

October 4, 2018

To: Housing Advisory Commission
From: Commissioner Thomas Lord
Subject: **Bring Work Plan Updates**

Background

At its June 2018 meeting the Housing Advisory Commission formed the first version of its work plan for the ensuing fiscal year 2018-2019.

This document contains work plan updates as of September 12, 2018.

Mission statement

tbd

Work plan items.

A01. Providing digital file storage for the homeless

Consider developing a program to help mitigate and avoid homelessness by providing assistance in the form of digital file storage and retrieval and scanning services.

Who: XJ; **Dates:** *tbd*

Output

- i. *What will be the direct results of commission activities?*

A feasible, and well thought through programmatic recommendation or an RFP submitted to the City Council for review.

- ii. *How much will be done? (i.e. Number of forums/meetings held, # of participants reached, etc.):*

HAC meeting to discuss ideas, to identify potential challenges, to get consideration by the Commission on homelessness, to get public input and feedback, and get input on feasibility by the city staff.

Outcomes

The specific changes desired/achieved in the short-term (1-3 years) and long-term (4-6 years):

1. Identify if the need is truly there
2. Ensure the idea is feasible
3. Achieve implementation within 1 year, if feasible.

Activities

- i. *What will the commission do with its resources?*

Gather information on available resources, identify if the need is truly there, identify what capacity the city possesses for implementing the program or what funding would be required to implement a program

- ii. *Processes, tools, events, technology, actions that are employed to bring about the intended objectives.*

Mostly through HAC subcommittees, outreach to other commissions, and staff time.

Required Resources

What specific resources are needed and available to achieve desired change? (i.e. staff time, \$, time, materials, equipment):

HAC Research time, input from the Commission on Homelessness, staff time, computing technology, digital file storage and retrieval capabilities, scanners, possibly contract services if they present a more viable option.

A02. Linking employment growth to housing development

Provide a research basis to identify what policies are most effective in ensuring housing and commerce grow together.

Who: XJ; **Dates:** *tbd*

Output

- i. *What will be the direct results of commission activities?*

Ideally, a report and recommendation to council of a solid commercial linkage fee that will address the challenges of the housing crisis in a large degree.

- ii. *How much will be done? (i.e. Number of forums/meetings held, # of participants reached, etc.):*

This project should be done in consideration with other housing commissions in the bay area, as this will require a regional approach. I would imagine a substantial number of Berkeley residents do not actually work in Berkeley, but rather other places.

Outcomes

The specific changes desired/achieved in the short-term (1-3 years) and long-term (4-6 years):

The goal will be to report back to the city within 6 months to 1 year.

Activities

- i. *What will the commission do with its resources?*

Provide a research basis to identify what policies are most effective in ensuring housing and commerce grow together.

- ii. *Processes, tools, events, technology, actions that are employed to bring about the intended objectives.*

This project should be done in consideration with other housing commissions in the bay area, as this will require a regional approach. I would imagine a substantial number of Berkeley residents do not actually work in Berkeley, but rather other places.

Required Resources

What specific resources are needed and available to achieve desired change? (i.e. staff time, \$, time, materials, equipment):

An analysis of commercial linkage fees and other mechanisms used by cities to ensure housing and employment grow together. An analysis of what the city of Berkeley is currently doing around commercial linkage fees.

A03. Supportive mental health services

Providing additional supportive mental health services for the homeless and assessing current capacity; in particular, providing insurance coverage for constituents who are in public housing and their mental health has led to spaces becoming a health and safety risk

Who: XJ; **Dates:** *tbd*

Output

- i. *What will be the direct results of commission activities?*

A programmatic recommendation or RFP for insurance coverage, as well as a long term mental health and wellness plan connected with the long-term housing goals.

- ii. *How much will be done? (i.e. Number of forums/meetings held, # of participants reached, etc.):*

This is hard to tell now, but we will do what it takes to ensure effective outreach and feasibility.

Outcomes

The specific changes desired/achieved in the short-term (1-3 years) and long-term (4-6 years):

6 months to 1 year for research. 2-3 years for implementation.

Activities

- i. *What will the commission do with its resources?*

Find ways to optimize the program, and see what the needs within the City of Berkeley are. What would it take to truly ensure everyone who needs housing and mental health services within the city of Berkeley can access them. What would it take to pair the mental health services effectively to preserve their housing.

- ii. *Processes, tools, events, technology, actions that are employed to bring about the intended objectives.*

The main process is identifying the need, strategizing ways to finance the costs for the need, find ways to ensure long term programmatic stability, and measure outcomes for success

Required Resources

What specific resources are needed and available to achieve desired change? (i.e. staff time, \$, time, materials, equipment)

Financial resources are the most needed component, additionally coordination between the current funding streams available to the city, tapping in to regional organizations, and identifying new funding streams.

B01. Expansion of Berkeley Student Coop

The Berkeley Student Cooperative is overwhelmingly considered the most effective tool at addressing the affordable student housing crisis.¹

Who: ML; **Dates:** *tbd*

Output

what the planned activities will produce

Outcomes

intended short and long term effects

Activities

- Refer to the City Council a proposal to endorse reviving the federal College Housing Loan Program.² (This program was used to finance the BSC's Rochdale Village Fenwick Weavers Village Properties.³)

¹Besides pre-Costa Hawkins rent control.

²The program was renamed College Facilities Loan Program and in 1968 expanded to include the construction and renovation of all academic buildings, not just housing. In 1992, the law was amended require priority for the renovation and reconstruction of academic buildings. <https://www.nytimes.com/1993/04/25/realestate/focus-updating-dorms-to-meet-student-needs.html>

³At the time, the law required a university to co-sign the loan, which is why the University owns the properties even though the BSC financed the bonds. However, the law was subsequently amended to remove that requirement (*In our own Hands: A History of Student Housing Cooperatives at the University of Michigan*). In order to best support BSC expansion, the city should encourage support making sure this amendment remains.

- Pressure the University of California to donate land to the Berkeley Student Cooperative.
- Encourage the city council to endorse amendments to SB 1227, such as allowing a student housing cooperative to master lease (or own) an SB 1227-development
- Evaluate and take action to mitigate factors which make the Berkeley Student Cooperative averse to more rapid expansion. Informal conversations with BSC leaders (as well as interviews with staff and student leaders of other student housing cooperatives) show a barrier to rapid expansion is risk-averseness and other internal concerns. While this is may smart business practice for the organization, it unfortunately leaves many students in need of affordable housing without it. The commission should evaluate those internal risks, and determine what steps if any it may be able to take to mitigate them.
- Pressure the university to renew its master leases with the Berkeley Student Cooperative on highly favorable terms of the Berkeley Student Cooperative.
- Encourage the University of California to waive its debt policy to allow issuing revenue bonds for student housing, especially for homeless students.
- Explore the creation of a joint powers financing authority with the University of California.
- Explore and support the creation of a dedicated local government revenue stream for below market rate student housing, such as the creation of a special tax district in the campus area.
- Consider pressuring the university to make payments to an a trust fund earmarked or below-market-rate student housing whenever it develops new market rate student housing on its own land. (If the development is on university land, it is presumably exempt from the city's inclusionary housing/mitigation fee requirements.
- Encourage the state to make appropriations for student housing as they've done in the past and without requiring that it be cosigned by the university.

Required Resources

if a resource request must be made to Council, note that

Commissioner(s)

who will take the lead for moving the effort along?

Schedule

identify major milestones and their initial target dates

B02. Group equity and zero equity coops

The City of Berkeley has often proclaimed its support for cooperative housing, which democratize the economy and allows residents to have more input in their housing management (among other advantages). However, this has traditionally been limited to limited equity cooperatives due to familiarity with the model. Unfortunately, limited equity cooperatives are generally averse to expansion; they usually form their initial building(s), and then never engage in development, preventing benefits such as economy of scale. By contrast, group equity cooperatives (which are primarily used by student housing cooperatives) are generally much more likely to focus on expansion. Group equity cooperatives are also better suited for certain types of developments such as GLA's (which are less expensive).

Who: ML; **Dates:** *tbd*

Output

what the planned activities will produce

Outcomes

intended short and long term effects

Activities

- Encourage / refer to the planning commission to amend the Zoning ordinance to create a new Cooperative Housing Unit use in districts where housing is allowed to facilitate the creation of new group equity housing cooperatives.
- Refer to the City Council amending city programs which provide financial or technical assistance to limited equity cooperatives to also include group equity cooperatives (and/or make them more applicable to group equity cooperatives).
- Refer to the City Council a proposal to amend federal law to make resident-members of group equity cooperatives eligible for the home ownership tax credit similar to member-owners of limited equity cooperatives. (Or alternative, make group equity cooperatives eligible for a financially-equivalent refundable tax credit).
- Work with stakeholders to form a nonprofit to serve as an expansion-focused group equity housing cooperative (which primarily serves non-students).

Required Resources

if a resource request must be made to Council, note that

Commissioner(s)

who will take the lead for moving the effort along?

Schedule

identify major milestones and their initial target dates

B03. Increased coordination between the university and city for student housing

The city should support increased communication and coordination between the university and city around student housing.

Who: ML; **Dates:** *tbd*

Output

what the planned activities will produce

Outcomes

intended short and long term effects

Activities

- Drawing on examples from the 70's, create a public city-university committee which focuses exclusively on student housing and feature various stakeholders. (Although a city/student/university (the "4x6") subcommittee of the city council exists, it meets relatively infrequently and always has too much on its plate. A somewhat similar body existed in the 1970's, but featured numerous issue-based subcommittees, often with membership different than the parent body.)⁴

Required Resources

if a resource request must be made to Council, note that

Commissioner(s)

who will take the lead for moving the effort along?

⁴*University and Communities: Can they Plan Together?*

Schedule

identify major milestones and their initial target dates

B04. Increased density and decreased parking in student areas

Support increased density and decreased parking in student areas. Students often do not drive, and if they live near the university have very little day-to-day automobile needs. Thus, increased density and reduced parking requirements near the university constitutes transit-oriented-design.

Who: ML; **Dates:** *tbd*

Output

what the planned activities will produce

Outcomes

intended short and long term effects

Activities

- Encourage / refer to the Planning Commission the creation of a no-parking overlay zone(s) in student areas near the campus.
- Encourage / refer to the Planning Commission upzoning and / or the creation of a density bonus in student areas near the campus (especially if tied to the creation of community benefits, such as BMR housing).

Required Resources

if a resource request must be made to Council, note that

Commissioner(s)

who will take the lead for moving the effort along?

Schedule

identify major milestones and their initial target dates

B05. Pressure the university to engage with students on student housing

Pressure the university to genuinely engage with students (as well as other community stakeholders) on student housing, including but not limited to the topic of site selection.

Who: ML; **Dates:** *tbd*

Output

what the planned activities will produce

Outcomes

intended short and long term effects

Activities

- Encourage the city council to pressure the university to uphold its ostensible commitment to student participation in shared governance. (The university violated its own policies guaranteeing the ASUC the right to nominate two students to every campus administrative committee; the (Student) Housing Master Plan Task Force Report included zero students despite protests, and students serving on subsequent bodies have

been able to effectively revisit assumptions made by the student-less taskforce, especially locations.)

- Support the creation of a public city-university body focused on student housing (separate from the “4x6” city council subcommittee). (See B03. Increased coordination between the university and city for student housing for more detail.)

Required Resources

if a resource request must be made to Council, note that

Commissioner(s)

who will take the lead for moving the effort along?

Schedule

identify major milestones and their initial target dates

C01. Code enforcement review

By ordinance, the commission has duties to monitor code enforcement procedures, ensure adherence to Council policies, and to make recommendations to Council for changes to procedures and priorities.

The Commission currently has no established practices for performing those duties. This work item is to begin to establish such practices.

Who: TL; **Dates:** checkin Sept 2018, done by May 2019

Output

1. A very preliminary review.
2. If appropriate, a plan for a more substantial review next year.

Outcomes

In this fiscal year, we hope to complete at least a preliminary review. This preliminary review is not likely to be much in depth. This is part of a discovery process that is mainly meant to develop institutional knowledge within the HAC of how code enforcement operates at present.

Our deeper goal is to develop a strategy for code enforcement monitoring in the future - to establish practices which future Commissioners will, we hope, adopt and adapt. If all goes well, then in this fiscal year we'll establish a plan for a more in depth review, and in the next and future fiscal years we'll carry that plan out.

Activities

Explore with the Commission Secretary staff's thoughts on how to proceed with this review, including the question of what, if any, relevant staff time prioritization must be requested through council.

Identify the scope of enforcement activities of interest.

Collect readily available information about existing code enforcement practice.

Develop "questions to be answered" for consideration by the Commission Secretary and City Council.

Develop and execute a plan for public outreach.

With the help of City staff develop preliminary answers to those questions. Gaps in what can be readily answered are to be expected.

Develop a more in depth review plan for the next fiscal year.

Required Resources

As appropriate, prioritization of staff time to assist with the review.

Perhaps some low-cost help with public outreach from City Council.

D01. Delayed moderate-income subcommittee report

The moderate income subcommittee met in 2018 and produced a draft report, the final version of which has yet to return to the HAC. The final report has been delayed twice due to very busy HAC agendas. This work plan item schedules it for July.

Who: TL; **Dates:** July 2018

Output

Delivery of the final moderate income subcommittee report.

Outcomes

Hopefully this report will help to inform the Small Sites program and, as well, the HAC's evaluation of traditional affordable housing strategies at all income levels.

Activities

Really, just deliver the final report for a bit of discussion.

Required Resources

No special requirements.

E01. Democratized housing innovations summit

Berkeley has multiple groups of experts and activists who are pursuing or are at least interested in public policy to expand the supply of affordable housing which is decommmodified and democratized.

The high priority Small Sites referral from City Council has created a context where the knowledge and advice of these groups can be gathered in synthesis of policy.

Neighborhood groups and other local interest groups are critical stakeholders in such programs.

This work plan item proposes a workshop process to convene the experts, advocates, and larger community around this work.

Who: TL; ****Dates:** initiate July 2018, workshops sometime Oct 2018 through January 2019

Output

1. A referral to City Council to authorize outreach to various potential workshop participants.
2. One or more workshops, if the experts, advocates, and interest groups are willing.

Outcomes

Hopefully, an implementation of the small sites referral that will represent some of Berkeley's best knowledge and thinking, and that will have a strong base of support.

Activities

Workshop format to be some form of public discussion and presentation among these groups, details tbd.

Required Resources

Potentially, a room and time for one or more multi-organization workshops, with public attendance.

F01. JSISHL updates and engagement

In response to a flurry of new land use law from the state, and in consideration of City Council's housing referrals, the Joint Subcommittee for Implementation of State Housing Law was formed to assist with updates to city land use law and practices.

This work plan item is to schedule regular updates to the HAC from its representatives on JSISHL.

Who: TL; Dates:

- July, 2018: report back from the first two JSISHL meetings. Description of the upcoming July 19 JSISHL meeting.
- September 2018: report back from July 19, next JSISHL meeting will be September 20.
- October 2018: report back from September 20, next JSISHL meeting will be November 15.
- January 2018: Report back from November 15.
- (Further JSISHL meeting dates to be determined.)

Output

Discussion and possible action agenda items on the dates indicated.

At the June 2018 meeting, Commissioner Owens proposed studying relevant state laws at the HAC, particular SB-35.

Outcomes

Hopefully, the HAC will be informed as to JSISHL's work and can engage with JSISHL as they see fit.

Activities

JSISHL updates to the Commission will report on previous meetings and, if possible, inform the Commission about the future plans of JSISHL.

The Commission might, just as one example, choose to communicate back to the subcommittee through its representatives.

Required Resources

No special requirements.

G01. Smokefree housing ordinance

Last year the HAC initiated a process to review and recommend reforms to the Smoke-Free Multi-Unit Housing ordinance and the practices used to enforce that ordinance. We undertook this in reaction to reports of the ordinance not working well from the public and some members of the HAC.

A response from the City Manager is expected at which time work on this project can resume.

Who: TL, XJ, ML; **Dates:** *tbd (contingent on replies to our earlier referral)*

Output

Recommendations for improving the smoke-free multi-unit housing ordinance and current enforcement practices.

At the June 7, 2018, Commissioner Lewis noted that enforcement of the ordinance in student housing should be considered.

Outcomes

Hopefully, a more effective ordinance.

Activities

To be decided.

Required Resources

Responses to our earlier City Council referral that asked question of the City Manager, and requested a Berkeley Considers request for public comment.

H01. U1 reporting

By ordinance, the commission has duties to publish, annually or biannually, housing policy recommendations for City Council.

The Commission currently has no established practices for performing this duty. This work item is to begin to establish such practices.

Who: TL; **Dates:**

- Initial check-in and possible action in July, 2018.
- Templates and procedure by November, 2018.
- First report in April, 2019.

Output

1. A publication calendar.
2. Commission consensus on suggested templates for items to include in the report, emphasizing documenting the specific recommendation and the analysis that leads to it.
3. Commission consensus on how to decide what to include in the published report.

Outcomes

Short term success is defined as this being the first fiscal year in which the Commission successfully carries out this new duty (which was added to our enabling ordinance in 2016).

Longer term success is if the system devised for assembling the report is adopted and adapted in future years by the HAC.

Activities

I will present some simplified, streamlined versions of templates I first proposed for this purpose in early 2017. (If there are co-leads, they might have alternatives.)

With or without co-leads I will submit some action items to propose a process and schedule for publishing our recommendations.

Required Resources

A small amount of staff time to work out how reports will be published on the Commission's web page, and what will be the protocol for notifying council of the publication.

J01. Affordable housing continuity following a disaster

summary tbd

Who: IT; **Dates:** *tbd*

Output

what the planned activities will produce

Outcomes

intended short and long term effects

Activities

what kind of work is being proposed

Required Resources

if a resource request must be made to Council, note that

Commissioner(s)

who will take the lead for moving the effort along?

Schedule

identify major milestones and their initial target dates

J02. Non-traditional low-/moderate- income strategies

summary tbd

Who: IT; **Dates:** *tbd*

Output

what the planned activities will produce

Outcomes

intended short and long term effects

Activities

what kind of work is being proposed

Required Resources

if a resource request must be made to Council, note that

Commissioner(s)

who will take the lead for moving the effort along?

Schedule

identify major milestones and their initial target dates

J03. Revising the demolition and relocation ordinances

summary tbd

Who: IT; **Dates:** *tbd*

Output

what the planned activities will produce

Outcomes

intended short and long term effects

Activities

what kind of work is being proposed

Required Resources

if a resource request must be made to Council, note that

Commissioner(s)

who will take the lead for moving the effort along?

Schedule

identify major milestones and their initial target dates

J04. Small sites program

summary tbd

Who: IT; **Dates:** *tbd*

Output

what the planned activities will produce

Outcomes

intended short and long term effects

Activities

what kind of work is being proposed

Required Resources

if a resource request must be made to Council, note that

Commissioner(s)

who will take the lead for moving the effort along?

Schedule

identify major milestones and their initial target dates

J04. Continuity of effort (prior work plan follow-ups)

summary tbd

Who: MW; **Dates:** *tbd*

Output

tbd

Outcomes

tbd

Activities

- Continue to review applications for funding submitted by housing and service providers.
- Respond to the housing priorities established through the Mayor's Housing Task Force and approved and prioritized by the City Council.
- Liaison with UC Berkeley regarding shortage of housing experienced by students.

- Encourage implementation of policies already submitted by the HAC to the Council, such as an ADU pilot program and a home-share pilot program.
- Support other Commissions in their efforts to serve the rising number of homeless individuals and households.

Required Resources

tbd

K01. Ensure affordable housing growth in all districts

summary tbd

Who: DO; **Dates:** *tbd*

Output

what the planned activities will produce

Outcomes

intended short and long term effects

Activities

what kind of work is being proposed

Required Resources

if a resource request must be made to Council, note that

Commissioner(s)

who will take the lead for moving the effort along?

Schedule

identify major milestones and their initial target dates

N01. Homeshare and ADU pilot program implementation

summary tbd

Who: MW; **Dates:** tbd

Output

what the planned activities will produce

Outcomes

intended short and long term effects

Activities

what kind of work is being proposed

Required Resources

if a resource request must be made to Council, note that

Commissioner(s)

who will take the lead for moving the effort along?

Schedule

identify major milestones and their initial target dates

J03. TOPA

summary tbd

Who: IT; **Dates:** *tbd*

Output

what the planned activities will produce

Outcomes

intended short and long term effects

Activities

what kind of work is being proposed

Required Resources

if a resource request must be made to Council, note that

Commissioner(s)

who will take the lead for moving the effort along?

Schedule

identify major milestones and their initial target dates

P01. Housing action plan

summary tbd

Who: AW, IT; **Dates:** *tbd*

Output

what the planned activities will produce

Outcomes

intended short and long term effects

Activities

what kind of work is being proposed

Required Resources

if a resource request must be made to Council, note that

Commissioner(s)

who will take the lead for moving the effort along?

Schedule

identify major milestones and their initial target dates

Q01. UC Long range development plan

The University's existing long range development plan expires in 2020. The University has often not followed commitments laid out in that document which relate to housing (e.g. enrollment growth, total housing production, and use of sites identified for housing). This lack of follow-through by the University has had disastrous effects for the city's housing market. The city should both hold the university accountable to its commitments in the existing LRDP, and also ensure the new LRDP is both sound and followed by the university.

Who: ML; **Dates:** *tbd*

Output

what the planned activities will produce

Outcomes

intended short and long term effects

Activities

- Pressure the UC Regents and State legislature to implement an enrollment freeze (and ultimately enrollment rollback) at the UC Berkeley campus.
- Hold the University accountable to building housing on sites it identified for that purpose in its 2020 Long Range Development Plan (e.g. the old Berkeley Art Museum site)
- Further explore Santa Cruz Measure U (June 2018)⁵ and what lessons (if any) the City of Berkeley should draw from that ballot measure and the circumstances which led to its placement on the June ballot.

⁵<[https://ballotpedia.org/Santa_Cruz_California_Measure U.Measure_to_Oppose_University_of_California_Development_Plan\(June_2018\)](https://ballotpedia.org/Santa_Cruz_California_Measure_U.Measure_to_Oppose_University_of_California_Development_Plan(June_2018))>

Required Resources

if a resource request must be made to Council, note that

Commissioner(s)

who will take the lead for moving the effort along?

Schedule

identify major milestones and their initial target dates

Template

Workplan items should use this template structure:

Title

summary

- Who:
- Dates:

Output

what the planned activities will produce

Outcomes

intended short and long term effects

Activities

what kind of work is being proposed

Required Resources

if a resource request must be made to Council, note that

Commissioner(s)

who will take the lead for moving the effort along?

Schedule

identify major milestones and their initial target dates

Planning chart

Schedule summary:

Housing Advisory Commission Workplan Timeline

	7/18	8/18	9/18	10/18	11/18	12/18	1/19	2/19	3/19	4/19	5/19	6/19
A01. Providing digital file storage for the homeless ⁵												
A02. Linking employment growth to housing development ⁵												
A03. Supportive mental health services ⁵												
B01. Expansion of Berkeley Student Coop ⁹												
B02. Group equity and zero equity coops ⁹												
B03. Coordination with UCB for student housing ⁹												
B04. Support more density, less parking in student areas ⁹												
B05. Pressure UCB to engage w/ students ⁹												
C01. Code enforcement review ²			*								*	
D01. Delayed moderate-income subcommittee report ²	*											
E01. Democratized housing innovations summit ²	*			*								
F01. JSISHL updates and engagement ^{2,6,8}	*		*	*			*					
G01. Smokefree housing ordinance ^{2,5,9}	*											
H01. U1 reporting ²	*			*						*		
I01. Work plan updates ²	*			*			*		*	*	*	*
J01. Affordable housing continuity following disaster ³												
J02. Non-traditional low-/moderate-income strategies ³												
J03. Revising the demolition and relocation ordinances ³												
J04. Small sites program ³												
K01. Continuity of effort (prior work-plan followups) ^{4,6}												
L01. Ensure affordable housing growth in all districts ⁸												
M01. Affordable housing at North Berkeley BART ⁸												
N01. Homeshare and ADU pilot program implementation ⁶												
O01. TOPA ³												
P01. Housing action plan ^{3,7}												
Q01. UC Long range development plan ⁹												
Elections					*		*				*	

(green) indicates a completed work plan item

* indicates a deadline or anticipated HAC agenda item

¹ Ms. Rashi Kesarwani (D1)
² Mr. Thomas Lord (D2)
³ Mr. Igor Tregub (D3)
⁴ Mr. Luis Amezcua (D4)
⁵ Mr. Xavier Johnson (D5)

⁶ Ms. Marian Wolfe (D6)
⁷ Mr. Amir Wright (D7)
⁸ Mr. Darrell Ben-Lee Owens (D8)
⁹ Mr. Matthew Lewis (M)