



Oakland City Council Candidate Questionnaire

Nayeli Maxson

Candidate for Oakland City Council, District 4

EBHO is a member-driven organization working to preserve, protect, and create affordable housing opportunities for low-income communities in the East Bay by educating, advocating, organizing, and building coalitions.

1. Do you believe that housing is a human right? If not, why not? If so, what are you going to do ensure every one of your constituents has a safe, quality place to call home?

Yes, housing is absolutely a human right. In order to ensure housing for all we must shift our focus from a mindset of scarcity and look critically at the assets and resources available to us as a city and as a region, rezone as necessary, maximize density around transit hubs, and maximize affordable projects by all means and all resources available. To increase housing stock I support drawing simultaneously from a wide menu of solutions, including fast-tracking approval of Accessory Dwelling Units and passing the ordinances included within what is now referred to as the housing Preservation Package, whose critical policies have been stalled in City Hall since 2014. I support identification of and investment in community-designed, community-supported solutions to this problem, where equity is more commonly baked in from the point of origin. We know there is no silver bullet to get out of the crisis we find ourselves in. However, we must dramatically increase our levels of communication and engagement with community members and organizations if we are ever going to ensure every one of my constituents has a safe, quality place to call home. I am committed to establishing recurring, (monthly, if not more frequently) gatherings with community members and organizations, with the specific purpose of increased dialogue and partnership, at last tapping into the brilliance of our constituents' experiences, feedback, expertise and ideas.

2. EBHO has put forward a proposal for a package of measures to preserve existing rental housing resources and protect tenants from displacement. What would you do to strengthen the condo conversion ordinance, prevent conversion of single room occupancy (SRO) residential hotels, and regulate short-term rentals such as Airbnb and dedicate transient occupancy taxes from short-term rentals to support affordable housing?

This package is a set of proposals I care deeply about as someone with personal experience being pushed out of affordable rental housing as a child. This is a package of relatively easy, relatively low-cost fixes we can make to our system to preserve and even increase affordable rental housing and protect tenants from displacement. It has been incredibly frustrating to see that these elements have been stalled for years and years. I have been following this set of policies for about four years now, and volunteered my research and legal analysis skills to Community Economics to assist with the short term rental element for it in 2014. I have been a



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member of EBHO off and on for years now, and am a passionate supporter of this organization's work. Upon receiving the preservation package via email on May 22nd, I immediately signed on in support, as I believe this strategy of uniting these three elements will increase the likelihood it gets the attention it deserves, and as a result, the likelihood of its passage.

I will, within the first three months in office, bring this package to Rules Committee and request that it be scheduled for the following Community Economic Development Committee meeting. Leading to that point, I will work with key stakeholders to strengthen each of its three elements so that by the time it comes to Rules, it is as strong as possible.

Condo Conversion: Although I believe current drafts are effectively tackling the most prominent loopholes, I would like to take a closer look at specific outcomes of our current policies, if that data is available. For example, I would like to see the data behind support for tenants 62 years or older receiving the option of a lifetime lease, the rates of elderly tenants taking advantage of this option, and the effectiveness of the tenant assistance programs which are currently being provided by the subdividers. I would also like to see data on relocation in general, including information about costs of moving assistance and what specific steps are being taken to assist elderly, disabled, and other tenants who are encountering difficulty finding a new residence. Finally, I would like to take a look at potential changes to the primary and secondary impact areas to determine whether these specific areas continue to be appropriate boundaries and whether additional impact areas should be included.

SRO Conversion: I understand one current compromise being evaluated by city staff is impact fee alternatives to providing permanent residential use. I would take a hard look at potential increased use of impact fee alternatives here. I am concerned the increased availability of this alternative would heighten the attractiveness of conversions and thereby increase the rate of SRO loss. This compromise seems less likely to immediately address the needs of displaced SRO tenants. Also, I would like to see data similar in kind to what I mentioned above with regards to condo conversion impacts on more vulnerable tenants, what types of support are available, what data is available about former SRO tenants' potential to become homeless, etc. In addition to preventing the conversion of SROs, I believe we are in a moment where new SROs and other supportive housing can be added, such as with emergency state budgetary funding streams, and will look to open up cost-effective opportunities to incentivize this type of development either through priority design review and permitting or through monetary incentives. If making this change would increase the likelihood of additional delay to introduction of the package, I would move to bring this incentive structure piece of the policy separately, rather than postpone. This package has been postponed long enough.

Short-term rental regulations: Yes we need an official policy to collect TOT from all platforms, require business licenses and conformance with all regulations, but most importantly, we need to limit short-term rental activity to prevent the loss of long-term rental housing stock. In order to develop these limitations, I would ask for all existing data the city has received to date from short term rental platforms. I understand approximately 300 entire homes have been removed from permanent rental housing stock and are operating as full-time short-term rentals, but this



data is likely out of date and under-estimating the true figures. Pending my viewing of the most current data, I would likely move to require that entire units are available for short-term rentals for somewhere between no more than $\frac{1}{3}$ or perhaps even $\frac{1}{4}$ days of the calendar year. For units/homes in which the existing owner or long-term tenant is living in the unit/home and renting out only a portion of the unit, I would likely move to allow year-round short-term rentals, again, pending review of the data. I would also work with city staff and platform providers to identify and negotiate a reasonable and cost-effective means of monitoring and enforcing these new regulations.

In addition, we can and must join anti-displacement measures with supply enhancement. We absolutely should identify means of building integrated housing and aim for projects with integrate various income levels and decrease income-based segregation in our city. However, we must also stimulate grassroots, positive-sum supply creation with bottom-up measures like waiving permitting fees for low income and working class families who want to build an ADU, for example. This has the potential to prevent displacement by making sure that multiple generations can continue to reside on one property or create a new stream of income for seniors living on fixed incomes. We could also offer building subsidies or technical assistance to bring down the cost of ADU construction, with the potential for conditions and/or incentives that the unit is rented at an affordable rate.

3. What do you think are the critical elements of a public land policy for Oakland? Would you prioritize the use of public land for development of affordable housing? How would you ensure that at a minimum the City fully complies with the Surplus Land Act?

Building and maintaining affordable housing is critical to solving the housing crisis. I support a policy that makes use of Oakland's public land for building deeply affordable housing, seeking the maximum number of affordable units feasible overall.

As I weigh tradeoffs between affordable unit generation and subsidy capacity, I look to what will create the greatest number of affordable units, considering various below-market income categories and cross-subsidies to other affordable projects. I prefer that where city resources like public land are being used, that it be for as close to purely below-market rate as possible with the greatest number of deeply affordable units possible. This is always about balance. And I do see integrated housing, where individuals who come from various income levels cohabitate within one building, see one another in the hallway, and interact as one community, as the strongest possible outcome.

In my view, the greatest good on our public land will come from effective inclusion of the values aligned entities in the private and not-for-profit sectors, where units can be added with a reasonable rate of return within the social impact lens. The concept of integrated social housing is having a resurgence, and I believe creative legal tools will help us to expand and evolve housing models to truly meet broad community need. One component of my current role with the Alliance is to host an annual "Bay Area Capital Connections" conference. We recently celebrated our 10th year, where we embraced a vision of a greater proportion of investment from social impact and corporate social responsibility teams when it comes to addressing



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community inequity. We need to tap into the deep network of social impact investors, corporate social responsibility bodies, cooperative housing entities, and not-for-profit land trusts to address the housing crisis at the scale that is urgently needed. I believe partnerships with entities like these will be critical moving forward as we explore sustainable, equity-minded investment opportunities for those who believe in this cause, who are values-aligned, and see investment of their time and energy in these solutions as time and money well spent.

4. What new sources of funding would you consider to create an ongoing stream of dedicated funding for affordable housing production?

I support the efforts to reform Prop 13 to create significant consistent revenue streams. I will also pursue a market-rate development strategy that positions the Affordable Housing Trust Fund to be prepared to take advantage of a potential decline in construction costs at the end of the current cycle. I will also stay in close communication with CASA, Committee to House the Bay Area to follow their funding/financing compact which has identified a comprehensive set of potential new sources of revenue regionally.

Additional inequitable tax policies, legacies of the “taxpayer’s revolt,” include transfers of Prop 13 benefits down generations and (for older people) to new houses. At the county level, Alameda County is one of only 11 of 58 counties that still allow intercounty transfers of Prop 13 benefits (Prop 90). All of these property tax-related reforms would quickly turn into unearmarked city tax revenue that could be used to fund the construction of affordable housing.

Also, see #3 with regards to increased negotiation and partnership with deep networks of social impact investors, corporate social responsibility bodies, cooperative housing entities, and not-for-profit land trusts. We are in a very capital-rich region and nation. Taxation is certainly one tool, but I see the social impact, B Corporation, and corporate social responsibility movements as important puzzle pieces in identifying new, sustainable sources of funding.

5. In 2016, the City Council reallocated “Boomerang Funds” (the city’s share of property tax increment that used to fund redevelopment) from affordable housing development to homeless services. Measure W would create a vacant property tax to fund homeless services and deal with illegal dumping. If this measure passes, what would you do to ensure that the Boomerang Funds are returned to their original purpose of providing permanent housing?

I am committed to carefully scrutinizing all sources of funding and policy priorities in the budget and will be sure we are doing as much as possible on both affordable housing - the type requiring rent up front - and permanent supportive housing for the homeless. Both of these are moral priorities with citywide consensus that much more needs to be done. However, given the long-standing history of Boomerang Funds reallocation, I have great respect for the efforts of local community organization leaders who have been patient and reasonable as reallocations have taken place, always with the understanding that these funds would be returned to their original purpose. So my intention would be to replace any reallocated funds back to the original purpose, out of principle. However, first, I would need to take a close at the language of



Measure W to ensure that using funds in this way would not violate the trust of the voters. I know voters are sensitive to misuse of measure funds and I would need to read the measure language carefully and consult with the city attorney to be sure we are within our legal rights to repay the Boomerang Funds in this way, in addition to serving the stated purposes of addressing homelessness and decreasing illegal dumping. Second, I would take a close look at the first estimation of revenue we are set to receive and work with key stakeholders to identify a reasonable rate of repayment so that over time, these funds are returned to their original purpose while allocating sufficient funds to address homelessness. If we find we are legally unable to use Measure W funds, I am committed to identifying replacement funding equal to that which was reallocated in such a way that we maximize total resources available for affordable housing.

6. What do you feel are the greatest barriers to affordable housing development in Oakland, and how would you remove those barriers?

Our biggest barriers are (1) the mismatch between public resources and the need (2) the systemic and logistical barriers, rendering public dollars less effective (3) the shortage of skilled workers and (4) more foundationally, the concept of land as an investment opportunity rather than as a shared community asset.

First is the systemic mismatch between public resources and the outcomes we need to achieve with those resources: a society focused on GDP-building has emaciated the public sector and narrowed the range of potential interventions. Increasing public revenue going to build and maintain affordable housing, both in the short- and long-term, is a must.

Second, outside of how much we spend, there are systemic and logistical barriers that keep us from leveraging our whole community's resources, and make public money less effective even where it exists. New construction in Oakland takes far too long and there are many unnecessary hurdles in the process. Even when approval has been granted, actual go-ahead entails many more obstacles, and delayed city responses can slow the new housing pipeline. While budget cuts are partially to blame, an overwhelmed and scarcity-mindset culture contributes to this bureaucratic nightmare. I will bring solutions forward, both administrative and market-based, and seek routinization, simplicity and transparency around best practices. I will request a regularly updated dashboard of what projects are in what phase of completion, along with causes for delays, suitable for the city government and the general public to scrutinize. We can't improve what we don't measure. I will also work to minimize the scope of public micromanagement or aesthetic to slow down projects.

Another major factor affecting all projects and driving up affordable project budgets is a shortage of skilled workers. I will work to expand the pool of skilled tradespeople for housing projects without undermining unions, looking as a model at the carpenters union's efforts to conduct broad outreach, increase access to training and placement opportunities. To support this, I will work towards increasing public funding for career and technical program training.



Finally, the concept of land as an investment opportunity and rather than a shared community asset is a significant barrier to affordable housing development. I support the growing local movement surrounding community land trusts, permanent and limited equity housing cooperatives and other systems which remove housing from the speculative market and increase community stability. These solutions embrace a philosophy of land use more akin to indigenous practices of shared community land use, and provide a path forward to remove this psychological and cultural barrier to re-envisioning affordable housing development.

7. Oakland is in the middle of an unprecedented building boom, with building permits issued for over 7,000 units between 2015 and 2017, and thousands more in the pipeline. This is far more housing that was created under the “10K” Program in the early 2000s. However, 93% of the housing being built is market rate for above moderate income households, while only 7% is affordable to very low, low and moderate income households. Oakland’s Regional Housing Needs Allocation (RHNA) incorporated in the adopted Housing Element states that 50% of new housing should be for very low, low and moderate income. What will you do to ensure that Oakland’s housing production is at least proportional to the City’s stated needs?

In Oakland, energy for affordable housing is drained away by the piecemeal approach the city takes, forcing activists to fight battle by battle. The current public lands debate is a start at a new approach, but we need to take that further. Rather than battles over individual CUPs, I will look toward structures and standards that make affordable projects simple and easy to pursue without extra approvals, such as more housing-friendly zoning and a dynamic project template available for the types of projects we would like to see proliferate. Ideally, would provide a menu of options, depending upon the size of the lot, the zoning, the approximate project budget, and other such details, which the city then provides with expedited or priority design review and permitting.

The key is first, to achieve the optimal deal on each project in terms of the maximum number of affordable units, and second, to maximize units at all affordability levels in any given project. This requires a Councilmember who prioritizes relationship development, who understands the critical importance of affordable housing first-hand, who is a highly skilled negotiator, and who has insight into the realities of running a successful business. I bring all four of these qualities to the table, more so than any other candidate in this race.

8. Large sections of Oakland, particularly in the North and East Oakland flatlands, have been recently designated “Opportunity Zones” where investors are entitled to significant federal tax benefits. How will you ensure that those investments benefit existing residents rather than exacerbate displacement in transitioning neighborhoods? Would you support the City reclaiming a portion of the enhanced value for affordable housing, for example by creating an Opportunity Zone overlay where housing impact fees and jobs/housing linkage fees would be higher than in other areas of the City?



Although increased investment in one of these zones can benefit the residents living there today, that benefit cannot be assumed. In too many cases, as investment in a community increases, outside investors act as beneficiaries and local residents are pushed out as prices increase. One way to combat value capture from outside investors as these 'zones' increase in value is to incentivize activities through policy which will generate wealth for local residents using more grassroots methods. A major part of any robust grassroots solution includes organizing longtime residents and identifying means of community investment in their own projects, helping them to stay where they are and generate more income. At the Alliance, we work with many local diverse entrepreneurs with strong community development vision, relevant expertise, who are well on the road to equitable real estate development. The city can prioritize, technically assist, and subsidize both small and large resident-driven projects driven by local residents. These can range from smaller-scale projects such as ADU developments, to medium-scale projects such as conversions from single-family to 2-4-unit housing, to larger-scale projects such as larger land and property purchases requiring significant investment of capital.

As mentioned earlier, I would push to expand the conversation around ownership and development past its current range of "small private, large private, and public," to promote and scale social model housing, such as community land trusts. The "housing as investment" model of the 20th century development has proven flawed and gotten us where we are today. We in city leadership need to help us make the transition to a model where a large portion of housing is off the market roller coaster, and in legal structures that ensure affordability over generations.

We should also identify how we can use some of the components of Proposition 1 bond funding (in particular Local Housing Trust Matching Grant Program, Self-Help Housing Fund) to help drive these programs financially.

9. Do you support Prop 10, and if it passes, what would you do to strengthen Oakland's rent control?

I support Prop 10, and support at a minimum extending Oakland rent control to all buildings based upon a rolling date following certificate of occupancy, and expanding the range of buildings covered by rent control. Rent control is not in opposition to private development but consistent with it, and I can help communicate this message to property owners, who are by and large local small business owners, Oakland residents, with a great interest in seeing our entire community thrive.

10. The Section 8 Housing Choice Voucher Program only serves a fraction of the people who qualify. Those who are fortunate enough to receive such assistance often discover that they cannot find landlords willing to accept their vouchers. What would you do to ensure that Section 8 vouchers are accepted throughout the City so that all who receive them can actually use them?



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I would support a city ordinance barring landlord discrimination against users of Section 8 vouchers, as already exists in other Bay Area cities and has been instituted and successfully defended in court. I also support the California Legislature extending protections in this same way - joining at least 12 other states.

Additionally, we can help Section 8 users by improving the repository, providing more efficient navigational support, and expanding on-the-ground enforcement or monitoring processes so that the protection is a reality for everyone, not just those who can find a lawyer.

11. What measures will you support to prevent at risk households from becoming homeless, and what would you do to provide housing for those who are already homeless? Please discuss both short-term and long-term strategies.

Housing as a human right means everyone, regardless of their social or economic situation, deserves access to a home. Taking immediate action to make sure everyone is housed in the short term, I will invest in, and solicit city partners for seed funding for proposals which are innovative and scalable, along the lines of the work of local entrepreneur Adam Garrett Clark and his company Tiny Logic which assists willing and values-aligned property owners and unhoused community members to develop immediate housing solutions on empty portions of existing property.

I will also support the immediate creation of a homeless person's bill of rights which would establish a floor in terms of what we agree as a community is acceptable, humane treatment for any person who is unhoused in Oakland, including suspending or repealing the laws that effectively criminalize homelessness. When an objective, international body determines your city's practices to be inhumane, it is time to establish a clear, decisive set of policies below which we collectively agree we absolutely cannot fall.

In the longer term, I plan to put increased emphasis with our private sector funding sources on the root causes and prevention of homelessness, as it is far more efficient with limited dollars to invest in keeping an individual in their home than paying for the services for a larger and larger population. Oakland's largest employers have a significant interest in addressing this issue as immediately as possible.

To return people to housing, Oakland needs to both sharply increase the support it provides, and advocate united and decisively with the county to bring more support on this regional, health-related community challenge, well within the purview of the county. Increasing support from both public and private sources, we must work with the county to drive the creation roadmap from supportive, to transitional, to permanent affordable housing. We are seeing that when supportive housing is available unconditionally, people have a greater ability to marshal their personal resources and embark on recovery, and Oakland has the potential to make this universality a reality.

When looking at models for this comprehensive recovery effort, I would invite my former colleagues at Options Recovery Services to the table, as their model is holistic and tested.



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Options addresses homelessness holistically with case management, addiction treatment, mental health services, transitional housing, and job training. The whole person approach is proven and brings a humane, comprehensive lens to community service.

Finally, when studying this issue, I am drawn to the comprehensive navigational support model which is demonstrating great effectiveness. However, applying lessons learned from my management of the Alliance's own navigational support program for local, diverse small business owners, I would push to take this navigation center model to the next level. Rather than expect individuals experiencing significant challenges to find their way to the navigation center, we must bring the navigational support to encampments, to spaces where we know individuals are living in RVs and cars, to the unhoused individuals where they are. This is what we have learned in implementing our navigational support model with small business owners: when someone is facing systemic barriers, providing a navigator miles away is often not enough. What the individual needs most is for you to bring the navigational support, the case management, the comprehensive understanding of what the right resource is at the right time, to them. We must meet individuals where they are, provide critical intake and case management services, and bring light to and make sense of this incredible resource-rich ecosystem of not-for-profit and governmental service community to the table.