



STAFF REPORT

Date: November 12, 2014
To: Mayor and Members of City Council
From: William R. Galstan, Special Counsel
Cc: Bryan Montgomery, City Manager; Joshua McMurray, Senior Planner; Paul Abelson, Finance Director
Subject: Ordinance Repealing Chapter 4 of Title 9 of the Oakley Municipal Code

FOR CONSIDERATION AT THE CITY COUNCIL MEETING ON NOVEMBER 18, 2014

Summary and Recommendation

- 1) Introduce the ordinance by title only;
- 2) Introduce the ordinance repealing Chapter 4 of Title 9 of the Oakley Municipal Code.

Fiscal Impact

None

Background and Analysis

Chapter 4 of Title 9 of the Oakley Municipal Code dealt with the requirement to provide for affordable housing within the Oakley Redevelopment Project Area. Now that the Redevelopment Agency has been terminated, it is appropriate to repeal this ordinance.

The ordinance required that new housing projects within the Project Area contain certain percentages of affordable housing units, or in lieu of so providing, that the developer pay a fee to be used to encourage affordable housing (sometimes referred to as "inclusionary housing").

Because the Redevelopment Agency has been terminated, there is no longer a need to have Chapter 4. Although some affordable housing units were constructed, the Finance Department indicates that no in-lieu fees were ever collected.

The City of Oakley continues to have an obligation, through the General Plan Housing Element laws, to provide areas in the City designated for potential affordable housing uses. Also, the 20% set-aside for housing from redevelopment tax increment funds that is on hand will continue to be designated for affordable housing.

Attachment

- 1) Ordinance repealing Chapter 4 of Title 9.

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY REPEALING
CHAPTER 4 OF TITLE 9 OF THE OAKLEY MUNICIPAL CODE, DEALING WITH
INCLUSIONARY HOUSING IN REDEVELOPMENT AREA**

The City Council of the City of Oakley does ordain as follows:

Section 1. Chapter 4 of Title 9 of the Oakley Municipal Code is hereby repealed.

Section 2. California Environmental Quality Act (CEQA) Finding.

This ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), Review for Exemption, because it can be seen with certainty that the project will not have a significant effect on the environment; therefore the project is not subject to CEQA.

Section 3. Effective Date and Publication.

This ordinance shall take effect and be in force thirty (30) days from and after the date of its passage. The City Clerk shall cause the ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation, or by publishing a summary of the proposed ordinance, posting a certified copy of the proposed ordinance in the City Clerk's Office at least five (5) days prior to the City Council meeting at which the ordinance is to be adopted, and within fifteen (15) days after its adoption, publishing a summary of the ordinance with the names of the Council Members voting for and against the ordinance.

The foregoing ordinance was adopted with the reading waived at a regular meeting of the Oakley City Council on _____, 2014 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

Randy Pope, Mayor

ATTEST:

Libby Vreonis, City Clerk

Date