



# County of Monterey

**Item No.**

## Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

**Legistar File Number: 24-263**

**July 26, 2024**

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**Current Status:** Agenda Ready

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**Matter Type:** General Agenda Item

- a. Receive an update on the following items: the status of the County's compliance with Assembly Bill 1466 regarding discriminatory restrictive covenants, the County's restrictive covenants education project, and the County's equity timeline; and
- b. Provide direction to staff.

It is recommended that the Health, Housing, and Human Services Committee:

- a. Receive an update on the status of the County's compliance with Assembly Bill 1466 regarding discriminatory restrictive covenants, restrictive covenants education project, and equity timeline; and
- b. Provide direction to staff.

### SUMMARY:

Staff presented to the Health, Housing, and Human Services Committee (HHHSC) on August 18, 2022 (Staff Report and Exhibits available at <https://monterey.legistar.com/LegislationDetail.aspx?ID=5736831&GUID=27FE9080-97EB-47D9-BB87-79106E7F3982&Options=&Search=>), about the County's compliance with Assembly Bill (AB) 1466 and to consider supporting that staff further research and develop a proposed restrictive covenant education project. Staff presented to the Board of Supervisors (Board) on October 4, 2022 (Staff Report and Exhibits available at <https://monterey.legistar.com/LegislationDetail.aspx?ID=5849191&GUID=9F13115F-654C-4889-8170-07DF0D013347&Options=&Search=>), and the Board supported staff conducting further research and development on a proposed restrictive covenant education project for Monterey County. Since staff has made significant process toward the County's restrictive covenant education project and the equity timeline, staff will provide an update to the committee.

### DISCUSSION:

On October 4, 2022, the Board supported staff in further researching and developing a restrictive covenant education project for Monterey County. The initial educational pieces of the project have been completed and are being distributed. Housing and Community Development (HCD) has brought an intern to assist staff with completing the educational pieces of the project.

Despite initial delays with the County's AB 1466 process due to vendor software issues, the County Clerk/Recorder's Office (Recorder) and its vendor have begun to identify and begin the redaction process for real property documents that contain unlawful language. The statutorily mandated program will be broken up into three phases in the Recorder's Office. The first phase of the project began in February of 2023, and as of March 7, 2024, the Recorder has submitted 2,421 documents to County Counsel for determination and has recorded six documents submitted by mail and 1,949 documents

submitted electronically through BMI's Optical Character Recognition (ORC) system. The Recorder expects additional real property documents to be found as the process to comply with AB 1466 is expected to take multiple years.

The next phase will involve documents from 1850 - 1908 going through the Intelligent Character Recognition (ICR) process. This process will be used for handwritten documents, and the same workflow process as above will be followed. The final phase will involve documents from 1978 through the present, and again, the same workflow process will be followed.

The Recorder is currently reviewing 75-100 real property documents per week that were identified as possibly containing restrictive language. These documents are submitted to County Counsel for review and determination if they need a Restrictive Covenant Modification (RCM). The Recorder will continue to submit 75-100 documents a week to County Counsel for determination and record 20-30 documents daily or as they become available. The Recorder will not have a total number of RCM documents until the RCM document project is complete.

As additional information has been generated by the Recorder's Office, staff has been able to begin mapping where restrictive covenants have been found and redacted within Monterey County. As staff has begun mapping restrictive covenant locations, a Housing and Community Development intern has conducted historical research into restrictive covenants and assisted staff in building out the restrictive covenant educational tools.

In 2016, the County of Monterey Health Department developed an equity timeline as part of the County's Governing for Racial Equity efforts. The timeline was intended to highlight structural policies that impacted the distribution of resources to racial and ethnic Monterey County residents, including, but not limited to, Japanese and Filipino, Native Americans, African Americans, Latinx, and immigrant residents. Unfortunately, the chronologically documented events have current ramifications that can still be seen today in racial and ethnic communities. Due to web hosting issues, the original timeline was lost but was recreated by staff from the Health Department and Housing and Community Development. The current equity timeline can be found at this link (<https://maps.co.monterey.ca.us/portal/apps/storymaps/stories/0691e0d3f68649fe81bb7fcac01d3492>).

Staff has published two StoryMaps related to equity and restrictive covenants in Monterey County. The first StoryMap utilizes data provided by the Recorder's Office. This includes a map of where restrictive covenant language has been found in historical deed documents and provides the context for restrictive covenants. The first StoryMap was developed by the Housing and Community Development with information provided by the Recorder's Office and can be found at this link (<https://maps.co.monterey.ca.us/portal/apps/storymaps/stories/3fb2627a6739478994b69c87b419e6dd>). The second StoryMap is a historical look at restrictive covenants in Monterey County, how they were advertised, and their impacts in Monterey County. The second StoryMap was developed by the Health Department and can be found at this link. (<https://maps.co.monterey.ca.us/portal/apps/storymaps/stories/2807560dc775402c93d66e7f4a42c77a>).

Educational materials are currently being distributed to the Monterey County Free Libraries, and the

StoryMaps are hosted and accessible on the County's GIS Portal. Information from this research will also be included as a part of the County's 6th Cycle Housing Element to highlight the continuing existence of housing disparities in Monterey County. This research will also help highlight why affirmatively furthering fair housing is crucial to the federal and state government's efforts to remove barriers to equitable communities. Staff expects that as the Civil Rights Office completes the redesign of its webpage, all of these resources will eventually be accessible from a single location.

OTHER AGENCY INVOLVEMENT:

The Recorder's Office and Office of County Counsel are charged with implementing the provisions of AB 1466. Staff from Housing and Community Development, Health Department, Assessor-County Clerk-Recorder, the Civil Rights Office, and the Monterey County Free Libraries are collaborating to implement the restrictive covenant education project in Monterey County.

FINANCING:

HCD staff time to develop the timeline and StoryMap is included in the FY 2023-24 Adopted Budget, Fund 001, Appropriation Unit HCD002, Unit 8543. Recorder's Office staff time to implement AB 1466 and coordinate with County departments on this report is fully funded as part of the Recorder's Office FY 2023-24 Adopted Budget, Fund 001, Appropriation Unit ACR002, Unit 8004. The Recorder's Office has included vendor costs associated with AB 1466 implementation in their Requested Budget for FY 2024-25.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Implementation of AB 1466 and the development of the restrictive covenant education project supports the Board's Strategic Initiatives for Health and Human Services to promote access to equitable opportunities for healthy choices and healthy environments in collaboration with all communities. This work supports the County's efforts to communicate and coordinate amongst County departments and partner agencies to provide equitable treatment and respect to all constituents.

\_\_ Economic Development

- Through collaboration, strengthen economic development to ensure a diversified and healthy economy.

\_\_ Administration

- Promote an organization that practices efficient and effective resource management and is recognized for responsiveness, strong customer service, accountability and transparency.

X Health & Human Services

- Improve health and quality of life through County supported policies, programs, and services; promoting access to equitable opportunities for healthy choices and health environments in collaboration with communities.

\_\_ Infrastructure

- Plan and develop a sustainable, physical infrastructure that improves the quality of life for County residents and supports economic development results.

\_\_ Public Safety

- Create a safe environment for people to achieve their potential, leading businesses and

communities to thrive and grow by reducing violent crimes as well as crimes in general.

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