

**CITY COUNCIL MEETING
TUESDAY, JANUARY 30, 2019**

**DOCUMENTS RECEIVED
AFTER PUBLISHED AGENDA**

ITEM #3

AUTHORIZATION TO SIGN CASA COMPACT

LETTER FROM THE SIERRA CLUB

-----Original Message-----

From: Matt WILLIAMS <>

Sent: Sunday, January 27, 2019 1:08 PM

To: List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>

Subject: The Sierra Club letter to ABAG about CASA

Dear Mayor Halliday and Council Members:

The attached letter was submitted to the ABAG Executive Board for their recent meeting on January 17th. The Sierra Club hopes that you will find it useful for your Special Joint Meeting on January 30th. If you have any questions, please do not hesitate to contact me.



January 16, 2019

Hon. David Rabbitt, President, and Members of the Executive Board
Association of Bay Area Governments (ABAG)
Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

Via email to: Fred Castro, Clerk of the Board – fcastro@bayareametro.gov

RE: Sierra Club Comments re Authorization to Sign CASA Compact
Meeting of January 17, 2019, Agenda item #12

Dear Supervisor Rabbitt and ABAG Board Members:

On behalf of our nearly 60,000 members in the nine-county Bay Area Region, the Sierra Club supports – in general – the concepts outlined in the “CASA Compact” on your Agenda. We recognize that the selected participants in the CASA proceedings tried their best to find consensus recommendations to move the Region on a path toward comprehensive housing improvements, but in several important respects, we believe that they did not go far enough.

First, we extend sincere appreciation for that manner in which ABAG’s culture of public responsiveness has professionalized the entire SB 375/Plan Bay Area process. The willingness by staff trained by ABAG to receptively involve stakeholders and to work for community betterments has been a welcome opportunity for the public.

The Sierra Club is currently in the process of finalizing an update to our National Urban Infill Policy. As approved by the Board of Directors last year, the policy states in part:

“The Sierra Club believes affordable housing is a human right.”

The Club Policy identifies the desirability of outcomes very similar to Plan Bay Area’s Priority Development Areas (PDAs) in furtherance of “mitigat(ing) the drivers of climate change” and “reducing urban related carbon emissions.” Or, as one activist wrote – “the greatest threat to our natural environment is unhoused, unsafe, unhappy people.”

The Sierra Club fully supports the objectives of SB 375 and the Bay Area's Sustainable Communities Strategy (SCS), which are founded on healthy, successful PDAs. We have written to MTC on this matter several times. Surprisingly, the CASA Compact contains only a single reference to PDAs, and this is only in Element #4 regarding Accessory Dwelling Units. Good PDAs need to be a much larger component of housing improvement and availability in the Region.

The ABAG "PDA Showcase" (<http://gis.abag.ca.gov/website/PDAShowcase/>) is a very helpful tool that allows the public and interested researchers to review the current status of PDAs throughout the region, but it is too often unavailable. A recent attempt to use the site yielded a screen that said "The Priority Development Area Showcase will be offline while a replacement application is developed. The new application is expected to be completed in Spring 2019." Please make sure that this Showcase is maintained more reliably.

The Sierra Club fully recognizes that municipalities themselves do not build housing. They create and enforce the conditions and circumstances that encourage or discourage developers. As such, Regional policies should work collaboratively so that people of all incomes, ages, races, identities, and abilities—whether homeowners, tenants or currently unhoused—can live in settings that foster active transportation, adequate community services and recreation, and healthy environments.

The Sierra Club supports location of increased housing near vibrant transit service, but this must not come at the expense of CEQA and other environmental protections. And it means that MTC must become more vigilant in its mission of ensuring adequate, usable frequencies and coverage of transit service so that people can walk and bike to local destinations and activities.

The need for good transit service also means that fund sources for CASA and PDA improvements must come from broader sources than transportation funds. The Sierra Club supports use of innovative funding that is not regressive. This is part of the Sierra Club's commitment to supporting vulnerable populations and sensitive communities.

As a resource, we suggest your review of Sierra Club California's "Housing Policy: Meeting Our Housing Needs and Protecting the Environment" available at:

https://www.sierraclub.org/sites/www.sierraclub.org/files/sce/sierra-club-california/PDFs/SCC_Housing_Policy_Report.pdf

This report was developed to clarify the Statewide Club's understandings regarding the impacts of legislation such as SB 827 (Weiner) last year, as well as related bills in upcoming sessions. It primarily identifies the history and a diagnosis of the State's housing crisis; further work will address possible solutions. Because of the then-pending legislation, the report uses the term "station" to refer to locations where robust transit service levels can provide a viable nexus for housing densification. In addition to rail and other fixed-guideway services, such locations may, where appropriate, be based on well-established urban bus lines with frequent headways and strong ridership.

We support, and urge you to also consider, the recommendations sent to the CASA Steering Committee in December from the Six Wins for Social Equity Network:

<https://urbanhabitat.org/sites/default/files/December%202018%20Letter%20Regarding%20CASA%20Compact.pdf>

with the earlier letter referenced therein at:

<https://urbanhabitat.org/sites/default/files/January%202018%20Letter%20from%20Bay%20Area%20Advocates.pdf>

Further, we emphasize that there should be no displacement of existing residents in the Bay Area, especially those living inside PDAs.

We also request and recommend greater attention to the Region's Jobs–Housing Imbalance. Neither the Compact nor the recent presentation to the Regional Advisory Working Group (RAWG) on “The Future of Jobs” identify any substantive analysis or approach to solving this critical part of the Region's environment and the excess of Vehicle Miles Traveled.

Local jurisdictions, especially in their permitting decisions, should satisfy their responsibility to balance levels of professional, service, and (where appropriate) manufacturing jobs with levels of housing to accommodate the households and incomes of such workers. Priority Development Areas are crucial to allowing residents to live in close proximity to all levels of such jobs.

As noted in November 2018's “Progress Report on the Sustainable Communities Strategies in California” by the Air Resources Board (Appendix A), the “Jobs–housing balance is a parameter that analyzes the distribution of employment opportunities and housing available across a geographic area. Literature has reported that keeping job–housing balance at the regional level is beneficial to reducing VMT.” The ARB also designed a Jobs-Housing Imbalance Index for the period 2005 to 2016. For five multi–county regions in the state, the “data shows that in the MTC, SACOG, and AMBAG regions, the jobs-housing ratios are becoming more imbalanced during the reporting period, especially in MTC.”

Further, the Sierra Club has deep concerns about proposed Element #10, the “Regional Housing Enterprise.” Public trust simply does not exist towards the Metropolitan Transportation Commission, and until its new regime is established and fully vetted, they deserve no new authority. The Region deserves a more credible coordinating body.

We note that the Preamble to the CASA Compact states in part:

“Each signatory to the Compact pledges to support the entire agreement and all of its provisions.”

Given that MTC has already placed conditions and qualifications on its authorization for their Chair to sign the document, we question if-or-how this statement remains valid.

Successful implementation of the Compact's beneficial proposals will require greater public understanding, as well as acceptance by more elected officials. The Sierra Club is willing to assist in this effort, to the extent possible.

If you have any questions regarding our comments, please do not hesitate to contact Matt Williams, Chair of the SF Bay Chapter's Transportation and Compact Growth Committee, at mwillia@mac.com.

Sincerely,



Bruce Rienzo
Loma Prieta Chapter Chair



Victoria Brandon
Redwood Chapter Chair



Igor Tregub
San Francisco Bay Chapter Chair

cc: California Air Resources Board
California State Transportation Agency
Association of Bay Area Governments
Sierra Club California

ITEM #3

AUTHORIZATION TO SIGN CASA COMPACT

LETTER FROM THE HAYWARD COLLECTIVE

From: Alicia Lawrence <>
Sent: Wednesday, January 30, 2019 9:40 AM
To: List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>
Cc: The Hayward Collective <thecollective@thehaywardcollective.com>
Subject: Statement on CASA Compact

Dear Mayor Halliday and Councilmembers,

We understand you will be part of a multi-city council meeting this evening regarding the CASA Compact.

In advance of the January ABAG meeting, The Hayward Collective sent the attached letter addressing our concerns with the CASA Compact. We are aware that ABAG made a series of recommendations addressing some of the concerns outlined in the letter, but as we do not know what you will be presented this evening we wanted to share with you our original concerns.

One thing we did not note in our original letter was the fact that there is no mention of any strategy around how the bills will be introduced. Before everything else; legislative action that protects tenants must be prioritized.

Since our original drafting of this letter, additional organizations and grassroots groups have come out against the CASA Compact, including Urban Habitat. We strongly urge local Hayward leaders to consider the implications of the proposed compact from the tenant perspective.

Thank you.

Sincerely,
Alicia G. Lawrence
The Hayward Collective



January 17, 2018

Executive Board
Association of Bay Area Governments
375 Beale Street, Suite 700
San Francisco, CA 94105

RE: CASA Compact: A 15-Year Emergency Policy Package to Confront the Housing Crisis in the San Francisco Bay Area

Dear Executive Committee Members,

When tenants' rights and housing concerns in Hayward became a priority for The Hayward Collective (THC) in 2017, CASA almost immediately came across our radar. CASA seeks to put forward regional solutions where local governments have failed to act. In our community, our City Council has failed to expand tenant protections despite an ongoing outcry from impacted community members (overwhelmingly working class and overwhelmingly people of color). Just as CASA strives to encourage housing production where local processes have obstructed new development, CASA must also bolster stronger tenant protections so that communities will have a fighting chance at cultivating economic and racial justice despite unsupportive local governments.

In reading through the CASA Compact and listening to what our colleagues on the technical committee were able to share about their experience; we cannot endorse the current iteration of the compact, and we hope you will not endorse it either.

The CASA Compact simply does not go far enough to stabilize our most vulnerable communities. The bare minimums offered in the compact are essentially business as usual for landlords and property managers who have not demonstrated any concern for the high-volume of displacement happening across the Bay Area.

- Compact Element #1: Just Cause Eviction Policy
 - The Waiting Period that states "the protections should apply only after a tenant has been in occupancy (with or without a lease) for at least 12 months" unjustly leaves tenants who don't have long-term leases unprotected.
 - The Relocation Assistance states "relocation assistance should be provided in all covered no-fault causes where tenants have been in occupancy for at least 12 months, except in cases where the owner is moving into the unit" and, again,

Mission

The Hayward Collective is a womxn, people of color, LGBTIQ+-led organization. We aim to build a community of accountability, equity, health and social justice through fluid stacktivism, art, advocacy, and self-care.



unjustly penalizes tenants who don't have long-term leases. And there is no just basis for exempting a landlord who wants to move-in to the unit.

- Compact Element #2: Emergency Rent Cap
 - CPI+5% favors landlords wanting to continue business as usual and does nothing for communities seeking relief from unjust rent increases. For the past 2 years CPI has been over 2% which means landlords would have had the liberty to raise rents at least 7% year after year. Those are unjust rent increases for low-income and fixed-income community members. The most recent cost of living increase for Social Security was only 2.8%; how is a senior on Social Security supposed to make ends meet with a 2.8% income increase and a 7% rent increase? How are low-income wage earners living paycheck to paycheck meant to maintain housing and an equitable living with a 7% increase? While we know that simply because landlords and property managers can raise rents upwards of 7% doesn't mean they have to, we've routinely seen these parties maximize thresholds at the expense of the livelihoods of current tenants.
 - The Vacancy Provision states "the cap on rent increase should apply to the renter, not the unit"; as part of an emergency package to stabilize communities - all units that can legally be covered by a cap on rent increases should be covered during a vacancy. Otherwise; we will find ourselves with more landlords intentionally trying to mislead renters in order to evict them and gain higher paying renters; as we've seen happen in Hayward.

We stand in solidarity with and support of our fellow advocates and activists who continue to express their own valid and important concerns. Tenants Together, a tenants' rights organization, participated in the CASA process on the technical committee. We urge you to take their perspective and concerns seriously. The Compact needs to be revised and problem areas need to be addressed so we can meaningfully address the current housing crisis, prevent further tenant displacement, and inject racial equity into the process.

Sincerely,

Lacei Amodei, Housing Committee Member and Hayward Tenant

Alicia G. Lawrence, Housing Committee Member

Veronica Solorio, Housing Committee Member

Ramona Rio, Housing Committee Member and Hayward Tenant

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