

Date: June 26, 2024
W.I.: 1620
Referred by: BAHFA Oversight

ABSTRACT

Resolution No. 0032

This resolution adopts the expenditure plan as required by the San Francisco Bay Area Regional Housing Finance Act (Gov. Code, § 64500, *et seq.*) to govern expenditures of BAHFA’s portion of bond proceeds if a ballot measure for an affordable housing general obligation bond in an amount of \$20 billion submitted to the voters of the counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano and Sonoma and the city and county of San Francisco (the “Nine Bay Area Counties”) at the November 2024 general election passes and directs the Executive Director or designee to return with a guideline to implement certain labor standards in certain circumstances.

Further discussion of this action is contained in the Bay Area Housing Finance Authority Summary Sheet dated June 26, 2024.

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RE: Adoption of Regional Expenditure Plan as Required By the San Francisco Bay Area Regional Housing Finance Act (Gov. Code, § 64500, *et seq.*) to govern expenditures of BAHFA’s portion of proceeds from an affordable housing general obligation bond measure to be Submitted to the voters of the San Francisco Bay Area at the November 2024 General Election

BAY AREA HOUSING FINANCE AUTHORITY
RESOLUTION NO. 0032

WHEREAS, the San Francisco Bay Area Regional Housing Finance Act (Gov. Code, § 64500, *et seq.*) (the “Act”) finds that the San Francisco Bay Area is facing the most significant housing crisis in the region’s history because as a region, it has failed to produce enough housing at all income levels; preserve enough affordable housing; protect existing residents from displacement; provide adequate housing at all income levels in close proximity to jobs; and address the housing issue regionally; and that regional funding is necessary to help address the housing crisis, based upon an estimated annual funding shortfall in the San Francisco Bay Area as of January 1, 2020, of \$2.5 billion (Gov. Code, § 64501); and

WHEREAS, pursuant to the Act, the Bay Area Housing Finance Authority (“BAHFA”) was formed to be a regional finance authority for housing in the counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano and Sonoma, the cities within those counties, and the City and County of San Francisco (collectively referred to as the “San Francisco Bay Area”), with the purpose 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, the Act requires the BAHFA Advisory Committee to consult and make recommendations to the BAHFA Board and the Association of Bay Area Governments Executive Board acting in its capacity as the Executive Board to BAHFA (“Executive Board”); and

WHEREAS, since June 2022, staff have conducted an extensive public participation process to educate the San Francisco Bay Area community about the region’s housing crisis and to solicit input from a broad range of stakeholder groups, including affordable housing and homelessness advocates, nonprofit developers, neighborhood and community groups, environmental advocates, equity organizations, home builder representatives, business organizations, and the boards, councils and staff at cities and counties throughout the San Francisco Bay Area; and

WHEREAS, the Regional Expenditure Plan includes construction labor standards reflective of the public participation process and to ensure that housing development work sites maintain equitable workforce protections; and

WHEREAS, since its inaugural meeting on January 12, 2023, the BAHFA Advisory Committee has met regularly to discuss how to create programs to fulfill BAHFA’s purpose as articulated in the Act and how to leverage funding for those programs; and

WHEREAS, at its January 25, 2024, regular meeting, the BAHFA Advisory Committee considered a draft of the attached regional expenditure plan and recommended adoption; and WHEREAS, at its April 18, 2024, regular meeting, the Executive Board for the Association of Bay Area Governments acting in its capacity as the Executive Board to BAHFA approved the regional expenditure plan, attached hereto as Attachment A, (“Regional Expenditure Plan”); and

WHEREAS, the BAHFA Board considered a draft of the Regional Expenditure Plan at its May 22, 2024, meeting; and

WHEREAS, pursuant to the Act, and subject to the Executive Board’s approval, at its June 26, 2024, meeting, the BAHFA Board will consider adopting BAHFA Resolution No. 34 to submit to the qualified electors of the San Francisco Bay Area a ballot measure for an affordable housing general obligation bond in an amount of \$20 billion (“Ballot Measure”); and

WHEREAS, if the BAHFA Board calls for an election on the Ballot Measure, and if the required number of qualified electors of the San Francisco Bay Area as set by state law vote in favor of said Ballot Measure, the Act requires BAHFA to adopt a regional expenditure plan to

govern the expenditure of its portion of the bond proceeds, known as Regional Housing Revenue, as prescribed by the Act; and

WHEREAS, the Regional Expenditure Plan is not subject to review under the California Environmental Quality Act (Public Resources Code, § 21000) because BAHFA's funding activities do not constitute a project under Public Resources Code Section 21065 and are exempt from review under Government Code Section 64523; and

WHEREAS, BAHFA Board desires to adopt the Regional Expenditure Plan as required by the Act in the event that the Ballot Measure passes.

NOW, THEREFORE, THE BAHFA BOARD HEREBY RESOLVES AS FOLLOWS:

Section 1. The BAHFA Board hereby finds and determines that the foregoing recitals are true and correct.

Section 2. The BAHFA Board adopts the Regional Expenditure Plan attached hereto as Attachment A, which may be amended by the Executive Director or designee to conform the estimates to the actual bond amount.

Section 3. The BAHFA Board directs the Executive Director or designee to return with an agenda item to adopt a guideline to implement the labor standards as articulated in the Regional Expenditure Plan for Regional Housing Revenue, and if state law is amended to allow BAFHA to impose labor standards for counties and cities receiving a direct allocation of bond proceeds and the Ballot Measure passes, then the guideline brought forward also should extend the labor standards as articulated in the Regional Expenditure Plan to projects funded with County Housing Revenue portion of the bond proceeds. Such agenda item should be brought forward in a timely manner to allow for adoption of the guideline prior to the actual expenditure of the bond proceeds from the first issuance.

Section 4. The BAHFA Board directs the Executive Director or designee to work with the California State Legislature to amend the San Francisco Bay Area Regional Housing Finance Act to enable BAHFA to have the authority to impose strong labor standards for counties and cities receiving a direct allocation of bond proceeds and to keep the BAHFA Advisory Committee, the ABAG Housing Committee, and the BAHFA Oversight Committee informed of such progress.

Section 5. This Resolution shall take effect upon the BAHFA Board adopting a resolution declaring the results of the election in favor of the Ballot Measure passing.

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 June 26, 2024.

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ATTACHMENT A

BAHFA REGIONAL EXPENDITURE PLAN