

DRAFT RESOLUTION NO. 16-03

**A RESOLUTION OF THE HOUSING COMMISSION OF THE CITY OF
CUPERTINO RECOMMENDING ADOPTION OF AMENDMENTS TO THE
POLICY AND PROCEDURES MANUAL FOR ADMINISTERING DEED
RESTRICTED AFFORDABLE HOUSING UNITS**

WHEREAS, the City of Cupertino (the "City") has since 1993 implemented an Office and Industrial Housing Mitigation Program and a Residential Housing Mitigation Program, described in the Housing Element of the General Plan, requiring the payment of housing mitigation fees by non-residential development and residential projects with six units or less, and requiring the provision of moderate-income and median-income housing in developments with seven units or more (the "Housing Mitigation Program"); and

WHEREAS, the Policy and Procedures Manual for Administering Deed Restricted Affordable Housing Units serves as the day-to-day operational manual for both City staff and its Below Market-Rate (BMR) program administrator for BMR units generated by the City's Housing Mitigation Program; and

WHEREAS, from time to time the Policy and Procedures Manual for Administering Deed Restricted Affordable Housing units is to be updated for clarity, to ensure consistency in review of applications, and to ensure compliance with state law; and

WHEREAS, the amendments to the Policy and Procedures Manual for Administering Deed Restricted Affordable Housing units are not a project because the adoption of the amendments to the Manual is an administrative activity that will not result in direct or indirect physical changes in the environment (Section 15378(b)(5)).

THEREFORE, BE IT RESOLVED that the Housing Commission recommends that the City Council approve the amendments to the Policy and Procedures Manual for Administering Deed Restricted Affordable Housing Units as provided to the Commission and directs staff to make conforming changes in the exhibits to the Manual as required.

PASSED AND ADOPTED this 23rd day of June 2016 at a special meeting of the Housing Commission of the City of Cupertino by the following roll call vote:

Vote:

AYES: Harvey Barnett, Sue Bose, Nina Daruwalla

NOES: None

ABSTAIN: None

ABSENT: Shirley Chu, Rajeev Raman

ATTEST:

/s/ Aarti Shrivastava
Aarti Shrivastava, Assistant City Manager

APPROVED:

/s/ Harvey Barnett
Harvey Barnett, Chair, Housing Commission