



**LEAGUE OF WOMEN VOTERS**  
**of the Los Altos-Mountain View Area**  
**97 Hillview Avenue, Los Altos, CA 94022**

March 7, 2015

Mayor Jan Pepper and Councilmembers  
City of Los Altos  
One North San Antonio Road  
Los Altos, CA 94022

Dear Mayor Pepper and Members of the City Council:

Re: Housing Element-Agenda Item #6, March 10, 2015

The League of Women Voters of the Los Altos/Mtn. View Area is pleased to see that so many of the recommendations we made last October regarding the current Housing Element were then approved by the Council and have been incorporated into the proposed document.

We commend the staff for including a Request for Proposals (RFP) for administration of the City's affordable housing program in the Housing Element and for including in the staff report important issues that should be part of the new administrative contract as well as the RFP itself.

Our main issue with staff's recommendations relates to not joining an affordable housing nexus study for several jurisdictions in Santa Clara County. A compelling reason to participate is that the cost for this joint study is much lower than if Los Altos were to do its own study later. Attached is a memo outlining this proposal that also summarizes some of the reasons we support considering these fees.

Should the City choose to join the Santa Clara County nexus study, it could then legally decide whether to adopt commercial linkage fees and/or residential housing impact fees. We disagree with staff's conclusion that these fees would likely only help support regional affordability.

- First, there is the possibility of negotiating with developers to build affordable units rather than pay fees; this is the Mountain View model.
- Second, we hope that the City will collect sufficient fees within the next few years to help build affordable housing units in Los Altos, especially if there is a way to utilize City-owned land.
- Third, we have assurance from Kevin Zwick, CEO of the Housing Trust, that if the fees are given to this nonprofit, the priority for use of these fees would be to help those who live or work in Los Altos. Until 2009, Los Altos usually gave approximately \$5,000 per year to the Housing Trust; these funds were prioritized for those who live or work in Los Altos. The City might reconsider contributing to this agency at CDBG allocation time.
- Not only would such fees level the playing field between Los Altos and neighboring communities (see attached chart showing that 17 Bay Area communities have

commercial linkage fees already), but the fees would provide funds for much-needed affordable housing as our area becomes increasingly unaffordable to all but those in the highest income brackets.

- There are many low-income workers in Los Altos – most of the grocery store workers and other retail employees, along with nannies, gardeners, cleaners, and others that the typical two high-income homeowners now employ. Providing local housing for these crucial workers supports the economic diversity of our community along with reducing greenhouse gas emissions and improving the quality of these people’s lives.

Most important, “Problems may arise, however, in cases where the City requires affordable rental units and the developer does not seek a density bonus or other mitigation.” (Staff report, p. 7) A case is pending regarding BMR ownership units, which might rule that cities can’t require these either, unless the developer is requesting a density bonus. The condo development at 86 Third Street, for example, did not need a density bonus, nor have many other developments in Los Altos. Thus, the City may not be able to require the BMR units which are at the heart of the Los Altos affordable housing program.

For the above reasons, we propose that Program 4.3.7 be modified to read as follows:

“Consider commercial linkage fees and **residential housing** impact fees for affordable housing.

- Consider joining with other Santa Clara County cities in a nexus study that would provide a legal basis and analysis for these fees.
- Study and explore the option of commercial linkage and residential housing impact fees. If appropriate, consider adopting either or both of these fees.”

Finally, we recommend a number of minor changes in the Housing Element. With regard to the mix of below-market-rate units (BMRs) in a development, we are pleased to see Program 4.3.2 added. And with regard to second living units, we are in agreement with considering reducing the parcel size. However, we strongly suggest that Program 4.2.1 be restated to include the word “**annual**”, rather than verification of the residents of these units relying mainly on complaints.

Although not part of the Housing Element, the staff report recommends changes to the Priority Rankings for BMRs that we suggested. However, we prefer to see categories “b” and “e” of the Second Priority put into a lower category, and understood from staff that “d” was not appropriate to include here. Finally, the Fourth Priority should include “Persons who **live or work** in the City at the time of application” not just those who work here.

With regard to the Quantified Objectives on page 28, Table 1, we question the number of units estimated to be built by 2023 in all income categories other than above-moderate.

In conclusion, we wish to commend the Council and staff for this improved Housing Element. Thank you, as always, for considering our input.

Susan Russell  
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League of Women Voters of Los Altos/Mountain View Area  
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