

RESPONSE TO GRAND JURY REPORT FINDINGS AND RECOMMENDATIONS

CITY OF BELVEDERE

REPORT TITLE: "AFFORDABLE HOUSING: TIME FOR COLLABORATION IN MARIN"

REPORT DATE: June 24, 2022

Public release Date: September 12, 2022

RESPONSE BY: Sally Wilkinson, Mayor of City of Belvedere
Irene Borba, Director of Planning & Building

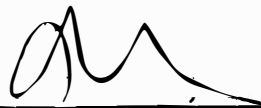
GRAND JURY FINDINGS

- We agree with the findings numbered: F1, F2, F3, F4, F5, F6, F7, F9, and F10
- We disagree wholly or partially with the finding numbered: F8

GRAND JURY RECOMMENDATIONS

- Recommendation numbered R1 will not be implemented because it is not warranted or reasonable.

Date: 9/12/2022

Signed: 
Sally Wilkinson
Mayor City of Belvedere

RESPONSE TO GRAND JURY FINDINGS

F1. Marin County lacks sufficient affordable and workforce housing.

Response: Agree.

F2. Increasingly, individuals who work in Marin County cannot afford to live in the county, many of whom must commute from outside the county.

Response: Agree.

F3. Recent California laws provide new incentives for local governments to collaborate in developing affordable housing.

Response: Agree.

F4. The Regional Housing Needs Allocation allotments are widely viewed as unachievable for the county and many Marin municipalities.

Response: Agree.

The City of Belvedere supports using the Regional Housing Needs Allocation (RHNA) as a means of identifying sites for housing, but the current allocation of 160 units for the 2023-2031 planning period represents an increase of almost 2,560% above the 16 units that were allocated for the most recent planning period (2015-2023). Whether this amount of housing can be built within the eight-year timeframe will depend on many factors that are outside the City's control, such as owner interest, availability of land, financing, and other market forces.

F5. Failure to achieve Regional Housing Needs Allocation allotments will trigger loss of local control over housing development.

Response: Agree.

F6. There is new and increasing support and willingness to cooperate among elected officials for building affordable housing in Marin.

Response: Agree.

F7. A countywide approach to housing development would enhance Marin's ability to meet affordable and workforce housing needs.

Response: Agree.

Marin County collaborates and coordinates housing programs with the towns and cities in several areas, and the City of Belvedere participates in such collaborative and coordinated efforts as deemed appropriate. This is discussed further in the response to Recommendation R1 below.

F8. Large affordable housing developments in Marin require subsidies to be financially feasible.

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Response: Partially disagree.

Regardless of size, all affordable housing developments require subsidies. In fact smaller developments are more expensive, more difficult to fund, and cost more per unit than larger developments.

F9. Organizations with expertise and access to subsidies and other funding sources are successfully building new affordable and workforce housing developments in Marin.

Response: Agree.

The City of Belvedere understands that Vivalon Healthy Aging Campus and Senior Housing currently under construction in San Rafael is an example of a successful countywide partnership. Eden Housing and Vivalon are collaborating on a mixed-use project with studios and 1-bedroom apartments on the upper floors, which will be available to low-income seniors. The City of San Rafael and County of Marin provided funding, and the Marin Housing Authority provided project-based vouchers.

F10. A countywide approach to housing development would enhance Marin's ability to secure funding for affordable and workforce housing.

Response: Agree.

Marin County collaborates and coordinates housing programs with the towns and cities in several areas, and the City of Belvedere participates in such collaborative and coordinated efforts as deemed appropriate. This is discussed further in the response to Recommendation R1 below.

RESPONSE TO GRAND JURY RECOMMENDATIONS

The Marin County Civil Grand Jury recommends the following:

R1. No later than December 31, 2022, the Marin County Board of Supervisors and Marin's city and town councils should jointly create a regional authority, or empower an existing authority such as the Transportation Authority of Marin, to coordinate affordable and workforce housing policy on a countywide basis.

Response: This recommendation will not be implemented because it is not warranted or reasonable.

The City of Belvedere agrees that more collaboration on housing policy and funding would be beneficial and will likely result in more affordable housing in our community. In fact, much work has been done to date, as described below, and additional opportunities are being developed. The City of Belvedere remains open to additional collaboration and/or more formal arrangements in the future.

However, forming a Joint Powers Agreement (JPA) with 12 jurisdictions would take a significant investment of time, funding, and energy that would likely impair current housing efforts, and of course requires willing partners. Doing so by December 31, 2022 is not a realistic timeline, particularly given that each Marin jurisdiction is currently striving to meet statutory deadlines to submit their housing element by January 31, 2023.

Below is a brief summary of existing and recommended new pursuits for strengthening interjurisdictional coordination and planning around affordable and workforce housing:

Existing collaboration

The County has long spearheaded housing collaboration with its cities and towns, beginning in 2008 with the development of the countywide Housing Element Workbook, which provided a shared template, background information and model programs and policies for development of the 2009 Housing Element. This effort resulted in all Marin municipalities receiving certified housing elements, which in turn made more housing funds available. The City of Belvedere participated in this successful effort.

In 2019, County staff reconvened a countywide working group of Planning Directors and planning staff to encourage interjurisdictional collaboration on housing issues and solutions, with a specific focus on responding to new state legislation to streamline housing developments. The working group established common goals and coordinated on housing legislation, planning, production, and preservation of existing affordability. The working group meets once monthly and has evolved from briefings and discussions regarding state housing legislation into collaboration on projects to facilitate the development of more housing in Marin County. The working group applied jointly for SB2 planning grants in the summer and fall of 2019 and has started to collaborate on these grant projects, including Objective Design and Development Standards, an ADU Workbook and Website, and inclusionary housing program updates. The group received funds from ABAG to work collaboratively on shared Housing Element deliverables including translation dollars, Affirmatively Furthering Fair Housing products, visualizations, and a countywide website. The City of Belvedere participates in this collaborative effort and finds it extremely helpful to discuss common issues/requirements that all jurisdictions are grappling with to resolve or learn how to move forward.

Future collaboration

The City of Belvedere understands that the County intends to expand collaboration with its cities and towns in the following ways:

1. ***Commit to collaboration:*** In the County's draft 2023-2031 Housing Element, a proposed new program would "*Collaborate with Marin County, cities and towns to address regional planning and housing issues*"
 - This would require the County, and each city and town, to commit resources to collaboration and hold a public hearing annually to report on progress to the respective decision-making body and report to the State through the Annual Progress Report (APR).

The City of Belvedere finds this would be a useful way of providing information and updates to report on progress to the respective decision-making bodies. The City of Belvedere is willing to participate in this reporting.

2. ***Implementation of Housing Element programs:*** During implementation of the 2023-2031 Housing Element, the County, cities (including the City of Belvedere) and towns will collaborate on program implementation, especially those related to Affirmatively Furthering Fair Housing and tenant protections. This will include:
 - *Model ordinances:* developing model ordinances to be considered by the Board of Supervisors and City Councils.
 - *Outreach and community engagement:* Conducting shared outreach and community engagement.

The City of Belvedere finds the sharing of information extremely useful and cost-effective, especially since all jurisdictions are working on same issues/requirements such as Affirmatively Furthering Fair Housing for our Housing Elements.

3. **Housing Element Collaboration:** Develop a deeper and more formalized collaboration on the Housing Element in the future. This could include:
- *One Housing Element:* Develop one document with shared background, outreach, programs, and policies. This would provide consistency, save funds and improve accessibility for stakeholders and housing developers.
 - *Consider a subregional approach:* The County and cities and towns will consider developing a subregional approach to meeting the Regional Housing Need Allocation in the next housing element cycle.
 - *Shared consultants* to conserve resources and develop more consistent policies and programs, the County, cities, and towns will seek to hire the same consultants to prepare parts of the housing element, conduct regional outreach and conduct any needed environmental review.

The City of Belvedere is open to discussions for further collaborative and coordinated efforts for future Housing Elements.

4. **Funding collaboration:** explore ways to more effectively collaborate on shared funding for affordable housing. This could include:
- *Inclusionary policies:* Developing more consistent policies and fees to encourage and facilitate more affordable housing as part of new market-rate developments and increase funding for affordable housing.
 - *Regional housing trust fund:* Consider the establishment of a regional housing trust fund which would make state applications more competitive and lower the administrative burden for cities and towns.
 - *Community Development Block Funds:* Continue to collaborate as an entitlement community on using CDBG funds to fund affordable housing and leverage other State and Federal Sources.
 - *Permanent Local Housing Allocation (PLHA):* Continue to collaborate as an entitlement community to use PLHA funds on housing-related projects and programs that assist in addressing the unmet housing needs of our local communities.
 - *The Bay Area Housing Finance Authority (BAHFA):* Actively participate and support the efforts of BAHFA to raise funds to help address affordable housing and housing stability.

The City of Belvedere is willing to explore ways to effectively collaborate on shared funding for affordable housing in our community as well as in Marin County.

5. **Shared staffing:** With the exceptions noted above, the County, cities, and towns address most housing issues individually, and often with limited staff and financial resources. Programs and policies in the Housing Element require concrete goals and deliverables which will be difficult for smaller jurisdictions to achieve with all of the other obligations associated with their work. Shared staffing initiatives would encourage coordination and working together to tackle the housing crisis on a larger scale through shared housing staff to provide expertise and local knowledge to support affordable

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housing developers. This would also result in consistency throughout the county and adoption of best practices.

The City of Belvedere a smaller jurisdiction with a small staff is willing to explore this idea further to determine how this could be done. Having expertise and dedicated staff available to aid with these complex housing matters would be very helpful.

SUMMARY

As the City of Belvedere moves forward with our Housing Element Update for 2023-2031, we will look at and consider additional programs to expand and or supplement collaboration between the County, towns, and other cities. The City of Belvedere currently participates and collaborates in interjurisdictional efforts to plan and provide for housing and will continue in this effort.