



Housing Commission Minutes [SUBJECT TO APPROVAL]

November 17, 2022 – 7:00 p.m.

This meeting was conducted in accordance with Governor Newsom's Executive Orders N-20-20 and N-35-20 and COVID-19 pandemic protocols

CALL TO ORDER

Chair Galvin called a teleconference meeting of the Housing Commission to order at 7:05 p.m.

Pledge of Allegiance

The Pledge of Allegiance to the flag was recited.

Roll Call

Commissioners Present: Commissioners Sharon Chillinsky, Neil Kripalani, Jamie Renton, and Chairperson Jay Galvin.

Commissioners Absent: Commissioners Karline Fischer and Rick Schemp

Staff Present: Steve Hernandez, Housing Manager; Ellen Clark, Community Development Director; Larissa Seto, Assistant City Attorney; and Edith Caponigro, Recording Secretary

AGENDA AMENDMENTS

None.

MINUTES

1. Approve Regular Meeting Minutes of August 18, 2022

A motion was made by Commissioner Chillinsky, seconded by Commissioner Kripalani, to approve the August 18, 2022 meeting minutes.

CONSENT CALENDAR

None.

MEETING OPEN TO THE PUBLIC

2. Introductions / Awards / Recognitions

Mr. Hernandez introduced new commissioner Jamie Renton and advised that new commissioner Rick Schemp was unable to attend this meeting but would be attending the next meeting.

3. Public Comment from the audience regarding items not listed on the agenda

None.

MATTERS BEFORE THE COMMISSION

4. Review and Recommendation to City Council an Affordable Housing Agreement with Stoneridge Associates, LLC for the Stoneridge Mall Residential Project (PUD-136)

Mr. Hernandez reviewed with commissioners specific for the Affordable Housing Agreement with Stoneridge Associates, LLC for the Stoneridge Mall together with a PowerPoint presentation.

Commissioners were informed that the Simon Property Group (SPG), also known as applicant Stoneridge Associates, LLC, had submitted an application to construct 360 residential units and a parking garage for residents of the project known as Stoneridge Mall Residential Project (PUD-136), and a project that will redevelop the southeast corner of the existing Stoneridge Shopping Center by replacing an existing parking lot area located adjacent to the parking lot deck of the former Sears store and east of the Macy's Women's store with 360 residential units and a new parking garage for the units residents.

Mr. Hernandez provided the commission with details about the affordable housing requirements that this rental housing development will meet, noting that the City's Inclusionary Zoning Ordinance (IZO) requires that 15 percent of the units in multi-family residential developments need to be affordable to very low- and/or low-income households. He noted that staff has been negotiating with SPG on how this project can meet both the intent of the IZO and the State Density Bonus Law (SDBL). A result of the negotiations is the proposed Affordable Housing Agreement that includes the following:

- Providing 58 units for households whose income does not exceed 80% (low income) Area Median Income (AMI). California Health & Safety Code section 50079.5 states that "low-income households" include very low income (30% AMI) households.

<u>Unit Type</u>	<u>Household Size</u>	<u>Income (>80% AMI)</u>
1 Bedroom	Two (2) person household	32
2 Bedroom	Three (3) person household	20
3 Bedroom	Four (4) person household	6
		58 Total Units

- Rent restrict the 58 affordable units to low-income households with rent charged calculated based on the household income. As allowed by the SDBL, there are two tiers of rent proposed for the Project:
 - 1) For households whose income does not exceed 60% AMI, monthly rent is calculated at 1/12 of 30% of 60% AMI, adjusted for household size, per SDBL (see California Health and Safety Code section 50053(b)(4).
 - 2) For households earning between 61% to 80% AMI, monthly rent is calculated at 1/12 of 30% of the gross household income, as permitted by SDBL (see California Health and Safety Code section 50053(b)(4).
- The affordable units shall be marketed by the developer and rented based on the City's Preference System and in compliance with federal and state Fair Housing laws.

- The agreement will be recorded with the land and remain affordable in perpetuity. This City IZO requirement is longer than SDBL, and hence the stricter rule applies.
- Requires the development to accept Section 8 housing vouchers from eligible qualified applicants.

Commissioners were advised that Mr. Davis, representative for the Stoneridge Mall Residential project, was available to answer any questions they may have.

Commissioner Chillinsky had questions pertaining to the density bonus requirement and the 15-month rent adjustment time frame. Mr. Hernandez advised that rents would be recalculated, and the 15-month time frame was an estimation being used by the city based on information that has been provided by HUD.

Commissioner Chillinsky questioned if the commission was being asked to approve the overall concept for this project, and Ms. Clark advised that the commission was being asked to look at and consider the Affordable Housing Agreement. She noted that this will be a 5-story, 360-unit building with a structured parking area.

Mr. Hernandez provided Chairperson Galvin and Commissioner Renton details about the number of studio units planned for this project noting larger bedroom units are preferred due to family growth limitations with studio units and 1-bedroom units being preferred by people with disabilities. Commissioner Renton commented on wording in the agreement, and Ms. Clark indicated staff would review and make suitable changes.

Commissioner Kripalani discussed with Mr. Hernandez changes that may be required if the income of a household increases. Mr. Hernandez advised that tenants would be allowed to remain in their units unless the household income goes above 140% of the unit designation, at that time options would be discussed but tenants would not be evicted because of a higher income.

Mr. Hernandez informed Chairperson Galvin that there would be some fluidity available as long as 58 eligible units were maintained.

Commissioner Renton was advised that details about recertification were outlined on page 2, Section C of the Affordable Housing Agreement. Ms. Seto noted that the City of Pleasanton had copied language provided by the State of California and advised Chairperson Galvin that the city tries to follow State Law. The Land Use Attorney, Cecily Barclay, commented on wording in the agreement that is verbatim from State Law which can sometimes be difficult to understand.

Commissioner Chillinsky noted Section B on page 2 of the Agreement still refers to studio units, and Ms. Seto advised that staff would make a correction to this.

A motion was made by Commissioner Kripalani, seconded by Commissioner Chillinsky, recommending City Council approve an Affordable Housing Agreement with Stoneridge Associates, LLC for the Stoneridge Mall Residential project (PUD-136) with corrections made by the Housing Commission.

ROLL CALL VOTE:

AYES: Commissioners Chillinsky, Kripalani, Renton, and Chairperson Galvin.
 NOES: None
 ABSENT: Commissioners Fischer and Schemp.
 ABSTAIN: None

Commissioners asked about the timeline for this project and were advised by staff that it now needs to be presented to the Planning Commission and City Council.

5. Receive Information About Updated Commissioners Handbook

Ms. Seto advised commissioners that in July 2022 City Council updated its “City Council Meeting Rules of Procedure” for how meetings need to be conducted and directed that the applicable changes be made to the Commissioner’s Handbook. She noted that substantive parallel modifications incorporate Rosenberg’s Rules of Order and other procedural requirements.

Commissioners were informed by Ms. Seto that the substantive changes made to the Commissioner’s Handbook are described as:

Rosenberg’s Rules of Order – The simpler rules of parliamentary procedures in Rosenberg’s Rules of Order have been adopted (replacing Roberts Rules of Order). These rules continue to provide that the chairperson conducts the meeting; the process to make and amend basic motions is not altered; and sets forth how to raise questions of procedure and points of privilege.

Continuing an item – when an individual commissioner continues an agenda item (not subject to a legal or City deadline), the commissioner must now “state the reason for such continuance.” This is a new requirement.” The commissioner handbook has also been updated to clarify that a continuance by an individual commissioner may only occur one time for an item (a vote by the commission is needed to continue the item a second time).

Present and voting – counting votes has changed to the “present and voting” rule. If a commissioner is present, but is silent or abstains from voting, the vote tally will reflect that the commissioner was present for determining a quorum but will be listed as not voting or abstaining if due to a conflict of interest.

Review of written materials / oral presentations – after agenda materials are distributed, commissioners remain encouraged to ask staff any clarifying questions before the meeting. The handbook has now been changed to state that: “Responses provided by staff may be shared with the entire commission as supplemental agenda material.”

Public hearing / comment – during the public hearing or public comment period for an agenda item, commissioners still can ask questions of speakers, each other, or staff. The handbook has been amended to clarify that: “Commissioners are limited to asking technical or clarifying questions on the items and shall not at this portion of the meeting express personal opinion or debate the merits of an item under consideration.” Those opinions and debate are to occur during the later Commission Deliberation and Action period.

Matters initiated by commission for discussion / action – this section has been streamlined to retain the ability for an individual commissioner to obtain information from staff or have an item placed on a future agenda if a majority of the commission present agree.

Items considered after 11:00 p.m. – change to provide that at or prior to 10:30 p.m., the commission, after consultation with staff, will vote to determine which items remaining on the agenda are to still be considered that evening – with goal to complete items by 11:30 p.m.

Chairperson applies rules – the chairperson remains the presiding officer for the meeting. Decisions by the chairperson regarding procedural rules are final, unless overruled by a majority of the commission present.

Non-Substantive amendments – other changes to the Commissioner’s Handbook were to reflect actual practices, including update Order of Agenda Items: referenced current technology used to record meetings: and clarify emergency situations allowing for action on items not on the agenda per state law.

Ms. Seto reviewed with commissioners the following outline of other amendments made to the Commissioners Handbook:

Updates not related to meeting procedures: other amendments to the Commissioner's Handbook include: make City history more current; explain that councilmembers are elected by district and only the mayor is elected at-large; describe actual City structure of 12 departments; list all commissions and committees; reference that appointed officials must timely file Statements of Economic Interest; clarify that Economic Vitality Committee, Youth Commission and youth members of other commissions are exempt from Conflict of Interest disclosure requirements; add City Vision Statements and City Values Statement.

Commissioner Chillinsky thanked Ms. Seto for the Updated Commissioner's Handbook details and indicated she found the cheat sheet helpful.

Chairperson Galvin discussed the founding purpose of the Housing Commission as indicated in the previous Commissioner's Handbook.

MATTERS INITIATED BY MEMBERS OF THE COMMISSION

Chairperson Galvin commented on Chapter 2.8 of the Commissioner's Handbook that includes information on more education for commissioners. He felt this was important, especially for new commissioners, because the Housing Commission is quite complicated and suggested consideration be made to having a commission workshop so everyone can better understand what is required of them.

Commissioner Kripalani questioned if Chairperson Galvin was suggesting commissioners participate in an orientation. Chairperson Galvin stated he would like the commission to receive an annual report on what inventory is being managed by staff. Mr. Hernandez indicated that prior to COVID staff did supply the commission an informational inventory report and was something they could again provide. Commissioner Renton agreed this would be a helpful learning tool.

Ms. Clark commented on the constant changing of state rules but agreed that staff could provide a report that would help commissioners better understand what staff are working on. She indicated she would work with Mr. Hernandez on this. Chairperson Galvin felt it would assist the commission to learn about projects such as the one discussed under item 4 on the agenda for this meeting.

A motion was made by Commissioner Renton, seconded by Commissioner Kripalani, requesting the Housing Commission be provided an annual inventory report put together at the discretion of staff.

ROLL CALL VOTE:

AYES: Commissioners Chillinsky, Kripalani, Renton, and Chairperson Galvin.

NOES: None

ABSENT: Commissioners Fischer and Schemp.

ABSTAIN: None

COMMISSION REPORTS

None

FUTURE AGENDA ITEMS

Mr. Hernandez informed commissioners the December 15, 2022 Housing Commission meeting was being canceled and a special meeting would take place on December 12, 2022 to review a Draft Housing Element Update.

Ms. Clark advised that the City of Pleasanton submitted the Draft Housing Element Update to the State in August and the city is in the process of making changes to the document after receiving comments from the State.

Chairperson Galvin requested staff provide commissioners with a copy of the document prior to the meeting so they will have a chance to review. Mr. Hernandez advised that the document is too large to mail but will be available in a PDF format for commissioners to download.

ADJOURNMENT

The meeting adjourned at 8:09 p.m. by unanimous consent.