

# Early Consideration Response Form

Department Housing/Planning, Building, and Code Enforcement Rules Date 10/4/2023 Item C.2  
 Department Rep. Name/Ext. Ragan Henninger/Robert Manford Councilmember Sponsorship Mayor Mahan, Vice Mayor Kamei,  
 Policy/Ordinance Subject Shelter Crisis and Emergency on and Councilmembers Torres and Cohen  
Homelessness Declaration

Staff Recommendation																
<input checked="" type="checkbox"/>	GREEN	Adopt based on tradeoffs outlined on next page			<input type="checkbox"/>	YELLOW	Refer to Priority Setting or to Budget Process			<input type="checkbox"/>	RED	Recommend Council not adopt nominated idea			<input type="checkbox"/>	NEEDS CLARIFICATION OR MORE TIME TO EVALUATE
Staff Evaluation																
Is this already underway in a department work plan?				Is this time critical or an emergency?				Will this require substantial resources, staffing, budget, or strategic support?								
<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No					
Criterion to Determine Scale of Project Complexity																
Project complexity is determined by scoring the project in each of the 3 criteria below and then summing the score.																
a. Low Complexity is a sum of 6 or less. b. Medium Complexity is a sum of 7 – 9. <span style="float: right;">Total Score = 9</span> c. High Complexity is a sum of 10 or greater.																
Scoring Criterion		Low Complexity			Medium Complexity			High Complexity								
	Estimated Duration	6 – 9 months <input checked="" type="checkbox"/> = 1			9 - 18 months <input type="checkbox"/> = 2			More than 18 months <input type="checkbox"/> = 3								
	Organizational Complexity	Can easily be absorbed into existing work plan <input checked="" type="checkbox"/> = 1			Planned work (future) <input type="checkbox"/> = 2			Work not currently proposed <input type="checkbox"/> = 3								
	(Internal)	Have staff with required skillset/knowledge <input checked="" type="checkbox"/> = 1			Have staff with required skillset/ requires moderate research <input type="checkbox"/> = 2			Do not have staff with required skillset/requires significant research <input type="checkbox"/> = 3								
		Less than or equal 2 staff required <input type="checkbox"/> = 1			3 - 4 staff required <input type="checkbox"/> = 2			More than 5 staff required <input checked="" type="checkbox"/> = 3								
(External)	1 Additional department; no community outreach required <input type="checkbox"/> = 1			2 Other departments Involved; some community outreach required <input type="checkbox"/> = 2			3 or more departments and/or external partners involved; significant community outreach required <input checked="" type="checkbox"/> = 3									
DEPT. Required	<input type="checkbox"/> Airport	<input type="checkbox"/> Auditor	<input checked="" type="checkbox"/> CMO	<input type="checkbox"/> OEDCA	<input type="checkbox"/> ESD	<input type="checkbox"/> Fire	<input type="checkbox"/> HR	<input type="checkbox"/> IT	<input type="checkbox"/> PRNS	<input type="checkbox"/> Police	<input type="checkbox"/> Retirement					
	<input checked="" type="checkbox"/> Attorney	<input type="checkbox"/> Clerk	<input type="checkbox"/> CMO – Budget	<input type="checkbox"/> Community Energy	<input checked="" type="checkbox"/> Finance	<input checked="" type="checkbox"/> Housing	<input type="checkbox"/> IPA	<input type="checkbox"/> Library	<input checked="" type="checkbox"/> PBCE	<input checked="" type="checkbox"/> PW	<input type="checkbox"/> DOT					

CMO Approval: /s/ Lee Wilcox Date 10/04/2023

Analysis
<b>Explain the rationale for staff recommendation, including any mitigating factors that need to be considered (recent legislative action, significant work plan changes, etc.). Please address the following as well.</b>
GREEN LIGHT: The Administration can implement this nominated idea under its current work plan. Item should be sent to Council to add to department work plan. (1) How will the idea be approached? (2) If adopted, what is its impact and/or tradeoff to the City Council Focus Area or to a department work plan, including strategic support? (3) What is the minimum viable scope to move the idea forward and reduce its complexity?
<p>Recommendations 1-7 [GREEN] - For several weeks, City staff have been drafting an amendment to Title 5 of the San José Municipal Code to add Chapter 4.12 adopting reasonable local standards for homeless shelters and drafting a resolution for a declaration of a shelter crisis and proclamation of a local emergency. The items included in recommendations 1-7 are included in the draft ordinance amendment and draft resolution. The ordinance amendment, including environmental clearance, and the resolution are currently scheduled to go to City Council on October 24, 2023.</p> <p>In regard to the recommendation to prioritize aligning City policies and procedures with state laws such as SB 35 and AB 2162 that streamline the development of permanent, 100% affordable housing projects; reduce duplicative public meeting requirements; and explore additional options to accelerate the creation and construction of affordable housing: The City is required to comply with all new state housing streamlining laws. (see pg 3)</p>
YELLOW LIGHT: The Administration recommends Council send this nominated idea to the Priority Setting Process or to the Budget Process due to (describe cost implications, workload impacts, or other factors).
RED LIGHT: The Administration recommends Council not to adopt this nominated idea due to (describe reason implementation would be difficult if not impossible – conflict with other laws, etc.).

### Analysis (Continued)

As laws are enacted, City staff align City policies and procedures to those state laws. For example, staff have been processing SB 35 and AB 2162 applications since those laws were passed in 2017. Staff will continue to comply with state laws and establish procedures to streamline the entitlement process and facilitate affordable housing production, such as reducing duplicative public meeting requirements.

The Shelter Crisis Act affords increased flexibility and streamlining specifically for public projects to address the emergent need for additional shelter. City staff is also separately evaluating approaches to streamline the entitlement process for private projects such as for religious institutions or non-profit organizations.