

Report on ABAG to MCCMC¹

June 2019

GENERAL ASSEMBLY:

On June 6, 2019, the ABAG General Assembly adopted the 2019-2020 Workplan and Budget. I want to thank the following Marin County ABAG delegates for participating in the General Assembly: Marty Winter (Belvedere); Kevin Haroff (Larkspur), Pat Eklund (Novato) Julie McMillan (Ross); Joan Cox (Sausalito); and Dennis Rodoni, (County of Marin). I also want to thank Pam Drew (Novato) and Eli Beckman (Corte Madera) for attending the General Assembly. They are both valuable members of our Marin County ABAG delegate/alternate group.

JOINT ABAG MTC GOVERNANCE COMMITTEE:

In May 2019, the ABAG President and MTC Chair created a Joint ABAG MTC Governance Committee composed of 12 members from the ABAG Executive Board and MTC to study governance options and report back to their respective bodies. President Rabbitt and Chair Haggerty appointed the committee members composed of **8 Supervisors, 3 City Councilmembers and Nick Josefowitz** (not an elected official that serves on MTC by an appointment of Mayor London Breed, City and County of San Francisco). These meetings will begin in January 2020 and will be subject to the Brown Act. Earlier in the year, MTC contracted with a consultant to begin reviewing how other Council of Governments (COG) and Metropolitan Planning Organizations (MPO) are organized in the country.

This Committee is a result of the 'merger' of ABAG and MTC. Two years ago, ABAG staff merged into MTC; and, ABAG now contracts with MTC to accomplish their workplan which is adopted each year at the General Assembly. In May 2017, a Memorandum of Understanding (MOU) was signed by ABAG and MTC that calls for beginning discussions on future governance options no later than July 1, 2019. Both ABAG President Rabbitt and MTC Chair Haggerty agreed that by creating the new Committee and appointing members complies with the MOU. The following members were appointed by Chair Haggerty and President Rabbitt to serve on the Committee:

MTC appointments: Scott Haggerty, Supervisor, Alameda County; Alfredo Pedroza, Supervisor, Napa County; Nick Josefowitz, Mayor's Appointee, City and County of San Francisco (Nick is not an elected official); Jim Spring, Solano County; Dave Cortese, Supervisor, Santa Clara County; and Amy Worth, Mayor, City of Orinda, Contra Costa County.

ABAG appointments: David Rabbitt, Supervisor, Sonoma County; Jesse Arreguin, Mayor, City of Berkeley, Alameda County; Cindy Chavez, Supervisor, Santa Clara County; Julie Pierce, Council Member, City of Clayton, Contra Costa County; Dennis Rodoni, Supervisor, Marin County; Warren Slocum, Supervisor, San Mateo County.

As you may be aware, previous efforts to merge ABAG and MTC were in large part unsuccessful primarily due to the composition of the governing Board. Most of the 101 cities in the Bay Area did not believe there was adequate city representation.

ABAG, a Council of Governments (COG's), was formed through a Joint Powers Agreement in 1960 by the 101 cities and 9 counties in the SF Bay Area. In 1969, the California State legislature required the COG's to calculate and distribute the Regional Housing Needs Allocation (RHNA) for the cities and counties in the SF Bay Area. The ABAG bylaws established the Executive Board voting membership which shall consist of a maximum of 38 voting members (representatives and ex officio members) serving a 2-year term. The representatives are determined by County:

- (a) **Alameda County.** Two representatives of the county to be appointed by the Board of Supervisors; two representatives of Member cities within the county to be appointed by the Mayors of Member cities meeting in conference, and three representatives to be appointed by the City Council of the City of Oakland.
- (b) **Contra Costa and San Mateo Counties.** Two representatives of the county to be appointed by the Board of Supervisors; two representatives of Member cities within the county to be appointed by the Mayors of Member cities meeting in conference.

¹ Marin County Council of Mayors and Councilmembers (MCCMC)

(c) **Marin, Napa, Solano and Sonoma Counties.** One representative of the county to be appointed by the Board of Supervisors; and one representative of Member cities within the county to be appointed by the Mayors of Member cities meeting in conference.

(d) **San Francisco City and County.** The Mayor and one other elective officer or member of the Mayor's staff of the City and County appointed by the Mayor; two representatives of the City and County appointed by the Board of Supervisors, and a fifth representative to be appointed alternately by the Mayor and the Board of Supervisors, with two-year appointments beginning in years evenly divisible by four to be made by the Mayor and with two-year appointments made in even-numbered years not evenly divisible by four to be made by the Board of Supervisors. When such fifth representative is selected by the Mayor, the representative may be an elective or appointive officer or member of the Mayor's staff of the City and County.

(e) **Santa Clara County.** Two representatives of the county to be appointed by the Board of Supervisors; two representatives of Member cities within the county to be appointed by the mayors of Member cities meeting in conference, and three representatives to be appointed by the City Council of the City of San Jose.

ABAG Executive Board Alternates. Each of the appointing bodies may designate an alternate for each of their representatives to act in the representative's absence. Appointments of alternates shall be made in the same manner, with the same qualifications and for the same term as representatives.

MTC was established by the California Legislature in 1970 pursuant to California Government Code § 66500 to conduct transportation planning, coordinating and financing agency for the nine-county San Francisco Bay Area. The commission shall consist of 21 members serving a four-year term as follows:

- (a) **San Francisco City and County:** Two members from the City and County of San Francisco where the Mayor shall appoint one member and the board of supervisors shall appoint one member.
- (b) **Contra Costa and San Mateo Counties:** Two members each County. The city selection committee appoints one member and the board of supervisors shall appoint one member.
- (c) **Alameda and Santa Clara Counties:** One member is appointed by the Board of Supervisors of each County. The city selection committee organized in each county shall appoint one member in each County. The Mayor of the City of Oakland shall be self-appointed or shall appoint a member of the Oakland City Council to serve as the third member from the County of Alameda. The Mayor of the City of San Jose shall be self-appointed or shall appoint a member of the San Jose City Council to serve as the third member from the County of Santa Clara.
- (d) **Marin, Napa, Solano, and Sonoma Counties.** One member from each County. The city selection committee of these counties furnishes to the board of supervisors the names of three nominees and the board of supervisors shall appoint one of the nominees to represent the county.
- (e) One representative each appointed by the Association of Bay Area Governments and the San Francisco Bay Conservation and Development Commission. The representative appointed by the San Francisco Bay Conservation and Development Commission shall be a member of the commission and a resident of the City and County of San Francisco, and shall be approved by the Mayor of San Francisco.
- (f) One representative appointed by the Secretary of Transportation; the United States Department of Transportation and Department of Housing and Urban Development. These representatives shall be nonvoting members.

MTC Alternates. There is no provision for alternates on the MTC.

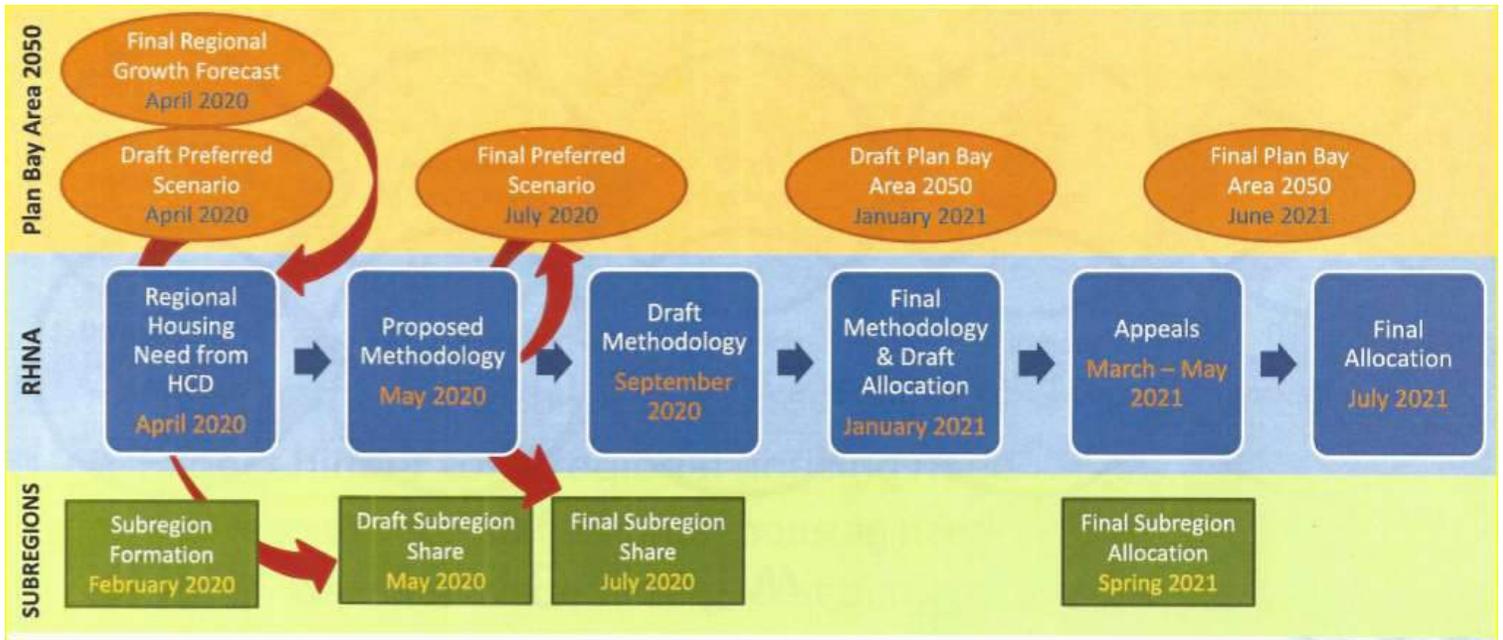
REGIONAL HOUSING NEEDS ALLOCATION (RHNA) PLAN:

Since 1969, California has required that all local governments (cities and counties) adequately plan to meet the housing needs of everyone in the community. As part of this process, the CA Department of Housing and Community Development (HCD) develop the total housing need determination (RHND) for the Bay Area for an eight-year period (in the next cycle, from 2022 to 2030). ABAG has an opportunity to consult with HCD on the forecast assumptions used in the RHND.

Once the California Department of Housing and Community Development (HCD) and the COG (ABAG) have agreed to the region's assessment figure (the amount of housing that must be planned for), the COG takes over and is responsible for divvying up (allocating) the housing need amongst all of the jurisdictions (cities/counties) within that region.

ABAG must then develop a methodology to distribute this need to local governments *in a manner consistent with the development pattern in Plan Bay Area 2050*. The methodology must consider 12 statutory factors and 1) allocate a share of housing need (in units) to each jurisdiction; and, 2) identify each jurisdiction's share of need by income category. After ABAG takes action on the appeals, it issues the final allocation. Each local government must then revise its Housing Element to show how it plans to accommodate its portion of the region's housing need.

RELATIONSHIP BETWEEN RHNA AND PLAN BAY AREA 2050



As done in the last 3 RHNA cycles, ABAG staff has proposed to again convene an ad hoc Housing Methodology Committee (HMC) to advise staff on the allocation methodology and to ensure the methodology and resulting allocation meet statutory requirements and are consistent with the development pattern of the RTP/SCS – Plan Bay Area 2050. The HMC will include an elected official from the Regional Planning Committee (on which I serve), city staff person and county staff person from each of the nine counties, with additional representatives for Alameda, Contra Costa and Santa Clara counties. After the ABAG Executive Board approves staff's recommendation in July 2019, staff will send information to location jurisdictions about the RHNA process and schedule, the opportunity to form a sub region and changes to Housing Element Law. The HMC Meetings will start in October 2019.

UPCOMING MEETINGS²

- June 26, 2019 -- MTC Commission, 9:30 am
- July 12, 2019 – Joint ABAG Administrative and MTC Planning Committees, 9:00 am
Joint ABAG and MTC Legislation Committees, 9:15 am
- July 18, 2019 -- ABAG Executive Board
ABAG Legislative Committee, Finance Committee
- July 24, 2019 -- MTC Commission, 9:30 am

If you have questions, contact Pat Eklund, Council Member, City of Novato at 415-883-9116 and/or pateklund@comcast.net).

² All meetings are held at 375 Beale Street in San Francisco, unless noted otherwise.