

Good evening

February 28, 2023

My name is Bob Harder, 9327 Lakewood Drive in Windsor

Rec'd at Meeting	2/28/2023
Item No.	13
From:	Bob Harder

I realize that I haven't met most of you and I wanted to give you my quick background.

I'm a licensed civil engineering and engineering contractor.

I've worked with and for the City of Santa Rosa for over 40 years, including as Deputy Director for Engineering and the Capital Improvement Program for the water department, Santa Rosa Water.

I've been appointed by your previous colleagues on the City Council and City Manager to work on a variety of issues, ranging from building permits and permit streamlining to land-use and zoning, including the development of past General Plans and Housing Elements.

With regard to the Housing Element that you discussed two weeks ago, I've seen the Elements change through the years, from predominantly single family owned homes to, as we recently saw, pretty much a 50-50 split between single family and rental units. Those rental units have been increasingly difficult to build, as you know, and I've identified some things that the Council might do to increase the chance of more units being built.

I have identified 5 Council actions that could help do so:

- 1 - Don't give it away: Just say, "NO".
- 2 - Flip the economics: Affordable rental units CAN be profitable.
- 3 - Don't be fooled by medium/high density 'Black Holes': Adjust Plans.
- 4 - Get real with rental impact fees: They are unjustifiably high and you need to know why.
- 5 - Ask those who know: Building affordable rentals is NOT 'Rocket Science'.

I have elaborated on each of these in a 1-page handout, which I'll leave here for you. I hope you will find it helpful.

Thank you

Santa Rosa - 5 Ways to Increase Affordable Rental Housing

(Bob Harder - Email bharder@sonic.net - Cell (217) 779-8502)

Here are my thoughts on how to increase the actual construction of affordable rental housing in Santa Rosa so that many more projects will 'come through the door' for planning approval every year.

1 - Don't Give the Land Away ... Just say "NO".

There are many parcels throughout Santa Rosa with land use and zoning designations for 'Medium Density' and 'Medium High Density' residential development ranging from 8.0 to 30.0 units per acre. Such parcels are appropriate for the 2,000 rental housing units needed per year to comply with State law and Santa Rosa's own planning goals. In the past, many such parcels have been allowed to be developed with MANY FEWER housing units (typically 4.0 to 6.0 units per acre) due to (1) developer request and/or (2) neighboring opposition ('NIMBY'). Once built, such parcels are 'forever lost' to the higher density called for in the General Plan and its Housing element.

DO NOT APPROVE ANY SUCH FUTURE PARCELS PROPOSED TO BE DEVELOPED AT LESS THAN GENERAL PLAN DENSITIES.

2 - Flip the economics ... Affordable rentals CAN be profitable.

One reason private development applications for affordable rental housing seldom 'come through the door' to Community Development is because current City development policies and rules drive away developers (and smaller local property owners) who sincerely want to build such housing: It makes **NO ECONOMIC SENSE TO DO SO**. Restrictive unit size, building setbacks, zoning restrictions, design and building standards, and more stop people from even applying to build affordable rentals. **TO ENCOURAGE RENTAL HOUSING APPLICATIONS, CORRECT SUCH RESTRICTIONS.**

3 - Don't be fooled by medium/high density 'Black Holes.'

Many of the parcels designated for medium and medium-high density will never be developed during the 8-year time frame of the Housing Element (nor, probably, during the full time horizon of the General Plan). Santa Rosa parcels that have been undeveloped for the 40+ years I have lived here may well remain undeveloped for 10, 20, 30, or even another 40 years due to a variety of issues and problems (long unsettled probates, corporately-held and 'forgotten', far-distant property owners that have no particular plans, physical and environmental constraints, etc.). These unlikely-to-ever-be-developed-soon properties are 'Black Holes' that suck up 'housing planned for the future' numbers that make it look like Santa Rosa's Housing Element complies with State law but are really deceptive and unrealistic.

THE GENERAL PLAN AND HOUSING ELEMENT NEED TO DESIGNATE ADDITIONAL MEDIUM-HIGH DENSITY ACREAGE THAT CAN REALISTICALLY BE DEVELOPED.

4 - Get real with rental impact fees ... They are UNJUSTIFIABLY high and you need to know why.

'Impact' fee calculations based on 'worst-case' assumptions result in excessive impact fees charged to housing projects of all types and sizes, rental housing included (from traditional apartments to smaller private rentals of 'granny units and ADU's, etc.). Current stepped impact fees 'mask' this. **CURRENT RENTAL IMPACT FEES SHOULD BE CRITIQUED ('CHALLENGED' AND CORRECTED).**

5 - Ask those who know ... Building affordable rental housing is NOT 'Rocket Science'.

Both private and non-profit rental folks who actually build (or try to) affordable rental housing projects in Santa Rosa know the economics that make them feasible. Current City restrictions and excessive fees as described above block affordable rental projects from even 'coming through the door'. They can tell you about the many reasons they are not bringing rental projects to the City.

LISTEN - REALLY LISTEN - TO THEM AND MAKE THE CHANGES THEY RECOMMEND.

Rec'd at Meeting 2/28/2023
Item No. 13
From: Erik Aiken

FILE NO. 200126

RESOLUTION NO. 261-20

1 [Supporting Activists Facing Prosecution in Sonoma County - Conditions of Animals in Factory
2 Farms]

3 **Resolution supporting the non-violent activists facing prosecution in Sonoma County**
4 **over their attempt to expose the conditions of animals in factory farms.**
5

6 WHEREAS, California Penal Code, Section 597(b) makes it a crime to torture,
7 torment, deprive of necessary sustenance, drink, or shelter any animal, or cause any animal
8 to be so tortured, tormented, deprived of necessary sustenance, drink, or shelter, where the
9 words "torment" and "torture" include "every act, omission, or neglect whereby unnecessary
10 or unjustifiable physical pain or suffering is caused or permitted"; and

11 WHEREAS, California Penal Code, Section 597(e) makes it a crime to hold a domestic
12 animal in confinement without providing the animal with sufficient food and water, and also
13 provides a legal defense against the claim of trespass to anyone who enters the area where
14 the domestic animal is confined for the purpose of providing food and water; and

15 WHEREAS, California's animal cruelty statute, California Penal Code, Section 597 et
16 seq., does not contain an animal husbandry exemption and thus covers cruelty inflicted on
17 animals raised in commercial operations; and

18 WHEREAS, The public in California cares deeply about animals raised in commercial
19 operations, as evidenced by, among other things, the passage by 62.66% of voters of
20 Proposition 12 in 2018, which established new standards for confinement of farm animals and
21 banned noncomplying products; and

22 WHEREAS, The increasingly massive scale of industrialization of modern commercial
23 animal operations leads to increasing numbers of animals suffering from starvation or
24 dehydration; and
25

1 WHEREAS, Notwithstanding the fact that leaving animals to starve to death violates
2 industry standards and California law, commercial animal operations routinely allow animals
3 to die of thirst or hunger when they are too sick or injured to reach food or water; and

4 WHEREAS, Many San Francisco consumers care deeply about animals and are willing
5 to pay a significant premium to purchase animal products from suppliers they believe have
6 treated animals humanely; and

7 WHEREAS, Companies that supply animal products have been known to portray their
8 treatment of animals in a substantially more favorable light than the reality; and

9 WHEREAS, Little or no enforcement of California's animal cruelty statute occurs with
10 respect to animals raised in commercial operations; and

11 WHEREAS, Peaceful activists have attempted to bring violations by commercial animal
12 operations of California's animal cruelty statute to the attention of the public as well as law
13 and regulatory enforcement agencies, including video and photographic evidence of animals
14 caught in wire cages and left with large, untreated sores, and animals who had died of thirst,
15 starvation, injury, or illness whose bodies were lying among the living; and

16 WHEREAS, 148 activists, some of whom are San Francisco residents, were arrested in
17 Sonoma County while trying to document the conditions of commercial animal operations and
18 rescue animals therein from thirst, starvation, injury, and illness; and

19 WHEREAS, Six of those activists currently face felony charges in Sonoma County in
20 connection with those investigations and rescues, and an additional seven activists face
21 misdemeanor charges for the same; and

22 WHEREAS, The act of investigating the conditions of commercial animal operations
23 and exposing abuses to the public and to law enforcement, and providing relief to animals
24 who are thirsty, starving, injured, or sick, is in the interests of both those individual animals
25 and the public that cares about them; now, therefore, be it

1 RESOLVED, That the San Francisco Board of Supervisors hereby declare that the 13
2 individuals being prosecuted in Sonoma County are non-violent activists who were
3 investigating and attempting to expose the abuses of animals in commercial animal
4 operations; and, be it

5 FURTHER RESOLVED, That the Board of Supervisors encourage the Sonoma County
6 District Attorney to dismiss such prosecution; and, be it

7 FURTHER RESOLVED, That the Board of Supervisors encourage the Sonoma County
8 District Attorney to devote the resources that could be saved from these actions to instead
9 investigate and prosecute potential violations of the law in commercial animal operations in
10 Sonoma County; and, be it

11 FURTHER RESOLVED, That the Board of Supervisors encourage law and regulatory
12 enforcement agencies in California, including the California Attorney General and the
13 California Department of Food and Agriculture, to investigate and prosecute potential
14 violations of the law in commercial animal operations throughout California; and, be it

15 FURTHER RESOLVED, That the Board of Supervisors urge the California State
16 Legislature to pass laws expanding the protection of animals raised in commercial animal
17 operations; and, be it

18 FURTHER RESOLVED, That the Board of Supervisors affirm the commitment of the
19 Board of Supervisors to the protection of all animals; and, be it

20 FURTHER RESOLVED, That a copy of this Resolution shall be sent to Sonoma
21 County District Attorney Jill Ravitch, Sonoma County Deputy District Attorney Robert Waner,
22 Assembly Member David Chiu, Assembly Member Phil Ting, State Senator Scott Weiner,
23 Congresswoman Nancy Pelosi, Senator Dianne Feinstein, Senator Kamala Harris, and
24 California Attorney General Xavier Becerra.



City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 200126

Date Passed: June 09, 2020

Resolution supporting the non-violent activists facing prosecution in Sonoma County over their attempt to expose the conditions of animals in factory farms.

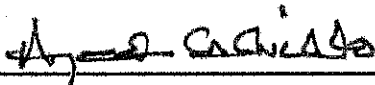
May 28, 2020 Public Safety and Neighborhood Services Committee - RECOMMENDED

June 09, 2020 Board of Supervisors - ADOPTED

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

File No. 200126

I hereby certify that the foregoing Resolution was ADOPTED on 6/9/2020 by the Board of Supervisors of the City and County of San Francisco.




Angela Calvillo
Clerk of the Board

Unsigned
London N. Breed
Mayor

06/19/2020
Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.



Angela Calvillo
Clerk of the Board

06/19/2020
Date

Rec'd at Meeting 2/28/2023
Item No. 13
From: Erik Allen

RESOLUTION NO. 69,232-N.S.

RESOLUTION OF THE COUNCIL OF THE CITY OF BERKELEY IN SUPPORT OF THE
NON-VIOLENT ACTIVISTS WHO ATTEMPT TO EXPOSE THE CONDITIONS OF
ANIMALS IN FACTORY FARMS

WHEREAS, it is a well-established scientific fact, as supported by 2,500 studies exploring animal cognition, that nonhuman animals have emotions, personalities, and the ability to feel pain, fear, and stress^[1]; and

WHEREAS, an international group of prominent neurological scientists issued the Cambridge Declaration of Consciousness in 2012, stating that nonhuman animals are conscious beings capable of feeling emotional states such as pain, stating:

“The weight of evidence indicates that humans are not unique in possessing the neurological substrates that generate consciousness. Nonhuman animals, including all mammals and birds, and many other creatures, including octopuses, also possess these neurological substrates^[2]; and

WHEREAS, the public in California cares deeply about nonhuman animals raised in commercial operations, as evidenced by, among other things, the passage by 62.66% of voters of Proposition 12 in 2018, which established new standards for confinement of farm animals and banned noncomplying products^[3]; and

WHEREAS, California's animal cruelty statute, California Penal Code Section 597 et seq., does not contain an animal husbandry exemption and thus covers cruelty inflicted on nonhuman animals raised in commercial operations; and

WHEREAS, California Penal Code Section 597(b) makes it a crime to torture, torment, deprive of necessary sustenance, drink, or shelter any animal, or cause any animal to be so tortured, tormented, deprived of necessary sustenance, drink, or shelter,^[4] where the words “torment” and “torture” include “every act, omission, or neglect whereby unnecessary or unjustifiable physical pain or suffering is caused or permitted”^[5]; and

WHEREAS, California Penal Code Section 597e makes it a crime to hold a domestic animal in confinement without providing the animal with sufficient food and water, and also provides a legal defense against the claim of trespass to anyone who enters the area where the domestic animal is confined for the purpose of providing food and water^[6]; and

WHEREAS, the massive scale and industrialization of modern commercial animal operations leads to increasing numbers of animals suffering from starvation or dehydration, including piglets, turkey chicks, and egg-laying hens^[7]; and

WHEREAS, notwithstanding the fact that leaving nonhuman animals to starve to death violates industry standards^[8] and California law, commercial animal operations

sometimes allow nonhuman animals to die of thirst or hunger when they are too sick or injured to reach food or water⁽⁹⁾; and

WHEREAS, some consumers care deeply about nonhuman animals and are willing to pay—a significant premium to purchase animal products from suppliers they believe have treated animals humanely; and

WHEREAS, companies that supply animal products have been known to portray their treatment of nonhuman animals in a substantially more favorable light than the reality; and

WHEREAS, little or no enforcement of California's animal cruelty statute occurs with respect to nonhuman animals raised in commercial operations; and

WHEREAS, peaceful activists have attempted to bring violations by commercial animal operations of California's animal cruelty statute to the attention of the public as well as law and regulatory enforcement agencies, including video and photographic evidence of animals caught in wire cages and left with large, untreated sores, and animals who had died of thirst, starvation, injury, or illness whose bodies were lying among the living; and

WHEREAS, 148 activists have been arrested in Sonoma County while trying to document the conditions of commercial animal operations and rescue nonhuman animals therein from thirst, starvation, injury, and illness; and

WHEREAS, six of those activists, including five Berkeley residents, currently face felony charges in Sonoma County in connection with those investigations and rescues, and an additional 15 activists face misdemeanor charges for the same; and

WHEREAS, the act of investigating the conditions of commercial animal operations and exposing abuses to the public and to law enforcement, and providing relief to nonhuman animals who are thirsty, starving, injured, or sick, is in the interests of both those individual animals and the public that cares about them.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Mayor and City Council hereby declare that the 21 individuals being prosecuted in Sonoma County were acting under California Penal Code 597(e) to provide domestic animals with sufficient food and water and attempting to expose the abuses of nonhuman animals in commercial animal operations.

BE IT FURTHER RESOLVED that the Mayor and City Council encourage the Sonoma County District Attorney to dismiss such prosecution or exercise leniency, and to devote the resources that could be saved from these actions to instead investigate and prosecute potential violations of the law in commercial animal operations in Sonoma County.

BE IT FURTHER RESOLVED that the Mayor and City Council encourage law and regulatory enforcement agencies in California, including the California Attorney General

and the California Department of Food and Agriculture, to investigate and prosecute potential violations of the law in commercial animal operations throughout California.

BE IT FURTHER RESOLVED that the Mayor and City Council urge the California State Legislature to pass laws expanding the protection of nonhuman animals raised in commercial animal operations.

BE IT FURTHER RESOLVED that the Mayor and City Council affirm the commitment of the Berkeley City Council to the protection of all nonhuman animals.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to Sonoma County District Attorney Jill Ravitch, Assemblymember Buffy Wicks, State Senator Nancy Skinner, Congresswoman Barbara Lee, Senator Dianne Feinstein, Senator Kamala Harris, and California Attorney General Xavier Becerra.

^[1] Mark Bekoff, *After 2,500 Studies, It's Time to Declare Animal Sentience Proven (Op-Ed)*, *Livescience* (Sept. 6, 2013), <https://www.livescience.com/39481-time-to-declare-animal-sentience.html>.

^[2] Philip Low, et al., *The Cambridge Declaration of Consciousness* (2012), <http://fcmconference.org/img/CambridgeDeclarationOnConsciousness.pdf>.

^[3] *California Proposition 12, Farm Animal Confinement Initiative (2018)*, *Ballotpedia*, [https://ballotpedia.org/California Proposition 12, Farm Animal Confinement Initiative \(2018\)#Election results](https://ballotpedia.org/California_Proposition_12,_Farm_Animal_Confinement_Initiative_(2018)#Election_results).

^[4] Cal. Penal Code § 597(b).

^[5] Cal. Penal Code § 599b.

^[6] Cal. Penal Code § 597e (“Any person who impounds, or causes to be impounded in any pound, any domestic animal, shall supply it during such confinement with a sufficient quantity of good and wholesome food and water, and in default thereof, is guilty of a misdemeanor.”).

^[7] A 2015 Coalition for a Sustainable Egg Supply report found that up to 50% of mortality at a modern egg farm was caused by the birds being “emaciated” or “dehydrated.” The Center for Food Integrity, *Coalition for Sustainable Egg Supply Final Research Results*, 8 (2015),

https://www2.sustainableeggcoalition.org/document_center/download/final-results/ResearchResultsReportAppendix.pdf. A 2001 turkey industry study found

“starveout” to be a growing problem and noted that this problem should not be considered “normal.” Tasheez Aziz, *Early Mortality and Starveout in Poults Can Be Reduced*, 17 *World Poultry* 12 (2001),

<https://www.dropbox.com/s/vzik3fs5pcjxvzb/poult%20mortality.pdf?dl=0>. Finally, a 2014 pig industry study found that starvation was becoming a major cause of piglet mortality.

S. A. Edwards & E. M. Baxter, *Piglet Mortality: Causes and Prevention, in The Gestating and Lactating Sow* (Chantal Farmer, Wageningen Academic Publishers, 2015), https://www.wageningenacademic.com/doi/abs/10.3920/978-90-8686-803-2_11.

^[8] The Global Animal Partnership’s lowest standard (Step 1) for egg farms, for example, indicates that “sick or injured hens must be treated promptly” or “euthanized.” Global Animal Partnership, *5-Step® Animal Welfare Rating Pilot Standards for Laying Hens*

v1.0, 13, (2017), <https://globalanimalpartnership.org/wp-content/uploads/2017/07/5%E2%80%90Step%C2%AE-Animal-Welfare-Rating-Pilot-Standards-for-Laying-Hens-v1.0.pdf>. The standards expressly indicate that hens who are "lame and unable to easily reach food and water" are included in this category.

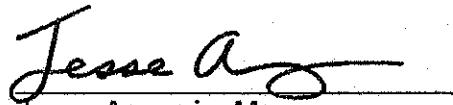
^[9] See, e.g., Sonoma County Animal Services, Case Report, Sept. 29, 2018, <https://www.dropbox.com/s/qzceqj4lnqzr2pb/Case%20Report%20SoCo%20Animal%20Services%20REDACTED%20%20%282%29.pdf?dl=0> ("There are nine living chickens . . . [n]one are able to stand on their own and all are wet and soiled. All of these 9 birds appear stressed and are panting. . . . All of living birds are in poor health and are in distress."). This report was produced in response to the activists' attempted removal of nine birds from a commercial facility, which such birds were subsequently confiscated by the Sonoma County Sheriff and delivered to, and examined and ultimately euthanized by, Sonoma County Animal Services. The report listed an individual associated with the commercial facility as a suspect in violation of California Penal Code Section 597.

The foregoing Resolution was adopted by the Berkeley City Council on December 10, 2019 by the following vote:

Ayes: Bartlett, Davila, Droste, Hahn, Harrison, Kesarwani, Robinson, Wengraf, and Arreguin.

Noes: None.

Absent: None.


Jesse Arreguin, Mayor

Attest: 
Mark Numairville, City Clerk