

# MEMO

**Date:** November 17, 2000

**To:** Regional Housing Needs Determination Contacts

**Cc:** City, Town and County Managers and Administrators  
City and Town Mayors  
County Board of Supervisors Chairs and Presidents

**From:** Eugene Leong, Executive Director  
Alex Amoroso, Senior Planner

**Re:** Determination of Final Housing Unit Allocations  
By the ABAG Executive Board

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**This memo serves as an official notice of the adopted Regional Housing Needs Distribution (RHND) responsibilities for each Bay Area jurisdiction.** The Executive Board has approved the final RHND allocations at their November 16, 2000 board meeting. The final numbers can be obtained via ABAG's website at <http://www.abag.ca.gov/planning/housingneeds/>.

**With the release of the final RHND allocations, an appeal period begins. The appeal process allows for jurisdictions to appeal the adopted RHND allocations. Jurisdictions wishing to appeal the RHND allocations must do so in writing by December 19, 2000.**

Attached to this notice are guidelines and criteria that will be used to handle all appeals. Once again, the final RHND allocations and appeals criteria discussed in this memo can be found on the ABAG web site at <http://www.abag.ca.gov/planning/housingneeds/>. Should you have any questions regarding this memo or related information, please contact Alex Amoroso (510) 464.7955 email: [AlexA@abag.ca.gov](mailto:AlexA@abag.ca.gov) or Kearey Smith (510) 464.7994 email: [KeareyS@abag.ca.gov](mailto:KeareyS@abag.ca.gov)

## **Appeal Process and Criteria**

In order to ensure that appeals to the final RHND allocations are handled within the State mandated time frame, all appeals will be handled by a committee established by the Executive Board. This Appeals Committee will be made up of three (3) Executive Board members, three (3) elected officials from the Regional Planning Committee, and one (1) housing/ planning professional from the Housing Methodology Committee (HMC). **Once all appeals have been heard and decided, the entire packet of RHND numbers will be returned to the Executive Board for ratification.**

**The Appeals Committee has the following makeup:**

### **Executive Board Members-**

Cathie Brown, Mayor, City of Livermore  
Don Burnett, Council Member, City of Cupertino  
Mike Kerns, Supervisor, Sonoma County

### **Regional Planning Committee Members-**

Pat Eklund, Mayor, City of Novato  
Steve Lessler, Council Member, City of Fairfield  
John Marquez, Council Member, City of Richmond

### **Housing/Planning Professional from the HMC-**

Kent Edens, Dep. Director, Planning Services, City of San Jose

**The following guidelines and criteria will be used for this process:**

### **Appeal Guidelines and Criteria**

Under state law, government code 65584, subdivision (a), jurisdictions are given the opportunity to comment and propose revisions to their share of the RHND. According to the government code, any revision must meet the test of accepted methodology, readily available data, and be consistent with State identified criteria for the RHND.

Under state law, (govt. code 65584 subdivision (c) para. 2 subpara. (A)), a jurisdiction shall have the right to at least one appeal following the final approval of the housing need determinations for the region by the ABAG Executive Board.

**In addition, the ABAG Executive Board has adopted the following criteria as part of the Appeal Process:**

### **Additional Appeal Criteria**

- **Each jurisdiction in the ABAG region will be given one opportunity to appeal the decision by the Executive Board.**
- **The jurisdiction that is appealing shall identify another recipient (other jurisdiction(s)) willing to incorporate any proposed reduction in housing need.**
- **Any revision of housing need will be accomplished within the same county as the appealing jurisdiction.**
- **Previously available information and issues of concern not raised during the 90-day Review and Revision period will not be considered a valid basis for appeal, during the appeals process.**