

HOUSING & COMMUNITY DEVELOPMENT COMMISSION

MEETING ACTION MINUTES

April 13, 2023

MEMBERS PRESENT:	Roma Dawson Alex Shoor Barry Del Buono Linh Vong Andrea Wheeler Victoria Partida Don Jackson Roberta Moore Zenia Cardoza Daniel Finn Sketch Oppie	Vice Chair (D1) Chair (D2) <i>left 8:00pm to 9:30pm</i> Commissioner (D3) Commissioner (D4) <i>left 10:00pm</i> Commissioner (D6) Commissioner (D7) Commissioner (D9) Commissioner (D10) Mayor (CW) Commissioner (MR) Lived Experience (CW) <i>arrived 5:47</i>
MEMBERS ABSENT:	Ruben Navarro Huy Tran Ryan Jasinsky	Commissioner (D5) Commissioner (D8) Commissioner (ML)
STAFF PRESENT:	Kristen Clements Luisa Cantu Lucas Ramirez Emily Hislop Kelly Hemphill Stephanie Gutowski Noel Padilla Vanessa Pacheco	Commission Acting Secretary, Housing Department Commission Assistant Secretary, Housing Department Council Liaison, District 2 Office Division Manager, Housing Department Division Manager, Housing Department Senior Development Officer, Housing Department Senior Analyst, Housing Department Analyst I, 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. Approve the Minutes for the Regular Meeting of March 9, 2023 and for the Special Meeting of March 16, 2023

ACTION: Approve the March 9, 2023 and March 16, 2023 action minutes.

Vice Chair Dawson made the motion to approve the minutes for both the meetings of March 9, 2023 and March 16, 2023, with a second by Commissioner Del Buono. The motion passed 11-0.

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Draft Minutes – Regular Meeting of April 13, 2023**

Yes	Finn, Dawson, Shoor, Del Buono, Vong, Wheeler, Partida, Jackson, Moore, Cardoza, Oppie (11)
No	None (0)
Absent	Jasinsky, Navarro, Tran (3)

(IV) Reports and Information Only

- A. Chair:** Chair Alex Shoor reviewed logistics and guidelines for participation. Chair Shoor reminded commissioners to check their emails regularly for upcoming in-person meeting information from staff.
- B. Director:** Ms. Kristen Clements updated the Commission regarding the Mayor’s budget message from March, which included redirecting Measure E funds. Staff will send that memo out to commissioners. The Community Opportunity to Purchase proposal, which the Commission heard on March 16, 2023, will be heard at the City Council meeting on April 25, 2023, with the Commission’s recommendations included in the memo. Ms. Clements gave an update on commissioner recruitments, with appointments to be heard at the City Council meeting on June 13, 2023. Ms. Clements also announced the retirement of Housing Director Jacky Ferrand-Morales and stated that the Director plans to join the Commission meeting in May to say goodbye.
- C. Council Liaison:** Mr. Lucas Ramirez reported the groundbreaking for the Monterey-Branham Emergency Interim Housing Community, funded by the State’s Project HomeKey funds and in partnership with Life Moves. This community will provide shelter for 204 beds for unhoused residents of San José.

(V) Open Forum

(VI) Old Business

(VII) New Business

**A. First Draft Fiscal Year 2023-2024 Annual Action Plan
(S. Gutowski, Housing Department)**

ACTION: 1) Conduct a Public Hearing on the Draft Fiscal Year 2023-2024 Annual Action Plan (Action Plan) for the use of federal funds from the U.S. Department of Housing and Urban Development (HUD), and take public comment as required by 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.

Vice Chair Dawson made the motion to move to close the public hearing, with a second by Commissioner Moore. The motion passed 11-0.

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Yes	Finn, Dawson, Shoor, Del Buono, Vong, Wheeler, Partida, Jackson, Moore, Cardoza, Oppie (11)
No	None (0)
Absent	Jasinsky, Navarro, Tran (3)
Abstain	None (0)

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

Yes	Finn, Dawson, Shoor, Del Buono, Vong, Wheeler, Partida, Jackson, Moore, Cardoza, Oppie (11)
No	None (0)
Absent	Jasinsky, Navarro, Tran (3)
Abstain	None (0)

(I) Orders of the Day (continued)

Per the Chair’s request to reverse the order on the agenda of items B and C, Commissioner Finn made the motion that the Commission vote on this request, with a second by Commissioner Dawson. The motion failed, 5-5-1.

Yes	Dawson, Shoor, Vong, Partida, Oppie (5)
No	Finn, Del Buono, Wheeler, Moore, Cardoza (5)
Absent	Jasinsky, Navarro, Tran (3)
Abstain	Jackson (1)

**B. Rent Stabilization Program Fees for Fiscal Year 2023-2024
(E. Hislop, Housing Department)**

ACTION: Review the proposed fee structure for Fiscal Year 2023-2024 for the Rent Stabilization Program as stated below, and recommend that the City Council approve the proposed fees:

- i. Annual Apartment Rent Control Fee: increase from \$65.00 per unit to \$72.00
- ii. Annual Apartment Non-Rent Control Fee: increase from \$15.00 per unit to \$34.00

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- iii. Annual Mobilehome Rent Control Fee: increase from \$30.00 per unit to \$33.00, and
- iv. Fees in connection with withdrawal of a building under the Ellis Act Ordinance: maintain \$2,833 per unit for up to 10 units and \$951 per unit for over 10 units.

Commissioner Moore made the motion that staff propose an increase in the Annual Apartment Rent Control Fee limited to 5%, for a total of \$68.25 instead of \$72, with a second by Commissioner Oppie. The motion failed, 2-6-3.

Commissioner Shoor had to step out of the meeting for part of the discussion on this item so abstained from voting.

Yes	Moore, Oppie (2)
No	Dawson, Del Buono, Vong, Wheeler, Partida, Jackson (6)
Absent	Jasinsky, Navarro, Tran (3)
Abstain	Shoor, Finn, Cardoza (3)

Commissioner Partida made the motion to recommend that the City Council adopt the proposed fees:

- i. Annual Apartment Rent Control Fee: increase from \$65.00 per unit to \$72.00**
- ii. Annual Apartment Non-Rent Control Fee: increase from \$15.00 per unit to \$34.00**
- iii. Annual Mobilehome Rent Control Fee: increase from \$30.00 per unit to \$33.00, and**
- iv. Fees in connection with withdrawal of a building under the Ellis Act Ordinance: maintain \$2,833 per unit for up to 10 units and \$951 per unit for over 10 units,**

with a second by Commissioner Del Buono. The motion passed, 8-2-1.

Yes	Finn, Dawson, Del Buono, Wheeler, Partida, Jackson, Cardoza, Oppie (8)
No	Vong, Moore (2)
Absent	Jasinsky, Navarro, Tran (3)
Abstain	Shoor (1)

**C. Housing Trust Fund Budget for Fiscal Year 2023-2024
(K. Hemphill, Housing Department)**

ACTION: Acting as the Housing Trust Fund Oversight Committee, recommend that the Director of Housing approve the expenditure plan for the Housing Trust Fund of

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\$2,927,184 (*corrected*) for Fiscal Year (FY) 2023-2024.

Chair Shoor recused himself from this vote due to an appearance of a conflict of interest and left the room.

Commissioner Oppie recused herself from this vote due to a conflict of interest given her financial support as a member of the Destination: Home Lived Experience Advisory Board and left the room.

Commissioner Moore made the motion that the Commission, acting as the Housing Trust Fund Oversight Committee, recommend that the Director of Housing approve the expenditure plan for the Housing Trust Fund of \$2,927,184 for Fiscal Year 2023-2024, with a second by Commissioner Wheeler. The motion passed, 8-0-2.

Yes	Finn, Dawson, Del Buono, Wheeler, Partida, Jackson, Moore, Cardoza (8)
No	None (0)
Absent	Jasinsky, Navarro, Tran, Vong (4)
Abstain	Shoor, Oppie (2)

(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, May 11, 2023, at 5:45 p.m., Tower room T-550, at San José City Hall, 200 E. Santa Clara St., San José, CA 95113.** Items expected to be heard are (updated):

- Nominations for Officers for FY 2023-2024
- Seventh Substantial Amendment to the FY 2019-2020 Annual Action Plan to Reallocate Use of CDBG-CV Funds
- Measure E Budget FY 2023-2024
- Draft Soft Story Program

(X) Adjournment

Chair Shoor adjourned the meeting at 10:29 p.m.