



**BAY AREA
HOUSING FINANCE
AUTHORITY**

Bay Area Metro Center
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San Francisco, CA 94105
415.778.6700
www.mtc.ca.gov

June 27, 2024

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Local Government Services

VIA EMAIL AND NEXT BUSINESS DAY DELIVERY

See attached addressee list

TO: Bay Area Registrars of Voters and Clerks for the County Boards of Supervisors

Enclosed please find a certified copy of Bay Area Housing Finance Authority Resolution No. 34, which calls for the election of a \$20 billion general obligation bond for affordable housing, consolidation of the elections at the next state election on November 5, 2024, and action by the Board of Supervisors ("Resolution"). In addition, please find the full text of the ballot measure, the tax rate statement and Santa Clara County's resolution checklist.

Background Information on BAHFA

The San Francisco Bay Area Regional Housing Finance Act (Gov. Code § 64500, et seq.) (the "Act") creates the Bay Area Housing Finance Authority ("BAHFA"). The Act provides that BAHFA's jurisdiction extends throughout the nine county Bay Area and includes the ability to place a measure on the ballot to raise revenue for affordable housing. (Gov. Code §§ 64510(a); 64520(a); 64521.)

November 2024 Election

In accordance with the Act, on June 26, 2024, BAHFA adopted the Resolution as described above. The Act contemplates action by both the Registrar of Voters and the Board of Supervisors as described below.

Role of the Registrar of Voters

For purpose of placement of a measure on the ballot, BAHFA is considered a district, as defined in Section 317 of the Elections Code. (Sec. 64521(a).) BAHFA will reimburse the county for the "incremental costs" incurred with the election. (Sec. 64521(h).) Counties are required to use the election materials provided by BAHFA. The Resolution includes the 75-word ballot question, the full text of the ballot measure and the tax rate statement for inclusion in the voter pamphlet. Electronic versions of these documents will be provided to the Santa Clara County Registrar of Voters via separate email for formatting pursuant to their formatting requirements. Further, the impartial analysis, which will be prepared by BAHFA's General Counsel and subject to the review and revision by Santa Clara County Counsel in accordance with the Act, will be submitted to the Santa Clara County Registrar of Voters by August 20, 2024. Santa Clara County Registrar of Voters will distribute the impartial analysis to the counties. Any further questions should be directed to your county's elections counsel or the Santa Clara County Registrar of Voters.

Role of the Board of Supervisors

The Act requires BAHFA to “file with the board of supervisors of each county in which the measure shall appear on the ballot a resolution of the authority board requesting consolidation and setting forth the exact form of the ballot question, in accordance with Section 10403 of the Elections Code.” Under Government Code Section 64521(a), the board of supervisors of the counties in which the authority has determined to place the measure on the ballot shall call a special election on the measure. The special election shall be consolidated with the next regularly scheduled statewide election and the measure shall be submitted to the voters in the appropriate counties. This action can occur when the Board of Supervisors acts to consolidate elections in the Fall after their summer recess. Any further questions should be directed to your county’s election counsel or the Santa Clara County Registrar of Voters.

Impartial Analysis and Electronic Format of Files

As required by the Act, BAHFA, in coordination with Santa Clara County Counsel, will submit the impartial analysis to the Santa Clara County Registrar of Voters (“SCC ROV”) on or before SCC ROV’s deadline of August 20, 2024. BAHFA will submit electronic formats of the documents submitted to the voters as specified by SCC ROV to SCC ROV.

If you have any further questions or if we can provide any further assistance, please feel free to contact me at khartley@bayareametro.gov or 415-778-6679, or Andrea Visveshwara, Senior Counsel to BAHFA at avisveshwara@bayareametro.gov or 415-778-6637.

Very truly yours,

A black rectangular redaction box covering the signature of Kate Hartley.

Kate Hartley
BAHFA Section Director

Enclosures:
Addressee List
BAHFA Resolution No. 34
Tax Rate Statement signed by BAHFA CFO
Santa Clara County Resolution Checklist

Bay Area Housing Finance Authority (BAHFA)
State of California

Complete, full, true and exact reproduction of the original document.

6/26/2024
Kimberly Ward

Date: June 26, 2024

W.I.: NA

Referred by: BAHFA Executive Board

ABSTRACT

Resolution No. 34

This resolution calls for an election to submit to the qualified electors of the nine county Bay Area a ballot measure authorizing an affordable housing general obligation in an amount of \$20 billion, requests consolidation of the election for said ballot measure at the next general election on November 5, 2024, and authorizes staff to take actions related, necessary or incidental to carrying out the intent of this Resolution.

Further discussion of this action is contained in the Bay Area Housing Finance Authority Summary Sheet dated June 26, 2024

Date: June 26, 2024
W.I.: N/A
Referred by: BAHFA Executive Board

RE: Submittal of a Ballot Measure for an Affordable Housing General Obligation Bond to the Voters of the Bay Area at the November 2024 General Election

BAY AREA HOUSING FINANCE AUTHORITY
RESOLUTION NO. 34

WHEREAS, the San Francisco Bay Area Regional Housing Finance Act (Cal. Gov. Code, § 64500, *et seq.*) (the “Act”) finds that the Bay Area is facing the most significant housing crisis in the region’s history because as a region, it has failed to produce enough housing at all income levels, preserve affordable housing, protect existing residents from displacement, provide adequate housing at all income levels in close proximity to jobs, and address the housing issue regionally and that regional funding is necessary to help address the housing crisis in the Bay Area, estimating that as of January 1, 2020, the Bay Area faces an annual shortfall of \$2.5 billion (Cal. Gov. Code, § 64501); and

WHEREAS, this shortage has created a demand for more homes than exist today, contributing to the high cost of housing and a steady rise in homelessness; and

WHEREAS, based on a poll conducted in December 2023, 74% of Bay Area residents were concerned about friends or family being able to find an affordable place to live; and

WHEREAS, pursuant to the Act, the Bay Area Housing Finance Authority (“**BAHFA**”) was formed pursuant to the San Francisco Bay Area Regional Housing Finance Act (California Government Code Section 64500, *et seq.*) to be a regional housing finance authority in the counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano and Sonoma, the cities within those counties, and the City and County of San Francisco (collectively referred to as the “**Bay Area**”), with the purpose to raise, administer, and allocate funding and provide technical assistance at a regional level for tenant protection, affordable housing preservation and new affordable housing production; and

WHEREAS, BAHFA, a separate legal entity, is a joint effort of Metropolitan Transportation Commission (“**MTC**”), the regional transportation planning agency for the Bay Area pursuant to California Government Code Section 66500 *et seq.*, and the Association of the

Bay Area Governments (“**ABAG**”), formed in 1961 by a joint powers agreement among Bay Area local governments and serves as the comprehensive regional planning agency and Council of Governments for the nine counties and 101 cities and towns of the Bay Area, with the Commissioners of MTC serving on the BAHFA Board, and the ABAG Executive Board serving as the BAHFA Executive Board (“**Executive Board**”); and

WHEREAS, pursuant to California Government Code Sections 64510(d) and 64520(j), staff of MTC, including but not limited to, the MTC Executive Director (“**Executive Director**”), the MTC Chief Financial Officer (“**Chief Financial Officer**”) and the MTC General Counsel (“**General Counsel**”) serve as staff to BAHFA; and

WHEREAS, in 2020, MTC received a grant of \$20 million to set up the Bay Area Housing Finance Authority and a portion of the grant was used by BAHFA to create its Welfare Taxation Exemption Program, to facilitate the preservation of naturally occurring affordable housing and the Doorway Housing Portal, an online platform to connect affordable housing seekers with affordable housing opportunities throughout the Bay Area; and

WHEREAS, in 2022, the BAHFA adopted Resolution No. 28 accepting from MTC a subrecipient grant of \$43 million from Regional Early Action Planning 2.0 grant to establish the Housing Preservation Pilot Program, an affordable housing preservation program, and the Priority Sites Pilot Program, a predevelopment funding program for affordable housing units at locally identified, regionally significant sites; and

WHEREAS, since 2023, utilizing a \$5 million grant from the Metropolitan Transportation Commission, BAHFA has created an emergency rental assistance program to prevent displacement of low-income households at risk of losing their housing; and

WHEREAS, the Bay Area’s affordable housing funding needs far exceed grants received by BAHFA to date; and

WHEREAS, pursuant to California Government Code Sections 64520(a), 64520(p), 64521(a), and 64630, *et seq.*, subject to the Executive Board’s approval, BAHFA is authorized to submit to the qualified electors of the Bay Area a measure for an affordable housing general obligation bond; and

WHEREAS, California Government Code Section 64521(a) authorizes BAHFA to call an election, which shall be consolidated with the next general statewide election, for the qualified electors of the Bay Area to consider such a bond measure; and

WHEREAS, since June 2022, MTC staff have conducted an extensive public participation process to educate the Bay Area community about the region's housing affordability challenges and to solicit input from a broad range of stakeholder groups, including affordable housing and homelessness advocates, nonprofit developers, neighborhood and community groups, environmental advocates, equity organizations, home builder representatives, business organizations, and the boards, councils and staff at cities and counties throughout the Bay Area regarding ways to improve access to affordable housing; and

WHEREAS, at its January 25, 2024, meeting, the BAHFA Advisory Committee, comprised of members with expertise in affordable housing finance, construction workforce and development, tenant protection and housing preservation, considered the results of the public participation process and adopted BAHFA Advisory Committee Resolution No. 1, recommending that the Executive Board approve and BAHFA submit a ballot measure for an affordable housing general obligation bond to the qualified electors of the Bay Area, and

WHEREAS, the ABAG Housing Committee and the BAHFA Oversight Committee have met jointly throughout the past two years to discuss submitting an affordable housing general obligation bond to the qualified electors of the Bay Area; and

WHEREAS, at its April 18, 2024, meeting, the Executive Board adopted Resolution No. 6-2024, initiating approval to submit a ballot measure for an affordable housing general obligation bond in an amount not to exceed \$20 billion to the qualified electors of the Bay Area; and

WHEREAS, at its May 22, 2024, meeting, the BAHFA Board received a report entitled, *2024 Bay Area Affordable Housing Bond: Regional Funding for Local Solutions*, and an accompanying presentation on the need for funding for affordable housing and how the proposed ballot measure for bond authorization addresses this need; and

WHEREAS, at its May 22, 2024, meeting, the BAHFA Board discussed submittal of a ballot measure for an affordable housing general obligation bond to the qualified electors of the

Bay Area and directed staff to prepare a ballot measure for an affordable housing general obligation bond in an amount of \$20 billion; and

WHEREAS, the BAHFA Board, having received and discussed the results of the public participation process, and input and recommendations from the BAHFA Advisory Committee, the BAHFA Oversight Committee and the Executive Board, now desires to approve the BAHFA Board calling for an election for the purpose of submitting to the qualified electors of the Bay Area a ballot measure for incurring bonded indebtedness of BAHFA to mitigate the scarcity and cost of housing within the Bay Area; and

WHEREAS, the BAHFA Board determines that the shortage of affordable housing for all residents has led to:

- Approximately 37,000 people currently experiencing homelessness in the Bay Area, with the fastest-growing segment over age 55
- 1.6 million renters paying more than half of their income toward rent
- People commuting 90+ minutes to work to find housing they can afford
- People living in overcrowded and unsafe housing, and
- Key employees and community members leaving the area entirely; and

WHEREAS, the BAHFA Board determines that the consequences of a shortage of affordable housing affects everyone through:

- Congested freeways and high vehicle emissions from long commutes,
- Loss of teachers, co-workers and essential service workers who cannot afford to stay,
- Closed restaurants and small businesses due to staffing challenges,
- Strained familial ties, as grown children cannot afford housing near their parents and grandparents,
- Retirees forced to decide between buying medicine or paying rent, and living in housing that does not meet their financial and physical needs, and
- The broad community impact of thousands of people living in unsafe and inhumane conditions on the streets; and

WHEREAS, the BAHFA Board, having received and discussed the results of the public participation process, input and recommendations from the BAHFA Advisory Committee, and

the BAHFA Oversight Committee and initial approval from the Executive Board, now desires to call an election for the purpose of submitting to the qualified electors of the Bay Area a proposition for incurring bonded indebtedness of BAHFA to mitigate the scarcity and cost of housing within the Bay Area; and

WHEREAS, Article XXXIV of the Constitution of the State of California (“**Article XXXIV**”)¹ provides that no low-rent housing project shall be developed, constructed, or acquired in any manner by any state public body until a majority of the qualified electors of the jurisdiction in which it is proposed to develop, construct, or acquire the project, voting upon such issue, approve such project by voting in favor thereof at an election to be held for that purpose, or at any general or special election; and

WHEREAS, the BAHFA Board hereby determines that there is a need for affordable housing for low- and middle-income families, vulnerable populations, and others throughout the Bay Area; and

WHEREAS, the BAHFA Board has evaluated funds from other sources and has found that they are insufficient to cover the shortfall to address the housing shortage in the Bay Area; and

WHEREAS, expenses related to the issuance of the bonds, bond program delivery, and the bond program will be paid from bond proceeds to the extent permitted by law; and

WHEREAS, in the judgment of BAHFA it is in the public interest, serves a public purpose and is necessary that the bond proceeds shall be expended for the purposes described in the attached Measure (defined below) and in accordance with applicable law, and the bond proceeds are authorized to expend funds for said purposes and their respective expenditure plans as required by Government Code Section 64650; and

WHEREAS, BAHFA now wishes to submit a ballot measure for an affordable housing general obligation bond to the qualified electors of the Bay Area at the November 5, 2024, election for the purpose of authorizing general obligation bonds in an amount of \$20 billion to be spent on affordable housing preservation and new affordable housing production, and tenant

¹ If Assembly Constitutional Amendment No. 13 (2023), which is being considered by California voters at the November 5, 2024 election, becomes law, Article XXXIV will be repealed and not applicable to the Measure.

protection, as provided for in the Act and may be allowed by the California State Constitution, throughout the Bay Area.

NOW, THEREFORE, THIS BOARD OF BAHFA HEREBY RESOLVES AS FOLLOWS:

Section 1. The Board hereby finds and determines that the foregoing recitals are true and correct.

Section 2. Based on the findings above, BAHFA certifies that it has evaluated other funding sources for the expenditures as described in Attachment A and finds that other funding sources are not sufficient to address the purpose and goal as described in Attachment A.

Section 3. BAHFA hereby calls a bond election (the “**Election**”) throughout the Bay Area, which includes the counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano and Sonoma, and the City and County of San Francisco, at the next general election, to be held on November 5, 2024, for the purpose of submitting to the qualified electors of each of the nine counties throughout the Bay Area the proposition set forth in the Measure set forth in Attachment A hereto (the “**Measure**”) for their approval, such approval to constitute the approval required by Article XXXIV and authorization to issue the general obligation bonds contemplated therein. The Registrar of Voters for each of the counties throughout the Bay Area, which include Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, Sonoma, and the City and County of San Francisco, (collectively referred to as the “**Registrars of Voters**”) is requested to cause the exact wording of the abbreviation of the Measure (shown in italics below), and also referred to as the ballot question, to appear on the ballot:

BAY AREA AFFORDABILITY PLAN. To address housing affordability and reduce homelessness by:

- *providing an estimated 70,000 affordable apartments/ homes;*
- *creating homes near transit, jobs, and stores;*
- *converting vacant lots/ blighted properties into affordable housing; and*
- *providing first-time homebuyer assistance;*

shall the measure issuing \$20,000,000,000 in bonds at legal rates, levying an estimated \$19 per \$100,000 of assessed valuation generating \$670,000,000 annually while bonds

are outstanding, and requiring public reporting, independent audits/ citizen oversight, be adopted?

The Registrars of Voters are further requested to print the full text of the measure set forth in Attachment A, the tax rate statement set forth in Attachment B and the impartial analysis in the voter information pamphlet to be distributed to voters, and perform other services as required by Elections Code Section 10002. The measure shall be stated separately in the ballot from the state and local measures. The BAHFA Board hereby submits the measure to the qualified electors of the counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano and Sonoma and the City and County of San Francisco, at the Election, in the form set forth above. The Election shall be held and conducted, the votes received and canvassed, and the results ascertained and determined all in the same manner as the statewide election to be held on that date and in conformity with the election laws of the State of California. Only qualified electors of the counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano and Sonoma, and the City and County of San Francisco, may vote on the Measure.

Section 4. If at the Election, the required percentage of the electors of the counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano and Sonoma, and the City and County of San Francisco, voting vote in favor of the Measure, then BAHFA may issue bonds, in one or more series, in an aggregate principal amount not to exceed \$20 billion. Under current law, if 2/3 of the electors in of the counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano and Sonoma, and the City and County of San Francisco voting, vote in favor of the Measure, the measure will pass. However, if Assembly Constitutional Amendment No. 1 (2023), as may be amended by Assembly Constitutional Amendment No. 10 or other constitutional amendment thereto in substantially similar form as determined by BAHFA (collectively referred to as “ACA 1”), passes at the November 5, 2024, statewide election, BAHFA finds that BAHFA constitutes a special district within the meaning of ACA 1 and that the Measure complies with ACA 1 requirements, and therefore, the required voter threshold to pass the Measure will be lowered to 55% of the Bay Area electors voting. The bonds shall bear interest at a rate not to exceed the maximum rate permitted by law per annum. In no event shall the total indebtedness incurred exceed the amount permitted by law. BAHFA will have an

annual report prepared describing the funds expended and the programs and projects authorized. The Board shall establish and appoint a citizens' oversight committee as set forth in the Measure.

Section 5. The provisions of Elections Code Section 9317 relating to arguments concerning district measures, shall apply to the Measure submitted at the Election. The Chief Financial Officer is hereby authorized to prepare and file with each of Registrars of Voters the tax rate statement required by the provisions of Section 9401 of the Elections Code substantially in the form of Attachment B attached hereto.

Section 6. The General Counsel is directed to prepare and submit an impartial analysis, subject to the review and revision of Counsel for the County of Santa Clara, as required by California Government Code Section 64521(d) and consistent with all applicable provisions of the California Elections Code.

Section 7. The Election is ordered to be consolidated with the statewide general election to be held on November 5, 2024, and for the Board of Supervisors for each of the counties in the Bay Area to take action consistent with Government Code Section 64521(a).

Section 8. The Board hereby declares, and the voters by approving the Measure concur, that every section, paragraph, sentence and clause of the Measure has independent value, and the Board and the voters would have adopted each provision hereof regardless of every other provision hereof. Upon approval of the Measure by the voters, should any part be found by a court of competent jurisdiction to be invalid for any reason, all remaining parts hereof shall remain in full force and effect to the fullest extent allowed by law.

Section 9. The Executive Director, the Chief Financial Officer, General Counsel and Clerk of the BAHFA Board and their respective designees are hereby authorized and directed, individually and collectively, to take the actions described herein, and to do any and all things that they deem necessary or advisable, including undertaking actions to comply with direction or guidance from the ROVs, making necessary or non-substantive changes to the materials submitted to the ROVs and Board of Supervisors in order to effectuate the purposes of this Resolution. This authority includes, but is not limited to, setting aside funds and making payment for the incremental costs associated with the election as provided for in Government Code Section 64521(h)(1), and General Counsel's ability to make technical amendments to conform the Measure to any applicable constitutional amendments lowering the voter threshold.

Section 10. This Resolution relating to an election shall take effect immediately.

BAY AREA HOUSING FINANCE AUTHORITY



Alfredo Pedroza, Chair

The above resolution was entered into by the Bay Area Housing Finance Authority at a duly called and noticed meeting held in San Francisco, California and at other remote locations, on June 26, 2024.

Date: June 26, 2024
W.I.: N/A
Referred by: BAHFA Executive Board

Attachment A
Resolution No. 34
Page 1 of 4 (including cover)

BALLOT MEASURE

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BALLOT MEASURE

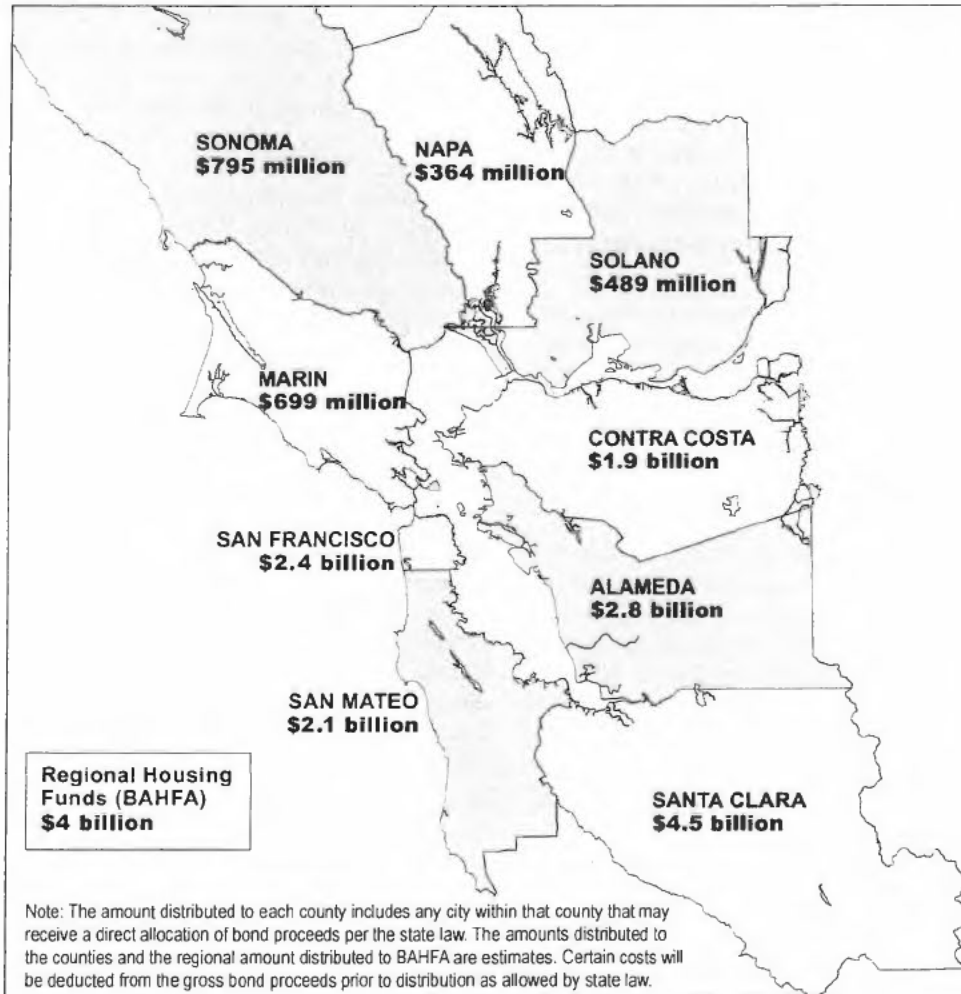
AUTHORIZATION FOR AFFORDABLE HOUSING GENERAL OBLIGATION BOND IN THE AMOUNT OF \$20 BILLION FOR UP TO 90,000 AFFORDABLE HOUSING UNITS FOR THE BAY AREA HOUSING FINANCE AUTHORITY (BAHFA)

The Bay Area faces a housing affordability gap caused by a severe housing shortage. This shortage has created a demand for more homes than exist today, contributing to the high cost of housing and a steady rise in homelessness.¹ Based on a poll conducted in December 2023, BAHFA found that 74% of Bay Area residents were concerned about friends or family being able to find an affordable place to live. In response, BAHFA is placing this general obligation bond authorization for \$20 billion to expand affordable housing options for local workers; vulnerable populations such as seniors, veterans and people experiencing homelessness; and other Bay Area residents. The "Bay Area" includes the counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano and Sonoma; the cities within those counties; and the City and County of San Francisco.

This measure takes a collaborative regional approach in partnership with local governments. It provides funding for every Bay Area county and for regionwide programs to address housing affordability.

It also creates opportunities for the Bay Area to generate ongoing resources to fund more affordable housing after the initial bond proceeds are spent. To provide public accountability and oversight for use of bond proceeds, the bond will have accountability safeguards as described in the program below.

Estimated Distribution to Bay Area Counties for \$20 Billion Bond



DESCRIPTION OF THE PROGRAM²

I. Overview of Decisionmaking and Oversight.

A. Decisionmaking.

BAHFA must adopt an expenditure plan regarding how to allocate its portion of the bond proceeds after it engages in public outreach and public participation. The counties, cities, and city and county receiving a direct allocation of the bond proceeds shall adopt their own expenditure plans for their allocations of bond proceeds after public outreach and public participation. All expenditure plans must be revised on a regular basis after public outreach and public participation as required by state law³ and must comply with Government Code⁴ Section 64650. Expenditure plans may include labor standards for projects receiving bond proceeds.

B. Oversight.

The following accountability measures are required pursuant to Government Code Section 53410 and other applicable provisions of state law:

1. **Citizens' Oversight Committee:** The Citizens' Oversight Committee shall annually review the expenditure of the proceeds of the bonds for the prior year and shall report to the BAHFA Board whether the proceeds of the bonds were spent in accordance with the purposes set forth in this bond authorization. Members of the oversight committee shall receive any and all training about bonds and fiscal oversight as required by law. The BAHFA Board shall appoint members to the committee. Membership and work of the committee shall be governed by bylaws created by the BAHFA Board.
2. **Annual Audits and Report:** BAHFA shall provide for the preparation of both an annual, independent performance audit to ensure that the bond proceeds have been expended on authorized programs and projects as set forth herein; and an annual, independent financial audit of the proceeds from the sale of the bonds until all proceeds have been expended as allowed by this bond authorization. These audits may be submitted to the state Auditor for review if required by state law. BAHFA shall prepare and file an annual report with the state Legislature based on these audits. This report and the performance and financial audits shall satisfy the requirements of Government Code Sections 53410, 64652 and any other provisions in state law. BAHFA shall make the audits and annual report described herein available on its webpage.
3. **Expenditure of Bond Proceeds:** The proceeds of any bonds issued pursuant to this bond authorization shall be applied only to the specific purpose described herein as required by state law.⁵ All projects funded with bond proceeds shall be consistent with applicable state laws on labor standards. The bond proceeds shall not be used for operating expenses. Administrative costs shall not exceed the amount as prescribed in state law⁶. The bond proceeds shall only be spent on projects and programs that serve the jurisdiction of BAHFA. Fees and charges levied in

conjunction with a financial product funded by bond proceeds issued pursuant to this bond authorization, and any interest on loans made by BAHFA, shall be expended consistent with BAHFA's purpose and state law.

4. **Alternative Funding Sources:** BAHFA has evaluated alternative funding sources and has found that they are insufficient to cover the funding shortfall to address the Bay Area's affordable housing needs.
5. **Special Bond Proceeds Account:** BAHFA shall create an account into which the bond proceeds shall be deposited.
6. **Conflicts of Interest:** Any public official who has voted to send this ballot measure to the voters will be prohibited from bidding on any work funded with bond proceeds from this bond authorization as prescribed in state law.

II. Purpose and Goal.

The purpose of the bonds to be issued pursuant to this bond authorization is to fund the acquisition or improvement of real property as allowed by the California Constitution and the San Francisco Bay Area Regional Housing Finance Act⁷ (the "Act") for affordable housing, including but not limited to: affordable housing production, affordable housing preservation, and "Housing Related Uses," (such as home ownership programs to enable low- or moderate-income households to become or remain homeowners, public infrastructure associated with increased housing production, improvements necessary or incidental to affordable housing, and programs to address homelessness). The goal is to address the housing shortage in the Bay Area by delivering critically needed funding to affordable housing projects across the Bay Area and technical assistance through a self-sustaining regional agency. This purpose and goal satisfy the specific purpose as required by state law⁸.

III. Categories of Eligible Expenditures to be Funded.

Pursuant to Government Code Section 64650, the categories of eligible expenditures for bond proceeds include production of affordable housing ("Production"), preservation of affordable housing ("Preservation"), and to the extent allowed by the California Constitution, tenant protections ("Tenant Protections"). To the extent minimum allocations to the expenditure categories have been satisfied as required by Government Code Section 64650, the remaining bond proceeds may be expended on Housing Related Uses as allowed by the California Constitution and state law. Expenditures on administrative costs and election costs are limited as prescribed in Government Code Section 64650 and state law.

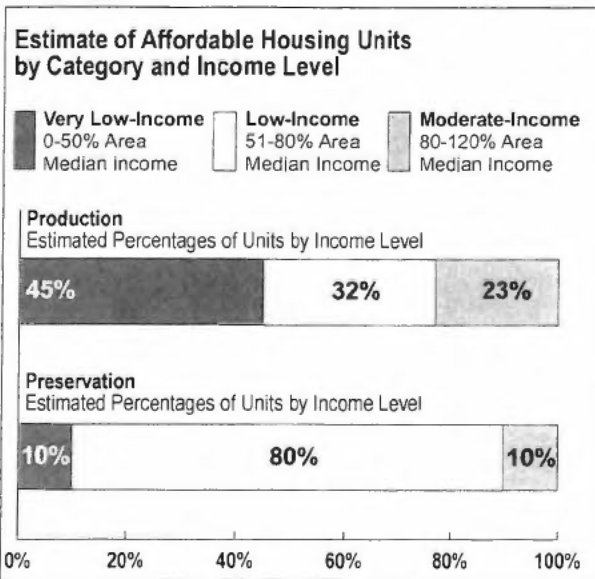
IV. Estimate of Minimum Funding Levels by Expenditure Category for Each County.

Each county and any city receiving a direct allocation of bond proceeds shall allocate a minimum of its bond proceeds as follows: 52% to Production, 15% to Preservation, and 5% to Tenant Protections, if allowed by state law. Bond proceeds shall be allocated in accordance with Government Code Section 64650.

If state law does not allow for bond proceeds to fund Tenant Protections at the time of expenditure, the minimum allocation for Tenant Protections may be modified and redistributed to other expenditure categories as prescribed in the Act. Pursuant to Government Code Section 64650, estimated minimum allocations for expenditure categories may be adjusted if, after public outreach and public participation, both the BAHFA Board and the Executive Board of the Association of Bay Area Governments in its role as the Executive Board to BAHFA approve the adjustment by 2/3 vote.

V. Estimated Number of Affordable Housing Units to be Built and Preserved.

For purposes of compliance with Article XXXIV of the California Constitution, bond proceeds will be used for up to 90,000 affordable housing units throughout the Bay Area. The actual numbers of affordable housing units to be built or preserved in each income category will vary based on market conditions.



Additional affordable housing units may be constructed or preserved as the principal and interest from the bond proceeds are repaid and reinvested. Any necessary environmental review required by the California Environmental Quality Act⁹ shall be completed before a specific project is commenced.

VI. Appropriations Limit.

The appropriations limit for BAHFA shall be established based on receipts from this bond authorization in accordance with Government Code Section 64521(b)(2) and other applicable state law.

VII. Interpretation.

BAHFA has found that Assembly Constitutional Amendment No. 1 (2023) ("ACA 1") is applicable, and this bond authorization satisfies ACA 1 requirements. If ACA 1, as it may be amended, passes at the November 5, 2024, election and this ballot measure passes with at least 55% of qualified electors voting in favor of it, this bond authorization is to be interpreted and construed in a manner that complies with ACA 1.

VIII. Severability.

Every section, paragraph, sentence and clause of this ballot measure has independent value, and each provision hereof would have been adopted regardless of every other provision hereof. Upon approval of this measure, should any part be found by a court of competent jurisdiction to be invalid for any reason, all remaining parts hereof shall remain in full force and effect to the fullest extent allowed by law.

Endnotes

- 1 Per BAHFA's findings in BAHFA Board Resolution No. 34.
- 2 The headings and title are included for convenience. The actual terms and provisions of this measure will govern in the event of any conflict or ambiguity with the headings or title.
- 3 All references to "state law" are to California state law.
- 4 All citations to the Government Code herein refer to the California Government Code, and any successor provision thereto.
- 5 See, e.g., Government Code § 53410.
- 6 See, e.g., Government Code § 53410.
- 7 Government Code § 64500, et seq.
- 8 See, e.g., Government Code § 53410.
- 9 California Public Resources Code § 21000, et seq.

END BALLOT MEASURE TEXT

Date: June 26, 2024
W.I.: N/A
Referred by: BAHFA Executive Board

Attachment B
Resolution No. 34
Page 1 of 2 (including cover)

TAX RATE STATEMENT

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TAX RATE STATEMENT

The Tax Rate Statement for this measure reflects BAHFA's best estimates, based upon currently available data and projections, of the property tax rates required to service the bonds. BAHFA expects to issue the bonds in seven series.

The best estimate of the average annual tax rate required to be levied to fund the bonds is \$18.98 per \$100,000 of assessed valuation assuming a projection of assessed valuation based on experience within the jurisdiction. The best estimate of the highest tax rate required to be levied to fund the bonds is \$34.20 per \$100,000 of assessed valuation in FY 2043–2044. The final fiscal year in which the tax is anticipated to be collected is FY 2077-2078. The best estimate of total debt service, including principal and interest, if all the bonds are issued and sold is \$48,281,750,400.

Voters should note that estimated tax rates are based on the ASSESSED VALUE of taxable property on the counties' official tax rolls, not on the property's market value, which could be more or less than the assessed value, and that such estimated tax rates are in addition to taxes levied to pay bonds authorized under other measures. In addition, taxpayers eligible for a property tax exemption, such as the homeowner's exemption, will be taxed at a lower effective tax rate than described above.

Property owners should consult their own property tax bills and tax advisors to determine their property's assessed value and any applicable tax exemptions. The estimated rates presented above apply only to the taxes levied to pay bonds authorized by this measure. Attention of all voters is directed to the fact that the foregoing information is based upon BAHFA's projections and estimates only, which are not binding upon BAHFA. The actual tax rates and the year or years in which they will apply, and the actual total debt service, may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount of bonds sold at any given time will be determined by BAHFA based on need for construction funds and other factors. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property in BAHFA's jurisdiction as determined by the County Assessors in the annual assessment and the equalization process.

Derek Hansel (he/him)
Chief Financial Officer for BAHFA

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Derek Hansel (he/him)
Chief Financial Officer for BAHFA

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JURISDICTION / BALLOT MEASURES - INFORMATION SHEET

(To be returned with Resolution)

DISTRICT NAME Bay Area Housing Finance Authority
CONTACT NAME/TITLE Kate Hartley, BAHFA Director/Andrea Visveshwara, Senior Counsel to BAHFA
ADDRESS 375 Beale Street, Suite 700, San Francisco, CA 94105
PHONE # 415-778-6679 (KH) 415-778-6637 (AV)
FAX # N/A
EMAIL khartley@bayareametro.gov with a cc to avisveshwara@bayareametro.gov
HOURS OF OPERATION Days: M-F / Hours: 8 am - 5 pm

DISTRICT CHECKLIST

(Review Resolution and Complete Prior to Submitting to ROV)

DOES THE RESOLUTION INCLUDE THE REQUIRED INFORMATION?

- requests the Board of Supervisors to permit the ROV to render specified services to the jurisdiction relating to the conduct of their election (EC §10002)?
- clearly states election code?
 - preference of order of measure(s) on ballot?
- clearly states election services for vote center election (conducted per Divisions 9, 10, 13 and 14)?
- clearly states election services for mail ballot election (conducted per Divisions 4, 9 and 13) N/A
- IF calling by MAIL BALLOT, date requested is listed as mail ballot election date (EC §1500).
 - IS JURISDICTION ELIGIBLE for MAIL BALLOT election? It is very important to double check IF the election can be held by mail, per EC §4000. Restrictions apply.
- specify date of election and permit consolidation, per Part 3 of Division 10 (starting with §10400 and including §10418? See also §10002 in Division 1).
- IF calling for ADVISORY VOTE, see EC §9603 for specifications. Restrictions apply. N/A
- clearly states exact form of measure/question (EC §§10403, 13119, 13120)?
- maximum 75-words (EC §9051(b))
 - IS HEADER TO BE INCLUDED IN THE 75-WORD COUNT?** Yes No
 - specifies required approval?
 - Majority 55% 2/3 (66.67%)

- "full text" is included in the resolution?
- does resolution require "full text" to be printed in the County's Voter Information Guide (CVIG)?
 - indicates beginning and ending of "full text" marked with " *****Start Here*****" and " *****End Here*****"
 - includes a TIFF, JPG or modifiable PDF of any image(s), such as maps, graphics or images, contained in the "full text"
- if school bond, will State Matching Funds apply/require statement printed? (Ed. Code §15122.5)
- Yes No NA
- Tax Rate Statement included in the Resolution? (EC §§9400 – 9405)
- indicates beginning and ending of "Tax Rate Statement" marked with " *****Start Here*****" and " *****End Here*****"
 - Tax Rate Statement specifies both gender and spelling of signer's name and title, regardless of legibility.

MISCELLANEOUS REQUIREMENTS

Newspaper specification for required legal publication:

- _____
- San Jose Post Record (ROV will post here if none given above)

Letter Justification Form:

- Attached letter requesting ballot measure letter assignment. **DUE: 5:00 P.M. on E-88**

DATE 6/27/24
PRINT NAME Kate Hartley
SIGNATURE _____

GENERAL INFORMATION

Due Dates:

Calling Ballot Measure Election: **88th day prior** to date of election (Elections Code §§1400 - 1415, and §10403, and education Code §§5322 and ***5325 - *note this code section**. School District should be aware that this section *MAY* require the notice of **tax** measure to go through County Superintendent by E-120)

Amending: **83rd day prior** to date of election (Elections Code §9605)

Withdraw: **88th day prior** to date of election (Elections Code Section1§9118.5, Section2§9215.5, Section3§9311)

Submittal of Resolutions to be Filed:

Original: Santa Clara County Board of Supervisors
Clerk of the Boards Office
70 West Hedding Street
East Wing, 10th Floor
San Jose, CA 95110
Office: (408) 299-5001
Fax: (408) 938-4525
Email: cobreception@cob.sccgov.org

Certified Copy: Santa Clara County Registrar of Voters
1555 Berger Drive, Building 2
San Jose, CA 95112
Office: (408) 299-8639
Email: email-rov-nom@rov.sccgov.org

PROOF OF MAILING

I am a resident of the United States, employed by the Metropolitan Transportation Commission, in the City and County of San Francisco. My business address is 375 Beale Street, Suite 700, San Francisco, CA 94105. I am over the age of 18 years.

On June 27, 2024, I transmitted true and correct copies of the following:

- 1. Cover Letter**
- 2. Certified Copy of Bay Area Housing Finance Authority (BAHFA) Resolution No. 34**
 - **Attachment A: Ballot Measure Text**
 - **Attachment B: Tax Rate Statement**
- 3. Tax Rate Statement executed by BAHFA Chief Financial Officer**
- 4. Santa Clara County Resolution Checklist**
- 5. This Proof of Mailing**
- 6. Addressee List Attached**

To be delivered via Federal Express to the following person(s) or their representative at the address(es) listed below; and

to be electronically delivered via the internet to the following person(s) or representative at the address(es) listed below:

SEE ATTACHED ADDRESSEE LIST

I declare under penalty of perjury that the foregoing is true and correct and that this proof of service was executed on this 27th day of June 2024, at San Francisco, California.



RUBEN ANGUIANO

MAILING LIST

<p>Registrar of Voters for Alameda County Candidate Services 1225 Fallon Street, Room G-1 Oakland, CA 94612 Phone: 510-272-6960</p> <p>Email: candidate.services@acgov.org</p>	<p>Clerk for the Alameda County Board of Supervisors Anika Campbell-Belton 1221 Oak Street, Suite 536 Oakland, CA 94612 Phone: 510-208-4949</p> <p>Email: cbs@acgov.org</p>
<p>Contra Costa County Elections Department Jacob Stull 555 Escobar Street Martinez, CA 94553 Phone: 925-335-7800</p> <p>Email: candidate.services@vote.cccounty.us Jacob.stull@vote.cccounty.us</p>	<p>Clerk of the Board of Supervisors for Contra Costa County 1025 Escobar Street, 1st Floor Martinez, CA 94553 Phone: 925-655-2000</p> <p>Email: clerkoftheboard@cob.cccounty.us</p>
<p>Marin County Department of Elections Dan Miller 3501 Civic Center Drive, Suite 121, San Rafael, CA 94903 Phone: 415-473-6437</p> <p>Email: dan.miller@marincounty.gov</p>	<p>Office of the County Executive Derek Johnson, County Executive 3501 Civic Center Drive, Room #325 San Rafael, CA 94903 Phone: 415-473-6358</p> <p>Email: Derek.Johnson@MarinCounty.gov</p>
<p>Registrar of Voters for Napa County John Tuteur 1127 First Street, Suite E Napa, CA 94559 Phone: 707-253-4321</p> <p>Email: john.tuteur@countyofnapa.org elections@countyofnapa.org</p>	<p>Clerk of the Board of Supervisors for Napa County Neha Hoskins 1195 Third Street, Suite 310 Napa, CA 94559 Phone: 707-253-4580</p> <p>Email: clerkoftheboard@countyofnapa.org</p>
<p>San Francisco Department of Elections 1 Dr. Carlton B. Goodlett Place City Hall, Room 48 San Francisco, CA 94102 Phone: 415-554-4375</p> <p>Email: sfvote@sfgov.org</p>	<p>Clerk of the Board of Supervisors for San Francisco County Angela Calvillo 1 Dr. Carlton B. Goodlett Place City Hall, Room 244 San Francisco, Ca. 94102-4689 Phone: 415-554-5184</p> <p>Email: Board.of.Supervisors@sfgov.org</p>

<p>San Mateo County Registration & Elections Division Mark Church San Mateo County Chief Elections Officer 40 Tower Road San Mateo, CA 94402 Phone: 650-312-5222</p> <p>Email: registrar@smcacre.org</p>	<p>County of San Mateo County Executive's Office Attn: Sukhmani Purewal or Sherry Golestan 400 County Center, 1st Floor Redwood City, CA 94063 Phone: 650-363-4609</p> <p>Email: Sherry Golestan sgolestan@smcgov.org Sukhmani Purewal spurewal@smcgov.org</p>
<p>Santa Clara County Registrar of Voters 1555 Berger Drive, Building 2 San Jose, CA 95112 Office: 408-299-8639</p> <p>Email: email-rov-nom@rov.sccgov.org</p>	<p>Santa Clara County Board of Supervisors Clerk of the Boards Office 70 West Hedding Street East Wing, 10th Floor San Jose, CA 95110 Office: 408-299-5001 Fax: 408-938-4525</p> <p>Email: cobreception@cob.sccgov.org</p>
<p>Registrar of Voters for Solano County John Gardner Solano County Government Center Building 675 Texas Street, Suite 2600 Fairfield, CA 94533 Phone: 707-784-6675</p> <p>Email: Elections@solanocounty.com, jhgardner@solanocounty.com</p>	<p>County Administration Center Clerk of Board of Supervisors for Solano County Alicia Draves 675 Texas Street, Suite 6500, 6th Floor Fairfield, CA 94533 Phone: 707-784-6125</p> <p>Email: clerk@solanocounty.com</p>
<p>Registrar of Voters for Sonoma County Deva Marie Proto 435 Fiscal Drive Santa Rosa, CA 95403 Phone: 707-565-6808</p> <p>Email: troy.kennedy@sonoma-county.org</p>	<p>Clerk of the Board of Supervisors for Sonoma County Cristina Rivera 575 Administration Drive, Suite 100A, Santa Rosa, CA 95403 Phone: 707-565-2241</p> <p>Email: bos@sonoma-county.org</p>