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November 6, 2023

Honorable Mayor Matt Mahan and City Council
City of San José

Melinda McCoy and Chelsea Lee
California Department of Housing and Community Development

Honorable Mayor Mahan, Members of the City Council, and HCD Representatives:

We are writing to express our support for the most recent draft (November, 2023) of the San Jose 6th Cycle Housing Element. SV@Home provided extensive comments on the first draft submitted in Fall of 2022 and joined with other local organizations in expressing additional concerns about the second draft adopted by the City Council in June 2023.

In response to HCD's comments (8/28/23) on the adopted draft, SV@Home partnered with other local and regional housing and community advocacy organizations to coordinate with city staff in convening key stakeholders to work collaboratively to address the issues raised.

As a part of a community of stakeholders with deep commitments to equity and the pressing need for displacement response strategies, we were concerned when the Community Opportunity to Purchase Act was rejected by the city council and removed from the draft adopted in June 2023. We appreciate that this concern was shared by HCD in your comments and agreed that while there were other programs clearly intended to respond to tenant protections, anti-displacement, and housing preservation needs, these programs were under-defined in the adopted draft.

The Housing Element is intended to be an actionable plan to respond substantively to the housing needs of each jurisdiction. The preparation of the Housing Element needs to be grounded in ongoing community engagement to provide local knowledge in identifying housing needs and developing programs and policies to address these needs. **City staff led community and stakeholder engagement in response to HCD's comments that was proactive, collaborative, responsive, and we believe successful.** The focus of this collaborative process was directly responsive to HCDs comments:

- Clarify the metrics, timeframes, and milestones of existing programs to establish clear expectations and accountability.
- Provide clear definition to programs and policies identified as complementary to the housing preservation goals of the removed Community Opportunity to Purchase Act, including building capacity for a preservation ecosystem and empowering tenants with resources to enjoy the protective rights to which they are entitled.

November 6, 2023

Re: San Jose Housing Element Update November 2023 Draft

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Through a series of meetings with city staff in October, our anti-displacement coalition, committed to Affirmatively Furthering Fair Housing, worked through the city's many programs to create stronger metrics that achieved these goals. Through this process we believe additional clarity was established for programs, which responded to HCD's comments, and will help address many housing needs in our community.

SV@Home also participated in a parallel process of engagement with city staff focused on responding to the HCD comments related to establishing a transparent and comprehensive sites inventory which accommodates the full RHNA allocation, programs to remove governmental constraints on the housing development process, and clarity on programs and policies to further AFFH by expanding housing production throughout the city. This process has also been collaborative and responsive.

Based on the discussions we have had with city staff, we believe that the sites inventory methodology will be more transparent and has been adjusted to account for the concerns expressed in prior public comments to HCD and noted in HCD's August letter to the city. We have not had the opportunity to fully review the impact of the additional work that has been done on the methodology but will be able to in the coming weeks.

The city's approach to identifying sites for development explicitly continues to focus on the requirement to affirmatively further fair housing and has since its first draft last year. This approach also centers AFFH in establishing programs and policies to support development of these sites as affordable. This includes land use policies that prioritize affordable development in high opportunity areas throughout the city, a council approved affordable housing overlay program for large sites in North San Jose, and the Affordable Housing Siting Policy that sets aside a portion of the city's affordable housing funding for development in previously restrictive parts of the city. Having reviewed and engaged with housing element planning in cities throughout Santa Clara County, San Jose stands out as the jurisdiction that has shown the clearest commitment to the multiple dimensions of the AFFH requirements established by the state.

We appreciate the time staff committed to meeting with key organizations and community members in the past month. And, we expect that establishing (or strengthening) these collaborative relationships will have lasting value as we move collectively from planning to implementation. We would support HCD certification of San Jose's 6th Cycle Housing Element Update.

Sincerely,



Regina Celestin Williams
Executive Director

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