

SUPPLEMENTAL

COUNCIL AGENDA: 09-21-10
ITEM: 4.1



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Leslye Krutko

SUBJECT: SEE BELOW

DATE: September 20, 2010

Approved

Date

9/20/10

COUNCIL DISTRICT: City-wide
SNI AREA: N/A

SUBJECT: PUBLIC HEARING ON THE FY 2009-2010 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER), THE ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE (AI), AND THE CITIZEN PARTICIPATION PLAN (CPP) AND APPROVAL OF THE DOCUMENTS – SUPPLEMENTAL REPORT

REASON FOR SUPPLEMENTAL REPORT

As noted below, there have been substantial comments from the public on the draft versions of the CAPER, the AI and the CPP that need to be reflected in the final versions approved by the City Council. The proposed amendments have not yet been completely drafted for the Council's consideration, and the recommended action for September 21st has been revised accordingly.

RECOMMENDATION

It is recommended that the City Council:

1. Open the public hearing on the FY 2009-10 CAPER, the AI and the CPP and take testimony from members of the public.
2. Continue the public hearing to September 28, 2010 for final action to approve these documents.

OUTCOME

Approval of the CAPER will ensure compliance with the reporting requirements of the U.S. Department of Housing and Urban Development (HUD) and will continue the City's eligibility for receipt of federal funds for housing and community development programs. Approval of the

AI will make the City eligible for approximately \$17 million in federal entitlement funds in FY 2010-11.

BACKGROUND

Draft documents for the CAPER, the AI, and the CPP were made available for public review on August 31, 2010. A public hearing was held on September 9, 2010 at the Housing and Community Development Advisory Commission.

ANALYSIS

The public review period and public hearing at the Housing and Community Development Advisory Commission has generated substantial comments and questions on the CAPER, AI and CPP. Staff has not been able to complete the responses to those comments and draft proposed amendments to the three documents in time for the City Council's September 21st public hearing.

Because the public hearing has been noticed, it is recommended that the City Council open the hearing on September 21st, take testimony from members of the public, and then continue the public hearing to September 28, 2010. Staff is in the process of preparing a second Supplemental Report on this topic that will be distributed to the Council and posted on the City's website in advance of the continued hearing on September 28th. Council approval of the amended documents on September 28th will still allow staff to submit them to the U.S. Department of Housing and Urban Development (HUD) by the September 30th deadline.

EVALUATION AND FOLLOW-UP

Upon City Council approval, the CAPER and AI will be submitted to HUD by their September 30, 2010 due date. The Council-approved documents will then be posted on the San Jose Housing Department's website at: <http://www.sjhousing.org/report/conplan.html>.

PUBLIC OUTREACH/INTEREST

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

HONORABLE MAYOR AND CITY COUNCIL

September 20, 2010

Subject: Public Hearing on the CAPER 09-10, CPP and AI - Supplemental Memo

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The recommended action does not meet any of the above criteria. However, in order to facilitate engagement and opportunity for public input, the City issued notices announcing the availability of the draft CAPER, the AI, and the CPP reports for a 15-day public review, as well as the dates for the HCDC and City Council hearings. These notices were published in the San Jose Mercury News, Thoi Bao and China Press on August 26th, 2010 and in La Oferta, on August 27th 2010.

COORDINATION

Preparation of this report was coordinated with the City Attorney's Office.

CEQA

Not a project, File No. PP10-069(a), City Organizational & Administrative Duties for Staff Reports and Annual Report.


LESLYE KRUTKO
Director of Housing

For questions please contact LESLYE KRUTKO, DIRECTOR OF HOUSING, at 535-3851