

## ASSOCIATION OF BAY AREA GOVERNMENTS

### ADMINISTRATIVE COMMITTEE

#### RESOLUTION NO. 10-2025

**WHEREAS**, [California Government Code Section 65584.07](#) sets forth procedures for transferring a portion of the final Regional Housing Needs Allocation (RHNA) from a county within the Association of Bay Area Governments (ABAG) region to a new city or town within 90 days of the new city's incorporation; and

**WHEREAS**, [California Government Code Section 65584.07](#) also permits a county within the ABAG region to request transfer of a portion of its final RHNA allocation to a city or town within 90 days of a city's or town's annexation of formerly unincorporated land; and

**WHEREAS**, ABAG may extend the 90-day deadline if it determines an extension is consistent with RHNA objectives set forth in [Government Code § 65584\(d\)](#); and

**WHEREAS**, in each instance, the Government Code states that transfer must be either through: 1) a mutually acceptable transfer agreement, which would include the number of units transferred by income category, or 2) a written request to ABAG to "consider the facts, data, and methodology presented by both parties and determine the number of units, by income category, that should be transferred from the county's allocation" to the city or town; and

**WHEREAS**, if a transfer is made through a mutually acceptable transfer agreement, it is effective immediately upon receipt by ABAG; and

**WHEREAS**, alternatively, if a written request is made for ABAG to determine the substance of the transfer, then ABAG must make its determination on the transfer effective within 180 days after receipt of the request; and

**WHEREAS**, pursuant to [Government Code Sections 65584.07\(c\)\(2\) and 65584.07\(d\)\(2\)](#), requests for RHNA allocation transfers must be based on the methodology previously adopted by ABAG pursuant to [Government Code Section 65584.04](#); and

**WHEREAS**, staff has recently received requests for RHNA allocation transfers, including written requests for ABAG to determine the number of units that should be transferred from a county to a city or town following annexations of land; and

**WHEREAS**, the ABAG Administrative Committee wishes to delegate authority to staff to accept, consider and make a final determination on all pending requests for RHNA allocation transfers, and for all future requests; and

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**WHEREAS**, on May 30, 2017, ABAG and the Metropolitan Transportation Commission (MTC) entered into a Contract for Services under which MTC provides administrative and program services to ABAG, and MTC staff now serve both the Association of Bay Area Governments and the Metropolitan Transportation Commission; and

**WHEREAS**, the ABAG Administrative Committee further wishes to delegate staff the authority to create and administer any necessary guidelines and/or procedures related to the administration of these requests; now, therefore be it,

**RESOLVED**, that the Administrative Committee of the Association of Bay Area Governments delegates to the MTC Deputy Executive Director, Metro Planning and Policy (or successor position with the same or similar scope and responsibilities), the authority to perform ABAG's responsibilities related to RHNA allocation transfers pursuant to [California Government Code Section 65584.07](#), including (but not limited to) the power to administer and make a final determination on all written requests for a RHNA allocation transfer; and, be it further

**RESOLVED**, the MTC Deputy Executive Director, Metro Planning and Policy (or successor position with the same or similar scope and responsibilities), is further delegated the authority to take all necessary steps to effectuate such transfers, including (but not limited to) establishing guidelines and/or procedures to govern the process, and submitting their final determination to the California Department of Housing and Community Development (HCD).

The foregoing was adopted by the Administrative Committee this 9th day of May, 2025.

Belia Ramos  
President

### **CERTIFICATION OF ADMINISTRATIVE COMMITTEE APPROVAL**

I, the undersigned, the appointed and qualified Clerk of the Board of the Association of Bay Area Governments (Association), do hereby certify that the foregoing resolution was adopted by the Administrative Committee of the Association at a duly called meeting held on the 9th day of May, 2025.

Martha Silver  
Clerk of the Committee