



Planning Commission

AGENDA

SPECIAL MEETING OF THE PLANNING COMMISSION

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Wednesday, October 21, 2020

7:00 PM

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 Planning Commission (PC) will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Executive Order and the Shelter-in-Place Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID19 virus, there will not be a physical meeting location available.

To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://zoom.us/j/91642148739>. 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 by rolling over the bottom of the screen.

To join by phone: Dial **1 669 900 6833** and enter Meeting ID: **916 4214 8739**. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair.

Please be mindful that the video conference and teleconference will be recorded. All rules of procedure and decorum that apply for in-person Planning Commission meetings apply for Planning Commission meetings conducted by teleconference or videoconference.

See **"MEETING PROCEDURES"** below.

All written materials identified on this agenda are available on the Planning Commission webpage: https://www.cityofberkeley.info/Clerk/Commissions/Commissions_Planning_Commission_Homepage.aspx

PRELIMINARY MATTERS

- 1. Roll Call:** **Wiblin, Brad**, appointed by Councilmember Kesarwani, District 1
Martinot, Steve, appointed by Councilmember Davila, District 2
Schildt, Christine, appointed by Councilmember Bartlett, District 3
Lacey, Mary Kay, Vice Chair, appointed by Councilmember Harrison, District 4
Beach, Benjamin, appointed by Councilmember Hahn, District 5
Kapla, Robb, Chair, appointed by Councilmember Wengraf, District 6

Krpata, Shane, appointed by Councilmember Robinson, District 7
Vincent, Jeff, appointed by Councilmember Droste, District 8
Wrenn, Rob, appointed by Mayor Arreguin

2. **Order of Agenda:** The Commission may rearrange the agenda or place items on the Consent Calendar.
3. **Public Comment:** Comments on subjects not included on the agenda. Speakers may comment on agenda items when the Commission hears those items. (See “*Public Testimony Guidelines*” below):
4. **Planning Staff Report:** In addition to the items below, additional matters may be reported at the meeting.
5. **Chairperson’s Report:** Report by Planning Commission Chair.
6. **Committee Reports:** Reports by Commission committees or liaisons. In addition to the items below, additional matters may be reported at the meeting.
7. **Approval of Minutes:** Approval of Draft Minutes from the meeting on **October 7, 2020**.
8. **Future Agenda Items and Other Planning-Related Events:**

AGENDA ITEMS: All agenda items are for discussion and possible action. Public Hearing items require hearing prior to Commission action.

9. **Discussion:** **Update on Citywide Affordable Housing Requirements**
Recommendation: Receive and discuss information presented on affordable housing requirements.
Written Materials: NA
Presentation: N/A
10. **Action:** **Identify Commissioner to Speak on Parking Reform**
Recommendation: Receive update on Parking Reform Package and select Commissioner to speak at City Council on November 17, 2020
Written Materials: N/A
Presentation: N/A

ADDITIONAL AGENDA ITEMS: In compliance with Brown Act regulations, no action may be taken on these items. However, discussion may occur at this meeting upon Commissioner request.

Information Items:

- None

Communications:

- October 9 – Martinot, Adeline Corridor Plan
- October 9 – Martinot, Agenda Request

Late Communications: (Received after the packet deadline):

- Supplemental Packet One – received by noon two days before the meeting
- Supplemental Packet Two – received by 5pm the day before the meeting
- Supplemental Packet Three – received after 5pm the day before the meeting

ADJOURNMENT

****** MEETING PROCEDURES ******

Public Testimony Guidelines:

All persons are welcome to attend the virtual meeting and will be given an opportunity to address the Commission. Speakers are customarily allotted up to three minutes each. The Commission Chair may limit the number of speakers and the length of time allowed to each speaker to ensure adequate time for all items on the Agenda. Customarily, speakers are asked to address agenda items when the items are before the Commission rather than during the general public comment period. Speakers are encouraged to submit comments in writing. See “Procedures for Correspondence to the Commissioners” below.

Procedures for Correspondence to the Commissioners:

All persons are welcome to attend the virtual hearing and will be given an opportunity to address the Commission. Comments may be made verbally at the public meeting and/or in writing before the meeting. The Commission may limit the time granted to each speaker.

Written comments must be directed to the Planning Commission Secretary at the Land Use Planning Division (Attn: Planning Commission Secretary), 1947 Center Street, Second Floor, Berkeley CA 94704, or via e-mail to: apearson@cityofberkeley.info. All materials will be made available via the Planning Commission agenda page online at this address:

<https://www.cityofberkeley.info/PC/>.

Correspondence received by **12 noon, nine days** before this public meeting, will be included as a Communication in the agenda packet. Correspondence received after this deadline will be conveyed to the Commission and the public in the following manner:

- Correspondence received by **12 noon two days** before this public meeting, will be included in a Supplemental Packet, which will be posted to the online agenda as a Late Communication and emailed to Commissioners one day before the public meeting.
- Correspondence received by **5pm one day** before this public meeting, will be included in a second Supplemental Packet, which will be posted to the online agenda as a Late Communication and emailed to the Commissioners by 5pm on the day of the public meeting.

- Correspondence received **after 5pm one day** before this public meeting will be saved as part of the public record.

Note: It will not be possible to submit written comments at the meeting.

Communications are Public Records: Communications to Berkeley boards, commissions, or committees are public records 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 relevant board, commission, or committee. 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 to the relevant board, commission, or committee for further information.

Communication Access: To request a meeting agenda in large print, Braille, or on audiocassette, or to request a sign language interpreter for the meeting, call (510) 981-7410 (voice), or 981-6903 (TDD). Notice of at least five (5) business days will ensure availability.

Meeting Access: To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services Specialist, at 981-6418 (V) or 981-6347 (TDD), at least three (3) business days before the meeting date.

I hereby certify that the agenda for this regular meeting of the Planning Commission was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on **October 14, 2020**.

Planning Commission Secretary
Alene Pearson



Planning Commission

1 **DRAFT MINUTES OF THE SPECIAL PLANNING COMMISSION MEETING**
2 **October 7, 2020**

3 The meeting was called to order at 7:03 p.m.

4 **Location:** Virtual meeting via Zoom

5 **1. ROLL CALL:**

6 **Commissioners Present:** Benjamin Beach, Robb Kapla, Shane Krpata, Mary Kay Lacey,
7 Steve Martinot, Christine Schildt, Jeff Vincent, Brad Wiblin, and Rob Wrenn.

8 **Commissioners Absent:** None.

9 **Staff Present:** Secretary Alene Pearson, Katrina Lapira, and Paola Boylan.

10 **2. ORDER OF AGENDA:** No changes.

11 **3. PUBLIC COMMENT PERIOD:** 1

12 **4. PLANNING STAFF REPORT:**

- 13
- 14 • None

15 **Information Items:**

- 16 • None

17 **Communications:**

- 18
- 19 • None

20

21 **Late Communications:** *See agenda for links.*

- 22 • Supplemental Packet One
- 23 • Supplemental Packet Two
- 24 • Supplemental Packet Three

25 **5. CHAIR REPORT:**

- 26 • None

27

28 **6. COMMITTEE REPORT:** Reports by Commission committees or liaisons. In addition to the
29 items below, additional matters may be reported at the meeting.

30

- 31 • None

32 **7. APPROVAL OF MINUTES:**

33 Motion/Second/Carried (Wrenn/Beach) to approve the Planning Commission Meeting Minutes
34 from September 30, 2020 with amendments to lines 60 and 68.

35
36 Ayes: Beach, Kapla, Krpata, Lacey, Schildt, Vincent, Wrenn, and Wiblin. Noes: None. Abstain:
37 Martinot. Absent: None. (8-0-0-1)

38

39 **FUTURE AGENDA ITEMS AND OTHER PLANNING-RELATED EVENTS:**

- 40 • None

41 **AGENDA ITEMS**

42 **9. Discussion:**

***Business Support Zoning Amendment Referrals – Amusement
Device Arcades and Arts District Overlay***

44 Staff shared research and findings associated with the two
45 businesses support referrals described above with the Planning
46 Commission. After staff's presentation, the Commission asked staff
47 to propose amendments based on the recommendations discussed.

48 **Public Comments: 0**

49 **Members in the public in attendance: 2**

50 **Public Speakers: 1 speakers**

51 **Length of the meeting: 1 hours and 13 minutes**

Lapira, Katrina

From: Steve Martinot <martinot4@gmail.com>
Sent: Friday, October 2, 2020 4:21 PM
To: Steve Martinot
Subject: The Scam in the Adeline Plan

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DO NOT CLICK ON links or attachments unless you trust the sender and know the content is safe.

The class bias of the Adeline Corridor Plan

By Steve Martinot

Hello Berkeley. A question, please.

Do you think that a family that earns \$120,000 a year should still qualify for affordable housing?

That's a real question. Because the way the city now refers to affordable housing for its Adeline Corridor Plan, a family earning \$120,000 would qualify.

If you earn \$120,000 a year, and you pay rent at the level set by HUD for affordable housing (which is a maximum of 30% of your income), you would end up paying \$3000 a month. \$3000 is roughly comparable to market rate.

What kind of corruption is this? The demand for affordable housing made by the low income neighborhoods is in response to the huge displacement of families that can't afford market rate housing. It is for them that the entire issue of affordable housing is and has been raised, not for those who earn \$120,000. But the city, in its Adeline Corridor Plan, sees fit to open its planned affordable housing units to families earning \$120,000 a year. If they take one of the available affordable units, then a low income family that could have take that unit will be out in the cold.

How could this happen? How could the Planning Dept, reconcile this with itself?

But it is right there in the plan, that affordable housing will be provided for people whose income is in the "low, very low, extremely low, and moderate" income brackets. And those earning \$120,000 a year would be smack-dab in the middle of the "moderate" income bracket.

Maybe the city is still toadying to the developers, even after there is a glut of market rate housing. But why do many Planning Commissioners, who are supposedly representing the community, go along with that? When this disparity was pointed out, there was no outrage that some low income family could be left out if a "moderate" income family able to afford a market rate unit could gobble up an affordable apartment in the Adeline Corridor. How far does this kind of moral corruption extend?

People of Berkeley, we have a problem.

#####

Okay, it is time to explain how this happens. Here's the set-up.

The first principle of affordable housing is that one pays 30% of one's income for rent. That's HUD that says that, not me.

Most people who live in rent controlled apartments in Berkeley are paying around 70% of their income for rent. That's not the city government that says that. That's me. I did a survey. Clearly if a family is paying 70% of their income for rent, or even 50%, they have a lot trouble keeping their kids in shoes, the lights on, and food on the table all at the same time. For that reason, low income people are still being displaced. When rents go up and income does not, one ends up in the street.

What kind of corruption are we faced with if this condition has been known for 10 years, and the city has only permitted 5% of the affordable housing mandated by the state? Over that period, 2000 units have been built, and only around 100 are categorized as "affordable." Who's not doing their job?

The second principle of affordable housing is the need to ensure equity, that the renters in any one income bracket do not monopolize the affordable units, but that there is equitable distribution. For that purpose, HUD has divided low income renters into three income brackets: low income, very low income, and extremely low income. That way, when affordable units are built, they can be parceled out equitably to those who need them, with priority given to those who live the stress of impending eviction, or the misery of having to choose between food and heat.

Please notice, I refuse to give credence to the city's corruption by including "moderate income" as an income bracket for affordable housing. You'll see why in a minute.

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Let us look at the details. I will have to use a few numbers. Please stay with them and think about them. These numbers represent the economic conditions of real people, some at levels of misery, and some living high on the hog.

To be accounted as low income in Berkeley, one has to be earning less than \$76,000 a year. That's the upper limit of the low income bracket. The lower limit is \$47,500 a year. Above that, one is low income; below it, one is "very low income."

The next step down is \$28,500 a year. That is the lower limit of the "very low income" bracket. Earning less than that puts one in the "extremely low income" bracket.

There is a bottom to this. Below \$19,000 a year, one is off the charts. HUD level rent, at 30% of income, for those at the bottom of the "extremely low income" bracket, would be \$475 a month. Maybe back in 1995, one could get a furnished room for that. But this is 20-covid-20.

Think about this next time you see a tent by the side of the road. Think about some family earning \$120,000 a year taking one of the affordable units in the Adeline Community from someone who only earns

\$40,000, and will have to move out of town because they can't find a place they can afford (30% of \$40,000 would come to \$1000 a month for rent).

#####

What's the secret in all this? Where's the scam? How does a \$120,000 family get to qualify for an affordable unit? How are these income brackets calculated in the first place?

There is some sleight of hand by the city. It plays two tricks.

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Trick number 1:

The city includes that fourth income bracket in its designations for affordable housing in the Adeline Plan, the bracket called "moderate income."

In Berkeley, the "moderate income" bracket would go ("would go") from \$76,000 a year to \$114,000 a year. The middle of that bracket would be \$95,000. At 30% of one's income for rent, that would be about \$2400 a month. That's for the middle of that moderate income bracket, and it is almost market rate, but not quite. And there are market rate apartments available today, because the city allowed a glut to form. Too many were built, with not enough affordable units. That's why the housing crisis never went away.

Are you paying attention? I started this expose by saying that the Adeline Corridor Plan would allow a moderate income family earning \$120,000 a year to move into an affordable unit. Didn't you see how I shifted it?

Just now, I said the moderate income bracket for Berkeley was \$76,000 to \$114,000. The trick was to use a different basis of calculation. The one used by the city favors higher income families.

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Trick number 2:

These brackets are calculated on the basis of income averages for specific geographical zones.

HUD defines a specific midpoint for each zone (county, metropolitan area, etc.) to be the center of its calculations. That midpoint is called the "Area Median Income." AMI. The low income bracket is from 50% to 80% of AMI; very low goes from 30% to 50% of AMI; and extremely low goes from 20% to 30% of AMI.

So everything hinges on which AMI one uses.

The AMI for Berkeley is approximately \$95,000 a year. So the boundary between low and very low income brackets, which is 50% of AMI, would be \$47,500 a year (roughly \$1200 a month for rent).

Here's the problem.

When HUD calculates its subsidies for affordable housing, it does not use Berkeley's AMI. Berkeley is not a metropolitan area. Neither is it a county. It is part of a zone that HUD then uses, namely, Alameda County. But ...

But, the AMI for Alameda County is \$119,000 a year. The income brackets for Berkeley, which has a much lower AMI, will nevertheless be calculated for the Adeline Corridor Plan on the basis of the county AMI, which is higher. That's where the inclusion of a \$120,000 family comes from. Calculating from county AMI, \$120,000 per year is right in the middle of the moderate income bracket. Calculating (for the Adeline Community, which is in Berkeley) on the basis of Berkeley's AMI would place the \$120,000 family in the wealthy, upper class bracket.

It is the city's silence about this disparity, and its use in the Adeline Corridor Plan, that is its shell game, its corruption. To use the county's AMI to calculate income brackets for Berkeley is to enact a middle class bias. It is to provide affordable housing to those who don't need it, and thus to withhold that scarce commodity from those who do.

There is only one way the city can make its proposal for affordable housing in the Adeline Corridor Plan honest and above board. That would be to expunge any reference to any moderate income bracket, and reserve its affordable housing units for those who need them, namely, low, very low, and extremely low income renters, based on Berkeley's real income landscape, as represented by its real AMI.

But if the Planning Commission doesn't want to deal with this problem, with its inherent bias and corruption, why would the city?

[Note: the low income bracket, calculated using county AMI, will run from \$95,200 at the high end to \$59,500 at the low end, and will therefore include the lower half of the moderate income group as calculated using Berkeley's AMI (not the county's). So there will be some equity for those of moderate income on a Berkeley basis if the "moderate" category is removed.]

Lapira, Katrina

From: Steve Martinot <martinot4@gmail.com>
Sent: Friday, October 9, 2020 1:24 PM
To: Pearson, Alene; Bartlett, Ben
Subject: An agenda request Re: Planning Commission

WARNING: This email originated outside of City of Berkeley.
DO NOT CLICK ON links or attachments unless you trust the sender and know the content is safe.

To Alene Pearson, Secretary for Planning Commission
In the included report and proposal, I am raising a serious issue. I hope it gets a favorable response.
Steve Martinot
#####

Report to secretary of the Planning Commission

I wish to contest a specific decision that was made at the Planning Commission meeting of Sept. 30, 2020, concerning the Adeline Corridor Plan. And I request that the Planning Commission be able to reconsider that decision and the motion that led to it at its next meeting on Oct. 21, 2020. I request that the specific motion in question be included in the agenda for the Oct. 21 meeting of the Planning Commission, so that the faults and errors committed by the commission in making its original decision can be rectified.

The motion about which I am raising objections is the following, made concerning staff recommendation on the Adeline Corridor Plan. Its title, as given in the minutes, is “to recommend the adoption of Commissioner Schildt’s revisions to staff’s prepared language concerning Affordable Housing Requirements at the Ashby BART station.”

The reasons I am making this request are (1) that the process of passing that motion was fraught with confusion, bad faith, and misrepresentation of what was being voted on; (2) that contained in the content of the text voted on is an absurd recommendation concerning affordable housing, and an insult to the people for whom the Adeline Corridor Plan claims to advocate with respect to affordable housing; and (3) that discussion on the topic and an alternate proposal designed to rid the Adeline Corridor Plan of that absurdity and offensiveness to the residents of Berkeley was disrespectfully curtailed and arbitrarily prevented from full presentation and discussion. In short, passage of the motion in question was taken in error in the prior meeting, without transparency of discussion or procedure.

1- The motion in question concerned the Adeline Corridor Plan’s proposal that affordable housing be built on the Ashby BART parking lots. The wording of the original text about that matter had been revised by staff in response to recommendation made by the Community Advisory Group (CAG) empaneled for the purpose of ensuring community input in the fundamental concepts of the Adeline Corridor Plan. Thus, what was voted on was not to be the text of the plan but staff’s version of the Planning Commission’s discussion of the plan. Nevertheless, it was to be part of the Planning Commission’s recommendation to City Council, a step the plan was to go through after it was discussed by the Planning Commission. To have given the Plan a complete and careful discussion is thus part of the responsibility of this Commission to the people of Berkeley, and in particular, to the low income people of Berkeley.

2- In the text in question, there existed two critical issues. One was the need, and indeed the demand from community groups and residents, that housing built on the Ashby BART parking lots be 100% affordable. It was the CAG's sentiment that this be the case, and Staff's alternate recommendation that the city "should strive for a goal of 100% deed-restricted affordable housing" in cooperation with BART, as per its Memo of Understanding with BART. There was considerable discussion around this issue, with eventual agreement on staff's wording.

The other issue, which received interruptions and curtailed discussion, was that the inclusion of the "moderate income bracket" as qualifying for affordable units could not be justified. To include the moderate income bracket as qualifying for affordable units would families earning \$120,000 a year to move in as moderate income families. For people in that income bracket, paying a maximum of 30% of their income for rent, as is the standard for HUD, their monthly rent would be \$3000. That is comparable to market rate. To have included families with that ability to rent would be an insult to the low income families who have seen their friends displaced and exiled from the city owing to the insupportable increases in rent over the last 10 years, and who feel themselves ever on the edge of being evicted from their homes for the same reason.

It needs to be added that the designation "low income" here refers to three income brackets as defined by HUD, the low, the very low, and the extremely low. These brackets are defined as percentages of the Area Median Income.

3- I (Steve Martinot) came to the meeting of the Planning Commission on Sept. 30, 2020, prepared to make an argument for why the income bracket of moderate income should not be included as qualifying for affordable housing built on the Ashby parking lots, nor in the plan. I knew I had to present the figures, potential income levels, and Median Income data to make my point. I was interrupted by a few Commissioners when half way through my argument. Those interruptions occurred with the loud presentation of alternate ideas to the argument I was making. I both attempted to continue to formulate my argument and to respond to the interruptions. The Chair did nothing to stop or prevent interruptions to my presentation. However, when I saw fit to respond to what the interrupters were saying, I had to speak over them, and that resulted in other commissions asking the chair to establish order. In other words, in the course of my presentation of an important argument, as outlined above, I was the one who was out of order, and not those who disrespected me by their interruptions.

This is in violation of the decorum that is described and ensured as a norm in the Commission Manual. I have to say that when the Chair called for order, he also moved the discussion to a different topic, thus curtailing my presentation. I was particularly tired that evening, and could not find within myself the wherewithal to struggle against the discrimination I felt was aimed at me.

4- What then happened was that, in seeking to put an end to discussion of these issues, a motion was made concerning staff's revision of the CAG recommendation. In the process of doing so, an amendment was made to the text of the staff's revision in its second paragraph, by Commissioner Schildt, viz. that the wording include the phrase "prioritizing extremely low and very low affordable housing," as a way providing recognition of at least part of what I was trying to present. This is perhaps because the argument I was making was one I had been making for 5 years, and Commissioner Schildt had heard it a number of time. I have to say that I was somewhat disappointed by the CAG recommendations because they did not themselves call in question the list of income brackets that the Adeline Corridor Plan was going to include as qualifying for affordable housing. A number of people on the CAG has heard the argument over the years. Here finally was an opportunity to make the insight in the argument relevant to actual city enactments.

When we voted on commissioner Schildt's amendment, that vote was recorded as being on the entire staff recommendation, which consisted of two paragraphs, the first of which still contained reference to the moderate income bracket as qualifying for affordable housing. What this indicates is that what we were voting on, when we voted on Commissioner Schildt's amendment, was the entire passage, which was not made clear. The minutes thus wrongly report the action with respect to the motion.

In the Oct. 7 meeting of the Planning Commission, I attempted to change my vote on that motion as I refuse to be recorded as agreeing to something as absurd as considering an apartment renting for \$3000 to a family earning \$120,000 as affordable housing. The family that takes advantage of that rental, though they can afford market rate with their income, would be taking away an affordable apartment from a low income family that really needs it. I was later informed by the Secretary of the Commission that I could not change my vote. Hence, I am calling for a reconsideration of the entire motion and its recommendation to City Council as containing an absurdity that is also an insult to the people who really need affordable housing.

5- How is it that the Adeline Corridor Plan as now written will allow a family earning \$120,000 a year to qualify for affordable housing? The reason resides in the difference that is contained in the AMI (Area Median Income) between one area and another. The AMI that HUD will use to calculate its subsidies for the Ashby BART parking lot will be that for Alameda County, which is \$119,000 (rounded out). The AMI for Berkeley is around \$95,000. The range of the moderate income bracket, calculated on a county basis, would be from \$95,200 (80% of AMI) to \$143,800 (120% of AMI). A family earning \$140,000 would thus also qualify for affordable housing in the Adeline Corridor Plan. On the other hand, the moderate income bracket calculated on Berkeley AMI would go from \$76,000 to \$114,000. At the high end, a family qualifying for an affordable unit would pay around \$2800 a month rent, almost market rate.

It is absurd to open affordable housing units that meet a critical need of low income families to renters who can afford market rate housing. It is worse than absurd. It is unjust.

6- It would also be a slap in the face to all those people who have been forced out of this city by rent levels beyond their means, a large percentage of whom are people of color (the African American community in Berkeley has been reduced to 25% of its former size). To enable families able to afford market rate housing to qualify for affordable housing in the Adeline Corridor Plan would be a travesty that would reveal to the present residents of Berkeley that the city government had no sense of ethics with respect to the rental situation in this city.

I do not see how any self-respecting member of the city of Berkeley, and especially a member of the Planning Commission, could reconcile themselves with this total warping of the concept and the need for affordable housing which, because it is coordinated with income, plays a special role for low income families.

7- As one would expect, there are ironies. Low income on the basis of county AMI would be any income below \$95,200 a year. But we have noticed that Berkeley's AMI is \$95,000 a year. That means that fully half of all residents in Berkeley are low income. The makes Berkeley a low income area, yet one which has steadfastly refuse to find a way to build affordable housing. According to an article in the SF Chronicle for Sept. 24, 2020, some 2347 units have been built in Berkeley since 2012, of which only 171 were to be below market rate.

I refer the Planning Commission and the Planning Dept. to my article on this question, in which I go into it in greater detail. It can be found in the Berkeley Planet for Oct. 2, 2020.

It would make more sense to use the Berkeley AMI to calculate income brackets. Low income would then include those earning from \$75,000 on down. Why is this discrepancy between AMIs kept a secret, and not used to good cause for the benefit of Berkeley residents? Perhaps it is in order to attract for profit developers, and still look as if one is trying to deal with the problem of impoverishment.

8- To reiterate, if it is absurd and insulting to the low income people of Berkeley that those families with incomes that can afford market rate housing be included as qualifying for affordable housing anywhere in the Adeline Corridor Plan, then any reference to the inclusion of moderate income housing should be excised from that plan. The proposal that I am making, that reference to moderate income renters be excluded from the

Adeline Corridor Plans characterization of and qualification for affordable housing, would rescue the Planning Commission from the travesty of affirming that a \$3000 a month rental could be considered affordable housing.

9- What is at stake in this is the following: the ability of the city to meet the real needs of its residents, 50% of whom are low income, and 65% of whom are renters. What is also at stake is the honor of the city as being known for living up to its concerns, and to the concerns expressed by its residents.

In conclusion, I reiterate my request that the item in question that was improperly passed on Sept. 30 be placed on the agenda of the Planning Commission meeting for reconsideration on Oct. 21. Especially since it will be on the same agenda as Rick Jacobus, who will be speaking on the same topic. That will mean that this report will then be part of the packet for that meeting. To put the issue back on the agenda will allow a full and transparent discussion to take place on it. Since that was prevented from happening on Sept. 30, the Planning Dept. and the Planning Commission owes it to the city of Berkeley to do this. We also owe it to the city to address the weight of the issue in a proper manner. And I request that the article I wrote in the wake of the Sept. 30 meeting, which I am attaching, be distributed to the Planning Commission.

Steve Martinot
