



SPECIAL MEETING OF THE HOUSING ADVISORY COMMISSION

Meeting Minutes

December 8, 2021, 6:00 p.m.
Council Chambers, 276 Fourth Avenue, Chula Vista, CA

Present: Commissioner Bustamante, Commissioner Cabral,
Commissioner Lisama, Commissioner Merino, Commissioner
Paddock

Absent: Commissioner Hoyos

Also Present: Senior Management Analyst Dorado, Acting Housing Manager
Kurz

1. CALL TO ORDER

A special meeting of the Housing Advisory Commission of the City of Chula Vista was called to order at 6:09 p.m. in Council Chambers, located at City Hall (building #A), 276 Fourth Avenue, Chula Vista, California

2. ROLL CALL

Acting Housing Manager Kurz called the roll.

3. CONSENT CALENDAR (Items 3.1 through 3.2)

Moved by Commissioner Bustamante

Seconded by Commissioner Merino

Yes (5): Commissioner Bustamante, Commissioner Cabral, Commissioner Lisama, Commissioner Merino, and Commissioner Paddock

3.1 APPROVAL OF SPECIAL MEETING MINUTES OF AUGUST 11, 2021

Commission approve minutes

3.2 WRITTEN COMMUNICATIONS

Commission approve absences

4. PUBLIC COMMENTS

No public comments

5. ACTION ITEMS

5.1 INTRODUCTION TO TENANT EVICTION PROTECTION POLICY

Acting Housing Manager Kurz introduced the Tenant Eviction Protection Policy. This policy was created due to a council referral and is currently in the fact-finding stage. Over the summer several residents facing eviction had spoken at council meetings. The landlords are using substantial rehabilitation as the basis for evicting the tenants. It was brought up to staff that there might be some gaps in state law that were enabling this process to occur. Due to the evection moratorium there were no evections issued and with the end of the moratorium there has been a spike in evictions. City Council gave staff a referral and identified four items of concern; substantial rehabilitation, concern about properties being removed from the rental market, complaints about harassment and retaliation from landlords through the eviction process, and finally council wanted to understand how city staff could be involved with enforcement and potential remedies when these situations occur. Staff goals are to have stakeholder involvement in the process as they move forward and to identify resources available that the city would need to enforce those actions. A course of action was identified, and several stakeholder meetings have already taken place. After the commission meeting staff will move in drafting an ordinance is that is the direction received. The draft ordinance would be shared with stakeholders then brought back to the commission for approval and then presented to council in January or early February. Kurz continued by sharing what the current rental housing market looks like in the city, and the three current laws that are of concern to council. City residents are currently protected under the current 2019 State Tenant Protection Act but are missing the following protection, Ellis Act - notice and relocation assistance. Senior Management Analyst

Dorado informed the commission that staff wants to address the concerns from council and under the Ellis Act focus on notice and relocation assistance, clarify the no cause evictions, prohibit harassment and retaliation. He continued to share examples of what the tenant remedies and City Attorney enforcement could look like. Next stakeholder feedback was shared of why protection is needed and reasons why this policy is not needed as well as alternative solutions. In conclusion a draft ordinance will be presented in the next commission meeting in hopes of getting approval to present draft to council.

Commissioners provided input to staff

Seventeen public comments received and a letter from the Southern California rental Housing Association

- Miriam Goff
- Silvia Saldivar
- Eduardo Saldivar
- Luis Castro
- Gloria Flores
- Gilberto Vera
- Teresa Goodman
- Charles Canizalez
- *Kathy Hardy*
- *Margaret Baker*
- *Robert Handler*
- *Allison Logan*
- *Nancy Relaford*
- *Francis Riley*
- *Carolyn Scofield*
- *Karen Washam*
- *Angela Zdroik*

A motion was not made therefore no vote was taken.

Commission review Attachment 1 and participate in discussion to provide staff with guidance for further refinement of the policies

5.2 STATUS OF HOMELESSNESS IN CHULA VISTA

Senior Management Analyst Davis, who is also serves as the Homeless Coordinator, presented on the current status of homelessness and the progress the city has made in addressing the issue. The unsheltered crisis saw an increase due to COVID and is not concentrated to one particular area of the city. Since 2016 the Homeless Outreach Team (HOT) along with city partners have conducted efforts to assist and know who makes up the unsheltered population. On an annual basis the Point-in-Time count is conducted but this did not provide an accurate number of the unsheltered in the city. Along with social service partners and law enforcement the city conducted its own count, CV Count20. In 2019 the number provided by the Point-in-Time count was 350 unsheltered in the city, but CV Count20 counted 792 unsheltered. Of the 792, 300 are currently assisted by a hotel/motel voucher provided by a governmental agency or paid with charitable funds, 50% are women, 23% are children, 8% are veterans and 55% percent reported this as their first-time experiencing homelessness. Some of the reported causes for homelessness are due to mental health, family-related issues, medical problems, cost of living, job loss, or substance abuse. Davis continued by sharing information about work taking place for the new shelter. The project site is located in the southwest area of the city on Main Street (205 27th Street) and the shelter will include two community rooms and bathroom facilities. The units are prefabricated and will be shipped to the location, each is built in less than an hour. The shelters are outfitted with beds, climate control and are equipped with safety elements like lockable doors, a smoke detector, and a carbon monoxide detector. The contract for the operator will provide security and care services for the clients. An RFP for a shelter operator went out in October and the city has received several responses. Davis concluded that this presentation not only was intended to provide a background of the state of homelessness and the development of shelter, but also in hopes that the commission would nominate a commissioner to be part of the election committee to select and operator for the shelter. Commissioners had some questions regarding the selection criteria for the units, will the shelter have zero tolerance for alcohol and drugs, will there be storage available, is there a kitchen available, and if there was any community outreach to receive input on the shelter and its location.

Moved by Commissioner Cabral

Seconded by Commissioner Lisama

Motion to select Vice Chair Merino to participate on the shelter operator request for proposal (RFP) selection panel

Yes (3): Commissioner Cabral, Commissioner Lisama, and Commissioner Paddock

Abstain (2): Commissioner Bustamante, and Commissioner Merino

Result:Carried (3 to 0)

6. PRESENTATIONS

6.1 INTRODUCTION TO THE CITY'S WORKFORCE HOUSING POLICY

Acting Housing Manager Kurz introduced the city's Workforce Housing Policy that council adopted. The city would be part of a Joint Power Authority (JPA) with a number of other entities as an alternate member and the city would not have a voting right, any liabilities or obligations. The city would simply be a mechanism for them to be able to issue municipal bonds by being a member of the JPA. The basic concept of a JPA is that the city enters into a public benefit agreement specific to a project and then the city has the ability to force the sale of that project between 15 and 30 years when the bonds expire and the result of that is the city would get the net sale proceeds at the point of sale. There are two types of bonds issued, upfront purchasing and reserve sponsor fees and the second set of bonds are typically B Series bonds and those pay the project sponsor fees on an ongoing basis and bond issuance fees. The focus is to provide rental rates at moderate income for 81 to 120% of the area median income. Senior Management Analyst Dorado continued to explain that an application will be required and will give priority for affordability to those that provide a community benefit and projects that have an existing affordable housing regulatory agreement. A requirement of having a current business license with the city and participate in the city's multifamily inspection program. The city will also have to ensure that there will be no impact to the general fund and charge a host charge that would make the city whole for the taxes lost. An application process was developed along with a checklist that each applicant that wants to propose a middle-income project would need to submit along with the required documents. Kurz continued to explain that the main mechanism the city has as far as being party to any specific project is to join what is called a

Public Benefit Agreement. Host city charge and any funds collected will go to the general fund, and the monitoring fees would go to the staff associated with conducting the monitoring. Other revenues that the project might generate like the forgone property tax when a property is sold in 30 or 35 years, the proceeds of the sale would be distributed in the appropriate way. One would be, if there are any forgone property taxes the city would have its ability to pay itself. Secondly, a minimum of 50% of any sales proceeds would need to be put back into affordable housing and any remaining funds can be used for economic development purposes. Kurz concluded by sharing that the city currently has three projects awaiting this policy and the projects will be presented to the commission in the upcoming months. Commissioners had questions regarding the forgone tax, the collection of the host charge, and if the tenants of the three projects awaiting the policy could potentially be displaced.

6.2 EMERGENCY RENTAL ASSISTANCE PROGRAM (ERAP) UPDATES

Senior Management Analyst Dorado provided an update in the Emergency Rental Assistance Program (ERAP). To date the city has received almost 5,000 applications requesting the assistance and have spent \$30 million since the program launched back in March 15, 2020. The city has requested additional funding from the State of California, and they are committed to an additional \$2 million. An additional \$5 million was requested from the US Treasury and the city is hoping the request is successful. Dorado concluded by encouraging residents to apply for the assistance because those that apply will fall under the state protections of HB832. As long a tenant has an application pending, they are protected from eviction through March 31, 2022. Vice Chair Merino asked if the city was using any other agencies besides SBCS to implement the ERAP program. Dorado explained why only one non-profit was used to implement the program. Other questions asked by the commission were, if any utilities were eligible, what is the criteria for eligibility and if fraudulent cases have been submitted.

OTHER BUSINESS

7. STAFF COMMENTS

Senior Management Analyst Dorado shared that he is hoping to take the First-Time Homebuyer Program to City Council on January 11, 2022. He also thanked Commissioner Paddock for attending the groundbreaking of Columba Apartments.

8. CHAIR'S COMMENTS

Chair Cabral thanked everyone for attending and thanked staff for holding the in-person meeting. She also it was great to see the participation from residents and listen to their comments.

9. COMMISSIONERS' COMMENTS

Vice Chair Merino requested breaks be taken in the future during long meetings. He also said it was great to meet in person and thanked staff for all their work.

Commissioner Lisama shared she was thankful for being able to meet in-person.

10. ADJOURNMENT

The meeting was adjourned at 8:44 p.m.

Minutes prepared by: Monica Rodriguez, Secretary

Monica Rodriguez, Secretary