

**HOUSING & COMMUNITY DEVELOPMENT COMMISSION  
REGULAR MEETING ACTION MINUTES**

**MAY 10, 2018**

**MEMBERS PRESENT:**

Mike Graves	Chair
Alex Shoor	Vice Chair (Arrived 6:00 PM)
Lee Thompson	Commissioner
Martha O’Connell	Commissioner
Barry Del Buono	Commissioner
Ruben Navarro	Commissioner (Arrived 5:50 PM)
Julie Quinn	Commissioner
Huy Tran	Commissioner
Andrea Wheeler	Commissioner
Nhi Nguyen	Commissioner (Arrived 6:17 PM)

**MEMBERS ABSENT:**

Michael Fitzgerald	Commissioner
Melissa Medina	Commissioner

**STAFF:**

Viviane Nguyen	Housing Department
Selena Copeland	Housing Department
Kristen Clements	Housing Department
Shasta Greene	City Attorney’s Office
Ed Moran	City Attorney’s Office
Helen Chapman	Councilmember Jimenez’s Office

- (I) **Call to Order/Orders of the Day** – Chair Graves opened the meeting at 5:50 PM.
- (II) **Introductions** – Commissioners and staff introduced themselves.
- (III) **Consent Calendar**

A. Approve the Minutes for the April 12, 2018 Regular Meeting.

**Motion made by Commissioner Thompson to amend Item III referring to March 22, 2018 Special Meeting to, “Motion made by Commissioner Thompson to correct that VI-C was not approved unanimously and include Commissioner Thompson’s no vote. The motion to approve the minutes as corrected was seconded by Commissioner O’Connell and passed unanimously (10-0).” The motion to approve the minutes as corrected was seconded by Commissioner Del Buono. The motion passed unanimously.**

## DRAFT

### (IV) Reports and Information Only

- A. **Chair** – Chair Graves requested Commissioner Thompson to clarify the bylaws. Commissioner Thompson referred to the bylaws passed in 2014 that nominations and elections were changed to June. Chair Graves explained that once elections take place, the Chair and Vice Chair will assume the new role immediately. The Commission will go dark in July. Chair Graves also requested that Commissioners respond to the possible retreat dates that were sent out.
- B. **Director’s Report** – Ms. Kristen Clements provided an update on the items sent out via email. The RSP Fees memo was sent in advance of the rest of the packet to allow additional review time. Second, three possible retreat dates were also sent out via email. As an update, per article in *Mercury News* on 4/19/18, City has been sued for its Rent Registry but no additional information is available.

Nominations and elections for Chair will be agendized in June. As the adopted bylaws have not been revised yet, the Commission has the handout of current bylaws Section 202 which defines the procedures for election of new chair. This is generally consistent with Policy 0-4 which also addresses this topic in Section 200-201. Also at the June meeting, the Annual Action Plan will be heard, after City Council’s first hearing on June 5<sup>th</sup> but before the second hearing on June 19<sup>th</sup>. Finally, the Housing Trust Fund Expenditure Plan will be agendized for June’s meeting.

At City Council, the ARO, TPO, and Ellis Act items were heard on April 24<sup>th</sup>. ARO will return for a small change regarding the implementation of RUBS on May 22<sup>nd</sup>. Source of Income item did not go on 4/24 because it needed additional time regarding legal issues, and the 4/24 agenda was too full, and it is expected to go to Council in mid-June (update, now in August). On 6/5 (update, now on 6/12), the Affordable Housing Investment Plan will report out of Committee, an item on the staff’s response to the Mayor’s Housing Plan, and the 3<sup>rd</sup> part of Cost of Development Study Session will be heard. At Planning Commission, Evans Lane, the City’s sponsored development for homeless residents and related infrastructure improvements, is expected to be agendized in July.

- C. **Council Liaison** – Ms. Helen Chapman provided an update on the April 24<sup>th</sup> City Council meeting, per Chair Grave’s request, on the discontinuation of RUBS, addition of criminal activity to the Tenant Protection Ordinance, and re-control updates on the Ellis Act. In addition, on May 24, there will be a forum with the Housing Department and guest speaker on the effects of the housing crisis on seniors in the Valley.

### (V) Old Business – None

### (VI) New Business

- A. **Policy 0-4 Regarding Commissioner Outreach**  
(S. Greene, City Attorney’s Office)  
ACTION: Information only

**The Commission heard Policy 0-4 Regarding Commissioner Outreach presented by Ms. Shasta Greene.**

**B. Prioritization for Tenants of Affordable Housing  
(K. Clements, Housing Department)**

ACTION:

- 1) Accept the staff and City Attorney's memos on issues involved in establishing City-wide policies to prioritize certain types of residents for tenancy in affordable housing ("Tenant Preferences"), and
- 2) Make a recommendation to the Community and Economic Development Committee regarding staff's development of draft City-wide Tenant Preference policies for City Council consideration for the following types of low-income tenants: 1) those who live or work in San José; 2) those who have experienced certain types of displacement; and, 3) those residing in gentrifying areas that are highly likely to result in tenant displacement.

**Motion made by Commissioner Tran to approve the staff and City Attorney's recommendations, with the exception to make live and work separate. The amended motion was seconded by Commissioner Navarro. Commissioner O'Connell made a friendly amendment to replace the numbers with bullets in the recommendation, accepted by Commissioner Navarro. The motion passed by roll call vote (9-0-1).**

**Yes: Tran, Quinn, Thompson, O'Connell, Graves, Nguyen, Navarro, Del Buono, Wheeler**

**Abstain: Shoor**

**Motion made by Commissioner Thompson to approve the report, with a second by Chair Graves. The motion was passed unanimously (10-0).**

**C. Proposed Rent Stabilization Program Fees FY 2018-19  
(R. VanderVeen, Housing Department)**

ACTION: Recommendation to the City Council regarding approval of the proposed fee structure for Fiscal Year 2018-2019 for the Rent Stabilization Program, as stated below:

- 1) Annual Apartment Rent Control Fee: increase from \$55.80 to \$77.30 per unit;
- 2) Annual Apartment Non-Rent Control Fee: increase from \$4.10 to \$6.20 per unit;
- 3) Annual Mobilehome Rent Control Fee: decrease from \$34.10 to \$25.70 per unit; and
- 4) Fees in connection with withdrawal of a building under the Ellis Act Ordinance: increase from \$2,235 to \$2,258 per unit for up to ten units and increase from \$860 to \$872 per additional unit for over ten units.

**Commissioner Wheeler made a motion to recommend that the reduction in mobilehome fees be represented as a temporary one-year reduction and to approve the recommendation, with a second by Commissioner O'Connell. The motion passed unanimously (10-0).**

**D. 2017-2018 Third Quarterly Report for the Rent Stabilization Program  
(R. VanderVeen, Housing Department)**

ACTION: Informational only

**DRAFT**

**The Commission heard the Quarterly report presented by Ms. Rachel VanderVeen.**

**E. Mobilehome Activity Quarterly Report for the Rent Stabilization Program  
(R. VanderVeen, Housing Department)**

ACTION: Informational only

**The Commission heard the Quarterly report presented by Ms. Rachel VanderVeen.**

**(VII) Open Forum**

Commissioner Navarro wished a Happy Mother's Day per the holiday in Mexico and Latin American countries to the attendees of the meeting.

Commissioner Quinn announced Affordable Housing Week and events organized by SV@Home.

**(VIII) Meeting Schedule**

The next meeting will be on Thursday, June 14, 2018 at 5:45 PM, in the San José City Hall Wing Rooms 118-120.

**(IX) Adjournment**

Chair Graves adjourned the meeting at 8:50 PM.