



Memorandum

TO: NEIGHBORHOOD SERVICES
AND EDUCATION COMMITTEE

FROM: Jacky Morales-Ferrand

SUBJECT: SEE BELOW

DATE: February 9, 2022

Approved

Date

2/9/22

SUBJECT: ASSESSMENT OF FAIR HOUSING (AFH) PLAN REPORT

SUPPLEMENTAL

REASON FOR SUPPLEMENTAL

This supplemental memorandum includes a summary of comments from the Housing and Community Development Commission and the public from the Commission meeting held virtually on January 27, 2022.

ANALYSIS

Commissioners' Comments

Commissioners discussed many issues related to the Assessment of Fair Housing Report and the Housing Element. Most comments regarded draft strategy ideas, while a few concerned outreach techniques. Comments included the following:

- Several commissioners voiced support for the City analyzing and ensuring that its existing housing programs are fully accessible to and adequately serving members of protected classes, such as those who speak English as a second language.
- Three commissioners expressed support of staff's efforts to do comprehensive public outreach. One discussed the importance of multi-language access through events such as the Housing Department's Open House sessions, and the importance of doing multi-lingual outreach together with community partner organizations. Another encouraged staff to promote good news and opportunities like SB 9, liked staff's public outreach at tabling events, and encouraged staff to reach out to faith-based leaders and childcare

providers. A third expressed the importance of the City regularly integrating the voice of vulnerable people into decisions on resource allocations that affect them.

- Three commissioners voiced support for homeownership strategies, including the provision of expanded down payment assistance programs, and ensuring that subsidy amounts are sufficient to meet local housing costs.
- Two commissioners expressed support for implementing SB 9 to support fair housing and production goals.
- Two commissioners expressed support for mixed-income housing developments. One supported creation of mixed-income developments to avoid concentrations of poverty. Another wanted to incent and subsidize for-profit developers to produce affordable units in mixed-income developments, resulting in cost-effective housing production.
- Two commissioners expressed support for improving low-income neighborhoods by increasing tree canopy.
- Two commissioners expressed interest in auditing homeless programs, particularly those serving encampments, and expanding the best-performing programs.
- Two commissioners recommended that staff focus on a limited number of strategies that would produce the most measurable impact.

Commissioners also expressed interest in:

Populations

- Creating affordable housing for youth emancipated from foster care, to avoid their future homelessness.
- Prioritizing housing for residents with physical and intellectual disabilities, those who are homeless, and others most in need.
- Providing affordable housing for lesbians/LGBTQ residents, as they often do not marry and do not benefit from two incomes.
- Creating affordable housing for civic leaders, so they can stay in the community.

Production

- Completing work to ensure zoning is consistent with General Plan designations, as required by the State.
- Streamlining land use entitlements for higher-density housing developments.
- Reducing costs for lower-income housing by eliminating parking requirements.
- Supporting affordable housing production in high-resource areas.
- Incentivizing more dense, affordable housing development located close to transit.

Access to rental housing

- Exploring affordable rents linked to residents' incomes rather than the Area Median Income.
- Ensuring that affordable housing residents can access all amenities available in mixed-income housing developments.
- Implementing a Community Opportunity to Purchase (COPA) program to stabilize residents.

Homeownership

- Including mobile homes in ownership strategies.

Neighborhoods

- Investing in racially/ethnically concentrated areas of poverty in Council Districts 3 and 7.
- Incenting investments in low-income neighborhoods by both private and public sources of funding – including supporting the creation of Accessory Dwelling Units by low-income homeowners that could be affordably rented to local residents, thereby reducing displacement risk and stabilizing both owners and renters.
- Creating space for micro-businesses in neighborhoods, such as those displaced from the Flea Market, perhaps in mixed-use properties integrating housing and commercial space.
- Creating financial assistance for low-income homeowners to care for tree maintenance and removal, which benefits neighborhoods.
- Working with the Valley Transportation Authority to improve San José's transit system and create better service and access, as many residents currently lack adequate service.
- Supporting the creation of parks and open space in lower-income neighborhoods.

General

- Evaluating the effectiveness of the City's anti-displacement policies by including this as a strategy.
- Taking advantage of regional sources of funding, such as the Bay Area Housing Finance Authority, and regional strategies to help meet the City's goals.
- Using land use tools in the Housing Element to accomplish the City's objectives.

After giving staff this feedback, Commissioners did not choose to make any formal motions.

Public Comment

In addition, members from the public made the following comments:

- Fair housing strategies should center on benefitting residents that have experienced redlining, and the City should put in writing its part in past discrimination.

- Latino/a/x ethnicities should be disaggregated, with more specific identities named (such as Chicanos, Mexicans, etc.).
- Affirmatively Furthering Fair Housing focuses on creating opportunities for protected classes, but the Housing Element also must increase housing supply for the whole population.
- Strategies could include SB 9 implementation and exploration of ways to incorporate affordability and greater equity per the City Council’s direction. SB 9 also presents a critical opportunity for homeownership.
- Serving disabled residents requires improving physical access to housing through strategies such as universal design of housing and improving apartment access procedures.
- Developmentally disabled residents require services provision in addition to physically-adapted units.
- Some apartments for disabled residents should include spaces for caretakers to live.
- Disabled residents require rents below those for residents earning 30% of Area Median Income, as SSI and part-time, low-wage work pays far less than that income level. Rents should be appropriately lower for those apartments and this requires housing subsidies.
- Disabled residents are diverse and may fall into other protected classes as well; for example, those who are BIPOC face increased discrimination and barriers to housing.
- Staff’s work to ensure housing opportunities for all residents is appreciated.

/s/

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For questions, please contact Kristen Clements, Division Manager, at 408-535-3860.