



# City of East Palo Alto

## AGENDA

### 2<sup>ND</sup> UNIT IMPLEMENTATION/ REDUCING DISPLACEMENT TASK FORCE

Thursday, May 4, 2017

7:00 P.M. – 9:00 P.M.

East Palo Alto Government Center  
City Council Chamber  
2415 University Avenue, First Floor  
East Palo Alto, CA 94303

**Notice of Availability of Public Records:** All public records relating to an open session item which are not exempt from disclosure pursuant to the Public Records Act, that are distributed to the majority of the 2<sup>nd</sup> Unit Implementation/ Reducing Displacement Task Force will be available for public inspection at the City Hall, 2415 University Avenue, East Palo Alto, Ca at the same time that the public records are distributed or made available to the Task Force. Such documents may also be available on the East Palo Alto website [www.ci.east-palo-alto.ca.us](http://www.ci.east-palo-alto.ca.us) subject to staff's ability to post the documents prior to the meeting. Information may be obtained by calling (650) 853-3100.



The Council Chamber is ADA compliant. Requests for disability related modifications or accommodations, aids or services may be made by a person with a disability to the Community Programs Manager office no less than 72 hours prior to the meeting as required by Section 202 of the Americans with Disabilities Act of 1990 and the federal rules and regulations adopted in implementation thereof.

1. WELCOME & INTRODUCTIONS
2. REVIEW OF THE AGENDA
3. GROUP AGREEMENTS, AND PENINSULA CONFLICT RESOLUTIONS CENTER AND PROJECT SENTINEL ROLES
4. TASK FORCE FUNCTION AND ROLE
5. PRESENTATION AND DISCUSSION OF TASK FORCE BACKGROUND, PURPOSE AND CHARGE DOCUMENT
  - Q&A afterwards
6. COLLABORATIVE PROBLEM- SOLVING SKILLS SHARE

**7. FUTURE MEETING SCHEDULE AND DRAFT WORKPLAN**

**8. PUBLIC COMMENT**

*Members of the public wishing to address the Task Force are requested to submit a completed speaker sheet to a designated member of the Task Force. Each speaker is limited to two minutes. There will be no separate discussion of items listed on this Agenda.*

**9. NEXT STEPS, EVALUATION**

**10. ADJOURNMENT**

**EAST PALO ALTO**  
**2<sup>ND</sup> UNIT IMPLEMENTATION/REDUCING DISPLACEMENT TASK FORCE**  
**Convened By the City of East Palo Alto Per the Direction of the City Council**  
**Facilitated by the Peninsula Conflict Resolution Center and**  
**Supported by Project Sentinel**

**Task Force Context**

In 2014, the City created a Second Unit Ordinance to:

- Increase the supply of affordable housing by allowing second units to be established on lots containing a single-family dwelling
- Establish standards for the development and occupancy of second units to ensure that they are compatible with neighboring uses and structures, adequately equipped with public utility services and safe for human occupancy and
- Restrict or prohibit second units which create unreasonable traffic, safety, privacy or other adverse impacts.

Today there remains a tremendous demand for affordable housing that leads to the construction of illegal dwelling units and overcrowding, which affects the health, safety and quality of life of EPA residents. In turn, these substandard conditions create a high demand for garbage, public safety and code enforcement services and parking challenges. In the process of responding to calls for Police or Code Enforcement services, City staff found imminent health and safety hazards that violated State and City codes and ordinances and led to red tagging of properties. In some cases, this has had the unintended consequences of displacing tenants from their homes. As a result, on October 18, 2016, the City Council directed staff to create a task force that will find ways to prevent resident displacement and facilitate the legalization and creation of second units with a very specific scope of work they believe will reach this goal.

**Task Force Purpose**

The purpose of the Task Force is to collaboratively provide advice to the City Council to facilitate the legalization and creation of second units in East Palo Alto and to find ways to minimize displacement of EPA residents when code violations are found. The task force will work towards developing a holistic solution that can address the health and safety concerns of residents while providing needed housing through the specific work plan and deliverables defined by the City Council.

The Task Force will assist with and review, comment and advise on the following:

- Define the scope of an RFP for a nonprofit to provide displacement services
- Adding scope to the affordable housing strategy RFP/Expand the affordable housing strategy to explore loan, amnesty programs and technical support and potential funding sources to encourage second units
- Hold periodic public meetings to inform residents on how to legally create second units and conversions
- Prepare a technical guidebook to assist owners with legally constructing second units

**Task Force Membership**

As directed by the City Council, the Task Force is composed of the following:

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- two City Council members
- one Planning Commissioner
- one City staff official
- two representatives from Faith in Action
- two representatives (one each) from San Mateo County Housing and Health Departments
- one representative from the Menlo Park Fire Protection District
- one representative from Rebuilding Together
- one representative from Community Legal Services
- five East Palo Alto residents appointed by the City Council

### **Task Force Member Roles, Responsibilities and Commitments**

It is important that the Task Force fosters an environment that is receptive to all viewpoints and that works collaboratively to achieve its goals. The following statements will guide the participation of Task Force members and the public:

- Task Force members act as liaisons to the constituencies they represent and provide ideas, information and advice based on their unique knowledge of community needs and goals. Task Force members should be sensitive and responsive to the diverse needs of the various neighborhoods, communities and residents of East Palo Alto.
- Task Force members will attend and actively participate in Task Force meetings. If unable to attend, Task Force members will notify the City and the facilitator.
- Task Force alternate members will only participate in Task Force meetings if a Task Force member is unable to attend a meeting. If this occurs, the member will notify their alternate (if one has been identified) and will be responsible for ensuring that the alternate is aware of previous Task Force work and has access to relevant Task Force materials.
- Task Force members will review materials prior to meetings.
- Task Force members will be open-minded and will work constructively with other members.
- Task Force members will not publically criticize or undermine the Task Force or other Task Force members.
- The Task Force will maintain transparency by holding meetings open to the public. Public comments will be offered only during designated periods.

### **Communication on Task Force Progress**

Following Task Force meetings, City staff will provide periodic updates and/or requests for action to the City Council at its regular meetings.

#### **Primary Staff Contact:**

Sean Charpentier, Assistant City Manager

5/3/17

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5/3/17

Task Force Purpose: Provide advice to the City Council to facilitate the legalization and creation of second units in East Palo Alto and to find ways to minimize displacement of EPA residents when code violations are found.

Objective	Specific Activity	Person Responsible	Anticipated Completion Date	Actual Completion Date	Comments
#1. Review and understand background and purpose of Task Force, its charge, member roles and activities.	<ul style="list-style-type: none"> <li>• Introduction of TF members, teambuilding activity</li> <li>• Presentation of background and charge</li> <li>• Overview of process, meeting activities and expectations</li> <li>• Presentations on PCRC and PS roles &amp; activities</li> </ul>	<p>PCRC, TF members</p> <p>City staff</p> <p>PCRC &amp; City staff</p> <p>PCRC &amp; PS</p>	Meeting 1		
#2. Provide input on proposed scope on Affordable Housing Strategy RFP to provide options to encourage 2nd units and explore funding.	<ul style="list-style-type: none"> <li>• Background/context and ideas from City staff (and other agencies?)</li> <li>• Task Force members share outside the box ideas about ways to encourage and fund 2nd units.</li> </ul>	<p>City staff presentation, others?</p> <p>PCRC &amp; PS facilitate in small groups, then large group</p>	Meeting 2		PCRC will collect notes and ideas, transcribe and present to city staff & TF members 1 week after Meeting 2.
#3. Outside Presentations from	<ul style="list-style-type: none"> <li>• Schedule and receive</li> </ul>	Relevant agencies	Meeting 3		Possible presentations from other agencies on

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Organizations	presentations from organizations regarding Taskforce Mission				polices that have worked elsewhere. (Turner Center, other?)
	<ul style="list-style-type: none"> <li>Task Force members ask questions and discuss</li> </ul>				
#4. Review Draft Relevant Section of Affordable Housing Strategy	<ul style="list-style-type: none"> <li>City Staff presents developed scope based on recommendations from task Force</li> <li>Task Force members ask questions and provide input</li> </ul>	Meeting 4	City Staff gives presentation, stressing use of TF recommendations		
			PCRC & PS leads discussion and Q&A.		
#5. Brainstorm ideas for RFP for a nonprofit to provide displacement services	<ul style="list-style-type: none"> <li>Background/ context from City staff</li> <li>Taskforce members identify what they see as essential components</li> </ul>	Meeting 4	City staff		PCRC will collect notes and ideas, transcribe and present to city staff 1 week after Meeting 4, so that an RFP can be developed.
			PCRC leads facilitation in small groups		
#6. Identify limitations	<ul style="list-style-type: none"> <li>City staff</li> </ul>		Planning/	TBD	PCRC needs to

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and challenges of current 2 <sup>nd</sup> unit occupancy standards to prevent unintended consequences	<ul style="list-style-type: none"> <li>• TF discussion</li> </ul>	Building staff present PCRC & PS leads discussion		understand this objective better. PCRC will collect notes and ideas, transcribe and present to city staff
#7. Educational meetings to inform community members about building codes and how to legally create second units	<ul style="list-style-type: none"> <li>• TF members provide input on what information would be helpful, what format, who should attend, etc.</li> </ul>	PCRC & PS lead discussion	Tentatively 6pm-7pm June 12 <sup>th</sup> , before regular PC Meeting.	
#8. Prepare an ADU Guideline for East Palo Alto	<ul style="list-style-type: none"> <li>• TF members Review Santa Cruz ADU Guidelines and provide input to develop an ADU Guideline for East Palo Alto</li> </ul>		TBD	
#9. Prepare binder for each Taskforce member with 2 <sup>nd</sup> Unit Ordinance, Santa Cruz ADU Guidelines, FIA/Project Sentinel White Paper	<ul style="list-style-type: none"> <li>• City Staff</li> </ul>		Prior to 2 <sup>nd</sup> Meeting	





**East Palo Alto 2<sup>nd</sup> Unit Implementation/Reducing Displacement Task Force  
Themes from Conversations with Individual Task Force Members  
May 4, 2017**

**What is needed to work effectively as a Task Force?**

- An open and safe place
- Work together for the good of the City
- Be objective and open-minded
- Be creative
- Buy-in and support from City staff and Council
- Find common ground
- Show results
- Hear from the community
- Acknowledge delays

**Primary Considerations**

- Safety of people
- More fair process, make sure people are treated fairly
- Gentrification and code enforcement are pushing people out
- Traffic, parking, overcrowding
- Homelessness

**What Task Force Members Hope to Accomplish**

- Understand code enforcement process and codes, purpose of codes, permitting process
- Better understand requirements for 2<sup>nd</sup> units
- Identify tools needed to legalize units and facilitate new 2<sup>nd</sup> units
- Make process easier, more user friendly, clear information
- Provide incentives for code compliance and penalties
- Shared responsibility of landlords and tenants
- Build relationships between City and community
- Want to see people treated with respect and dignity, remember the human side
- Help people stay in their homes
- Make sure people have a place to go if they have to leave their homes
- Make sure units meet healthy standards; fix units to prevent harm
- Balance need for safe housing and preventing displacement
- Prevent displacement
- Better understanding of rules of engagement for code enforcement
- Get second units legalized
- Hold owners responsible for their actions
- Get compliance with codes

### Information and Resources Needed

- Data on number of 2<sup>nd</sup> units and displacement
- Data on single family homes that are rented: who are owners (families, corporations, etc.)
- Funds to bring units up to code
- Funds for tenant relocation

### Task Force Ideas

- Revolving loan fund for repairs
- Rent control on 2<sup>nd</sup> units
- Create a manual for builders
- Provide clear resources for 2<sup>nd</sup> units in multiple languages: requirements, guide, examples of successful 2<sup>nd</sup> units, manual/road map/template with step by step guide
- Provide tenant relocation benefits
- Give amnesty for code violations that aren't major
- Explore use of Facebook money for preserving/adding 2<sup>nd</sup> units



## BEING AN ACTIVE LISTENER

Active Listening is a way of responding to the speaker, which shows that person you are really trying to understand what they are saying, feeling, and doing.

### Active Listening Guidelines:

- 1) Be *empathetic*. This doesn't mean feeling sorry for the person (that's being sympathetic), it means trying to put yourself in the other person's position to understand what they are saying and how they feel.
- 2) Show your *understanding* by your nonverbal behaviors:
  - Tone of voice
  - Facial expression
  - Eye contact
  - Posture
- 3) Use *Active Listening Techniques* to:
  - Listen for facts and feelings
  - Ask questions if you don't understand
  - Summarize what the speaker is saying
  - Validate what they are saying



## Active Listening Techniques

*(adapted from material developed by San Francisco Community Board Program)*

TECHNIQUE	PURPOSE	TO DO THIS...	EXAMPLES
<b>Rephrasing</b>	1. to show you are listening and understanding what is being said.	...restate basic ideas and facts in your own words.	1. "So your major concern is the timing of this project, is that what you are saying?"
	2. to check the meaning and your interpretation.		2. "I want to make sure I understand; are you saying..."
<b>Reflecting</b>	1. to show that you understand how the person feels.	...reflect the feeling you hear from the speaker	1. "You seem to be very upset."
	2. to help the person evaluate his or her own feelings after hearing them expressed by someone else.	...describe the emotion being communicated by the other person	2. "I'm sensing some anger, is that what you are feeling?"
<b>Clarifying</b>	1. To help clarify what is being said.	...ask questions, both close-ended and open-ended questions	1. "When did this happen?"  "Tell us more about your experience."
	2. To get more information.		2. "Could you please describe more about how you arrived at the proposal you're making?"
	3. To help the speaker see other points of view.		3. "What perspective might other people have on this situation?"
<b>Summarizing</b>	1. To review progress in the discussion.	...restate major ideas and feelings which have been expressed.	1. "These seem to be the main concerns you have in this situation..."
	2. To pull together important ideas and facts.		2. "Here's what I've heard from you all so far..."
	3. To establish a basis for further discussion.		3. "Is there anything else you'd like to say or shall we hear from others?"
<b>Validating</b>	1. To show that you appreciate the speaker's participation.	...acknowledge, with respect, the speaker's participation in the process.	1. "Thank you for sharing your experience and giving your input."



## Listening Do's and Don'ts

DO	DON'T
Focus attention on the speaker.	Talk about yourself, be critical, or give advice.
Repeat back in your words what you heard.	Only say "mmm" or "ohh" or parrot their words.
Restate important thoughts and feelings.	Forget about the feelings part of what they are saying.
Reflect back so they can hear and understand themselves.	Pretend that you understand. Assume you know it all.
Ask questions if you don't understand or to get more information	Fill in every pause or moment of silence by talking.
Show you are listening with your voice, eyes, and body language.	Be a poor listener with your voice, eyes, and body language.
Summarize main points to keep things moving.	Fix, change, or try to improve what they said.
Stay neutral but be kind.	Take sides.



## Conveying an Effective Message

*Adapted from materials by Jack R. Gibb*

<b>People get defensive when they perceive:</b>	<b>People get LESS defensive when they perceive:</b>
<b>Evaluation</b>	<b>Description</b>
They are getting evaluated in any way, especially with the intent to change their behavior or attitudes.	They hear enough description to understand; no attempt is being made to change behavior nor to evaluate them.
<b>Strategy</b>	<b>Spontaneity</b>
The speaker has ambiguous and multiple motivations (e.g. feigning emotion, toying with colleagues, withholding information, having special sources of information.)	The speaker acts spontaneous and free from deception.
<b>Neutrality</b>	<b>Empathy</b>
The speaker exhibits a lack of concern; behaves detached or clinical. Makes abortive efforts to deny legitimacy of receiver's emotions (e.g. "you shouldn't feel bad" or "you shouldn't feel rejected.")	The speaker shows empathy and respect of the worth of the listener.
<b>Control</b>	<b>Problem Orientation</b>
The speaker uses methods of control (e.g. manipulation, persuasion)	The speaker communicates a desire to jointly define the problem and seek a solution. (This implies no pre-determined solution or attempt to steer towards a favored solution or plan.)
<b>Superiority</b>	<b>Empathy</b>
The speaker feels superior in position, power, wealth, intellect, physical characteristics, etc. The speaker is not willing to enter into a shared problem-solving relationship, doesn't want feedback or require help.	The speaker creates an air of equality.
<b>Certainty</b>	<b>Professionalism</b>
The speaker exhibits any degree of dogmatism; acts as though he knows the answers, requires no additional data, and have a low tolerance for people who are wrong.	The speaker is willing to: experiment with their own behavior, attitudes, ideas; investigate issues - rather than taking sides; to be problem-solving - rather than debating; allow the listener to have some control of the shared project or exchange.



## Dialogue Vs. Debate

<b>DEBATE</b>	<b>DIALOGUE</b>
Assuming there is a right answer and you have it	Assuming that many people have pieces of the answer
Participants attempt to prove The other side wrong	Participants work together toward common understanding
Focuses on <b>WINNING</b>	Focuses on <b>EXPLORING</b> common ground
Listening to find flaws and Make counter-arguments	Listening to understand, find meaning and agreement
Defending own assumptions as truth	Revealing our assumptions for reevaluation
Seeing two sides of an issue	Seeing all sides of an issue
Defending one's own views Against those of others	Admitting that others' thinking can improve one's own thinking
Searching for flaws and weaknesses in others' positions	Searching for strengths and value in others' positions
Seeking a conclusion or vote that ratifies your position	Using a consensus-based decision making process

**Michael Roberto, *Why Great Leaders Don't take Yes for an Answer***