

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

RESOLUTION NO. 2022-

**RESOLUTION OF THE SAN LEANDRO CITY COUNCIL DENOUNCING
DISCRIMINATORY HOUSING PRACTICES OF THE PAST AND AFFIRMING THAT
SAN LEANDRO IS A WELCOMING PLACE FOR ALL**

WHEREAS, the San Leandro City Council acknowledges that in an earlier period of its history, members of the San Leandro community engaged in discriminatory housing practices; and

WHEREAS, some of those practices included the use of exclusionary covenants, conditions and restrictions, otherwise known as CC&Rs, which can be included in a home deed to describe the things a homeowner can and cannot do with the property; and

WHEREAS, in the early 20th century, neighborhood developers in San Leandro and many other communities across the United States began adding racial covenants into the CC&Rs of new homes, which restricted the property from being sold, rented, leased, or occupied by a person other than of the White or Caucasian race; and

WHEREAS, starting in 1934, federal housing policies associated with the New Deal era required many suburban developments to include racist covenants in housing deeds, resulting in millions of homes across the United States being out of reach to persons of color; and

WHEREAS, in 1948, the United States Supreme Court determined that such covenants were unconstitutional, though many were not formally rescinded; and

WHEREAS, the creation of homeowner associations was a strategy many communities across the nation used to develop legally valid covenants that did not overtly stipulate restrictions related to race, color, or creed, but instead gave power to association boards to subjectively determine if a potential tenant was “desirable”; and

WHEREAS, in San Leandro, by the late 1960s, such practices created 12 restrictive homeowners’ associations, representing two-thirds of property owners; and

WHEREAS, for decades, these politically powerful homeowner associations, as well as many realtors and members of the business community worked to maintain San Leandro’s status as a racially exclusive suburb, without any direct intervention by City government; and

WHEREAS, in 1963, California passed the Rumford Act (also known as the California Fair Housing Act) to protect the rights of African Americans, and other people of color, to purchase or rent housing without being subjected to discrimination; and

WHEREAS, in 1968, the United States Congress passed the National Housing Act, which specifically prohibited housing discrimination by race, color, creed, and national origin across the United States; and

WHEREAS, even with housing discrimination legally outlawed, the 1970 census still showed San Leandro’s White population at 97%. Because of these census numbers, in 1971 the

National Committee Against Discrimination in Housing (NCDH) filed a report entitled “Patterns and Practices of Housing Discrimination in San Leandro, California”, which brought national attention to San Leandro’s discriminatory housing practices; and

WHEREAS, although initial conversations with the City’s elected leaders at the time were unfruitful, San Leandro Mayor Maltester ultimately agreed to establish a program that adopted many of the NCDH’s recommendations for change in San Leandro housing after litigation was threatened; and

WHEREAS, while new practices were adopted, racial tension continued throughout the ensuing years, leading to proactive community action by various local groups including Unity in the Community, who voiced their support for diversity and standing against racism; and

WHEREAS, while San Leandro still has work to do, in 2019, the city was recognized by local media outlets as one of the top 10 most diverse cities in the Bay Area; and

WHEREAS, the members of the City Council of the City of San Leandro are very proud of the City’s incredible diversity and how far the community has come since the days of being a racially exclusive suburb. Nevertheless, more work remains to be done to continue the City’s forward progress; and

WHEREAS, in 2021, California Governor Gavin Newsom signed AB1466 requiring all California County Recorders to develop a plan to identify and redact restrictive covenant documents with discriminatory language in their historical records, and Alameda County expects to begin implementing this process by July 1, 2022; and

WHEREAS, the City of San Leandro supports Alameda County’s efforts to implement such a program that will assist in the redaction of unlawfully restrictive covenants.

NOW THEREFORE, the City Council of the City of San Leandro does hereby denounce exclusionary housing practices that existed in earlier periods of the community’s history and affirms that San Leandro is an inclusive city that is welcoming to all walks of life.

Passed and adopted this 21st day of June, 2022, by the following vote:

Members of the Council:

AYES: ()

NOES: ()

ABSENT: ()

ATTEST: _____
Leticia I. Miguel, City Clerk