

**RESOLUTION NO. 2023-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF MERCED, CALIFORNIA,  
AUTHORIZING 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 Department of Housing and Community Development (“Department”) has adopted emergency 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 MERCED (“Applicant”) desires to submit an application for a Prohousing Designation (“Application”).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCED DOES HEREBY FIND, DETERMINE, ORDER AND RESOLVE AS FOLLOWS:

SECTION 1. Applicant is hereby authorized and directed to submit an Application to the Department.

SECTION 2. Applicant acknowledges and confirms that it is currently in compliance with applicable state housing law.

SECTION 3. Applicant acknowledges and confirms that it will continue to comply with applicable housing laws and to refrain from enacting laws, developing policies, or taking other local governmental actions that may or do 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.

SECTION 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 (the “Program Documents”).

SECTION 5. Applicant acknowledges and agrees that it shall be subject to the Application; the terms and conditions specified in the Program Documents; the Program Regulations; and any and all other applicable law.

SECTION 6. The City Manager or 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 by the City Council of the City of Merced at a regular meeting held on the \_\_\_ day of \_\_\_\_\_ 2023, by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVED:

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Mayor

ATTEST:  
STEPHANIE R. DIETZ, CITY CLERK

BY: \_\_\_\_\_  
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:  
Laurie  
Avedisian-  
Favini \_\_\_\_\_  
City Attorney      Date

Digitally signed by: Laurie  
Avedisian-Favini  
DN: CN = Laurie Avedisian-Favini  
email = lfavini@lozanosmith.com  
C = US, O = Lozano Smith  
Date: 2023.02.23 10:35:29 -0800      2/23/23