



Housing Advisory Commission

## HOUSING ADVISORY COMMISSION

# AGENDA

<b>Special Meeting</b> <b>Monday, April 10, 2023</b> <b>7:00 pm</b>	<b>South Berkeley Senior Center</b> 2939 Ellis Street  Anna Cash, Secretary HAC@cityofberkeley.info
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**Written communications submitted by mail or e-mail to the Housing Advisory Commission by 5:00 p.m. the day before the meeting** will be distributed to the members of the Committee in advance of the meeting and retained as part of the official record.

**All agenda items are for discussion and possible action.**

**Public comment policy:** Members of the public may speak on any items on the Agenda and items not on the Agenda during the initial Public Comment period. Members of the public may also comment on any item listed on the agenda as the item is taken up. Members of the public may not speak more than once on any given item. The Chair may limit public comments to 3 minutes or less.

1. **Roll Call**
2. **Land Acknowledgement** (Attachment 1)
3. **Agenda Approval**
4. **Public Comment**
5. **Approval of the March 2, 2023 Regular Meeting Minutes** (Attachment 2)
6. **Recommend the City Council adopt the City of Berkeley's Draft Annual Action Plan (AAP) PY 2023 for Department of Housing and Urban Development (HUD)– All/Staff** (Attachment 3)
7. **Discussion and Possible Action to Appoint Subcommittees – All/Staff**
  - a. Housing Trust Fund Subcommittee
  - b. Public Facilities Improvements NOFA Applications Review Subcommittee
8. **Update on and Possible Action on Fair Access and Transparency Ordinance Subcommittee – Subcommittee**
9. **Update on Council Items (Future Dates Subject to Change)**
  - a. Funding Recommendation and Joint Homekey Application for the University Inn at 1461 University (3/21/23)

- b. Amending the Program Year 2021 (PY2021) Annual Action Plan to Accept HOME-American Rescue Plan Funds (3/21/23)
- c. Budget Referral: Post COVID-19 Rental Assistance/Anti-Displacement (3/21/23)
- d. Referring \$579,000 to the June 2023 Budget Process for Staffing Costs Associated with Acquisition of and Prevention of Displacement from Multi-Family Housing (4/11/23)
- e. Budget Referral: Funds to Study Berkeley's Affordable and Social Housing Needs and Programmatic and Funding Opportunities (4/11/23)

## 10. Announcements/Information Items

### 11. Future Items

### 12. Adjourn

#### Attachments

1. Land Acknowledgment
2. Draft March 2, 2023 Regular Meeting Minutes
3. Joshua Oehler, HHCS, the City Council adopt the City of Berkeley's Draft Annual Action Plan (AAP) PY 2023 for Department of Housing and Urban Development (HUD)

Communications to Berkeley boards, commissions or committees are public record 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 commission. 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 for further information.

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to Mark Numainville, City Clerk, (510) 981-6900.

#### COMMUNICATION ACCESS INFORMATION:



To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at (510) 981-6418 (V) or (510) 981-6347 (TDD) at least three business days before the meeting date.

## ATTACHMENT 1

### **Land Acknowledgement Statement**

*The City of Berkeley recognizes that the community we live in was built on the territory of xučyun (Huchiun (Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's residents have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878. As stewards of the laws regulating the City of Berkeley, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today. The City of Berkeley will continue to build relationships with the Lisjan Tribe and to create meaningful actions that uphold the intention of this land acknowledgement.*



Housing Advisory Commission

**HOUSING ADVISORY COMMISSION**  
**Thursday, March 2, 2023**

**Draft Minutes**

**Time: 7:10pm**  
**South Berkeley Senior Center**

Secretary – Mike Uberti  
HAC@cityofberkeley.info

**1. Roll Call**

Present: Nico Calavita, Sara Fain, Xavier Johnson, Mari Mendonca, Debbie Potter, Alexandria Rodriguez, Leah Simon-Weisberg.

Absent: Libby Lee-Egan (unexcused).

Staff Present: Anna Cash, Mariela Herrick, Joshua Oehler, and Grace Streltsov.

Commissioners in attendance: 7 of 8

Members of the public: 3

Public speakers: 2

**2. Health and Safety Protocols for In-Person Commission Meetings – All/Staff**  
(Attachment 1)

**3. Land Acknowledgement**

**4. Agenda Approval**

Action: M/S/C (Fain, Calavita) to approve the agenda.

Vote: Ayes: Calavita, Fain, Johnson, Mendonca, Potter, Rodriguez, and Simon-Weisberg. Noes: None. Abstain: None. Absent: Lee-Egan (Unexcused).

**5. Public Comment**

There were zero speakers during public comment.

**6. Approval of the February 2, 2023 Regular Meeting Minutes** (Attachment 2)

Action: M/S/C (Mendonca/Simon-Weisberg) to approve the February 2, 2023 Regular Meeting Minutes, changing Deborah Potter to Debbie and fixing discrepancies in the numbers of public speakers.

Vote: Ayes: Fain, Johnson, Mendonca, Potter, and Simon-Weisberg. Noes: None. Abstain: Calavita and Rodriguez. Absent: Lee-Egan (Unexcused).

**7. Recommend Draft HOME-ARP Allocation Plan (PY21 Annual Action Plan Substantial Amendment) for City Council Approval – All/Staff (Attachment 3)**

Public Comment: 1 speaker.

Action: M/S/C (Simon-Weisberg/Fain) to recommend Draft HOME-ARP Allocation Plan (PY21 Annual Action Plan Substantial Amendment) for City Council approval.

Vote: Ayes: Calavita, Fain, Johnson, Mendonca, Potter, Rodriguez, and Simon-Weisberg. Noes: None. Abstain: None. Absent: Lee-Egan (Unexcused).

**8. Discussion and Possible Action Fair Access and Transparency in the Residential Application Process Study Session – Commissioner Simon-Weisberg (Attachment 4)**

Public Comment: 1 speaker.

Action: M/S/C (Johnson/Fain) to form an ad hoc subcommittee in existence for 90 days comprised of Commissioners Simon-Weisberg, Johnson, Mendonca, and Rodriguez with the purpose of drafting a Fair Access and Transparency Ordinance.

Vote: Ayes: Calavita, Fain, Johnson, Mendonca, Potter, Rodriguez, and Simon-Weisberg. Noes: None. Abstain: None. Absent: Lee-Egan (Unexcused).

**9. Update on Council Items (Future Dates Subject to Change)**

- a. Affordable Housing Preference Policy for Rental Housing Created Through Below Market Rate & Housing Trust Fund Programs (2/21/2023) (Attachment 5)
- b. Citywide Affordable Housing Requirements (2/14/2023)
- c. Referral Response: Home Share Program (2/14/2023) (Attachment 6)

**10. Announcements/Information Items**

- a. Housing Element Update

**11. Future Items**

- a. April Meeting Reschedule

**12. Adjourn**

Action: M/S/C (Fain/Simon-Weisberg) to adjourn at 9:26pm.

Vote: Ayes: Calavita, Fain, Johnson, Mendonca, Potter, Rodriguez, and Simon-Weisberg. Noes: None. Abstain: None. Absent: Lee-Egan (Unexcused).

Approved: \_\_\_\_\_, Mike Uberti, Secretary



Health Housing and  
Community Services Department  
Housing & Community Services Division

## MEMORANDUM

**To:** Housing Advisory Commission (HAC)

**From:** Joshua Oehler, HCS, Community Services Specialist III

**Date:** April 10, 2023

**Subject:** **Draft Annual Action Plan (AAP) for Federal Program Year (PY) 2023 (FY 2024)**

Each year, HCS staff prepares and submits an Annual Action Plan (AAP) which identifies how the City plans to spend federal Department of Housing and Urban Development (HUD) funds. This report is typically due May 17th each year. The current draft plan outlines how the City of Berkeley will spend its Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME) and Emergency Solutions Grant (ESG) funds for the federal program year (PY) 2023 which corresponds to the City's fiscal year (FY) 2024. The HAC acts as the advisory commission to Council on the allocation of CDBG, HOME and ESG funds.

At this meeting on April 10, 2023, the HAC shall consider, discuss and make a recommendation to Council on the PY23 AAP. The final draft AAP will then be submitted for the May 9, 2023 Council meeting, which is also a Public Hearing on the AAP.

Below is the link to the webpage where the draft Annual Action Plan will be made available on Friday, April 7, 2023. This is the same link where you can find the final plan upon Council adoption, and prior plans.

Link: <https://berkeleyca.gov/community-recreation/community-services/hud-planning-performance-reports>

### Background

HUD regulations governing CDBG, ESG and HOME funds require that the City of Berkeley submit an Annual Action Plan (AAP). HUD provides a template for the AAP which dictates much of the form and content of the document. The PY 2023 Annual

*A Vibrant and Healthy Berkeley for All*

Action Plan, covering the period July 1, 2023 through June 30, 2024, describes the City's strategy for achieving the goal of developing and maintaining a viable urban community through the provision of decent housing and a suitable living environment, while expanding economic, health and educational opportunities principally for households with incomes at or below 80% of Area Median Income.

The PY 2023 AAP is based on goals contained in the City's Five-Year Consolidated Plan (PY 2020 – 2024), which examines housing needs and establishes funding priorities in the areas of affordable housing and services for a wide range of low-income populations. HUD requires the involvement of the public in the creation of each Annual Action Plan.

### **HOME Funds**

HUD has allocated the City \$729,633 in HOME funds for PY 2023. The City expects to add \$20,000 in HOME program income, for a total of \$749,633 in HOME funds available for PY 2023.

Staff recommends that the City continue to utilize up to the maximum possible for administration (10%) and Community Housing Development Organization (CHDO) operations (5%), with the remaining adjustments applied to the Housing Trust Fund program.

### **ESG Funds**

The City's ESG entitlement for PY 2023 is \$232,452. Staff recommends utilizing the maximum possible for administration (7.5% of the grant), allocate \$6,676 to Homeless Management Information System (HMIS) support, up to 60% be used for emergency shelter/street outreach (\$139,471), and that the remainder will be used for rapid rehousing (\$68,871).

### **CDBG Funds**

Staff is projecting receipt of \$400,000 PY 2023 (FY 2024) program income from CDBG-funded activities, and also anticipates the availability of \$253,649 in unallocated funds from prior years. These amounts, combined with the \$2,707,553 HUD award of CDBG funds, will give the City a total of \$3,361,202 (estimated) in CDBG funds to allocate for PY 2023.

Staff recommends allocating 20% of the PY 2023 CDBG funds to the Planning and Administration, up to 17.83% for public services, and the remaining to be distributed to Housing Services and Community Facility Improvements as outlined in Attachment 1 with the Public Facility Improvements being a flexible line item should the HUD allocation and/or program income and earlier unexpended funds be more or less than anticipated.