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Approved as to Form and Legality

  
City Attorney's Office

## OAKLAND CITY COUNCIL

### RESOLUTION NO. 87198 -C.M.S.

INTRODUCED BY COUNCILMEMBER DAN KALB

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**RESOLUTION IN SUPPORT OF ASSEMBLY BILL 1771 (BLOOM) THAT WOULD AMEND THE COUNCIL OF GOVERNMENTS METHODOLOGY FOR DISTRIBUTING REGIONAL HOUSING NEED, INCLUDING REQUIRING FURTHERANCE OF EXISTING STATUTORY GOALS, SUCH AS PROMOTING SOCIOECONOMIC EQUITY AND ADDRESSING JOBS-HOUSING IMBALANCES**

**WHEREAS**, since 1969, California has required that cities and counties adequately plan to meet the housing needs of everyone in the community by adopting housing plans as part of their General Plan, which serves as the local government's "blueprint" for how it will grow and develop and includes seven elements: land use, transportation, conservation, noise, open space, safety, and housing. The law mandating that housing be included as an element of each jurisdiction's general plan is known as the Housing Element Law; and

**WHEREAS**, California's Housing Element Law acknowledges that, in order for the private market to adequately address the housing needs and demand of Californians, local governments must adopt plans and regulatory systems that provide opportunities for and do not unduly constrain housing development. As a result, housing policy in California rests largely on the effective implementation of local general plans and, in particular, local housing elements; and

**WHEREAS**, approximately every eight years (or five in some rural areas), the state uses the Regional Housing Needs Assessment (RHNA) process to project the number of additional housing units a region needs at all income levels to address both existing shortfalls and anticipated population growth. A Council of Governments (COG) then takes that regional number and assigns a share to every jurisdiction within the region by income category. The RHNA plays a critical role in setting the stage for housing production. In adopting their housing elements, jurisdictions must be able to show that they have enough sites zoned for housing to accommodate their RHNA share at every income level. To show that they can accommodate their lower-income housing needs, jurisdictions must be able to point to densely zoned sites that allow for the production of multifamily housing; and

**WHEREAS**, while the RHNA distribution process is supposed to be data-driven, it is unfortunately often influenced heavily by regional politics, resulting in low allocations to wealthier and often job-rich jurisdictions that could accommodate far more housing, particularly multifamily housing; and

**WHEREAS**, Assembly Bill (AB) 1771 (Bloom) would revise the RHNA distribution process, including by (1) changing the requirement that the RHNA plan "be consistent" with specified objectives that "shall further and not undermine the intent of" the objectives, (2) adding to the list of RHNA statutory objectives, including increasing access to areas of high opportunity for lower-income residents, while avoiding displacement and affirmatively furthering fair housing, (3) adding additional factors to the distribution methodology, (4) restricting a COG's ability to use other factors beyond the RHNA objectives, (5) requiring the California Department of Housing and Community Development (HCD) to determine whether a COG's methodology is consistent with law, (6) allowing a non-profit housing organization to appeal a decision by a COG regarding the assigned RHNA share, and (7) requiring HCD rather than a COG to hear appeals; and

**WHEREAS**, AB 1771 is endorsed by Western Center on Law and Poverty, California Bicycle Coalition, Disability Rights California, and other groups; now, therefore be it

**RESOLVED:** That the Oakland City Council hereby endorses AB 1771 and urges the California State Legislature and Governor Jerry Brown to support its enactment into law.

IN COUNCIL, OAKLAND, CALIFORNIA,

**MAY 15 2018**

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLÉN, KALB, KAPLAN, ~~AND BRADLEY~~ ~~AND~~ - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

*Acosta - Reid - 1*

ATTEST:



LATONDA SIMMONS  
City Clerk and Clerk of the Council of  
the City of Oakland, California