



AGENDA
SPECIAL MEETING
COUNCIL OF SAN BENITO COUNTY GOVERNMENTS

DATE: Tuesday, January 11, 2022
4:00 p.m.

LOCATION: Via-Zoom
Attendance at the COG meeting is closed to the public per Executive Order N-29-20 and Assembly Bill 361 (AB 361). The public may join meeting by Zoom: <https://zoom.us/join> per the instructions provided at the end of the agenda:

Meeting ID: 824-8380-4939

DIRECTORS: Chair Ignacio Velazquez, Vice Chair Kollin Kosmicki
Mary Vazquez Edge, Rolan Resendiz, and Peter Hernandez
Alternates: San Benito County: Betsy Dirks
City of San Juan Bautista: Scott Freels; City of Hollister: Rick Perez
Ex Officio: Caltrans District 5

Persons who wish to address the Board of Directors must complete a Speaker Card and give it to the Clerk prior to addressing the Board. Those who wish to address the Board on an agenda item will be heard when the Chairperson calls for comments from the audience. Following recognition, persons desiring to speak are requested to advance to the podium and state their name and address. After hearing audience comments, the Public Comment portion of the agenda item will be closed.

4:00 P.M. CALL TO ORDER

- A. Pledge of Allegiance**
- B. Roll Call**
- C. Verification of Certificate of Posting**
- D. NOTICE OF TEMPORARY PROCEDURES FOR COUNCIL OF GOVERNMENTS BOARD MEETINGS *(Please see Zoom instructions at the end of the agenda)**

Pursuant to California Governor Gavin Newsom’s Executive Order N-29-20 issued on March 17, 2020, and Assembly Bill 361 (AB 361), relating to the convening of public meetings in response to the COVID-19 pandemic, attendance at the COG meeting is closed to the public. The public may join the meeting by Zoom: <https://zoom.us/join> per the instructions provided at the end of the agenda. Additionally, members of the COG Board are allowed to attend the meeting via teleconference and to participate in the meeting to the same extent as if they were present.

CONSENT AGENDA:

(These matters shall be considered as a whole and without discussion unless a particular item is removed from the Consent Agenda. Members of the public who wish to speak on a Consent Agenda item must submit a Speaker Card to the Clerk and wait for recognition from the Chairperson. Approval of a consent item means approval as recommended on the Staff Report.)

1. **ADOPT** Resolution 22-01 Authorizing Teleconferencing Options for Council of Governments Meetings for the Period of January 16, 2022, through February 14, 2022 – Rivera

REGULAR AGENDA:

2. **RECEIVE** Update on 6th Cycle Regional Housing Needs Allocation (RHNA) Methodology Options – Lezama

Adjourn to COG Regular Meeting on January 20, 2022. Agenda Deadline is Tuesday, January 04, 2022, at 12:00 p.m.

In compliance with the Americans with Disabilities Act (ADA), if requested, the Agenda can be made available in appropriate alternative formats to persons with a disability. If an individual wishes to request an alternative agenda format, please contact the Clerk of the Council four (4) days prior to the meeting at (831) 637-7665. The Council of Governments Board of Directors meeting facility is accessible to persons with disabilities. If you need special assistance to participate in this meeting, please contact the Clerk of the Council's office at (831) 637-7665 at least 48 hours before the meeting to enable the Council of Governments to make reasonable arrangements to ensure accessibility.

ZOOM INSTRUCTIONS:

Members of the public are encouraged to participate in Board meetings in the following ways:

1. Remote Viewing

Members of the public who wish to watch the meeting can view the meeting online through Zoom.

Instructions for participating via Zoom are included below.

2. Written Comments & Email Public Comment

Members of the public may submit comments via email by 5:00 PM. on the Wednesday prior to the Board meeting to the Secretary at monica@sanbenitocog.org. Regardless of whether the matter is on the agenda. Every effort will be made to provide Board Members with your comments before the agenda item is heard.

3. Council of Governments Board meeting Zoom Instructions for remote Participants:

Three ways to attend zoom meetings: **1) over the phone**, **2) on a web browser**, or **3) through the Zoom Smart Device Application**. Each meeting will have a meeting ID, which is a unique number associated with an instant or scheduled meeting.

1. Over the phone (Audio only):

- (669) 900-6833 or (408) 638-0968.

2. On a Web-browser:

- <https://zoom.us/join>

3. Smart device Application:

- Apple App store: <https://apps.apple.com/us/app/id546505307>
- Android App store: <https://play.google.com/store/apps/details?id=u.s.zoom.videomeetings>

Zoom Audio Only (phone)

If you are **calling in as audio-only**, please dial **(669) 900-6833 or (408) 638-0968**.

1. It will ask you to enter the **Meeting ID, 824-8380-4939** followed by the **"#"** key, which can be found at the top page of the agenda. The meeting agenda can be found at: http://www.sanbenitocog.org/wp-content/uploads/2022/01/COG_Specmtg_Packet_011122.pdf
2. It will then ask for a **Participant ID**, press the **"#"** key to continue.
3. Once you enter the zoom meeting, you will automatically be placed on mute.
4. **Public Comment:** If you are using a phone, please press the **"*9"** to raise your hand, zoom facilitator will unmute you when your turn arrives.

Zoom On Web-browser or Zoom app on Tablet or Smartphone

Council of San Benito County Governments (COG)

Local Transportation Authority • Airport Land Use Commission • Service Authority for Freeways & Expressways
330 Tres Pinos Road, Suite C7 • Hollister, CA 95023 • Phone: 831-637-7665
sanbenitocog.org

If joining through web-browser launch: <https://zoom.us/join> or launch the Zoom app on your Tablet or Smartphone

1. Select **“JOIN A MEETING”**
2. You will be prompted to enter **Meeting ID, 824-8380-4939** and include a name to join the meeting. The meeting agenda can be found at: http://www.sanbenitocog.org/wp-content/uploads/2022/01/COG_Specmtg_Packet_011122.pdf
3. You can launch audio through your computer or set it up through the phone. Follow instructions provided by Zoom.
4. **Public Comment:** *click “Raise hand” icon, the zoom facilitator will unmute you when your turn arrives.*

Public Comment Guidelines

- If participating on Zoom: Once you are selected, you will hear that you have been unmuted: State your first name, last name, and county you reside in for the record.
 - The Council of Governments Board welcomes your comments.
 - Each individual speaker will be limited to a presentation total of three (3) minutes.
 - Please keep your comments, brief, to the point, and do not repeat prior testimony, so that as many people as possible can be heard. Your cooperation is appreciated.
- If you have questions, contact the Council of Governments and leave a message at (831) 637-7665 x. 201, or email monica@sanbenitocog.org.

Council of San Benito County Governments (COG)

Local Transportation Authority • Airport Land Use Commission • Service Authority for Freeways & Expressways
330 Tres Pinos Road, Suite C7 • Hollister, CA 95023 • Phone: 831-637-7665
sanbenitocog.org

CERTIFICATE OF POSTING

Pursuant to Government Code Section #54954.2(a) the Special Meeting Agenda for the Council of San Benito County Governments on **January 11, 2022** at **4:00 P.M.** was posted at the following locations freely accessible to the public:

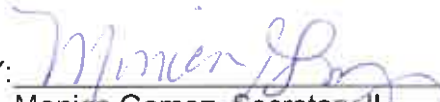
The front entrance of the Old San Benito County Courthouse, Monterey Street, Hollister, CA 95023, and the Council of Governments Office, 330 Tres Pinos Rd., Ste. C7, Hollister, CA 95023 at the following date and time:

On the **7th day of January 2022**, on or before **5:00 P.M.**

The meeting agenda was also posted on the Council of San Benito County Governments website, www.sanbenitocog.org, under Meetings, COG Board, Meeting Schedule

I, Monica Gomez, swear under penalty of perjury that the foregoing is true and correct.

BY:



Monica Gomez, Secretary II
Council of San Benito County Governments



Staff Report

To: Council of San Benito County Governments
From: Norma Rivera, Administrative Services Specialist Telephone: (831) 637-7665
Date: January 11, 2022
Subject: **Assembly Bill 361 Teleconferencing Options For COG**

Recommendation:

ADOPT Resolution 22-01 Authorizing Teleconferencing Options for Council of Governments meetings for the Period of January 16, 2022, through February 14, 2022.

Summary:

On September 16, 2021, the Governor signed Assembly Bill (AB) 361, a bill that codifies certain teleconference procedures that local agencies have adopted in response to the Governor’s Brown Act-related Executive Orders. Specifically, AB 361 allows a local agency to continue to use teleconferencing under the same basic rules as provided in the Executive Orders under certain prescribed circumstances or when certain findings have been made and adopted by the local agency legislative body.

Financial Considerations:

None.

Discussion:

On June 11, 2021, Governor Newsom issued Executive Order N-08-21, amending his prior Executive Order N-29-20, and waiving certain provisions of the Brown Act relating to teleconferences/remote meetings by local agency legislative bodies. The Executive Order waived, among other things, the provisions of the Brown Act that otherwise required the physical presence of members of local agency legislative bodies or other personnel in a particular location as a condition of participation or as a quorum for a public meeting. These modifications remained in effect through September 30, 2021.

Under Assembly Bill (AB) 361, when the state of emergency lasts longer than 30 days, as is the case presently, the legislative body must make findings every 30 days to continue using the bill’s exemption to the Brown Act teleconferencing rules. AB 361 mandates that the legislative body must find that there is a continuing need for teleconferencing due to dangers posed by the ongoing state of emergency. This means that local agencies will have to put an item on the public meeting agenda at least every thirty days to make findings regarding the circumstances of the emergency and to vote to continue relying upon the law’s teleconference provisions.

To continue to meet under those modified rules after February 14, 2022, the Board will again need to reconsider the circumstances of the state of emergency and again make one of the additional findings required by AB 361.

Reducing the circumstances under which people come into close contact remains a vital component of the San Benito County and COG's COVID-19 response strategy. Local agency public meetings are an essential government function and the last 18 months have proven that the teleconferencing format protects public access while minimizing exposure to COVID-19.

The California Department of Public Health (CDPH) and the federal Centers for Disease Control and Prevention (CDC) caution that the Omicron variant of COVID-19 is spreading quickly throughout the country, is more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations (<https://www.cdc.gov/coronavirus/2019-ncov/variants/omicron-variant.html>).

According to the numbers posted on the San Benito County website, as of January 3, 2022, there have been almost 800 new cases since the December 16, 2021, meeting.

Staff recommends that the Board adopt findings that conducting in-person meetings at the present time would present an imminent risk to the health and safety of attendees. A resolution to that effect and directing staff to return each 30 days to afford the Board the opportunity to reconsider such findings is before the Board for consideration (Attachment 1). If the Board adopts the proposed resolution, then it may continue to meet under the modified Brown Act teleconference rules of AB 361 through February 14, 2022. If the Board does not adopt the resolution, Board meetings will be conducted in-person at the San Benito County Board of Supervisors Chambers. Staff does not recommend a hybrid virtual/in-person meeting option due to limits on staff resources for meeting administration.

Counsel Review: Yes

Supporting Attachment(s):

1. Resolution 22-01
2. Letter from San Benito County Health Officer



BEFORE THE COUNCIL OF SAN BENITO COUNTY
GOVERNMENTS

A RESOLUTION OF THE COUNCIL OF SAN)
 BENITO COUNTY GOVERNMENTS) Resolution No. COG 22-01
 AUTHORIZING CONTINUED REMOTE)
 TELECONFERENCE MEETINGS OF THE COUNCIL)
 OF GOVERNMENTS AND THE MEETINGS OF ITS)
ADVISORY BODIES PURSUANT TO AB 361)

WHEREAS, the Council of San Benito County Governments is committed to preserving and nurturing public access and participation in meetings of the Board of Directors and in meetings of its advisory bodies, including but not limited to the Technical Advisory Committee (TAC), Social Services Technical Advisory Committee (SSTAC), and the Measure G Transportation, Safety and Investment Plan Oversight Committee; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, on March 4, 2020, Governor Gavin Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic, pursuant to his authority under the California Emergency Services Act, California Government Code section 8625; and

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the California Open Meeting Law, Government Code section 54950 et seq. (the “Brown Act”), provided certain requirements were met and followed; and

WHEREAS, on June 4, 2021, Governor Newsom clarified that the “reopening” of California on June 15, 2021 did not include any change to the proclaimed state of emergency or the powers exercised thereunder; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, clarifying the suspension of the teleconferencing rules set forth in the Brown Act, and further provided that those provisions would remain suspended through September 30, 2021; and

WHEREAS, on September 16, 2021, Governor Newsom signed Assembly Bill 361 (AB 361), which provides that a legislative body subject to the Brown Act may continue to meet without fully complying with the teleconferencing rules in the Brown Act, provided the legislative body determines that meeting in person would present

imminent risks to the health or safety of attendees, and further requires that certain findings be made by the legislative body every thirty (30) days; and

WHEREAS, California Department of Public Health (“CDPH”) and the federal Centers for Disease Control and Prevention (“CDC”) caution that the Omicron variant of COVID-19 is spreading quickly throughout the country, is more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations (<https://www.cdc.gov/coronavirus/2019-ncov/variants/omicron-variant.html>); and

WHEREAS, on September 30, 2021, Dr. Ghilarducci, Interim San Benito County Public Health Officer, issued a recommendation on Social Distancing at public meetings of legislative bodies within San Benito County; and

WHEREAS, on January 5, 2022, Dr. Gellert, San Benito County Public Health Officer, issued an updated recommendation on continued Social Distancing at public meetings of legislative bodies within San Benito County, attached hereto as Exhibit “A”, and incorporated herein by this reference; and

WHEREAS, the Council of San Benito County Governments is a joint powers authority formed under the joint exercise of powers provisions of California Government Code Sections 6500-6522 and the California Code of Civil Procedure section 1240.140, among the County of San Benito, a political subdivision of the State of California, and the Cities of Hollister and San Juan Bautista, municipal corporations located in San Benito County; and

WHEREAS, the San Benito County Board of Supervisors is empowered by Article XI, section 7 of the California Constitution to take actions necessary to protect public, health, welfare, and safety within the County of San Benito; and

WHEREAS, at its regular meetings on October 12, 2021, November 9, 2021, November 23, 2021 and December 14, 2021, the San Benito County Board of Supervisors considered all information related to this matter, as presented at the public meetings of the Board of Supervisors identified herein, including any supporting reports by County Staff, and any information provided during public meetings, including but not limited to the current circumstances related to the state of emergency, and adopted Resolution Nos. 2021-128, 2021-140, 2021-148, and 2021-160, making the findings and determinations required by AB 361; and

WHEREAS, the Council of San Benito County Governments has an important governmental interest in protecting the health, safety, and welfare of those who participate in meetings of the Council of Governments’ various legislative bodies subject to the Brown Act; and

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the Council of San Benito County Governments deems it necessary to find that a requirement to meet in person for meetings of all Council of Governments' related legislative bodies subject to the Brown Act would present imminent risks to the health or safety of attendees, and thus, intends to invoke the provisions of AB 361 related to teleconferencing; and

WHEREAS, at its regular meetings on October 21, 2021, November 18, 2021, and December 16, 2021, the Council of San Benito County Governments considered all information related to this matter, as presented at the public meetings of the Board of Directors identified herein, including any supporting reports by Council of Governments' Staff, and any information provided during public meetings, including but not limited to the current circumstances related to the state of emergency, and adopted Resolution Nos. 2021-11, 2021-12, and 2021-13, making the findings and determinations required by AB 361; and

WHEREAS, the Council of San Benito County Governments has further considered all information related to this matter, as presented at the public meetings of the Board of Directors identified herein as of the date of this Resolution, including any supporting reports by Council of Governments' Staff, and any information provided during public meetings, including but not limited to the current circumstances related to the state of emergency, which continues to remain in effect; and

WHEREAS, as of the date of this Resolution, neither the Governor nor the California Legislature have exercised their respective powers, pursuant to California Government Code section 8629, to lift the state of emergency either by proclamation or by concurrent resolution in the state Legislature, and the proclaimed state of emergency remains in effect; and

WHEREAS, the continued local rates of transmission of the virus and variants causing COVID-19 are such that meeting in person would present imminent risks to the health or safety of attendees of public meetings; and

WHEREAS, the Board of Directors of the Council of San Benito County Governments further finds that the state of emergency continues to directly impact the ability of the members to meet safely in person.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Council of San Benito County Governments as follows:

1. Recitals. The Board of Directors hereby finds that the facts set forth in the Recitals to this Resolution are true and correct and are incorporated into this Resolution by this reference. The above findings and this Resolution apply to all Council of Governments related legislative bodies subject to the Brown Act, including but not limited to its Technical Advisory Committee (TAC), Social Services Technical

Advisory Committee (SSTAC), Measure G Transportation, Safety and Investment Plan Oversight Committee, and any other Council of Governments standing committees and all other committees and commissions established by the Council of San Benito County Governments and subject to the Brown Act.

2. Proclamation of Local Emergency. The Board of Directors hereby proclaims that a local emergency continues to exist throughout the County, and social distancing orders are currently in place and needed to protect the health and safety of the citizens.
3. Consideration of Future Extensions of Resolution. As long as the State Emergency remains in effect or until directed otherwise by the Board of Directors, staff shall present to the Board at every meeting an item necessary to continue the findings required by AB 361.
4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of thirty (30) days from adoption of the Resolution or such time the Board of Directors adopts a subsequent Resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of the Council of San Benito County Governments may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.
5. Remote Teleconference Meetings. The staff, Counsel, and legislative bodies of the Council of Governments are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

PASSED AND ADOPTED BY THE COUNCIL OF SAN BENITO COUNTY GOVERNMENTS THIS 11th DAY OF JANUARY 2022 BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAINING:

ABSENT:

Ignacio Velazquez, Chair

APPROVED AS TO LEGAL FORM:
SAN BENITO COUNTY COUNSEL'S OFFICE

Dated: Jan. 5, 2022

By: Shirley L. Murphy
Shirley L. Murphy, Deputy County Counsel

ATTEST:
Mary Gilbert, Executive Director

Dated: _____

By: _____

**SAN BENITO COUNTY**

HEALTH & HUMAN SERVICES AGENCY

PUBLIC HEALTH SERVICES

Healthy People in Healthy Communities

January 5, 2022

CAO Ray Espinosa
San Benito County AdministrationRe: Recommendation on Social Distancing and Hybrid Meetings

Given the considerable impact on our community from the COVID-19 virus and the Delta and more recently the Omicron variant, I strongly urge all legislative bodies, including but not limited to the County, cities, and special districts, local commissions and committees, and subsidiary bodies, continue social distancing measures for public meetings, including offering, at the legislative body's discretion, a remote or hybrid format for public meetings. Social distancing and masking remain crucial strategies in our fight to prevent contagion. The conduct of public meetings in a remote or hybrid manner enables members of the community to participate from the comfort of their homes without having to risk contracting these viruses by attending in-person meetings.

In addition, these measures help contain the spread of the disease and protect the community. All events public gatherings, including public meetings, create environments where these virus variants can potentially spread among attendees and participants. However, when combined with social distancing and effective masking practices, along with continued efforts to increase vaccination uptake within San Benito County, a remote or hybrid format for meetings maximizes avenues for public access and input and minimizes the risk of infection for the public, agency staff, meeting presenters, and legislative body members as well.

If you have any questions regarding this recommendation, please do not hesitate to contact me.

A handwritten signature in black ink, appearing to read "George Gellert".

George Gellert MD, MPH, MPA
Health Officer



Staff Report

To: Council of San Benito County Governments
 From: Veronica Lezama, Transportation Planner Telephone: (831) 637-7665
 Date: January 11, 2022
 Subject: Regional Housing Needs Allocation (RHNA)

Recommendation:

RECEIVE Update on 6th Cycle Regional Housing Needs Allocation (RHNA) Methodology Options.

Summary:

California state law recognizes that local governments play a vital role in developing affordable housing. In 1969, the state mandated that all California cities, towns, and counties must plan for the housing needs of our residents—regardless of income. This state mandate is called the Housing Element and Regional Housing Needs Allocation, or RHNA. As part of RHNA, the California Department of Housing and Community Development, or HCD, determines the total number of new homes the San Benito region needs to plan for—and how affordable those homes need to be—in order to meet the housing needs of people at all income levels.

The Council of Governments (COG), then distributes a share of the region's housing need to the City of Hollister and San Juan Bautista, and County of San Benito. Each local government agency must then update the Housing Element of its general plan to show the locations where housing can be built and the policies and strategies necessary to meet the community's housing needs.

The heart of COG's work on RHNA is developing the methodology to allocate a portion of housing needs to each city and county in the region. The RHNA is required to meet the five statutory objectives summarized below:

- 1) increase housing supply and mix of types in an equitable manner
- 2) infill development and socioeconomic equity environmental and agricultural resources, efficient development patterns, greenhouse gas reductions
- 3) jobs and housing, including low-wage jobs and housing affordable to low-wage workers in each jurisdiction
- 4) lower proportion of housing need to an income category when disproportionately high share of households in that income category
- 5) Affirmatively furthering fair housing

Council of San Benito County Governments (COG)

Local Transportation Authority • Airport Land Use Commission • Service Authority for Freeways & Expressways
 330 Tres Pinos Road, Suite C7 • Hollister, CA 95023 • Phone: 831-637-7665
sanbenitocog.org

Financial Considerations:

COG expenses for work items related to RHNA are reimbursed to COG through State housing funds.

Discussion:

The Council of Governments (COG) conducts the RHNA process every eight years. State law also requires COG to determine each local jurisdiction's share of the region's future housing need. The RHNA produces regional, subregional, and local targets for the amount and type of housing needed over the planning period.

In the spring of 2021, COG began consulting with the California Department of Housing and Community Development (HCD) and the Department of Finance (DOF) regarding the total regional housing need. HCD is responsible for determining the regional housing needs total, segmented by income levels, for each of the state's COGs.

In October 2021, HCD provided COG its total housing determination, which allocates a total of 5,005 housing units across the two cities and County and across four income categories as shown in Table 1. COG then develops a methodology to allocate the housing need to all of the jurisdictions within the COG region.

Table 1: San Benito County 6th Cycle Regional Housing Need

Income Category	Units
Very-Low	1,110
Low	890
Moderate	947
Above-Moderate	2,058
Total	5,005

Source: California Department of Housing and Community Development

Draft RHNA Methodology Data

RHNA methodologies are unique to every region throughout the state in response to each region's unique housing situation and needs. The COG region is predominately a suburban/rural region and has unique demographic and housing issues such as a predominance of rural areas, significant farmworker housing needs, and infrastructure constraints in the unincorporated areas. The COG RHNA methodology focuses on furthering, supporting, and balancing between each of the five statutory RHNA objectives and 13 RHNA factors.

COG staff has been discussing with the COG Board and local jurisdiction staff potential options for developing a RHNA methodology based on HCD's 6th Cycle Regional Housing Needs Determination (RHND). In addition, COG staff presented the draft RHNA allocations to the City Councils of Hollister and San Juan Bautista and County Board of Supervisors for input during the month of December. Three options, A, B, and C, presented at the December 16, 2021, COG

Council of San Benito County Governments (COG)

Local Transportation Authority • Airport Land Use Commission • Service Authority for Freeways & Expressways
330 Tres Pinos Road, Suite C7 • Hollister, CA 95023 • Phone: 831-637-7665
sanbenitocog.org

meeting focused on the Regional Growth Forecast (RGF), employment, climate change resiliency/wildfire risk, and furthering fair housing goals.

The Board directed staff to prepare a fourth potential RHNA methodology option—Option D—for Board consideration at the January 11, 2022, special meeting. Per COG Board direction, Option D allocates units based on jobs/housing balance, resulting in a larger share of the RHNA to the City of Hollister. Option D was also presented and discussed with the staff of the County of San Benito, City of Hollister, and City of San Juan Bautista at their January 5, 2022, RHNA Working Group meeting. The Working Group recommends Option D to the COG Board of Directors for approval. Option D was also presented to the staff of the Department of Housing & Community Development (HCD) on December 21 for preliminary review.

This option meets the Board’s goal of allocating most units to the jurisdiction that has the infrastructure available to support growth and encourage denser, more affordable housing. This option also supports the goal of protecting agricultural lands. Option D is presented in Table 2 below.

Table 2: Revised Draft RHNA Methodology Option

Option D	Jobs		50%	Jobs/Housing Balance				50%	RHNA Total	Units by Income				
	Jobs 2020	% Reg.	Units	J/H Ratio	Normalize by Jobs	% Reg.	Units	Very Low		Low	Mod.	Above Mod.		
San Benito County			2,503	1.2			2,502	5,005	1,110	890	947	2,058		
Hollister	15,492	67%	1,667	1.3	15,492	100%	2,502	4,169	845	678	829	1,817		
San Juan Bautista	557	2%	60	0.4	0	0%	0	60	12	10	11	27		
Uninc. San Benito	7,214	31%	776	1.0	0	0%	0	776	253	202	107	214		

**Option A uses the growth forecast for the period 2025-2035. Option B uses the growth forecast for the period 2030-2035.*

*** Used to shift across income categories.*

All data used in the development of the RHNA methodology is based on the following publicly available sources:

- Jobs: AMBAG 2022 RGF, based on InfoUSA and California Employment Development Department (2020)
- Jobs/Housing Balance: Ratio of jobs to housing—jobs data from AMBAG 2022 RGF, based on InfoUSA and California Employment Development Department (2020) and housing data from California Department of Finance (2020)
- Affirmatively Furthering Fair Housing (AFFH): Proportion of households in high/highest resource areas—household data from U.S. Census Bureau, American Community Survey, and resource type from HCD/California Tax Credit Allocation Committee (TCAC) Opportunity Map

First Step in RHNA Methodology: Jobs and Jobs/Housing Balance

This RHNA methodology allocates half of the units based on the total number of jobs in each jurisdiction, and the other half to jurisdiction(s) that have a jobs/housing imbalance. Imbalance is

Council of San Benito County Governments (COG)

defined as a jobs/housing ratio above the regional average. Hollister has an imbalance (more jobs than housing), while San Juan Bautista has more housing than jobs, and unincorporated San Benito County has a nearly equal number of jobs and houses.

Second Step in RHNA Methodology: Income Allocation

An important objective of RHNA is to increase housing equity across jurisdictions. RHNA objective 1 must ensure that the plan allocates a lower proportion of housing need to an income category when a jurisdiction already has a disproportionately high share of households in that income category.

Unlike many other COGs, jurisdictions in San Benito County have very similar socio-economic characteristics (see Table 3 for a brief comparison). This similarity does not eliminate the need to address equity, particularly in the distribution of lower-income RHNA, but it does suggest that adjustments may not need to be as dramatic as they might be in COGs with wider existing equity gaps.

Table 3: Comparison of Socio-Economic Characteristics in San Benito County Jurisdictions

	Total Population	Jobs/ Housing Ratio	Poverty Rate	% non- Hispanic White	% Crowded	% HHs in High/Highest Resource Areas
San Benito County	64,209	1.2	8%	31%	7%	15%
Hollister	41,678	1.3	10%	23%	9%	0%
San Juan Bautista	2,089	0.7	9%	35%	8%	0%
Unincorp. San Benito	20,442	1.0	6%	46%	3%	42%

Sources: U.S. Census Bureau, 2020 Census and American Community Survey; AMBAG 2022 RGF; TCAC Opportunity Map 2021.

To accomplish the equity objective, the methodology shifts units across income categories—redistributing a portion of very low and low income units out of jurisdictions with no high/highest resource areas, and shifting those units to jurisdictions with high/highest resource areas based on the proportion of their jurisdiction’s households in a high/highest resource area, using HCD/California Tax Credit Allocation Committee (TCAC) Opportunity Map. The result is that the jurisdiction (unincorporated San Benito County) has approximately 60% of its RHNA allocation as very low and low income units, while Hollister and San Benito have 37% of their RHNA allocation in lower income categories. This shift ensures that non-high income jurisdictions do not get a disproportionate share of lower income units.

Executive Director: ***MG***

Counsel Review: N/A

Supporting Attachments:

1. January 5, 2022 Letter from COG to HCD Regarding RHNA Allocation
2. Presentation Slide Deck

Council of San Benito County Governments (COG)

Local Transportation Authority • Airport Land Use Commission • Service Authority for Freeways & Expressways
 330 Tres Pinos Road, Suite C7 • Hollister, CA 95023 • Phone: 831-637-7665
sanbenitocog.org



January 5, 2022

Tom Brinkhuis
California Department of Housing & Community Development
Division of Housing Policy Development
2020 W. El Camino Avenue, Suite 500 | Sacramento, CA 95833

RE: San Benito County's Regional Housing Needs Determination

Dear Mr. Brinkhuis:

The Council of San Benito County Governments (COG) is in receipt of the Department of Housing and Community Development (HCD) Regional Housing Needs Determination (RHND). San Benito County's RHND for the Sixth Cycle is 5,005 units, which is an increase of 128% over the County's allocation of 2,194 units in the current (Fifth) Housing Element cycle. While the region continues to demonstrate its commitment to meeting the current and future housing needs of its population and to carrying its fair share of the region's housing need, the 6th Cycle RHNA allocation is coupled with constraints. The COG Board of Directors expresses concerns with the San Benito region's RHNA allocation for the following reasons:

- **Transportation Infrastructure and Greenhouse Gas Reduction Challenges** - In the County, a staggering half (49 percent)¹ of San Benito County residents commute to jobs outside of the County. San Benito County provides housing at lower costs than surrounding communities to the north and to the west and is a place where many residents travel long distances to access jobs. A lack of affordable home building in urbanized areas, is one of the fundamental causes of California's housing crisis and rural communities like San Benito County carry the burden of providing the housing stock for surrounding thriving communities. Often times, leaving much of their tax dollars in the coffers of other communities – resulting in the County's inability to address some of their most basic transportation needs. The spatial mismatch between jobs and affordable housing has caused growing numbers of workers to reside farther from their workplaces.

Daily traffic at the San Benito/Santa Clara County line has more than doubled since the mid-1990's due to rapid population growth and commute trips and is expected to double again by 2040. State highways located in San Benito County have reached capacity and are experiencing extreme congestion. Improvements to Highway 25, which provides direct

¹ Employment Development Department's Labor Market Information Division

access to jobs in Santa Clara County, will not be constructed for at least the next decade, which further perpetuates driver frustration and increased motor vehicle accidents.

State housing law 65584 (a)(3) includes the following that addresses the above-mentioned statement. The Legislature finds and declares that insufficient housing in job centers hinders the state's environmental quality and runs counter to the state's environmental goals. In particular, when Californians seeking affordable housing are forced to drive longer distances to work, an increased amount of greenhouse gases and other pollutants is released and puts in jeopardy the achievement of the state's climate goals, as established pursuant to Section 38566 of the Health and Safety Code, and clean air goals.²

As such, the increased RHNA allocation impacts rural communities, which in turn negatively impacts the State's environmental goals of reducing GHG, improving water quality, fire safety, etc.

Furthermore, in 2018, the California Statewide Needs Assessment Project surveyed California's 57 counties and 482 cities on the condition of local streets and roads infrastructure. It collected data on the amount and type of funding used to support the needs of pavement, essential component needs, and bridges. The condition of California's local streets and roads has continued to deteriorate significantly since the initial study. On a scale of zero (failed) to 100 (excellent), the statewide average Pavement Condition Index (PCI) is now 65 ("At Risk" category). Even more alarming, 53 of 58 counties are either at risk or have poor pavements. The San Benito region ranked one of eight counties in the State of California to have an average pavement condition of less than 49, significantly worse than the statewide average.³ The countywide average pavement condition index in San Benito is 37, which is a significant drop from 46 in 2016. Increasing the RHNA housing allocation in San Benito County further contributes to the increase of vehicles miles traveled as commuters must travel longer distances to access higher paying jobs –further impacting the region's poor condition index.

- **Impacts on Rural Regions** – San Benito County is a rural community, and it lacks the ability to build and maintain the infrastructure needed to support the RHNA allocation. The end result is that jurisdictions are overly burdened by having to accommodate high numbers of growth without the means to develop the infrastructure needed to support such growth. The San Benito region also does not have the economy of scale to fund such infrastructure improvements.

²https://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=GOV&division=1.&title=7.&part=&chapter=3.&article=10.6

³ 2016 California Statewide Needs Assessment Project

- **Sewer Infrastructure Constraints** – The unincorporated areas of San Benito County do not have a sewer system. In these areas of the County, houses are spaced so far apart that a regional sewer system would be too expensive to install. Currently, the County of San Benito does not have access to a sewer plant. There is a sewer plant within the jurisdiction of the City of Hollister which the County is prohibited from accessing by LAFCO law. As a result, the County would need to construct new sewer facilities to accommodate any growth that cannot be accommodated with septic systems. Recently, the County explored the idea of constructing a new sewer facility. The study revealed that a facility capable of processing 100,000 gallons per day could accommodate 715 houses. The cost was over \$8,000,000 and it would be a minimum 5-year project requiring a complete environmental impact study. It should be noted that the Central Coast Regional Water Board is against the construction of additional plants and strongly encourages the City of Hollister to regionalize the sewer facility, eliminating the LAFCO entanglement and permitting San Benito County access. It should also be noted that the City of Hollister currently has a sewer plant with over 2 million gallons per day of remaining capacity.

As populations continue to expand beyond the reach of municipal sewer systems, more families are relying on individual on-site wastewater treatment systems and private water supplies. The close proximity of on-site water and wastewater systems in subdivisions and other developed areas, reliance on marginal or poor soils for on-site wastewater disposal, and a general lack of understanding by homeowners about proper septic tank system maintenance pose a significant threat to public health. Medium- and high-density housing cannot develop in rural areas without sewer because of poorly drained soils and other constraints on onsite wastewater treatment systems.

- **Preservation of Prime Farmland** – Farmland in the San Benito region is a vital local, statewide, and national resource. With its unique climate along with fertile soils and water supplies, agriculture is San Benito County's largest industry. In 2020, the gross value of agricultural production came to over \$338 million.⁴ Approximately 882,675 acres of all land in unincorporated San Benito County, about 747,400 acres are zoned for agriculture (85%).

Many communities, such as the San Benito region, have witnessed significant loss of this finite resource, particularly to the sprawl of non-agricultural development into rural spaces, particularly on the edges of metropolitan areas. Recognizing the long-term economic, environmental, and social costs of this loss, many communities have taken steps to protect agricultural lands. Local governments have adopted many planning, regulatory, and programmatic strategies to protect farmland and support the viability of their agricultural sectors. Approximately 559,270 acres are specifically governed by Williamson Act contracts (63%).

⁴ 2020 San Benito County Crop Report, Agricultural Commissioner

- **Educational Facilities at Capacity** - local schools have reached capacity and school districts are unable to bond for new educational facilities because of bonding capacity. Extreme growth will lead to failure in our local education system due to constraints in classroom space and available facilities. Larger classrooms lend themselves to a more disruptive environment because there are more students to manage. A smaller, focused classroom provides a more positive learning environment for students.

In closing, the Council of San Benito County Governments (COG) Board of Directors urges HCD to reduce San Benito County's RHND because of the aforementioned reasons.

Should you have any questions regarding this letter, please feel free to contact Mary Gilbert, COG Executive Director at 831.637.7665, Ext. 207 or by email at mary@sanbenitocog.org.

Sincerely,



Ignacio Velazquez
COG Chair

CC:

Senator Anna Caballero
Assemblymember Robert Rivas

Regional Housing Needs Assessment (RHNA)

Council of San Benito County
Governments

January 11, 2022



COG Progress since the December 16, 2021 COG Meeting

Correspondence:

- Letter to HCD - Attachment 1
 - CC: Senator Anna Caballero
 - CC: Assemblymember Robert Rivas



Presentations:

- County Board of Supervisors - 12/14
- Hollister City Council - 12/20
- San Juan Bautista City Council - 12/21



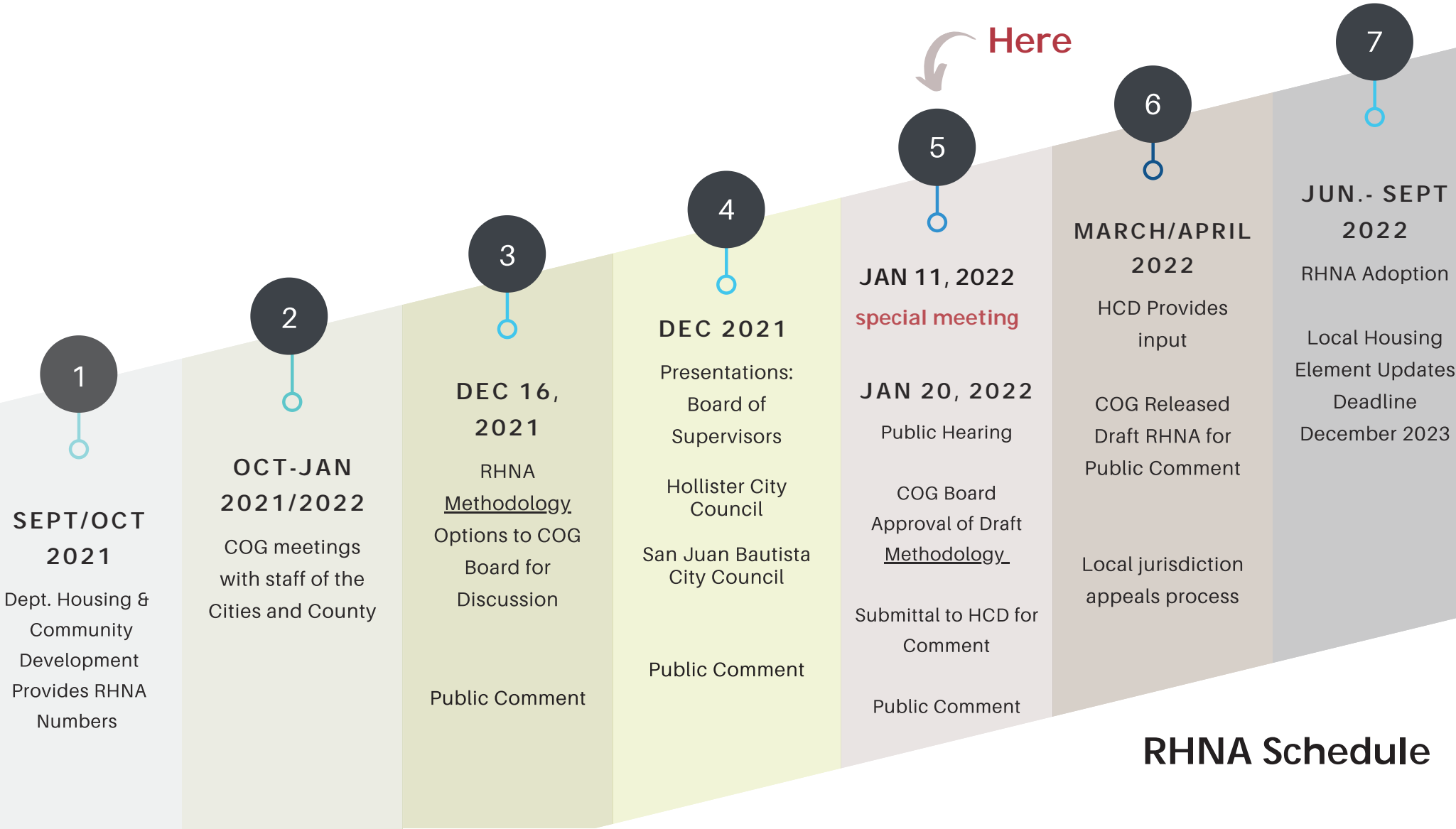
Meetings:

- Informal Review Meeting with HCD on Option D - 12/21
- RHNA Working Group meeting with staffs of the County, Hollister, San Juan Bautista on January 5, 2022 - consensus reached



Methodology Option D:

Option D	Jobs			Jobs/Housing Balance				RHNA Total	Units by Income 30% Shift			
	Jobs 2020	Region Jobs	50%	J/H Ratio	Normalize by Jobs	% Region	50%		Very Low	Low	Mod.	Above Mod.
			Units				Units					
San Benito County			2,503				2,502	5,005	1,110	890	947	2,058
Hollister	15,492	67%	1,667	130%	15,492	100%	2,502	4,169	845	678	829	1,817
San Juan Bautista	557	2%	60	68%	0	0%	0	60	12	10	11	27
Unincorp. San Benito	7,214	31%	776	101%	0	0%	0	776	253	202	107	214



RHNA Schedule