

**CHAPTER 2.86: HOUSING COMMISSION\***

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\* Editor's note: The title of this chapter was amended from Housing Committee by Ord. 1892, and from Affordable Housing Committee by Ord. 1722.

**2.86.010 Established-Composition.**

A. The Housing Commission of the City is established. The Housing Commission shall consist of five members as follows:

1. Representative from a Cupertino financial institution,
2. Representative from a Cupertino business,
3. Three community members,

B. The representatives from a financial institution, Cupertino business, and the community members shall not be officials or employees of the City, nor cohabit with, as defined by law, nor be related by blood or marriage, to any member of the Commission, the City Manager or the staff person(s) assigned to this Commission.

C. The Director of Community Development, or his or her designee, shall provide technical assistance to the Commission.

(Ord. 2062, (part), 2010; Ord. 1892, (part), 2002; Ord. 1722, (part), 1996; Ord. 1641, § 1 (part), 1994; Ord. 1576, § 1 (part), 1992)

**2.86.020 Members-Residency-Selection.**

A. Housing Committee members who are representatives of a financial institution or a business are not required to be Cupertino residents, but the financial institution and the business represented must be located in Cupertino. The three community members must be residents of Cupertino.

B. In selection of community members, the City Council may give priority to:

1. Applicants who represent the Community Development Block Grant (CDBG) target areas as described in the city's

2. Applicants who are familiar with the operation of affordable housing;
3. Applicants who represent non-profit community organizations; and
4. Applicants who are knowledgeable about the housing needs of groups targeted for affordable housing development which include, but are not limited to, the following:
  1. Seniors,
  2. Single parent families,
  3. Homeless persons,
  4. Families of low income,
  5. Disabled persons,
  6. Renters,
  7. First time homebuyers.

(Ord. 2062, (part), 2010; Ord. 1892, (part), 2002; Ord. 1722, (part), 1996; Ord. 1641, § 1 (part), 1994; Ord. 1576, § 1 (part), 1992)

#### **2.86.030 Terms of Office.**

A. Housing commissioners serve at the pleasure of the City Council. The term of office of the members of the Housing Commission shall be for four years commencing on the date of their respective appointments to the Housing Commission or its predecessor Commission and shall end on January 30th of the year their terms are due to expire. No member shall serve more than two consecutive terms except that a member may serve more than two consecutive terms if he or she has been appointed to the Commission to fill an unexpired term of less than two years.

B. The appointment, reappointment and rules governing incumbent members of the Housing Commission are governed by Resolution No. 8357 of the Cupertino City Council.

(Ord. 2062, (part), 2010; Ord. 1974, § 3, 2006; Ord. 1892, (part), 2002; Ord. 1722, (part), 1996; Ord. 1641, § 1 (part), 1994; Ord. 1576, § 1 (part), 1992)

#### **2.86.040 Members-Vacancy Prior to Expiration of a Term.**

If a vacancy occurs other than by expiration of a term, it shall be filled by the City Council's appointment for the unexpired portion of the term.

(Ord. 2062, (part), 2010; Ord. 1892, (part), 2002; Ord. 1641, § 1 (part), 1994; Ord. 1576, § 1 (part), 1992)

#### **2.86.050 Chairperson.**

The Chairperson and Vice Chairperson shall be elected from among Commission members. Terms shall be for one year.

(Ord. 2062, (part), 2010; Ord. 2015, § 4, 2008; Ord. 1892, (part), 2002; Ord. 1641, § 1 (part), 1994; Ord. 1576, § 1 (part), 1992)

#### **2.86.060 Meetings.**

A. The Housing Commission shall establish a regular time and place of meeting and rules of conduct thereof and shall hold at least one regular meeting each quarter.

B. A majority of the Housing Commission shall constitute a quorum for the purpose of transacting the business of the Commission.

(Ord. 2062, (part), 2010; Ord. 1892, (part), 2002; Ord. 1722, (part), 1996; Ord. 1697, (part), 1995; Ord. 1641, § 1 (part), 1994; Ord. 1576, § 1 (part), 1992)

#### **2.86.070 Compensation-Expenses.**

Members shall serve on the Housing Commission without compensation.

(Ord. 2062, (part), 2010; Ord. 1892, (part), 2002; Ord. 1722, (part), 1996; Ord. 1697, (part), 1995; Ord. 1641, § 1 (part), 1994; Ord. 1576, § 1 (part), 1992)

#### **2.86.080 Majority Vote Required.**

A majority vote of the quorum is required to approve a recommendation on any matter that is presented to the Commission which requires a vote.

(Ord. 2062, (part), 2010; Ord. 1892, (part), 2002; Ord. 1641, § 1 (part), 1994; Ord. 1576, § 1 (part), 1992)

#### **2.86.090 Records.**

The Commission shall keep an accurate record of its proceedings and transactions and shall render such reports to the City Council and Planning Commission as may be required.

(Ord. 2062, (part), 2010; Ord. 1892, (part), 2002; Ord. 1641, § 1 (part), 1994; Ord. 1576, § 1 (part), 1992)

#### **2.86.100 Duties-Powers-Responsibilities.**

The powers and functions of the Housing Commission shall be as follows:

- A. To assist the Planning Commission and the City Council in developing housing policies and strategies for implementation of general plan housing element goals;
- B. To recommend policies for implementation and monitoring of affordable housing projects;
- C. To facilitate innovative approaches to affordable housing development and to generate ideas and interest in pursuing a variety of housing options;
- D. When requested by the Director of Community Development or the City Council, to make recommendations to the Planning Commission and the City Council regarding affordable housing proposals in connection with applications for development including, but not limited to, recommendations for possible fee waivers, other incentives, the number and type of affordable units and the target groups to be served. Any referral to the Housing Commission shall be limited to consideration of affordable housing proposals which exceed normal housing requirements under the applicable provisions of the City's general plan or ordinances related thereto;
- E. To make recommendations regarding requests for money from the CDBG and Affordable Housing Funds;
- F. To provide information about affordable housing;
- G. To meet with neighborhood, community, regional and business groups as necessary to receive input and assist in generating affordable housing;
- H. To help identify sources of funds to develop and build affordable housing;
- I. To perform any other advisory functions authorized by the City Council.

(Ord. 2062, (part), 2010; Ord. 1892, (part), 2002; Ord. 1722, (part), 1996; Ord. 1641, § 1 (part), 1994; Ord. 1576, § 1 (part), 1992)

#### **2.86.110 City Staff Assistance.**

The Housing Commission shall have available to it such assistance of City staff as may be required to perform its functions, the staff assignments and administrative procedures to be under the general direction and supervision of the Director of Community Development.

(Ord. 2062, (part), 2010; Ord. 1892, (part), 2002; Ord. 1722, (part), 1996; Ord. 1641, § 1 (part), 1994; Ord. 1576, § 1 (part), 1992)

#### **2.86.120 Procedural Rules.**

The Housing Commission may adopt from time to time such rules of procedure as it may deem necessary to properly exercise its powers and duties. Such rules shall be kept on file with the chairperson of the Housing Commission, the Mayor, and the City Clerk, and a copy thereof shall be furnished to any person upon request.

(Ord. 2062, (part), 2010; Ord. 1892, (part), 2002; Ord. 1722, (part), 1996; Ord. 1641, § 1 (part), 1994; Ord. 1576, § 1 (part), 1992)

#### **2.86.130 Effect.**

Nothing in this chapter shall be construed as restricting or curtailing any powers of the City Council, Planning Commission or City officers.

(Ord. 2062, (part), 2010; Ord. 1892, (part), 2002; Ord. 1641, § 1 (part), 1994; Ord. 1576, § 1 (part), 1992)