



Housing Advisory
Committee

Ignacio "Mog" Cabatu, Chair

Wayne Ross

Karen Araujo, Vice Chair

Mark Trabing

Natalia Molina

Rosl Gonzalez

Wes White

Tyler Williamson

Virginia Mendoza

**County of Monterey
Housing Advisory Committee
Monterey County Government Center
1441 Schilling Place, South Building
Thyme Room, 2nd Floor
Wednesday, March 14, 2018
5:00 p.m. to 6:00 p.m.**

AGENDA

- 1) **Call to Order**
- 2) **Public Comment**
The Housing Advisory Committee will receive public comment on items not listed on the agenda within the purview of the Housing Advisory Committee. The Chair may limit the length of individual presentations.
- 3) **Approval of Meeting Minutes for January 24, 2018**
- 4) **Old Business:**
 - a. Consider a request from the owners of the Pasadera Inclusionary Housing Rental Units to convert the units from Inclusionary Rental to Inclusionary For-Sale Workforce 2 units and adopt a recommendation to deny the request.
- 5) **New Business:**
 - a. Receive an introduction of the two new committee members, Ms. Virginia Mendoza and Mr. Tyler Williamson.
- 6) **Committee Member Reports**
Committee members will report on matters, events and activities related to HAC goals and housing advocacy matters. Committee members may give direction regarding future agenda items.
- 7) **Updates from Staff**
Staff will report on housing projects and other housing related matters including:
Affordable Housing Data Management System
Inclusionary Housing Ordinance Update
Loan Activity
- 8) **Schedule of Upcoming Meetings**
May 9, 2018
July 11, 2018
September 12, 2018
November 14, 2018
- 9) **Adjournment**
The Chair will adjourn the meeting.



HOUSING ADVISORY COMMITTEE MINUTES

Monterey County Government Center
Thyme Room, 2nd Floor
1441 Schilling Place – South Building, Salinas, CA

Wednesday, January 24, 2018, 5:00 PM

1. Call to Order:

Mr. Cabatu called the meeting to order at 5:04 p.m.

Members Present: Ignacio “Mog” Cabatu, Rosi Gonzalez, Wayne Ross, and Wes White

Members Absent: Karen Araujo, Natalia Molina, and Mark Trabing

Staff Present: Rosa Camacho-Chavez, Darby Marshall, Alma McHoney, Anita Nachor, and David Spaur

Others Present: Ivan Bautista, Jimmy Stephens, and Tyller Williamson

2. Public Comment:

Mr. Cabatu asked for public comment on items not on the agenda, but there was none.

3. Approval of the - September 27, 2017 Meeting Minutes:

Action: A motion was made by Mr. Ross to approve the September 27, 2017 minutes. Ms. Gonzalez seconded the motion.

VOTES:

AYES: Cabatu, Gonzalez, Ross, and White

NAYS:

ABSENT: Araujo, Molina, and Trabing

ABSTAINED:

4. Old Business:

None

6) New Business:

a. Approve 2018 meeting calendar of regular meetings.

Action: A motion was made by Ms. Gonzalez to approve the 2018 meeting calendar of regular meetings. Mr. Ross seconded the motion.

7) Committee Member Reports:

Committee members will report on matters, events, and activities related to HAC goals and housing advocacy matters. Committee members may give direction regarding future agenda items.

None

8) Updates from Staff:

HOUSING ADVISORY COMMITTEE MINUTES

Monterey County Government Center
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Wednesday, January 24, 2018, 5:00 PM

Staff will report on housing projects and other housing related matters.

Rosa Camacho-Chavez introduced new staff member Alma McHoney, Administrative Services Assistant. Receive and File.

Received an update from Rosa Camacho-Chavez on the two new committee members. The new committee member Virginia Mendoza has not completed her requirements. Tyller Williamson with District 5 will join the committee at the next meeting. Receive and file.

Received an update from Rosa Camacho-Chavez on Margaret Robbins. Ms. Robbins was not re-appointed. Receive and file.

Received an update from Rosa Camacho-Chavez on the committee members:
District 1: Wes White and Virginia Mendoza
District 2: Ignacio “Mog” Cabatu and Mark Trabing
District 3: Rosi Gonzalez and Vacant
District 4: Natalia Molina and Karen Araujo
District 5: Wayne Ross and Tyller Williamson

Received an update from Rosa Camacho-Chavez on the Owner and Rental Monitoring. The monitoring letters have been mailed out. An Owner-Occupied letter was sent to Mr. Ty Brooks who was granted an exception in March 2017. Mr. Brooks was approved to rent his unit until November 2017, then he would occupy the home. Once Mr. Brooks responds staff may follow up with a site visit. If further review is needed with Mr. Brooks an item will be put on the agenda. Discussion held. Receive and file.

Received an update from Rosa Camacho-Chavez on Form 700. The Form 700's are due April 2, 2018. Alma McHoney will be sending committee members the link for the electronic copy online or providing a paper copy for committee members to complete and return. Receive and file.

Received an update from Darby Marshall on Pasadera Inclusionary Housing Rental units to convert the units from Inclusionary Rental to Inclusionary for-Sale. Discussion held. Receive and File.

Received an update from Darby Marshall on Inclusionary Housing Ordinance. Discussion held. Receive and File.

HOUSING ADVISORY COMMITTEE MINUTES

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Wednesday, January 24, 2018, 5:00 PM

*Received an update from Darby Marshall on Affordable Housing Management.
Discussion held. Receive and File.*

9) **Schedule of Upcoming Meetings**

March 14, 2018

May 9, 2018

10) **Adjournment:**

Action: Ms. Gonzalez moved to adjourn the meeting and the motion was seconded by Mr. Ross. The meeting was adjourned at 5:38 PM.

VOTES:

AYES: Cabatu, Gonzalez, - Ross, and White

NAYS:

ABSENT: Araujo, Molina, and Trabing

ABSTAINED:

Copies of staff reports or other written documentation relating to items referenced on this agenda and/or submitted after distribution of the agenda packet are on file and available for public inspection at the Economic Development Department, Monterey County Government Center Administration Building, 168 West Alisal Street, 3rd Floor, Salinas.

Meetings of the Housing Advisory Committee are accessible to individuals with disabilities. Please contact the Monterey County Equal Opportunity Office at 831-755-5117, if you need assistance or accommodations in order to participate in a public meeting or if you need the agenda and public documents modified as required by Section 202 of the Americans with Disabilities Act.

The following services are available when requests are made by 5:00 p.m. of the Friday before this noted meeting: American Sign Language interpreters during a meeting, large print agenda or minutes in alternative format.

If you require the assistance of an interpreter, please contact Anita Nachor in the Economic Development Department at (831) 755-5390. Every effort will be made to accommodate requests for translation assistance. Requests should be made as soon as possible, and at a minimum 24 hours in advance of any meeting.

This agenda is posted in compliance with California Government Code Section 54954.2(a) or Section 54956.

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Copias de reportes del personal u otra documentación escrita relativa a temas que se hacen referencia en esta agenda y/o presentados después de la distribución del paquete de la agenda son archivados y disponibles para inspección del público en el Departamento de Desarrollo Económico, Edificio de Administración del Centro de Gobierno del Condado de Monterey, 168 West Alisal Street, 3er Piso, Salinas.

Reuniones del Comité Consultivo de Vivienda son accesibles a personas con discapacidades. Por favor, póngase en contacto con la Oficina de Igualdad de Oportunidades del Condado de Monterey al (831) 755-5117, si Usted necesita asistencia o una acomodación para poder participar en una reunión pública o si Usted necesita la agenda y documentos públicos modificados como requerido por la sección 202 de la Ley de Estadounidenses con Discapacidades (ADA por sus siglas en inglés).

Los siguientes servicios están disponibles cuando las peticiones son hechas antes de las 5:00 de la tarde del viernes antes de esta reunión notificada: intérpretes de lenguaje de señas americano durante una reunión, agenda con impresión grande o minutos en otro formato.

Si Usted requiere la asistencia de un intérprete, por favor comuníquese con Anita Nachor en el Departamento de Desarrollo Económico al (831)755-5390. Se harán todos los esfuerzo para acomodar los pedidos con asistencia de interpretación. Los pedidos se deberán hacer lo más pronto posible, y a lo mínimo 24 horas de anticipo de cualquier junta.

Esta agenda se publica en conformidad con la Sección 54954.2(a) o Sección 54956 de Código del Gobierno de California.

ANTHONY LOMBARDO & ASSOCIATES
A PROFESSIONAL CORPORATION

ANTHONY L. LOMBARDO
KELLY MCCARTHY SUTHERLAND
CODY J. PHILLIPS
MARIAN C. DOWNS

September 19, 2017

144 W. GABILAN STREET
SALINAS, CA 93901
(831) 751-2830
FAX (831) 751-2881

4693.003

Darby Marshall
Monterey County RMA
1441 Schilling Place, 2nd Floor
Salinas, CA 93901

Re: Pasadera Subdivision Amendment Project Description

Dear Darby:

This letter serves to provide additional detail and background information for the accompanying application for an amendment to Condition #136 of the Pasadera Subdivision (PC07704). The application seeks to modify the inclusionary housing requirement imposed by Condition #136 and subsequently memorialized by the Inclusionary Housing Agreement to change the 12 low-income housing units to 12 Workforce 2 housing units and allow for those units to be subdivided.

This modification is sought because the applicant has a difficult time filling them with qualified renters throughout the year. In the experience of the applicant, most people who qualify for low income housing do not want to be as far from schools, jobs, and services as the Pasadera subdivision is located. Additionally, the units are hard to rent out both because of their location and the somewhat vague requirements for qualifying as a renter. When these units are vacant, our client informs us that it takes about 5 months to fill them.

In addition to the difficulties associated with the low-income housing requirement, there are significant benefits to be gained by their conversion to Workforce 2 housing. The need for housing for professionals in the Highway 68 corridor is critical, as a significant number of workers on the Monterey Peninsula commute from other portions of the County. Increasing the amount of housing units for professionals will help reduce traffic from commuters, and will help employers on the peninsula retain their employees.

This application also seeks to remove the current B6 zoning designation to allow for the condominiumization of the units in question, and in turn allow the eventual sale of the units to qualified Workforce 2 buyers. There is no proposed increase in the number of units on the property.

Please let me know if you have any questions regarding the foregoing.

Sincerely,



Cody J. Phillips
/cp

Marshall, Darby 755-5391

From: Marshall, Darby 755-5391
Sent: Thursday, September 28, 2017 7:43 AM
To: 'Cody Phillips'
Cc: Sidor, Joe (Joseph) x5262; Tony Lombardo
Subject: RE: HAC Agenda for the scheduled meeting on Wednesday, September 27, 2017 at 5pm.

Good morning Cody,

I have some feedback for you from the HAC meeting last night.

- There was discussion about why staff recommended for-sale at moderate income as opposed to low income affordability levels. This would keep the level of affordability consistent with the status quo.
- The HAC had questions about how and where your client is marketing the rental units. I suggest you come prepared to possibly discuss the marketing strategy.
- The HAC would like to see documentation that backs up the statement that "most people who qualify for low income housing do not want to be as far from schools, jobs, and services as the Pasadera..."
- The HAC would like information on how your client is selecting and pre-qualifying tenants before sending the information over to the County for income certification. From the sound of it, there may be deficiencies on both ends of this process that could speed things along.

It would be really helpful if you could provide any materials you plan to present to the HAC by October 25th so that I can distribute them with the Committee materials and they have an opportunity to review them before the meeting.

Sincerely,

Darby Marshall

From: Cody Phillips [mailto:cody@alombardolaw.com]
Sent: Wednesday, September 27, 2017 4:43 PM
To: Marshall, Darby 755-5391 <marshalld@co.monterey.ca.us>
Cc: Sidor, Joe (Joseph) x5262 <SidorJ@co.monterey.ca.us>; Tony Lombardo <tony@alombardolaw.com>
Subject: RE: HAC Agenda for the scheduled meeting on Wednesday, September 27, 2017 at 5pm.

Good Afternoon Darby,

Unfortunately Tony and I are unable to attend the meeting this evening, though we look forward to having a productive session with the Committee at the next HAC meeting. Thank you, Darby.

Sincerely,

Cody Phillips
Attorney
Anthony Lombardo & Associates
144 W. Gabilan Street
Salinas, CA 93901
Telephone: (831) 751-2330
Facsimile: (831) 751-2331

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From: Marshall, Darby 755-5391 [mailto:marshalld@co.monterey.ca.us]
Sent: Wednesday, September 27, 2017 4:14 PM
To: Cody Phillips <cody@alombardolaw.com>
Cc: Sidor, Joe (Joseph) x5262 <SidorJ@co.monterey.ca.us>; Tony Lombardo <tony@alombardolaw.com>
Subject: RE: HAC Agenda for the scheduled meeting on Wednesday, September 27, 2017 at 5pm.

Good afternoon Cody,

On further reflection, you might want to attend the meeting tonight just in case the HAC wants to start the discussion or take testimony.

The next HAC meeting is scheduled for November 8th.

Sincerely,

Darby Marshall

From: Cody Phillips [mailto:cody@alombardolaw.com]
Sent: Wednesday, September 27, 2017 3:28 PM
To: Marshall, Darby 755-5391 <marshalld@co.monterey.ca.us>
Cc: Sidor, Joe (Joseph) x5262 <SidorJ@co.monterey.ca.us>; Tony Lombardo <tony@alombardolaw.com>
Subject: RE: HAC Agenda for the scheduled meeting on Wednesday, September 27, 2017 at 5pm.

Good Afternoon Darby,

Regarding our agenda item tonight (6c) we would like to request a continuance because we need to gather additional supporting information to provide to the committee members. We would respectfully request that our item be continued and placed on the next meeting's agenda. Thank you, Darby.

Sincerely,

Cody Phillips
Attorney
Anthony Lombardo & Associates
144 W. Gabilan Street
Salinas, CA 93901
Telephone: (831) 751-2330
Facsimile: (831) 751-2331

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From: Marshall, Darby 755-5391 [<mailto:marshalld@co.monterey.ca.us>]
Sent: Monday, September 25, 2017 8:41 AM
To: Cody Phillips <cody@alombardolaw.com>
Subject: FW: HAC Agenda for the scheduled meeting on Wednesday, September 27, 2017 at 5pm.

Cody,

Just passing this along for your information. Given we've at least gotten an inquiry from the media, the change to the recommendation is probably for the better.

Darby

From: Camacho-Chavez, Rosa M.
Sent: Friday, September 22, 2017 4:07 PM
To: Marshall, Darby 755-5391 <marshalld@co.monterey.ca.us>
Subject: FW: HAC Agenda for the scheduled meeting on Wednesday, September 27, 2017 at 5pm.

FYI

From: Nachor, Anita M. x5381
Sent: Friday, September 22, 2017 4:04 PM
To: Camacho-Chavez, Rosa M. <Camacho-ChavezRM@co.monterey.ca.us>
Subject: FW: HAC Agenda for the scheduled meeting on Wednesday, September 27, 2017 at 5pm.

FYI

-Anita

Anita M. Nachor, Senior Secretary
County of Monterey
Economic Development Department
1441 Schilling Place - North
Salinas, CA 93901
Office: (831) 755-5381
Fax: (831) 755-5398
NachorAM@co.monterey.ca.us

From: Jim Johnson [<mailto:jjohnson@montereyherald.com>]
Sent: Friday, September 22, 2017 3:52 PM
To: Nachor, Anita M. x5381 <NachorAM@co.monterey.ca.us>
Subject: Re: HAC Agenda for the scheduled meeting on Wednesday, September 27, 2017 at 5pm.

Anita, Could you send me the packet for next week's HAC meeting, please? I'm especially interested in any staff report or information regarding the Pasadera inclusionary units request, but I'd like the entire packet.
Thanks, Jim Johnson, The Herald

On Friday, September 22, 2017, Nachor, Anita M. x5381 <NachorAM@co.monterey.ca.us> wrote:

Good afternoon,

Attached is the HAC Agenda for the scheduled meeting on Wednesday, September 27, 2017 at 5pm.

Thank you,

Anita

Anita M. Nachor, Senior Secretary
County of Monterey

Economic Development Department

1441 Schilling Place - North

Salinas, CA 93901

Office: (831) 755-5381

Fax: (831) 755-5398

NachorAM@co.monterey.ca.us

MONTEREY COUNTY HOUSING ADVISORY COMMITTEE

MEETING:	September 27, 2017	AGENDA NO.:	6c
SUBJECT:	a. Consider a request from the owners of the Pasadera Inclusionary Housing Rental Units to amend Condition of Approval (COA) #136 to convert the units from Inclusionary Low-Income Rental to Inclusionary For-Sale Workforce II units; and, b. Adopt a recommendation to the Monterey County Board of Supervisors to amend COA #136 and allow conversion of the Pasadera Inclusionary Housing Rental Units to Inclusionary For-Sale Moderate-Income Units.		
DEPARTMENT:	Economic Development Department		

RECOMMENDATION:

It is recommended that the Housing Advisory Committee (HAC):

- a. Consider a request from the owners of the Pasadera Inclusionary Housing Rental Units to amend Condition of Approval (COA) #136 to convert the units from Inclusionary Low-Income Rental to Inclusionary For-Sale Workforce II units; and,
- b. Adopt a recommendation to the Monterey County Board of Supervisors to amend COA #136 and allow conversion of the Pasadera Inclusionary Housing Rental Units to Inclusionary For-Sale Moderate-Income Units.

DISCUSSION:

In September 1995, the Board of Supervisors approved the Bishop Ranch Subdivision (PC7704). The development is now known as the Pasadera Country Club or the Nicklaus Club – Monterey. The project was approved subject to Monterey County Ordinance 3419 which required 15% of the total units be designated as Inclusionary Housing. Generally, the project called for the subdivision of a 564.7-acre parcel into 160 single family lots, 38 low and moderate income housing units, 55 townhouse units and an 18-hole golf course.

In 2005, the Pasadera developer began renting 12 Inclusionary Units (Pasadera 12) to low-income households. The owner is responsible for maintaining the Pasadera 12 rental units as Inclusionary Rental Units in perpetuity. Under the terms of the Developer’s Inclusionary Housing Agreement, the Developer is responsible for identifying potential renters and referring them to the Economic Development Department for income and asset certification. The Developer pays the EDD a flat fee of \$200.00 for each potential tenant EDD must review to certify a new tenant.

The units are two-bedroom and using federal occupancy guidelines can be safely occupied by households with between 2 and 5 people. Table 1 summarizes the maximum annual income, maximum monthly rent, and maximum sales price for the Pasadera 12 at four different income levels. The Pasadera 12 units were originally proposed for employees of the golf club, but are now rented to the public because there was no interest in them from employees.

In August 2017, the owner of the Pasadera 12 submitted a request to the County Planning Department to modify the Inclusionary Housing Condition of Approval approved in 1995. Specifically, the owner wishes to convert the Pasadera 12 from Inclusionary Rental Units – Low Income to Inclusionary Housing For-Sale Units – Workforce II Units and a change to the zoning that supports this change. The owner’s request is included as Attachment 1 to this report.

Table 1

	Low (<80% AMI)	Moderate (80%-120% AMI)	Workforce 1 (120%-150% AMI)	Workforce 2 (150%-180% AMI)
Maximum Annual Income				
2 Person Household	\$52,100	\$65,950	\$82,450	\$98,900
3 Person Household	\$58,600	\$74,200	\$92,800	\$111,350
4 Person Household	\$65,100	\$82,450	\$103,050	\$123,650
5 Person Household	\$70,350	\$89,050	\$111,300	\$133,550
Maximum Monthly Rent				
2 Person Household	\$1,303	\$1,649	\$2,405	\$2,885
3 Person Household	\$1,465	\$1,855	\$2,707	\$3,248
4 Person Household	\$1,628	\$2,061	\$3,006	\$3,606
5 Person Household	\$1,759	\$2,226	\$3,246	\$3,895
Maximum Sales Price	\$200,879	\$296,750	\$346,339	\$445,324

Staff is unable to verify or refute the owner’s statement that people who qualify for these units do not want to be “as far from schools, jobs and services as the Pasadera subdivision is located”. Staff does question the validity of the time it has taken to rent units and the “vague requirements” for qualifying renters. The County is aware that one unit will be vacated on October 1, 2017. The property manager requested an income and asset qualification for a prospective tenant on September 7, 2017 and the County approved the applicant on September 11, 2017. The applicant has since withdrawn their name from consideration and the County has not been asked to approve any other applicants.

The Inclusionary Housing Ordinance in effect at the time Pasadera was approved only required units to be affordable to low (less than 80% of Area Median Income [AMI]) or moderate (between 80% and 120% of AMI) income households. The Workforce I and II levels affordability were adopted as part of the 2010 General Plan (GP) but are not yet reflected in the Inclusionary Housing Ordinance. The GP defines Workforce I as households earning up to 150% of AMI and Workforce II as household earning up to 180% of AMI. Land Use Policy 2.13, which describes the requirements of the Affordable Housing Ordinance, does not include Workforce II as an affordability level that is generally required of projects. Workforce II is only required in specific situations, such as projects within Affordable Housing Overlay Districts or the applicant offers to increase the number of units affordable to very low income households while reducing the number of units affordable to low income households.

Staff is not recommending the request to convert the Pasadera 12 units to the Workforce II affordability level for the following reasons. The Workforce II affordability level is not part of the GP Land Use Policy that defines the new affordable housing ordinance requirements for most projects. Pasadera is not within an Affordable Housing Overlay District that would otherwise trigger the Workforce II affordability levels. The owner is not proposing deeper levels of affordability; e.g. more very-low units than required with Workforce II to offset the additional subsidies. For these reasons, staff does not believe conversion to the Workforce II affordability is justified.

Staff initially considered recommending that the Pasadera 12 units be converted to for-sale Workforce I product. This change would allow the owner to sell the units for up to \$346,339. Staff is concerned that allowing the conversion of the units to use portions of new requirements without complying with all the requirements sets a dangerous precedent. If this project were going through review now it would be required to provide 63.25 inclusionary units (15 very-low income units, 15 low income units, 20 moderate income units, 13 workforce I units, and pay an in-lieu fee on one-quarter of a unit). Because the project is not meeting all of the affordable housing benefits required by the 2010 GP, staff does not believe the owner should benefit from affordability levels approved by the GP.

Staff is recommending that the Pasadera 12 units be converted to Moderate Income For-Sale Units. This level of affordability is consistent with the Inclusionary Housing Ordinance that was in effect at the time the subdivision was approved. The maximum sale price for the units at the moderate-income level of affordability is \$296,750.

STAFF RECOMMENDATION:

Recommend to the Monterey County Board of Supervisors that Condition of Approval #136 be amended as follows:

Applicant shall comply with the requirements of the Inclusionary Housing Ordinance by agreeing to build ~~26~~ 38 affordable to moderate income household units ~~and 12 affordable to low income household units...~~

Prepared by:

Darby Marshall
Redevelopment & Housing Analyst