



# City of Sunnyvale

## Meeting Minutes - Draft Housing and Human Services Commission

---

Wednesday, January 28, 2015

7:00 PM

West Conference Room, City Hall, 456 W.  
Olive Ave., Sunnyvale, CA 94086

---

### **CALL TO ORDER**

Chair Gilbert called the meeting to order at 7:03 p.m.

### **SALUTE TO THE FLAG**

Chair Gilbert led the salute to the flag.

### **ROLL CALL**

**Present:** 7 - Chair Diana Gilbert  
Vice Chair Younil Jeong  
Commissioner Dennis Chiu  
Commissioner Patti Evans  
Commissioner Chrichelle McCloud  
Commissioner Barbara Schmidt  
Commissioner Navpreet (Ruby) Sidhu

**Council Liaison Davis (absent)**

**Commissioner Chiu arrived at 7:09 p.m.**

**Commissioner McCloud left at 8:48 p.m.**

### **PUBLIC ANNOUNCEMENTS**

Housing Officer Suzanne Isé reminded the commissioners that they were all invited to attend MidPen's Onizuka Crossing Groundbreaking Celebration at 620 E. Maude Avenue on Tuesday, February 3, 2015, from 11 a.m. to 12 p.m.

Sunnyvale Community Services Executive Director Marie Bernard invited everyone present to the 2015 Poverty Simulation, hosted by Leadership Sunnyvale and Sunnyvale Community Services, on Friday, February 6, 2015 at the Sunnyvale Presbyterian Church located at 728 W. Fremont, from 8:30 a.m. to noon.

### **CONSENT CALENDAR**

**1.A**      [15-0092](#)      Draft Minutes of the Housing and Human Services  
Commission Meeting of November 19, 2014.

Chair Gilbert asked if anyone wanted to pull an item from the consent calendar. No one did.

Chair Gilbert asked for a motion to approve the consent calendar which was comprised of the draft minutes of the Housing and Human Services Commission meeting of November 19, 2014.

Commissioner Evans moved and Commissioner Schmidt seconded the motion to approve the consent calendar. The motion carried by the following vote:

**Yes: 6 -** Chair Gilbert  
Vice Chair Jeong  
Commissioner Evans  
Commissioner McCloud  
Commissioner Schmidt  
Commissioner Sidhu

**No: 0**

**Absent: 1 -** Commissioner Chiu

**PUBLIC COMMENTS**

Destination: Home's Communication and Engagement Specialist Amanda Montez gave a brief report on the new Community Plan to End Homelessness in Santa Clara County. She noted the plan is being presented to all the jurisdictions in the County, and they will be asking all the jurisdictions to endorse the plan so everyone can move together in the same direction to end homelessness.

She also noted that the plan has been approved by the County Board of Supervisors and will be presented to the Sunnyvale City Council on March 3, 2015. More information can be found at [destinationhomesc.org](http://destinationhomesc.org).

**PUBLIC HEARINGS/GENERAL BUSINESS**

2        [14-0844](#)        Consideration of a Rental Housing Impact Fee for New  
Market-Rate Rental Housing Developments

Housing Officer Isé introduced Affordable Housing Manager Ernie DeFrenchi who gave a brief presentation on this item.

After the presentation, the commissioners asked several questions, such as:

- Whether charging this fee would drive rents even higher than they currently are;
- Whether it would be appropriate to make a recommendation without the results of the feasibility study;
- Whether the alternative of providing units on site (and if so, how many) would be negotiable on a case by case basis.

Someone suggested structuring the code to make it more attractive for developers to provide affordable units on site rather than paying the fee.

Staff addressed the questions and noted that, although some cities choose to negotiate project requirements on a case by case basis, Sunnyvale has tended to set clear standards in the zoning code to avoid having to conduct lengthy negotiations on requirements such as affordable housing for each development. She added that these types of details would be included in the draft ordinance, including the term of the affordability restrictions, which is typically in the range of 30 to 55 years.

Chair Gilbert opened the public hearing at 7:55 p.m.

Annette Kirkham of the Law Foundation of Silicon Valley spoke in support of the fee and encouraged the Commissioners to recommend Alternative #4, which would set the fee at \$26 per square foot. She also described some of the common complaints her agency handles, such as: overcrowding, no heat, pest infestations, unpermitted structures, and residents ultimately forced out of the area because of the high rents and low affordable housing stock.

Charisse Ma Lebron of Working Partnerships spoke in support of adopting a \$26 fee per square foot, since that amount is still well below what the nexus study can legally justify. She noted her support for developers supplying the affordable units in lieu of the fee, as long as an effort is made to build them near public transit.

Jan Lindenthal of Mid-Pen Housing noted that MidPen Housing owns approximately 900 affordable units in Sunnyvale, and she also recommended a fee

of \$26 per square foot.

Chair Gilbert closed the public hearing at 8:05 p.m.

After a lengthy discussion, Chair Gilbert asked for a motion.

After some discussion, Commissioner McCloud moved and Commissioner Evans seconded a motion, restated by Commissioner Chiu, to recommend that Council Move Alternatives 1, 5, 6, and 7 with a caveat, as follows:

1. Direct staff to prepare an ordinance authorizing a rental housing impact fee for new market-rate rental housing developments;
5. Direct staff to include in the ordinance an option to allow developers to provide affordable units within a project instead of paying the impact fee, as well as other possible options such as providing off-site affordable units or dedicating land instead of paying the fee;
6. Direct staff to return to the City Council within two years to reevaluate and possibly adjust the rental housing impact fee; and
7. Direct staff to set the initial rental impact fee at \$21 per habitable square foot, adjusted annually as part of the City Fee Schedule, with the caveat that if the feasibility study shows that \$21 per square foot was not feasible, Council should adjust the fee downward as needed.

The motion carried by the following vote:

**Yes: 7 -** Chair Gilbert  
Vice Chair Jeong  
Commissioner Chiu  
Commissioner Evans  
Commissioner McCloud  
Commissioner Schmidt  
Commissioner Sidhu

**No: 0**

**3**      [15-0088](#)      2015-2020 Consolidated Plan Public Hearing on Community Needs

Housing Officer Isé gave a brief summary of the Consolidated Plan update process and explained that this was an additional opportunity for the general public and the commissioners to provide input, and that no formal action by the Commission was required on this item at this time. She added that the Draft 2015-2020 Consolidated Plan along with the Draft Action Plan will be brought to the Commission in April for review and a recommendation.

Chair Gilbert opened the public hearing at 8:35 p.m.

The following agency representatives commented on current community needs and priorities to be considered for the Consolidated Plan:

Annette Kirkham, Fair Housing Attorney at the Law Foundation of Silicon Valley, thanked the City for funding fair housing services in Sunnyvale, and spoke about the most common fair housing issues her office handles, such as discrimination against ethnic minorities, families with children, and renters with disabilities. She urged the City to continue to fund these services.

Greg Pensinger, Project Manager with Downtown Streets Team (DST), described the increased need for services and mentioned his agency's successful efforts in Sunnyvale. DST started with 8 Sunnyvale team members and now has 26, with another 15-20 on the waiting list. DST has seen an increased need for case management, and has been able to help 18 individuals become permanently housed through their joint efforts with the City of Sunnyvale and SCS to implement the TBRA program.

Marie Bernard, Executive Director of SCS, spoke about the importance of being the designated Emergency Assistance Network (EAN) agency and the safety net in the City. She noted her agency's partnerships with various agencies to provide a local venue where they can provide their services. She noted her participation that morning in the homeless census with DST, her collaboration with Destination: Home on the Community Plan to End Homelessness, and their work with the County to implement the new North County Cold Weather Shelter (CWS) programs. She added that, over the last five years, her agency has changed its mission from "Preventing Homelessness and Hunger" to "Addressing Homelessness and Hunger". She thanked the City for its continued support which helps provide over three hundred dollars' worth of food for a family of four everytime they visit the food program. Lastly, she invited the commissioners to visit

SCS.

Georgia Bacil, Directing Attorney at Senior Adults Legal Assistance (SALA), spoke about the continued and increased need for free legal services for low-income older adults age 60 or older who are at risk of exploitation, abuse, isolation or premature institutionalization. She noted that they are frequently victims of abuse by housemates, family members, or caregivers. SALA helps clients obtain restraining orders, prepare simple wills, and respond to eviction notices. She noted that 80% of the Sunnyvale seniors served by SALA are very low-income, half of those are aged 75 or older, and more than half are disabled. She urged the commissioners to keep in mind that although affordable housing is a major need, supportive services are also very important, and should be part of the Consolidated Plan.

Carol Weiss, representing District 5 on the Santa Clara County Human Relations Commission, and a Sunnyvale resident, spoke in favor of preserving mobilehome parks as an affordable housing option, focusing on developments near public transit hubs, and exploring more immediate solutions to current housing crisis rather than future developments. She also mentioned the need of providing supportive social services at times outside of regular business hours and in multiple languages.

Chair Gilbert closed the public hearing at 9 p.m.

No action was taken on this item.

**4**      [15-0090](#)      Consider Proposal for Housing Mitigation Funds

Housing Officer Isé gave a brief report and introduced MidPen's Director of Acquisitions, Iman Novin, who made a brief presentation to the Commission.

He explained that MidPen Housing is asking for \$5 million in Housing Mitigation funds for the development of an affordable housing project located at 460 Persian Drive. The project could produce up to 65 units with a density bonus. The favorable location near the light rail station and schools makes the site eligible for tax credits. MidPen Housing is proposing a 60-unit project with one-, two-, and three-bedroom units for very-low and low-income families. Amenities will include a computer lab, a tot lot for young children, a financial literacy program, and an after-school program for children of the residents.

After some discussion and several questions of staff, Chair Gilbert asked for a motion.

Commissioner Chiu disclosed that he lives within one mile of the proposed project.

Commissioner Evans moved and Commissioner Chiu seconded the motion to recommend that Council award a conditional funding commitment of \$5 million to MidPen Housing for the project proposed at 460 Persian Drive, to be valid for up to two years. The motion carried by the following vote:

**Yes:** 6 -    Chair Gilbert  
                  Vice Chair Jeong  
                  Commissioner Chiu  
                  Commissioner Evans  
                  Commissioner Schmidt  
                  Commissioner Sidhu

**No:** 0

**Absent:** 1 -    Commissioner McCloud

**NON-AGENDA ITEMS & COMMENTS**

**-Commissioner Comments**

Commissioner Evans asked whether a replacement facility had been found yet for the cold weather shelter. Housing Officer Isé explained that several new North County cold weather shelter programs are being implemented, but that a replacement shelter facility has not yet been located in Sunnyvale, although the County continues to look for a new site.

She also noted that although the old Armory site is no longer available, 47 new units reserved for the homeless are currently under construction on that site.

**-Staff Comments**

None.

**INFORMATION ONLY REPORTS/ITEMS**

[15-0123](#) Update on County-wide Efforts on Homelessness

This item was addressed during the public comments section, and no further discussion took place.

**ADJOURNMENT**

Chair Gilbert adjourned the meeting at 9:24 p.m.