

RESOLUTION NO. 20- 35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO ADOPTING THE 2016-2021 HOUSING ELEMENT UPDATE AND ADOPTING ADDENDUM NO. 1 TO THE NEGATIVE DECLARATION FOR UPDATE TO THE CITY'S HOUSING ELEMENT

WHEREAS, Government Code Sections 65580 through 65589.11 require that all local governments prepare and maintain Housing Elements to identify planning strategies to conserve, rehabilitate, and provide housing to meet the existing and future needs of the community; and

WHEREAS, pursuant to Government Code Section 65588, California municipalities are required to review and revise their Housing Elements as frequently as appropriate; and

WHEREAS, pursuant to Government Section 65585, all Housing Element Updates must be submitted to and reviewed by the California Housing and Community Development Department ("HCD"); and

WHEREAS, in March of 2020, staff submitted the draft Housing Element Update for the 2016-2021 cycle to the HCD ("2016-2021 Housing Element Update") and on April 7, 2020, HCD submitted a letter informing the City that the 2016-2021 Housing Element Update meets the requirements of state law; and

WHEREAS, on December 10, 2014, the City Council of the City of Montebello adopted a Negative Declaration ("ND") pursuant to the California Environmental Quality Act ("CEQA") (Public Resources Code, § 21000 *et seq.*) and the California Code of Regulations, title 14, section 15000 *et seq.* ("State CEQA Guidelines") considering the potential environmental impacts associated with the City of Montebello Housing Element Update ("Housing Element Update"); and

WHEREAS, subsequent to the adoption of the ND and the approval of the Housing Element Update, the California Legislature enacted new housing laws requiring additional incremental progress in producing housing within cities and counties state-wide through the enactment of legislation, including but not limited to, SB 2, SB 35, and AB 879 ("State Housing Laws"); and

WHEREAS, those modifications were not addressed in the ND, and consist of minor changes to comply with the State Housing Laws relating to by-right housing projects, permitted densities; and removal other barriers to affordable housing; and

WHEREAS, the City of Montebello, as lead agency, has prepared an Addendum ("Addendum") to the ND for the 2020 Housing Element Update to evaluate the potential environmental impacts that could result from modifying the Housing Element Update; the Addendum is attached hereto as Exhibit A; and

WHEREAS, the Addendum to the ND was prepared pursuant to the requirements of State CEQA Guidelines Section 15164; and

WHEREAS, the City Council of the City of Montebello has carefully reviewed the Addendum and the information contained in the record for the 2020 Housing Element Update, and all other legal prerequisites to the adoption of this Resolution have occurred; and

WHEREAS, Section 15164 of the State CEQA Guidelines requires the City Council of the City of Montebello to make one or more of the following findings prior to approval and adoption of the Addendum:

Finding 1. Minor technical changes or additions to the original project are necessary;

Finding 2. None of the following conditions described in Section 15162 of the State CEQA Guidelines calling for preparation of a subsequent negative declaration have occurred; and

WHEREAS, on August 21, 2017, and August 28, 2017, the City held a publicly noticed advertised community meeting to receive information about and provide input on updating the Housing Element for the 2016-2021 planning period; and

WHEREAS, on April 21, 2020, the Planning Commission held a duly noticed and advertised public hearing and considered any testimony received during the public hearing and recommended to the City Council of the City of Montebello approval of the 2016-2021 Housing Element Update; and

WHEREAS, on May 13, 2020, the City Council held a duly noticed and advertised public hearing to consider the adoption of the 2016-2021 Housing Element Update.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Montebello as follows:

SECTION 1. The Recitals set forth above are incorporated herein and incorporated as part of the findings contained in this Resolution.

SECTION 2. Based on the staff report, public comments, the above recitals, and all other evidence in the record, the City Council of the City of Montebello has reviewed and considered the information contained in the staff report, public testimony, the Addendum and related administrative record and finds that the City Council of the City of Montebello hereby finds as follows:

A. The Addendum contains a complete and accurate reporting of the environmental impacts associated with the proposed 2020 Housing Element Update. The City Council further finds that the Addendum has been completed in compliance with CEQA and the State CEQA Guidelines.

B. The City Council further finds that only minor technical changes or additions to the Project are necessary to make the 2016-2021 Housing Element Update consistent with State Housing Laws and that none of the conditions set forth in State CEQA Guidelines Section 15162 requiring a subsequent negative declaration have occurred.

C. The Addendum prepared for the Project reflects the independent judgment and analysis of the City Council of the City of Montebello.

D. On the basis of the whole record before it, the City Council finds that all environmental impacts of the 2016-2020 Housing Element Update are found to be below a level of significance and there is no substantial evidence in the record as a whole supporting a fair argument that it will have a potentially significant effect on the environment.

SECTION 3. The City Council hereby approves and adopts the Addendum to the ND prepared for the 2020 Housing Element Update. A copy of the Addendum, ND, and the Initial Study and all other materials constituting the record of proceedings are located in the Community Development Department in City Hall located at 1600 W. Beverly Boulevard, Montebello, CA 90640.

SECTION 4. Based on the staff report, public comments, the above recitals, and all other evidence in the record, the City Council further finds:

A. The 2016-2021 Housing Element Update is prepared in the interest of existing and future residents in order to ensure that housing opportunities exist for all income categories and the Housing Element Update adequately establishes the City's goals, policies, programs and quantified objectives that further the development, improvement, and preservation of housing within the City.

B. The Housing Element Update provides policies which aim to provide quality housing opportunities for all income levels and age groups based upon the fair share of the regional housing need as determined by the Southern California Association of Governments (SCAG).

C. The 2016-2021 Housing Element Update is consistent with policies and changes required to meet State housing mandates and incorporates changes enacted by the State Legislature to meet the State's housing goals.

D. The Housing Element Update is consistent with the City's General Plan by advancing the goals and policies of the City's Population Growth Element and Land Use Element.

E. The Housing Element will not be detrimental to the health, safety and welfare of the residents of the City of Montebello.

SECTION 5. Based on the above findings, the City Council of the City of Montebello adopts the 2016-2021 Housing Element Update in substantially the same form as attached to the staff report accompanying this Resolution and authorizes the City Manager or designee to transmit the 2016-2021 Housing Element Update to the HCD and such other public agencies as required by law.

SECTION 6. The City Clerk shall certify to the passage and adoption of this Resolution and the same shall thereupon take effect and be in force immediately upon its adoption.

[Signatures on the following page]

PASSED, APPROVED, AND ADOPTED this 13th day of May 2020.

Salvador Melendez, Mayor

APPROVED AS TO FORM

Arnold M. Alvarez-Glasman
City Attorney

ATTEST:

Irma Barajas
City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF MONTEBELLO)

I, Irma Barajas, City Clerk of the City of Montebello, do hereby certify that the foregoing City Council Resolution No. 20-35 was duly and regularly approved and adopted by the City Council of the City of Montebello at their meeting held on the 13th day of May, 2020, as approved by law by the following vote:

AYES: **Torres, Hadjinian, Cobos-Cawthorne, Jimenez, Melendez**
NOES: **None**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City on the 13th day of May, 2020.

IRMA BARAJAS, City Clerk