



Legislation Details (With Text)

File #: 23-0045 **Version:** 1
Type: Consent - Staff Report **Status:** Agenda Ready
In control: City Council Regular Meeting
On agenda: 1/9/2023 **Final action:**
Title: Resolution and Ordinances Facilitating Rehearings for Certain Housing Projects (City Manager Moe).
A) ADOPT RESOLUTION NO. 23-0010
B) ADOPT URGENCY ORDINANCE NO. 23-0002-U
C) INTRODUCE ORDINANCE NO. 23-0002

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution No. 23-0010, 2. Urgency Ordinance No. 23-0002-U, 3. Ordinance No. 23-0002

Date	Ver.	Action By	Action	Result
1/9/2023	1	City Council Adjourned Regular Meeting		

TO:
Honorable Mayor and Members of the City Council

FROM:
Bruce Moe, City Manager

SUBJECT:
Resolution and Ordinances Facilitating Rehearings for Certain Housing Projects (City Manager Moe).
A) ADOPT RESOLUTION NO. 23-0010
B) ADOPT URGENCY ORDINANCE NO. 23-0002-U
C) INTRODUCE ORDINANCE NO. 23-0002

RECOMMENDATION:
Staff recommends that the City Council:

1. Adopt Resolution No. 23-0010
2. Adopt Urgency Ordinance No. 23-0002-U
3. Introduce Ordinance No. 23-0002

FISCAL IMPLICATIONS:
There are no fiscal implications associated with the recommended action.

BACKGROUND AND ANALYSIS:
As a result of changes to state law in the past few years, the California Department of Housing and Community Development (HCD) and the Attorney General now have broader authority to enforce state housing laws and initiate litigation. In addition, third party organizations are spending more time and resources monitoring municipal decisions and filing lawsuits with respect to those decisions.

Finally, state law changes also have increased the potential consequences of such lawsuits.

For example, HCD issued a Notice of Violation to the City, stating that the City Council's decision not to approve the proposed housing development project located on Rosecrans and Highland ("Highrose Project" or "Project") violated state housing laws. HCD has demanded that the City Council reconsider the Project. In addition, the Project's property owner has sued the City, and housing advocacy groups have threatened litigation if the City Council does not rehear the Project.

If adopted, the attached resolution and ordinances will help the City respond promptly to the Notice of Violation and the broader changes of state law.

ATTACHMENTS:

1. Draft Resolution No. 23-0010
2. Draft Urgency Ordinance No. 23-0002-U.
3. Draft Ordinance No. 23-0002