

6/29/2017

RE: A brief on my meeting with Tom and Tom - Brilliot, Michael

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Walesh, Kim

Sun 6/11/2017 3:10 PM

To: Weerakoon, Ru <Ru.Weerakoon@sanjoseca.gov>; Hughey, Rosalynn <Rosalynn.Hughey@sanjoseca.gov>; Brilliot, Michael <Michael.Brilliot@sanjoseca.gov>; Xavier, Lesley <Lesley.Xavier@sanjoseca.gov>; Klein, Nanci <Nanci.Klein@sanjoseca.gov>; Burton, Chris <Christopher.Burton@sanjoseca.gov>; Cueto, Ruth <ruth.cueto@sanjoseca.gov>; Scally, Katie <Katie.Scally@sanjoseca.gov>;

Thanks for the heads up Ru. I agree that we are going to be seeing more and more of this I'm afraid.

Want you to know that we (PBCE/OED) have been emphasizing "balanced growth" rather than "jobs first"—not changing the premise of the General Plan in any way, but using language that is perhaps less divisive and more accurate, as you say below housing and jobs

From: Weerakoon, Ru

Sent: Saturday, June 10, 2017 10:27 PM

To: Walesh, Kim <Kim.Walesh@sanjoseca.gov>; Hughey, Rosalynn <Rosalynn.Hughey@sanjoseca.gov>; Brilliot, Michael <Michael.Brilliot@sanjoseca.gov>; Xavier, Lesley <Lesley.Xavier@sanjoseca.gov>; Klein, Nanci <Nanci.Klein@sanjoseca.gov>; Burton, Chris <Christopher.Burton@sanjoseca.gov>; Cueto, Ruth <ruth.cueto@sanjoseca.gov>; Scally, Katie <Katie.Scally@sanjoseca.gov>

Subject: A brief on my meeting with Tom and Tom

Oh boy! They keep challenging us and our Jobs First principle every which way that they can.

FYI.

- I had a very disappointing meeting with Tom deRegt of Fortbay and Tom Armstrong of HMM. I declare first that I like these Toms very much. BUT not when they want to change the rules to get us further and further from our jobs first principles.
- They came to see Ruth and me last year with a beautiful signature project. Office and Market Rate Housing, Ground Floor Retail, Beautiful Publicly accessible parks and plaza. They submitted plans in April.
- Well they've now changed their minds.
- They've been to talk to Patrick at Housing (about introducing some stand-alone AH units on site) and to Matt at Parks (about a bike trail on public-right-of way). That's great I said. We want affordable units built on site. We like trail connections. So now what? What's the problem?
- Well, their new proposal is this: While the goal is to build both simultaneously they said - they want to build the AH project first and the office later and claim the complexities of the capital/financing markets require them to separate the two.
- I said "No. You knew the rules coming in. The rules are the rules. Don't play on the AH crisis and our hearts now. We care that more affordable housing units are built and on site production is completely appropriate. However, the property is commercially designated now. No housing is allowed now. You

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can only build housing with a signature project. And in an UV you build **housing and jobs** – not conveniently now **affordable housing and no jobs**. They kept pushing the notion of affordable housing being considered a “community benefit” and a catalyst of some kind for jobs. I told them 30 years of getting the housing and no jobs is really annoying.” So they are trying their tricks with us again and using the proposed UV amenities package and a Development Agreement path to delay or avoid building the jobs. Shame on them! I brought up plenty of examples from the past where we got the housing and not the jobs and said San Jose could just not afford to change the rules.

- They haven't been to talk to Planning staff as yet because they want to play politics instead of having Planning say no too. That was clear. Apparently we haven't responded to their April application verbally or in writing as yet. (Rosalynn – can you please check on the status of that for us?)
- They've met with D1. I let Jerad and Christina in D3 know of my meeting with Tom and Tom as well. Apparently the Tri-Village Advisory Groups are very interested in pushing on-site AH units. That's great I said. Truly. They don't think the Councilmember has quite decided about changing the rules for affordable housing.
- If we change the rules for Fortbay it would be an awful precedent to set for Garden City and Cambrian Plaza, and others coming soon. **JUST SAY NO!**
- They're also wanting a Housing Impact Fee credit for building affordable on site. Apparently the CAO is telling Housing that no fee credits can be issued under Palmer litigation and nexus rules.

Ru

Ru Weerakoon

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