



## Agenda Report

21-1613

Agenda Date: 11/16/2021

### REPORT TO COUNCIL

#### **SUBJECT**

Waive First Reading and take Action on the Introduction of Ordinance to Amend Chapter 2.120, Entitled Boards and Commissions, to Update Boards and Commission Members Qualifications and Create the City's Housing Commission and Establish the Powers, Functions, and Duties of the Commission; Direction About the Formation of a Homelessness Taskforce (Deferred from November 9, 2021)

#### **COUNCIL PILLAR**

Promote and Enhance Economic, Housing and Transportation Development

#### **BACKGROUND**

On February 5, 2019, the City Council approved a broad restructuring of City Committees including the City's Housing Rehabilitation Loan Committee (HRLC). The primary function of the HRLC was to review proposed loans to finance rehabilitation work on housing occupied by low-income residents in Santa Clara as part of the City's Neighborhood Conservation and Improvement Program (NCIP) administered by the Community Development Department, Housing and Neighborhood Services Division.

As part of the restructuring of the HRLC the City removed the councilmember position from the committee. At that time, staff noted that the HRLC's scope did not require a Council Committee to consider loan approvals since these approvals are administrative in nature and funding for the NCIP has already been approved by the City Council in the annual appropriation of the budget. In review of the legislative history for the HRLC, the City never adopted a City Code to establish this committee and thus loan approvals are now strictly administrative and approved by an administrative staff credit committee.

At the February 10, 2020 Governance and Ethics Committee meeting, the Committee inquired about restructuring and renaming the Housing Rehabilitation Loan Committee (HRLC) to a Housing Commission and noted that a name change may be appropriate given the Council Committee restructuring that was approved by the Council in 2019.

At the September 14, 2020 Governance and Ethics Committee meeting, the Committee provided direction for staff under Item 2 (Discussion and Consideration of Approving a New Boards, Commission and Committee) to bring back a recommendation on restructuring and renaming the HRLC, that reflected the input of both the Committee and HRLC members, to the December 7, 2020 Governance and Ethics Committee meeting.

On June 23, 2020, the Santa Clara County Board of Supervisors established the Unhoused Taskforce to identify and contribute feasible strategies to address homelessness across the county

with a focus on emergency shelter and transitional housing solutions. At the December 7, 2020 Governance and Ethics Committee, the Committee approved the renaming and restructuring of the City's Housing Rehab Loan Committee so that the HRLC would be replaced by the Housing Commission with the intention that the City's Housing Commission would study and advance the needs of Santa Clara's unhoused populations, specifically working to implement recommendations proposed by the County's Unhoused Taskforce.

Separately, on June 19, 2021, Councilmember Jain submitted a written request to the City Manager's Office to have an item included on a future City Council meeting agenda to direct staff: 1) to study the needs of Santa Clara unhoused populations in RV's and along creeks and 2) to create an Ad Hoc Homelessness Taskforce consisting of residents and housing advocacy groups to discuss issues concerning our unhoused population.

At the August 24, 2021 council meeting, an ordinance to formally establish the Housing Commission was introduced in response to the December 2020 direction of the Council Governance and Ethics Committee. The City Council deferred the discussion of a Homelessness Taskforce to a later date to address commission membership criteria and to evaluate the duties for both and relationship between the proposed Housing Commission and the proposed Ad Hoc Committee.

## **DISCUSSION**

While the proposed Housing Commission and Homelessness Taskforce would overlap in terms of possible recommendations and the City services they may address, the Taskforce is intended to have a more informal, temporary structure with a strong focus on homelessness issues, while the Housing Commission would be a formal, ongoing City Commission to discuss a variety of housing issues, including homelessness. The two bodies could thus fulfill different roles and timeframes, but to avoid duplication of effort and potential inconsistencies, as well as to strategically limit impacts on staffing resources, it would be best to proceed with convening the Taskforce as a near-term activity and delay formation of the Commission until after the completion of the Taskforce work.

Given current staffing capacity issues as well as staff needed to support some other new initiatives such as the Diversity, Equity and Inclusion Taskforce, the Independent Redistricting Commission as well as the newly formed Ad Hoc Committee on the apology for the CVRA Lawsuit, it would be prudent to prioritize which body should be filled now to address current needs.

The two bodies are further discussed below.

## **Housing Commission**

The City's Housing Commission will include advisory functions related to the administration of the City's Federal entitlement grants and programs, which include neighborhood enhancement, homeless programs, and public service grants. Additionally, the Housing Commission will study and advance the needs of Santa Clara's unhoused populations, approved by the Community Plan to End Homelessness and the County's Unhoused Taskforce to address homelessness in Santa Clara County. The City of Santa Clara could also partner with Homebase, Destination Home, and the County Office of Supportive Housing to receive technical assistance that supports creating an implementation plan and facilitating Housing Commission workgroup meetings.

## **Housing Commission - Proposed Scope**

Advises City Council on programs, policies, and other issues regarding housing and community services. Responsibilities include:

- Study and advance the needs of Santa Clara's unhoused populations, including providing recommendations to Council regarding the implementation of recommendations approved by the Community Plan to End Homelessness and the County's Unhoused Taskforce to address homelessness in Santa Clara County
- Review proposed funding and grant applications by eligible public service agencies for Community Development Block Grant (CDBG), HOME and/or other available funds for public services and/or housing projects and help form funding recommendations to Council.
  - Activities include: 1) reading proposals, 2) developing questions for agencies, 3) interviewing agencies and 4) making funding recommendations
- Review and provide feedback on Housing and Urban Development (HUD) Consolidated Plans and Annual Action Plans to provide recommendations to Council regarding the content of those plans, including oversight of the City's Neighborhood Conservation and Investment Program (NCIP) and the Tenant Based Rental Assistance Program (TBRA).

Staff is recommending that the City Council enact an ordinance that clearly sets forth the composition of the membership, which shall consist of five council appointed members who shall not hold any paid office or employment in the City government, and shall have the powers, functions, and duties as noted above and in the attached Ordinance.

#### Boards and Commissions Member Qualifications (SCCC 2.120.010)

In addition to amending SCCC Chapter 2.120, to establish the City's Housing Commission, the ordinance will also amend SCCC Section 2.120.010, to allow residents to serve as members of the City's non-charter Boards, Commissions and Committees. This will eliminate the current requirement that all members of non-charter Boards and Commissions, except for Youth Commission, be qualified electors of the City. However, City Charter Commissions, which include Planning, Parks and Recreation, Civil Service, and Board of Library Trustees, will continue to require members to be qualified electors of the City. The Charter Commission qualifications may only be revised by Charter amendment which will require a ballot measure.

#### Homelessness Taskforce

The intended purpose for a City Taskforce on Homelessness is to allow community residents and stakeholders to come together in the near-term to identify and recommend potential strategies that City may wish to pursue to address the needs of Santa Clara's homeless population. Membership would be informal so that a wide variety of people might participate and brainstorm possible approaches. The Taskforce structure and limited duration would allow more frequent meetings over the near-term as part of a focused effort.

#### Survey of Other Jurisdictions

A survey of neighboring cities highlights a wide array of approaches amongst local jurisdictions in forming Taskforces or other bodies to address homelessness. Some city Taskforces are more technical while others emphasize community engagement. They also vary in degrees of formality, meeting frequency and duration:

- The City of Cupertino established a Homeless Taskforce in July 2020, comprised of one representative each from the City Manager's Office, Public Works, Emergency Services, and Community Development. They are an internal group that focuses on outreach efforts and pathways to housing in their community.
- On January 5, 2021, the City of Milpitas established a Homelessness Taskforce. The purpose of their Taskforce is to expand resident participation in addressing homelessness issues within the City. Staff supports the Taskforce with meeting facilitation and with recommendations provided to the City Council on a quarterly basis.
- The City of Fremont formed a TriCity Taskforce to collaborate and communicate efforts to effectively address homelessness throughout the city. The Taskforce is not appointed or elected as a subcommittee of the city council; it's an unofficial group of stakeholders who meet monthly, bringing together a coalition of City departments and divisions, service providers, advocates, faith-based organizations, medical practitioners, and nonprofit and civic organizations.
- The cities of San Jose, Sunnyvale, and Mountain View do not have Homelessness Taskforces but do address these issues through their varying forms of Housing and Human Services Commissions or smaller ad-hoc subcommittees.

#### Taskforce Structure

Recognizing that a potentially large number of community members will want to participate in the discussion, Taskforce meetings should be public and include opportunities for public input. The Taskforce Members would be required to file a Statement of Economic Interest Form 700 upon appointment. The Political Reform Act prohibits a public official from participating in governmental decisions in which he or she has a financial interest that may be materially affected. To help identify potential conflicts of interest, the law requires officials to file Statement of Economic Interest Form 700. Agencies must ensure that their public officials (designated board and commission members, employees, and consultants) file the forms and disclose their interests on or before the statutory deadline.

If the Council directs the formation of an Ad Hoc Homelessness Taskforce, Council direction should include a proposed term and goals for the Taskforce, as well as input and guidance on meeting agendas, meeting frequency, and composition of the Taskforce (e.g., nominations, appointments, or open membership). In addition to interested community members, membership of the Taskforce could include the following partners:

- Destination Home
- Bill Wilson Center
- Abode Services
- HomeFirst
- Santa Clara County Office of Supportive Housing
- Community and Neighborhood Representatives

### Homebase Assistance

To support city implementation activities aligned with the county-wide Community Plan to End Homelessness, the County of Santa Clara Office of Supportive Housing has offered cities up to 10 hours of technical assistance from Homebase, the County's contractor that supported development and implementation of the county-wide plan. Homebase is a nationally recognized expert on homelessness and a skilled technical assistance provider based in San Francisco, CA. Homebase is a mission-driven nonprofit organization known for their ability to successfully build community capacity to end homelessness and to foster thriving, inclusive communities. As technical assistance providers in Santa Clara County, Homebase is deeply familiar with the County. Homebase facilitated the development of the Community Plan to End Homelessness and is working with individual cities in the County, including the City of Santa Clara, on alignment with plan goals and implementation. Along with the formation of a Homelessness Taskforce, City Council may direct staff to engage with Homebase as the meeting facilitator and to help structure meeting topics and agendas.

A proposed scope of work with Homebase would include the following:

1. Facilitate monthly Homelessness Taskforce meetings
2. Plan and prepare meeting agendas and relevant materials
3. Community Education and Engagement
4. Goals, Policies, Programs and Quantified Objectives
5. Conclude Taskforce with a Draft City Plan to End Homelessness

Estimated Budget: ~\$75,000

Timeline: January 2022 - June 2022 or longer

Draft Proposal Attached (Attachment #2)

### Conclusion

As proposed, the Santa Clara Housing Commission is intended to serve an ongoing advisory function related to the administration of the City's Federal entitlement grants and programs, which include neighborhood enhancement, homeless programs, and public service grants. Additionally, the Housing Commission will study and advance the needs of Santa Clara's unhoused populations, approved by the Community Plan to End Homelessness and the County's Unhoused Taskforce to address homelessness in Santa Clara County.

The proposed Ad Hoc Homelessness Taskforce, as discussed, would be a more informal community led body consisting of a mix of stakeholders and community members, intended to identify strategies to address homelessness in a near-term timeframe. Due to the overlap of the intended goals of both the proposed Ad Hoc Homelessness Taskforce and the Housing Commission, as well as limited staffing capacity as described above, staff is recommending that City Council consider appointing a near-term, focused Ad Hoc Homelessness Taskforce. This Taskforce will address immediate homelessness issues over the next 6-12 months, and then transition this activity to the appointment of a more permanent and formal Housing Commission which could continue discussion around homelessness as well as other housing issues.

### ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California

Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

**FISCAL IMPACT**

The budget of \$75,000 is an estimate. If the ordinance is passed, a budget amendment will be brought forward at a subsequent meeting to fund activities related to the Homelessness Taskforce.

**COORDINATION**

This report was coordinated with the City Attorney's Office, City Clerk's Office, and Department of Finance.

**PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>>.

**RECOMMENDATION**

1. Direct Staff on the formation of an Ad Hoc Homelessness Taskforce; and
2. Waive First Reading and Approve the Introduction of an Ordinance to amend Chapter 2.120, entitled Boards and Commissions, to add the City's Housing Commission and establish the powers, functions, and duties of the commission with the Commission to begin activity after conclusion of the Ad Hoc Homelessness Taskforce.

Reviewed by: Jonathan Veach, Assistant to the City Manager

Approved by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. Ordinance
2. Homebase Facilitation Proposal
3. Presentation from August 18, 2021 City Council Study Session
4. Post Meeting Material from the 11-9-21 Council and Authorities Concurrent and Special Santa Clara Stadium Authority Meeting