



Memorandum

TO: RULES AND OPEN GOVERNMENT
COMMITTEE

FROM: Leslye Krutko

SUBJECT: SEE BELOW

DATE: March 7, 2009

Approved

Date

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

SUBJECT: RELEASE OF INCLUSIONARY HOUSING ORDINANCE

RECOMMENDATION

It is recommended that the Rules and Open Government Committee accept the extended timeline for the first reading date of the Citywide inclusionary housing ordinance to August 11, 2009.

OUTCOME

With direction from the Rules and Open Government Committee, the Housing Department, Planning Department, Redevelopment Agency and City Attorney's Office will continue the completion of the draft of the Citywide inclusionary housing ordinance according to Council's direction.

BACKGROUND

On January 14, 2009, the Housing Department recommended to the Rules and Open Government Committee that the draft Citywide inclusionary housing ordinance be released to the public on February 23, 2009. The Housing Department indicated that after a 30-day comment period it could then have a first reading of the draft ordinance on March 24, 2009 and a second reading set for April 7, 2009. This would mean an effective date of May 7, 2009 for the ordinance.

ANALYSIS

Due to the complexity of this ordinance, the Housing Department requests that the release of the draft be delayed. Departmental staff is now reviewing the draft ordinance prepared by the City Attorney's Office and is engaged in conversations with other City departments and Redevelopment

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Agency staff about technical language, administrative issues, and other potential issues with the ordinance and its administration. Upon completion of the draft ordinance, Housing Department staff will need to coordinate public review and comment. It is important, given the interest in this issue, that the public be given adequate time to review the ordinance and provide comments. After public review and comment, Housing Department staff will provide the Council with a synopsis of public comments on the proposed ordinance at the same time it presents the ordinance to the City Council for consideration.

The Housing Department has prepared timelines for the City Council's consideration. The first option is for the Department to release the draft ordinance to public the first week of May 2009 resulting in an effective date of July 16, 2009. A second option is that the ordinance is released to the public the first week of May 2009 resulting in an effective date of September 18, 2009. Both of these timelines are dependent upon there being no further substantive changes to the ordinance. Additional time may be required if there is further direction by Council to amend the ordinance.

Next Steps	Option A	Option B
Release Draft Inclusionary Ordinance	First week of May 2009	First week of May 2009
Public Review and Comment	First two weeks of May 2009	First two weeks of June 2009
Housing and Community Development Commission (HCDC)	May 14, 2009	June 11, 2009
Revised Ordinance and Memorandum to City Council	May 19, 2009	July 21, 2009
First Reading of Inclusionary Ordinance	June 9, 2009	August 11, 2009
Second Reading of Inclusionary Ordinance	June 16, 2009	August 18, 2009

Staff recommends that the Committee authorize staff to bring back this ordinance for Council consideration on August 11, 2009, in order for there to be sufficient time to adequately draft, review and re-draft the ordinance, and to compile the numerous comments we expect to receive on the draft.

With approval of either of the options, the Department will also inform the many stakeholders of the delay in releasing of the draft.


LESLYE KRUTKO
Director of Housing

For questions, please contact LESLYE KRUTKO, DIRECTOR OF HOUSING, at (408) 535-3851.