

1 **RESOLUTION NO. 2022-94**

2 **A RESOLUTION OF THE ALBANY CITY COUNCIL TO COMPLY**  
3 **WITH STATE HOUSING LAWS**

4  
5 **WHEREAS**, the San Francisco region has the highest housing costs in the United  
6 States; and

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8 **WHEREAS**, the Bay Area produced less than 30% of the need for low- and moderate-  
9 income housing units from 2007-2014, and is on track to similarly underproduce low-income  
10 units during the 2015-2023 time period; and

11 **WHEREAS**, there are limited funding sources available to secure land for the  
12 construction of low- and moderate-income housing; and

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14 **WHEREAS**, public lands can play a critical role in increasing the supply of land for  
15 affordable housing; and

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17 **WHEREAS**, accessory dwelling units (ADUs) and junior accessory dwelling units  
18 (JADUs) provide an important option to increase the availability and affordability of housing,  
19 especially in existing, lower density neighborhoods; and

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21 **WHEREAS**, density bonuses are an effective tool to increase the financial feasibility  
22 of housing and incentivize the creation of affordable housing; and

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24 **WHEREAS**, the Metropolitan Transportation Commission adopted Resolution Nos.  
25 4202 and 4505 outlining the programming policy and project selection criteria for the One Bay  
26 Area Grant Program (OBAG 2 and OBAG 3, respectively), including certain requirements to  
27 access these funds.  
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**NOW, THEREFORE, BE IT RESOLVED**, that the City Council does hereby:

1. Agree to comply with the terms of Surplus Land Act (California Government Code § 54220, et seq.), as exists now or may be amended in the future, including, but not limited to, AB 1255 (Rivas, 2019), which requires jurisdictions to compile and report annually an inventory of surplus lands to the California Department of Housing and Community Development; and
2. Agree to comply with state laws related to ADUs and JADUs, as it exists now or may be amended in the future, including but not limited to California Government Code §§ 65852.150, 65852.2, 65852.22, et seq. and California Health & Safety Code §§ 17980.12; and
3. Agree to comply with state Density Bonus Law (California Government Code § 65915 et seq.), as exists now or may be amended in the future; and
4. Warrant and represent that the City of Albany is in compliance with the aforementioned state housing laws and that there are no claims, actions, suits, or proceedings pending to the best of the City of Albany’s knowledge, alleging violations of the state housing laws by the City of Albany.

  
PRESTON JORDAN, MAYOR



# City of Albany

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## RESOLUTION NO. 2022-94

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

The 6th day of September, 2022, by the following votes:

AYES: Council Members Gary, McQuaid, Nason, Tiedemann and Mayor Jordan

NOES: None

ABSENT: None

ABSTAINED: None

RECUSED: None

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 7th  
day of September , 2022.

Anne Hsu  
CITY CLERK