Housing Advisory Commission

HOUSING ADVISORY COMMISSION

AGENDA

Special Meeting
Thursday, November 12, 2020
7:00 pm

Mike Uberti, Secretary
HAC@cityofberkely.info

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH VIDEOCONFERENCE AND TELECONFERENCE

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this meeting of the Housing Advisory Commission will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, there will not be a physical meeting location available.

To access the meeting remotely using the internet: Join from a PC, Mac, iPad, iPhone, or Android device: Use URL - https://zoom.us/j/92896210058. If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the “raise hand” icon on the screen.

To join by phone: Dial 1-669-900-9128 or 1-877-853-5257 (Toll Free) and Enter Meeting ID: 928 9621 0058. If you wish to comment during the public comment portion of the agenda, press *9 and wait to be recognized by the Chair.

Written communications submitted by mail or e-mail to the Housing Advisory Commission by 5:00 p.m. the Wednesday before the Committee meeting will be distributed to the members of the Committee in advance of the meeting and retained as part of the official record. City offices are currently closed and cannot accept written communications in person.

All agenda items are for discussion and possible action.

Public comment policy: Members of the public may speak on any items on the Agenda and items not on the Agenda during the initial Public Comment period. Members of the public may also comment on any item listed on the agenda as the item is taken up. Members of the public may not speak more than once on any given item. The Chair may limit public comments to 3 minutes or less.

1. **Roll Call**
2. **Welcome New Commissioners**
3. **Agenda Approval**
4. **Public Comment**
5. **Approval of the March 5, 2020 Regular Meeting Minutes** – (Attachment 1)
6. **Discussion and Possible Action on Housing Trust Fund (HTF) Guidelines Revisions** – Jenny Wyant and Amy Davidson, HHCS (Attachment 2)

7. **Discussion and Possible Action to adopt a Commission Work Plan for FY 20/21** – All/Staff (Attachment 3-5)

8. **Update on Council Items (Future Dates Subject to Change)** – All/Staff
    a. Smoke-Free Multi-Unit Housing Ordinance Policy and Enforcement Modifications (Attachment 6)

9. **Announcements/Information Items**
    a. Commissioner Thomas Lord Resignation (Attachment 7)

10. **Future Items**

11. **Adjourn**

Attachments

1. Draft March 5, 2020 Regular Meeting Minutes
2. Jenny Wyant, HHCS – Housing Trust Fund Guidelines Revisions
3. Mike Uberti, HHCS – HAC Work Plan
4. Dee Williams, City Manager – Commission Meetings During COVID-19 Emergency
5. Commissioner Wolfe – Work Plan Recommendations
6. City Council Annotated Agenda Excerpt, October 27, 2020 – Smoke Free Housing Recommendations
7. Commissioner Thomas Lord Resignation Letter

Correspondence

8. Anti-displacement efforts - Prioritizing funding for the Small Sites Program
9. Berkeley Independent Redistricting Commission
10. Berkeley Mayoral Candidate Introduction
11. Climate Action & Resilience Update - Council Work Session 7_21
12. Communication to Commissions - Citywide Restroom Assessment - provide your input into the new On-line Survey
13. Disability access_retaliation in MUH smoking complaint system
14. Inquiry
15. Laura Babitt For School Board - Please forward to your commission members
16. Letter to MUH smoking complaint staff
17. Measure T1 Phase 2 - Public Meetings in October 2020
18. Mental Health Services Act (MHSA) FY2020_21 - FY2022_23 Three Year Program and Expenditure Plan
19. MHSA Community Input Meetings
20. MHSA Three Year Plan Community Input Meeting Presentation
21. Notice of violation
22. Resident interests over special interests! No to special interest groups lobbying for $10-15 million per year of city funding
23. Request for guidance from HAC
24. Smoke-Free Multi-Unit Housing Ordinance Policy and Enforcement Modifications

25. Support for Families at La Quinta
26. Thank you!
27. Urgent Action Required for Families at La Quinta
28. Urgent Response Needed for Families at La Quinta

Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record. If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the Secretary of the commission. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the Secretary for further information.

Written communications addressed to the Housing Advisory Commission and submitted to the Commission Secretary will be distributed to the Commission prior to the meeting. This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to Mark Numainville, City Clerk, (510) 981-6900.

COMMUNICATION ACCESS INFORMATION:

	To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at (510) 981-6418 (V) or (510) 981-6347 (TDD) at least three business days before the meeting date.

Housing Advisory Commission

HOUSING ADVISORY COMMISSION
Regular Meeting
Thursday, March 5, 2020

Time: 7:00 pm

South Berkeley Senior Center
2939 Ellis Street – Berkeley
Secretary – Mike Uberti, (510) 981-5114

DRAFT MINUTES

1. **Roll Call**
   Present: Xavier Johnson, Thomas Lord, Mari Mendonca, Maryann Sargent, Alex Sharenko, Leah Simon-Weisberg, and Marian Wolfe.
   Absent: Darrell Owens (unapproved) and Amir Wright (approved).
   Commissioners in attendance: 7 of 8
   Staff Present: Mike Uberti and Jenny Wyant
   Members of the public in attendance: 6
   Public Speakers: 5

2. **Agenda Approval**
   Action: M/S/C (Johnson/Lord) to remove Agenda Item #8 and to approve the agenda.
   Vote: Ayes: Johnson, Lord, Mendonca, Sargent, Sharenko, Simon-Weisberg and Wolfe. Noes: None. Abstain: None. Absent: Owens (unapproved) and Wright (approved).

3. **Public Comment**
   There was one speaker during public comment.

4. **Approval of the February 6, 2020 Regular Meeting Minutes**
   Action: M/S/C (Wolfe/Mendonca) to approve the minutes.
   Vote: Ayes: Johnson, Lord, Mendonca, Sargent, Sharenko, Simon-Weisberg, and Wolfe.
   Noes: None. Abstain: None. Absent: Owens (unapproved) and Wright (approved).

5. **Update from Chair on the State of the Commission**

6. **Discussion and Possible Action to Recommend Reducing the Interest Rate of the 1601 Oxford Housing Trust Fund Loan**
   Public Speakers: 1

   Commissioner Wolfe recused herself from this item as she is on the board of Resources for Community Development, an organization that makes funding requests to the City of Berkeley for development projects.

Action: M/S/C (Sharenko/Simon-Weisberg) to establish a guideline to limit Commissioner comments to no more than three minutes.
Vote: Ayes: Johnson, Mendonca, Sargent, Sharenko, Simon-Weisberg, and Wolfe. Noes: None. Abstain: Lord. Absent: Owens (unapproved) and Wright (approved).

Action: M/S/C (Simon-Weisberg/Sharenko) to recommend to Council to reduce the interest rate of Satellite Affordable Housing Associates' 1601 Oxford Housing Trust Fund loan to 1%.
Vote: Ayes: Johnson, Lord, Mendonca, Sargent, Sharenko, and Simon-Weisberg. Noes: None. Abstain: None. Absent: Owens (unapproved) and Wright (approved). Recused: Wolfe.

7. **Presentation on Tenant Opportunity to Purchase Act (TOPA)**
   Public Speakers: 4

8. ~~**Discussion and Possible Action to Recommend the Adoption of a Tenant Opportunity to Purchase Act (TOPA) Ordinance**~~

9. **Discussion and Possible Action regarding the Social Housing Subcommittee**
   Action: M/S/C (Johnson/Wolfe) to extend the meeting fifteen minutes to 9:15pm.
   Vote: Ayes: Johnson, Lord, Mendonca, Sargent, Simon-Weisberg, and Wolfe. Noes: Sharenko. Abstain: None. Absent: Owens (unapproved) and Wright (approved).

10. **Discussion and Possible Action to Recommend Reserving Funding for the Bay Area Community Land Trust to Acquire 1685 Solano Avenue**
    Public Speakers: 1

11. **Discussion and Possible Action Regarding the Climate Emergency Subcommittee**

12. **Discussion and Possible Action regarding the Joint Subcommittee for the Implementation of State Housing Law**

13. **Update on Council Items**

14. **Announcements/Information Items**

15. **Future Items**

16. **Adjourn**
    Action: M/S/C (Wolfe/Sharenko) to adjourn the meeting at 9:15 pm.
    Vote: Ayes: Johnson, Lord, Sargent, Sharenko, Simon-Weisberg, and Wolfe. Noes: None. Abstain: Mendonca. Absent: Owens (unapproved) and Wright (approved).

Approved on April 2, 2020

_____, Mike Uberti, Secretary

Health, Housing and Community Services

To: Housing Advisory Commission

From: Jenny Wyant, Community Development Project Coordinator
Amy Davidson, Senior Community Development Project Coordinator

Date: November 5, 2020

Subject: Housing Trust Fund Guidelines Revision

RECOMMENDATION

Recommend to Council that Council rescind the existing Housing Trust Fund (HTF) Guidelines and adopt revised HTF Guidelines to better align the HTF program with current practices in housing development finance and to allow for more time-sensitive consideration of funding requests.

CURRENT SITUATION AND ITS EFFECTS

The City's Housing Trust Fund Guidelines establish who can apply for City funds, how to apply, the City's process for evaluating funding applications, eligible uses of the funds, and affordability requirements. The City's HTF Guidelines date from the beginning of the program in 2000 and last had a major update over 10 years ago in 2009. The HTF Guidelines contain outdated requirements and redundancies and do not reflect how affordable housing financing and the community's views on affordable housing have changed over the years.

Staff are proposing the attached revised Guidelines, drafted with the following goals in mind:

- Simplify and streamline the process for awarding funds;
- Bring program requirements into alignment with current public lending practices;
- Eliminate redundancies; and
- Provide clear, consistent HTF program requirements.

Notable changes include updates to the process for soliciting and evaluating funding applications, expansion of and clarification on the types of loans available through the HTF program, changes to loan terms and requirements, and the inclusion of the Small Sites Program guidelines and option for smaller projects to be evaluated based on those standards.

Staff welcome any feedback that the Commission has on the Guidelines. The Commission may be particularly interested in the following proposed changes, described in more detail below:

- The revised process for evaluating applications and awarding funds;
- The addition of acquisition loans as a more specifically allowed loan type; and
- The incorporation of the Small Sites Program guidelines into the HTF Guidelines, and offering Small Sites Program evaluation for smaller (under 25 unit) projects

Process for Awarding Funds
Since the process for awarding funds was first developed about 20 years ago, two factors have changed considerably: (1) the state offers a greater variety of housing funding programs with specific requirements and demanding timelines; and (2) the community has become generally much more supportive of affordable housing development, with expectations that affordable housing proposals can be considered efficiently. The lengthy, redundant process no longer seems suited to community priorities.

The revised Guidelines still provide ample opportunity for public oversight and participation. They will require that applications are reviewed by housing staff, a Commission subcommittee, the Commission, and Council. The HTF Guidelines establish criteria for the staff and Commission to evaluate funding applications, including how well projects meet community objectives, and how well they conform with adopted plans and policies.

The process for issuing a Request for Proposals (RFP) was streamlined with the goal of being able to award funds to affordable housing projects on a faster timeline. The revised guidelines eliminate the following steps, which add two months to the timeline:

1. Requesting input on the priorities from the Housing Advisory Commission, prior to issuing the RFP. In the past, the Commission has typically established very broad priorities, or declined to establish priorities prior to issuing the RFP, recognizing a need for a variety of housing types. In addition, a specific housing type priority has not been a deciding factor in awarding funds; the Commission more often decides based on feasibility, availability of funds, and project specifics. The Commission will still consider local priorities in its evaluation as described above.

2. Consulting with other Commissions on priorities, prior to issuing the RFP. Similarly, other Commissions typically provided general comments on the population they focus on, or declined to submit priorities.

3. Holding a public hearing. Housing staff believe the public hearing was incorporated to satisfy a HUD requirement, but the City has since adopted a more robust HUD public participation plan and this is no longer required. Under the revised guidelines most loans will still be reviewed by a Commission subcommittee and a Commission prior to going to Council so there will still be multiple opportunities for public participation at those meetings.

Soliciting Commission input and holding a special public hearing added two months to the RFP process. Removing these requirements allow the City to streamline its process for awarding funds. Affordable housing projects benefit from the more efficient City process, since nonprofit developers need City funding reservations first to leverage their applications for tax credits and other state funding.

The revised HTF Guidelines also expand the definition of at-risk projects, and allow for funding certain projects outside of an RFP. Previously, the only eligible at-risk projects were ones at risk of losing federal or state funding. The revisions allow for previously funded projects to apply if they're under construction, or if construction is complete but the project has urgent health and safety issues that need to be addressed. Depending on the urgency of the situation, the request would either follow the standard HTF process (with subcommittee, Commission, and Council review), or could go directly to Council (or City Manager if the project is funded through the Small Sites Program).

Loan Products
The HTF program provided two loan types under the existing guidelines: predevelopment and development loans. The revised guidelines add a third loan option for acquisition funding. An acquisition loan is inherently riskier for the City, as it may take several years for the developer to finalize the project design and secure its financing, and it may not move forward. Project sponsors prefer City acquisition funding because of the low cost of funds and the City's early stage support. While acquisition is a currently allowable use and the City has funded acquisition loans before, the revised guidelines establish more explicit requirements and limit how much of the HTF can be used for acquisition loans at any given time. The revised guidelines also establish caps on predevelopment funds, with the intent of ensuring that sufficient development funds are available for future projects.

The revised guidelines eliminate references to ownership projects (limited and non-equity cooperatives have always been and continue to be allowable under the rental guidelines). The City will develop ownership guidelines consistent with the current market and priorities at such time funding for homeownership projects is planned. The material in the HTF Guidelines was piecemeal and had not been evaluated for consistency with current affordable homeownership programs and requirements for at least 15 years. In the current market, affordable homeownership housing typically requires very large local subsidies even to assist moderate income households since most state and federal funded is exclusively for rental housing.

Loan Terms: Interest Rate and Construction Requirements
The revised guidelines give the City Manager authority to reduce the interest rate below 3% on a project-by-project basis. In the current market it is not unusual for tax credit projects to need interest rate reductions from public lenders to be feasible. The City Council has approved reductions for several projects, and these changes would be more efficiently handled by the City Manager.

In 2016, the City revised the HTF Guidelines to incorporate language around labor standards. The revised guidelines acknowledge that all projects must meet state and federal labor requirements, giving specific references. Some of the specific language added in 2016 was omitted, including sections that do not apply to HTF projects due to state exemptions for affordable housing.

Small Sites Program
The Small Sites Program (SSP) guidelines are now incorporated into the HTF Guidelines. Small sites projects were always eligible under the HTF guidelines, but were subject to the same requirement as larger, tax credit projects. When Council designates SSP funding, eligible projects will still be able to access the special SSP over-the-counter, expedited process. The SSP guidelines were updated slightly from those adopted by Council to change the loan term from 30 years to 55 years to match the regulatory agreement term. The initial loan term was based on San Francisco's program standards, but housing staff saw no discernable advantage to having a loan term shorter than the regulatory period, and found that it added confusion to the first SSP project.

By incorporating the SSP guidelines, projects that apply for funds through the HTF program and fit the SSP criteria (acquisition and rehabilitation, 25 or fewer units, no tax credit financing) would be evaluated based on SSP standards that are designed to support smaller projects with limited cash flow. Funds for these projects would still be reserved through the regular HTF process.

One of the Commission's referrals from Council is the consideration of a long-term Small Sites Program, so the Commission's input on this change to the guidelines falls under those referral responsibilities.

BACKGROUND
The HTF Guidelines were drafted in 2000 and last revised in 2009 to provide structure to the City's process of evaluating and awarding funding via the Housing Trust Fund program. They were amended once in 2016, but otherwise have not changed, though the City's HTF program and public lending practices have evolved as well as community expectations for City support of affordable housing.

CONTACT PERSON
Jenny Wyant, Community Development Project Coordinator, HHCS, (510) 981-5228

DRAFT NEW City of Berkeley Housing Trust Fund and Small Sites Program Guidelines

The City of Berkeley's Housing Trust Fund (HTF) was established in 1990. The purpose of the HTF is to support the creation and preservation of affordable housing in Berkeley. Federal funds such as HOME Investment Partnerships Program (HOME) and the Community Development Block Grant (CDBG) are combined in the HTF with local funds such as revenue from mitigation fees on commercial development (Resolution 66,617-N.S.), new market rate housing (BMC 22.20.065 Affordable Housing Mitigation Fee and BMC 23C.12 Inclusionary Housing Ordinance), and condominium conversions (BMC 21.28). The City Council may approve additional sources of funding for the HTF at any time, such as the 2018 Measure O bond measure, or state and federal sources. The Council may allocate general funds such as those generated through Measure U1. The City's Housing Advisory Commission (HAC) advises the City Council on HTF allocations.

These HTF guidelines establish guidelines for the operation of the HTF. They are not a comprehensive statement of laws and regulations that apply to affordable housing funding and development in Berkeley. In addition to these guidelines, the operation of the HTF must comply with City procurement and contracting requirements as well as state or federal requirements when state or federal funds are used; in case of a conflict, City, State, and Federal requirements will prevail over the HTF guidelines. References to the City Manager in these guidelines will be interpreted as the City Manager or her/his designee. The City Manager may establish additional requirements to implement the HTF program through administrative guidelines and Notices of Funding Availability.

Section I. Threshold Requirements

This section establishes eligibility requirements for applicants, projects, and costs. Applications that do not satisfy these threshold requirements will not be considered for funding.

A. Eligible Applicants

The Applicant must demonstrate enough prior experience and current capacity in housing development and management to successfully secure financing and entitlements, construct, complete, and operate the proposed project.

1. Applicant Experience

To be eligible, the Applicant must demonstrate experience and capacity to complete the project. Experience includes the successful development and completion of THREE projects of a similar size and scope by the Applicant in California within the last 10 years. Capacity includes having existing staff assigned to the project who have worked on similar projects and whose résumés demonstrate their ability to guide the project through all stages of the development process. Applicants will be able to submit the following information on completed projects that they believe will qualify their capacity:

a. project name and address;
b. tenant tenure ownership or rental;
c. rehabilitation or new construction;
d. number of units and unit mix;
e. income levels served;
f. types of permanent financing;
g. project start and completion dates.

In addition, the following information is also required:

- list of current staff assigned to the project for which funding is requested, including their resumes;
- list of current board members, with resumes and city of residence;
- audited financial statements for the past 3 years.

2. Joint Venture Requirements

Potential Applicants without the required minimum amount of experience may enter into Joint Venture agreements with eligible Applicants in order to be eligible. Applicants who are submitting as a Joint Venture:

a. Must provide a binding Joint Venture agreement at application establishing the roles and responsibilities of each entity in the partnership that is acceptable to the City; and

b. Must demonstrate that the entity with the majority ownership interest in the Joint Venture both holds majority control of the Joint Venture and satisfies the Applicant experience requirements of these guidelines.

3. Construction Management Experience

   Applicant must demonstrate that:

   a. Past projects are not encumbered by unlapsed mechanics liens that were filed by or on behalf of workers with claims of unpaid wages or fringe benefits;

   b. Past projects are not related to unsatisfied final judgments from the California Labor Commissioner;

4. Property Management Experience

   a. The applicant or the Applicant's property management agent must have managed at least one completed project for at least 24 months and provide documentation of satisfactory performance review by any city or county agency from which the project received funding;

   b. If the proposed project includes a supportive services component designed for very low or extremely low-income families that need services linked to their housing in order to remain stable in the proposed housing project, the property management agent must also provide evidence of managing other housing projects with supportive services for at least 24 months and provide documentation of satisfactory performance review by any city or county agency from which the project received funding.

5. Supportive Services Provider

   Any project proposing the inclusion of special needs units must identify a supportive services provider that has at least 24 months of experience with the target population and can provide documentation of satisfactory performance review by any city or county agency from which the project received funding. Changes to the service provider after initial application are subject to approval from the City.

B. Site Control

At the time a development proposal is submitted, the applicant must demonstrate that it has, and will maintain until the land is acquired, site control of the property for which funding is being requested. Site control must be maintained for the full term of the City's loan and regulatory agreement (typically at least 55 years).

Acceptable forms of site control include fee ownership, an option to purchase or enter into a long-term lease dependent only on factors within the applicant's control, or a long-term lease.

Section II: Eligible and Ineligible Projects, Activities, and Costs

CDBG and HOME, currently significant sources of funds for the HTF, have more restrictive requirements than those described below. Some local funds may also have restricted uses, as may future state and federal sources. The City will work with borrowers to evaluate alternatives and to match funding sources with proposed activities as available funding permits. Borrowers must comply with all applicable federal requirements.

A. Eligible projects: Projects must be consistent with the HTF's purpose of supporting affordable housing. Development projects for rental occupancy or for operation as a no- or limited-equity cooperative are eligible, including:
    - New construction, acquisition, and substantial rehabilitation of residential property for occupancy by lower income households;
    - Permanent supportive housing;
    - Transitional housing;
    - Single room occupancy (SRO) units;
    - Live/work units;
    - Mixed use (commercial and residential) projects where residential uses are the majority of square footage;
    - Conversion of non-residential space to residential use;
    - Preservation of existing affordable housing.

Projects of 25 units or fewer that are not using Low Income Housing Credits will be reviewed for eligibility and consistency with the guidelines established for the Small Sites Program (Section VII).

B. Eligible Costs: Eligible Costs include all reasonable and necessary costs associated with:
    - Property acquisition;
    - Demolition;
    - On-site improvements;
    - Off-site utility connections;
    - Construction and rehabilitation;
    - Developing common areas and supportive service spaces serving the residents;
    - Soft costs associated with the development and financing of the project, including environmental review costs;
    - Reasonable developer fees;
    - Operating reserve (typically limited to the initial marketing period, not to exceed 18 months). Longer periods will be considered for units set aside for homeless households consistent with City policy on homelessness;

- Capitalized replacement reserve;
- Relocation costs;
- Moving of a housing structure within the City limits, when the structure is a nonconforming use in a commercial or industrial zone or when necessary to preserve a residential structure, provided all other requirements of the fund are met.

C. Ineligible Costs/Uses: Ineligible activities include but are not limited to:

- Development of commercial spaces;
- Property tax penalties;
- Food/refreshments for any purpose;
- Costs associated with community meetings and neighborhood outreach, such as room rental and transportation;
- Community outreach mailings (including postage and printing of flyers or invitations);
- Costs associated with construction items or materials of a luxury nature;
- Furnishings (except where required for special needs projects);
- Most off-site improvements other than utility connections into the adjacent street;
- Borrower/sponsor administrative costs (other than included in the developer fee);
- Marketing events such as groundbreakings and grand openings.

D. Reasonable Development Costs

Applicant/borrowers must provide project budgets with sufficient itemized detail to evaluate whether the projected costs are sufficient and reasonable, and provide related documentation as needed. Prior to loan closing, the City will request and review documentation such as appraisals, cost estimates, contracts for professional services, and agreements covering reserves with regard to cost reasonableness. Proposed development costs must be sufficient to complete the project proposed and meet property standards for federal funding, as applicable.

In addition, projects must not exceed reasonable development costs. If project budgets submitted through the application are deemed unusually high development costs may request additional information. Projects with unjustified, above-average development costs may not be funded. If costs go up excessively after application and before loan closing, the City reserves the right to reconsider the project's application and withdraw funding based on new information.

E. Appraisals

For loans that include acquisition costs, applicants are required to submit a recent appraisal of the project site and any existing improvements as part of the application. The appraisal must

be completed by an appropriately licensed appraiser (currently, a California Bureau of Real Estate Appraisers (BREA) Certified General (AG) license).

F. Relocation

State and/or federal relocation law will apply for projects that will temporarily or permanently displace current business or residential occupants, and relocation assistance and benefits may be required which can add substantially to the project cost. Borrowers must provide a relocation plan acceptable to the City demonstrating relocation compliance prior to construction start.

Section III. Affordability Targeting

Projects that receive HTF funding will be subject to affordability and occupancy requirements. These requirements will be recorded against the property. Projects that have 25 or fewer units and are not using low income housing tax credits may qualify to use the affordability requirements in Section VII., the Small Sites Program.

A. Minimum Affordability

The following minimum affordability requirements apply. The City may refuse to consider applications that cannot meet the following requirements:

1. At least 60% of all units in an eligible housing project (City-Assisted Units) must have restricted rents:
    a. Not less than 20% of all the units must be affordable to households whose income does not exceed 30% of Area Median Income (AMI), and
    b. The remaining City-Assisted Units, approximately 40% of all the units, must be affordable to households whose income does not exceed 60% of AMI.
2. Restricted rents will be set based on the rent limit for the applicable income level and unit size published by the California Tax Credit Allocation Committee (TCAC), regardless of whether the project includes tax credit financing;
3. The remaining 40% of the units are not required to have restricted rents;
4. Borrowers may provide a larger percentage of affordable units or units restricted at deeper levels of affordability;
5. Income and rent restrictions will apply for the full length of the loan term and regulatory agreement, surviving loan repayment.

B. Occupancy requirements

The City's regulatory agreement (one of the required loan documents) will also establish occupancy requirements that restrict occupancy of subsidized units to households that meet income and other eligibility criteria.

C. HOME Restricted Units

Generally, the HTF affordability requirements require more units at lower affordability levels than the HOME program. Loan documents for projects receiving HOME funds will identify the project's HOME units and any applicable conditions.

D. City Funding in Combination with Rental Assistance Vouchers

- For units funded with local funds and occupied by tenants with tenant-based rental subsidies (i.e. Housing Choice Vouchers (Section 8), Shelter Plus Care or similar programs), borrowers may accept contract rents that exceed the allowable rent level in

the City's regulatory agreement, as long as the tenant portion is below the allowable rent limit;

- For units funded with HOME funds and occupied by tenants with tenant-based Housing Choice Vouchers/Section 8, borrowers may accept contract rents *only* up to the allowable HOME rent limit;
- For units funded with HOME funds and project-based rental assistance (such as project-based Section 8), owners can accept the maximum rent allowed under the rental assistance program provided that they are rented to a very low income household and the tenant contribution to rent is no more than 30% of the household income.

E. Annual Recertification of Tenant Income and City Monitoring

Borrowers are required to re-examine tenant incomes annually to ensure that tenants continue to meet the income requirements of this and other applicable funding programs. Rent schedules and utility allowances, including any increases, are subject to restrictions in the loan documents. Borrowers will be required to report on compliance with income and rent restrictions on an annual basis, and to make records available for on-site monitoring. The loan documents will address how over-income tenants will be handled, consistent with the project's funding sources. Decreased applicant capacity points may be awarded to project applicants who are not operating their properties in compliance with the applicable loan agreements and/or working with the City to resolve compliance issues in a timely way.

Section IV. City Loan Terms

HTF funding is provided as a loan, not as a grant. The City can fund three types of loans: predevelopment (short term), acquisition (long term with short term requirements), and development loans (long term). Any requests for forgiveness of these loans will be reviewed by the HAC and decided by the City Council upon a recommendation from the HAC.

A. Predevelopment Loan Terms
   1. Predevelopment loans will not exceed the predevelopment costs for the project.
   2. Predevelopment loan applicants are encouraged to request between $50,000 and $500,000. Loans of any size will be considered.
   3. At any point in time, predevelopment loan commitments should be 10% or less of the balance of HTF funds in order to ensure adequate development funding for projects in the pipeline.
   4. Standard loan terms will be a five year term at 3% interest.
   5. The City Manager may approve variations to the standard terms based on market conditions or specific project considerations.
   6. If permanent financing is provided through the HTF, the predevelopment loan will be added to the permanent loan, extending the term.

B. Acquisition Loan Terms
   1. The acquisition loan amount will not exceed 40% of the project's total costs unless City Council makes a finding that a higher level of funding is justified by the nature of the assisted project and the unavailability of alternative funding. In no event will acquisition loans exceed the acquisition and predevelopment costs for a project.
   2. At any point in time, acquisition loan commitments should be 40% or less of the balance of HTF funds in order to ensure adequate development funding for projects in the pipeline.
   3. The standard acquisition loan terms will be 55 years at 3% simple interest.
   4. Project must secure financing and start construction within five years.
   5. The City Manager may approve variations to the standard terms based on market conditions or specific project considerations.

C. Development Loan Terms
   1. The development loan amount will not exceed 40% of the project's total cost unless City Council makes a finding that a higher level of funding is justified by the nature of the assisted project and the unavailability of alternative funding. In no event will the development loan exceed total development costs.
   2. The standard loan terms will be 55 years at 3% simple interest.

3. The City Manager may approve variations to the standard terms based on market conditions or specific project considerations.
4. Payments of interest and principal will be due on an annual basis from excess cash flow from operations after payment of operating costs, senior debt, reserves, and deferred developer fee.
5. The City will follow HOME program funding limits when determining awards of HOME funds.

D. Loan Documentation

City acquisition and development loans will apply affordability and occupancy requirements for a minimum of 55 years. All City loans will be evidenced by a promissory note secured by a deed of trust on the project. For predevelopment loans, an Assignment of Work Product may serve as security if Borrower has not yet acquired fee ownership or leasehold interest in the property and the City is unable to record a deed of trust, subject to a requirement to record a deed of trust at acquisition. A loan agreement will specify all Borrower obligations. Post-occupancy use restrictions will be enforced through a regulatory agreement recorded against the project's land and improvements.

E. Subordination

The City will not subordinate its affordability covenants (typically, the regulatory agreement) to the deeds of trust securing other lenders' financing, with the exception of State, Federal, and County funding sources (subject to City approval and to the ratio of debt to total development cost). The City Manager may review exceptions. The affordability covenants control, among other things, the maximum income of tenants of project units, and the maximum rents allowed for project units. The City deed of trust may be subordinated to other financing on a case-by-case basis.

F. Disbursement of Funds

Funds will be disbursed to borrower only for costs actually incurred. Payment for construction costs will be made on a progress payment basis, subject to approval of each draw request by the City. Disbursement of funds for construction is conditioned upon the borrower having secured full funding commitments for the project. The loan agreement will include provisions for retention that will be withheld until the development requirements have been satisfied.

G. Additional Loan Requirements

1. Market Demand
   Projects should be planned and designed according to market demand. Demand for the type, location, and size of units at the proposed rents or sales prices must be documented at the time of application. Projects that receive HOME funds (or other projects if deemed necessary by the City Manager) are also required to submit a complete market study prior to loan closing, according to HUD requirements.

2. Cost Certification
   Borrowers must arrange for an independent cost certification on completion of a project. Approval of this certification is a requirement for the City's release of retention (City loan funds retained through construction pending completion).

3. Management, Marketing, and Tenant Selection Plans
   The City's loan agreements require borrowers to prepare management, marketing, and tenant selection plans acceptable to the City for each project prior to occupancy.

4. Resident Services and Special Needs Units
   Developments targeting special needs populations must provide a services plan showing the type and level of services to be provided for residents and how services will be funded. For rental projects, supportive and social service coordination reasonable for the population being served may be included as a cost paid by building operations. However, direct service provision may not be paid for from the building's operating funds unless the direct service is required by another funding source.

5. Environmental Review
   Projects may be required to pay for the actual cost of the required environmental review and to pay for Phase 1 and Phase 2 environmental studies, if needed, by a vendor approved by the City.

6. Minimum Equity Requirements.
   Profit-motivated borrowers (except for limited partnerships whose general partner is a nonprofit corporation) must provide equity equal to at least 10% of total project costs. The value of the project site may be used to meet the equity requirement. If the site has been owned for more than three years, the equity will be calculated on the basis of the current appraised value of the property, less outstanding debt. For sites which have

been owned for less than three years, the equity contribution will be calculated on the basis of the actual acquisition cost of the property, less outstanding debt. Equity investments generated by syndication of tax credits or deferred developer fees will not be considered as an equity contribution.

Non-profit borrowers are not required to provide equity.

7. Limited Partnerships Requirements.
   For projects proposed as limited partnerships, the City reserves the right to approve the limited partnership agreement prior to executing the HTF loan.

8. Monthly Updates.
   Upon commitment of funds from the City, borrower must provide written monthly updates to the City. Monthly updates will allow the City to anticipate upcoming approvals needed and to stay informed about efforts to move the project forward on schedule. If monthly updates are not provided in a timely manner, decreased applicant capacity points may be assessed for the next funding request submitted by the borrower. If HOME funds are awarded, monthly updates should include a schedule projection related to the four year completion deadline required by HUD.

9. Replacement and Operating Reserve Requirements.
   The City Manager may establish standards for replacement and operating reserves. Use of replacement and operating reserves is subject to prior review and approval by the City.

Section V. Process for City Reservations

Note that funds designated by the City Council specifically for the Small Sites Program will be administered according to Section VII. All other projects seeking HTF program funding, including Small Sites Program- eligible projects applying for funds outside of a Small Sites Program NOFA, , will follow the process below.

A. Predevelopment Loan Applications
   1. Applicants with documented site control and a feasible proposed development and operating plan can apply over the counter for a predevelopment loan at any time.
   2. Applications will only be considered if the amount of funding requested is no more than 25% of the funds available in the HTF at the time of application.
   3. The City will provide a predevelopment application form to be completed by applicants. The City Manager may reject an application if the applicant does not provide enough information to evaluate the proposal adequately or if the proposal is not consistent with threshold criteria, including applicant capacity (Section I) and proposed affordability (Section III).
   4. Applications that are accepted by the City Manager will be referred to the HTF Review Process (below).

B. Acquisition Loan Applications
   1. Applicants with documented site control and a feasible proposed development and operating financing strategy can submit an application for a site acquisition loan at any time.
   2. Applications will only be considered if the amount of funding available in the HTF exceeds the funds requested.
   3. The City Manager may reject applications that are incomplete or do not meet HTF threshold requirements
   4. Applications that are accepted by the City Manager will be referred to the HTF Review Process (below).

C. Development Loan Applications
   1. When there are sufficient funds in the HTF to warrant releasing a NOFA the City Manager will request authorization from the City Council to release a NOFA.
   2. When authorization is granted, the City Manager will prepare a NOFA establishing a competitive process and criteria for submission and review of applications.
   3. The City Manager will determine whether applications have satisfied the requirements of the NOFA, including timing requirements and completeness and may offer applicants

additional time to provide incomplete items. If the City Manager rejects any applications due to lateness or incompleteness, the applicant will be notified in writing.

4. Applications that are accepted by the City Manager will be referred to the HTF Review Process (below).

D. Projects at Risk

1. Projects that are imminent risk may apply for funds at any time. Projects that are imminent risk will include: projects with documented state and federal funding commitments that are at risk, previously-funded projects that are in construction, and previously-funded projects that have urgent health and safety needs.
2. Applicants are responsible for demonstrating and documenting
    a. The urgency of the need;
    b. The steps they have taken to avoid the need for additional City funds; and
    c. That no other funds are available to meet the need.
3. The City Manager will determine whether the documented need is sufficiently material and urgent to warrant consideration, and whether the applicant has sufficiently pursued alternatives prior to requesting City assistance.
4. Applications that are accepted by the City Manager will be referred to the HTF Review Process (below). If the City Manager determines that unusual, urgent conditions exist such that following the standard process would be a detriment to the City's interest in the project, the City Manager may elect to send a recommendation directly to the Council, or commit funds directly to projects that are eligible under the Small Sites Program guidelines.

E. HTF Review Process

1. The City Manager will evaluate each funding application for feasibility and compliance with applicable requirements, and prepare a summary of the project and a technical analysis. Such evaluation may be completed by City staff or consultants.
2. The City Manager will provide the HAC with evaluation materials for each project. Typically the HAC will designate a HTF subcommittee to evaluate each project and make recommendations to the entire Commission.
3. The HAC may make a recommendation to the City Manager and/or City Council regarding whether to fund the application.
4. HTF funding recommendations, with the exception of Small Sites Program loans (Section VII)), are subject to City procurement guidelines. Funding recommendations that exceed the City Manager's authority (currently $50,000) will be referred to Council and loans within the City Manager's scope of authority will be determined by the City

Manager. The City Manager may also choose to refer any loan application to the City Council.

F. NOFA Selection Criteria.

During a NOFA competitive process, applications will be evaluated based on how well they meet the five key factors identified below:

1. Community objectives;
2. Conformance with adopted plans and policies and current local priorities;
3. Applicant qualifications and experience;
4. Cost effectiveness and feasibility; and
5. HTF program and specific NOFA priorities.

Section VI. City Priorities

A. Sustainable Development

Applicants should incorporate energy and water efficient technologies and construction techniques into their developments to achieve the City's General Plan and Climate Action Plan goals and provide healthy, comfortable home environments with low utility bills for future tenants. The use of sustainable materials and technologies are promoted to minimize negative ecological impacts of the construction materials used and provide high indoor air quality for residents.

All newly constructed buildings must be all-electric, without natural gas infrastructure, in accordance with Berkeley's Natural Gas Prohibition (BMC Chapter 12.80). All projects must meet all locally-adopted building code requirements including the Berkeley Green Code (BMC Chapter 19.37, local amendments to CALGreen, Title 24, Part 11) and the Berkeley Energy Code (BMC Chapter 19.36, local amendments to the CA Energy Code, Title 24, Part 6) that are in effect at the time of building permit application. Landscaping must comply with California's Water Efficient Landscaping Ordinance (WELO). All projects are encouraged to incorporate green building features that qualify for a third-party green building certification such as GreenPoint Rated, LEED for Homes, ENERGY STAR Multifamily New Construction Program or ENERGY STAR Certified Homes, and WaterSense Labeled Homes.

Projects should take advantage of programs that provide financial incentives for deep energy and emissions savings. The City Manager may establish additional sustainability requirements.

B. Labor Requirements

Borrowers are responsible for compliance with all applicable labor laws and regulations, and for maintaining a record of their compliance.

1. First Source Employment Agreement (BMC 13.26)
   Borrowers must execute and implement a First Source Hiring agreement with the City of Berkeley and ensure that monitoring occurs during the development period.

2. Prevailing Wages
   Funded projects must include the payment of the General Prevailing Rate of Per Diem Wages, as defined in Title 8 of the California Code of Regulations, (Division 1, Chapter 8, Subchapter 3, "Payment of Prevailing Wages Upon Public Works") section 16000, to all workers who perform work that is covered by a State-published prevailing wage determination. More resources on state prevailing wage are available at : https://www.dir.ca.gov/Public-Works/PublicWorks.html

3. Registration with the Department of Industrial Relations.
   Note that Housing Trust Fund program projects are generally exempt from the DIR registration requirements for public works projects in Labor Code 1771.1 and 1771.4 since they are usually exempted from the definition of public works projects in Labor Code 1720(c)(5)(E).

4. While HTF projects are typically exempt from apprenticeship requirements in the state Labor Code since they are exempt from the definition of public works in Labor Code 1720(c)(5)(E), Borrowers are encouraged to employ apprentices to advance workforce development. When apprentices are employed, ratios consistent with Labor Code 1777.5 must be followed.

5. Projects funded with HOME or CDBG may be subject to federal Davis-Bacon prevailing wages. For projects subject to these requirements, the City may require borrower to hire a third party consultant, or the City may charge a fee for labor compliance monitoring. HUD makes detailed information about Davis-Bacon requirements available online at: https://www.hud.gov/program_offices/davis_bacon_and_labor_standards

C. Accessibility

Funded projects must comply with applicable federal, state, and local accessibility requirements. Applicants are encouraged to maximize accessibility by going beyond the minimum accessibility standards and to incorporate universal design features.

D. Units for Homeless Households and Those at Risk of Homelessness

The EveryOne Home Plan to end homelessness in Alameda County aims to create affordable housing units for the unhoused. The EveryOne Home website provides additional information and resources at http://www.everyonehome.org

The City of Berkeley encourages all projects to include as many units as possible to contribute to the City's goal of creating housing opportunities for all who are homeless in Berkeley. Units dedicated to serving homeless households will be required to use the Countywide Coordinated Entry System to identify tenants.

Section VII. Small Sites Program

The guidelines in this section will be applied to smaller, non-tax credit projects seeking funding through the HTF process as well as those smaller, non-tax credit projects applying after the City Council sets aside Small Sites Program funds. On October 2, 2018, the City Council approved guidelines for the Small Sites Program, which was established to fund the acquisition and renovation of small multifamily properties. This section describes the process and criteria for the Small Sites Program. The expedited, over-the-counter SSP process will be followed only when the City Council designates funds for the SSP; the other criteria in this section will be applied to any eligible project that applies during a HTF funding round.

A. Purpose. The purpose of the SSP is to support:
   1. Acquisition and renovation of occupied, multifamily rental properties;
   2. Conversion of rent controlled properties to restricted affordability; and
   3. Potential conversion to limited- or non-equity housing cooperatives (LEHC).

The following criteria apply ONLY when the City Council designates funding for the SSP program:

B. Process. The critical difference between the HTF and the SSP is that funds designated by Council for the SSP will go through a fundamentally different allocation process. With Resolution 68,623-N.S. and Ordinance 7,630 adopted in October 2018, the City Council approved an over the counter process whereby allocations of Small Sites Program funding, consistent with the adopted program guidelines, can be approved by the City Manager. When City Council designates funds for the SSP, funds will be made available via the following process:
   1. Release NOFA and accept applications on a first-come, first-served basis (no due date);
   2. Applications will be reviewed in the order they are received;
   3. For applications received within 10 business days of each other, the City Manager will apply the priorities criteria below to determine funding priority;
   4. Project review for consistency with guidelines by the City Manager;
   5. Approval by City Manager or her designee only (no subcommittee, HAC, or Council approval);
   6. Aim for review, approval, and project funding within 90 days of application.

C. Priorities in the Event of Multiple Applications Received within 10 Days of Each Other.
   1. Buildings at imminent risk of Ellis Act eviction;
   2. Occupied projects;
   3. Existing residents include vulnerable populations (families with minor children, elderly, disabled, and catastrophically-ill persons);
   4. Buildings housing residents with lowest incomes;

5. Buildings that require the lowest amount of subsidy per unit;
6. Projects preserving the greatest number of affordable units;
7. Buildings with a potential for conversion to LEHCs.

The following criteria will be applied to any Eligible Project that applies for SSP funds or whose application is considered during an HTF funding round:

D. Eligibility Criteria.

1. Projects must include acquisition and rehabilitation of a rental property.
2. Projects must include 2 to 25 units.
3. Site control is not required at the time of application but funds will only be released at the time of or after fully documented acquisition.
4. All residential units must meet City's definition of 'dwelling unit' (BMC 23F.04.010) and fully conform to applicable local codes. If a project includes occupied, unpermitted units, legalization of the units must be included in the project scope.
5. Properties with commercial spaces are eligible, so long as the majority of the project is residential and
    a. Commercial space counts as one unit for City subsidy calculation;
    b. City funds cannot be used for tenant improvements.

E. Project Financing

1. Projects that include Low Income Housing Tax Credits are not eligible for SSP.
2. The project must have a bank or CDFI loan in addition to the funds requested by the City and any equity participation by the borrower/buyer.
3. City will size its loan based on project need: acquisition cost, rehabilitation costs, and developer fee, not to exceed the maximum subsidy limits. SSP projects are not subject to a City loan cap of 40% of total project financing.
4. Maximum City Subsidy:
    a. $300,000 per unit for buildings of 10-25 units;
    b. $375,000 per unit for buildings of 2-9 units; or
    c. $175,000 per bedroom for group living accommodations or single room occupancy (SRO) housing.
5. The standard SSP loan term is 55 years, with a 55-year regulatory agreement period.
6. Repayment of the City loan will be through residual receipts;
    a. 1/3 of the residual receipts may be retained by the borrower;
    b. For any year when the replacement reserve balance is less than 1.5 times the original capitalized replacement reserve, the remaining 2/3 must be deposited into the project's replacement reserve account, if the funding sources allow.;

c. For any year when the replacement reserve balance is greater than 1.5 times the original capitalized replacement reserve, the remaining 2/3 must be distributed to the City for debt repayment.

F. Renovation Scope

1. Renovations should address health and safety items, and systems with a remaining useful life of 10 years or less; and
2. Renovation scope and costs must be substantiated by a recent physical needs assessment (PNA) of the property.

G. Project Proforma

1. Project proformas must demonstrate a positive cash flow for 15 years after project completion, and must demonstrate sufficient cash flow to support debt and the ability to refinance or repay debt in a timely manner without additional resources from the City.
2. Proformas must show a 5% residential vacancy rate and a 20% commercial vacancy rate.
3. Reserve deposits must comply with the following:
    a. Operating reserves: None unless balance drops below 25% of prior year's operating expenses.
    b. Replacement reserves: The higher of
        i. the amount needed according to the approved 20-year PNA or
        ii. $400 per unit per year ($350 per unit for projects with 11+ units).

H. Project Budget

1. The acquisition price must be substantiated by an appraisal showing both the fair market value and the anticipated restricted value.
2. Fees charged to project must be reasonable, subject to review by the City Manager.
3. The developer fee is limited to $80,000 plus $10,000 per unit, not to exceed 5% of project costs excluding the developer fee.
4. Construction management fees may not exceed $25,500 per project, and will be reimbursed at a rate proportional to the predevelopment or development work completed to date.
5. The construction pricing must be based on the payment of State prevailing wage.
6. Project budget must include a 15% construction contingency. If the project has leftover construction contingency, 50% of the remaining funds will be deposited into the replacement reserve account.
7. Project must include a 15% soft cost contingency.
8. Project budgets must include the following capitalized reserves:
    a. Operating reserves: 25% of budgeted Year One operating expenses

b. Replacement reserves: The greater of $2,000 per unit or the amount necessary to pay replacement costs for the next 10 years, as specified in an approved PNA.
c. Vacancy reserves: the monthly rent for units (residential and commercial) vacant at acquisition multiplied by the number of months expected to remain vacant during development and lease-up.

9. If the source of funds allows, up to $100,000 in unspent City loan funds may be retained by the borrower for deposit into the project's reserve accounts. Subject to final building permit or other documentation of borrower's completion of the approved renovation scope.

I. Affordability

a. Affordability will be measured at the building level, with the goal of achieving an average of 80% of the area median income (AMI) for the project. The City's loan documents will include guidelines for how this will be calculated. The City may alternatively approve limiting all incomes to 80% of AMI.
b. Borrower must be willing to accept tenants holding Section 8 or Shelter Plus Care rental assistance vouchers.

J. Existing Tenants

1. Borrower must educate tenants on the conversion from rent control to restricted affordability
2. At loan closing:
    a. 75% of existing households must acknowledge their agreement to participate (in the conversion to restricted affordability) in a format approved by the City.
    b. 66% of existing households must income-certify for the property to be eligible for the program, either on average or individually, depending on the proposed affordability requirements. Up to 34% of existing households may be over income (above 120% AMI) or refuse to certify.
3. Within 60 days of loan closing, borrower must submit a relocation plan to the City for approval, outlining plans for the temporary relocation of residents during renovations, if needed.
    a. Relocation shall not exceed 90 days.
    b. Borrower must hire a relocation consultant or similar staffing to provide advisory services to tenants.
    c. Notice will be given to tenants 90 days and 30 days prior to relocation, at a minimum.
    d. Commercial relocation shall be offered in the form of temporary suspension of rent plus a negotiated lump sum to ensure that the business is able to withstand the relocation period.

K. Applicant Requirements

1. Applicant must have completed one comparable project, and have demonstrated capacity to undertake the proposed project.
2. City and City-controlled entity would be eligible to directly purchase properties under the program.

L. Exceptions to Program Requirements

1. Will be reviewed on a case-by-case basis, and could be approved by the HHCS Director only if they are consistent with the program purpose, project feasibility, and sustainable housing operations. The HHCS Director may determine that certain requested exceptions would require HAC review and Council approval.
2. The source of the City's funds may impact certain program requirements, if the funding carries limitations on its uses.

M. Limited and Non-Equity Housing Cooperatives

1. For projects proposing LEHCs, include successful experience with LEHC conversions as a threshold requirement for applicant experience.
2. Properties acquired with the intent of converting to LEHCs should be considered as homeownership projects.
    a. Existing tenants have the right to remain in units as tenants.
    b. Borrower is required to assist tenants in obtaining financing to become owners, if needed.

Health Housing and
Community Services Department
Housing & Community Services Division

MEMORANDUM

To: Housing Advisory Commission

From: Mike Uberti, Community Development Project Coordinator

Date: November 5, 2020

Subject: **Work Plan Process and Development**

In July 2016, the City Council directed all commissions (with certain exceptions) to submit a work plan detailing its goals and objectives for the year. Plans will be submitted at the start of the fiscal year, annually. The plan for FY 20/21 was halted due the suspensions of regular commission meetings due to COVID-19.

Commissions are encouraged to consider their outstanding referrals from Council when creating the work plans for this current Fiscal Year. The HAC's outstanding referrals are provided as an attachment to this memo.

Please note that there is not a clear timetable for when regular commission schedules will be re-established. The frequency of meetings will be determined by the conditions the City is experiencing under the pandemic and the emergency proclamation. Commissions may develop a full work plan with the proviso that work may be limited due to fewer meetings.

Prioritization of work for the coming year will be a valuable exercise. If conditions improve, there will be more frequent commission meetings and it will help guide the commission's work to adopt a work plan.

The City Manager's Memo (Attachment 4) provides the following prompts for commissions to consider:

- What commission items for 2021 have a direct nexus with the COVID-19 response or are the result of a City Council referral pertaining to COVID-19?
- What commission items for 2021 are required for statutory reasons?
- What commission items for 2021 are required for budgetary or fund allocation reasons?

- What commission items for 2021 support council-adopted or voter-adopted mission critical projects or programs?
- What are the anticipated staff demands (above and beyond baseline) for analysis, data, etc., to support commission work in 2021 (baseline duties = posting agendas, creating packets, attend meetings, minutes, etc.)?

The HAC's work plan for FY 19/20 can be found on the City Clerk website:
https://www.cityofberkeley.info/Housing_Advisory_Commission/

Outstanding HAC Referrals

Referral	Recommendation	Date
Refer to the Planning Commission and Housing Advisory Commission to Research and Recommend Policies to Prevent Displacement and Gentrification of Berkeley Residents of Color and African Americans	Refer to the Planning Commission and Housing Advisory Commission to research and recommend policies to prevent displacement and gentrification of Berkeley residents of color. Recommended policies should include real solutions. The Commission should do the following: - Develop a policy to address the erosion of People of Color (POC), including the African American sector of our Berkeley society. - Develop rules and regulations to halt the loss of People of Color including the African American communities. - Develop a "right to return" for Berkeleyans, including the African American communities who have been displaced by these economic and social developments, and those who continue to be employed in our City, even after having to relocate beyond our boundaries. - Solicit expert and lived experience testimonies regarding displacement and gentrification. - Recommend alternatives to prevent displacement and gentrification of our valued Berkeley residents of color and African Americans. Recommendation includes a request for public workshops.	2019-04-30
Housing for a Diverse, Equitable and Creative Berkeley: Proposing a Framework for Berkeley's Affordable Housing DMND0003778	Refer to the Housing Advisory Commission, the Measure O Bond Oversight Committee, and the Homeless Services Panel of Experts to consider the proposed Housing for a Diverse, Equitable and Creative Berkeley framework (the "Framework") and return comments for consideration at a Special Meeting of the City Council in the early fall, to inform a final version the City Council will adopt to guide Berkeley's affordable housing policies, programs and projects through 2030. The item is further amended to add a "Draft" notation, remove the phrase "rather than for profit-maximizing companies" from Section II, and remove reference to the 50% goal.	2019-07-16

Open Doors Initiative: City Worker and First Time Affordable Homebuyer Program	That the City Council refer the City Manager and Housing Advisory Committee to explore mechanisms to support homeownership by City of Berkeley employees and further refer to City Manager to prepare a report detailing available first-time homeownership and low-income homeowner programs that might be available for implementation in the City of Berkeley. Analysis to include the new Self-Help Housing Program and the provisions of AB 101.	2019-09-10
Small Sites Loan Program Recommendations	4. Request that the Council and Housing Advisory Commission receive copies of small sites loan applications along with staff's corresponding analysis and decision. 6. Refer further consideration of a long-term small sites program to the City Manager and the Housing Advisory Commission. 7. Refer the small sites program to the November budget update and next biannual budget planning cycle in 2019.	2018-10-02

Office of the City Manager

October 22, 2020

To: Berkeley Boards and Commissions

From: Dee Williams-Ridley, City Manager

Subject: Commission Meetings During COVID-19 Emergency

This memo serves to provide a summary and update of the status of meetings of Berkeley Boards and Commissions during the COVID-19 emergency declaration.

On March 10, 2020, the City Council ratified the proclamation of the Director of Emergency Services for a state of local emergency related to the COVID-19 pandemic. The emergency proclamation has been renewed twice by the Council and remains in effect.

On March 17, 2020, the City Council adopted Resolution No. 69,331-N.S. which placed limitations of the meetings of City legislative bodies, including all boards and commissions. The resolution allows for commissions to meet to conduct time-sensitive, legally mandated business with the authorization of the City Manager. Since that time, several commissions have obtained this approval and held meetings; many other commissions have not met at all since March.

The City Manager has periodically reviewed the status of commission meetings with the City Council Agenda & Rules Committee. Recently, at the October 12, 2020, Agenda & Rules Committee meeting, the City Manager presented a proposal to allow all commissions to meet under limited circumstances. The Committee voted to endorse the City Manager's recommendation.

Effective October 12, 2020, all City boards and commissions may meet once to develop and finalize their work plan for 2021 and to complete any Council referrals directly related to the COVID-19 pandemic response. A second meeting may be held to complete this work with specific authorization by the City Manager. It is recommended that the meeting(s) occur by the end of February 2021.

Commissions that have been granted permission to meet under Resolution No. 69,331-N.S. may continue to meet pursuant to their existing authorization, and may also meet to develop their 2021 work plan.

Commissions that have not requested meetings pursuant to the Resolution No. 69,331-N.S. may meet pursuant to the limitations listed above.

2180 Milvia Street, Berkeley, CA 94704 ● Tel: (510) 981-7000 ● TDD: (510) 981-6903 ● Fax: (510) 981-7099
E-Mail: manager@cityofberkeley.info Website: http://www.cityofberkeley.info/manager

To assist commissions with the development of their work plan and to provide the City Council with a consistent framework to review the work plans, the City Manager has developed the following items to consider in developing the work plan that is submitted to the City Council agenda.

Prompts for Commissions to use in work plan:

- What commission items for 2021 have a direct nexus with the COVID-19 response or are the result of a City Council referral pertaining to COVID-19?
- What commission items for 2021 are required for statutory reasons?
- What commission items for 2021 are required for budgetary or fund allocation reasons?
- What commission items for 2021 support council-adopted or voter-adopted mission critical projects or programs?
- What are the anticipated staff demands (above and beyond baseline) for analysis, data, etc., to support commission work in 2021 (baseline duties = posting agendas, creating packets, attend meetings, minutes, etc.)?

The limitations on commission meetings are due to the need to direct staff resources and the resources of city legislative bodies to the pandemic response. Many of the staff assigned as commission secretaries are engaged in work with the City Emergency Operations Center or have been assigned new specific duties related to the impacts of the pandemic.

Meeting frequency for boards and commissions will continue to be evaluated on a regular basis by the City Manager in consultation with Department Heads and the City Council. More frequent meetings by commissions will be permitted as the conditions under COVID-19 dictate.

Thank you for your service on our boards and commissions. The City values the work of our commissions and we appreciate your partnership and understanding as we address this pandemic as a resilient and vibrant community.

Attachments:
1. Resolution 69,331-N.S.
2. List of Commissions with Meeting Data

cc: Mayor and City Councilmembers
Senior Leadership Team

RESOLUTION NO. 69,331-N.S.

RATIFYING THE RECOMMENDATIONS ISSUED BY THE DIRECTOR OF EMERGENCY SERVICES AND THE PUBLIC HEALTH OFFICER REGARDING MEETINGS OF BERKELEY LEGISLATIVE BODIES IN RESPONSE TO THE COVID-19 (NOVEL CORONAVIRUS) PANDEMIC

WHEREAS, on March 3, 2020, pursuant to Berkeley Municipal Code section 2.88.040, the City Manager, serving as the Director of Emergency Services, proclaimed the existence of a local emergency; and

WHEREAS, the proclamation was warranted by virtue of the extreme peril to the safety of persons and property in the City caused by pandemic in the form of the global spread of a severe acute respiratory illness caused by a novel (new) coronavirus ("COVID-19"), including confirmed cases in California and the San Francisco Bay Area, and presumed cases in Alameda County prompting the County to declare a local health emergency; and

WHEREAS, the proclamation of the Director of Emergency Services was ratified by the City Council on March 10, 2020; and

WHEREAS, the continued spread of COVID-19 and increase in community transmission cases in surrounding counties warrant further measures be taken by the City to protect the community; and

WHEREAS, the Public Health Officer has issued guidelines for limiting mass gatherings; and

WHEREAS, certain limitations on the meetings of legislative bodies in the City of Berkeley is warranted; and

WHEREAS, the continued essential functions of the City and certain legislative bodies must continue for time-sensitive, legally mandated actions; and

WHEREAS, the Director of Emergency Services presented recommendations to the Agenda & Rules Committee on March 12, 2020 regarding the meetings of legislative bodies; and

WHEREAS, the Agenda & Rules Committee recommended that said recommendations be forwarded to the City Council for acknowledgement and ratification.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the following recommendations issued by the Director of Emergency Services and the Public Health Officer regarding limitations and practices for legislative bodies of the City of Berkeley are hereby acknowledged and ratified:

Section 1. Boards and Commissions

Commissions listed below may continue to meet only if they have time-sensitive, legally mandated business to complete, as determined by the Director of Emergency Services. The City may consider teleconferencing for these commissions, if feasible.

Design Review Committee
Fair Campaign Practices Commission
Housing Advisory Commission (limited to quasi-judicial activities)
Joint Subcommittee on the Implementation of State Housing Laws
Landmarks Preservation Commission
Open Government Commission
Personnel Board
Planning Commission
Police Review Commission
Zoning Adjustments Board

Commissions in Category B shall not meet for a period of 60 days. This will be re-evaluated at the Agenda & Rules Committee meeting on April 13, 2020. A Commission in Category B may convene a meeting if it has time-sensitive, legally-mandated business to complete, as determined by the Director of Emergency Services.

Category B
Animal Care Commission
Cannabis Commission
Civic Arts Commission
Children, Youth, and Recreation Commission
Commission on Aging
Commission on Disability
Commission on Labor
Commission on the Status of Women
Community Environmental Advisory Commission
Community Health Commission
Disaster and Fire Safety Commission
Elmwood Business Improvement District Advisory Board
Energy Commission
Homeless Commission
Homeless Services Panel of Experts
Housing Advisory Commission
Human Welfare and Community Action Commission
Measure O Bond Oversight Committee
Mental Health Commission
Parks and Waterfront Commission
Peace and Justice Commission
Public Works Commission
Solano Avenue Business Improvement District Advisory Board
Sugar-Sweetened Beverage Product Panel of Experts

Transportation Commission
Youth Commission
Zero Waste Commission
Loan Administration Board

Section 2. City Council Policy Committees
The Agenda & Rules Committee and the Budget & Finance Committee may continue to meet to fulfill their legislative and advisory responsibilities. All other Policy Committees (Facilities, Infrastructure, Transportation, Environment & Sustainability, Public Safety, Land Use, Housing & Economic Development, and Health, Life Enrichment Equity & Community) are suspended indefinitely. The 120-day deadline to consider an item will be tolled during the suspension of business.

Section 3. City Council
For City Council meetings, the City will continue to advise and implement social distancing by limiting the capacity of the Council Chambers, providing an overflow room, attempting to limit the duration of the meeting, only conducting essential business, and limiting or suspending ceremonial items. The City will adhere to and implement the provisions of the Governor's Executive Order #N-25-20 related to the Brown Act and the utilization of technology to facilitate participation.

The foregoing Resolution was adopted by the Berkeley City Council on March 17, 2020 by the following vote:

Ayes: Bartlett, Davila, Droste, Hahn, Harrison, Kesarwani, Robinson, Wengraf, and Arreguin.

Noes: None.

Absent: None.

Jesse Arreguin, Mayor

Attest:
Mark Numainville, City Clerk

Boards and Commissions	Meetings Held Under COVID Emergency (through 10/11)	Scheduled Meetings in October	Regular Mtg. Date	Secretary	Department
Zoning Adjustments Board	10	1	2nd & 4th Thur.	Shannon Allen	PLD
Police Review Commission	9	1	2nd & 4th Wed.	Katherine Lee	CM
Fair Campaign Practices Commission	8	1	3rd Thur.	Sam Harvey	CA
Design Review Committee	5	1	3rd Thur.	Anne Burns	PLD
Landmarks Preservation Commission	5	1	1st Thur.	Fatema Crane	PLD
Open Government Commission	5	1	3rd Thur.	Sam Harvey	CA
Homeless Services Panel of Experts	4	1	1st Wed	Brittany Carnegie	HHCS
Disaster and Fire Safety Commission	3	1	4th Wed.	Keith May	FES
Parks and Waterfront Commission	3	1	2nd Wed.	Roger Miller	PRW
Planning Commission	3		1st Wed.	Alene Pearson	PLD
Public Works Commission	3	1	1st Thur.	Joe Enke	PW
Civic Arts Commission	2		4th Wed.	Jennifer Lovvorn	OED
Solano Avenue BID Advisory Board	2		Contact Secretary	Eleanor Hollander	OED
Elmwood BID Advisory Board	1		Contact Secretary	Kieron Slaughter	OED
Joint Subcom. on Implementation of State Housing Laws	1		4th Wed.	Alene Pearson	PLD
Mental Health Commission	1		4th Thur.	Jamie Works-Wright	HHCS
Personnel Board	1		1st Mon.	La Tanya Bellow	HR
Transportation Commission	1	1	3rd Thur.	Farid Javandel	PW
Animal Care Commission	0		3rd Wed.	Amelia Funghi	CM
Cannabis Commission	0		1st Thur.		PLD
Children, Youth, and Recreation Commission	0		4th Monday	Stephanie Chu	PRW
Commission on Aging	0		3rd Wed.	Richard Castrillon	HHCS
Commission on Disability	0		1st Wed.	Dominika Bednarska	PW
Commission on Labor	0		3rd Wed., alternate mor	Nathan Dahl	HHCS
Commission on the Status of Women	0		4th Wed.	Shallon Allen	CM
Community Environmental Advisory Commission	0		2nd Thur.	Viviana Garcia	PLD
Community Health Commission	0		4th Thur.	Roberto Terrones	HHCS
Energy Commission	0		4th Wed.	Billi Romain	PLD
Homeless Commission	0		2nd Wed.	Brittany Carnegie	HHCS
Housing Advisory Commission	0		1st Thur.	Mike Uberti	HHCS
Human Welfare & Community Action Commission	0		3rd Wed.	Mary-Claire Katz	HHCS
Loan Administration Board	0		Contact Secretary	Kieron Slaughter	OED
Measure O Bond Oversight Committee	0		3rd Monday	Amy Davidson	HHCS
Peace and Justice Commission	0		1st Mon.	Nina Goldman	CM
Sugar-Sweetened Beverage Product Panel of Experts	0		3rd Thur.	Dechen Tsering	HHCS
Youth Commission	0		2nd Mon.	Ginsi Bryant	PRW
Zero Waste Commission	0		4th Mon.	Heidi Obermeit	PW

November 4, 2020

To: Housing Advisory Commission

Submitted by: Marian Wolfe, District #6

Subject: Work Plan Recommendations

INTRODUCTION

The HAC will discuss an updated Work Plan at its November meeting this year.

Action:

Vote:

CURRENT SITUATION AND ITS EFFECTS

The strategies in this Work Plan are intended to advance our goal to create affordable housing and housing support service for our most vulnerable community members.

RECOMMENDATIONS

The strategies presented below are based on the 2020 Work Plan with some adjustments.

- Continue the process of developing a Fall U1 Report that the Vice Chair and Chair will draft and bring to the full HAC for review.

  Resources Needed: Staff time to provide information on actual U1 General Fund expenditures (2020) and commitments of funds for 2021.

  Intended Results - Report on expenditures and commitments of U1 General Funds and provision of recommendations of how the City can should establish and fund programs to increase the supply of affordable housing and protect Berkeley residents from homelessness.

[Work Plan Recommendations]

- Develop additional strategies using affordable housing funds to expand the supply of permanent affordable housing with funding proposals to provide to the City Council.

  Resources Needed – Staff assistance in estimating potential costs for each strategy (based on realistic goals).

  Intended Results - Suggested new programs (including scale of the programs) for the City Council to consider using local affordable housing funds as leverage for outside funds.

- Develop a program/structure for supporting low income homeowners and landlords to navigate/find funding that will facilitate the implementation of actual construction/repairs needed for them to keep their properties safe, livable, affordable and up to code.

  Resources Needed - Meet with staff and the Inspections office to see how they deal with this process currently. Consider procedural changes to accomplish improvements in processes for low income homeowners.

  Intended Results - Development of a program in which low income homeowners receive support in navigating and obtaining financial, repair/construction resources as opposed to being threatened by the consequences of enforcement procedures.

- Review agency applications for City funding.

  Resources Needed - Staff assistance to guarantee that members of the Commission carefully review applications and conduct site visits to the agencies whose applications are being considered. Applicants to be invited to address the HAC concerning their needs/requests and their accomplishments.

  Intended Results - To guarantee that funding decisions are based on community needs and the actual performance of agencies being reviewed.

- Allocate funding to Community Land Trusts and other democratized forms of housing.

Resources Needed – Funding to assist housing acquisition, and staff assistance to support residents in managing their buildings.

Intended Results – To expand housing supply that is owned and managed by residents.

FISCAL IMPACTS OF RECOMMENDATION

Adoption of the Work Plan in itself does not create fiscal impacts. However, it is possible that adoption of new programs, revised programs, or need for staff time could result in some fiscal impacts to the City. Additional discretionary funds may be necessary to fund activities in response to Council referrals including outreach, videography and space.

BACKGROUND

This year's work plan reflects the Commission's engagement with housing affordability and ongoing responsibilities of the Commission. The Commission is contemplating non- traditional housing ownership, tenancy, and development models.

ENVIRONMENTAL SUSTAINABILITY

There are no direct environmental effects associated with the content of this report.

RATIONALE FOR RECOMMENDATION

ALTERNATIVE ACTIONS CONSIDERED

Consent Calendar

16a. Smoke-Free Multi-Unit Housing Ordinance Policy and Enforcement Modifications *(Reviewed by the Health, Life Enrichment, Equity & Community Committee)*

From: Housing Advisory Commission

Recommendation: The Commission recommends that City Council:

1. Make a short term referral directing the City Manager to correct current City Policies for enforcing BMC 12.70.035 so that these policies do not contradict the ordinance and BMC 12.70.035 requires that second and third complaints must refer to a violation or violations that occur after the 12.70.035(C) notice has been made.
2. Modify BMC 12.70.035 so that the requirement that signs be posted is enforced as part of the Residential Safety ordinance. Failure to post signage may result in fines, accordingly.
3. Modify BMC 12.70.035 so that repeated failure to provide new tenants with the City's brochure shall be guilty of an infraction. It shall also be an infraction for landlords to tell new tenants, in contradiction to the law, that tobacco smoking by some tenants is permitted.
4. Obtain an analysis of the financial impacts of the recommended modifications to the BMC.

(On September 29, 2020, the Health, Life Enrichment, Equity & Community Committee made a qualified positive recommendation to send the item to Council including the following referrals: 1. Refer to staff to explore expanding the Ordinance to buildings with one unit; 2. Refer to staff to explore and consider improvements in the interface between the residential and commercial non-smoking Ordinances in mixed-use buildings; 3. Refer to staff to create a web-based complaint filing mechanism/service; 4. Refer to staff to create special protocols for chronic situations and to consider including requirements for better air filtration and purification as well as other measures to effectively manage chronic cases; 5. Refer to staff to study the infraction and enforcement mechanisms and determine if they have any benefits and to consider other potential enforcement end points; 6. Refer to staff to look for opportunities for bias in enforcement and mechanisms to better guard against bias while still allowing for maximum action to resolve legitimate complaints; 7. Refer to staff to propose funding sources for enforcement; 8. Refer to staff to collect demographic data around complaints and targets of complaints (as much as possible); and 9. To return to Council with Ordinance amendments to accomplish the following: (a) amend or remove the 10-day language element (b) modify or remove the 2-complainant rule if warranted (c) adjust for the medical cannabis state law changes, (d) propose any and all other improvements beneficial to the Ordinance.)

Financial Implications: See report

Contact: Mike Uberti, Commission Secretary, (510) 981-7400

Action: See action for Item 16b.

Consent Calendar

16b. Companion Report: Smoke-Free Multi-Unit Housing Ordinance Policy and Enforcement Modifications *(Reviewed by the Health, Life Enrichment, Equity & Community Committee)*

From: City Manager

Recommendation: The City Manager appreciates the Housing Advisory Commission's efforts to strengthen the implementation of the Smoke-free Multi-Unit Housing ordinance and recommends that the proposed modifications be referred to the City Manager Office for an analysis of the financial and legal feasibility of the proposed changes.

(On September 29, 2020, the Health, Life Enrichment, Equity & Community Committee made a qualified positive recommendation to send the item to Council including the following referrals: 1. Refer to staff to explore expanding the Ordinance to buildings with one unit; 2. Refer to staff to explore and consider improvements in the interface between the residential and commercial non-smoking Ordinances in mixed-use buildings; 3. Refer to staff to create a web-based complaint filing mechanism/service; 4. Refer to staff to create special protocols for chronic situations and to consider including requirements for better air filtration and purification as well as other measures to effectively manage chronic cases; 5. Refer to staff to study the infraction and enforcement mechanisms and determine if they have any benefits and to consider other potential enforcement end points; 6. Refer to staff to look for opportunities for bias in enforcement and mechanisms to better guard against bias while still allowing for maximum action to resolve legitimate complaints; 7. Refer to staff to propose funding sources for enforcement; 8. Refer to staff to collect demographic data around complaints and targets of complaints (as much as possible); and 9. To return to Council with Ordinance amendments to accomplish the following: (a) amend or remove the 10-day language element (b) modify or remove the 2-complainant rule if warranted (c) adjust for the medical cannabis state law changes, (d) propose any and all other improvements beneficial to the Ordinance.)

Financial Implications: See report

Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400

Action: Approved recommendation of the Health, Life Enrichment, Equity & Community Committee.

Vote: Ayes – Davila, Bartlett, Harrison, Hahn, Wengraf, Robinson, Droste, Arreguin; Noes – None; Abstain – Kesarwani.

Consent Calendar

17a. Recommendation to Modify Policies Related to the Enforcement of the Berkeley Smoke-Free Multi-Unit Housing Ordinance *(Reviewed by the Health, Life Enrichment, Equity & Community Committee)*
From: Housing Advisory Commission
Recommendation: Approve modifications to policies related to the enforcement of the Smoke-Free Multi-Unit Housing Ordinance, as follows:
1. Increase staffing to implement enforcement of the ordinance as part of the next budget;
2. Improve signage related to the ordinance in residential buildings;
3. Make the complaint process less onerous and more user-friendly, including enabling complainants to submit complaints electronically, providing complaint forms in different languages, and removing language requiring the statements to be "sworn," and considering other, less threatening language that still expects a complaint be provided under the best of appellant's knowledge;
4. Relax the current requirements around how the Ordinance-based complaint form must be completed in order to be processed (e.g., removing the requirement of providing two separate complaints from different individuals within a six-month period, if the building contains two or fewer units, removing the requirement of providing a sworn statement under penalty of perjury); and
5. Refer to the Community Health and Cannabis Commissions the question of whether the use of recreational (non-medical) cannabis should be incorporated into the Smoke-Free Housing Ordinance.
(No final action was taken by the Health, Life Enrichment, Equity & Community Committee. Item is automatically returning to the Council agenda pursuant to the 120-day time limit for items referred to policy committees.)
Financial Implications: See report
Contact: Mike Uberti, Commission Secretary, (510) 981-7400
Action: See action for Item 17b.

17b. Companion Report: Recommendation to Modify Policies Related to the Enforcement of the Berkeley Smoke-Free Multi-Unit Housing Ordinance
(Reviewed by the Health, Life Enrichment, Equity & Community Committee)
From: City Manager
Recommendation: The City Manager appreciates the Housing Advisory Commission's efforts to strengthen the implementation of the Smoke-free Multi-Unit Housing ordinance and recommends that the proposed modifications be referred to the City Manager Office for an analysis of the financial and legal feasibility of the proposed changes.
(No final action was taken by the Health, Life Enrichment, Equity & Community Committee. Item is automatically returning to the Council agenda pursuant to the 120-day time limit for items referred to policy committees.)
Financial Implications: See report
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: The Council took no action on the Item 17a and Item 17b due to the responsive action on Item 16b.

Uberti, Mike

From: Thomas Lord <lord@basiscraft.com>
Sent: Tuesday, October 27, 2020 3:14 PM
To: Housing Advisory Commission
Subject: letter for the full hac

Mike, please forward to the full commission.

I will soon transmit my official resignation The Housing Advisory Commission. As I leave, I would like to share some of my reasons for leaving. fI had hoped to have a chance to say this in person, but the pandemic intervened.

When I arrived, the Housing Advisory Commission was a reasonably serious body, several of whose members "did the homework," engaged in real deliberation, and maintained comity. Even when the former chair and vice chair behaved, in my opinion, improperly - nevertheless, serious work still got done.

In the more recent years, with a flurry of new appointments, that seriousness and productivity has been replaced by what can only be called sabotage.

Some examples:

* Two members who filibustered for more than an hour, arguing that they should neither have to read or write agenda packet memos. I found that level of arrogance and malice beyond astonishing. I still do.

* Several members who clearly don't prepare and who bluff and speechify in an effort to add a check mark to their political resume.

* Some members whose attendance is so erratic it is a surprise to see them at a meeting.

* Members who engage in personal insults, interrupt frequently, and filibuster - and a chair who allows this.

* A quite understandable degree of dis-engagement of HHCS staff from the commission as the commission devolved.

* Active, insistent climate emergency denial. Hostility to even bringing it up unless to discuss it falsely in support of advancing this or that item.

* Unaddressed conflicts of interest oriented toward protecting the interests of HUD-related practitioners above the social needs of the community.

As far as I can tell, the appointing members of City Council who appointed the most disruptive and corrupting HAC members are quite pleased with their choices and the outcome. The HAC is reduced to a rubber stamp. The HAC is dead. Long live the HAC.

There therefore being nothing good that can be accomplished at the Commission, there is no point in wasting even another hour on it. What a shame. What a waste.

Sincerely,
Thomas Lord

Uberti, Mike

From: Northern California Land Trust <sarah.scruggs@nclt.org>
Sent: Wednesday, June 3, 2020 3:09 PM
To: Berkeley Mayor's Office; All Council; City Clerk
Cc: Housing Advisory Commission; Health, Housing & Community Services; Saki Bailey; Fernando Echeverria; Hewot Shankute; Seema Rupani; Francis McIlveen; Ian Winters
Subject: Anti-displacement efforts - Prioritizing funding for the Small Sites Program
Attachments: Prioritizing Berkeley SSP Funding - BACLT EBCLC NCLT - 6.3.20.pdf

June 3, 2020

Dear Honorable Mayor Jesse Arreguin and City of Berkeley Councilmembers,
(CC: Housing Advisory Commission and Department of Health, Housing, and Community Services)

Re: Anti-displacement efforts - Prioritizing funding for the Small Sites Program

Thank you for your work to keep Berkeley residents housed and safe in this time of crisis and for listening to the needs of Berkeley renters to support stronger eviction moratoria. We know the city is facing a $28.5 million budget deficit and as you make decisions to prioritize the health and safety of Berkeley residents, we believe anti-displacement efforts against speculation and focused on tenants and long-term affordability are at the heart of those priorities. Now is the time to double down on putting at-risk rental buildings into permanent affordability. We ask you to fund the Small Sites Program (SSP) by $10 million, as the Mayor had previously proposed, leveraging available city funds with other sources to reach that amount.

Local match funding through a mechanism like SSP is an essential and required part of many other funding streams (such as the Enterprise/LIIF Bay Area Preservation Pilot) that the affordable housing community relies on for acquisition and rehab projects. Loss of local match funds that are leveraged with other sources could mean the loss of investment in housing affordability at an order of magnitude greater than SSP dollars.

As you know, we have been communicating the importance of SSP and a Tenant Opportunity to Purchase Act policy (TOPA) with some of you since 2015. In 2017 Council adopted the Affordable Housing Implementation Plan, which listed SSP and TOPA as the top priorities and included the Mayor's referral to staff to create SSP and develop TOPA. In 2019, the City awarded the first allocation of SSP funds - $1M - to BACLT to develop the Stuart Street Apartments in partnership with McGee Avenue Baptist Church. Despite the success of this pilot project and promises to continue funding SSP, there has been no additional funding to Berkeley's SSP. Meanwhile, in 2019 Oakland created a $12M preservation fund to support CLTs in acquiring small sites and San Francisco, which initially funded their SSP with $3M in 2014, has allocated over $100M to their SSP to acquire 28 properties as of 2018.

It is our sincere belief that without a commitment of additional funds into Berkeley's SSP, the critical preservation work done by affordable housing developers such as our local CLTs will languish, resulting in the devastating (and inexcusable) mass displacement of Berkeley residents, and particularly those residents of color. The time to act and make such a budget allocation was yesterday. Covid-19 and shelter in place has only made more obvious the critical importance of secure and widespread access to housing. While the eviction moratorium provides critical immediate protections to tenants, we also need secure, permanently affordable housing now in order to protect rental properties from the speculation that we saw during the 2007-2009 recession and thereafter.

Measures O and U1 passed because Berkelyites believed that their city government would have the courage and the integrity to use those funds for the purpose for which they were earmarked: for long term affordable housing for those of low-, very low-, low-, median-, and middle-income individuals and working families, including teachers, seniors, veterans, the homeless, students, people with disabilities, and other vulnerable populations. While the Berkeley Way project, and other new affordable housing constructions (Oxford), is a significant move in achieving these aims, there is an immediate and critical need for preventing displacement in existing multi-unit buildings between 5-25 units (the very

target units of the SSP), a need which has become only more critical in the face of Covid-19 and the shift in the market. Recent breakthrough research done by the Urban Displacement Project at UC Berkeley, and particularly by Miriam Zuk, demonstrate that only with subsidies can affordable housing be created in a way that has impact now rather than ten years from now. Failing to sustain and creatively increase funds for such programs as SSP would have the disastrous effect of accelerating rather than alleviating such displacement.

SSP was created because of the recognition that smaller multi-unit buildings and single- family homes have been all but abandoned by non-profit housing developers which rely heavilyÂ on low income housing tax credit financing. As you know, Berkeley's rental housing stock is comprised primarily of smaller properties. Without creating an alternative source of financing, like the SSP, combined with legal mechanisms to support the purchase of these properties like the Tenant Opportunity to Purchase (TOPA), it is very difficult to bring these properties under permanent affordability and provide tenants in them with long-term secure housing in Berkeley. We are starting to see LLCs purchasing small sites in localities around Berkeley. This will only increase as deep-pocket investors prepare to take advantage of the economic crisis by buying up the coming deluge of distressed rental properties due to smaller landlords' inability to weather the loss of rental income. The strategy was well honed during the 2008-9 financial markets crisis, with companies like Wedgewood Inc. devastating the region. As the Moms4Housing campaign highlights, these companies cannot and should not be given the opportunity to do the same now in the recession caused by Covid-19.

As the TOPA working group has discussed with the Mayor's office, once TOPA is adopted we would also like to see SSP guidelines that align with TOPA so that low-income tenants wishing to purchase the properties they live and convert to permanent affordability can also access these funds, and so that SSP funds can be used to purchase smaller unit properties as well (such as SFHs, duplexes, triplexes, and quadplexes). We'd also like to ensure funds are targeted towards preserving housing for the most vulnerable tenants and those from historically marginalized communities that have been most impacted by displacement in Berkeley, especially in locations experiencing advanced gentrification & displacement. We are happy to work with the City and our Challenge Grant Fellow on developing these guidelines, but first the City needs to allocate funds to SSP.

Berkeley needs to be prepared to prevent the displacement of vulnerable tenants and speculation by investors prioritizing profit, and a key part of that preparation is allocating funds to keep SSP viable. Additionally, funding SSP should not be seen as taking away funding from tenant protections work. We must acknowledge that investment in both is necessary to keep Berkeleyites housed and in their community. Preservation and tenant protections are both part of a larger anti-displacement strategy.

We cannot allow Berkeley's most marginalized tenants to suffer the same housing destabilization that transpired during the 09 crisis. We urge the City to exercise critical foresight by funding $10 million to SSP through the leveraging of available city funds with other sources.

Sincerely,

Bay Area Community Land Trust
www.baclt.org

East Bay Community Law Center
www.ebclc.org

Northern California Land Trust
www.nclt.org

June 16, 2020

Dear Honorable Mayor Jesse Arreguin and Berkeley City Council Members,
(Cc: Department of Health, Housing and Community Development; Housing Advisory Commission)

Re: Approve a budget that invests in community, not the police

The East Bay Community Law Center's Community Economic Justice Clinic (CEJ) advances people-oriented economic development and empowers low-income communities of color to build long-term solutions to poverty in the East Bay using a racial justice and anti-displacement lens. As part of these efforts, CEJ works to protect, preserve and produce affordable housing for low-income communities of color who are disproportionately displaced due to gentrification. CEJ works in close partnership with several community organizations, including the Northern California Land Trust, Bay Area Community Land Trust, and Friends of Adeline, to advance policies like the Tenant Opportunity to Purchase Act and Small Sites Program that would prevent the displacement of low-income residents, build wealth through homeownership, and preserve lasting affordable housing.

Defunding the Berkeley Police Department and reallocating a portion of its funding to initiatives that promote community health, housing, and safety is more essential now in this time of pandemic and racial injustice crisis. The BPD takes an enormous share of the city's general fund, and that percentage has increased exponentially over the past two decades, at growing cost to essential departments and programs. In fact, 38% of the City's budget goes to the BPD, while only 10% goes towards housing, health, and community service.

Berkeley may be facing a $28 million budget deficit in FY2020-2021, yet it is still poised to invest 44% of its general fund into policing. That $74 million comes at the expense of vital public services such as housing and healthcare. Despite increased funding, the BPD has done nothing to decrease crime over the past 20 years. Instead, it has continued to terrorize Black and brown communities, tearing at the fabric of our community. Given the dire state of Berkeley's finances and the urgent need for racial justice, it is high time to defund the BPD and reallocate their resources to departments and programs that put people first. We stand in solidarity with close community partners like Friends of Adeline in urging the Mayor and City Council to do the right thing.

As Berkeley-based nonprofit organizations, we urge you to take immediate action to:

1. Reduce BPD's allocation from the general fund by 50%. Do not make any budget cuts to social welfare and services, but instead reduce the budget for the police department to address our budget deficit.
2. Discontinue use of general fund dollars to pay for settlements due to police murder, misconduct, and negligence.
3. Invest in housing, jobs, youth programs, restorative justice, and mental health workers to keep the community safe.

Berkeley cannot wait any longer for a budget that meets the needs of its residents. The only way to achieve this is to take immediate steps to defund BPD.

Sincerely,

Community Economic Justice clinic,
a practice of the
East Bay Community Law Center
www.ebclc.org

Northern California Land Trust
www.nclt.org

Uberti, Mike

From: Housing Advisory Commission
Sent: Friday, August 21, 2020 12:03 PM
Subject: FW: Berkeley Independent Redistricting Commission
Attachments: Berkeley Redistricting Plan - Graphic -June Revision.pdf

Hello Commissioners,

I hope you are all safe amid COVID and the fires. Please see the message below from the City Clerk.

The City of Berkeley is looking for dedicated residents to help shape the city's future. Thirteen people will be selected from the pool of applicants to serve on an Independent Redistricting Commission (IRC) in 2021-2022. Our goal is to reach all of Berkeley's diverse residents to ensure diverse representation on the commission – a task that has become more challenging during the COVID-19 pandemic.

City Commissioners may serve on the IRC provided that they resign from all other city commissions if selected. In addition, they will be barred from serving on any city commissions for two years after the termination of their service on the IRC.

Full information, including the application form, is available on the redistricting web page - https://www.cityofberkeley.info/redistricting/

The City Clerk Department team is available for any questions! Contact us at (510) 981- 6908 or redistricting@cityofberkeley.info

---

From: Uberti, Mike
Sent: Friday, August 21, 2020 11:58 AM
To: Housing Advisory Commission <HAC@cityofberkeley.info>
Subject: FW: Berkeley Independent Redistricting Commission

From: Numainville, Mark L.
Sent: Wednesday, August 19, 2020 4:50 PM
To: Allen, Shallon L. <SLAllen@cityofberkeley.info>; Allen, Shannon <ShAllen@cityofberkeley.info>; Bednarska, Dominika <DBednarska@cityofberkeley.info>; Bellow, LaTanya <LBellow@cityofberkeley.info>; Bryant, Ginsi <GBryant@cityofberkeley.info>; Buckley, Steven <StBuckley@cityofberkeley.info>; Burns, Anne M <ABurns@cityofberkeley.info>; Carnegie, Brittany <BCarnegie@cityofberkeley.info>; Castrillon, Richard <rcastrillon@cityofberkeley.info>; Chu, Stephanie <SChu@cityofberkeley.info>; Crane, Fatema <FCrane@cityofberkeley.info>; Dahl, Nathan <NDahl@cityofberkeley.info>; Davidson, Amy <ADavidson@cityofberkeley.info>; Enke, Joe <jenke@cityofberkeley.info>; Funghi, Amelia <Afunghi@cityofberkeley.info>; Garcia, Viviana <ViGarcia@cityofberkeley.info>; Goldman, Nina <NGoldman@cityofberkeley.info>; Greene, Elizabeth <EGreene@cityofberkeley.info>; Harvey, Samuel <SHarvey@cityofberkeley.info>; Hollander, Eleanor <EHollander@cityofberkeley.info>; Javandel, Farid <FJavandel@cityofberkeley.info>; Katz, Mary-Claire <MKatz@cityofberkeley.info>; Lovvorn, Jennifer <JLovvorn@cityofberkeley.info>; May, Keith <KMay@cityofberkeley.info>; Miller, Roger <RMiller@cityofberkeley.info>;

Obermeit, Heidi <hobermeit@cityofberkeley.info>; Pearson, Alene <apearson@cityofberkeley.info>; PRC (Police Review Commission) <prcmailbox@cityofberkeley.info>; Romain, Billi <BRomain@cityofberkeley.info>; Slaughter, Kieron <kslaughter@cityofberkeley.info>; Terrones, Roberto <RTerrones@cityofberkeley.info>; Tsering, Dechen <DTsering@cityofberkeley.info>; Uberti, Mike <MUberti@cityofberkeley.info>; Warren, Elliot <EWarren@cityofberkeley.info>; Works-Wright, Jamie <JWorks-Wright@cityofberkeley.info>
Subject: Berkeley Independent Redistricting Commission

Commission Secretaries,

Please see the attached memo and supporting document to share with your commissioners regarding the Redistricting Commission.

Mark Numainville, City Clerk
City of Berkeley
2180 Milvia Street, 1st Floor
Berkeley, CA 94704
(510) 981-6909 direct
mnumainville@cityofberkeley.info

Uberti, Mike

From: DerekCWallace <DerekCWallace@protonmail.com>
Sent: Monday, August 3, 2020 10:34 PM
To: Housing Advisory Commission
Subject: Berkeley Mayoral Candidate Introduction

Hello, my name is Derek C. Wallace and I am running for the office of Mayor of Berkeley in the upcoming elections. I wanted to introduce myself and see where I could plug in to the City's conversation on the topic of the Housing Advisory Commission. Here is a link to Daily Cal's article about my candidacy:

https://www.dailycal.org/2020/06/29/making-berkeley-the-best-it-can-be-derek-wallace-announces-candidacy-for-mayor

Peace and health,

Derek
--
510.290.1643
http://www.facebook.com/DerekCWallace
http://www.twitter.com/DerekCWallace
https://www.instagram.com/DerekCWallace

Uberti, Mike

From: Housing Advisory Commission
Sent: Monday, July 20, 2020 12:06 PM
Subject: FW: Climate Action & Resilience Update - Council Work Session 7/21

Hello Commissioners,

Please see the message below about a Council work session tomorrow that may be of interest to you. The zoom info to join the meeting is below.

Berkeley City Council Special Meetings | Tuesday July 21 | 6 pm

https://www.cityofberkeley.info/Clerk/City_Council/City_Council__Agenda_Index.aspx

Videoconference: https://us02web.zoom.us/j/89031983199

Teleconference: 669-900-9128 Meeting ID:890 3198 3199

From: Van Dyke, Katie <kvandyke@cityofberkeley.info>
Sent: Monday, July 20, 2020 10:13 AM
To: Uberti, Mike <MUberti@cityofberkeley.info>
Cc: Romain, Billi <BRomain@cityofberkeley.info>
Subject: Climate Action & Resilience Update - Council Work Session 7/21

Hi Mike,

I hope you are well. We wanted to let you know that we have a work session scheduled for Council tomorrow, Tuesday 7/21 to provide an update on Climate Action & Resilience. The Agenda includes several reports, including reports on the Building Energy Savings Ordinance (BESO) Evaluation & proposed updates to the program, and Transfer Tax Rebate Program Update. We wanted to let you know so that you could share with the HAC in case anyone is interested in attending.

The Work Session is scheduled to start at 6, but there is a ballot measure meeting happening before our session so we expect we may start late.

A summary of the Council Items and proposed recommendations can be found below. Please let me know if you have any questions.

Best,
Katie

--July 21 Summary of Items and Recommendations

Uberti, Mike

From: Housing Advisory Commission
Sent: Tuesday, March 10, 2020 11:20 AM
Subject: FW: Communication to Commissions - Citywide Restroom Assessment - provide your input into the new On-line Survey

Dear Commissioners,

Please find correspondence below addressed to the Housing Advisory Commission.

Best,

Mike Uberti
Community Development Project Coordinator
City of Berkeley Health, Housing & Community Services Department
2180 Milvia Street, 2nd Floor, Berkeley CA 94704
510.981.5114
muberti@cityofberkeley.info

****

Good afternoon,

We are asking for your input on the **Citywide Restroom Assessment**, a City of Berkeley Measure T1 project.

Please take five minutes to complete the new on-line survey at the following link: http://berkeleywash.org/community-survey.html

The first page of the survey provides a full description of the **Citywide Restroom Assessment Project**. The survey will be used to help the City compile a draft Master Plan Study to guide improvements for public restrooms and public sanitation in Berkeley.

[Technical note: The survey works best in the CHROME web browser. It also works in the INTERNET EXPLORER browser, but you must zoom in to the maximum extent. Copy the survey link above and paste it in your browser]. All survey responses are anonymous.

For more information about the **Citywide Restroom Assessment Project,** you can visit the **Project Update** at the following link:
https://www.cityofberkeley.info/uploadedFiles/Parks_Rec_Waterfront/Level_3__-General/CItywide%20Restroom%20Assessment.pdf

For questions about this project and the survey, please contact Meg Prier at Hyphae Design at megan@hyphae.net.

Many thanks,

Roger Miller

Project Manager / Secretary to the Parks and Waterfront Commission
Parks, Recreation & Waterfront Dept
2180 Milvia St
Berkeley, CA 94704
(510) 981-6704
rmiller@cityofberkeley.info

Uberti, Mike

From: Rodriguez, Rebecca
Sent: Thursday, July 9, 2020 2:14 PM
To: Carol Denney; Hernandez, Lisa; Housing Advisory Commission
Subject: RE: disability access/retaliation in MUH smoking complaint system

Carol,
Our program communicates with alleged violators through USPS. I am inquiring to see if there could be further engagement prior to this case meeting the requirements needed in order to forward to the City Manager's Code Enforcement Department.
I will let you know when I know more. Thanks so much for your patience.
Best,
Rebecca

Ms. Rebecca Day-Rodriguez
Health Services Program Specialist
Preferred pronouns: she/her/hers

City of Berkeley
Health, Housing & Community Services
Public Health Division
Tobacco Prevention Program
1947 Center St. 2nd Floor
Berkeley, CA 94704
Tel: 510-981-5337
Fax: 510-981-5395
E-mail: rerodriguez@ci.berkeley.ca.us
www.ci.berkeley.ca.us/publichealth.

"Every moment is an organizing opportunity, every person a potential activist, every minute a chance to change the world."
- Dolores Huerta

Please note: As a cost saving measure the City of Berkeley is closed the 2nd Friday of every month. Additional closures may occur. For the latest City Closures and Holidays please check the City of Berkeley Homepage at www.ci.berkeley.ca.us.

-----Original Message-----
From: Carol Denney [mailto:cdenney@igc.org]
Sent: Wednesday, July 8, 2020 11:00 AM
To: Hernandez, Lisa <LiHernandez@cityofberkeley.info>; Rodriguez, Rebecca <ReRodriguez@cityofberkeley.info>; Housing Advisory Commission <HAC@cityofberkeley.info>
Subject: disability access/retaliation in MUH smoking complaint system

To: Dr. Lisa B. Hernandez, MD, MPH, Health Officer Health, Housing & Community Services Department, Public Health Division
1947 Center Street, 2nd Floor
Berkeley, CA 94704

Dear Dr. Hernandez,

I want to make sure that you and the department staff know that the enclosed complaint letter intended for Frank Clark, the tenant at 1970 San Pablo Avenue, Apt. 1, Berkeley, CA 94702 never reached him. The letter was scrawled with profanity and glued to my now-defaced front door on Sunday, June 14, 2020, by Joe Wright, the home healthcare worker for Frank Clark, who I am told is disabled and blind.

Due to his disability, Frank Clark needs to be contacted in some other way in order to learn anything about the violence, vandalism, and smoking behavior of his home healthcare aide, Joe Wright, who has a restraining order lodged against him in Superior Court, Case Number HF20064657. Frank Clark needs to be apprised of his responsibility for Joe Wright's behavior.

Perhaps the Building Manager, Steve Keen (510-610-0899), would be willing to read the letter to him, or perhaps you could do so if you call him. It is unlikely that Mr. Clark will get any mail documenting Joe Wright's ongoing multi-unit housing smoking regulations or violence on the property. Frank Clark, the tenant in Apt. 1, may have no idea that Joe Wright is physically attacking and destroying the property of other tenants here.

This situation underscores the need for some way to address multi-unit housing smoking issues which are aggravated, rather than resolved, by the current complaint system, which in our case is being used to target those who attempt to use it, as well as the necessity of having some way to contact disabled citizens whose mail is being intercepted by the perpetrators of criminal behavior.

Sincerely,

Carol Denney
1970 San Pablo Avenue #4
Berkeley, CA 94702
510-548-1512

Uberti, Mike

From: Peter Jacoby <pjacoby@berkeley.edu>
Sent: Wednesday, July 22, 2020 12:53 PM
To: Housing Advisory Commission
Subject: Re: inquiry

Ok--the EBCLC were no help, I regret to say (nor Centro Legal de La Raza--somewhere I had been an anonymous donor for close to a decade). In case this information is of use
Peter

On Tue, Jul 21, 2020 at 4:46 PM Housing Advisory Commission <HAC@cityofberkeley.info> wrote:

> I'm sorry sir but I unfortunately don't have a recommendation. This is the Housing Advisory Commission though, not the Housing Authority. You can contact them at: https://www.cityofberkeley.info/bha/
>
> If this is a landlord/tenant issue, you can also contact the Berkeley Rent Board: https://www.cityofberkeley.info/rent/
>
> The East Bay Community Law Center may be able to help you navigate Oakland: https://ebclc.org/
>
> **From:** Peter Jacoby <pjacoby@berkeley.edu>
> **Sent:** Monday, July 20, 2020 3:23 PM
> **To:** Housing Advisory Commission <HAC@cityofberkeley.info>
> **Subject:** Re: inquiry
>
> ps
>
> Do you know who might? This is a rental, but a habitability issue. And I was working from home, when this began.
>
> On Mon, Jul 20, 2020 at 3:22 PM Peter Jacoby <pjacoby@berkeley.edu> wrote:
>
> > Hi Mike Uberti--I was recommended contacting the housing authority (I think) though for Oakland, by one office or another. (I think in Piedmont.) Given the relatively esoteric circumstances--illegal surveillance, industrial non ionizing radiation (apparently microwaves), I am wondering what you might recommend. I never had issues like this in twenty years (So far as I know.) The situation has made me temporarily homeless for a long time. I was profitable and very healthy when this began: you see my point. Thank you -Peter
> >
> > On Mon, Jul 20, 2020 at 12:03 PM Housing Advisory Commission <HAC@cityofberkeley.info> wrote:
> >
> > > Hello Peter,
> > >
> > > Apologies for the delay getting back to you. The HAC and City of Berkeley do not maintain or provide inspector recommendations for the private market.
> > >
> > > Best of luck.
> > >
> > > Thank you,
> > >
> > > Mike Uberti

From: Peter Jacoby <pjacoby@berkeley.edu>
Sent: Friday, July 10, 2020 10:11 PM
To: Housing Advisory Commission <HAC@cityofberkeley.info>
Subject: inquiry

mike uberti, hi. i am looking for a referral to a private environmental inspector/contractor.industrial levels of non ionzing radiation in a residential space. north oakland but thought Berkeley HAC might knbow someone. thank you -peter

Uberti, Mike

From: laura@laurababitt.com
Sent: Monday, August 17, 2020 3:16 PM
To: Housing Advisory Commission
Subject: Laura Babitt For School Board- Please forward to your commission members
Attachments: Laura Babitt for School Board Postcard.png

Dear Housing Advisory Commission,

My name is Laura Babitt and I am running for the Berkeley School Board. My endorsers include the Berkeley Federation of Teachers (BFT), Senator Nancy Skinner, Supervisor Keith Carson, Mayor Jesse Arreguin, Current and Former School Board Directors, City Council Members, the Alameda Labor Council, and a host of other Unions, Community Leaders, Parent & Student Leaders, Organizers, Advocates, and Faith Based Organizations.

As leaders of the Berkeley Community, I would also be honored if you would consider me as your candidate for the Berkeley School Board. Here is a brief bit of my experience in Berkeley, and what I plan to do.

My history making change in Berkeley Unified:
I am the parent of three daughters who attend/attended Berkeley schools and a seasoned organizer who understands the inner workings of Berkeley Unified School District.
As a BUSD Oversight Committee Member over the last 10 years, I have championed:

- Support over Discipline
- Social-Emotional Counselors
- Extended Day & Summer Learning Opportunities
- Expanding the Office of Family Engagement & Equity
- Special Education Support/Reform
- Anti-Racism Task Force
- Educational Parenting and Empowerment Workshops
- Young Gifted and Black- Berkeley
- 30 Minutes a Day of Dedicated English Language Learner Support
- Restorative Justice/Welcoming School Climates
- Hiring and Retention of Teachers of Color
- Development of the Berkeley Schools Excellence Program (BSEP) Parcel Tax Measure
- Stopping Budget Cuts for Educators

How will I help BUSD going forward?
Our current Board of Directors is comprised of lawyers, administrators, and educators. I will add my finance and accounting skills to team which will help BUSD successfully navigate the financial crisis brought on by COVID-19. I have successfully led million to billion-dollar entities through two recessions in my 25 year career in finance and accounting.

Combining my professional background with my hands-on BUSD experience, positions me to be of great value and service to Berkeley Students, Families, and Educators.

I am committed to addressing the equity challenges BUSD faces as it reengineers its schools, and continues to strive to overcome the opportunity gap. Through the lens of equity for all Berkeley students, I am committed to:

1. Create **accountability** structures so that our programs and special education services are implemented effectively and with fidelity to its researched based results.
2. Provide **outcome-oriented budgeting**
3. **Cut** red-tape
4. Build **collaborative welcoming** school environments

I understand deeply why BUSD failed to reach its 2020 promise of closing the achievement or opportunity gap. I am also convinced that it is possible to serve all students in BUSD well. I am ready to help make that vision a reality.

Please contact me at laura@laurababitt.com or (925) 238-5239. I would love to meet with your commission board or individual members to further discuss how we can partner together to move Berkeley Schools forward.

Thank you for your time and consideration.

Sincerely,
Laura Babitt
Leadership for Changing Times
www.laurababitt.com
Laura Babitt for School Board- Facebook page
@laurababitt all social media

Uberti, Mike

From: Carol Denney <cdenney@igc.org>
Sent: Thursday, September 17, 2020 2:12 PM
To: Becky O'Malley; Housing Advisory Commission; Rodriguez, Rebecca; Ratliff, J C "Tino"
Subject: letter to MUH smoking complaint staff

September 17, 2020

To: Multi-Unit Housing Smoking Violation Complaint Staff

Re: Complaint system issue at 1970 San Pablo Avenue, Berkeley, CA 94702

Dear Multi-Unit Housing Smoking Violation Complaint Staff, or to whom it may concern;

I am submitting another MUH violation complaint form this morning. But I am requesting that you address this complaint differently, given the unique circumstance I find myself in.

I am participating in a City of Berkeley program about three years old designed to assist tenants who are victims of egregious mistreatment by their landlords, in our case a board of directors and staff who are indifferent to violence, vandalism, and assaults on tenants' property as well as serious habitability issues including mold, fire danger-- *and secondhand tobacco smoke from tenants, staff, and board members who continue to smoke in their units and in the common corridors.*

The Eviction Defense Center recommended my case to this program after I was repeatedly threatened with eviction for reporting a habitability issue. The case is pending; he courts are in no small disarray due to the pandemic, and I have been instructed to continue documenting the smoking violations by both the Tobacco Prevention Staff and the attorneys conducting this case.

The complaint forms which you return to our apartment building go straight to this same board of directors and staff, and have the effect of aggravating the extremity of my difficulties here. The Housing Advisory Commission recommended changes to this complaint process over a year ago for many reasons including circumstances like mine.

Please find some way to help us which won't make matters worse. I have been physically assaulted six times in the past year, and have had over $30,000 of property destroyed.

Thank you,

Carol Denney

1970 San Pablo Avenue #4

Berkeley, CA 94702

cc: Housing Advisory Commission, Berkeley City Council, Berkeley Daily Planet, Commissioner Lord, Commission Tregub

-->

Uberti, Mike

From: Housing Advisory Commission
Sent: Monday, September 21, 2020 3:35 PM
Subject: Measure T1 Phase 2 - Public Meetings in October 2020

Hello Commissioners,

Please find information below regarding five upcoming virtual community meetings for public feedback for Phase 2 of the Measure T1 infrastructure bond program.

Best,

Mike Uberti

****

T1 Bond Program
Phase 2 Public Process
Release

The City is currently soliciting public input on how to spend over $50M in Measure T1 bond funding. In 2016, the residents of Berkeley passed a $100M Infrastructure bond ("Measure T1"). Right now, the City is spending $40M for Phase 1 on array of amazing projects that were identified in 2017. For a complete list of projects and information about the bond, please see the below link.

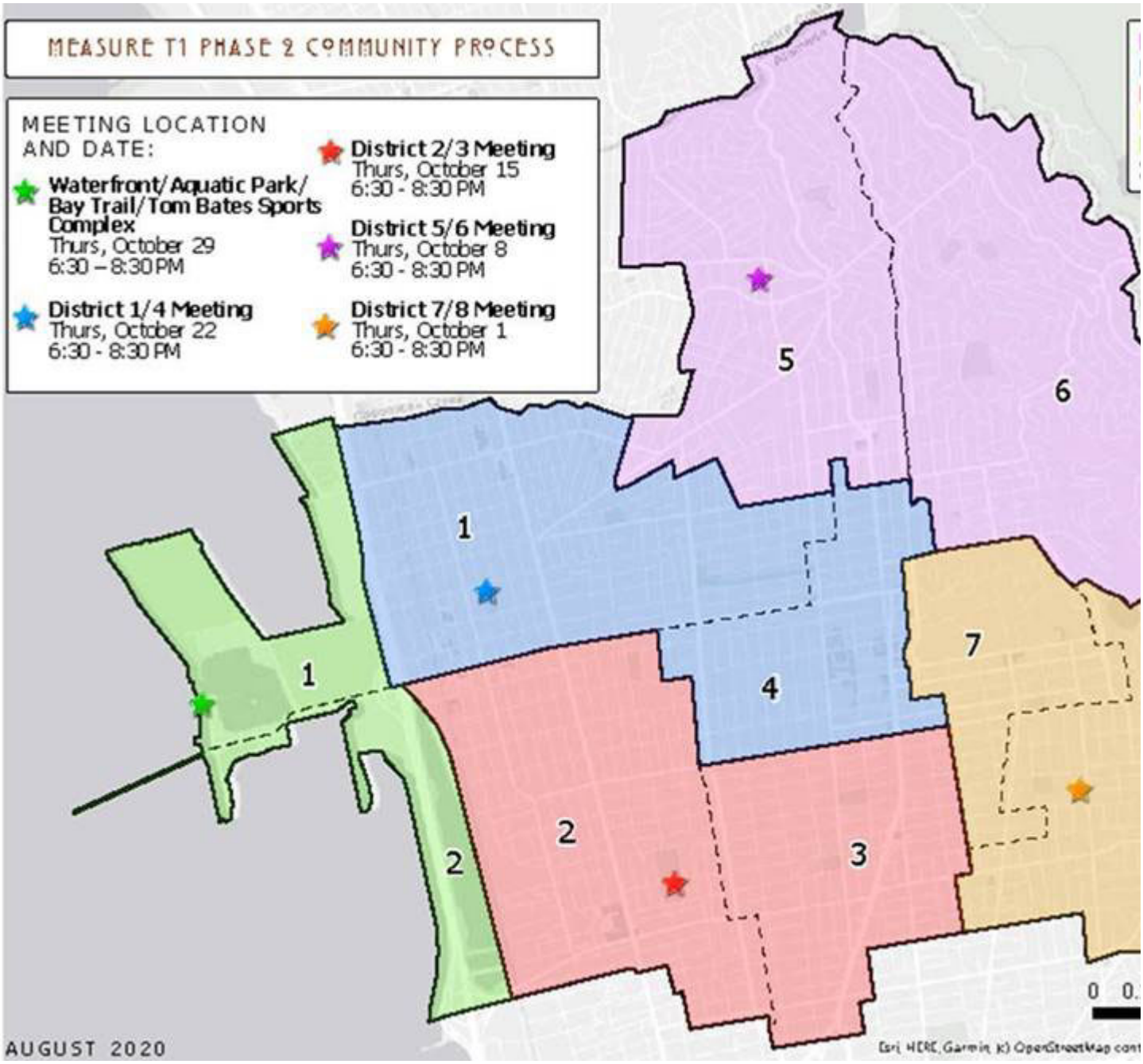
https://www.cityofberkeley.info/MeasureT1Updates.aspx

During the month of October 2020, City Staff and members from the Parks and Waterfront and Public Works Commissions will host five (5) public meetings to get public feedback on how T1 Phase 2 funding should be spent. Each meeting will focus on potential projects in the identified areas as well as city- wide projects. (see below dates and map).

October 2020 - Area Public Meetings (5) on Measure T1 Phase 2

Each Thursday in October, 2020, 6:30pm – 8:30pm. [Via Zoom webinars].

- **10-01-2020**, 6:30 PM – Districts 7/8: https://zoom.us/j/97867174185
  Phone: +16699006833,,97867174185#
- **10-08-2020**, 6:30 PM – Districts 5/6: https://zoom.us/j/93056814145
  Phone: +16699006833,,93056814145#
- **10-15-2020**, 6:30 PM – Districts 2/3: https://zoom.us/j/97372069574
  Phone: +16699006833,,97372069574#
- **10-22-2020**, 6:30 PM – Districts 1/4: https://zoom.us/j/95483839103
  Phone: +16699006833,,95483839103#
- **10-29-2020**, 6:30 PM – Waterfront / Aquatic Park / Bay Trail / Tom Bates Fields
  https://zoom.us/j/97699637212
  Phone: +16699006833,,97699637212#


MEASURE T1 PHASE 2 COMMUNITY PROCESS
MEETING LOCATION AND DATE:
Waterfront/Aquatic Park/ Bay Trail/Tom Bates Sports Complex
Thurs, October 29
6:30 – 8:30 PM
District 1/4 Meeting
Thurs, October 22
6:30 - 8:30 PM
District 2/3 Meeting
Thurs, October 15
6:30 - 8:30 PM
District 5/6 Meeting
Thurs, October 8
6:30 - 8:30 PM
District 7/8 Meeting
Thurs, October 1
6:30 - 8:30 PM
5
6
1
1
4
7
2
2
3
AUGUST 2020

Uberti, Mike

From: Klatt, Karen
Sent: Tuesday, August 25, 2020 12:54 PM
To: Klatt, Karen
Subject: Mental Health Services Act (MHSA) FY2020/21 - FY2022/23 Three Year Program and Expenditure Plan

Greetings!

Your input and comments are invited on the **Mental Health Services Act (MHSA) FY2020/21 – 2022/23 Three Year Program and Expenditure Plan** which has been posted on the website for a 30-day Public Review and Comment period.

The 30-day Public Review is being held from Tuesday, August 25th through Wednesday, September 23rd and will provide an opportunity for input on proposed MHSA funding and programming during the three year timeframe. Following the 30-day Public Review there will be another opportunity to provide input at a Public Hearing that is planned to be held on September 24th at 7:00pm at the Mental Commission meeting. The Public Hearing will be publicly noticed and likely held on the Zoom forum.

In order to provide input please respond by **5:00pm on Wednesday, September 23, 2020** by directing your feedback via email, phone or mail to:

Karen Klatt, MEd
MHSA Coordinator
City of Berkeley Mental Health
3282 Adeline St.
Berkeley, CA 94704
(510) 981-7644 - Ph.
(510) 596-9299 - Fax
KKlatt@ci.berkeley.ca.us

Uberti, Mike

From: Klatt, Karen
Sent: Thursday, July 9, 2020 5:09 PM
To: Klatt, Karen
Subject: MHSA Community Input Meetings
Attachments: MHSA Three Year Plan Community Input Meetings.docx

Greetings!

Below is an announcement, with attached flier, of four **Mental Health Services Act (MHSA) Community Input Meetings** that will be held by Zoom. The meetings are being conducted to elicit input into the MHSA FY20/21 – 22/23 Three Year Plan and on new ideas and strategies to address mental health needs in Berkeley.

Meetings will be held on the following dates and times:

- Wednesday, July 22nd: 2:00pm – 3:30pm

-Thursday, July 23rd: 3:00pm – 4:30pm

- Monday, July 27th: 6:30pm – 8:00pm

-Tuesday, July 28th: 11:00am – 12:30pm

Join Zoom Meetings at:
https://zoom.us/j/8446733966?pwd=OGp3Tm5L QTc5TGdhb2tYWllKcDVhdz09

Or call into Zoom Meetings: 1 (669) 900-6833
Meeting ID: 844-673-3966
Password: 081337

A PowerPoint presentation will be shown during the Zoom meeting. The presentation will be the same during each meeting. If you are interested in participating and will be calling into the meeting and would like a copy of the presentation, please contact Karen Klatt at: KKlatt@cityofberkeley.info or (510) 849-7541, as soon as possible.

All staff and community members are welcome to participate. Please circulate widely to anyone who you think would be interested in providing input into this process.

Thanks much,

Karen

Karen Klatt, MEd
MHSA Coordinator
City of Berkeley Mental Health
3282 Adeline Street
Berkeley, CA 94703

(510) 981-7644

Uberti, Mike

From: Klatt, Karen
Sent: Wednesday, July 29, 2020 2:06 PM
To: Klatt, Karen
Subject: MHSA Three Year Plan Community Input Meeting Presentation

Greetings!

If you were not able to participate in one of the MHSA Community Input Meetings over the last two weeks, but would still like to provide input into the plan and/or on unmet mental health needs in Berkeley, see below:

Click here for a link to the MHSA Plans and Updates webpage where the MHSA Three Year Plan Community Input meeting presentation is posted in English and Spanish. If you review the presentation and would like to provide input, on it, or on any unmet mental health needs in the City of Berkeley, contact Karen Klatt, MHSA Coordinator, KKlatt@cityofberkeley.info, or (510) 981-7644.

Please provide input by Monday, August 10th and share widely with anyone who you think would be interested in informing this process.

Thanks,

Karen

Uberti, Mike

From: Carol Denney <cdenney@igc.org>
Sent: Friday, July 3, 2020 10:29 AM
To: Hernandez, Lisa; Housing Advisory Commission
Cc: All Council
Subject: notice of violation
Attachments: IMG_0634.JPG

To: Dr. Lisa B. Hernandez, MD, MPH, Health Officer
Health, Housing & Community Services Department, Public Health Division
1947 Center Street, 2nd Floor
Berkeley, CA 94704

Dear Dr. Hernandez,

I received a notice of violation of the smoking regulations for multi-unit housing dated 6-23-2020, for a violation alleged to have taken place on June 14th, 2020 - against *me*, a non-smoker who has spent a lifetime working to try to enhance clean, healthy air in shared spaces, commercial zones, multi-unit housing, parks, etc. I do not smoke anything of any kind; not marijuana, not tobacco, nothing. I do not burn incense or engage in any activity which would affect the ambient air not just because of the multi-unit housing regulations, which I helped develop as part of the Tobacco Prevention Coalition, but also because of my documented pulmonary and cardiovascular vulnerabilities. I am a three-time cancer survivor.

Your department has dozens of complaints I have filed over the years against the neighbors in my apartment complex who continue to smoke in front of my unit and in the common areas. As a consequence I have been assaulted more than once by smokers. Some of them continue to place burning cigarettes in front of my door, in my potted plants, and under my windows, all of which I have photographed and documented. They completely destroyed my vehicle, my garden, my door and windows, anything at all they could ruin resulting in thousands of dollars of damage and the horror of living under constant personal threat. I had some kind of flammable liquid poured on the table near my front door about a week ago, and have been trapped in my driveway by a man who tried to stab me with a screwdriver and threatens to "break all the bones in my fingers", etc., whenever he can.

Someone in this group of smokers clearly now has decided to turn the complaint system against one of the few non-smokers in our building willing to use the complaint system to try, faithfully, and at great personal cost, to report violations to the city. The management in my building has always been indifferent to secondhand smoke's burden on the tenancy, which creates not just health issues but serious conflict for those who try to address it through the city's procedures and complaint forms. What I don't understand, at this point, how your department is comfortable watching what is apparently a completely pointless complaint system adapted to further torture and torment those of us who have tried to use it only to be singled out for retaliation. I even went so far as to work with the Housing Advisory Commission and the City Council only a year ago to try to make the complaint system itself more useful.

Why is it there is no interest in creating some further step in this system to help tenants in crisis because of the complaint system? Surely now, when even the efficacy of the police department is being re-evaluated, it is time to create some opportunity for tenants suffering not just continuous exposure to secondhand smoke but violence and retaliation related to making complaints to the city to get some more useful assistance. Please put this letter in any file

you have regarding the accusation against me, so that it can be measured against the years of violence, vandalism, and threatening behavior the complaint system has created instead of healthy, breathable air.

Sincerely,

Carol Denney
1970 San Pablo Avenue #4
Berkeley, CA 94702
510-548-1512

Uberti, Mike

From: taptango <taptango@gmail.com>
Sent: Friday, June 12, 2020 1:53 AM
To: Berkeley Mayor's Office; All Council; City Clerk
Cc: Housing Advisory Commission; Health, Housing & Community Services
Subject: RE: Resident interests over special interests! No to special interest groups lobbying for $10-15 million per year of city funding

DATE: June 12, 2020

RE: Resident interests over special interests! No to special interest groups lobbying for $10-15 million per year of city funding

TO: Berkeley Mayor Jesse Arreguin and Berkeley Councilmembers,
(CC: Housing Advisory Commission and Department of Health, Housing, and Community Services)

Special interest groups are lobbying for $10-15 million per year of city funding to benefit their self interests. This is detrimental to our residents at anytime but especially so now during our COVID-19 health crisis and the resulting city budget deficit.

Our massive city budget shortfall threatens not only essential city services but also existing jobs for many dedicated city staff. This pandemic is much worse than the 2008 financial crisis. During the financial crisis neighboring Oakland had to lay off 1500 city staff, many of whom lost their homes, lost their ability to send their kids to school, and some even committed suicide. Our city staffers are worried about taking care of their families and making ends meet.

The Northern California Land Trust (NCLT) went bankrupt in 2011 due to financial mismanagement, yet they and their affiliates are still lobbying for millions of entrusted city dollars, with false claims that TOPA/COPA is the silver bullet to gentrification, minority displacement, and homelessness using Washington D.C. as an example with its failed 40-year old TOPA policy. These claims do not hold up when fact checked as:

1. D.C. had the highest percentage of gentrification in the country between 2000 and 2013 according to a study from the National Community Reinvestment Coalition.
2. The study estimated “around 20,000 black residents were displaced over that period”.
3. Moreover, D.C. has similar homeless rates as Berkeley and Oakland.

What recently helped D.C. with affordable housing is simply a massive cash infusion, specifically a $116 million annual budget dedicated to housing, not the failed TOPA policy that solved nothing for 40 years. Unlike D.C. which enjoys special federal status and has access to money, Berkeley is facing deep and painful spending cuts. The Northern California Land Trust points to state and federal money to fund its pet TOPA/COPA program. However, the state is also facing a dire financial situation and the federal government can not be relied upon to fill the city’s massive budget gap.

The city should only consider smart, public policies that efficiently and directly benefit its residents, and not waste money on middlemen and special interest groups seeking to leech public money. We can look to neighboring Oakland for examples. Oakland more efficiently spent $2.5 million funding its “Keep Oakland Housed” program, which helped

over 2,000 households representing over 4,000 residents. In contrasts to this program (and to the utter dismay and disappointment of many Oaklanders), Oakland also wasted $12 million funding the Oakland Land Trust, which is purchasing just a handful of buildings benefiting 200 residents at most, with much of the money wasted on bureaucracy. Moreover, Housing Land Trusts are not efficient or financially sustainable housing providers and require continuous public funding to prop up dilapidated buildings after acquisitions.

If we truly want to provide tenant opportunities to purchase homes, then we should efficiently do so in a way that directly benefits tenants such as providing downpayment assistance to help tenants purchase homes. Instead the Northern California Land Trust is lobbying for at least $10-15 million annually from the city in pushing a drastic policy like TOPA/COPA, which is so bureaucratic it would require creating an entire city department, hiring full time staff and lawyers, and instigating a negotiation team and an enforcement team to administer voluminous red tape. In addition, the TOPA/COPA policy would result in many other harmful impacts to everyone, including tenants, owners, as well as the city government itself.

For tenants, maybe a renter in a duplex, buying under TOPA would force deed restrictions on the property which limits rent levels and future sales price, making it difficult to cover monthly expenses and maintain the building in a habitable condition, all the while burdened with the responsibilities of servicing the building and associated legal headaches.

For owners, the forced deed restrictions create a hinderance that would drastically drop property value. Unlike the false narrative, many owners are not outside, corporations but regular residents who poured their life savings into a building and invested in our local community to provide housing. With the forced deed restrictions, these residents could be out hundreds of thousands of dollars and be bereft of the means to care for themselves in retirement. Additionally, the time delay of up to 325+ days or in some cases even more would kill property sales, which is especially detrimental for those who need to quickly sell for medical emergencies and could cost lives. The time delay would also put an end to 1031 exchanges and interfere with free market transactions.

For the city, that means drastically reduced revenue from lowered transfer taxes, as buildings with deed restrictions will now be worth hundreds of thousands less. Lower property value also means lower property tax revenue for the county and city. TOPA/COPA's interference at the point of sale and open market pricing, will also result in fewer numbers of transactions as most owners do not want to sell at a drastic loss, hurting city revenue even more. There is a whole entire housing industry tied to city revenue with multiple weak links that will quickly unravel. While facing reduced revenue streams, the city will also be faced with defending expensive lawsuits for infringing on property rights, privacy rights, and basic constitutional rights. The TOPA/COPA component allowing a city appraiser to set property sales price is hugely problematic legally, as is the forced deed restrictions components.

It is no wonder that the Richmond City Council UNANIMOUSLY voted to kill TOPA/COPA last November (2019). Before any committee vote, there should be a formal study and financial impact report for TOPA/COPA, especially as the March 10, 2020 Berkeley staff report suggests that the policy will initially ensnarl approximately 42% of residential properties. We all know once the skeleton is passed, the TOPA/COPA ordinance will be fleshed out by lobbyists to attack a broader base of residents, hurting even more renters and property owners.

More and more residents are becoming informed and are uniting across the East Bay to demand true leadership. Berkeley residents and active voters specifically look to you, Mayor Arreguin, and each council member to lead with financial transparency and responsible action, putting resident interests over special interests.

Sincerely,

Tuan Ngo


Vault
STOP TOPA
STOP TOPA


OAK WiFi
STOP TOPA
IT'S A SIEGE
TOPA!!
Taking Your Property Away!

Uberti, Mike

From: Jennifer Jung-Kim <jenniferjungkim@gmail.com>
Sent: Tuesday, May 26, 2020 4:56 PM
To: Housing Advisory Commission; Matthew Kim
Subject: Re: request for guidance from HAC

Dear Mr. Uberti,

Thank you for your quick response. We will contact the Rent Stabilization Board right away.

Sincerely yours,

Jennifer Jung-Kim

On Tue, May 26, 2020 at 4:37 PM Housing Advisory Commission <HAC@cityofberkeley.info> wrote:

> Hello Jennifer,
>
> Thank you for reaching out to the Housing Advisory Commission (HAC). The HAC does not adjudicate individual renters' issues and claims. We recommend you contact the Rent Stabilization Board to better understand your rights and options for addressing your claim.
>
> Thank you,
>
> Mike Uberti
>
> **From:** Jennifer Jung-Kim <jenniferjungkim@gmail.com>
> **Sent:** Tuesday, May 26, 2020 8:48 AM
> **To:** Housing Advisory Commission <HAC@cityofberkeley.info>; Matthew Kim <2matthewkim@gmail.com>
> **Subject:** request for guidance from HAC
>
> Dear Mr. Uberti,
>
> We found your name and email on the HAC website.
>
> I am writing to request guidance from you and the HAC regarding a lease signed by my son, Matthew Kim, and two other UC Berkeley students with Premium Properties.
>
> The three of them signed the lease for 2087 Delaware Ave, Apt 12, Berkeley, CA on March 14, 2020 to begin on June 1, 2020. I am a co-signer on the lease, as are the parents of the other two lessees.
>
> The same day that the three young men signed the lease by Docusign, Premium Properties posted a rent reduction offer on their Facebook page, and later, on their website. The offer was for a lease addendum to give a 50% reduction in rent in case UC Berkeley "doesn't begin in person instruction for the Summer Session." (This may be tangential, but Docusign said the lease signatures were not completed until March 18, 4 days after the original posting.)
>
> When Matthew and one of the other roommates-to-be, Jeffrey Sung, wrote separately inquiring about the rent reduction, they were told that it was only for new leases. However, the offer makes no mention of this, and the

company has an entirely different offer available for new leases (with four options including rent at $1 a month until Berkeley resumes classes in person).

All three lessees are living with their families for the summer. Matthew is taking summer classes at Berkeley, but they are online. Since they will not be in Berkeley over the summer, they will not take possession of the apartment on June 1, and they are asking for a rent reduction as advertised.

Last week, we asked a lawyer to contact Premium Properties to request this offer be extended to them. Mr. Sam Sorokin, managing partner of Premium Properties, responded in a very unpleasant way (please see attachment 7).

We request that the Housing Commission review all of our attachments and provide guidance on this matter.

We believe that the lessees should be extended this same offer (which when we last checked is still on their Facebook page).

We are attaching the following:

1) lease with Premium Properties and Matthew Kim, Liam Chok, and Jeffrey Sung

2) Matthew Kim's emails with Premium Properties

3) Jeffrey Sung's emails with Premium Properties

4) Premium Properties' Facebook post

5) Lease addendum notice from Premium Properties' website

6) New lease offer from Premium Properties

7) PDF of emails with Premium Property asking for the rent reduction

Thank you very much for your time and attention.

Sincerely yours,

Jennifer Jung-Kim

Uberti, Mike

From: Maria T. Garcia de la Noceda <vuelaus@yahoo.com>
Sent: Wednesday, October 28, 2020 9:27 PM
To: Uberti, Mike
Cc: Davila, Cheryl; Cayangyang, Ruscal
Subject: Smoke-Free Multi-Unit Housing Ordinance Policy and Enforcement Modifications ...

Dear Mike,

Thanks so much for getting back to me so promptly. As I was telling you this afternoon, in our phone conversation, I would like to participate, if it's possible, in the Housing Advisory Commission ... virtually, at the moment. I have very relevant information that I would like to share with the Commission in regards to the enforcement of the Smoke-Free Housing Ordinance Policy.

Very briefly, I would like to give some information about my situation:

I have been exposed to Second Hand Smoke since March of 2019. I live in a multi-unit residence, with 4 units.

My neighbors below have been smoking tobacco, marijuana, vaping, burning incense, charcoal, and some other chemical substances ... using diffusers, inside their unit, almost 24/7. They are using these substances inside their unit, keeping their 2 doors, and some windows open, that way they can really «suffocate» me. I've been running away from my home during the day, and spending many nights. in my car to escape the fumes.

I am a Senior, and I have lived in my apartment, at 1346 Blake St., for over 24 years; this continuous harassment is causing me serious health issues: BREATHING, DIZZINESS, VERTIGO, NAUSEA, SLEEP DEPRIVATION …. This situation has worsened since the Order to Shelter in Place got enacted by the City in March.

I filed two complaints with the Tobacco Prevention Program, during the Summer of 2019. Several times I have contacted the Rent Board, the Mayor, Jessie Arreguin, my Council member, Cheryl Davila, the City Manager, Dee Williams-Ridley, the Assistant Managers, Paul Buddenhagen, and David White ... I have also reached up to Rachel Gonzalez, the Berkeley Housing Authority Director ... I have been in close contact with my landlord, the Northern California Land Trust, I have reached up to several attorneys, got letters from my Health Providers, and from witnesses who verify there was smoke in my unit.. And after 19 months, I am still suffering the consequences of Second Hand Smoke, how can this be possible?

I need to report that even though all Staff personal has been very supportive, and sympathetic with my case, only Cheryl Davila, and her Assistant, Ruscal Cayangyang, and lately Rachel Gonzalez, have been the ones who have done everything possible to help me.

I strongly believe that IT IS URGENT THAT THE Housing Advisory Commission Recommendations: TO BE ADOPTED ASAP, in regards to:

1. Increase staffing to implement enforcement of the No Smoking ordinance as part of the next budget.
2. Improve signage related to the ordinance in residential buildings.

4. Relax the current requirements around how the Ordinance complaints must be completed in order to be processed ...

(I have more ideas that I would to share with the Commission)

Best regards,

Maria Teresa Garcia de la Noceda
Home: 510.540.6449
Cell: 510.725.8405

Uberti, Mike

From: Angela Jernigan <ajernigan@gmail.com>
Sent: Thursday, June 4, 2020 12:39 PM
To: Berkeley Mayor's Office; Kesarwani, Rashi; Davila, Cheryl; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Droste, Lori
Cc: Michael Smith; Ann Marie Callegari; Melody Royal; Carnegie, Brittany; Goldman, Nina; Allen, Shallon L.; Pearson, Alene; Housing Advisory Commission; Chu, Stephanie; Katz, Mary-Claire; Bryant, Ginsi; Rterrrones@cityofberkeley.info; Brit Toven-Lindsey; Logan Stout; Kit Novotny; Molly Baskette; Kristin Stoneking; David Rutschman; Ursula McClure; John R. Mabry; Alan Roselius
Subject: Re: Support for Families at La Quinta

Dear Mayor Arreguin and the Members of City Council,

We sent you the below email on Monday; a hard copy should have arrived on your desks by Tuesday. The situation is now more urgent and my fellow faith leaders and I need a response from you as soon as possible. We have new information that the families at La Quinta will need to leave the hotel by June 12th unless The City commits to take over the payment of their rent. These are parents with children, and they will have nowhere to go other than their cars and vans.

You are likely overwhelmed with everything on your plates, but this cannot wait. These are among the most vulnerable members of our community; they are desperate and they need your immediate action.

Given the urgency of the situation. I have also now copied these additional people who may be able to help influence a decision on behalf of these 10 families.

In Peace,
Rev. Angela Jernigan
Pastor Mike SMith

Rev. Angela Jernigan
510.682.6102
www.angelajernigan.net
www.familyspiritberkeley.org

Want to raise resilience in Berkeley? Come be part of The Family Spirit Center, Where we Cultivate health, wholeness, and belonging for Berkeley children and youth--and everyone who cares for them. Please join us!

On Mon, Jun 1, 2020 at 6:39 AM Angela Jernigan <ajernigan@gmail.com> wrote:

Dear Mayor Arreguin and the Members of City Council,

We are a collection of Berkeley clergy and faith leaders who have started meeting to discuss the impact of COVID-19 on the most vulnerable members of our community. We are meeting to collaborate, coordinate and advocate on their behalf.

A pressing need has come to our attention. Approximately ten unhoused families are being temporarily sheltered at La Quinta Inn. Rent for each family is $3,000/month for a total of ten families, totalling $30,000+/month. Since the beginning of Shelter-in-Place, their rent has been covered by individual donations from the Berkeley community through the Berkeley Public Schools Fund (BPSF). This fund is rapidly becoming depleted; by mid- to late-June, the BPSF will no longer be able to pay for the families rent at La Quinta. These families may wind up back on the streets of Berkeley.

We as a collective are working together to advocate for these families, many of whom have small children, and children who are enrolled in the BUSD. The vulnerability of these families is a tragedy. It is not who we are as Berkeley to leave them in despair in this time of crisis.

Several of our congregations have stretched themselves to the limit to provide for desperate Berkeley families, including providing food and basic resources. We are stretching ourselves on the behalf of families in a time when our congregations are already struggling financially due to this crisis.

Surely the City does not intend to turn a blind eye or blatantly disregard the plight of these families with young children. We implore you, as the City of Berkeley, to find and dedicate public monies to keep these families housed for the duration of Shelter-in-Place.

If the City is already in the process of securing funding to sustain housing for these families through this pandemic, then we need to know the details of that plan. If not, it is imperative that the City, Berkeley Unified School District, Berkeley Public Schools Fund, other non-profit organizations, and the local business community meet with the faith-based leadership to find creative and sustainable solutions for these families, who are among our most vulnerable.

Now is not the time for passive inaction. Given the immediacy of the hour, we would like to hear from you at the latest, by June 8, 2020. You can respond by email to Rev. Angela Jernigan at ajernigan@gmail.com and to Rev. Michael Smith at frostmic1@aol.com.
In Solidarity, Unity, and Peace,

Rev. Michael Smith, Senior Pastor McGee Avenue Baptist Church, Executive Director of Center for Food, Faith, and Justice, President of Berkeley Black Ecumenical Ministers Alliance

Rev. Angela Jernigan, Member of Grace North Church, Director of the Family Spirit Center

Pastor Michael McBride, Senior Pastor at The Way Christian Center, National Director Live Free USA

Rev. Elizabeth Coleman, Esquire, Associate Pastor, McGee Avenue Baptist Church

Rev. John R. Mabry, PhD, Pastor, Grace North Church

David Rutschman, PhD, Peace, Earthcare and Social Witness Committee co-clerk, Strawberry Creek Friends Meeting (Quakers)

Rev. Barry Cammer, Pastoral Counselor, United Church of Christ, Berkeley Resident

Brit Toven-Lindsey, Member of Epworth United Methodist Church

Rev. Leon Bacchues, Ph.D. Pastor - Tapestry Ministries (Disciples of Christ) Berkeley; Board of Directors-BOCA

Rev. Molly Baskette, Senior Minister, First Church Berkeley UCC

Alan E.Roselius Lay Leader Newman Hall Holy Spirit Catholic Church

Kara Speltz, Coordinator, Newman Nonviolent Peacemaking Group

Maxim Schrogin, Member, Berkeley Rotary Supportive Housing Committee; Member, Congregation Beth El

Caroline Lehman
Chair, Interfaith Immigration Social Justice Team, Congregation Beth El

Stefan Olendrowiczf, Pastoral Team, Tribe Church, Berkeley

Uberti, Mike

From: Angela Jernigan <ajernigan@gmail.com>
Sent: Wednesday, June 10, 2020 5:08 PM
To: Berkeley Mayor's Office; Kesarwani, Rashi; Davila, Cheryl; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Droste, Lori; Buddenhagen, Paul; City of Berkeley COVID-19 Information; Williams-Ridley, Dee
Cc: Michael Smith; Melody Royal; Carnegie, Brittany; Goldman, Nina; Allen, Shallon L.; Pearson, Alene; Housing Advisory Commission; Chu, Stephanie; Katz, Mary-Claire; Bryant, Ginsi; Rterrrones@cityofberkeley.info; Brit Toven-Lindsey; Logan Stout; Kit Novotny; Molly Baskette; Kristin Stoneking; David Rutschman; Ursula McClure; John R. Mabry; Alan Roselius; Emilie Raguso, Berkeleyside; Ann Marie Callegari; Supriya Yelimeli; Michael McBride
Subject: Thank you!
Attachments: Tina&Kahlil.jpg

Dear Mayor Arreguin, City Manager Williams-Ridley, Deputy City Manager Buddenhagen, and the Members of the City Council.

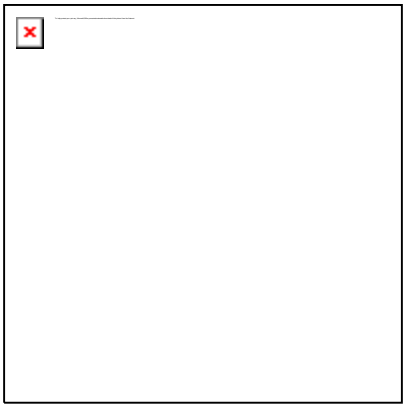
I want to circle back to say a hearty THANK YOU for finding a way to support the families at La Quinta. I know you are responding to many queries, and after listening in to the City Council meeting last night, I have a sense of the urgency of this moment and the profound pressure you are under from many sides. My husband Niels and I were to watch how carefully you were listening to the Berkeley people.

And... What you have done for these ten families staying at La Quinta is quite significant. They asked for help, risked revealing their desperation, and the City responded. This sends a strong message: they are valued members of our community and their wellbeing matters. When I spoke with one of the mothers, Tina, who is an informal leader of the families at La Quinta, she was breathless with relief. She sent me a selfie of herself and her son, Kahlil (a participant in our Voices Against Violence Program), with big happy smiles. She wanted me to share it with you and tell you THANK YOU from the bottom of her heart. Tina and the other families now have a bit of breathing room to consider more permanent solutions. And they have had an experience of their voices making a difference, which goes a long way in mitigating the trauma of this time.

Thank you for your care and leadership during these unprecedented days.

All my best,
Rev. Angela Jernigan

www.angelajernigan.net
www.familyspiritberkeley.org



Want to raise resilience in Berkeley? Come be part of The Family Spirit Center, Where we Cultivate health, wholeness, and belonging for Berkeley children and youth--and everyone who cares for them. Please join us!

Uberti, Mike

From: Angela Jernigan <ajernigan@gmail.com>
Sent: Monday, June 8, 2020 8:05 AM
To: City of Berkeley COVID-19 Information; Buddenhagen, Paul
Cc: Michael Smith; Hahn, Sophie; Ann Marie Callegari; Melody Royal; Carnegie, Brittany; Goldman, Nina; Allen, Shallon L.; Pearson, Alene; Housing Advisory Commission; Chu, Stephanie; Katz, Mary-Claire; Bryant, Ginsi; Rterrrones@cityofberkeley.info; Brit Toven-Lindsey; Logan Stout; Kit Novotny; Molly Baskette; Kristin Stoneking; David Rutschman; Ursula McClure; John R. Mabry; Alan Roselius; Berkeley Mayor's Office; Kesarwani, Rashi; Davila, Cheryl; Harrison, Kate; Wengraf, Susan; Robinson, Rigel; Droste, Lori; Emilie Raguso, Berkeleyside
Subject: Urgent Action Required for Families at La Quinta

Dear Deputy Mayor Paul Buddenhagen,

We need to hear back from you this morning about what The City is doing to cover rent or rehouse the families who are Sheltering In Place at La Quinta Inn. This matter is urgent as it involves vulnerable families with young children who are unhoused and facing life on the streets after this Friday. During this global pandemic.

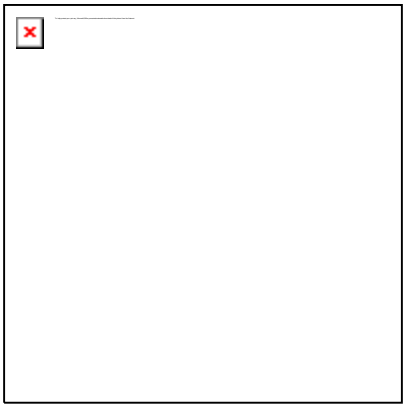
I spoke with one of the mothers at La Quinta and her middle school-aged son yesterday. They have heard nothing from the City about plans to rehouse them. They are anxious and scared about what will become of them after Friday when La Quinta turns them out on the street with no where to go.

Berkeley residents are crying out that Black Lives Matter. Do THESE Black Lives Matter?? This mother and son do not feel they do.

Please respond as soon as you get in this morning.

Thank you,
Rev. Angela Jernigan
Rev. Michael Smith

Rev. Angela Jernigan
510.682.6102
www.angelajernigan.net
www.familyspiritberkeley.org



Want to raise resilience in Berkeley? Come be part of The Family Spirit Center, Where we Cultivate health, wholeness, and belonging for Berkeley children and youth--and everyone who cares for them. Please join us!

On Fri, Jun 5, 2020 at 11:57 AM City of Berkeley COVID-19 Information <covid19@cityofberkeley.info> wrote:

> Hello Angela –
>
> Thank you for contacting us. So COVID19 Emergency Operations Center team has been given your email this morning, along with our Deputy City Manager, Paul Buddenhagen. You will be contacted with information to your questions today or Monday.
>
> Regards,
>
> Kathy Cassidy
>
> **The City of Berkeley**
>
> COVID19 Information Services
>
> www.cityofberkeley.info/COVID19
>
> **From:** Angela Jernigan [mailto:ajernigan@gmail.com]
> **Sent:** Friday, June 05, 2020 6:55 AM
> **To:** City of Berkeley COVID-19 Information <covid19@cityofberkeley.info>
> **Cc:** Hahn, Sophie <SHahn@cityofberkeley.info>
> **Subject:** Re: Support for Families at La Quinta
>
> Dear City of Berkeley,
>
> I represent a collection of clergy and faith leaders who have been gathering to discuss the impact of COVID-19 on the most vulnerable members of our community. We have written to City Council and the Mayor about an urgent situation, and Sophie Hahn (CC'ed here) has redirected me to this email this address with our query and concern.
>
> Approximately ten unhoused families have been sheltering at La Quinta Inn with rent paid for by Berkeley community thorough the Berkeley Public Schools Fund. That fund is now depleted and these families are facing June 12 as the date when they will have to leave the premises. These are families with young children, and they do not have anywhere to go but their cars and vans.

Sophie Hahn has indicated that it is her understanding that the City is working to rehouse these families. I am seeking information about who specifically in the City is responsible for the rehousing of these individuals, and an update on the status of their rehousing.

We have a direct relationship with one family at La Quinta, and we work closely with representatives of the BUSD who have close contact with all of these families. It is our understanding that these families do not know that City intends to rehouse them. Their distress at this time is significant. Their children are scared.

This situation is urgent, please get back to me as swiftly as you can.

Thank you,

Rev. Angela Jernigan

Our orginal letter is below:

Dear Mayor Arreguin and the Members of City Council,

We are a collection of Berkeley clergy and faith leaders who have started meeting to discuss the impact of COVID-19 on the most vulnerable members of our community. We are meeting to collaborate, coordinate and advocate on their behalf.
A pressing need has come to our attention. Approximately ten unhoused families are being temporarily sheltered at La Quinta Inn. Rent for each family is $3,000/month for a total of ten families, totalling $30,000+/month. Since the beginning of Shelter-in-Place, their rent has been covered by individual donations from the Berkeley community through the Berkeley Public Schools Fund (BPSF). This fund is rapidly becoming depleted; by mid- to late-June, the BPSF will no longer be able to pay for the families rent at La Quinta. These families may wind up back on the streets of Berkeley.
We as a collective are working together to advocate for these families, many of whom have small children, and children who are enrolled in the BUSD. The vulnerability of these families is a tragedy. It is not who we are as Berkeley to leave them in despair in this time of crisis.
Several of our congregations have stretched themselves to the limit to provide for desperate Berkeley families, including providing food and basic resources. We are stretching ourselves on the behalf of families in a time when our congregations are already struggling financially due to this crisis.
Surely the City does not intend to turn a blind eye or blatantly disregard the plight of these families with young children. We implore you, as the City of Berkeley, to find and dedicate public monies to keep these families housed for the duration of Shelter-in-Place.
If the City is already in the process of securing funding to sustain housing for these families through this pandemic, then we need to know the details of that plan. If not, it is imperative that the City, Berkeley Unified School District, Berkeley Public Schools Fund, other non-profit organizations, and the local business community meet with the faith-based leadership to find creative and sustainable solutions for these families, who are among our most vulnerable.
Now is not the time for passive inaction. Given the immediacy of the hour, we would like to hear from you at the latest, by June 8, 2020. You can respond by email to Rev. Angela Jernigan at ajernigan@gmail.com and to Rev. Michael Smith at frostmic1@aol.com.
In Solidarity, Unity, and Peace,
Rev. Michael Smith, Senior Pastor McGee Avenue Baptist Church, Executive Director of Center for Food, Faith, and Justice, President of Berkeley Black Ecumenical Ministers Alliance
Rev. Angela Jernigan, Member of Grace North Church, Director of the Family Spirit Center
Pastor Michael McBride, Senior Pastor at The Way Christian Center, National Director Live Free USA
Rev. Elizabeth Coleman, Esquire, Associate Pastor, McGee Avenue Baptist Church
Rev. John R. Mabry, PhD, Pastor, Grace North Church
David Rutschman, PhD, Peace, Earthcare and Social Witness Committee co-clerk, Strawberry Creek Friends Meeting (Quakers)

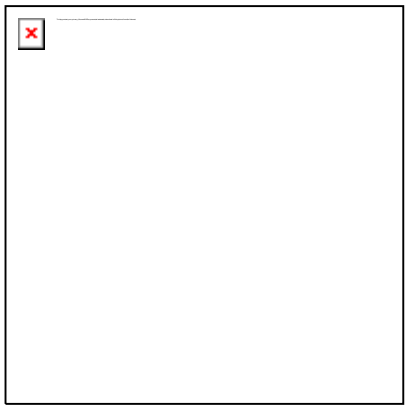
Rev. Barry Cammer, Pastoral Counselor, United Church of Christ, Berkeley Resident
Brit Toven-Lindsey, Member of Epworth United Methodist Church
Rev. Leon Bacchues, Ph.D. Pastor - Tapestry Ministries (Disciples of Christ) Berkeley; Board of Directors-BOCA
Rev. Molly Baskette, Senior Minister, First Church Berkeley UCC
Alan E.Roselius Lay Leader Newman Hall Holy Spirit Catholic Church
Kara Speltz, Coordinator, Newman Nonviolent Peacemaking Group
Maxim Schrogin, Member, Berkeley Rotary Supportive Housing Committee; Member, Congregation Beth El
Caroline Lehman
Chair, Interfaith Immigration Social Justice Team, Congregation Beth El
Stefan Olendrowiczf, Pastoral Team, Tribe Church, Berkeley

Rev. Angela Jernigan

510.682.6102

www.angelajernigan.net

www.familyspiritberkeley.org



Want to raise resilience in Berkeley? Come be part of The Family Spirit Center, Where we Cultivate health, wholeness, and belonging for Berkeley children and youth--and everyone who cares for them. Please join us!

On Fri, Jun 5, 2020 at 12:04 AM Hahn, Sophie <SHahn@cityofberkeley.info> wrote:

> Dear Rev. Jernigan,
>
> Thank you for the initiative you have put together to help our most vulnerable. We need "all hands on deck" to meet the demands of this crisis, and it's very heartening to hear of your efforts.
>
> It is my understanding that the City is working to rehouse these individuals. Please email COVID-19@cityofberkeley.info to ask what is being done about this situation. For ease, I have cc'ed that email address here; your inquiry will have been logged by my including them on this reply.
>
> With gratitude,
>
> Sophie Hahn

Sophie Hahn

Berkeley Vice Mayor & Councilmember, District 5

2180 Milvia Street, Berkeley, CA 94704

510-981-7150

shahn@cityofberkeley.info

Interested in receiving periodic news and updates? Click here to be added to our email communications list.

From: Angela Jernigan <ajernigan@gmail.com>
Sent: Thursday, June 4, 2020 12:39 PM
To: Berkeley Mayor's Office <mayor@cityofberkeley.info>; Kesarwani, Rashi <RKesarwani@cityofberkeley.info>; Davila, Cheryl <CDavila@cityofberkeley.info>; Harrison, Kate <KHarrison@cityofberkeley.info>; Hahn, Sophie <SHahn@cityofberkeley.info>; Wengraf, Susan <SWengraf@cityofberkeley.info>; Robinson, Rigel <RRobinson@cityofberkeley.info>; Droste, Lori <ldroste@cityofberkeley.info>
Cc: Michael Smith <frostmic1@aol.com>; Ann Marie Callegari <anncallegari@berkeley.net>; Melody Royal <melodyroyal@berkeley.net>; Carnegie, Brittany <BCarnegie@cityofberkeley.info>; Goldman, Nina <NGoldman@cityofberkeley.info>; Allen, Shallon L. <SLAllen@cityofberkeley.info>; Pearson, Alene <apearson@cityofberkeley.info>; Housing Advisory Commission <HAC@cityofberkeley.info>; Chu, Stephanie <SChu@cityofberkeley.info>; Katz, Mary-Claire <MKatz@cityofberkeley.info>; Bryant, Ginsi <GBryant@cityofberkeley.info>; Rterrrones@cityofberkeley.info <Rterrrones@cityofberkeley.info>; Brit Toven-Lindsey <brit.toven@gmail.com>; Logan Stout <lostout86@gmail.com>; Kit Novotny <reverendkit@gmail.com>; Molly Baskette <reverendmolly@gmail.com>; Kristin Stoneking <kristin.epworth@gmail.com>; David Rutschman <dhrutschman@gmail.com>; Ursula McClure <amberangel32@yahoo.com>; John R. Mabry <apocryphile@me.com>; Alan Roselius <arose919@att.net>
Subject: Re: Support for Families at La Quinta

Dear Mayor Arreguin and the Members of City Council,

We sent you the below email on Monday; a hard copy should have arrived on your desks by Tuesday. The situation is now more urgent and my fellow faith leaders and I need a response from you as soon as possible. We have new information that the families at La Quinta will need to leave the hotel by June 12th unless The City commits to take over the payment of their rent. These are parents with children, and they will have nowhere to go other than their cars and vans.

You are likely overwhelmed with everything on your plates, but this cannot wait. These are among the most vulnerable members of our community; they are desperate and they need your immediate action.

Given the urgency of the situation. I have also now copied these additional people who may be able to help influence a decision on behalf of these 10 families.

In Peace,

Rev. Angela Jernigan

Pastor Mike SMith

Rev. Angela Jernigan

510.682.6102

www.angelajernigan.net

www.familyspiritberkeley.org

Want to raise resilience in Berkeley? Come be part of The Family Spirit Center, Where we Cultivate health, wholeness, and belonging for Berkeley children and youth--and everyone who cares for them. Please join us!

On Mon, Jun 1, 2020 at 6:39 AM Angela Jernigan <ajernigan@gmail.com> wrote:

> Dear Mayor Arreguin and the Members of City Council,
> We are a collection of Berkeley clergy and faith leaders who have started meeting to discuss the impact of COVID-19 on the most vulnerable members of our community. We are meeting to collaborate, coordinate and advocate on their behalf.
> A pressing need has come to our attention. Approximately ten unhoused families are being temporarily sheltered at La Quinta Inn. Rent for each family is $3,000/month for a total of ten families, totalling $30,000+/month. Since the beginning of Shelter-in-Place, their rent has been covered by individual donations from the Berkeley community through the Berkeley Public Schools Fund (BPSF). This fund is rapidly becoming depleted; by mid- to late-June, the BPSF will no longer be able to pay for the families rent at La Quinta. These families may wind up back on the streets of Berkeley.

We as a collective are working together to advocate for these families, many of whom have small children, and children who are enrolled in the BUSD. The vulnerability of these families is a tragedy. It is not who we are as Berkeley to leave them in despair in this time of crisis.

Several of our congregations have stretched themselves to the limit to provide for desperate Berkeley families, including providing food and basic resources. We are stretching ourselves on the behalf of families in a time when our congregations are already struggling financially due to this crisis.

Surely the City does not intend to turn a blind eye or blatantly disregard the plight of these families with young children. We implore you, as the City of Berkeley, to find and dedicate public monies to keep these families housed for the duration of Shelter-in-Place.

If the City is already in the process of securing funding to sustain housing for these families through this pandemic, then we need to know the details of that plan. If not, it is imperative that the City, Berkeley Unified School District, Berkeley Public Schools Fund, other non-profit organizations, and the local business community meet with the faith-based leadership to find creative and sustainable solutions for these families, who are among our most vulnerable.

Now is not the time for passive inaction. Given the immediacy of the hour, we would like to hear from you at the latest, by June 8, 2020. You can respond by email to Rev. Angela Jernigan at ajernigan@gmail.com and to Rev. Michael Smith at frostmic1@aol.com.

In Solidarity, Unity, and Peace,

Rev. Michael Smith, Senior Pastor McGee Avenue Baptist Church, Executive Director of Center for Food, Faith, and Justice, President of Berkeley Black Ecumenical Ministers Alliance

Rev. Angela Jernigan, Member of Grace North Church, Director of the Family Spirit Center

Pastor Michael McBride, Senior Pastor at The Way Christian Center, National Director Live Free USA

Rev. Elizabeth Coleman, Esquire, Associate Pastor, McGee Avenue Baptist Church

Rev. John R. Mabry, PhD, Pastor, Grace North Church

David Rutschman, PhD, Peace, Earthcare and Social Witness Committee co-clerk, Strawberry Creek Friends Meeting (Quakers)

Rev. Barry Cammer, Pastoral Counselor, United Church of Christ, Berkeley Resident

Brit Toven-Lindsey, Member of Epworth United Methodist Church

Rev. Leon Bacchues, Ph.D. Pastor - Tapestry Ministries (Disciples of Christ) Berkeley; Board of Directors-BOCA

Rev. Molly Baskette, Senior Minister, First Church Berkeley UCC

Alan E.Roselius Lay Leader Newman Hall Holy Spirit Catholic Church

Kara Speltz, Coordinator, Newman Nonviolent Peacemaking Group

Maxim Schrogin, Member, Berkeley Rotary Supportive Housing Committee; Member, Congregation Beth El

Caroline Lehman

Chair, Interfaith Immigration Social Justice Team, Congregation Beth El

Stefan Olendrowiczf, Pastoral Team, Tribe Church, Berkeley

Uberti, Mike

From: Angela Jernigan <ajernigan@gmail.com>
Sent: Monday, June 8, 2020 6:33 PM
To: Berkeley Mayor's Office; Kesarwani, Rashi; Davila, Cheryl; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Droste, Lori; Buddenhagen, Paul; City of Berkeley COVID-19 Information
Cc: Michael Smith; Ann Marie Callegari; Melody Royal; Carnegie, Brittany; Goldman, Nina; Allen, Shallon L.; Pearson, Alene; Housing Advisory Commission; Chu, Stephanie; Katz, Mary-Claire; Bryant, Ginsi; Rterrrones@cityofberkeley.info; Brit Toven-Lindsey; Logan Stout; Kit Novotny; Molly Baskette; Kristin Stoneking; David Rutschman; Ursula McClure; John R. Mabry; Alan Roselius; Emilie Raguso, Berkeleyside
Subject: URGENT RESPONSE NEEDED for Families at La Quinta

Dear Mayor Arreguin; the Members of City Council; and Deputy City Manager Paul Buddenhagen,

It has been one week since our initial letter requesting action on behalf of families at La Quinta. We have had no substantial response from the City.
In just a few days time these families will be sent out to the streets. Thursday night is their last night at La Quinta. They do not know where to go. These parents and children are anxious and scared. They are crying for your help.

Have we mentioned that 9 out of the 10 families are African American?

Mayor Arreguin, you led a march on Saturday claiming that Black Lives Matter. Surely you agree that it is not only true as a general ideal that Black Lives Matter. These individual Black Lives Matter, and it is now our responsibility to meet them in their need.

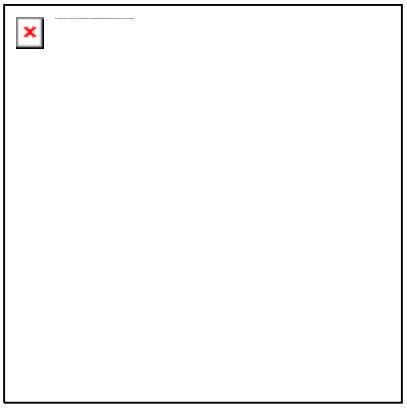
So far, our pleas to The City have all but fallen on deaf ears. As the slogan goes, “Silence is Violence.”

I expect to hear from you before the start of tomorrow’s City Council meeting.

Sincerely,

Rev. Angela Jernigan

Rev. Angela Jernigan
510.682.6102
www.angelajernigan.net
www.familyspiritberkeley.org



Want to raise resilience in Berkeley? Come be part of The Family Spirit Center, Where we Cultivate health, wholeness, and belonging for Berkeley children and youth--and everyone who cares for them. Please join us!

On Thu, Jun 4, 2020 at 12:39 PM Angela Jernigan <ajernigan@gmail.com> wrote:

Dear Mayor Arreguin and the Members of City Council,

We sent you the below email on Monday; a hard copy should have arrived on your desks by Tuesday. The situation is now more urgent and my fellow faith leaders and I need a response from you as soon as possible. We have new information that the families at La Quinta will need to leave the hotel by June 12th unless The City commits to take over the payment of their rent. These are parents with children, and they will have nowhere to go other than their cars and vans.

You are likely overwhelmed with everything on your plates, but this cannot wait. These are among the most vulnerable members of our community; they are desperate and they need your immediate action.

Given the urgency of the situation. I have also now copied these additional people who may be able to help influence a decision on behalf of these 10 families.

In Peace,
Rev. Angela Jernigan
Pastor Mike SMith

Rev. Angela Jernigan
510.682.6102
www.angelajernigan.net
www.familyspiritberkeley.org

Want to raise resilience in Berkeley? Come be part of The Family Spirit Center, Where we Cultivate health, wholeness, and belonging for Berkeley children and youth--and everyone who cares for them. Please join us!

On Mon, Jun 1, 2020 at 6:39 AM Angela Jernigan <ajernigan@gmail.com> wrote:

Dear Mayor Arreguin and the Members of City Council,

We are a collection of Berkeley clergy and faith leaders who have started meeting to discuss the impact of COVID-19 on the most vulnerable members of our community. We are meeting to collaborate, coordinate and advocate on their behalf.

A pressing need has come to our attention. Approximately ten unhoused families are being temporarily sheltered at La Quinta Inn. Rent for each family is $3,000/month for a total of ten families, totalling $30,000+/month. Since the beginning of Shelter-in-Place, their rent has been covered by individual donations from the Berkeley community through the Berkeley Public Schools Fund (BPSF). This fund is rapidly becoming depleted; by mid- to late-June, the BPSF will no longer be able to pay for the families rent at La Quinta. These families may wind up back on the streets of Berkeley.

We as a collective are working together to advocate for these families, many of whom have small children, and children who are enrolled in the BUSD. The vulnerability of these families is a tragedy. It is not who we are as Berkeley to leave them in despair in this time of crisis.

Several of our congregations have stretched themselves to the limit to provide for desperate Berkeley families, including providing food and basic resources. We are stretching ourselves on the behalf of families in a time when our congregations are already struggling financially due to this crisis.

Surely the City does not intend to turn a blind eye or blatantly disregard the plight of these families with young children. We implore you, as the City of Berkeley, to find and dedicate public monies to keep these families housed for the duration of Shelter-in-Place.

If the City is already in the process of securing funding to sustain housing for these families through this pandemic, then we need to know the details of that plan. If not, it is imperative that the City, Berkeley Unified School District, Berkeley Public Schools Fund, other non-profit organizations, and the local business community meet with the faith-based leadership to find creative and sustainable solutions for these families, who are among our most vulnerable.

Now is not the time for passive inaction. Given the immediacy of the hour, we would like to hear from you at the latest, by June 8, 2020. You can respond by email to Rev. Angela Jernigan at ajernigan@gmail.com and to Rev. Michael Smith at frostmic1@aol.com.
In Solidarity, Unity, and Peace,

Rev. Michael Smith, Senior Pastor McGee Avenue Baptist Church, Executive Director of Center for Food, Faith, and Justice, President of Berkeley Black Ecumenical Ministers Alliance

Rev. Angela Jernigan, Member of Grace North Church, Director of the Family Spirit Center

Pastor Michael McBride, Senior Pastor at The Way Christian Center, National Director Live Free USA

Rev. Elizabeth Coleman, Esquire, Associate Pastor, McGee Avenue Baptist Church

Rev. John R. Mabry, PhD, Pastor, Grace North Church

David Rutschman, PhD, Peace, Earthcare and Social Witness Committee co-clerk, Strawberry Creek Friends Meeting (Quakers)

Rev. Barry Cammer, Pastoral Counselor, United Church of Christ, Berkeley Resident

Brit Toven-Lindsey, Member of Epworth United Methodist Church

Rev. Leon Bacchues, Ph.D. Pastor - Tapestry Ministries (Disciples of Christ) Berkeley; Board of Directors-BOCA

Rev. Molly Baskette, Senior Minister, First Church Berkeley UCC

Alan E.Roselius Lay Leader Newman Hall Holy Spirit Catholic Church

Kara Speltz, Coordinator, Newman Nonviolent Peacemaking Group

Maxim Schrogin, Member, Berkeley Rotary Supportive Housing Committee; Member, Congregation Beth El

Caroline Lehman
Chair, Interfaith Immigration Social Justice Team, Congregation Beth El

Stefan Olendrowiczf, Pastoral Team, Tribe Church, Berkeley