



ASSOCIATION
OF BAY AREA
GOVERNMENTS

Bay Area Metro Center
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September 1, 2021

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Chair, Finance Committee
Supervisor, Contra Costa County

Ms. Irene Borba
Director of Planning and Building
City of Belvedere
450 San Rafael Avenue
Belvedere, CA 94920-2336

VIA CERTIFIED MAIL

RE: Regional Housing Needs Allocation (RHNA) Appeals — Hearing Notice and Information Needed

Dear Ms. Borba,

This letter is in response to the appeal of the City of Belvedere's draft RHNA allocation filed under the provisions of California Government Code Section 65584.05. This letter is Belvedere's official notice regarding the public hearing ABAG will conduct to hear jurisdiction appeals of draft RHNA allocations, including dates and times. The public hearing will be conducted in accordance with the Association of Bay Area Governments' *2023-2031 RHNA Appeals Procedures*, available [online](#) on the ABAG RHNA Appeals Process webpage. Comments on the appeals will also be posted on the Appeals Process webpage by September 3, 2021.

RHNA Appeals Public Hearing Schedule

In accordance with state law, ABAG shall conduct one public hearing to consider all appeals filed and comments received on the appeals. This public hearing begins on Friday, September 24, 2021 and will be continued over five additional days to accommodate the number of jurisdictions filing appeals. The full calendar of appeals is as follows.

RHNA Appeals Day 1

Friday 9/24/2021, 9:00a to 5:00p
Remotely via Zoom

RHNA Appeals Day 2

Wednesday 9/29/2021, 9:00a to 1:00p
Remotely via Zoom

RHNA Appeals Day 3

Friday 10/8/2021, 2:00p to 5:00p
375 Beale St, San Francisco (tentative)

RHNA Appeals Day 4

Friday 10/15/2021, 1:00p to 5:00p
375 Beale St, San Francisco (tentative)

RHNA Appeals Day 5

Friday 10/22/2021, 9:00a to 5:00p
375 Beale St, San Francisco (tentative)

RHNA Appeals Day 6

Friday 10/29/2021, 9:00a to 5:00p
375 Beale St, San Francisco (tentative)

The date of Belvedere's hearing is September 29, 2021 during 9 am to 1 pm and Belvedere's appeal number is 10. We expect that each hearing will take approximately one hour but cannot guarantee an exact start and end time due to the nature of public hearings. Similarly, start dates for an individual jurisdiction's appeal may need to be adjusted due to lengthier than expected proceedings or the ability to maintain a quorum of the hearing committee. The committee will make every effort to avoid shifting dates and to provide as much notice as possible of any changes.

Due to the ongoing COVID-19 pandemic, RHNA appeals hearings may be conducted via teleconference per the Governor's executive orders or any urgency statutes or amendments to the Brown Act. ABAG/MTC staff will notify the appealing jurisdictions and the public of any updates to meeting procedures and will include information relevant to public participation on ABAG's RHNA appeals web page.

Appeals Hearing Procedures

At the hearing, under the adopted procedures, the ABAG Administrative Committee will serve as the appeals committee. The **appealing jurisdiction will be allotted five (5) minutes** to present its arguments, which will be limited to the arguments presented in the written appeal. After the jurisdiction's initial arguments are presented, ABAG/MTC staff will have five (5) minutes to respond to the jurisdiction's presentation and recommend an action to the Committee. As a public hearing, consistent with the requirements of the Brown Act, written comments from the public can be submitted in advance of the meeting or oral comments can be provided at the meeting.

Each appeal shall be heard individually, and the Administrative Committee may make a preliminary decision at the conclusion of each appeal, based on its consideration of the appealing jurisdiction's arguments, ABAG/MTC staff's response, and any public comment. At the conclusion of all the individual appeals, the Administrative Committee will take a final vote determining the outcome for each appeal. Upon completion of the appeals hearing, the Administrative Committee final action on appeals is currently scheduled to occur on either October 29 or November 12, with release of the final allocation tentatively scheduled for November 15. The ABAG Executive Board will conduct a final public hearing later this fall, prior to the adoption of the final RHNA allocation plan.

Appeals Hearing Logistics

In order to conduct the hearings efficiently, ABAG/MTC staff will need to know who will present the jurisdiction's five-minute appeal. An appealing jurisdiction may decide to waive its presentation time and rest on the information presented in its appeal materials. However, staff familiar with the appeal from the jurisdiction should be at the hearing to answer any questions. **Please email Clerk of the Board, Fred Castro, at fcastro@bayareametro.gov by September 20, 2021 with the contact information (email, name and title) of the individual(s) needing access via Zoom.**

Additionally, if you choose to use a PowerPoint as part of your five-minute appeal, **the slides are also due ten days prior to your scheduled hearing date.** We are requesting the slides in advance of the hearing to accommodate the meeting packet mailout deadline. Please send via email to Clerk of the Board, Fred Castro, fcastro@bayareametro.gov by September 20, 2021.

If you have any questions about the process or the requested information, please contact Fred Castro, via email: fcastro@bayareametro.gov or phone: 415-820-7913.

Sincerely,



Matt Maloney
Director, Regional Planning Program