT IS A STARTING POINT FOR WHERE THE CITY COULD LOOK TO MAKE LAND USE PROVISIONS TO ACCOMMODATE THIS ALLOCATION. ADDITIONALLY, SAN ANSELMO WAS ANOTHER TOWN IN MARIN THAT HAS A TWO STORY HEIGHT LIMIT IN ITS HIGH DENSITY RESIDENTIAL ZONE AGAIN THIS IS A POLICY CHANGE THAT COULD BE CONSIDERED TO FACILITATE THE CONSTRUCTION OF 100 NEW HOMES PER YEAR WHICH IS NOT GOING TO BE ADEQUATE TO MEET THE TOWN'S HOUSING NEEDS. AND I WOULD SUGGEST THAT STAFF LOOK AT SUGGESTIONS FROM THE GREATER MARIN, BLOGGER WHO IS VERY FAMILIAR WITH MARIN COUNTY LIVED IN MARIN FOR MANY YEARS ALSO A LAND USE AND PLANNING EXPERT WHO HAS PUT FORWARD DETAILED PROPOSALS AS TO HOW SAN ANSELMO COULD ACCOMMODATE ITS ALLOCATION UNDER RHNA WITHOUT HAVING TO DEMOLISH A SINGLE EXISTING APARTMENT BUILDING. I URGE YOU TO REJECT THIS APPEAL. THANK YOU.

CLERK, FRED CASTRO: NEXT IS CALLER WITH NUMBER 8800. GO AHEAD, PLEASE.

SPEAKER: HI. MY NAME IS NANCY OKATA, I ACTUALLY LIVE IN SAN ANSELMO AS THE PREVIOUS CALLER PROBABLY DOESN'T. WE ARE

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EXPERIENCING A LOT OF GROWTH ALREADY. THERE IS MORE TRAFFIC, AND FIRE DANGER. THIS IS CRAZY. THAT WE REALLY CANNOT ADD ANOTHER 800 PLUS UNITS. AND THIS TOWN AS IT IS RIGHT NOW IS VERY WELCOMING TO LOW-INCOME PEOPLE, AND WE HAVE A LOT OF LOCALLY OWNED BUSINESSES, AND ALSO, WITH THE FIRE DANGER, AND THE WATER, RESOURCES AVAILABLE, THIS KIND OF GROWTH CANNOT HAPPEN IN SAN ANSELMO. THE SMALLER NUMBER, WHAT THEY'RE ASKING FOR WITH THE APPEAL IS AN UNREASONABLE NUMBER. AND IF MORE SAN ANSELMO RESIDENTS WERE AVAILABLE AT THIS TIME, I'M SURE THEY WOULD BE CALLING IN. THANK YOU VERY MUCH FOR CONSIDERING MY COMMENT.

JESSE ARREGUIN, PRESIDENT: THANK YOU.

CLERK, FRED CASTRO: OUR NEXT SPEAKER IS JORDAN GRIMES. GO AHEAD, PLEASE.

SPEAKER: YES. GOOD AFTERNOON. JORDAN GRIMES WITH PENINSULA FOR EVERYONE I'M COMMENTING JUST FOR MYSELF, RIGHT NOW. I DO WANT TO SECOND THE COMMENTS OF AARON ECKHOUSE, AND ALSO REJECT THE COMMENTS OF THE LAST COMMENTER. IT'S FRANKLY INSANE TO SAY THAT SAN ANSELMO IS A WELCOMING PLACE TO LOW-INCOME PEOPLE, JUST BASED ON HOUSING PRICES ALONE, LET ALONE ON DEMOGRAPHIC INFORMATION. I DO -- THERE IS SOME GOOD NEWS. I THINK WE HAVE FOUND, YOU KNOW, PART OF THE PROBLEM, AS TO -- OR PART OF THE

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SOLUTION AS TO HOW SAN ANSELMO CAN ACCOMPLISH THEIR RHNA. 20 TO 30 UNITS AN ACRE AND THREE STORIES IS YOUR PROBLEM RIGHT THERE. LIKE, THAT'S WHY YOU'RE NOT GOING TO GET ANY HOUSING WHY YOU'RE NOT GOING TO GET ANY AFFORDABLE HOUSING WITH THE COST OF LAND MATERIALS AND LABOR 20 MILLION PER ACRE DOESN'T PAN OUT. ZONING FOR HIGH DENSITY AND YOU'RE MORE LIKELY TO ATTRACT THE HOUSING THAT YOU WANT TO SEE. I WOULD SAY THAT 20 UNITS A YEAR IS AN ABSURDLY LOW AMOUNT OF HOUSING NOT A HIGH AMOUNT OF HOUSING, IN ANY RESPECT, AND HOPEFULLY WITH ZONING CHANGES, THE CITY OF SAN ANSELMO WOULD BE ABLE TO ACCOMPLISH THEIR RHNA. I WOULD URGE YOU TO DENY THE APPEAL AND THANK YOU FOR YOUR TIME.

CLERK, FRED CASTRO: THANK YOU. THERE ARE NO OTHER --

JESSE ARREGUIN, PRESIDENT: THERE IS ONE MORE SPEAKER M CASTRO.

CLERK, FRED CASTRO: DAVID ED MONSON, GO AHEAD, PLEASE.

JESSE ARREGUIN, PRESIDENT: DAVID, YOU'RE MUTED.

SPEAKER: SORRY. AM I UNMUTED NOW?

JESSE ARREGUIN, PRESIDENT: YES YOU ARE.

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SPEAKER: EXCELLENT. HELLO MY NAME IS DAVID ED MONSON. I GREW UP IN SAN ANSELMO, AND I'M ALSO KNOWN AS -- [INDISCERNIBLE] MARIN, WHO AARON ECKHOUSE MENTIONED. I BELIEVE THAT SAN ANSELMO ACTUALLY HAS A HUGE OPPORTUNITY HERE TO DRAMATICALLY IMPROVE ITS DOWNTOWN, ITS FEEL, AS WELL AS ITS STRONG HISTORY OF BEING -- OF BEING A WELCOMING INCLUSIVE PLACE FOR -- FOR MITT FITS AND THOSE WHO CAN'T BE SOME PLACE ELSE. THERE IS A SIGNIFICANT AMOUNT OF SPACE ON ITS COMMERCIAL LOTS. THERE ARE A LOT OF OPPORTUNITIES NEXT TO HILLS FOR MORE HEIGHT WITHOUT IMPACTING [INDISCERNIBLE] SHEDS, THERE ARE A LOT OF OPEN AREAS THAT CAN BE IMPROVED UPON THAT CAN BUILT AND SUPPORT A NEW CHAPTER FOR SAN ANSELMO THAT MAKES IT, AGAIN, A KIND OF WELCOMING PLACE THAT IT WAS WHEN -- WHEN I WAS GROWING UP, AND THAT REALLY SHOULD BE -- [INDISCERNIBLE] I STRONGLY SUPPORT -- I STRONGLY SUPPORT REJECTING THE APPEAL. SIMPLY PUT, THERE IS NO WAY TO MAKE SAN ANSELMO A REALLY GREAT PLACE WITHOUT ADDING SIGNIFICANTLY NEW HOMES AND WELCOMING IN A LOT MORE FAMILIES.

JESSE ARREGUIN, PRESIDENT: THANK YOU, SIR. OKAY. SO I BELIEVE THIS IS THE FIFTH SPEAKER, CORRECT?

CLERK, FRED CASTRO: YES.

JESSE ARREGUIN, PRESIDENT: SO THE SPEAKER'S TIME IS ONE MINUTE. AND, JEN L, YOU SHOULD BE ABLE TO SPEAK.

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SPEAKER: THANK YOU. I COMMENTED ON THE ROSS SITUATION, AS WELL. I JUST HEARD DAVE ED MUNSON'S DISCUSSION, AND HE MADE A COMMENT THAT SAID THE ONLY WAY TO MAKE SAN ANSELMO WELCOME IS TO ADD 800,000 MORE HOUSING UNITS. WHEN SOMEBODY SAYS SOMETHING LIKE THAT, YOU HAVE TO LOOK AT THE REASON WHY HE'S SAYING THAT. I LIVE MINUTES FROM SAN ANSELMO, AND IT'S A VERY WELCOMING, HAPPY, INCLUSIVE PLACE. SO, RIGHT OFF THE BAT, WHEN GLOBAL COMMENTS LIKE DEAF MADE AREN'T QUESTIONED, THERE IS A PROBLEM. AND I THINK THAT IS ENDEMIC TO THIS ENTIRE ABAG CHARADE. EVERYTHING THAT YOU'RE TALKING ABOUT, IT'S -- THERE IS JUST NO BASIS FOR WHAT YOU'RE DOING. AND AS I MENTIONED BEFORE, EXCLUDING THINGS LIKE WILDFIRE DANGER, DROUGHT, WATER MORATORIUM, YOU'RE DOING THIS IN A VACUUM. AND THAT'S NOT -- THAT'S NOT A REAL-WORLD SITUATION. I WOULD LIKE YOU TO CONSIDER ACTUAL REAL-WORLD DATA. THANK YOU.

JESSE ARREGUIN, PRESIDENT: ANY OTHER SPEAKERS 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. THERE ARE NO MEMBERS AT 375 BEALL NO WRITTEN COMMENTS SUBMITTED BUT THERE WERE COMMENTS POSTED ONLINE THAT WERE DISTRIBUTED TO MEMBERS.

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JESSE ARREGUIN, PRESIDENT: WE ARE CONSTRAINT BY STATE LAW IN TERMS OF WHAT WE CAN CONSIDER IN HOW WE EVALUATE THESE APPEALS. JUST AS THERE ARE LIMITATIONS ABOUT THE GROUNDS FOR APPEALS, WE ARE CONSTRAINED IN TERMS OF WHAT WE CAN CONSIDER. AND STAFF ADDRESSED THAT IN SOME OF THE RESPONSES FROM COMMITTEE MEMBERS. I HOPE YOU UNDERSTAND THE LIMITATIONS WE'RE OPERATING UNDER WE'RE APPLYING THE METHODOLOGY AND STATE STATUTES AND WE HAVE TO APPLY THE LAW AS IT IS CERTAINLY IF THERE IS INTEREST IN ADDING WILDFIRE RISK OR OTHER FACTORS, AS THINGS THAT COULD BE CONSIDERED IN AN APPEAL, THAT'S SOMETHING THAT WILL REQUIRE A BILL BY THE STATE LEGISLATURE, AND I KNOW THAT WE HAVE IDENTIFIED A NUMBER OF ISSUES IN OUR CONVERSATIONS OF THINGS WE WANT TO EXPLORE FURTHER NOT JUST FROM AN ADVOCACY PURPOSE BUT IN WAYS THAT WE CAN IMPLEMENT OUR WHOLE APPEALS PROCESS GOING FORWARD IN THE NEXT CYCLE. SO I'M GOING TO GO FIRST TO MAYOR ROMERO AND THEN TO MAYOR HUDSON.

CARLOS ROMERO: THANK YOU VERY MUCH, MR. CHAIR. I HAVE SAID THIS BEFORE, AND I WOULD SAY IT AGAIN, FOR THE RECORD, THE RHNA PROCESS WAS A LONG, COMPREHENSIVE, INCLUSIVE PROCESS IN WHICH CITIES FROM AROUND THE NINE COUNTY BAY AREA WEIGHED IN, AND ULTIMATELY, THROUGH WHAT WAS A DEMOCRATIC PROCESS, DETERMINED WHAT THAT METHODOLOGY WAS GOING TO BE. WE ARE CONSTRAINED BY T WE NEED TO APPLY IT NOW, MOVING FORWARD, AND AT THIS POINT I DON'T BELIEVE THIS APPEAL OR PAST APPEALS HAVE

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GIVEN ME ANY REASON TO BELIEVE THAT YOU SHOULD NOT BE DENYING THIS REQUEST. IN PARTICULAR, I DO WANT TO POINT OUT, RHNA IS, ABOVE ALL, A PLANNING EXERCISE, AND WITHOUT THIS PLANNING EXERCISE, WHICH WE DESIGNATE OR ARE FORCED TO DESIGNATE, AREAS, PARCELS, THE ZONING NECESSARY TO DEVELOP THE DENSITIES THAT WE NEED TO ACCOMMODATE FOR GROWTH AND FOR THE FACT THAT WE DID NOT ACCOMMODATE FOR PAST GROWTH, THIS PLANNING PROCESS GIVES CITIES THE OPPORTUNITY TO LOOK AT THEIR EXISTING LAND USE MAPS, TO LOOK AT THEIR GENERAL PLANS, SPECIFIC PLANS, AND HOUSING ELEMENTS AND RIGHT SIZE THEM AS BOTH MR. GRIMES AND ECKHOUSE HAVE MENTIONED, BECAUSE SINGLE FAMILY 1 AND 2 STORY TYPOLOGIES WE'RE NOT GOING TO BE ABLE TO ACCOMMODATE BOTH THE GROWTH AND THE EXISTING POPULATION THAT WE HAVE WITHIN THE BAY AREA. I WILL BE VOTING YES TO DENY THIS APPEAL. THANK YOU.

JESSE ARREGUIN, PRESIDENT: MAYOR HUDSON? YOU'RE MUTED.

DAVID E. HUDSON: THIS IS THE BEST SPEECH I HAVE GIVEN ALL DAY, TOO. I AM NOT GOING TO BE MAKING THE MOTION ON EVERY SINGLE TIME TO DENY. BUT I HEARD SOMETHING THAT, IF PEOPLE ARE LISTENING TO THIS, THEY MIGHT GET THE WRONG IMPRESSION, THAT WE CAN CHANGE THE RHNA NUMBERS. SOMEHOW, WE CAN CHANGE THE METHODOLOGY, THE PEOPLE YOU SEE IN FRONT OF YOU HERE THAT ARE VOTING TO DENY, UPHOLD AND APPEAL. IF WE COULD DO THAT, YOU SHOULD BE AFRAID. YOU HAVE GOT A REAL TASTE OF WHAT MY E-MAILS

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LOOK LIKE, THAT IT WASN'T ONE OR TWO PEOPLE FROM YIMBY, IT WAS THE HUNDREDS. THERE WERE MORE PEOPLE THAT WANTED THAT 441,000 NUMBER INCREASED TO A MILLION OR MORE, THAN THERE WERE TO DECREASE IT. I DIDN'T SUPPORT THE METHODOLOGY THAT CAME THROUGH. I WANTED 6A, THIS IS THE FOURTH DAY THAT WE HAVE LISTENED TO APPEALS, AND I THINK EVERY SINGLE ONE OF THEM, STARTING WITH ALAMEDA, I'LL NEVER FORGET T WE'RE NOT DENYING THAT WE COULD DO THESE NUMBERS; SHOW US WHERE. SHOW US HOW. AND UNFORTUNATELY, THAT'S NOT WHAT WE'RE ALLOWED TO DO. AND, I EMPATHIZE. I HAVE BEEN TO ROSS. I HAVE BEEN THROUGH SAN ANSELMO, I HAVE BEEN THROUGH CLAYTON BEEN THROUGH THESE CITIES THAT ARE TALKING TO US AND OUR OPINION AND THEIR OPINION THAT LIVE THERE, GREAT JOB OF BUILDING THEIR CITY, THEY DON'T WANT TO SEE IT CHANGED. UNFORTUNATELY, THESE ARE THE RULES THAT WE ARE DEALING WITH, AND WE VOTED, MEANING, ALL OF THE BAY AREA, TO USE THIS METHODOLOGY, AND OUR CONSTRAINTS, UNLESS I'M WRONG, PRESIDENT, WE HAVE TO LIVE WITHIN THESE RULES. BECAUSE IF WE DON'T, WHAT GOOD IS APPEAL? IF IT ENDS UP IN COURT, WHAT DID YOU BASE IT ON? AND THAT'S WHAT MY DECISIONS ARE BASED ON, THESE VERY NARROW CONSTRAINT. OTHERWISE I WOULD AGREE WITH ALL OF YOU. BUT THAT'S UNFORTUNATELY, NOT THE LATITUDE I AM GIVEN. I AM NOT GOING TO MAKE THE MOTION, JUST LIKE I WAS NOT WITH ALL MY NEIGHBORS WHEN I HAD TO VOTE AGAINST THEM GETTING 5,007,000, BUT I DO HAVE TO SUPPORT DENYING THE APPEAL.

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KAREN MITCHOFF: I'LL MAKE THE MOTION.

JESSE ARREGUIN, PRESIDENT: OKAY. MOTION THAT TAKE A PRELIMINARY ACTION TO DENY THE APPEAL FOR SAN ANSELMO.

CARLOS ROMERO: SECOND THE MOTION.

JESSE ARREGUIN, PRESIDENT: SECONDED BY ROMERO. MAYOR EKLUND?

PAT ECKLUND: THANK YOU VERY MUCH. I HAVE A QUESTION FOR THE APPLICANT, ELISE. I CANNOT FINAL IT RIGHT NOW I THOUGHT IT WAS ON PAGE SEVEN OF THE RESPONSE, I CAN'T FIND THE EXACT PHRASE BUT APPARENTLY ABAG DID NOT HAVE THE INFORMATION ABOUT YOUR FIGURES THAT YOU HAD SUBMITTED, AND THEY SAID THAT THE SOURCE OF THOSE NUMBERS WERE NOT PROVIDED, AND, THAT, ACTUALLY LOOKING AT THE SENTENCE, ARE YOU ABLE TO ANSWER MY QUESTION? IF YOU KNOW THE SOURCE OF THE FIGURES THAT YOU WERE PROVIDING ABAG? AND I, AGAIN, I -- I HAD THIS SENTENCE, AND THEN I LOST THE DOCUMENT, AND THEN I HAD TO BRING IT BACK UP, AND I CAN'T SEEM TO FIND THE SENTENCE.

ELISE SEMONIAN: I DON'T HAVE IT IN FRONT OF ME.

PAT ECKLUND: FORGET THE QUESTION. I WILL NOT BE SUPPORTING THE MOTION. THANK YOU.

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JESSE ARREGUIN, PRESIDENT: THANK YOU. ANY OTHER QUESTIONS OR COMMENTS FROM MEMBERS OF THE ADMINISTRATIVE COMMITTEE? THE MOTION IS TO TAKE A PRELIMINARY ACTION TO DENY THE APPEAL FROM THE TOWN OF SAN ANSELMO. ROLL CALL PLEASE.

CLERK, FRED CASTRO: MOTION BY MITCHOFF SECOND BY ROMERO. [ROLL CALL VOTE] MOTION PASSES TEN AYES, ONE NO, ONE ABSENT.

JESSE ARREGUIN, PRESIDENT: THANK YOU. WE PROCEED TO THE NEXT ORDER OF BUSINESS THE RHNA APPEAL FOR THE CITY OF SAUSALITO. WHO WILL BE PRESENTING?

SPEAKER: GOOD AFTERNOON. I'M THE MAYOR, JILL HOFFMAN. SAUSALITO A TWO MILE TOWN, A WATERFRONT AREA INCLUDING TOPOGRAPHY ON STEEP HILLSIDES SUSCEPTIBLE TO SEISMIC INSTABILITY AS WELL AS LOW LYING COASTAL INDUSTRIAL AREAS SUSCEPTIBLE TO SEA LEVEL RISE. THESE ARE LIMITATIONS ON SAUSALITO ABILITY TO ACCOMMODATE THE NEW GROWTH OF 724 NEW UNITS DURING THE DRAFT OF THE RHNA CYCLE HAVE BEEN IGNORED. SAUSALITO WAS COMMITTED TO PROVIDING HOUSING THAT IS AFFORDABLE AND ATTRIBUTABLE TO ALL HOUSEHOLDS AND HAS INCLUDED POLICY DIRECTION TO FOCUS ON 100% ON OPPORTUNITY TO IMPROVE EQUITY AND HOUSING CHOICE IN OUR COMMUNITY. OUR HOUSING

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CONSULTANT WILL PROVIDE AN OVERVIEW OF OUR RHNA APPEAL. THANK YOU.

BETH THOMPSON: GOOD AFTERNOON. I'M GOING TO GO THROUGH THIS QUICKLY. STATE LAW REQUIRES ABAG TO CONSIDER FACTORS OF THE MEMBER JURISDICTION LEVEL OF THE DEVELOPMENT OF RHNA. THE PLAN FAILS TO PROVIDE THIS ANALYSIS THIS IS INFORMATION MAYOR EKLUND REQUESTED IN OUR AREA OF COMMENT AND THIS WAS NOT PERFORMED. IN RESPONSE TO SAUSALITO REQUIREMENT OF STATE LAW THAT ABAG PERFORM IN ANALYSIS AT THE MEMBER JURISDICTION LEVEL AND INCORRECTLY STATES THAT THE APPEALS ARE LIMITED TO THE APPLICATION OF METHODOLOGY AND LOCAL JURISDICTION SURVEY NOT CONSISTENT WITH THE BASIS OF APPEALS ESTABLISHES BY STATE LAW. VARIOUS DOCUMENTS AND MODELING FOR PLANNED BAY AREA 2050 EFFORT NONE OF THIS INFORMATION IS PROVIDED AT THE REQUIRED JURISDICTION LEVEL. THE JOBS/HOUSING RATIO SUITABLE RESIDENTIAL LANDS DESPITE READILY AVAILABLE SERVICE PROVIDER REPORTS RHNA PLAN DID NOT CONSIDER ADEQUATE WATER AND CAPACITIES FOR MEMBER JURISDICTIONS. DESPITE DATA SOURCES AVAILABLE AND AVAILABILITY OF LAND SUITABLE FOR RESIDENTIAL DEVELOPMENT AND DESPITE REQUIREMENT OF STATE LAW DID NOT PERFORM REVIEW OF SAUSALITO CAPACITY FOR RESIDENTIAL GROWTH ON THE AVAILABILITY OF LAND SUITABLE FOR URBAN DEVELOPMENT FOR CONVERSION TO RESIDENTIAL USE STAFF RELIED ON GENERIC ONE SIZE FITS ALL MODELING NOT COMMENSURATE TO SAUSALITO. UNSUITABLE

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RESIDENTIAL WITH HIGHLAND SLIDE SUSCEPTIBILITY NOT APPROPRIATE FOR HIGH DENSITY OR RESIDENTIAL DEVELOPMENT. AREAS DO NOT MEET STATE STANDARDS FOR EMERGENCY ACCESS AND EGRESS IMPORTANT GIVEN THE PRESENCE OF WILD LINE URBAN INTERFACE FIRE HAZARDS AT RISK FOR GROUND COLLAPSE IN THE EVENT OF EARTHQUAKE DISREGARDING THE STATE REQUIREMENT FOR CAPACITY ANALYSIS AND DISREGARDED THE TECHNICAL ANALYSIS RELATED TO OPPORTUNITIES AND CONSTRAINTS TO RESIDENTIAL DEVELOPMENT ON VACANT PARCELS AND PARCELS WITH EXISTING DEVELOPMENT IT'S IMPORTANT TO NOTE THE FOLLOWING THE CITY IS MOSTLY BEEN BUILT OUT WITH VERY LIMITED AND SMALL PARCELS WITH ANY GROWTH POTENTIAL THE CITY MADE AGGRESSIVE GROWTH ASSUMPTIONS INCLUDING DEVELOPMENT OF ALL -- [INDISCERNIBLE] ADOPTED GENERAL LAND ZONING FOR CAPACITY. EVIDENT IN THE CITY'S PALE HAVE TOTAL CAPACITY OF 240 UNITS THERE ARE EXISTING UNITS ON THESE SITES RESULTING IN 145 UNITS. INCONSISTENCIES IN PLANNED BAY AREA 2050 PARTICULARLY APPLICATION OF THE SUITABILITY OF SITES. SAUSALITO RHNA IS INCONSISTENT WITH THE GRAPHICS OF PLANNED BAY AREA, IF PLANNED BAY AREA IS WITHIN THE 35 MORE HOUSING GROWTH IT'S CONSISTENT FRONT LOADS ALL GROWTH [INDISCERNIBLE] PLANNED BAY AREA IF ABAG IS PLANNING FOR 35 YEARS OF GROWTH TO OCCUR WITHIN EIGHT YEARS THE TOTAL OF 2050 GROWTH NUMBERS MUST BE ADJUSTED BECAUSE ABAG IS PLANNING FOR MORE GROWTH THAN BEING DIVULGED. THE EVALUATION OF 89% FOR SAUSALITO IN PLANNED BAY AREA 2050 IT IS UNREALISTIC TO ASSUME 85% OF GROWTH WILL

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OCCUR IN AN EIGHT YEAR WINDOW PLAN GROWTH FOR SAUSALITO OVER 300% AS ANTICIPATED UNDER PLANNED BAY AREA THE CITY HAS CALCULATED WITHIN DEMONSTRATED CAPACITY USING THE RHNA PLAN ADJUSTED FACTOR AND USING THE DEMONSTRATION OF SUBSTITUTE OF SITES FOR SAUSALITO FOR THE RHNA THE CITY RESPECTFULLY REQUESTS RHNA OF 145 UNITS OPTION B TO BE 100% OF ITS EIGHT YEAR CAPACITY REQUIRING THE CITY TO REZONE AND DESIGNATE SITES IN THE GENERAL PLAN AND REFLECT INTENSIFICATION OF SITES WITHIN EXISTING DEVELOPMENT. THANK YOU VERY MUCH.

JESSE ARREGUIN, PRESIDENT: THANK YOU VERY MUCH. THERE WILL BE OPPORTUNITY TO RESPOND TO THE MTC/ABAG STAFF PRESENTATION AFTER THEY PRESENT. SO I'LL TURN THE FLOOR OVER TO STAFF TO PRESENT ON THE APPEAL.

ELI KAPLAN: THANK YOU. GOOD AFTERNOON. PLEASE BRING UP THE SLIDES. THANK YOU. NEXT SLIDE PLEASE. THE CITY OF SAUSALITO IS REQUESTING A REDUCTION OF BETWEEN 579 AND 599 UNITS WHICH IS A REDUCTION OF 80 TO 83% FROM ITS DRAFT ALLOCATION. STAFF'S RECOMMENDATION IS TO DENY THE APPEAL. NEXT SLIDE PLEASE. SAUSALITO ARGUES ABAG FAILED TO CONSIDER INFORMATION ABOUT THE AVAILABILITY OF LAND SUITABLE FOR HOUSING. AND SAUSALITO APPEAL ALSO STATES THAT THE DRAFT RHNA PLAN DOES NOT PROVIDE SUFFICIENT INFORMATION ABOUT EACH JURISDICTION'S LAND AVAILABILITY. THE RHNA METHODOLOGY DOES CONSIDER THE LAND

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AVAILABLE IN EACH JURISDICTION BY INCORPORATING DATA FROM THE PLANNED BAY AREA 2050 BLUEPRINT AS THE BASELINE ALLOCATION. THE STRENGTH OF THE LAND USE MODEL TO DEFINE THE BLUEPRINT IS ASSESSED FEASIBLE. THE HESITATE TOOL VAULT EVALUATES WHETHER THE METHODOLOGY CONSIDERS THE AVAILABILITY OF LAND FOR DEVELOPMENT IT SAYS THE STAFF WERE NOT ABLE TO REVIEW THE UNDERLYING DATA FOR THE PLAN IN THE BLAB 2050 BLUEPRINT HOWEVER HCD PROVIDED LOCAL JURISDICTION STAFF WITH ACCESS TO THE UNDERLYING DATA FOR THE PLANNED BAY AREA 2050 BLUEPRINT FORECAST THAT DETERMINES THE BASELINE ALLOCATION. MORE OVER THE TOOL THAT SAUSALITO SITES TO DEVELOP ITS APPEAL WAS NOT USED TO DEVELOP THE REALLOCATION NOT USED IN MODELING FOR PLANNED BAY AREA 2050 OR AS INPUT IN THE RHNA METHODOLOGY ITSELF. WHILE SAUSALITO PRESENTATION NOTES ITS 429 LET'S OF DEVELOPMENT POTENTIAL IS DOESN'T DEMONSTRATE WHY FULLY EXCLUDED PARCELS AS POTENTIAL HOUSING SITES. 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 OF REZONING COMMERCIAL USE AREAS AND MIXED USE AREAS AND ZONING NON-VACANT LAND. RHNA FAILS TO EXCLUDE RISK OF NATURAL HAZARDS HOWEVER AS DISCUSSED IN PREVIOUS RESPONSE TO HOUSING APPEALS HOUSING ELEMENT LAW GENERALLY DOES NOT IDENTIFY AREAS AT RISK FROM HAZARD AS A CONSTRAINT TO HOUSING. PLANNED BAY AREA 2050 INCLUDES ADAPTATION SOLUTIONS TARGETING PORTIONS OF SHORELINE THAT HAVE

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INUNDATION WITH TWO FEET OF SEA LEVEL RISE, VISIONS IN PLANNED BAY AREA 2050 DO NOT PROTECT SAUSALITO SHORELINE BECAUSE THE AREA IS ALMOST ENTIRELY COMMERCIAL AND INDUSTRIAL ZONE AND NOT IDENTIFIED AS A PRIORITY DEVELOPMENT AREA OR OTHER GROWTH GEOGRAPHY. SO BECAUSE THE POTENTIAL INUNDATION AREAS IN SAUSALITO ARE NOT PROTECTED BY INVESTMENTS INCLUDED IN PLANNED BAY AREA 2050 THE FINAL BLUEPRINT DOES NOT ENVISION ADDITIONAL HOUSEHOLD IN THESE AREAS. SO, AS A RESULT, THE HOUSEHOLD GROWTH FORECASTED FOR SAUSALITO AND THUS ITS BASELINE ALLOCATION TO RHNA IS LOWER THAN IF THE LAND WAS PROTECTED FROM THE FINAL BLUEPRINT FORECAST. THEREFORE SAUSALITO RHNA ALREADY REFLECTS REDUCTIONS RESULTING FROM HAZARD RISKS DUE TO SEA LEVEL RISE. FOR OTHER AREAS OF RISK OF FLOODING IN SAUSALITO THE CITY HAS NOT PROVIDED EVIDENCE ITS FLOOD MANAGEMENT INFRASTRUCTURE IS NOT ADEQUATE AS REQUIRED BY STATUTE. THROUGHOUT THE REGION IT'S ESSENTIALLY IMPOSSIBLE TO AVOID ALL HAZARDS WHEN SITING NEW DEVELOPMENT BUT JURISDICTIONS CAN THINK CRITICALLY ABOUT WHICH AREAS IN THE COMMUNITY ARE AT HIGHEST HAZARD RISK AND DEVELOPING THE HOUSING ELEMENT SAUSALITO HAS HAD OPPORTUNITY TO TAKE ENTER CONSIDERATION WHERE IT SITES FUTURE DEVELOPMENT. THESE ARGUMENTS DO NOT MEET THE REQUIREMENTS FOR A VALID RHNA APPEAL AS THE CITY HAS NOT DEMONSTRATED IT IS PRECLUDE FROM MEETING ITS RHNA ALLOCATION BECAUSE OF A DECISION BY ITS WATER SERVICE PROVIDER. SAUSALITO MAKES VARIOUS ARGUMENTS ABOUT THE

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METHODOLOGY MEETING THE STATUTE AS WE HAVE DISCUSSED BEFORE THE CHALLENGE IN FINAL REVIEW METHODOLOGY IS OUTSIDE OF SCOPE TO BE ADDRESSED IN THE ARGUMENTS. SAUSALITO ARGUES THERE SHOULD NOT BE GROWTH GEOGRAPHIES WITHIN THE CITY BECAUSE IT DOESN'T MEAN THE MINIMUM TRANSIT SUFFICIENCY THRESHOLDS HOWEVER THE FINAL BLUEPRINT DESIGNATES A PORTION OF SAUSALITO AS A TRANSIT-RICH AND HIGH-RESOURCE AREA BASED ON THE SAUSALITO FORE TERMINAL WHICH IS A MAJOR TRANSIT STOP BASED ON THE STATE'S DEFINITION. NEXT SLIDE PLEASE. SAUSALITO'S CRITIQUES OF THE FINAL METHODOLOGY ADOPTED BY ABAG AND HCD FALLS OUTSIDE OF SCOPE OF THE APPEALS PROCESS. NEXT SLIDE. THE CITY PROVIDES CALCULATIONS THAT SUGGEST THE MAXIMUM GROWTH POTENTIAL IN SAUSALITO DURING THE SIX CYCLE RHNA IS 145 UNITS. HOWEVER, STATUTE FORBIDS ABAG FROM LIMITING A JURISDICTION'S RHNA USING THE CONSTRAINT SAUSALITO INCLUDED IN ITS CALCULATION OF NEAR-TERM DEVELOPMENT CAPACITY. AS HCD NOTES IN ITS COMMENT LETTER ON BAY AREA APPEALS ABAG MAY NOT LIMIT ITS CONSIDERATION OF SUITABLE HOUSING SITES TO ZONING AND LAND USE RESTRICTION AND MUST CONSIDER POTENTIAL FOR INCREASED DEVELOPMENT UNDER ALTERNATIVE ZONING AND LAND USE RESTRICTIONS IMPORTANTLY SAUSALITO RECALCULATION IN ITS RHNA DOES NOT IDENTIFY THAT ABAG MADE ANY MISTAKES IN THE APPLICATION OF ITS ADOPTED RHNA METHODOLOGY SUCH CRITIQUES ARE NOT A VALID BASIS FOR APPEAL.

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CLERK, FRED CASTRO: TIME, PLEASE.

ELI KAPLAN: YEP. ALL DONE:

JESSE ARREGUIN, PRESIDENT: OKAY. THANK YOU VERY MUCH. SO, I WOULD LIKE TO GIVE THE CITY OF SAUSALITO OPPORTUNITY TO RESPOND TO STAFF'S PRESENTATION. YOU WILL HAVE THREE MINUTES. I BELIEVE YOU'RE MUTED. NOT ANYMORE.

SPEAKER: THANK YOU. STAFF HAS MISCHARACTERIZED SAUSALITO APPEAL AND HAS NOT PROVIDED INFORMATION THAT ABAG -- [INDISCERNIBLE] MODELLING AND DATA REFERENCED BY STAFF DOES NOT PROVIDE REQUIRED "LOCAL ON THE 8S" -- LOCAL ANALYSIS. [INDISCERNIBLE] ADDRESSED FOR EACH CITY AND COUNTY. NOTE STAFF'S RESPONSE DOES NOT INCLUDE ANY DATA OR INFORMATION SPECIFIC TO SAUSALITO DESPITE THEIR CLAIM THAT THIS INFORMATION IS AVAILABLE. THAT IS NOT JURISDICTION LEVEL ANALYSIS. STATE LAW DOES NOT LIMIT SAUSALITO TO APPEALING ON ABAG USE OF THE LOCAL JURISDICTION SURVEY BUT RATHER EXTEND THE GROUNDS FOR APPEAL TO APPLICATION OF GOVERNMENT CODE SECTION 65584 -- [INDISCERNIBLE] PROJECTED JOBS/HOUSING RELATIONSHIP INCLUDING ESTIMATE ON LOW PAGE JOBS AND WORKERS WITHIN THE JURISDICTION NOT COMPLETED OPPORTUNITIES AND CONSTRAINTS TO DEVELOPMENT OF ADDITIONAL HOUSING INCLUDING LACK OF CAPACITY FOR WATER AND SEWER SERVICE FOR EACH MEMBER

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JURISDICTION NOT PROVIDED OR COMPLETED AVAILABILITY OF LAND SUITABLE FOR URBAN OR RESIDENTIAL DEVELOPMENT FOR EACH MEMBER JURISDICTION AGAIN NOT PROVIDED IN THE STAFF REFERENCED RESOURCES STAFF HAS REPEATEDLY MADE STATEMENT THAT PREVENTING ABAG FROM CONSIDERING HAZARDS UNTRUE STATE LAW CHARGES ABAG TO IDENTIFY LAND -- [INDISCERNIBLE] IT DOES NOT PROHIBIT ABAG FROM EXCLUDING GROWTH ASSUMPTIONS RISK OF HAZARDS -- [INDISCERNIBLE] TO ASSUME -- STEEPLY SLOPED HILLS SUBJECT TO LAND SLIDES IN AREAS SUBJECT TO VIOLENT LAND SHAKING AND JURISDICTIONS THAT DO NOT MEET STATE STANDARDS IN SAUSALITO REVIEW OF SITES IS LOOKING AT ALL SITES IN THE CITY TO ACCOMMODATE FUTURE HOUSING NOT TO DECIDE AND DESIGNATE [INDISCERNIBLE] EXISTING ZONING. STAFF'S RESPONSE REITERATE ABAG MAY NOT LIMIT CONSIDERATION OF SUITABLE HOUSING -- [INDISCERNIBLE] LAND USE RESTRICTIONS AND SHALL CONSIDER THE USE OF INCREASED -- SAUSALITO CAPACITY ANALYSIS PROVIDED TO ABAG IN ITS APPEAL DOES EXACTLY THIS LOOKS AT SITES ABOVE AND BEYOND THE CITIES PLAN FOR ZONING BY NOT ADDRESSING OPPORTUNITY FOR DEVELOPMENT FOR JURISDICTION AS REQUIRED BY STATE LAW IT HAS DEVELOPED PLAN INCONSISTENT WITH STATE LAW NOR PUBLIC SAFETY AND [INDISCERNIBLE] SAUSALITO RESPECTFULLY REQUESTS THAT ABAG EITHER PERFORM THE ANALYSIS REQUIRED AT THE MEMBER JURISDICTION LEVEL OR USE SAUSALITO CALCULATED CAPACITY TO REFLECT SITES SUITABLE FOR RESIDENTIAL DEVELOPMENT THANK YOU VERY MUCH

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JESSE ARREGUIN, PRESIDENT: THANK YOU. I WOULD LIKE TO OPEN PUBLIC COMMENT ON THE APPEAL FROM THE CITY OF SAUSALITO. IF YOU WISH TO SPEAK ON THE APPEAL PLEASE RAISE YOUR HAND AT THIS TIME. OR PRESS STAR NINE. I SEE WE HAVE ONE ATTENDEE WHO WISHES TO SPEAK, MR. CASTRO.

CLERK, FRED CASTRO: YES. ONE MOMENT PLEASE. LET ME GET THE TIMER.

JESSE ARREGUIN, PRESIDENT: NO PROBLEM.

CLERK, FRED CASTRO: OUR FIRST SPEAKER IS LYNDA PFEIFER. GO AHEAD. TWO MINUTES, PLEASE.

CLERK, FRED CASTRO: I THINK WE LOST HER.

JESSE ARREGUIN, PRESIDENT: LYNDA WE LOST YOU. BUT YOU CAN TRY TO SPEAK NOW.

SPEAKER: CAN YOU HEAR ME NOW?

CLERK, FRED CASTRO: YES.

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SPEAKER: MY NAME IS LYNDA, SAUSALITO RESIDENT AND TOWN COUNCILMEMBER. SAUSALITO IS UNIQUE IN ITS LEGACY OF TOXIC WASTE FROM WORLD WAR II SHIPYARDS AND LANDFILLS TOXICITY IN FACT HARD TO FIND ANY SAUSALITO CITY DEVELOPMENT WITHOUT HAZARD WASTE LYING BENEATH THE SERVICE. ABAG'S HIGH OPPORTUNITY AREAS ARE SUPPOSED TO BE AREAS OF HIGH QUALITY PUBLIC SCHOOLS IN PROXIMATE TO WELL PAYING JOBS AND HIGH INCOME POPULATION WITH CLEAN SAFE ENVIRONMENTS. TREASURE ISLAND IS A FORMER NUCLEAR TRAINING SITE FOR HOUSING RESIDENTS WITH RESIDENTS WITH CHRONIC COUGH, ATTRIBUTE TO RADIOACTIVE EXPOSURE. HUNTERS POINT FORMER SHIP SITE WITH RADIOACTIVE ISOTOPES, WITH 55 RESIDENTS TESTING POSITIVE FOR TOXIC LEVELS, AND SAUSALITO SHIPYARD SINKING AN INCH TO THREE QUARTERS OF AN INCH PER YEAR, AND THE WORKING WATERFRONT IS A TSUNAMI ZONE. I HAVEN'T MENTIONED THE 2008 RIVER WATCH LAWSUIT, WITH AGING SEWERS. I URGE ABAG TO CONSIDER THE TOXIC WASTE, SINKING LAND AND DOCUMENTED -- [INDISCERNIBLE] I URGE ABAG TO REDUCE SAUSALITO'S RHNA IN CONSIDERATION OF THE PROSPECT OF EXPERIMENTAL DISCRIMINATION AND SEA LEVEL RISE.

JESSE ARREGUIN, PRESIDENT: THANK YOU. ANY ADDITIONAL SPEAKERS? RAISE YOUR HAND OR PRESS STAR NINE? SEEING NONE. MR. CASTRO ANY PUBLIC COMMENT?

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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. THERE WERE LATE PUBLIC COMMENTS RECEIVED POSTED ONLINE AND E-MAILED TO COMMITTEE MEMBERS. THANK YOU.

JESSE ARREGUIN, PRESIDENT: NOW IN ORDER FOR THE COMMITTEE TO DISCUSS THE APPEAL. WHO WOULD LIKE TO START THE DISCUSSION? MAYOR EKLUND?

PAT ECKLUND: THANK YOU VERY MUCH PRESIDENT ARREGUIN. I HAVE A COUPLE OF QUESTIONS. FIRST OF ALL, I NOTICED THAT, IN THE REBUTTAL, SAUSALITO SHOWED A SLIDE THAT SAID THAT SAUSALITO WAS CONSIDERED PART OF CENTRAL MARIN. CAN STAFF HELP ME TO UNDERSTAND WHY SAUSALITO WAS FACTORED INTO THE CENTRAL MARIN SUBAREA? BECAUSE THEY'RE NOT CENTRAL, THEY'RE SOUTHERN PART OF MARIN COUNTY. SO, YOU CAN HELP ME TO UNDERSTAND THAT?

DAVE VAUTIN: I'M HAPPY TO TACKLE THIS ONE. I BELIEVE BOARD MEMBER EKLUND THERE IS A TYPO IN THAT PACKET, AND IN THE PACKET WE COMPARED IT TO SOUTH MARIN SUPER DISTRICT

PAT ECKLUND: OKAY. THEY ALSO HAVE -- I WANT TO COMPLIMENT SAUSALITO FOR YOUR OUTSTANDING, AND VERY LENGTHY REBUTTAL. YOU REALLY DID TAKE A LONG TIME, AND REALLY LOOKED AT THIS A LOT. URBAN SIM HAS BEEN AN ISSUE FOR AS LONG AS I CAN REMEMBER,

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EVEN, I THINK, BEFORE, RIGHT AROUND WHEN ABAG AND MTC WERE CONSOLIDATING, AND SO HELP ME TO UNDERSTAND, ON PAGE SIX, ON 41, I THINK, ON THE SAUSALITO'S APPEAL, THEY GIVE A LENGTHY DISCUSSION ABOUT THE INABILITY TO GET SOME OF THE DATA VALIDATED THAT'S IN URBAN SIMS, AND I THOUGHT THAT WE HAD SOLVED THAT A COUPLE OF YEARS AGO, BUT CAN YOU HELP ME TO UNDERSTAND WHY SAUSALITO WAS NOT ABLE TO VALIDATE SOME OF THE DATA THAT'S IN URBAN SIMS? OR GET THE INFORMATION FROM ABAG MTC? TO BE ABLE TO VALIDATE THAT?

GILLIAN ADAMS: I'M GOING ASK DAVE, YOU CAN GIVE A LITTLE BIT MORE DETAIL. I MEAN, WE DID, SORT OF, IDENTIFY IN OUR STAFF RESPONSE THE MULTIPLE WAYS THAT JURISDICTIONS WERE ABLE TO ACCESS THE INFORMATION THAT, WE TRIED TO MAKE IT AVAILABLE AND KIND OF HAD OUTREACH, INCLUDING OFFICE HOURS WHERE JURISDICTION STAFF COULD COME AND SEE SOME OF THOSE DETAILS. I DON'T KNOW, DAVE, IF YOU WANT TO ADD SOME MORE INFORMATION ABOUT THAT?

DAVE VAUTIN: YEAH I'M HAPPY TO TALK ABOUT THAT. I KNOW THAT WAS A CHALLENGE WITH PRIOR ITERATIONS OF PLANNED BAY AREA. ONE OF THE KEY THINGS WE DID AT THE BEGINNING OF THIS PROCESS WE STARTED AN INITIATIVE CALLED BASIS ALLOWING JURISDICTIONS TO GET A CHANCE TO LOOK UNDER THE HOOD LOOK AT THEIR BASELINE DATA AND GIVE US FEEDBACK ON IT, THAT OCCURRED AS A

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PRESENTATION IN 2019 AND WE ACTUALLY GAVE EXTENSIONS TO JURISDICTIONS ARE INTO 2020 IF THAT I WANTED TO GIVE US FEEDBACK WE INCORPORATED FEEDBACK INTO OUR MODELING FOR PLANNED BAY AREA IN EACH OF THE RELEASES OF THE DRAFT IN THE FINAL BLUEPRINT WE INVITED JURISDICTIONS TO LOOK UNDER THE HOOD IN TERMS OF OUTPUTS AS WELL AND MET WITH THEM TO DISCUSS THE GROWTH PROJECTIONS, AND THE PLAN USES THE DATA ON THE COUNTY AND SUBCOUNTY LEVELS BUT WE ALSO EXPORTED THE JURISDICTION INFORMATION INTO THE RHNA PROCESS WITH THE 2050 TOTAL HOUSEHOLDS DATA. SO WHAT WE DID AT THOSE MEETINGS WE OFTENTIMES HAD MAPS BROUGHT THE DATA AND DISCUSSED OUTPUT WITH THOSE JURISDICTIONS. SO THERE WERE SEVERAL POINTS IN THE PROCESS, WHERE FOLKS HAD OPPORTUNITY TO LOOK AT THE DATA AND LOOK AT THE MODELING WORK.

PAT ECKLUND: SO, BUT -- DID SAUSALITO PARTICIPATE IN ANY OF THOSE OPPORTUNITIES? DO YOU KNOW?

DAVE VAUTIN: OFF THE TOP OF MY HEAD, I DON'T REMEMBER. I KNOW THERE WERE DOZENS OF JURISDICTION WHO IS TOOK US UP ON THE OFFER, BUT I WOULD HAVE TO ASK THE CITY IF THEY DID.

PAT ECKLUND: OKAY. I GUESS I'LL ASK THE APPLICANT, WHETHER OR NOT YOU DID PARTICIPATE IN ANY OF THOSE OPPORTUNITIES?

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MAYOR JILL HOFFMAN: I'LL LET BETH RESPOND TO THAT.

BETH THOMPSON: GOING TO ABAG'S WEB SITE, THERE WAS SOME INFORMATION AVAILABLE BUT NOTHING THAT DEMONSTRATES THAT EACH OF THE CONSTRAINTS THAT I HAVE IDENTIFIED OR THAT STATE LAW REQUIRES ABAG TO IDENTIFY AND ADDRESS, THERE IS NOTHING THAT DEMONSTRATES THOSE HAVE BEEN CONSIDERED SO WHEN I WENT THROUGH TO GET DATA, I WENT THROUGH THE BASIS DATA THAT'S AVAILABLE ONLINE, NONE OF THAT, LOOKING UNDER THE HOOD, NONE OF THAT SHOWS THAT THIS ANALYSIS ADDRESSED JURISDICTIONAL AVAILABLE CAPACITY BASED ON-SITE, WATER AND SEWER AVAILABILITY JOBS/HOUSING RATIO, RACIAL INCIDENT LOW-INCOME, AND HOUSING WITHIN THE JURISDICTION. IT'S NOT OBVIOUS, AND FOR STAFF'S RESPONSE TO BE CLIPPED ON THE LINKS PROVIDED AND NONE OF THE LINKS PROVIDED DEMONSTRATED THE DATA THAT WE HAVE IDENTIFIED.

MAYOR JILL HOFFMAN: BETH WAS OUR CONSULTANT DURING THIS APPEALS PROCESS AND SAUSALITO IN PARTICIPATION GOING BACK TO THE OPEN PERIODS FOR PARTICIPATION AS DESCRIBED BY DAVE, IF THAT'S SOMETHING THAT'S GOING TO BE SIGNIFICANT WITH REGARD TO THIS DECISION AND OUR APPEAL, I WOULD ASK FOR A CONTINUANCE ON THIS PARTICULAR ISSUE THAT I CAN REACH BACK AND LOOK TO OUR STAFF ABOUT WHETHER OR NOT WE ACTUALLY PARTICIPATED DURING THESE TIME PERIODS. SO I KNOW THAT OUR -- WE HAVE JUST HAD A TURNOVER IN OUR COMMUNITY DEVELOPMENT, MRS. WHELAN WAS OUR

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PRIOR COMMUNITY DEVELOPMENT DIRECTOR SHE JUST DEPARTED FOR ANOTHER OPPORTUNITY. AND SO, I THINK THAT, WHILE THAT IS INTERESTING, THAT WE WERE ABLE TO WEIGH IN DURING THE -- I MEAN, INTERESTING AND SIGNIFICANT, THE FACT THAT WE SHOULD HAVE BEEN ABLE TO EASILY ACCESS THAT INFORMATION DURING DRAFTING OUR APPEAL IS SIGNIFICANT, AND WHETHER OR NOT THAT WOULD JUSTIFY EITHER FURTHER TIME TO ADDRESS THAT, IF THAT'S A SIGNIFICANT ISSUE WITH REGARD TO THE BOARD. THANK YOU.

PAT ECKLUND: I GUESS I WOULD ASK ABAG STAFF TO INDICATE THAT. MAYOR HOFFMAN, I KNOW THAT I, IN MY ABAG REPORTS AND IN MY VERBAL REPORTS, I HAD ASKED ALL THE CITIES TO, NOT ONLY COMPLETE THEIR SURVEYS, BUT ALSO -- AND SAUSALITO DID, BUT, ALSO, TAKEN THE TIME TO GO THROUGH THE BASIS PROCESS OF VALIDATING THE DATA. SO I TRY TO KEEP UP WITH WHAT CITIES IN MARIN DID OR DID NOT, AND I, FRANKLY, CANNOT REMEMBER GOING BACK TWO YEARS, WHETHER OR NOT SAUSALITO DID. SO, BUT I'LL ASK STAFF LATER, WHETHER OR NOT THAT IS CRUCIAL. IN MY OPINION, I'M NOT SURE IT IS. BUT, SO, PRESIDENT ARREGUIN, I THINK THERE ARE SOME OTHER ISSUES THAT WE NEED TO ADD TO THIS LIST. THIS ONGOING DISCUSSION LIST. AND I THINK URBAN SIMS NEEDS TO BE PUT BACK ON IT. AND THERE SEEMS, IN MY OPINION, TO BE A, STILL, A DISCONNECT BETWEEN ABAG AND CITIES. AND, SO MY OPINION -- I THINK WE'RE GOING TO NEED -- I WOULD LIKE TO HAVE OPPORTUNITY TO HAVE US DISCUSS WHAT CAN WE DO TO MAKE SURE

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THAT CITIES KNOW OF THESE OPPORTUNITIES. AND THEY'RE BEING BOMBARDED BY ALL DIFFERENT ASPECTS OF ABAG AND MTC AT THE SAME TIME. AND --

JESSE ARREGUIN, PRESIDENT: AGREED.

PAT ECKLUND: SO I REALLY WOULD LIKE TO HAVE THOSE ISSUES AT URBAN SIMS, AND THIS DISCONNECT AND HOW WE CAN INCREASE THE COMMUNICATION. I MEAN, I DO, PROBABLY, MORE THAN MOST, BY WRITING A WRITTEN REPORT EVERY MONTH, AND I DISTRIBUTE IT TO ALL THE CITIES IN MARIN, AND I DISTRIBUTE IT TO OTHER CITIES AND OTHER COUNTIES IN THE BAY AREA THAT REQUEST IT. BUT I ALSO THINK WE NEED TO ADD SOME OF THE OTHER ISSUES THAT I HAVE BEEN RAISING, TOO, ABOUT HOW DO YOU DETERMINE WHAT IS ADEQUATE FOR LOOKING AT AVAILABILITY OF LAND, OF FLOODING, IS SOME OF THESE OTHER ISSUES. BUT, I AM VERY SYMPATHETIC TO THE CITIES THAT WE'RE HEARING FROM TODAY, BECAUSE I KNOW THEM, AND I SPENT -- I WORKED IN SAUSALITO FOR -- HOW MANY YEARS -- I THINK IT WAS FOUR YEARS BEFORE I MOVED TO THE ARMY CORE IN SAN FRANCISCO, AND -- OR IT COULD HAVE BEEN FIVE -- BUT I KNOW SAUSALITO, VERY, VERY WELL, AND THEY -- THEY HAVE SOME LAND AVAILABILITY BUT NOT FOR THE NUMBER EVER UNITS. SO, ANYWAY, SO, I WILL NOT BE SUPPORTING THIS APPEAL, AS WELL. THANK YOU VERY MUCH FOR ALLOWING ME THE OPPORTUNITY, PRESIDENT ARREGUIN, TO ADD A COUPLE MORE ISSUES TO OUR DISCUSSION LIST.

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JESSE ARREGUIN, PRESIDENT: YES. THANK YOU. OKAY. COLLEAGUES, ANY QUESTIONS OR COMMENTS? OR A MOTION TO TAKE A PRELIMINARY ACTION? I'LL MAKE A MOTION TO TAKE A PRELIMINARY ACTION TO DENY THE APPEAL. IS THERE A SECOND?

DAVID E. HUDSON: SECOND.

NEYSA FLIGOR: SECOND IT, MAYOR ARREGUIN.

JESSE ARREGUIN, PRESIDENT: OKAY. AND, YOU KNOW, I DO AGREE THAT GOING FORWARD, WE -- NEXT CYCLE, WE NEED TO MAKE CLEAR TO LOCAL GOVERNMENTS ABOUT, YOU KNOW, THESE RESOURCES THAT ARE AVAILABLE. YOU KNOW, PARTICIPATING IN THE SURVEY, SO THAT EVERYONE UNDERSTANDING, YOU KNOW, WHAT THEIR -- YOU KNOW, WHAT THEIR OBLIGATIONS ARE, AND OPPORTUNITIES, BUT I DO RESPECTFULLY THINK THAT STAFF HAS MADE A VERY COMPELLING CASE ABOUT WHY THIS APPEAL SHOULD BE DENIED, AND I WILL BE SUPPORTING THE MOTION. MAYOR ROMERO?

CARLOS ROMERO: I JUST WANT TO COMMENT ON MS. TOM THOMPSON'S FOR LACK OF A BETTER TERM, ALLEGATIONS WITHIN THE RATHER LENGTHY REPORT THAT WAS PRESENTED FROM SAUSALITO, CONSISTENTLY ARGUING THAT OUR -- THAT THE RHNA METHODOLOGY ITSELF IS INCONSISTENT, AND THE PROCESS WE USE IS INCONSISTENT WITH

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STATE LAW. CLEARLY WE HAVE ABUNDANT CORRESPONDENCE FROM THE STATE THAT INDICATES THAT, INDEED, THE DOCUMENT, THE PROCESS WE USED, AND ULTIMATELY, THE METHODOLOGY PASSES MUSTER WITH THE STATE. SO I JUST WANT TO MAKE THAT VERY CLEAR FOR THE LOWERED. BECAUSE THE ALLEGATIONS, I THINK, ARE NOT SUBSTANTIATED BY THE APPEAL. THAT WAS SUBMITTED.

JESSE ARREGUIN, PRESIDENT: AND TO FOLLOW UP ON THAT, MAYOR ROMERO, HCD APPROVED THE METHODOLOGY AND FOUND THAT IT MET THE STATUTORY REQUIREMENTS. MAYOR HUDSON

DAVID E. HUDSON: MAYOR ARREGUIN, I DON'T HAVE TO SAY IT NOW THAT YOU DID. THE ONE THING THEY DID HEAR IN THERE, AND I DON'T WANT TO GO WITHOUT ADDRESSING IT IS THAT SOMEHOW WE SHOULD CONTINUE THIS. AND I'M UNDER THE IMPRESSION THAT THIS CAN'T JUST CONTINUE. THERE ARE SOME TIME CONSTRAINTS ON THIS TO GET THIS DONE. AM I MISSING THIS? OR IS THIS SOMETHING THAT THAT, OKAY, WE COULD START OVER AGAIN, AND DO IT AGAIN, OR -- TO ME, SO MUCH OF THE PROBLEM IS IN WHAT WE ACCEPTED OR WHAT HCD HAS APPROVED AS OUR METHODOLOGY. IF YOU CHANGE THE METHODOLOGY, YOU'RE GOING TO GET DIFFERENT NUMBERS, BUT YOU MIGHT FIND OUT, AS I SAID EARLIER, THAT A LOT OF THESE PEOPLE SPEAKING NOW, WILL COME OUT IN HUNDREDS FOR LARGER NUMBERS. SO, I GUESS THE QUESTION S IS THIS METHODOLOGY -- IS THERE A

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TIME CONSTRAINT THAT WE HAVE ON THIS, RATHER THAN JUST CONTINUE THIS?

JESSE ARREGUIN, PRESIDENT: I THINK THE BIGGEST TIME CONSTRAINT IS OUR LOCAL GOVERNMENTS HAVE TO HAVE COMPLIANT HOUSING ELEMENTS BY JANUARY 2023. SO IF WE, YOU KNOW, GO BACK AND CHANGE THE METHODOLOGY, OR DELAY ACTION ON THE RHNA PLAN, THAT'S GOING TO PUT GOVERNMENT IN A REALLY, REALLY DIFFICULT POSITION. AND THE STATE IS NOT EXTENDING THE TIMELINE. SO, WE ARE -- WE ARE UP AGAINST THE -- I THINK THE LIMIT, IN TERMS OF, YOU KNOW, THE ABILITY TO TAKE ACTION, ALSO, I BELIEVE, GILLIAN, IF I'M NOT MISTAKEN, THE STATUTE DOES SPECIFY SPECIFIC TIME PERIOD FOR WHICH WE HAVE TO ACT ON THE APPEALS. WHAT IS IT? 45 DAYS FROM THE START FROM THE NOTICING?

GILLIAN ADAMS: THAT'S CORRECT. YEAH, ESPECIALLY THE DATE THAT WE HAVE ON OUR FINAL HEARING IS THE 29TH FOR US TO COMPLETE THE APPEALS AND THE PUBLIC HEARING.

JESSE ARREGUIN, PRESIDENT: YEAH. SO THAT'S, SORT OF, ANOTHER LEGAL CONSTRAINT THAT WE'RE OPERATING UNDER WITH RESPECT TO THE FINAL LINE FOR ACTION. ANY OTHER COMMENTS OR QUESTIONS FROM THE COMMITTEE. IF NOT, THE MOTION IS TO TAKE PRELIMINARY ACTION TO DENY THE APPEAL FROM THE CITY OF SAUSALITO. ROLL CALL VOTE?

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CLERK, FRED CASTRO: MOTION BY ARREGUIN E SECOND BY FLIGOR. [ROLL CALL VOTE] MOTION PASS TEN AYES, ONE NO, ONE ABSENT.

JESSE ARREGUIN, PRESIDENT: OKAY. SO THAT IS THE PRELIMINARY ACTION. FINAL ACTION WILL BE TAKEN PRIOR -- AFTER THE CLOSE OF THE PUBLIC HEARING AND WE WILL PROVIDE NOTICE OF THE DATE AND TIME OF THAT MEETING. AND I WANT TO THANK SAUSALITO FOR COMING TODAY AND FOR YOUR VERY THOROUGH PRESENTATION. WITH THAT WE'LL MOVE TO OUR LAST APPEAL FOR THIS AFTERNOON WHICH IS AN APPEAL FROM THE CITY OF TIBURON. WE ARE JOINED BY THE MAYOR OF TIBURON. GOOD AFTERNOON. SIMILAR TO THE PROCESS IN PREVIOUS APPEALS WE WILL HEAR FROM APPELLANT JURISDICTION FOR FIVE MINUTES THEN I'LL TURN IT OVER TO TIBURON AND IF THERE IS A PRESENTATION, IF TECH STAFF COULD PULL IT UP.

MAYOR HOLLI THIER: GOOD AFTERNOON PRESIDENT ARREGUIN AND MEMBERS OF THE COMMITTEE. I AM MAYOR HOLLI THIER, MAYOR OF TIBURON. WE ARE COMMITTED TO INCREASING OUR AFFORDABLE HOUSING STOCK, OUR CONSULTANT IS GOING TO COVER THE DETAILS RIGHT NOW. CHRISTINA?

CHRISTINA O'ROURKE: THANK YOU, MAYOR, COULD I HAVE THE PRESENTATION, PLEASE. THANK YOU. I AM HERE WITH TOWN MANAGER GREG TANNIS. WHEN THE BAY AREA REGION WAS ALLOCATED AS A WHOLE

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AT 2.3 TIMES, THIS LAST ALLOCATION OF HOUSING CANNOT BE ACCOMMODATED IN THE TOWN OF TIBURON, TOWN IS LOCATED ON STEEP SLOPES IN THE HILLS. AS DEMONSTRATED BY THE HES TOOL THERE ARE NO VACANT PARCELS IN TIBURON THAT WILL MEET HCD'S REQUIREMENTS FOR ADEQUATE SITE SUITABLE FOR LOW-INCOME MULTI-FAMILIES HOUSING FURTHERMORE HCD ZONE RULES QUALIFYING FOR SITE SUITABLE FOR LOW-INCOME HOUSING MAKE IT VIRTUALLY CERTAIN THE TOWN WILL NOT BE ABLE TO IDENTIFY SITES THAT MEET HCD'S SATISFACTION. THERE IS DISCONNECT BETWEEN ABAG'S METHODOLOGY AND REALITIES OF HOUSING ELEMENT CERTIFICATION PROCESS AND THE AVAILABILITY OF LAND. OUR REQUEST IS FOR REDUCTION OF 103 UNITS THAT WOULD STILL LEAVE THE TOWN WITH AN INCREDIBLY HIGH NUMBER OF HOUSING UNITS TO ACCOMMODATE. BUT WE HAVE BASED OUR REQUEST ON THE ACCEPTANCE OF THE APPROVED METHODOLOGY AND A FAIR APPLICATION OF THE SUBCOUNTY GROWTH FACTOR AS I WILL EXPLAIN. MAY I HAVE THE NEXT SLIDE, PLEASE. THE TOWN'S REQUEST IDENTIFIES SEVERAL GROUNDS FOR APPEAL FIRST IS THE RHNA ALLOCATION METHODOLOGY FAILS TO CONSIDER ENVIRONMENTAL CONSTRAINTS AND THE ACTUAL VACANT AND SUITABLE LAND AVAILABLE FOR DEVELOPMENT AND REDEVELOPMENT. THE SECOND IS THAT THE METHODOLOGY FAILS TO CONSIDER WATER SERVICE CAPACITY. AS WE DOCUMENTED IN OUR APPEAL AND AS STAFF DOES NOT DISPUTE THE RHNA ASSIGNED IN THE WATER, DOES NOT MEET THE 2020 WATER MANAGEMENT PLAN BY 32%. THERE IS NO WAY OF KNOWING AT THIS POINT IF THERE WILL BE ENOUGH WATER TO SERVICE THE RHNA

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HOUSING GROWTH. OUR NEXT POINT IS THAT THE METHODOLOGY OVER-ALLOCATES UNITS TO TIBURON BECAUSE IT'S IN A SO-CALLED TRANSIT-RICH AREA WITHOUT TAKING INTO CONSIDERATION THAT THE PRIVATELY OWNED FERRY DOCK IS NOT A FERRY TERMINAL AND THAT THE GOLDEN GATE FERRY PROVIDES LIMITED SERVICE WITH ONLY TWO TRIPS TO SAN FRANCISCO AND BACK EACH DAY SERVING LESS THAN ONE% OF THE GOLDEN GATE FORE RIDERSHIP. THERE IS NO VACANT LAND WITHIN A HALF MILE OF FERRY DOCK AND VIRTUALLY ALL LAND IS SUBJECT TO FLOODING LIQUEFACTION AND SEA LEVEL RISE. NEXT SLIDE THE ALLOCATION IS UNFAIRLY APPLIED TO TIBURON AND METHODOLOGY THAT IS ACTUALLY DESCRIBED IN THE DRAFT PLAN. THE METHODOLOGY FIRST BASELINE ALLOCATION FROM THE DRAFT RHNA PLAN, THE "JURISDICTION'S SHARE OF REGION'S TOTAL HOUSEHOLDS IN THE 2050 FINAL BLUEPRINT BASELINE ALLOCATION IS MODIFIED BY THREE FACTORS SUBJECTED TO THE EQUITY ADJUSTMENT THE CITY TAKES ISSUE WITH THE BASELINE ALLOCATION NOT FACTORS OF EQUITY ADJUSTMENT AND DUE TO THE INCOMPLETE INFORMATION THAT WAS PRESENTED IN THE DRAFT RHNA PLAN WE WERE FORCED TO DO MATH AS DETAILED IN OUR APPEAL WE HAD TO DETERMINE THE ACTUAL BASELINE ALLOCATION WORKING THE EQUATION BACKWARDS WE DETERMINED THAT TIBURON WOULD HAVE TO HAVE 50498 HOUSEHOLD IN 2050 WHICH IS A 40% INCREASE OVER THE 2015 LEVEL AND CLEARLY ONE THAT CANNOT BE ACCOMMODATED. THE PROBLEM IS THERE ARE NO GROWTH RATES ASSIGNED TO INDIVIDUAL JURISDICTIONS IN THE FINAL GROWTH BLUEPRINT PATTERN THERE IS ONLY GROWTH RATES FOR COUNTY AND

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SUBCOUNTY AREAS AND SUBCOUNTY AREA FOR SOUTH MARIN WHICH IS WHERE TIBURON IS LOCATED IS 21%." AS WE DETAILED IN OUR APPEAL, THE IMPLIED HOUSING HOUSEHOLD GROWTH RATES FOR OTHER JURISDICTIONS ALL OVER THE BOARD FROM 57% TO CORTE MADERA ABAG HAS PROVIDED NO TRANSPARENT METHODOLOGY OR DATA FOR HOW THE GROWTH RATES WERE DETERMINED IN ORDER TO BE CONSISTENT WITH THE RHNA METHODOLOGIES DESCRIBED IN THE DRAFT PLAN AND THE GROWTH RATE IDENTIFIED IN THE FINAL BLUEPRINT THE 21% GROWTH RATE SHOULD BE APPLIED IN ALL OF THE JURISDICTION WHICH IS WHAT WE HAVE DONE, WE HAVE RECALCULATED OUR RHNA AND WHY WE'RE REQUESTING A REDUCTION OF 103 UNITS. THANK YOU FOR YOUR TIME. THAT CONCLUDES OUR PRESENTATION

JESSE ARREGUIN, PRESIDENT: I'LL ASK STAFF TO PRESENT ON THE APPEAL FROM THE TOWN OF TIBURON.

GILLIAN ADAMS: THANK YOU. IF WE COULD PULL UP THE SLIDES. THANK YOU. NEXT SLIDE PLEASE. THE TOWN OF TIBURON IS REQUESTING A REDUCTION OF 103 UNITS WHICH IS A REDUCTION OF 16% FROM ITS DRAFT ALLOCATION. AND STAFF'S RECOMMENDATION IS TO DENY THE APPEAL. NEXT SLIDE PLEASE. TIBURON ARGUES THAT ABAG MADE AN ERROR IN CALCULATING THE TOWN'S DRAFT ALLOCATION BUT ABAG MTC STAFF'S RESPONSE IS THAT ARE NO ERRORS THE CALCULATION SHOWN IN THE PLAN TO ADJUST FACTOR SCORES FOR ALL JURISDICTIONS TO ENSURE THAT THE METHODOLOGY ALLOCATES 100% OF

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UNIT IN EACH INCOME CATEGORY AS ASSIGNED BY HCD WHEN THE CALCULATIONS INCLUDE THIS STEP THE RESULTS ARE CONSISTENT WITH THE TOWN'S DRAFT ALLOCATION. NEXT SLIDE PLEASE. TIBURON CALCULATED AN IMPLIED GROWTH RATE AND ARGUED THIS GROWTH IS INCONSISTENT WITH THE SOUTH MARIN SUPER DISTRICT'S GROWTH RATE IN THE PLANNED BAY AREA 2050 FINAL BLUEPRINT THE TOWN STATES THERE IS NO PUBLICLY AVAILABLE METHODOLOGY TO DEMONSTRATE HOW INDIVIDUAL JURISDICTION'S BASELINE ALLOCATIONS WERE CALCULATED. HOWEVER AS MENTIONED PREVIOUSLY ALL DATA AND CALCULATIONS FOR THE RHNA METHODOLOGY ARE SHOWN IN THE RHNA PLAN ON HCD'S WEB SITE. STAFF PROVIDED JURISDICTIONS ACCESS TO THE UNDERLYING DATA TO THE 2050 FINAL BLUEPRINT FORECAST AS USED IN THE METHODOLOGY BASED ALLOCATION. JURISDICTION COULD REVIEW THE GROWTH PATTERN IN THE DRAFT BLUEPRINT IN SUMMER OF 2020 AND PRIOR TO ADOPTION OF THE FINAL BLUEPRINT IN JANUARY 2021. ABAG AND MTC STAFF HELD OFFICE HOURS TO DISCUSS THE MODEL AND FORECASTED GROWTH FOR THE URBAN SIM MODEL. STATUTE REQUIRES RHNA TO BE CONSISTENT WITH THE PLAN'S DEVELOPMENT PATTERN IT DOESN'T SPECIFY HOW TO DETERMINE CONSISTENCY. THIS GIVES ABAG DISCRETION TO DEFINE ITS APPROACH. THE GROWTH FORECASTS ARE ADOPTED AT THE COUNTY ASK SUBCOUNTY LEVELS ONLY AND APPROACH USED THROUGHOUT THE RHNA METHODOLOGY DEVELOPMENT PROCESS DEEMS CONSISTENT WITH THE PLAN IF THE EIGHT YEAR RHNA DOES NOT EXCEED THE PLAN'S 35 YEARS HOUSING AT COUNTY AND SUBCOUNTY LEVELS. RHNA IS CONSISTENT WITH PLANNED BAY AREA

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2050 INCLUDING SOUTH MARIN SUPER DISTRICT WHERE TIBURON IS LOCATED. NEXT SLIDE PLEASE. TIBURON ARGUES ARE THE METHODOLOGY DOUBLE COUNTS THE IMPACT OF HIGH-RESOURCE AREAS. JOBS/HOUSING PROGRAM FACTOR ALLOCATION IMPORTANTLY THESE ARGUMENTS CHALLENGE OF THE FINAL RHNA METHODOLOGY THAT WAS ADOPTED BY HCD AND FALLS OUTSIDE OF SCOPE OF THE APPEALS PROCESS. USED AS A RHNA FACTOR PROVIDES A BRIDGE BETWEEN LONG-TERM GROWTH FORECAST IN THE PLAN AND SHORT-TERM FOCUS OF RHNA PRIORITIZING THESE AREAS FOR NEAR-TERM GROWTH DURING THE EIGHT YEAR RHNA PERIOD. THE FINAL BLUEPRINT DESIGNATES A PORTION OF TIBURON AS A TRANSIT-RICH AND HIGH-RESOURCE AREA BASED ON THE TIBURON FERRY TERMINAL WHICH IS A MAJOR TRANSIT STOP BASED ON THE STATE'S DEFINITION LASTLY TO HELP DISTRIBUTE THROUGHOUT THE REGION RHNA FACTORS ARE SCALED SO THAT JURISDICTIONS EVEN WITH LOW SCORES RECEIVE RHNA UNITS FROM EACH FACTOR BECAUSE TIBURON HAS SMALL NUMBER OF JOBS OF ACCESS WITHIN 45 MINUTES IT RECEIVES FEWER UNITS BASED ON THIS RELATIVE FACTOR. THE TOWN INFORMATION DEVELOPED FROM THE HES TOOL DOES NOT HAVE SUFFICIENT LAND AVAILABLE TO ACCOMMODATE ITS RHNA AS STATED PREVIOUSLY THE TOOL WAS NOT USED TO DEVELOP THE APPLICATION. STAFF UNDERSTANDS TIBURON'S CONCERNS ABOUT NATURAL HAZARDS HOUSING ELEMENT LAW GENERALLY DOES NOT AN AREAS AS RISK FROM NATURAL HAZARDS AS A CONSTRAINT TO HOUSING TIBURON DOES NOT PROVIDE EVIDENCE THAT IT IS UNABLE TO CONSIDER AVAILABILITY EVER UNDER UTILIZED LAND OPPORTUNITIES FOR INFILL DEVELOPMENT

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AND INCREASE RESIDENTIAL DENSITY USED TO ACCOMMODATE RHNA AS REQUIRED BY STATUTE. STAFF UNDERSTANDS THE TOWN'S CONCERNS ABOUT DROUGHT HOWEVER THE TOWN'S ARGUMENTS DO NOT MEET THE REQUIREMENTS FOR VALID APPEAL AS THE TOWN HAS NOT DEMONSTRATED IT IS PRECLUDED FROM MEETING ITS RHNA ALLOCATION BECAUSE MUCH A DECISION BY ITS WATER SERVICE PROVIDER. NEXT SLIDE PLEASE. THUS ABAG MTC STAFF RECOMMENDS THE COMMITTEE DENY THE APPEAL FILED BY TIBURON. THANK YOU VERY MUCH.

JESSE ARREGUIN, PRESIDENT: THANK YOU VERY MUCH. I WOULD NOW LIKE TO GIVE TIBURON OPPORTUNITY TO RESPOND TO THE STAFF'S PRESENTATION. IF YOU SO CHOOSE.

SPEAKER: THANK YOU. REGARDING THE FIRST ISSUE WE DIDN'T ARGUE THAT THE STAFF MADE AN ERROR IN THE RHNA CALCULATION BUT THE LACK OF TRANSPARENCY AND HOW IT WAS DETERMINED AND PRESENTED IN THE DRAFT PLAN FORCED US TO GO BACK AND REDO THE NUMBERS AND DETERMINE WHAT THE IMPLIED GROWTH RATE WAS. REGARDING ISSUES 2 AND 3 AGAIN OUR ARGUMENT IS THAT SINCE THE FINAL BLUEPRINT GROWTH PATTERN DOES NOT IDENTIFY GROWTH RATES FOR THE INDIVIDUAL JURISDICTIONS, THAT'S THE SUPER DISTRICT GROWTH RATE IN THIS CASE 21% WHICH SHOULD BE USED FOR ALL THE JURISDICTIONS WITHIN THE SOUTH MARIN DISTRICT. THE WAY STAFF ALLOCATES THE BASELINE NUMBERS OVERWEIGHS TIBURON RHNA BECAUSE IT'S LOCATED IN A SO-CALLED TRANSIT-RICH AREA WITHIN A HIGH-

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RESOURCE AREA SOMETHING THAT'S SUPPOSED TO BE ADDRESSED IN THE APPLICATION FACTORS ON THE BASELINE APPLICATION. CLEARLY THE METHODOLOGY IS DOUBLE COUNTING THE IMPACT OF HIGH-RESOURCE OPPORTUNITIES AREA AND THE TRANSIT ISSUE. FIRST IN BASELINE ALLOCATION AND APPLICATION OF FACTORS. REGARDING ISSUE NUMBER 4 LACK OF AVAILABLE LAND. WE CITED HES DATA IN OUR APPEAL DUE TO LACK OF INFORMATION DUE TO HOW ABAG STAFF IDENTIFIED AVAILABLE SITES. WE AGREE IT'S FLAWED. BUT IT DOES SUPPORT OUR POINT THAT THERE IS LACK OF AVAILABLE AND VACANT UNDERUTILIZED LAND. FINALLY WITH ISSUE NUMBER FIVE, I WOULD STATE OUR APPEAL IS NOT BASED ON THE CURRENT DROUGHT BUT ON THE LACK OF URBAN WATER MANAGEMENT PLAN THAT VERIFIES THERE WILL WON'T BE ENOUGH WATER TO SERVICE THE INCREASE IN HOUSING UNITS IN THE MARIN IMPROVE WATER DISTRICT WHICH INCLUDES TIBURON.

JESSE ARREGUIN, PRESIDENT: I'LL GO TO PUBLIC COMMENT ON THE RHNA APPEAL FOR THE TOWN OF TIBURON. IF YOU WISH TO SPEAK PLEASE RAISE YOUR HAND IF YOU ARE ON THE PLATFORM OR IF YOU ARE PHONING IN PRESS STAR NINE. MR. CASTRO?

CLERK, FRED CASTRO: I SEE RAISED HANDS FROM THE ATTENDEES. LET ME CHECK WITH STAFF TO SEE IF THERE IS ANYONE AT 375 BEALE. THERE WERE POSTED PUBLIC COMMENTS RECEIVED AND THAT WAS POSTED ONLINE AND E-MAILED TO COMMITTEE MEMBERS. AND STAFF CONFIRMS NO MEMBERS OF THE PUBLIC ARE AT 375 BEALE. THANK YOU.

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JESSE ARREGUIN, PRESIDENT: THANK YOU VERY MUCH. IT'S NOW IN ORDER FOR THE COMMITTEE TO DISCUSS THE APPEAL AND I WOULD LIKE TO RECOGNIZE FLIGOR.

NEYSA FLIGOR: THANK YOU. I JUST WANTED TO COMMENT AND THANK STAFF, AND WE HAVE SEEN IT WITH THE OTHER APPEALS AS WELL, WHERE THEY'RE NOT JUST GIVING GENERIC RESPONSES TO THE APPEALS RAISED BY THE DIFFERENT JURISDICTIONS. WHERE EACH APPEAL, THEY HAVE ACTUALLY GONE THROUGH AND CITED SPECIFIC RESPONSES TO THE ARGUMENTS BEING MADE BY THE CITY'S APPEALING. SO I JUST REALLY WANTED TO COMMENT ON THAT. BECAUSE THIS APPEAL, AND A PRIOR APPEAL, YOU KNOW, WOULD GIVE THE IMPRESSION THAT SOMEHOW THAT STAFF IS NOT ACTUALLY DEMONSTRATING WHY THEY'RE RECOMMENDING THAT WE DENY THE APPEAL AND FOR THOSE REASONS I WILL BE SUPPORTING STAFF'S RECOMMENDATION TO DENY THIS APPEAL. THANK YOU.

JESSE ARREGUIN, PRESIDENT: THANK YOU. MAYOR HUDSON?

DAVID E. HUDSON: YEAH. I PROMISED I WASN'T GOING TO SPEAK AT EVERY ONE OF THESE AND I'M BREAKING MY OWN PROMISE. I -- ONE OF THE THINGS THAT MADE THIS VERY DIFFICULT IS, FROM THE MINUTE YOU PUT ME ON THIS COMMITTEE, I STARTED QUESTIONING GILLIAN AND OTHERS ABOUT GETTING INFORMATION. THE MORE

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INFORMATION I GOT, THE EASIER IT WAS TO SEE WHAT YOUR JOB WAS, IT'S VERY CONSTRAINED. AND I HEARD SOMETHING THAT I WANT TIBURON TO KNOW THAT YOU PROBABLY DIDN'T WANT TO SAY THIS, STATUTORY REQUIREMENT FOR AN APPEAL, BASIS NUMBER TWO, CONSISTENT WITH METHODOLOGY, FURTHERS RHNA OBJECTIVES. A VALID APPEAL MUST SHOW AN ERROR IN THE APPLICATION OF THE METHODOLOGY, A CRITIQUE ABOUT THE METHODOLOGY ITSELF IS OUTSIDE THE SCOPE OF THE APPEAL PROCESS. AND WHAT I JUST HEARD WAS, THEY DIDN'T DO THE MATH WRONG. AND THAT, BASICALLY, IS WHAT PART OF THE APPEAL S IF YOU HAVE TO SHOW WHERE THE MATH IS WRONG. AND WE HAVEN'T SEEN THAT. I MEAN, I HAVE HEARD SOME OF THE BEST APPEALS IN THE FOUR DAYS THAT WE HAVE DONE THIS, BUT NONE OF THEM ARE FOCUSING ON WHAT WE CAN LOOK AT AS AN APPEAL. APPARENTLY -- WELL, I'M GOING TO LEAVE IT AT THAT. I'M GOING TO VOTE TO DENY FOR THAT VERY REASON THAT THERE HAS BEEN NOTHING SHOWN FOR THE REASONING THAT THE METHODOLOGY WAS DONE, OR THE APPLICATION WAS DONE WRONG.

JESSE ARREGUIN, PRESIDENT: OKAY. THANK YOU. ANY OTHER QUESTIONS OR COMMENTS FROM THE MEMBERS OF THE ADMINISTRATIVE COMMITTEE? IF NOT, IS THERE A MOTION TO TAKE A PRELIMINARY ACTION OF ANY KIND?

CARLOS ROMERO: I WOULD LIKE TO MAKE THE MOTION TO TAKE THE PRELIMINARY ACTION THAT WE DENY THE APPEAL.

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JESSE ARREGUIN, PRESIDENT: IS THERE A SECOND?

OTTO LEE: I'LL SECOND.

JESSE ARREGUIN, PRESIDENT: SECOND BY SUPERVISOR LEE. THANK YOU. ANY COMMENTS OR QUESTIONS? MAYOR EKLUND?

PAT ECKLUND: I WANT TO ASK A QUESTION OF STAFF, IF THE MARIN IMPROVE WATER DISTRICT PROHIBITS NEW WATER HOOK UPS, THAT'S WITHIN -- WELL, LET'S SAY, NOT THIS YEAR, BUT, ONCE WE KNOW WHAT THE WINTER IS GOING TO BE LIKE, SO IT WILL BE PROBABLY 2022, AND THE -- THAT PROHIBITION IS FOR AN UNCERTAIN PERIOD OF TIME, WHAT DOES THIS -- WHAT DOES THE JURISDICTION DO IF THAT PERMIT HOOK-UP PROHIBITION CONTINUES TO 2023? WHAT DO THEY DO IN ORDER TO NOT BE PENALIZED? BECAUSE THERE IS A LOT OF PENALTIES, THERE IS MORE LOCAL CONTROL, IF YOU DON'T START DOING SOME OF THIS RHNA STUFF. SO WHAT DOES A JURISDICTION DO? SO, IF THE PROHIBITION CONTINUES TO 2023, CALENDAR YEAR, WHEN THIS RHNA CYCLE STARTS, WHAT CAN A JURISDICTION DO TO PUT A HALT TO THE RHNA?

GILLIAN ADAMS: SO THAT IS NOT SOMETHING THAT IS EXPLAINED IN THE STATUTE. SO, IT, SORT OF, FALLS OUTSIDE OF WHAT IS INCLUDED IN THE HOUSING ELEMENT LAW.

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PAT ECKLUND: SO THEN WE'RE PROBABLY GOING TO NEED STATE LEGISLATION THAT PROVIDES FOR SOME MECHANISM FOR A CITY, OR A JURISDICTION, COULD BE A COUNTY, AS WELL. IT DEPENDS IF THERE IS ONLY ONE WATER DISTRICT. BUT, ANYWAY, SO, I GUESS WE NEED STATE LEGISLATION, CORRECT?

DAVE VAUTIN: I'M HAPPY TO JUMP IN HERE. I THINK, YOU KNOW, AS GILLIAN SAID, IS SAYING, REALLY, AFTER THE END OF THE APPEALS PROCESS, THIS IS GOING TO BECOME A RELATIONSHIP BETWEEN LOCAL JURISDICTIONS AND HCD. AND YOU KNOW, CERTAIN -- I DON'T THINK WE'RE BEST POSITIONED TO COMMENT ON ALL OF THE SPECIFICS HOW HCD IS GOING TO BE ENFORCING OR WHAT, SORT OF, EXCEPTIONS WOULD BE MADE WITH THE LEGISLATION BUT WE WOULD CERTAINLY BE HAPPY TO FACILITATE AND CONNECT OUR LOCAL PARTNERS TO THE LOCAL STATE STAFF PERSONS WHO ARE GOING TO BE REVIEWING HOUSING ELEMENTS.

PAT ECKLUND: I THINK THAT WOULD BE HELPFUL. BUT I ALSO THINK ABAG IS SUPPOSED TO BE PROVIDING SERVICES TO CITIES. SO, IF, YOU KNOW, THERE MAY BE MULTIPLE WATER DISTRICTS THAT MAY BE IN THAT POSITION. BECAUSE, IN NORTHERN MARIN, WE ARE SERVICED BY A SEPARATE WATER DISTRICT, AND OUR SOURCE OF WATER IS DIFFERENT THAN MARIN MUNICIPAL. SO, I THINK THAT ABAG NEEDS TO PLAY SOME, SORT OF, A ROLE. BUT I GUESS WE SHOULD PROBABLY ADD

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THAT TO THE LIST FOR DISCUSSION. BECAUSE OUR JOB, AS I SEE IT, AS A COUNCIL OF GOVERNMENT S TO HELP CITIES. AND, BUT I KNOW THAT THE CITIES ARE CAPABLE OF SEEKING LEGISLATION OURSELVES. THANK YOU VERY MUCH FOR ANSWERING THAT.

JESSE ARREGUIN, PRESIDENT: ANY OTHER QUESTIONS OR COMMENTS? OKAY. IF NOT, THE MOTION IS TO TAKE A PRELIMINARY ACTION TO DENY THE APPEAL. I'LL ASK THE CLERK TO PLEASE CALL THE ROLL

CLERK, FRED CASTRO: THE MOTION WAS BY ROMERO. SECOND BY LEE. [ROLL CALL VOTE] MOTION PASSES TEN AYES, ONE NO, ONE ABSENT.

JESSE ARREGUIN, PRESIDENT: THANK YOU. THAT COMPLETES THIS MATTER. AND THANK YOU TO THE MAYOR AND STAFF FROM TIBURON FOR JOINING US TODAYS, AND THANK YOU FOR YOUR PRESENTATION. THAT COMPLETES THE BUSINESS BEFORE THE COMMITTEE THIS AFTERNOON. UNLESS THERE ARE ANY OTHER COMMENTS? WE CAN ADJOURN?

PAT ECKLUND: MAYOR ARREGUIN?

JESSE ARREGUIN, PRESIDENT: YES?

PAT ECKLUND: SO, OUR SCHEDULE FOR NEXT FRIDAY, IS FOR ALL DAY. GIVEN THE FACT THAT WE HAVE BEEN ABLE TO ACHIEVE THE REVIEW OF

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THESE APPEALS FASTER, IS THERE ANY THOUGHT GIVEN TO POSSIBLY DOING A MODIFICATION OF THE TIME SET-ASIDE?

JESSE ARREGUIN, PRESIDENT: I WOULD HAVE TO CONSULT WITH STAFF ABOUT THAT. I DON'T THINK WE POSTED THE AGENDA YET, BUT WE HAVE PROVIDED -- WE HAVE PROVIDED A NOTICE TO THE APPELLANT JURISDICTIONS THAT WE'RE GOING TO BE HEARING IT THAT DAY. I WILL CONSULT WITH STAFF ABOUT THAT. ALSO KNOW THAT IT'S GOING TO BE A VERY BUSY TWO DAYS, AS WE HAVE A WHOLE DAY OF MEETINGS ON THURSDAY, AND THEN ON FRIDAY, AS WELL. SO, WE SOME JUST BE PREPARED FOR THAT.

PAT ECKLUND: OKAY. I JUST WANTED TO --

JESSE ARREGUIN, PRESIDENT: [INDISCERNIBLE]. I WILL CONSULT WITH STAFF. THANK YOU FOR RAISING THAT. MAYOR HUDSON?

DAVID E. HUDSON: YEAH. I THOUGHT THAT, FRANKLY, THAT WAS A GREAT IDEA, UNTIL I REALIZED WHO WAS ON THE APPEAL, AND IN ALL HONESTY, AND I DIDN'T MEAN THAT TO BE CUTE OR ANYTHING, BUT THINK WHEN YOU REALLY GET INTO SOME OF THE CITIES THAT THE NUMBERS WERE CHANGED, SHALL WE SAY, IN THAT COUNTY, AND THEY WERE PART OF THAT DEBATE WHEN WE WERE TALKING ABOUT OPTION EIGHT, OPTION SIX, OR THEE -- THREE, I WOULD HATE TO GUESS HOW LONG THOSE APPEALS ARE GOING TO TAKE. I WOULD CONSIDER YOU MAY

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HAVE MORE THAN THEE OR FOUR PEOPLE SPEAKING. IN CONSIDERATION OF LOOKING INTO CHANGING I BELIEVE THAT ONE COULD BE A FULL DAY IS WHAT I'M SAYING.

JESSE ARREGUIN, PRESIDENT: AND CERTAINLY THERE IS -- YOU KNOW, IF FOR WHATEVER REASON WE'RE ABLE TO COMPLETE OUR BUSINESS SOONER THAN WAS ANTICIPATED, THEN WE DON'T NEED TO BUDGET THAT REMAINDER OF THE TIME. BUT, NONETHELESS, I WILL SPEAK TO STAFF ABOUT THAT PARTICULAR REQUEST. SO, FOR THE ABAG ADMINISTRATIVE --

DAVID E. HUDSON: SPECIFICALLY YOU'RE NOT TALKING ABOUT MOVING DAY 6 TO 5, ARE YOU?

PAT ECKLUND: NO. JUST CHANGING THE HOURS.

JESSE ARREGUIN, PRESIDENT: OKAY. SO WITH THAT, THE ABAG ADMINISTRATIVE COMMITTEE WILL CONTINUE THIS HEARINGS ON THE RHNA APPEALS TO THE BAY AREA METRO CENTER REMOTELY ON ZOOM FRIDAY OCTOBER 22ND 2021 NINE A.M. TO 5:00 P.M. OR WHATEVER TIME IS DULY NOTICED. AND THIS MEETING IS ADJOURNED. THANK YOU. [ADJOURNED]

<TRANSCRIPT>

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