



**MICHAEL N. FEUER**  
CITY ATTORNEY

REPORT NO. R 1 6 - 0 2 1 5

JUN 2 4 2016

REPORT RE:

**RESOLUTIONS REGARDING A PROPOSED HOMELESSNESS AND  
HOUSING GENERAL OBLIGATION BOND PROPOSITION,  
AND ORDINANCE CALLING A SPECIAL ELECTION  
FOR THE PROPOSITION ON NOVEMBER 8, 2016**

The Honorable City Council  
of the City of Los Angeles  
Room 395, City Hall  
200 North Spring Street  
Los Angeles, California 90012

Honorable Members:

Pursuant to your instructions of June 21, 2016, and in conjunction with the Resolution of Necessity we transmitted on June 24, 2016, we have prepared and present a Ballot Title Resolution, prepared pursuant to City Election Code Section 602, a Consolidation Resolution, requesting the County of Los Angeles to consolidate the Special Election on the submission of a \$1,100,000,000 general obligation bond proposition to the qualified voters of this City with the State General Election to be held on November 8, 2016, and an ordinance calling the Special Election. The ordinance, approved as to form and legality, may be adopted at any meeting subsequent to the adoption of the Resolution of Necessity. Government Code § 43608.

Voter Approval and Deadline for Council Action

The general obligation bond proposition must be approved by two-thirds of the votes cast by the voters of the City voting on the proposition at the November 8, 2016 election. Cal. Cons. Article XIII A, § 1(b)(2).

Council must adopt all resolutions and the ordinance calling the Special Election necessary to place a proposition on the ballot by no later than 110 days before the election. City Election Code § 601. With regard to the November 8, 2016 election, and in light of Council's scheduled recess, that deadline for Council action is July 1, 2016.

CEQA

It is the opinion of this office 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 (CEQA), and therefore, the adoption does not require compliance with CEQA prior to your action to adopt the ordinance. If the general obligation bond proposition is approved by the qualified voters, then the City must complete its compliance with CEQA before it commits itself to approve a project using the bond proceeds. If you adopt the ordinance, you should direct staff to file a notice of exemption with the County Clerk pursuant to Public Resources Code Section 21152(b). The filing will commence the running of the statute of limitations on any challenge to your determination that your action of adoption of the ordinance is exempt from CEQA.

Rule 38 Referral

A copy of the draft ordinance has been presented to the Office of the City Administrative Officer and the Housing and Community Investment Department pursuant to Council Rule 38, as well as the Office of the Chief Legislative Analyst and the Chair of the Rules, Elections, Intergovernmental Relations, and Neighborhoods Committee, and their comments have been incorporated.

If you have any questions regarding this matter, please contact Sr. Assistant City Attorney Noreen Vincent at (213) 978-7730 or Deputy City Attorney Gerald Kim at (213) 978-7784. They or another member of this Office will be available when you consider this matter to answer any questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney



By DAVID MICHAELSON  
Chief Assistant City Attorney

DM:GK:cm  
Transmittal