A CRISIS BREWING?
HOUSING FOR PUBLIC HEALTH AND SAFETY EMPLOYEES

SUMMARY

Marin County is facing an impending crisis which has not yet become evident to the general public, but which could, in the not-too-distant future, create significant problems for the county populace.

In the event of a disaster such as an earthquake, flood, or terrorist attack, only public health and safety employees on duty at the time may be available to attend to the emergency needs of Marin County. Employees who live some distance from their place of employment may be delayed, if not prevented, from reaching their place of work by the distance they must travel and/or the obstacles they may encounter en route. If the disaster occurs at night, on a weekend or a holiday, with even fewer personnel on duty, a serious situation may become critical.

For this report, first responders are considered to be: police, fire, emergency medical technicians, hospital personnel, water and sanitation district employees, and emergency utility crews.

A common thread throughout the Grand Jury investigation was that law enforcement employees are not required to live within the jurisdiction where they work. To insure that sufficient first responders are available in time of crisis, the county, the cities and the towns (the legislative authorities within Marin County) must address this issue of availability of health and safety workers, by developing housing affordable to first responders in or near the communities in which they serve.

As the older workforce retires within the next five years, the housing needs for first responders will become even more urgent, if not critical. The employment vacuum created by these retirements will likely be filled by persons who cannot afford to purchase or to rent housing within the county boundaries, let alone near their places of employment. The result will be an even greater percentage of first responders living outside of Marin and perhaps being unavailable during or immediately after to a disaster.

The cost of housing in Marin affects many workers in both the public and private sectors according to the Housing and Urban Development (HUD). In the event of a disaster, the fact that 80% of the county law enforcement employees live outside of Marin is of considerable concern. The problem of making housing within Marin both affordable and available to first responders should be addressed and solved. It cannot be solved tomorrow, but there can be a start. In twenty years, instead of 80% of county law enforcement employees living outside of Marin, perhaps many will be able to live in Marin.

The Grand Jury found little evidence that the housing need for first responders has been quantified or coordinated on a countywide basis. The Grand Jury recommends that the county and the other municipal jurisdictions agree to a set of definitions of first responders and then obtain, from both public and private organizations within each jurisdiction, a quantification of the housing needs of these first responders.

Further, the Grand Jury recommends that a coordinated countywide program to develop policies that enable first responders to live near their work should be undertaken and implemented without regard to political boundaries.

BACKGROUND

Housing in Marin County is extremely expensive, largely because of the scarcity of buildable land to accommodate the influx of persons who want to enjoy the benefits of living in a scenic, rural and undeveloped area that is close to San Francisco. As pressure builds to locate or construct housing for those wishing to live in the county, real estate prices rise. Unfortunately, salaries do not necessarily rise correspondingly. Those who work, but whose incomes do not allow them to live in Marin, must commute from housing in surrounding counties.

The cost of housing in Marin affects many workers in both the public and private sectors. In the event of a disaster, the fact that 80% of the county law enforcement employees live outside of Marin is of considerable concern. In Marin County, first responders will suffer the commute to enable them to provide their families with the American dream of a home with some land.

METHODOLOGY

Interviews Conducted:

The Grand Jury spoke with officials from Marin County Community Development Agency, Novato Citywide Employee Housing Assistance Program, Marin County Housing Authority and Marin County Board of Supervisors. In addition, interviews were conducted with some mayors and planners of cities and towns in Marin, some directors of special districts, school district superintendents, public and private hospital administrators and officials of one union in the county. Interviews were also conducted with representatives from Ecumenical Association for Housing, the Marin Consortium for Workforce Housing and the Marin Housing Council.

Documents Reviewed:

Marin County Employee Housing Options Report, December 2002.

Marin County Draft Housing Element and draft housing elements from the cities and towns in Marin.

Marin Housing Workbook, February 2002.

Key Trends, Issues, and Strategies Report, Marin County Community Development Agency, January 2003.

Marin Profile 2001: A Survey of Economic, Social, and Environmental Indicators.

Internet Sources:

Association of the Bay Area Governments (ABAG)
www.abag.ca.gov/planning/smartgrowth

Key Trends, Issues, and Strategies Report, Marin Countywide Plan Update
www.future-marin.org

Workforce Housing: Hometown Crisis, an insert from Marin Independent Journal
www.marinij.com

Housing in Marin
www.housingmarin.org

Ecumenical Association for Housing
www.eahhousing.org

Housing Council of Marin
http://housingcouncil.marin.org

Marin Countywide Plan Update 2002-2004
www.future-marin.org

Marin County Planning Commission Minutes, April 7, 2003
www.co.marin.ca.us/depts

U. S. Department of Housing and Urban Development
www.huduser.org

Marin Profile 2001-A survey of Economic, Social, and Environmental Indicators
www.co.marin.ca.us/depts/CD/main/pdf/planning/Marin_Profile-2001.pdf

DISCUSSION

Half of all Marin County government employees, and 80% of its law enforcement employees, live outside Marin largely due to the high cost of housing. Sixty percent of all county employees have annual incomes that qualify them for affordable housing programs. As the county is the second largest employer, the Marin County workforce provides a microcosm for the impending housing crisis found in greater Marin.

The California Department of Housing and Community Development (HCD) establishes housing goals for the Bay Area Region. The Association of Bay Area Governments (ABAG) distributes these housing goals among the nine Bay Area counties and the municipalities therein based on job and population growth and income category. These goals are the units of housing (homes and apartments) that all cities, towns and counties must provide for their current and future inhabitants. In response, in their housing element report to the state, which must be updated every five years, all of these jurisdictions must indicate how they plan to meet the assigned goals.

Each jurisdiction designates, according to its needs, a percentage of its total housing goals as affordable, i.e., able to be acquired or rented by individuals or households of very low, low, or moderate income levels, as defined by HCD. As determined by Housing and Urban Development for fiscal year 2003, the median income for a four-person household in Marin is $91,500. The Grand Jury found that in many instances, employees were surprised to find that their income level made them eligible for housing assistance under HCD guidelines. The preceding description of the housing element report is a rather simplistic one, as it doesn't describe all of the detailed information required of the various entities. Further, it addresses all housing, and does not focus on housing for first responders.

The county, the cities and the towns (the land-use authorities within Marin County) have expended great amounts of time to respond to the requirements imposed by ABAG with regard to affordable housing. The housing elements of the general plans of these jurisdictions, when completed, all identify the required housing unit requirements and suggest many innovative programs to achieve the requirements. If the provisions of those housing elements are implemented, the county, cities and towns will deserve credit for significant achievements. However, the Grand Jury found little evidence that these jurisdictions have policies that could result in programs facilitating housing affordable to first responders. Nor is there any sign that the staffs of these jurisdictions have been directed to develop first responder housing policies.

The reality is that these housing elements reflect affordable housing requirements, not the needs of first responders who provide health and safety services to the local jurisdictions. In addition, the Grand Jury did not find any countywide identification and definition of positions that should be considered as first responders. It is desirable for police, fire, emergency medical technicians, hospital personnel, and water and sanitation district employees and emergency utility crews to be available to maintain essential health and safety services to the Marin community in the event of a disaster.

To provide housing to that group of first responders, their housing needs must first be quantified. How many first responders are there and how much first responder housing is needed?

Housing Strategies

A common thread throughout the Grand Jury investigation was that law enforcement employees are not required to live within the jurisdiction where they work. Recognizing that some of their employees cannot live near work because of the cost of local housing, individual jurisdictions (county, cities, towns and districts) have implemented different emergency staffing policies in an attempt to cover their needs during or after a disaster.

- One town has a rental unit available to its police and/or fire personnel at below market rates.

- In some of the special water and sanitation districts, there are personnel nearby (long-term employees who own their own homes, and even in one district, a board member) available to "turn the valve" or, within reason, perform the necessary actions required for safety and security purposes in emergency situations.

- In some communities several police officers share the rental of an apartment during the week and only return to their out-of-county homes on off-duty days.

- Some employees have developed personal responses to the lack of affordable housing, e.g., a person who works for the county and who must be close to where he works, rents an apartment in Marin during the week. He was unable to purchase affordable housing within the county and the home he is able to afford is too far distant for a daily commute.

- The North Marin Water District provides funds for "silent second" mortgages to its employees. These loans require no principle or interest payment until the property is sold, at which time the equity increase is divided between the employee and the district.

- A portion of the Hamilton affordable housing project in Novato, gave preference to applicants for the housing based on their professional abilities to offer emergency services, e.g., nurses were given a higher priority than schoolteachers.

- One of the hospitals has developed recruiting incentives that assist physicians in acquiring housing. Physicians who are first-time buyers are offered low-interest, secured loans of up to 10% of the house value (maximum of $120,000). In 10 years the loan will be forgiven, if the physicians are still active at the hospital. Physicians who are "move-up" buyers are offered a replacement loan of up to $60,000, which is forgiven in five years if they are still active at the hospital.

Information Sources Worthy of Note

The Marin County Employee Housing Options Report indicated that 1/3 of county employees will likely look for another job outside the county in order to shorten their commute times. The fact must be recognized that county safety employees, if offered acceptable employment in the community where their families have put down roots, would likely jump at the chance.

The Marin Independent Journal, in a recent article, quoted from the Marin County Employee Housing Options Report, "Under one scenario, the county would build its own affordable housing exclusively for county employees on county property…." The article indicated that more than 100 parcels have been identified that could be used for such housing.

The Marin County Draft Housing Element states, "One response to housing concerns has been a process jointly sponsored by all of the local governmental jurisdictions in Marin -- all eleven towns and cities and the county -- to [develop] best practices and participate together in developing common strategies to address housing needs." The Grand Jury thinks that this is a laudable concept and should especially apply to finding housing solutions -- without regard to political boundaries -- to insure the availability of first responders who are critical to the maintenance of the health and safety of the county's residents in the event of a natural or man-made disaster. Disasters do not recognize political boundaries.

The Grand Jury found that communication between and among the county, the cities and the towns regarding housing has been occurring. However, there has been no apparent communication regarding housing needs between these governmental jurisdictions and other jurisdictions, both public and private, which employ first responders. A common thread in the Grand Jury's interviews has been an apparent lack of communication between and among the county, the cities and the towns on one hand, and other public and private entities on the other hand. It must be recognized that this is a two-way responsibility for both the jurisdiction with the need (such as a water, sanitation, fire or police district) and the provider (such as the county, a city or a town). Each has an equal responsibility to communicate not only the availability and the need, but also to share solutions that are working for them. Is the town council aware of the housing needs of the police department? Indeed, has the police department informed the town council about its housing needs?

The problem of making housing within Marin both affordable and available to first responders should be addressed and solved. It cannot be solved tomorrow, but there can be a start. In 20 years, instead of 80% of county law enforcement employees living outside of Marin, perhaps most will be able to live in Marin.

FINDINGS

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.

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.

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.

4. Eighty percent of the county law enforcement employees live outside Marin.

RECOMMENDATIONS

1. At a minimum, the county should take the lead and, with the co-operation 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.

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.

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.

REQUEST FOR RESPONSES

Pursuant to Penal Code Section 933.05, the Grand Jury respectfully requests responses as follows:

1. The Marin County Board of Supervisors to all Findings and Recommendations

2. All city and town councils to all Findings and Recommendations