

13-0002-597

RULES, ELECTIONS & INTERGOVERNMENTAL RELATIONS

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations, or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, inclusionary housing is a tool created to overcome historical land use patterns that resulted in the exclusion of groups by income, race, and ethnicity and helps to increase economic diversity within neighborhoods; and

WHEREAS, inclusionary housing ordinances require developers to ensure that a certain percentage of housing units in a new development be affordable to lower income households; and

WHEREAS, the ruling in the case *Palmer v. City of Los Angeles* (2009) effectively barred local governments from mandating rent restrictions on inclusionary units in new rental housing developments, as such restrictions were preempted by the Costa-Hawkins Rental Housing Act, which gives landowners the right to set the initial rent level at the start of a tenancy; and

WHEREAS, Assembly Bill 1229 (Atkins) would authorize the legislative body of any city or county to establish, as a condition of development, inclusionary housing requirements which may require the provision of residential units affordable to, and occupied by, owners or tenants whose household incomes do not exceed the limits for lower income, very low income, or extremely low income households; and

WHEREAS, enactment into law of AB 1229 would supersede the Second District California Court of Appeal ruling in the case *Palmer v. City of Los Angeles*; and

WHEREAS, AB 1229 enables each jurisdiction to enact their own local ordinances to address their affordable housing needs, empowering local governments with the tools to address the increasing need of affordable housing Statewide;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2013-2014 State Legislative Program SUPPORT of AB 1229 (Atkins) which would authorize the legislative body of any city or county to establish, as a condition of development, inclusionary housing requirements which may require the provision of residential units affordable to, and occupied by, owners or tenants whose household incomes do not exceed the limits for lower income, very low income, or extremely low income households.

JUN 14 2013

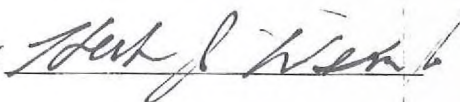
PRESENTED BY


ED P. REYES

Councilmember, 1st District

JUN 14 2013

SECONDED BY



crm

ORIGINAL