

SAN RAFAEL CITY COUNCIL
HOMELESSNESS AND HOUSING SUBCOMMITTEE MEETING

Wednesday, July 24, 2024 | 11:30am – 12:30pm

3rd Floor Conference Room
San Rafael City Hall
1400 Fifth Avenue, San Rafael, CA 94901

To view meeting (non-participation):
<https://cityofsanrafael-org.zoom.us/j/89942654980>

Meeting ID: 899 4265 4980

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AGENDA

1. Call to Order

2. Public Comment – Items not on the Agenda

The public is welcome to address the subcommittee at this time on matters not on the agenda that are within its jurisdiction. Pursuant to Government Code Section 54954.2, the subcommittee is not permitted to discuss or take action on any matter not on the agenda unless it determines that an emergency exists, or that there is a need to take immediate action which arose following posting of the agenda. Comments may be no longer than two minutes and should be respectful to the community.

3. 2024-2025 Tenant Protections Workplan

Staff will share an overview of the tenant protections workplan for Fiscal Year 2024-2025, with a focus on a series of community capacity-building workshops in Spanish.

4. Affordable Housing Trust Fund

Staff will provide an update on the trust fund and present a potential mechanism to respond to real estate opportunities and leverage County funding for acquisitions.

5. Other Policy and Program Updates

Staff will provide general updates on the following projects and initiatives:

- a. Evaluation of City's Inclusionary Housing Policy
- b. Launch of ADU Center
- c. Homelessness Response Activities

6. Adjournment

Any records relating to an agenda item received less than 72 hours before the meeting, shall be available for inspection in the City Clerk's Office, Room 209, 1400 Fifth Avenue, and uploaded online prior to the meeting. Sign Language interpreters and assistive listening devices may be requested by calling (415) 485-3066 (voice), emailing lindsay.lara@cityofsanrafael.org or using the California Telecommunications Relay Service by dialing "711", at least 72 hours in advance of the meeting. Copies of documents are available in accessible formats upon request. Public transportation is available through Golden Gate Transit, Line 22 or 23. Paratransit is available by calling Whistlestop Wheels at (415) 454-0964. To allow individuals with environmental illness or

multiple chemical sensitivity to attend the meeting/hearing, individuals are requested to refrain from wearing scented products.

2024-2025 TENANT PROTECTION WORKPLAN

UPDATED JULY 2024

Over the next fiscal year, in addition to providing core services, the Housing Division will implement a work plan that includes participation in a countywide Tenant Protection Collaborative and community engagement workshops, as well as an evaluation of tenant protection policies already in place in San Rafael.

Background

The City of San Rafael's 2023-2031 [Housing Element](#) and the City Council's current [Goals and Objectives](#) identify tenant protections as a priority for 2023-2025.

The County of Marin and other Marin jurisdictions also committed in their Housing Elements to evaluate and implement tenant protections. On December 5, 2023, the County issued a [Request for Proposals](#) for a consultant to assist with countywide anti-displacement education and outreach.

While the countywide efforts can help inform policies and programs in San Rafael, the city's population differs from the county overall:

- San Rafael has a larger proportion of renters (50 percent) and cost-burdened renters (50.8 percent) than the County (36.3 percent renters, 47.7 percent cost-burdened). Among renter-occupied households, Pacific Islander (100 percent), Hispanic (63.8 percent), and Black (59 percent) householders have the highest rate of cost burden, above the Citywide average of 50.8 percent.
- Rates of cost burden amongst elderly renters and large renter households are higher in San Rafael than in Marin County. In San Rafael, over 57 percent of elderly renters and 70.6 percent of large renter households are cost burdened compared to 50.8 percent citywide.
- In 2020, 34.3% of the population in San Rafael identified as Hispanic/Latino in the US Census, compared to 18.8% in Marin County. The 2023-2031 Housing Needs Assessment found that 29 percent of the city's renters pay more than half of their incomes on housing. Among Latino households, that figure is 40 percent.
- At 18.7 percent, the percentage of San Rafael residents who speak English "less than very well" is more than double the countywide average of 8.1 percent. Over 15% of San Rafael residents speak English "less than very well" and have Spanish as their primary language. The Census indicates that 25% of the city's residents speak Spanish at home.

City staff recommend participating in the countywide initiative while also supplementing with education and outreach specific to San Rafael, and an evaluation of existing San Rafael policies as requested by the City Council. The following sections outline the justification, content, timing, and fiscal impact of these activities.

I. **Tenant Protection Collaborative with County of Marin, Community Development Agency**

Estimated Timeline: March 2024 – January 2025

The County hired a consultant to provide Countywide education and outreach regarding anti-displacement strategies as the first step toward assisting jurisdictions in program and policy implementation. Following an RFP process, County staff identified Community Planning Collaborative as the consultant in February and commenced the project with consultant support in March, with the goal of providing a final report in early 2025. The consultant role includes:

- Organizing and leading a **countywide committee**, including representation from each participating jurisdiction and populations. The committee has been meeting monthly since May 2024.
- Providing **educational deliverables** that may include countywide in-person community workshops and/or educational material, including videos and pamphlets.
- Facilitating and conducting **focus groups** to further the needs assessment discussed in the housing elements and reiterate educational deliverables. Focus groups are expected to begin in August 2024 and include: renters, housing providers, unhoused people, Chambers of Commerce, realtors, older adults and people with disabilities, families with children, and youth.
- Creating a **public input website** including calendar, pertinent studies, past presentations, etc.
 - Rooted in Marin / Arraigado en Marin: www.rootedinmarin.org/
- Creating and distributing a countywide **survey** to further needs assessment for anti-displacement strategies.
- Summarizing and synthesizing the outreach findings in a **final report**, including analysis and recommendations for near-term and long-term strategies, including feasibility.

City staff participation on the Countywide Committee includes:

- Participation on the Interview Panel for consultant selection
- Participation/attendance at Countywide Committee meetings
- Ensuring San Rafael residents, nonprofits and other stakeholders are represented at education/outreach efforts/focus groups
- Helping to identify educational topics that reflect San Rafael's population
- Helping to craft educational materials, surveys and focus groups
- Ensuring prioritization for Affirmatively Furthering Fair Housing (AFFH), and inclusion of residents from the protected classes
- Participation in the final report to the Marin County Board of Supervisors

Fiscal Impact

- Staff time for the committee participation outlined above.
- County will finance Collaborative consultant, facilitation, and administration. The countywide committee replaced the San Rafael Steering Committee initially recommended by City staff.
- County will provide data specific to San Rafael.

Housing Element Implementation

Participation in the countywide initiative contributes to at least three programs in the 2023-2031 Housing Element:

- **Program 5: Public Information and Engagement.** Expand awareness of housing laws, programs, and resources provided by the City and by other agencies and organizations through a comprehensive, multi-lingual community outreach and engagement initiative.
- **Program 9: Interjurisdictional Housing Activities.** Collaborate with Marin County, cities and towns to address regional planning and housing issues. Remain open to alignment on programs to increase housing supply and further fair housing.
- **Program 11: Tenant Protection Measures.** Evaluate existing and additional measures to protect tenants from eviction or the loss of housing due to economic or other factors. Implement new measures based on their viability and community feedback.

II. City of San Rafael Capacity Building and Community Engagement Workshops

Estimated Timeline: Planning: January-July 2024; Recruitment: August 2024; Workshops: September 2024 - March 2025

The City will host a series of six capacity-building workshops on housing, conducted in Spanish. The feedback received during these workshops will be incorporated in staff's research process and recommendations to City Council regarding tenant protection measures.

Objectives:

- Provide education on topics not covered by the County's collaborative, with specific context for San Rafael residents.
- Increase community members' awareness of housing laws, programs, and resources provided by the City and by other agencies and organizations;
- Engage members of the City's Latinx community in conversations about housing needs, resources, plans, and priorities;
- Gather input on effectiveness of existing policies and regulations to better understand gaps and identify opportunities for improvement;
- Incorporate what City staff learns about housing needs and community engagement into City policies and practices.

Participant profile:

The City will select a cohort of Spanish speaking residents and people who work in San Rafael that will engage in an educational and information process that will meet the goals of Housing Element Program 5. The cohort will consist of up to 20 individuals representing:

- Renters living in San Rafael
- Individuals who work in the City of San Rafael
- Various San Rafael communities/neighborhoods
- Members of the protected classes

Educational topics selected are informed by feedback received during the Housing Element update process and may include:

- Overview of San Rafael City government and City departments
- Community data
- The 3 P's: Production, Preservation, and Protection
- Preventing displacement
 - Anti-harassment and retaliation
 - Mandatory Mediation / Rental Housing Dispute Resolution (existing local policy)
 - Regulation of buy-out agreements
 - Opportunity Zones (existing designation – Canal census tract)
 - Limits on allowable rent increases
 - Right of first refusal / opportunity to purchase
 - Rental registry
 - Right to counsel
 - Rental assistance
 - Right of return
- Eviction and Just Cause (existing local policy)
- Relocation assistance (existing local policy)
- Fair housing and housing discrimination
- Code Enforcement (existing local policy)
- Public housing/BMR/Section 8 vouchers
- Climate change and multi-family housing resiliency

Proposed Workshop Format

Length: 90-minutes

Frequency: Monthly

Time: Evening (exact timing TBD based on participant availability)

1. Introductions by participants including reflections/feedback/follow up from prior monthly workshop meetings
2. Presentation in Spanish by nonprofits and other organizations providing specific topic content and expertise, such as:

- a. Historic and contextual background on current and existing laws, programs, etc. related to the topic
- b. Updates on current and upcoming Federal, State, and local laws, ordinances, etc. related to the topic

Nonprofits may include:

- a. Fair Housing Advocates of Northern California
 - b. Legal Aid of Marin
 - c. Community Action Marin
 - d. Marin Aging and Disability Institute
 - e. Marin Housing Authority
3. Community Development Department Staff presentation
A Spanish speaking consultant working with CDD or a Spanish speaking member of the CDD Staff will augment the guest presentation with policies and data specific to the City of San Rafael.
 4. Community discussion on topics presented

Proposed Workshop Format		
Agenda Item	Presenter	Estimated Time
Introductions/reflections from previous workshop	Staff	15 minutes
Topic presentation	Nonprofit organization with specific knowledge and expertise in housing	20 minutes
Staff presentation	Spanish-speaking staff or consultant knowledgeable in San Rafael housing	20 minutes
Community discussion	Spanish-speaking facilitator	30 minutes

Fiscal Impact

- Spanish language consultant(s) to facilitate workshops and translate materials
- Stipends, meals and other financial supports to enable residents' participation
- Staff/Consultant Time
 - Create/develop workshop curriculum, including inviting expert guest speakers
 - Identify and contract with Spanish language consultant
 - Working with consultants, finalize workshop topics, goals, materials, outreach strategies, and final report content
 - Attend planning meetings and all workshops and follow up meetings
 - Working with consultants, prepare final report

Housing Element Implementation

The workshops will contribute to at least four programs in the 2023-2031 Housing Element:

- **Program 5: Public Information and Engagement.** Expand awareness of housing laws, programs, and resources provided by the City and by other agencies and organizations through a comprehensive, multi-lingual community outreach and engagement initiative.
- **Program 8: Latinx Community Capacity Building and Engagement.** Undertake a capacity-building and educational program designed to increase understanding of the housing system by the City's Latinx community.
- **Program 10: Just Cause for Eviction.** Maintain and monitor the effectiveness of local just cause for eviction regulations. Require rental property owners to provide relocation assistance to low-income tenants in no-fault evictions.
- **Program 11: Tenant Protection Measures.** Evaluate existing and additional measures to protect tenants from eviction or the loss of housing due to economic or other factors. Implement new measures based on their viability and community feedback.

Workshop Outreach and Communications

To ensure a broad cross section of San Rafael applicants, community outreach efforts will include:

- Flyers in Spanish at community centers, libraries, City Hall, churches, farmers markets, etc.
- Drop off locations at City Hall and Pickleweed for applications
- Email blasts in Spanish with requests to local nonprofits to share information
- Announcements at City Council meetings
- Utilizing a QR code for easy access for applications and updates
- Workshop website in Spanish for announcements, updates and topic content
- Dedicated email for questions

Communications will include a link to the Countywide public input website with participation opportunities for non-Spanish speaking community members, such as through the Countywide focus groups, survey, etc.

2024-2025 TIMELINE	
Month	Activity
January-July	Conversations with community-based organizations to identify potential participants, outreach methods, and guest presenters; identify Spanish-speaking consultant.
August	Workshop recruitment/outreach, application review; contract with Spanish-speaking consultant.
September	Workshop 1: Get to Know/Roles and Responsibilities, Overview of San Rafael City government and City departments, Community demographic and housing data.
October	Workshop 2: Tenant Protections. Overview of local housing ordinances. Guest speaker Legal Aid of Marin.
November	Workshop 3: Fair Housing. Guest speaker from Fair Housing Advocates of Northern California.
December	Winter break – no workshops; potential 1:1 feedback check-ins; planning for workshops 4-6.
January	Workshop 4: Evictions, Just Cause and Relocation Assistance.
February	Workshop 5: Habitability and Maintenance. Speaker: Code Enforcement Supervisor.
March	Workshop 6: Anti-displacement. Sea Level Rise. Speaker: Sustainability Team.
April - May	Staff report on workshop outcomes/findings, presented to City Council with policy recommendations.

Scope of work for Spanish-speaking consultant(s)

- Translate slides and other materials from English to Spanish in advance of each monthly meeting
- Attend monthly prep meeting with staff
- Supplement guest speaker presentations as needed by presenting additional relevant information, co-developed with staff
- Facilitate group discussion following informational presentation
- Take notes during group discussion and provide notes to staff after the workshop

Estimated time commitment: 4-5 hours per month per facilitator

Stipend: \$500 per month per facilitator

III. Evaluation of Existing Tenant Protection Policies in San Rafael

Estimated Timeline: July – November 2024

The City Council’s Fiscal Year 2023-2025 [Goals and Objectives](#) direct staff to evaluate existing tenant protection policies to determine their effectiveness. Staff is preparing a report on three City policies, including Cause Required for Eviction, Mandatory Mediation, and Relocation Assistance. The report will provide information on the policies’ utilization and effectiveness and identify areas where further information is needed. The report may incorporate data and findings from a San Rafael rental market and residential ownership report under development by The Concord Group.

Timeline

July - August	Report development
September	CED Director review
October	City Manager’s Office review
November	Present to City Council

Housing Element Implementation

The evaluation will contribute to at least two programs in the 2023-2031 Housing Element:

- **Program 10: Just Cause for Eviction.** Maintain and monitor effectiveness of local just cause for eviction regulations. Require rental property owners to provide relocation assistance to low-income tenants in no-fault evictions.
- **Program 11: Tenant Protection Measures.** Evaluate existing and additional measures to protect tenants from eviction or the loss of housing due to economic or other factors. Implement new measures based on their viability and community feedback.