

CITY OF LOS ANGELES

CALIFORNIA

KAREN E. KALFAYAN
City Clerk



ANTONIO R. VILLARAIGOSA
MAYOR

Office of the
CITY CLERK

Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
General Information - (213) 978-1133
Fax: (213) 978-1040

CLAUDIA M. DUNN
Chief, Council and Public Services Division

www.cityclerk.lacity.org

When making inquiries
relative to this matter,
please refer to the Council
File No.

08-1800-S2

July 18, 2008

Honorable Antonio Villaraigosa, Mayor
All Councilmembers
Chief Executive Officer
City Attorney
City Administrative Officer
Controller, Room 300
Accounting Division, F&A
Disbursement Division

City Clerk
Elections Division
Executive Office

RE: CALLING A SPECIAL ELECTION TO BE HELD TUESDAY, NOVEMBER 4, 2008, FOR THE PURPOSE OF
SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF LOS ANGELES A CERTAIN MEASURE
AND TO CONSOLIDATE THIS SPECIAL ELECTION WITH THE STATE GENERAL ELECTION TO BE
HELD ON THE SAME DATE - UPDATE OF LOW RENT HOUSING AUTHORIZATION

At the meeting of the Council held July 11, 2008, the following action was taken:

Attached report adopted
Attached verbal motion (Garcetti -Greuel) adopted..... X
Attached resolution adopted X
FORTHWITH
Mayor concurred 7-15-08
To the Mayor FORTHWITH X
Motion adopted to approve communication recommendation(s)
Motion adopted to approve committee report recommendation(s)
Ordinance adopted X
Ordinance number
Publication date.....
Effective date
Mayor vetoed.....
Mayor approved 7-15-08
Mayor failed to act - deemed approved
Findings adopted
Negative Declaration adopted
Categorically exempt.....
Generally exempt X

Karen E. Kalfayan
City Clerk
bjw

TIME LIMIT FILES
ORDINANCES

FORTHWITH

OFFICE OF THE MAYOR
RECEIVED
08 JUL 14 PM 2:52
CITY OF LOS ANGELES

RECEIVED
City Clerk's Time Stamp
CITY CLERK'S OFFICE
2008 JUL 14 PM 2:48
CITY CLERK
BY _____
DEPUTY

COUNCIL FILE NUMBER 08-1800-S2 COUNCIL DISTRICT _____
COUNCIL APPROVAL DATE July 11, 2008 LAST DAY FOR MAYOR TO ACT JUL 21 2008
ORDINANCE TYPE: Ord of Intent Zoning Personnel General
 Improvement LAMC LAAC CU or Var Appeals - CPC No. _____

SUBJECT MATTER: CALLING A SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2008, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF LOS ANGELES A CERTAIN MEASURE AND TO CONSOLIDATE THIS SPECIAL ELECTION WITH THE STATE GENERAL ELECTION TO BE HELD ON THE SAME DATE

	APPROVED	DISAPPROVED
PLANNING COMMISSION	_____	_____
DIRECTOR OF PLANNING	_____	_____
CITY ATTORNEY	<u>X</u>	_____
CITY ADMINISTRATIVE OFFICER	_____	_____
CITY CLERK	<u>X</u>	_____

RECORDED
CITY CLERK'S OFFICE
2008 JUL 15 PM 1:22

DATE OF MAYOR APPROVAL, DEEMED APPROVED OR *VETO JUL 15 2008
(*VETOED ORDINANCES MUST BE ACCOMPANIED WITH OBJECTIONS IN WRITING PURSUANT TO CHARTER SEC. 250(b) (c))

(CITY CLERK USE ONLY PLEASE DO NOT WRITE BELOW THIS LINE)

DATE RECEIVED FROM MAYOR JUL 15 2008 ORDINANCE NO. 180019
DATE PUBLISHED JUL 21 2008 DATE POSTED _____ EFFECTIVE DATE JUL 21 2008
ORD OF INTENT: HEARING DATE _____ ASSESSMENT CONFIRMATION _____
ORDINANCE FOR DISTRIBUTION: YES NO

et

JUL 17 2008

OFFICIAL Mayor's Time Stamp
RECEIVED
2008 JUL 14 PM 2:52
CITY OF LOS ANGELES

RECEIVED
CITY CLERK'S Time Stamp
2008 JUL 14 PM 2:48
CITY CLERK
BY _____
DEPUTY

FORTHWITH

SUBJECT TO THE MAYOR'S APPROVAL

COUNCIL FILE NO. 08-1800-S2

COUNCIL DISTRICT _____

COUNCIL APPROVAL DATE July 11, 2008

RE: CALLING A SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2008, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF LOS ANGELES A CERTAIN MEASURE AND TO CONSOLIDATE THIS SPECIAL ELECTION WITH THE STATE GENERAL ELECTION TO BE HELD ON THE SAME DATE

JUL 21 2008

LAST DAY FOR MAYOR TO ACT _____
(10 Day Charter requirement as per Charter Section 341)

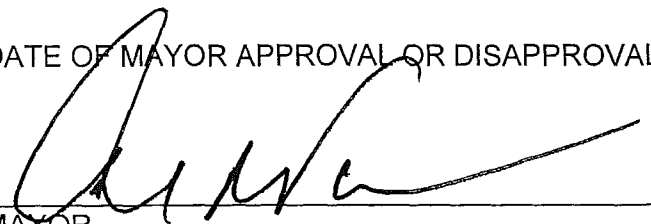
DO NOT WRITE BELOW THIS LINE - FOR MAYOR USE ONLY

APPROVED


*DISAPPROVED

*Transmit objections in writing pursuant to Charter Section 341

DATE OF MAYOR APPROVAL OR DISAPPROVAL JUL 15 2008


MAYOR

et

RECEIVED
CITY CLERK'S OFFICE
2008 JUL 15 PM 4:24
CITY CLERK
BY _____
DEPUTY

VERBAL MOTION

I HEREBY MOVE that Council ADOPT the recommendations below relative to calling a Special Election to be held on Tuesday, November 4, 2008, for the purpose of submitting to the qualified voters of the City of Los Angeles a certain ordinance proposition and to consolidate this Special Election with the State General Election to be held on the same date on today's Council agenda (Item No. 22, CF 08-1800-S2), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that adoption of the Ordinance calling the Special Election does not constitute approval of a project for purposes of compliance with the California Environmental Quality Act, and submission of a proposal to a vote of the people of the City of Los Angeles is also exempt under the provisions of the City's Environmental Quality Act Guidelines, Article II, Section 2g; and, DIRECT staff to file a notice of exemption with the County Clerk.
2. PRESENT and ADOPT the accompanying ORDINANCE calling a Special Election to be held on Tuesday, November 4, 2008, for the purpose of submitting to the qualified voters of the City of Los Angeles a certain measure and to consolidate this Special Election with the State General Election to be held on the same date.
3. ADOPT the accompanying RESOLUTION providing that a ballot measure to update previous voter approved authorizations for the development, construction and/or acquisition of affordable housing be submitted to the qualified voters of the City of Los Angeles.
4. ADOPT the accompanying BALLOT TITLE RESOLUTION, as follows:

UPDATE OF LOW RENT HOUSING AUTHORIZATION.
PROPOSITION _____.

Shall existing voter-approved authorization for low rent housing be revised to remove impediments to federal and state funding and requirements not compatible with current housing needs, and authorize the development, construction or acquisition of low rent housing by public entities in the City of Los Angeles, maintaining the previously authorized voter-approved level of 3,500 units per Council District, subject to availability of funding and all City development requirements?

5. ADOPT the accompanying RESOLUTION requesting the Board of Supervisors of the County of Los Angeles to consolidate with the State General Election to be held on November 4, 2008, a Special Election for the purpose of submitting to the qualified voters of the City of Los Angeles the Measure to Update Previous Voter Approved Authorizations for the Development, Construction and/or Acquisition of Low Rent Housing, as described above.
6. AUTHORIZE the TRANSFER of \$200,000 from the Reserve Fund to the Unappropriated Balance for the additional measure for the November 4, 2008 ballot, and APPROPRIATE therefrom to the City Clerk Fund No. 100/14, Account No. 4170 to pay the incremental costs for the Special Election.

Fiscal Impact Statement: The City Clerk reports that adopting the Resolution of Consolidation will result in an additional General Fund expenditure of \$200,000 for the incremental cost to produce and distribute the Voter Information Pamphlet for the November 4, 2008 State General

Election. The initial cost for the first measure is approximately \$3.6 million and has been requested in conjunction with the City of Los Angeles Special Gang and Youth Violence Prevention, After-School and Job Training Programs Tax Ordinance Measure.

TIME LIMIT FILE - JULY 16, 2008

(LAST DAY FOR COUNCIL ACTION - JULY 16, 2008)

PRESENTED BY _____

ERIC GARCETTI
Councilmember, 13th District

SECONDED BY _____

WENDY GREUEL
Councilmember, 2nd District

July 11, 2008

CF 08-1800-S2

Motion, Resolutions, Ordinance
ADOPTED

JUL 11 2008

LOS ANGELES CITY COUNCIL

Exemption approved

TO THE MAYOR FORTHWITH

RESOLUTION

Resolution providing that a ballot measure be submitted to the qualified voters of the City of Los Angeles.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LOS ANGELES AS FOLLOWS:

Section A. There be submitted to the voters of the City of Los Angeles for adoption by a majority of the qualified voters at a Special Election to be called on November 4, 2008, and consolidated with the State General Election to be held on the same date, the following measure:

RESOLUTION

WHEREAS, there is a great need in the City of Los Angeles to provide decent, safe and sanitary housing for low income persons and families; and

WHEREAS, Article XXXIV of the Constitution of the State of California requires the approval of a majority of the qualified voters of the City of Los Angeles voting in an election for the development, construction or acquisition of certain categories of low rent housing projects assisted with public funds; and

WHEREAS, in 1973, 1977 and 1980 the voters of Los Angeles approved five ballot measures authorizing several different types of low rent housing projects in the City of Los Angeles for a total authorization of 52,500 units; and

WHEREAS, at the April 3, 1973 election, the voters approved Proposition A authorizing the Housing Authority of the City of Los Angeles to develop, construct or acquire, with federal financial assistance, low rent housing for low income elderly persons, with not more than 500 units per City Council District; and

WHEREAS, at the May 31, 1977 election, the voters approved a second Proposition A authorizing the Housing Authority of the City of Los Angeles, with federal or state financial assistance, or by any other financial means except local taxation, to develop, construct or acquire not more than 500 units of low income rental housing in each City Council District, provided that no more than five dwelling units be located on any one site zoned for multi-family dwellings unless such dwelling units are to be occupied by low income elderly persons; and

WHEREAS, at the May 31, 1977 election, the voters approved Proposition B authorizing private sponsors with state financial assistance or by any other financial means except local taxation to construct, develop and acquire not more than 500 units of low rent housing in each City Council District provided that no more than five dwelling units be located on any one site zoned for multi-family dwellings unless such dwelling units are to be occupied by low income elderly persons; and

WHEREAS, at the June 3, 1980 election, the voters approved Proposition J authorizing the City Housing Authority or other local public agency, with federal, state or other financial assistance, but not local taxation, to develop, construct or acquire up to 1,000 units of elderly and non-elderly low rent housing per City Council District provided that units to be occupied by non-elderly persons shall not exceed thirty per site and that newly constructed developments containing units for non-elderly persons not exceed two residential stories in height; and

WHEREAS, at the June 3, 1980 election, the voters approved Proposition K authorizing private sponsors with federal, state or other financial assistance, but not local taxation, to develop, construct or acquire not more than 1,000 units of elderly and non-elderly low rent housing per City Council District provided that units to be occupied by non-elderly persons shall not exceed thirty per site and that newly constructed developments containing units for non-elderly persons not exceed two residential stories in height; and

WHEREAS, the various requirements of each proposition approved by the voters are not compatible with current housing development needs and standards, creating a hindrance to the efforts of public entities to develop voter-approved housing and increase the supply of much needed low-rent housing for low-income persons and families in the City of Los Angeles; and

WHEREAS, to date, the state or federal governments have not required their own Article XXXIV Authority to fund affordable housing in the City of Los Angeles; and

WHEREAS, the State of California recently informed the City that the appropriate Article XXXIV authority will be required in order for the state to continue to provide funds to affordable housing projects within the City; and

WHEREAS, the various requirements contained in existing authority provided by the five propositions create obstacles to obtaining continued State of California funding; and

WHEREAS, by consolidating the five prior propositions into a single proposition with consistent standards that conform to the current housing market but maintain the same numerical authorization per City Council District, less the number of units already developed, constructed or acquired under the prior propositions, the development of affordable housing for low income persons and families will continue in the City of Los Angeles without interruption; and

WHEREAS, voter approval of a consolidated authority to support the development of affordable housing in the City of Los Angeles does not require or guarantee that the authorized number of units will be built, acquired or funded by the City, state or federal governments, nor does this authorization obligate the provision of additional funding for such purposes or exempt such projects from public review processes required by the City;

NOW, THEREFORE, BE IT RESOLVED by the People of the City of Los Angeles that Proposition A of the April 3, 1973 election, Proposition A of the May 31, 1977 election, Proposition B of the May 31, 1977 election, Proposition J of the June 3, 1980 election and Proposition K of the June 3, 1980 election are hereby repealed;

BE IT FURTHER RESOLVED that in place and stead of the five repealed propositions it is hereby authorized that public entities may develop, construct and/or acquire in the City of Los Angeles up to 52,500 units of low rent housing for persons of low income, the same total authorization provided under the prior propositions, less the number of units which had been developed, constructed or acquired under the prior propositions as of the date of the November 4, 2008 election;

BE IT FURTHER RESOLVED that no more than 3,500 units shall remain authorized per City Council District; as such Council District boundaries may change from time to time, less the number of units per Council District which had been developed, constructed or acquired under the prior propositions as of the date of the November 4, 2008 election;

BE IT FURTHER RESOLVED that the terms of the authorization contained in this measure shall be construed in the same manner as Article XXXIV of the Constitution of the State of California and any laws or cases interpreting that section.

Sec. B. The City Clerk is hereby authorized and directed to publish a notice containing the proposed measure, specifying the date of November 4, 2008 as the date the measure is to be voted upon by the qualified voters of the City of Los Angeles. The notice shall be published once in a newspaper of general circulation in the City of Los Angeles, and in each edition thereof during that day of publication. The City Clerk is authorized and directed to prepare and keep in the City Clerk's office a sufficient supply of copies of the proposed measure and to distribute the proposed measure to any and all persons requesting a copy. Further, the City Clerk is authorized and directed to mail copies of the proposed measure to each of the qualified voters of the City of Los Angeles.

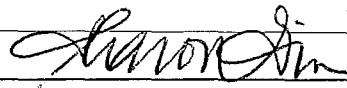
Sec. C. The City Clerk is hereby authorized and directed to cause a notice to be published once in a newspaper of general circulation that copies of voter information pamphlets containing the proposed measure may be obtained upon request in the City Clerk's office.

Sec. D. The City Clerk shall file a duly certified copy of this Resolution forthwith with the Board of Supervisors and with the Registrar-Recorder of the County of Los Angeles.

I hereby certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting held on JUL 11 2008

KAREN E. KALFAYAN, City Clerk

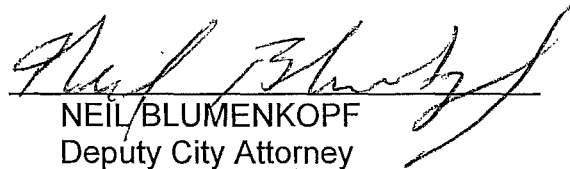
By



Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

By



NEIL BLUMENKOPF
Deputy City Attorney

Date

7/9/08

C.F. No.

08-1800-32

RESOLUTION

WHEREAS, the Council of the City of Los Angeles has adopted a resolution to place a proposition on the ballot at the November 4, 2008 Special Election to be consolidated with the State General Election, to be held on the same date, for the purpose of placing a measure before the qualified voters of the City of Los Angeles; and

WHEREAS, the City Election Code requires the City Attorney to prepare and present a ballot title consisting of an impartial statement of the measure; and

WHEREAS, the City Attorney has presented the following ballot title for the proposed measure:

**UPDATE OF LOW RENT HOUSING AUTHORIZATION.
PROPOSITION ____.**

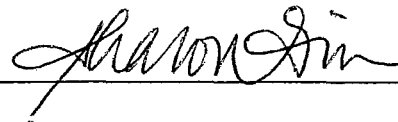
Shall existing voter-approved authorization for low rent housing be revised to remove impediments to federal and state funding and requirements not compatible with current housing needs, and authorize the development, construction or acquisition of low rent housing by public entities in the City of Los Angeles, maintaining the previously authorized voter-approved level of 3,500 units per Council District, subject to availability of funding and all City development requirements?

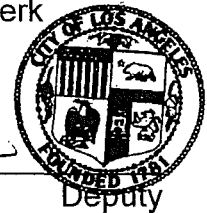
NOW, THEREFORE, BE IT RESOLVED that the ballot title presented by the City Attorney be adopted by the City Council.

I hereby certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting held on JUL 11 2008.

KAREN E. KALFAYAN, City Clerk

By





C.F. No. 08-1200-52

RESOLUTION

WHEREAS, the Council of the City of Los Angeles has ordered a Special Election to be held in the City of Los Angeles on November 4, 2008, for the purpose of submitting to the qualified voters of the City a certain Measure to Update Previous Voter Approved Authorizations for the Development, Construction and/or Acquisition of Low Rent Housing, and to consolidate that Special Election with the State of California General Election to be held on the same date.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That the Council of the City of Los Angeles respectfully requests the Board of Supervisors of the County of Los Angeles to consolidate with the State General Election to be held on November 4, 2008, a Special Election for the purpose of submitting to the qualified voters of the City of Los Angeles the following Measure to Update Previous Voter Approved Authorizations for the Development, Construction and/or Acquisition of Low Rent Housing:

UPDATE OF LOW RENT HOUSING AUTHORIZATION. PROPOSITION ____.

Shall existing voter-approved authorization for low rent housing be revised to remove impediments to federal and state funding and requirements not compatible with current housing needs, and authorize the development, construction or acquisition of low rent housing by public entities in the City of Los Angeles, maintaining the previously authorized voter-approved level of 3,500 units per Council District, subject to availability of funding and all City development requirements?

Sec. 2. That the Board of Supervisors be requested to fix the costs to be paid by the City of Los Angeles for conducting the Special Election and that the City of Los Angeles will reimburse the County of Los Angeles for the costs incurred in conducting the Special Election.

Sec. 3. That the Board of Supervisors be requested to issue instructions to the County Registrar-Recorder to take any and all steps necessary on the part of the County of Los Angeles to hold the Special Election.

Sec. 4. That the City Clerk be instructed to cooperate with the County Registrar-Recorder and to perform or cause to be performed those functions preliminary to the conduct of the Special Election as may be agreed upon with the County Registrar-Recorder.

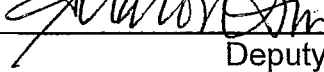
Sec. 5. That the City Attorney and the City Clerk be directed to take any and all steps necessary on the part of the City of Los Angeles to hold the consolidated Special Election.

Sec. 6. That the Board of Supervisors be hereby authorized to canvass the returns of the Special Election for which consolidation is requested.

Section 7. That the City Clerk file a duly certified copy of this resolution forthwith with the Board of Supervisors of the County of Los Angeles and to provide a copy of the resolution to the County Registrar-Recorder.

I hereby certify that the foregoing resolution was adopted by the Council of the City of Los Angeles at its meeting held on July 11, 2008.

KAREN E. KALFAYAN, City Clerk

By 
Deputy



Council File No. 08-1800-52