

Your Community Impact Statement has been successfully submitted to City Council and Committees.

If you have questions and/or concerns, please contact the Department of Neighborhood Empowerment at NCsupport@lacity.org.

This is an automated response, please do not reply to this email.

Contact Information

Neighborhood Council: Historic Highland Park Neighborhood Council

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The Board approved this CIS by a vote of: Yea(12) Nay(0) Abstain(1) Ineligible(0) Recusal(0)

Date of NC Board Action: 12/09/2021

Type of NC Board Action: For

Impact Information

Date: 12/22/2021

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 21-0002-S65

Agenda Date:

Item Number:

Summary: The Historic Highland Park Neighborhood Council, representing more than 60,000 stakeholders, supports this Motion [Exhibit 1] for the City of Los Angeles to create a resolution and actively lobby Sacramento to support Senate Constitutional Amendment 2 (SCA2), which would repeal Article 34 from the California Constitution and eliminate barriers to the construction of publicly funded affordable housing. Article 34 was added to the California constitution in 1950 and requires that developments that consist of more than 49% of affordable units and are supported by more than 51% of government funds be approved by a referendum submitted to the voting public. This initiative was passed by fewer than 50,000 votes. To date, affordable housing developments are the only classification of housing that must meet these strict requirements. The intention of this article was to bypass the United States Supreme Court decision *Shelley v Kramer* (1948) which outlawed racially restrictive housing covenants. For the past decade, Los Angeles has struggled to fund and build affordable housing units in a timely manner as a result of this process. California senators Allen and Wiener introduced State Constitution Amendment 2 to repeal Article 34. THEREFORE BE IT RESOLVED, that the Historic Highland Park Neighborhood Council supports council file 21-0002-S65 and urges the City of Los Angeles to include in its 2021-22 State Legislative Program SUPPORT for Senate Constitutional Amendment 2 (Senators Allen and Wiener) to repeal Article 34 from the California Constitution and remove the limits placed on affordable housing units that can be supported by the City.

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HISTORIC HIGHLAND PARK NEIGHBORHOOD COUNCIL

COMMUNITY IMPACT STATEMENT

December 09, 2021

Attn: Council President Nury Martinez, Councilmember Kevin De Leon, Councilmember Gil Cedillo

From: Historic Highland Park Neighborhood Council

RE: Senate Constitutional Amendment 2 (Allen and Weiner) / Article 34 / California Constitution / Affordable Housing Units Limit / Repeal ([Council File: 21-0002-S65](#))

Dear Los Angeles City Councilmembers,

The Historic Highland Park Neighborhood Council, representing more than 60,000 stakeholders, supports this [Motion](#) [Exhibit 1] for the City of Los Angeles to create a resolution and actively lobby Sacramento to support Senate Constitutional Amendment 2 (SCA2), which would repeal Article 34 from the California Constitution and eliminate barriers to the construction of publicly funded affordable housing.

Article 34 was added to the California constitution in 1950 and requires that developments that consist of more than 49% of affordable units and are supported by more than 51% of government funds be approved by a referendum submitted to the voting public. This initiative was passed by fewer than 50,000 votes. To date, affordable housing developments are the only classification of housing that must meet these strict requirements. The intention of this article was to bypass the United States Supreme Court decision *Shelley v Kramer* (1948) which outlawed racially restrictive housing covenants. For the past decade, Los Angeles has struggled to fund and build affordable housing units in a timely manner as a result of this process. California senators Allen and Wiener introduced State Constitution Amendment 2 to repeal Article 34.

In 2008, voters in Los Angeles approved a ballot measure allowing up to 3,500 publicly funded housing units per council district. Currently, some districts are approaching their limit and will require another public referendum to construct adequate

affordable housing. Furthermore, due to the restrictive nature of Article 34, affordable housing developers have had to utilize convoluted funding schemes in order to remain under the 51% government funding threshold and avoid a public referendum. This type of bureaucratic hoop-jumping inevitably delays and increases the cost of affordable housing projects, exacerbating our city-wide housing crisis.

THEREFORE BE IT RESOLVED, that the Historic Highland Park Neighborhood Council supports council file 21-0002-S65 and urges the City of Los Angeles to include in its 2021-22 State Legislative Program SUPPORT for Senate Constitutional Amendment 2 (Senators Allen and Weiner) to repeal Article 34 from the California Constitution and remove the limits placed on affordable housing units that can be supported by the City.

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 government 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, Article 34 was added to the California Constitution in 1950 to limit the expenditure of public funds for affordable housing by establishing unit maximums that are subject to voter approval; and

WHEREAS, to date, the City has received voter approval, known as Article 34 Authority, to finance up to 52,500 affordable rental units or 3,500 per Council District; and

WHEREAS, the City's Article 34 Authority is close to being exhausted in certain Council Districts, which could hinder the City's ability to adequately address its dire housing crisis; and

WHEREAS, State and City voters have expressed their will to fund affordable housing through recent measures, including the passage of a recording fee as revenue for housing development and Proposition HHH, which makes available \$1.2 billion in funding, while Article 34 could create funding impediments; and

WHEREAS, this law should be removed from the California Constitution so all jurisdictions can fully achieve their respective housing goals; and

WHEREAS, on December 7, 2020, Senators Allen and Wiener introduced Senate Constitutional Amendment (SCA) 2 to repeal Article 34; and

WHEREAS, the City should support all efforts to maintain its ability to provide affordable housing for its residents;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2021-22 State Legislative Program SUPPORT for Senate Constitutional Amendment 2 (Senators Allen and Wiener) to repeal Article 34 from the California Constitution and remove any limit on affordable housing units that can be supported by the City.

PRESENTED BY:



MITCH O'FARRELL
Councilmember, 13th District

MAR 03 2021

SECONDED BY:

