

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE DESIGNATING THE CITY OF SAN JOSE'S HOUSING AND COMMUNITY DEVELOPMENT COMMISSION AS THE COMMUNITY OVERSIGHT COMMITTEE, AS OUTLINED IN THE MEASURE E REAL PROPERTY TRANSFER TAX BALLOT MEASURE APPROVED BY SAN JOSE VOTERS ON MARCH 3, 2020

WHEREAS, on December 3, 2019, City Council approved a resolution authorizing the inclusion of Measure E, a new general fund real property transfer tax ("Transfer Tax"), in the special municipal election to be consolidated with the statewide primary election on March 3, 2020; and

WHEREAS, on December 10, 2019, the City Council discussed and considered certain spending priorities for the potential general fund transfer tax revenues from the proposed real property transfer tax measure if approved by a majority of the voters voting on March 3, 2020 and directed staff to return to the City Council with the necessary amendments to Council Policy 1-18 incorporating the outcome of the City Council's deliberations; and

WHEREAS, on March 3, 2020, Measure E was approved with over 53% support by San José voters; and

WHEREAS, on June 16, 2020, the City Council adopted revisions to Council Policy 1-18, which includes a spending plan for the allocation of the new general fund Transfer Tax revenues, certain public hearing requirements for any proposed revisions to the allocation of those general fund revenues, and a requirement that changes to the approved allocation of those general fund revenues be approved by two-thirds vote of the City Council; and

WHEREAS, the Transfer Tax is imposed at a tiered level for property transfers (sales) \$2 million and over and goes into effect on July 1, 2020; and

WHEREAS, revenues generated by the Transfer Tax will fund general City services, including affordable housing for seniors, veterans, disabled, and low-income families, and helping homeless residents move into shelters/permanent housing as more fully described in Council Policy 1-18; and

WHEREAS, Measure E requires a Community Oversight Committee, comprised of residents of the City, to provide oversight over the expenditure of the tax revenues; and

WHEREAS, Measure E provided that the composition and duties of the Community Oversight Committee would be established by the City Council; and

WHEREAS, the Administration recommends the City's Housing and Community Development Commission ("HCDC") serve as the oversight committee required by Measure E; and

WHEREAS, HCDC currently advises the Director of Housing, the Mayor, and the City Council regarding issues, policies, and programs related to housing and community development and provides recommendations on rent stabilization, homelessness, and tenant protections; and

WHEREAS, in addition to conserving resources and saving staff time, HCDC's current work plan and scope of duties are aligned with the duties of the Measure E Community Oversight Committee providing oversight over the expenditure of the new Transfer Tax revenue and the Council-approved Measure E revenue spending priorities;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

1. The Housing and Community Development Commission is hereby designated as the body that will serve as the Community Oversight Committee required by the City's Measure E Real Property Transfer Tax ballot measure approved by the voters on March 3, 2020.
2. As the Community Oversight Committee, the Housing and Community Development Commission will have the following responsibilities:
 - a. Beginning in fiscal year 2020-2021 in connection with the planning of the fiscal year 2021-2022 budget, review and provide comments to be transmitted to the City Council, of the annual spending plan of the Transfer Tax revenues as set forth in Council Policy 1-18;
 - b. Review and provide comments to be transmitted to the City Council, of any proposed amendments to the annual spending plan of the Transfer Tax revenues; and
 - c. Review the expenditure of the Transfer Tax revenues for the prior fiscal year.

ADOPTED this _____ day of _____, 2020, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk