

RESOLUTION NO. 2020-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, OPPOSING THE MODIFIED REGIONAL HOUSING NEEDS ASSESSMENT ALLOCATION METHODOLOGY APPROVED BY THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS REGIONAL COUNCIL AND REQUESTING CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INTERVENTION

WHEREAS, California State housing law requires that each city and county plan for existing and future housing needs in accordance with the outcome of the Regional Housing Needs Assessment (RHNA) process.

WHEREAS, the Southern California Association of Governments (SCAG) is responsible for developing a uniform methodology for the distribution of the RHNA allocation among member cities and counties.

WHEREAS, a transparent and collaborative approach to regional planning, involving opportunity for informed stakeholder input and thoughtful deliberation, is critical to achieving desirable and equitable outcomes.

WHEREAS, the SCAG process to develop the allocation methodology for the 6th cycle RHNA, covering the planning period from October 2021 through October 2029, included opportunity for stakeholder engagement throughout, including detailed discussion of three draft allocation methodology options during a series of public meetings and hearings intended to ensure robust participation by the public and affected agencies.

WHEREAS, based in part on stakeholder input, SCAG staff developed a single recommended RHNA allocation methodology which was introduced in September 2019 at a public workshop, subsequently reviewed by the SCAG RHNA Subcommittee (including the Orange County representative) and SCAG Community, Economic and Human Development (CEHD) Committee and ultimately recommended for SCAG Regional Council consideration and submittal to the California Department of Housing and Community Development (HCD).

WHEREAS, at the November 7, 2019 meeting of the SCAG Regional Council to consider the recommended RHNA allocation methodology, a substitute motion was made by a City of Riverside representative introducing a modified RHNA methodology, which effectively would shift a significant portion of the 6th cycle RHNA regional allocation away from Riverside and San Bernardino Counties and toward coastal areas including predominately Orange County jurisdictions.

WHEREAS, the modified RHNA allocation methodology was approved for submittal to HCD by the SCAG Regional Council on a contested vote of 43-19 (opposed by all Orange County SCAG representatives), despite a lack of detail regarding the associated impacts of the proposed methodology changes, supporting documentation as to the merit of the proposed changes and any opportunity for informed stakeholder input.

WHEREAS, cities did not receive sufficient or adequate advance notice that SCAG would entertain a substantially modified, unsupported methodology.

WHEREAS, the modified methodology fails to adequately account for local input and growth forecast data and, due to the late introduction by substitute motion, was unable to be fully analyzed for potential impacts by SCAG staff before a vote of the Regional Council.

WHEREAS, the modified methodology would increase the City's affordable housing target by approximately 621% as compared to the current RHNA 5th cycle and 77% over that anticipated under the methodology thoroughly analyzed and recommended by SCAG staff.

WHEREAS, achievement of this new target within the 8-year planning cycle would represent one of the fastest periods of growth in the number of housing units added to the City of Fullerton in any period in its history.

WHEREAS, the ramifications of this sudden and unvetted methodology shift are further compounded by recently passed State housing laws with which local jurisdictions are obligated to comply. Examples include, but are not limited to, SB 35 streamlining requirements and AB 101 penalties for cities which are out of compliance with housing element laws.

WHEREAS, the modified RHNA allocation methodology approved by the SCAG Regional Council effectively sets up many Orange County jurisdictions, including the City of Fullerton, to fail to achieve compliance with State housing laws.

NOW, THEREFORE, BE IT FOUND DETERMINED AND RESOLVED by the City Council of the City of Fullerton, as follows:

1. In all respects as set forth in the Recitals of the Resolution.
2. The City Council is a strong advocate of local control as the best means to protect the City of Fullerton, its residents and business owners, and promote the goals and priorities of the community. The modified RHNA allocation methodology, as well as the manner in which it was approved by the SCAG Regional Council, undermine the integrity of what is mandated to be a collaborative RHNA process, negating months of local participation conducted in good faith and posing a significant threat of lasting damage to the City of Fullerton if permitted to stand.
3. The City Council therefore publicly states its opposition to the modified RHNA allocation methodology approved by the SCAG Regional Council and requests intervention on the part of HCD to direct SCAG to reconsider its action given the related lack of specificity, lack of supporting documentation, lack of vetting by SCAG staff and near total absence of stakeholder engagement.

ADOPTED BY THE FULLERTON CITY COUNCIL ON JANUARY 7, 2020.

Jennifer Fitzgerald, Mayor

ATTEST:

Lucinda Williams, City Clerk

Date