

HOUSING & COMMUNITY DEVELOPMENT COMMISSION

MEETING ACTION MINUTES

June 09, 2022

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)
	Roberta Moore	Commissioner (D10)
MEMBERS ABSENT:	VACANT	Commissioner (D9)
	VACANT	Mayor (CW)
STAFF PRESENT:	Jacky Morales-Ferrand	Director of Housing
	Luisa Cantu	Assistant Secretary, Housing Department
	Dylan Sanchez	Council Office Liaison, District 2
	Emily Hislop	Division Manager, Housing Department
	Ramo Pinjic	Analyst II, Housing Department
	Noel Padilla	Analyst II, Housing Department
	Marisa Diaz	Analyst I, Housing Department

(I) Call to Order & Orders of the Day

A. Chair O’Connell called the meeting to order at 5:45 p.m.

B. Review logistics for Zoom meetings

(II) Introductions – Commissioners and staff introduced themselves.

(III) Consent Calendar

A. Minutes for the Meeting of May 12, 2022

ACTION: Approve the May 12, 2022, action minutes.

Commissioner Dawson made the motion to approve the minutes for the meeting of May 12, 2022, with a second by Commissioner Partida. The motion passed 11-0.

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Yes	O’Connell, Jasinsky, Dawson, Shoor, Del Buono, Vong, Navarro, Wheeler, Partida, Tran, Moore (11)
No	None (0)
Absent	None (0)

(IV) Reports and Information Only

A. Chair: Chair O’Connell stated, “On June 31, 2021, the terms of five of the HCDC Commissioners expired: D3, 5, 7 and 9 and the Mayor’s appointee. Due to failures to act, none of those folks could attend our August meeting as seated Commissioners. As an individual, using my first amendment rights, I spoke three times at the Rules Committee and asked the Mayor and the Council people in D3, 5, 7 and 9 to act promptly. As a citizen I sent them private emails from my private email account. Our September retreat was in jeopardy due to the failure to act by the Mayor and Council people. It already was rescheduled once. Kristen Clements has helped with this outreach. The latest is that we have appointees in D3, D7 and D9 for the Council meetings on 9-14-21. We will have someone new in D9, and Barry Del Buono and Victoria Partida are reappointed in 3 and 7. (I say ‘are appointed’ because the full Council does not turn down appointments by an individual Council member without overwhelming cause. I see none in these cases.) I have asked the City Clerk to expedite the swearing in of these folks so that they can vote at our retreat dates of 9-21-21 and 9-22-21. I will be following up, as a citizen, to try and determine what went wrong and how the City can prevent a repeat of this avoidable error. In my opinion, when the Mayor and Council people know a term is expiring, they should begin to act promptly before the expiration of the term.”

B. Director: Ms. Jacky Morales-Ferrand introduced Emily Hislop, the new Division Manager of the Rent Stabilization Program. Emily’s significant experience includes more than five years working on tenant/landlord issues at Project Sentinel managing rent stabilization programs for local jurisdictions, and leading San José’s Eviction Help Center operations throughout the pandemic, providing rent relief and support to vulnerable families. Emily has a J.D. from Santa Clara University of Law, a B.A. in International Relations and Spanish from U.C. Davis, and is nearly fluent in Spanish.

Ms. Morales-Ferrand also expressed appreciation of the Commission’s work over the past two years on Measure E, and noted that the City Council’s May 17, 2022, action on Measure E Spending contained important clarifications on roles and responsibilities:

- Under Section 22 of Council Policy 1-18, the City Council establishes spending priorities and their percentage allocations for the revenue generated from the Measure E real property transfer tax, and may amend such priorities and their allocations through the public process set forth in the Policy.

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- The Housing Department has authority to create proposed Spending Plans each fiscal year for Measure E revenues pursuant to the City Council’s priorities and may make any subsequent amendments to such Spending Plans. The Spending Plan in any fiscal year will be included as part of the regular budget approval and modification process that occur within said fiscal year.
- The Housing Commission will review the Spending Plan and Annual Report each year for Measure E. The Commission will confirm that the proposed activities are consistent with the allowed use of funds for each category.

In addition, she noted that the Mayor’s budget memo had been published and that it contains sections on Housing that might interest the Commission.

- C. Council Liaison:** Mr. Dylan Sanchez noted that the City’s budget document was available online and includes a section regarding housing and mobilehome parks that may interest the Commission.

(V) Open Forum

(VI) Old Business

(VII) New Business

A. Rent Stabilization Program Strategic Plan Update

(N. Padilla, Housing Development)

ACTION: Review the staff report and provide possible recommendations to staff or the City Council on the Rent Stabilization Program Strategic Plan Update.

Chair O’Connell moved that the City of San José not make any changes to the Mobilehome Rent Control Ordinance, with a second by Vice Chair Jasinsky. The motion passed 6-5.

Yes	O’Connell, Jasinsky, Vong, Navarro, Partida, Moore (6)
No	Dawson, Shoor, Del Buono, Wheeler, Tran (5)
Absent	None (0)

Commissioner Wheeler moved that Housing staff clarify in the RSP Strategic Plan Update memo that the sole purpose of the Strategic Plan is to improve the processes and procedures in the existing Ordinances, with no intention to make any changes to any of the existing Ordinances, with a second by Commissioner Moore. The motion passed 6-5.

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Yes	O’Connell, Jasinsky, Navarro, Wheeler, Partida, Moore (6)
No	Dawson, Shoor, Del Buono, Vong, Tran (5)
Absent	None (0)

B. Rent Stabilization Program Fiscal Year 2021-2022 Quarter 3 Report for Apartments, Including the Apartment Rent Ordinance, Tenant Protection Ordinance, and Ellis Act Ordinance.

(R. Pinjic, Housing Department)

ACTION: Review the report on the Rent Stabilization Program for apartments in Quarter 3 of Fiscal Year 2021-2022 and provide possible recommendations to staff.

Commissioners made comments and asked clarifying questions. No action was taken.

C. Rent Stabilization Program Fiscal Year 2021-2022 Quarter 3 Report for Mobilehomes, Including the Mobilehome Rent Ordinance.

(R. Pinjic, Housing Department)

ACTION: Review the report on the Rent Stabilization Program for mobilehomes in Quarter 3 of Fiscal Year 2021-2022 and provide possible recommendations to staff.

Commissioners made comments and asked clarifying questions. No action was taken.

D. Elections for Chair and Vice Chair Fiscal Year 2022-23

(K. Clements, Housing Department)

ACTION: Make nominations for and hold elections for positions of Chair and Vice Chair of the Commission to serve in Fiscal Year 2022-23 commencing with the first Commission meeting after the June regular meeting. (No memo.)

At the Commission’s May 12, 2022, meeting, Commissioners Shoor and Partida were nominated for Chair, and Commissioner Dawson was nominated for Vice Chair. The following occurred at the June 9, 2022, meeting:

Commissioner Dawson nominated Commissioner Partida for the position of Vice Chair. Commissioner Partida respectfully declined.

Commissioner Shoor nominated Commissioner Navarro for the position of Vice Chair, with a second by Chair O’Connell. Commissioner Navarro respectfully declined.

Commissioner Shoor nominated Commissioner Tran for the position of Vice Chair. Commissioner Tran respectfully declined.

By unanimous consent, Commissioner Shoor was elected as Commission Chair.

By unanimous consent, Commissioner Dawson was elected as Commission Vice Chair.

(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 Meeting for the Commission is scheduled to be held on **Thursday, August 11, 2022, at 5:45 p.m. online**. Items tentatively expected to be heard are (*updated*):

- Commission's Annual Retreat
 - Approve Draft Accomplishments FY 21-22
 - Approve Draft Workplan FY 22-23

(X) Adjournment

Chair O'Connell adjourned the meeting at 9:10 p.m.