

HOUSING & COMMUNITY DEVELOPMENT COMMISSION

MEETING ACTION MINUTES

May 11, 2023

MEMBERS PRESENT:	Roma Dawson	Vice Chair (D1)
	Alex Shoor	Chair (D2)
	Barry Del Buono	Commissioner (D3) <i>Arrived 6:33 pm</i>
	Linh Vong	Commissioner (D4)
	Ruben Navarro	Commissioner (D5) <i>Left 7:05 pm, returned 9:14 pm</i>
	Victoria Partida	Commissioner (D7)
	Huy Tran	Commissioner (D8)
	Don Jackson	Commissioner (D9)
	Zenia Cardoza	Mayor (CW) <i>Arrived 6:10 pm</i>
	Daniel Finn	Commissioner (MR)
	Ryan Jasinsky	Commissioner (ML) <i>left 8:20 pm</i>
	Sketch Oppie	Lived Experience (CW)
MEMBERS ABSENT:	Andrea Wheeler	Commissioner (D6)
	Roberta Moore	Commissioner (D10)
STAFF PRESENT:	Kristen Clements	Commission Acting Secretary, Housing Department
	Luisa Cantu	Commission Assistant Secretary, Housing
	Jacky Morales-Ferrand	Director Housing
	Rachel VanderVeen	Assistant Director Housing
	Emily Hislop	Division Manager, Housing Department
	Shelby Bass	Senior Development Officer, Housing Department
	Josh Ishimatsu	Senior Development Officer, Housing
	Lisa Joiner	Deputy Director, Department of Planning, Building and Code Enforcement (PBCE)
	Abraham Chacko	Rehired Retiree, PBCE

(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 April 13, 2023.**

ACTION: Approve the April 13, 2023 action minutes.

Commissioner Oppie made the motion to approve the minutes for the meeting of April 13, 2023, with a second by Commissioner Dawson. The motion passed 10-0.

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Yes	Finn, Jasinsky, Dawson, Shoor, Vong, Navarro, Partida, Tran, Jackson, Oppie (10)
No	None (0)
Absent	Del Buono, Wheeler, Moore, Cardoza (4)

(IV) Reports and Information Only

- A. Chair:** Chair Alex Shoor reviewed logistics and guidelines for participation. He also reminded commissioners to consider nominations for officers.
- B. Director:** Ms. Kristen Clements updated the Commission regarding the recruitment of commissioners. Staff has analyzed applications for two open seats (D2 and D6) and three reappointment seats (D4, D8, and D10) and submitted the memo to the Clerk’s office. Appointments are scheduled to be heard by the City Council at its meeting on June 13, 2023. Ms. Clements announced she would be stepping down from staffing the Commission, leaving Josh Ishimatsu and Rachel VanderVeen to lead the Commission after her last meeting on June 8, 2023. Ms. Jacky Morales-Ferrand announced her retirement from the City as of July 14, 2023. Ms. Morales-Ferrand informed the Commission about Measure E and public budget hearings in May and June, and encouraged Commissioners to attend public meetings and fill out the survey on the recruitment for a new Housing Director. Ms. Rachel VanderVeen congratulated Ms. Morales-Ferrand on her amazing 15-year career with the City of San José.
- C. Council Liaison:** No Report (absent).

(V) Open Forum

(VI) Old Business

(VII) New Business

**A. Nomination for Officers
(K. Clements, Housing Department)**

ACTION: Make nominations for positions of Chair and Vice Chair of the Commission to serve in Fiscal Year 2023-24 commencing with the first Commission meeting after the June regular meeting. (No memo.)

Commissioner Navarro nominated Commissioner Jasinsky for the position of Chair. Commissioner Jasinsky accepted, then later respectfully declined.

Commissioner Navarro nominated Commissioner Jasinsky for the position of Vice Chair. Commissioner Jasinsky respectfully declined.

Commissioner Navarro nominated Commissioner Partida for the position of Vice Chair, Commissioner Partida will consider the position.

Vice Chair Dawson nominated Commissioner Tran for the position of Chair. Commissioner Tran accepted the nomination.

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

Commissioner Jackson nominated Vice Chair Dawson for the position of Vice Chair. Vice Chair Dawson accepted the nomination.

Commissioner Oppie nominated Commissioner Del Buono for the position of Vice Chair. Commissioner Del Buono accepted the nomination.

Commissioner Navarro nominated Commissioner Jasinsky for the position of Vice Chair. Commissioner Jasinsky respectfully declined.

Commissioner Jackson nominated Commissioner Oppie for the position of Chair. Commissioner Oppie respectfully declined.

Commissioner Jackson nominated Commissioner Oppie for the position of Vice Chair. Commissioner Oppie accepted the nomination.

Commissioner Jackson nominated Commissioner Cardoza for the position of Vice Chair. Commissioner Cardoza respectfully declined.

B. Proposed Changes to the Percentage Allocations and the Spending Plan for Fiscal Year 2023-2024 Including Uncommitted Funds Recaptured from Fiscal Year 2020-2021 through Fiscal Year 2022-2023 for Measure E Transfer Tax Funds (R. VanderVeen, Housing Department)

ACTION: Review the staff report and provide possible recommendations to the City Council regarding the following:

- A. Proposed changes to the percentage allocations in the allocation framework for Fiscal Year 2023-2024 to:
 - (1) 5% for administration with the remaining revenue allocated as follows:
 - (2) 0% for the creation of new affordable housing for extremely low-income households;
 - (3) 0% for the creation of new affordable housing for low-income households;
 - (4) 0% for the creation of new affordable housing for moderate-income households;
 - (5) 20% for homeless prevention, gender-based violence programs, legal services, and rental assistance; and
 - (6) 80% for homeless support programs including shelter construction and operations

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- B. Proposed spending plan for Fiscal Year 2023-2024 based upon the changes to percentage allocations, that includes the reallocation of \$87 million of uncommitted revenue comprised of \$17 million from FY 2020-2021, \$20.4 million from FY 2021-2022, and \$49.5 million from FY 2022-2023 to:
- (1) 22% for administration, with the remaining revenue allocated as follows:
 - (2) 21% for the creation of new affordable housing for extremely low-income households
 - (3) 57% for the creation of new affordable housing for low-income households;
 - (4) 0% for the creation of new affordable housing for moderate-income households;
 - (5) 4% for homeless prevention, gender-based violence programs, legal services and rental assistance; and
 - (6) 18% for homeless support programs including shelter construction and operations.

Commissioner Navarro made a motion that Commission not approve recommendation A or B and instead reaffirms the current spending percentages already in place consistent with City Council Policy 1-18, with a second by Commissioner Oppie. The motion passed 11-0.

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

Commissioner Finn made a motion that the Commission write a strongly worded letter to the Mayor and Council reflecting the Commission’s discussion to be composed by Vice Chair Dawson, with copies to the City Manager and City Clerk, with a second by Commissioner Oppie. The motion passed 11-0.

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

Commissioner Dawson made a motion that Chair Shoor speak or designate a surrogate commissioner to address City Council on behalf of the Measure E Oversight Committee for the budget item 3.3 on Tuesday 5/16/23, with a second by Commissioner Finn. The motion passed 11-0.

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

C. Seventh Substantial Amendment to the Fiscal Year 2019-2020 Annual Action Plan to Reallocate a Portion of Community Development Block Grant Cares Act Funding Awarded by the United States Department of Housing and Urban Development (K. Clements, Housing Department)

ACTION: a) Conduct a Public Hearing on the Fiscal Year 2019-2020 Annual Action Plan to reallocate a portion of the Community Development Block Grant Coronavirus Aid, Relief, and Economic Security (CARES) Act (CDBG-CV) funding awarded by the United States Department of Housing and Urban Development (HUD) to the City of San José;

b) Approve the Seventh Substantial Amendment to the Fiscal Year 2019-2020 Annual Action Plan to amend the CDBG-CV Program Allocation Plan and reallocate \$250,000 in unused CDBG-CV funds from the Law Foundation of Silicon Valley to Sacred Heart Community Services for the Eviction Diversion and Settlement Program; and

c) Recommend to the City Council it approve the Seventh Substantial Amendment to the Fiscal Year 2019-2020 Annual Action Plan.

Commissioner Finn made the motion to accept the staff recommendation, with a second by Commissioner Del Buono. The motion passed 10-0.

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

D. Information Briefing on the Soft Story Seismic Retrofit Program (A. Chacko, Department of Planning, Building and Code Enforcement)

ACTION: Receive the briefing on the Soft Story Seismic Retrofit Project and provide feedback to staff on the outreach and engagement strategy to maximize stakeholder participation and input on program elements.

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

(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, June 8, 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):

- Outgoing Commissioner Recognition
- Rent Stabilization Program Annual Report FY 21-22
- Rent Stabilization Program FY 2022-23 Quarter 3 Report for Apartments, Including the Apartment Rent Ordinance, Tenant Protection Ordinance, and Ellis Act Ordinance
- Rent Stabilization Program FY 2022-23 Quarter 3 Report for Mobilehomes
- Election of Officers
- Final Draft 2023-2031 Housing Element

(X) Adjournment

Chair Shoor adjourned the meeting at 10:56 p.m.