



HOUSING & COMMUNITY DEVELOPMENT COMMISSION

ANNUAL RETREAT – SPECIAL MEETING AGENDA

THURSDAY, AUGUST 27, 2020, 5:00-6:30 P.M.

[ZOOM Link to Login](#) | **877-853-5257 (Toll Free) | **Webinar ID: 985 7320 4899****

*** COVID-19 NOTICE ***

Consistent with the California Governor’s Executive Order [No. N-29-20](#), the Housing and Community Development Commission (HCDC) meeting will not be physically open to the public, and the Commission members will be teleconferencing from remote locations.

HCDC is meeting via teleconference from remote locations in accordance with state and local orders and measures taken as a result of the COVID-19 pandemic. Members of the public may view and listen to the meeting by following the instructions below. Additional instructions are provided below to those members of the public who would like to comment on items on the agenda.

How to attend the Housing and Community Development Commission Meeting:

- 1) **Electronic Device Instructions:** For participants who would like to join electronically from a PC, Mac, iPad, iPhone, or Android device, please click this URL:
<https://sanjoseca.zoom.us/j/98573204899>.
 - a. Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer. Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
 - b. Enter an email address and name. The name will be visible online and will be used to notify you that it is your turn to speak.
 - c. When the Chair calls for the item on which you wish to speak, click on “raise hand.” Speakers will be notified shortly before they are called to speak.
 - d. When called, please limit your remarks to the time limit allotted.
- 2) **Telephone Device Instructions:** For participants who would like to join on their telephones, please dial **1-877-853-5257 (Toll Free)** and when prompted, enter meeting **Webinar ID: 985 7320 4899**. You may also **press *9** to raise a hand to speak.
- 3) **Public Comments prior to meeting:** If you would like to submit your comments prior to the meeting, please e-mail viviane.nguyen@sanjoseca.gov or contact 408-975-4462. Comments submitted prior to the meeting will be considered as if you were present in the meeting.

Commissioners are strongly encouraged to log on by 4:30pm to ensure there are no technical difficulties – thank you!



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Note: All listed agenda item times are approximate.

TIME AGENDA ITEM	
DAY TWO - Thursday, August 27, 2020 5:00 PM to 6:30 PM	
4:45	Log-in
5:00	(a) Call to Order/Orders of the Day
5:05	(b) Introductions
5:10	(c) Announcements
5:15	(d) Overview of Housing Department Priorities for 2020-21 (K. Clements, Housing)
5:35	(e) Overview of Housing & Community Development Commission Functions, Powers and Duties (K. Clements, Housing)
5:40	(f) Housing & Community Development Commission Draft 2019-20 Accomplishments (K. Clements, Housing) ACTION: Recommend to direct Housing staff to revise draft 2019-20 HCDC Accomplishments per Commissioners’ comments for final approval at September 10, 2020 regular meeting.
5:50	(g) Review and Commissioner Input on Preliminary Draft HCDC 2020-21 Workplan (K. Clements, Housing) ACTION: Recommend to direct Housing staff to revise 2020-21 HCDC Workplan per Commissions’ comments for final approval at September 10, 2020 regular meeting.
6:25	(h) Open Forum <i>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.</i>
6:30	Adjournment



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All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the City of San José Housing Department, 200 E. Santa Clara St., 12th Floor, San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body.

To request an accommodation for this meeting – an alternative format, translation for any related printed materials, or interpretation services for the meeting – please contact Viviane Nguyen at 408-975-4462 or 408-294-9337 (TTY) or Viviane.Nguyen@sanjoseca.gov as soon as possible, but at least three business days before the meeting.

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.

Para residentes que hablan español: Si desea mas información, favor de llamar a Theresa Ramos al 408-975-4475.

Riêng đối với quý vị nói tiếng Việt : Muốn biết thêm chi-tiết, xin vui lòng tiếp xúc với Viviane Nguyen, Đ.T. 408-975-4462.

對於說華語的居民: 請電 408-975-4450 向 Ann Tu 詢問詳細事宜。說粵語的居民則請撥打 408-975-4425 與 Yen Tiet 聯絡。

Para sa mga residente na ang wika ay tagalog: Kung kinakailangan pa ninyo ng inpormasyon, tawagan si Shirlee Victorio sa 408-975-2649. Salamat Po.

Housing & Community Development Commission DRAFT Accomplishments for FY 2019-20

#	Objective for 19-20	Actions	Commission Action
1.	Adopt Commission’s Accomplishments for 2018-19 September 12, 2019	Review, discuss, and adopt the Housing and Community Development Commission’s FY 2018-19 Accomplishments.	Commissioner Del Buono made the motion to pass the amended Commission accomplishments which clarified the Commissioner-initiated items, with the second by Commissioner Navarro. The motion passed unanimously (10-0). Yes: Navarro, Del Buono, Shoor, Wheeler, O’Connell, Jasinsky, Quinn, Lardinois, Partida, Moore (10) No: None (0) Absent: Crawford, Duong (2)
2.	Adopt Commission’s Workplan for 2019-20 September 12, 2019	Review, discuss, and adopt the Housing and Community Development Commission’s FY 2019-20 Workplan, for consideration by the City Council’s Community and Economic Development Committee at its September 23, 2019 meeting.	Commissioner O’Connell made the motion to have a brief overview of each commissioner-initiated idea before voting, an appeal from the current proposal to vote without having a brief overview, with a second by Commissioner Jasinsky. The motion failed 5-6-1. Yes: Crawford, Duong, Partida, O’Connell, Jasinsky (5) No: Navarro, Moore, Del Buono, Shoor, Quinn, Lardinois (6) Abstain: Wheeler (1) No: None (0) Commissioner Jasinsky made the motion to consolidate commissioner-initiated idea items 4 and 5, with a second by Vice Chair Shoor. The motion passed unanimously (12-0). Yes: Navarro, Del Buono, Shoor, Wheeler, O’Connell, Jasinsky, Quinn, Lardinois, Partida, Moore, Duong, Crawford (12) No: None (0) Commissioner Crawford made the motion to add the top four scoring commissioner-initiated ideas to the draft Workplan and approve the Workplan, with a second by Commissioner Del Buono. The four items are: 1. Board and Care Regulations and Properties

			<p>2. Mental Health Proposition 2 Funding 3. Additional Density Bonus for Affordable Housing 4. Nonprofit Housing Co-ops First Opportunity to Buy Affordable Housing Properties</p> <p>The motion passed 11-1. Yes: Moore, Crawford, Del Buono, Duong, Shoor, Wheeler, O’Connell, Jasinsky, Quinn, Lardinois, Partida (11) No: Navarro (1)</p> <p>Commissioner-initiated proposals include (the first 4 in bold being prioritized for consideration in order, to the extent time allows):</p> <ul style="list-style-type: none"> • Board and Care Regulations and Properties - 85% of shelters in San Jose are composed of senior citizens and with a review of regulations and development, we can properly care for our elderly community members. • Mental Health Proposition 2 Funding - Leverage prop 2 mental health housing bond through collective collaboration with County of Santa Clara. • Additional Density Bonus for Affordable Housing on affordable housing projects • Nonprofit Housing Co-ops First Opportunity to Buy Affordable Housing Properties - the first opportunity to buy affordable housing by condition before the owner sells it • Provide RV Parking with Services - Create a safe parking program for RVs. Allocate 1 or more acres of the Fairground, a similar location, such as an abandoned motor lodge for RV Parking or purchase an existing RV rental company. Provide case workers as is done with Safe Parking. Other than this, can start with no services. As budget permits, provide water, sewer, and electrical hookup. Monitor for illegal activity to protect and keep the area safe. Eventually, add bathrooms with
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			<p>showers, sinks, and toilets. Can charge a fee on a sliding scale based on income and service offering</p> <ul style="list-style-type: none"> • Educate Rental Providers - Bring back Project Blossom with Jodi Marshall. Project Blossom teaches Rental Providers what's required and how to provide the best service possible. • Right to counsel for low-income tenants • Benefits for mobile home park residents displaced by park conversions - The residents of Winchester Ranch were able to negotiate buyouts and replacement housing after their park is closed. The action would be to institutionalize a similar requirement for future mobile home park conversions. • Explore different in-lieu fee structures for the Inclusionary Housing Ordinance - Explore how the current requirement could be tweaked to incentivize developers to build affordable units rather than pay the fee. Two ideas are different fee amounts, or making the fee option require an exemption by city council, as Milpitas does. • Inclusionary Housing Ordinance update - Not using "clustering" as an incentive for development of affordable units • Next steps re: vacant properties - Both our continued work and the City's study of the issue as a possible tax • Mobilehome park replacement housing ordinance to turn the Winchester Ranch Mobile Home Park negotiated agreement into a model for policy • Funding worker-owned businesses through CDBG funding https://nonprofitquarterly.org/program-to-promote-employee-ownership-incommunities-of-color-scores-early-wins/ • Tiny homes - request a report back and explore possible replication to other sites in the City
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			<ul style="list-style-type: none"> • Land owned by City of San Jose within 0.5 miles of transit must be built or sold if it has sat empty for 10 years • Tie ARO (rent stabilization) to the income of tenant instead of year unit was built • Protect families from eviction if the child is on juvenile probation
5.	<p>Approve the Minutes for the Meeting of September 12, 2019 October 10, 2019</p>	<p>Approve the September 12, 2019 action minutes</p>	<p>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.</p> <p>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.</p> <p><i>Commissioner O’Connell rescinded her second to Vice Chair Shoor’s motion to amend.</i></p> <p>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.</p> <p style="padding-left: 40px;">Yes: Partida, Quinn, O’Connell, Duong, Del Buono, Moore, Shoor (7) No: None Abstain: Wheeler, Navarro, Lardinois (3)</p> <p>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.</p> <p style="padding-left: 40px;">Yes: Partida, Quinn, O’Connell, Wheeler, Duong, Del Buono, Moore, Shoor (8)</p>

Housing & Community Development Commission DRAFT Accomplishments for FY 2019-20

			<p>No: None (0) Abstain: Navarro & Lardinois (2)</p> <p>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). Yes: Partida, Quinn, O’Connell, Duong, Del Buono, Moore, Shoor, Wheeler, Navarro, Lardinois (10) No: None (0)</p>
6.	<p>Timing for Hearing Commissioner-initiated Items October 10, 2019</p>	<p>Discuss the process and order of upcoming Commissioner-initiated items on future agendas. (No vote was taken.)</p>	<p>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.</p>
Policy Discussions			
7.	<p>Homelessness Annual Report September 12, 2019</p>	<p>Review the homelessness annual report for Fiscal Year 2018-19 and recommend that the City Council approve the report.</p>	<p>Commissioner Lardinois made a motion to recommend City Council to accept staff recommendation with the Commissioner’s comments, with a second by Commissioner Crawford. The motion passed (12-0). Yes: Navarro, Del Buono, Shoor, Wheeler, O’Connell, Jasinsky, Quinn, Lardinois, Partida, Moore, Duong, Crawford (12) No: None (0)</p>
8.	<p>Public Hearing for the FY 2018-2019 Consolidated Annual Performance Evaluation Report (CAPER) September 12, 2019</p>	<p>Hold the second of three public hearings on the use of federal funds from the U.S. Department of Housing and Urban Development (HUD) in the FY 2018-2019 Consolidated Annual Performance Evaluation Report (CAPER), and</p>	<p>Commissioner Crawford made the motion to recommend the CAPER with the Commissioners' comments, with a second by Commissioner Quinn. The motion passed (12-0). Yes: Navarro, Del Buono, Shoor, Wheeler, O’Connell, Jasinsky, Quinn, Lardinois, Partida, Moore, Duong, Crawford (12-0) No: None (0)</p>

		recommend that the City Council approve the FY 2018-2019 CAPER.	
9.	Updates on Development of the Affirmatively Furthering Fair Housing Plan and the Five-Year Consolidated Plan for 2020-25 September 12, 2019	Review the Department’s reports and workplans for developing the Affirmatively Furthering Fair Housing Plan and the Five-Year Consolidated Plan governing the use of federal funding from the U.S. Department of Housing and Urban Development over the 2020-25 period, and give feedback to staff.	Mr. Marcus and Mr. Lopez presented the presentation on Affirmatively Furthering Fair Housing Plan and the Five-Year Consolidated Plan for 2020-25. Commissioners gave comments and asked questions. No formal action was taken.
10.	Annual Report for Rent Stabilization Programs, including the Apartment Rent Ordinance, Tenant Protection Ordinance, Ellis Act Ordinance, and Housing Payment Equality Ordinance October 10, 2019	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.
11.	Administrative Citations Manual and Proposed Schedule of Fines for Violations of the Apartment Rent, Tenant Protection, and Ellis Act Ordinances	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	<i>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.</i> <i>Commissioner Moore declined the amendment. Commissioner O’Connell withdrew her second to Commissioner Moore’s motion. No</i>

	<p>October 10, 2019</p>	<p>possible recommendations to the City Council.</p>	<p><i>other second was made. Commissioner Moore's motion was withdrawn.</i></p> <p>Commissioner Crawford moved that the City provide all letters to owners in English, Vietnamese and Spanish, with a second by Commissioner Moore.</p> <p><i>Commissioner Moore proposed a friendly amendment to add Chinese (Mandarin) to the languages. Commissioner Crawford declined the amendment.</i></p> <p>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)</p> <p>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)</p>
<p>12.</p>	<p>Demographic Study of Renters Living in Apartments Covered by the Apartment Rent Ordinance October 29, 2019</p>	<p>Review and discuss Economic Roundtable's 2019 update study on the demographics of renters in apartments subject to the Apartment Rent Ordinance, and possible recommendation to the City Council.</p>	<p>Commissioner Moore made a motion that the Commission highlight for the City Council that one of the most significant findings in the report is that the population of ARO tenants is largely Hispanic/Latinx (47%), with a second Commissioner Navarro.</p> <p>With a proposed amendment by Commissioner Navarro that any changes to the Ellis Act Ordinance and Apartment Rent Ordinance</p>

			<p>should be thoughtful of disproportionate impact on the Hispanic/Latinx communities in addition to the impact on all communities, with a second by Commissioner Partida. Motion passed 7-1. Yes: Navarro, Quinn, Shoor, Wheeler, O’Connell, Del Buono, Partida (7) No: Moore (1)</p> <p>Commissioner Moore made a motion that the Commission highlight for the City Council that one of the most significant findings in the report is that the population of ARO tenants is largely Hispanic/Latinx (47%) and that any changes to the Ellis Act Ordinance and Apartment Rent Ordinance should be thoughtful of disproportionate impact on the Hispanic/Latinx communities in addition to the impact on all communities, with a second Commissioner Navarro. Motion passed 8-0. Yes: Navarro, Quinn, Moore, Shoor, Wheeler, O’Connell, Del Buono, Partida (8) No: None (0)</p> <p>Commissioner Moore made the motion that Table 9 in the Ellis Act Ordinance memo submitted to City Council for the November 5, 2019 meeting to also include the numerical population for ARO renters and all renters in San Jose, with a second by Commissioner O’Connell. Motion passed 8-0. Yes: Navarro, Quinn, Moore, Shoor, Wheeler, O’Connell, Del Buono, Partida (8) No: None (0)</p>
13.	Rent Stabilization Program Quarter 1 Report for Apartments, including	Review the staff report and provide possible recommendations on the Rent Stabilization Program Quarter 1 Report for FY 2019-20.	Commissioner Del Buono made the motion to accept the staff report, with a second by Commissioner Lardinois. The motion passed 7-0. Yes: Del Buono, Duong, Shoor, O’Connell, Jasinsky, Lardinois, Partida (7)

Housing & Community Development Commission DRAFT Accomplishments for FY 2019-20

	the Apartment Rent Ordinance, Tenant Protection Ordinance, Ellis Act Ordinance, and Housing Payment Equality Ordinance November 14, 2019		No: None (0)
14.	Rent Stabilization Program Quarter 1 Report for Mobilehomes, Including the Mobilehome Rent Ordinance November 14, 2019	Review the staff report and provide possible recommendations on the Rent Stabilization Program Quarter 1 Report for FY 2019-20.	Commissioner Jasinsky made the motion to accept the staff report, with a second by Commissioner O’Connell. The motion passed 7-0. Yes: Del Buono, Duong, Shoor, O’Connell, Jasinsky, Lardinois, Partida (7) No: None (0)
15.	Rent Stabilization Program Rent Registry Implementation Update November 14, 2019	Review the staff report and provide possible recommendations on the Rent Stabilization Program Rent Registry Implementation update for FY 2018-19.	Commissioner Del Buono made the motion to accept staff report, with a second by Commissioner Jasinsky. The motion passed 7-0. Yes: Del Buono, Duong, Shoor, O’Connell, Jasinsky, Lardinois, Partida (7) No: None (0)
16.	Completion of the Ratio Utility Billings System Petitions Under the Apartment Rent Ordinance November 14, 2019	Review the staff report on completion of the Ratio Utility Billing Systems (RUBS) Petitions Under the Apartment Rent Ordinance in FY 2018-19.	Commissioner Jasinsky made the motion to accept staff, with a second by Commissioner Partida. The motion passed 7-0. Yes: Del Buono, Duong, Shoor, O’Connell, Jasinsky, Lardinois, Partida (7) No: None (0)

Housing & Community Development Commission DRAFT Accomplishments for FY 2019-20

17.	<p>Rent Stabilization Program Quarter 2 Report for Mobilehomes, including the Mobilehome Rent Ordinance January 23, 2020</p>	<p>Review the staff report and provide possible recommendations to staff on the Rent Stabilization Program Quarter 2 Report for FY 2019-20.</p>	<p>Commissioner Shoor made the motion to accept the staff report, with a second by Commissioner Quinn. The motion passed unanimously (11-0).</p> <p>Yes: Navarro, Quinn, Jasinsky, O’Connell, Wheeler, Shoor, Lardinois, Del Buono, Moore, Duong, Partida (11) No: None (0) Absent: Crawford</p>
18.	<p>Rent Stabilization Program Quarter 2 Report for Apartments, including the Apartment Rent Ordinance, Tenant Protection Ordinance, Ellis Act Ordinance, and Housing Payment Equality Ordinance January 23, 2020</p>	<p>Review the staff report and provide possible recommendations to staff on the Rent Stabilization Program Quarter 2 Report for FY 2019-20.</p>	<p>Commissioner Quinn made the motion to accept the staff report, with a second by Commissioner Jasinsky. The motion passed unanimously (11-0).</p> <p>Yes: Navarro, Quinn, Jasinsky, O’Connell, Wheeler, Shoor, Lardinois, Del Buono, Moore, Duong, Partida (11) No: None (0) Absent: Crawford</p>
19.	<p>Inclusionary Housing Ordinance Proposed Revision October 29, 2019</p>	<p>(a) Review the staff report and provide possible recommendations to the City Council on proposed amendments to Chapter 5.08 of the Municipal Code, including the following changes as described in this staff memorandum: (1) Apply the Inclusionary Housing Ordinance on</p>	<p><i>Vice Chair Shoor made a motion to approve staff recommendation to apply the Inclusionary Housing Ordinance on developments with five units or more, with a second by Commissioner Del Buono. The motion failed 4-4.</i></p> <p><i>Yes: Quinn, Shoor, Wheeler, Del Buono (4)</i> <i>No: Navarro, Moore, O’Connell, Partida (4)</i></p> <p><i>Commissioner O’Connell made a motion to reject the staff recommendation (B-1) to expand the income tiers for rental on-site and off-site projects, with a second by Commissioner Navarro. The motion failed 4-2-2.</i></p> <p><i>Yes: Partida, Del Buono, O’Connell, Navarro (4)</i></p>

		<p>developments with five units or more;</p> <p>(2) Serve a wider range of incomes for rental housing to 5% at 100% of the Area Median Income (AMI), 5% at 60% of the AMI, and 5% at the 50% of the AMI;</p> <p>(3) Restructure the in-lieu fee option to apply the fee on a square foot basis and change the amount to \$43 per square foot for rental development and \$25 per square foot for forsale development;</p> <p>(4) Encourage rental developments to choose on-site compliance option by setting the in-lieu fee to \$18 per square foot where at least 5% of the units are provided onsite and allowing affordable units to be located in a separate building on-site;</p> <p>(5) Update the requirement to locate offsite units within the same redevelopment area to areas of opportunity;</p> <p>(6) Ensure units remain affordable as long as practical by extending the period of affordability to 99 years;</p>	<p><i>No: Shoor, Quinn (2)</i> <i>Abstain: Wheeler, Moore (2)</i></p> <p>Vice Chair Shoor made the motion to approve the staff recommendation (B-2) of in lieu of providing on-site rental units in the three specified income tiers, a project can provide 10% of units affordable at 30% of AMI, with second by Commissioner Moore. The motion passed 8-0.</p> <p>Yes: Partida, Del Buono, O’Connell, Navarro, Shoor, Quinn, Wheeler, Moore (8) No: None (0)</p> <p><i>Vice Chair Shoor made the motion to approve the staff recommendation (B-3) to explore extending the Park Fee discount to 100% of AMI rental units, with a second by Commissioner Navarro. The motion failed 4-3-1.</i></p> <p><i>Yes: Del Buono, Shoor, Quinn, Moore (4)</i> <i>No: Navarro, Partida, O’Connell (3)</i> <i>Abstain: Wheeler (1)</i></p> <p>Vice Chair Shoor made the motion to approve the staff recommendation (C-1) to apply the In-Lieu Fee on a per square foot basis, with a second by Commissioner Moore. The motion passed 7-0-1.</p> <p>Yes: Partida, Del Buono, O’Connell, Shoor, Wheeler, Moore, Navarro (7) No: None (0) Abstain: Quinn (1)</p> <p>Commissioner O’Connell made the motion to approve the staff recommendation (C-2) to tie the In-Lieu Fee calculation to the per unit</p>
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Housing & Community Development Commission DRAFT Accomplishments for FY 2019-20

		<p>(7) Adjust affordability requirements for co-living units to 90% of studio rents; and (8) Update program administration to allow recertification every two years.</p> <p>(b) Provide recommendations to staff regarding potential amendments to the Park Fees Ordinance to define 100% AMI units as “affordable;” and, (c) Provide recommendations to staff regarding the potential development of geographic market areas to allow the phase in of the in-lieu fee adjustments over a three-year period.</p>	<p>affordability gap, with a second by Commissioner Partida. The motion passed 7-0-1.</p> <p>Yes: Partida, Del Buono, O’Connell, Navarro, Shoor, Quinn, Wheeler (7) No: None (0) Abstain: Moore (1)</p> <p>Vice Chair Shoor made the motion to reject the staff recommendation (C-3) to set a lower fee outside of strong market areas, with a second by Commissioner Navarro. The motion passed, 7-1.</p> <p>Yes: Partida, Del Buono, O’Connell, Navarro, Shoor, Quinn, Wheeler (7) No: Moore (1)</p> <p>Vice Chair Shoor made the motion to reject the staff recommendation (C-4) cap the annual fee adjustment, with a second by Commissioner Navarro. The motion passed 6-1-1.</p> <p>Yes: Partida, Del Buono, O’Connell, Navarro, Shoor, Quinn (6) No: Moore (1) Abstain: Wheeler (1)</p> <p>Vice Chair Shoor made the motion to approve the staff recommendation (C-5) to provide advance notice of fee increases, with a second by Commissioner Quinn. The motion passed 8-0.</p> <p>Yes: Partida, Del Buono, O’Connell, Navarro, Shoor, Quinn, Wheeler, Moore (8) No: None (0)</p> <p>Commissioner O’Connell made the motion to reject the staff recommendation (D-1) to offer an adjusted schedule of In-Lieu Fees for mixed compliance projects and (D-2) to adjust the mixed compliance fees as the market changes, with a second by Navarro.</p>
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			<p>The motion passed 6-2. Yes: Partida, Del Buono, O’Connell, Navarro, Shoor, Wheeler (6) No: Moore, Quinn (2)</p> <p>Commissioner O’Connell made the motion to reject the staff recommendation (D-3) to allow affordable project immediately adjacent to market-rate project, with a second by Commissioner Moore. The motion passed 5-1-2. Yes: Partida, Del Buono, O’Connell, Navarro, Moore (5) No: Quinn (1) Abstain: Wheeler, Shoor (2)</p> <p>Chair Wheeler made a motion to request City Council to direct staff to evaluate the community impact due to clustering of low-income housing units, with a second by Commissioner Navarro. The motion passed 6-0-2. Yes: Partida, Del Buono, O’Connell, Navarro, Shoor, Wheeler (6) No: None (0) Abstain: Quinn, Moore (2)</p> <p>Vice Chair Shoor made the motion to approve the staff recommendation (F-1) to extend the period of affordability to 99 years, with a second by Commissioner Quinn. The motion passed 7-1. Yes: Partida, Del Buono, O’Connell, Navarro, Shoor, Quinn, Wheeler (7) No: Moore (1)</p>
20.	Tenant Preferences November 14, 2019	Open Forum	<p>Commissioner Partida made a motion to agendize at a future meeting and update on the Tenant Preference policy discussed previously, with a friendly amendment by Commissioner Lardinois to consider the public comments received during open forum on November 14, 2019, with a second by Commissioner O’Connell. The motion passed 6-1. Yes: Partida, Lardinois, O’Connell, Duong, Del Buono, Shoor (6)</p>

			No: Jasinsky (1)
21.	Create a New Downpayment Assistance Program for Moderate-income Homebuyers November 14, 2019	Review the staff report and provide possible recommendations to the City Council in response to the proposal to create a new downpayment assistance program.	Commissioner Lardinois made the motion for staff explore increasing the maximum purchase price, with a friendly amendment by Commissioner O’Connell to potentially include mobilehomes in the program, with a second by Commissioner Jasinsky. The motion passed 6-1. Yes: Lardinois, Del Buono, Shoor, O’Connell, Partida, Jasinsky (6) No: Duong (1)
22.	Accessory Dwelling Unit Forgivable Loan Program to House Moderate-Income Renters November 14, 2019	Review and make possible recommendations to the City Council on the creation of a forgivable loan program for San José homeowners who build a legal accessory dwelling unit and agree to house an income-eligible household for a period of five years, including the possible suspension of business tax collection for qualifying accessory dwelling units during the five-year compliance period.	Commissioner Lardinois made the motion for staff to explore strategies to discourage the delaying repayment of loans if not forgiven such as penalties and fees, with a second by Commissioner O’Connell. The motion passed 4-3. Yes: Shoor, O’Connell, Jasinsky, Lardinois (4) No: Del Buono, Duong, Partida (3) Vice Chair Shoor made the motion to minimize the financial risk to the City, with a second by Commissioner Jasinsky. The motion passed 7-0. Yes: Partida, Lardinois, Jasinsky, O’Connell, Shoor, Duong, Del Buono (7) No: None (0)
23.	Draft Five-Year Consolidated Plan 2020-25 Funding Priorities March 12, 2020	Hold a public hearing on funding priorities for the next Five year Consolidated Plan, which will govern the use of federal funding from the U.S. Department of Housing and Urban Development from 2020 through 2025, and provide Housing Department staff with input on the funding priorities.	Commissioner Shoor made the motion that all goals related to grassroots outreach skills development and neighborhood leadership development be quantitatively related to housing development, preservation and protection issues, with a second by Commissioner Wheeler. The motion passed 4-3. Yes: Wheeler, Shoor, Del Buono, Crawford (4) No: Navarro, Partida, O’Connell (3) Absent: Duong, Lardinois, Quinn, Moore, Jasinsky (5)

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24.	City-Initiated General Plan Amendments for Mobilehome Parks January 23, 2020	Review information on proposed addition of a new General Plan Mobilehome Park designation, the application of the designation to the Westwinds and Mountain Springs mobilehome parks, and make possible recommendation to provide comments to staff, and/or the City Council.	Commissioner O’Connell made the motion to recommend to the City Council to apply the Mobilehome park designation to all Mobilehome parks, with a second by Commissioner Navarro. The motion was approved 8-0-2. Yes: Navarro, Quinn, O’Connell, Wheeler, Lardinois, Del Buono, Duong, Partida (8) No: None (0) Abstain: Shoor, Moore (2) Recused: Jasinsky (1) Absent: Crawford
25.	Open Forum: General Plan Mobilehome Park January 23, 2020	Commissioner Del Buono made the motion for the Commission to draft a letter to City Council with a recommendation to create a new General Plan Mobilehome Park designation and to apply the new designation to all Mobilehome Parks in San José, with a second by Commissioner O’Connell. The motion passed 7-0-1.	On Commissioner Del Buono’ motion: Yes: Quinn, O’Connell, Wheeler, Lardinois, Del Buono, Duong, Partida, Moore (8) No: None (0) Abstain: Shoor (1) Recused: Jasinsky (1) Absent: Navarro, Crawford (2) Vice Chair Shoor made the motion to add to the February meeting agenda to form an ad hoc committee to further discuss Mobilehome Park evictions and potentially form recommendations for the Commission to discuss, with a second by Commissioner O’Connell. The motion was approved 8-1-0. Yes: Quinn, O’Connell, Wheeler, Lardinois, Del Buono, Duong, Partida, Moore (8) No: Jasinsky (1) Abstain: None (0) Absent: Navarro, Crawford (2)
26.	Ad hoc Committee to Make Recommendations about Mobilehome Park Conversions	Consider forming a temporary Ad hoc Committee of not more than six months to research potential changes to the City mobilehome conversion procedures based on	Chair Wheeler made the motion to approve forming a temporary Ad hoc Committee of not more than six months to research potential changes to the City mobilehome conversion procedures based on issues that have arisen at Winchester Mobilehome Park and Westwinds Mobilehome Park and authorize the Ad Hoc Committee to return with

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	<p>February 13, 2020</p>	<p>issues that have arisen at Winchester Mobilehome Park and Westwinds Mobilehome Park and authorize the Ad Hoc Committee to return with a draft letter on this topic consistent with item D of Section V of Council Policy 0-4 (Letters Regarding Council or Council Committee Items) for Commission consideration and submission to the City Council.</p>	<p>a draft letter on this topic consistent with item D of Section V of Council Policy 0-4 (Letters Regarding Council or Council Committee Items) for Commission consideration and submission to the City Council, with a second by Commissioner Partida. The motion passed (8-1).</p> <p>Yes: Lardinois, Partida, Jasinsky, O’Connell, Wheeler, Shoor, Duong, Del Buono (8) No: Quinn (1) Absent: Crawford, Navarro, Moore (3)</p> <p>Commissioner Jasinsky made the motion to form the Ad Hoc Committee comprised of the members Shoor, Wheeler, O’Connell, Jasinsky, and Navarro, with a second by Commissioner O’Connell. The motion passed (9-0).</p> <p>Yes: Del Buono, Duong, Shoor, Wheeler, O’Connell, Jasinsky, Partida, Lardinois, Quinn (9) No: None (0) Absent: Crawford, Navarro, Moore (3)</p>
27.	<p>Diridon Affordable Housing Implementation Plan February 13, 2020</p>	<p>Receive the staff update on the Diridon Affordable Housing Implementation Plan.</p>	<p>The Commission received the update on the Diridon Affordable Housing Implementation Plan</p>
28.	<p>Draft Community Plan to End Homelessness 2020-2025 February 13, 2020</p>	<p>Receive the staff report and provide the Housing Department staff with feedback on the draft Community Plan to End Homelessness 2020-2025.</p>	<p><i>Vice Chair Shoor made a motion to recommend staff explore an 18-month pilot sanctioned encampment within the City of San José, with a second by Commissioner Jasinsky. The motion failed (2-7).</i></p> <p><i>Yes: Shoor, Jasinsky (2)</i> <i>No: Del Buono, Duong, Wheeler, O’Connell, Partida, Lardinois, Quinn (7)</i> <i>Absent: Crawford, Navarro, Moore (3)</i></p> <p>Chair Wheeler made a motion to amend the draft Community Plan to End Homelessness to address engagement and collaboration at a State</p>

			<p>and Federal level on homelessness, with a second by Commissioner O’Connell. The motion passed (7-2).</p> <p>Yes: Shoor, Wheeler, O’Connell, Jasinsky, Partida, Lardinois, Quinn (7)</p> <p>No: Del Buono, Duong, (2)</p> <p>Absent: Crawford, Navarro, Moore (3)</p>
Deferred Items			
29.	<p>Timing for Hearing Commissioner-initiated Items</p> <p>November 14, 2019</p>	<p>Discuss the process and order of upcoming Commissioner-initiated items on future agendas.</p>	<p>This item was deferred to a later date.</p>
30.	<p>Annual Progress Report on the Implementation of the San José General Plan Housing Element and the Housing Successor to the Redevelopment Agency Annual Report</p> <p>March 12, 2020</p>	<p>Receive the staff reports for the draft 2019 Annual Progress Report on the Implementation of the San José 2014-23 Housing Element, and the draft 2018-19 Housing Successor to the Redevelopment Agency Annual Report, and make possible recommendations to staff and/or the City Council.</p>	<p>This item was deferred to a later date.</p>
31.	<p>Inclusionary Housing Ordinance Follow-Ups</p> <p>March 12, 2020</p>	<p>Receive an update on proposed amendments to Inclusionary Housing Ordinance with three of the remaining outstanding items following November 5, 2019, City Council: (a) Evaluate financing impacts of extending the period of affordability to 99 years; (b) Incentivize density for small projects between 5 to 19 units;</p>	<p>This item was deferred to a later date.</p>

		<p>and, (c) Encourage innovative partnerships by exploring the minimum contribution to off-site developments in order to maximize affordable housing.</p>	
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#	Topics for FY 2020-21	Actions	HCDC Function, Power, Duty	Type of Item	Tentative Date
1.	Anti-Displacement Draft Strategy	Review draft Anti-Displacement Strategy and make possible recommendation	Policies	Report	Aug 2020
2.	Commercial Impact Fee	Review report on Commercial Impact Fee Nexus Study and Feasibility Study and make possible recommendation	Local funds	Report	Aug 2020
3.	Commission Elections	Elect Chair and Vice Chair for FY 2020-21	Governance	Administration	Sep 2020
4.	Adopt Commission FY 2019-20 Accomplishments	Review, discuss, and adopt HCDC's FY 2019-20 Accomplishments based on work completed at Annual Retreat	Administrative	Governance	Sep 2020
5.	Draft Diridon Affordable Housing Implementation Plan	Review draft Affordable Housing Implementation Plan and make possible recommendation	New plan	Plan	Oct 2020
6.	Inclusionary Housing Ordinance	Review proposed revisions to the Inclusionary Housing Ordinance and related programs and make possible recommendations	Existing program	Policy	Oct 2020
7.	Approval of Measure E Spending Plan	Review proposed spending plan for Measure E funds to ensure it is consistent with City Council direction and make recommendations	Local funds	Plan	Oct 2020
8.	Affordable Housing Siting Policy Framework	Provide input on proposed framework for the City's policy on siting permanent affordable housing and make possible recommendation	Revised policy	Policy	Oct 2021
9.	Housing Crisis Workplan Updates	Review progress report on implementation of prioritized items in the Housing Crisis workplan and make possible recommendation	Housing goals	Report	Oct 2021
10.	Amended Commission Bylaws	Review, make possible changes, and approve amended Commission Bylaws	Administrative	Governance	Nov 2020

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#	Topics for FY 2020-21	Actions	HCDC Function, Power, Duty	Type of Item	Tentative Date
11.	Annual Homeless Report	Review report and provide input on overall budget, policies, and programs to address homelessness	Existing program	Report	Dec 2020
12.	Consolidated Annual Performance and Evaluation Report (CAPER)	Hold a public Hearing for the FY 2019-20 Consolidated Annual Performance and Evaluation (CAPER) and make possible recommendation to City Council to approve report	Federal funds	Hearing	Dec 2020
13.	Assessment of Fair Housing Draft	Review reports on draft findings of AFH Plan and make possible recommendations	Federal funds	Plans	Dec 2020
14.	FY 2021-22 Annual Action Plan Funding Priorities	Hold a Public Hearing and review funding priorities for FY 2021-22 Annual Action Plan and make possible recommendation	Federal funds	Hearing	Dec 2020
15.	HCDC Workplan Amendments	Review amended 2020-21 HCDC Workplan and make possible recommendation for submission to the Community and Economic Development Committee	Governance	Plan	Jan 2021 (if needed)
16.	Moderate-income Housing Strategy	Review report of consultant report on Moderate-income housing strategies on proposed strategies to meet the housing needs of moderate-income residents in San José and make possible recommendation	New program	Plan	Feb 2021
17.	Annual Housing Element Report	Review annual progress report on the Housing Element and make possible recommendation	Housing goals	Report	Feb 2021
18.	Affordable Housing Siting Draft Policy	Provide input on proposed updates to the City's Dispersion Policy for siting affordable housing and make possible recommendation	Revised policy	Policy	Mar 2021
19.	Assessment of Fair Housing Draft Plan	Review draft Plan on housing challenges and community needs and make possible recommendation	New plan	Plan	Mar 2021

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#	Topics for FY 2020-21	Actions	HCDC Function, Power, Duty	Type of Item	Tentative Date
20.	Rent Stabilization Program Budget (Fee) Recommendations	Review and discuss the RSP annual fee structure and staffing levels concerning Mobilehomes and Apartments and make possible recommendation	Fees for ARO & Mobilehome Rent Ordinance	Fee Report	Mar 2021
21.	Housing Crisis Workplan	Review progress report on implementation of prioritized items in the Housing Crisis workplan and make possible recommendation	Housing goals	Report	Apr 2021
22.	Draft FY 2021-22 Annual Action Plan	Hold a Public Hearing and review FY 2021-22 draft Annual Action Plan for the use of federal funds from HUD and make possible recommendation	Federal funds	Hearing	Apr 2021
23.	Housing Trust Fund Budget	Review and provide input on proposed expenditures for FY 2020-21 from the Housing Trust Fund for homeless programs and make possible recommendation	Local funds	Plan	Apr 2021
24.	Annual Progress Report on the Housing Element	Review progress report on the Annual Progress Report to the State on the City's Housing Element and make possible recommendation	Housing goals	Report	May 2021
25.	Soft Story Program Framework and Ordinance	Review draft soft story program framework and ordinance and make possible recommendation	New program	Program	May 2021
26.	Commission Nominations/Elections	Nominate and select Chair and Vice Chair for FY 2021-22	Governance	Administration	May/June 2021
27.	Quarterly and Annual Reports	Review quarterly and annual reports on the Rent Stabilization Program including the Apartment Rent Ordinance, Ellis Act Ordinance, Tenant Protection Ordinance, and Mobilehome Rent Ordinance programs and make possible recommendations	Report on ARO & Mobilehome Rent Ordinance	Report	Quarterly, Annual
28.	Outreach Authorization for Commissioners	Consider, and by motion, authorize identified Commissioners to use their titles in seeking public input on items within the purview of the Commission subject to Council Policy 0-4 for FY	Administrative	Governance	As needed

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#	Topics for FY 2020-21	Actions	HCDC Function, Power, Duty	Type of Item	Tentative Date
		2020-21 and to report back to the Commission after the conclusion of such meetings			
29.	Reports on Housing Data	Review reports on housing data	Report	Report	As needed
30.	Amendments to FY 2020-21 Annual Action Plan	Hold a Public Hearing and review Amendments to FY 2020-21 Annual Action Plan for the use of federal funds from HUD and make possible recommendation	Federal funds	Hearing	As needed
31.	Proposed State/Federal Legislation	Discuss and make possible recommendations on proposed legislation and ballot measures pertaining to subjects under the purview of the Commission, per Policy 0-4	New, revised policies	Policy	As needed
32.	Topics related to Chapters 17.22 and 17.23 of the San José Municipal Code	Discuss items related to SJMC Chapters 17.22 and 17.23 regarding the Mobilehome Rent Ordinance and related regulations and take possible action	New, revised programs and policies	Program Policy	As needed
33.	Topics related to Chapter 20.180 of the San José Municipal Code	Discuss items related to SJMC Chapter 20.180 regarding mobilehome parks and related policies and take possible action	New, revised programs and policies	Policy	As needed
35.	Board and Care Regulations and Properties*	Hold a Commissioner-initiated discussion of board and care regulations and properties located in San José and take possible action	New programs or policies	Program Policy	TBD
36.	Mental Health Proposition 2 Funding*	Hold a Commissioner-initiated discussion of Mental Health Proposition 2 bond funding from 2018 and potential leverage through collaboration with the County of Santa Clara and take possible action	New programs or policies	Program Policy	TBD
37.	Additional Density Bonus for Affordable Housing*	Hold a Commissioner-initiated discussion of a potential additional City-authorized density bonus for affordable housing developments and take possible action	New, revised programs or policies	Program	TBD

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#	Topics for FY 2020-21	Actions	HCDC Function, Power, Duty	Type of Item	Tentative Date
38.	Nonprofit Housing Co-ops First Opportunity to Buy Affordable Housing Properties*	Hold a Commissioner-initiated discussion of a potential program to give nonprofit housing co-ops the first opportunity to buy affordable housing properties and take possible action	New programs or policies	Program Policy	TBD
39.	Commission-initiated discussions under the purview of Commission*	Hold Commissioner-initiated discussions on existing or potential programs, policies or regulations related to housing and community development policies and programs, and to Parts 17.22 and 17.23 of the SJMC including the Apartment Rent Ordinance, the Mobilehome Rent Ordinance, the Ellis Act Ordinance, and the Tenant Protection Ordinance, Part 5.10 Housing Payment Equality Ordinance, and take possible action	New, revised programs and policies	Program Policy	As needed

Note*: Commissioner-initiated items are researched and prepared by the Commissioners. All of these actions are to taken consistent with Policy 0-4. Staff is only responsible for distribution unless capacity exists to provide additional information. These items will be agendized and prioritized around the Commission’s regular workload. The proposed agendized items may be subject to change.

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Non-governance items that may relate to Mobilehomes (directly and/or indirectly):

- 1 – Anti-Displacement Draft Strategy
- 7 – Approval of Measure E Spending Plan
- 9, 21 – Housing Crisis Workplan Updates
- 13, 19 – Assessment of Fair Housing
- 14, 22 – FY 2021-22 Annual Action Plan
- 20 – RSP Budget
- 24 – Annual Progress Report on the Housing Element
- 27 – Quarterly and Annual Reports
- 29—Reports on Housing Data
- 31 – Proposed State/Federal Legislation
- 32 – Topics related to Chapters 17.22 and 17.23 of the San José Municipal Code
- 33 – Topics related to Chapter 20.180 of the San José Municipal Code
- 39 – Commission-initiated discussions under the purview of Commission*

Note*: Starred items are researched and prepared by the Commissioners. Staff is only responsible for distribution unless capacity exists to provide additional information. These items will be agendized and prioritized around the Commission's regular workload. The proposed agendized items may be subject to change.