



September 28, 2017

The Honorable Edmund G. Brown Jr.
Governor, State of California
State Capitol
Sacramento, CA 95814

RE: Senate Bill 35 (Wiener)—Planning and Zoning: Affordable Housing: Streamlined Approval Process.
REQUEST FOR VETO

Dear Governor Brown:

The City of Hayward is opposed to Senate Bill (SB) 35 and respectfully requests a veto of the legislation. Senate Bill 35 would pre-empt local discretionary land use authority by making approvals of multifamily developments and accessory dwelling units that meet inadequate criteria, “ministerial” actions.

Senate Bill 35 is devised as a solution to the State’s needs for market rate and affordable housing; however, it dodges the reality that State and federal affordable housing funding has slowed to a trickle. More than \$1 billion annually in affordable housing has evaporated with the elimination of redevelopment agencies in 2011. Funds from the 2006 State housing bond have been exhausted and federal dollars have been declining for decades. This massive withdrawal of resources has contributed to the current challenges, yet no significant source of ongoing affordable housing funding is on the horizon.

The City of Hayward understands the critical need for cities throughout the State to develop more affordable housing. However, there are other alternative ways to streamline the process for building new housing units outside what would be mandated in this bill as written. For example, the State Legislature could identify ways to streamline the onerous requirements of CEQA review to increase efficiency while ensuring environmental stewardship is retained. Eliminating some of CEQA’s roadblocks would help us as a city develop more housing faster. Giving cities the ability to utilize tax increment financing to help finance affordable housing is another tangible and workable solution to the housing crisis. If Hayward could utilize tax increment financing we would be able to complete entitled projects that would result in hundreds of new housing units, close to transit. As a Bay Area city, we are intimately aware of our housing crisis. The Hayward City Council is committed to developing housing to alleviate our housing supply shortage. All we ask is that we retain our own local authority to make land use decisions that meet the needs and desires of our residents.

OFFICE OF THE MAYOR AND CITY COUNCIL

777 B STREET, HAYWARD, CA 94541-5007
TEL: 510/583-4340 • FAX: 510/583-3601 • TDD: 510/247-3340

Eliminating opportunities for public review of major multifamily developments goes against the principles of local democracy and public engagement. In Hayward, we are currently piloting new ways to hold empathy interviews with neighboring residents of proposed multifamily housing. We value the input of our residents as they often provide comments that help make projects better for our community. This bill would circumvent their ability to provide comments through ministerial processes. Furthermore, public hearings allow members of the community to inform their representatives of support or concerns. Not having such outlets will increase public distrust in government and the potential for additional ballot measures dealing with growth management.

For these reasons, the City of Hayward respectfully requests you veto this legislation.

Sincerely,

A handwritten signature in blue ink that reads "Barbara Halliday". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Barbara Halliday
Mayor

cc: Senator Scott Wiener, 11th District
Senator Bob Wieckowski, 10th District
Assembly Member Bill Quirk, 20th District
Hayward City Council
Kelly McAdoo, City Manager
Richard Harmon, Townsend Public Affairs
Sam Caygill, League of California Cities, East Bay Division, scaygill@cacities.org