



CIVIC EDGE CONSULTING

25 Taylor Street, San Francisco, CA 94102

MEMO

To: RHNA HMC Team
From: Civic Edge Consulting
Date: November 21, 2019
RE: November 14 HMC Meeting #2 Notes – DRAFT



Meeting Info

HMC Meeting #2
Thursday, November 14, 2019
Alameda County Transportation Commission

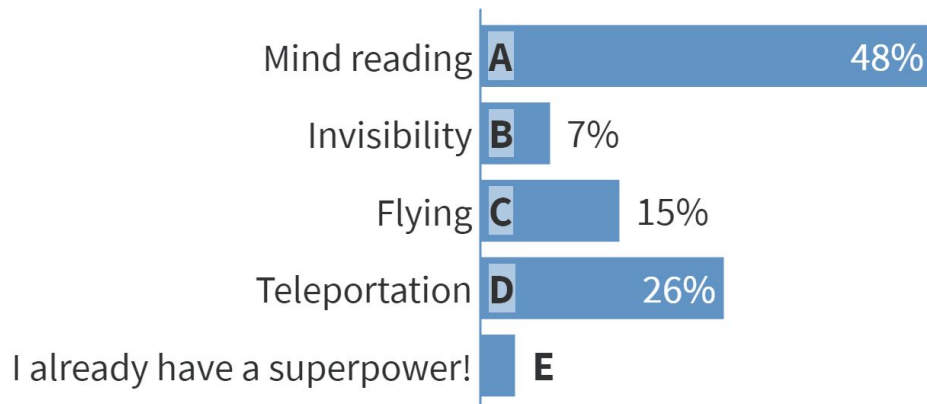
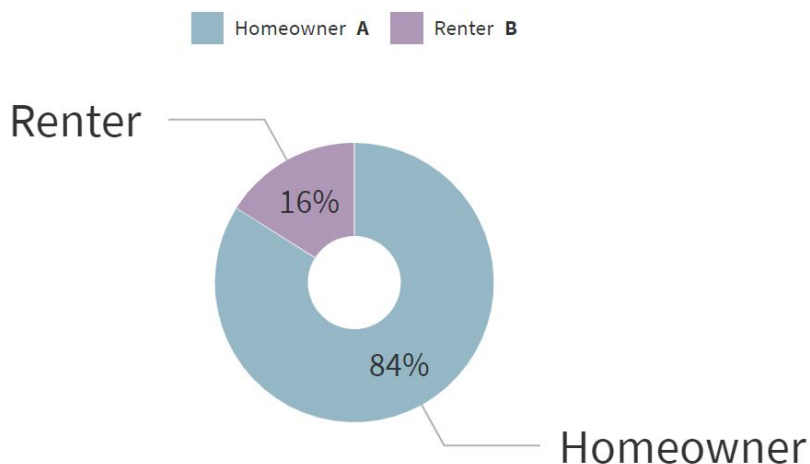
Meeting Notes by Agenda Item

1. **Call to Order / Roll Call / Confirm Quorum – Jesse Arreguin**
2. **Public Comment**
3. **Chair's Report – Jesse Arreguin**
4. **Consent Calendar – Clerk of the Board**

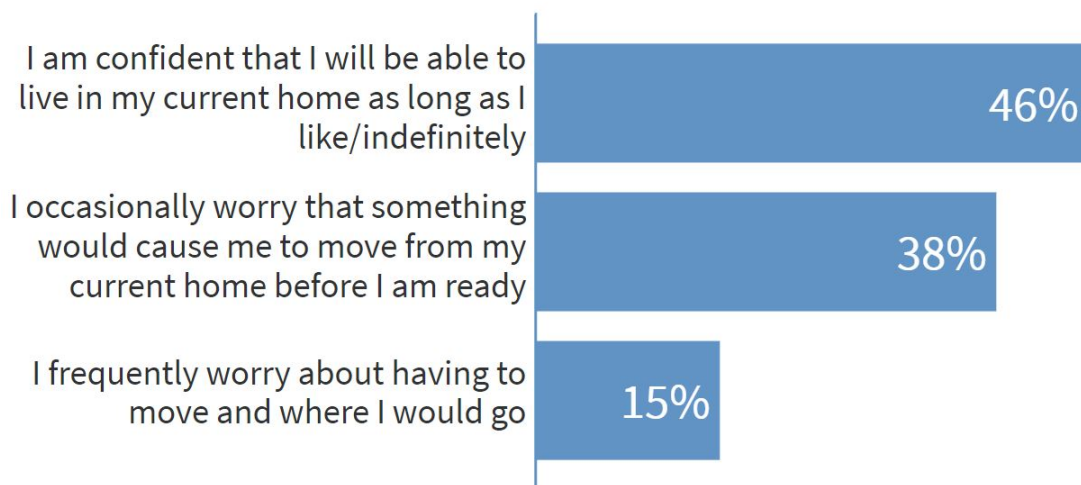
HMC Member Comments/Questions:

- **Pat Eklund:** Discussing October's meeting minutes, Eklund noted the October meeting's roster included a list of alternates and requested an explanation of what the alternates roles were in the meeting.
 - **Fred Castro:** Noted that alternates are included for those who cannot attend meetings and their attendance will be clarified in future notes.
- **Eklund:** Inquired about specifically who the alternates listed in last month's meeting minutes were for.
 - **Gillian Adams:** Clarified that the alternates were for members that requested them.
- **Eklund:** Asked to add this explanation to the minutes for November.
 - **Arreguin:** Noted that we can add that explanation.

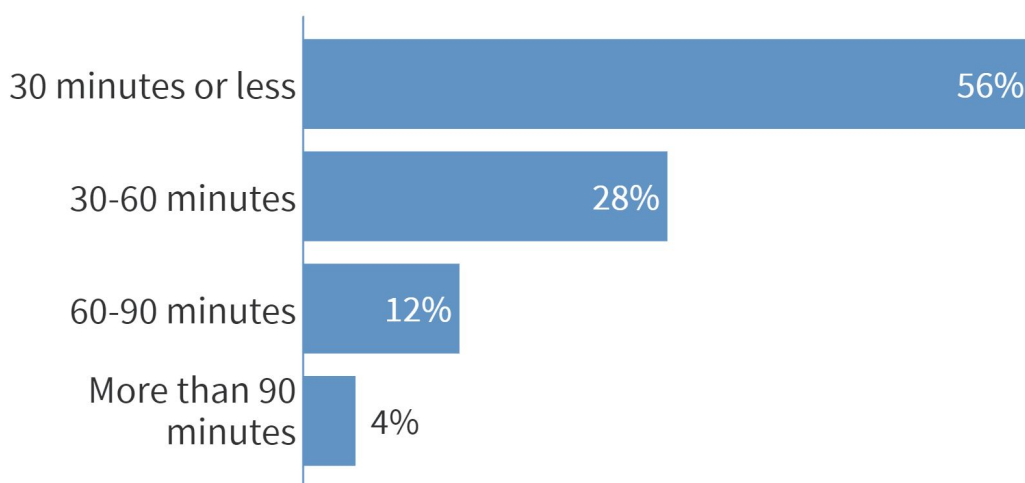
5. Chartering Conversation – Amber Shipley

HMC Member Introductions via Poll Everywhere:**Which superpower would you like to have?****Are you a Homeowner or a Renter?**

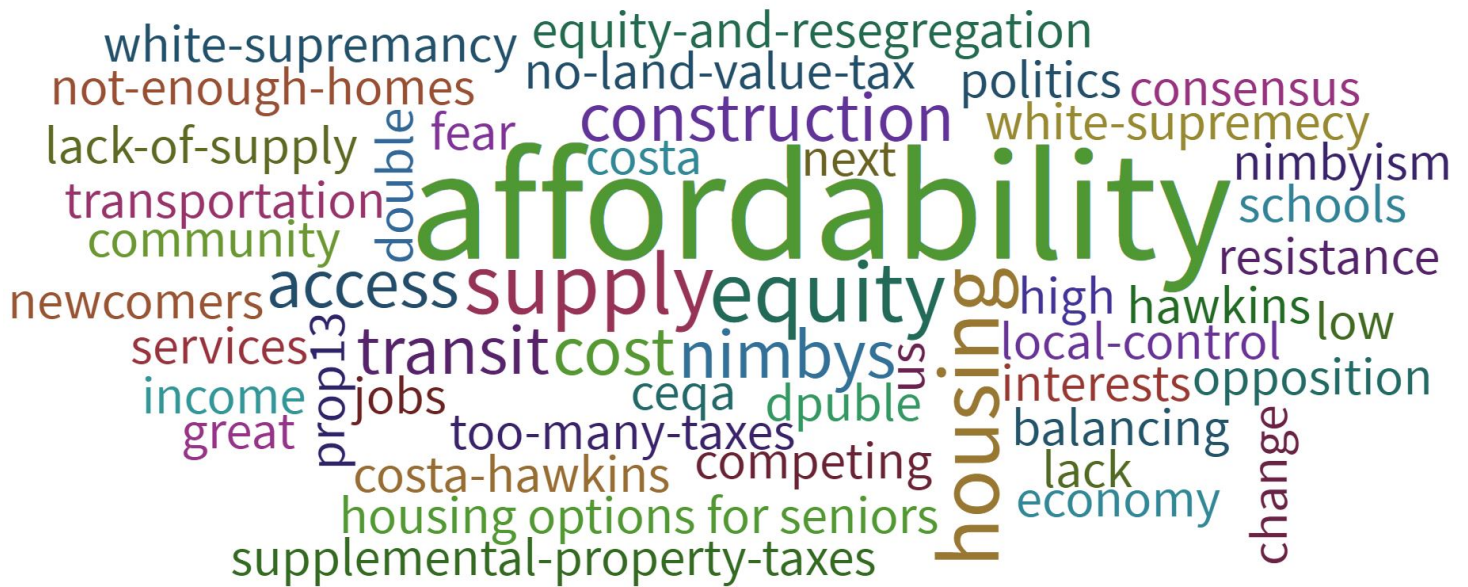
How secure do you feel in your current home?



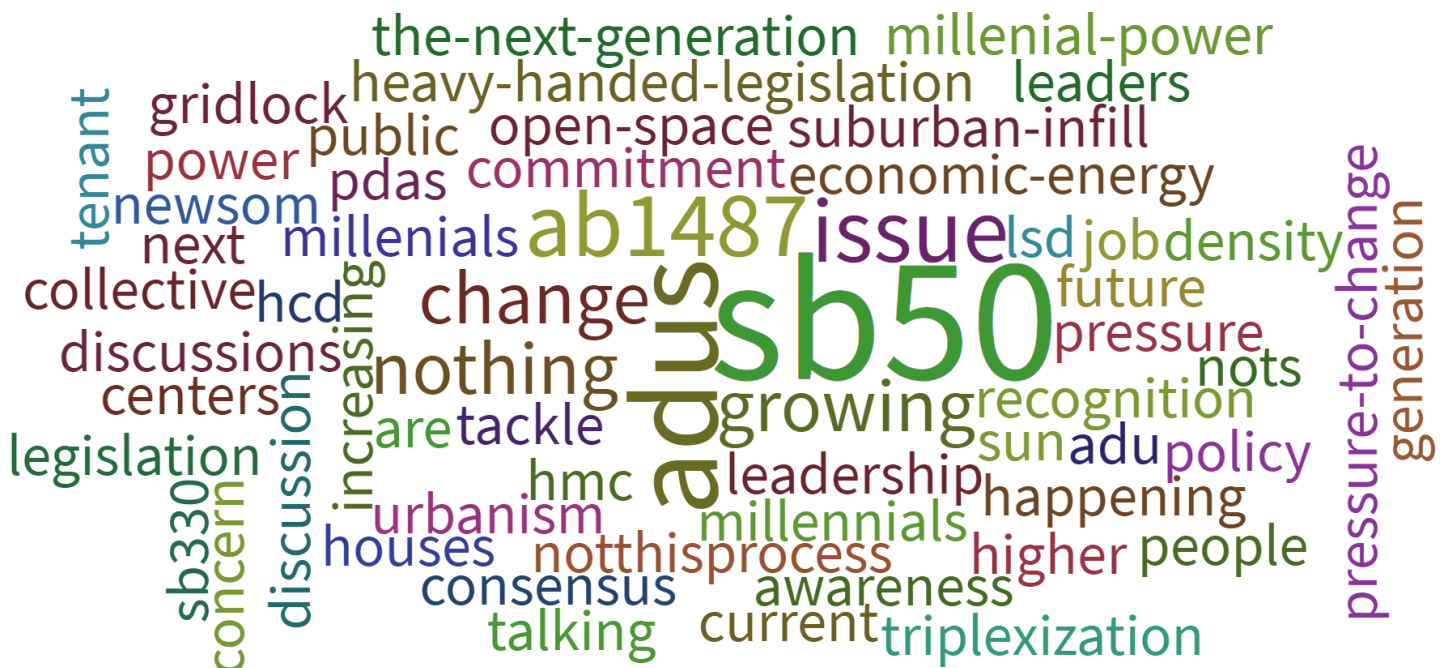
When I travel to work each day it usually takes me about:



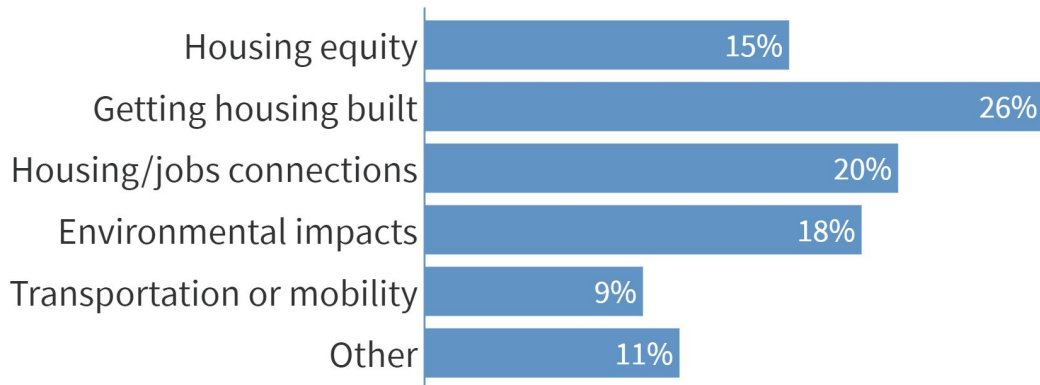
The biggest housing challenge facing the Bay Area is:



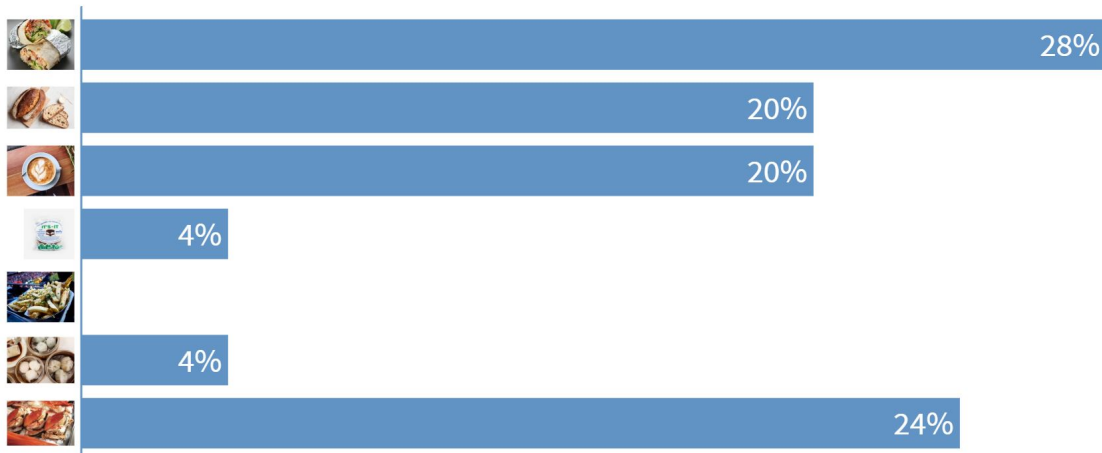
One thing that makes me feel optimistic about housing in the Bay Area is:



When it comes to housing policy, my background makes me an expert in (choose all that apply):



The food that I most associate with the Bay Area is:



HMC Decision-Making Process:

HMC Member Comments/Questions:

- **Eklund:** Inquiry about the decision-making process and why ABAG staff chose a number of 9 red cards to block a decision.
 - **Amber Shipley:** Explained that nine was chosen because it amounts to a quarter of the HMC members.
- **Eklund:** Noted that this number assumes 100% attendance of members at every meeting.
- **Eklund:** On the meaning of the yellow card, Eklund suggested that the yellow card could mean that a member has reservations about the decision being voted on and are not completely supportive of the position.



- **Shipley:** Stated that she appreciated the feedback on the yellow card's meaning and noted that yellow can be interpreted by staff that members do not completely oppose or agree with a decision.
- **Ellen Clark:** Stated that she liked the updated processes, wanted to try using it first before making additional changes.
- **Diane Dillon:** Noted that the group needs to start making decisions and moving forward and asked the Chair to use his power to mandate consensus for the group.
- **Josh Abrams:** Suggested the group move forward using the newly created decision-making process, and that if it does not work well, to revisit and make changes as needed.
- **Clark:** Clarified to the group that a yellow card signifies that a decision bears more discussion, along with a red card, and again asked to try this before making further changes.
- **Jeffrey Levin:** Asked for clarification on the decision-making process after discussion has taken place and inquired as to whether a minority of 25% can stop the group from making a recommendation. Followed up to ask if members can move forward with both the recommendation and any disagreements if the group cannot come to consensus.
 - **Shipley:** Noted that this is a good idea, and that members can share both as they move forward in the process.
- **Paolo Ikezoe:** Asked to try the voting method to make a decision on this point.
 - **Shipley:** Asked for a decision point on whether or not members wanted to move forward with the updated decision-making process and voting method.
- **MEMBER DECISION POINT:** Majority green.
 - **Shipley:** Stated that the group will move forward using this decision-making framework and revisit only if necessary.

HMC Norms:

HMC Member Comments/Questions:

- **Eklund:** Asked for a 5-day limit for members to share comments on meeting materials to accommodate any members' schedules.
 - **Shipley:** Noted that both ABAG and CEC staff are comfortable with this change.
- **Shipley:** Called a decision point on adopting the updated set of HMC norms.
- **MEMBER DECISION POINT:** Majority green.
 - **Shipley:** Stated that the group officially adopted the updated norms.



Brown Act:*HMC Member Comments/Questions:*

- **Levin:** Expressed concern with the notion that members should not speak with one another at all between meetings. Stated this regulation goes beyond the Brown Act, and there may be groups of people who may need to connect in between meetings to put proposals together etc.
 - **Carlos Romero:** Agreed with Levin's statement, and expressed concern with this regulation unless the group would be adhering to a modified Brown Act.
 - **Rodney Nickens Jr.:** Agreed with comments made by both Levin and Romero, and noted this regulation inhibits ability to collaborate on the methodology with others.
 - **Eklund:** Concurred with fellow members and stated that members should be allowed to discuss all information shared by ABAG staff outside of HMC meetings.
- **Aarti Shrivastava:** Stated that HMC members in Santa Clara county connect with one another about how best to represent their collective issues at meetings.
- **Matt Lavrinets:** Clarified that the intent of this rule is to prevent conversation in between meetings among members of the HMC, not with those outside of the committee. He stated that the concern about discussion among members outside of meetings is that it is easy to "lose control" of the count of members who may discuss meeting items if electronic conversations are forwarded. He gave the example of an email thread being forwarded to enough committee members to constitute a quorum, even if the original email was only between a few members.
- **Michael Brilliot:** Stated that every month Santa Clara county representatives discuss meeting issues as a group and noted that this would not be an issue for the Brown Act.
- **Neysa Fligor:** Stated that she understands ABAG staff's advice but noted there can be a solution. Suggested members can limit conversation in between meetings by county.
- **Arreguin:** Clarified what constitutes a quorum. Stated that 18 members discussing items in between meetings results in a quorum, and that up to 17 could be allowed. Noted that committee members need to be mindful and only that specific number of people can connect in between meetings.
- **Julie Pierce:** Also noted concern about conversations over email. Stated that if you are talking to 17 people through email, it may instantly become a quorum because you cannot track the conversation. She stated that decisions and discussion should take place at meetings, and there should not be coalitions built in between them.

- **Romero:** Stated that the responsibility is on the individual to not violate the Brown Act and that it is responsibility of each member to not go beyond discussions of 17 people. Noted that the group cannot limit discussions by county because the members are participating in a regional process.
- **Shrivastava:** Suggested creating a subcommittee that can allow people to discuss issues in between meetings in order to avoid email conversations rendering committee discussions invalid.
- **Levin:** Noted there are stakeholder representatives on the HMC, and not county representatives, and limiting outside conversation by county would not include them. All members can be careful to ensure that conversations do not spread to 18 people.
- **Forrest Ebbs:** Suggested to call for a motion to vote on whether to proceed with the Brown Act as written in government code, and unmodified.
- **Shipley:** Called for a decision point to move forward with the Brown Act unamended.
- **MEMBER DECISION POINT:** Majority green
- **Lavrinet:** Thanked members for their comments and noted the onus is on the individual to abide by the Brown Act and members should keep this in mind moving forward.
- **Levin:** Stated that public comment should be taken before members vote on a decision.
 - **Shipley:** Noted that staff take that feedback into consideration for future meetings.

Public Comment:

- **Tim Frank, Center for Sustainable Neighborhoods**
Noted that the committee made a good decision about the Brown Act and expressed confidence that they will be able to stay on the right side of the law. Beyond this, he expressed that the real challenge of this experience building the methodology is that there is still not a single HMC member who represents labor. Frank suggested expanding the committee to include an individual with experience in labor. He urged members to ensure there are no oversights about labor in this process, and stated he saw that oversight was apparent from the meeting's agenda item on equity discussion. He also noted that the jurisdiction survey did not include a question on labor.

HMC Member Comments/Questions:

- **Eklund:** Recommended that a representative from labor join the committee.
 - **Arreguin:** Noted that ABAG staff is working on this issue and hopes to have an additional appointment for the December or January meeting.

- **Brad Paul:** Noted that the ABAG Administrative Committee meets in December and can work to move the appointment forward at that time.
- **Abrams:** Inquired about adding renters to the committee to add diversity to the group.
 - **Arreguin:** Stated that he is a renter in Berkeley, and that there are voices on the committee who represent renters.
- **Romero:** Stated that opening the committee to new members at this point in time would result in a significant number of nominations. He noted that HMC member Rick Bonilla has adequate experience in labor and also is an elected official.
- **Arreguin:** Stated that staff will bring forward a nomination for a seat for labor in December.
- **Victoria Fierce:** Noted that she also represents renters on the committee. Stated that there does not need to be member additions to the committee at this time, but that staff should consider this issue for the next RHA cycle.
- **Rick Bonilla:** Noted that he is still a current member of the carpenters' union and expressed that opening up the committee to a new member is appropriate and that the group should correct this oversight of not including labor.
- **Clark:** Noted that some members who are currently homeowners used to be renters.
- **Nickens Jr.:** Noted that as a renter, he believed it was an oversight to not have more renters on the committee, and that labor should be a critical partner on this endeavor. Stated that he supports the addition of a new seat.
- **Bonilla:** Noted that the committee needs a building workforce labor representative.
 - **Shipley:** Clarified for the group that the addition of the labor representative is happening.
- **Fligor:** Inquired as to whether the committee should vote on this item.
 - **Shipley:** Noted that this decision is already in the works and that there was no need for a vote on this item.
 - **Arreguin:** Confirmed Shipley's comment.

6. Panel Discussion – Gillian Adams, Tyrone Buckley, Sarah Treuhaft, and Eli Moore

- **Eli Moore, Othering and Belonging Institute:** Presentation began by summarizing use of racially exclusionary policies in the Bay Area and across the US, indicating that segregation is not natural or the result of individual choices but the result of explicit and intentional policies. Othering and Belonging Institute has completed research on



racial segregation in the Bay Area, using “divergence” as an index to measure racial residential segregation. Divergence compares demographics at one scale to a larger scale, and data suggests that Bay Area segregation was worse in 2010 than 1970. Mr. Moore also presented an analysis of the Bay Area’s 2015-2023 RHNA, showing that jurisdictions with higher percentages of white residents received lower allocations of moderate- and lower-income housing. Additionally, 57% of jurisdictions met less than 25% of their 2007-2014 RHNA goals for moderate- and lower-income housing. The presentation concluded with data analysis showing large disparity in rates of rent burden by race and extreme racial disparities in who lives in the Bay Area’s high resource areas.

- **Tyrone Buckley, California Department of Housing and Community Development (HCD):** Discussed how the responsibilities of HCD’s fair housing unit stem from state legislation such as AB 1771 and AB 686 as well as obligations to the federal government to complete the state’s Analysis of Impediments to Fair Housing Choice. Provided an overview of RHNA’s five statutory objectives and defined the concept of affirmatively furthering fair housing. Noted that RHNA has always been informed by fair housing but now the fair housing goals are more explicit.
- **Sarah Treuhaft, PolicyLink:** Presented data from the Bay Area Equity Atlas, an online data visualization tool. Provided a definition of equity as just and fair inclusion into a society where all can participate, prosper, and reach full potential. Noted that an equitable society is one where characteristics don’t determine life outcomes. Ms. Treuhaft presented analysis using Zillow data showing that a family of 2 minimum wage earners (\$62,000/year) can afford to live in only 5% of Bay Area census tracts. She also presented data showing that 99% of low-rent neighborhoods are low opportunity and low-rent areas are majority Black/Latinx, while high-rent neighborhoods are only 12% Black and Latinx. Discussed jobs-housing fit in the Bay Area, presenting data that 20% of Bay Area jobs are low-wage (less than \$1250/month or 18% AML), while only 11% of Bay Area housing units are affordable to these workers.

HMC Member Comments/Questions:

- **Pierce:** Inquired as to whether the panelists considered the senior/elderly Bay Area residents versus younger people in their studies. Noted that there are differing needs for each group. Pierce also inquired as to whether the panelists considered major state parks in their mapping.
 - **Sarah Treuhaft:** Stated that the study does consider age in some of their analysis and agreed they can start integrating it into more of their analyses more moving forward. She also noted data is currently categorizable by age and race.
 - **Tyrone Buckley:** Noted that more data needs to be collected about seniors and their experiences.



- **Moore:** Stated that they included data from the nine-county Bay Area in the mapping, but that they did not consider parks because housing cannot be built on that land.
- **Elise Semonian:** Inquired about how high-income households are taken into consideration in the studies.
 - **Treuhaft:** Noted that when they looked at who is burdened by housing in the Bay Area, it is technically those who are very low income, that the studies were less concerned with those who are high income.
 - **Moore:** Stated the data was broken out into median income households and filtered out higher income households.
- **Fernando Marti:** Thanked the panel for their book handout, and said that he was excited to see his artwork on the cover. He asked that the historical timeline included in the handout be extended to show what has happened in the last 20 years with housing policy, and how those policies that created racial exclusion in 50's, 60's, and 70's have lasting impacts that are still being felt today. Inquired as to whether cities that were established as working-class are places where people of color were able to become owners and build wealth. He followed up to ask how the 2008 foreclosure crisis impacted this. He stated that as the committee considers fair housing allocations, it is important to consider how this crisis is created new patterns of segregation in the Bay Area.
 - **Moore:** Agreed that this data is essential.
- **Matt Regan:** Noted a potential for conflict between creating a methodology to meet RHNA requirements, while also creating better jobs-housing fit. Inquired about what to do when goals are in conflict, and how members should prioritize them.
 - **Buckley:** Noted that HCD's role as a department is to give guidance to members while figuring out these RHNA goals, and that this is an issue that members can have a discussion about.
- **Abrams:** Stated that the premise of what is often listed as affordable housing is not always affordable, but rather high density, and encouraged a new study looking into what affordable housing really means. Asked to hear the panelists' thoughts about where affordable housing should be built in order to further fair housing.
 - **Moore:** Stated that there are often broad goals voiced by impacted communities, and that these range from access to opportunity, and stopping displacement. He noted there is a strong interest in having affordable housing in historic areas that have been home to people of color, and that with this interest, we can meet these goals.
 - **Buckley:** Noted that this sentiment resonates with the thinking at HCD, and that the department wants to promote access to opportunity and building in existing communities.
 - **Treuhaft:** Stated there can be a "both and" approach to further fair housing, and that the Obama Administration's HUD took this approach. She stressed that



displacement needs to be taken into consideration, and affordable housing needs to be prioritized.

- **Ebbs:** On the data discussing highest resource and “good schools,” inquired what constitutes a good school and a highest resource and what was used to define these terms.
 - **Moore:** Noted the detailed methodology to determine these terms are on the study’s website. Stated that defining these terms was based on empirical research into education, safety and employment rates in individual areas, as well as observing secondary data on factors like poverty rates.
- **Eklund:** Inquired about the development of the study’s maps and their use of Tax Credit Allocation Committee (TCAC) maps. She voiced concern that some high resource areas were lacking in transit and infrastructure and contained a large amount of public land and state parks. Inquired as to whether these maps and studies can eliminate these areas as they may not be suitable for housing. Cited Stinson Beach and Bolinas in Marin as examples.
 - **Moore:** Noted that one of the ways jurisdictions have maintained exclusivity is by blocking transit and multi-family housing projects. He stated this is not always intentional, but has been done with intention historically, and that this zoning has been designed to further racial exclusion. Moore also noted that the study does not expect housing to be developed in parks.
- **Nickens Jr.:** Thanked the panel for their presentations and remarks about the origins of RHNA. He noted that Moore’s report highlighted the history of zoning, its impact on housing today, and why HMC is doing the work they are today. Stated that he looks forward to working with the panel while building the methodology.

7. Local Jurisdiction Survey – All

HMC Member Feedback:

General Notes:

- Include definitions (or links to definitions) for specific concepts: jobs-housing fit, jobs-housing balance, land suitability, overcrowding, low-wage worker, etc.
- Define the terms “low-” and / or “middle-income households” with metrics
- Make note of local programs, in addition to federal programs, throughout survey questions
- Inquire about collecting a list of policies and strategies that cities or counties are using to build affordable housing and deal with homelessness
- Specify the process for distributing the survey, and allow for a week to two weeks for responders to answer questions
- Add “higher education” when discussing schools
- Provide opportunity for respondents to include feedback on specific communities within jurisdictions



- After we collect all the data from the survey, think about how this will impact how the committee will create a methodology for RHNA. How much of this is data will help local jurisdictions prep for RHNA, and how much will go into the HMC methodology?
- Add a question about climate action plans and/or greenhouse gas reduction goals
- Add question that says, "Has your city been found to violate state law in the last cycle?"
- Be specific about where all data provided is from and provide sources
- For questions where ABAG is asking jurisdictions for data, ask specifically where jurisdictions' data comes from
- State explicitly where ABAG/HMC is looking for new data sources to inform the methodology (this could apply to Questions 9, 12, 15, and 17)
- Specify the expected audience for these questions
- Provide clarity about what would be an appropriate response to open-ended questions
- Word questions more specifically than "what impacts does this have on your jurisdiction"
- Section 2: for questions about highest priority issues, reword as "highest priority to address"

Relationship Between Jobs and Housing (Questions 1-3):

- Better define "low-wage jobs"/"low-wage workers" and use a metric to aid how the survey will describe it
- Add a question about jobs-housing fit for middle-wage jobs
- What is most useful, the existing jobs-housing fit or growth in low-wage jobs/trends in affordable housing since RHNA plans for growth?
- Add a question after Question 3 about policies/strategies to recruit, retain, or train residential construction workers or other construction workers

Housing Opportunities and Constraints (Questions 4-6):

- Add a question about resiliency efforts and climate change/sea level rise/wildfires having an impact on opportunities and constraints for development. Some areas that appear developable aren't when these hazards are considered.
- Add a question about current transit access and obstacles to expanding transportation
- Add a question about obstacles to locating housing close to job centers even where jobs aren't served by transit
- Notes on Question #4:
 - Replace city or county with jurisdiction
 - Expand specifications about land suitability
 - Add "construction costs"
 - Add "availability of construction labor work force"
 - Add "availability of surplus public land"
 - Add "availability of vacant land"
 - Add "financing/funding available for affordable housing"
 - Add "availability of" to schools, parks and public services
 - Provide examples or better definitions for "opportunities" or "constraints" for housing.



- Notes on Question #5
 - Frame question around opportunities for expanding transit rather than focusing on limitations, since jurisdictions' public transit decisions have often been used to intentionally limit development.
 - Replace the word "growth" with the word "housing"
 - Inquire about decisions made around public transportation that may limit housing developments.

Housing Affordability and Overcrowding (Questions 7-8):

- Add a question about trends in housing costs/how quickly prices are rising
- Add a question about homelessness and need for transitional housing
- Notes on Question #8
 - When asking if someone expects something to change, inquire why they expect that change to happen (add "why or why not?" for whether the jurisdiction expects rate of overcrowding to change.)
 - Provide a definition for "overcrowding"

Housing Demand (Questions 9-18):

- Include data for farmworker housing need and student housing need
- Add a question about high-income job growth as a trend driving housing demand
- Add a question about housing needs for seniors and people with disabilities
- Notes on Question #9
 - Include a more specific metric for "need" for farmworker housing
- Notes on Question #12:
 - Add "community colleges"

Fair Housing Planning and Data Sources (Questions 19-23)

- Notes on question #21:
 - Add in specific demographics of those who participated

Diversity and Segregation (Questions 24-25)

- Notes on Question #24:
 - Add "hazards such as wildfires"
 - Add in a category of displacement for low income residents

Access to Opportunity (Questions 26-27)

- Notes on Question #26:
 - Add in options for location of health care facilities and grocery stores
 - Expand on location of environmental health hazards – farmland factories etc.
 - Add in literacy rates

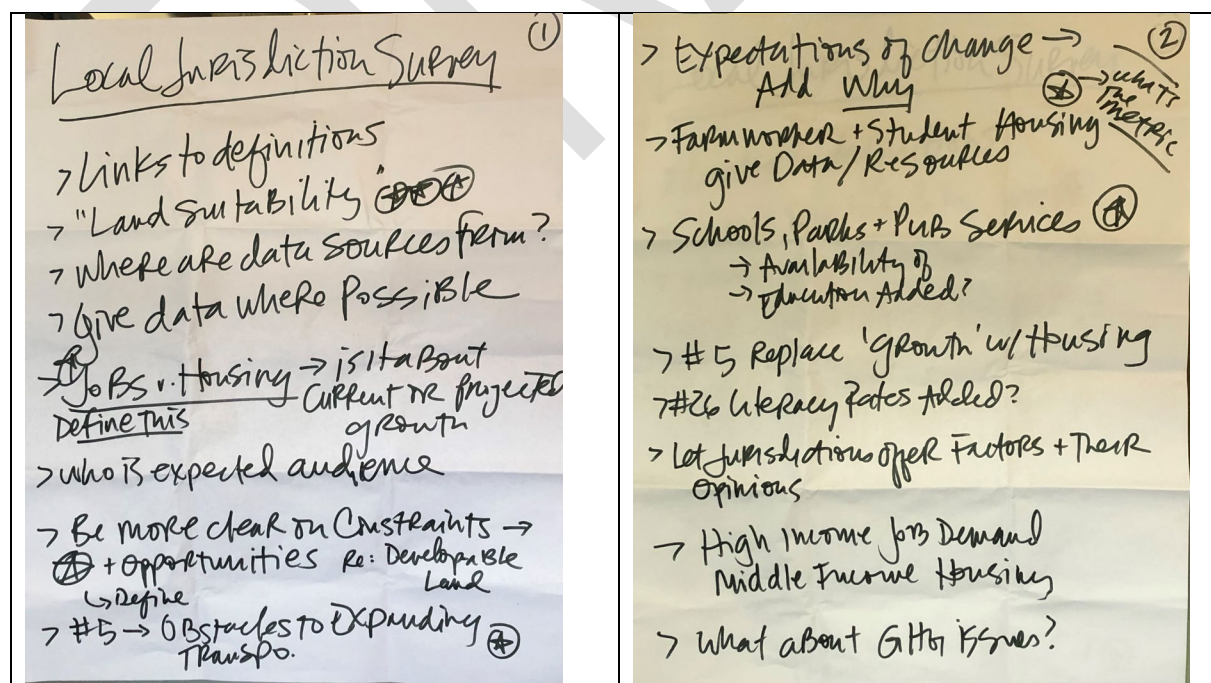
Additional Factors/Comments

- Notes on Question #33:
 - Expand this question to allow jurisdictions to weigh-in on community specific factors they think they should be included in the RHNA methodology



HMC Members Follow-Up Questions/Comments

- Gillian Adams:** Noted to the group that ABAG staff will provide definitions once data is compiled and clarified that this survey will go to city planners.
 - Noted that a lot of these terms were taken directly from the statute, but that staff will do their best to be clear with language.
 - Adams also stated that she was not sure if there are good data sets that exist for farmworkers and student housing. This is data that staff will look into.
 - On the topic of homelessness, Adams also explained that the purpose of this survey is to find data on where more housing should be allocated throughout the region. She noted that homelessness will be covered in Housing Elements and when implementing policies on the ground but is not necessarily the main topic being addressed in the RHNA methodology.
- Carlos Romero:** Inquired if city council members were answering the survey.
 - Adams:** Noted the survey will be circulated planning directors, and if council members want to weigh in, they will have to coordinate with them.
- Paolo Ikezoe:** Noted that as a city planner, he found the questions to be open-ended and suggested to think about having more targeted questions for the survey.
 - Adams:** Noted staff did not want to define questions too narrowly, since open-ended questions were intended to give jurisdictions an opportunity to share local perspectives. Staff will take a closer look to find the right balance for the language.
- Diane Dillion:** Suggested the survey should note that part of the goal of circulation is to attempt to gather new data sets.
- Adams:** Clarified that members have a week to give additional survey feedback to ABAG staff.



- > Price Increase (Recently) ③
- > Has your jurisdiction violated State Law? → Labor
- > "Available Workforce" (★) → ^{available} ^{open consent} ^{specific} ^{unemployed} Available? →
- > Obstacles to locating ^{Housing} close to jobs centers (to get to better)
- > Impact your Juris v. Impact Communities w/in your Jurisdiction
- > What do we do w/ this data? RTHA methodology v. their own work

- > Define Low wage worker? ④
- > Define low, middle, upper income?
- > #4 → county → Jurisdiction → Transition Housing
- > Homelessness missing →
- > Solutions + People w/ disabilities missing
- > Local + Federal Land Programs + agriculture
- > Wild Fire Areas → Admission colleges
- > Transportation
- > Policies + strategies these jurisdictions are using re: Housing + Homelessness
- > Define "Overcrowding"
- > Balance of Jobs + Housing
- > Who fills this out?

- > Add low + middle-wage jobs ⑤
- > #22 Add Demographics
- > #24 Add "Hazards such as Wild Fires"
- > Add category for displacement of low income residents
- > Location Health care, grocery
- > "Environmental Hazards" (Farm, factories)
- > "Highest Priority to Address"
- > #28 Availability of Affordable units
- > #4 Construction Costs *easier to fill that*
- > Surplus Pub land
- > What are cities doing to increase construction labor force

Public Comment

- **Tim Frank, Center for Sustainable Neighborhoods.** Commented that he enjoyed the work the panelists have done, and that using their data to inform the methodology is important. He noted that the larger Bay Area does not have enough affordable housing and has too much low-wage labor. He noted that this is a historical issue, that we have the weakest labor regulations, and that all of this has consequences for equity, and housing. Frank stressed that one of the key things HMC members can do to aid these consequences is to look at the

construction industry, and to think about how to create more middle-wage work in that industry.

- Aaron Eckhouse, California YIMBY.** Commented that members should proceed with caution on the survey and local input in the RHNA process. He noted that this sort of process has enabled sprawl and has run counter to furthering fair housing. He stated when local jurisdictions have given input in the past, high-income cities found that they do not need more housing growth, and thus pushed housing requirements into lower-income cities. Eckhouse urged members that if they want the RHNA process to further housing growth regionally, that they should consider the ramifications of this survey.

Meeting Photos



