



## Racial Justice Subcommittee Meeting Agenda

**April 9, 2021 | 2:00 PM**  
**Virtual Meeting via Zoom**

### Subcommittee Members:

Mayor Neysa Fligor, City of Los Altos, *Chair*

Vice Mayor Chappie Jones, City of San Jose, *Chair*

Councilmember Margaret Abe-Koga, City of Mountain View

Mayor Rich Constantine, City of Morgan Hill

Mayor Larry Klein City of Sunnyvale

Mayor Marico Sayoc, Town of Los Gatos

Steve Preminger, Santa Clara County Executive's Office

Register for Zoom webinar [\[HERE\]](#)

Meeting also livestreamed on YouTube [\[LINK\]](#)

4/8/21 10:30pm Addendum – Attachments added to Item 2

More info on public comment and accessibility given at the end of the agenda.

*Discussion & action may be taken on any of the items below. Times are approximate.*

<b>WELCOME AND ROLL CALL – (Jones, 2 PM)</b>	
<b>1.</b>	<b>Overview of Scope &amp; Membership</b>
1a.	Membership
1b.	Scope: Improve Affordable Housing Outreach and Access, Public Safety Reform, and Hate Crimes Against Asian American Pacific Islander (AAPI) Community.
<b>2.</b>	<b>Housing</b>
	Review of Potential Efforts Related to improving outreach and access to Affordable/Below Market Rate Housing for underserved populations.  <i>Attachments:</i> <a href="#">SB694 (Cortese) Factsheet</a> <a href="#">Affordable Housing Outreach Options</a>
<b>3.</b>	<b>Public Safety Reform</b>
	Review of multi-jurisdictional Public Safety Reform Efforts related to Community Engagement, Accountability, and Transparency.
<b>4.</b>	<b>AAPI Anti-Hate Strategies</b>
	In collaboration with Santa Clara County Task Force on Hate Crimes
<b>5.</b>	<b>Next Steps</b>
<b>PUBLIC COMMENT</b>	
<b>ADJOURN until May 7, 2021</b>	

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**PUBLIC COMMENT**

Members of the public wishing to comment on an item on the agenda may do so in the following ways:

1. Email comments to [audin@citiesassociation.org](mailto:audin@citiesassociation.org)
  - Emails will be forwarded to the Racial Justice Subcommittee members.
  - **IMPORTANT:** identify the Agenda Item number in the subject line of your email. All emails received will be entered into the record for the meeting.
  
2. Provide oral public comments during the meeting:
  - When the Chair announces the item on which you wish to speak, click the “raise hand” feature in Zoom. Speakers will be notified shortly before they are called to speak.
  - When called to speak, please limit your comments to the time allotted (up to 3 minutes, at the discretion of the Chair).
  - Phone participants:
    - \*6 - Toggle mute/unmute
    - \*9 - Raise hand

### **ACCESSIBILITY**

We strive for our meetings and materials to be accessible to all members of the public. Those requiring accommodations to participate in this meeting may contact our Office Assistant at [audin@citiesassociation.org](mailto:audin@citiesassociation.org). Notification at least three business days prior to the meeting will allow us to best meet your needs.



# SENATOR DAVE CORTESE

## SB 649

### ISSUE

COVID-19 has amplified the displacement pressures experienced by California’s most vulnerable populations. Lower-income Californians living in overcrowded homes – threatening their health – and facing pressures forcing them to move farther and farther away from their employment, friends, families, and the communities they once called home.

**Displacement causes lower-income residents, who are disproportionately people of color in many California communities, real tangible problems:** physical health problems, mental health problems, and educational deficiencies. Studies show displaced low-income people have increased commutes, move to areas with fewer economic opportunities, and increase discretionary spending on non-housing costs such as food, daycare, clothes, and medications. Displacement pressure is robbing California’s higher-cost communities of their service employees, daycare workers, nonprofit employees, and medical support workers. **Displacement is hurting our State’s economy, our environment, and our people.**

**Local Tenant Preferences are a critical tool many cities have used to help stabilize neighborhoods and to keep people from being uprooted from their homes, families, and networks.** They can help prioritize efficient use of scarce affordable housing resources. However, preferences that help local residents rather than a specific type of person, like a teacher or a veteran, lack Statewide legislative support needed to incorporate them into affordable housing developments funded with tax credits and bonds.

### BACKGROUND

Tenant Preferences enable apartment owners to prioritize a portion of restricted affordable homes for the general public to those who are most in need of affordable and stable housing. **Preferences set aside a percentage of affordable apartments for people who meet certain preference criteria and all other leasing criteria.** To ensure equity and access, Tenant Preferences must be consistent with fair housing law. Two examples of such Tenant Preferences that help to

keep people in place, prevent their displacement from their home cities, and further housing choice include:

- **Anti-Displacement Tenant Preference:** Sets aside a portion of affordable apartments for lower-income residents living in areas with a high likelihood of displacement. Eligible residents live in census tracts categorized as ‘susceptible to displacement’ or having ‘ongoing displacement’ by a credible, authoritative external source, or in tracts evidencing a combination of displacing conditions.
- **Neighborhood Tenant Preference:** Sets aside a portion of affordable apartments for lower-income residents who live in the vicinity of the new affordable apartments. It increases the likelihood that residents can remain in their neighborhoods, retain their existing networks, and improve their housing stability and costs.

### THIS BILL

**SB 649 creates a State policy that supports greater access to affordable housing for those populations facing displacement. It aligns tenant preferences with Internal Revenue Code requirements, thereby qualifying affordable housing developments that use tenant preferences for tax credit or bond financing.**

With these changes, the Legislature can help communities to target the benefits of scarce affordable housing, limit displacement, and reduce the many harms that result from displacement. Local tenant preferences can help reduce opposition to affordable housing development and enhance the predictability of development. This legislation is in keeping with State and federal fair housing law, supporting local policies and programs that foster diversity and housing choice.

### SUPPORT

**City of San José  
Housing Action Coalition  
SOMOS Mayfair**

**FOR MORE INFORMATION**

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## Affordable Housing/BMR Outreach Recommendations for Consideration

### **Goals:**

- Increase outreach to historically underserved communities regarding available affordable housing opportunities.
- Improve occupancy and access to affordable housing/BMR units for historically underserved communities.

### **Option 1:** Support AB 649 (Cortese) Affordable Housing Tenant Preference Bill

**Description:** Displacement causes lower-income residents, who are disproportionately people of color in many California communities, real tangible problems: physical health problems, mental health problems, and educational deficiencies. SB 649 creates a State policy that supports greater access to affordable housing for populations facing displacement. It aligns anti-displacement tenant preferences with Internal Revenue Code requirements, thereby qualifying affordable housing developments that use tenant preferences for tax credit or bond financing. This allows cities the option to require an anti-displacement tenant preference for affordable housing units, if they desire.

### **Option 2:** Support A Regional Affordable Housing Online Portal

**Description:** Cities to participate and utilize a single online portal to market all affordable listings in their jurisdictions across the region. Cities can play a more proactive role in marketing affordable units and let communities know about opportunities via online listings in a regional effort in multiple languages. This serves as a single place where all local affordable listings can be found.

- City of San Jose recently approved on March 18, 2021, the Doorway Portal Collaborative:<https://sanjose.legistar.com/LegislationDetail.aspx?ID=4854843&GUID=DFFD8618-A39E-497F-9E8F-8941475935C7&Options=&Search=>. City of San Jose is leading effort for the county and welcomes collaboration with other cities.
- The Regional Doorway Collaborative includes San Francisco, Alameda, and San Mateo County.
- The mission of the Regional Doorway Collaborative is to (1) improve access to affordable housing by making it easier to find and apply for affordable housing in the Bay Area, (2) generate data on housing demand and placement to facilitate more efficient use of affordable housing resources, (3) help advocate for more resources for these efforts, and (4) facilitate alignment in tenant preferences used in various jurisdictions to the extent possible.

- o The Regional Doorway Collaborative envisions a simple and equitable way for residents to find and apply for affordable housing throughout the Bay Area and is working to create a unified platform with transparent processes from marketing to move-in.
- o Cities of Morgan Hill, Gilroy, Santa Clara, Campbell, and Los Gatos, currently utilize HouseKeys as its Affordable Housing Program Administrator to provide affordable housing opportunities (ownership, rental, and finance programs) to income-eligible households.

**Option 3:** Affirmative Fair Housing Marketing Outreach

Description: As of now, affordable housing units that are federally subsidized are required to use affirmative fair marketing. This would be an effort to expand that marketing to all affordable projects. The HUD form required by developers using federal HOME funds is here for reference: <https://www.hud.gov/sites/documents/935-2A.PDF>

**Option 4:** A city-wide policy that requires all property managers of affordable units to allow alternative forms of identification, unless prohibited by another funding source.

Description: This would assist undocumented residents who really need help to get access to affordable housing resources. These individuals are largely people of color, and would be lower-income in order to live in the vast majority of affordable rental units. This flexibility is underutilized but allowed under the State's Tax Credit Allocation Committee.

**Option 5:** Adopt Inclusionary Housing Ordinance

Description: Inclusionary housing policies require or encourage developers to set aside a certain percentage of housing units in newly constructed or rehabilitated projects for low-income and moderate-income residents. By creating mixed-income developments, people from different socio-economic backgrounds are given the opportunity to access the same services and amenities, addressing federal fair housing obligations. Eleven cities in the County have adopted inclusionary housing ordinances.

**Option 6:** Proactively engage both communities of color and lower-income residents in the upcoming Housing Element update process.

Description: Historically, some residents of our communities have been underrepresented in public discussions around land use and affordable housing policy and planning. The upcoming Housing Element update process is different from past cycles and now requires explicit engagement with State Law requiring that jurisdictions take steps to affirmatively further fair housing, and more explicit indication of where

cities are planning for future affordable housing development. This is a tremendous opportunity to bring the full spectrum of community perspectives into public discussions about the future of their cities. However, experience shows that unless this is made a priority, and steps are taken to specifically engage communities often missing from these discussions, their perspectives will be left out, and opportunities for a sense of collective civic purpose will be missed.

**Option 7:** Take inventory of demographic information for tenants currently occupying affordable units.

Description: Before a local government will confidently take action on expanding outreach to minority populations, it is critical to identify the issue and support the efforts with data. Completing a census on who currently lives in affordable units will highlight the inadequacies in marketing outreach and guide the policy development surrounding equitable outreach.