

City of Cupertino
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**DRAFT MINUTES OF THE SPECIAL MEETING OF
THE HOUSING COMMISSION HELD ON DECEMBER 14, 2023**

CALL TO ORDER

Chair Tatachari opened the meeting at 9:00 a.m.

ROLL CALL

Commission Members present: Govind Tatachari, Chair
 Tessa Parish, Vice Chair
 Sue Bose, Commissioner (arrived at 9:04 a.m.)
 Angan Das, Commissioner
 Connie Cunningham, Commissioner

Staff present: Alec Vybiral, Assistant Housing Planner
 Jon de Ridder, Administrative Assistant

APPROVAL OF MINUTES

1. Subject: Approve the September 14 Housing Commission special meeting minutes
Recommended Action: Approve the September 14 Housing Commission special meeting minutes.

Vice Chair Parish moved, and Commissioner Das seconded to approve the minutes.

AYES: Tatachari, Das, Parish
NOES: None
ABSTAIN: Cunningham
ABSENT: Bose
VOTE: 3-0-1-1

POSTPONEMENTS

None

ORAL COMMUNICATIONS

None

WRITTEN COMMUNICATIONS

None

PUBLIC HEARINGS

None

OLD BUSINESS

None

NEW BUSINESS

2. Subject: Discuss City Council Work Program Items for 2024

Recommended Action: Recommend City Council work program items for 2024

Assistant Housing Planner Vybiral provided a brief overview and explanation of the staff report. He stated that the City Manager's office requested that all commissions make recommendations for the City Work Program for the City Council to consider. He clarified that the Commission could make up to three recommendations per the criteria provided.

Commissioner Cunningham asked that the Housing Commission section of the municipal code be shown for review.

Commissioner Bose asked for clarification if this was an informational item. Housing Planner Vybiral clarified that the Commission was directed by the City Manager's to make three recommendations for the City Council per the criteria in the staff report provided.

Commissioner Das asked for clarification on the tables provided in the staff report and how the commissioners were to make their recommendations. Housing Planner Vybiral clarified that there were three possible ways to consider recommendations.

- 1) Refer to the already approved list for FY 2023/2024 and if there was a program that the Commission liked and wanted to continue to support.
- 2) Refer to the list of not approved programs and recommend programs from that list for inclusion on the FY 2024/2025 list.
- 3) Recommend new programs that do not appear on either list.

Commissioner Das asked for clarification as to the commissioner's priority on voting for the recommendation categories to be considered. Vice Chair Parish stated that it was their responsibility to reinforce the choices already made or propose new programs to be considered by City Council.

Chair Tatachari asked for clarification as to how many items appear on the final City Work Program. Housing Planner Vybiral stated that the City Council would determine that.

Commissioner Das recommended that the commissioners discuss items for possible future inclusion first and follow with items already approved but might be continued. All the commissioners agreed.

Housing Planner Vybiral brought up and highlighted the housing item on the To Be Considered FY 2024-2025 City Work Program. He explained that the Homelessness Jobs Project and Transitional Housing project had previously been in the City Work Program but due to budgetary constraints, left off

the FY 2023-2024. Commissioner Das asked if the commissioners vote on the To Be Considered list had any bearing on whether an item stayed on the list. Housing Planner Vybiral clarified that their support for an item would strengthen its' chances for the final list but not supporting it would not remove it from the list.

Chair Tatachari gave a brief history of the Homelessness Jobs Project. Commissioner Cunningham asked for clarification as to when the program would start if passed by the City Council. Housing Planner Vybiral stated it would probably be sometime in July. Vice Chair Parish stated she felt the cost was too high and felt that West Valley had not given a detailed enough breakdown of the cost. She suggested asking the Council to look for another organization. Commissioner Das stated he supported the housing portion of the program but not the employment aspect. Commissioner Cunningham stated she felt the job aspect of the program was necessary to allow participants a stable situation for retraining. She suggested a stipulation that West Valley not be allowed to hire the participants to avoid a conflict of interest. Commissioner Bose stated she supported Commissioner Cunningham's point to allow participants a chance to get established but questioned staff time/costs. Housing Planner Vybiral stated he did not have information on the staff time/costs and the commissioners should focus on the estimated budget. Commissioner Das observed the commissioner's passion for the program. He suggested a compromise of support for the program, but with adjustments. Vice Chair Parish stated that she supported the idea of the program, but not the details. She emphasized that the cost breakdown would need to be more itemized and certain aspects namely education and rehabilitation be prioritized.

Housing Planner Vybiral inquired if the commissioners wanted to put the item on the 2024 City Work Program Recommendations list. Commissioner Cunningham observed the difficulty to decide if no other items have been proposed for the list. She further clarified that recommendations could be from the established list, the under consideration already list or new ideas presented by commissioners. She stated that it was the commissioner's responsibility to recommend programs that would support housing for the City, but the final decision would be the City Council's. Housing Planner Vybiral suggested that the commissioners focus on three recommendations for the form. He stated each commissioner should make their three suggestions and then they could vote on them.

Commissioner Das stated that he supported the Homelessness Job Project but stipulated that the employment portion of the program presented a conflict of interest and should be addressed. He clarified that an itemized breakdown of the program should also be reviewed.

Commissioner Das left the meeting at 9:52 a.m.

Vice Chair Parish suggested a city staff comprehensive research report on the different types of low-income ELI/BMR public housing, resident owned, city owned, CO-OP housing, etc. This report would address the following:

- 1) Legal limitations.
- 2) Different types of funding and financing options.
- 3) Different types of builders.
- 4) Study other cities policies to help attract builders to Cupertino for affordable housing opportunities.

E) Document the sequence and process of the types of housing for public access and reference.

Commissioner Cunningham stated that she wanted to change the ranking of the preserve existing and develop new BMR/ELI housing item on the current Work Program from medium to high. She clarified that the wording of the item is the same, but the ranking would be changed. She stated that she wanted the same thing done with the collaborate/jointly fund with West Valley efforts to address regional needs and find workable support for the unhoused item. She suggested that the ranking be changed from low to high. Commissioner Cunningham stated her third item was support for the Homelessness Job Project previously discussed.

Commissioner Bose stated that she supported Commissioner Cunningham's suggestions. She stated she also supported the Homelessness Job Project with the stipulation that administrative costs be reviewed and reduced.

Chair Tatachari stated that he supported Commissioner Cunningham's effort to emphasize the preservation and development of new BMR/ELI housing. He stated the ranking should be changed from medium to high.

Chair Tatachari stated his proposed recommendation was similar to Vice Chair Parish's with slightly different wording. He suggested a database that contained the different types and occupancy of housing available. He suggested that events that brought those looking for affordable housing and those who build affordable housing together could facilitate the needs of both.

Commissioner Bose suggested that the wording of Vice Chair Parish and Chair Tatachari's suggestions could be merged into one idea.

Housing Planner Vybiral summarized all the commissioners' recommendations. Vice Chair Parish suggested that for the Homelessness Job Project, other organizations, such as Helping Hands, be explored. Commissioner Bose clarified that they should concentrate on the new suggestions and those not already on the current Work Program list to make sure they are considered by the City Council. Chair Tatachari suggested they word the recommendation for the new project first and then move on to the already existing projects to add their additional support. He asked for clarification if a staff report would be prepared for the recommendations. Housing Planner Vybiral stated that once the recommendations sheet was complete, he was not sure how it would be presented to the City Council. He asked if the list of projects were acceptable to the Commissioners. He stated that the Housing Commission recommendations for the FY 2024/25 City Work Programs would include the following:

- 1) Affordable Housing Research Report and Database
- 2) West Valley Community Services Homelessness Jobs Program
- 3) Preserve existing new BMR/ELI Housing

Housing Planner Vybiral polled the commissioners for the suggested recommendations.

AYES: Tatachari, Parish, Bose, Cunningham

NOES: None
ABSTAIN: None
ABSENT: Das
VOTE: 4-0-0-1

3. Subject: 2024 Housing Commission Meeting Schedule

Recommended Action: Establish the Housing Commission meeting schedule for 2024.

Chair Tatachari opened the item.

Housing Planner Vybiral presented the suggested dates and topics of discussion for the upcoming year meeting schedule. He stated that four meetings must occur. One per quarter.

Vice Chair Parish asked for clarification as to why there was an election of Chair/Vice Chair scheduled for twice in one year. Housing Planner Vybiral clarified that the March election was for 2024 and the December election would be for 2025.

Commissioner Cunningham requested clarification as to when the Commission would meet about the Housing Element. Housing Planner Vybiral stated that when the response from the State was received, meetings with the Planning Commission and City Council would be scheduled. He stated that he was unsure when the exact date would be, but once it was determined, a special meeting of the Housing Commission would be called. Vice Chair Parish recommended that a special meeting in January be scheduled for the Housing Commission to propose their own policies for the Housing Element.

Housing Planner Vybiral asked if the commissioners were alright with the regular meeting dates. They approved of the dates with the additional recommendation of a special meeting to propose their own policies for the Housing Element. Chair Tatachari proposed moving the regular time of meetings from 9 to 11 a.m. on the 2nd Thursday of the month to 3 to 5 p.m. on the 2nd Thursday of the month. Vice Chair Parish asked that Chair Tatachari request a special meeting that would be independent of the Housing Element results. Chair Tatachari agreed. Housing Planner Vybiral stated he would make note but could not say exactly when the meeting would occur.

Chair Tatachari closed the item.

STAFF UPDATES AND COMMISSION REPORTS

4. Subject: Informational presentation on the Fiscal Year (FY) 2024-25 Notice of Funding Availability (NOFA) and Request for Proposals (RFP).

Recommended Action: Receive informational presentation.

Housing Planner Vybiral gave a brief presentation. He stated that once applications close in February the Commission can review and make funding recommendations to the City Council.

Chair Tatachari closed the item.

5. Subject: Informational presentation on the proposed Below Market Rate (BMR) Ownership Resale Fee
Recommended Action: Receive informational presentation.

Housing Planner Vybiral gave a brief presentation. Commissioner Bose asked for clarification if the BMR house being sold would remain in the BMR program. Housing planner Vybiral clarified that the houses in the program remain in the program. Chair Tatachari recommended that a comparative study with other cities be conducted. Commissioner Cunningham stated she did not support this proposal because of the negative impact on BMR. She stated that it shows a lack of support by the City for the BMR population. She suggested the City look to those that can afford it for revenue generation.

Chair Tatachari closed the item.

6. Subject: Updates on Housing Commissioner Vacancies & Mayor's Meeting Attendance

Housing Planner Vybiral updated the commissioners on the vacancies happening at the end of January. He stated that Commissioner Bose was at the end of her second term.

Commissioner Cunningham expressed her gratitude for Commissioner Bose' service to the City for the last eight years.

Chair Tatachari expressed his thanks to both Commissioner Bose and Vice Chair Parish for their support and service.

Commissioner Bose stated she was appreciative for serving on the Housing Commission. She stated that she felt the City of Cupertino was supporting housing efforts to the best of their ability. She stated that for a smaller sized city, it had a big heart.

Housing Planner Vybiral clarified that the Mayor's Meeting attendance should be by the Chair or Vice Chair. If neither the Chair nor the Vice Chair are available, an alternate may be appointed.

FUTURE AGENDA SETTING

None

ADJOURNMENT

The meeting was adjourned at 11:08 a.m. to the next regularly scheduled Housing Commission meeting.

Respectfully submitted:

Jon de Ridder
Administrative Assistant