Talking Points

Talking Points for Public Comment at City Council “Housing Day” – January 27, 2026

Getting to City Hall

City Hall is located at 200 E. Santa Clara Street, San Jose. It is between 4th and 6th Streets. This is directly off Public Transit - via VTA. Parking around City Hall is metered and some areas require permits. Please park cautiously! Parking is free in the City Hall lot on 6th Street with validation. Bring your garage ticket to council chambers and scan it at the machine on the back wall. (For more detailed info, see: Directions to City Hall | City of San José)

Navigating City Hall

The meeting will be at the Council’s Chambers, located on the “West Wing” first floor. Signage should be available. If there are too many people in attendance there are alternate viewing facilities at the site.

Instructions for Public Comment

We will be speaking under the housing related items which are agenda item nos. 8.2, 8.3, 8.4, 8.6, and 8.6. The City documents are available for review on their webpage here (https://sanjose.legistar.com/View.ashx?M=A&ID=1345641&GUID=7120576F-EBB2-41E7-A43F-FB1046820210) for your review. **Note that Item 8.6 (Mobilehome Rent Ordinance) will not begin until 6pm.**

How to use this document

Each of the proposals for which we are giving public comment are included in the “Agenda Items” section. A very brief overview of the proposal and its impacts (through a DSA lens) is listed, as well as our ask. The full-length attachments (staff memos, resolutions, ordinances, etc) can be accessed from the main agenda. Click here or scan the QR code to access.

You can select from the talking points in the table that resonate most with you (this will boost variety in comments overall). **As it is likely public comment will be limited to 60 seconds, be choosy**.

Stay for public comment!

As Mobilehome Rent Ordinance is the last agenda item prior to public comment and close of meeting, we’re encouraging folks to stay and make a public comment (“Open Forum” section of agenda) regarding the conditions at the Motel/Emergency Interim Housing locations funded by the city. See notes in that section below.

Agenda Items

<u>Item 8.2: Downtown Residential Incentive Program Expansion to Include Commercial-to-Residential Conversion Projects</u>

Overview: Incentivises with fee reductions/eliminations the conversion of commercial property to residential, however makes no requirement for those residential units to be affordable.

<u>Ask: Alter Incentive Programs So Public Investment Receives Public Benefit</u>

Documents include:

1. **Resolution 26-074 (a)** – This establishes policy: renames the existing incentive program and expands it to include commercial-to-residential conversion projects, and adjusts the inclusionary housing in-lieu fee to $0 for eligible projects.
2. **Ordinance (b)** – This amends the Municipal Code to implement related *tax suspensions/reductions* for eligible conversion and residential high-rise projects under the incentive program. An ordinance is required to change the City's codified law.
3. **Resolution (c)** – This provides *parkland in-lieu fee reductions* for conversion projects under the Downtown Residential Incentive Program – e.g., 50% reduction for the first 500 units and 30% for the next 1,000. It's a separate fee policy tied to the broader incentive framework.
4. **Resolution (d)** – This amends the City's *Schedule of Fees and Charges* (fee resolution) to reflect updated rental inclusionary in-lieu fees for eligible projects under the Downtown Residential Incentive Program.

[Note: See "How to Use This Document" Section above for full item attachments.]

Talking Points —

Outcomes of Existing Program	• The existing incentive program produced zero deed-restricted affordable units. • The City waived fees and taxes without securing permanent affordability. • Unit counts alone are not a success metric without affordability outcomes.
Market-Rate Vacancy Reality	• Higher-cost, Class A units tend to sit vacant longer than lower-cost housing. • Market-rate buildings often show availability while cheaper housing stays full. • Expensive units do not automatically meet unmet housing need.
Supply & Rent Myth	• Market-rate supply alone does not reliably lower rents in high-cost cities. • Filtering takes decades — far too slow to address homelessness today. • Without affordability requirements, supply does not reach low-income households.
Affordability	• San Jose residents have said affordability is their single most important concern right now. Council needs to make it their priority. • No requirement for long-term affordability
Homelessness & Shelter Crisis	• The unhoused and shelter crises exist because San José lacks permanent affordable housing. Why not use precious incentives like these for solutions? • Shelters are emergency responses, not housing solutions. • Subsidizing market-rate housing prolongs the homelessness cycle.
Public Value	• If the City waives fees and taxes, the public should receive public value. • Adaptive reuse must include permanent affordability requirements.

<u>Item 8.3: Multifamily Housing Incentive Program Phase I Extension</u>

Overview: This program provides substantial public subsidies—fee waivers, tax reductions, and expedited approvals—while only requiring minimal affordability thresholds, often at 80–100% AMI, while current market-rent is around 70% AMI.

<u>Ask: Alter Incentive Programs So Public Investment Receives Public Benefit</u>

Attachments include:

1. **Resolution (a) -** This amends policy: extending the deadline to apply; maintaining current eligibility criteria and incentive levels; adding seven proposed housing projects; increasing eligibility for a 50% reduction in the building and structure taxes from 1,800 units to 3,600 units that obtain a building permit before specified date; and creating a tiered prioritization system for allocating limited capacity.
2. **Ordinance (b) -** This amends the Municipal Code to provide: a 50% reduction of the commercial, residential, and mobile home park construction tax and a 50% reduction of the building and structure tax to the first 3,600 units in projects eligible for the temporary Multifamily Housing Incentive that also obtain a city building permit by specified date; and a 25% reduction of the building and structure construction tax for any additional units beyond the first 3,600 for eligible Multifamily Housing Incentive Program Projects.
3. **Resolution (c) -** This amends a Resolution of the City County to revise the Rental Inclusionary In-Lieu Fee, reducing the fee to $0 for projects eligible for the temporary Multifamily Housing Incentive Program that include at least 5% of units onsite at up to 110% area median income.

[Note: See "How to Use This Document" Section above for full item attachments.]

Talking Points —

Investment Interest	● According to your own information these projects are undesirable to developers; why give them something no one wants for free, when we could work together on things everyone needs.
Homelessness & Shelter Crisis	● This whole idea is to help the unhouse population; making these above market rent units LITERALLY is the opposite of this! ● Subsidizing market-rate housing prolongs the homelessness cycle.
Local Need	● Expensive units do not meet current LOCAL housing needs.
Affordability	● San Jose residents have said affordability is their single most important concern right now. Council needs to make it their priority. ● Current market-rate rents are about 70% AMI — so providing incentives and calling 80% - 110% AMI cap "affordable" is a slap in the face to your constituents.
Public Value	● If the City waives fees and taxes, the public should receive public value. ● Adaptive reuse must include permanent affordability requirements.

Item 8.4: Amendments to Chapter 5.08 of Title 5 of the San José Municipal Code and Regulations for the Inclusionary Housing Ordinance.

Overview: This program was designed to keep new developments in San Jose affordable for those who currently live and work here, and the proposed changes put "affordable" options higher than market rent.

Ask: Delay Vote & Direct Housing Department re: IHO. NOT approve these measures!

Attachments include:

1. **Ordinance (a) -** This is amending San Jose Municipal Code to (1) update affordability levels; (2) refine compliance options (including surplus credits); (3) align the affordability term for inclusionary units with State practice; and (4) clarify treatment of 100% affordable developments.

[Note: See "How to Use This Document" Section above for full item attachments.]

Talking Points —

Subject	Talking Point

Policy circumvention	• These changes came from the City Council-approved Mayor's March Budget Message for Fiscal Year 2025–2026. This is not the way policy should be conducted. Council becomes a rubber stamp.
Homelessness	• By creating even more new expensive housing, you would push more people into homelessness as their own rents were increased by the market around them. • This disproportionately affects underrepresented communities and those who do not have the time or money to stand up for themselves
Affordability	• As written, these revisions would update these levels to imply that "Affordable Housing Developments" could be charging more than market rent prices; causing direct gentrification of entire neighborhoods, and pushing out our underrepresented populations. • While it is difficult for what is left of the middle class to get rentals in San Jose, that only means it is exponentially harder for those who make less to get housing.

Item 8.6: Proposed Amendment to Chapter 17.22 (Mobilehome Rent Ordinance) of the San José Municipal Code. (Not to begin until 6:00 pm)

Overview: This revises the ordinance that sets forth rules and regulations for rents and charges that can be put onto mobilehome owners with major revisions being: landlord can charge a mobilehome owner an up to 10% increase for "capital improvement" to the property and allows landlords of the mobilehome parks to increase rents on the spaces by up to 10% every time the mobilehome gets sold.

Ask: Oppose Discretionary Changes to MRO. DO NOT approve these measures!

[Note: See "How to Use This Document" Section above for full item attachments.]

Talking Points —

Homelessness	• Any time you are taking housing options away from lower income brackets you are putting people at risk of becoming unhoused. • These units already cost the mobilehome owners a lot of money for upkeep and fees that the landlords DO NOT pay; why add more fees to the mobilehome owners.
Affordability	• Mobilehome ownership is one of the FEW remaining ways for a lower income individual to still OWN their home; these changes would reverse that within 10 years.
Predatory Profitability	• Mobilehome parks are cash machines. They require very little care or maintenance and make the owners a ton of money, both in rent and in equity of the land! • Space rent helps sell mobilehomes. • Mobilehomes are regularly used by the elderly and those who are disabled and on a fixed income. These people CANNOT afford to keep increasing their cost; and it is UNNECESSARY for the landlord to pass on these costs.

Open Forum / Public Comment

Members of the Public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the City Council. Members of the public may only speak at Open Forum once.

Motel/EIH Conditions:

- Folks living in these projects are subjected to excessive controls that diminish their freedoms and autonomy. Having to sign in and sign out, not allowed to have visitors, even their own children, and have room searches and pat-downs upon arrival along with many other possible infractions creates immense stress and resistance to program services.
- At Motel 6 on Brokaw, residents have not been provided with new regulations from WeHope, and the community is very uncertain what the rules are etc.
    - no laundry facilities, food makes folks sick

RV Towing / OLIVE Program — ask: stop the tows and designate land for these folks to live with dignity.

- has so far spent at least $2.3 million to simply move RVs around the city at a cost of over $73,000 per tow and no reduction in overall vehicle habitation, even accounting for their RV buy-back options.
- The city has exhausted its resources for these folks in creating two parking sites that serve less than 15 percent of counted RVs at an average of nearly $200k per space, per year, and overall preventing folks living in RVs – most often due to being forced out of stable housing due to affordability – from achieving instability.
- Most cannot hold down jobs or work at all because they must babysit their homes in anticipation of towing, and when they are towed, the costs of retrieval are so exorbitant it depletes any savings they were able to scrape together.
- With nearly a third of our city's homeless living in an RV, the simple, most cost-effective and common-sense solution would be to designate a place for folks to park their homes and live with autonomy.

Summerwinds Tenant Union / Conditions at Gregerson-owned properties & related anti-displacement topics