



Memorandum

TO: COMMUNITY AND ECONOMIC
DEVELOPMENT COMMITTEE

FROM: Ragan Henninger

SUBJECT: SEE BELOW

DATE: October 9, 2018

Approved *Kin Walsh* Date *10/15/18*

SUBJECT: HOUSING AND COMMUNITY DEVELOPMENT COMMISSION FY 2017-18 ANNUAL ACCOMPLISHMENTS REPORT AND FY 2018-19 WORKPLAN

RECOMMENDATION

Accept the Housing and Community Development Commission’s FY 2017-18 Annual Accomplishments Report and consider and either approve, or approve with modifications, its FY 2018-19 Workplan.

BACKGROUND

The Municipal Code (Section 2.080.030) requires annual approval of commission workplans for each fiscal year and reports on their annual accomplishments. Commissions’ workplans and annual reports provide the City Council with clear detail about boards’ and commissions’ activity. Annual workplans identify specific priorities, allowing direct and concise direction to the members of the bodies, while managing the time of the City support staff. Annual reports document the implementation of the previous year's workplan. Items on a workplan must clearly align to that commission's purpose, and must be consistent with City policies including Council Policy 0-4 governing boards and commissions. Once approved, boards and commissions may not engage in activities that are not on their workplans without approval of a modified workplan.

Under the City’s Municipal Code (Title 2 Part 28), the Housing and Community Development Commission (Commission) has advisory functions, powers, and duties on the following matters: existing policies and programs concerning housing and community development; potential new such policies and programs; reports on the City’s progress in meeting its housing goals; annual hearings on the City’s federal funding plans and outcomes; proposals regarding the use of funds for housing and community development; and, issues related to the City’s Mobilehome Rent Ordinance and mobilehome parks, and the City’s Apartment Rent Ordinance and related programs.

In March 2017, the Rules and Open Government Committee approved the recommendation to change the approval body for Commissions. The Housing and Community Development Commission's approval body is the Community and Economic Development Committee.

ANALYSIS

The Commission's accomplishments from FY 2017-18 illustrate its members' dedication to addressing a wide range of housing and community development-related policies, programs and funding decisions. Last year, the Commission heard 34 items at its meetings (see **Attachment A**). These encompassed a number of important issues including: the Apartment Rent Ordinance; the Tenant Protection Ordinance; the Ellis Act Ordinance; the City's Affordable Housing Investment Plan; and Mobilehome Park Preservation issues.

The Commission also held public hearings on the City's FY 2016-17 Consolidated Annual Performance and Evaluation Report and its FY 2018-19 Annual Action Plan. These documents regard the use of public funds from the U.S. Department of Housing and Urban Development and are required to be submitted annually to fulfill federal funding requirements. In addition, the Commission advised on the use of the City's Housing Trust Funds for homelessness programs.

The Commission's FY 2017-18 accomplishments helped to inform development of the HCDC's FY 2018-19 Workplan (see **Attachment B**). The proposed FY 2018-19 Workplan includes a limited number of commissioner-initiated presentations on new policy or program ideas that potentially could help address San Jose's housing crisis.

The Commission held its annual retreat on Saturday, August 25, 2018, to review its FY 2017-18 accomplishments and to develop its FY 2018-19 Workplan in conjunction with Housing Department staff. At its regular meeting on September 13, 2018, the Commission unanimously approved its FY 2017-18 Accomplishments and its FY 2018-19 Workplan.

Item 15 on the workplan, is intended to allow the Commission to authorize its members to use their titles to conduct public outreach on any topic within their jurisdiction. The attached Commission Code of Conduct, now Section IV of Council Policy 0-4 (Code of Conduct) (**Attachment C**), includes restrictions on the Commissioners' use of their titles. It was recommended to the Commission that they hear a similar but narrower item (covering outreach only for items on the workplan), so that CEDC could review the item and make a determination as whether this expanded use of Commissioner titles was acceptable, and approve the plan or approve the plan with amendments.

The Code of Conduct currently has several restrictions on the use of titles and Commission authority including the following, "No Commissioner shall use his or her Commission title or speak or write as a Commissioner except when speaking on behalf of the Commission. ... Only the City Council has the authority to designate the City's representatives with non-City entities. Commissions may not appoint or invite anyone to act as the City's representative or to advocate a particular cause or viewpoint on behalf of the Commission with any non-City entity. Commissions,

however, are free to seek the advice or input of others in the course of making their recommendations to the Council.”

Therefore, it is requested that the Housing and Community Development Commission’s FY 2017-18 Annual Accomplishments be approved and its FY 2018-19 Workplan be approved or approved with modifications.

The Housing Department greatly appreciates the service of the Housing and Community Development Commissioners and their efforts to help to improve the quality of life for the citizens of San José.

EVALUATION AND FOLLOW-UP

If necessary, staff will present for approval any amendments to the Commission’s FY 2018-19 Workplan in Spring 2019.

PUBLIC OUTREACH

At its regular public meeting on September 13, 2018, the Commission heard and approved its FY 2017-18 Accomplishments and its FY 2018-19 Workplan. This memorandum will be posted along with the Community and Economic Development Committee agenda for its October 22, 2018, meeting.

COORDINATION

This memorandum was coordinated with the City Attorney’s Office.

CEQA

Not a Project, File No. PP17-010, City Organizational & Administrative Activities that involve no physical changes to the environment.

/s/
RAGAN HENNINGER
Deputy Director of Housing

COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

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Subject: **Housing & Community Development Commission Report and Workplan**

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Attachments:

Attachment A: Housing & Community Development Commission Annual Accomplishments for FY 2017-18

Attachment B: Housing & Community Development Commission FY 2018-19 Workplan

Attachment C: Code of Conduct, Section IV of Council Policy 0-4