

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

RESOLUTION NO. 2024-XXX

**RESOLUTION AUTHORIZING APPLICATION TO AND PARTICIPATION IN THE
CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT'S
PROHOUSING DESIGNATION PROGRAM**

WHEREAS, Government Code section 65589.9 established the Prohousing Designation Program ("Program"), which creates incentives for jurisdictions that are compliant with state housing element requirements and that have enacted Prohousing local policies; and

WHEREAS, such jurisdictions will be designated Prohousing, and, as such, will receive additional points or other preference during the scoring of their competitive Applications for specified housing and infrastructure funding; and

WHEREAS, the California Department of Housing and Community Development ("Department") has adopted regulations (Cal. Code Regs., tit. 25, § 6600 et seq.) to implement the Program ("Program Regulations"), as authorized by Government Code section 65589.9, subdivision (d); and

WHEREAS, staff has conducted a preliminary assessment of existing policies and those proposed in the Draft 6th Cycle Housing Element, both of which are eligible for application points, and has determined that the City is likely to receive more than the minimum number of points required to receive a Prohousing designation; and

WHEREAS, once designated as a Prohousing jurisdiction, the City will be awarded additional points or preference in the scoring of program applications, which may result in receiving funds from the Affordable Housing and Sustainable Communities Program, the Transformative Climate Communities Program, the Infill Incentive Grant Program, and other eligible State programs; and

WHEREAS, the City Council reviewed the Prohousing Designation Program at its February 20, 2024, meeting; and

WHEREAS, the City of San Leandro ("Applicant") desires to submit an Application for a Prohousing Designation ("Application"); and

WHEREAS, Government Code section 65589.9 established the Prohousing Designation Program ("Program"), which creates incentives for jurisdictions that are compliant with state housing element requirements and that have enacted Prohousing local policies; and

WHEREAS, such jurisdictions will be designated Prohousing, and, as such, will receive additional points or other preference during the scoring of their competitive Applications for specified housing and infrastructure funding; and

WHEREAS, the California Department of Housing and Community Development (“Department”) has adopted regulations (Cal. Code Regs., tit. 25, § 6600 et seq.) to implement the Program (“Program Regulations”), as authorized by Government Code section 65589.9, subdivision (d); and

WHEREAS, the City of San Leandro (“Applicant”) desires to submit an Application for a Prohousing Designation (“Application”).

NOW, THEREFORE, the City Council of the City of San Leandro does **RESOLVE** as follows:

1. Applicant is hereby authorized and directed to submit an Application to the Department; and
2. Applicant acknowledges and confirms that it is currently in compliance with applicable state housing law; and
3. Applicant acknowledges and confirms that it will continue to comply with applicable housing laws and to refrain from enacting laws, developing policies, or taking other local governmental actions that may or do inhibit or constrain housing production. Examples of such local laws, policies, and actions include moratoriums on development; local voter approval requirements related to housing production; downzoning; and unduly restrictive or onerous zoning regulations, development standards, or permit procedures. Applicant further acknowledges and confirms that the Prohousing Policies in its Application comply with its duty to Affirmatively Further Fair Housing pursuant to Government Code sections 8899.50 and 65583. Applicant further acknowledges and confirms that its general plan is in alignment with an adopted sustainable communities strategy pursuant to Public Resources Code section 21155- 21155; and
4. Applicant further acknowledges and confirms that its policies for the treatment of homeless encampments on public property comply with and will continue to comply with the Constitution and that it has enacted best practices in its jurisdiction that are consistent with the United States Interagency Council on Homelessness’ “7 Principles for Addressing Encampments” (June 17, 2022, update); and
5. If the Application is approved, Applicant is hereby authorized and directed to enter into, execute, and deliver all documents required or deemed necessary or appropriate to participate in the Program, and all amendments thereto (the “Program Documents”); and
6. Applicant acknowledges and agrees that it shall be subject to the Application; the terms and conditions specified in the Program Documents; the Program Regulations; and any and all other applicable law; and
7. The City Manager is authorized to execute and deliver the Application and the Program Documents on behalf of the Applicant for participation in the Program.

Introduced by Councilmember _____ and passed and adopted this 20th day of February 2024
by the following vote:

AYES: (0)

NOES: (0)

ABSENT: (0)

ATTEST: _____
Kelly B. Clancy, CMC
City Clerk

DRAFT