

RESOLUTION NO. 20-45

Resolution Of The City Council Of The City Of Emeryville Authorizing Application For, And Receipt Of, \$65,000 In Local Government Planning Support Grant Program Funds To Partially Fund Preparation And Adoption Of The 2022-2030 Housing Element Of The Emeryville General Plan, And To Appropriate The Funds To Grant Fund 254

WHEREAS, pursuant to Health and Safety Code 50515 et. Seq, the State Department of Housing and Community Development (Department) is authorized to issue a Notice of Funding Availability (NOFA) as part of the Local Government Planning Support Grants Program (hereinafter referred to as the Local Early Action Planning Grants Program or LEAP); and

WHEREAS, the City Council of the City of Emeryville desires to submit a LEAP grant application package ("Application"), on the forms provided by the Department, for approval of grant funding for projects that assist in the preparation and adoption of planning documents and process improvements that accelerate housing production and facilitate compliance to implement the sixth cycle of the regional housing need assessment; and

WHEREAS, the Department has issued a NOFA and Application on January 27, 2020 in the amount of \$119,040,000 for assistance to all California Jurisdictions; now, therefore, be it

RESOLVED, that the City Council of the City of Emeryville hereby authorizes and directs the City Manager to apply for and submit to the Department the Application package in the amount of \$65,000 attached hereto as Exhibit A; and be it further

RESOLVED, that, in connection with the LEAP grant, if the Application is approved by the Department, the City Manager of the City of Emeryville is authorized to enter into, execute, and deliver on behalf of the City, a State of California Agreement (Standard Agreement) for the amount of \$65,000, and any and all other documents required or deemed necessary or appropriate to evidence and secure the LEAP grant, the City's obligations related thereto, and all amendments thereto; and be it further

RESOLVED, that the City shall be subject to the terms and conditions as specified in the NOFA and the Standard Agreement provided by the Department after approval. The Application and any and all accompanying documents are incorporated in full as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the Application will be enforceable through the fully executed Standard Agreement. Pursuant to the NOFA and in conjunction with the terms of the Standard Agreement, the City hereby agrees to use the funds for eligible uses and allowable expenditures in the manner presented and specifically identified in the approved Application; and be it further

RESOLVED, that, if the Application is approved by the Department, upon execution of the Standard Agreement the City Council of the City of Emeryville hereby authorizes and directs the City Manager to appropriate said funds to Grant Fund 254.

Resolution No.20-45
Local Early Action Planning Grants Program Application
City Council Meeting | June 9, 2020
Page 2 of 2

ADOPTED by the City Council of the City of Emeryville at a special meeting held Tuesday, June 9, 2020, by the following vote:

AYES:	<u>5</u>	Mayor Patz, Vice Mayor Martinez, and Council Members Bauters, Donahue, and Medina
NOES:	<u>0</u>	_____
ABSTAIN:	<u>0</u>	_____
ABSENT:	<u>0</u>	_____

DocuSigned by:



 MAYOR

ATTEST:

DocuSigned by:


 CITY CLERK

APPROVED AS TO FORM:



 CITY ATTORNEY

Local Early Action Planning Grant Application



**State of California
Governor Gavin Newsom**

**Alexis Podesta, Secretary
Business, Consumer Services and Housing Agency**

**Doug McCauley, Acting Director
Department of Housing and Community Development**

**Zachary Olmsted, Deputy Director
Department of Housing and Community Development
Housing Policy Development**

2020 West El Camino, Suite 500
Sacramento, CA 95833

Website: <https://www.hcd.ca.gov/grants-funding/active-funding/leap.shtml>

Email: <mailto:EarlyActionPlanning@hcd>

January 27, 2020

Exhibit A

LEAP Application Packaging Instructions

The applicant is applying to the Department of Housing and Community Development (Department) for a grant authorized underneath the Local Early Action Planning Grants (LEAP) provisions pursuant to Health and Safety Code Sections 50515 through 50515.05. LEAP provides funding to jurisdictions for the preparation and adoption of planning documents, process improvements that accelerate housing production and facilitate compliance in implementing the sixth cycle of the regional housing need assessment. If you have questions regarding this application or LEAP, email <mailto:earlyactionplanning@hcd.ca.gov>.

If approved for funding, the LEAP application is incorporated as part of your Standard Agreement with the Department. In order to be considered for funding, all sections of this application, including attachments and exhibits if required, must be complete and accurate.

All applicants must submit a complete, signed, original application package and digital copy on CD or USB flash drive to the Department and postmarked by the specified due date in the NOFA. Applicants will demonstrate consistency with LEAP requirements by utilizing the following forms and manner prescribed in this application.

- Pages 3 through 14 constitute the full application (save paper, print only what is needed)
- Attachment 1: Project Timeline and Budget: Including high-level tasks, sub-tasks, begin and end dates, budgeted amounts, deliverables, and adoption and implementation dates.
- Attachment 2: Nexus to Accelerating Housing Production
- Attachment 3: State and Other Planning Priorities
- Attachment 4: Required Resolution Template
- Government Agency Taxpayer ID Form (available as a download from the LEAP webpage located at <https://www.hcd.ca.gov/grants-funding/active-funding/leap.shtml>)
- If the applicant is partnering with another local government or other entity, include a copy of the legally binding agreement; and
- Supporting documentation (e.g., letters of support, scope of work, project timelines, etc.)

Pursuant to Section XII of the LEAP 2020 Notice of Funding Availability (NOFA), the application package must be postmarked on or before July 1, 2020, and received by the Department at the following address:

**Department of Housing and Community Development
Division of Housing Policy Development
2020 West El Camino Ave, Suite 500
Sacramento, CA 95833**

A. Applicant Information and Certification

Applicant (Jurisdiction)		Emeryville			
Applicant's Agency Type		City			
Applicant's Mailing Address		1333 Park Ave			
City		Emeryville			
State	California	Zip Code	94608		
County		Alameda			
Website		https://www.emeryville.org			
Authorized Representative Name		Christine Daniel			
Authorized Representative Title		City Manager			
Phone	510-596-4371	Fax	510-4507831		
Email	cdaniel@emeryville.org				
Contact Person Name		Diana Keena			
Contact Person Title		Associate Planner			
Phone	510-596-4335	Fax	510-658-8095		
Email	dkeena@emeryville.org				
Proposed Grant Amount	\$	65,000			
<p><i>Pursuant to Health and Safety Code Section 50515.03 through (d) of the Guidelines, all applicants must meet the following two requirements to be eligible for an award:</i></p>					
1. Does the application demonstrate a nexus to accelerating housing production as shown in Attachment 1?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
2. Does the application demonstrate that the applicant is consistent with State Planning or Other Priorities; Attachment 2?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Is a fully executed resolution included with the application package?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Does the address on the Government Agency Taxpayer ID Form exactly match the address listed above?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Is the applicant partnering with another eligible local government entity? If Yes, provide a fully executed copy of the legally binding agreement.		Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

As the official designated by the governing body, I hereby certify that if approved by HCD for funding through the Local Early Action Planning Program (LEAP), the City of Emeryville assumes the responsibilities specified in the Notice of Funding Availability and certifies that the information, statements and other contents contained in this application are true and correct.

Signature: _____ Name: Christine Daniel

Date: _____ Title: City Manager

B. Proposed Activities Checklist

Check all activities the locality is undertaking. Activities must match the project description.		
1	<input type="checkbox"/>	Rezoning and encouraging development by updating planning documents and zoning ordinances, such as general plans, community plans, specific plans, implementation of sustainable communities' strategies, and local coastal programs
2	<input type="checkbox"/>	Completing environmental clearance to eliminate the need for project-specific review
3	<input type="checkbox"/>	Establishing housing incentive zones or other area based housing incentives beyond State Density Bonus Law such as a workforce housing opportunity zone pursuant to Article 10.10 (commencing with Section 65620) of Chapter 3 of Division 1 of Title 7 of the Government Code or a housing sustainability district pursuant to Chapter 11 (commencing with Section 66200) of Division 1 of Title 7 of the Government Code
4	<input type="checkbox"/>	Performing infrastructure planning, including for sewers, water systems, transit, roads, or other public facilities necessary to support new housing and new residents
5	<input type="checkbox"/>	Planning documents to promote development of publicly owned land such as partnering with other local entities to identify and prepare excess or surplus property for residential development
6	<input type="checkbox"/>	Revamping local planning processes to speed up housing production
7	<input type="checkbox"/>	Developing or improving an accessory dwelling unit ordinance in compliance with Section 65852.2 of the Government Code
8	<input type="checkbox"/>	Planning documents for a smaller geography (less than jurisdiction-wide) with a significant impact on housing production including an overlay district, project level specific plan, or development standards modifications proposed for significant areas of a locality, such as corridors, downtown or priority growth areas
9	<input type="checkbox"/>	Rezoning to meet requirements pursuant to Government Code Section 65583(c)(1) and other rezoning efforts to comply with housing element requirements, including Government Code Section 65583.2(c) (AB 1397, Statutes of 2018)
10	<input type="checkbox"/>	Upzoning or other implementation measures to intensify land use patterns in strategic locations such as close proximity to transit, jobs or other amenities
11	<input type="checkbox"/>	Rezoning for multifamily housing in high resource areas (according to Tax Credit Allocation Committee/Housing Community Development Opportunity Area Maps); Establishing Pre-approved architectural and site plans
12	<input checked="" type="checkbox"/>	Preparing and adopting housing elements of the general plan that include an implementation component to facilitate compliance with the sixth cycle RHNA
13	<input type="checkbox"/>	Adopting planning documents to coordinate with suballocations under Regional Early Action Planning Grants (REAP) that accommodate the development of housing and infrastructure and accelerate housing production in a way that aligns with state planning priorities, housing, transportation equity and climate goals, including hazard mitigation or climate adaptation
14	<input type="checkbox"/>	Zoning for by-right supportive housing, pursuant to Government Code section 65651 (Chapter 753, Statutes of 2018)
15	<input type="checkbox"/>	Zoning incentives for housing for persons with special needs, including persons with developmental disabilities
16	<input type="checkbox"/>	Planning documents related to carrying out a local or regional housing trust fund
17	<input type="checkbox"/>	Environmental hazard assessments; data collection on permit tracking; feasibility studies, site analysis, or other background studies that are ancillary (e.g., less than 15% of the total grant amount) and part of a proposed activity with a nexus to accelerating housing production
18	<input type="checkbox"/>	Other planning documents or process improvements that demonstrate an increase in housing related planning activities and facilitate accelerating housing production
19	<input type="checkbox"/>	Establishing Prohousing Policies

C. Project Description

*Provide a description of the project and each activity using the method outlined below, and ensure the narrative speaks to **Attachment 1: Project Timeline and Budget**.*

- a. Summary of the Project and its impact on accelerating production*
- b. Description of the tasks and major sub-tasks*
- c. Summary of the plans for adoption or implementation*

Please be succinct and use Appendix A or B if more room is needed.

The project is to conduct a Housing Element process in which the City considers policies that will increase production of affordable housing, to supplement existing policies that encourage residential development generally. Staff will ask the public, providers of services to low-income people, the Housing Committee, the Planning Commission, and the City Council for policy ideas, and will offer ideas for affordable housing such as expedited review, financing and funding, inclusion in development of City-owned land, and application of objective development standards. These policies will increase housing production and help the City meet its affordable housing allocation. Emeryville has 6,987 existing dwelling units and 2,253 units in various stages of development, so we could see a total of 9,240 units by about 2025. In Plan Bay Area 2040, the Association of Bay Area Governments projected a range of 10,390 to 12,270 total units in Emeryville by 2040. Additional affordable housing policies could help Emeryville produce an additional 1,880 units and meet the larger number in ABAG's projection.

The tasks include outreach strategy, community workshop, and service provider roundtable meetings; research and writing of the required Housing Element chapters; presentation of findings and ideas to the Housing Committee, Planning Commission and City Council; preparation of administrative and public review drafts; comments on and approval of the draft; preparation of an addendum to the General Plan EIR; submittal of the draft to HCD and response to comments; adoption hearings; and submittal of the adopted Housing to HCD and response to comments for certification.

The plan for adoption will be the Housing Element of the Emeryville General Plan for the 2022-2030 RHNA cycle. The adoption process will include consideration of policies designed to increase production of affordable housing, along with continuation of policies that currently encourage production of market-rate mixed-use projects that include a percentage of affordable units. The adoption process will include a robust public participation process, preliminary HCD review of a draft, Housing Committee review, a Planning Commission hearing, and a City Council hearing.

D. Legislative Information

District	#	Legislator Name
Federal Congressional District	13	Barbara Lee
State Assembly District	15	Buffy Wicks
State Senate District	9	Nancy Skinner

Applicants can find their respective State Senate representatives at <https://www.senate.ca.gov> and their respective State Assembly representatives at <https://www.assembly.ca.gov>.

Attachment 2: Application Nexus to Accelerating Housing Production

Applicants shall demonstrate how the application includes a nexus to accelerating housing production by providing data regarding current baseline conditions and projected outcomes such as a reduction in timing, lower development costs, increased approval certainty, increases in number of entitlements, more feasibility, or increases in capacity. An expected outcome should be provided for each proposed deliverable. If necessary, use Appendix B to explain the activity and its nexus to accelerating housing production.

Select at least one	*Baseline	**Projected	***Difference	Notes
Timing (e.g., reduced number of processing days)				
Development cost (e.g., land, fees, financing, construction costs per unit)				
Approval certainty and reduction in discretionary review (e.g., prior versus proposed standard and level of discretion)				
Entitlement streamlining (e.g., number of approvals)				
Feasibility of development				
Infrastructure capacity (e.g., number of units)				
Impact on housing supply and affordability (e.g., number of units)	10590	12270	1880	2040 baseline and projection with policies

*** Baseline – Current conditions in the jurisdiction (e.g. 6-month development application review, or existing number of units in a planning area)**

****Projected – Expected conditions in the jurisdiction because of the planning grant actions (e.g. 2-month development application review)**

*****Difference – Potential change resulting from the planning grant actions (e.g., 4-month acceleration in permitting, creating a more expedient development process)**

Attachment 3: State and Other Planning Priorities Certification (Page 1 of 3)

Applicants must demonstrate that the locality is consistent with State Planning or Other Planning Priorities by selecting from the list below activities that are proposed as part of this application or were completed within the last five years. Briefly summarize the activity and insert a date of completion.

State Planning Priorities

Date of Completion	Brief Description of the Action Taken
Promote Infill and Equity	
<i>Rehabilitating, maintaining, and improving existing infrastructure that supports infill development and appropriate reuse and redevelopment of previously developed, underutilized land that is presently served by transit, streets, water, sewer, and other essential services, particularly in underserved areas.</i>	
11/30/18	Street paving and slurry seal
<i>Seek or utilize funding or support strategies to facilitate opportunities for infill development.</i>	
11/29/19	Used grant from HCD's Affordable Housing and Sustainable Communities for renovation of San Pablo Avenue median at Estrella Vista affordable family housing project
<i>Other (describe how this meets subarea objective)</i>	
Promote Resource Protection	
<i>Protecting, preserving, and enhancing the state's most valuable natural resources, including working landscapes such as farm, range, and forest lands; natural lands such as wetlands, watersheds, wildlife habitats, and other wildlands; recreation lands such as parks, trails, greenbelts, and other open space; and landscapes with locally unique features and areas identified by the state as deserving special protection.</i>	
<i>Actively seek a variety of funding opportunities to promote resource protection in underserved communities.</i>	
<i>Other (describe how this meets subarea objective)</i>	
Encourage Efficient Development Patterns	
<i>Ensuring that any infrastructure associated with development, other than infill development, supports new development that does the following:</i>	
<i>(1) Uses land efficiently.</i>	

Attachment 3: State and Other Planning Priorities Certification (Page 2 of 3)

	<i>(2) Is built adjacent to existing developed areas to the extent consistent with environmental protection.</i>
	<i>(3) Is located in an area appropriately planned for growth.</i>
	<i>(4) Is served by adequate transportation and other essential utilities and services.</i>
	<i>(5) Minimizes ongoing costs to taxpayers.</i>
	<i>Other (describe how this meets subarea objective)</i>

Other Planning Priorities

Affordability and Housing Choices	
<i>Incentives and other mechanisms beyond State Density Bonus Law to encourage housing with affordability terms.</i>	
4/22/20	Building permits for 500-unit Sherwin-Williams site development project including 85 affordable housing units using Emeryville's local bonus points ordinance
<i>Efforts beyond state law to promote accessory dwelling units or other strategies to intensify single-family neighborhoods with more housing choices and affordability.</i>	
<i>Upzoning or other zoning modifications to promote a variety of housing choices and densities.</i>	
10/30/18	City upzoned 2.5 acres on east side of San Pablo Avenue, increasing residential density from 50 units per acre by right/60 with bonus to 85 by right/100 with bonus
<i>Utilizing surplus lands to promote affordable housing choices.</i>	
9/24/19	City issued RFP for affordable senior housing at 4300 San Pablo Avenue on site of former Recreation Department, which had moved to City-School facility.
<i>Efforts to address infrastructure deficiencies in disadvantaged communities pursuant to Government Code Section 65302.10.</i>	
<i>Other (describe how this meets subarea objective)</i>	

Attachment 3: State and Other Planning Priorities Certification (Page 3 of 3)

Conservation of Existing Affordable Housing Stock	
<i>Policies, programs or ordinances to conserve stock such as an at-risk preservation ordinance, mobilehome park overlay zone, condominium conversion ordinance and acquisition and rehabilitation of market rate housing programs.</i>	
1/1/16	Affordable housing rehab program was contracted to Alameda County Healthy Homes Department, which advertises the program in Emeryville.
<i>Policies, programs and ordinances to protect and support tenants such as rent stabilization, anti-displacement strategies, first right of refusal policies, resources to assist tenant organization and education and "just cause" eviction policies.</i>	
4/1/17	Ordinance took effect that limits reasons for evictions, prohibits harassment of tenants, requires notice of tenants' rights, and requires landlords to notify City of eviction notices.
<i>Other (describe how this meets subarea objective)</i>	
Climate Adaptation	
<i>Building standards, zoning and site planning requirements that address flood and fire safety, climate adaptation and hazard mitigation.</i>	
<i>Long-term planning that addresses wildfire, land use for disadvantaged communities, and flood and local hazard mitigation.</i>	
9/3/19	City adopted a new Local Hazard Mitigation Plan as an amendment to the General Plan.
<i>Community engagement that provides information and consultation through a variety of methods such as meetings, workshops, and surveys and that focuses on vulnerable populations (e.g., seniors, people with disabilities, homeless, etc.).</i>	
<i>Other (describe how this meets subarea objective)</i>	

Certification: I certify under penalty of perjury that all information contained in this LEAP State Planning and Other Planning Priorities certification form (Attachment 2) is true and correct.

Certifying Officials Name: Christine Daniel

Certifying Official's Title: City Manager

Certifying Official's Signature: _____ Date: _____

Attachment 4: Required Resolution Template

RESOLUTION NO. [insert resolution number]

A RESOLUTION OF THE [INSERT EITHER "CITY COUNCIL" OR "COUNTY BOARD OF SUPERVISORS"] OF [INSERT THE NAME OF THE CITY OR COUNTY] AUTHORIZING APPLICATION FOR, AND RECEIPT OF, LOCAL GOVERNMENT PLANNING SUPPORT GRANT PROGRAM FUNDS

WHEREAS, pursuant to Health and Safety Code 50515 et. Seq, the Department of Housing and Community Development (Department) is authorized to issue a Notice of Funding Availability (NOFA) as part of the Local Government Planning Support Grants Program (hereinafter referred to by the Department as the Local Early Action Planning Grants program or LEAP); and

WHEREAS, the [insert either "City Council" or "County Board of Supervisors"] of [insert the name of the City or County] desires to submit a LEAP grant application package ("Application"), on the forms provided by the Department, for approval of grant funding for projects that assist in the preparation and adoption of planning documents and process improvements that accelerate housing production and facilitate compliance to implement the sixth cycle of the regional housing need assessment; and

WHEREAS, the Department has issued a NOFA and Application on January 27, 2020 in the amount of \$119,040,000 for assistance to all California Jurisdictions;

Now, therefore, the [insert either "City Council" or "County Board of Supervisors"] of [insert the name of the city or county] ("Applicant") resolves as follows:

SECTION 1. The [insert the authorized designee's TITLE ONLY] is hereby authorized and directed to apply for and submit to the Department the Application package;

SECTION 2. In connection with the LEAP grant, if the Application is approved by the Department, the [insert the authorized designee's TITLE ONLY] of the [insert the name of the City or County] is authorized to submit the Application, enter into, execute, and deliver on behalf of the Applicant, a State of California Agreement (Standard Agreement) for the amount of [**\$ enter the dollar amount of the Applicant's request**], and any and all other documents required or deemed necessary or appropriate to evidence and secure the LEAP grant, the Applicant's obligations related thereto, and all amendments thereto; and

SECTION 3. The Applicant shall be subject to the terms and conditions as specified in the NOFA, and the Standard Agreement provided by the Department after approval. The Application and any and all accompanying documents are incorporated in full as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the Application will be enforceable through the fully executed Standard Agreement. Pursuant to the NOFA and in conjunction with the terms of the Standard Agreement, the Applicant hereby agrees to use the funds for eligible uses and allowable expenditures in the manner presented and specifically identified in the approved Application.

ADOPTED ON [insert the date of adoption], by the [insert either "City Council" or "County Board of Supervisors"] of [insert the name of the City or County] by the following vote count:

AYES: NOES: ABSENT: ABSTAIN:

[Signature of Attesting Officer] ATTEST: APPROVED AS TO FORM:

[Signature of approval] APPROVED

Appendix A



Appendix B

