

Del Mar Sandpiper
FACT CHECK
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Fact-checking the Woodpecker Spotlight 9/2020 No. 2
Affordable Housing Part 1

JOBS: The Driver to Del Mar's Affordable Housing Pile-Up

On September 30, The Woodpecker recycled a number of claims we previously fact-checked as erroneous, in an effort to blame Mayor Haviland and Councilmember Worden for the number of housing units allocated to Del Mar by SANDAG as part of the State's affordable housing mandate. Here are the key factual errors:

CLAIM: *Del Mar has been dealt a bad hand by neglect from Worden/Haviland who did not correct bad jobs data.*

FACTS: The jobs data used to allocate housing units to Del Mar are not "bad" or in error. They were determined pursuant to state law by the State Department of Employment Development (EDD), not by Del Mar or by SANDAG. It would require a state-level challenge to take on the legitimacy of the EDD formulas and methodology—something no one, including the Woodpecker, has proposed. Part-time jobs, like at the fairgrounds, are allocated by EDD based on where the worker reports his or her principal place of employment is located. That's their standard formula used statewide and that's how Del Mar job numbers were assigned.

CLAIM: *We reported that the city has likely overstated its full time jobs within Del Mar by as much as 42%. Two examples - **the city included 50 jobs from an employer based in Sorrento Valley and 99 from another employer who had only 2 jobs in Del Mar.** (Bolding in original)*

FACTS: There were errors in the City's Comprehensive Annual Financial Report (CAFRE) about jobs in Del Mar. At the request of Worden and Haviland these errors were corrected. Importantly, **these CAFRE numbers ARE NOT used to allocate housing units.** Housing unit allocations are based on the EDD jobs data, not Del Mar's data. The Woodpecker deliberately and knowingly conflates the two, as this error has been pointed out to the Woodpecker on multiple previous occasions.

CLAIM: *The number of jobs in Del Mar determines our affordable housing allocation.*

FACTS: The number of jobs in Del Mar does not determine the housing allocation. SANDAG's formula for allocating housing units is based 35% on jobs and 65% on proximity to transit. This is important: Del Mar was allocated ZERO units based on transit. This is why Del Mar's housing number is as low as it is. Compare this with Solana Beach, for example, which had a sizable allocation based on transit, since it has the regional transit center/train station.

CLAIM: *In 7 years, our city councils have failed to finalize affordable housing options.*

FACTS: In 7 years, more than 30 housing programs out of a total of 60 included in Del Mar's 2013 Housing Element were completed. The rest are active and ongoing, EXCEPT for the key North Commercial zone amendment, with Druker and Gaasterland voting on September 8 against that program, putting our 5th Cycle Housing Element out of compliance with state housing law, and subject to a range of penalties, state and private lawsuits, and loss of local zoning control.

CLAIM: *The Worden led city council has knowingly accepted an inaccurate jobs count. They were asked to challenge the jobs data when it would have been a natural correction and thereby lead to a much lower number of mandated affordable units.* (Red in original).

FACTS:

The jobs count was not inaccurate. It was determined by EDD pursuant to state law, not by Del Mar or SANDAG. It is very likely that Del Mar's number would have gone up, not down, if the allocation were challenged. That's because the state assigned 171,000+ units to the San Diego region, and Del Mar got by far the lowest portion of that allocation at 163, including zero units based on the 65% transit criterion. The advice of professionals, including city staff, was that a re-allocation of these 171,000 units through a challenge would have increased Del Mar's allocation, not decreased it. Los Angeles challenged its numbers and in response the state doubled their numbers.

A successful challenge to the allocation methodology would likely have resulted in a higher number assigned to Del Mar. A challenge to how seasonal/temporary jobs were factored in for Del Mar, as advocated by the Woodpecker, would result in a county-wide reallocation, if the challenge succeeded in changing the methodology. Many other cities have more seasonal/part-time jobs than Del Mar, so a reallocation countywide would make Del Mar's number go up, not down. Finally, Solana Beach expressly asked in its appeal, supported by Gaasterland and the Woodpecker, to have some of its 875 units transferred to Del Mar. Solana Beach contended Del Mar should be charged with a portion of the Solana Beach Rail station, since Del Mar uses the station. If the Solana Beach appeal had succeeded, as advocated by the Woodpecker and Gaasterland, it would have raised, not lowered, Del Mar's number.

A challenge would not have succeeded, as shown by the unsuccessful challenges that other cities made. SANDAG's weighted voting formula (i.e., each City's vote is weighted by its percentage of County population) guaranteed that a challenge to the numbers or the methodology would fail. Indeed, four cities did challenge, including Solana Beach. All spent big \$\$ on their challenges. All four lost.

COMMENT:

It's the political season, which means the Woodpecker will focus a lot of its animus on Mayor Haviland and Councilmember Worden. (Remember the infamous 2018 Woodpecker headline, "How Mayor Worden Signed Over Control of \$1.5 Billion of Del Mar Homes to the California Coastal Commission"?) But facts matter. The factual errors in this Woodpecker issue are the same ones the Woodpecker made previously that have been fact-checked and corrected by the Sandpiper and others. When the Woodpecker knowingly repeats misinformation, we encourage our readers to evaluate what the underlying motives are.