

FW: Item #8.3 COPA

City Clerk <city.clerk@sanjoseca.gov>

Sat 4/22/2023 1:18 PM

To: Agendadesk <Agendadesk@sanjoseca.gov>

From: degifford [REDACTED] <[REDACTED]>

Sent: Friday, April 21, 2023 7:24 PM

To: City Clerk <city.clerk@sanjoseca.gov>

Subject: Item #8.3 COPA

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[External Email]

Please reject COPA.

COPA drives up housing costs while reducing property tax collection.

COPA is bad policy for San Jose harming long term housing inventory for small providers.

Housing vouchers is a far less expensive and more effective solution.

Please reject COPA.

Duane Gifford

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FW: COPA Vote Tuesday, April 25th - Agenda Item 8.3 Community Opportunity to Purchase Act

City Clerk <city.clerk@sanjoseca.gov>

Mon 4/24/2023 7:38 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

From: Rich Crowley [REDACTED]

Sent: Sunday, April 23, 2023 2:26 PM

To: The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>

Cc: City Clerk <city.clerk@sanjoseca.gov>

Subject: COPA Vote Tuesday, April 25th - Agenda Item 8.3 Community Opportunity to Purchase Act

[External Email]

San Jose City Council Members:

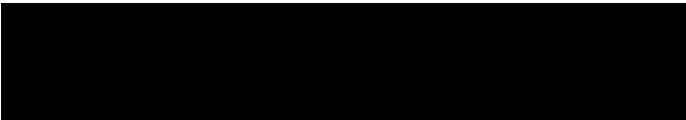
Staff summary is unclear & deceptively worded. At this point, the city has wasted over \$1 Million studying a program that won't provide even 1 addition person with housing. It's time to focus on real solutions!!!

Vote to Kill COPA now!!!!

Thank you,

RICH CROWLEY

Rich Crowley
Lifetime San Jose Resident



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FW: Reject COPA and Cohen memo

City Clerk <city.clerk@sanjoseca.gov>

Mon 4/24/2023 7:39 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

From: Iris Li [REDACTED] >

Sent: Sunday, April 23, 2023 3:54 PM

To: District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>

Cc: The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

Subject: Reject COPA and Cohen memo

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[External Email]

Dear Councilmembers,

I am Iris Li, our family are residents of San Jose, and have been living in the city for 30 years.

I attended the council meeting on Mar 27, 2023, I learned a lot from the meeting, thanks to all council members for working hard for our city.

I oppose COPA, it is not a good plan to solve the problems, many people have presented many points, I think you have heard a lot already, I don't want to repeat too many here.

We all know TOPA does not run well in Washington DC, many professionals, and articles have criticized it a lot.

Since 1980, more than 40 years, no other cities, except San Francisco follow up.

If it was a good method, many big cities which all have affordability problems, such as New York, Chicago, Los Angeles, etc, would do it. Why not? IT DOES NOT WORK!

San Francisco, set up COPA in April 2019, three years ago.

Look at what happens in SF:

-) S.F. nonprofit scandal: Lawsuit alleges head of trouble homeless provider spent funds on lavish lifestyle.

<https://mail.google.com/mail/u/0/?tab=rm&ogbl#label/Current/FMfcgzGsmDtkHXKrvVcMmdWPbVKgTfMP>

-) San Francisco Nonprofit Accused of Neglecting Tenants, Misusing Funds

<https://www.planetizen.com/news/2023/03/122176-san-francisco-nonprofit-accused-neglecting-tenants-misusing-funds>

-) SF Housing Nonprofit Spends Big on Politics. Tenants Deal With Infestations, Overdoses

<https://sfstandard.com/politics/sf-housing-nonprofit-todco-politics-tenants-infestations-drug-overdose/>

There are more.

We don't want our city to be like SF, with endless troubles and many fighting.

On March 27, I saw two big travel buses there, and many people wore black T-shirts to rally.

When I was in the queue waiting to enter, I went to the group and talked to them.

I don't want to see the fight between landlords and tenants, we are not enemies, I wanted to listen to them.

It surprised me that some of them, most, had no idea what was going on, what COPA is.

They only were told, if they took the bus and came to the city, they could have a house.

We all know that things are not that simple.

I felt so bad. They are misled, some young children.

I dare not see the young kids' eyes. I would rather say to them: go to school, work hard, then you will have your own house. In this

world, nobody sends you a house for free.

It is not helping, it is misguiding!

Who paid the bus, who organized this, who told them the beautiful dream that they could have a house - the landlord's house will belong to them?

DC spent 40+ years, SF 3 years, and has not shown that it works.

San Jose has been discussing this for a long time.

The endless debating, frustration, fighting, which split residents, and damaged our society.

In the past two more years, it has cost \$5M, will cost more, could not prove COPA is good for San Jose.

Based on the majority opinions and council members the last two votes, 3-2 and 3-1, do not support COPA, it has little chance to pass, just endless burnout.

Enough, please, move on, don't waste more time and resources on it.

Please get rid of COPA and start work on a real solution from the root as soon as possible.

Thanks all.

Sincerely;

Iris Li

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FW: Letter to SJ City Council re: COPA & Measure E

City Clerk <city.clerk@sanjoseca.gov>

Mon 4/24/2023 7:39 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

From: Josefina Aguilar [REDACTED]

Sent: Sunday, April 23, 2023 5:19 PM

To: The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>

Cc: City Clerk <city.clerk@sanjoseca.gov>; SBCLT Board <board@southbayclt.org>

Subject: Letter to SJ City Council re: COPA & Measure E

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Josefina Aguilar, Executive Director

[REDACTED]

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FW: VOTE YES 4 COPA

City Clerk <city.clerk@sanjoseca.gov>

Mon 4/24/2023 7:40 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

From: E A [REDACTED] >

Sent: Monday, April 24, 2023 7:06 AM

To: The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Peter Ortiz <peter@peortiz.com>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

Subject: VOTE YES 4 COPA

[External Email]

Hello Mayor and Councilmembers

My name is Elizabeth and I have lived in Downtown District 3 for the past 8 years and I support COPA.

To me COPA is important because there are many community organizations/non-profits that the community trusts. These organizations will likely provide rent at a more affordable rate than other Property Owners. Furthermore, they will help ensure that truly affordable rents are maintained and that we are able to preserve these complexes. Additionally, they are likely able to provide the essential resources outside of housing that folks need to survive or provide a referral to a partner agency.

For the past decades, San Jose has seen an increase in displacement and homelessness. 80% of the unhoused population are native to San Jose.

The City of San Jose has a responsibility to preserve currently existing, specifically deed restricted permanent housing and COPA would be a good way of doing so because these Community Organizations are invested in the community and are ones people can trust because they have experience going to them for support. This is particularly important for the immigrant community who are in more vulnerable situations some examples may include not knowing English, not having Social Security number or ITIN. I have experience growing up in a predominantly Latinx and immigrant community and as a Sociology major, I learned of my lived experience and see how folks remain in ethnic enclaves as a means of networking and survival and find about resources through word of mouth, systems of referrals and connections. These community organizations have deep seeded ties with the community for decades and relationship with people and by having COPA we will further communities often time looked over.

Vote in support of COPA as not the end all end all solution but rather, one of many strategic approaches to ensure that truly affordable housing is available to everyone.

Having COPA will only improve things in our community, not having it will make it worse.

Thank You and Have a Nice Day!

Also:

- Preservation strategies like COPA proactively prevent displacement and promote community stability, community control, tenant empowerment, and ownership opportunities.
- San Jose is the only major city in the Bay Area that doesn't provide recurring funding for affordable housing preservation and this needs to change!

- Building out a robust preservation ecosystem is key to addressing the housing crisis. We should use existing funding sources like Measure E, to continue providing funding for acquisition and rehab, tenant engagement, technical assistance and capacity building.
- Rehab of existing affordable apartments can cost one-third to one-half less than building a new apartment, a “now” solution that prevents displacement and addresses an urgent need.
- Many landlords and realtors oppose COPA because they believe affordable housing will reduce their profits. They falsely claim that it will decrease property values and create new administrative burden.
- Over 50 San Jose housing justice advocates and 2,000 community members have endorsed COPA. Our families are demanding stable, safe, affordable housing. How Councilmembers vote on COPA will send a clear message about which ones care about low-income people of color, which ones care about homelessness prevention, racial justice, and equity, and which ones do not.



Thank You!
Elizabeth
she/her/ella

Sacred Heart Housing Action Committee-We need The Right to Counsel!
Race Equity Community Safety at Sacred Heart-Reimagine Public Safety!
Cassell United-Close Reid-Hillview Now!

"be a light
that doesn't cast shadows
on anyone

have a smile
that shines
for everyone

and create a happiness
that can be taken by
no one"

~ellen everett

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FW: Letter to SJ City Council re: COPA & Measure E

City Clerk <city.clerk@sanjoseca.gov>

Mon 4/24/2023 7:40 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

📎 1 attachments (4 MB)

CouncilLet_v2_2023-04-24.pdf;

From: Josefina Aguilar [REDACTED]

Sent: Sunday, April 23, 2023 5:33 PM

To: The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; District5 <District5@sanjoseca.gov>

Cc: City Clerk <city.clerk@sanjoseca.gov>

Subject: Letter to SJ City Council re: COPA & Measure E

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Josefina Aguilar, Executive Director
South Bay Community Land Trust (SBCLT)

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South Bay Community Land Trust

525 W. Alma Ave.
San Jose, CA 95125

April 24, 2023

Dear Mayor and Councilmembers,

We are deeply distressed by two recent proposals that have been raised at City Council. We feel that they violate both the spirit and language of the Housing Element submitted to the California Housing and Community Development Department (HCD) only a few short months ago. They reject the input of the low-income community and people of color, and for that matter, of the voters of City of San Jose. We are notifying you now, before you vote on these proposals, that if you approve them, we have every intention of appealing the issues to HCD and formally requesting that they reject the Housing Element submitted. (See <https://www.mv-voice.com/news/2023/01/10/mountain-views-housing-element-is-no-longer-on-track-to-meet-state-deadline-city-staff-say>)

Our **first concern** is the City Manager's recommendation that City Council vote on April 25 to **not accept** staff's status report on the draft Community Opportunity to Purchase Act (COPA) that would provide Qualified Nonprofits a right to make a first and final offer on rental properties up for sale. Implementing a COPA program would proactively prevent displacement and promote community stability, community control, tenant empowerment, and ownership opportunities for people who otherwise would not be able to afford to purchase their homes. The COPA plan was the centerpiece of the City's Anti-Displacement Strategy adopted in September 2020 in response to community outcry over the horrific displacement and homelessness crisis in San Jose. It is also the centerpiece of the City's preservation plan outlined in Housing Element Table 3-2 "Preservation of Market-Rate and Affordable Housing". To simply reject COPA without further discussion or study, and with no alternate proposal to achieve anti-displacement and preservation goals, is irresponsible and unacceptable.

Rejection of the COPA staff report is also frankly insulting to the hundreds of low-income tenants, primarily people of color, who made the effort to attend the some 60 community stakeholder meetings and gave input and spoke **virtually unanimously** in favor of the COPA proposal. Tenants, and Housing Department staff have repeatedly expressed their willingness to negotiate the COPA provisions with realtors and landlords who oppose the program, and remain willing to continue discussion and negotiation as necessary. What is unacceptable is to categorically reject the thousands of hours of community input with no further plan to address their heartfelt concerns. Displacement destroys communities, reduces diversity, tears families apart, erases culture, damages the environment, ruins people's quality of life, undermines economic opportunity, and increases inequality and homelessness.

Many of these same tenants participated in the City's Housing Element outreach activities and gave essentially the same input there. The City COPA outreach itself was so extensive that the City felt it was important to include it as part of the "Other Community Engagement Efforts" that it reported in the Housing Element as part of its general "outreach and engagement efforts in recent years that relate to housing, neighborhoods, and community development."

Our **second concern** is the Mayor's proposal to divert "uncommitted Measure E resources" to uses other than the affordable housing that was promised to San Jose voters when they approved it in 2020. While some of the other "priorities" in the Mayor's budget message include homeless prevention, they also include hiring more police, Automated License Plate Readers, enforcing "no encampment zones," and building a locked mental health facility for unhoused people.

The City Council's Measure E allocation plan adopted in 2022 calls for 75% of it to be spent on affordable housing, including creation of deed-restricted permanently affordable housing through preservation. The other 25% is to be spent on homelessness prevention, rental assistance, and unhoused support programs. The work of South Bay Community Land is rooted in the commitment to prevent displacement and preserve the familial, historic, linguistic and cultural make up of our neighborhoods. We acquire units with their occupants and make them permanently affordable. We foster participatory democratic control of decisions that affect their housing. (See <https://baysfuture.org/pandemic-stalls-affordable-housing-plans-but-creates-opportunities-for-south-bay-land-trust/>). The neighborhoods most in need are those who historically are victims of racist and discriminatory practices and policies structured to keep lower income and people of color out of the opportunity for home ownership, upward mobility and wealth building. (See <https://www.npr.org/2017/05/03/526655831/a-forgotten-history-of-how-the-u-s->

[government-segregated-america](#)). Our work not only rescues people from the threat of displacement, makes repairs and elevates quality of life; it **produces** affordable housing by deed-restricting those units **permanently**.

The 75% affordable housing allocation of Measure E funds is essential to address the Housing Element's affordable housing goals generally. From our point of view as South Bay Community Land Trust, most concerning is that the diversion of Measure E funds will **eliminate virtually all the preservation strategies** put forward in the Housing Element. Even aside from the COPA issue, taking away Measure E funds will make it impossible to Establish a Preservation NOFA (R-2), Fund the Diridon Preservation Pilot (R-3), Establish an Acquisition Loan Fund (R-5), Create a Preservation Policy (R-9), Develop a New Anti-Displacement Strategy (R-12), and Establish Preservation and Community Development Capacity Building programs (N-4).

The City of San Jose's constituency most affected by the lack of affordable housing and the threat of displacement have spoken loudly. We are depending on you for courage and leadership.

Submitted on behalf of our Board of Directors, staff, members, volunteers, residents and our supportive community,



Josefina Aguilar
Executive Director
South Bay Community Land Trust
josefina@southbayclt.org

*cc: Assemblymembers Lee, Assemblymember Kalra, Senator Cortese
SBCLT Board & Members
San Jose City Clerk*