

HOUSING & COMMUNITY DEVELOPMENT COMMISSION

MEETING ACTION MINUTES

AUGUST 8, 2019

MEMBERS PRESENT:

Andrea Wheeler	Chair
Alex Shoor	Vice Chair
Martha O'Connell	Commissioner
Huy Tran	Commissioner
Ryan Jasinsky	Commissioner
Julie Quinn	Commissioner
Justin Lardinois	Commissioner
Nhi Duong	Commissioner

MEMBERS ABSENT:

Barry Del Buono	Commissioner
Ruben Navarro	Commissioner
District 7	Vacant
District 8	Vacant
District 10	Vacant

STAFF:

Helen Chapman	Council Liaison
Rachel VanderVeen	Housing Department
Selena Copeland	Housing Department
Viviane Nguyen	Housing Department
Theresa Ramos	Housing Department
Fred Tran	Housing Department

(I) Call to Order & Orders of the Day

Chair Wheeler called the meeting to order at 5:46 PM.

(II) Introductions – Commissioners and staff introduced themselves.

(III) Consent Calendar

A. Approve the minutes for the meeting of June 13, 2019

ACTION: Approve the June 13, 2019 action minutes

Vice Chair Shoor made the motion to approve the minutes, with the amendment by Commissioner O'Connell to remove the public comment submission, with a second by Commissioner O'Connell. The motion passed unanimously (8-0).

Yes: Tran, Quinn, Lardinois, O'Connell, Wheeler, Shoor, Duong

(IV) Reports and Information Only

A. Chair: Chair Wheeler did not have an update.

B. Director: Ms. Rachel VanderVeen provided an update on upcoming City Council items, including the Housing Payment Equality Ordinance agendized on the August 13, 2019 City Council and Ellis Act Ordinance Re-Control Provisions agendized for September 24, 2019 City Council meeting.

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C. Council Liaison: Ms. Helen Chapman provided an update on the City Clerk appointments and deadline for City Council to make appointments.

(V) 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.

(VI) Old Business

None

(VII) New Business

A. Ellis Act Ordinance Re-control Provisions

(F. Tran, Housing Department)

It is recommended that the Commission

1. Review the staff report on:
 - a. Research on Ellis Act Ordinance's existing re-control provisions including conversations with developers and lenders,
 - b. Updated research from other communities regarding the re-control provisions in other Ellis Act ordinances in order to assess the extent they may make new residential projects more difficult to build, as requested from the February 5, 2019 City Council meeting, and
2. Make recommendations to the City Council on potential changes to the Ellis Act Ordinance including:
 - a. Modifications to the base requirement for 50% re-control of new units capped to seven times apartments demolished, and
 - b. Consideration of new options to meet requirements for re-control:
 - i. Re-control waiver if 15% of new units are affordable onsite and displaced low-income tenants are offered a right to return at prior rents escalated by the Consumer Price Index, and
 - ii. Onsite Affordable Housing Incentive where developers receive credit towards their 50% re-control requirement by providing onsite affordable housing on a three to one basis.

Commissioner Tran made a motion to not make any amendments to the current Ellis Act re-control provisions, with a second by Commissioner O'Connell. The motion passed 7-1.

Yes: Tran, Quinn, Lardinois, Jasinsky, O'Connell, Wheeler, Shoor

No: Duong

B. 2018-2019 Rent Stabilization Program Fourth Quarterly Report for the Apartment Rent Ordinance, Tenant Protection Ordinance, and Ellis Act Ordinance

(F. Tran, Housing Department)

ACTION: Review the report and provide possible recommendations.

No action taken.

DRAFT

C. 2018-2019 Rent Stabilization Program Fourth Quarterly Report for the Mobilehome Rent Ordinance (F. Tran, Housing Department)

ACTION: Review the report and provide possible recommendations.

No action taken.

(VIII) Open Forum

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(IX) Meeting Schedule

The next regular Commission meeting is scheduled to be held on Thursday, September 12, 2019 at 5:45 p.m. in Wing Rooms 118-120 at San José City Hall, 200 E. Santa Clara St, San José, CA 95113.

(X) Adjournment

Chair Wheeler adjourned the meeting at 7:45 PM.

The City of San José is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public.

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.