

**Report Title: A Crisis Brewing
Housing for Public Health and Safety Employees**

Report Date: June 30, 2003

Response by: Albert J. Boro Title: Mayor

FINDINGS

- I (we) agree with the findings numbered: 4
- I (we) disagree wholly or partially with the findings numbered: 1-3
(Attach a statement specifying any portions of the findings that are disputed; include an explanation of the reasons therefor.)

RECOMMENDATIONS

- Recommendations numbered _____ have been implemented.
(Attach a summary describing the implemented actions.)
- Recommendations numbered 1-3 have not yet been implemented, but will be implemented in the future.
(Attach a timeframe for the implementation.)
- Recommendations numbered _____ require further analysis.
(Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.)
- Recommendations numbered _____ will not be implemented because they are not warranted or are not reasonable.
(Attach an explanation.)

Date: _____ Signed: _____

Number of pages attached: 2
City of San Rafael

**Response to Grand Jury
A Crisis Brewing? Housing for Public Health and Safety Employees**

Findings	
<p>1. 1. The county, the cities and the towns (the land-use authorities within Marin County) have neither identified nor defined those positions, both public and private, considered critical to the health and safety of the Marin community and which would be considered first responders in the event of a disaster. They have not developed a priority ranking for “close-by-housing”, based upon critical needs during a disaster.</p>	<p>Partially Disagree. San Rafael’s emergency operations center model specifies the critical positions necessary to operate the City during a disaster. All City of San Rafael employees have received the State certified SEMS training in the emergency operations center (“EOC”). In addition, the City has developed and trained an Urban Search and Rescue team. The City of San Rafael recognizes that in the event of a major disaster, our public resources will be strained. Therefore, we have worked very closely with the community to train citizen responders in each neighborhood through the DART (Disaster Area Response Team) and Police Citizens’ Academy programs. To date, over 300 citizens have graduated from the DART academy and 600 from the Academy. These citizen responders are trained to assist their neighbors thereby allowing our highly trained police and fire department personnel to focus on the most critical areas. It is the City’s goal to have over 1,000 of our residents trained through these programs to assist on duty personnel in a disaster.</p>
<p>2. 2. The county, the cities and the towns have not quantified the housing needs of the Marin community with respect to those who are considered first responders.</p>	<p>Partially disagree. San Rafael has identified and trained City employees and citizens that can act as first responders in an emergency.</p>
<p>3. 3. The county, the cities and the towns have not exercised their legislative authority to develop policies leading to programs making housing affordable to first responders.</p>	<p>Partially disagree. The City of San Rafael through its Housing element has identified the housing needs in the community. The City and the Redevelopment Agency have undertaken a variety of housing programs to meet our housing goals. These programs include: requiring new development to provide a certain number of the units at a below market price, providing assistance to low income families to purchase homes in San Rafael, housing assistance to specified City Department heads to purchase homes in San Rafael.</p>

	It must be noted that the City has faced a dilemma in the past with a goal of providing preferences to City employees in our inclusionary housing program. We were challenged on the legality of such preferences based on Fair Housing laws.
4. 4. Eighty percent of the county law enforcement employees live outside of Marin.	N/A. We have no data on County employees. 60% of the City of San Rafael Police Department employees live outside of the County. 39% of those Department employees living outside of Marin County reside in Sonoma County.

Recommendations		
1.	1. <i>At a minimum, the county should take the lead and, with the cooperation of the cities and towns, develop definitions for the positions of first responders and establish a rank order of their need to be close by in time of crisis.</i>	Not Yet Fully Implemented. The City of San Rafael has identified and provided EOC SEMS training for first responders. The positions have not been ranked in order of need in a crisis. To do so we must first identify which type of emergency as the first responders will vary for each type.
2.	2. The county, the cities and the towns should provide these definitions to both public and private organizations and obtain from them a quantification of housing needs for positions identified as first responders in their various communities.	Not Yet Implemented. The City of San Rafael would be willing to participate in such an effort lead by the County.
3.	3. The county, the cities and the towns should work with each other and with other public and private organizations within Marin County to develop overarching policies that will enable first responders to be able to live within a reasonable distance in or near the community in which they work.	Partially Implemented. See Response to finding # 3 for information on housing programs undertaken by the City of San Rafael and the San Rafael Redevelopment Agency. It should be noted that police officers, firefighters and medical personnel have household incomes that meet or exceed the standard definitions of moderate income, \$73,000 to \$110,000 for a family of four. This is especially true for experienced personnel in households with two wage earners. Cities have a difficult time balancing limited housing resources between the State requirements to assist a larger percentage of very low and low income households with the need to recruit and retain employees whose incomes exceed the State mandates

	but are still not sufficient to purchase homes in San Rafael due to the limited housing supply.
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May 11, 2004

The Honorable Lynn O'Malley Taylor
Marin County Superior Court
P.O. Box 4988
San Rafael, CA 94913-4988

Foreperson
Marin County Civil Grand Jury
3501 Civic Center Drive, Room 303
San Rafael, CA 94903

Re: Grand Jury Reports

Dear Honorable Judge Taylor and Marin County Civil Grand Jury Foreperson:

The City of San Rafael is proud of our record on providing affordable housing. San Rafael is also among the 95 California cities that have adopted inclusionary housing requirements. The City's inclusionary housing requirements were adopted in 1988 earlier than most other cities. San Rafael was recently named as one of the top 15 affordable housing producers in the State (Inclusionary Housing in California, CA Coalition for Rural Housing and Non Profit Housing Association of Northern California, 2003). As a leader in affordable housing we commend the Grand Jury for choosing to address this important issue.

The City of San Rafael agrees with the Grand Jury in many of the findings and recommendations in their report "Financing Affordable Housing: Local In-Lieu Fees and Set Aside Funds." The City agrees that cities and the County should coordinate our efforts to provide affordable housing, and San Rafael does so in many ways, as is summarized in the attached documents. The report advocates coordination beyond what is reasonable, by looking at the County as one housing market and by suggesting that all cities adopt all recommendations in the Marin Housing Handbook. Treating the County as a whole will create an additional burden on San Rafael to provide the needed housing for all County residents and workers within the City's boundaries. We feel it is imperative for each city to provide their fair share of affordable housing within their respective boundaries. The City has completed our Draft Housing Element update. It has been reviewed by the State, and is now being revised. While participating in the creation of the Marin Housing Handbook, the City has included into our Draft Housing Element only those implementing programs that are appropriate for San Rafael. San Rafael is proud of its record in the creation of affordable housing and will continue to do its fair share in this effort.

The City does not agree, however, with many of the findings and recommendations in the Grand Jury report "A Crisis Brewing: Housing for Public Health and Safety Employees." While it would be preferable for employees to live closer to their workplace to reduce traffic congestion, better engage in community life, and provide disaster response, many factors prevent employees from living in the City of San Rafael and in Marin County. While mentioning the extremely high cost of housing, City employees have also cited the need to be close to a spouses' job, not wanting to be "on duty" during off hours, preference for a different type of housing than is available in Marin, a more rural lifestyle and the desire for a better school system as additional factors for living outside Marin County. The majority of Below Market Rate units in San Rafael are located in planned unit developments on small lots with minimal yards. This type of housing does not appeal to many of the City's police and fire personnel. These workers can live outside of the community in a more traditional suburban home for the same or less cost and chose working shifts to avoid the peak commute hours.

The City of San Rafael provides more than adequate staffing levels for police and fire, and the City participates in mutual aid with the surrounding communities. During an emergency San Rafael residents would continue to be served by the staff on duty. A problem may arise during a severe disaster that prevents employees from reporting for duty. This will depend on the location and the type of disaster. As some of City staff lives north of San Rafael, a blockage of Highway 101 could present some difficulty. If the Highway problems existed just north of the City or even in the City north of Puerto Suello hill, the access problems would be the same whether staff lived in Terra Linda, Novato or Santa Rosa. It should be noted that City staff commutes from many locations, and employees residing in the East Bay may continue to be available even if North Bay employees are not.

San Rafael has approached the problem of providing services during an emergency by providing employee housing assistance, cross training employees and citizen training in disaster preparedness. Given the City's current fiscal crisis, there is no funding source to provide for the new programs suggested by the Grand Jury and therefore the implementation of such policies is impractical. The State's adopted budget will result in a loss of redevelopment funds, vehicle license fees and other local revenue.

Even with funding identified, the issue for affordable housing is, at its core, one of a lack of available land for development of new housing. Until this crisis is handled throughout the County, we will continue to struggle with this issue.

Please call Nancy Mackle, Economic Development Director, at 485-3383 if you have any questions or need additional information.

Very Truly Yours,

Al Boro

Mayor, San Rafael

cc: City Council
Rod Gould, City Manager
Nancy Mackle, Economic Development Director

Enclosures: Response to Grand Jury Report Form and Detailed Response Comments
on Report "A Crisis Brewing: Housing for Public Health and Safety
Employees"

Response to Grand Jury Report Form and Detailed Response Comments on
Report "Financing Housing: Local In-Lieu Fees and Set Aside Funds"