



# **AMBAG Board of Directors Agenda**

**Association of Monterey Bay Area Governments**

**P.O. Box 2453, Seaside, California 93955-2453**

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**Meeting via Zoom Webinar**

**DATE: September 14, 2022**

**TIME: 6:00 PM**

**Please register for the AMBAG Board of Directors meeting at**

**[https://us06web.zoom.us/webinar/register/WN\\_OBqwLm4vTgunsqSVc-Xh1w](https://us06web.zoom.us/webinar/register/WN_OBqwLm4vTgunsqSVc-Xh1w)**

On September 16, 2021, Governor Newsom signed AB 361 into law. The provisions enacted by AB 361 provide flexibility to meet remotely during a proclaimed emergency and will sunset on January 1, 2024. The AMBAG Board of Directors meeting will be conducted via Zoom Webinar and will participate in the meeting from individual remote locations. Members of the public will need to attend the meeting remotely via Zoom Webinar. We apologize in advance for any technical difficulties.

Persons who wish to address the AMBAG Board of Directors on an item to be considered at this meeting are encouraged to submit comments in writing at [info@ambag.org](mailto:info@ambag.org) by Tuesday, September 13, 2022. The subject line should read "Public Comment for the September 14, 2022 Board of Directors Meeting." The agency clerk will read up to 3 minutes of any public comment submitted.

To participate via Zoom Webinar, please register for the September 14, 2022 AMBAG Board of Directors meeting using the following link: [https://us06web.zoom.us/webinar/register/WN\\_OBqwLm4vTgunsqSVc-Xh1w](https://us06web.zoom.us/webinar/register/WN_OBqwLm4vTgunsqSVc-Xh1w)

You will be provided dial-in information and instructions to join the meeting.

If you have any questions, please contact Ana Flores, Clerk of the Board at [aflores@ambag.org](mailto:aflores@ambag.org) or at 831-883-3750 Ext. 300.

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1. **CALL TO ORDER**

2. **ROLL CALL**

3. **Resolution in Accordance with AB 361 regarding the Ralph M. Brown Act and Finding of Imminent Risk to Health and Safety of In-Person Meetings as a Result of the Continuing COVID-19 Pandemic State of Emergency Declared by Governor Newsom**

**Recommended Action: ADOPT**

- Maura Twomey, Executive Director

Adopt a Resolution 2022-20 in accordance with AB 361 regarding the Ralph M. Brown Act and finding of imminent risk to health and safety of in-person meetings as a result of the continuing COVID-19 pandemic state of emergency declared by Governor Newsom. (Page 7)

4. **ORAL COMMUNICATIONS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA (A maximum of three minutes on any subject not on the agenda)**

5. **ORAL COMMUNICATIONS FROM THE BOARD ON ITEMS NOT ON THE AGENDA**

6. **COMMITTEE REPORTS**

A. **Executive/Finance Committee**

**Recommended Action: INFORMATION**

- President Brown

Receive oral report.

B. **Monterey Bay National Marine Sanctuary (MBNMS) Advisory Council (SAC) Meeting**

**Recommended Action: DIRECT**

- Director McAdams

Receive a report on the August 19, 2022 SAC meeting. The next meeting is scheduled on October 21, 2022. The agenda will be provided at the meeting.

7. **EXECUTIVE DIRECTOR'S REPORT**

**Recommended Action: INFORMATION**

- Maura Twomey, Executive Director

Receive a report from Maura Twomey, Executive Director.

## 8. **CONSENT AGENDA**

### **Recommended Action: APPROVE**

**Note:** Actions listed for each item represents staff recommendation. The Board of Directors may, at its discretion, take any action on the items listed in the consent agenda.

#### **A. Draft Minutes of the August 10, 2022 AMBAG Board of Directors Meeting**

- Ana Flores, Clerk of the Board

Approve the draft minutes of the August 10, 2022 AMBAG Board of Directors meeting. (Page 9)

#### **B. AMBAG Regional Clearinghouse Monthly Newsletter**

- Miranda Taylor, Planner

Accept the clearinghouse monthly newsletter. (Page 17)

#### **C. AMBAG Sustainability Program Update**

- Amaury Berteaud, Sustainability Program Manager

Accept the AMBAG Sustainability Program update. (Page 27)

#### **D. Formal Amendment No. 12 to the Monterey Bay Metropolitan Transportation Improvement Program (MTIP): FFY 2020-21 to FFY 2023-24**

- Will Condon, Associate Planner

Approve Formal Amendment No. 12 to the Monterey Bay Metropolitan Transportation Improvement Program (MTIP): FFY 2020-21 to FFY 2023-24 by adopting Resolution No. 2022-21. (Page 31)

#### **E. Draft Amendment No.1 to the FY 2022-23 Monterey Bay Region Overall Work Program (OWP) and Budget**

- Bhupendra Patel, Ph.D., Director of Modeling

Approve the Draft Amendment No. 1 FY 2022-23 Monterey Bay Region OWP and Budget. (Page 39)

#### **F. Financial Update Report**

- Errol Osteraa, Director of Finance & Administration

Accept the financial update report which provides an update on AMBAG's current financial position and accompanying financial statements. (Page 41)

## 9. **ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION AND POSSIBLE ACTION**

## 10. PLANNING

**A. Draft Monterey Bay Metropolitan Transportation Improvement Program (MTIP): FFY 2022-23 to 2025-26**

**Recommended Action: APPROVE**

- Will Condon, Associate Planner

Staff recommends that the Board of Directors approve the Draft Monterey Bay Metropolitan Transportation Improvement Program (MTIP): FFY 2022-23 to 2025-26 by adopting the enclosed Resolution No. 2022-22. (Page 47)

**B. Draft 2022 Coordinated Public Transit-Human Services Transportation Plan Update**

**Recommended Action: APPROVE**

- Miranda Taylor, Planner

Staff will provide an overview on the Draft 2022 Coordinated Public Transit-Human Services Transportation Plan (Coordinated Plan). The Board of Directors is asked to approve the release of the Draft 2022 Coordinated Plan for a 30-day public review period. The Final 2022 Coordinated Plan is scheduled to be adopted by the Board of Directors in November 2022. (Page 53)

**C. 6<sup>th</sup> Cycle Regional Housing Needs Allocation (RHNA) Appeals Final Determinations**

**Recommended Action: PUBLIC HEARING/APPROVE**

- Heather Adamson, Director of Planning

The AMBAG Board of Directors is asked to: (1) hold a public hearing; (2) approve the final determinations rejecting the appeals on the 6th Cycle Regional Housing Needs Allocation (RHNA), confirming the actions by the AMBAG Board of Directors at a public hearing on August 10, 2022; and (3) authorize staff to issue the proposed Final 2023-2031 6th Cycle RHNA Plan prior to Board consideration and adoption in October 2022. (Page 57)

**D. Regional Early Action Planning Grants 2.0 Program**

**Recommended Action: INFORMATION**

- Heather Adamson, Director of Planning

Staff will provide an update on the Regional Early Action Program (REAP) 2.0 Program including recent feedback and input received from outreach activities. The Board of Directors is asked to provide input for the development REAP 2.0 program framework. (Page 69)

## 11. ADJOURNMENT

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**REFERENCE ITEMS:**

- A. 2022 Calendar of Meetings (Page 73)
- B. Acronym Guide (Page 75)

**NEXT MEETING:**

**Date: October 12, 2022**

**Location: Zoom Webinar**

**Executive/Finance Committee Meeting: 5:00 PM**

**Board of Directors Meeting: 6:00 PM**

If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. If you have a request for disability-related modification or accommodation, including auxiliary aids or services, contact Ana Flores, AMBAG, 831-883-3750, or email [aflores@ambag.org](mailto:aflores@ambag.org) at least 48 hours prior to the meeting date.

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**A RESOLUTION**

**OF THE ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS BOARD OF DIRECTORS ADOPTING A  
RESOLUTION REGARDING THE RALPH M BROWN ACT AND FINDING OF IMMINENT RISK TO HEALTH AND  
SAFETY OF IN-PERSON MEETING AS A RESULT OF THE CONTINUING COVID-19 PANDEMIC STATE OF  
EMERGENCY DECLARED BY GOVERNOR NEWSOM**

**WHEREAS**, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic; and,

**WHEREAS**, the proclaimed state of emergency remains in effect; 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 11, 2021, Governor Newsom issued Executive Order N-08-21 that clarified 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 AB 361 that 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 risk to the health and safety of attendees, and further requires that certain findings be made by the legislative body every (30) days; and,

**WHEREAS**, California Department of Public Health (“CDPH”) and the federal Centers for Disease Control and Prevention (“CDC”) caution that the Delta and Omicron variants of COVID-19, currently the dominant strains of COVID-19 in the country, are more transmissible than prior variants of the virus, may cause severe illness, and that even fully vaccinated individuals can spread the virus (<https://cdc.gov/coronavirus/2019-ncov/variants/delta-variant.html>); and,

**WHEREAS**, other variants of COVID-19 exist, and it is unknown at this time whether other variants may result in a new surge in COVID-19 cases; and,

**WHEREAS**, the CDC has established a “Community Transmission” metric with 4 tiers designated to reflect a community’s COVID-19 case rate and percent positivity; and,

**WHEREAS**, Monterey County and San Benito County currently have a Community Transmission metric of “medium” and Santa Cruz County currently has a Community Transmission metric of “low”; and,

**WHEREAS**, due to the current pandemic situation, the CDC recommends that all persons, regardless of vaccination status, wear a mask based on your personal preference, informed by your personal level of risk. The public may choose to wear a mask or respirator that offers greater protection in certain situations, such as when you are with people at higher risk for severe illness, or if you are at higher risk for severe illness; and

**WHEREAS**, the Board of Directors for the Association of Monterey Bay Area Governments (AMBAG) is empowered to take actions necessary to protect public, health, welfare and safety within the region; and,

**WHEREAS**, AMBAG has an important governmental interest in protecting the health, safety and welfare of those who participate in meetings of AMBAG's various legislative bodies subject to the Brown Act; and,

**WHEREAS**, in the interest of the public health and safety, as affected by the emergency cause by the spread of COVID-19, the AMBAG Board of Directors deems it necessary to find that meeting in person for meetings of all AMBAG related legislative bodies as well as subcommittees of the board of Directors subject to the Ralph M. Brown Act, would present imminent risk to the health or safety of attendees, and thus intends to invoke the provisions of AB 361 related to teleconferencing as provided in subdivisions (e) of Government Code section 54953; and,

**WHEREAS**, all teleconference meetings of the AMBAG Board of Directors, AMBAG Executive/Finance Committee, as well as all subcommittees of the Board of Directors shall comply with the requirements to provide the public with access to meetings as prescribed in paragraph (2) of subdivision (e) of Government Code section 54953;

**NOW, THEREFORE, BE IT RESOLVED** that the AMBAG Board of Directors does hereby approve as follows:

1. The AMBAG Board of Directors finds that meeting in person for meeting of all AMBAG related legislative bodies subject to the Ralph M. Brown Act would present imminent risk to the health or safety of attendees.
2. This finding applies to all AMBAG related legislative bodies subject to the Brown Act, including but not limited to, the AMBAG Board of Directors meeting; the AMBAG Executive/Finance Committee; the RAPS, Inc. Board of Directors meeting, and any other standing committees.
3. Staff is directed to return to the Board of Directors no later than thirty (30) days after the adoption of this resolution, or by next Board of Directors meeting (whichever comes first), with an item for the Board to consider making the findings required by AB 361 in order to continue meeting under its provisions.
4. The AMBAG Executive Director and AMBAG Counsel are directed to take such other necessary or appropriate actions to implement the intent and purposes of this resolution.

**PASSED AND ADOPTED** this 14<sup>th</sup> day of September 2022.

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Kristen Brown, President

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Maura F. Twomey, Executive Director



**DRAFT MINUTES OF THE PROCEEDINGS  
OF THE BOARD OF DIRECTORS OF THE  
ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS**

**August 10, 2022**

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**1. CALL TO ORDER**

The Board of Directors of the Association of Monterey Bay Area Governments, President, Kristen Brown presiding, convened at 6:06 p.m. Wednesday, August 10, 2022 via GoToWebinar.

**2. ROLL CALL**

<b><u>AMBAG Board of Directors</u></b>			
<b>PRESENT:</b>			
<b>Agency</b>	<b>Representative</b>	<b>Agency</b>	<b>Representative</b>
Capitola	Kristen Brown	County of Monterey	John Phillips
Carmel	Karen Ferlito	County of San Benito	Betsy Dirks
Del Rey Oaks	Kim Shirley	County of San Benito	Bea Gonzales
Gonzales	Scott Funk	County of Santa Cruz	Greg Caput
Greenfield	Lance Walker	County of Santa Cruz	Manu Koenig
Hollister	Rick Perez		
King City	Carlos Victoria	<b><u>Ex-Officio Members:</u></b>	
Monterey	Ed Smith	Caltrans, District 5	Scott Eades
Pacific Grove	Jenny McAdams	MBARD	David Frisby
San Juan Bautista	John Freeman	3CE	Catherine Stedman
Sand City	Mary Ann Carbone	MPAD	William Sabo
Santa Cruz	Justin Cummings	SBtCOG	Veronica Lezama
Scotts Valley	Derek Timm	TAMC	Alissa Gunther
Seaside	Jon Wizard		
Soledad	Anna Velazquez		
Watsonville	Eduardo Montesino		
<b>ABSENT:</b>			
Marina	Lisa Berkley	<b><u>Ex-Officio Members:</u></b>	
Salinas	Steve McShane	MST	Lisa Rheinheimer
County of Monterey	Mary Adams	SCCRTC	Guy Preston
		SC Metro	Michael Tree

**Others Present:** Vibeke Norgaard and Charles Pooler, Sand City; Paul Mugan, Paul Wood, Stephanie Garcia, and Drew Tipton, City of Greenfield; Beth Jarosz, PRB; Margaret Sohagi and Milja Miric, Sohagi Law; Anastacia Wyatt, City of Pacific Grove; Elisabeth Madrigal and Alyssa Kroeger, MBEP; Lisa Brinton, Megan Hunter, and Jonathan Moore, City of Salinas; Matt VanHua, City of Santa Cruz; Justin Meek, City of Watsonville; Jill Leal, Caltrans District 5; Pam Marino, MC Weekly; Kevan Rolfness, HCD; Andrew Rubang, CPUC; Adam Pinterits, MCAR; Rob Mullane; Austin Arabia; Diane Eidam, Retired Annuitant; Paul Hierling, Senior Planner; Amaury Berteaud, Special Projects Manager; Heather

Adamson, Director of Planning; Bhupendra Patel, Director of Modeling; Diane Eidam; Gina Schmidt, GIS Coordinator; Maura Twomey, Executive Director; and Ana Flores, Clerk of the Board.

**3. Resolution in Accordance with AB 361 regarding the Ralph M. Brown Act and Finding of Imminent Risk to Health and Safety of In-Person Meetings as a Result of the Continuing COVID-19 Pandemic State of Emergency Declared by Governor Newsom**

Resolution 2022-18 was adopted.

**Motion made by Director Caput, seconded by Director Gonzales to adopt Resolution No. 2022-18. Motion passed unanimously.**

**4. ORAL COMMUNICATIONS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA**

There were no oral communications from the public.

**5. ORAL COMMUNICATIONS FROM THE BOARD ON ITEMS NOT ON THE AGENDA**

There were no oral communications from the Board.

**6. COMMITTEE REPORTS**

**A. Executive/Finance Committee**

President Brown reported that the Executive/Finance Committee approved the consent agenda that included 1) Resolution 2022-7 regarding the Ralph M. Brown Act and finding of imminent risk to health and safety of in-person meetings as a result of the continuing COVID-19 pandemic state of emergency declared by Governor Newsom; 2) the minutes of the June 15, 2022 meeting; 3) list of warrants as of May 31, 2022; and 4) accounts receivable as of May 31, 2022. The Executive/Finance Committee also received a report on the financials from Maura Twomey, Executive Director.

**B. Monterey Bay National Marine Sanctuary (MBNMS) Advisory Council (SAC) Meeting**

Director McAdams reported that the SAC is scheduled to meet virtually on August 19, 2022. The Subcommittee will present their recommendations for the diversification of the Sanctuary Advisory Council.

**7. EXECUTIVE DIRECTOR'S REPORT**

Maura Twomey, Executive Director announced that AMBAG has hired Chris Dymich to fill the Senior Planner position and Kathleen McLaughlin to fill the GIS Intern position. They both started at the beginning of July.

**8. CONSENT AGENDA**

**A. Draft Minutes of the June 15, 2022 AMBAG Board of Directors Meeting**

The draft minutes of the June 15, 2022 AMBAG Board of Directors meeting were approved.

**B. AMBAG Regional Clearinghouse Monthly Newsletter**

The AMBAG Clearinghouse monthly newsletter was accepted.

**C. AMBAG Sustainability Program Update**

The Sustainability Program update was accepted.

**D. Monterey Bay Natural and Working Lands Climate Mitigation and Resiliency Study – Consultant Agreement**

The Board approved and authorized the Executive Director to negotiate and execute an agreement with Ascent Environmental, Inc. for consultant services on the Monterey Bay Natural and Working Lands Climate Mitigation and Resiliency Study in an amount not to exceed \$242,000.

**E. Regional Early Action Planning Grants 2.0 Program Advanced Application Resolution**

Resolution 2022-19 was adopted.

**F. Vacation Accrual for Senior Planner**

The vacation accrual for the Senior Planner was approved.

**G. Financial Update Report**

The financial update report was accepted.

**Motion made by Director Cummings seconded by Director Caput to approve the consent agenda. The motion passed unanimously.**

**9. ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION AND POSSIBLE ACTION**

None.

**10. PLANNING**

**A. Draft Monterey Bay Metropolitan Transportation Improvement Program (MTIP): FFY 2022-23 to 2025-26**

Will Condon, Planner gave a presentation on the Draft Monterey Bay MTIP: FFY 2022-23 to 2025-26. The MTIP is a short range transportation improvement program that covers four years, is updated every two years, and amended as needed. The MTIP implements the regions 2045 MTP/SCS projects. The MTIP is a requirement by federal and state law to receive federal and state funds. The MTIP is developed by AMBAG in consultation with the RTPAs, transit agencies, Caltrans, FHWA and FTA, local agencies/project sponsors, and transportation stakeholders and the public. The total investment to the region is \$1.68 billion. It breaks down by county to the following: 1) \$739,164 for Santa Cruz County, \$788,306 for Monterey County, \$148,074 for San Benito County, \$225 for various counties. The MTIP funding by source is Federal funding \$195,773, Local funding is \$523,099; and State funding is \$956,897. The MTIP public participation process was 1) 30 day-public review and comment period

from August 1 to August 30, 2022; 2) Public hearing at the August 10, 2022 AMBAG Board of Directors meeting; 3) website posting to the AMBAG, RTPAs and transit agency websites; and 4) public notices were published in the local newspapers on August 1, 2022. The next steps are 1) AMBAG Board approval at the September 14, 2022 meeting; 2) State approval on November 16, 2022; and 3) Federal approval on December 16, 2022.

President Brown opened the public hearing.

There were no public comments.

President Brown closed the public hearing.

#### **B. Draft 6<sup>th</sup> Cycle Regional Housing Needs Allocation Plan: Appeals Public Hearing**

Heather Adamson, Director of Planning gave a presentation on the draft 6<sup>th</sup> Cycle RHNA Plan: Appeals Public Hearing. HCD issued the RHND on August 31, 2021 and AMBAG approved the draft RHNA methodology on January 12, 2022. The draft 2023-2031 6<sup>th</sup> Cycle Plan was released on April 22, 2022. It initiated a 45-day appeal period allowing a jurisdiction or HCD to appeal for a revision of the share of the regional housing need proposed to be allocated. The close of the appeal period was June 6, 2022. Ms. Adamson reported that AMBAG received two appeals on the draft 6<sup>th</sup> Cycle RHNA Plan from the City of Sand City and the City of Greenfield. AMBAG also received two comment letters from local jurisdictions. State law requires a 45-day comment period on any appeals received on the draft Plan. Jurisdictions, HCD and members of the public had until July 22, 2022 to comment on the appeals received. AMBAG received two comments. The RHNA appeal procedures are 1) AMBAG must conduct a public hearing to consider appeals and comments received on appeals; 2) RHNA appeals to be heard by the AMBAG Board; 3) a Board member must recuse her/himself from the discussion and vote on an appeal affecting her/his jurisdiction; 4) The basic structure for an appeals hearing is: a) appellant makes initial argument; b) AMBAG staff response; c) rebuttal from the appellant; d) public comment; e) Board discussion and direction; 5) If an appeal is successful, AMBAG must redistribute the RHNA units to other local jurisdictions; 6) AMBAG will redistribute units to all local jurisdictions in proportion the jurisdiction's share of the RHND after appeals are determined and prior to the required distribution; and 7) applicants whose appeals are upheld are not excluded from redistribution. AMBAG staff in consultation with our RHNA consultants prepared responses to each of the RHNA appeals. AMBAG staff recommends rejecting both appeals from Sand City and Greenfield. The next steps are 1) hold a public hearing to hear the appeals received on the Draft 6<sup>th</sup> Cycle RHNA Plan; 2) the public hearing will be held as part of AMBAG's effort to prepare a Final RHNA Plan for the AMBAG region in accordance with state law; 3) AMBAG makes final written determination that accepts, rejects, modified appeals; 4) AMBAG issues final proposed allocation plan; and 5) adoption of Final 2023-31 RHNA Plan with RHNA allocations by AMBAG Board. Ms. Adamson added that a comment letter was received from the city Greenfield on the day of the Board of Directors meeting and has been forwarded to the AMBAG Board of Directors and posted on the website.

Viebek Norgaard, City Manager and Chuck Pooler, City Planner gave the appeal presentation from the City of Sand City. AMBAG staff responded to the appellant and Ms. Norgaard and Mr. Pooler provided a rebuttal. There were no public comments. Lengthy Board discussion followed.

**Motion made by Director Wizard, seconded by Director McAdams to deny the appeal from the City of Sand City. Motion passed with 11 Ayes and 8 Noes.**

Paul Mugan, City of Greenfield gave the appeal presentation from the City of Greenfield. Greenfield's presentation. AMBAG staff responded to the appellant and Mr. Mugan provided a rebuttal. There were no public comments. Lengthy Board discussion followed.

**Motion made by Director Gonzales, seconded by Director Phillips to accept the appeal from the City of Greenfield. Motion did not pass with 9 Noes and 8 Ayes.**

**Motion made by Director Koenig, seconded by Director Montesino to deny the appeal from the City of Greenfield. Motion passed with 9 Ayes and 8 Noes.**

### **C. Regional Early Action Planning Grants 2.0 Program**

Heather Adamson, Director of Planning gave a presentation on the Regional Early Action Planning Grants 2.0 Program. Ms. Adamson stated that the REAP 2.0 program builds on the success of the 2019's REAP program but expands the focus by integrating housing and climate goals. This allows for broader planning and implementation investments, including infrastructure investments that support future housing development. The REAP 2.0 is intended to meet multiple objectives 1) infill development; 2) housing for all incomes; 3) vehicle miles traveled (VMT) reduction; and 4) affirmatively furthering fair housing (AFFH) goals. The REAP 2.0 provides funds to accelerate housing production and facilitate compliance with the 6<sup>th</sup> Cycle of the housing element, including RHNA allocations. REAP 2.0 provides MPO's with tools and resources to help implement and advance the SCS. The REAP 2.0 objectives are 1) accelerate infill development that facilitates housing supply, choice and affordability; b) affirmatively furthering fair housing; and 3) VMT reduction. REAP 2.0 is funded with \$600 million from the State General Fund and will be administered by HCD in collaboration with OPR, SGC and CARB. Most of the funds (85%) will be allocated directly to the MPO's with the remaining funds to be split between non-MPO, regions, Tribal entities, as well as statewide competitive pot for Higher Impact Transformative Projects. AMBAG's formula share of the MPO funding is \$10,133,742. The REAP 2.0 guidelines are 1) HCD released the REAP 2.0 draft guidelines for public review and comment on March 24, 2022; 2) AMBAG staff submitted comments to HCD on April 15, 2022; 3) the final guidelines and the notice of funding availability (NOFA) were released on July 2, 2022; 4) can be used for transformative implementation; 5) two part application a) advance application for 10%; and b) final application for 90%; and 6) submitted advance application for 10% of funds for outreach and program development. AMBAG's REAP 2.0 outreach activities included 1) initial public outreach survey in July 2022; 2) agency/stakeholder survey in August 2022; 3) more stakeholder outreach from August to November 2022; 4) Work with the Board, partners, stakeholders and the public to develop the final application. The REAP 2.0 program timeline is 1) HCD released draft guidelines on March 24, 2022; 2) submitted Advance Application for 10% of funds for outreach and program development on May 31, 2022; 3) HCD released final guidelines and NOFA on July 27, 2022; 4) AMBAG develops regional approach and submits REAP 2.0 application to HCD on August 2022; 5) deadline for AMBAG to submit application for REAP 2.0 Program on December 31, 2022; 6) develop AMBAG's regional competitive grant program including criteria, application in Spring/Summer 2023; 7) applications due for AMBAG's competitive grant program in Summer/early Fall 2023; 8) AMBAG awards regional competitive grants and enters into funding agreements with grant applicants in late 2023/early 2024; 9) deadline for REAP 2.0 recipients to encumber funds on June 20, 2024; and 10) deadline for REAP 2.0 funds to be expended by June 30,

2026. Next steps include 1) staff developing the AMBAG regional REAP 2.0 Program framework; 2) more stakeholder outreach in the Summer/Fall 2022; 3) Board review and approval of proposed program framework in October/November 2022; and 4) AMBAG submits final application to implement program framework on December 31, 2022.

## **11. ADJOURNMENT**

The Board of Directors meeting adjourned at 9:00 PM.

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Kristen Brown, President

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Maura F. Twomey, Executive Director

**DRAFT AMBAG BOARD OF DIRECTORS MEETING ATTENDANCE & VOTING RECORD**  
**BOARD MEETING DATE: August 10, 2022**

<b>Attendance (X= Present; AB= Absent)</b> <b>Voting (Y= Yes; N=No; A=Abstain)</b>							
<b>MEMBER</b>	<b>AMBAG REP</b>	<b>Attendance</b>	<b>Item #3</b>	<b>Item #8</b>	<b>Item #10.B Sand City DENY APPEAL</b>	<b>Item #10.B Greenfield ACCEPT APPEAL</b>	<b>Item #10.B Greenfield DENY APPEAL</b>
Capitola	Kristen Brown	X	Y	Y	Y	N	Y
Carmel-by-the-Sea	Karen Ferlito	X	Y	Y	Y	N	Y
Del Rey Oaks	Kim Shirley	X	Y	Y	Y	N	Y
Gonzales	Scott Funk	X	*	*	N	Y	N
Greenfield	Lance Walker	X	Y	Y	N	RECUSED	RECUSED
Hollister	Rick Perez	X	Y	Y	N	Y	N
King City	Carlos Victoria	X	Y	Y	N	Y	N
Marina	Lisa Berkley	AB	N/A	N/A	N/A	N/A	N/A
Monterey	Ed Smith	X	Y	Y	N	*	*
Pacific Grove	Jenny McAdams	X	Y	Y	Y	N	Y
Salinas	Steve McShane	AB	N/A	N/A	N/A	N/A	N/A
San Juan Bautista	John Freeman	X	Y	Y	Y	N	Y
Sand City	Mary Ann Carbone	X	*	*	RECUSED	Y	N
Santa Cruz	Justin Cummings	X	Y	Y	Y	Y	N
Scotts Valley	Derek Timm	X	Y	Y	Y	N	Y
Seaside	Jon Wizard	X	Y	Y	Y	N	Y
Soledad	Anna Velazquez	X	Y	Y	Y	Y	N
Watsonville	Eduardo Montesino	X	Y	Y	Y	N	Y
County-Monterey	Mary Adams	AB	N/A	N/A	N/A	N/A	N/A
County-Monterey	John Phillips	X	Y	Y	N	Y	N
County-Santa Cruz	Manu Koenig	X	Y	Y	Y	N	Y
County-Santa Cruz	Greg Caput	X	Y	Y	N	*	*
County-San Benito	Betsy Dirks	X	*	*	*	*	*
County-San Benito	Bea Gonzales	X	Y	Y	N	Y	N

(\* = Board Member(s) arrived late or left early, therefore, did not vote on the item. Please refer the minutes)

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## MEMORANDUM

**TO:** AMBAG Board of Directors

**FROM:** Maura F. Twomey, Executive Director

**RECOMMENDED BY:** Miranda Taylor, Planner

**SUBJECT:** AMBAG Regional Clearinghouse Monthly Newsletter

**MEETING DATE:** September 14, 2022

### RECOMMENDATION:

It is recommended that the Board of Directors accept the August 2022 Clearinghouse monthly newsletter.

### BACKGROUND/DISCUSSION:

Since March 12, 1984, under adopted State Clearinghouse Procedures, the Association of Monterey Bay Area Governments (AMBAG) was designated the regional agency responsible for clearinghouse operations in Monterey, San Benito and Santa Cruz Counties. These procedures implement Presidential Executive Order 12372 as interpreted by the "State of California Procedures for Intergovernmental Review of Federal Financial Assistance and Direct Development Activities." They also implement the California Environmental Quality Act of 1970 as interpreted by CEQA Guidelines.

The purpose of the Clearinghouse is to provide all interested parties within the Counties of Monterey, San Benito and Santa Cruz notification of projects for federal financial assistance, direct federal development activities, local plans and development projects and state plans that are proposed within the region. These areawide procedures are intended to be coordinated with procedures adopted by the State of California.

### FINANCIAL IMPACT:

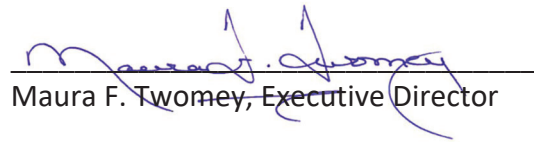
There is no direct financial impact. Staff time for monitoring clearinghouse activities is incorporated into the current AMBAG Overall Work Program and budget.

**COORDINATION:**

Notices for the Clearinghouse are sent by lead agencies to AMBAG. Interested parties are sent email notifications twice a month with the newsletter attached.

**ATTACHMENT:**

1. Monthly Newsletter - Clearinghouse items August 1– August 31, 2022.

**APPROVED BY:**

Maura F. Twomey, Executive Director

# Attachment 1

## AMBAG REGIONAL CLEARINGHOUSE

The AMBAG Board of Directors will review these items on 9/14/2022

Association of Monterey Bay Area Governments PO Box 2453 Seaside CA 93955 | 831.883.3750

### ENVIRONMENTAL DOCUMENTS

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20220804

#### Greenbelt Fuel Reduction Project-Old Capitol Site

City of Monterey  
Christy Sabado  
(831) 646-3885

Notice of Availability

Mitigated Negative Declaration (MND)

The proposed project would result in the managed reduction of fire fuel hazards within eight treatment areas within the City's greenbelt system—the Skyline Forest, Veterans Park, Monte Vista, Carmelo Street, Don Dahvee, Josselyn Canyon, Fisherman Flats, and Old Capitol Site greenbelts, collectively the "Plan Area", where the fire hazard is high due to high fuel loads. Wildfire in these greenbelts could result in substantial impacts to natural resources and substantial health, safety, and welfare impacts to the built/human environment adjacent to these areas. To reduce the risk of wildfire, the City prepared a Greenbelt Fuel Reduction Plan (Plan) for the Plan Area, and the Planning Commission approved an Initial Study/Mitigated Negative Declaration (IS/MND) for the Plan on December 8, 2020; however, at the time these documents were prepared, the Old Capitol Site greenbelt was not part of the Plan Area. The City recently acquired the Old Capitol Site greenbelt from the Pebble Beach Company as part of a deed agreement and, due to high fuel loads within this greenbelt, added it to the Plan Area. The addition of the Old Capitol Site greenbelt to the Plan Area resulted in revisions to the adopted Greenbelt Fuel Reduction Plan. Therefore, the City prepared a Draft Supplemental IS/MND to analyze and disclose the potentially significant environmental effects associated with the expansion of the Plan Area to include the Old Capitol Site greenbelt. Managed reduction of fire fuel hazards would include, but is not limited to the following actions: thinning of vegetation; removal of trees, focusing primarily on dead and dying trees; trees or large tree-form shrubs (reaching 4 feet or taller at maturity) that are to be retained in defensible spaces would be trimmed or pruned to reduce both vertical and horizontal fuel continuity; removal of exotic/invasive plants; and prescribed grazing, utilizing goats and sheep, to thin and remove vegetation in areas where high fire hazard conditions exist due to dry conditions.

Project Location:

Monterey County

Parcel: NA

Public hearing information:

ONLINE

10/25/2022

Public review period ends **Monday, October 3, 2022**

City of Salinas  
Thomas Wiles  
(831) 758-7206

Notice of Availability

Mitigated Negative Declaration (MND)

Request to construct athletic facility improvements to existing school facilities at Palma School including a new 9,422 s.f. field house, 144 s.f. press box, new dugouts, batting cages, replace natural turf with artificial turf, install landscaping, construct new fencing, and provide related site improvements.

Project Location:

Monterey County

Parcel: 002562001000

Public hearing information:

Salinas City Council Chambers- 2022 Lincoln Avenue

10/5/2022 3:30 PM

Public review period ends **Friday, September 23, 2022**

County of San Benito  
Arielle Goodspeed  
(831) 902-2547

Notice of Availability

Draft Environmental Impact Report\* (DEIR)

The approximately 27.45-acre site contains unused grassland, an existing roadway, and one existing single-family residence. The site is bordered by rural single-family residences to the north and west, and agricultural/open space to the east. The site is designated Residential Mixed (RM) under the 2035 General Plan and is zoned Rural (R). The project would involve the demolition of the existing on-site residence (constructed in the late 1980s), subdivision with subsequent development of 141 residential lots, a public park and open space, utilities infrastructure, internal public streets, and improvements to Old Ranch Road. The project includes 121 single-family detached units and 20 attached duet units. A total of 15 percent of the residences will be affordable, and the applicant will enter into an affordable housing agreement with the County. Up to 25 accessory dwelling units will also be offered as an optional feature to home buyers. The project would require a zone change to Residential Multiple (RM) combined with a Planned Unit Development (PUD) overlay zone to expand the flexibility allowed in the development standards. Sunnyslope County Water District (SCWD) would provide water service to the project, and either SCWD or the City of Hollister would provide wastewater treatment services for the project.

**Project Location:**

San Benito County

Parcel: 025320004

**Public hearing information:**

TBD

Public review period ends **Monday, October 10, 2022**

Carmel Unified School District  
Dan Paul  
(831) 624-6311

Notice of Availability

Revised Environmental Impact Report (RIR)

The Carmel Unified School District is proposing the following improvements at Carmel High School: stadium field lights (70 to 80 feet high); new 2,400-square foot storage building with a standing, viewing platform adjacent to the home bleachers; a new parking area with 35 standard spaces east of the existing swimming pool; a new parking lot with 76 standard spaces replacing the existing tennis courts south of the stadium, including a new 18-foot drive aisle connecting the existing main campus parking lot to the north, and a new pedestrian walkway. This parking lot also includes a 20-foot driveway providing access to Morse Drive and the existing access to the baseball field parking to the east; and replacing light fixtures at the swimming pool with LED light fixtures.

Project Location:

Monterey County

Parcel: 015081001

Public hearing information:

TBD

9/6/2022 6:30 PM

Public review period ends **Monday, October 10, 2022**

## PUBLIC HEARINGS

20220802

### Harper Canyon Subdivision (Encina Hills) (PLN000696)

County of Monterey, Housing and Community Development

Erik Lundquist  
(831) 755-5154

#### Supplemental Environmental Impact Report

#### Notice of Public Hearing

The Supplemental Draft EIR will examine wildlife movement between the Fort Ord National Monument, Santa Lucia Ranges, and Toro Creek via under-crossing of State Route 68, overpasses along Portola Drive, and local/onsite drainages and culverts and will include the review of previous research, including but not limited to, the Central Coast Connectivity Project and the 2008 WRA Environmental Consultants memorandum developed for the Ferrini Ranch EIR [SCH2005091055]. In response to the court of appeal ruling, the document will focus solely on analyzing the wildlife corridors in the vicinity of the proposed project and will evaluate the potential impacts the proposed project may have on these corridors. The Supplemental Draft EIR will identify, where necessary, mitigation to avoid, eliminate, or reduce impacts to a less than significant level, where feasible.

#### Project Location:

Monterey County

Parcel: 416611001000

#### Public hearing information:

ONLINE

8/15/2022 1:00 PM

Public review period ends **Monday, August 15, 2022**

20220806

### Oak Creek Park

City of Scotts Valley  
Susie Pineda  
(408) 331-7987

#### Notice of Public Hearing

#### Environmental Impact Report (EIR)

Consideration of an Environmental Impact Report, General Plan Amendment (GPA), Zone Change, Planned Development Zoning and Planned Development Permit, Design Review application and a Minor Land Division to allow for the construction of a mixed use commercial and residential development on a 3.56-acre site at the intersection of Glen Canyon and Mt. Hermon Road. Project land uses include 24,973 square feet of commercial, eight townhomes, and 44 apartments.

#### Project Location:

Santa Cruz County

Parcel: 02216276

#### Public hearing information:

ONLINE

9/8/2022 6:00 PM

Public review period ends **Tuesday, November 30, 2021**

County of Santa Cruz  
Stephanie Hansen  
(831) 454-3112

Notice of Availability

Final Environmental Impact Report

The proposed project is the Sustainability Policy and Regulatory Update of the County's General Plan/LCP and County Code. The goal of this update is to implement new policies and code regulations that support more sustainable communities in Santa Cruz County. The proposed project consists of four key components: (1) General Plan/LCP amendments to goals, objectives, policies, and implementation strategies, and text revisions to five chapters; (2) revisions to the Santa Cruz County Code; (3) adoption of County Design Guidelines; and (4) land use and/or zoning map amendments to implement map corrections and identify opportunity sites and vacant and underutilized properties. The proposed project consists of amendments to the County's existing General Plan/LCP and several sections of the Santa Cruz County Code (SCCC), adoption of County Design Guidelines, and land use and/or zoning map amendments to implement map corrections and identify opportunity sites and vacant and underutilized properties.

Project Location:

Santa Cruz County

Parcel: NA

Public hearing information:

ONLINE- Planning Commission and Board of Supervisors Meetings

8/24/2022	9:30 AM
9/14/2022	9:30 AM
10/25/2022	9:30 AM
11/15/2022	9:30 AM

Public review period ends **Tuesday, May 31, 2022**



County of San Benito  
Stan Ketchum  
(831) 634-5313

Notice of Public Hearing

Draft Environmental Impact Report\* (DEIR)

The proposed John Smith Road Landfill (CT SRL) Expansion Project includes a 388.05-acre northern expansion of the existing 95.16-acre JSRL. This expansion would increase the landfill's disposal capacity, expand the total waste footprint, increase the maximum permitted elevation of the final landfill, and increase the maximum permitted daily tonnage accepted at the JSRL. To accommodate these changes, several other revisions to the landfill facility also are proposed. These include expanding the landfill entrance area to accommodate additional daily vehicle arrivals and reduce vehicle queuing on John Smith Road, expanding the site's environmental control and monitoring systems, constructing a renewable natural gas facility, expanding litter and dust control site-wide, clean closing the current 5.11-acre Class I Area owned by the City of Hollister and converting it to a disposal area for Class III waste, establishing a new haul route for out-of-County trucks delivering waste to the site, and increasing/altering the site's water supply. Additionally, approximately 70 acres of the 101.3-acre property owned by San Benito County located south of John Smith Road would likely be used for habitat mitigation purposes. The Project requires a conditional use permit and General Plan amendment.

**Project Location:**

San Benito County

Parcel: 025190073

**Public hearing information:**

Veterans Memorial Building, 649 San Benito Street, Hollister

8/22/2022 6:30 PM

Public review period ends **Monday, August 29, 2022**

Generated: 9/1/2022 1:12:27 PM

By: Miranda Taylor, Planner

*More detailed information on these projects is available by calling the contact person for each project or through AMBAG at (831) 883-3750. Comments will be considered by the AMBAG Board of Directors in its review. All comments will be forwarded to the applicants for response and inclusion in the project application. If substantial coordination or conflict issues arise, the Clearinghouse can arrange meetings between concerned agencies and applicants.*

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**MEMORANDUM**

**TO:** AMBAG Board of Directors

**FROM:** Maura F. Twomey, Executive Director

**RECOMMENDED BY:** Amaury Berteaud, Sustainability Program Manager

**SUBJECT:** AMBAG Sustainability Program Update

**MEETING DATE:** September 14, 2022

**RECOMMENDATION:**

It is recommended the Board of Directors accept this report.

**BACKGROUND/ DISCUSSION:**

**AMBAG Sustainability Program Elements**

**Energy Efficiency Program Development**

AMBAG is a founding member of the Rural and Hard to Reach (RHTR) working group, which was created in 2015 to promote the deployment of energy efficiency resources to California's rural communities. In the past two years AMBAG staff has been working with RHTR partners to create a Regional Energy Network (REN). REN's are entities which submit business plans to the California Public Utilities Commission (CPUC) to obtain ratepayer funds and implement energy efficiency programs.

In June 2021, RHTR partners executed a memorandum of understanding for the development of the RuralREN and started the process of writing a strategic energy efficiency business plan. On February 16, 2022, RHTR partners organized a workshop of the California Energy Efficiency Coordinating Council to present the concept of the RuralREN and gather feedback on the business plan. A motion for the creation of the RuralREN as well as the RuralREN 2023-2031 strategic business plan was submitted to the CPUC on March 4, 2022. On March 17, 2022 Chief Administrative Law Judge Simon issued a decision for the RuralREN Motion and strategic business plan to be considered as part of a new application proceeding being created to consider the 2024-2031 strategic business plans for all existing energy efficiency portfolio administrators. On June 24 2022, Commissioner Shiroma issued a ruling on the schedule and scope of the proceeding which determined that the RuralREN motion should be considered on the

*Planning Excellence!*

same timeline as the 2024-2031 business plans from existing energy efficiency portfolio administrators. A final decision on the RuralREN business plan is now anticipated in late summer 2023. If approved, programs would launch on January 1, 2024. AMBAG staff is continuing to work with partners to engage in the regulatory process and obtain approval for the RuralREN.

#### **Central California Energy Watch Program implementation in Monterey County**

The AMBAG Sustainability Program is acting as a sub-consultant to the San Joaquin Valley Clean Energy Organization (SJVCEO) to implement the Central California Energy Watch (CCEW) program in Monterey County. AMBAG staff is conducting outreach to public sector agencies and school districts to inform them about the program, drive program enrollment, and provide energy efficiency technical assistance services. Current efforts are focused on working with jurisdictions as well as school districts to conduct energy benchmarking and energy auditing in order to identify potential energy efficiency and electrification opportunities.

#### **Monterey Bay Natural and Working Lands Climate Mitigation and Resiliency Study**

On December 6, 2021, the California Department of Conservation awarded AMBAG a \$250,000 Sustainable Agricultural Lands Conservation (SALC) program planning grant to fund the creation of a Monterey Bay Natural and Working Lands Climate Mitigation and Resiliency Study.

The Monterey Bay Natural and Working Lands Climate Mitigation and Resiliency Study project seeks to create an inventory of natural and working lands carbon stock in the AMBAG region and forecast its evolution based on different climate change and land use scenarios, as well as the implementation of different adaptation and mitigation strategies. This project will empower the Monterey Bay region to consider the health of natural and working lands as a part of long-range planning as well as provide an opportunity for cities and counties to further integrate natural and working land GHG mitigation strategies as part of their climate action planning process.

In the past months AMBAG initiated a request for proposals (RFP) process for a consultant to work on this project. AMBAG staff reviewed consultant proposals, conducted interviews, and is currently in the contract negotiations phase of the procurement process. Staff hopes to onboard a consultant by the end of September.

#### **School Districts**

The State of California released funding through the Proposition 39: California Clean Energy Jobs Act to help schools implement energy efficiency and conservation. To receive this funding, the school district had to comply with the Proposition 39: California Clean Energy Jobs Act – 2013 Program Implementation Guidelines. These guidelines include requirements such as completing energy benchmarks of school facilities, identifying potential energy projects, creating efficiency metrics related to the projects, submitting a funding application to the California Energy Commission called an Energy

Expenditure Plan, completing annual reports and submitting a final project completion report. On May 13, 2020, the California Energy Commission extended the Proposition 39 program by one year because of the ongoing COVID-19 pandemic. The deadline to complete projects was extended to June 30, 2021, and the deadline for final project completion reports was extended to June 30, 2022.

AMBAG staff is working with four school districts to complete their final project completion reports. As part of this process AMBAG staff is gathering benchmarking data and creating the necessary reports to obtain California Energy Commission approval.

### **Greenhouse Gas Inventories and Climate Action Planning**

AMBAG staff works to complete Greenhouse Gas (GHG) Inventories for all AMBAG jurisdictions. Staff completed Community-wide GHG Inventories for all jurisdictions in 2005, 2009, 2010, 2015, 2018, and 2019, as well as a baseline Municipal GHG Inventories for all AMBAG jurisdictions in 2005. AMBAG staff has also been able to use the inventories to create a regional roll-up inventory and assist jurisdictions with climate action planning activities.

As part of MOU with AMBAG, Central Coast Community Energy has allocated funding for AMBAG to develop 2018, 2019, and 2020 Community-wide GHG Inventories for all its member jurisdictions in calendar year 2020, 2021, and 2022. This has allowed AMBAG to continue providing GHG inventories to our jurisdictions and enabled climate action on the central coast. In the past month AMBAG staff has been working to present the draft 2020 community wide GHG inventory reports to jurisdictional staff.

### **ALTERNATIVES:**

There are no alternatives to discuss as this is an informational report.

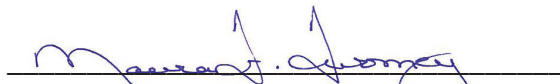
### **FINANCIAL IMPACT:**

The budget is fully funded under the AMBAG-3CE MOU, a sub consultant agreement with the SJVCEO, a SALC planning grant, and SB1 Planning Funds. All funding is programmed in the FY 2022-23 Overall Work Program and Budget.

### **COORDINATION:**

AMBAG staff is coordinating with 3CE, the SJVCEO, as well as local jurisdictions and local community stakeholders.

### **APPROVED BY:**

  
Maura F. Twomey, Executive Director

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**MEMORANDUM**

**TO:** AMBAG Board of Directors

**FROM:** Maura F. Twomey, Executive Director

**RECOMMENDED BY:** William Condon, Associate Planner

**SUBJECT:** Formal Amendment No. 12 to the Monterey Bay  
Metropolitan Transportation Improvement Program  
(MTIP): FFY 2020-21 to FFY 2023-24

**MEETING DATE:** September 14, 2022

**RECOMMENDATION:**

Approve the Formal Amendment No. 12 to the Monterey Bay Metropolitan Transportation Improvement Program (MTIP): FFY 2020-21 to FFY 2023-24 by adopting Resolution No. 2022-21 (Attachment 1).

**BACKGROUND/ DISCUSSION:**

The federally required Metropolitan Transportation Improvement Program (MTIP) is a comprehensive listing of surface transportation improvement projects for the tri-county Monterey Bay Region that receive federal funds or are subject to a federally required action, and/or are regionally significant.

AMBAG, as the federally designated Metropolitan Planning Organization (MPO) for the Monterey Bay Region, prepares and adopts the MTIP at least once every two years. The MTIP covers a four-year period and must be financially constrained by year, meaning that the amount of dollars committed to the projects (also referred to as “programmed”) must not exceed the amount of dollars estimated to be available. The MTIP: FFY 2020-21 to FFY 2023-24 was adopted by the AMBAG Board at their February 10, 2021 meeting. It received state approval on April 1, 2021 and joint approval by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) on April 16, 2021. Upon the MTIP: FFY 2020-21 to FFY 2023-24 receiving federal approval, it was included in the 2021 Federal Statewide Transportation Improvement Program (FSTIP).

### **What constitutes Formal Amendment to the adopted MTIP?**

1. Federal regulations require that any addition or deletion of a project within the first four years of the adopted MTIP require formal amendment.
2. A significant change in project scope of work and/or cost estimate over \$20 million or 50% of the total project cost as programmed within the first four years requires a formal amendment to the adopted MTIP. There is no limit on adding funds to a grouped project listing.

### **Who approves Formal Amendments to the MTIP?**

1. As per the federal requirements, each formal amendment to the MTIP is first circulated for public review and comments for a minimum of two weeks. Thereafter, the formal amendment is presented to the MPO Board for their approval.
2. After the MPO's approval, the formal amendment is submitted to the State Department of Transportation (Caltrans) for their approval.
3. After the State's approval, the formal amendment is forwarded to the FHWA and FTA for their joint approval.
4. Upon federal approval, the formal amendment by reference is included in the FSTIP.

Formal Amendment No. 12 to the MTIP: FFY 2020-21 to FFY 2023-24 updates one (1) project, as listed in **Attachment 2**, Summary of Changes. The complete project listing included in Formal Amendment No. 12 is also enclosed with the agenda (**Attachment 3**) and can be viewed/downloaded using the AMBAG website link ([www.ambag.org](http://www.ambag.org)).

In accordance with the current federal regulations, the proposed Formal Amendment No. 12 is financially constrained to reasonably available resources. The projects included in Formal Amendment No. 12 have been developed in accordance with all applicable transportation planning requirements per 23 CFR Part 450 and are expected to support the establishment and achievement of performance management targets. The projects included in this Formal Amendment No. 12 also meet the following general requirements for a project to be approved by the U.S. Department of Transportation as a part of the MTIP:

- 1) Projects must be consistent with AMBAG's adopted 2045 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS);
- 2) Projects must be financially constrained, and;
- 3) Projects must satisfy public review/comments requirements.



**ALTERNATIVES:**

The Board could take an action not to approve Formal Amendment No. 12 to the MTIP: FFY 2020-21 to FFY 2023-24. In this case, work on the project included in this formal amendment could be put on hold.

**FINANCIAL IMPACT:**

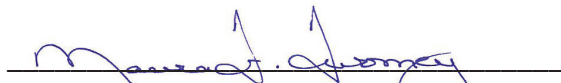
This is a federally funded activity. Staff time to carry out the formal amendment process as well as cost for publication of the public notice in the local newspapers for public review and comment is programmed in the adopted FY 2022-23 Monterey Bay Region Overall Work Program (OWP) and Budget.

**COORDINATION:**

Formal Amendment No. 12 to the MTIP: FFY 2020-21 to FFY 2023-24 was prepared in coordination and consultation with the California Department of Transportation (Caltrans), Council of San Benito County Governments (SBtCOG), Monterey-Salinas Transit (MST), Santa Cruz County Regional Transportation Commission (SCCRTC), Santa Cruz Metropolitan Transit District (SCMTD) and Transportation Agency for Monterey County (TAMC).

**ATTACHMENTS:**

1. Resolution No. 2022-21
2. Summary of Changes
3. Project Programming Pages

**APPROVED BY:**  
Maura F. Twomey, Executive Director

**A RESOLUTION  
OF THE BOARD OF DIRECTORS OF THE  
ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS  
ADOPTING FORMAL AMENDMENT NO. 12 TO THE MONTEREY BAY METROPOLITAN  
TRANSPORTATION IMPROVEMENT PROGRAM (MTIP)  
FFY 2020-21 to FFY 2023-24**

**WHEREAS**, the Association of Monterey Bay Area Governments has been designated by the Governor of the State of California as the Metropolitan Planning Organization (MPO) for the Monterey Bay area; and

**WHEREAS**, Title 23 Code of Federal Regulations, Part 450, and Title 49 Code of Federal Regulations, Part 613, require that in each urbanized area, as a condition to the receipt of Federal capital or operating assistance, the MPO carries out, in cooperation with State, local agencies and publicly owned operators of mass transportation services, a continuing, cooperative and comprehensive transportation planning process that results in plans and programs consistent with the comprehensively planned development of the urbanized area; and

**WHEREAS**, the Fixing America's Surface Transportation Act (FAST Act) calls for the development of at least a four-year Transportation Improvement Program (TIP), under direction of the MPO in cooperation with State and local officials, regional and local transit operators, and other affected transportation and regional planning and implementing agencies; and

**WHEREAS**, AMBAG has developed a four-year program of projects, consistent with AMBAG's *2040 Metropolitan Transportation Plan/Sustainable Communities Strategy*, the *2021 State Transportation Improvement Program*, the *2021 State Highway Operation and Protection Program*, and the area's Regional Transportation Improvement Programs and Short Range Transit Plans; and

**WHEREAS**, this document is financially constrained and prioritized by funding year, adding only those projects for which funding has been identified and committed in accordance with 23 CFR 450; and

**WHEREAS**, projects in Formal Amendment No. 12 satisfy the transportation conformity provisions of 40 CFR 93.122(g) and all applicable transportation planning requirements per 23 CFR Part 450 and are expected to support the establishment and achievement of performance management targets; and

**WHEREAS**, consultation with cognizant agencies was undertaken and the MTIP was considered with adequate opportunity for public review and comment, in accordance with 23 CFR 450:

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Association of Monterey Bay Area Governments does hereby approve and authorize the submission of Formal Amendment No. 12 to the *Monterey Bay Metropolitan Transportation Improvement Program FFY 2020-21 to FY 2023-24* to the appropriate Federal and State agencies.

**PASSED AND ADOPTED** this 14<sup>th</sup> day of September 2022.

**Attachment 2**  
**Summary of Changes**

**MTIP FFY 2020-21 to FFY 2023-24 Formal**  
**Amendment No. 12**

Project Number	Project Name	Change	Prior \$ (\$1,000)	New \$ (\$1,000)	% Change
MST040M	Transit Infrastructure	FFY 22/23: FTA 5307: Add \$114K, CON MST Capital Budget: Add \$268K, CON Measure Q: Add \$264K, CON FTA FY 2019 5339 SGR: Add \$123K, CON SGR Formula: Add \$10K, CON	\$125	\$904	623%

**MTIP FFY 2020-21 to FFY 2023-24  
Adoption**

**MPO ID:** MST040M

**CTIPS ID:** 201-0000-0500

**TITLE:** Transit Infrastructure

**DESCRIPTION:** Purchase and install bus shelters and electronic signage, off-board fare vending machines, and support equipment. Repair existing, damaged shelters and equipment, and make ADA improvements as needed.

**COUNTY:** Monterey County

**SYSTEM:** Transit System

**IMPLEMENTING AGENCY:** Monterey Salinas Transit

**PRJ MGR:** MICHELLE OVERMEYER

**PHONE:** (831) 264-5877

Dollars in Thousands

Fund Category: FTA Funds

Fund Type: FTA5307 - Urbanized Area Formula Program

	PRIOR	20/21	21/22	22/23	23/24	FUTURE	TOTAL
PE	\$0	\$0	\$0	\$0	\$0	\$0	\$0
RW	\$0	\$0	\$0	\$0	\$0	\$0	\$0
CON	\$200	\$125	\$0	\$114	\$0	\$0	\$439
Total:	\$200	\$125	\$0	\$114	\$0	\$0	\$439

Fund Category: Local Funds

Fund Type: Agency

Funding Agency: Monterey-Salinas Transit

	PRIOR	20/21	21/22	22/23	23/24	FUTURE	TOTAL
PE	\$0	\$0	\$0	\$0	\$0	\$0	\$0
RW	\$0	\$0	\$0	\$0	\$0	\$0	\$0
CON	\$0	\$0	\$0	\$268	\$0	\$0	\$268
Total:	\$0	\$0	\$0	\$268	\$0	\$0	\$268

Fund Category: Local Funds

Fund Type: Local Measure

Funding Agency: Monterey-Salinas Transit

	PRIOR	20/21	21/22	22/23	23/24	FUTURE	TOTAL
PE	\$0	\$0	\$0	\$0	\$0	\$0	\$0
RW	\$0	\$0	\$0	\$0	\$0	\$0	\$0
CON	\$0	\$0	\$0	\$264	\$0	\$0	\$264
Total:	\$0	\$0	\$0	\$264	\$0	\$0	\$264

Fund Category: FTA Funds

Fund Type: Bus and Bus Facilities Program - FTA 5339

	PRIOR	20/21	21/22	22/23	23/24	FUTURE	TOTAL
PE	\$0	\$0	\$0	\$0	\$0	\$0	\$0
RW	\$0	\$0	\$0	\$0	\$0	\$0	\$0
CON	\$0	\$0	\$0	\$123	\$0	\$0	\$123
Total:	\$0	\$0	\$0	\$123	\$0	\$0	\$123

Fund Category: FTA Funds

Fund Type: State of Good Repair Formula Grants

Funding Agency: Caltrans

	PRIOR	20/21	21/22	22/23	23/24	FUTURE	TOTAL
PE	\$0	\$0	\$0	\$0	\$0	\$0	\$0
RW	\$0	\$0	\$0	\$0	\$0	\$0	\$0
CON	\$0	\$0	\$0	\$10	\$0	\$0	\$10
Total:	\$0	\$0	\$0	\$10	\$0	\$0	\$10

Project Total:

	PRIOR	20/21	21/22	22/23	23/24	FUTURE	TOTAL
PE	\$0	\$0	\$0	\$0	\$0	\$0	\$0
RW	\$0	\$0	\$0	\$0	\$0	\$0	\$0
CON	\$200	\$125	\$0	\$779	\$0	\$0	\$1,104
Total:	\$200	\$125	\$0	\$779	\$0	\$0	\$1,104

Adoption:

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**MEMORANDUM**

**TO:** AMBAG Board of Directors

**FROM:** Maura F. Twomey, Executive Director

**RECOMMENDED BY:** Bhupendra Patel, Ph.D., Director of Modeling

**SUBJECT:** Draft Amendment No. 1 to the FY 2022-23 Monterey Bay Region Overall Work Program (OWP) and Budget

**MEETING DATE:** September 14, 2022

**RECOMMENDATION:**

Approve the Draft Amendment No. 1 to the FY 2022-23 OWP and Budget.

**BACKGROUND/ DISCUSSION:**

The Fixing America's Surface Transportation (FAST) Act calls for the development of the Overall Work Program (OWP) and Budget by the federally designated Metropolitan Planning Organization (MPO). The Association of Monterey Bay Area Governments (AMBAG), as the federally designated MPO for the tri-county (Monterey, San Benito and Santa Cruz Counties) Monterey Bay Region, annually develops and maintains the OWP and Budget.

The FY 2022-23 OWP and Budget was developed in consultation and coordination with the region's Regional Transportation Planning Agencies (RTPA), transit operators, Caltrans, Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). It includes transportation and air quality related planning activities proposed for the Monterey Bay Region for the fiscal year July 1, 2022 to June 30, 2023.

The FY 2022-23 OWP and Budget was approved by the AMBAG Board of Directors at their May 11, 2022 meeting and the FY 2022-23 OWP was jointly approved by FHWA and FTA on June 17, 2022.

The AMBAG OWP and Budget is subject to periodic adjustments resulting from changes in activities as well as revisions in revenues and expenditures during the fiscal year. The

proposed Draft Amendment No. 1 to the FY 2022-23 OWP and Budget accounts for the following changes:

- Programming new work element 629, the Complete Streets, as per the new federal requirements.
- Updates indirect rate to 114.79% for all work elements.
- Programs actual carryover amounts for work elements (WEs) 231, 251, 259, 332, 343, 344, 607 and 622 and adjusting AMBAG's FY 2022-23 Budget to reflect funding available for FY 2022-23 after closing of FY 2021-22, and;
- As per the project requirement and funding needs/availability, the proposed amendment makes appropriate line item/budget changes to WEs 113, 231, 251, 622 and 680.

For your reference, the Draft Amendment No. 1 to FY 2022-23 OWP and Budget is separately enclosed with the agenda (Attachment 1).

**ALTERNATIVES:**

None.

**FINANCIAL IMPACT:**

Staff time to carry out OWP and Budget activities is funded through FHWA PL, FTA 5303, other State and local funds as programmed in the approved FY 2022-23 OWP and Budget.

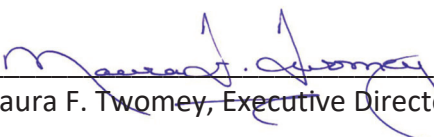
**COORDINATION:**

Preparation of Draft Amendment No. 1 to the FY 2022-23 OWP and Budget has been coordinated with transit operators, San Benito Council of Governments, Transportation Agency for Monterey County, Santa Cruz Regional Transportation Commission, California Department of Transportation (Caltrans), Federal Highway Administration (FHWA) and Federal Transit Administration (FTA).

**ATTACHMENT:**

1. Draft Amendment No. 1 to the FY 2022-23 AMBAG OWP and Budget (separately enclosed)

**APPROVED BY:**

  
\_\_\_\_\_  
Maura F. Twomey, Executive Director





**MEMORANDUM**

**TO:** AMBAG Board of Directors

**FROM:** Maura F. Twomey, Executive Director

**RECOMMENDED BY:** Errol Osteraa, Director of Finance and Administration

**SUBJECT:** Financial Update Report

**MEETING DATE:** September 14, 2022

**RECOMMENDATION:**

Staff recommends that the Board of Directors accept the Financial Update Report.

**BACKGROUND/ DISCUSSION:**

The enclosed financial reports are for the 2021-2022 Fiscal Year (FY) and are presented as a consent item. The attached reports contain the cumulative effect of operations through June 30, 2022, as well as a budget-to-actual comparison. Amounts in the Financial Update Report are unaudited.

**FINANCIAL IMPACT:**

The Balance Sheet for June 30, 2022, reflects a cash balance of \$2,409,296.43. The accounts receivable balance is \$491,164.65, while the current liabilities balance is \$755,325.70. AMBAG has sufficient current assets on hand to pay all known current obligations.

AMBAG's Balance Sheet as of June 30, 2022, reflects a deficit Net Position in the amount of \$6,868.19. Although AMBAG's Balance Sheet reflects a deficit Net Position, AMBAG's Profit and Loss Statement reflects an excess of revenue over expense of \$147,815.72. Changes in Net Position are to be expected throughout the fiscal year (FY), particularly at the beginning due to collection of member dues which are received in July and the timing of various year-end adjustments required after our financial audit.

*Planning Excellence!*

The following table highlights key Budget to Actual financial data:

**Budget to Actual Financial Highlights**  
**For Period July 1, 2021 through June 30, 2022**

<b>Expenditures</b>	<b>Budget Through June 2022</b>	<b>Actual Through June 2022</b>	<b>Difference</b>
Salaries & Fringe Benefits	\$ 2,750,754.00	\$ 2,188,093.05	\$ 562,660.95
Professional Services	\$ 7,616,062.00	\$ 2,266,597.48	\$ 5,349,464.52
Lease/Rentals	\$ 91,000.00	\$ 81,318.37	\$ 9,681.63
Communications	\$ 24,800.00	\$ 18,044.15	\$ 6,755.85
Supplies	\$ 117,400.00	\$ 29,400.71	\$ 87,999.29
Printing	\$ 16,700.00	\$ 3,122.84	\$ 13,577.16
Travel	\$ 65,200.00	\$ 5,252.37	\$ 59,947.63
Other Charges	\$ 366,271.00	\$ 387,174.93	\$ (20,903.93)
<b>Total</b>	<b>\$ 11,048,187.00</b>	<b>\$ 4,979,003.90</b>	<b>\$ 6,069,183.10</b>
<b>Revenue</b>			
Federal/State/Local Revenue	\$ 11,070,329.00	\$ 5,126,819.62	\$ 5,943,509.38
Note: AMBAG is projecting a surplus, therefore budgeted revenues do not equal expenses.			

**Revenues/Expenses (Budget to Actual Comparison):**

The budget reflects a linear programming of funds while actual work is contingent on various factors. Therefore, during the fiscal year there will be fluctuations from budget-to-actual.

Professional Services are under budget primarily due to the timing of work on projects performed by contractors. Work is progressing on the 2045 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS). This work is not performed in a linear fashion while the budget reflects linear programming. In addition, the Regional Early Action Planning Housing Program (REAP) provides \$7,931,311 in funding of which a large portion will pass through to partner agencies. It is in its early stages. Additional projects early in their implementation are Integrated Land Use Model and Development Monitoring Framework Tool and Monterey Bay Natural and Working Lands Climate Mitigation and Resiliency Study.

Since AMBAG funding is primarily on a reimbursement basis, any deviation in expenditure also results in a corresponding deviation in revenue. Budget-to-actual revenue and expenditures are monitored regularly to analyze fiscal operations and propose amendments to the budget if needed.

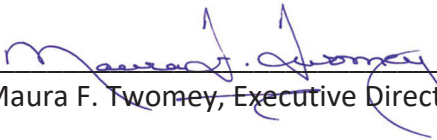
**COORDINATION:**

N/A

**ATTACHMENTS:**

1. Balance Sheet as of June 30, 2022
2. Profit and Loss: July 1, 2021 – June 30, 2022

**APPROVED BY:**



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Maura F. Twomey, Executive Director

AMBAG

Balance Sheet - Attachment 1

As of June 30, 2022

	June 30, 2022	June 30, 2022
<b>Assets</b>		
<b>Current Assets</b>		
<b>Cash and Cash Equivalents</b>		
Mechanics Bank - Special Reserve	300,679.35	606,760.86
Mechanics Bank - Checking	481,040.61	148,564.84
Mechanics Bank - REAP Checking	1,623,379.56	0.00
Petty Cash	500.00	755,325.70
LAIF Account	3,696.91	
<b>Total Cash and Cash Equivalents</b>	<b>2,409,296.43</b>	
<b>Accounts Receivable</b>		
Accounts Receivable	491,164.65	258,986.95
<b>Total Accounts Receivable</b>	<b>491,164.65</b>	<b>1,888,153.69</b>
<b>Other Current Assets:</b>		
Due from PRWFPA/RAPS	127.44	0.00
<b>Total Other Current Asset:</b>	<b>127.44</b>	<b>1,090,342.33</b>
<b>Total Current Asset:</b>	<b>2,900,588.52</b>	<b>3,237,482.97</b>
<b>Long-Term Assets</b>		
<b>Net OPEB Asset</b>	<b>96,473.00</b>	<b>3,992,808.67</b>
<b>FY 2002-2003 Housing Mandate Receivable</b>	<b>82,186.00</b>	
<b>Allowance for Doubtful Accounts</b>	<b>(16,437.20)</b>	
<b>Deferred Outflows - Actuarial</b>	<b>533,833.49</b>	
<b>Deferred Outflows - PERS Contribution</b>	<b>272,963.59</b>	
<b>Total Long-Term Assets</b>	<b>969,018.88</b>	
<b>Capital Assets</b>		
Capital Assets	319,089.93	(154,683.91)
Accumulated Depreciation	(202,756.85)	147,815.72
<b>Total Capital Assets</b>	<b>116,333.08</b>	<b>(6,868.19)</b>
<b>Total Assets</b>	<b>3,985,940.48</b>	<b>3,985,940.48</b>
<b>Liabilities &amp; Net Position</b>		
<b>Liabilities</b>		
<b>Current Liabilities</b>		
Accounts Payable		606,760.86
Employee Benefits		148,564.84
Mechanics Bank - Line of Credit		0.00
<b>Total Current Liabilities</b>		<b>755,325.70</b>
<b>Long-Term Liability</b>		
Deferred Inflows - Actuarial		258,986.95
Net Pension Liability (GASB 68)		1,888,153.69
OPEB Liability		0.00
Deferred Revenue		1,090,342.33
<b>Total Long-Term Liability</b>		<b>3,237,482.97</b>
<b>Total Liability</b>		<b>3,992,808.67</b>
<b>Net Position</b>		
Beginning Net Position		(154,683.91)
Net Income/(Loss)		147,815.72
<b>Total Ending Net Position</b>		<b>(6,868.19)</b>
<b>Total Liabilities &amp; Net Position</b>		<b>3,985,940.48</b>

AMBAG

Profit & Loss - Attachment 2

July - June 2022

	July - June 2022	July - June 2022
<b>Income</b>		
AMBAG Revenue	174,563.71	
Cash Contributions	311,324.54	
Grant Revenue	4,420,618.38	
Non-Federal Local Match	220,312.99	
<b>Total Income</b>	<b>5,126,819.62</b>	
<b>Expense</b>		
Salaries	1,402,814.91	
Fringe Benefits	785,278.14	
Professional Services	2,266,597.48	
Lease/Rentals	81,318.37	
Communications	18,044.15	
Supplies	29,400.71	
Printing	3,122.84	
Travel	5,252.37	
Other Charges:		
BOD Allowances	13,600.00	
Workshops/Training	1,904.97	
GIS Licensing/CCJDC Support	15,108.00	
Energy Watch Travel/Classes/Events/Recruitment/Otl	224.02	
REAP Travel/Classes/Events	3,560.69	
SB1/MTIP/MTP/SCS/OWP/Public Participation Expense	30,544.33	
Recruiting	1,335.85	
Model Expenses	217.12	
Dues & Subscriptions	21,412.98	
Depreciation Expense	33,831.82	
Maintenance/Utilities	769.08	
Insurance	36,432.35	
Interest/Fees/Tax Expense	7,920.73	
<b>Total Other Charges</b>	<b>166,861.94</b>	
Non-Federal Local Match	220,312.99	
<b>Total Expense</b>	<b>4,979,003.90</b>	
<b>Net Income/(Loss)</b>	<b>147,815.72</b>	

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**MEMORANDUM**

**TO:** AMBAG Board of Directors

**FROM:** Maura F. Twomey, Executive Director

**RECOMMENDED BY:** William Condon, Associate Planner

**SUBJECT:** Draft Monterey Bay Metropolitan Transportation Improvement Program (MTIP) for FFY 2022-23 to FFY 2025-26

**MEETING DATE:** September 14, 2022

**RECOMMENDATION:**

Staff recommends that the Board of Directors approve the Draft Monterey Bay Metropolitan Transportation Improvement Program (MTIP): FFY 2022-23 to 2025-26 by adopting the enclosed Resolution No. 2022-22 (Attachment 1).

**BACKGROUND/ DISCUSSION:**

In response to requirements pursuant to its designation as a Metropolitan Planning Organization (MPO), the Association of Monterey Bay Area Governments (AMBAG) prepares transportation plans and programs for the tri-county, Monterey Bay region consisting of Monterey, San Benito and Santa Cruz Counties.

The Draft Monterey Bay Metropolitan Transportation Improvement Program (MTIP) for FFY 2022-23 to 2025-26 is the region's short range transportation programming document that contains transportation improvement projects including public mass transit, highway, bridge, local road, bicycle and pedestrian projects proposed for funding based on anticipated available federal, state and local funds over the next four federal fiscal years (October 1, 2022 through September 30, 2026).

The Draft MTIP implements the *2045 Monterey Bay Area Metropolitan Transportation Plan (MTP)*, the 20 plus-year metropolitan transportation plan adopted by the AMBAG Board on June 15, 2022. In addition, projects in the programming document are consistent with the recent Short Range Transit Plans (SRTPs) of the public transit operators, Regional Transportation Improvement Programs (RTIPs) of the three regional

transportation planning agencies, and Caltrans' 2022 State Transportation Improvement Program (STIP) and 2022 State Highway Operation and Protection Program (SHOPP).

The Draft MTIP represents a total of \$1.68 billion transportation project investments (127 projects) within the tri-county Monterey Bay Area over the four-year period. Staff provided a detailed presentation on the MTIP program and process at the August 10, 2022 Board meeting. A copy of the Draft MTIP for FFY 2022-23 to FFY 2025-26 is separately enclosed with the agenda (**Attachment 2**).

AMBAG released the Draft MTIP for FFY 2022-23 to 2025-26 for public review and comments from August 1, 2022 to August 30, 2022. The Notice of Public Review, Comments and Hearing was published in local newspapers. A copy of the Draft MTIP was also made available for viewing and download at the websites listed below:

1. Association of Monterey Bay Area Governments: [www.ambag.org](http://www.ambag.org)
2. Santa Cruz County Regional Transportation Commission: [www.sccrtc.org](http://www.sccrtc.org)
3. Transportation Agency for Monterey County: [www.tamcmonterey.org](http://www.tamcmonterey.org)
4. Council of San Benito County Governments: [www.sanbenitocog.org](http://www.sanbenitocog.org)
5. Monterey-Salinas Transit: [www.mst.org](http://www.mst.org)
6. Santa Cruz Metropolitan Transit District: [www.scmttd.com](http://www.scmttd.com)

A public hearing to receive public testimony on this document was held on Wednesday, August 10, 2022 during the AMBAG Board of Directors meeting.

The deadline for AMBAG to submit the adopted MTIP: FFY 2022-23 to FFY 2025-26 to Caltrans for their approval is September 30, 2022. If adopted, the document is expected to receive state approval on November 16, 2022 and a joint approval by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) on December 16, 2022. Upon receiving federal approval, it will be included in the 2022 Federal Statewide Transportation Improvement Program (FSTIP).

All projects included in the MTIP meet the following three general federal requirements for approval as part of the MTIP:

1. Consistency with AMBAG's *2045 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS)*;
2. Financial constraint document, and;
3. Opportunity for public review, comments and hearing.

#### **ALTERNATIVES:**

If the Board does not adopt the MTIP, AMBAG cannot submit it for State approval by the September 30, 2022 deadline and later for Federal approval. In this case, the projects included in the MTIP would not be eligible to receive federal and/or state funding and the project implementation would be delayed.



**FINANCIAL IMPACT:**

Staff time for the Draft MTIP preparation and its maintenance is funded through federal funds and is programmed in the approved FY 2022-23 OWP.

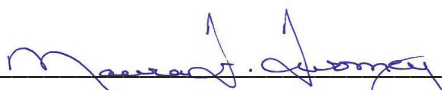
**COORDINATION:**

The proposed Draft MTIP is developed in coordination and consultation with the following partner agencies:

- California Department of Transportation (Caltrans)
- Council of San Benito County Governments
- Monterey-Salinas Transit
- Santa Cruz County Regional Transportation Commission
- Santa Cruz Metropolitan Transit District
- Transportation Agency for Monterey County

**ATTACHMENTS:**

1. Resolution No. 2022-22
2. Draft Monterey Bay Metropolitan Transportation Improvement Program (MTIP) for FFY 2022-23 to FFY 2025-26 (separately enclosed)

**APPROVED BY:**  
\_\_\_\_\_  
Maura F. Twomey, Executive Director

**A RESOLUTION  
OF THE BOARD OF DIRECTORS OF THE ASSOCIATION OF MONTEREY BAY AREA  
GOVERNMENTS ADOPTING THE MONTEREY BAY METROPOLITAN TRANSPORTATION  
IMPROVEMENT PROGRAM (MTIP) FFY 2022-23 to FFY 2025-26**

**WHEREAS**, the Association of Monterey Bay Area Governments has been designated by the Governor of the State of California as the Metropolitan Planning Organization (MPO) for the Monterey Bay area; and

**WHEREAS**, Title 23 Code of Federal Regulations, Part 450, and Title 49 Code of Federal Regulations, Part 613, require that in each urbanized area, as a condition to the receipt of Federal capital or operating assistance, the MPO carries out, in cooperation with State, local agencies and publicly owned operators of mass transportation services, a continuing, cooperative and comprehensive transportation planning process that results in plans and programs consistent with the comprehensively planned development of the urbanized area; and

**WHEREAS**, the Infrastructure Investment and Jobs Act (IIJA) calls for the development of at least a four-year Transportation Improvement Program (TIP), under direction of the MPO in cooperation with State and local officials, regional and local transit operators, and other affected transportation and regional planning and implementing agencies; and

**WHEREAS**, AMBAG has developed a four-year program of projects, consistent with AMBAG's *2045 Metropolitan Transportation Plan/Sustainable Communities Strategy*, the *2022 State Transportation Improvement Program*, the *2022 State Highway Operation and Protection Program*, and the area's Regional Transportation Improvement Programs and Short Range Transit Plans; and

**WHEREAS**, this document does not interfere with the timely implementation of the Transportation Control Measures (TCMs) contained in the State Implementation Plan (SIP); and

**WHEREAS**, this document complies with the public participation process in accordance with AMBAG's 2019 Public Participation Plan (PPP); and

**WHEREAS**, this document is financially constrained and prioritized by funding year, adding only those projects for which funding has been identified and committed in accordance with 23 CFR 450; and

**WHEREAS**, projects in the document satisfy the transportation conformity provisions of 40 CFR 93.122(g) and all applicable transportation planning requirements per 23 CFR Part 450 and are expected to support the establishment and achievement of performance management targets; and

**WHEREAS**, consultation with cognizant agencies was undertaken and the MTIP was considered with adequate opportunity for public review and comment, in accordance with 23 CFR 450:

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Association of Monterey Bay Area Governments does hereby approve and authorize the submission of the *Monterey Bay Metropolitan Transportation Improvement Program FFY 2022-23 to FY 2025-26* to the appropriate Federal and State agencies.

**PASSED AND ADOPTED** this 14<sup>th</sup> day of September 2022.

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Kristen Brown, President

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Maura F. Twomey, Executive Director

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**MEMORANDUM**

**TO:** AMBAG Board of Directors

**FROM:** Maura Twomey, Executive Director

**RECOMMENDED BY:** Miranda Taylor, Planner

**SUBJECT:** Draft 2022 Coordinated Public Transit-Human Services  
Transportation Plan Update

**MEETING DATE:** September 14, 2022

**RECOMMENDATION:**

Staff will provide an overview on the Draft 2022 Coordinated Public Transit-Human Services Transportation Plan (Coordinated Plan). The Board of Directors is asked to approve the release the Draft 2022 Coordinated Plan for a 30-day public review period. The Final 2022 Coordinated Plan is scheduled to be adopted by the Board of Directors in November 2022.

**BACKGROUND:**

AMBAG is required to develop a Coordinated Plan for the tri-county region. Under the Fixing America's Surface Transportation Act (FAST Act) legislation, this plan must be completed and used in developing grant applications for the Federal Transit Administration (FTA) Transportation for Elderly Persons and Persons with Disabilities (Section 5310) grant program. The plan identifies local transportation needs of individuals with disabilities, older adults, and persons with low incomes, and facilitates applications for the FTA Section 5310 grant program.

The Section 5310 program provides formula funding to assist private, non-profit groups and transit operators in meeting the transportation needs of the elderly and persons with disabilities when the transportation service provided is unavailable, insufficient, or inappropriate to meeting these needs. The funds are apportioned based on each State's share of population for these groups of people and are awarded to projects through a statewide competitive selection process. Funds may be used for capital or operating

expenses. The Coordinated Plan, as required by the 2015 FAST Act, must include the following elements:

- An assessment of available services and current transportation providers (public, private, and non-profit);
- An assessment of transportation needs for seniors and persons with disabilities. This assessment can be based on the experiences and perceptions of the planning partners or on more sophisticated data collection efforts, and gaps in service;
- Strategies, activities, and/or projects to address the identified gaps between current services and needs, as well as opportunities to achieve efficiencies in service delivery; and
- Priorities for implementation based on resources (from multiple program sources), time, and feasibility for implementing specific strategies and/or activities.

## **DISCUSSION:**

The purpose of the Coordinated Plan is to create a plan to improve regional transit for individuals that are elderly, disabled, and/or low-income. This is accomplished through identifying where the transit system can better meet these individual's needs, and then identifying projects and strategies which will help alleviate these shortcomings. The plan also includes a current list of transit services that serve the elderly, disabled, and low-income populations.

The projects and strategies identified in this plan are made eligible for federal funding through the FTA Section 5310 grant program. In the past, this funding source has been used by transit agencies to replace or purchase new paratransit vehicles, as well as for operating expenses.

The Draft 2022 Coordinated Plan is composed of four main chapters, each of which are summarized briefly below.

### **Chapter 1: Introduction**

The introduction provides background on the purpose of the plan, an overview of the federal legislation regarding the requirements of the plan and associated funding sources.

### **Chapter 2: Transportation Service Providers**

This section provides a summary of available public, private and non-profit transportation services throughout the region and within each county.

### **Chapter 3: Transportation Needs**

This section defines transportation disadvantaged people and special needs transportation. This section also examines and lists demographic and economic factors relating to transportation in the region.

### **Chapter 4: Unmet Needs Assessment**

This chapter lists the identified unmet needs for the elderly, disabled, and low income in the tri-county area. Identification of these needs came largely from outreach with stakeholders throughout the region gathered by AMBAG and Regional Transportation Planning Agency (RTPA) staff.

#### **NEXT STEPS:**

The Draft 2022 Coordinated Plan will be presented at various meetings throughout the region, including the RTPA's Technical Advisory Committees and other transportation related committees. The Draft 2022 Coordinated is available on the AMBAG website at [www.ambag.org](http://www.ambag.org). The public comment period will close on October 17, 2022. All comments should be sent to Miranda Taylor, AMBAG, 24580 Silver Cloud Court, Monterey, CA 93940 or via email at [mtaylor@ambag.org](mailto:mtaylor@ambag.org). Staff will incorporate comments received into the Final 2022 Coordinated Plan which is scheduled to be approved by the AMBAG Board of Directors at its November 9, 2022 meeting.

- **September 15 - October 17, 2022:** 30-Day Public Comment Period
- **September 22, 2022:** SCCRTC Interagency Technical Advisory Committee
- **September 28, 2022:** MST Mobility Advisory Committee
- **October 6, 2022:** TAMC Technical Advisory Committee
- **October 6, 2022:** SBtCOG Technical Advisory Committee
- **October 11, 2022:** SCCRTC Elderly & Disabled Technical Advisory Committee
- **October 2022:** Prepare the Final 2022 Coordinated Plan
- **November 9, 2022:** AMBAG Board of Directors will be asked to adopt the Final 2022 Coordinated Plan

#### **ALTERNATIVES:**

N/A

#### **FINANCIAL IMPACT:**

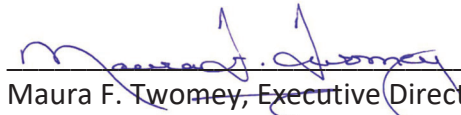
Preparation of the 2022 Coordinated Plan is included in the AMBAG FY 22-23 Overall Work Program and Budget.

**COORDINATION:**

The development of the Draft 2022 Coordinated Public Transit-Human Services Transportation Plan has been coordinated with Monterey-Salinas Transit (MST), the Council of San Benito County Governments (SBtCOG), the Santa Cruz County Regional Transportation Commission (SCCRTC), the Santa Cruz Metropolitan Transit District (METRO), the Transportation Agency for Monterey County (TAMC), local non-profits and elderly and disability advocates, as well as the Planning Directors Forum which includes the local jurisdictions and other transportation partners.

**ATTACHMENT:**

1. Draft 2022 Coordinated Plan (separately enclosed)

**APPROVED BY:**  
Maura F. Twomey, Executive Director





**MEMORANDUM**

**TO:** AMBAG Board of Directors

**FROM:** Maura F. Twomey, Executive Director

**RECOMMENDED BY:** Heather Adamson, Director of Planning

**SUBJECT:** 6<sup>th</sup> Cycle Regional Housing Needs Allocation (RHNA) Appeals  
Final Determinations

**MEETING DATE:** September 14, 2022

**RECOMMENDATION:**

The AMBAG Board of Directors is asked to:

- (1) hold a public hearing;
- (2) Approve the final determinations rejecting the appeals on the 6th Cycle Regional Housing Needs Allocation (RHNA), confirming the actions by the AMBAG Board of Directors at a public hearing on August 10, 2022; and
- (3) Authorize staff to issue the proposed Final 2023-2031 6th Cycle RHNA Plan prior to Board consideration and adoption in October 2022.

**BACKGROUND:**

California State Housing Element Law governs the process for local governments to adequately plan to meet the housing needs of everyone within their communities. The RHNA process is used to determine how many new homes, and the affordability of those homes, each local government must plan for in its Housing Element to meet the housing needs of households of all income levels.

As part of the RHNA process, State law (Government Code 65584 et seq.) requires AMBAG to develop a methodology to allocate a portion of the Regional Housing Need Determination (RHND) to every local government in the AMBAG Region. AMBAG received its 6th Cycle RHND of 33,274 units from the California Housing and Community Development Department (HCD) in late August 2021 for the planning period beginning June 30, 2023 and ending December 15, 2031.

## ***RHNA Schedule***

Key milestones are for development RHNA are shown in Figure 1.

**Figure 1: RHNA Schedule**

<b>TARGET SCHEDULE</b>	<b>TASK</b>
<b>Spring - Fall 2021</b>	Discussions with Planning Directors Forum on potential RHNA methodology options and factors
<b>Summer – Fall 2021</b>	Potential RHNA methodology options discussed by AMBAG Board
<b>September 8, 2021</b>	HCD presents at AMBAG Board Meeting
<b>January 12, 2022</b>	Approval of draft RHNA methodology by AMBAG Board
<b>January – March 2022</b>	HCD reviews draft methodology
<b>April 13, 2022</b>	Approval of final RHNA methodology by AMBAG Board
<b>April 22, 2022</b>	Release Draft RHNA Plan with RHNA allocations by jurisdiction
<b>April 22 – June 6, 2022</b>	Local jurisdictions and HCD may appeal RHNA allocation within 45 days of release of the draft RHNA plan/allocations
<b>May 2022</b>	AMBAG releases final 2045 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) accommodating RHNA
<b>June 7 – July 22, 2022</b>	Local jurisdictions, HCD and the public may comment on appeals within 45 days of the close of the appeal period
<b>June 15, 2022</b>	Adoption of Final 2045 MTP/SCS AMBAG Board
<b>August 10, 2022</b>	AMBAG held public hearing on appeals received
<b>September 14, 2022</b>	AMBAG makes final written determination that accepts, rejects, modifies appeals and issues final proposed allocation plan
<b>September 23, 2022</b>	Release of Final RHNA Plan with RHNA allocations
<b>October 12, 2022</b>	Adoption of Final 2023-31 RHNA Plan with RHNA allocations by AMBAG Board
<b>December 15, 2023</b>	Jurisdiction's 6th Cycle Housing Elements are due to HCD

## ***RHNA Development Process***

The AMBAG Board of Directors approved the final RHNA methodology on April 13, 2022 and directed staff to prepare and release the Draft 2023-2031 6<sup>th</sup> Cycle RHNA Plan. The Draft 2023-2031 6<sup>th</sup> Cycle Plan was released on April 22, 2022. The release of the Draft RHNA Plan initiated a 45-day appeal period allowing a member jurisdiction or HCD to appeal for a revision of the share of the regional housing need proposed to be allocated. (Gov. Code, § 65584.05(b).) The close of the appeal period was June 6, 2022.

### ***RHNA Appeals and Final Written Determination***

AMBAG received two appeals on the Draft 2023-2031 6<sup>th</sup> Cycle RHNA Plan from the cities of Sand City and Greenfield. State law requires a 45-day comment period on any appeals received on the draft Plan. AMBAG received two comments on the appeals.

AMBAG conducted a public hearing on August 10, 2022 to consider all appeals filed and comments received on the appeals. (Gov. Code, §65584.05(d).) Each appeal was heard individually before the AMBAG Board of Directors. The AMBAG Board of Directors considered all appeals and all comments received on the appeals, discussed and rejected each appeal.

The AMBAG Board of Directors is statutorily constrained to make a final written determination on the appeals “[n]o later than 45 days after the public hearing”. (Gov. Code, §65584.05(e).) The AMBAG Board of Directors is now requested to adopt the final written determination confirming the August 10<sup>th</sup> Board action to reject each appeal and issue a proposed final allocation plan. (Gov. Code, §65584.05(e).) Final determinations “shall be based upon the information and methodology described in Government Code Section 65584.04 and whether the revision is necessary to further the objectives listed in subdivision (d) of Section 65584.” The 6<sup>th</sup> Cycle RHNA appeals written final determination for Sand City and Greenfield are included as Attachments 1 and 2, respectively.

The Final 2023-2031 6<sup>th</sup> Cycle RHNA Plan is scheduled to be released by September 23, 2022 pursuant to Gov. Code, §65584.05(e).) The AMBAG Board of Directors will hold a public hearing in October to adopt the final RHNA Plan. (Gov. Code, §65584.05(g).) For more information on the RHNA appeals, please visit: <https://ambag.org/plans/regional-housing-planning>.

### ***Next Steps***

The AMBAG Board is requested to comply with statutory time limitations and confirm the August 10<sup>th</sup> Board action rejecting the two RHNA appeals by approving the final written determinations.

Following the approval of the final written determination on the RHNA appeals and issuance of the final allocation plan, AMBAG staff will release the Final 2023-2031 6<sup>th</sup> Cycle RHNA Plan by September 23, 2022 pursuant to Gov. Code, § 65584.05(e).) for Board consideration in October 2022.

### **ALTERNATIVES:**

The AMBAG Board of Directors could choose to not approve the RHNA appeals final written determination rejecting both RHNA appeals. Staff does not recommend this as it would cause staff to determine the number of RHNA units and methodology that would be

required to be redistributed to all of the local jurisdictions. This would cause AMBAG not to meet our required RHNA statutory deadlines for finalizing the RHNA Plan. Delay to the adoption of the Final RHNA Plan would cause delay to the development of each of the local jurisdiction's Housing Elements, which would subject each local jurisdictions to penalties from the State.

**FINANCIAL IMPACT:**

Planning activities for RHNA are funded with Regional Early Access Planning and Senate Bill 1 planning funds and are programmed in the Fiscal Year 2022-23 Overall Work Program and Budget.

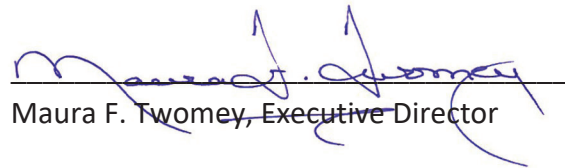
**COORDINATION:**

All RHNA planning activities are coordinated with the HCD, Council of San Benito County Governments (SBtCOG), and the Planning Directors Forum, which includes all the local jurisdictions within the AMBAG region.

**ATTACHMENTS:**

1. RHNA Appeals Final Determination – Sand City
2. RHNA Appeals Final Determination – Greenfield

**APPROVED BY:**



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Maura F. Twomey, Executive Director

## **City of Sand City RHNA Appeal Final Determination**

### ***AMBAG's Public Hearing and Review***

The City of Sand City requests the reduction of its Draft RHNA allocation. The City of Sand City's appeal was heard by the AMBAG Board of Directors on August 10, 2022 at a noticed public hearing. The City of Sand City, the California Housing and Community Development Department (HCD), other local jurisdictions, and the public had the opportunity to submit comments related to the appeal. The materials related to the City of Sand City's appeal, including appeal documents submitted by the jurisdiction, the AMBAG staff response, and public comments received about this appeal during the RHNA appeals comment period, are available on the AMBAG website at: <https://ambag.org/plans/regional-housing-planning>.

Per AMBAG's 2023-2031 RHNA Appeals Procedures<sup>1</sup>, the City of Sand City had an opportunity to present the basis for its appeal and information to support its arguments to the AMBAG Board of Directors. The City of Sand City's presentation was followed by a response from AMBAG staff, consistent with the information provided in its [written staff report](#) from August 10, 2022, which is incorporated herein by reference. Then, the applicant could respond to the arguments or evidence that AMBAG staff presented.

After these presentations, members of the public had an opportunity to provide oral comments prior to discussion by members of the AMBAG Board of Directors. Following their deliberations, the AMBAG Board of Directors took a preliminary vote on the City of Sand City's appeal. The AMBAG Board of Directors considered the documents submitted by the City of Sand City, the AMBAG staff report, testimony of those providing public comments prior to the close of the hearing and comments made by City of Sand City and AMBAG staff prior to the close of the hearing, and written public comments, which are incorporated herein by reference.

The recording of the public hearing is available at:

<https://www.gotostage.com/channel/7465e0fc843843119081c1cdcb31c269/recording/d7ad5951c81243d98c9818171dc87a41/watch>

### ***AMBAG Board of Directors Decision***

Pursuant to Government Code Section 65584.05, subd. (e)(1), AMBAG's final determination on whether to accept, reject, or modify any appeal must be accompanied by written findings. The findings must describe how the final determination is based upon the adopted RHNA allocation

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<sup>1</sup> Please see AMBAG's 2023-2031 RHNA Cycle Appeals Procedures, available here:

[https://www.ambag.org/sites/default/files/2022-06/AMBAG\\_2023-2031\\_RHNA\\_Appeals\\_Procedures\\_PDFA\\_0.pdf](https://www.ambag.org/sites/default/files/2022-06/AMBAG_2023-2031_RHNA_Appeals_Procedures_PDFA_0.pdf).

methodology and why any revisions made are necessary to further the statutory objectives of RHNA described in Government Code Section 65584, subd. (d).

Based upon AMBAG's adoption of the final RHNA methodology and the 2023-2031 RHNA Appeals Procedures and the process that led thereto; all testimony and all documents and comments submitted by the City of Sand City, HCD, other local jurisdictions, and the public prior to the close of the hearing; and the AMBAG staff report, the AMBAG Board of Directors denies the appeal on the bases set forth in the staff report. The key arguments are summarized as follows:

- Regarding Issue #1: The City of Sand City argues that the RHNA Methodology "fails to meet the requirement of Cal. Gov. Code Section 65584(d)(1)" to further RHNA Objective 1, which relates to "[i]ncreasing the housing supply and the mix of housing types, tenure, and affordability in all cities and counties within the region in an equitable manner, which shall result in reach jurisdiction receiving an allocation of units for low and very low income households." (Gov. Code, §65584, subd. (d)(1).) This objective is related to increasing the housing supply in all jurisdictions in the region in an equitable manner, noting the City's small size and its landlocked location between other jurisdictions, the Monterey Bay, and protected habitat. The City of Sand City asserts, based on the jurisdictions' population of residents, its RHNA allocation of 260 units is not equitable in comparison with other jurisdictions' allocations.

This argument regarding the RHNA methodology is not a valid basis for appeal for a reduction in RHNA.

AMBAG's determination of the share of regional housing need considered additional factors beyond each jurisdictions' resident population to address other statutory objectives that the City of Sand City's appeal overlooks. Units per capita cannot be assessed as a stand-alone measure because it does not address jobs/housing balance or historical patterns of concentration in employment oriented land uses such as commercial, industrial, office, or hotel. Under a per capita framework, a hypothetical jurisdiction that was entirely commercial and had no housing would perpetually get a low RHNA allocation because it had zero existing population, which would be contrary to several RHNA objectives, including Government Code section 65584(d)(1), which requires "each jurisdiction" receive an allocation for low- and very low income households. Thus per capita allocation runs counter to RHNA objective 1, which requires that each jurisdiction receive an allocation of units for low- and very-low-income households in an equitable manner (Gov. Code, §65584.04(e)(1).). For example, if AMBAG were to allocate RHNA requirements per square mile of each of AMBAG's jurisdictions, of the AMBAG region's sixteen (16) incorporated cities, thirteen (13) would have RHNA allocations of more than 150 units per square mile. The equivalent value for Sand City is 89 units per square mile, which is considerably lower than most other jurisdictions. Distribution solely based on per capita data would be inequitable because it would not consider other data necessary for an equitable distribution, such as job

rates. Lowering Sand City's allocation based on per capita data would therefore also inhibit RHNA objective 3, which requires an improved intraregional relationship between jobs and housing. This objective intends to create an improved balance between the number of low-wage jobs and the number of housing units affordable to low-wage workers in each jurisdiction. (Gov. Code, §65584.04(d)(3).) This consideration of the number of low-wage workers in comparison to the number of low and very low income households within a jurisdiction would result in a more equitable distribution of units.

- Regarding Issue #2: The City of Sand City alleges the RHNA allocation ignores additional factors the methodology was required to consider. The City argues the City's development potential is constrained due to the City's size of land area, its location between other jurisdictions, the Monterey Bay, and environmentally sensitive species and habitat, and Coastal Zone overlay. The City argues that a majority of the City has been rezoned to High Density Residential or Planned Mixed Use and that there are "almost no other practical opportunities for rezoning to accommodate additional residences" without economic impacts. Specifically, the City of Sand City alleges the RHNA allocation ignores additional factors the methodology was required to consider, such as the availability of land suitable for urban development or for conversion to residential use, the availability of underutilized land, opportunities for infill development and increased residential densities, and land preserved or protected from urban development under federal or state programs designed to protect open space. (Gov. Code, §65584.04, subd. (e)(2)(B)–(C).)

This argument by the City of Sand City challenges the final RHNA methodology that was adopted by AMBAG Board of Directors and approved by HCD. This falls outside the scope of the appeals process. A valid appeal must show AMBAG made an error in the application of the methodology in determining the jurisdiction's allocation. HCD has urged AMBAG "to only consider appeals that meet the statutory criteria." HCD reviewed AMBAG's draft RHNA allocation methodology and found that it furthered the statutory objectives described in Government Code Section 65584.

AMBAG finds this argument regarding the RHNA methodology is not a valid basis for appeal for a reduction in RHNA, which is consistent with statutory direction: Government Code section 65584.04, subd. (e)(2)(B) states AMBAG may not limit its consideration of suitable housing sites to existing zoning and land use restrictions. AMBAG must consider the potential for increased development under alternative zoning and land use restrictions. Any comparable data or documentation supporting this appeal should contain an analysis of not only land suitable for urban development, but land for conversion to residential use, the availability of underutilized land, and opportunity for infill development and increased residential densities.

Jurisdictions had multiple opportunities to comment as the methodology was developed and adopted between June 2021 and April 2022. Sand City did not provide public

comments on the Draft RHNA methodology. Housing Element Law gives HCD the authority to determine whether the RHNA methodology furthers the statutory objectives described in Government Code Section 65584(d), and HCD made this determination.

Furthermore, the City of Sand City did not adhere to statutory requirements to provide a statement explaining why its requested revision is necessary to further the intent of this objective, as required by Government Code Section 65584.05, subd. (b).

### ***Conclusion***

For the foregoing reasons and based on the full record before the AMBAG Board of Directors at the close of the public hearing (which the Board has taken into consideration in rendering its decision and conclusion), the AMBAG Board of Directors hereby denies the City of Sand City's RHNA appeal and finds that the City of Sand City's RHNA allocation is consistent with the RHNA statute pursuant to Government Code Section 65584.05, subd. (e)(1).



## City of Greenfield RHNA Appeal Final Determination

### ***AMBAG's Public Hearing and Review***

The City of Greenfield requests the reduction of its Draft RHNA allocation. The City of Greenfield's appeal was heard by the AMBAG Board of Directors on August 10, 2022 at a noticed public hearing. The City of Greenfield, the California Housing and Community Development Department (HCD), other local jurisdictions, and the public had the opportunity to submit comments related to the appeal. The materials related to the Greenfield's appeal, including appeal documents submitted by the jurisdiction, the AMBAG staff response, and public comments received about this appeal during the RHNA appeals comment period, are available on the AMBAG website at: <https://ambag.org/plans/regional-housing-planning>.

Per AMBAG's 2023-2031 RHNA Appeals Procedures<sup>1</sup>, the City of Greenfield had an opportunity to present the basis for its appeal and information to support its arguments to the AMBAG Board of Directors. The City of Greenfield presentation was followed by a response from AMBAG staff, consistent with the information provided in its [written staff report](#) from August 10, 2022, which is incorporated herein by reference. Then, the applicant could respond to the arguments or evidence that AMBAG staff presented.

After these presentations, members of the public had an opportunity to provide oral comments prior to discussion by members of the AMBAG Board of Directors. Following their deliberations, the AMBAG Board of Directors took a preliminary vote on the City of Greenfield's appeal. The AMBAG Board of Directors considered the documents submitted by the City of Greenfield, the AMBAG staff report, testimony of those providing public comments prior to the close of the hearing and comments made by City of Greenfield and AMBAG staff prior to the close of the hearing, and written public comments, which are incorporated herein by reference.

The recording of the public hearing is available at:

<https://www.gotostage.com/channel/7465e0fc843843119081c1cdcb31c269/recording/d7ad5951c81243d98c9818171dc87a41/watch>

### ***AMBAG Board of Directors Decision***

Per Government Code Section 65584.05, subd. (e)(1), AMBAG's final determination on whether to accept, reject, or modify any appeal must be accompanied by written findings. The findings must describe how the final determination is based upon the adopted RHNA allocation

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<sup>1</sup> Please see AMBAG's 2023-2031 RHNA Cycle Appeals Procedures, available here:

[https://www.ambag.org/sites/default/files/2022-06/AMBAG\\_2023-2031\\_RHNA\\_Appeals\\_Procedures\\_PDFA\\_0.pdf](https://www.ambag.org/sites/default/files/2022-06/AMBAG_2023-2031_RHNA_Appeals_Procedures_PDFA_0.pdf).

methodology and why any revisions made are necessary to further the statutory objectives of RHNA described in Government Code Section 65584, subd. (d).

Based upon AMBAG's adoption of the final RHNA methodology and the 2023-2031 RHNA Appeals Procedures and the process that led thereto; all testimony and all documents and comments submitted by the City of Greenfield, HCD, other local jurisdictions, and the public prior to the close of the hearing; and the AMBAG staff report, the AMBAG Board of Directors denies the appeal on the bases set forth in the staff report. The key arguments are summarized as follows:

- Regarding Issue #1: The City of Greenfield requests an adjustment to its RHNA allocation because the City states it has made significant progress in achieving the RHNA goals stated in AMBAG's previous, 5th Cycle RHNA Plan. Specifically, the City requests a "carry-over credit" because the exceedance of RHNA goals impacts the City's available lands for production of new units in this 6th Cycle. The City recommends the "carry-over credit" be applied twice: (1) using the latest HCD-accepted Annual Progress Report on housing production in the current RHNA cycle, with overage in housing production by income category credited against the unadjusted Cycle 6 RHNA objectives; and (2) factored into the adjusted Cycle 6 RHNA goals upon each remaining APR filing. The City of Greenfield states the jurisdiction's exceedance of housing production impacts its available lands for production of new units in Cycle 6 and alleges there are infrastructure improvements needed to keep pace with its housing production related to waste-water facilities, water supply, electrical and natural gas services.

The City of Greenfield does not meet the statutory criteria for submitting an appeal. First, the City did not identify which of the three statutorily defined circumstances to which its appeal must relate. (See Gov. Code, §65584.05, subd. (b)(1-3).) Second, the City of Greenfield did not meet statutory requirements as described in Government Code Section 65584.05, subd. (b) because the City did not include a statement as to why the adjustment or credit is necessary to further the intent of the objectives in Government Code Section 65584.

Also, HCD reviewed AMBAG's draft allocation methodology and found that it furthered the statutory objectives described in Government Code Section 65584.

While the City of Greenfield's housing progress is commendable, it continues to have a high level of unmet housing need, which undermines the RHNA Plan's requirement to further statutory objectives listed in Government Code Section 85504(d). When assessing the RHNA methodology, HCD also considered a statutory factor for "rate of overcrowding"—the percentage of existing households with more than one person per room. (Gov. Code, §65584.04(e)(7).) Greenfield has a very high level of overcrowding. According to 2015-2019 data from the American Community Survey, 29% of households in Greenfield were overcrowded— the highest rate in the AMBAG region.

***Conclusion***

For the foregoing reasons and based on the full record before the AMBAG Board of Directors at the close of the public hearing (which the Board has taken into consideration in rendering its decision and conclusion), the AMBAG Board of Directors hereby denies the City of Greenfield's RHNA appeal and finds that the City of Greenfield's RHNA allocation is consistent with the RHNA statute pursuant to Government Code Section 65584.05, subd. (e)(1).

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**MEMORANDUM**

**TO:** AMBAG Board of Directors

**FROM:** Maura F. Twomey, Executive Director

**RECOMMENDED BY:** Heather Adamson, Director of Planning

**SUBJECT:** Regional Early Action Planning Grants 2.0 Program

**MEETING DATE:** September 14, 2022

**RECOMMENDATION:**

Staff will provide an update on the Regional Early Action Program (REAP) 2.0 Program including recent feedback and input received from outreach activities. The Board of Directors is asked to provide input for the development REAP 2.0 program framework.

**BACKGROUND/ DISCUSSION:**

Regional Early Action Planning Grants of 2021 (REAP 2.0) builds on the success of 2019's REAP program but expands the focus by integrating housing and climate goals, and allowing for broader planning and implementation investments, including infrastructure investments that support future housing development. REAP 2.0 is explicitly intended to meet multiple objectives – infill development, housing for all incomes, Vehicle Miles Traveled (VMT) reduction, and affirmatively furthering fair housing (AFFH) in ways that lead to transformative outcomes and accelerate the implementation of regional and local plans to achieve these goals.

The REAP 2.0 Program provides funds to regional governments to accelerate housing production and facilitate compliance with the 6th Cycle of the housing element, including regional housing need allocations. In addition, REAP 2.0 is specifically designed to provide Metropolitan Planning Organizations (MPO) and other Eligible Entities with tools and resources to help implement and advance plans, primarily including Sustainable Communities Strategies (SCS) as part of Regional Transportation Plans to pursue greenhouse gas emission reduction targets through land use and transportation changes. The REAP 2.0 objectives are:

- Accelerating Infill Development that Facilitates Housing Supply, Choice, and Affordability

*Planning Excellence!*

- Affirmatively Furthering Fair Housing
- Reducing Vehicle Miles Traveled

The REAP 2.0 Program is funded with \$600 million from the State General Fund. The REAP 2.0 Program will be administered by the California Department of Housing and Community Development (HCD) (Department), in collaboration with the Governor's Office of Planning and Research (OPR), the Strategic Growth Council (SGC), and the California Air Resources Board (CARB).

Most of the funds (85 percent) will be allocated directly to the MPOs. The remaining funds are split into a set aside for non-MPO regions for smaller counties and Tribal Entities, as well as a Higher Impact Transformative Allocation for all Eligible Entities. AMBAG's formula share of the MPO funding is \$10,133,742.41.

In early June 2022, AMBAG submitted an advanced application to HCD for funding to deploy an outreach and engagement strategy and develop programs to disperse these funds throughout the region in support of transformative planning that promotes the core program objectives of REAP 2.0: (1) implementation of AMBAG's Sustainable Communities Strategy; (2) infill housing development; (3) reduction of VMT; and (4) AFFH. AMBAG's advanced application was approved in August 2022.

As AMBAG develops a REAP 2.0 program framework, our full funding application will be driven by the State's final program guidelines and a stakeholder engagement process. Throughout 2022, AMBAG will be conducting outreach to a broad array of stakeholders to identify programs and partners and develop the full REAP 2.0 application, due to the State by December 2022.

### ***Outreach Activities***

AMBAG is actively engaged extensive outreach activities to gather input and feedback on the development of the regional REAP 2.0 Program. In early July 2022, AMBAG released a public opinion survey asking for feedback on how AMBAG should structure its regional REAP 2.0 program. A more extensive survey targeting potential eligible applications was released in August to provide additional input on what the priorities should be and what the needs are for AMBAG's REAP 2.0 program.

Virtual information/listening sessions are scheduled for September 26, 2022 and October 13, 2022. to gather additional feedback as priorities have been identified from the surveys and as framework options are developed. More information on REAP 2.0 outreach activities can be found at: <https://ambag.org/plans/regional-early-action-planning-grants-program>.

In addition, AMBAG is working with the local jurisdictions and our local/regional transportation partners through the Planning Directors Forum and Technical Advisory Committees (TAC) meetings to gather input and to help develop framework options for REAP 2.0 funding. Finally, AMBAG has been attending various community and business

group meetings to gather additional input on REAP 2.0.

### ***REAP 2.0 Program Framework***

Below is a summary of the feedback received from the two surveys conducted this summer and the initial input received from the Planning Directors Forum and TAC meetings.

- AMBAG’s REAP 2.0 Program should focus on both transformative planning and capital investments with a larger emphasis on transformative planning efforts to implement both AMBAG’s SCS and the local jurisdiction’s 6<sup>th</sup> Cycle Housing Elements.
- A mix of REAP 2.0 funding suballocated to local jurisdictions and a competitive grant program is supported.
- Priorities identified for REAP 2.0 funding include:
  - Improve housing affordability and increase housing production
  - Put housing close to jobs
  - Reducing VMT
  - Addressing housing & infrastructure needs in communities
  - Promote multimodal communities

Given AMBAG’s initial discussions with HCD and the other state partners, REAP 2.0 needs to focus on transformative planning and implementation efforts and should not be simply suballocated to all local jurisdiction as was done with REAP 1.0. However, AMBAG staff believes that a small component to address geographic equity could be included. Additional outreach will be conducted in summer and fall 2022.

The AMBAG Board of Directors will be asked to approve a proposed framework for the REAP 2.0 program for inclusion in the final application submitted to HCD at its November 2022 meeting. AMBAG’s final application will be reviewed by HCD, OPR, SGC, and CARB following the December 31, 2022 deadline.

### ***Timeline***

- Summer 2022 – HCD releases final guidelines and notice of funding availability
- Summer/Fall 2022 – Outreach activities and development of REAP 2.0 program framework
- December 31, 2022 – Deadline to submit application for REAP 2.0 Program funds and include a budget, amounts retained by the regional agency and any sub-allocations, and an education and outreach strategy.
- Spring/Summer 2023 – Develop AMBAG’s regional competitive grant program

including criteria, application, etc.

- Summer/early Fall 2023 – Applications due for AMBAG’s competitive grant program
- Late 2023/early 2024 – AMBAG awards regional competitive grants and enters into funding agreements with grant applicants
- June 30, 2024 – Deadline for REAP 2.0 recipient to encumber funds
- June 30, 2026 – Deadline for REAP 2.0 funds to be expended

***Next Steps***

AMBAG will continue outreach activities to gather input on the development of the draft framework for the REAP 2.0 program. The AMBAG Board of Directors will be asked to approve a proposed framework for inclusion in the final application submitted to HCD at its November 2022 meeting. AMBAG’s final application is due to HCD by December 31, 2022.

**ALTERNATIVES:**

N/A

**FINANCIAL IMPACT:**

REAP 2.0 Program funds are programmed in the FY 2022-23 Overall Work Program and Budget.

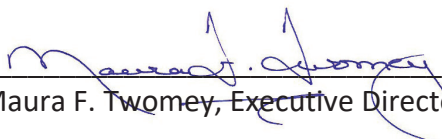
**COORDINATION:**

REAP 2.0 Program activities will be coordinated with the AMBAG Executive Steering Committee, Planning Directors Forum and the RTPAs Technical Advisory Committees which includes the local jurisdictions.

**ATTACHMENTS:**

None.

**APPROVED BY:**

  
Maura F. Twomey, Executive Director





The 2022 AMBAG Board of Directors meeting locations are subject to change and may be held remotely in light of Governor Newsom's State of Emergency declaration regarding the COVID-19 outbreak and in accordance with AB 361.

### **2022 AMBAG Calendar of Meetings**

<b>October 12, 2022</b>	<b>Zoom Webinar</b> Meeting Time: 6 pm
<b>November 9, 2022</b>	<b>TBD</b> Meeting Time: 6 pm
<b>December 2022</b>	<b>No Meeting Scheduled</b>

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AMBAG Acronym Guide	
ABM	Activity Based Model
ADA	Americans Disabilities Act
ALUC	Airport Land Use Commission
AMBAG	Association of Monterey Bay Area Governments
ARRA	American Reinvestment and Recovery Act
3CE	Central Coast Community Energy
CAAA	Clean Air Act Amendments of 1990 (Federal Legislation)
Caltrans	California Department of Transportation
CAFR	Comprehensive Annual Financial Report
CalVans	California Vanpool Authority
CARB	California Air Resources Board
CCJDC	Central Coast Joint Data Committee
CEQA	California Environmental Quality Act
CHTS	California Households Travel Survey
CMAQ	Congestion Mitigation and Air Quality Improvement
CPUC	California Public Utilities Commission
CTC	California Transportation Commission
DEIR	Draft Environmental Impact Report
DEM	Digital Elevation Model
DOF	Department of Finance (State of California)
EAC	Energy Advisory Committee
EIR	Environmental Impact Report
FAST Act	Fixing America's Surface Transportation Act
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
FTIP	Federal Transportation Improvement Program
GHG	Greenhouse Gas Emissions
GIS	Geographic Information System
ICAP	Indirect Cost Allocation Plan
ITS	Intelligent Transportation Systems
JPA	Joint Powers Agreement

LTA	San Benito County Local Transportation Authority
LTC	Local Transportation Commission
MAP-21	Moving Ahead for Progress in the 21 <sup>st</sup> Century Act
MBARD	Monterey Bay Air Resources District
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
MPAD	Monterey Peninsula Airport District
MPO	Metropolitan Planning Organization
MST	Monterey-Salinas Transit
MTP	Metropolitan Transportation Plan
MTIP	Metropolitan Transportation Improvement Program
OWP	Overall Work Program
PG&E	Pacific Gas & Electric Company
PPP	Public Participation Plan
RAPS, Inc.	Regional Analysis & Planning Services, Inc.
RFP	Request for Proposal
RHNA	Regional Housing Needs Allocation
RTDM	Regional Travel Demand Model
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agency
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users
SB 375	Senate Bill 375
SBtCOG	Council of San Benito County Governments
SCCRTC	Santa Cruz County Regional Transportation Commission
SCMTD	Santa Cruz Metropolitan Transit District
SCS	Sustainable Communities Strategy
S RTP	Short-Range Transit Plan
STIP	State Transportation Improvement Program
TAMC	Transportation Agency for Monterey County
TAZ	Traffic Analysis Zone
USGS	United States Geological Survey
VMT	Vehicle Miles Traveled
VT	Vehicle Trips