

RESOLUTION NO.

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE (A) APPROVING THE PROPOSED SPENDING PLAN OF MEASURE E REAL PROPERTY TRANSFER TAX REVENUES FOR FISCAL YEAR 2022-2023; (B) APPROVING THE PROPOSED AMENDMENTS TO THE SPENDING PLAN OF MEASURE E REAL PROPERTY TRANSFER TAX REVENUES FOR FISCAL YEAR 2020-2021; (C) APPROVING THE PROPOSED AMENDMENTS TO THE SPENDING PLAN OF MEASURE E REAL PROPERTY TRANSFER TAX REVENUES FOR FISCAL YEAR 2021-2022; AND (D) AUTHORIZING THE DIRECTOR OF HOUSING, OR DESIGNEE, TO NEGOTIATE AND EXECUTE AGREEMENTS WITH GRANTEEES FOR THE ACTIVITIES IDENTIFIED IN THE FISCAL YEAR 2022-2023 MEASURE E SPENDING PLAN, AMENDED FISCAL YEAR 2020-2021 MEASURE E SPENDING PLAN, AND THE AMENDED FISCAL YEAR 2021-2022 MEASURE E SPENDING PLAN AND ALL RELATED CONTRACT AMENDMENTS, EXTENSIONS, AND CHANGES**

**WHEREAS**, on March 3, 2020, San José voters approved Measure E, a transfer tax on real estate transactions where the purchase price exceeds \$2 million; and

**WHEREAS**, staff anticipates that Measure E may generate approximately \$205 million in revenue through the end of Fiscal Year (“FY”) 2022-2023, which will provide critical funding for production of affordable housing and homeless prevention and rental assistance programs in San José; and

**WHEREAS**, in June 2020, the Council of the City of San José (“City”) amended City Council Policy 1-18 to include a new Section 22 that specifies the spending priorities and percentage allocations for Measure E revenue, along with a process for amending the priorities; and

**WHEREAS**, on April 19, 2022, the City Council adopted, under Resolution No. 80472, amendments to the spending priorities for Measure E revenues under Council Policy 1-18; and

**WHEREAS**, on April 21, 2022 and May 12, 2022, staff presented the Measure E spending plan for fiscal year 2022-2023 and amended spending plans for fiscal years 2020-2021 and 2021-2022 ("Spending Plans") to the Housing and Community Development Commission, which the City Council designated as the oversight committee; and

**WHEREAS**, on October 29, 2020, City Council approved the FY 2020-2021 Spending Plan, which allocated an initial estimate of \$30 million in Measure E revenue, but the City received \$20 million of additional revenue in this fiscal year and staff proposes that the City Council approve the FY 2020-2021 Amended Spending Plan as described in Table 2 of staff's memorandum to City Council dated May 3, 2022; and

**WHEREAS**, on June 15, 2021, City Council approved the FY 2021-2022 Spending Plan, which allocated an initial estimate of \$40 million in Measure E revenue, but the City received \$50 million in additional revenue in this fiscal year and staff proposes that the City Council approve the FY 2021-2022 Amended Spending Plan as described in Table 3 of staff's memorandum to City Council dated May 3, 2022; and

**WHEREAS**, staff anticipates that Measure E could generate approximately \$65 million in Measure E revenue for FY 2022-2023 and proposes that the City Council approve the FY 2022-2023 Spending Plan as described in Table 4 of staff's memorandum to City Council dated May 3, 2022; and

**WHEREAS**, approval of the Spending Plans will allow staff to, among other things provided in the spending plan, negotiate and execute agreements with grantees to

provide services that will help address the ongoing housing and homelessness crisis in San José, provide affordable housing opportunities for extremely-low and low-income residents, provide rental assistance and homeless prevention services, and provide homeless support programs including shelter construction and operation;

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

- (a) The proposed Spending Plan of Measure E Real Property Transfer Tax revenues for Fiscal Year 2022-2023 is hereby approved;
- (b) The proposed amendments to the Spending Plan of Measure E Real Property Transfer Tax revenues for Fiscal Year 2020-2021 are hereby approved;
- (c) The proposed amendments to the Spending Plan of Measure E Real Property Transfer Tax revenues for Fiscal Year 2021-2022 are hereby approved; and
- (d) The Director of Housing, or designee, is hereby authorized to negotiate and execute agreements with grantees for the activities identified in the Fiscal Year 2022-2023 Measure E Spending Plan, amended Fiscal Year 2020-2021 Measure E Spending Plan, and the amended Fiscal Year 2021-2022 Measure E Spending Plan and all related contract amendments, extensions, and changes.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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SAM LICCARDO  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk