

Report on ABAG to MCCMC¹

May 2021

EXECUTIVE SUMMARY:

- 1) **ABAG Executive Board Approved the Draft Regional Housing Needs Allocation (RHNA) and Appeals Process:** On May 20, 2021, the ABAG Executive Board adopted the Draft RHNA allocations for the 101 cities and 9 counties for 2023 through 2031 for the RHNA cycle. Release of Draft Allocations initiates the RHNA appeals phase pursuant to State law. The ABAG Executive Board designated the ABAG Administrative Committee to serve as the RHNA Appeals Board.
- 2) **Regional Planning Consulting Bench:** ABAG Executive Board approved the list of pre-qualified consultants that are available to local governments to provide assistance on housing elements.
- 3) **Regional Early Action Planning (REAP) Funds:** ABAG Executive Board approved the award of REAP grants.
- 4) **Legislation:** ABAG Executive Board voted to support AB 1401 (Friedman) and to support if amended AB 897 (Mullin).
- 5) **Bay Area Housing Finance Authority (BAHFA):** On May 24, 2021, ABAG, MTC and the Non-Profit Housing Association of Northern California (NPH) will host a free virtual panel discussion to explore opportunities for the newly established Bay Area Housing Finance Authority (BAHFA) to help cities, towns and counties meet the Bay Area's complex and longstanding housing challenges, and to advance racial justice. Click to Register: [Register for this free event](#)
- 6) **JUNE 25, 2021 – GENERAL ASSEMBLY: 9:00 to 12:00 noon. Register:** [2021 Association of Bay Area Governments General Assembly Business Meeting Tickets, Fri, Jun 25, 2021 at 9:00 AM | Eventbrite](#)

ABAG EXECUTIVE BOARD APPROVES THE DRAFT REGIONAL HOUSING NEEDS ALLOCATION (RHNA) ALLOCATIONS:

On May 20, 2021, the ABAG Executive Board voted to adopt the **Draft** Regional Housing Needs Allocation (RHNA) for the next cycle (2023 through 2031). Marin County has been assigned 14,405 housing units which is 3% of the regional total for 2023-2031. The 2023-2031 housing unit total for **Marin County is more than** all of the housing units allocated to Marin for the last **23 years** (3 separate RHNA cycles -- 1999 through 2022) as shown in the table below.

State Law allows a jurisdiction or HCD to appeal **any** Bay Area jurisdiction's Draft RHNA Allocation. In December, after the appeal process is completed, the ABAG Executive Board will approve the Final RHNA allocations.

The ABAG Executive Board voted to adopt the RHNA for 2023 to 2031. VOTES: Yes – 22; No – 10; Absent - 2

Yes: Jesse Arreguin, Nikki Fortunato Bas, Tom Butt, David Canepa, Keith Carson, Carroll Fife, Neysa Fligor; Leon Garcia, Giselle Hale, Barbara Halliday, Rich Hillis, Otto Lee, Gordon Mar, Nathan Miley, Raul Peralez, Belia Ramos, Carlos Romero, Jim Sperling, Lori Wilson, Director Chan, Director Lucas Rameriz; Loren Taylor.

No: Susan Adams; Candace Andersen; Pat Eklund; David Hudson; Matt Mahan, Rafael Mandelman, Karen

Mitchoff, Stephanie Moulton-Peters; David Rabbit; Cindy Silva. **Absent:** Cindy Chavez; Maya Esparza.

Jurisdiction	1999-2006	2007-2014	2015-2022	2023-2031
Belvedere	10	17	16	160
Corte Madera	179	244	72	725
Fairfax	64	108	61	490
Larkspur	303	382	132	979
Mill Valley	225	292	129	865
Novato	2582	1241	415	2090
Ross	21	27	18	111
San Anselmo	149	113	106	833
San Rafael	2090	1403	1007	3220
Sausalito	207	165	79	724
Tiburon	164	117	78	639
Unincorporated	521	773	185	3569
Marin Total	6515	4882	2298	14405
Regional Total	97,548	214,500	187,990	441,176

¹ Marin County Council of Mayors and Councilmembers (MCCMC)

The 2023-2031 RHNA methodology also used an equity adjustment which assigns more very low and low income units to High Opportunity Areas (HOAs). The following chart reflects the RHNA allocations for each of the cities and county in Marin by income category:

Jurisdiction	VERY LOW INCOME (<50% of Area Median Income)	LOW INCOME (50-80% of Area Median Income)	MODERATE INCOME (80-120% of Area Median Income)	ABOVE MODERATE INCOME (>120% of Area Median Income)	TOTAL
MARIN COUNTY					
Belvedere	49	28	23	60	160
Corte Madera	213	123	108	281	725
Fairfax	149	86	71	184	490
Larkspur	291	168	145	375	979
Mill Valley	262	151	126	326	865
Novato	570	328	332	860	2,090
Ross	34	20	16	41	111
San Anselmo	253	145	121	314	833
San Rafael	857	492	521	1,350	3,220
Sausalito	200	115	114	295	724
Tiburon	193	110	93	243	639
Unincorporated Marin	1,100	634	512	1,323	3,569

RHNA APPEAL PROCESS:

Release of Draft Allocations initiates the RHNA appeals phase. The period to file appeals commences on May 25, 2021 which shall be deemed as the date of receipt by jurisdictions and HCD of the Draft RHNA Plan. All appeals must be submitted by 5:00 p.m. PST on July 9, 2021. ABAG will not accept late appeals.

State Law allows a jurisdiction or HCD to appeal any Bay Area jurisdiction's Draft RHNA Allocation. Appeals of a jurisdiction's allocation must be based on the following:

1. ABAG failed to adequately consider information submitted as part of the local jurisdiction survey that ABAG conducted in early 2020 to gather information about the statutory factors that must be considered in the RHNA methodology and information about affirmatively furthering fair housing.
2. ABAG did not determine the jurisdiction's allocation in accordance with its adopted methodology and in a manner that furthers, and does not undermine, the RHNA objectives.
3. A significant and unforeseen change in circumstances has occurred in the local jurisdiction or jurisdictions that merits revision of information submitted as part of the local jurisdiction survey. Appeals on this basis shall only be made by the jurisdiction or jurisdictions where the change in circumstances has occurred.

All jurisdictions and HCD will be able to comment on any appeal filed with ABAG. During the fall, ABAG will conduct public hearings to consider appeals and comments received. By November, ABAG will ratify the final determination on each appeal and will issue Final RHNA Allocations that adjust allocations as a result of successful appeals. The ABAG Executive Board will conduct a public hearing to adopt Final RHNA Plan with all final allocations in December 2021. All Housing Elements must be completed by 2023.

REGIONAL PLANNING CONSULTING BENCH

On May 20, 2021, the ABAG Executive Board approved the list of pre-qualified consultants identified for the *Regional Planning Bench* to provide the following services for cities and counties: comprehensive planning; engagement and outreach; housing policy and planning; process improvements; transportation policy and Implementation; Transportation Program Development and Administration Economic and Real Estate Analysis; Environment and Resilience; Legal Counsel; Temporary Staff for Location Governments and Grant Writing. These services would be used as an as-needed basis for a period through December 30, 2023, with an option to extend for an additional two years to December 30, 2025.

ABAG will allow Bay Area jurisdictions to elect to leave their REAP suballocations on deposit with ABAG and have ABAG handle the contracting and invoicing for Bench consultants to perform scopes of work designed by local jurisdictions. MTC will offer the same option to recipients of federal funding through the Priority Development Area (PDA) grants.

REGIONAL EARLY ACTION PLANNING (REAP) FUNDS

On May 20, 2021, the ABAG Executive Board awarded Competitive REAP funding to 14 jurisdictions, including 7 small jurisdictions and 10 Communities of Concern. Although jurisdictions could apply for up to \$100,000, due to the significantly oversubscribed pool of funding, the Board approved issuing awards not to exceed \$75,000.

CONGRATULATIONS TO LARKSPUR AND SAN RAFAEL !

In addition to the amounts mentioned above, on November 19, 2020 and January 21, 2021, the ABAG Executive Board authorized the following suballocations of REAP funding:

- \$20,000 to support the Solano RHNA Sub region
- \$4.68 million to counties or their designees to support Sub regional Planning Collaborative
- \$2.18 million in minimum sub allocations (\$20,000 to every jurisdiction)
- \$3 million to support local jurisdictions that received at least 1,000 units in the Draft RHNA Methodology

Jurisdiction	Amount
Oakland	\$75,000
San Pablo*	\$75,000
San Francisco	\$75,000
Berkeley	\$75,000
Alameda County	\$75,000
Milpitas	\$75,000
Santa Clara County	\$75,000
San Rafael*	\$75,000
Concord	\$75,000
Orinda*	\$75,000
Larkspur*	\$75,000
Napa County*	\$75,000
Cotati**	\$50,000
East Palo Alto**	\$50,000

* Population below 60,000

** Last qualifying jurisdictions tied and split the balance equally

LEGISLATION

The ABAG Executive Board took action on the following proposed state bills on May 20, 2021:

1. **Assembly Bill 1401 (Friedman):** This bill would prohibit a local government from imposing a minimum automobile parking requirement, or enforcing a minimum automobile parking requirement, on residential, commercial, or other development if the development is located on a parcel that is within one-half mile walking distance of public transit, as defined. The bill would not preclude a local government from imposing requirements when a project provides parking voluntarily to require spaces for car share vehicles. The bill would prohibit these provisions from reducing, eliminating, or precluding the enforcement of any requirement imposed on a new multifamily or nonresidential development to provide electric vehicle parking spaces or parking spaces that are accessible to persons with disabilities, as specified. ***The Joint ABAG/MTC Legislative Committee voted to recommend a support recommendation of AB 1401 to the ABAG Executive Board and MTC with one amendment to ensure that preexisting agreements that waived or reduced parking requirements in exchange for additional affordable housing commitments or other community benefits be protected.***

The ABAG Executive Board voted to support AB 1401. VOTES: Yes – 21; No – 5; and, Absent - 7

Yes: Susan Adams, Jesse Arreguin, Nikki Fortunato Bas; Tom Butt; David Canepa; Maya Esparza; Neysa Fligor; Giselle Hale; Barbara Halliday; Rich Hillis; Otto Lee; Rafael Mandelman; Gordon Mar; Karen Mitchoff; David Rabbitt; Belia Ramos; Carlos Romero; Jim Spering; Loren Taylor; Lori Wilson; Director Chan.

No: Candace Anderson; Pat Eklund; Carroll Fife; Leon Garcia; Stephanie Moulton-Peters. **Absent:** Keith Carson; Cindy Chavez; David Hudson; Matt Mahan; Nathan Miley; Raul Peralez; and, Director Lucas Rameriz.

2. **Assembly Bill 897 (Mullin):** This bill would authorize eligible entities, as defined, to establish and participate in a regional climate network and establish regional climate networks and adopt regional climate adaptation action plans. The bill would require OPR to encourage the inclusion of agencies with land use planning authority into regional climate networks and to adopt guidelines as to how eligible entities may form such a network, its geographic boundaries, the content of plans and governance. AB 897 would formalize work already occurring in much of California related to regional climate adaptation planning by requiring OPR to provide guidance and technical assistance to regions interested in forming a state-sanctioned regional climate network. The bill would require that any network formed adopt a regional

climate adaptation action plan that would be required to include content to be further specified by OPR in guidelines due by January 1, 2023.

The ABAG Executive Board voted to support AB 897 with amendments. VOTES: Yes – 30; No – 0; and, Absent - 2

Yes: Susan Adams, Candace Andersen, Jesse Arreguin, Nikki Fortunato Bas, Tom Butt, David Canepa, Keith Carson, Pat Eklund, Maya Esparza, Carroll Fife, Neysa Fligor, Giselle Hale, Barbara Halliday, Rich Hillis, David Hudson, Otto Lee, Matt Mahan, Rafael Mandelman, Gordon Mar, Nathan Miley, Karen Mitchoff, Raul Peralez, Stephanie Moulton-Peters, David Rabbitt, Belia Ramos, Jim Spering, Loren Taylor, Lori Wilson, Director Chan, Director Lucas Rameriz.

No: None **Absent:** Cindy Chavez, Carlos Romero.

BAY AREA HOUSING FINANCE AUTHORITY (BAHFA)

On May 24, 2021, ABAG, MTC and the Non-Profit Housing Association of Northern California (NPH) will host a free virtual panel discussion to explore opportunities for the newly established Bay Area Housing Finance Authority (BAHFA) to help cities, towns and counties meet the Bay Area’s complex and longstanding housing challenges, and to advance racial justice. The panel discussion highlighted BAHFA’s proposed pilot programs and the ways these programs may increase their scale. The discussion also covered how BAHFA can support local housing strategies and take advantage of new funding opportunities from state, federal, and private philanthropic sources.

BAHFA was established in 2019 by Assembly Bill 1487 (Chiu) to provide the nine-county Bay Area with the robust regional housing infrastructure and capacity needed to advance the “3 P’s” of production, protection, and preservation. Through its shared governance model, BAHFA equips ABAG and MTC with new tools and resources to help local governments tackle the Bay Area’s housing and displacement crises while also confronting interrelated challenges such as public health and pandemic recovery, the economy, school re-openings and more. Click to Register: [Register for this free event](#)

GENERAL ASSEMBLY

On June 25, 2021, the ABAG General Assembly will convene starting at 9:00 am for a panel discussion. The Business meeting begins at 10:30 am which includes a vote on the FY 2021 to 2022 Budget and Workplan. The agenda is:

- 9:00 a.m. to 10:30 a.m., Webinar, **Value of Regional Partnerships, Plenary Speaker—Dr. Tiffany Manuel, The Case Made—and Panel Discussion.** Look for a separate email from ABAG with details.
- 10:30 a.m. to 12:00 p.m., Select “Business Meeting Delegate”

I will reach out to the delegates and alternates to confirm participation. This will be a zoom meeting 9:00 to 12:00 noon. To Register: [2021 Association of Bay Area Governments General Assembly Business Meeting Tickets, Fri, Jun 25, 2021 at 9:00 AM | Eventbrite](#)

Please click the link below to join the webinar: <https://bayareametro.zoom.us/j/88330935989>

UPCOMING MEETINGS²

- **May 26, 2021 --** **Metropolitan Transportation Commission, 9:35 am**
 MTC Bay Area Toll Authority, 9:40 am
 MTC Bay Area Housing Finance Authority, 9:55 am
- **June 7, 2021 --** **MTC Policy Advisory Council Fare Coordination and Integration Subcommittee, 10:00 am**
- **June 9, 2021 --** **MTC Bay Area Toll Authority Oversight Committee, 9:35 am**
 MTC Administration Committee, 9:40 am
 MTC Policy Advisory Committee, 1:30 pm
 MTC Special Programming & Allocations Committee Workshop, 2:30 pm
- **June 10, 2021 --** **ABAG Regional Planning Committee, 10:00 am**
- **June 11, 2021 --** **MTC Operations Committee, 9:35 am**
 Joint MTC Planning and ABAG Administrative Committees, 9:40 am
 Joint ABAG/MTC Legislation Committee, 9:45 am
- **June 17, 2021 --** **ABAG Power Executive Committee, 11:00 am**
 ABAG Executive Board, 5:00 pm
- **June 23, 2021 --** **Metropolitan Transportation Commission, 9:35 am**
 Service Authority for Freeways & Expressways, 9:40 am
 MTC Bay Area HQ Authority, 9:45 am
 MTC Bay Area Infrastructure Financing Authority, 9:50 am
- **June 25, 2021 --** **General Assembly, 9:00 to 12:00 noon**

If you have questions, contact Pat Eklund, Mayor, City of Novato at 415-883-9116; pateklund@comcast.net

² All meetings are conducted via Zoom, webcast, teleconference, unless noted otherwise.