

## HOUSING & COMMUNITY DEVELOPMENT COMMISSION

### MEETING ACTION MINUTES

JUNE 13, 2019

**MEMBERS PRESENT:**

Andrea Wheeler	Chair
Alex Shoor	Vice Chair (Arrived 5:53 PM)
Martha O’Connell	Commissioner
Michael Fitzgerald	Commissioner
Huy Tran	Commissioner
Ruben Navarro	Commissioner (Arrived 5:58 PM)
Barry Del Buono	Commissioner
Ryan Jasinsky	Commissioner (Exited 8:45 PM)
Julie Quinn	Commissioner

**MEMBERS ABSENT:**

Nhi Duong	Commissioner
Justin Lardinois	Commissioner
District 7	Vacant
District 8	Vacant

**STAFF:**

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

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

**Chair Wheeler called the meeting to order at 5:48 PM.**

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

**(III) Consent Calendar**

**A.** Approve the minutes for the meeting of May 9, 2019

**ACTION: Approve the May 9, 2019 action minutes**

**Commissioner O’Connell moved to approve the minutes, with the amendment on Item VII on Mobilehome Evictions with a vote correction that Commissioner Jasinsky voted “no,” with a second by Commissioner Jasinsky.**

**Yes: Wheeler, Shoor, O’Connell, Fitzgerald, Tran, Navarro, Del Buono, Jasinsky, Quinn**

**(IV) Reports and Information Only**

**A. Chair:** Chair Wheeler expressed appreciation for Commissioner Fitzgerald for his service on the Commission.

**B. Director:** Ms. Kristen Clements provided an update on the HCDC letter on mobilehome eviction monitoring and Commissioner Jasinsky’s dissenting letter speaking on his own behalf was submitted to Rules Committee and will be included for the June 19, 2019 meeting. Ms.

## DRAFT

Clements also provided an update on June 11, 2019 City Council meeting regarding the items of the budget and equity discussion, Annual Action Plan was approved and submitted to HUD, Safe Parking was approved. At the June 25, 2019 City Council meeting, the items agendaized include: Moderate-Income Housing Strategy, Workforce standards, and downtown high-rise exemption. For the Commission vacancies, the applications are being evaluated. There are three pending appointments that are in the process of having a conflicts of interest analysis. Commissioner Fitzgerald has decided to not re-apply for a second term and will vacate the Apartment Rent Ordinance Landlord Representative seat. If he can attend the August Commission meeting, a celebration will be organized.

**C. Council Liaison:** Ms. Helen Chapman expressed appreciation for Commissioner Fitzgerald's service on the Commission. Ms. Chapman also provided an overview of the Equity Fund discussed at the City Council meeting on June 11, 2019 and how City Council will allocate funds from the budget. There will be a study session for additional discussion.

### (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.*

**Commissioner O'Connell shared the following in the provided statement:**

*"Ms. O'Connell advised the Commission that until the last few days, she was unaware that if homeless started to build an encampment on private property, the City did not perform a sweep. Since Monday 6-10-19, there has been the beginning of a makeshift camp in front of the Senior Mobilehome Park in which she lives. The police were called several times but as recently as today, 6-13-19, the belongings of the homeless, including numerous hypodermic needles, are still in place. The needles are in plain site as young adults walk by to the Occupational Center and two blocks from a Child Care Center. Ms. O'Connell stated she is a "NIMFY" – not in my front yard."*

### (VI) Old Business

A. Policy 0-4 regarding Commissioners' Use of their Titles and Process for Possible Future Edits (K. Clements, Housing Department and Chair A. Wheeler)

Staff to present prior guidance regarding Commissioners' use of their titles

**ACTION:**

- 1) Review and edit a draft letter prepared by Chair Wheeler to the City Council regarding the City Council's prioritization of staff work on potential edits to Policy 0-4; and,
- 2) Make possible motion for staff to submit the letter on behalf of the Commission.

**Commissioner O'Connell made the motion to consider and edit the letter drafted by Chair Wheeler and approve with amendments, with a second by Commissioner Tran. The motion passed 8-0-1.**

**DRAFT**

**Yes: Tran, Quinn, Jasinsky, O'Connell, Wheeler, Shoor, Fitzgerald, Navarro**

**No: None**

**Abstain: Del Buono**

*Notes: Commissioner O'Connell requested the correction to the staff summary provided to Commissioners on June 13, 2019 on Item 4 identified as the letter submitted by Commissioner O'Connell, to reflect the authors as both Commissioner O'Connell and Commissioner Jasinsky.*

**(VII) New Business**

A. Voting for Chair and Vice Chair for FY 2019-20 (Chair A. Wheeler) ACTION: Vote for positions of Chair and Vice Chair, nominees being Andrea Wheeler for Chair and Alex Shoor for Vice Chair, and any other Commissioners nominated at the June Commission meeting, to serve in Fiscal Year 2019-20 commencing with the August 2019 Commission meeting. (No memo.)

**The Commission voted for Andrea Wheeler for the Chair position. The motion passed unanimously (9-0).**

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

**The Commission voted for Alex Shoor for the Vice Chair Position. The motion passed unanimously (9-0).**

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

B. Housing Payment Equality Ordinance (formerly known as the Source of Income Discrimination Ordinance) and Update on Santa Clara County Housing Authority Rental Subsidy Program Improvements (R. VanderVeen, Housing Department)

ACTION:

- 1) Review the staff report and provide feedback on the draft housing payment equality ordinance including, but not limited to, staff's recommended provisions on the definition of source of income, prohibited activities, applicability, and enforcement; and
- 2) Accept staff recommendation of a limited position to research subsidy program incentives for participation and program improvements.

**Vice Chair Shoor made the motion to approve staff report and recommendation of a limited position to research subsidy program incentives for participation and program improvements, with second by Commissioner Navarro. The motion passed (8-1).**

**Yes: Tran, Quinn, O'Connell, Wheeler, Shoor, Fitzgerald, Navarro, Del Buono**

**No: Jasinsky**

*Note: Commissioner Jasinsky requested Item VII-E to be moved up for discussion after VII-B. However, Chair Wheeler explained Commission initiated items are taken last and VII-E will be heard after VII-D as agendized.*

C. Tenant Preference to Prevent Displacement (A. Marcus, Housing Department)

ACTION: Review the staff report, provide input to staff, and make possible recommendation to the City Council to approve an ordinance based on this framework for a preference for applicants to affordable apartments in order to help prevent displacement.

**DRAFT**

**Commissioner Tran made the motion to accept the staff report, with a second by Commissioner Quinn. The motion passed unanimously (9-0).**

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

D. Update on Status of Work on a Citywide Anti-Displacement Strategy (K. Clements and J. Joanino, Housing Department)

ACTION: Consider staff update on Anti-displacement work and make possible recommendation to staff on outreach and/or priorities to examine. (No memo.)

**No action taken.**

E. Ad hoc Committee Report-back on Potential Vacant Residential and Commercial Properties (Vice Chair A. Shoor and Commissioner H. Tran)

ACTION:

- 1) Review, edit and approve the draft letter to the City Council prepared by the ad hoc committee regarding vacant residential properties;
- 2) Make a possible motion for staff to submit the letter on behalf of the Commission;
- 3) Discuss the report back of the ad hoc committee regarding vacant commercial land and buildings; and,
- 4) Authorize the ad hoc committee to return to the Commission at a future meeting with a draft letter to the City Council regarding potential strategies for vacant commercial properties, or otherwise amend the draft letter on residential properties to include the Commission's comments on commercial properties.

**Commissioner Tran made the motion to accept the draft letter as amended, with a second by Commissioner Navarro. The motion passed (6-1-1).**

**Yes: Tran, Quinn, Wheeler, Shoor, Navarro, Del Buono**

**No: Fitzgerald**

**Abstain: O'Connell**

*Notes:*

*Commissioner Jasinsky exited at 8:45 PM.*

*Commissioner O'Connell submitted a public comment regarding Commissioner Jasinsky's request to move this Item VII-E earlier but was not approved. The public comment is included and attached.*

F. Potential Policy/Program for Affordable Housing that Encourages Transportation Mobility – Commissioner-initiated Item (Vice Chair Shoor)

ACTION:

- 1) Consider information presented by Commissioner Shoor and discuss potential policy recommendations regarding affordable housing policies or programs that encourage transportation mobility;
- 2) Possibly authorize the creation of an ad hoc subcommittee to do further research and/or to draft a letter for staff to submit to the City Council, and return with information and any letter for consideration by the Commission at a future meeting.

## DRAFT

**Chair Wheeler made the motion to form an ad hoc committee and return to the Commission within six months with further recommendation either at the retreat or next Commission meeting, with a second by Vice Chair Shoor. The motion passed (5-3).**

**Yes: Tran, Wheeler, Shoor, Del Buono, Fitzgerald**

**No: Quinn, Navarro, O'Connell**

*Note: Commissioner O'Connell volunteered to be on the ad hoc committee.*

### **(VIII) Open Forum**

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**Commissioner Quinn expressed concerns about the exchanges between Commissioners during discussions on agenda items.**

### **(IX) Meeting Schedule**

The annual Commission retreat will be held during summer 2019 at a time and place TBD. The next regular Commission meeting is scheduled to be held on Thursday, August 8, 2019 at 5:45 p.m. 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 10:28 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 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.

8:05

pm

Please make sure  
 that the Gasaly /  
 O'Connell motion to  
 move & up be  
 in the minutes - !!  
 Even though no vote  
 was allowed, it is,  
 in my opinion, outrageous  
 that a Commissioner &  
 an ADA issue have  
 this request denied -

M. Conn

and I want the  
 written policy that says  
 Commissioner initiated items  
 go last on the agenda. do  
 writing please -