



## **APPROVED MINUTES**

### **SUNNYVALE HOUSING AND HUMAN SERVICES COMMISSION WEDNESDAY, JULY 27, 2011**

The Housing & Human Services Commission met in a regular session in the West Conference Room, at 456 West Olive Avenue, Sunnyvale City Hall, Sunnyvale, CA 94088 on July 27, 2011 at 7:02 p.m. with Chair Anderson presiding.

#### **SALUTE TO THE FLAG**

#### **ROLL CALL**

Commission Members Present: Eric Anderson, Hannalore Dietrich, Fred Fowler, Younil Jeong, and Anna Ko.

Commission Members Absent: Mathieu Pham (excused).

Staff Present: Suzanne Isé, Housing Officer, Ernie DeFrenchi, Affordable Housing Manager, Tim Kirby, Utilities Manager, and Edith Alanis, Housing Programs Technician.

Others Present: Eileen Richardson, Downtown Streets Team Executive Director, Chris Richardson, Downtown Streets Team Program Manager, and Marie Bernard, Sunnyvale Community Services (SCS) Executive Director.

#### **SCHEDULED PRESENTATION**

Presentation by Downtown Streets Team

Eileen and Chris Richardson gave a presentation about their Downtown Streets Team program which helps homeless people get jobs and housing.

Commissioner Fowler arrived at 7:15 p.m.

Chair Anderson asked if Sunnyvale CDBG funds could be made available for an economic development program such as this. Staff responded that it could be possible, depending on program design, and that a program like this could be considered next year during the Action Plan hearings.

Eileen and Chris answered several questions from the Commissioners.

#### **PUBLIC ANNOUNCEMENTS**

Chair Anderson extended his condolences to the Swegles Family on the passing of Councilmember Ron Swegles, and asked that the Commission be informed of any memorial services happening locally.

#### **CONSENT CALENDAR**

1. A. Approval of Draft Minutes of June 22, 2011.

Chair Anderson asked for a motion to approve the consent calendar.

**Commissioner Ko moved and Commissioner Dietrich seconded to approve the draft minutes of June 22, 2011 as presented.**

**Motion passed unanimously 5-0-0.**

### **PUBLIC COMMENTS**

None.

### **PUBLIC HEARINGS/GENERAL BUSINESS**

2. Consider Draft RTC for Study Issue FIN-01: Utility Bill Assistance for Low Income, Fixed Income, Senior, and Disabled Utility Customers.

Utilities Manager Tim Kirby reminded the Commissioners that he had introduced this study issue in September 2010, and gave a brief summary of the program concept as it has evolved thus far. He explained that this study issue report will go to Council soon, and this was the Commission's opportunity to make suggestions and give input or recommendations to City Council on how to shape this program.

Marie Bernard was available to give input and answer questions about the potential role of SCS in the proposed program.

Tim explained that this issue came up during the rate-setting process, and that it has come up regularly over the years; however, the weak economy has increased the demand for such a program. Under state law, the City is not allowed to subsidize a group of customers with revenue from another group of customers, although these types of subsidies exist in private utilities.

After identifying the administrative barriers to implementing such a program, staff determined that the only way to make a program like this work would be through donations. Subsequently, staff reached out to SCS to ask if they would be willing administer the program for the City after being granted the funds that would be collected, since they already have the infrastructure and capacity to identify and qualify the recipients.

There was a lengthy discussion on the details of the program, some of which have not yet been fully developed, as the program has not yet been approved by Council.

Chair Anderson asked what kind of recommendation is needed from the Commission.

Tim explained that there was no formal motion required, but he could incorporate their comments or recommendations into his report.

The Commissioners recommended exploring the following questions that were raised during their hearing:

- Why limit recipients to one-time only assistance?
- Why not explore ways to provide on-going help as well as emergency help?
- How will the program be marketed to potential donors?

- Why have SCS as the only administrator?
- Why not ask commercial utility customers for donations?
- What if there is a surplus of funds?

Tim clarified that there are no outside restrictions against providing ongoing assistance, but the current recommendation was for one-time assistance. He also explained the various marketing methods that are being considered. He also added that the City and/or SCS could work with other agencies, provided that they have an adequate income verification process. However, it would be simpler to have the program administered by a single agency during the initial implementation phase.

Marie Bernard added that she would feel comfortable working with another agency, such as the Salvation Army, as a partner to qualify recipients since they use a similar qualification process.

### 3. Consider Updates to the Below Market Rate (BMR) Housing Requirements

Ernie DeFrenchi gave a presentation on this item, which staff will bring back to the Commission in November for a formal recommendation.

Staff explained the recent Palmer court decision, and how it affected the BMR rental program.

Staff explained that although the City has not changed its ordinance since Palmer, it cannot enforce the below market rate requirements on rental projects at this time. Staff added that there was an effort in the state legislature to legislatively overturn the Palmer decision, but that bill was unsuccessful this year. However, it was turned into a 2-year bill and could pass next year.

Staff also explained that Palmer did not affect the BMR Homeownership program.

Ernie reviewed the current BMR ordinance (SMC Chapter 19.66) which includes the BMR program, three density bonus provisions, and single-room occupancy development standards.

He explained the BMR homeownership program, which requires that 12.5% of the new units in housing developments of 9 or more homes be sold as BMR homes. He also gave a quick overview of the current and projected BMR inventory.

Ernie concluded by explaining that the purpose of the proposed update to the ordinance is to make it clear and easy to read; provide additional options for BMR developments; contain adequate provisions for enforcement; streamline program administration; and provide consistency with state & federal regulations.

Ernie and Suzanne answered questions from the Commissioners and reiterated that there was no action needed at this time, as the presentation was intended to inform them about the ordinance so that Commissioners would be prepared to comment on proposed amendments to the ordinance in November.

### 4. Election of Officers for FY 2011-2012.

Chair Anderson opened the floor for nominations for the office of Chair for FY 11-12.

Commissioner Fowler moved and Commissioner Ko seconded to nominate Commissioner Dietrich for the Office of Chair.

There were no other nominations.

Chair Anderson closed the floor for nominations and asked for a vote.

**Motion carried unanimously.**

Chair Anderson opened the floor for nominations for the office of Vice Chair for FY 11-12.

Commissioner Ko moved and Commissioner Jeong seconded to nominate Commissioner Fowler for the Office of Vice Chair.

There were no other nominations.

Chair Anderson closed the floor for nominations and asked for a vote.

**Motion carried unanimously.**

Vice Chair Fowler took the opportunity to thank former Chair Anderson and Vice Chair Pham for their service during the last fiscal year.

#### **NON-AGENDA ITEMS AND COMMENTS**

- BOARDMEMBERS OR COMMISSIONERS ORAL COMMENTS
- STAFF ORAL COMMENTS  
Staff reminded the Commissioners and new officers about Chair and Vice Chair training taking place on Monday, August 1, 2011. Staff agreed to send out the details the next morning.

#### **INFORMATION ONLY ITEMS**

#### **ADJOURNMENT**

Meeting adjourned at 9:30 p.m.

Respectfully submitted,

Suzanne Isé  
Housing Officer