



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Rosalynn Hughey  
Rick Bruneau

**SUBJECT:** SEE BELOW

**DATE:** September 12, 2023

Approved

Date

9/14/23

## INFORMATION

**SUBJECT: REPORT ON ACTIVITIES UNDERTAKEN BY THE DIRECTOR OF HOUSING AND THE DIRECTOR OF FINANCE UNDER THE DELEGATION OF AUTHORITY ORDINANCE FOR THE PERIOD OF APRIL 1, 2023 THROUGH JUNE 30, 2023**

## EXECUTIVE SUMMARY

This memorandum details actions taken under the delegation of authority to the Director of Housing and the Director of Finance for the fourth quarter of Fiscal Year 2022-2023 (April 1, 2023 through June 30, 2023). During this reporting period, the Director of Housing **did not** approve any actions for:

- Multifamily Projects,
- Building Equity and Growth in Neighborhoods Program loans,
- Housing Trust Fund grants, or
- Rehabilitation loans.

During this reporting period, the Director of Finance **did not** hold any Tax Equity and Fiscal Responsibility Act hearings.

## BACKGROUND

On September 4, 1990, the City Council adopted Ordinance No. 23589, which delegated to the Director of Housing certain specified authorities in the administration of the City's comprehensive affordable housing program (Delegation of Authority). On May 23, 2000, the Delegation of Authority was amended by Ordinance No. 26127 to clarify certain sections and to

add several other provisions. On June 25, 2002, the Delegation of Authority was further amended by Ordinance No. 26657 to add several provisions delegating additional authority to the Director of Housing, the Director of Finance, and the City Manager. Subsequently, the City Manager delegated to the Director of Housing the contract authority granted to the City Manager. Effective July 26, 2007, the Delegation of Authority was further amended by Ordinance No. 28067 to modify certain provisions to streamline the Housing Department's process of making and adjusting loans and grants.

The Delegation of Authority is codified in Chapter 5.06 of the San José Municipal Code. This memorandum reports on activities undertaken pursuant to the City Manager's delegated authority for the period of April 1, 2023 through June 30, 2023.

### **ANALYSIS**

The Delegation of Authority authorizes the Director of Housing to develop and implement additional guidelines for housing programs; to adjust terms on housing loans and grants; to change the funding sources of a loan; to convert loans to grants; to loan or to grant housing and homeless funds, predevelopment funds, and Housing Rehabilitation Program funds; to negotiate and to execute grant agreements necessary to implement the City Council-approved programs adopted in the Annual Action Plan of the Consolidated Plan; to provide management for, and/or dispose of, properties acquired through direct purchase, foreclosure, or deed-in-lieu proceedings; to formalize the City Council's policies and procedures regarding housing loan defaults; to apply for federal or state funding; to determine, within defined parameters, various terms, and conditions of loans and grants previously approved by the City Council; to make adjustments, within defined parameters, to loans and grants previously approved by the City Council; and to make other technical changes.

Further, the Delegation of Authority delegates jointly to the Director of Housing and Director of Finance certain authorities related to the City's issuance of tax-exempt, private activity bonds to finance the development of affordable housing projects. The Delegation of Authority also delegates to the Director of Finance the authority to hold Tax Equity and Fiscal Responsibility Act hearings on the City's proposed issuance of tax-exempt bonds to finance affordable housing projects.

Each quarter, the Director of Housing and the Director of Finance provide a report that details actions taken under the Delegation of Authority. During the fourth quarter of Fiscal Year 2022-2023 (April 1, 2023 through June 30, 2023), the Director of Housing did not approve any actions and the Director of Finance did not hold any Tax Equity and Fiscal Responsibility Act hearings.

### **COORDINATION**

The preparation of this report has been coordinated with the Office of the City Attorney.

HONORABLE MAYOR AND CITY COUNCIL

September 12, 2023

**Subject: Report on Activities Undertaken by the Director of Housing and the Director of Finance Under the Delegation of Authority Ordinance for the Period of April 1, 2023 – June 30, 2023**

Page 3

/s/

ROSALYNN HUGHEY  
Deputy City Manager and  
and Acting Housing Director

/s/

RICK BRUNEAU  
Director of Finance

For more information, contact Rachel VanderVeen, Assistant Director of Housing, at [rachel.vanderveen@sanjoseca.gov](mailto:rachel.vanderveen@sanjoseca.gov) or (408) 535-8231.