
May 12, 2022

Agenda Item 8.b.

**Bay Area Housing Finance Authority – Establishing Organizational and Administrative
Procedures of the Bay Area Housing Finance Authority**

Subject:

Adoption of BAHFA Resolution No. 11 to apply Metropolitan Transportation Commission (MTC) Resolution No. 3619 and other MTC rules for administration, employee relations, contracting and other business operations to the Bay Area Housing Finance Authority

Background:

Title 6.8 of the Government Code, commencing with Government Code Section 64510 (AB 1487, Chiu, October 8, 2019) creates the Bay Area Housing Finance Authority (BAHFA, or the Authority) with jurisdiction extending throughout the San Francisco Bay Area and provides that BAHFA shall be governed by the same board that governs the Metropolitan Transportation Commission (MTC).

Per Government Code Section 64514, the BAHFA board may make and enforce rules and regulations necessary for governing the Authority and may act by resolution.

The proposed BAHFA Resolution No. 11 would apply MTC Resolution No. 3619 and other MTC rules, as they exist and as they may be amended, for administration, personnel, payroll, employee relations, purchasing, contracting and other business operations to BAHFA, unless there is a conflict between a MTC rule and a BAHFA rule, in which case, the BAHFA rule shall apply and control.

BAHFA Resolution No. 11 also sets forth BAHFA's agreement to make direct payments on, or reimburse MTC for costs associated with, contracts that directly benefit BAHFA, such as contracts necessary to secure professional services to assist BAHFA in fulfilling its purpose as set forth in Government Code section 64510(c) and related sections of the San Francisco Bay Area Regional Housing Finance Act (Gov. Code, sec. 64500, et seq.), as it exists and as it may be amended. The MTC Executive Director or designee is authorized to make such payments on BAHFA's behalf to MTC, including payments for costs that were incurred before the date of this Resolution, provided the costs were incurred in fiscal year 2021-22.

Issues:

None

Recommended Action:

The BAHFA Oversight Committee is requested to refer BAHFA Resolution No. 11 to the Bay Area Housing Finance Authority for adoption.

Attachment:

BAHFA Resolution No. 11

Reviewed:

A handwritten signature in blue ink, appearing to read "Therese W. McMillan", with a stylized flourish at the end.

Therese W. McMillan