

**Housing & Community Development Commission
Annual Accomplishments for FY 2017-18**

#	Objective for FY 2017-18	Actions	Commission Action
1.	Housing Trust Fund Budget FY 2017-18	Provide input on use of expenditures from the Housing Trust Fund June 14, 2018 Agenda	June 14, 2018 Minutes Commissioner Graves made the motion to approve the expenditure plan as presented, with a second by Commissioner Del Buono. Chair Wheeler and Commissioner O’Connell opposed because Chair would like the income sources and historical expenditures to make more informed decisions. Motion passes by roll call vote 6-3.
2.	FY 2016-17 Consolidated Annual Performance and Evaluation Report (CAPER)	Public Hearing for the FY 2016-17 Consolidated Annual Performance and Evaluation Report (CAPER) September 14, 2017 Agenda	September 14, 2017 Minutes Commissioner Wheeler made the motion to accept the report and recommend City Council approval of the FY 2016-17 CAPER with the request of staff to add an evaluation component to the FY 2017-18 report that includes effectiveness and cost aspects of the programs. Commissioner O’Connell added a friendly amendment to include preliminary figures for the next CAPER if final numbers were not available. The friendly amendment was accepted by Commissioner Wheeler with a second by Commissioner Jones. The motion passed (12-1) with Commissioner Thompson voting “no”.
3.	FY 2018-19 Annual Action Plan Funding Strategies	Review and possible recommendation on funding strategies for 2018-19 Annual Action Plan <ul style="list-style-type: none"> • Hearing June 14, 2018 Agenda • Hearing April 12, 2018 Agenda • Hearing January 11, 2018 Agenda 	June 14, 2018 Minutes Final Public Hearing and Approval of the FY 2018-19 Annual Action Plan and Award of the CDBG-Funded Legal Services Proposal Chair Graves made the motion to approve the Annual Action Plan with second by Commissioner Fitzgerald. Motion passes unanimously (9-0). April 12, 2018 Minutes Public Hearing on the 2017-18 Substantial Amendment to Annual Action Plan Commissioner Del Buono made the motion to accept the staff report and recommendation, with a second by Commissioner Navarro. The motion passed unanimously (10-0).

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			January 11, 2018 Minutes Public Hearing for the 2018-2019 Annual Action Plan Funding Priorities Chair Graves opened the public hearing. No public comment. Chair Graves closed the public hearing
4.	FY 2017-18 – FY 2020-21 Affordable Housing Investment Plan (AHIP)	Provide updates and input on AHIP January 11, 2018 Agenda	January 11, 2018 Minutes Commissioner Thompson made the motion to accept the Housing Department staff report regarding the FY 2017-18 - FY 2020-21 Affordable Housing Investment Plan with a second by Commissioner Navarro. The motion passed unanimously (10-0).
5.	Annual Homeless Report	Provide updates and input on homeless policy issues August 10, 2017 Agenda	August 10, 2017 Minutes Commissioner Tran made the motion to recommend to staff the approval of the Potential Modifications to the accept the report on the 2017 Homeless Census and Survey and discuss the implications of the results with a second by Commissioner Jones. The motion passed unanimously (11-0).
6.	Potential Modifications to the Affordable Housing Impact Fee and Inclusionary Housing Programs	Provide recommendations to staff regarding the following potential changes to the Affordable Housing Impact Fee and Inclusionary Housing Program August 10, 2017 Agenda	August 10, 2017 Minutes Commissioner Wheeler made the motion to recommend to staff the approval of the Potential Modifications to the Affordable Housing Impact Fee and Inclusionary Housing Programs with a second by Commissioner Jones. The motion passed unanimously (11-0).
7.	Federal Funding Update	November 9, 2017 Agenda	November 9, 2017 Minutes Commissioner Del Buono made the motion to staff to include the input from the Commission on the development of federal funding priorities and strategies with a second by Commissioner Fitzgerald. The motion passed unanimously (11-0).

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8.	Update on Housing-Related Impacts from October 17 Council Priority Setting Session	<p>Memorandum from the City Administration on upcoming actions and potential impacts of affordable housing development as a result of the goals identified in Mayor Liccardo’s September 28, 2017 memorandum entitled “Responding to the Housing Crisis.”</p> <p>November 9, 2017 Agenda</p>	<p>November 9, 2017 Minutes</p> <p>Mr. Bramson provided an update on the Housing-Related Impacts from October 17 Council Priority Setting Session.</p>
9.	Apartment Rent Ordinance (ARO)	<ul style="list-style-type: none"> • Utility Pass Throughs to Tenants March 8, 2018 Agenda • Exploration of Inclusion of Duplexes November 9, 2017 Agenda • Revisions to Draft Apartment Rent Ordinance and Regulations October 5, 2017 Agenda • Initial review and discussion of Draft Apartment Rent Ordinance and Regulations, Staffing Plan and Fee Analysis, and additional items September 14, 2017 Agenda 	<p>March 8, 2018 Minutes</p> <p>Amendments to the Apartment Rent Ordinance Regarding Utility Pass Throughs to Tenants</p> <p>Commissioner Shoor made the motion to approve staff recommendation with a second by Commissioner Del Buono. The motion passed 10-2 by roll call vote.</p> <p>November 9, 2017 Minutes</p> <p>Exploration of Inclusion of Duplexes</p> <p>Chair Graves made the motion to not include duplexes in the Apartment Rent Ordinance with a second by Commissioner Wheeler. Commissioner Wheeler added a friendly amendment that if the City Council decides to move forward to consider adding duplexes, the workplan should immediately come back to the HCDC for review, which was accepted by Chair Graves.</p> <p>Commissioner O’Connell made the substitute motion to add duplexes to the Apartment Rent Ordinance but to exclude owner occupied units with a second by Commissioner Del Buono. The substitute motion passed (6-5) by roll call vote.</p>

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		<p>October 5, 2018 Minutes</p> <p>Revisions to Draft Apartment Rent Ordinance and Regulations</p> <p><u>Rent Modifications to the Annual Increase:</u></p> <p>Commissioner Wheeler made the motion to adopt the 5% allowable increase option with no banking, 100% amortization, and no program fees with a second by Commissioner Fitzgerald.</p> <p>Commissioner O’Connell made a substitute motion to adopt the CPI with 4% ceiling with a second by Commissioner Shoor. The motion failed by roll call vote (5-7).</p> <p>Chair Graves called Commissioner Wheeler’s original motion to roll call vote and the motion passed (10-2).</p> <p>Commissioner Shoor made the motion to consider adding duplexes to the Apartment Rent Ordinance to the November meeting agenda with a second by Commissioner Del Buono. The motion passed by roll call vote (8-4).</p> <p><u>Specified Capital Improvements</u></p> <p>Commissioner Tran made the motion to Allow 100% pass-through for building permit and require a licensed contractor; provide modified amortization periods; construction must be completed within 12 months prior to submitting petition and limiting pass-throughs when CPI-U exceeds 5% with a second by Commissioner Del Buono.</p> <p>Commissioner Fitzgerald made a substitute motion to withdraw the licensed contractor language with a second by Commissioner O’Connell. The substitute motion failed by roll call vote (3-9).</p> <p>Chair Graves called Commissioner Tran’s original motion to roll call vote and the motion passed (9-3).</p>
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			<p><u>Authorization of RUBS at Initial Tenancy by Resolution</u> Commissioner Wheeler made the motion to authorize ratio utility billing (RUBS) at initial tenancy by resolution with the condition that the City Council not approve a resolution until the issue is considered before the Housing & Community Development Commission. Commissioner Shoor seconded the motion.</p> <p>Commissioner O’Connell made a substitute motion to allow City Council to authorize ratio utility billing (RUBS) at initial tenancy by resolution with a second by Commissioner Jones. The motion failed by roll call vote (5-7).</p> <p>Chair Graves called Commissioner Wheeler’s original motion to roll call vote and the motion failed (5-7).</p> <p>Commissioner Tran made the motion to not recommend ratio utility billing (RUBS) with a second by Commissioner Graves. The motion passed by roll call vote (10-2).</p> <p><u>Joint Petition</u> Commissioner Tran made the motion to allow joint petition for additional occupants for both the 5% and CPI-U options with a second by Commissioner Quinn. The motion passed by roll call vote (9-2-1).</p> <p><u>Appeals</u> Commissioner O’Connell made the motion to recommend that Appeals under Chapter 6 (violations of the ARO) will be heard by a Hearing Officer; Under Chapter 7 (Service Reductions) reinstate formal mediation with a hearing officer, but retain voluntary participation, with a second by Commissioner Jones. The motion passed unanimously (12-0).</p>
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			<p><u>Tenant Buyout</u> Commissioner Wheeler made the motion to recommend the addition of a section allowing and regulating Tenant Buyouts, but to remove the language “if requested” and make the handover mandatory by the landlord. Commissioner Shoor seconded the motion and added a friendly amendment that would add that the tenant self-identify their primary language. Commissioner Wheeler accepted the friendly amendment. The motion passed unanimously (12-0).</p> <p><u>Drop one-year lease requirement</u> Commissioner Thompson made the motion to recommend to drop one-year written lease requirement with a second by Chair Graves. The motion passed unanimously (12-0).</p>
10.	Tenant Protection Ordinance (TPO)	<ul style="list-style-type: none"> • Criminal Activity March 22, 2018 Agenda • Immigration Status February 8, 2018 Agenda • Habitual & Material Lease Violation October 5, 2017 Agenda 	<p>March 22, 2018 Minutes Potential Amendment to the Tenant Protection Ordinance Regarding Criminal Activity Commissioner Shoor made the motion to maintain the Tenant Protection Ordinance as written and reject staff recommendation with a second by Commissioner O’Connell. The motion passed by 8-1 by roll call vote.</p> <p>Commissioner Wheeler made a motion that whereas the primary recommendation is no change to the Tenant Protection Ordinance and defer to the nuisance just cause reason, should a criminal activity reason be brought forward to City Council, alternative #2 is recommended to include conviction as a basis for eviction, with a second by Commissioner Thompson. The motion passed by 8-1 by roll call vote.</p>

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			<p>October 5, 2018 Minutes Amendments to the Tenant Protection Ordinance regarding Habitual & Material Lease Violation Commissioner O’Connell made the motion to accept the staff report and add parents to the household occupancy of Section 2 A.2.b.ii of the Tenant Protection Ordinance with a second by Commissioner Jones. The motion passed 11-0-1 with Commissioner Shoor abstaining from the vote.</p>
11.	Ellis Act Ordinance	<p>Provide comments on the Ellis Act Ordinance when an ARO building is withdrawn from the rental market. March 22, 2018 Agenda</p>	<p>March 22, 2018 Minutes Commissioner Shoor made a motion to approve Staff recommendation on (1)(a) and (b) increase 5% to 10% at 80% AMI, and (3) require 180 days’ notification if allowed, with a second by Commissioner Thompson. The motion passed by 5-3 by roll call vote.</p>
12.	Apartment Rent Ordinance Staffing and Fee Analysis	<p>Review, discuss, and provide recommendation to the Housing Department on the RRR Program workload, staffing and fee methodology (Mobilehomes and Apartments) October 5, 2017 Agenda</p>	<p>October 5, 2018 Minutes Commissioner Thompson made the motion to accept the staff report and recommend the Apartment Rent Ordinance staffing and associated Program Administration Fees with a second by Commissioner Jones. The motion passed unanimously (11-0).</p>
13.	Tenant Source of Income Policy	<p>Provide feedback on the policy framework related to source of income discrimination March 8, 2018 Agenda</p>	<p>March 8, 2018 Minutes Commissioner Del Buono made the motion to approve staff recommendation, with a request to see the policy framework again before going to City Council, with a second by Commissioner Navarro. The motion passed unanimously (12-0). Commissioner Thompson made the motion to recommend incorporating and researching incentives for landlords to participate in Section 8 with a second by Commissioner Wheeler. The motion passed unanimously (12-0).</p>

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			Commissioner Tran made the motion to recommend staff to conduct research on ways to prequalify landlord units for Section 8 consideration, with a second by Commissioner Fitzgerald. The motion passed unanimously (11-0).
14.	Mobile Home Opt-In/Stay-In-Business Analysis of Draft Framework	Provide recommendations to staff and Council on potential Opt-in/stay in business concept (Mobilehome Parks) October 12, 2017 Agenda August 10, 2017 Agenda	<p>October 12, 2017 Minutes Commissioner Wheeler made the motion to amend the draft Mobilehome Opt-In/Stay-In Business framework and revised outreach plan for City Council consideration with a second by Chair Graves. The motion passed by roll call vote (7-3).</p> <p>Commissioner Wheeler made the motion to limit vacancy de-control charge to 10% of the rent with a maximum charge of \$100. Commissioner Fitzgerald added a friendly amendment of no more than three times in ten (10) years. The friendly amendment was accepted by Commissioner Wheeler and the motion was seconded by Chair Graves. Commissioner Tran offered a friendly amendment to increase the time period to no more than three times in a 20-year period. Commissioner Wheeler and Graves accepted the friendly amendment. The motion passed by roll call vote (8-2).</p> <p>Commissioner Wheeler made the motion to require the mobilehome park land/property owner to submit a land use designation for mobilehomes at the time of Opt-in with a second by Chair Graves. The motion passed by roll call vote (8-2).</p> <p>Commissioner Thompson made the motion to include a restriction that residents have to approve the opt-in by a mobilehome land/property owner with a second by Commissioner Shoor. Commissioner Shoor also added a friendly amendment that it should be approved by 75% approval, Commissioner Thompson suggested 2/3 of park residents are also required to participate. The motion passed by roll call vote (8-2).</p>

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			<p>Commissioner Tran made the motion to accept the staff report for its analysis, but reject the recommendation of the Draft Mobilehome Opt-In/Stay-In-Business framework and on the revised public outreach plan as amended by the Commission, and instead that there be no more efforts on the Mobilehome Opt-In/Stay-In-Business Proposal. Commissioner Navarro seconded the motion. The motion passed by roll call vote (7-3).</p> <p>August 10, 2017 Minutes</p> <p>Commissioner Tran made the motion to accept the report, to inform commissioners of when the outreach meetings will occur, to double the number of large outreach meetings, and to outreach to all mobilehome parks. Commissioner Wheeler seconded the motion and made a friendly amendment to include that a mailer should be sent to all residents in three languages (English, Spanish, and Vietnamese). The friendly amendment was accepted by Commissioner Tran. The motion passed 9-0-1 with Commissioner Shoor abstaining and Commissioner O’Connell recusing herself from the discussion and vote.</p> <p>Commissioner Wheeler made the motion to amend the outreach plan to allow every attendee to be given the opportunity to speak at the public outreach meetings with a second by Commissioner Navarro. The motion passed 9-0-1 with Commissioner Shoor abstaining and Commissioner O’Connell recusing herself from the discussion and vote.</p>
15.	Policy 0-4	Consideration for Commission authorization pursuant to Council Policy 0-4 Part IV to hold meetings during 2018 for the Mobilehome Resident Representative, Mobilehome	<p>March 22, 2018 Minutes</p> <p>Commissioner O’Connell made a motion to approve Staff recommendation for all Mobilehome Resident Representative, Mobilehome Park Representative, and Apartment Owner Representative and obtain clarification from the City Attorney’s Office on Council Policy 0-4 Part IV, with a second by Commissioner Wheeler. The motion passed by 8-1 by roll call vote.</p>

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		<p>Park Representative, and Apartment Owner Representative to obtain feedback from public and to provide a report back to the Commission after the conclusion of such meetings. March 22, 2018 Agenda</p>	
16.	<p>Workload Assessment on Prioritization for Tenants of Affordable Housing</p>	<p>Accept the report and offer recommendations on potential Tenant Preferences to study, which may be used to establish priorities for making affordable apartments available to eligible applicants. October 12, 2017 Agenda</p>	<p>October 12, 2017 Minutes Commissioner Tran made the motion to accept the report and consider the recommendations on potential Tenant Preferences to study, which may be used to establish priorities for making affordable apartments available to eligible applicants, as voted on individually by the Commission. Commissioner Shoor seconded the motion and the motion passed unanimously by roll call vote. Recommendations on potential tenant preferences to study were voted on individually and are outlined in the following summary table. Each commissioner was given five votes that they could allocate to any preference type.</p>

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			<table border="1"> <thead> <tr> <th>Preference Type</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Neighborhood</td> <td>3</td> </tr> <tr> <td>Anti-Displacement</td> <td>2</td> </tr> <tr> <td>Live or Work in San Jose</td> <td>9</td> </tr> <tr> <td>Disaster Victims</td> <td>1</td> </tr> <tr> <td>Displaced</td> <td>5</td> </tr> <tr> <td>Rent-Burdened</td> <td>2</td> </tr> <tr> <td>Artists</td> <td>0</td> </tr> <tr> <td>Teachers</td> <td>2</td> </tr> <tr> <td>Homeless</td> <td>4</td> </tr> <tr> <td>Unaccompanied Youth</td> <td>6</td> </tr> <tr> <td>Veterans</td> <td>3</td> </tr> <tr> <td>Lesbian, Gay, Bisexual, Transgender, Queer</td> <td>2</td> </tr> <tr> <td>Domestic Violence Survivors</td> <td>5</td> </tr> <tr> <td>Other: Disabled</td> <td>1</td> </tr> <tr> <td>Other: Seniors</td> <td>1</td> </tr> <tr> <td>Other: Applicant with children who live and work in San Jose</td> <td>4</td> </tr> </tbody> </table>	Preference Type	Total	Neighborhood	3	Anti-Displacement	2	Live or Work in San Jose	9	Disaster Victims	1	Displaced	5	Rent-Burdened	2	Artists	0	Teachers	2	Homeless	4	Unaccompanied Youth	6	Veterans	3	Lesbian, Gay, Bisexual, Transgender, Queer	2	Domestic Violence Survivors	5	Other: Disabled	1	Other: Seniors	1	Other: Applicant with children who live and work in San Jose	4
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17.	LGBTQ Senior Housing	<p>Review report on LGBTQ housing from County Supervisor Ken Yeager and consider adopting a position of support to the City Council.</p> <p>October 12, 2017 Agenda</p>	<p>October 12, 2017 Minutes</p> <p>Commissioner Shoor made the motion to have the Housing Department track the issue with the County of Santa Clara and bring back to the Commission at a time to take further action with a second by Commissioner Wheeler. The motion passed unanimously (10-0).</p>																																		

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18.	Commission Chair/Vice Chair Nominations	Nominate and Elect Chair and Vice Chair June 14, 2018 Agenda	June 14, 2018 Minutes Elections held and Commissioner Wheeler elected as Chair and Commissioner Shoor elected as Vice-Chair.
19.	Adopt FY 2017-2018 Workplan for the Commission	Review, discuss, and adopt a FY 2017-2018 Workplan based on work completed at Annual Retreat for approval by the Rules and Open Gov't Committee October 12, 2017 Agenda	October 12, 2017 Minutes Commissioner O'Connell made the motion to recommend to the Rules and Open Government Committee to approve the FY 2017-18 HCDC Workplan with a second by Commissioner Tran. The motion passed unanimously (10-0).
20.	Meeting Adjournment Curfew	Discuss the possible establishment of a meeting adjournment curfew for Commission meetings March 8, 2018 Agenda	March 8, 2018 Minutes Commission discussed the idea of a possible curfew for meeting adjournment, but no motion was made to establish such curfew.
21.	Periodic Housing Reports	Discuss various reports on housing data provided by staff for the purposes of informing Commissioners on issues within Commission scope. <ul style="list-style-type: none"> • Housing Element Annual Report April 12, 2018 • Rent Stabilization Program Quarterly Reports May 10, 2018 • Rent Stabilization Program Quarterly Reports February 8, 2018 	As required

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		<ul style="list-style-type: none"> • Rent Stabilization Program Annual Report November 9, 2017 • Rent Stabilization Program (Formerly Rental Rights & Referrals Program) Quarterly Reports September 14, 2017 	
22.	Informational Items	Informational briefings from subject matter experts, nonprofit representatives, and other agencies, as appropriate	April 12, 2018 Minutes Presentation provided by Ms. Yan Yin Choy from Code for San José concerning Rental Rights Mobile App and Website
23.	Proposed State/Federal Local Legislation and ballot initiatives	Proposed Federal/State/Local Legislation. Discussion and possible recommendations to Council on proposed legislation and ballot measures consistent with City Council Policy 0-4.	None taken.