

District 1 — Roma Dawson (VC)

District 3 — Barry Del Buono

District 5 — Ruben Navarro

District 7 — Victoria Partida

District 9 — Vacant

Mayor — Zenia Cardoza

Lived Experience (Mayor) — Sketch Oppie

Lived Experience Alternate (Mayor) — Jerome Shaw

(C) Alex Shoor — District 2

Linh Vong — District 4

Andrea Wheeler — District 6

Huy Tran — District 8

Roberta Moore — District 10

Daniel Finn — CAAC MR

Ryan Jasinsky — CAAC ML

Commissioners are appointed by corresponding Council Members, but do not need to reside in that Council District.

REGULAR MEETING AGENDA

5:45 PM

January 12, 2023

Virtual [Zoom Link](#)

Web ID: [940 5398 8541](#)

[888-475-4499 \(Toll Free\)](#)

* COVID-19 NOTICE *

Consistent with AB 361 and City of San José Resolution Nos. 80628, 80659, 80685, 80724, 80758 and 80809, this meeting will not be physically open to the public and the Housing & Community Development Commissioners will be teleconferencing from remote locations.

The Housing & Community Development Commission 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 & 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: [Zoom Link](#).
 - 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 [888-475-4499 \(Toll Free\)](#) and when prompted, enter meeting Webinar ID: [940 5398 8541](#). 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 Luisa.Cantu@sanjoseca.gov or call **(408) 535-8357** no less than **90 minutes before the start of the meeting**. Comments submitted prior to the meeting will be considered as if you were present in the meeting.

Commissioners are encouraged to log on by 5:30pm to ensure there are no technical difficulties – thank you!

Note that the times for items shown below are approximate and intended only to notify the Commission of the approximate amount of time staff expects each item might take.

Please note that items may be heard before or after the times shown, and plan accordingly.

APPROX. TIME	AGENDA ITEM
5:45	<p>I. Call to Order & Orders of the Day</p> <p style="padding-left: 40px;">A. Chair reviews logistics for Zoom meetings</p>
5:46	<p>II. Introductions and Roll Call</p>
5:50	<p>III. Consent Calendar</p> <p style="padding-left: 40px;">A. Approve the Minutes for the Regular Meeting of December 8, 2022</p> <p style="padding-left: 80px;">ACTION: Approve the December 8, 2022 action minutes.</p>
5:55	<p>IV. Reports and Information Only</p> <p style="padding-left: 40px;">A. Chair</p> <p style="padding-left: 40px;">B. Director</p> <p style="padding-left: 80px;">i. Update on recruitment for open Commission seats</p> <p style="padding-left: 40px;">C. Council Liaison</p>
6:00	<p>V. Open Forum</p> <p style="padding-left: 40px;"><i>Members of the Public are invited to speak on any item that does <u>not</u> 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 during Open Forum; however, the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate due to a large number of speaker requests.</i></p>
6:05	<p>VI. Old Business</p>
	<p>VII. New Business</p>
6:10	<p>A. Third Study Session on the Draft 2023-2031 Housing Element (K. Clements, Housing Department)</p> <p style="padding-left: 40px;">ACTION: Hold a third study session on the Draft 2023-2031 Housing Element and give feedback to staff on draft Chapter 3, Housing Goals and Strategies, focusing on Section 3.4: Healthy, thriving neighborhoods with</p>

access to good jobs, schools, transportation, and other resources, and Section 3.5: Racially and socially inclusive neighborhoods that overcome past and present discrimination.

7:50 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 (per [Section 2.08.2840](#) of the San José Municipal Code). Meeting attendees are usually given two (2) minutes to speak during Open Forum; however, the time limit is in the discretion of the Chair of the meeting, and may be limited when appropriate due to a large number of speaker requests.

7:55 IX. Meeting Schedule

The next Regular Meeting for the Commission is scheduled to be held on **Thursday, February 9, 2023, at 5:45 p.m. online**. Items tentatively expected to be heard are:

- Substantial Amendment to FY 19-20 Annual Action Plan
- Funding Priorities for FY 23-24 Annual Action Plan
- Rent Stabilization Annual Report
- Rent Stabilization Strategic Plan Update

8:00 X. Adjournment

The City's [Code of Conduct](#) is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

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. Agendas, Staff Reports and some associated documents for the Commission items may be viewed on the Internet at <http://www.sanjoseca.gov/hcdc>. 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.

Correspondence to the Housing & Community Development Commission is public record and will become part of the City's electronic records, which are accessible through the City's website. Before posting online, the following may be redacted: addresses, email addresses, social security numbers, phone numbers, and signatures. However, please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the Housing & Community Development Commission, will become part of the public record. If

you do not want your contact information included in the public record, please do not include that information in your communication.

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 Office of the City Clerk, 200 East Santa Clara Street, 14th Floor, San José, California 95113, at the same time that the public records are distributed or made available to the legislative body. Any draft resolutions or other items posted on the Internet site or distributed in advance of the Commission meeting may not be the final documents approved by the Commission. Contact the Office of the City Clerk for the final document.

On occasion, the Commission may consider agenda items out of order.

The Housing & Community Development Commission meets every second Thursday of each month (except for July and sometimes December) at 5:45pm, with special meetings as necessary. If you have any questions, please direct them to the Commission staff. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

To request translation or interpretation services, accommodation, or alternative format under the Americans with Disabilities Act for City-sponsored meetings, events, or printed materials, please call (408) 535-1260 as soon as possible, but at least three business days before the meeting. Please direct correspondence, requests, and questions to:

City of San José Housing Department
Attn: Luisa Cantu
200 East Santa Clara Street, 12th Floor
San José, California 95113
Tel: (408) 535-8357
Email: Luisa.Cantu@sanjoseca.gov

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

Tiếng Việt: Xin vui lòng liên lạc Janie Le tại 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。

HOUSING & COMMUNITY DEVELOPMENT COMMISSION

MEETING ACTION MINUTES

December 08, 2022

MEMBERS PRESENT:	Martha O’Connell Ryan Jasinsky Roma Dawson Alex Shoor Barry Del Buono Linh Vong Ruben Navarro Andrea Wheeler Victoria Partida Roberta Moore	Commissioner (MR) Commissioner (ML) Vice Chair (D1) Chair (D2) Commissioner (D3) Commissioner (D4) Commissioner (D5) Commissioner (D6) Commissioner (D7) Commissioner (D10)
MEMBERS ABSENT:	Huy Tran VACANT VACANT VACANT	Commissioner (D8) Commissioner (D9) Mayor (CW) Lived Experience (CW)
STAFF PRESENT:	Kristen Clements Luisa Cantu Dylan Sanchez Jacky Morales-Ferrand Josh Ishimatsu Emily Hislop Elizabeth Guzman Noel Padilla Vanessa Pacheco	Acting Secretary, Housing Department Assistant Secretary, Housing Department Council Office Liaison, District 2 Director, Housing Department / Secretary Senior Development Officer Division Manager, Housing Department Senior Development Officer, Housing Senior Analyst, Housing Department Analyst, Housing Department

(I) Call to Order & Orders of the Day

A. Chair Shoor called the meeting to order at 5:45 p.m. and reviewed logistics for Zoom meetings

(II) Introductions – Commissioners and staff introduced themselves.

(III) Consent Calendar

A. Minutes for the Regular Meeting of November 10, 2022

ACTION: Approve the November 10, 2022 action minutes.

Commissioner Moore made the motion to remove duplicated items from the draft minutes and approve the amended minutes for the meeting of November 10, 2022, with a second by Commissioner Navarro. The motion passed 10-0.

**Housing & Community Development Commission
Draft Minutes – Regular Meeting of December 8, 2022**

Yes	O’Connell, Jasinsky, Dawson, Shoor, Del Buono, Vong, Navarro, Wheeler, Partida, Moore (10)
No	None (0)
Absent	Tran (1)

(IV) Reports and Information Only

- A. Chair:** Chair Shoor reviewed logistics and guidelines for participation.
- B. Director:** Ms. Kristen Clements reported to the Commission that open Commission seats have well-qualified candidates. A Lived Experience with homelessness commissioner, a Lived Experience alternate, and a commissioner for the Mayor’s Citywide seat have been nominated for Council confirmation on December 13th. Ms. Clements also announced that a new Siting Policy for affordable housing has been approved by Council, which the Commission had advised on previously. Ms. Clements congratulated housing director Jacky Morales-Ferrand and the team for their lengthy work in developing this new policy.
- C. Council Liaison:** Mr. Dylan Sanchez congratulated Commissioner O’Connell for her service on behalf of the Mayor’s Office and District 2 Office.

(V) Open Forum

(VI) Old Business

(VII) New Business

- A. Commendation for Martha O’Connell
(K. Clements, Housing Department)
ACTION:** None. (No memo)

Ms. Clements congratulated Commissioner O’Connell on completion of her final term as Mobilehome Resident representative and presented a certificate of commendation for her long service to the Commission.

- B. Rent Stabilization Program Fiscal Year 2022-2023 Quarter 1 Report for Apartments, Including the Apartment Rent Ordinance, Tenant Protection Ordinance, and Ellis Act Ordinance
(E. Hislop, Housing Development)**

ACTION: Review the report on the Rent Stabilization Program for apartments in Quarter 1 of Fiscal Year 2022-2023 and provide possible recommendations to staff.

Commissioner Dawson made the motion to recommend that Chair Shoor or designee would speak on item 2.19 at the Council meeting on 12/13/22 on behalf of the

**Housing & Community Development Commission
Draft Minutes – Regular Meeting of December 8, 2022**

Commission's desire to see funds approved per staff recommendation for the Eviction Diversion and Settlement Program, with a second by Commissioner Del Buono.

Yes	O'Connell, Jasinsky, Dawson, Shoor, Del Buono, Vong, Navarro, Wheeler , Partida, Moore (10)
No	None (0)
Absent	Tran (1)

C. Rent Stabilization Program Fiscal Year 2022-2023 Quarter 1 Report for Mobilehomes (E. Hislop, Housing Development)

ACTION: Review the report on the Rent Stabilization Program for apartments in Quarter 1 of Fiscal Year 2022-2023 and provide possible recommendations to staff.

Commissioners asked clarifying questions and gave feedback to staff. No motions were made.

D. Second Study Session on the Draft 2023-2031 Housing Element (K. Clements, Housing Department)

ACTION: Hold a second study session on the Draft 2023-2031 Housing Element and give feedback to staff on draft Chapter 3, Housing Goals and Strategies, focusing on Section 3.2 Housing for People Experiencing Homelessness and Section 3.3 Housing Stability.

Commissioners asked clarifying questions and gave feedback to staff. No motions were made. Notes on Commissioner comments will be created for all three study sessions and included in future draft minutes.

(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, January 12, 2023, at 5:45 p.m. online**. Items expected to be heard are *(updated)*:

- Draft Housing Element Study Session #3

(X) Adjournment

Chair Shoor adjourned the meeting at 9:55 p.m.



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Kristen Clements

SUBJECT: SEE BELOW

DATE: January 5, 2023

Approved

Date

**SUBJECT: THIRD STUDY SESSION ON THE DRAFT 2023-2031 HOUSING
ELEMENT**

RECOMMENDATION

Hold a third study session on the Draft 2023-2031 Housing Element and give feedback to staff on draft Chapter 3, Housing Goals and Strategies, focusing on Section 3.4: Healthy, thriving neighborhoods with access to good jobs, schools, transportation, and other resources, and Section 3.5: Racially and socially inclusive neighborhoods that overcome past and present discrimination.

OUTCOME

The expected outcome of this study session is that the Housing and Community Development Commissioners (“Commission”) will gain a better understanding of the contents of the overall Draft 2023-2031 Housing Element, the context of how to interpret the Housing Element’s contents, and a greater in-depth understanding on the final portion of strategies in Chapter 3. Commissioners will also have the opportunity to make comments on the final portion of strategies in Chapter 3.

BACKGROUND

This is the third and final study session on the draft 2023-2031 Housing Element. In spring 2023, the Commission will formally consider the final draft Housing Element and will be asked to recommend to the City Council that it adopt the Housing Element.

The second version of the draft Housing Element was submitted to the State of California’s Department of Housing and Community Development for its first round of comment on September 16, 2022. The State responded with its first comment letter on December 15, 2022.

The draft and the State's letter are posted on the City's website at:

<https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/citywide-planning/housing-element/2023-2031-draft-housing-element>.

On January 27, 2022, the Commission held a Special Meeting to receive staff's update on the Assessment of Fair Housing (AFH) Plan, including potential draft strategies for the AFH plan and the Housing Element. Commissioners' feedback on this item was captured in a Supplemental Memorandum to the Neighborhood Services and Education Committee for its meeting on February 10, 2022.¹

Most of the strategy concepts and much of the language in the second version of the draft Housing Element was derived from the initial draft strategies that the Commission commented upon in January 2022.

The Commission held previous two study sessions on the draft Housing Element on October 13 and December 8, 2022.

ANALYSIS

There are two goals for this study session:

1. Commissioners gain a greater understanding of the contents of the draft Housing Element, and
2. Commissioners reflect their opinions to staff on policy and program priorities.

At the Commission's January 2022 meeting, all Commissioners were given the opportunity to comment on their choice of topics contained in the draft strategies for a defined number of minutes. That meeting resulted in very clear and helpful feedback to staff. Therefore, staff recommends that this meeting be conducted in a similar fashion, as follows:

1. Commissioners should review Chapter 3 prior to the meeting
 - a. The focus of this meeting will be on strategies 3.4 and 3.5, pages 3-35 to 3-45.
2. In advance of the meeting, Commissioners should:
 - a. Identify any needed clarifying questions
 - b. Prepare to share their comments and suggestions on strategies in 3.4 and 3.5 of their choosing for up to 10 minutes
 - i. Areas of desired feedback are below
 - c. To the extent that strategies in 3.4 and 3.5 also affect goals or strategies in other areas, Commissioners may comment on those connections as well.

¹ <https://www.sanjoseca.gov/home/showpublisheddocument/82763/637820001326730000>

3. To help focus the meeting on clarifications and substantive discussions, Commissioners may elect to email staff with more minor proposed comments or edits until 12:00 noon on January 12, 2023.
 - a. All comments should be formatted to start with the number of the strategy to which they pertain
 - b. All emails received will be posted on the Commission's agendas webpage prior to the start of the meeting on January 12, 2023
 - c. Emails with comments must be directed to luisa.cantu@sanjoseca.gov AND Kristen.clements@sanjoseca.gov by 12:00 noon on January 12, 2023.

Staff recognizes that there is quite a bit of work left to be done on fleshing out additional details and altering the format for Chapter 3 to meet State requirements. This is a document that will continue to iterate over the next several months, and there are no doubt small details or typographical errors that will need to be addressed. In addition, some of the strategies are driven by required statutes and cannot be removed or altered.

Given Commissioners' experience, their greatest added value for this study session is most likely to reflect their policy priorities, to help staff prioritize among the many strategies in the draft, and to focus on items on which they can lend their expertise while they gain understanding of the contents. It would be most helpful to staff if Commissioners reviewed the draft and directed their comments with the following questions in mind:

1. Which strategies are the highest priority to you?
2. Are there metrics or milestones you would recommend changing or adding?
3. Which strategies would you want to see accomplished at the front-end of the Housing Element period? Which ones could wait until later in the period?
4. Given that the City will take seriously its commitment to complete the work contained in the final Housing Element, if staff had to remove two or three strategies due to the City's need to focus its limited resources, which would you recommend for removal and why?
5. Are there high-priority policies or programs missing from the draft? If so, what would you remove to make room for the new item?
6. Given your areas of expertise, are there strategies' details that should be different?
7. Should ministerial approval for housing be available for all types of multifamily housing given the need to build so many homes, or be more limited to those developments that integrate affordability?
8. Should any strategies have a more explicitly-stated equity lens?

CONCLUSION

Commissioners' feedback will help inform staff to identify housing goals and strategies intended to provide opportunities for a variety of housing at all levels of affordability and types to meet the current and future needs of all residents and to create equitable and inclusive neighborhoods that support housing choice, a critical component of the City's 2023-2031 Housing Element.

EVALUATION AND FOLLOW-UP

This is the Commission's final study session on the draft Housing Element before the Commission's official consideration of the final Housing Element in spring 2023.

PUBLIC OUTREACH

The memorandum for this study session was posted to the Commission's website at <https://www.sanjoseca.gov/your-government/departments/housing/about-us/housing-community-development-commission/agendas-minutes/-fsiteid-1>. In addition, a notification was sent to the City's listserv of people interested in the Housing Element, and the meeting was noted on the City's Draft Housing Element Meetings & Public Engagement page at <https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/citywide-planning/housing-element/meetings-public-engagement>.

COMMISSION RECOMMENDATION/INPUT

Notes on the Commission's input and recommendations will be included in the Housing Element Appendix H on Public Outreach, posted to the City's Housing Element website, and submitted to the State as part of the Housing Element.

/s/

KRISTEN CLEMENTS

Division Manager, Department of Housing

For questions, please contact Kristen Clements, Division Manager, at (408) 535-3500.

Attachments:

- Draft Housing Element Chapter 3:
<https://www.sanjoseca.gov/home/showpublisheddocument/89585/63798940884650000>