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OAKLAND

2020 JAN -2 AM 10: 56

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Maraskeshia Smith
Assistant City Administrator

SUBJECT: 2020/21-2024/25 Regional Analysis of
Impediments to Fair Housing

DATE: December 23, 2019

City Administrator Approval

Date:

12/30/19

RECOMMENDATION

Staff Recommends That The City Council Conduct A Public Hearing And Upon Conclusion Adopt A Resolution To Accept And Adopt The 2020-2025 County Of Alameda Regional Analysis of Impediments To Fair Housing Report.

EXECUTIVE SUMMARY

Under the 1990 National Affordable Housing Act, localities which are eligible to receive federal funding from housing and community development programs administered by the U.S. Department of Housing and Urban Development (HUD) are required to prepare an *Analysis of Impediments to Fair Housing Choice (AI)*. The AI is a planning document built on public participation and intergovernmental consultation regarding fair housing. This time, HOME Consortium Jurisdictions (The County of Alameda and the cities of Alameda, Fremont, Hayward, Livermore, Pleasanton, San Leandro, Union City and the Urban County) joined with the cities of Berkeley, Oakland and the five regional housing authorities to develop a regional AI.

The Regional AI, currently in draft form, outlines County demographics, a jurisdictional analysis of impediments, conclusions and recommendations for fair housing activities. It also includes a description of other actions that jurisdictions will be implementing on a regional basis to reduce barriers to fair housing choice.

HUD defines impediments to fair housing choice as any actions, omissions or decisions that have the effect of restricting housing choices based on race, color, religion, sex, disability, familial status or national origin.

The Regional AI was developed by the consulting firm Michael Baker International with input from jurisdictional staff and community stakeholders. Fourteen community stakeholders were interviewed to provide in-depth commentary on their areas of expertise. A draft of the Executive Summary is attached as **Attachment A**. The entire Draft Regional AI can be viewed on the City of Oakland's website at: <https://www.oaklandca.gov/services/2020-to-2024-analysis-of-impediments-to-fair-housing> or on the Alameda County Housing & Community Development website under the "What's New" section.

Item: _____
CED Committee
January 14, 2020

The AI was distributed throughout all participating jurisdictions for public review and comments via public notice in local papers and postings on jurisdictional websites from October 25, 2019 through November 25, 2019. A public hearing was held at the Housing & Community Development Alameda County (HCDAC) meeting on November 12, 2019 to review the first draft of the AI for the Alameda County region. Public comments have been reviewed and inserted into the final draft AI to be presented to the Alameda County Board of Supervisors (BOS) on January 28, 2020. Upon Alameda County BOS approval and adoption of the AI, the AI will be submitted to the HUD for final approval.

Alameda County's deadline for submission of the AI is December 31, 2019.

BACKGROUND / LEGISLATIVE HISTORY

The United States Department of Housing and Urban Development (HUD) Affirmatively Furthering Fair Housing (AFFH) Final Rule requires jurisdictions to submit a fair housing assessment document. This document has historically been produced by local jurisdictions, requiring significant and dedicated administrative efforts.

Through the HUD AFFH Final Rule, HUD encourages the collaboration of local jurisdictions in this effort as many fair housing priorities transcend a grantee's local boundaries. Actions to advance these priorities often involve coordination by multiple jurisdictions. The AFFH Final Rule encourages grantees to collaborate on fair housing assessments to advance regional fair housing priorities and goals.

An inter-governmental collaboration by and among the County of Alameda, City of Alameda, City of Berkeley, City of Fremont, City of Hayward, City of Livermore, City of Pleasanton, City of San Leandro, City of Union City, Housing Authority of Alameda (City and County), Housing Authority of Berkeley, Housing Authority of Livermore, Housing Authority of Oakland and the City of Oakland was formed as the Participating County, Cities, and Agencies (PCCA) to complete a Regional Analysis of Impediments to Fair Housing Choice for fiscal years 2020/21 – 2024/25.

The AI is required for all jurisdictions to receive Community Development Block Grant, HOME Investments Partnership, Emergency Solutions Grant and Housing Opportunities of Persons With AIDS funds. The AI is updated every three to five years, depending on the jurisdiction's strategic planning cycle. The City of Oakland operates on a Five-Year Consolidated Plan cycle, with the next consolidated plan coming up for 2020/21 – 2024/25, in line with the AI.

ANALYSIS AND POLICY ALTERNATIVES

In recent years HUD encouraged and provided a methodology for regional approaches to address fair housing issues, including collaboration across jurisdictions and public housing agencies. Alameda County facilitated the competitive procurement of the consultant that developed the AI and coordinated the regional effort to prepare it. The City's regional participation will ensure that the City meets HUD's fair housing requirements while reducing the administrative and financial burdens of completing the document separately. Additionally, many fair housing issues cross jurisdictional boundaries. Thus, working regionally will help ensure that

goals are consistent and collaborative. Under the PCCA, Alameda County acts as lead agency in the development and completion of the draft AI, which will ultimately be adopted as a regional document including each jurisdiction's findings and priorities.

The Draft AI provides an assessment of the following for Alameda County:

- Patterns of integration and segregation;
- Racially or ethnically concentrated areas of poverty;
- Disparities in access to opportunity; and
- Disproportionate housing needs.

The Executive Summary (**Attachment A**) identifies a list of factors that contribute to fair housing issues and presents regional policy proposals. The following is a list of the policy categories:

1. Promote fair housing enforcement and outreach;
2. Maintain, improve, and implement local policy that supports affordable housing and fair housing;
3. Promote and implement new fair housing laws that protect recipients of rental subsidies from discrimination by landlords;
4. Preserve and rehabilitate existing affordable housing stock;
5. Increase the number of affordable housing units;
6. Increase homeownership among low- and moderate-income households;
7. Maintain and expand supportive services for lower-income households;
8. Maintain and expand awareness of affordable housing opportunities and services through marketing efforts; and
9. Continue to find ways to finance affordable housing, community development, and economic development activities.

The Housing and Community Development Department (HCD) is addressing each of these areas in a variety of ways including engaging a fair housing organization (ECHO Housing) to deliver fair housing services, increasing public education and outreach to tenants and property owners, operating a robust owner-occupied rehabilitation program, releasing Notices of Funding Availability for the rehabilitation and preservation as well as new construction of affordable housing, operating and seeking to increase funding for homeownership programs, operating an anti-displacement program, coordinating with the Human Services Department on approaches to prevent homelessness, and making improvements to increase the visibility of City of Oakland housing programs.

HCD staff will use the Regional AI on an ongoing basis to inform the planning, implementation, and evaluation of all department activities.

FISCAL IMPACT

An inter-governmental collaboration agreement for the completion of the Analysis of Impediments to Fair Housing Choice is entered, between the City of Oakland, the PCCAs and the County of Alameda as lead agency.

The City of Oakland's share of costs for the development of the AI is approximately \$29,808.96, equivalent to 36 percent of the cost of a Housing Development Coordinator III, Urban Economic Analyst III, or Planner III, hired at base rate to complete a City of Oakland-specific AI, which in the long run requires coordination with the same regional partners.

This cost is covered by 2018/19 Community Development Block Grant funds secured for planning purposes.

PUBLIC OUTREACH / INTEREST

The City of Oakland, in partnership with the PCCAs and Alameda County carried out various public outreach efforts to inform and to garner information from Oakland residents and other jurisdictions throughout Alameda County regarding the 2020/21 – 2024/25 AI.

Prior to drafting the AI, an AI Survey was conducted throughout Alameda County, receiving approximately 3,400 responses with 16.57 percent of respondents living in Oakland and 19.35 percent working in Oakland. Seventy-one percent of the AI Survey respondents were female, 28 percent male, and 1 percent transgender/non-binary/intersex. Sixty-one percent of households surveyed earned annual incomes of \$99,999 or less. Race and ethnic background of households surveyed were as follows in **Table 1**, below:

Table 1

White/Caucasian	57.15%
Black/African American	18.94%
American Indian/Alaska Native	3.42%
Native Hawaiian/Pacific Islander	2.88%
Asian	19.81%
Prefer not to say	0.04%
Other	9.76%
Hispanic or Latino	15.98%
Not Hispanic or Latino	84.02%

Three community meetings and at least three stakeholder meetings were held on August 13 – August 24, 2019 at the sites listed in **Table 2** below to provide information on the Regional AI process as well as to collect community feedback on issues surrounding housing in Alameda County and the information presented to them.

Table 2: COMMUNITY ENGAGEMENT/STAKEHOLDER MEETING SITES

August 13, 2019	Berkeley Central Library 2090 Kittredge Street Berkeley, CA
August 21, 2019	Oakland Library-81 st Avenue Branch 1021 81 st Avenue Oakland, CA
August 24, 2019	Hayward City Hall 777 B Street Hayward, CA

During the community engagement and stakeholders meetings, the most commented point regarding AI data presented to them, was the age (2010 to 2013) and the accuracy of the data from the HUD AFFH Tool, the perceived access to opportunity for minority residents, segregation, difficulty of searching for housing with Section 8 vouchers, fear of retaliation and displacement for reporting building code issues, lack of appropriately sized housing for those with vouchers, rent control matters, lack of affordable housing, homelessness and displacement.

COORDINATION

As encouraged by HUD and the AFFH Final Rule, the City of Oakland coordinated with Alameda County and the PCCAs of Alameda County in an effort to provide a Regional AI to Fair Housing Choice for 2020/21-2024/25

Coordination between Cities, Housing Authorities, stakeholders and the AI consultant team resulted in increased outreach for the AI Survey, community engagement meetings, and other Regional AI related activities. Much of the printed material, consistent online between PCCAs, was made available at major housing and social events sponsored by the PCCAs across the County, promoting community engagement.

PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

Prior to the 2020/21 – 2024/25 Regional AI, the City of Oakland submitted a local AI for 2015, 2011, 2005 and 1997.

Copies of prior City of Oakland AIs are available for review online at:
<https://www.oaklandca.gov/resources/find-fair-housing-data-and-plans>

SUSTAINABLE OPPORTUNITIES

Economic:

The AI seeks to analyze and resolve matters related to the displacement of residents due to economic pressures. PCCAs will explore supporting economic development activities and

initiatives in racially/ethnically concentrated areas of poverty. The AI promotes economic and racial/ethnic integration and diversity.

Environmental:

The AI promotes increasing the level of access for lower income residents to resources such as education, employment, transportation, recreation, health care, grocery stores, and environmental health (healthy soil, air, and water).

Race & Equity:

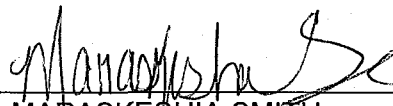
The AI promotes Affordable Housing as a means of achieving social equity. The AI commits to the evaluation of existing conditions and impacts to maximize positive outcomes for communities of color, English learners, and low-income communities.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Conduct A Public Hearing And Upon Conclusion Adopt A Resolution To Accept And Adopt The 2020-2025 County of Alameda County Regional Analysis of Impediments To Fair Housing Choice Report.

For questions regarding this report, please contact Gregory Garrett, CDBG Manager, at 510.238.6183.

Respectfully submitted,



MARAKESHIA SMITH
Assistant City Administrator,
City Administrator's Office

Reviewed by:

Maryann Leshin, Deputy Director
Department of Housing & Community
Development

Prepared by:

Gregory Garrett, Manager
Community Development Block Grant Unit
Department of Housing & Community
Development

Attachments (1):

A: Draft Regional Analysis of Impediments to Fair Housing Choice Executive Summary

EXECUTIVE SUMMARY

**ALAMEDA COUNTY
REGIONAL ANALYSIS OF IMPEDIMENTS TO
FAIR HOUSING CHOICE**

SECTION II

EXECUTIVE SUMMARY

This report reflects a countywide effort to increase fair housing choices for residents across the county. The County of Alameda, as lead agency, and multiple participating jurisdictions—the cities of Alameda, Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Newark, Oakland, Piedmont, Pleasanton, San Leandro, and Union City, and the housing authorities for County of Alameda, Alameda, Berkeley, Livermore, and Oakland—have formed a regional collaborative for the purpose of completing an Analysis of Impediments to Fair Housing Choice (Regional Analysis of Impediments) while meeting their goals and obligations under the fair housing rules to affirmatively further fair housing.

The US Department of Housing and Urban Development (HUD) requires that an analysis of impediments be conducted every five years as part of a five-year Consolidated Plan process, which regional members plan to complete by June 30, 2020.

This section summarizes the findings of the analysis and includes an overview of the public engagement process and fair housing findings, including the primary issues and contributing factors, and identification of future goals and priorities that address these findings. To support this summary, an explanation of the Assessment of Fair Housing requirements and prevalent definitions used in this Regional Analysis of Impediments are provided.

Definitions

Below are terms frequently used throughout this report:

The **Affirmatively Furthering Fair Housing (AFFH) Tool** is a web mapping tool prepared by HUD to assist participating jurisdictions in affirmatively furthering fair housing. It includes data tables that break down the demographics of each participating jurisdiction, such as race and ethnicity, national origin, poverty, and language proficiency. The tool also includes maps displaying the population densities of people of different races, the locations of publicly supported housing, and the level of access of each racial group to resources within a participating jurisdiction.

Alameda County includes all participating jurisdictions, which is the Consortium's geographic areas (as defined above) plus the cities of Berkeley and Oakland.

Consortium includes the geographic areas covered by HOME Consortium members, which are Urban County and Entitlement Cities, excluding Berkeley and Oakland. The Housing Authorities' service areas are covered by these geographies.

Entitlement Cities: Alameda, Berkeley, Fremont, Hayward, Livermore, Oakland, Pleasanton, San Leandro, and Union City.

Participating jurisdictions include all the entities in this regional collaboration: County of Alameda; the cities of Alameda, Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Newark, Oakland, Piedmont, Pleasanton, San Leandro, and Union City; and the Housing Authority of the County of Alameda, Housing Authority of the City of Alameda, Berkeley Housing Authority, Livermore Housing Authority, and Oakland Housing Authority. The term Alameda County may be used interchangeably.

Racially/Ethnically Concentrated Area of Poverty (R/ECAP) is a neighborhood (census tract) with a poverty rate of 40 percent or more and a racial or ethnic concentration (50 percent or more of the tract is composed of minority residents).

Region is the core base statistical area (CBSA) that is used in the comparative analysis. Counties in the Alameda County CBSA are Alameda, Contra Costa, San Francisco, and San Mateo.

Urban County: Albany, Dublin, Emeryville, Newark, Piedmont, and unincorporated county.

What is Affirmatively Furthering Fair Housing?

This Regional Analysis of Impediments is prepared for the purpose of implementing fair housing rules to affirmatively further fair housing. Affirmatively furthering fair housing means to take meaningful actions that address significant disparities in housing needs and access to opportunities and replacing segregated living patterns with integrated and balanced living patterns, transforming Racially or Ethnically Concentrated Areas of Poverty (R/ECAP) into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.

In 2015, HUD required HUD program participants (participating jurisdictions) to comply with the new AFFH rule and to develop an Assessment of Fair Housing (AFH) pursuant to 24 CFR Section 5.154. An AFH includes robust community input, an analysis of housing data, and identification of fair housing issues and contributing factors to set fair housing priorities and goals. In 2018, HUD reversed the AFH requirement and in response, the California legislature passed Assembly Bill 686, which upholds the 2015 requirements for HUD program participants in California. As required by California Assembly Bill 686, this Regional Analysis of Impediments report follows the 2015 AFFH rule for completing an AFH.

Methodology

The previous Regional Analysis of Impediments was prepared in 2015 for the Alameda County HOME Consortium. The local housing authorities participated as stakeholders in

the previous analysis. The cities of Oakland and Berkeley individually prepared separate Analysis of Impediments reports.

This report is a combined update of the 2015 Alameda HOME Consortium, City of Berkeley, and City of Oakland Analyses of Impediments. The following steps were taken to update the report:

- Analyze current publicly available data regarding the Alameda County demographics and housing;
- Engage with community members and stakeholders via public meetings and correspondence;
- Identify impediments to fair housing choice for Alameda County residents; and
- Develop strategies and actions for removing impediments and affirmatively furthering fair housing choice.

Analysis of demographic and housing trends was completed using data from numerous sources, including the US Census Bureau's 1990, 2000, and 2010 Decennial Census data, American Community Survey (ACS) 2012–2017 data, the Urban Displacement Project 2015 report, and the HUD AFFH Tool.

The community engagement process involved three community meetings and three stakeholder meetings as well as a seven-page survey. The process is further discussed below and in Section III.

Impediments to fair housing choice were identified through an analysis of the collected data and community engagement findings. Regional goals were then developed to address these impediments, and sub-goals were adopted by each participating jurisdiction to further these regional goals.

Community Participation Process

Alameda County's community engagement process consisted of a seven-page survey, three community engagement meetings, and three stakeholders meetings. Engagement materials were distributed to service organizations who then distributed it to their served populations. The survey was available in Dari, English, Spanish, Tagalog, Traditional Chinese, and Vietnamese. Residents of the participating jurisdictions as well as specific populations were targeted for engagement, including: racial and ethnic minorities, people experiencing homelessness, people with disabilities, people residing in R/ECAPs, and people with limited English proficiency. Stakeholders from a variety of organizations were contacted as well, including housing organizations, homeless services, youth services, nonprofit social services, services for seniors, services for disabled persons, HIV/AIDS services, government, advocates, public and emergency resources, educational organizations, and economic development organizations

Summary of Findings

What are the primary fair housing issues in Alameda County?

Housing affordability and availability are the largest issues found to affect the residents participating in the community engagement process. This finding is supported by data provided by HUD through the AFFH Tool, the ACS, and from local resources, including Association of Bay Area Governments and local transit authorities, among others. See Section V, Fair Housing Analysis, of this Regional Analysis of Impediments for the in-depth analysis supporting the primary fair housing issues.

The fair housing issues found to affect many residents in the participating jurisdictions include:

Across all participating jurisdictions, white or Asian Pacific residents make up the majority of homeowners. The percentage of black homeownership and Hispanic homeownership does not exceed the percentage of white homeownership. See Table V-4 - Homeownership and Rental Rates by Race/Ethnicity, Jurisdictions and Region.

Segregation between white residents and minority residents has increased in the last decade. See Table V-5 - Racial/Ethnic Dissimilarity Trends, Jurisdictions and Region.

The County's black resident population has decreased by nearly 7 percent since 1990. Black residents are primarily located in Oakland and Berkeley, but the percentage of black residents in these areas has decreased by 19 percent and 10 percent, respectively, since 1990. See Table V-2 - Demographic Trends, Alameda County and Region, 1990, 2000, 2010, 2017.

Overall, minority residents are being displaced from areas with a traditionally large minority population. Some specific minority majority cities, however, are seeing increases in minority populations. See Figure V-20 - Displacement and Gentrification, 2015.

Areas with higher levels of minority residents have less access to proficient schools, jobs, and environmental health. See Table V-9 - Opportunity Indicators, by Race/Ethnicity, Alameda County and Region.

Median rents have risen an average of \$1,000 (unadjusted for inflation) since 2010, representing an increase of 55 percent in a 9-year period. See Figure V-64 - Alameda County Median Monthly Rental Price.

The average home sales prices have increased from approximately \$300,000 to nearly \$900,000 in less than 20 years (unadjusted for inflation). See Figure V-63 - Alameda County Median Home Sales Price.

The wage needed to rent an average housing unit in the County is \$44.79 an hour or \$93,000 a year.

Homelessness has increased by 42 percent since 2017. See Table V-12 - 2019 Point-

In-Time Counts by City.

Minority households, especially black and Hispanic households, have the highest rate of disproportionate housing needs, which includes having incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and households with a cost burden greater than 30 percent. See Table V-13 - Demographics of Households with Disproportionate Housing Needs.

Overall, the rate of mortgage approvals has gone up in the last seven years, but the disparities in the rate of approval across race and ethnicity has stayed relatively the same. Black applicants continue to have the lowest approval rate at 59.1 percent and Hispanic applicants the second lowest at 61.5 percent compared to white applicants at 70 percent. See Table V-15 - Mortgage Approvals by Race/Ethnicity, 2011–2017.

Based on community feedback, Housing Choice Voucher holders and those with disabilities often find it difficult to find an appropriate housing unit.

Disability, race, and familial status are the most common bases of housing discrimination complaints forwarded to the California Department of Fair Employment and Housing and the Office of Fair Housing and Equal Opportunity. See Table V-26 - Fair Housing Complaints Forwarded to Fair Housing and Equal Opportunity, 2015–2016 and Table V-27- Fair Housing Complaints Forwarded to Department of Fair Employment and Housing, 2015–2019.

Contributing Factors to Primary Fair Housing Issues

In accordance with the AFFH rule, this Regional Analysis of Impediments has identified contributing factors from the HUD-provided list in the AFFH Rule Guidebook that create, perpetuate, or increase the severity of one or more fair housing issues. Participating jurisdictions identified additional contributing factors, which are *italicized* below.

Contributing factors affecting segregation

- Displacement of residents due to economic pressures

- Location and type of affordable housing

- Historical discrimination against people of color

- Limited supply of affordable housing within neighborhoods*

Contributing factors affecting R/ECAPs

- Displacement of residents due to economic pressures

- Lack of private investments in specific neighborhoods

- Lack of public investment in specific neighborhoods, including services or amenities

- Location and type of affordable housing

- Lack of local taxation to support social services and affordable housing*

- Limited supply of affordable housing within neighborhoods*

Contributing factors affecting access to opportunity

- Access to financial services
- Lack of private investments in specific neighborhoods
- Location of employers
- Location of proficient schools and school assignment policies
- Location and type of affordable housing
- Lack of local taxation to support social services and affordable housing*
- Limited supply of affordable housing in areas with access to opportunity*

Contributing factors affecting disproportionate housing needs

- The availability of affordable units in a range of sizes
- Displacement of residents due to economic pressures
- Lack of private investments in specific neighborhoods
- Land use and zoning laws
- Lending discrimination
- High cost of developing affordable housing*
- Limited supply of affordable housing within neighborhoods*

Contributing factors affecting publicly supported housing

- Land use and zoning laws
- Community opposition
- Source of income discrimination

Contributing factors affecting disability and access

- Access to publicly supported housing for persons with disabilities
- Lack of affordable housing for individuals who need supportive services
- Lack of assistance for housing accessibility modifications
- Location of accessible housing
- Limited supply of affordable housing within neighborhoods*

Contributing factors affecting fair housing

- Lack of local private (nonprofit) fair housing outreach and enforcement
- Lack of local public (local, state, federal) fair housing enforcement
- Lack of resources for fair housing agencies and organizations
- Lack of federal, state, and local funding to support affordable housing*

Goals and Strategies

In response to the fair housing needs identified in Section V of this Regional Analysis of Impediments, along with community and stakeholder feedback, the participating jurisdictions committed to nine regional policies and developed supporting activities for

each policy that specifically address fair housing needs. These policies and activities maintain and expand on existing programs and activities and introduce new actions to address fair housing needs in the region. A review of the previous 2015 Regional Analysis of Impediments goals resulted in continuing to work on those goals and incorporating them into these new policies and activities. These policies and activities will be incorporated into the jurisdictions' five-year consolidated plans, annual plans, and additional plans, such as housing elements, that relate to these activities. Detailed descriptions of each policy and activity, including the contributing factors, responsible party(s), metrics and milestones, and time frame for achievement, are provided in Section VI.

Creating new affordable housing units has typically been a difficult goal for participating jurisdictions because of increasing need for and limited amount of public dollars to support these activities. However, recent California legislation, such as the Building Homes and Jobs Act (SB 2), Housing for a Health California program (AB 74), and other housing funding laws, plus HUD's recent increase of HEAP funds and the No Place Like Home for permanent supportive housing funds, is creating new potential opportunities for funding that could be allocated toward fair housing challenges in each community. As set forth in Goal 9.b, participating jurisdictions are committed to vetting those opportunities.

To address issues with fair housing, participating jurisdictions will strive to do the following:

Regional Policy 1: Promote fair housing enforcement and outreach.

Activity 1.a: The participating jurisdictions will continue to contract with fair housing service providers to educate home seekers, landlords, property managers, real estate agents, and lenders regarding fair housing law and recommended practices, including the importance of reasonable accommodation under ADA; to mediate conflicts between home seekers, landlords, property managers, real estate agents, and lenders; and to continue fair housing testing and audits.

Activity 1.b: Participating jurisdictions will seek ways to increase resident access to fair housing services, such as improved marketing of services, improved landlord education, and improved tenant screening services to avoid owner bias.

Activity 1.c: Participating jurisdictions will advocate for local federal/state laws that would improve fair housing protections for those experiencing barriers to accessing housing.

Activity 1.d: Participating jurisdictions will continue to fund housing placement services for people with disabilities to assist them in finding accessible housing (i.e. CRIL, DCARA, County's online application/website).

Activity 1.e: Participating jurisdictions will provide financial assistance to clinics that provide free or reduced-costs legal services for low-income rental households facing barriers to affordable housing.

Regional Policy 2: Maintain, improve, and implement local policy that supports affordable housing and fair housing.

Activity 2.a: Participating jurisdictions with an existing rental stabilization program will take actions to continue to maintain the program and make improvements, as needed.

Activity 2.b: Participating jurisdictions will promote new fair housing laws, including AB 1482, upon adoption, and to the extent required by the new laws.

Activity 2.c: Participating jurisdictions will periodically review their existing inclusionary housing in-lieu fees and/or housing impact fees and jobs-housing linkage fee programs if applicable, to maximize number of units in a manner consistent with current housing market conditions and applicable law.

Activity 2.d: The participating jurisdictions will continue to pursue modifications of current zoning and other local policies regulating housing development that pose a direct or indirect constraint on the production of affordable housing.

Activity 2.e: Participating jurisdictions will continue to aim to implement the programs described in their Housing Elements within the current Housing Element planning period.

Activity 2.f: Participating jurisdictions will continue to incorporate these Regional AI goals into their 5 -Year Consolidated and Annual Action Plans.

Activity 2.g: The participating jurisdictions will continue to prepare a Consolidated Annual Performance and Evaluation Report (CAPER) that evaluates the progress towards these Regional AI goals.

Activity 2.h: As needed, participating jurisdictions will work together to continue to commission market-based surveys of current market-rate rents in the Oakland-Fremont HUD FMR Area (Alameda and Contra Costa Counties) in an effort to seek adjustment to HUD FMR standards for the area; and will advocate to HUD for the revision of FMR calculations/methodology.

Activity 2.i: [To be completed]

Activity 2.j: Other Goals

Regional Policy 3: Promote and implement new fair housing laws that protect recipients of rental subsidies from discrimination by landlords.

Activity 3.a: Educate tenants and landlords on new fair housing laws.

Activity 3.b: Participating jurisdictions will explore creating incentives for landlords to rent to Section 8 voucher holders, such as a leasing bonus, damage claim reimbursement, security deposit and utility assistance.

Activity 3.c: Other Goals - Create a prosecution division within the City Attorney's Office to enforce the city ordinance regarding source of income protections and other fair housing violations. Maintain data on education activities.

Regional Policy 4: Preserve and rehabilitate existing affordable housing stock.

Activity 4.a: Participating jurisdictions will explore a low-cost loan program for landlords unable to make needed repairs or accessibility modifications in order to avoid displacement of lower-income tenants in substandard units.

Activity 4.b: Participating jurisdictions will research establishing citywide code inspection program of all rental units or continue to maintain existing program.

Activity 4.c: Participating jurisdictions will provide rehabilitation assistance loans for lower-income units.

Activity 4.d: The participating jurisdictions will continue to financially support programs that rehabilitate existing units for accessibility.

Activity 4.e: The City of Emeryville work proactively to retain existing subsidized affordable housing units that are at risk of converting to market rate.

Regional Policy 5: Increase the number of affordable housing units.

Activity 5.a: Participating jurisdictions will prioritize the production of affordable housing units in sizes appropriate for the population and based on family size.

Activity 5.b: The participating jurisdictions will continue all existing programs to support development of local affordable housing units through a variety of strategies such as applications for state and federal funding, entitlement assistance, outreach to the community and other stakeholders, direct financial support, and site identification and acquisition assistance. This support will include development of units that serves specialized populations as defined by the funding source, Housing Element, Consolidated Plan, or AI, such as transitional and supportive housing, and housing for seniors, persons with disabilities, persons experiencing homelessness, and persons living with HIV/AIDS or severe mental illness.

Activity 5.c: Participating jurisdictions will explore revisions to building codes or processes that reduce the costs and/or allow greater number of accessory dwelling units, tiny homes, or smaller houses.

Activity 5.d: Jurisdictions within the Alameda Urban County will cooperate with developers to facilitate construction of additional affordable housing.

Regional Policy 6: Increase homeownership among low- and moderate-income households.

Activity 6.a: Participating jurisdictions will create a shared list of lenders countywide that can help buyers access below-market-rate loans (homes) and locally sponsored down payment and mortgage assistance programs; promote this list of lenders to interested residents.

Activity 6.b: As resources are available, the participating jurisdictions will allocate funds for homeownership programs that support low- and moderate-income households, including but not limited to down payment assistance, first time home buyer, Mortgage Credit Certificate, below market rate (BMR) homeownership programs, and financial literacy and homebuyer education classes; and will promote any existing programs through marketing efforts.

Activity 6.c: The Housing Authority of the County of Alameda (HACA) will continue to support and/or publicize organizations that provide financial literacy and homebuyer education classes

Regional Policy 7: Maintain and expand supportive services for lower-income households.

Activity 7.a: Participating jurisdictions will continue to support or will explore new programs that provide financial support for job training programs to lower-income individuals.

Activity 7.b: Participating jurisdictions will continue to provide financial support for homeless services.

Activity 7.c: Participating jurisdictions will continue to support access to resources (such as for those with disabilities, language barriers, cultural barriers).

Regional Policy 8: Maintain and expand awareness of affordable housing opportunities and services through marketing efforts.

Activity 8.a: Participating jurisdictions will continue to assist in advertising the availability of subsidized rental units via the jurisdictions' websites and or apps, the 2-1-1 information and referral phone service, and other media outlets.

Activity 8.b: The participating jurisdictions will explore the creation of a countywide affordable housing database.

Activity 8.c: The participating jurisdictions will continue promoting 211's affordable housing database with current information.

Activity 8.d: Increase marketing efforts of affordable housing units to people that typically face barriers and discrimination in fair housing choice, such as persons with disabilities, people of color, low-income families, seniors, new immigrants, people experiencing homelessness.

Activity 8.e: Participating jurisdictions will continue to provide program materials in multiple languages.

Regional Goal 9: Continue to find ways to finance affordable housing, community development, and economic development activities.

Activity 9.a: Participating jurisdictions will explore financially supporting economic development activities and initiatives in Racially/Ethnically Concentrated Areas of Poverty (R/ECAPs).

Activity 9.b: Participating jurisdictions will pursue local, state, and federal funding sources as they become available (i.e. Program 811).

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City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION ACCEPTING AND ADOPTING THE 2020-2025 COUNTY OF ALAMEDA REGIONAL ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE REPORT

WHEREAS, in 2015, the United States Department of Housing and Urban Development (HUD) adopted the Affirmatively Further Fair Housing (AFFH) rule which required recipients of HUD Community Planning & Development (CPD) funds to develop and submit an Assessment of Fair Housing (AFH), which included community input, an analysis of housing data, and identification of fair housing issues and contributing factors to set fair housing priorities and goals; and

WHEREAS, in 2018, the federal government effectively suspended AFFH; and

WHEREAS, in 2018, in response to the suspension of AFFH, the California legislature passed Assembly Bill No. 686 to incorporate AFFH into state law to ensure that CPD fund recipients continue to affirmatively further fair housing and take meaningful actions to overcome historic patterns of segregation, promote fair housing choice, foster inclusive communities that are free from discrimination, transform Racially or Ethnically Concentrated Areas of Poverty (R/ECAP) into areas of opportunity, and foster and maintain compliance with civil rights and fair housing laws; and

WHEREAS, the County of Alameda, as the lead agency, the cities of Alameda, Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Newark, Oakland, Piedmont, Pleasanton, San Leandro, and Union City, and the housing authorities for County of Alameda, Alameda, Berkeley, Livermore, and Oakland (Participating Jurisdictions) formed a regional collaborative for the purpose of completing a Regional Analysis of Impediments to Fair Housing Choice (Regional AI); and

WHEREAS, the Regional AI was prepared jointly by the Participating Jurisdictions in accordance with the AFFH rule as required by Assembly Bill No. 686; and

WHEREAS, the Regional AI will serve as an update to the AIs completed by the Alameda Home Consortium (County of Alameda, City of Alameda, City of Fremont, City of Hayward, City of Livermore, City of Pleasanton, City of San Leandro, City of Union City, Housing Authority of County of Alameda, Housing Authority of the City of Alameda, Berkeley Housing Authority, Livermore Housing Authority, and Oakland Housing Authority), the City of Berkeley and the City of Oakland in 2015; and

WHEREAS, the policies and goals identified in this Regional AI will be incorporated into each Participating Jurisdictions' Five-year Consolidated Plan, Annual Action Plan, and Housing Element report; and

WHEREAS, the following nine policies and goals identified in the Regional AI align with the City of Oakland's priorities for affordable and fair housing:

1. Promote fair housing enforcement and outreach
2. Maintain, improve, and implement local policy that supports affordable housing and fair housing
3. Promote and implement new fair housing laws that protect recipients of rental subsidies from discrimination by landlords
4. Preserve and rehabilitate existing affordable housing stock
5. Increase the number of affordable housing units
6. Increase homeownership among low- and moderate-income households
7. Maintain and expand supportive services for lower-income households
8. Maintain and expand awareness of affordable housing opportunities and services through marketing efforts
9. Continue to find ways to finance affordable housing, community development, and economic development activities

; and

WHEREAS, the Regional AI is attached hereto and incorporated herein as **Exhibit A**; now, therefore be it

RESOLVED: That the City Council hereby accepts and adopts the 2020-2025 County of Alameda Regional Analysis of Impediments to Fair Housing Choice report and the nine policies and goals identified in the Regional AI, affirmatively furthering fair housing in Oakland.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND PRESIDENT KAPLAN

NOES -

ABSENT -

ABSTENTION -

ATTEST:

LATONDA SIMMONS
City Clerk and Clerk of the Council of the
City of Oakland, California