

Date: May 25, 2022

ABSTRACT

BAHFA Resolution No. 11

This resolution defines certain organizational and administrative procedures for the Bay Area Housing Finance Authority (BAHFA).

Further discussion of this action is contained in the BAHFA Summary Sheet dated May 12, 2022, included below as Attachment A.

Date: May 25, 2022

RE: Establishing Organizational and Administrative Procedures of the Bay Area Housing Finance Authority Structure

BAY AREA HOUSING FINANCE AUTHORITY
RESOLUTION NO. 11

WHEREAS, 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); and

WHEREAS, per Government Code Section 64510(c), the Authority's purpose is to raise, administer, and allocate funding and provide technical assistance at a regional level for tenant protection, affordable housing preservation, and new affordable housing production; and

WHEREAS, 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; and

WHEREAS, on June 24, 2020, in adopting Resolution No. 1, the BAHFA Board resolved, among other things, 1) to use Metropolitan MTC staff and the MTC committee structure to assist it in performing its statutory responsibilities; 2) to adopt the MTC Commission Procedures Manual as the Authority's manual; and 3) to adopt the MTC Conflict of Interest Code as the Authority's conflict of interest code; and

WHEREAS, BAHFA now seeks to further clarify its operational and administrative procedures; now, therefore, be it

RESOLVED, that BAHFA finds that the foregoing recitals are true and correct; and be it further

RESOLVED, 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 shall apply 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; and be it further

RESOLVED, beginning in fiscal year 2021-22, BAHFA hereby agrees to reimburse MTC for costs associated with or to make direct payments on contracts that directly benefit BAHFA, in the discretion of the MTC Executive Director or designee, 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.

RESOLVED, that the officers and agents of BAHFA are hereby authorized and directed to take all further actions necessary and convenient to carry out the purposes of this resolution and that all actions heretofore taken by the officers and agents of BAHFA with respect to the convening of BAHFA are hereby acknowledged, ratified, and approved.

BAY AREA HOUSING FINANCE AUTHORITY

Alfredo Pedroza, Chair

The above resolution was entered into by the Bay Area Housing Finance Authority at a duly called and noticed meeting held in San Francisco, California and at other remote locations, on May 25, 2020.