

1	ASSOCIATION OF BAY AREA GOVERNMENTS
2	ADMINISTRATIVE COMMITTEE
3	FRIDAY, OCTOBER 15, 2021, 1:00 P.M.
4	
5	JESSE ARREGUIN: GOOD AFTERNOON I'M JESSE ARREQUIN MAYOR OF
6	BERKELEY. I WOULD LIKE TO CALL THE ABAG ADMINISTRATIVE MEETING
7	TO ORDER. PLEASE PLAY THE RECORDING. [PLAYBACK OF AUDIO
8	RECORDING] DUE TO COVID-19, THIS MEETING WILL BE CONDUCTED AS
9	A ZOOM WEBINAR PURSUANT TO THE PROVISIONS OF ASSEMBLY BILL 361
10	WHICH SUSPENDS CERTAIN REQUIREMENTS OF THE BROWN ACT. THIS
11	MEETING IS BEING WEBCAST ON THE ABAG WEBSITE. THE CHAIR WILL
12	CALL UPON COMMISSIONERS, PRESENTERS, STAFF, AND OTHER
13	SPEAKERS, BY NAME, AND ASK THAT THEY SPEAK CLEARLY AND STATE
14	THEIR NAMES BEFORE GIVING COMMENTS OR REMARKS. PERSONS
15	PARTICIPATING VIA WEBCAST AND ZOOM, WITH THEIR CAMERAS
16	ENABLED, ARE REMINDED THAT THEIR ACTIVITIES ARE VISIBLE TO
17	VIEWERS. COMMISSIONERS AND MEMBERS OF THE PUBLIC PARTICIPATION
18	BY ZOOM, WISHING TO SPEAK, SHOULD USE THE RAISE HAND FEATURE
19	OR DIAL STAR 9, AND THE CHAIR WILL CALL UPON THEM AT THE
20	APPROPRIATE TIME. TELECONFERENCE ATTENDEES WILL BE CALLED UPON
21	BY THE LAST FOUR DIGITS OF THEIR PHONE NUMBER. IT IS REQUESTED
22	THAT PUBLIC SPEAKERS STATE THEIR NAMES AND ORGANIZATION, BUT,
23	PROVIDING SUCH INFORMATION IS VOLUNTARY. WRITTEN PUBLIC
24	COMMENTS RECEIVED AT INFOATBAYAREAMETRO.GOV BY 5 P.M.,
25	YESTERDAY, WILL BE POSTED TO THE ONLINE AGENDA AND ENTERED



INTO THE RECORD, BUT WILL NOT BE SIDES READ OUT LOUD. IF 1 2 AUTHORS OF THE WRITTEN CORRESPONDENCE WOULD LIKE TO SPEAK, 3 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 4 5 VOTE WILL BE TAKEN FOR ALL ACTION ITEMS. PANELISTS AND ATTENDEES SHOULD NOTE THAT THE CHAT FEATURE IS NOT ACTIVE. IN 6 7 ORDER TO GET THE FULL ZOOM EXPERIENCE, PLEASE MAKE SURE YOUR 8 APPLICATION IS UP TO DATE. 9 JESSE ARREGUIN, PRESIDENT: THANK YOU VERY MUCH. WILL THE ABAG 10 11 CLERK OF THE BOARD CONDUCT ROLL CALL TO CONFIRM QUORUM? 12 CLERK, FRED CASTRO: ARREGUIN? 13 14 JESSE ARREGUIN, PRESIDENT: HERE. 15 16 17 CLERK, FRED CASTRO: EKLUND? 18 PAT ECKLUND: HERE. 19 20 21 CLERK, FRED CASTRO: FLIGOR? 22 23 NEYSA FLIGOR: HERE. 24

25

CLERK, FRED CASTRO: HUDSON?

1	
2	DAVID E. HUDSON: HERE.
3	
4	CLERK, FRED CASTRO: LEE?
5	
6	OTTO LEE: LEE.
7	
8	CLERK, FRED CASTRO: MANDELMAN IS ABSENT.
9	
10	CLERK, FRED CASTRO: MITCHOFF?
11	
12	KAREN MITCHOFF: HERE.
13	
14	CLERK, FRED CASTRO: PERALEZ IS ABSENT. RABBIT?
15	
16	DAVID RABBIT: HERE.
17	
18	CLERK, FRED CASTRO: RAMOS? ABSENT. ROMERO IS ABSENT. WILSON? ^
19	
20	LORI WILSON: ^
21	
22	LOREN TAYLOR: HERE.
23	
24	CLERK, FRED CASTRO: QUORUM IS PRESENT.



JESSE ARREGUIN, PRESIDENT: PUBLIC COMMENT. ANYONE WISHING TO 1 2 SPEAK? MR. CASTRO ANY HANDS RAISED? 3 CLERK, FRED CASTRO: THERE ARE NO MEMBERS OF THE PUBLIC WITH 4 5 THEIR HAND RAISED, AND THERE WAS NO PUBLIC COMMENT SUBMITTED ON THIS ITEM. 6 7 8 JESSE ARREGUIN, PRESIDENT: OKAY. THANK YOU. MOVING TO ITEM THREE, COMMITTEE MEMBER ANNOUNCEMENTS. INFORMATION ITEM. ANY 9 MEMBER ANNOUNCEMENTS FROM THE COMMITTEE? IF SO RAISE YOUR 10 HAND. SEEING NONE. PUBLIC COMMENT ON THIS ITEM? 11 12 CLERK, FRED CASTRO: THERE ARE NO MEMBERS OF THE PUBLIC WITH 13 THEIR HAND RAISED, AND THERE WAS NO PUBLIC COMMENT SUBMITTED 14 15 ON THIS ITEM. 16 JESSE ARREGUIN, PRESIDENT: OKAY. THANK YOU VERY MUCH. SO WE'LL 17 GO TO THE CHAIR'S REPORT. I WANT TO WELCOME EVERYBODY TO THIS 18 RHNA APPEALS HEARING AND I WANT TO SUMMARIZE OUR PROCEDURE. SO 19 PER GOVERNMENT CODE SECTION 65584.058 D ABAG IS REQUIRED TO 20 HOLD A PUBLIC HEARING ON ALL APPEALS FILED THIS IS THE FOURTH 21 DAY OF THE PUBLIC HEARING CONTINUED OVER SIX MEETINGS. IN LATE 22 AUGUST AND SEPTEMBER LEGAL NOTICES WERE PUBLISHED WE WILL HEAR 23 FOUR APPEALS TODAY AND WRITTEN COMMENTS WERE PUBLISHED UNDER 24

AGENDA ITEM SIX AND WE WILL CONSIDER EACH APPEAL SEQUENTIALLY



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

7

10

12

8 PAT ECKLUND: YES, WELL, ACTUALLY, I HAVE A QUESTION OF STAFF.

- 9 IS IT APPROPRIATE FOR ME TO ASK THE QUESTION NOW?
- 11 JESSE ARREGUIN, PRESIDENT: OKAY. SURE.
- 13 PAT ECKLUND: SO, THE QUESTION I HAVE IS, THE APPLICANTS THAT
- 14 WE HAVE SEEN BEFORE, AND ESPECIALLY THE APPLICANT THAT WE'RE
- 15 GOING TO BE HEARING THE APPEALS ON TODAY, ALL OF THEM HAVE
- 16 IDENTIFIED THAT THE -- THAT THEY DO NOT HAVE AVAILABILITY OF
- 17 LAND, SUITABLE FOR DEVELOPMENT OR CONVERSION TO RESIDENTIAL.
- 18 AND THAT'S ONE OF THE ARGUMENTS THAT ARE BEING PRESENTED ON
- 19 WHY THE RHNA ALLOCATION SHOULD BE REDUCED. AND, WHAT IS
- 20 CONSISTENT IN ALL OF THE ABAG REPORT RESPONSES IS THAT, WELL,
- 21 THE APPLICANT DIDN'T DEMONSTRATE THAT. I GREW UP IN MARIN
- 22 COUNTY. I HAVE LIVED HERE FOR OVER 60 YEARS, AND I KNOW THESE
- 23 TOWNS LIKE THE BACK OF MY HAND. AND I KNOW THAT THEY DO NOT
- 24 HAVE THE LAND AVAILABLE FOR THE NUMBER OF UNITS THAT ARE BEING
- 25 ASSIGNED TO THEM. SO, CAN STAFF HELP ME TO UNDERSTAND EXACTLY



WHAT IT IS THAT THESE CITIES THAT NEED TO DEMONSTRATE THAT 1 THEY HAVE NOT PROVIDED IN THEIR APPLICATION? 2 3 JESSE ARREGUIN, PRESIDENT: THANK YOU. 4 5 GILLIAN ADAMS: SORRY --6 7 8 JESSE ARREGUIN, PRESIDENT: NO PROBLEM. I WAS GOING TO ASK WHICH OF STAFF WOULD LIKE TO ANSWER THE QUESTION. THANK YOU 9 10 FOR JUMPING IN. 11 GILLIAN ADAMS: I UNDERSTAND THIS IS A CHALLENGING OUESTION. I 12 THINK ONE OF THE THINGS ABOUT THE RHNA STATUTE IS THAT THERE 13 IS DIRECTION FOR LOCAL JURISDICTIONS TO CONSIDER, AS YOU 14 15 MENTIONED, UNDER UTILIZED LAND AND REZONING OF SITES, BUT 16 THERE -- YOU KNOW -- AND WE HAVE GOTTEN DIRECTION AS YOU HAVE SEEN IN THE COMMENT LETTER FROM HCD, THAT THAT IS THE 17 EXPECTATION OF STAFF. LOCAL JURISDICTIONS NEED TO -- ALTHOUGH 18 THEY MAY CONSIDER THEMSELVES TO BE BUILT OUT, NEED TO CONSIDER 19 ZONING CHANGES. THERE AREN'T REALLY DIRECTION IN THE STATUTE 20 21 ABOUT WHAT, SORT OF, THE EXPECTATIONS ARE FOR LOCAL 22 JURISDICTION IN TERMS OF WHAT THOSE ZONING CHANGES OR

REGULATION CHANGES SHOULD LOOK LIKE.



- 1 PAT ECKLUND: SO, IN ORDER FOR US TO REALLY DO THIS, I GUESS --
- 2 OH OKAY -- WELL, I JUST -- THAT STILL DOESN'T HELP ME TO
- 3 UNDERSTAND WHAT THEY NEED TO DO TO DEMONSTRATE T BUT EVEN IF
- 4 THEY REZONED EXISTING PROPERTY, MOST PEOPLE ARE STILL GOING TO
- 5 LIVE IN THERE SO THEY'RE NOT GOING TO BE ABLE TO ISSUE
- 6 PERMITS. SO, ANYWAY, OKAY, THANK YOU. THIS QUESTION APPLIES TO
- 7 ALL FOUR APPLICANTS THAT WE'RE GOING TO BE HEARING TODAY, AND
- 8 I DIDN'T WANT TO HAVE TO ASK IT FOUR DIFFERENT TIMES,
- 9 ESPECIALLY SINCE ALL FOUR APPLICANTS ARE ONLINE. AND, SO --
- 10 SO, THANK YOU GILLIAN. APPRECIATE IT. THANK YOU CHAIR ARREGUIN
- 11 FOR ALLOWING ME THE OPPORTUNITY TO ASK THAT ONE QUESTION.
- 13 JESSE ARREGUIN, PRESIDENT: OF COURSE. VERY IMPORTANT CONTEXT
- 14 FOR THE HEARINGS WE'RE GOING TO HAVE TODAY. APPRECIATE IT.
- 15 OTHER QUESTIONS ON THE CHAIR'S REPORT. IF SO PLEASE RAISE YOUR
- 16 HAND. SEEING NO RAISED HANDS. MR. CASTRO ANY PUBLIC COMMENT?
- 18 CLERK, FRED CASTRO: THERE ARE NO MEMBERS OF THE PUBLIC WITH
- 19 THEIR HAND RAISED, AND THERE WAS NO PUBLIC COMMENT SUBMITTED
- 20 ON THIS ITEM.
- 22 JESSE ARREGUIN, PRESIDENT: OKAY. GREAT. WE'LL NOW MOVE TO THE
- 23 NEXT ITEM WHICH IS THE EXECUTIVE DIRECTOR'S REPORT. AND, MR.
- 24 PAUL, DO YOU HAVE A REPORT TODAY?

25

12

17



BRAD PAUL: ACTUALLY, ALIX? 1 2 3 ALIX BOCKELMAN: EITHER WAY, NEITHER OF US HAVE A REPORT. 4 JESSE ARREGUIN, PRESIDENT: THAT COMPLETES ITEM 5, THE 5 EXECUTIVE DIRECTOR'S REPORT. ANY COMMENTS. 6 7 8 CLERK, FRED CASTRO: THERE ARE NO MEMBERS OF THE PUBLIC WITH THEIR HAND RAISED, AND THERE WAS NO PUBLIC COMMENT SUBMITTED 9 10 ON THIS ITEM. 11 JESSE ARREGUIN, PRESIDENT: ITEM SIX REGIONAL HOUSING NEEDS 12 ALLOCATION ABAG ADMINISTRATIVE COMMITTEE WILL NOW HEAR FROM 13 JURISDICTION IN RESPONSE TO ISSUES RAISED BY MTC STAFF ABAG 14 JURISDICTIONS WERE LISTED ON THE PUBLIC AGENDA AND THE HEARING 15 16 IS SCHEDULED FOR A SPECIAL MEETING OF THE ABAG ADMINISTRATIVE COMMITTEE OCTOBER 22ND, 2021 AT 9:00 A.M. WITH ADDITIONAL 17 JURISDICTION TO BE HEARD. I WILL CONTINUE THE PUBLIC HEARING 18 REGIONAL ADVISORY WORKING GROUP THE OFFICIAL OPENING OF THE 19 APPEALS HEARING. A CERTIFIED REPORTER IS RECORDING THE 20 21 HEARING. I WANT TO SUMMARIZE THE PROCEED TODAY. INFORMATION WAS PROVIDED TO ALL THE APPELLANTS. EACH HEARING BEGINS WITH A 22 JURISDICTION'S PRESENTATION ON ITS APPEAL AND ARGUMENTS AND 23 INFORMATION PRESENTED BY THE APPLICANT SHOULD BE LIMITED TO 24

WHAT WAS WRITTEN IN THE APPEAL FOLLOWED BY RESPONSE OF ABAG



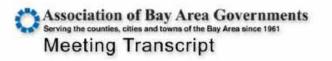
1	MTC STAFF AND THEN THE APPLICANT WILL HAVE OPPORTUNITY TO
2	RESPOND OR REBUT ARGUMENTS MADE BY MTC/ABAG STAFF AT THE
3	CONCLUSION OF THE PRESENTATIONS MEMBERS OF THE PUBLIC WILL
4	HAVE OPPORTUNITY TO COMMENT ON ARGUMENTS PRESENTED BY THE
5	APPEAL AND BASED ON THE APPEAL PROCEDURES ADOPTED BY THE
6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

ROSS, YOU WILL HAVE FIVE MINUTES TO PRESENT. I BELIEVE THAT



PATRICK STREETER WILL BE REPRESENTING THE TOWN OF ROSS, 1 2 CORRECT? 3 PATRICK ROSS: CORRECT. 4 5 JESSE ARREGUIN, PRESIDENT: DO YOU HAVE A POWERPOINT 6 7 PRESENTATION? 8 SPEAKER: WE HAVE A POWERPOINT PRESENTATION. THANK YOU MAYOR 9 10 ARREGUIN AND MEMBERS OF THE COMMITTEE I'M PATRICK STREETER ON THE PLANNING AND BUILDING DIRECTOR FOR THE TOWN OF ROSS. NEXT 11 SLIDE. I WANT TO THANK THE COMMITTEE FOR GIVING EACH APPEAL 12 ITS DUE AND -- IN THIS MATTER IT'S A DAUNTING PROCESS. AND WE 13 APPRECIATE ABAG STAFF FOR CONSIDERING EACH APPEAL FOR ITS 14 15 MERITS AND PREPARING THOUGHTFUL RESPONSES. WE'RE ALL USED TO WORKING ON THE SAME TEAM, SO IT'S A LITTLE FRICTION, AND MORE 16 CHALLENGING. WE ALL WANT THE SAME THING, WE WANT TO CORRECT 17 THE IMBALANCE AND THE POOR ZONING AND DEVELOPMENT THAT'S BEEN 18 EXCLUSIONARY IN CALIFORNIA HISTORY. WE ALL WANT THE SAME 19 THINGS AND ALL TRYING TO DO OUR PART. IN THE TOWN OF ROSS IT'S 20 21 BEEN BROUGHT UP PART OF THE CHALLENGE FOR THE ALLOCATION FOR THE BAY AREA HAS MORE THAN DOUBLED SINCE THE LAST CYCLE. IN 22 ROSS WE ARE A COMMUNITY OF 820 UNITS. OUR ALLOCATION WENT UP 23 600% SO WE'RE ALLOCATED 111 OF THOSE -- 111 NEW UNITS ON TOP 24

OF OUR EXISTING 820. IT'S A FAIRLY BIG PERCENTAGE OF OUR



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

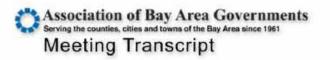


OTHER CONSTRAINTS THAT WERE RAISED AS PART OF THE 1 JURISDICTIONAL SURVEY THAT THERE IS NO INDICATION THAT THEY 2 3 WERE TAKEN INTO CONSIDERATION WHEN THESE ALLOCATIONS WERE MADE. THE PLANNED BAY AREA 2050 DOES INCLUDE A HIGH FIRE 4 5 SEVERITY ZONES THAT IT'S NOT ANTICIPATING HOUSING IN THOSE AREAS. BUT, AS YOU CAN SEE MAPS, PURSUANT TO THE CALIFORNIA 6 PUBLIC UTILITIES COMMISSION MOST OF THE TOWN OF ROSS IS, ABOUT 7 8 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 9 CONSIDERED STEEP SLOPE HAZARDS, AND THEN THE LOWER RIGHT, WE 10 HAVE OUR FEMA FLOOD HAZARD MAP. SO IF YOU'RE NOT IN A STEEP 11 HILLSIDE AREA WHERE MANY OF THE ROADS DON'T MEET EMERGENCY 12 VEHICLE ACCESS STANDARDS YOU'RE IN THE BOTTOM OF THE VALLEY 13 WHERE WE HAVE HIGH FEMA FLOOD RISK, WE HAVE SEVERAL PROPERTY 14 15 IN THAT AREA THAT HAVE SUFFERED REPETITIVE FLOOD LOSS. 16 17 CLERK, FRED CASTRO: ONE MINUTE. 18 SPEAKER: IT'S LIKELY THAT EVEN IF THERE WERE A DISASTER AND 19 THESE UNITS WERE DESTROYED THEY WOULDN'T ALLOWING TO REBUILT 20 21 THAT WAS INCLUDED IN OUR SURVEY THAT WE PROVIDED. IF I HAD A COOL TV GRAPHIC SOFTWARE THAT I COULD OVERLAP ALL THESE MAPS 22 IT WOULD BE ESTIMATED THAT BASICALLY THE ENTIRETY OF THE TOWN 23 IS UNDEVELOPABLE. NEXT SLIDE PLEASE. AND MAYOR EKLUND BROUGHT 24

UP EARLIER, SO WHAT DO TOWNS NEED TO DO TO DEMONSTRATE -- THEY

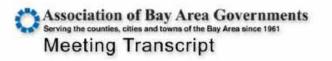


HAVE THOUGHT ABOUT THIS, WE'RE TRYING TO AVOID THE HIGH HAZARD 1 AREAS WE COULD CONSIDER UPZONING OUR UNDER DEVELOPED PARCELS 2 3 AND ALLOWING MIXED USE IN OUR COMMERCIAL DISTRICTS TOWNS ARE ALREADY DOING THAT OUR MODEST LESS THAN TWO ACRE COMMERCIAL 4 5 DISTRICT IS ALREADY ALLOWED FOR MIXED USE DEVELOPMENT WE TOOK OUR ART GARDEN CENTER WHICH IS PRIVATELY OPERATED OPEN SPACE 6 AND ALLOWED BY RIGHT MIXED USE THERE, WE ARE ALREADY LOOKING 7 8 AT WHERE WE CAN PUT HOUSING AND THAT'S BEEN PART OF OUR PREVIOUS HOUSING ELEMENT PLAN. TOUCHING ON THE PREVIOUS 9 JOBS/HOUSING BALANCE BROUGHT UP BY OTHER COMMUNITIES ROSS IS 10 UNIQUE IF YOU WERE TO LOOK FROM 10,000 FEET UP IT LOOKS LIKE 11 THERE IS EASY CONNECTIONS FROM DIFFERENT AREAS REALISTICALLY 12 FROM FAIRFAX ROSS AND SAN ANSELMO WE'RE ON A ONE LANE EACH WAY 13 ARTICLE TELLER ROAD IT'S NOT EASY CONNECTIONS BETWEEN THESE 14 DIFFERENT AREAS. WE'RE NOT APPEALING DOING OUR PART FOR THE 15 16 HOUSING ALLOCATION. WE'RE ONLY REQUESTING REDUCTION SO WE CAN HAVE A FEASIBLE AMOUNT OF HOUSING THAT WE PLAN FOR IN THE 17 FUTURE. AND THAT CONCLUDES THE PRESENTATION. THANK YOU. 18 19 JESSE ARREGUIN, PRESIDENT: THANK YOU VERY MUCH. THERE WILL BE 20 21 OPPORTUNITY TO RESPOND TO THE STAFF PRESENTATION AFTER WE HEAR FROM ABAG MTC STAFF. SO, WE'LL NEXT HEAR FROM ABAG MTC STAFF 22 ON THE RESPONSE TO THE TOWN OF ROSS'S APPEAL. AND YOU WILL 23 HAVE FIVE MINUTES. 24



ELI KAPLAN: THANK YOU. 1 2 3 JESSE ARREGUIN, PRESIDENT: STAFF CAN PULL UP THE PRESENTATION. 4 5 ELI KAPLAN: GOOD AFTERNOON I'M ELI K POLICY ANALYST FOR ABAG MTC ROSS IS REQUESTING REDUCTION OF 59 UNITS REDUCTION OF 53% 6 FROM ITS ALLOCATION STAFF'S RESPONSE IS TO DENY THE APPEAL. 7 8 NEXT SLIDE PLEASE. THE TOWN OF ROSS ARGUES THAT THE RHNA METHODOLOGY DOES NOT CONSIDER HOW NATURAL HAZARDS OR THE 9 AMOUNT OF VACANT LAND IN A JURISDICTION AFFECT THE 10 AVAILABILITY OF DEVELOPABLE LAND BUT THE RHNA METHODOLOGY DOES 11 CONSIDER THE DEVELOPMENT CONSTRAINED IN THIS APPEAL BY 12 INCORPORATING DATA FROM THE PLANNED BAY AREA 2050 BLUEPRINT AS 13 THE BASELINE ALLOCATION. STRENGTH OF THE LAND USE MODEL BY THE 14 15 FINAL BLUEPRINT ACCESSES FEASIBILITY INCLUDING HIGHER COST OF 16 BUILDING ON PARCELS WITH PHYSICAL CONSTRAINTS LIKE STEEP SLOPES OR HILLSIDES FINAL BLUEPRINT EXCLUDES AREAS WITH 17 UNMITIGATED HIGH HAZARD RISK RELATED TO SEA LEVEL RISE AND 18 WILDFIRES IN GROWTH GEOGRAPHIES. ALTHOUGH STAFF UNDERSTANDS 19 ROSS'S CONCERNS ABOUT NATURAL HAZARDS WITH ONLY A SMALL 20 21 EXCEPTION HOUSING ELEMENT LAW DOES NOT IDENTIFY AREAS AT RISK FROM HAZARDS AS A CONSTRAINT TO HOUSING. WHILE THERE MAY BE 22 AREAS AT RISK OF FLOODING IN ROSS THE TOWN HAS NOT PROVIDED 23 EVIDENCE ITS FLOOD MANAGEMENT INFRASTRUCTURE IS NOT ADEQUATE 24

TO AVOID THE RISK OF FLOODING AS REQUIRED BY STATUTE.



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



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



JESSE ARREGUIN, PRESIDENT: THANK YOU. WOULD LIKE TO GIVE THE 1 TOWN OF ROSS OPPORTUNITY TO RESPOND TO THE PRESENTATION. IF 2 3 YOU WOULD LIKE. AND YOU WILL HAVE THREE MINUTES. 4 5 PATRICK STREETER: THANK YOU. WE ACKNOWLEDGE THAT THE FACT THAT MUCH OF THIS METHODOLOGY IS IN PLACE AND REGIONALLY IT DOES 6 MAKE SENSE. OUR ONLY ARGUMENT IS THAT THERE ARE CERTAIN 7 8 CONSTRAINTS ON THE PROPERTY THAT -- OR ON THE TOWN, THAT WERE NOT TAKEN INTO CONSIDERATION. THE STAFF'S REBUTTAL IS THAT WE 9 HAVEN'T DEMONSTRATED THAT WE CAN'T FIND LOCATIONS FOR ALL OF 10 THESE OPPORTUNITY INS, PROVIDING THE FEMA FLOOD MAPS THAT SAY 11 THAT, THAT THEY CAN'T BEING LOCATED THERE PROVIDING THE FIRE 12 HAZARD MAPS SAYING THEY CAN'T BE LOCATED THERE DEMONSTRATING 13 WHERE WE HAVE ALREADY REZONED FOR HIGHER DENSITY DEVELOPMENT I 14 THINK THAT'S THE BIGGEST DEMONSTRATION THAT WE CAN DO. 15 16 INITIALLY, WE HAVE ADOPTED AGGRESSIVE ADU PROMOTION IN THE TOWN BEYOND WHAT STATE MINIMUMS REQUIRE INCLUDING INCENTIVES 17 FOR PROVIDING AFFORDABILITY. WE DON'T DISPUTE THE FACT THAT 18 THE PROPORTION OF AFFORDABLE UNITS SHOULD BE HIGHER FOR ROSS 19 AND WE WOULD LIKE TO SEE THAT HAPPEN SO WE'RE FINE WITH THE 20 PROPORTION OF AFFORDABILITY THAT'S BEEN ASSIGNED TO US, IT'S 21 JUST THE VOLUME OF UNITS, THE ALLOCATION WE'RE REQUESTING THAT 22 VOLUME BE REDUCED TO SOMETHING THAT'S FEASIBLE THAT WE CAN 23 ACTUALLY ACCOMPLISH THE UNITS WOULD THEN BE DISTRIBUTED IN 24

ACCORDANCE WITH THE BLUEPRINT SO WE WOULDN'T BE GOING AGAINST



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

4

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

9

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

11

- 12 SPEAKER: MY NAME IS AARON ECKHOUSE REGIONAL POLICY MANAGER
- 13 WITH CALIFORNIA YIMBY. I WAS INTERESTED TO HEAR THE TOWN OF
- 14 ROSS INDICATE THEY HAVE ALLOWED MIXED USE IN THERE COMMERCIAL
- 15 DISTRICTS. I LOOKED UP THE DATA THEIR MIXED USE COMMERCIAL
- 16 ZONE HAS A HEIGHT LIMIT OF TWO STORIES, CONTINUING TO PERUSE
- 17 THE ZONING CODE, I SEE IN THE R ONE ZONES THERE ARE MINIMUM OF
- 18 65% OF THE DEBT OF A MINIMUM LOT STANDARD THAT WOULD BE
- 19 REOUIRED FOR FRONT AND BACKYARDS AND 60% OF THE WIDTH
- 20 DIMENSION THAT WOULD BE REQUIRED FOR SIDE YARDS. AGAIN I DON'T
- 21 THINK ROSS HAS EXHAUSTED ITS CAPACITY TO PROMOTE INFILL
- 22 DEVELOPMENT WHEN THE STANDARDS IN THOSE ZONINGS ARE
- 23 RESTRICTED.

24

25 JESSE ARREGUIN, PRESIDENT: WE HAVE ANOTHER RAISED HANDS.



1 CLERK, FRED CASTRO: YES, SIR. JEN L, GO AHEAD, PLEASE. 2 3 SPEAKER: HI. MY NAME IS JEN LARSEN, AND I AM FROM ROSS. I 4 5 THOUGHT IT WAS REALLY INTERESTING READING THROUGH THE LETTERS FROM THE PEOPLE THAT SUPPORTED THIS MEASURE. ONE WAS A COUPLE 6 IN NEW YORK THAT SAID THEY MOVED TO SAUSALITO. I FIND IT 7 8 INTERESTING THAT PEOPLE THAT MOVE FROM DENSE CITIES FROM NO CONTEST TO SAUSALITO WOULD BE ADVOCATING FOR MORE DENSITY. 9 THERE IS A PLACE FOR EVERYONE THAT SUITS THEM WHEN TALKING 10 ABOUT ADDING DENSITY WHERE IT'S GOING TO IMPACT PEOPLE'S 11 SAFETY, HEALTH, AND WELL-BEING, SHOULD BE A NON-STARTER. THEY 12 DO NOT LOOK PAST 40 OR 50 YEARS OUT. IS THE PLAN TO CONTINUE 13 TO BUILD IN ROSS SO IT LOOKS LIKE NEW YORK? BECAUSE THAT'S 14 WHAT YOU'RE ASKING FOR. ON THE RHNA APPEAL THAT ROSS 15 16 SUBMITTED, ABAG, ITSELF, HAD A CHECKLIST WHETHER SAFETY, HEALTH, WATER DROUGHT WERE ISSUES AND ROSS CHECKED ALL OF THE 17 BOXES AND NOW ABAG IS COMING BACK SAYING THESE AREN'T A 18 LEGITIMATE CONCERN. YOU HAVE TO TAKE EVERYTHING INTO ACCOUNT. 19 PEOPLE ARE GOING TO NUMBER A SITUATION LIKE PARADISE 20 21 CALIFORNIA ONCE YOU START ALLOWING HUGE DEVELOPMENT IN PLACES THAT ARE FIRE ZONES. PLEASE, NOT ONLY FOR ROSS, BUT ROLL BACK 22 THE UNIT REQUIREMENT FOR ALL OF MARIN COUNTY. 23

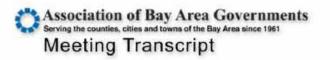


CLERK, FRED CASTRO: THANK YOU. THERE ARE NO OTHER MEMBERS OF 1 THE ATTENDEES THAT HAVE THEIR HAND RAISED. NO MEMBERS AT 375 2 BEALE, THERE WERE COMMENTS RECEIVED AND THOSE HAVE BEEN POSTED 3 ONLINE AND ADMITTED INTO THE RECORD. 4 5 JESSE ARREGUIN, PRESIDENT: THANK YOU. WE WILL TAKE COMMITTEE 6 DISCUSSION ON THE APPEAL. MAYOR EKLUND? 7 8 PAT ECKLUND: THANK YOU VERY MUCH MAYOR ARREGUIN. ON PAGE SHE, 9 OR SLIDE THREE OF ABAG'S RESPONSE, IT STATES, IF YOU COULD PUT 10 IT UP ON THE SCREEN SO EVERYBODY CAN SEE IT, IS THAT ROSS HAS 11 NOT PROVIDED EVIDENCE. IT CANNOT ACCOMMODATE THE RHNA 12 ALLOCATION DUE TO DETERMINATION BY FEMA OR THE DEPARTMENT OF 13 WATER RESOURCES THAT FLOOD MANAGEMENT INFRASTRUCTURE IS 14 15 INADEQUATE TO AVOID RISK OF FLOODING. SO, I THOUGHT THAT THE 16 APPLICATION DID ADDRESS THAT. CAN YOU HELP ME TO UNDERSTAND WHAT ELSE THEY NEEDED TO SUBMIT TO BE ABLE TO INDICATE THAT 17 THE INFRASTRUCTURE IS NOT THERE TO PROTECT THEM FROM THE RISE 18 OF, ESPECIALLY IN THE CREEK THAT GOES THROUGH ROSS? 19 20 GILLIAN ADAMS: AGAIN, BASED ON WHAT'S IN THE STATUTORY 21 LANGUAGE, WHAT IT SAYS IS WHAT WE MENTIONED ON THE SLIDE ABOUT 22 A DESIGNATION THAT, BY FEMA OR THE DEPARTMENT OF WATER 23

RESOURCES THAT THE INFRASTRUCTURE IS NOT SUFFICIENT TO PROTECT

THE AREA FROM FLOODING. THAT DOES NOT -- THAT'S A DIFFERENT

24



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

5

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

10

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

13

14 PAT ECKLUND: OKAY. THANK YOU.

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



1 DAVID E. HUDSON: ACTUALLY, TO A POINT OF CLARIFICATION, ARE 2 3 YOU TALKING ABOUT THE WATERWAY LEAVING PHOENIX DAM, OR THE CONCRETE CREEK RUNNING THROUGH ROSS? 4 5 PAT ECKLUND: I AM NOT -- I THINK THERE IS CONCRETE GOING 6 THROUGH [INDISCERNIBLE] BUT I DO NOT THINK THE CREEK IS 7 8 CONCRETE ALL THE WAY THROUGH ROSS. I DON'T KNOW. 9 10 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 11 HANDLES WATER VERY WELL AND I DON'T THINK THAT'S WHERE THE 12 PLANNER WAS GOING WITH IT ANYWAY. I THINK THE BIGGER PROBLEM 13 IS WITH ROSS AND WE'RE GOING TO GET IT ON THE OTHER THREE 14 APPEALS TOO WHICH IS WHY I WANTED TO COMMEND YOU PAT FOR 15 16 JUMPING ON THIS AT THE VERY BEGINNING THAT'S THE SCOPE WE LOOK AT ONCE METHODOLOGY HAS TAKEN. AND ONCE THE METHODOLOGY IS 17 TAKING WE'RE GOING TO BE CONFINED FOR ALL OF THESE CITIES THAT 18 SAY THE RHNA DOESN'T MAKE SENSE FOR VEHICLE MILES TRAVELED. 19 ROSS, LIKE A LOT OF CITIES WE'RE GOING TO HEAR TODAY IS CLOSE 20 TO THE -- I WANT TO SAY WETA, THAT'S NOT IT. THE FERRIES ARE 21 BROUGHT UP. ONCE THE METHODOLOGY IS ESTABLISHED THEN EVERYBODY 22 THAT IS CLOSE TO JOBS AND THAT'S THAT STATEMENT IMPROVED 23 INTER-REGIONAL RELATIONSHIP BETWEEN JOBS AND HOUSING IS GOING 24

TO FIND IT'S NOT WHAT THAT I THINK IT IS. IT'S NOT



JURISDICTION. MARIN COUNTY IS SUPPLYING JOBS IN SAN FRANCISCO. 1 AND, UNFORTUNATELY, THAT'S GOING TO BE ONE OF THE THINGS WE'RE 2 GOING HAVE TO TAKE A LOOK AT WHEN WE SAY WE'RE GOING TO DENY 3 AN APPEAL. AND I DON'T KNOW HOW I CAN UPHOLD AN APPEAL WHEN 4 5 YOU HAVE THAT JOBS/HOUSING BALANCE GRAPH THAT I WAS HOPING WE WOULD GET TO LOOK AT THAT SHOWS SAN MATEO, SANTA CLARA, AND 6 SAN FRANCISCO, SO WAY OUT OF WHACK. I MEAN, I'M SYMPATHETIC. 7 8 I USED TO RUN THROUGH THERE EVERY WEDNESDAY NIGHT WITH ULTRA MARIN AND I THOUGHT THE TOWN WAS BUILT OUT, WELL I THOUGHT 9 10 CLAYTON WAS TOO, AND DANVILLE COULD MAKE AN ARGUMENT BUT THE RESPONSIBILITY THAT THIS METHODOLOGY POSSESSIONS ON ALL 101 11 CITIES IS REAL AND I THINK STAFF IS RIGHT ON THIS ONE I'M 12 GOING SUPPORT DENYING THE APPEAL. 13 14 15 PAT ECKLUND: MAYOR, ARREGUIN, I HAVE A RESPONSE. 16 JESSE ARREGUIN, PRESIDENT: YES, MAYOR EKLUND. 17 18 PAT ECKLUND: YES. I HAVE A RESPONSE TO MAYOR HUDSON IS THAT, 19 20 IN FACT, ELISE, WHO IS A PLANNER IN THE TOWN OF SAN ANSELMO, 21 WHO WILL BE SPEAKING ON THEIR APPEAL, SHE AND I REPRESENTED MARIN COUNTY ON THE METHODOLOGY COMMITTEE, AND WE DID RAISE 22 THE ISSUES OF THE HAZARDS, NOT ONLY OF FIRE, FLOODING, AND 23 CLIMATE CHANGE, AND UNFORTUNATELY THAT WAS NOT WELL RECEIVED 24 BY THE ENTIRE COMMITTEE. I HAVE A QUESTION FOR ROSS ON SLIDE



THREE, THEY HAVE NOT INDICATE THAT THEY ARE NOT ABLE TO 1 2 CONSIDER UNDERUTILIZATION OF EXISTING SITES, INCREASED 3 DENSITIES, ACCESSORY DWELLING UNITS AND OTHER PLANNING TOOLS TO ACCOMMODATE ITS ASSIGNED NEEDS. IT WAS MY UNDERSTANDING 4 5 THAT YOU HAVE MADE SOME OF THOSE CHANGES ALREADY. BUT YOU CAN HELP ME TO UNDERSTAND WHETHER OR NOT YOU PROVIDED ADDITIONAL 6 EVIDENCE? EVIDENCE THAT THE STAFF WAS INDICATING THAT THEY 7 8 NEEDED TO SEE, IN ORDER TO CONSIDER THIS APPEAL? 9 PATRICK STREETER: MAYOR EKLUND, THE PURPOSE OF THIS 10 PRESENTATION WAS AN ATTEMPT TO PROVIDE THAT EVIDENCE BECAUSE 11 IT WAS IN RESPONSE TO THE STAFF RESPONSE TO THE APPEAL 12 WRITTEN. WE TRIED TO DEMONSTRATE IN THIS PRESENTATION THAT WE 13 HAD CONSIDERED THOSE OTHER METHODS OF INCREASING OUR ABLE TO 14 15 ACCOMMODATE HOUSING. AND WE'RE NOT SAYING THAT WE COULDN'T 16 ACCOMMODATE ANY MORE HOUSING. WE JUST SAYING THAT EVEN WITH THESE STRATEGIES IN PLACE, THERE IS A LIMIT TO HOW MUCH 17 HOUSING WE CAN SUPPORT AND THAT'S WHY WE'RE ASKING FOR THAT 18 REDUCTION. 19 20 PAT ECKLUND: SO IF THE APPLICANT DID ATTEMPT TO ANSWER THAT 21 QUESTION, WHAT ELSE DOES THE TOWN NEED TO PROVIDE FOR ABAG TO 22 UNDERSTAND THAT THEY CANNOT ACCOMMODATE THE NUMBER OF THE 23 UNITS THAT WERE ASSIGNED WITH THIS FACTOR? I MEAN, THEY ARE 24 25 GOING TO, I BELIEVE, LOOK AT REZONING EXISTING SITES, BUT THAT



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

4

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

7

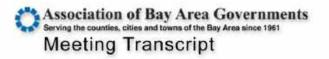
8 PAT ECKLUND: YES. I'M SORRY.

9

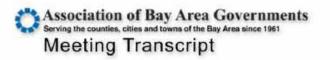
- 10 GILLIAN ADAMS: SO, I WANT TO ACKNOWLEDGE THAT WE'RE NOT SAYING
- 11 THAT THE TOWN HASN'T MADE ANY EFFORTS OR THAT THEY HAVEN'T
- 12 TRIED. I THINK THE POINT IS A COUPLE OF THINGS. ONE IS, I
- 13 THINK IT'S UNDERSTANDABLE THAT STAFF SEES HAZARD CONSTRAINTS,
- 14 AS A CONSTRAINT TO DEVELOPMENT. HOWEVER,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

24

25 PAT ECKLUND: THANK YOU.



1 2 JESSE ARREGUIN, PRESIDENT: I'LL ASK IS THERE A MOTION AND 3 SECOND FOR THIS APPEAL? 4 5 DAVID E. HUDSON: I'LL MAKE A MOTION TO DENY THE APPEAL. 6 7 SPEAKER: SECOND. 8 JESSE ARREGUIN, PRESIDENT: WE HAVE A MOTION AND SECOND TO DENY 9 10 THE APPEAL TO THE TOWN OF ROSS. ANY QUESTIONS? 11 CLERK, FRED CASTRO: YES --12 13 JESSE ARREGUIN, PRESIDENT: SUPERVISOR RABBIT, FIRST, PLEASE. 14 15 16 DAVID RABBIT: THANK YOU CHAIR ARREGUIN. AS A SUPERVISOR IN 17 SONOMA COUNTY AND SOMEONE WHO IS FAMILIAR WITH ROSS, I HAVE DESIGNED A FEW HOMES THERE, IN UNDERSTANDING THE HAZARDS 18 SITUATION, IF THERE WERE NO EXISTING HOMES BUILT IN THOSE HIGH 19 HAZARD AREAS BE IT FLOOD, FIRE, OR SLOPE, THOSE SITES WOULD 20 NOT BE INCLUDED AND IT'S ONLY BECAUSE THEY'RE ALL RIGHT BUILT 21 UPON THAT INCLUDED TO REQUIRE ADDITIONAL UNITS I'M JUST 22 CURIOUS. BECAUSE THE BIG DEBATE WAS THE 7,000 STRUCTURES DO WE 23 ALLOW THOSE HOMES TO BE BUILT BACK IN THOSE AREAS OR PUT THEM 24 ELSEWHERE.



1 2 GILLIAN ADAMS: THERE IS NO DISTINCTION BETWEEN THE HAZARD 3 AREAS THAT HAVE GROWTH AND OTHERS THAT DON'T. THE STATUTE WITH THE EXCEPTION OF THIS ONE MENTION FLOODING AREAS WHERE FEMA OR 4 5 THE DEPARTMENT OF WATER RESOURCES HAS INDICATED MADE A DECLARATION THAT FLOOD INFRASTRUCTURE IS INSUFFICIENT IS THE 6 ONLY PLACE THAT HAS ACKNOWLEDGED CONSTRAINT TO HOUSING FOR 7 8 NATURAL HAZARDS. 9 DAVID RABBIT: HYPOTHETICALLY IF WE DID HAVE A SEVEN YEAR 10 MORATORIUM ON WATER HOOK UPS, IN AN INDEPENDENT DISTRICT, AND 11 FOR A RECESSION OR ECONOMIC DOWNTURN OR HIGH PERIODS OF 12 INTEREST RATES WHERE HOUSING WAS ESSENTIALLY KIND OF STOPPED 13 IN ITS TRACKS, IT DOESN'T MEAN THAT THE EIGHT YEAR CYCLE IS --14 15 NEEDS TO -- THE EIGHT YEAR CYCLE STILL NEEDS TO BE FULFILLED, 16 CORRECT, BY ALL JURISDICTIONS? 17 GILLIAN ADAMS: SO, CERTAINLY, IF IT'S FINANCIAL, OR THAT KIND 18 OF SITUATION, THAT'S, AGAIN, NOT ACKNOWLEDGED IN HOUSING 19 ELEMENT LAW, I THINK THERE IS A DISTINCTION CONSIDERED FOR A 20 21 DECISION MADE BY A WATER SERVICE PROVIDER THAT IS NOT THE LOCAL JUNCTION THAT PRECLUDES THE JURISDICTION FROM 22 ACCOMMODATING ITS RHNA. ASSOCIATION AGAIN, IF -- I DON'T 23 REALLY WANT TO GET INTO HYPOTHETICALS. BUT IF THERE WAS THAT 24 KIND OF DECISION THAT MIGHT AFFECT THE EIGHT YEAR RHNA PERIOD 25



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

9

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

16

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

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



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

3

4 JESSE ARREGUIN, PRESIDENT: MAYOR EKLUND.

5

- 6 PAT ECKLUND: THANK YOU VERY MUCH. I WANT TO ADD, TOO, THAT
- 7 WITH THE FIRE RISK, THE CITIES ARE BEING TREATED DIFFERENTLY
- 8 THAN THE COUNTIES, AND WE TALKED ABOUT THIS AT THE LAST
- 9 MEETING IS THAT THE CITIES ARE ONLY BEING CONSIDERED FOR THE
- 10 VERY HIGH FIRE RISK, WHERE THE COUNTIES ARE ALLOWED TO INCLUDE
- 11 THE VERY HIGH AND THE HIGH FIRE RISK, AND I BELIEVE THAT THAT
- 12 IS NOT A FAIR ASSESSMENT. BECAUSE, IN MY OPINION -- AND THAT'S
- 13 ONE OF THE REASONS WHY I WAS THE ALONE ABAG BOARD MEMBER
- 14 VOTING NO ON THE METHODOLOGY, BUT UNFORTUNATELY I'M NOT GOING
- 15 TO BE ABLE TO SUPPORT THE MOTION. ALL THE CITY IN MARIN
- 16 COUNTY, BELVEDERE AND ROSS, AND FORGET ABOUT THE INCOME PART
- 17 OF IT BECAUSE THAT DOESN'T -- IN MY MIND, I JUST KNOW THE
- 18 TERRITORY, AND FOR ROSS TO BE REQUIRED TO PLAN FOR AND PERMIT
- 19 111 HOUSING UNITS, I DON'T KNOW WHERE THEY'RE GOING TO BE
- 20 PUTTING THEM. AND WITHOUT REALLY ADVERSELY AFFECTING THEIR
- 21 QUALITY OF LIFE. AND I'M NOT EVEN SURE THAT THAT'S EVEN
- 22 POSSIBLE WITHIN THE NEXT CYCLE. SO, I'M GOING TO BE VOTING NO
- 23 ON THIS MOTION THAT'S BEFORE US.

24

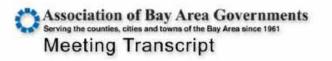
25 JESSE ARREGUIN, PRESIDENT: MAYOR HUDSON?



1 DAVID E. HUDSON: YEAH. I WANT A CLARIFICATION HERE. DID I JUST 2 3 HEAR THAT ONLY ONE PERSON ON ABAG VOTED AGAINST OPTION 8A FOR THE METHODOLOGY? BECAUSE I THOUGHT THAT WAS ME. 4 5 JESSE ARREGUIN, PRESIDENT: MAYOR HUDSON, I THINK SHE'S TALKING 6 7 ABOUT THE HOUSING METHODOLOGY COMMITTEE. BEFORE IT CAME TO THE 8 9 DAVID E. HUDSON: OKAY. 10 11 PAT ECKLUND: ON THE ABAG EXECUTIVE BOARD JANUARY 1ST, '20 --12 13 DAVID E. HUDSON: NO. I DEFINITELY VOTED AGAINST THAT 14 15 METHODOLOGY. 16 PAT ECKLUND: DAVID, I WILL SEND YOU THE MINUTES THAT REFLECT. 17 THERE IS ONLY ONE PERSON. I WILL SEND THAT TO YOU. 18 19 JESSE ARREGUIN, PRESIDENT: JULIE PIERCE ALSO DIDN'T SUPPORT 20 21 THE METHODOLOGY AT THE COMMITTEE, MY RECOLLECTION. THAT IS HERE NOR THERE. THE QUESTION BEFORE THE COMMITTEE IS ON THE 22 MOTION WHICH IS TO MAKE A PRELIMINARY ACTION TO DENY THE 23 APPEAL? 24



CLERK, FRED CASTRO: [ROLL CALL VOTE] MOTION PASSES TEN VOTES 1 2 AYE. ONE VOTE NO. 3 JESSE ARREGUIN, PRESIDENT: NEXT IS HEARING ON THE APPEAL FROM 4 5 THE TOWN OF SAN ANSELMO. 6 7 SPEAKER: CAN YOU HEAR ME? 8 JESSE ARREGUIN, PRESIDENT: YES. 9 10 SPEAKER: GOOD AFTERNOON CHAIR AND ABAG ADMINISTRATIVE 11 COMMITTEE. I AM MAYOR BRYAN COLBERT FROM THE CITY OF SAN 12 ANSELMO. MANY OF YOU ON THE ADMINISTRATIVE COMMITTEE VOTED 13 AGAINST THE RHNA METHODOLOGY THAT GAVE US SEVEN TIMES OUR 14 15 CURRENT ALLOCATION ASKING YOU TO REDUCE ALLOCATION TO 250% OF 16 COUNTER ALLOCATION I'M GOING TO TURN IT OVER TO OUR PLANNING 17 DIRECTOR ELISE. 18 SPEAKER: THANK YOU. GOOD AFTERNOON CHAIR AND ADMINISTRATIVE 19 COMMITTEE. I WOULD LIKE TO BEGIN BY ACKNOWLEDGING THAT SAN 20 21 ANSELMO IS ON THE UNSEEDED ANCESTRAL LANDS OF THE NATIVE PEOPLE. THE SAN ANSELMO COUNCIL APPEALED ITS RHNA ALLOCATION 22 AND REQUESTS REDUCTION OF ALLOCATION FROM 558 TO 833 UNITS. 23 NEXT SLIDE. SAN ANSELMO IS 2.7 SQUARES MILES IN AREA, WE ARE 24 APPROVING AVERAGE OF 20 UNITS PER YEAR. MOST OF OUR EXISTING 25



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



- 1 AN HOUR DURING PEAK PERIODS YET WE WERE IDENTIFIED AS A
- 2 TRANSIT-RICH AREA IN THE BAY AREA WHICH INFLUENCES OUR
- 3 PROJECTED HOUSEHOLD ALLOCATION. THIS PROCESS IS NOT
- 4 TRANSPARENT. THE DATA IS NOT VERIFIABLE AND IT HAS DENIED THE
- 5 TOWN AN OPPORTUNITY TO DETERMINE IF OUR ALLOCATION WAS
- 6 DETERMINED CORRECTLY. NEXT SLIDE. FAILED TO CONSIDER THE LOCAL
- 7 GOVERNMENT SURVEY RESPONSES FOR THE METHODOLOGY AS NOTED BY
- 8 MANY OF THE JURISDICTIONS THAT HAVE PRESENTED BEFORE US WE
- 9 HAVE SERIOUS CONSTRAINTS TO DEVELOPMENT THAT WERE NOT GIVEN
- 10 CONSIDERATION. NEXT SLIDE.
- 12 CLERK, FRED CASTRO: ONE MINUTE.
- 14 SPEAKER: THIS IS AN EXAMPLE OF A TYPICAL HOUSING SITE IN SAN
- 15 ANSELMO NOTE THAT THERE IS ONLY -- IT'S THE ONLY POTENTIAL
- 16 MULTI-FAMILY HOUSING SITE THAT'S CURRENTLY FOR SALE IN SAN
- 17 ANSELMO. SITE IS UNDER 5,000 SQUARE FEET AND NEARLY \$2 MILLION
- 18 EVEN DENSITY OF 100 UNITS WOULD ALLOW FOR MARKET RATE UNITS
- 19 AND -- [INDISCERNIBLE] AFFORDABLE HOUSING. TO ACCOMMODATE THE
- 20 AFFORDABLE HOUSING PROJECT WON'T COME CLOSE TO HITTING THE
- 21 TOWN'S RHNA. DEVELOPERS ARE ONLY COMING IN FOR 20 UNITS A YEAR
- 22 THIS IS THE EVIDENCE OF OUR CONSTRAINTS. NEXT SLIDE. THE DRAFT
- 23 RHNA CONFLICTS WITH THE DISTRIBUTION OF HOUSE GROWTH IN
- 24 PLANNED BAY AREA 2050 TRUE FOR MARIN COUNTY WHICH IS PROJECTED
- 25 TO FALL IN POPULATION AND LOSE 19,000 JOBS. NEXT SLIDE. THERE

11



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

8 JESSE ARREGUIN, PRESIDENT: THANK YOU. GOOD TO SEE YOU ELISE.

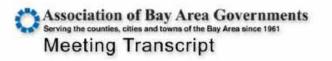
- 9 AND THERE WILL BE AN OPPORTUNITY FOR A REBUTTAL AFTER THE
- 10 STAFF PRESENTATION. I WOULD LIKE TO TURN THE FLOOR OVER TO
- 11 MTC/ABAG STAFF TO PRESENT ON THE APPEAL. YOU WILL HAVE FIVE
- 12 MINUTES.

7

- 14 GILLIAN ADAMS: THANK YOU. I'M GILLIAN ADAMS PROJECT MANAGER
- 15 FOR THE REGIONAL HOUSING NEEDS ALLOCATION PROCESS. NEXT SLIDE
- 16 PLEASE. THE TOWN OF SAN ANSELMO IS REQUESTING A REDUCTION OF
- 17 558 UNITS WHICH IS A REDUCTION OF 67% FROM ITS DRAFT
- 18 ALLOCATION. STAFF'S RECOMMENDATION IS TO DENY THE APPEAL. NEXT
- 19 SLIDE PLEASE. SAN ANSELMO ARGUES THAT ABAG DID NOT PROVIDE
- 20 ADEQUATE DATA TO PROVIDE IF THE RHNA METHODOLOGY WAS APPLIED
- 21 CORRECTLY HOWEVER DATA AND RELEVANT CALCULATIONS FOR THE RHNA
- 22 METHODOLOGY ARE SHOWN IN THE DRAFT PLAN ON THE RHNA'S WEB SITE
- 23 STAFF PROVIDED ACCESS TO THE PUBLIC OPEN SOURCE RHNA
- 24 CALCULATIONS POSTED ON THE WEB SITE. GAVE JURISDICTIONS ACCESS
- 25 TO THE UNDERLYING DATA F THE PLANNED BAY AREA 2050 FINAL



- 1 BLUEPRINT USED AS THE RHNA METHODOLOGY'S BASELINE ALLOCATION.
- 2 LOCAL STAFF HAS SEVERAL MONTHS TO REVIEW AND CORRECT THEIR
- 3 LAND USE DEVELOPMENT PIPELINE DATA THAT WAS USED FOR 2050
- 4 FORECASTING MODELING JURISDICTIONS COULD REVIEW THE GROWTH
- 5 PATTERN FOR THE DRAFT BLUEPRINT IN SUMMER OF 2020 AND PRIOR TO
- 6 ADOPTION OF THE FINAL BLUEPRINT IN JANUARY 2021. ABAG MTC
- 7 STAFF HELD OFFICE HOURS TO DISCUSS MODEL INPUTS AND FORECASTED
- 8 GROWTH FROM THE URBAN SIM MODEL. ADDITIONALLY PLANNED BAY AREA
- 9 2050 MODELING ASSUMPTIONS ARE DOCUMENTED IN THE FORECASTING
- 10 AND MODELING REPORT AVAILABLE ON THE PLANNED BAY AREA 2050 WEB
- 11 SITE. NEXT SLIDE PLEASE. SAN ANSELMO ARGUES THAT LOCAL
- 12 JURISDICTION SURVEY DID NOT REQUEST ALL INFORMATION REQUIRED
- 13 BY STATUTE. FOR FACTOR RELATED TO JOBS/HOUSING RELATIONSHIP
- 14 ABAG SURVEY INCLUDED SIX QUESTIONS ABOUT THE NUMBER OF LOW
- 15 WAGE JOBS WITHIN A JURISDICTION AND HOW MANY HOUSING UNITS
- 16 WITHIN A JURISDICTION ARE AFFORDABLE TO LOW-WAGE WORKERS.
- 17 BECAUSE THE TOPIC OF JOBS/HOUSING FIT WAS SPECIFICALLY CALLED
- 18 OUT IN THE STATUTE. THE SURVEY INCLUDE SAID MULTIPLE OPEN-
- 19 ENDED OUESTIONS FOR LOCAL STAFF TO COMMENT ON WHAT ABAG SHOULD
- 20 INCORPORATE IN THE RHNA METHODOLOGY. THESE QUESTIONS PROVIDED
- 21 SAN ANSELMO WITH ADDITIONAL OPPORTUNITIES TO SUBMIT
- 22 INFORMATION ABOUT ITS JOBS/HOUSING RELATIONSHIP THAT THE OTHER
- 23 OUESTIONS WERE NOT SUFFICIENT. STAT FORE FACTOR RELATE TO THE
- 24 DISTRIBUTION OF HOUSEHOLD GROWTH IN PLANNED BAY AREA 2050 AND
- 25 OPPORTUNITIES TO MAXIMIZE USE OF PUBLIC TRANSPORTATION AND



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



ADOPTED BY ABAG AND HCD WHICH FALLS OUTSIDE OF SCOPE OF THE 1 2 APPEALS PROCESS. NEXT SLIDE PLEASE. 3 CLERK, FRED CASTRO: ONE MINUTE. 4 5 GILLIAN ADAMS: SAN ANSELMO ARGUES DECLARATION OF DROUGHT BY 6 MARIN WATER REPRESENTS CHANGE IN CIRCUMSTANCES MERITING 7 8 REVISION OF THE TOWN'S RHNA. THE TOWN HAS NOT DEMONSTRATED IT'S PRECLUDED FROM ITS RHNA ALLOCATION BECAUSE OF A DECISION 9 10 BY ITS WATER SERVICE PROVIDER. NEXT SLIDE PLEASE. SAN ANSELMO ARGUES THE IMPACTS OF COVID-19 ON TRANSIT SERVICE REPRESENT A 11 CHANGE IN CIRCUMSTANCES MERITING A RHNA REVISION IMPACTS FROM 12 COVID-19 ARE NOT UNIQUE TO ANY SINGLE JURISDICTION AND THE 13 APPEAL DOES NOT INDICATE THAT SAN ANSELMO HOUSING NEED HIS 14 BEEN DISPROPORTIONATELY IMPACTED RELATIVE TO THE REST OF THE 15 16 BAY AREA. NEXT SLIDE PLEASE. THUS ABAG MTC STAFF RECOMMENDS THAT THE COMMITTEE DENY THE APPEAL FILED BY SAN ANSELMO. THANK 17 YOU. IS 18 19 JESSE ARREGUIN, PRESIDENT: THANK YOU VERY MUCH. WOULD LIKE TO 20 21 GIVE SAN ANSELMO STAFF OPPORTUNITY TO RESPOND TO THE 22 PRESENTATION. YOU WILL HAVE THREE MINUTES. 23 ELISE SEMONIAN: YOUR COMMITTEE DOES NOT HAVE TO ACCEPT THE 24

APPROACH DEFINED BY STAFF AND CAN DEFINE ITS OWN APPROACH



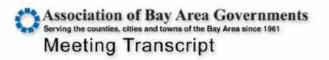
- 1 REQUEST TO RHNA TO BE CONSISTENT WITH A COMPARABLE PLANNED BAY
- 2 AREA. PLANNED BAY AREA ONLY CONSIDERED STATE FIRE HAZARD MAPS
- 3 AND NOT OUR LOCALLY DESIGNATED FIRE HAZARD AREAS. AND FINALLY
- 4 THE FIRST STATUTORY OBJECTIVE OF RHNA IS TO INCREASE THE
- 5 HOUSING SUPPLY AND MIX OF HOUSING TYPES.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

17

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

22

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



- SPEAKER: HELLO. THANK YOU. ARON ECKHOUSE AGAIN REGIONAL POLICY 1 MANAGER WITH CALIFORNIA YIMBY. I DECIDED TO LOOK AT THE SAN 2 3 ANSELMO ZONING CODE. LOOKING TO THE MAP OF SINGLE FAMILY, BAY AREA CITIES 94% OF THE RESIDENTIAL ONLY ZONED LAND IN SAN 4 5 ANSELMO IS EXCLUSIONARY FOR SINGLE FAMILY HOUSING THAT IS A STARTING POINT FOR WHERE THE CITY COULD LOOK TO MAKE LAND USE 6 PROVISIONS TO ACCOMMODATE THIS ALLOCATION. ADDITIONALLY, SAN 7 8 ANSELMO WAS ANOTHER TOWN IN MARIN THAT HAS A TWO STORY HEIGHT LIMIT IN ITS HIGH DENSITY RESIDENTIAL ZONE AGAIN THIS IS A 9 POLICY CHANGE THAT COULD BE CONSIDERED TO FACILITATE THE 10 CONSTRUCTION OF 100 NEW HOMES PER YEAR WHICH IS NOT GOING TO 11 BE ADEQUATE TO MEET THE TOWN'S HOUSING NEEDS. AND I WOULD 12 SUGGEST THAT STAFF LOOK AT SUGGESTIONS FROM THE GREATER MARIN, 13 BLOGGER WHO IS VERY FAMILIAR WITH MARIN COUNTY LIVED IN MARIN 14 FOR MANY YEARS ALSO A LAND USE AND PLANNING EXPERT WHO HAS PUT 15 16 FORWARD DETAILED PROPOSALS AS TO HOW SAN ANSELMO COULD 17 ACCOMMODATE ITS ALLOCATION UNDER RHNA WITHOUT HAVING TO DEMOLISH A SINGLE EXISTING APARTMENT BUILDING. I URGE YOU TO 18 REJECT THIS APPEAL. THANK YOU. 19 20 21 CLERK, FRED CASTRO: NEXT IS CALLER WITH NUMBER 8800. GO AHEAD, PLEASE. 22 23
- 24 SPEAKER: HI. MY NAME IS NANCY OKATA, I ACTUALLY LIVE IN SAN
- 25 ANSELMO AS THE PREVIOUS CALLER PROBABLY DOESN'T. WE ARE



EXPERIENCING A LOT OF GROWTH ALREADY. THERE IS MORE TRAFFIC, 1 AND FIRE DANGER. THIS IS CRAZY. THAT WE REALLY CANNOT ADD 2 ANOTHER 800 PLUS UNITS. AND THIS TOWN AS IT IS RIGHT NOW IS 3 VERY WELCOMING TO LOW-INCOME PEOPLE, AND WE HAVE A LOT OF 4 5 LOCALLY OWNED BUSINESSES, AND ALSO, WITH THE FIRE DANGER, AND THE WATER, RESOURCES AVAILABLE, THIS KIND OF GROWTH CANNOT 6 HAPPEN IN SAN ANSELMO. THE SMALLER NUMBER, WHAT THEY'RE ASKING 7 8 FOR WITH THE APPEAL IS AN UNREASONABLE NUMBER. AND IF MORE SAN ANSELMO RESIDENTS WERE AVAILABLE AT THIS TIME, I'M SURE THEY 9 10 WOULD BE CALLING IN. THANK YOU VERY MUCH FOR CONSIDERING MY 11 COMMENT. 12 JESSE ARREGUIN, PRESIDENT: THANK YOU. 13 14 15 CLERK, FRED CASTRO: OUR NEXT SPEAKER IS JORDAN GRIMES. GO 16 AHEAD, PLEASE. 17 SPEAKER: YES. GOOD AFTERNOON. JORDAN GRIMES WITH PENINSULA FOR 18 EVERYONE I'M COMMENTING JUST FOR MYSELF, RIGHT NOW. I DO WANT 19 20 TO SECOND THE COMMENTS OF AARON ECKHOUSE, AND ALSO REJECT THE COMMENTS OF THE LAST COMMENTER. IT'S FRANKLY INSANE TO SAY 21 THAT SAN ANSELMO IS A WELCOMING PLACE TO LOW-INCOME PEOPLE, 22 JUST BASED ON HOUSING PRICES ALONE, LET ALONE ON DEMOGRAPHIC 23

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

24



1	SOLUTION AS TO HOW SAN ANSELMO CAN ACCOMPLISH THEIR RHNA. 20
2	TO 30 UNITS AN ACRE AND THREE STORIES IS YOUR PROBLEM RIGHT
3	THERE. LIKE, THAT'S WHY YOU'RE NOT GOING TO GET ANY HOUSING
4	WHY YOU'RE NOT GOING TO GET ANY AFFORDABLE HOUSING WITH THE
5	COST OF LAND MATERIALS AND LABOR 20 MILLION PER ACRE DOESN'T
6	PAN OUT. ZONING FOR HIGH DENSITY AND YOU'RE MORE LIKELY TO
7	ATTRACT THE HOUSING THAT YOU WANT TO SEE. I WOULD SAY THAT 20
8	UNITS A YEAR IS AN ABSURDLY LOW AMOUNT OF HOUSING NOT A HIGH
9	AMOUNT OF HOUSING, IN ANY RESPECT, AND HOPEFULLY WITH ZONING
10	CHANGES, THE CITY OF SAN ANSELMO WOULD BE ABLE TO ACCOMPLISH
11	THEIR RHNA. I WOULD URGE YOU TO DENY THE APPEAL AND THANK YOU
12	FOR YOUR TIME.
13	
14	CLERK, FRED CASTRO: THANK YOU. THERE ARE NO OTHER
15	
16	JESSE ARREGUIN, PRESIDENT: THERE IS ONE MORE SPEAKER M CASTRO.
17	
18	CLERK, FRED CASTRO: DAVID ED MONSON, GO AHEAD, PLEASE.
19	
20	JESSE ARREGUIN, PRESIDENT: DAVID, YOU'RE MUTED.
21	
22	SPEAKER: SORRY. AM I UNMUTED NOW?
23	
24	JESSE ARREGUIN, PRESIDENT: YES YOU ARE.



- SPEAKER: EXCELLENT. HELLO MY NAME IS DAVID ED MONSON. I GREW 1 UP IN SAN ANSELMO, AND I'M ALSO KNOWN AS -- [INDISCERNIBLE] 2 3 MARIN, WHO AARON ECKHOUSE MENTIONED. I BELIEVE THAT SAN ANSELMO ACTUALLY HAS A HUGE OPPORTUNITY HERE TO DRAMATICALLY 4 5 IMPROVE ITS DOWNTOWN, ITS FEEL, AS WELL AS ITS STRONG HISTORY OF BEING -- OF BEING A WELCOMING INCLUSIVE PLACE FOR -- FOR 6 MITT FITS AND THOSE WHO CAN'T BE SOME PLACE ELSE. THERE IS A 7 8 SIGNIFICANT AMOUNT OF SPACE ON ITS COMMERCIAL LOTS. THERE ARE A LOT OF OPPORTUNITIES NEXT TO HILLS FOR MORE HEIGHT WITHOUT 9 IMPACTING [INDISCERNIBLE] SHEDS, THERE ARE A LOT OF OPEN AREAS 10 THAT CAN BE IMPROVED UPON THAT CAN BUILT AND SUPPORT A NEW 11 CHAPTER FOR SAN ANSELMO THAT MAKES IT, AGAIN, A KIND OF 12 WELCOMING PLACE THAT IT WAS WHEN -- WHEN I WAS GROWING UP, AND 13 THAT REALLY SHOULD BE -- [INDISCERNIBLE] I STRONGLY SUPPORT --14 I STRONGLY SUPPORT REJECTING THE APPEAL. SIMPLY PUT, THERE IS 15 16 NO WAY TO MAKE SAN ANSELMO A REALLY GREAT PLACE WITHOUT ADDING 17 SIGNIFICANTLY NEW HOMES AND WELCOMING IN A LOT MORE FAMILIES. 18 JESSE ARREGUIN, PRESIDENT: THANK YOU, SIR. OKAY. SO I BELIEVE 19 20 THIS IS THE FIFTH SPEAKER, CORRECT? 21 CLERK, FRED CASTRO: YES. 22 23
- 24 JESSE ARREGUIN, PRESIDENT: SO THE SPEAKER'S TIME IS ONE
- 25 MINUTE. AND, JEN L, YOU SHOULD BE ABLE TO SPEAK.



1 SPEAKER: THANK YOU. I COMMENTED ON THE ROSS SITUATION, AS 2 3 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 4 5 TO ADD 800,000 MORE HOUSING UNITS. WHEN SOMEBODY SAYS SOMETHING LIKE THAT, YOU HAVE TO LOOK AT THE REASON WHY HE'S 6 SAYING THAT. I LIVE MINUTES FROM SAN ANSELMO, AND IT'S A VERY 7 8 WELCOMING, HAPPY, INCLUSIVE PLACE. SO, RIGHT OFF THE BAT, WHEN GLOBAL COMMENTS LIKE DEAF MADE AREN'T QUESTIONED, THERE IS A 9 PROBLEM. AND I THINK THAT IS ENDEMIC TO THIS ENTIRE ABAG 10 CHARADE. EVERYTHING THAT YOU'RE TALKING ABOUT, IT'S -- THERE 11 IS JUST NO BASIS FOR WHAT YOU'RE DOING. AND AS I MENTIONED 12 BEFORE, EXCLUDING THINGS LIKE WILDFIRE DANGER, DROUGHT, WATER 13 MORATORIUM, YOU'RE DOING THIS IN A VACUUM. AND THAT'S NOT --14 THAT'S NOT A REAL-WORLD SITUATION. I WOULD LIKE YOU TO 15 16 CONSIDER ACTUAL REAL-WORLD DATA. THANK YOU. 17 JESSE ARREGUIN, PRESIDENT: ANY OTHER SPEAKERS MR. CASTRO? 18 19 CLERK, FRED CASTRO: THERE ARE NO MEMBERS OF THE PUBLIC WITH 20 21 THEIR HAND RAISED, AND THERE WAS NO PUBLIC COMMENT SUBMITTED ON THIS ITEM. THERE ARE NO MEMBERS AT 375 BEALL NO WRITTEN 22 COMMENTS SUBMITTED BUT THERE WERE COMMENTS POSTED ONLINE THAT 23 WERE DISTRIBUTED TO MEMBERS. 24



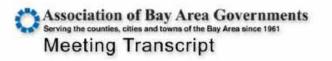
JESSE ARREGUIN, PRESIDENT: WE ARE CONSTRAINT BY STATE LAW IN 1 2 TERMS OF WHAT WE CAN CONSIDER IN HOW WE EVALUATE THESE 3 APPEALS. JUST AS THERE ARE LIMITATIONS ABOUT THE GROUNDS FOR APPEALS, WE ARE CONSTRAINED IN TERMS OF WHAT WE CAN CONSIDER. 4 5 AND STAFF ADDRESSED THAT IN SOME OF THE RESPONSES FROM COMMITTEE MEMBERS. I HOPE YOU UNDERSTAND THE LIMITATIONS WE'RE 6 OPERATING UNDER WE'RE APPLYING THE METHODOLOGY AND STATE 7 8 STATUTES AND WE HAVE TO APPLY THE LAW AS IT IS CERTAINLY IF THERE IS INTEREST IN ADDING WILDFIRE RISK OR OTHER FACTORS, AS 9 10 THINGS THAT COULD BE CONSIDERED IN AN APPEAL, THAT'S SOMETHING THAT WILL REQUIRE A BILL BY THE STATE LEGISLATURE, AND I KNOW 11 THAT WE HAVE IDENTIFIED A NUMBER OF ISSUES IN OUR 12 CONVERSATIONS OF THINGS WE WANT TO EXPLORE FURTHER NOT JUST 13 FROM AN ADVOCACY PURPOSE BUT IN WAYS THAT WE CAN IMPLEMENT OUR 14 15 WHOLE APPEALS PROCESS GOING FORWARD IN THE NEXT CYCLE. SO I'M 16 GOING TO GO FIRST TO MAYOR ROMERO AND THEN TO MAYOR HUDSON. 17 CARLOS ROMERO: THANK YOU VERY MUCH, MR. CHAIR. I HAVE SAID 18 THIS BEFORE, AND I WOULD SAY IT AGAIN, FOR THE RECORD, THE 19 RHNA PROCESS WAS A LONG, COMPREHENSIVE, INCLUSIVE PROCESS IN 20 21 WHICH CITIES FROM AROUND THE NINE COUNTY BAY AREA WEIGHED IN, AND ULTIMATELY, THROUGH WHAT WAS A DEMOCRATIC PROCESS, 22 DETERMINED WHAT THAT METHODOLOGY WAS GOING TO BE. WE ARE 23 CONSTRAINED BY T WE NEED TO APPLY IT NOW, MOVING FORWARD, AND 24

AT THIS POINT I DON'T BELIEVE THIS APPEAL OR PAST APPEALS HAVE



GIVEN ME ANY REASON TO BELIEVE THAT YOU SHOULD NOT BE DENYING 1 THIS REQUEST. IN PARTICULAR, I DO WANT TO POINT OUT, RHNA IS, 2 ABOVE ALL, A PLANNING EXERCISE, AND WITHOUT THIS PLANNING 3 EXERCISE, WHICH WE DESIGNATE OR ARE FORCED TO DESIGNATE, 4 5 AREAS, PARCELS, THE ZONING NECESSARY TO DEVELOP THE DENSITIES THAT WE NEED TO ACCOMMODATE FOR GROWTH AND FOR THE FACT THAT 6 WE DID NOT ACCOMMODATE FOR PAST GROWTH, THIS PLANNING PROCESS 7 8 GIVES CITIES THE OPPORTUNITY TO LOOK AT THEIR EXISTING LAND USE MAPS, TO LOOK AT THEIR GENERAL PLANS, SPECIFIC PLANS, AND 9 HOUSING ELEMENTS AND RIGHT SIZE THEM AS BOTH MR. GRIMES AND 10 ECKHOUSE HAVE MENTIONED, BECAUSE SINGLE FAMILY 1 AND 2 STORY 11 TYPOLOGIES WE'RE NOT GOING TO BE ABLE TO ACCOMMODATE BOTH THE 12 GROWTH AND THE EXISTING POPULATION THAT WE HAVE WITHIN THE BAY 13 AREA. I WILL BE VOTING YES TO DENY THIS APPEAL. THANK YOU. 14 15 16 JESSE ARREGUIN, PRESIDENT: MAYOR HUDSON? YOU'RE MUTED. 17 DAVID E. HUDSON: THIS IS THE BEST SPEECH I HAVE GIVEN ALL DAY, 18 TOO. I AM NOT GOING TO BE MAKING THE MOTION ON EVERY SINGLE 19 20 TIME TO DENY. BUT I HEARD SOMETHING THAT, IF PEOPLE ARE LISTENING TO THIS, THEY MIGHT GET THE WRONG IMPRESSION, THAT 21 WE CAN CHANGE THE RHNA NUMBERS. SOMEHOW, WE CAN CHANGE THE 22 METHODOLOGY, THE PEOPLE YOU SEE IN FRONT OF YOU HERE THAT ARE 23 VOTING TO DENY, UPHOLD AND APPEAL. IF WE COULD DO THAT, YOU 24

SHOULD BE AFRAID. YOU HAVE GOT A REAL TASTE OF WHAT MY E-MAILS



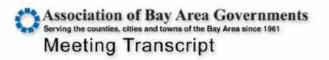
- 1 LOOK LIKE, THAT IT WASN'T ONE OR TWO PEOPLE FROM YIMBY, IT WAS
- 2 THE HUNDREDS. THERE WERE MORE PEOPLE THAT WANTED THAT 441,000
- 3 NUMBER INCREASED TO A MILLION OR MORE, THAN THERE WERE TO
- 4 DECREASE IT. I DIDN'T SUPPORT THE METHODOLOGY THAT CAME
- 5 THROUGH. I WANTED 6A, THIS IS THE FOURTH DAY THAT WE HAVE
- 6 LISTENED TO APPEALS, AND I THINK EVERY SINGLE ONE OF THEM,
- 7 STARTING WITH ALAMEDA, I'LL NEVER FORGET T WE'RE NOT DENYING
- 8 THAT WE COULD DO THESE NUMBERS; SHOW US WHERE. SHOW US HOW.
- 9 AND UNFORTUNATELY, THAT'S NOT WHAT WE'RE ALLOWED TO DO. AND, I
- 10 EMPATHIZE. I HAVE BEEN TO ROSS. I HAVE BEEN THROUGH SAN
- 11 ANSELMO, I HAVE BEEN THROUGH CLAYTON BEEN THROUGH THESE CITIES
- 12 THAT ARE TALKING TO US AND OUR OPINION AND THEIR OPINION THAT
- 13 LIVE THERE, GREAT JOB OF BUILDING THEIR CITY, THEY DON'T WANT
- 14 TO SEE IT CHANGED. UNFORTUNATELY, THESE ARE THE RULES THAT WE
- 15 ARE DEALING WITH, AND WE VOTED, MEANING, ALL OF THE BAY AREA,
- 16 TO USE THIS METHODOLOGY, AND OUR CONSTRAINTS, UNLESS I'M
- 17 WRONG, PRESIDENT, WE HAVE TO LIVE WITHIN THESE RULES. BECAUSE
- 18 IF WE DON'T, WHAT GOOD IS APPEAL? IF IT ENDS UP IN COURT, WHAT
- 19 DID YOU BASE IT ON? AND THAT'S WHAT MY DECISIONS ARE BASED ON,
- 20 THESE VERY NARROW CONSTRAINT. OTHERWISE I WOULD AGREE WITH ALL
- 21 OF YOU. BUT THAT'S UNFORTUNATELY, NOT THE LATITUDE I AM GIVEN.
- 22 I AM NOT GOING TO MAKE THE MOTION, JUST LIKE I WAS NOT WITH
- 23 ALL MY NEIGHBORS WHEN I HAD TO VOTE AGAINST THEM GETTING
- 24 5,007,000, BUT I DO HAVE TO SUPPORT DENYING THE APPEAL.



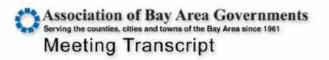
KAREN MITCHOFF: I'LL MAKE THE MOTION. 1 2 3 JESSE ARREGUIN, PRESIDENT: OKAY. MOTION THAT TAKE A PRELIMINARY ACTION TO DENY THE APPEAL FOR SAN ANSELMO. 4 5 CARLOS ROMERO: SECOND THE MOTION. 6 7 8 JESSE ARREGUIN, PRESIDENT: SECONDED BY ROMERO. MAYOR EKLUND? 9 PAT ECKLUND: THANK YOU VERY MUCH. I HAVE A QUESTION FOR THE 10 APPLICANT, ELISE. I CANNOT FINAL IT RIGHT NOW I THOUGHT IT WAS 11 ON PAGE SEVEN OF THE RESPONSE, I CAN'T FIND THE EXACT PHRASE 12 BUT APPARENTLY ABAG DID NOT HAVE THE INFORMATION ABOUT YOUR 13 FIGURES THAT YOU HAD SUBMITTED, AND THEY SAID THAT THE SOURCE 14 15 OF THOSE NUMBERS WERE NOT PROVIDED, AND, THAT, ACTUALLY 16 LOOKING AT THE SENTENCE, ARE YOU ABLE TO ANSWER MY QUESTION? IF YOU KNOW THE SOURCE OF THE FIGURES THAT YOU WERE PROVIDING 17 AND I, AGAIN, I -- I HAD THIS SENTENCE, AND THEN I LOST 18 THE DOCUMENT, AND THEN I HAD TO BRING IT BACK UP, AND I CAN'T 19 SEEM TO FIND THE SENTENCE. 20 21 ELISE SEMONIAN: I DON'T HAVE IT IN FRONT OF ME. 22 23 PAT ECKLUND: FORGET THE QUESTION. I WILL NOT BE SUPPORTING THE 24

25

MOTION. THANK YOU.



1 JESSE ARREGUIN, PRESIDENT: THANK YOU. ANY OTHER QUESTIONS OR 2 3 COMMENTS FROM MEMBERS OF THE ADMINISTRATIVE COMMITTEE? THE MOTION IS TO TAKE A PRELIMINARY ACTION TO DENY THE APPEAL FROM 4 5 THE TOWN OF SAN ANSELMO. ROLL CALL PLEASE. 6 CLERK, FRED CASTRO: MOTION BY MITCHOFF SECOND BY ROMERO. [ROLL 7 8 CALL VOTE] MOTION PASSES TEN AYES, ONE NO, ONE ABSENT. 9 JESSE ARREGUIN, PRESIDENT: THANK YOU. WE PROCEED TO THE NEXT 10 ORDER OF BUSINESS THE RHNA APPEAL FOR THE CITY OF SAUSALITO. 11 WHO WILL BE PRESENTING? 12 13 SPEAKER: GOOD AFTERNOON. I'M THE MAYOR, JILL HOFFMAN. 14 SAUSALITO A TWO MILE TOWN, A WATERFRONT AREA INCLUDING 15 16 TOPOGRAPHY ON STEEP HILLSIDES SUSCEPTIBLE TO SEISMIC INSTABILITY AS WELL AS LOW LYING COASTAL INDUSTRIAL AREAS 17 SUSCEPTIBLE TO SEA LEVEL RISE. THESE ARE LIMITATIONS ON 18 SAUSALITO ABILITY TO ACCOMMODATE THE NEW GROWTH OF 724 NEW 19 UNITS DURING THE DRAFT OF THE RHNA CYCLE HAVE BEEN IGNORED. 20 21 SAUSALITO WAS COMMITTED TO PROVIDING HOUSING THAT IS AFFORDABLE AND ATTRIBUTABLE TO ALL HOUSEHOLDS AND HAS INCLUDED 22 POLICY DIRECTION TO FOCUS ON 100% ON OPPORTUNITY TO IMPROVE 23 EQUITY AND HOUSING CHOICE IN OUR COMMUNITY. OUR HOUSING 24



CONSULTANT WILL PROVIDE AN OVERVIEW OF OUR RHNA APPEAL. THANK 1 2 YOU. 3 BETH THOMPSON: GOOD AFTERNOON. I'M GOING TO GO THROUGH THIS 4 5 OUICKLY. STATE LAW REOUIRES ABAG TO CONSIDER FACTORS OF THE MEMBER JURISDICTION LEVEL OF THE DEVELOPMENT OF RHNA. THE PLAN 6 FAILS TO PROVIDE THIS ANALYSIS THIS IS INFORMATION MAYOR 7 8 EKLUND REQUESTED IN OUR AREA OF COMMENT AND THIS WAS NOT PERFORMED. IN RESPONSE TO SAUSALITO REQUIREMENT OF STATE LAW 9 THAT ABAG PERFORM IN ANALYSIS AT THE MEMBER JURISDICTION LEVEL 10 AND INCORRECTLY STATES THAT THE APPEALS ARE LIMITED TO THE 11 APPLICATION OF METHODOLOGY AND LOCAL JURISDICTION SURVEY NOT 12 CONSISTENT WITH THE BASIS OF APPEALS ESTABLISHES BY STATE LAW. 13 VARIOUS DOCUMENTS AND MODELING FOR PLANNED BAY AREA 2050 14 15 EFFORT NONE OF THIS INFORMATION IS PROVIDED AT THE REQUIRED 16 JURISDICTION LEVEL. THE JOBS/HOUSING RATIO SUITABLE RESIDENTIAL LANDS DESPITE READILY AVAILABLE SERVICE PROVIDER 17 REPORTS RHNA PLAN DID NOT CONSIDER ADEQUATE WATER AND 18 CAPACITIES FOR MEMBER JURISDICTIONS. DESPITE DATA SOURCES 19 AVAILABLE AND AVAILABILITY OF LAND SUITABLE FOR RESIDENTIAL 20 21 DEVELOPMENT AND DESPITE REQUIREMENT OF STATE LAW DID NOT PERFORM REVIEW OF SAUSALITO CAPACITY FOR RESIDENTIAL GROWTH ON 22 THE AVAILABILITY OF LAND SUITABLE FOR URBAN DEVELOPMENT FOR 23 CONVERSION TO RESIDENTIAL USE STAFF RELIED ON GENERIC ONE SIZE 24

FITS ALL MODELING NOT COMMENSURATE TO SAUSALITO. UNSUITABLE



- 1 RESIDENTIAL WITH HIGHLAND SLIDE SUSCEPTIBILITY NOT APPROPRIATE
- 2 FOR HIGH DENSITY OR RESIDENTIAL DEVELOPMENT. AREAS DO NOT MEET
- 3 STATE STANDARDS FOR EMERGENCY ACCESS AND EGRESS IMPORTANT
- 4 GIVEN THE PRESENCE OF WILD LINE URBAN INTERFACE FIRE HAZARDS
- 5 AT RISK FOR GROUND COLLAPSE IN THE EVENT OF EARTHQUAKE
- 6 DISREGARDING THE STATE REQUIREMENT FOR CAPACITY ANALYSIS AND
- 7 DISREGARDED THE TECHNICAL ANALYSIS RELATED TO OPPORTUNITIES
- 8 AND CONSTRAINTS TO RESIDENTIAL DEVELOPMENT ON VACANT PARCELS
- 9 AND PARCELS WITH EXISTING DEVELOPMENT IT'S IMPORTANT TO NOTE
- 10 THE FOLLOWING THE CITY IS MOSTLY BEEN BUILT OUT WITH VERY
- 11 LIMITED AND SMALL PARCELS WITH ANY GROWTH POTENTIAL THE CITY
- 12 MADE AGGRESSIVE GROWTH ASSUMPTIONS INCLUDING DEVELOPMENT OF
- 13 ALL -- [INDISCERNIBLE] ADOPTED GENERAL LAND ZONING FOR
- 14 CAPACITY. EVIDENT IN THE CITY'S PALE HAVE TOTAL CAPACITY OF
- 15 240 UNITS THERE ARE EXISTING UNITS ON THESE SITES RESULTING IN
- 16 145 UNITS. INCONSISTENCIES IN PLANNED BAY AREA 2050
- 17 PARTICULARLY APPLICATION OF THE SUITABILITY OF SITES.
- 18 SAUSALITO RHNA IS INCONSISTENT WITH THE GRAPHICS OF PLANNED
- 19 BAY AREA, IF PLANNED BAY AREA IS WITHIN THE 35 MORE HOUSING
- 20 GROWTH IT'S CONSISTENT FRONT LOADS ALL GROWTH [INDISCERNIBLE]
- 21 PLANNED BAY AREA IF ABAG IS PLANNING FOR 35 YEARS OF GROWTH TO
- 22 OCCUR WITHIN EIGHT YEARS THE TOTAL OF 2050 GROWTH NUMBERS MUST
- 23 BE ADJUSTED BECAUSE ABAG IS PLANNING FOR MORE GROWTH THAN
- 24 BEING DIVULGED. THE EVALUATION OF 89% FOR SAUSALITO IN PLANNED
- 25 BAY AREA 2050 IT IS UNREALISTIC TO ASSUME 85% OF GROWTH WILL

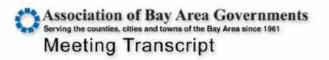


- 1 OCCUR IN AN EIGHT YEAR WINDOW PLAN GROWTH FOR SAUSALITO OVER
- 2 300% AS ANTICIPATED UNDER PLANNED BAY AREA THE CITY HAS
- 3 CALCULATED WITHIN DEMONSTRATED CAPACITY USING THE RHNA PLAN
- 4 ADJUSTED FACTOR AND USING THE DEMONSTRATION OF SUBSTITUTE OF
- 5 SITES FOR SAUSALITO FOR THE RHNA THE CITY RESPECTFULLY
- 6 REQUESTS RHNA OF 145 UNITS OPTION B TO BE 100% OF ITS EIGHT
- 7 YEAR CAPACITY REOUIRING THE CITY TO REZONE AND DESIGNATE SITES
- 8 IN THE GENERAL PLAN AND REFLECT INTENSIFICATION OF SITES
- 9 WITHIN EXISTING DEVELOPMENT. THANK YOU VERY MUCH.

10

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

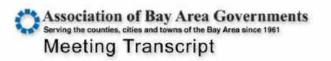
- 16 ELI KAPLAN: THANK YOU. GOOD AFTERNOON. PLEASE BRING UP THE
- 17 SLIDES. THANK YOU. NEXT SLIDE PLEASE. THE CITY OF SAUSALITO
- 18 IS REQUESTING A REDUCTION OF BETWEEN 579 AND 599 UNITS WHICH
- 19 IS A REDUCTION OF 80 TO 83% FROM ITS DRAFT ALLOCATION. STAFF'S
- 20 RECOMMENDATION IS TO DENY THE APPEAL.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



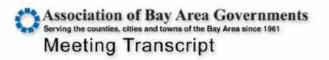
- 1 AVAILABLE IN EACH JURISDICTION BY INCORPORATING DATA FROM THE
- 2 PLANNED BAY AREA 2050 BLUEPRINT AS THE BASELINE ALLOCATION.
- 3 THE STRENGTH OF THE LAND USE MODEL TO DEFINE THE BLUEPRINT IS
- 4 ASSESSED FEASIBLE. THE HESITATE TOOL VAULT EVALUATES WHETHER
- 5 THE METHODOLOGY CONSIDERS THE AVAILABILITY OF LAND FOR
- 6 DEVELOPMENT IT SAYS THE STAFF WERE NOT ABLE TO REVIEW THE
- 7 UNDERLYING DATA FOR THE PLAN IN THE BLAB 2050 BLUEPRINT
- 8 HOWEVER HCD PROVIDED LOCAL JURISDICTION STAFF WITH ACCESS TO
- 9 THE UNDERLYING DATA FOR THE PLANNED BAY AREA 2050 BLUEPRINT
- 10 FORECAST THAT DETERMINES THE BASELINE ALLOCATION. MORE OVER
- 11 THE TOOL THAT SAUSALITO SITES TO DEVELOP ITS APPEAL WAS NOT
- 12 USED TO DEVELOP THE REALLOCATION NOT USED IN MODELING FOR
- 13 PLANNED BAY AREA 2050 OR AS INPUT IN THE RHNA METHODOLOGY
- 14 ITSELF. WHILE SAUSALITO PRESENTATION NOTES ITS 429 LET'S OF
- 15 DEVELOPMENT POTENTIAL IS DOESN'T DEMONSTRATE WHY FULLY
- 16 EXCLUDED PARCELS AS POTENTIAL HOUSING SITES. EVEN COMMUNITIES
- 17 THAT VIEW THEMSELVES AS BUILT OUT OR LIMITED DUE TO OTHER
- 18 NATURAL CONSTRAINTS SUCH AS FIRE AND FLOOD RISK AREAS MUST
- 19 PLAN FOR HOUSING THROUGH MEANS OF REZONING COMMERCIAL USE
- 20 AREAS AND MIXED USE AREAS AND ZONING NON-VACANT LAND. RHNA
- 21 FAILS TO EXCLUDE RISK OF NATURAL HAZARDS HOWEVER AS DISCUSSED
- 22 IN PREVIOUS RESPONSE TO HOUSING APPEALS HOUSING ELEMENT LAW
- 23 GENERALLY DOES NOT IDENTIFY AREAS AT RISK FROM HAZARD AS A
- 24 CONSTRAINT TO HOUSING. PLANNED BAY AREA 2050 INCLUDES
- 25 ADAPTATION SOLUTIONS TARGETING PORTIONS OF SHORELINE THAT HAVE



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

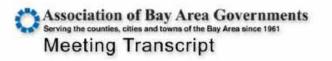


- 1 METHODOLOGY MEETING THE STATUTE AS WE HAVE DISCUSSED BEFORE
- 2 THE CHALLENGE IN FINAL REVIEW METHODOLOGY IS OUTSIDE OF SCOPE
- 3 TO BE ADDRESSED IN THE ARGUMENTS. SAUSALITO ARGUES THERE
- 4 SHOULD NOT BE GROWTH GEOGRAPHIES WITHIN THE CITY BECAUSE IT
- 5 DOESN'T MEAN THE MINIMUM TRANSIT SUFFICIENCY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



1 CLERK, FRED CASTRO: TIME, PLEASE. 2 3 ELI KAPLAN: YEP. ALL DONE: 4 5 JESSE ARREGUIN, PRESIDENT: OKAY. THANK YOU VERY MUCH. SO, I WOULD LIKE TO GIVE THE CITY OF SAUSALITO OPPORTUNITY TO 6 RESPOND TO STAFF'S PRESENTATION. YOU WILL HAVE THREE MINUTES. 7 8 I BELIEVE YOU'RE MUTED. NOT ANYMORE. 9 SPEAKER: THANK YOU. STAFF HAS MISCHARACTERIZED SAUSALITO 10 APPEAL AND HAS NOT PROVIDED INFORMATION THAT ABAG --11 [INDISCERNIBLE] MODELLING AND DATA REFERENCED BY STAFF DOES 12 NOT PROVIDE REQUIRED "LOCAL ON THE 8S" -- LOCAL ANALYSIS. 13 [INDISCERNIBLE] ADDRESSED FOR EACH CITY AND COUNTY. NOTE 14 15 STAFF'S RESPONSE DOES NOT INCLUDE ANY DATA OR INFORMATION 16 SPECIFIC TO SAUSALITO DESPITE THEIR CLAIM THAT THIS INFORMATION IS AVAILABLE. THAT IS NOT JURISDICTION LEVEL 17 ANALYSIS. STATE LAW DOES NOT LIMIT SAUSALITO TO APPEALING ON 18 ABAG USE OF THE LOCAL JURISDICTION SURVEY BUT RATHER EXTEND 19 THE GROUNDS FOR APPEAL TO APPLICATION OF GOVERNMENT CODE 20 SECTION 65584 -- [INDISCERNIBLE] PROJECTED JOBS/HOUSING 21 RELATIONSHIP INCLUDING ESTIMATE ON LOW PAGE JOBS AND WORKERS 22 WITHIN THE JURISDICTION NOT COMPLETED OPPORTUNITIES AND 23 CONSTRAINTS TO DEVELOPMENT OF ADDITIONAL HOUSING INCLUDING 24

LACK OF CAPACITY FOR WATER AND SEWER SERVICE FOR EACH MEMBER



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



1	
2	JESSE ARREGUIN, PRESIDENT: THANK YOU. I WOULD LIKE TO OPEN
3	PUBLIC COMMENT ON THE APPEAL FROM THE CITY OF SAUSALITO. IF
4	YOU WISH TO SPEAK ON THE APPEAL PLEASE RAISE YOUR HAND AT THIS
5	TIME. OR PRESS STAR NINE. I SEE WE HAVE ONE ATTENDEE WHO
6	WISHES TO SPEAK, MR. CASTRO.
7	
8	CLERK, FRED CASTRO: YES. ONE MOMENT PLEASE. LET ME GET THE
9	TIMER.
10	
11	JESSE ARREGUIN, PRESIDENT: NO PROBLEM.
12	
13	CLERK, FRED CASTRO: OUR FIRST SPEAKER IS LYNDA PFEIFER. GO
14	AHEAD. TWO MINUTES, PLEASE.
15	
16	CLERK, FRED CASTRO: I THINK WE LOST HER.
17	
18	JESSE ARREGUIN, PRESIDENT: LYNDA WE LOST YOU. BUT YOU CAN TRY
19	TO SPEAK NOW.
20	
21	SPEAKER: CAN YOU HEAR ME NOW?
22	
23	CLERK, FRED CASTRO: YES.



1	SPEAKER: MY NAME IS LYNDA, SAUSALITO RESIDENT AND TOWN
2	COUNCILMEMBER. SAUSALITO IS UNIQUE IN ITS LEGACY OF TOXIC
3	WASTE FROM WORLD WAR II SHIPYARDS AND LANDFILLS TOXICITY IN
4	FACT HARD TO FIND ANY SAUSALITO CITY DEVELOPMENT WITHOUT
5	HAZARD WASTE LYING BENEATH THE SERVICE. ABAG'S HIGH
6	OPPORTUNITY AREAS ARE SUPPOSED TO BE AREAS OF HIGH QUALITY
7	PUBLIC SCHOOLS IN PROXIMATE TO WELL PAYING JOBS AND HIGH
8	INCOME POPULATION WITH CLEAN SAFE ENVIRONMENTS. TREASURE
9	ISLAND IS A FORMER NUCLEAR TRAINING SITE FOR HOUSING RESIDENTS
10	WITH RESIDENTS WITH CHRONIC COUGH, ATTRIBUTE TO RADIOACTIVE
11	EXPOSURE. HUNTERS POINT FORMER SHIP SITE WITH RADIOACTIVE
12	ISOTOPES, WITH 55 RESIDENTS TESTING POSITIVE FOR TOXIC LEVELS,
13	AND SAUSALITO SHIPYARD SINKING AN INCH TO THREE QUARTERS OF AN
14	INCH PER YEAR, AND THE WORKING WATERFRONT IS A TSUNAMI ZONE. I
15	HAVEN'T MENTIONED THE 2008 RIVER WATCH LAWSUIT, WITH AGING
16	SEWERS. I URGE ABAG TO CONSIDER THE TOXIC WASTE, SINKING LAND
17	AND DOCUMENTED [INDISCERNIBLE] I URGE ABAG TO REDUCE
18	SAUSALITO'S RHNA IN CONSIDERATION OF THE PROSPECT OF
19	EXPERIMENTAL DISCRIMINATION AND SEA LEVEL RISE.
20	
21	JESSE ARREGUIN, PRESIDENT: THANK YOU. ANY ADDITIONAL SPEAKERS?
22	RAISE YOUR HAND OR PRESS STAR NINE? SEEING NONE. MR. CASTRO

23

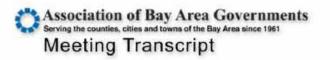
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ANY PUBLIC COMMENT?



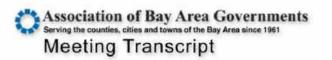
CLERK, FRED CASTRO: THERE ARE NO MEMBERS OF THE PUBLIC WITH 1 2 THEIR HAND RAISED, AND THERE WAS NO PUBLIC COMMENT SUBMITTED 3 ON THIS ITEM. THERE WERE LATE PUBLIC COMMENTS RECEIVED POSTED ONLINE AND E-MAILED TO COMMITTEE MEMBERS. THANK YOU. 4 5 JESSE ARREGUIN, PRESIDENT: NOW IN ORDER FOR THE COMMITTEE TO 6 DISCUSS THE APPEAL. WHO WOULD LIKE TO START THE DISCUSSION? 7 8 MAYOR EKLUND? 9 PAT ECKLUND: THANK YOU VERY MUCH PRESIDENT ARREGUIN. I HAVE A 10 COUPLE OF QUESTIONS. FIRST OF ALL, I NOTICED THAT, IN THE 11 REBUTTAL, SAUSALITO SHOWED A SLIDE THAT SAID THAT SAUSALITO 12 WAS CONSIDERED PART OF CENTRAL MARIN. CAN STAFF HELP ME TO 13 UNDERSTAND WHY SAUSALITO WAS FACTORED INTO THE CENTRAL MARIN 14 15 SUBAREA? BECAUSE THEY'RE NOT CENTRAL, THEY'RE SOUTHERN PART OF 16 MARIN COUNTY. SO, YOU CAN HELP ME TO UNDERSTAND THAT? 17 DAVE VAUTIN: I'M HAPPY TO TACKLE THIS ONE. I BELIEVE BOARD 18 MEMBER EKLUND THERE IS A TYPO IN THAT PACKET, AND IN THE 19 PACKET WE COMPARED IT TO SOUTH MARIN SUPER DISTRICT 20 21 PAT ECKLUND: OKAY. THEY ALSO HAVE -- I WANT TO COMPLIMENT 22 SAUSALITO FOR YOUR OUTSTANDING, AND VERY LENGTHY REBUTTAL. YOU 23 REALLY DID TAKE A LONG TIME, AND REALLY LOOKED AT THIS A LOT. 24

URBAN SIM HAS BEEN AN ISSUE FOR AS LONG AS I CAN REMEMBER,



EVEN, I THINK, BEFORE, RIGHT AROUND WHEN ABAG AND MTC WERE 1 2 CONSOLIDATING, AND SO HELP ME TO UNDERSTAND, ON PAGE SIX, ON 3 41, I THINK, ON THE SAUSALITO'S APPEAL, THEY GIVE A LENGTHY DISCUSSION ABOUT THE INABILITY TO GET SOME OF THE DATA 4 5 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 6 UNDERSTAND WHY SAUSALITO WAS NOT ABLE TO VALIDATE SOME OF THE 7 8 DATA THAT'S IN URBAN SIMS? OR GET THE INFORMATION FROM ABAG MTC? TO BE ABLE TO VALIDATE THAT? 9 10 GILLIAN ADAMS: I'M GOING ASK DAVE, YOU CAN GIVE A LITTLE BIT 11 MORE DETAIL. I MEAN, WE DID, SORT OF, IDENTIFY IN OUR STAFF 12 RESPONSE THE MULTIPLE WAYS THAT JURISDICTIONS WERE ABLE TO 13 ACCESS THE INFORMATION THAT, WE TRIED TO MAKE IT AVAILABLE AND 14 15 KIND OF HAD OUTREACH, INCLUDING OFFICE HOURS WHERE 16 JURISDICTION STAFF COULD COME AND SEE SOME OF THOSE DETAILS. I 17 DON'T KNOW, DAVE, IF YOU WANT TO ADD SOME MORE INFORMATION ABOUT THAT? 18 19 DAVE VAUTIN: YEAH I'M HAPPY TO TALK ABOUT THAT. I KNOW THAT 20 WAS A CHALLENGE WITH PRIOR ITERATIONS OF PLANNED BAY AREA. ONE 21 OF THE KEY THINGS WE DID AT THE BEGINNING OF THIS PROCESS WE 22 STARTED AN INITIATIVE CALLED BASIS ALLOWING JURISDICTIONS TO 23 GET A CHANCE TO LOOK UNDER THE HOOD LOOK AT THEIR BASELINE 24

DATA AND GIVE US FEEDBACK ON IT, THAT OCCURRED AS A



PRESENTATION IN 2019 AND WE ACTUALLY GAVE EXTENSIONS TO 1 JURISDICTIONS ARE INTO 2020 IF THAT I WANTED TO GIVE US 2 3 FEEDBACK WE INCORPORATED FEEDBACK INTO OUR MODELING FOR PLANNED BAY AREA IN EACH OF THE RELEASES OF THE DRAFT IN THE 4 5 FINAL BLUEPRINT WE INVITED JURISDICTIONS TO LOOK UNDER THE HOOD IN TERMS OF OUTPUTS AS WELL AND MET WITH THEM TO DISCUSS 6 THE GROWTH PROJECTIONS, AND THE PLAN USES THE DATA ON THE 7 8 COUNTY AND SUBCOUNTY LEVELS BUT WE ALSO EXPORTED THE JURISDICTION INFORMATION INTO THE RHNA PROCESS WITH THE 2050 9 TOTAL HOUSEHOLDS DATA. SO WHAT WE DID AT THOSE MEETINGS WE 10 OFTENTIMES HAD MAPS BROUGHT THE DATA AND DISCUSSED OUTPUT WITH 11 THOSE JURISDICTIONS. SO THERE WERE SEVERAL POINTS IN THE 12 PROCESS, WHERE FOLKS HAD OPPORTUNITY TO LOOK AT THE DATA AND 13 LOOK AT THE MODELING WORK. 14 15 16 PAT ECKLUND: SO, BUT -- DID SAUSALITO PARTICIPATE IN ANY OF THOSE OPPORTUNITIES? DO YOU KNOW? 17 18 DAVE VAUTIN: OFF THE TOP OF MY HEAD, I DON'T REMEMBER. I KNOW 19 THERE WERE DOZENS OF JURISDICTION WHO IS TOOK US UP ON THE 20 21 OFFER, BUT I WOULD HAVE TO ASK THE CITY IF THEY DID. 22 PAT ECKLUND: OKAY. I GUESS I'LL ASK THE APPLICANT, WHETHER OR 23 NOT YOU DID PARTICIPATE IN ANY OF THOSE OPPORTUNITIES? 24



MAYOR JILL HOFFMAN: I'LL LET BETH RESPOND TO THAT. 1 2 3 BETH THOMPSON: GOING TO ABAG'S WEB SITE, THERE WAS SOME INFORMATION AVAILABLE BUT NOTHING THAT DEMONSTRATES THAT EACH 4 5 OF THE CONSTRAINTS THAT I HAVE IDENTIFIED OR THAT STATE LAW REQUIRES ABAG TO IDENTIFY AND ADDRESS, THERE IS NOTHING THAT 6 DEMONSTRATES THOSE HAVE BEEN CONSIDERED SO WHEN I WENT THROUGH 7 8 TO GET DATA, I WENT THROUGH THE BASIS DATA THAT'S AVAILABLE ONLINE, NONE OF THAT, LOOKING UNDER THE HOOD, NONE OF THAT 9 10 SHOWS THAT THIS ANALYSIS ADDRESSED JURISDICTIONAL AVAILABLE CAPACITY BASED ON-SITE, WATER AND SEWER AVAILABILITY 11 JOBS/HOUSING RATIO, RACIAL INCIDENT LOW-INCOME, AND HOUSING 12 WITHIN THE JURISDICTION. IT'S NOT OBVIOUS, AND FOR STAFF'S 13 RESPONSE TO BE CLIPPED ON THE LINKS PROVIDED AND NONE OF THE 14 15 LINKS PROVIDED DEMONSTRATED THE DATA THAT WE HAVE IDENTIFIED. 16 MAYOR JILL HOFFMAN: BETH WAS OUR CONSULTANT DURING THIS 17 APPEALS PROCESS AND SAUSALITO IN PARTICIPATION GOING BACK TO 18 THE OPEN PERIODS FOR PARTICIPATION AS DESCRIBED BY DAVE, IF 19 THAT'S SOMETHING THAT'S GOING TO BE SIGNIFICANT WITH REGARD TO 20 THIS DECISION AND OUR APPEAL, I WOULD ASK FOR A CONTINUANCE ON 21 THIS PARTICULAR ISSUE THAT I CAN REACH BACK AND LOOK TO OUR 22 STAFF ABOUT WHETHER OR NOT WE ACTUALLY PARTICIPATED DURING 23 THESE TIME PERIODS. SO I KNOW THAT OUR -- WE HAVE JUST HAD A 24 TURNOVER IN OUR COMMUNITY DEVELOPMENT, MRS. WHELAN WAS OUR



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

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



- THAT CITIES KNOW OF THESE OPPORTUNITIES. AND THEY'RE BEING 1 BOMBARDED BY ALL DIFFERENT ASPECTS OF ABAG AND MTC AT THE SAME 2 TIME. AND --3 4 5 JESSE ARREGUIN, PRESIDENT: AGREED. 6 PAT ECKLUND: SO I REALLY WOULD LIKE TO HAVE THOSE ISSUES AT 7 8 URBAN SIMS, AND THIS DISCONNECT AND HOW WE CAN INCREASE THE COMMUNICATION. I MEAN, I DO, PROBABLY, MORE THAN MOST, BY 9 10 WRITING A WRITTEN REPORT EVERY MONTH, AND I DISTRIBUTE IT TO ALL THE CITIES IN MARIN, AND I DISTRIBUTE IT TO OTHER CITIES 11
- 14 RAISING, TOO, ABOUT HOW DO YOU DETERMINE WHAT IS ADEQUATE FOR

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

- 15 LOOKING AT AVAILABILITY OF LAND, OF FLOODING, IS SOME OF THESE
- 16 OTHER ISSUES. BUT, I AM VERY SYMPATHETIC TO THE CITIES THAT
- 17 WE'RE HEARING FROM TODAY, BECAUSE I KNOW THEM, AND I SPENT --
- 18 I WORKED IN SAUSALITO FOR -- HOW MANY YEARS -- I THINK IT WAS
- 19 FOUR YEARS BEFORE I MOVED TO THE ARMY CORE IN SAN FRANCISCO,
- 20 AND -- OR IT COULD HAVE BEEN FIVE -- BUT I KNOW SAUSALITO,
- 21 VERY, VERY WELL, AND THEY -- THEY HAVE SOME LAND AVAILABILITY
- 22 BUT NOT FOR THE NUMBER EVER UNITS. SO, ANYWAY, SO, I WILL NOT
- 23 BE SUPPORTING THIS APPEAL, AS WELL. THANK YOU VERY MUCH FOR
- 24 ALLOWING ME THE OPPORTUNITY, PRESIDENT ARREGUIN, TO ADD A
- 25 COUPLE MORE ISSUES TO OUR DISCUSSION LIST.

12



1 2 JESSE ARREGUIN, PRESIDENT: YES. THANK YOU. OKAY. COLLEAGUES, ANY QUESTIONS OR COMMENTS? OR A MOTION TO TAKE A PRELIMINARY 3 I'LL MAKE A MOTION TO TAKE A PRELIMINARY ACTION TO 4 ACTION? 5 DENY THE APPEAL. IS THERE A SECOND? 6 DAVID E. HUDSON: SECOND. 7 8 NEYSA FLIGOR: SECOND IT, MAYOR ARREGUIN. 9 10 JESSE ARREGUIN, PRESIDENT: OKAY. AND, YOU KNOW, I DO AGREE 11 THAT GOING FORWARD, WE -- NEXT CYCLE, WE NEED TO MAKE CLEAR TO 12 LOCAL GOVERNMENTS ABOUT, YOU KNOW, THESE RESOURCES THAT ARE 13 AVAILABLE. YOU KNOW, PARTICIPATING IN THE SURVEY, SO THAT 14 15 EVERYONE UNDERSTANDING, YOU KNOW, WHAT THEIR -- YOU KNOW, WHAT 16 THEIR OBLIGATIONS ARE, AND OPPORTUNITIES, BUT I DO RESPECTFULLY THINK THAT STAFF HAS MADE A VERY COMPELLING CASE 17 ABOUT WHY THIS APPEAL SHOULD BE DENIED, AND I WILL BE 18 SUPPORTING THE MOTION. MAYOR ROMERO? 19 20 CARLOS ROMERO: I JUST WANT TO COMMENT ON MS. TOM THOMPSON'S 21 FOR LACK OF A BETTER TERM, ALLEGATIONS WITHIN THE RATHER 22 LENGTHY REPORT THAT WAS PRESENTED FROM SAUSALITO, CONSISTENTLY 23 ARGUING THAT OUR -- THAT THE RHNA METHODOLOGY ITSELF IS 24 25 INCONSISTENT, AND THE PROCESS WE USE IS INCONSISTENT WITH



- 1 STATE LAW. CLEARLY WE HAVE ABUNDANT CORRESPONDENCE FROM THE
- 2 STATE THAT INDICATES THAT, INDEED, THE DOCUMENT, THE PROCESS
- 3 WE USED, AND ULTIMATELY, THE METHODOLOGY PASSES MUSTER WITH
- 4 THE STATE. SO I JUST WANT TO MAKE THAT VERY CLEAR FOR THE
- 5 LOWERED. BECAUSE THE ALLEGATIONS, I THINK, ARE NOT
- 6 SUBSTANTIATED BY THE APPEAL. THAT WAS SUBMITTED.
- 8 JESSE ARREGUIN, PRESIDENT: AND TO FOLLOW UP ON THAT, MAYOR
- 9 ROMERO, HCD APPROVED THE METHODOLOGY AND FOUND THAT IT MET THE
- 10 STATUTORY REQUIREMENTS. MAYOR HUDSON
- 12 DAVID E. HUDSON: MAYOR ARREGUIN, I DON'T HAVE TO SAY IT NOW
- 13 THAT YOU DID. THE ONE THING THEY DID HEAR IN THERE, AND I
- 14 DON'T WANT TO GO WITHOUT ADDRESSING IT IS THAT SOMEHOW WE
- 15 SHOULD CONTINUE THIS. AND I'M UNDER THE IMPRESSION THAT THIS
- 16 CAN'T JUST CONTINUE. THERE ARE SOME TIME CONSTRAINTS ON THIS
- 17 TO GET THIS DONE. AM I MISSING THIS? OR IS THIS SOMETHING THAT
- 18 THAT, OKAY, WE COULD START OVER AGAIN, AND DO IT AGAIN, OR --
- 19 TO ME, SO MUCH OF THE PROBLEM IS IN WHAT WE ACCEPTED OR WHAT
- 20 HCD HAS APPROVED AS OUR METHODOLOGY. IF YOU CHANGE THE
- 21 METHODOLOGY, YOU'RE GOING TO GET DIFFERENT NUMBERS, BUT YOU
- 22 MIGHT FIND OUT, AS I SAID EARLIER, THAT A LOT OF THESE PEOPLE
- 23 SPEAKING NOW, WILL COME OUT IN HUNDREDS FOR LARGER NUMBERS.
- 24 SO, I GUESS THE QUESTION S IS THIS METHODOLOGY -- IS THERE A

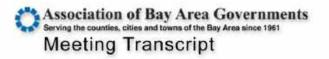
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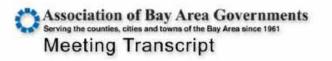
TIME CONSTRAINT THAT WE HAVE ON THIS, RATHER THAN JUST 1 2 CONTINUE THIS? 3 JESSE ARREGUIN, PRESIDENT: I THINK THE BIGGEST TIME CONSTRAINT 4 5 IS OUR LOCAL GOVERNMENTS HAVE TO HAVE COMPLIANT HOUSING ELEMENTS BY JANUARY 2023. SO IF WE, YOU KNOW, GO BACK AND 6 CHANGE THE METHODOLOGY, OR DELAY ACTION ON THE RHNA PLAN, 7 8 THAT'S GOING TO PUT GOVERNMENT IN A REALLY, REALLY DIFFICULT POSITION. AND THE STATE IS NOT EXTENDING THE TIMELINE. SO, WE 9 ARE -- WE ARE UP AGAINST THE -- I THINK THE LIMIT, IN TERMS 10 OF, YOU KNOW, THE ABILITY TO TAKE ACTION, ALSO, I BELIEVE, 11 GILLIAN, IF I'M NOT MISTAKEN, THE STATUTE DOES SPECIFY 12 SPECIFIC TIME PERIOD FOR WHICH WE HAVE TO ACT ON THE APPEALS. 13 WHAT IS IT? 45 DAYS FROM THE START FROM THE NOTICING? 14 15 16 GILLIAN ADAMS: THAT'S CORRECT. YEAH, ESPECIALLY THE DATE THAT WE HAVE ON OUR FINAL HEARING IS THE 29TH FOR US TO COMPLETE 17 THE APPEALS AND THE PUBLIC HEARING. 18 19 JESSE ARREGUIN, PRESIDENT: YEAH. SO THAT'S, SORT OF, ANOTHER 20 21 LEGAL CONSTRAINT THAT WE'RE OPERATING UNDER WITH RESPECT TO THE FINAL LINE FOR ACTION. ANY OTHER COMMENTS OR QUESTIONS 22 FROM THE COMMITTEE. IF NOT, THE MOTION IS TO TAKE PRELIMINARY 23 ACTION TO DENY THE APPEAL FROM THE CITY OF SAUSALITO. ROLL 24

25

CALL VOTE?



1 2 CLERK, FRED CASTRO: MOTION BY ARREGUIN E SECOND BY FLIGOR. 3 [ROLL CALL VOTE] MOTION PASS TEN AYES, ONE NO, ONE ABSENT. 4 5 JESSE ARREGUIN, PRESIDENT: OKAY. SO THAT IS THE PRELIMINARY ACTION. FINAL ACTION WILL BE TAKEN PRIOR -- AFTER THE CLOSE OF 6 THE PUBLIC HEARING AND WE WILL PROVIDE NOTICE OF THE DATE AND 7 8 TIME OF THAT MEETING. AND I WANT TO THANK SAUSALITO FOR COMING TODAY AND FOR YOUR VERY THOROUGH PRESENTATION. WITH THAT WE'LL 9 10 MOVE TO OUR LAST APPEAL FOR THIS AFTERNOON WHICH IS AN APPEAL FROM THE CITY OF TIBURON. WE ARE JOINED BY THE MAYOR OF 11 TIBURON. GOOD AFTERNOON. SIMILAR TO THE PROCESS IN PREVIOUS 12 APPEALS WE WILL HEAR FROM APPELLANT JURISDICTION FOR FIVE 13 MINUTES THEN I'LL TURN IT OVER TO TIBURON AND IF THERE IS A 14 15 PRESENTATION, IF TECH STAFF COULD PULL IT UP. 16 MAYOR HOLLI THIER: GOOD AFTERNOON PRESIDENT ARREGUIN AND 17 MEMBERS OF THE COMMITTEE. I AM MAYOR HOLLI THIER, MAYOR OF 18 TIBURON. WE ARE COMMITTED TO INCREASING OUR AFFORDABLE HOUSING 19 STOCK, OUR CONSULTANT IS GOING TO COVER THE DETAILS RIGHT NOW. 20 21 CHRISTINA? 22 CHRISTINA O'ROURKE: THANK YOU, MAYOR, COULD I HAVE THE 23 PRESENTATION, PLEASE. THANK YOU. I AM HERE WITH TOWN MANAGER 24 25 GREG TANNIS. WHEN THE BAY AREA REGION WAS ALLOCATED AS A WHOLE



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



1	HOUSING GROWTH. OUR NEXT POINT IS THAT THE METHODOLOGY OVER-
2	ALLOCATES UNITS TO TIBURON BECAUSE IT'S IN A SO-CALLED
3	TRANSIT-RICH AREA WITHOUT TAKING INTO CONSIDERATION THAT THE
4	PRIVATELY OWNED FERRY DOCK IS NOT A FERRY TERMINAL AND THAT
5	THE GOLDEN GATE FERRY PROVIDES LIMITED SERVICE WITH ONLY TWO
6	TRIPS TO SAN FRANCISCO AND BACK EACH DAY SERVING LESS THAN
7	ONE% OF THE GOLDEN GATE FORE RIDERSHIP. THERE IS NO VACANT
8	LAND WITHIN A HALF MILE OF FERRY DOCK AND VIRTUALLY ALL LAND
9	IS SUBJECT TO FLOODING LIQUEFACTION AND SEA LEVEL RISE. NEXT
10	SLIDE THE ALLOCATION IS UNFAIRLY APPLIED TO TIBURON AND
11	METHODOLOGY THAT IS ACTUALLY DESCRIBED IN THE DRAFT PLAN. THE
12	METHODOLOGY FIRST BASELINE ALLOCATION FROM THE DRAFT RHNA
13	PLAN, THE "JURISDICTION'S SHARE OF REGION'S TOTAL HOUSEHOLDS
14	IN THE 2050 FINAL BLUEPRINT BASELINE ALLOCATION IS MODIFIED BY
15	THREE FACTORS SUBJECTED TO THE EQUITY ADJUSTMENT THE CITY
16	TAKES ISSUE WITH THE BASELINE ALLOCATION NOT FACTORS OF EQUITY
17	ADJUSTMENT AND DUE TO THE INCOMPLETE INFORMATION THAT WAS
18	PRESENTED IN THE DRAFT RHNA PLAN WE WERE FORCED TO DO MATH AS
19	DETAILED IN OUR APPEAL WE HAD TO DETERMINE THE ACTUAL BASELINE
20	ALLOCATION WORKING THE EQUATION BACKWARDS WE DETERMINED THAT
21	TIBURON WOULD HAVE TO HAVE 50498 HOUSEHOLD IN 2050 WHICH IS A
22	40% INCREASE OVER THE 2015 LEVEL AND CLEARLY ONE THAT CANNOT
23	BE ACCOMMODATED. THE PROBLEM IS THERE ARE NO GROWTH RATES
24	ASSIGNED TO INDIVIDUAL JURISDICTIONS IN THE FINAL GROWTH

BLUEPRINT PATTERN THERE IS ONLY GROWTH RATES FOR COUNTY AND



1

2

October 15, 2021

SUBCOUNTY AREAS AND SUBCOUNTY AREA FOR SOUTH MARIN WHICH IS

WHERE TIBURON IS LOCATED IS 21%." AS WE DETAILED IN OUR

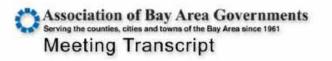
- 3 APPEAL, THE IMPLIED HOUSING HOUSEHOLD GROWTH RATES FOR OTHER JURISDICTIONS ALL OVER THE BOARD FROM 57% TO CORTE MADERA ABAG 4 5 HAS PROVIDED NO TRANSPARENT METHODOLOGY OR DATA FOR HOW THE GROWTH RATES WERE DETERMINED IN ORDER TO BE CONSISTENT WITH 6 THE RHNA METHODOLOGIES DESCRIBED IN THE DRAFT PLAN AND THE 7 8 GROWTH RATE IDENTIFIED IN THE FINAL BLUEPRINT THE 21% GROWTH RATE SHOULD BE APPLIED IN ALL OF THE JURISDICTION WHICH IS 9 10 WHAT WE HAVE DONE, WE HAVE RECALCULATED OUR RHNA AND WHY WE'RE REQUESTING A REDUCTION OF 103 UNITS. THANK YOU FOR YOUR TIME. 11 THAT CONCLUDES OUR PRESENTATION 12 13 JESSE ARREGUIN, PRESIDENT: I'LL ASK STAFF TO PRESENT ON THE 14
- 16

15

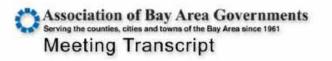
- 17 GILLIAN ADAMS: THANK YOU. IF WE COULD PULL UP THE SLIDES.
- 18 THANK YOU. NEXT SLIDE PLEASE. THE TOWN OF TIBURON IS

APPEAL FROM THE TOWN OF TIBURON.

- 19 REOUESTING A REDUCTION OF 103 UNITS WHICH IS A REDUCTION OF
- 20 16% FROM ITS DRAFT ALLOCATION. AND STAFF'S RECOMMENDATION IS
- 21 TO DENY THE APPEAL. NEXT SLIDE PLEASE. TIBURON ARGUES THAT
- 22 ABAG MADE AN ERROR IN CALCULATING THE TOWN'S DRAFT ALLOCATION
- 23 BUT ABAG MTC STAFF'S RESPONSE IS THAT ARE NO ERRORS THE
- 24 CALCULATION SHOWN IN THE PLAN TO ADJUST FACTOR SCORES FOR ALL
- 25 JURISDICTIONS TO ENSURE THAT THE METHODOLOGY ALLOCATES 100% OF



- 1 UNIT IN EACH INCOME CATEGORY AS ASSIGNED BY HCD WHEN THE
- 2 CALCULATIONS INCLUDE THIS STEP THE RESULTS ARE CONSISTENT WITH
- 3 THE TOWN'S DRAFT ALLOCATION. NEXT SLIDE PLEASE. TIBURON
- 4 CALCULATED AN IMPLIED GROWTH RATE AND ARGUED THIS GROWTH IS
- 5 INCONSISTENT WITH THE SOUTH MARIN SUPER DISTRICT'S GROWTH RATE
- 6 IN THE PLANNED BAY AREA 2050 FINAL BLUEPRINT THE TOWN STATES
- 7 THERE IS NO PUBLICLY AVAILABLE METHODOLOGY TO DEMONSTRATE HOW
- 8 INDIVIDUAL JURISDICTION'S BASELINE ALLOCATIONS WERE
- 9 CALCULATED. HOWEVER AS MENTIONED PREVIOUSLY ALL DATA AND
- 10 CALCULATIONS FOR THE RHNA METHODOLOGY ARE SHOWN IN THE RHNA
- 11 PLAN ON HCD'S WEB SITE. STAFF PROVIDED JURISDICTIONS ACCESS TO
- 12 THE UNDERLYING DATA TO THE 2050 FINAL BLUEPRINT FORECAST AS
- 13 USED IN THE METHODOLOGY BASED ALLOCATION. JURISDICTION COULD
- 14 REVIEW THE GROWTH PATTERN IN THE DRAFT BLUEPRINT IN SUMMER OF
- 15 2020 AND PRIOR TO ADOPTION OF THE FINAL BLUEPRINT IN JANUARY
- 16 2021. ABAG AND MTC STAFF HELD OFFICE HOURS TO DISCUSS THE
- 17 MODEL AND FORECASTED GROWTH FOR THE URBAN SIM MODEL. STATUTE
- 18 REOUIRES RHNA TO BE CONSISTENT WITH THE PLAN'S DEVELOPMENT
- 19 PATTERN IT DOESN'T SPECIFY HOW TO DETERMINE CONSISTENCY. THIS
- 20 GIVES ABAG DISCRETION TO DEFINE ITS APPROACH. THE GROWTH
- 21 FORECASTS ARE ADOPTED AT THE COUNTY ASK SUBCOUNTY LEVELS ONLY
- 22 AND APPROACH USED THROUGHOUT THE RHNA METHODOLOGY DEVELOPMENT
- 23 PROCESS DEEMS CONSISTENT WITH THE PLAN IF THE EIGHT YEAR RHNA
- 24 DOES NOT EXCEED THE PLAN'S 35 YEARS HOUSING AT COUNTY AND
- 25 SUBCOUNTY LEVELS. RHNA IS CONSISTENT WITH PLANNED BAY AREA



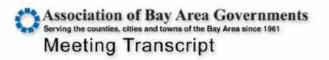
1	2050 INCLUDING SOUTH MARIN SUPER DISTRICT WHERE TIBURON IS
2	LOCATED. NEXT SLIDE PLEASE. TIBURON ARGUES ARE THE
3	METHODOLOGY DOUBLE COUNTS THE IMPACT OF HIGH-RESOURCE AREAS.
4	JOBS/HOUSING PROGRAM FACTOR ALLOCATION IMPORTANTLY THESE
5	ARGUMENTS CHALLENGE OF THE FINAL RHNA METHODOLOGY THAT WAS
6	ADOPTED BY HCD AND FALLS OUTSIDE OF SCOPE OF THE APPEALS
7	PROCESS. USED AS A RHNA FACTOR PROVIDES A BRIDGE BETWEEN LONG-
8	TERM GROWTH FORECAST IN THE PLAN AND SHORT-TERM FOCUS OF RHNA
9	PRIORITIZING THESE AREAS FOR NEAR-TERM GROWTH DURING THE EIGHT
10	YEAR RHNA PERIOD. THE FINAL BLUEPRINT DESIGNATES A PORTION OF
11	TIBURON AS A TRANSIT-RICH AND HIGH-RESOURCE AREA BASED ON THE
12	TIBURON FERRY TERMINAL WHICH IS A MAJOR TRANSIT STOP BASED ON
13	THE STATE'S DEFINITION LASTLY TO HELP DISTRIBUTE THROUGHOUT
14	THE REGION RHNA FACTORS ARE SCALED SO THAT JURISDICTIONS EVEN
15	WITH LOW SCORES RECEIVE RHNA UNITS FROM EACH FACTOR BECAUSE
16	TIBURON HAS SMALL NUMBER OF JOBS OF ACCESS WITHIN 45 MINUTES
17	IT RECEIVES FEWER UNITS BASED ON THIS RELATIVE FACTOR. THE
18	TOWN INFORMATION DEVELOPED FROM THE HES TOOL DOES NOT HAVE
19	SUFFICIENT LAND AVAILABLE TO ACCOMMODATE ITS RHNA AS STATED
20	PREVIOUSLY THE TOOL WAS NOT USED TO DEVELOP THE APPLICATION.
21	STAFF UNDERSTANDS TIBURON'S CONCERNS ABOUT NATURAL HAZARDS
22	HOUSING ELEMENT LAW GENERALLY DOES NOT AN AREAS AS RISK FROM
23	NATURAL HAZARDS AS A CONSTRAINT TO HOUSING TIBURON DOES NOT
24	PROVIDE EVIDENCE THAT IT IS HNABLE TO CONSIDER AVAILABILITY

EVER UNDER UTILIZED LAND OPPORTUNITIES FOR INFILL DEVELOPMENT



AND INCREASE RESIDENTIAL DENSITY USED TO ACCOMMODATE RHNA AS 1 REQUIRED BY STATUTE. STAFF UNDERSTANDS THE TOWN'S CONCERNS 2 3 ABOUT DROUGHT HOWEVER THE TOWN'S ARGUMENTS DO NOT MEET THE REQUIREMENTS FOR VALID APPEAL AS THE TOWN HAS NOT DEMONSTRATED 4 5 IT IS PRECLUDED FROM MEETING ITS RHNA ALLOCATION BECAUSE MUCH A DECISION BY ITS WATER SERVICE PROVIDER. NEXT SLIDE PLEASE. 6 THUS ABAG MTC STAFF RECOMMENDS THE COMMITTEE DENY THE APPEAL 7 8 FILED BY TIBURON. THANK YOU VERY MUCH. 9 JESSE ARREGUIN, PRESIDENT: THANK YOU VERY MUCH. I WOULD NOW 10 LIKE TO GIVE TIBURON OPPORTUNITY TO RESPOND TO THE STAFF'S 11 PRESENTATION. IF YOU SO CHOOSE. 12 13 SPEAKER: THANK YOU. REGARDING THE FIRST ISSUE WE DIDN'T ARGUE 14 15 THAT THE STAFF MADE AN ERROR IN THE RHNA CALCULATION BUT THE 16 LACK OF TRANSPARENCY AND HOW IT WAS DETERMINED AND PRESENTED IN THE DRAFT PLAN FORCED US TO GO BACK AND REDO THE NUMBERS 17 AND DETERMINE WHAT THE IMPLIED GROWTH RATE WAS. REGARDING 18 ISSUES 2 AND 3 AGAIN OUR ARGUMENT IS THAT SINCE THE FINAL 19 BLUEPRINT GROWTH PATTERN DOES NOT IDENTIFY GROWTH RATES FOR 20 THE INDIVIDUAL JURISDICTIONS, THAT'S THE SUPER DISTRICT GROWTH 21 RATE IN THIS CASE 21% WHICH SHOULD BE USED FOR ALL THE 22 JURISDICTIONS WITHIN THE SOUTH MARIN DISTRICT. THE WAY STAFF 23 ALLOCATES THE BASELINE NUMBERS OVERWEIGHS TIBURON RHNA BECAUSE 24

IT'S LOCATED IN A SO-CALLED TRANSIT-RICH AREA WITHIN A HIGH-



RESOURCE AREA SOMETHING THAT'S SUPPOSED TO BE ADDRESSED IN THE 1 APPLICATION FACTORS ON THE BASELINE APPLICATION. CLEARLY THE 2 3 METHODOLOGY IS DOUBLE COUNTING THE IMPACT OF HIGH-RESOURCE OPPORTUNITIES AREA AND THE TRANSIT ISSUE. FIRST IN BASELINE 4 5 ALLOCATION AND APPLICATION OF FACTORS. REGARDING ISSUE NUMBER 4 LACK OF AVAILABLE LAND. WE CITED HES DATA IN OUR APPEAL DUE 6 TO LACK OF INFORMATION DUE TO HOW ABAG STAFF IDENTIFIED 7 8 AVAILABLE SITES. WE AGREE IT'S FLAWED. BUT IT DOES SUPPORT OUR POINT THAT THERE IS LACK OF AVAILABLE AND VACANT UNDERUTILIZED 9 10 LAND. FINALLY WITH ISSUE NUMBER FIVE, I WOULD STATE OUR APPEAL IS NOT BASED ON THE CURRENT DROUGHT BUT ON THE LACK OF URBAN 11 WATER MANAGEMENT PLAN THAT VERIFIES THERE WILL WON'T BE ENOUGH 12 WATER TO SERVICE THE INCREASE IN HOUSING UNITS IN THE MARIN 13 IMPROVE WATER DISTRICT WHICH INCLUDES TIBURON. 14 15 16 JESSE ARREGUIN, PRESIDENT: I'LL GO TO PUBLIC COMMENT ON THE RHNA APPEAL FOR THE TOWN OF TIBURON. IF YOU WISH TO SPEAK 17 PLEASE RAISE YOUR HAND IF YOU ARE ON THE PLATFORM OR IF YOU 18 ARE PHONING IN PRESS STAR NINE. MR. CASTRO? 19 20 21 CLERK, FRED CASTRO: I SEE RAISED HANDS FROM THE ATTENDEES. LET ME CHECK WITH STAFF TO SEE IF THERE IS ANYONE AT 375 BEALE. 22

THERE WERE POSTED PUBLIC COMMENTS RECEIVED AND THAT WAS POSTED

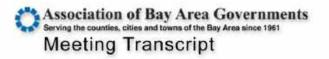
only and is not an official record of any action taken.

ONLINE AND E-MAILED TO COMMITTEE MEMBERS. AND STAFF CONFIRMS

NO MEMBERS OF THE PUBLIC ARE AT 375 BEALE. THANK YOU.

23

24



1 2 JESSE ARREGUIN, PRESIDENT: THANK YOU VERY MUCH. IT'S NOW IN 3 ORDER FOR THE COMMITTEE TO DISCUSS THE APPEAL AND I WOULD LIKE TO RECOGNIZE FLIGOR. 4 5 NEYSA FLIGOR: THANK YOU. I JUST WANTED TO COMMENT AND THANK 6 STAFF, AND WE HAVE SEEN IT WITH THE OTHER APPEALS AS WELL, 7 8 WHERE THEY'RE NOT JUST GIVING GENERIC RESPONSES TO THE APPEALS RAISED BY THE DIFFERENT JURISDICTIONS. WHERE EACH APPEAL, THEY 9 HAVE ACTUALLY GONE THROUGH AND CITED SPECIFIC RESPONSES TO THE 10 ARGUMENTS BEING MADE BY THE CITY'S APPEALING. SO I JUST REALLY 11 WANTED TO COMMENT ON THAT. BECAUSE THIS APPEAL, AND A PRIOR 12 APPEAL, YOU KNOW, WOULD GIVE THE IMPRESSION THAT SOMEHOW THAT 13 STAFF IS NOT ACTUALLY DEMONSTRATING WHY THEY'RE RECOMMENDING 14 15 THAT WE DENY THE APPEAL AND FOR THOSE REASONS I WILL BE 16 SUPPORTING STAFF'S RECOMMENDATION TO DENY THIS APPEAL. THANK 17 YOU. 18 JESSE ARREGUIN, PRESIDENT: THANK YOU. MAYOR HUDSON? 19 20 21 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 22 OF THE THINGS THAT MADE THIS VERY DIFFICULT IS, FROM THE 23 MINUTE YOU PUT ME ON THIS COMMITTEE, I STARTED QUESTIONING 24 GILLIAN AND OTHERS ABOUT GETTING INFORMATION. THE MORE 25



- 1 INFORMATION I GOT, THE EASIER IT WAS TO SEE WHAT YOUR JOB WAS,
- 2 IT'S VERY CONSTRAINED. AND I HEARD SOMETHING THAT I WANT
- 3 TIBURON TO KNOW THAT YOU PROBABLY DIDN'T WANT TO SAY THIS,
- 4 STATUTORY REOUIREMENT FOR AN APPEAL, BASIS NUMBER TWO,
- 5 CONSISTENT WITH METHODOLOGY, FURTHERS RHNA OBJECTIVES. A VALID
- 6 APPEAL MUST SHOW AN ERROR IN THE APPLICATION OF THE
- 7 METHODOLOGY, A CRITIQUE ABOUT THE METHODOLOGY ITSELF IS
- 8 OUTSIDE THE SCOPE OF THE APPEAL PROCESS. AND WHAT I JUST HEARD
- 9 WAS, THEY DIDN'T DO THE MATH WRONG. AND THAT, BASICALLY, IS
- 10 WHAT PART OF THE APPEAL S IF YOU HAVE TO SHOW WHERE THE MATH
- 11 IS WRONG. AND WE HAVEN'T SEEN THAT. I MEAN, I HAVE HEARD SOME
- 12 OF THE BEST APPEALS IN THE FOUR DAYS THAT WE HAVE DONE THIS,
- 13 BUT NONE OF THEM ARE FOCUSING ON WHAT WE CAN LOOK AT AS AN
- 14 APPEAL. APPARENTLY -- WELL, I'M GOING TO LEAVE IT AT THAT.
- 15 I'M GOING TO VOTE TO DENY FOR THAT VERY REASON THAT THERE HAS
- 16 BEEN NOTHING SHOWN FOR THE REASONING THAT THE METHODOLOGY WAS
- 17 DONE, OR THE APPLICATION WAS DONE WRONG.
- 18
- 19 JESSE ARREGUIN, PRESIDENT: OKAY. THANK YOU. ANY OTHER
- 20 QUESTIONS OR COMMENTS FROM THE MEMBERS OF THE ADMINISTRATIVE
- 21 COMMITTEE? IF NOT, IS THERE A MOTION TO TAKE A PRELIMINARY
- 22 ACTION OF ANY KIND?
- 23
- 24 CARLOS ROMERO: I WOULD LIKE TO MAKE THE MOTION TO TAKE THE
- 25 PRELIMINARY ACTION THAT WE DENY THE APPEAL.



1 JESSE ARREGUIN, PRESIDENT: IS THERE A SECOND? 2 3 OTTO LEE: I'LL SECOND. 4 5 JESSE ARREGUIN, PRESIDENT: SECOND BY SUPERVISOR LEE. THANK 6 YOU. ANY COMMENTS OR QUESTIONS? MAYOR EKLUND? 7 8 PAT ECKLUND: I WANT TO ASK A OUESTION OF STAFF, IF THE MARIN 9 10 IMPROVE WATER DISTRICT PROHIBITS NEW WATER HOOK UPS, THAT'S WITHIN -- WELL, LET'S SAY, NOT THIS YEAR, BUT, ONCE WE KNOW 11 WHAT THE WINTER IS GOING TO BE LIKE, SO IT WILL BE PROBABLY 12 2022, AND THE -- THAT PROHIBITION IS FOR AN UNCERTAIN PERIOD 13 OF TIME, WHAT DOES THIS -- WHAT DOES THE JURISDICTION DO IF 14 15 THAT PERMIT HOOK-UP PROHIBITION CONTINUES TO 2023? WHAT DO 16 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 17 DOING SOME OF THIS RHNA STUFF. SO WHAT DOES A JURISDICTION DO? 18 SO, IF THE PROHIBITION CONTINUES TO 2023, CALENDAR YEAR, WHEN 19 THIS RHNA CYCLE STARTS, WHAT CAN A JURISDICTION DO TO PUT A 20 21 HALT TO THE RHNA? 22 GILLIAN ADAMS: SO THAT IS NOT SOMETHING THAT IS EXPLAINED IN 23 THE STATUTE. SO, IT, SORT OF, FALLS OUTSIDE OF WHAT IS 24 25 INCLUDED IN THE HOUSING ELEMENT LAW.



1 2 PAT ECKLUND: SO THEN WE'RE PROBABLY GOING TO NEED STATE LEGISLATION THAT PROVIDES FOR SOME MECHANISM FOR A CITY, OR A 3 JURISDICTION, COULD BE A COUNTY, AS WELL. IT DEPENDS IF THERE 4 5 IS ONLY ONE WATER DISTRICT. BUT, ANYWAY, SO, I GUESS WE NEED STATE LEGISLATION, CORRECT? 6 7 8 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 9 10 PROCESS, THIS IS GOING TO BECOME A RELATIONSHIP BETWEEN LOCAL JURISDICTIONS AND HCD. AND YOU KNOW, CERTAIN -- I DON'T THINK 11 WE'RE BEST POSITIONED TO COMMENT ON ALL OF THE SPECIFICS HOW 12 HCD IS GOING TO BE ENFORCING OR WHAT, SORT OF, EXCEPTIONS 13 WOULD BE MADE WITH THE LEGISLATION BUT WE WOULD CERTAINLY BE 14 15 HAPPY TO FACILITATE AND CONNECT OUR LOCAL PARTNERS TO THE 16 LOCAL STATE STAFF PERSONS WHO ARE GOING TO BE REVIEWING 17 HOUSING ELEMENTS. 18 PAT ECKLUND: I THINK THAT WOULD BE HELPFUL. BUT I ALSO THINK 19 20 ABAG IS SUPPOSED TO BE PROVIDING SERVICES TO CITIES. SO, IF, YOU KNOW, THERE MAY BE MULTIPLE WATER DISTRICTS THAT MAY BE IN 21 THAT POSITION. BECAUSE, IN NORTHERN MARIN, WE ARE SERVICED BY 22 A SEPARATE WATER DISTRICT, AND OUR SOURCE OF WATER IS 23 DIFFERENT THAN MARIN MUNICIPAL. SO, I THINK THAT ABAG NEEDS TO 24 25 PLAY SOME, SORT OF, A ROLE. BUT I GUESS WE SHOULD PROBABLY ADD



THAT TO THE LIST FOR DISCUSSION. BECAUSE OUR JOB, AS I SEE IT, 1 AS A COUNCIL OF GOVERNMENT S TO HELP CITIES. AND, BUT I KNOW 2 3 THAT THE CITIES ARE CAPABLE OF SEEKING LEGISLATION OURSELVES. THANK YOU VERY MUCH FOR ANSWERING THAT. 4 5 JESSE ARREGUIN, PRESIDENT: ANY OTHER QUESTIONS OR COMMENTS? 6 OKAY. IF NOT, THE MOTION IS TO TAKE A PRELIMINARY ACTION TO 7 8 DENY THE APPEAL. I'LL ASK THE CLERK TO PLEASE CALL THE ROLL 9 10 CLERK, FRED CASTRO: THE MOTION WAS BY ROMERO. SECOND BY LEE. [ROLL CALL VOTE] MOTION PASSES TEN AYES, ONE NO, ONE ABSENT. 11 12 JESSE ARREGUIN, PRESIDENT: THANK YOU. THAT COMPLETES THIS 13 MATTER. AND THANK YOU TO THE MAYOR AND STAFF FROM TIBURON FOR 14 15 JOINING US TODAYS, AND THANK YOU FOR YOUR PRESENTATION. 16 COMPLETES THE BUSINESS BEFORE THE COMMITTEE THIS AFTERNOON. UNLESS THERE ARE ANY OTHER COMMENTS? WE CAN ADJOURN? 17 18 PAT ECKLUND: MAYOR ARREGUIN? 19 20 JESSE ARREGUIN, PRESIDENT: YES? 21 22

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 1 2 DOING A MODIFICATION OF THE TIME SET-ASIDE? 3 JESSE ARREGUIN, PRESIDENT: I WOULD HAVE TO CONSULT WITH STAFF 4 5 ABOUT THAT. I DON'T THINK WE POSTED THE AGENDA YET, BUT WE HAVE PROVIDED -- WE HAVE PROVIDED A NOTICE TO THE APPELLANT 6 JURISDICTIONS THAT WE'RE GOING TO BE HEARING IT THAT DAY. I 7 8 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 9 10 ON THURSDAY, AND THEN ON FRIDAY, AS WELL. SO, WE SOME JUST BE PREPARED FOR THAT. 11 12 PAT ECKLUND: OKAY. I JUST WANTED TO --13 14 15 JESSE ARREGUIN, PRESIDENT: [INDISCERNIBLE]. I WILL CONSULT 16 WITH STAFF. THANK YOU FOR RAISING THAT. MAYOR HUDSON? 17 DAVID E. HUDSON: YEAH. I THOUGHT THAT, FRANKLY, THAT WAS A 18 GREAT IDEA, UNTIL I REALIZED WHO WAS ON THE APPEAL, AND IN ALL 19 HONESTY, AND I DIDN'T MEAN THAT TO BE CUTE OR ANYTHING, BUT 20 21 THINK WHEN YOU REALLY GET INTO SOME OF THE CITIES THAT THE NUMBERS WERE CHANGED, SHALL WE SAY, IN THAT COUNTY, AND THEY 22 WERE PART OF THAT DEBATE WHEN WE WERE TALKING ABOUT OPTION 23 EIGHT, OPTION SIX, OR THEE -- THREE, I WOULD HATE TO GUESS HOW 24 25 LONG THOSE APPEALS ARE GOING TO TAKE. I WOULD CONSIDER YOU MAY



HAVE MORE THAN THEE OR FOUR PEOPLE SPEAKING. IN CONSIDERATION 1 OF LOOKING INTO CHANGING I BELIEVE THAT ONE COULD BE A FULL 2 3 DAY IS WHAT I'M SAYING. 4 5 JESSE ARREGUIN, PRESIDENT: AND CERTAINLY THERE IS -- YOU KNOW, IF FOR WHATEVER REASON WE'RE ABLE TO COMPLETE OUR BUSINESS 6 SOONER THAN WAS ANTICIPATED, THEN WE DON'T NEED TO BUDGET THAT 7 8 REMAINDER OF THE TIME. BUT, NONETHELESS, I WILL SPEAK TO STAFF ABOUT THAT PARTICULAR REQUEST. SO, FOR THE ABAG ADMINISTRATIVE 9 10 11 DAVID E. HUDSON: SPECIFICALLY YOU'RE NOT TALKING ABOUT MOVING 12 DAY 6 TO 5, ARE YOU? 13 14 PAT ECKLUND: NO. JUST CHANGING THE HOURS. 15 16 JESSE ARREGUIN, PRESIDENT: OKAY. SO WITH THAT, THE ABAG 17 18 ADMINISTRATIVE COMMITTEE WILL CONTINUE THIS HEARINGS ON THE RHNA APPEALS TO THE BAY AREA METRO CENTER REMOTELY ON ZOOM 19 FRIDAY OCTOBER 22ND 2021 NINE A.M. TO 5:00 P.M. OR WHATEVER 20 TIME IS DULY NOTICED. AND THIS MEETING IS ADJOURNED. THANK 21 22 YOU. [ADJOURNED]

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<TRANSCRIPT>

