



## SPECIAL MEETING MINUTES

**Date:** 11/27/2023  
**Time:** 6:30 p.m.  
**Location:** Teleconference and  
Arrillaga Recreation Center, Oak Room  
700 Alma St., Menlo Park, CA 94025

### A. Call To Order

Chair Nguyen called the meeting to order at 6:30 p.m.

### B. Roll Call

**Present:** Campos, Leitch, Merriman, Onap, Portillo, Walker  
**Absent:** Pimentel, Walker  
**Staff:** Housing Manager Tim Wong, Management Analyst Adam Patterson

### C. Presentations and Proclamations

#### C1. Presentation: Belle Haven Community Development Fund

Housing Manager Tim Wong introduced the item.

Belle Haven Community Development Fund Advisory Board Chair Juanita Croft and Administrative Assistant Marlene Santoyo made the presentation (Attachment).

- Emminent Domain spoke in support of relocation assistance for residents displaced during the construction.
- Julie Shanson spoke in support of the Belle Haven Community Development Fund's proposal.
- John Pimentel spoke in support of the presentation.

The Commission received clarification on program eligibility, assistance timeline, strategies for targeting assistance at different affordability levels, funding sources, and sustainability.

### D. Regular Business

#### D1. Accept the Housing Commission meeting minutes for June 7, 2023 (Attachment)

**ACTION:** Motion and second (Campos/ Portillo), to accept the Housing Commission meeting minutes for June 7, 2023, passed 5-0-2 (Pimentel, Walker absent).

#### D2. Review and recommend to City Council approval of revisions to the Below Market Rate (BMR) Guidelines (Staff Report #23-007-HC)

Housing Manager Tim Wong introduced the item.

The Commission received clarification on first-time homebuyer's exceptions, homebuyer

protections, the BMR Ownership Legacy List, and Belle Haven Community Development Fund assistance to owners and renters.

- Kristen Leep emailed questions about the proposed updates to the BMR guidelines (Attachment).

The Commission received clarification on the transfer of BMR ownership.

**ACTION:** Motion and second (Merriman/ Leitch), to review and recommend to City Council approval of revisions to the BMR Guidelines, excluding the changes made to section 7.1 of the BMR Guidelines, passed 5-0-2 (Pimentel, Walker absent).

#### **E. Informational Items**

- E1. Housing Commission meeting calendar for 2024 (Attachment)

Staff reported that this item would be included at a future meeting as a regular business item.

#### **F. Reports and Announcements**

- F1. Commissioner updates

None.

- F2. Future agenda items

Staff reported that more information on the impact to the Housing Commission from the Housing Element would be included at a future meeting.

- F3. Staff updates and announcements

Staff provided an update on an upcoming BMR agreement and the status of the Housing Element.

#### **G. Adjournment**

Chair Nguyen adjourned the meeting at 8:28 p.m.

Adam Patterson, Management Analyst II



# **Belle Haven Community Development Fund Programs**

# BHCDF Mission & Vision



**Belle Haven**  
Community Development Fund

The Belle Haven Community Development Fund (BHCDF) was formally started as a local non-profit in 2013.

- BHCDF's mission is to engage the Belle Haven Community in advocating for our common goals and broker resources to foster sustainable community development. Uniting people and building community.
- BHCDF envisions Belle Haven as a diverse, self-sustaining and empowered community, which works to pursue its interests and attain its goals, and is a highly desirable place to live.

# Who Are We?

The Belle Haven Community Development Fund is a non-profit organization with 10 years of experience brokering resources and providing support to Belle Haven residents. Our most notable work has been as the **Program Administrator of the Belle Haven Neighborhood Mini-Grant Program.**

Each year we and our Fiscal sponsor, the San Francisco Study Center, sign an MOU agreement with the City. With the funding received from the City, we administer the marketing, application process, support services, committee review and recommendation process, notifications, agreement signing process and distribution of awardee checks.

# BHCDF Program & Initiatives

As advocates for Belle Haven residents, we look for ways to broker resources and encourage community engagement. This has included collaborations with other nonprofits and the City to provide:

- **College and Career Technical Fair** at Onetta Harris complex for 6th graders-adults
- **Recreation scholarships** to low income families with youth, 3-13 years
- **Sponsored Employment Program** summer jobs for Belle Haven youth, 14 -24
- **Belle Haven Mini-Grant Program**, provides small grants to Belle Haven residents who want to improve the front of their homes with curb appeal projects & local nonprofits serving the neighborhood to host community events



# Menlo Park Tenant Rental Assistance Program Proposal

For  
Those tenants who are below the 80% AMI eligibility



## Median Household Income by Percentages

Percentages	\$153,288.00	2023 SMC AHMI
80%	\$122,630.40	Low
50%	\$76,644.00	Very low
30%	\$36,789.12	Extremely low
15%	\$22,993.20	



# MidPen Gateway Rising Housing vs Springline

**Mid-Pen Gateway Rising**

Type	No.	Rent Range
1 BR	66	\$792 - 1698
2 BR	50	\$938 - 2026
3 BR	24	\$1066 - 2114

**Springline**

Type	No.	AMI	Rent
1 BR	8	80%	\$2,509.00
2 BR	2	80%	\$3,010.00
3 BR			

# What's needed?

**Mid-Pen's Gateway Rising Apartments** are now open. They are currently working through the right of first refusal and waiting lists.

Menlo Park has several other developments that provide Low Income (80% AMI) housing; however most of them are beyond the reach of residents who fall in the Very Low (50% AMI) and Extremely Low (30%) income levels.

# What are we proposing?

- **Subsidies for Local Households:** Our local pilot program will provide ongoing rent subsidies for Belle Haven residents or employees to live in Below Market Rate rental housing units in Menlo Park.
- **Recommended pilot size- 20 Units.** A larger pilot size will give us better data than a smaller group and allow us to explore the range of circumstances that put affordable housing units out of reach for families.
- **Recommended Pilot Duration - 60 months.** In order to be consistent with current trends in housing voucher programs and aiming to create housing stability, we feel that 60 months is the minimum period required to ensure that the City's Below Market Rate Housing policies (how many units, at what affordability) are updated to provide an effective solution to the lack of new, available, affordable (Extremely Low, Very Low and Low Income) BMR rental units.
- **Recommended Language:** Maximum disbursement per household per month \$1200, Maximum months per household 60. Total needed \$1.4 MM

# Program Implementation

The Belle Haven Community Development Fund (BHCDF) has been disbursing city funds in the form of an annual Mini-Grant Program for Belle Haven Residents since 2014. We will replicate parts of the Mini-Grant model as the basis for a new MOU with the city. If the City accepts the proposal, we would do the following:

- Work with the City to establish the requirements, process and timeline for the pilot program, including requirements for data collection from property managers and residents.
- Generate an MOU with the City to use BMR funds for the pilot project.
- BHCDF set up the tools needed to implement. Similar to our Mini-Grant Program (website, communications, support systems, etc.)
- Work with the Study Center, the BHCDF fiscal sponsor, to establish a process (application and eligibility standards to set up monthly payments with the managers of the developments that have BMR housing).
- Initiate the disbursement of monthly checks.
- Conduct annual audits and report program performance on a periodic basis.
- Engage the city attorney and/or city manager when issues arise



## **Belle Haven Community Development Fund**

**P.O. Box 2005, Menlo Park CA 94026 • Phone: (650) 999-0545**

**Email: [boardchair@bellehavencdf.org](mailto:boardchair@bellehavencdf.org) • Website: [www.bellehavencdf.org](http://www.bellehavencdf.org)**



# BMR GUIDELINE REVISIONS

Tim Wong, Housing Manager

## OVERVIEW

- Consider BMR Guideline Revisions
- Make recommendation to the City Council

## BACKGROUND

- Past difficulties and future sales
  - Revisions to clarify new BMR sales process
  - Focus on new BMR sales
- More comprehensive BMR Guideline review per HE programs.
  - To be completed in the next two years



## PROPOSED REVISIONS

- Section 4.1.2
  - Sets time when BMR price is calculated
- Section 5.1 and 5.2
  - Further protections to insure that BMR requirements are met for comparability, size, design and materials
- Section 5.4
  - Clarifies BMR formula
  - Requires use of BMR Administrator
- Section 5.5
  - Additional language to detail the City's rights
- Section 7.1
  - Exceptions to first time homebuyer removed
- Section 7.2
  - Sets forth when the applicant needs to attend Homebuyer Education Course

## PROPOSED REVISIONS

- Section 8.1
  - Provisions to update the Legacy List
- Section 8.2
  - How to apply Legacy List and when a marketing plan is required
- Section 8.3
  - Clarifies a fixed loan must be obtained.
- Section 8.4
  - Clarifies application submittal requirements.
- Section 9
  - Outlines greater steps in new BMR sales



Current Process for New Sales	Proposed Process for New Sales	Proposed Section
City Final Inspection	Developer notices 180 days prior to building inspection	9.1.1
City Approval/Certification	If no building inspection is required, 180 days prior to sale. City to inspect the unit within 60 days	9.1.2
Set BMR Price	Developer provides housing costs and HOA as part of notice	9.1.3
Contact Developer with marketing plan and advertising schedule	Within 90 days of notice, BMR sales price determined	9.1.4
City reviews and approval of marketing plan	Writes certifying letter	9.1.6
Application packet goes out	Within 10 days of certifying letter, must provide purchase contract, ccr's and other documents	9.1.7
Orientation Meeting	If a marketing plan is needed, City has 15 business days to approve plan	9.1.7
Applicants submit applications	Within 10 days of approval of the marketing plan, developer implements the marketing plan.	9.1.9
Review applications, rank per legacy or lottery	City starts receiving applications. 45 day period	9.1.10
Begin sales process	Application closes. City reviews and ranks	9.1.11
City designee executes BMR docs	Highest ranked applicant is notified. Must satisfy HBE within 10 days	9.1.12
	Applicant referred to seller and provides purchase agreement. Must sign or revise within 10 days.	9.1.12
	If applicant does not sign within 21 days, forfeit and next applicant is contacted	9.1.12
	No applications within 45 days, with 30 days, sales price is recalculated	9.1.14
	City option to repeat the last step	9.1.14



## RECOMMENDATION

Staff requests the Housing Commission:

1. Consider the proposed BMR Guideline revisions
2. Make a recommendation to the City Council on the proposed BMR Guidelines.



**THANK YOU**

**From:** [Kristen L](#)  
**To:** [Patterson, Adam P](#)  
**Subject:** Fwd: BMR Rule Updates  
**Date:** Saturday, November 25, 2023 2:47:57 PM

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**CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.**

It looks like my original message was blocked so I'm trying again. Thanks for your consideration!!

----- Forwarded message -----

**From:** **Kristen L** <[leeping1@gmail.com](mailto:leeping1@gmail.com)>  
**Date:** Sat, Nov 25, 2023 at 2:40 PM  
**Subject:** BMR Rule Updates  
**To:** Patterson, Adam P <[APPatterson@menlopark.org](mailto:APPatterson@menlopark.org)>

Dear Housing Commissioners and Staff Liaison,

I'm sorry for the late notice before your Monday meeting. I recently became aware of updates to the BMR rules and have questions.

1. Requiring a BMR administrator to represent the buyer and seller in the sales process is a great move. My past experience attempting to purchase without this guidance was challenging.
2. The seller is allowed to use a real estate agent, but the buyer is not allowed to do so. I think purchasers should have the right to hire a real estate agent, paid independently from the transaction, if they need additional support. Would they have that option?
3. Regarding the update on the Legacy List and the use of lotteries, can you explain why the last two households on the Legacy List wouldn't retain purchasing priority? Would it be possible to allow them to keep their priority and use the lottery system for backup buyers?

Thank you so much for sharing your insights and taking these ideas into consideration as you move forward!!

Best wishes,  
Kristen Leep