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TITLE 6.8. San Francisco Bay Area Regional Housing Finance [64500 - 64652] (Title 6.8 added by Stats. 2019, Ch. 598, Sec. 1.)

PART 1. Formation of the Bay Area Housing Finance Authority and General Powers [64500 - 64531] (Part 1 added by Stats. 2019, Ch. 598, Sec. 1.)

CHAPTER 2. The Bay Area Housing Finance Authority and Governing Board [64510 - 64514] (Chapter 2 added by Stats. 2019, Ch. 598, Sec. 1.)

64510. (a) (1) The Bay Area Housing Finance Authority is hereby established with jurisdiction extending throughout the San Francisco Bay area.

(2) The authority shall be governed by the same board that governs the Metropolitan Transportation Commission. The authority shall be a separate legal entity from the Metropolitan Transportation Commission.

(b) The formation and jurisdictional boundaries of the authority are not subject to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Division 3 (commencing with Section 56000) of Title 5).

(c) The authority's purpose is 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.

(d) The authority shall be staffed by the existing staff of the Metropolitan Transportation Commission or any successor agency, with the understanding that additional staff with expertise in affordable housing finance will be needed to administer the funding authorized in this chapter.

(e) It is the intent of the Legislature that the powers granted to the authority and the executive board under this title shall be transferred to a future regional agency if an agency, under one governing board, is established to replace the Metropolitan Transportation Commission and the Association of Bay Area Governments and integrate regional transportation and housing funding and policy decisions within the San Francisco Bay area, subsequent to a robust public engagement process at the regional level.

(Added by Stats. 2019, Ch. 598, Sec. 1. (AB 1487) Effective January 1, 2020.)

64511. (a) (1) The executive board shall review and approve the regional expenditure plan required pursuant to paragraph (5) of subdivision (d) of Section 64650 and projects authorized by this chapter before review, approval, and allocation by the authority.

(2) (A) The executive board and the authority board shall form an advisory committee composed of at least 9 and no more than 11 representatives with knowledge and experience in the areas of affordable housing finance, construction workforce, and development, tenant protection, and housing preservation. The advisory committee shall assist in the development of funding guidelines and the overall implementation of the program.

(B) Consistent with the provisions of this chapter, the advisory committee shall provide consultation and make recommendations to the executive board and the authority board. The advisory committee will meet as necessary to fulfill their roles and responsibilities.

(b) (1) A member of the authority board may receive a per diem for each board meeting that the member attends. The authority board shall set the amount of that per diem for a member's attendance, but that amount shall not exceed one hundred dollars (\$100) per meeting. A member shall not receive a payment for more than two meetings in a calendar month.

(2) A member may waive a payment of per diem authorized by this subdivision.

(c) (1) Five years after the voters approve an initial ballot measure pursuant to Section 64521, the authority and the executive board shall review the implementation of the measure. The review shall include the following:

(A) An analysis of the expenditures to date.

(B) The number of affordable housing units produced and preserved at different household income levels.

(C) The tenant protection services provided, and the roles of the executive board and the authority.

(2) The executive board and the authority board may, upon mutual concurrence, as a part of the review described in this subdivision elect to transfer or delegate a responsibility authorized in this title to the executive board or the authority, as applicable, except for the provisions of Article 3 (commencing with Section 64630) of Chapter 2 of Part 2.

(d) (1) Members of the authority board are subject to Article 2.4 (commencing with Section 53234) of Chapter 2 of Part 1 of Division 2 of Title 5.

(2) The authority shall be subject to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5), the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), and the Political Reform Act of 1974 (Title 9 (commencing with Section 81000)).

(e) In addition to the requirements under subdivision (d), the authority shall engage in public participation processes, which shall include the following:

(1) Outreach efforts to encourage the active participation of a broad range of stakeholder groups in the planning process, including, but not limited to, affordable housing and homelessness advocates, nonprofit developers, neighborhood and community groups, environmental advocates, equity organizations, home builder representatives, and business organizations.

(2) Holding at least one public meeting regarding any relevant plan or proposals being considered by the authority. The authority shall hold any such meeting at a time and a location convenient for members of the public. The authority shall place each plan or proposal under consideration on a meeting agenda of the authority board for discussion at least 30 days before the authority board takes action.

(3) A process for enabling members of the public to provide a single request to receive authority notices, information, and updates.

(Amended by Stats. 2024, Ch. 80, Sec. 71. (SB 1525) Effective January 1, 2025.)

64512. A member of the authority board shall exercise independent judgment on behalf of the interests of the residents, the property owners, and the public in furthering the intent and purposes of this title.

(Added by Stats. 2019, Ch. 598, Sec. 1. (AB 1487) Effective January 1, 2020.)

64513. (a) The authority board shall hold its first meeting at a time and place within the San Francisco Bay area fixed by the chair of the authority board.

(b) After the first meeting described in subdivision (a), the authority board shall hold meetings at times and places determined by the authority board.

(Added by Stats. 2019, Ch. 598, Sec. 1. (AB 1487) Effective January 1, 2020.)

64514. (a) The authority board may make and enforce rules and regulations necessary for governing the authority, the preservation of order, and the transaction of business.

(b) In exercising the powers and duties conferred on the authority by this title, the authority board may act by resolution.

(Added by Stats. 2019, Ch. 598, Sec. 1. (AB 1487) Effective January 1, 2020.)