

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER’S DESIGNEE TO APPLY FOR AND EXECUTE DOCUMENTS REQUIRED FOR APPLICATION TO AND PARTICIPATION IN THE PROHOUSING DESIGNATION PROGRAM**

**WHEREAS**, Government Code Section 65589.9 established the Prohousing Designation Program (“PDP” or “Program”), which creates incentives for jurisdictions that are compliant with State housing element requirements and that have enacted Prohousing local policies; and

**WHEREAS**, such jurisdictions will be designated Prohousing, and, as such will receive additional points or other preference during the scoring of their competitive applications for specified housing and infrastructure funding; and

**WHEREAS**, the California Department of Housing and Community Development (“Department”) has adopted regulations (Cal. Code Regs., tit. 25, § 6600 et seq.) to implement the Program (“Program Regulations”), as authorized by Government Code section 65589.9, subdivision (d); and

**WHEREAS**, the City of San José (the “Applicant”) desires to submit an application for a Prohousing Design Designation (“Application”).

**NOW, THEREFORE**, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

1. The City Manager, or the City Manager’s designee, on behalf of the Applicant, is hereby authorized and directed to submit an application to the Department.

2. Applicant acknowledges and confirms that it is currently in compliance with applicable housing law.
3. Applicant acknowledges and confirms that it will continue to comply with applicable housing laws and to refrain for enacting laws, developing policies, or taking other local governmental actions that may inhibit or constrain housing production. Examples of such local laws, policies, and action include moratoriums on development; local voter approval requirements related to housing production; downzoning; and unduly restrictive or onerous zoning regulations, development standards, or permit procedures Applicant further acknowledges and confirms that it commits itself to affirmatively furthering fair housing pursuant to Government Code section 8899.50.
4. If the Application is approved, Applicant is hereby authorized and directed to enter into, execute, and deliver all documents required or deemed necessary or appropriate to participate in the Program, and all amendments thereto ("Program Documents").
5. Applicant acknowledges and agrees that it will be subject to the Application; the terms and conditions specified in the Program Documents; the Program Regulations; and any and all other applicable law.
6. The City Manager or the City Manager's designee, is authorized to execute and deliver the application and the Program Documents on behalf of the Applicant for participation in the Program.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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MATT MAHAN  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk

The undersigned, Toni J. Taber, City Clerk of Applicant, does hereby attest and certify that the foregoing is a true and full copy of a resolution of the Applicant's governing body adopted at a duly convened meeting on the date above-mentioned, and that the resolution has not been altered, amended, or repealed.