

HOUSING & COMMUNITY DEVELOPMENT COMMISSION  
MEETING ACTION MINUTES

OCTOBER 10, 2019

**MEMBERS PRESENT:** Andrea Wheeler Chair  
Alex Shoor Vice Chair *Arrived at 5:50 PM*  
Barry Del Buono Commissioner  
Martha O’Connell Commissioner  
Shavell Crawford Commissioner *Arrived at 6:15 PM*  
Nhi Duong Commissioner  
Justin Lardinois Commissioner *Arrived at 5:52 PM*  
Roberta Moore Commissioner  
Ruben Navarro Commissioner *Arrived at 5:53 PM*  
Victoria Partida Commissioner  
Julie Quinn Commissioner

**MEMBERS ABSENT:** District 8 – VACANT Commissioner  
Ryan Jasinsky Commissioner

**STAFF PRESENT:** Helen Chapman Council Liaison  
Kristen Clements Housing Department  
Selena Copeland Housing Department  
Noel Padilla Housing Department  
Rachel VanderVeen 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 September 12, 2019  
ACTION: Approve the September 12, 2019 action minutes

**Commissioner O’Connell made a motion to approve the minutes as amended by staff to include approved five total Commissioner-initiated Workplan items, with a second by Commissioner Quinn.**

**Vice Chair Shoor moved to amend Commissioner O’Connell’s motion to approve the minutes as amended by staff, and add all commissioner-initiated ideas & the votes they received, with a second by Commissioner O’Connell**

*Commissioner O’Connell rescinded her second to Vice Chair Shoor’s motion to amend*

**Commissioner Moore seconded Vice Chair Shoor’s motion to amend.**

**Commissioner Moore moved to amend Vice Chair Shoor's motion to amend in order to list only ideas, not votes, with a second by Commissioner O'Connell. Motion by Commissioner Moore to amend Vice Chair Shoor's motion passed 7-0-3.**

**Yes: Partida, Quinn, O'Connell, Duong, Del Buono, Moore, Shoor (7)**

**No: None**

**Abstain: Wheeler, Navarro, Lardinois (3)**

**Motion by Vice Chair Shoor, to amend Commissioner O'Connell's motion to approve the minutes as amended and add all commissioner-initiated ideas, passed 8-0-2.**

**Yes: Partida, Quinn, O'Connell, Wheeler, Duong, Del Buono, Moore, Shoor (8)**

**No: None (0)**

**Abstain: Navarro & Lardinois (2)**

**Motion by Commissioner O'Connell, to approve the minutes as amended by staff and as amended to add all commissioner-initiated ideas, passed unanimously (10-0). (Note: Commissioner Crawford not yet present for this item).**

#### **(IV) Reports and Information Only**

**A. Chair:** None.

**B. Director:** Ms. Kristen Clements gave an update on the Residential Displacement Study Session held on October 1, 2019, and offered to send Commissioners additional information if they are interested in learning more. Ms. Clements reminded Commissioners that several Housing-related items are agendaized on the November 5, 2019, City Council meeting. She also noted that several Housing Department staff are currently helping in the City's Office of Emergency Services due to the PG&E blackouts, including Ms. Viviane Nguyen, staff to the Commission.

**Council Liaison:** Ms. Helen Chapman noted that PG&E blackouts are affecting community centers and residents in different parts of the City and that the City was actively working on constituent concerns.

#### **(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.*

#### **(VI) Old Business**

**A. Commendation for Commissioner Huy Tran (K. Clements, Housing Department) (No memo)**

**ACTION:** None.

**Ms. Chapman and Ms. Clements presented certificates of recognition to Commissioner Tran to thank him for his service to the Commission.**

**B. Annual Report for Rent Stabilization Programs, including the Apartment Rent Ordinance, Tenant Protection Ordinance, Ellis Act Ordinance, and Housing Payment Equality Ordinance (R. VanderVeen, Housing Department)**

**ACTION:** Review and discuss the Rent Stabilization Programs Annual Report for 2018-2019.

**Ms. Rachel VanderVeen presented the report and accepted the feedback from the Commission. No further action was taken.**

**C. Administrative Citations Manual and Proposed Schedule of Fines for Violations of the Apartment Rent, Tenant Protection, and Ellis Act Ordinances (N. Padilla, Housing Department)**

**ACTION:** Review the Draft Administrative Citation Manual and proposed schedule of fines for violations for three ordinances – the Apartment Rent Ordinance (ARO), the Tenant Protection Ordinance (TPO) and the Ellis Act Ordinance - and make possible recommendations to the City Council.

***Commissioner Moore moved that if owner receives a citation with a fine and contests it, the fine would not be due until a decision was reached, with second by Commissioner O’Connell.***

***Commissioner O’Connell proposed a friendly amendment that the motion would not apply to Ellis Act. Commissioner Moore declined the amendment.***

***Commissioner O’Connell withdrew her second to Commissioner Moore’s motion.***

***No other second was made. Commissioner Moore’s motion was withdrawn.***

**Commissioner Crawford moved that the City provide all letters to owners in English, Vietnamese and Spanish, with a second by Commissioner Moore.**

***Commissioner Moore proposed a friendly amendment to add Chinese (Mandarin) to the languages. Commissioner Crawford declined the amendment.***

**Commissioner Crawford’s motion was approved, 10-1.**

**Yes: Navarro, Moore, Crawford, Duong, Partida, Lardinois, Quinn, O’Connell, Wheeler and Shoor (10)**

**No: Del Buono (1)**

**Commissioner Moore moved that if an owner does not respond to a citation or pay the fine, there are volunteers that speak different languages set up to reach out to those owners to ensure the owners are aware to contact the City, with a second by Commissioner Duong. The motion passed 6-3-2.**

**Yes: Navarro, Moore, Crawford, Duong, Partida, Lardinois (6)**

**No: Del Buono, Quinn and O'Connell (3)**

**Abstain: Wheeler, Shoor (2).**

**D. Timing for Hearing Commissioner-initiated Items**

**ACTION:** Discuss the process and order of upcoming Commissioner-initiated items on future agendas. **(No vote was taken.)**

**Commissioners Shoor and Crawford, who are leading the five Commissioner-initiated items on the Commission's FY 2019-20 Workplan, should communicate with Chair Wheeler and Ms. Clements well in advance regarding when to agendize the items. Commissioners interested in working on those items should communicate their interest in serving in ad hoc committees to the lead Commissioners.**

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**(VIII) Meeting Schedule**

The next regular Commission meeting is scheduled to be held on Thursday, November 14, 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.

Potential items for November (subject to change):

- Rent Stabilization Program Quarterly Report for the Apartment Rent Ordinance, Tenant Protection Ordinance, Ellis Act Ordinance, and Mobilehome Rent Ordinance

**The Commission set a Special Meeting on October 29, 2019, at 5:45 p.m., location TBD, to discuss items related to the November 5, 2019, City Council meeting.**

**Chair Wheeler reminded Commissioners to please plan to attend the Special Meeting in October if possible and if not, it is important to let staff and the Chair know in advance to ensure there is a quorum at the meeting.**

**The Commission set its regular December meeting for December 5, 2019, at 5:45 p.m., location TBD.**

**(IX) Adjournment**

**Chair Wheeler adjourned the meeting at 8:13 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.