

HOUSING & COMMUNITY DEVELOPMENT COMMISSION
MEETING ACTION MINUTES
Special Meeting, April 22, 2021

MEMBERS PRESENT:	Martha O’Connell	Chair (MR)
	Ryan Jasinsky	Vice Chair (ML)
	Roma Dawson	Commissioner (D1)
	Alex Shoor	Commissioner (D2)
	Barry Del Buono	Commissioner (D3)
	Linh Vong	Commissioner (D4)
	Ruben Navarro	Commissioner (D5)
	Andrea Wheeler	Commissioner (D6)
	Victoria Partida	Commissioner (D7)
	Huy Tran	Commissioner (D8)
	Julie Quinn	Commissioner (D9)
	Roberta Moore	Commissioner (D10)
	Nhi Duong	Commissioner (Mayor)

MEMBERS ABSENT: None

STAFF PRESENT:	Maribel Villarreal	HCDC City Council Liaison
	Kristen Clements	HCDC Secretary, Housing Department
	Luisa Galdamez	HCDC Assistant Secretary, Housing Department
	Rachel VanderVeen	Deputy Director, Housing Department
	Ragan Henninger	Deputy Director, Housing Department
	James Stagi	Grants, Housing Policy & Planning Administrator, Housing Department
	Kelly Hemphill	Homeless Response Manager, Housing Department
	Fred Tran	Division Manager
	Viviane Nguyen	Senior Analyst
	Marisa Vela	Analyst I
	Lourdes Saucedo	Staff Specialist

(I) Call to Order & Orders of the Day

A. Review logistics for Zoom meetings

Chair O’Connell called the meeting to order at 5:46 p.m.

(II) Introductions – Commissioners and staff introduced themselves.

(III) Consent Calendar

A. Approve the Minutes for the meeting of April 8, 2021.

ACTION: Approve the April 8, 2021 action minutes.

Commissioner Wheeler made the motion to approve the minutes as-is for April 8, 2021, with a second by Commissioner Del Buono. The motion passed 12-0-1.

Yes: O’Connell, Jasinsky, Dawson, Shoor, Del Buono, Vong, Navarro, Wheeler, Partida, Tran, Quinn, Moore (12)

No: None (0)

Absent: Duong (1)

(IV) Reports and Information Only

- A. Chair:** Chair O’Connell read the following statement: “I have been very proud of the work of this Commission and I personally value each one of you. Our work is challenging, and you all have risen to that challenge. Let us strive together to return to our environment of collegiality and mutual respect. In addition, a project facilitated by TOPCities is being implemented in San Jose and St. Paul, MN. The goal of the program is to gather data to work during a 16-week design sprint bringing together community leaders, city government, technology partners, and volunteers from Google to address pressing problems that have been caused or exacerbated by COVID-19. Housing asked if I would consent to an interview and I did. During the interview I was asked if I knew how many residents in the Mobilehome Parks were facing eviction due to Covid. I said I had no idea. This was seen by the interviewer as a major problem because without such data, it is difficult or impossible to come up with suggestions to address the possible ‘looming eviction cliff in MH Parks.’ AB 1188 proposes the state establish a rental registry online portal. The bill would prohibit a landlord from terminating a tenancy unless they have submitted a form on the rental registry online portal. At this point, Mobilehomes are not included.”
- B. Director:** Ms. Clements welcomed Commissioner Dawson to the Commission and expressed her confidence in a positive and professional working environment for the now-full Commission. The focus of the Commission is on policy and programs to help the residents of San José. She thanked the Commissioners for their service and professional conduct. The May Commission meeting will have two items focused on policies – the Housing Department’s Assessment of Fair Housing work, and the draft Affordable Housing Siting Policy. Both these items will go to the City Council after the Commission hears them. The City Council meeting on May 25th will include several Diridon Station items, including the Diridon Affordable Housing Implementation Plan, which the Commission heard in late 2020, as well as the draft Development Agreement for Downtown West, which includes funds for affordable housing.
- C. Council Liaison:** Ms. Villarreal reported that last Tuesday, the City Council approved campaign finance reform to increase transparency for the City’s future elections. Also, the City Council is moving forward towards a June approval of next fiscal year’s budget, which will include a significant amount of funds to help with the community’s economic recovery from Covid.

(V) Open Forum

(VI) Old Business

(VII) New Business

**A. Public Hearing on the Draft Fiscal Year 2021-22 Annual Action Plan
(J. Stagi, Housing Department)**

ACTION: 1) Conduct a Public Hearing on the Draft FY 2021-22 Annual Action Plan (Action Plan) and take public comment, as required by the U.S. Department of Housing and Urban Development (HUD); 2) Provide Housing Department staff with input on the draft Action Plan and proposed funding; and 3) Recommend to the City Council it approve the Draft Action Plan.

Commissioner Shoor recused himself from this item to avoid any appearance of a conflict of interest. Commissioner Vong recused herself from this item as her employer is the Health Trust, which the City funds with federal funds from HUD.

Commissioner Tran made the motion to recommend to the City Council it approve the Draft Action Plan, with a second by Commissioner Quinn. The motion passed 11-0-2.

Yes: O’Connell, Jasinsky, Dawson, Del Buono, Navarro, Wheeler, Partida, Tran, Quinn, Moore, Duong (11)

No: None (0)

Abstain: Shoor, Vong (2)

**B. Rent Stabilization Program Fees for Fiscal Year 2021-2022
(F. Tran, Housing Department)**

ACTION: Review the proposed fee structure for Fiscal Year 2021-2022 for the Rent Stabilization Program, as stated below, and recommend approval to the City Council of the following fees:

- i. Annual Apartment Rent Control Fee: maintain \$55.00 per unit;
- ii. Annual Apartment Non-Rent Control Fee: maintain \$5.45 per unit;
- iii. Annual Mobilehome Rent Control Fee: maintain \$20.00 per unit; and,
- iv. Fees in connection with withdrawal of a building under the Ellis Act Ordinance: maintain \$2,464 per unit for up to ten units and maintain \$907 per unit for over 10 units.

Commissioner Dawson made the motion to recommend the City Council approve the fees schedule as-is, with a second by Commissioner Del Buono. The motion passed 12-0-1.

Yes: O’Connell, Jasinsky, Dawson, Shoor, Del Buono, Vong, Navarro, Partida, Tran, Quinn, Moore, Duong (12)

No: None (0)

Absent: Wheeler (1)

Commissioner Moore made the motion that the City waive fees for rental providers who did not collect all income due to the eviction moratorium, with a second by Vice Chair Jasinsky.

Based on discussion, Commissioner Moore amended her motion to read: The City waive Apartment Rent Ordinance-related fees for owners of 12 units or less who have not received more than 20% of unpaid rent due to the eviction moratorium from government sources, with a second by Vice Chair Jasinsky.

Commissioner Shoor made a motion to call the question, with a second by Chair O’Connell. The motion to call the question passed 12-0-1.

Commissioner Wheeler abstained from the vote as she was absent for a portion of the discussion.

Yes: O’Connell, Jasinsky, Dawson, Shoor, Del Buono, Vong, Navarro, Partida, Tran, Quinn, Moore, Duong (12)

No: None (0)

Abstain: Wheeler (1)

The Commission then voted on Commissioner Moore’s amended motion: The City waive Apartment Rent Ordinance-related fees for owners of 12 units or less who have not received more than 20% of unpaid rent due to the eviction moratorium from government sources, with a second by Vice Chair Jasinsky. The amended motion failed 3-9-1.

Commissioner Wheeler abstained from the vote as she was absent for a portion of the discussion.

Yes: Jasinsky, Moore, Duong (3)

No: O’Connell, Dawson, Shoor, Del Buono, Vong, Navarro, Partida, Tran, Quinn (9)

Abstain: Wheeler (1)

**C. Rent Stabilization Program Draft Strategic Plan 2021-2024
(V. Nguyen, Housing Department)**

ACTION: Review the staff report and provide possible recommendations to staff or the City Council on the Rent Stabilization Program Draft Strategic Plan for 2021-2024.

Chair O’Connell made the motion the HCDC recommends that submission to the City of notices of termination of tenancy for mobilehome residents be mandatory, with a second by Commissioner Wheeler. The motion passed 11-2-0.

Yes: O’Connell, Dawson, Shoor, Del Buono, Vong, Navarro, Wheeler, Partida, Tran, Quinn, Duong (11)

No: Jasinsky, Moore (2)

Absent: (0)

D. Rent Stabilization Program Fiscal Year 2020-2021 Quarters 1, 2, and 3 Report for Apartments, Including the Apartment Rent Ordinance, Tenant Protection Ordinance, and Ellis Act Ordinance

(F. Tran, Housing Department)

ACTION: Review the staff report and provide possible recommendations to staff on the Rent Stabilization Program Quarters 1, 2, and 3 Report for Fiscal Year 2020-2021.

Commission heard the presentation, and no action was taken.

E. Rent Stabilization Program Fiscal Year 2020-2021 Quarters 1, 2, and 3 Report for Mobilehomes, Including the Mobilehome Rent Ordinance and Moratorium on Rent Increases

(F. Tran, Housing Department)

ACTION: Review the staff report and provide possible recommendations to staff on the Rent Stabilization Program Quarters 1, 2, and 3 Report for Fiscal Year 2020-2021.

Commission heard the presentation, and no action was taken.

(VIII) 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.

(IX) Meeting Schedule

The next regular Commission meeting is scheduled to be held on **Thursday, May 13, 2021, at 5:45 p.m.** online.

(X) Adjournment

Chair O’Connell adjourned the meeting at 9:22 p.m.