

RESOLUTION NO. 16-06

**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 affordable 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, based on the facts, exhibits, staff report, testimony, and other evidence submitted in this matter, 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 attached to this resolution and directs staff to make conforming changes in the exhibits to the Manual as required.

PASSED AND ADOPTED this 11th day of August 2016 at a regular meeting of the Housing Commission of the City of Cupertino by the following roll call vote:

Vote:

AYES: Harvey Barnett, Rajeev Raman, Sue Bose

NOES:

ABSENT: Shirley Chu, Nina Daruwalla

ABSTAIN:

ATTEST:

APPROVED:

/s/ Aarti Shrivastava

/s/ Harvey Barnett

Aarti Shrivastava, Assistant City Manager

Harvey Barnett, Chair, Housing
Commission