

## HOUSING & COMMUNITY DEVELOPMENT COMMISSION

### SPECIAL MEETING ACTION MINUTES

APRIL 11, 2019

**MEMBERS PRESENT:**

Andrea Wheeler	Chair
Justin Lardinois	Commissioner
Martha O’Connell	Commissioner
Justin Lardinois	Commissioner
Huy Tran	Commissioner
Nhi Duong	Commissioner (Arrived at 6:01, Exited 7:54 PM)
Michael Fitzgerald	Commissioner
Ryan Jasinsky	Commissioner
Julie Quinn	Commissioner

**MEMBERS ABSENT:**

Alex Shoor	Vice Chair
Ruben Navarro	Commissioner
District 7	Vacant
District 8	Vacant

**STAFF:**

Helen Chapman	Council Liaison
Kristen Clements	Housing Department
Selena Copeland	Housing Department
Viviane Nguyen	Housing Department
Fred Tran	Housing Department

**(I) Call to Order & Orders of the Day**

Chair Wheeler called the meeting to order at 5:47 PM.

**(II) Introductions** – Commissioners and staff introduced themselves.

**(III) Consent Calendar**

A. Approve the Minutes for the Meeting of March 14, 2019

ACTION: Approve the March 14, 2019 action minutes

Commissioner O’Connell made the motion to approve the minutes with the following changes, with a second by Commissioner Tran.

*Commissioner O’Connell made the motion to amend VIII Open Forum that, “a mobilehome park owner was reportedly sending a member of their staff who speaks Vietnamese out into the park to push long term contracts, written in English, telling the Vietnamese residents they would get \$200 and a TV if they signed the contract. They did not understand that if they signed a long term contract they would no longer be covered by rent control. Commissioner O’Connell further reported she saw one of the contracts. A Vietnamese resident’s rent has*

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*more than doubled for any new owner who buys his home and he at present cannot find a buyer. [I] ask that the City Council be made aware of this issue."*

*Chair Wheeler made the motion to correct in item III-A to approve the minutes from March 14, 2019 to March 7, 2019.*

**The motion was approved unanimously (8-0).**

**Yes: Lardinois, Tran, Quinn, Jasinsky, O'Connell, Wheeler, Fitzgerald, Del Buono**

**Note: Commissioner Duong arrived after the vote.**

**(IV) Reports and Information Only**

**A. Chair:** Chair Wheeler had no report.

**B. Director:** Ms. Kristen Clements provided a City Council update that the Affordable Housing Investment Plan (AHIP) was considered at the recent Council on Tuesday was approved, with 45% will be used for Extremely Low Income housing and \$10 million for Moderate Income. In addition, SB 705 which would require mobilehome conversion to give greater notice to residents, was heard at City Council and Council approved the bill with proposed amendments. Lastly, the Ellis Act Ordinance was deferred to April 23, 2019, and the Commission letter was posted as part of the City Council agenda packet.

**C. Council Liaison:** Ms. Helen Chapman referred to the update regarding SB 705 that would govern the closure of Mobilehome parks to convert to another use.

**(V) Open Forum**

*Members of the Public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the Commission. Meeting attendees are usually given two (2) minutes to speak on any discussion item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Speakers using a translator will be given twice the time allotted to ensure non-English speakers receive the same opportunity to directly address the Commission.*

**Resident is concerned about the demolition of old buildings as recently permitted in the City of Mountain View and resident is inquiring about what City of San Jose is doing to address this.**

**(VI) Old Business**

None.

**(VII) New Business**

**A. Rent Stabilization Program Fees (F. Tran, Housing Department)**

**ACTION:** It is recommended that the Commission: a) Review the proposed fee structure for Fiscal Year 2019-2020 for the Rent Stabilization Program, as stated below; and, b) Recommend its approval to the City Council: 1) Annual Apartment Rent Control Fee: increase from \$77.30 to \$83.50 per unit; 2) Annual Apartment Non-Rent Control Fee: increase from \$6.20 to \$8.00 per unit; Housing & Community Development Commission, 3) Annual Mobilehome Rent Control

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Fee: increase from \$25.70 to \$23.00 per unit; 4) Fees in connection with withdrawal of a building under the Ellis Act Ordinance: increase from \$2,258 to \$2,354 per unit for up to ten units and decrease from \$872 to \$826 per unit for over ten units.

**Commissioner Tran made the motion to approve the Annual Apartment Rent Control Fee increase from \$77.30 to \$83.50 per unit, with a second by Commissioner Quinn. The motion passed unanimously (9-0).**

**Commissioner Jasinsky made the motion to approve the Annual Apartment Non-Rent Control Fee: increase from \$6.20 to \$8.00 per unit, with a second by Commissioner Del Buono. The motion passed unanimously (9-0).**

**Commissioner O'Connell wade the motion to approve the Annual Mobilehome Rent Control Fee: decrease from \$25.70 to \$23.00 per unit, with the amendment in the memo from "increase" to "decrease," with a second by Commissioner Jasinsky. The motion passed unanimously (9-0).**

**Commissioner Jasinsky made the motion to approve fees in connection with withdrawal of a building under the Ellis Act Ordinance increase from \$2,258 to \$2,354 per unit for up to ten units and decrease from \$872 to \$826 per unit for over ten units, with a second by Commissioner Quinn. The motion passed unanimously (9-0).**

### **B. Rent Stabilization Program Reports for FY 2018-19 Third Quarter for Apartments and Mobilehomes (F. Tran, Housing Department)**

**ACTION:** Review information from the Rent Stabilization Program's FY 2018-19 Third Quarter reports for apartments and mobilehomes.

**Information only.**

### **C. Ad hoc committee Report-back on Mobilehome Resident Evictions Tracking (Chair A. Wheeler)**

**ACTION:** Discuss the report back of the ad hoc committee on tracking mobilehome resident evictions, and authorize the ad hoc committee to return to Commission with a letter to the City Council on tracking mobilehome resident evictions for approval within six months of the ad hoc committee's January 17, 2019 formation date.

**Chair Wheeler provided an update that the ad hoc committee had a conference call to discuss the issue regarding tracking of the mobilehome evictions, including perspective from the attorney from Golden State Manufactured Homeowners League (GSMOL) regarding tracking evictions. Commissioner Jasinsky provided information that the State provisions 798.56 already provides seven just causes for residents. In addition, the proposed legislation AB 3366 (Stone) will provide additional protections. Commissioner O'Connell expressed the importance of evictions tracking and that anecdotal information is not sufficient.**

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**Commissioner O'Connell made a motion to authorized Chair Wheeler to draft a letter tracking mobilehome evictions and return to the next HCDC, with a second by Commissioner Lardinois. The motion passed (8-1).**

**Yes: Del Buono, Fitzgerald, Duong, Wheeler, O'Connell, Quinn, Tran, Lardinois**

**No: Jasinsky**

**D. Housing Trust Fund Budget FY 2019-20 (K. Hemphill, Housing Department)**

**ACTION:** That the Housing and Community Development Commission, acting as the Housing Trust Oversight Committee, recommend that the Director of Housing approve the following expenditure plan for the Housing Trust Fund for \$1,972,088 for Fiscal Year 2019 – 2020.

**Commissioner Del Buono made the option to approve the Housing Trust Fund Budget, with a second by Commissioner Quinn (8-0).**

**Yes: Del Buono, Fitzgerald, Wheeler, O'Connell, Quinn, Tran, Lardinois, Jasinsky**

**Note: Commissioner Duong exited during this vote count.**

**(VIII) Open Forum**

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**Commissioner O'Connell shared that she has been approached by a coalition and doing outreach to organizations to craft a letter to go before council.**

**Chair Wheeler reminded Commission Tran and Vice Chair Shoor to return the item regarding the vacant home tax for the May HCDC Meeting.**

**(IX) Meeting Schedule**

The next regular meeting is scheduled to be held on Thursday, May 10, 2019, in Wing Rooms 118-120 at San José City Hall, 200 E. Santa Clara St, San José, CA 95113.

**(X) Adjournment**

**Chair Wheeler adjourned the meeting at 8:15 PM.**

*The City of San José is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public.*

You may speak to the Commission about any discussion item that is on the agenda, and you may also speak during Open Forum on items that are not on the agenda and are within the subject matter

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jurisdiction of the Commission. Please be advised that, by law, the Commission is unable to discuss or take action on issues presented during Open Forum. Pursuant to Government Code Section 54954.2, no matter shall be acted upon by the Commission unless listed on the agenda, which has been posted not less than 72 hours prior to meeting.