

Rachel Rosekind, Public Comment Letter
El Cerrito Draft Housing Element, August 2022

Date: August 31, 2022

To: El Cerrito Planning Department

Re: Housing Element Update Public Review Draft - Comment

First of all, thank you for the hard work you put into drafting this comprehensive report. In providing my remarks, I understand that: (1) the RHNA allocations were/are not determined by El Cerrito staff and (2) that the element—and El Cerrito staff—are not actually tasked with ensuring that the targets are met. I have shared narrative comment and context and highlighted my discrete questions and recommendations. They are embedded among the broader themes I am trying to draw out and stress about the report and the state of our City and regional housing landscape, particularly around equity.

As we can see from the last cycle's outcomes, the City has scaled up its housing stock...for above moderate income earners in particular, where RHNA targets have been exceeded. I was very confused by the statement that *"Because of the City's progress toward meeting its RHNA, El Cerrito is one of only 29 jurisdictions in the state that is not currently (2022) subject to the streamlined ministerial approval process (SB 35 streamlining) as indicated in HCD's Streamlined Ministerial Approval Process (SB 35) Statewide Determination Summary, updated June 30, 2022. This determination indicates that El Cerrito has met its prorated lower- (i.e., very low- and low-) and above moderate-income RHNA as of June 1, 2022."* But Table A-1 (which shows the City's progress toward meeting the 2015-2023 RHNA, as of December 31, 2021) and the City's issuance of 603 building permits for housing units since the start of the Fifth RHNA Cycle in 2015 do not align with below-AMI benchmarks. Because: Of the permits issued, 522 were for above moderate-income housing, 13 were for moderate-income housing, six were for low-income housing, and 62 were for very low-income housing. **Can you please provide greater clarity on why the "pro-rated" targets are so low relative to the projected need and on how HCD approval allows for this?**

Of course we need housing of all types after decades of underbuilding and underinvestment, but what we *really, really* need—and need **now**—is **not** more market rate housing, but housing for the unsheltered, the very low income, the low income, the missing middle, and other population sectors vulnerable to exploitation and displacement. Eviction moratoriums are lifting, rents are climbing precipitously, inflation is rampant, and people are being stretched and left behind. The people affected by these "market forces" do not have the luxury of doubledipping in private real estate sales, i.e., purchasing a condo or single family home in this city/region. When we look at the scale of need relative to the scale of current and projected stock (i.e., what *will* actually get built based on the RHNA allocations), it is clear that we need to scale *up* municipal advocacy, resources, and momentum to build for, shelter, and care for our neediest community members alongside the people who work in our schools, clean and repair our infrastructure, and generally perform the labor that actually makes this city, and those in every region, run.

The housing sector is one of the key areas where resource disparities and scarcities take root and ripple, as you signal in your declaration that *"it is important wherever possible to reduce school-based poverty concentration and to give low-income families access to schools with lower levels of poverty and greater racial diversity"* (3-35). Yes, many of our schools are more segregated now than they were in the pre-Brown era, and that is because our neighborhoods are increasingly more segregated as well. I would ask: **How can the housing element, the entities responsible for enacting it, and the tools developed to implement it contribute to this aspiration?** When home values continue to skyrocket, not only are

lower-income folks priced out, but they are locked out of the generational wealth that provides their offspring with better opportunities. In fact, this year, [half as many Black households can afford a home as last year](#). For years I have been concerned by the correlation between disparate home ownership rates and overrepresentation of racial/ethnic groups in low-income, lower-resourced, and homeless populations (the latter shown starkly on page 2-29 of the element). Moreover, El Cerrito's Black population decline (by almost 50% from 2000 to 2020) aligns with rising home values/prices, the subprime mortgage crisis's impacts on Black homeownership/foreclosures, and higher income earner household ascendancy in the city. In this regard, I am curious how the fair housing provision will translate into prioritizing units for this vulnerable population, particularly when the previous cycle shows that "moderate income" (as adjusted for CoCo County) units are the ones actually getting (over) built and the ones meant to house community members who fall below those thresholds stuck in funding/approval/permitting/construction limbo? In this vein: Is there visibility yet on how El Cerrito will benefit from or be able to leverage the Measure X Local Housing Trust Fund annual allocation?

Our county's Homeless Continuum of Care system is short hundreds of shelter beds, not to mention robust and vital permanent supportive housing opportunities. On p. 2-29, the report documents that the state requires cities to identify zones for emergency shelters. The sites inventory seems to identify some potential locations, but I did not see this lifted up in the action items and time frames, and H-2.12: *"Support efforts to provide temporary shelter and permanent and transitional housing for persons experiencing homelessness"* was disappointingly weak. Our county's H3 needs cities to make efforts themselves—big ones—not just support theirs. We have witnessed a rising unhoused and unsheltered population, and last year, one community member died in front of our City public library. Has El Cerrito received the 2022 PIT count numbers for EC's unsheltered population? What is the funding source(s) for emergency shelter sites identified in Table 5-7?

I would love to see city staffers pushing hard for extending deed restrictions and covenant terms to avoid transference to market rate units, which is almost invariably going to happen given housing scarcity and rate of demand. I very much hope that City staff will actively pursue partnerships with non-profit housing providers and implement a robust rent subsidy/voucher program for landlords. This is something that the Council on Homelessness/H3 is also looking at. In that vein, I hope there is more coordinated effort across city-county lines to address these tragic and increasing inequities at play in our City, County, and regional housing landscape. I know that there are talented staffers in John Gioia's office who are knowledgeable about housing issues and, others within H3 who are seeking to expand partnerships. You write that *"During the Housing Element planning period, the City will evaluate the best uses of the Affordable Housing Funds to assist development projects and support new housing opportunities for lower income and vulnerable households throughout the city. In addition, staff will continue to monitor and partner with County, State and Federal programs to expand resources and capacity to residents including tenant protections"* (3-69). When will this happen and how will you engage community members in this process?

I was confused by the point of including Table 4-6, which shows the numerous vacant/undeveloped lots in the Hills area where I live. How do these align with feasible development goals given that they are privately owned and there is no incentive to sell and/or build on them? And even then, given that this is a high-resource area that correlates with high income earner residence, the development would solely be affordable to those same high income/high-resourced buyers. Is there any discussion, as will be on the ballot in Berkeley in November, about taxing vacant land and/or housing? I saw numerous mentions of this in the community survey responses. There is an exorbitant amount of properties that have been uninhabited for years—why do these not elicit tax penalties for sitting empty (and paying paltry

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Prop 13 taxes to boot!) during an epic housing and housing affordability crisis? If we criminalize human "vagrancy", how can we not also criminalize housing "vagrancy" during an out-and-out housing crisis? Numerous survey comments cited this glaring issue. What will be the follow-up on this? I would appreciate it if you lifted this up in your presentation to the City Council so that it can be voiced publicly and considered for a later ballot measure.

I applaud H-2.4 "Increase local funding for affordable housing in El Cerrito and work with other jurisdictions in Contra Costa County to place a countywide affordable housing bond on the ballot." **But** can the timeframe be stepped up to scale with extent of need and urgency? Why will it take 3-3.5 years for a small city to evaluate, identify, and establish a local source of affordable housing? The bond measure idea has been floating around for over five years (Measure X funds are not sufficient to scale of need). Again, this offers a potent collaborative venture with Supervisor Gioia's office.

I also applaud Program H-4.C: "The City shall collaborate with the Housing Authority on an educational campaign to educate landlords about their obligation to accept Section 8 Housing Choice Vouchers under fair housing laws and to encourage landlords in high resource, single-family neighborhoods to actively participate in the HCV Program as a way to affirmatively further fair housing." **But again**, I am troubled by the timeframe: why will the collaboration with the Housing Authority take until 2025? We need to move with greater urgency to scale with need, particularly as eviction moratoriums increase, food pantries are overwhelmed, and inflation/price gouging continues apace. Can this timeline be modified? Again, I know that H3 is looking at a landlord engagement campaign. I encourage Affordable Housing city staff to communicate and coordinate.

El Cerrito City staff—you *can* be a progressive force for change. Staff in cities of all sizes around the country are doing incredible things, and I love learning about and being inspired by them. Please identify, recruit, and coordinate with local housing and racial equity champions who can help you. This community has a lot of very smart, compassionate, networked people who are knowledgeable about and working on affordable housing and housing security issues throughout the region and nationwide. They want to help. And, if you wish to move an inclusive and progressive agenda forward, you can show it through encouraging and extending community engagement and empowerment on these fronts. Moreover, in the April 2022 community meeting, attendees voiced interest in a community-led housing commission. Will there be follow-up on these calls? On a broader scale, it seems that some residents are saying that community forums don't feel like enough of a direct participatory mechanism—they are looking for more robust and direct action channels. I hope you will listen.

Thank you for taking the time to read, consider, and respond to my questions and concerns.

Warmly, Rachel Rosekind, El Cerrito Resident and local business owner