

TO: JAMES L. APP, CITY MANAGER  
FROM: BOB LATA, COMMUNITY DEVELOPMENT DIRECTOR  
SUBJECT: 2004 HOUSING ELEMENT (AMENDMENT TO 2003 HOUSING ELEMENT)  
DATE: NOVEMBER 16, 2004

Needs: To consider continuing the open public hearing regarding an amendment to the Housing Element that addresses concerns raised by the State Department of Housing and Community Development (HCD) regarding conformance of the element with State Housing Element Law.

- Facts:
1. On October 19, 2004, the City Council opened a public hearing on an amendment to the Housing Element. The hearing was continued to November 16<sup>th</sup> in order to provide sufficient time for the City to receive a letter from HCD commenting on conformance of the element with State Housing Element Law.
  2. On November 4<sup>th</sup>, City staff received a voice mail message from the HCD staff person reviewing the revised Housing Element, which indicated that HCD had additional concerns to be addressed before the element could be determined to be in conformance with State Housing Element Law.
  3. On November 5<sup>th</sup> and 8<sup>th</sup>, City staff tried several times to contact HCD, and left voice mail messages. As of the end of the day on November 8<sup>th</sup>, HCD had not returned the City's calls.

Analysis and Conclusion: The City had scheduled public hearings on the Housing Element Amendment based on conversations with HCD staff that led City staff to conclude that HCD considered the revised element to either be in conformance with state law or be so close to conformance that only minor revisions would need to be made. City staff was also led to believe that a letter from HCD would have been received by early November.

In the absence of any letter from HCD, it would appear that a further continuance of the public hearing would be prudent.

Policy Reference: General Plan: Housing Element; Government Code Sections 65008 and 65580 et seq.

Fiscal Impact: None, for a continuance of the public hearing.

Options: After consideration of all public testimony, that the City Council consider the following options:

- a. Continue the open public hearing to the City Council meeting of December 7, 2004.
- b. Amend, modify or reject the foregoing option.