Fw: Fund Affordable Housing: Pass the HIghest Feasible Commercial Linkage Fee

City Clerk <
Tue 8/25/2020 8:51 AM
To: Agendadesk <

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor San Jose, CA 95113

How is our service? Please take our short survey.

From: VanderVeen, Rachel <

Sent: Tuesday, August 25, 2020 8:00 AM

To: City Clerk <

Cc: Alvarez, Karina <

Subject: FW: Fund Affordable Housing: Pass the HIghest Feasible Commercial Linkage Fee

Public comment

Rachel VanderVeen

Deputy Director Housing Department

From: amy randall [mailto:

Sent: Monday, August 24, 2020 11:09 PM

To: VanderVeen, Rachel <

Subject: Fund Affordable Housing: Pass the Highest Feasible Commercial Linkage Fee

[External Email]

Re: Fund Affordable Housing: Pass the HIghest Feasible Commercial Linkage Fee

Dear Rachel VanderVeen,

Dear San Jose City Staff,

Commercial Linkage Fees are a standard tool for generating local resources for affordable housing development, and the fee ranges outlined in the feasibility study are in line with other cities in the County that have already adopted this funding source. As it faces unprecedented growth over the next 5-15 years, San Jose cannot afford to continue to fall deeper behind in addressing the housing needs of its lower- and moderate-income residents.

I am writing to voice my strong support for the highest feasible Commercial Linkage Fee in San Jose. The recently released Fee Feasibility Study confirms that the city can collect robust fees for affordable housing and still move forward with its ambitious plans for new job-related development.

We are sensitive to the fact that these are not simple times, and that the pandemic is likely to impact the feasibility of some commercial development, particularly hotels and some types of retail. However, it is clear that, for most projects, the CLF will not be the deciding factor and that development activity will pick up over time.

San Jose and its neighbors faced an affordable housing emergency before this current health and economic crisis, and the need for more affordable housing will increase as the City moves to recover. New commercial development creates a pressing need for more housing for new employees. The Nexus study confirmed that many employees do not, and will not, get paid enough to afford to live in San Jose without a measurable increase in the number of new affordable homes.

It is the responsibility of the City to ensure that we have the resources to respond to this additional need. We urge you to take full advantage of the CLF as part of the solution. Sincerely,

amy randall

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Fw: Fund Affordable Housing: Pass the HIghest Feasible Commercial Linkage Fee

City Clerk <

Thu 8/20/2020 10:44 AM

To: Agendadesk <

public comment

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor San Jose, CA 95113

How is our service? Please take our short survey.

From: VanderVeen, Rachel <

Sent: Thursday, August 20, 2020 8:46 AM

To: City Clerk <

Cc: Alvarez, Karina <

Subject: FW: Fund Affordable Housing: Pass the Highest Feasible Commercial Linkage Fee

Public comment

Rachel VanderVeen

Deputy Director Housing Department

From: Jenn Phan [mailto:

Sent: Wednesday, August 19, 2020 7:28 PM

To: VanderVeen, Rachel <

Subject: Fund Affordable Housing: Pass the HIghest Feasible Commercial Linkage Fee

[External Email]

Re: Fund Affordable Housing: Pass the HIghest Feasible Commercial Linkage Fee

Dear Rachel Vander Veen,

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Jenn Phan

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Say NO to taxing new jobs in San Jose



Dear Clerk City Clerk,

The City Council should not be considering a tax on new commercial construction, which could cost us thousands of good-paying middle class jobs that would benefit our community. This might have been feasible before COVID-19, but we are now in the middle of a dire economic recession caused by the pandemic. We need to stay focused on bringing middle class jobs back to the city instead.

The City released a development feasibility study that is deeply flawed. Even the consultants admitted that their economic assumptions were based off data from BEFORE the pandemic. It is wrong for the city to use a flawed analysis with outdated assumptions to enact a new tax. The entire nexus study and feasibility analysis should be completely rejected.

Now is not the right time to be taxing new jobs. Please vote NO on the commercial linkage fee.

Sincerely,





P.O. Box 5374 San Jose, CA 95150 www.lwvsjsc.org August 23, 2020

Hon. Mayor Sam Liccardo, Vice Mayor Chappie Jones, and Councilmembers Sergio Jimenez, Raul Peralez, Lan Diep, Magdalena Carrasco, Dev Davis, Maya Esparza, Sylvia Arenas, Pam Foley and Johnny Khamis

Re: Council Policy Priority # 5: Commercial Linkage Impact Fee September 1, Item 8.2

The League of Women Voters San Jose/Santa Clara supports the establishment of commercial linkage fees in San Jose. We have strong positions supporting the preservation and production of affordable housing. The League views housing as a basic human need and advocated in 2014 for the establishment of a housing impact fee. We were disappointed in 2017 when Council removed consideration of a commercial linkage fee from its Priority List.

We urge you to move forward quickly now. Enact the maximum, feasible commercial linkage fees for all development types. Over 40 jurisdictions in California already charge such fees on new commercial development. Neighboring cities and counties that compete with us for jobs have had these fees in place for years. We encourage you to set fee levels at the highest possible amount without severely damaging our ability to attract jobs.

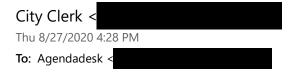
The gap between housing costs and household incomes shown in the Nexus Study is astounding. We will need more than a new commercial linkage fee to close that gap and build the number of affordable units needed. It is only fair that commercial developers pay some of the costs of housing workers employed in their new spaces.

San Jose residents cannot afford another year like 2019 where we add 3.9 million square feet of commercial development and 11,000 new jobs without collecting a penny to house for our most vulnerable residents. Help the

Mayor meet his goal of building 10,000 new affordable units between 2017 and 2022.

Regards, Carol Watts, President League of Women Voters San Jose/Santa Clara

C: City Clerk, Jacky Morales-Ferrand, Nanci Klein, Chris Burton, and Lee Wilcox

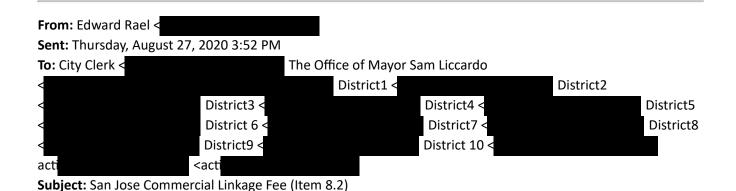


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200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113 Main: 408-535-1260 Fax: 408-292-6207

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Dear Mayor Liccardo, Vice Mayor Jones, and Councilmembers,

A commercial linkage fee will be critical to providing the funding we need to solve our affordable housing and homelessness crisis - and San Jose must seize this opportunity to enact a robust fee.

Unfortunately, the City staff has recommended a fee that is much too low. Not only is it significantly lower than most of our neighboring cities, it will also only cover a fraction of the additional demand for affordable housing created by these new developments.

I urge you to adopt a significantly higher fee that is commensurate with the fee levels that were outlined in the City's feasibility study.

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Edward Rael

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8/27/2020

Mayor Sam Liccardo & Council Members City of San Jose 200 East Santa Clara Street, San Jose, CA 95110 Ph 408-535-4800 Fax 408-297-6422

Dear Council Members & Mayor,

Reference: Council Agenda 9/1/20 Item 8.2 Item Commercial Linkage Fees

Subject: We Oppose The Commercial Linkage Fees (CLF)

The CLF Nexus and Feasibility study were done prior to the impact of Covid 19 and are now invalid and would have to be redone because of the disruption Covid 19 has had and will continue to have on commercial property demand. While Keyser Marston adjusted their reports the adjustments are based on speculation. The Nexus and Feasibility Study should be rejected and not accepted. It may very well be years before the final impact and destruction of commercial property demand is known. The Nexus and Feasibility Study need to be postponed until after the long term market forces affects settle out and the economy has recovered. Now is not the time to be imposing additional development fees based on flawed studies rushed in order to get the foot in the door and the regulations on the books in order to jack up the fees later.

Staff is recommending fees be imposed in South and East SJ whereas the Feasibility Study specifically exempted those areas from fees and it is a known fact that demand in South and East subareas is significantly lower than the rest of the City. What is motivating staff to levy fees when Keyser Marston specifically recommends an exemption for the area?

Inclusionary housing fees, rental impact fees, transfer tax fees, and commercial linkage fees for housing. These are all fees and taxes the City has already levied or proposes to levy. The City seems intent on taxing everything in order to obtain more funds for housing programs. At a time when you are putting lower income residents into \$1.6 million units for a purchase or rental cost based on a below market value of \$200,000 to \$600,000 per unit, it is time to stop raising fees and taxation and to start analyzing how you can reduce low income housing costs and start stretching your funds further. Rather than trying to help more needy low income residents you are running a housing lottery wherein the lucky housing lottery winners live in a million dollar plus residence based on a purchase or rental cost based on a below

market value of \$200,000 to \$600,000 per unit. You could be helping 3 to 6 families instead of just one thru your misdirected housing lottery program.

At a number of meetings Housing represented that the impact fees really would not drive up the cost of housing or commercial because the developers would merely pay less for the land so the program doesn't really cost anyone anything. Apparently according to the Housing Department land owners aren't anyone and don't matter, it doesn't matter what financial impact your proposed impact fees will have on the land owners. You should all question the lack of justice and fairness in what the Housing Department proposes and their rational in selling the program.

The transfer tax was pushed thru on the basis of everyone voting for it to provide for "homeless or low income residents" when the voters in the majority knew that they would not have to pay for it because their property was below and would remain below the taxation limit!! Governments should not be using underhanded methods to impose taxes and fees.

The CLF will be raising the cost of all built structures; thereby, making commercial properties more unaffordable for all.

The high costs of housing fees are hidden from the public, at large, but are real costs for new commercial tenants, home buyers and renters. Housing assistance should give a temporary helping hand, not a housing lottery winnings to a few at the expense of others nor the right to permanent housing assistance. If you want to make affordable housing fair, levy a tax on all your citizens to pay for it and see how well that goes over. When they have to start paying for it directly out of their own pockets, their perspective will change quite rapidly.

Most developers are opposed to the proposed linkage fee, because it is both bad policy and fundamentally unfair. First, the linkage fee will only increase the cost of commercial construction, which ultimately will be passed on to buyers, tenants, and lessees. Thus, the proposed fee serves only to make even less affordable the city's already-limited supply of commercial space and housing. But worse than that, it unfairly targets land owners. Land owners aren't the cause of the lack of affordable housing. As for commercial developers, they are not causing commercial property to become less affordable, and they therefore should not be forced to pay for the city's ill conceived program. The fee is unconstitutional.

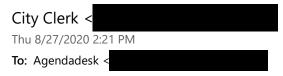
A better solution is to make residential development much easier and less costly to undertake. That can take the form of fewer regulations, fewer requirements, and lower fees.

Thank you,

Myron Crawford

Cc: Chris Burton Economic Development Officer City of San Jose 200 East Santa Clara Street, 3rd Floor San Jose, CA 95113

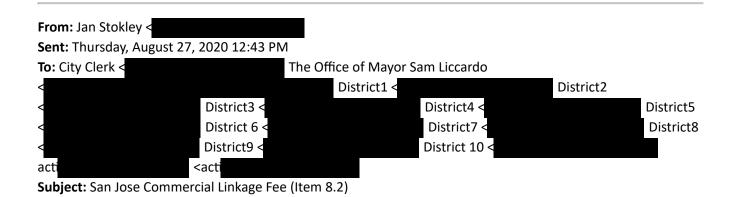




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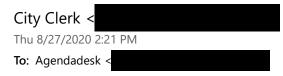
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Unfortunately, the City staff has recommended a fee that is much too low. Not only is it significantly lower than most of our neighboring cities, it will also only cover a fraction of the additional demand for affordable housing created by these new developments.

I urge you to adopt a significantly higher fee that is commensurate with the fee levels that were outlined in the City's feasibility study.

Far too many of our neighbors are struggling to find safe, stable and affordable housing in our community. We must adopt a robust Commercial Linkage Fee that will help us meet the affordable housing needs of our residents. The time to act is now.

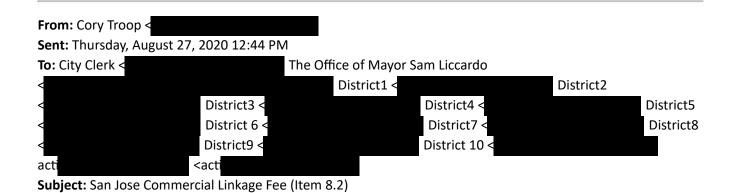
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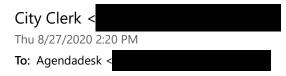
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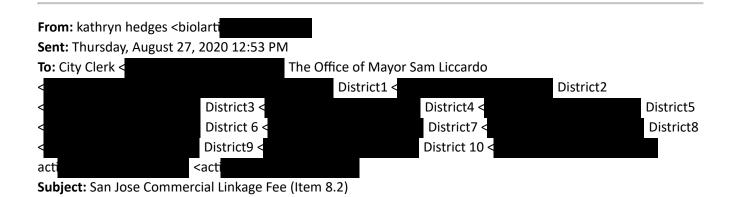
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Dear Mayor Liccardo, Vice Mayor Jones, and Councilmembers:

I am a constituent in District 3 and a member of PACT and Catalyze SV. I urge you to adopt the highest feasible value of the Commercial Linkage Fee (CLF) to support the most affordable housing.

The CLF will be critical to providing the funding we need to solve our affordable housing and homelessness crisis - and San Jose must seize this opportunity to enact a robust fee. Unfortunately, the City staff has recommended a fee that is much too low. Not only is it significantly lower than most of our neighboring cities, it will also only cover a fraction of the additional demand for affordable housing created by these new developments. I urge you to adopt a significantly higher fee that is commensurate with the fee levels that were outlined in the City's feasibility study. Far too many of our neighbors are struggling to find safe, stable and affordable housing in our community. We have seen how this led to the rapid spread of COVID-19 in the most overcrowded neighborhoods.

We must adopt a robust Commercial Linkage Fee that will help us meet the affordable housing needs of our residents. The time to act is now.

Thank you!

Kind regards,

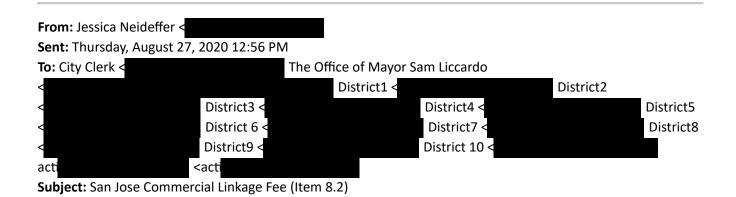
Kathryn Hedges



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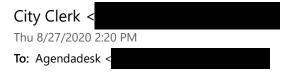
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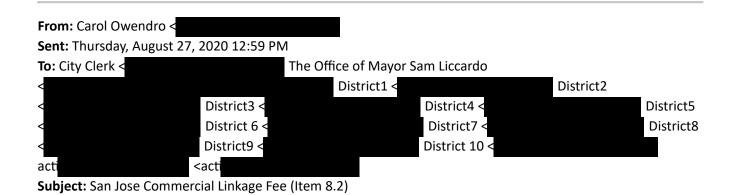
Jessica Neideffer



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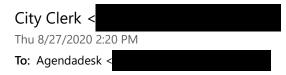
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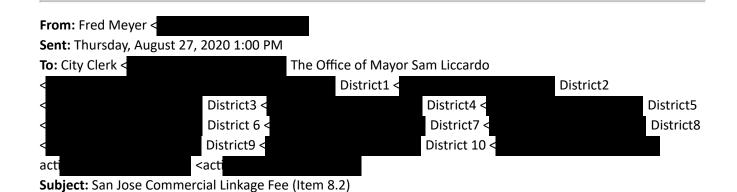
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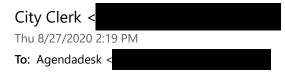


[External Email]

Dear Mayor Liccardo, Vice Mayor Jones, and Councilmembers,

A commercial linkage fee will be counter productive in adding jobs to San Jose so the homeless can get jobs and put themselves back n their feet. I tis a bad idea.

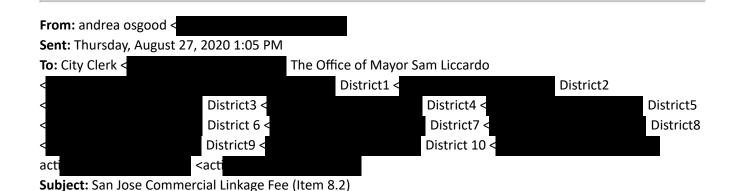
Thank you! Fred Meyer



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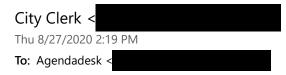
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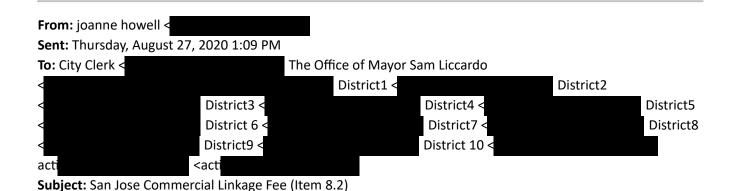
/andrea



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Dear Mayor Liccardo, Vice Mayor Jones, and Councilmembers,

There is nothing that brings down the appearance of a city like tent encampments, piles of trash, and knots of homeless desperate people. We could do something about this.

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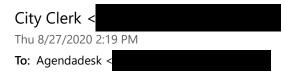
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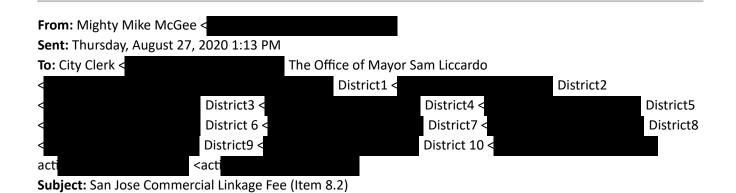
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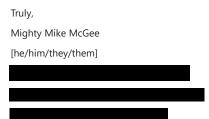
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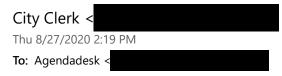


"I will walk into the sunshine with you or you will not be my friend.

I will instruct you and you will instruct me.

 $I\ will\ learn\ things\ from\ you\ and\ you\ will\ learn\ things\ from\ me.$

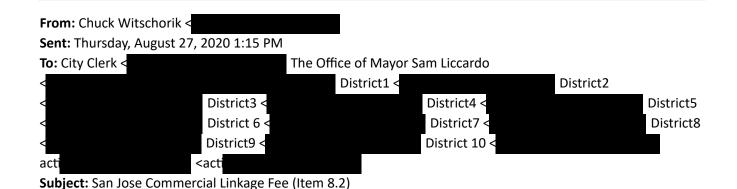
Otherwise you can't be my friend." -Robert Guillaume



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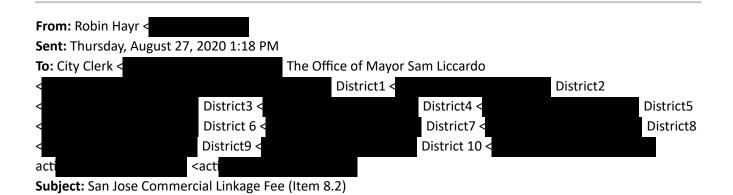
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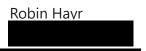
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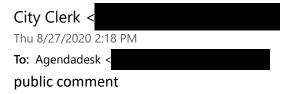
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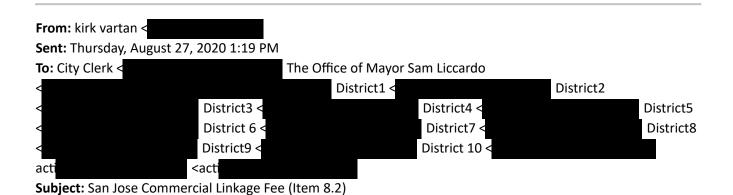




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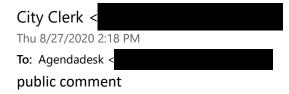
Dear Mayor Liccardo, Vice Mayor Jones, and Councilmembers,

A commercial linkage fee has been missing from San Jose...and it is noticeable. I realize attracting commercial businesses to San Jose is a top priority, and so is housing our people. Affordability is laughable in this area. Median income at \$140,000, the salary to qualify for some BRM housing, is equally laughable. How many service workers can afford this? Any? And when tech employees making this salary complain they are not making enough to afford to live here, well, how does that translate too the *entire* service and retail industry?

San Jose has always led the area in housing, and this needs to continue. Please don't sacrifice affordable housing (that rarely gets built) to lure businesses to the City. Be competitive, not a discount city. Luring businesses to the City via discounts is not prideful, it is shameful. Big tech businesses around here can afford the fees, as can the developers.

Please adopt fee levels that were outlined in the City's feasibility study.

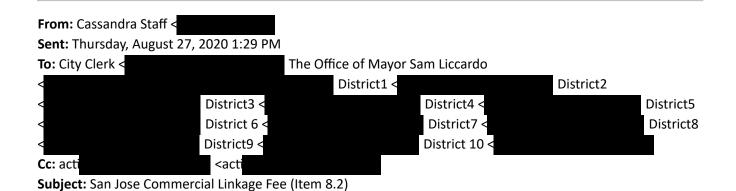
Kind regards,
Kirk Vartan D6
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Dear Mayor Liccardo, Vice Mayor Jones, and Councilmembers,

A commercial linkage fee will be critical to providing the funding we need to solve our affordable housing and homelessness crisis - and Sah Jose must seize this opportunity to enact a robust fee.

Unfortunately, the City staff has recommended a fee that is much too low. Not only is it significantly lower than most of our neighboring cities, it will also only cover a fraction of the additional demand for affordable housing created by these new developments.

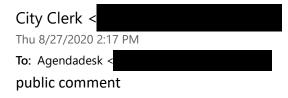
I urge you to adopt a significantly higher fee that is commensurate with the fee levels that were outlined in the City's feasibility study.

Far too many of our neighbors are struggling to find safe, stable and affordable housing in our community. We must adopt a robust Commercial Linkage Fee that will help us meet the affordable housing needs of our residents. The time to act is now.

Thank you.

Cassandra Staff

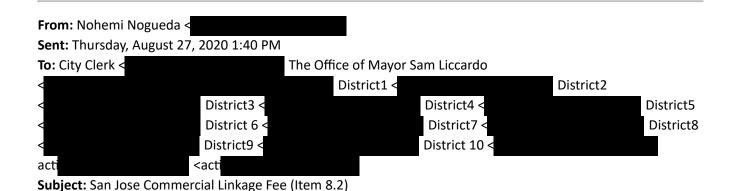
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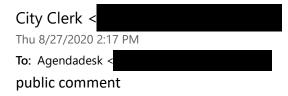
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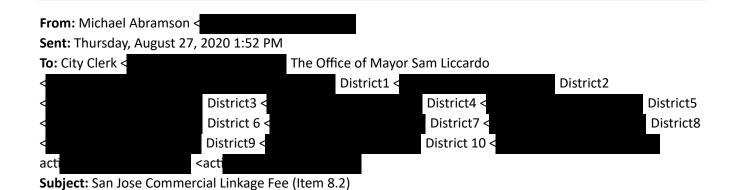
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Dear Mayor Liccardo, Vice Mayor Jones, and Councilmembers,

I urge you to adopt a commercial linkage fee at the level proposed in the City's feasibility study. This will provide a much needed robust source of funding for affordable housing and will help solve the homelessness crisis in San Jose.

Thank you!

Michael Abramson