

CITY OF ALAMEDA RESOLUTION NO. _____

CONFIRMING CITY OF ALAMEDA COMPLIANCE WITH STATE
HOUSING LAWS AS REQUIRED BY THE METROPOLITAN
TRANSPORTATION COMMISSION TO MAINTAIN REGIONAL
TRANSPORTATION FUNDING ELIGIBILITY

WHEREAS, the San Francisco region has the highest housing costs in the United States; and

WHEREAS, the Bay Area produced less than 30 percent of the need for low- and moderate-income housing units from 2007-2014, and is on track to similarly under produce low-income units during the 2015-2023 time period; and

WHEREAS, there are limited funding sources available to secure land for the construction of low- and moderate-income housing; and

WHEREAS, public lands can play a critical role in increasing the supply of land for affordable housing; and

WHEREAS, accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) provide an important option to increase the availability and affordability of housing, especially in existing, lower density neighborhoods; and

WHEREAS, density bonuses are an effective tool to increase the financial feasibility of housing and incentivize the creation of affordable housing; and

WHEREAS, on January 26, 2022, the Metropolitan Transportation Commission adopted Resolution No. 4505, outlining the programming policy and project selection criteria for the One Bay Area Grant Program (OBAG 3), which requires local jurisdictions to adopt a resolution demonstrating compliance with certain state housing laws to maintain funding eligibility. The City of Alameda (City) can self-certify compliance of state housing laws related to surplus lands, accessory dwelling units, and density bonuses to maintain funding eligibility.

NOW, THEREFORE, BE IT RESOLVED, by the Alameda City Council that the City Council certifies that the City of Alameda (City) agrees to comply with the Surplus Land Act (California Government Code § 54220, et seq.), as it exists now or may be amended in the future, including, but not limited to, AB 1255 (Rivas, 2019), which requires jurisdictions to compile and report annually an inventory of surplus lands to the California Department of Housing and Community Development; and

BE IT FURTHER RESOLVED, that the City agrees to comply with state laws related to ADUs and JADUs, as they exist now or may be amended in the future,

including, but not limited to, California Government Code §§ 65852.150, 65852.2, 65852.22, et seq. and California Health & Safety Code § 17980.12; and

BE IT FURTHER RESOLVED, that the City agrees to comply with state Density Bonus Law (California Government Code § 65915, et seq.), as it exists now or may be amended in the future; and

BE IT FURTHER RESOLVED, that as of the adoption date of this Resolution, the City warrants and represents, in its actual, present knowledge, that it is in compliance with the aforementioned state housing laws and that there are no claims, actions, suits, or proceedings pending, alleging violations of the state housing laws by the City.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the 6th day of September 2022, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the seal of said City this 7th day of September 2022.

Lara Weisiger, City Clerk
City of Alameda

APPROVED AS TO FORM:

Yibin Shen, City Attorney
City of Alameda