CITY COUNCIL
CONSENT CALENDAR

SUBJECT: RECOMMENDED POSITIONS ON STATEWIDE AND COUNTYWIDE PROPOSITIONS APPEARING ON THE NOVEMBER 3, 2020 GENERAL ELECTION BALLOT

INITIATED BY: COMMUNITY & LEGISLATIVE AFFAIRS DIVISION
(John Leonard, Manager)
(Hernan Molina, Governmental Affairs Liaison)

STATEMENT ON THE SUBJECT:
The City Council will consider adopting resolutions related to propositions that will appear on the November 3, 2020 general election ballot.

RECOMMENDATIONS:


SUPPORT FOR PROPOSITION 21: EXPANDS LOCAL GOVERNMENTS’ AUTHORITY TO ENACT RENT CONTROL ON RESIDENTIAL PROPERTY. INITIATIVE STATUTE”.

8. Adopt Resolution No. 20 - _______________ “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF LOS ANGELES COUNTY MEASURE J: BUDGET ALLOCATION FOR ALTERNATIVES TO INCARCERATION. CHARTER AMENDMENT”.

9. Direct the Community & Legislative Affairs Division staff to post information on the City’s website informing the public about the City Council-adopted positions on the above-referenced propositions.

BACKGROUND / ANALYSIS:

Every two years, millions of Californians cast their votes for a candidate and, since 1911, for several ballot initiatives. The ballot initiative is a type of direct democracy by which anyone can propose statutes and amendments to the California Constitution. The initiative process was adopted in 1911 when Governor Hiram Johnson began his term by promising to give citizens a tool, they could use to adopt laws and constitutional amendments without the support of the Governor or the Legislature. A set of constitutional amendments was adopted that enabled Californians to directly impact state government, including the ability to recall elected officials, to repeal laws by referendum, and enact state laws by initiative. Since July 2011, initiative measures only appear on statewide general election ballots.

From 1911 and through 2016 (based on data from the California Secretary of State’s office) a total of 1,996 initiatives were issued a title, 376 qualified to appear on a ballot, 132 were approved by the voters, 241 were rejected, 1,483 failed to qualify, and 113 were withdrawn. The California Constitution has been amended 52 times via the initiative process.

On November 3, 2020, California voters will be asked to approve or reject twelve statewide initiatives. In addition, Los Angeles County voters will be asked to approve or reject on county specific measure, Measure J. Four initiatives appearing on the November 3, 2020 ballot have been placed on the statewide ballot by the Legislature. Existing California law allows the Legislature to place an initiative for voter consideration, provided the initiative is approved with 2/3 of the votes in each chamber. These initiatives are known as “Legislatively-referred initiatives”.

The remaining eight initiatives have been placed on the ballot after proponents gathered sufficient signatures to qualify the initiative. In California, the number of signatures required for an initiated constitutional amendment (ICA) is equal to 8 percent of the votes cast in the preceding gubernatorial election. The number of signatures required for an initiated state statute (ISS) is equal to 5 percent of the votes cast in the preceding gubernatorial election.

All ballot initiative must have a fiscal analysis, prepared by the non-partisan Legislative Analyst (LAO) and those that qualify to be placed on the ballot must have a public hearing conducted by the Legislature.
The City of West Hollywood has previously adopted a resolution supporting Proposition 10, Repeal Costa Hawkins (Resolution No. 18-5028). In this staff report, staff has included a resolution for the City Council to reaffirm its support for what is now known as Proposition 21. In addition, the City had supported SB 10 (Hertzberg) Pretrial release or detention: pretrial services, (Chapter 244, Statutes of 2018).

The table below provides a brief description of each initiative, the City’s recommended position, and staff’s analysis of the initiatives for a which the City Council is recommended to adopt a position. Staff is recommending the City Council consider supporting nine of the twelve initiatives appearing on the statewide ballot. In addition, staff is recommending the City Council support a measure placed on the November 3 ballot by the Los Angeles County Board of Supervisors (Measure J).

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Proposition 14 is an initiative to change state statute led by Robert N. Klein, a real estate developer and lawyer who was the original sponsor of Proposition 71 in 200 the California Research and Cures Act. Proposition 71 was approved by 59% of California voters, leading to the establishment of the California Institute for Regenerative Medicine (CIRM), and issuing $3 billion in general obligation bonds to fund CIRM. Proposition 71 was in direct response to the George W. Bush administration’s ban on the use of federal funds for stem cell research that required the use of embryonic stem cells, which was advocated by pro-life groups that believe that life starts at conception. The funding allocated through Proposition 71 has largely been used, Proposition 14 would provide new future funds so that the work initiated with Proposition 71 funds can continue.

Proposition 14 qualified for the November 3 ballot after Mr. Klein and his group gathered more than 623,212 signatures to qualify the initiative.

Analysis:

If approved, Proposition 14 would authorize the state to sell $5.5 billion in general obligation bonds. Proceeds from the sale of bonds would be awarded to grantees such as educational and research institutions like the University of California Los Angeles (UCLA), which has received funds from Proposition 71. Grant awards would be used to fund innovative research using stem cells to develop new treatments for diseases such as Alzheimer’s and Parkinson’s, autoimmune diseases, HIV, etc. Proposition 14 sets aside at least $1.5 billion for research and development of treatments for diseases affecting the brain and central nervous system. Proposition 14 also directs CIRM to allocate a portion of grant funds for training of students at the California State University (CSU) and the California Community Colleges (CCC), as well as a small share for helping to establish and support facilities focused on research and clinical trials. Proposition 14 sets a cap on administration-related costs at 7.5 percent of bond funds.

Fiscal Impact:

The state’s Legislative Analyst Office (LAO) estimates that Proposition 14’s bond sale will cost the state approximately $7.8 billion ($5.5 billion in bond sales and $2.3 billion in interest). In addition, the LAO estimates the repayment cost to the state for principal and interest to average about $260 million per year for the next 30 years.

Support:

Hundreds of organizations and individuals support Proposition 14 including Cedars Sinai Medical Center, The Michael J. Fox Foundation for Parkinson’s Research, Prostate Cancer Foundation, National Hispanic Medical Association, San Francisco AIDS Foundation, American Diabetes Association, Arthritis Foundation, Bay Area Council, labor organizations, California Democratic Party, Los Angeles County Democratic Party, Bay Area Reporter, California Religious Action Center of Reform Judaism, Equality
California, Long Beach Gray Panthers, San Francisco Tenants Union, University of California Board of Regents, and Democratic elected officials such as Lt. Governor Eleni Kounalakis, Alex Padilla, California’s Secretary of State, California’s Insurance Commissioner Ricardo Lara, Senators Bob Archuleta and Scott Wiener, Assemblymembers David Chiu and Lorena Gonzalez, and LA County Supervisors Sheila Kuehl and Mark Ridley-Thomas. For a complete list of supporters and additional information on Proposition 14, please visit: https://caforcures.com/

Opposed:

Marcy Darnovsky, Executive Director of the Center for Genetics and Society, and editorial boards of The Orange County Register, The Bakersfield Californian, and Mercury News & East Bay Times. The opposition claims that the current governance structure of the CIRM lacks a system of accountability and that Proposition 14 does nothing to address the conflicts of interest present at the CIRM. The OC Register states that Proposition 14 is an unnecessary and expensive initiative, asking California taxpayers to foot the bill, when the private sector has accelerated its stem cell research efforts and in 2009, then-President Obama signed Executive Order 13505 -- Removing Barriers to Responsible Scientific Research Involving Human Stem Cells, which allowed for use of federal funds for research involving stem cells to the extent permitted by law.

Recommendation:

Funding for research and development of treatments and related scientific discoveries using innovative and cutting-edge use of embryonic stem cells hold the promise for patients and their families of new and effective treatment of diseases such as Parkinson’s, Alzheimer’s, and HIV, for example. The complicated nature of the diseases that the CIRM is targeting requires significant amounts of funding that the private sector and the federal government may not be able to procure or choose not to provide.

For many West Hollywood residents, the advent of new treatments for HIV, Alzheimer’s, Parkinson’s, and the like cannot appear soon enough. Consistent with the City’s core values, in 2004, the City Council supported Proposition 71 by adopting Resolution 04-3113. Thus, staff recommends the City Council support Proposition 14.

Proposition 15: THE TAX ON COMMERCIAL AND INDUSTRIAL PROPERTIES FOR EDUCATION AND LOCAL GOVERNMENT FUNDING INITIATIVE. Initiated Constitutional Amendment.

Proposition 15 qualified for the November 3 ballot after the initiative’s proponents gathered the required number of signatures and the Secretary of State verified a sample of those signatures to meet legal requirements. According to the Secretary of State, for an Initiated Constitutional Amendment (ICA) to qualify for submission to the voters during a general election, proponents must gather 997,139 signatures.

Analysis:

Proposition 15 is an initiated constitutional amendment which seeks to change how commercial and industrial properties’ tax assessments are calculated by using the market value of the property and not the original purchase price of the property. In California, the proposal to assess taxes on commercial and industrial properties at market value, while continuing to assess taxes on residential properties based on the purchase price, is
known as split roll. Proposition 15 changes the assessment for commercial and industrial properties from the purchase price to market value (or the price a property can be sold for) and the new assessment would be phased-in beginning in fiscal year 2022-2023. Properties such as retail centers, whose occupants are 50 percent or more small businesses, would be taxed based on market value beginning in fiscal year 2025-2026 (or later if the legislature decides to do so). Proposition 15 would define small businesses as those that are independently owned and operated, own California property, and have 50 or fewer employees. The change does not start before 2025 for properties used by California businesses that meet certain rules and have 50 or fewer employees. Housing, residential property and agricultural land continues to be taxed based on its original purchase price.

In 1978, California voters approved Proposition 13, which required that residential, commercial, and industrial properties be assessed taxes based on their purchase price. The tax is limited to no more than 1 percent of the purchase price at the time of purchase, with an annual adjustment equal to the rate of inflation or 2 percent, whichever is lower. According to the LAO, market values in California tend to increase faster than 2 percent per year, meaning the taxable value of commercial and industrial properties is often lower than the market value.

Proposition 15 exempts from this new taxing rule, commercial property owners that own real estate that is worth $3 million or less, maintaining the original purchase price as the basis for a tax assessment. In addition, Proposition 15 reduces the tax base for business equipment owned by a landlord. Business owners who own equipment worth $500,000 or less will pay no taxes on such equipment.

**Fiscal Impact:**

The LAO found that Proposition 15 would increase property tax revenues on eligible commercial properties by $6.5 billion to $11.5 billion, annually. Sixty percent of these additional funds will go to cities, counties and special districts. Each city, county, or special district’s share of the money depends on several things including the amount of new taxes paid by commercial properties in that community. Not all governments would be guaranteed new money. Some in rural areas may end up losing money because of lower taxes on business equipment. The other 40 percent would increase funding for schools and community colleges. Each school or community college’s share of the money is mostly based on how many students they have. The new threshold for assessing taxes on business equipment will also mean a reduction in tax revenues. This would mean a negative fiscal impact for rural counties where revenues from taxes on equipment, especially farm equipment, will be reduced.

Educational programs and local governments such as counties and cities will see increased revenues that can be used to fund new programs and/or augment funding for existing ones. According to the Public Policy Institute of California (PPIC), the state’s per pupil spending remains lower than the national average; through 2015 (the most recent year for which national data are available), per pupil spending statewide ($10,786) was almost 13% below the national average level of spending ($12,346).
Support:
Several individuals and organizations support Proposition 15, among them, former Vice President and Democratic presidential candidate, Joe Biden, Democratic Party presidential pre-candidates Pete Buttigieg, Mike Bloomberg, Beto O’Rourke, and Julian Castro, to name a few. In addition, the California Democratic Party and Green Party support this proposition, along with the ACLU of Northern California, labor unions, the California League of Conservation Voters, the League of Women Voters, several organizations representing workers’ unions, environmental policy issues, senior citizens, community engagement, healthcare, business, clergy & interfaith have also endorsed Proposition 15. For a complete list of supporters, please visit: https://www.yes15.org/who-supports

Opposed:
Several organizations oppose Proposition 15, and among them the West Hollywood Chamber of Commerce and dozens of chambers of commerce across the state. In addition, homeowners’ associations, real estate organizations, veterans’ groups and trade associations also oppose Proposition 15. For a complete list of organizations and individuals opposing Proposition 15, please visit: https://noonprop15.org/coalition-members/

Recommendation:
While paying taxes is something that most individuals would like to avoid, there is a reality that without the collection of taxes, no state government can operate and funding for programs would not be possible. Clearly, taxes are needed for the state and special districts to fund strong educational programs that can prepare our youth to become successful individuals. As previously mentioned, the state lags in the national per-pupil spending and additional revenues could certainly increase the quality of education and reduce class sizes. Collected revenues also support essential safety programs, which would also benefit from additional funding. The initiative’s exemption that protects truly small business owners is reasonable, particularly at this time when COVID-19 has hurt many small businesses, and the likelihood of a quick and complete rebound to a pre-COVID-19 economy is not great. The state’s current tax structure is overly reliant on personal income tax, which is more likely to fluctuate significantly during economic downturns, which provides for uneven tax revenues. An adjustment in how commercial property tax revenues are assessed would help to stabilize tax revenues in the state. The changes proposed in Proposition 15 would also close loopholes in the current state tax law that allows large commercial properties to avoid reassessment even when they are sold. Thus, staff recommends the City Council support Proposition 15.


Proposition 16 was placed on the November 3 statewide ballot by the California Legislature through adoption of Assembly Constitutional Amendment (ACA) 5 (Chapter 23, Statutes of 2020), authored by Assemblymember Dr. Shirley Weber, D-San Diego, who represents the 79th Assembly District.
Analysis:
Proposition 16 would repeal Proposition 209 of 1996, which amended the California Constitution by adding Section 31 to Article 1 of the California Constitution to prohibit consideration of race, sex, color, ethnicity, or national origin for admission to higher education institutions, public employment and consideration and award of government contracts. By repealing Section 31 of Article 1, affirmative action guidelines will be based on standing federal laws and regulations that define the parameters of affirmative action. Thus, if approved, higher education institutions and governmental agencies could consider race, sex, color, ethnicity, and national origin in public education, public employment, and public contracting to the extent allowed under federal and state law. It would not permit the use of quotas or policies that broadly tailored and do not consider the totality of the individual college applicant, job applicant, or contract bidder. Proposition 16 is prospective, and it will likely be limited to the implementation of new programs.

Fiscal Impact:
According to the LAO, the fiscal impact of Proposition 16 would be minimal and largely dependent on future choices by state and local agencies to implement programs that consider race, sex, color, ethnicity, or national origin in public education, public employment, and public contracting.

Support:
Proposition 16 is supported by a large number of individuals, elected officials and organizations, among them, U.S. Senators Dianne Feinstein and Kamala Harris, several members of the Democratic Caucus of the House of Representatives, state Senators Scott Wiener, Maria Elena Durazo, Connie Leyva, Holly Mitchell, Assembly members Aguiar-Curry, Joaquin Arambula, Rob Bonta, David Chiu, the ACLU of California, California Labor Federation, the California Teachers Association, the California Federation of Teachers, former California U.S. Senator Barbara Boxer, California Black Chamber of Commerce, California Hispanic Chambers of Commerce, California NAACP State Conference. For a complete list of individuals and organizations supporting Proposition 16, please visit: https://voteyesonprop16.org/why-prop-16/endorsements/

Opposed:
Proposition 16 is opposed by the American Civil Rights Institute, American Freedom Alliance, individuals such as Ward Connerly, who spearheaded Proposition 209, Republican state Senators Ling Chang and Melissa Melendez, former Republican elected officials such as U.S. Rep. Darrell Issa and Tom Campbell, and former Republican California Senate Minority Leader Bob Huff. For a complete list of individuals and organizations opposing Proposition 16, please visit: https://californiansforequalrights.org/endorsements/

Recommendation:
In 1998, the City Council adopted Resolution No. 98-1908 in support of the Equal Education Opportunity Initiative, which sought to repeal Proposition 209 as it had a negative impact on admissions of minority students’ institutions of higher education in the state. Due to lack of campaign funds, gathering of the required number of signatures (800,000) to qualify the initiative was done by volunteers only. Thus, proponents of the
initiative failed to gather enough signatures and the ballot initiative did not qualify. The City of West Hollywood values diversity and has been a strong advocate to end discrimination in all aspects of society. Thus, the City Council is recommended to support Proposition 16.

**Proposition 17: VOTING RIGHTS RESTORATION FOR PERSONS ON PAROLE AMENDMENT.** Legislatively referred constitutional amendment.

Proposition 17 was placed on the November 3 statewide ballot by the California Legislature through approval of ACA 6 Elections: disqualification of electors, (Chapter 24, Statutes of 2020), which was authored by Assemblymember Kevin McCarty D-Sacramento, who represents the 7th Assembly district. Analysis:

Proposition 17 restores the voting rights of convicted felons serving on state parole. It amends sections 2 and 4 of Article II of the California Constitution as follows:

Adds subsection b to Section 2: “An elector disqualified from voting while serving a state or federal prison term, as described in Section 4, shall have their right to vote restored upon the completion of their prison term”.

Amends Section 4 by striking and adding language (underlined) as follows:

The Legislature shall prohibit improper practices that affect elections and shall provide for the disqualification of electors while mentally incompetent or imprisoned or on parole serving a state or federal prison term for the conviction of a felony.

According to the LAO, there are about 50,000 individuals on parole in California, and thus, unable to vote.

**Fiscal Impact:**

According to the LAO, counties and the state will have additional costs in the hundreds of thousands of dollars as many more people could now register to and subsequently, vote requiring county clerks to process additional forms and ballots. The state would incur new costs associated with updating voter registration records.

**Support:**

U.S. Senator Kamala Harris, (D-CA), state Senators Holly Mitchell, Steven Bradford, Scott Wiener, Assemblymembers Rob Bonta, Lorena Gonzalez, Ash Kalra, Kevin Mullin, Shirley Weber, Wendy Carrillo, Mike Gipson, Kevin McCarthy, Mark Stone, and Secretary of State Alex Padilla. For a complete list of individuals and organizations supporting Proposition 17, please visit: https://yeson17.vote/endorsements-3/

**Opposed:**

Only one elected official, Republican Jim Nielsen, (R) has registered opposition to Proposition 17. There are no additional sources of registered opposition to Proposition 17.

**Recommendation:**

City staff, at the direction of the City Council, has developed initiatives to encourage voter participation in elections. Consistent with this direction, City staff endeavored to increase civic engagement and participation in the democratic process. This proposition restores
the voting rights of individuals who have paid their debts to society and who are now on parole. Restoring the ability to participate in the electoral process of individuals who have served out their sentences is part of the rehabilitation process and reintegration into their communities. Thus, the City Council is recommended to support Proposition 17.

**Proposition 18: PRIMARY VOTING FOR 17-YEAR-OLDS AMENDMENT.**
Legislatively referred constitutional amendment.

Proposition 18 was placed on the November 3 statewide ballot by the California Legislature when it approved ACA 4 Elections: voting age, (Chapter 30, Statutes of 2020), which was authored by Assemblymember Kevin Mullin, D-South San Francisco, who represents the 22nd district of the California Assembly.

**Analysis:**
Proposition 18 would amend Section 2 of Article II by adding Subsection b to read: A United States citizen who is 17 years of age, is a resident in this State, and will be at least 18 years of age at the time of the next general election may vote in any primary or special election that occurs before the next general election in which the citizen would be eligible to vote if at least 18 years of age.

**Fiscal Impact:**
According to the LAO, counties and the state will incur additional costs as more individuals will be able to register to vote and additional paperwork will have to be processed by County Registrars. In addition, the Secretary of State will have additional work to update voter registration records.

**Support:**
Democratic Assemblymember Kevin Mullin and Secretary of State, Alex Padilla have endorsed Proposition 18.

**Opposed:**
The Election Integrity Project California submitted arguments opposing ACA 4 to Assembly staff and these comments were included in the Assembly Floor analysis for the Concurrence in Senate Amendments. Said analysis was made available to legislators and the public, as the bill went through a concurrence vote.

**Recommendation:**
Like Proposition 17, this proposition seeks to increase participation in the democratic process by making it easier for younger citizens who would be 18 years of age at the time of an election to participate in the electoral process and vote. The City has developed initiatives to encourage voter participation in elections. In addition, City staff has endeavored to increase civic engagement and participation in the decision-making process. Thus, the City Council is recommended to support Proposition 18.

**Proposition 19: PROPERTY TAX TRANSFERS, EXEMPTIONS, AND REVENUE FOR WILDFIRE AGENCIES AND COUNTIES AMENDMENT.**
Legislatively referred constitutional amendment.

Proposition 19 was placed on the November 3 statewide ballot by the California
Legislature through passage of ACA 11 The Home Protection for Seniors, Severely Disabled, Families, and Victims of Wildfire or Natural Disasters Act, (Chapter 31, Statutes of 2020), which was authored by Assemblymember Kevin Mullin, D-South San Francisco who represents the 22nd district of the California Assembly.

Analysis:

Proposition 19 would amend the California Constitution by adding Sections 2.1, 2.2 and 2.3 to Article XIII A. If approved, Proposition 19 would:

- Allow the transfer of a primary home tax assessment anywhere within the state for homeowners over 55 years old, people with severe disabilities, and victims of natural disasters or wildfires. Currently, counties can choose to adopt an ordinance accepting incoming transfers of existing tax assessments. This, in turn, poses a problem for homeowners who would like to move to a county and transfer the tax assessment, if the county has chosen not to adopt an ordinance allowing such transfers. As of 2020, only 10 counties have adopted such ordinances allowing transfers of existing tax assessments.

- Allow primary homes tax assessments for qualifying individuals referenced above.

- Increase the number of times that persons over 55 years old or with severe disabilities can transfer their tax assessments from one to three.

- Require that inherited homes that are not used as principal residences, such as second homes or rentals, be reassessed at market value when transferred; and

- Allocate additional revenue or net savings resulting from the ballot measure to wildfire agencies and counties. (Section 2.2.)

Proposition 19 would eliminate the parent-to-child and grandparent-to-grandchild exemption in cases where the child or grandchild does not use the inherited property as their principal residence, such as using a property a rental house or a second home. When the inherited property is used as the recipient's principal residence but has a market value above $1 million, an upward adjustment in assessed value would occur. The ballot measure would also apply these rules to certain farms. Beginning on February 16, 2023, the taxable value of an inherited principal residential property would be adjusted each year at a rate equal to the change in the California House Price Index.

Proposition 19 measure would create the California Fire Response Fund (CFRF) and County Revenue Protection Fund (CRPF). The ballot measure would require the California Director of Finance to calculate additional revenues and net savings resulting from the ballot measure. The California State Controller would be required to deposit 75 percent of the calculated revenue to the Fire Response Fund and 15 percent to the County Revenue Protection Fund. The County Revenue Protection Fund would be used to reimburse counties for revenue losses related to the measure’s property tax changes. The Fire Response Fund would be used to fund fire suppression staffing and full-time station-based personnel.

Fiscal Impact:

The LAO has found that by narrowing the regulations for how inherited properties will be
taxed, local governments and schools could benefit from the collection of increased revenues. The LAO also found that as more homeowners can transfer their existing tax assessments and tax assessors would potentially collect lower real estate taxes, local governments and schools would see decreased revenues. “Overall, property taxes for local governments and schools probably would increase. In the first few years, local governments could gain tens of millions of dollars per year. Over time, these revenue gains could grow to a few hundred million dollars per year. Schools could receive similar property tax gains.”

Support:

Proposition 19 is supported by California Gavin Newsom, Treasurer Fiona Ma, Controller Betty Yee, Senate President pro Tempore Toni Atkins, state Senators Bill Dodd, Brian Dahle, Jerry Hill, Mike McGuire, Richard Pan, Scott Wiener, Scott Wilk, Assemblymembers Cecilia Aguiar-Curry and Jim Cooper, among many more. Proposition 19 is also supported by labor unions such as AFSCME California, California Nurses Association, California Faculty Association, California State Federation of Labor AFL-CIO; Operating Engineers Local 3, Painters District Council 36, United Domestic Workers – AFSCME Local 3930, and others. California Democratic Party, California Young Democrats, California Impact Republicans, Alice B Toklas Democratic Club, Culver City Democratic Club, Democrats for Israel-Los Angeles, District 11 Democratic Club -San Francisco, East Contra Costa Costa Democratic Club, and Los Angeles County Democratic Party among many other political groups. For a complete list of supporters, please visit: https://www.yeson19.vote/our-coalition

Opposed:

The Howard Jarvis Taxpayers Association and the editorial board of the Orange County Register oppose Proposition 19.

Recommendation:

In 2018, staff presented a staff report in which the City Council was presented information related to Proposition 5, Property Tax Transfer Initiative. At the time, staff recommended no position due to potential negative fiscal impact. Proposition 5 was rejected by the voters. Considering the LAO’s take on the potential positive fiscal impact, which would generate additional tax revenues due to new taxing rules for inherited properties and the flexibility the proposition would afford to seniors and disabled individuals, the City Council is recommended to adopt a resolution in support of Proposition 19.

Proposition 20: RESTRICTS PAROLE FOR NON-VIOLENT OFFENDERS. AUTHORIZES FELONY SENTENCES FOR CERTAIN OFFENSES CURRENTLY TREATED ONLY AS MISDEMEANORS. Initiative statute.

Proposition 20 qualified for November 3 ballot after the initiative’s proponents gathered the required number of signatures and the Secretary of State verified a sample of those signatures to meet legal requirements. According to the Secretary of State, for an Initiative Statute to qualify for submission to the voters during a general election, proponents must gather 623,212 signatures.

In 2009, the state of California was ordered by a three-judge panel (federal court circuit) to address the severe overcrowding in state prisons by reducing the number the inmate
population to 137.5% of the state’s prison system capacity. The state appealed such
decision to the Supreme Court of the United States (SCOTUS). In 2011, SCOTUS agreed
with the lower court’s ruling and found that overcrowding in the state's prisons resulted in
cruel and unusual punishment—a violation of the Eighth Amendment—and affirmed the
lower court’s order to reduce the prison population. That same year, the Legislature
passed AB 109. In 2014 and 2016, California voters approved the above-mentioned
initiatives that changed certain laws related to criminal punishment and sentencing of
certain crimes

Analysis:
Proposition 20 was designed to reverse policy changes that were enacted by the passage
of AB 109 (Committee on the Budget, Criminal Justice Alignment, Chapter 15, Statutes
of 2011), Proposition 47 Reduced Penalties for Some Crimes Initiative of 2014 and
Proposition 57 Parole for Non-Violent Criminals and Juvenile Court Trial Requirements
of 2016.

According to the Secretary of State’s information on Proposition 20, the initiative seeks to:

- Impose restrictions on parole program for non-violent offenders who have
  completed the full term for their primary offense.
- Expand list of offenses that disqualify an inmate from this parole program. Changes
  standards and requirements governing parole decisions under this program, most of it
  enacted by Proposition 57.
- Authorize felony charges for specified theft crimes currently chargeable only as
  misdemeanors, including some theft crimes where the value is between $250 and
  $950. Creates two new crimes:
  - Serial Theft. Any person with two or more past convictions for certain theft-
    related crimes (such as burglary, forgery, or carjacking) who is found guilty of
    shoplifting or petty theft involving property worth more than $250 could be
    charged with serial theft.
  - Organized Retail Theft. Any person acting with others who commits petty
    theft or shoplifting two or more times where the total value of property stolen
    within 180 days exceeds $250 could be charged with organized retail theft.
- Requires persons convicted of specified misdemeanors to submit to collection of
  DNA samples for state database.

Fiscal Impact:
According to the LAO, the state and local correction departments will incur in additional
costs likely in the tens of millions of dollars annually, as more people would be jailed, and
less nonviolent offenders will be released. In addition, the state and counties are likely to
experience increased court-related costs of around a few million dollars annually related
to processing probation revocations and additional felony cases. Furthermore, state and
counties will incur in new costs, annually, related to collecting and processing DNA
samples from additional offenders.
Support:
Proposition 20 is supported by Crime Victims United President Nina Salarno Besselman, Crime Survivors, Inc. Founder/CEO Patricia Wenskunas, Assemblymembers Jim Cooper (D-Elk Grove) and Vince Fong (R-Bakersfield), Organization for Justice and Equality President Frank Lee, Sacramento County District Attorney Anne Marie Schubert, Orange County District Attorney Todd Spitzer, California Police Chiefs Association Immediate Past President Ron Lawrence, Whittier Mayor Joe Vinatieri, California Grocers Association President Ron Fong, California Retailers Association President Rachel Michel, the Orange County Board of Supervisors, the Association of Los Angeles County Deputy Sheriffs, Peace Officers Research Association of California, and the Los Angeles Police Protective League.

Opposed:
Proposition is opposed by former Governor Jerry Brown (D), SEIU California State Council, and the ACLU of Northern California.

Recommendation:
The City Council has adopted the 2019-2020 legislative priorities that call for supporting laws and policies that lead to justice reform and rehabilitation of inmates. Proposition 20 would increase the amount of people who would be incarcerated. However, law enforcement has previously indicated that there have been some negative impacts from the provisions enacted by the prior propositions mentioned above, including increased property crime. Thus, staff recommends the City Council take no position on Proposition 20.


Proposition 21 is an initiated statute that qualified for November 3 ballot after the initiative’s proponents gathered the required number of signatures and the Secretary of State verified a sample of those signatures to meet legal requirements. According to the Secretary of State, for an initiative statute to qualify for submission to the voters during a general election, proponents must gather 623,212 signatures.

Analysis:
Proposition 21, also known as the Rent Affordability Act (RAA), would allow local governments to enact rent control ordinances on properties that was first occupied over 15 years ago. Proposition 21 exempts from prospective local rent control ordinances landlords who own no more than two homes with distinct titles or subdivided interests. In addition, Proposition 21 exempts properties such as single-family homes, condos, and some duplexes, or subdivided interests, such as stock cooperatives and community apartment projects. Proposition 21 would replace the Costa-Hawkins Act of 1995, the state law that limited local governments’ authority to adopt ordinances that regulated rents of certain properties that were occupied after February 1, 1995. Proposition 21 allows rent increases in rent-controlled properties of up to 15 percent over three years at start of new tenancy (above any increase allowed by local ordinance).
In 2018, the current ballot initiative’s proponents sponsored the “Affordable Housing Act” (AHA) or Proposition 10. The AHA proposed repealing Costa Hawkins and to allow local governments to adopt local ordinances governing the setting of initial rental rates and subsequent adjustments. At the time, the City Council adopted Resolution 18-5028 in support of Proposition 10. Proposition 10 was rejected by voters (59.4% of California voters, while 40.6% supported it).

Unlike Proposition 10 of 2018, which sought to repeal Costa Hawkins, the RAA seeks to amend a portion of the Costa Hawkins law by exempting from new rent control ordinances homes owned by landlords who only own up to two homes, and in accordance with California law, the RAA provides that rent-control policies may not violate landlords’ right to a fair financial return on their property. In March 2020, the City Council adopted Resolution 20-5259 in support of the RAA, now Proposition 21.

Fiscal Impact:

The LAO estimates that Proposition 21 would have a negative fiscal impact on state and local governments as the values of rental properties could decrease as said properties become less profitable and prospective buyers would be less willing to pay top dollars for said property. The largest effect would be on property taxes. The amount of revenue loss would depend on many factors, most importantly how communities respond to this measure. For example, if communities that already have rent control expand their rules to include newer homes and some single-family homes, (only single-family homes that are owned by those with multiple homes), revenue losses could be in the high tens of millions of dollars per year. If many communities create new rent control rules, revenue losses could be larger. If few communities make changes, revenue losses would be minor.

Opponents of Proposition 21 argue that the initiative will harm small property owners as the rental prices will be regulated. Depending on how “small property owner” is defined, this could be true or not. The proposition, as written, would allow local governments to adopt local rent control ordinances to regulate the rental rate of properties owned by physical persons who own no more than two separate properties.

Support:

Proposition 21 is sponsored by the AIDS Healthcare Foundation (AHF) and supported by a coalition of Renters and Homeowners United to Keep Families in Their Homes, also known as Yes on 21. The coalition is comprised of the cities of West Hollywood and Santa Monica, the California Democratic Party, labor organizations such as SEIU California, AFSCME California, Unite HERE 11, UC Student Workers Union UAW Local 2865. In addition, the San Francisco Tenants Union, Los Angeles Tenants Union, the Dolores Huerta Foundation for Community Organizing, Los Angeles Urban League, California Environmental Justice Alliance, and many more. Proposition 21 is also supported by former presidential precandidate, Senator Bernie Sanders, D-VT, U.S. Representatives Karen Bass, Maxine Waters and Barbara Lee, State of California Insurance Commissioner Ricardo Lara, former Senate Pro Tem Kevin De Leon, State Senators Ben Allen and Maria Elena Durazo, Assemblymembers Ash Kalra, David Chiu, Lorena Gonzalez, and Wendy Carrillo. For a complete list of supporters, please visit: https://yeson21ca.org/endorsements/
Opposed:
Proposition 21 is opposed by Alameda Housing Providers Association, Bay Area Homeowners Network, Bay Area Housing Advocacy Coalition, Bay Area Builders Exchange, Building Industry Association of Orange County, Building Industry Association of Southern California, California Builders Alliance, California Building Industry Association, California Community Builders, Coalition of Small Rental Property Owners, Community Build Inc., Minority Apartment Owners Association, American Legion, Department of California, AMVETS, Department of California, AMVETS Service Foundation, Department of California, Association of the U.S. Army, Northern California Chapters, Association of the U.S. Army, Southern California Chapters, California Council of the Military Officers Association, Cesar E. Chavez Sacramento Chapter of the American G.I. Forum, Delta Veterans Group (DVG), California State Conference of the NAACP, Black Women Organized for Political Action (BWOPA), Califia NOW Chapter of Greater Los Angeles, Si Se Puede, NAACP Lake County, California Senior Advocates League, Congress of California Seniors, and NAACP San Pedro/Wilmington. In addition, construction-related labor organizations such as State Building and Construction Trades Council of California, California State Pipe Trades Council, International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers & Helpers AFL-CIO, California District of Iron Workers, California State Association of Electrical Workers, California Conference of Carpenters, Building and Construction Trades Council of San Bernardino and Riverside Counties, IBEW Local Unions 6, 11, 47, 234, 302, 332, 340, 413, 428, 477, 551, 595, 617, 684, 952, Insulators & Allied Workers Local Union 16, and others. For a complete list of individuals and organizations opposing Proposition 21, please visit: https://noonprop21.vote/who-we-are/

Recommendation:
The City Council has already endorsed Proposition 21.

Proposition 22: Exempts App-Based Transportation and Delivery Companies from Providing Employee Benefits to Certain Drivers. Initiative statute.

Proposition 22 is an initiated statute that qualified for November 3 ballot after the initiative’s proponents gathered the required number of signatures and the Secretary of State verified a sample of those signatures to meet legal requirements. According to the Secretary of State, for an initiative statute to qualify for submission to the voters during a general election, proponents must gather 623,212 signatures.

Analysis:
Proposition 22 aims to override AB 5 (Gonzalez) Worker status: employees and independent contractors, (Chapter 296, Statutes of 2019). AB 5, according to an analysis prepared by the California Senate Rules’ committee’s staff requires an employer to treat a worker as an employee unless the hiring entity demonstrates that all of the following conditions are satisfied:

a) The person is free from the control and direction of the hiring entity in connection with the performance of the work, both under the contract for the performance of the work and in fact.

b) The person performs work that is outside the usual course of the hiring entity’s
business.

According to information made available by the website Ballotpedia, Preposition 22 would enact labor and wage regulations that will only cover app-based workers, such as

- payments for the difference between a worker's net earnings, excluding tips, and a net earnings floor based on 120% of the minimum wage applied to a driver’s engaged time and 30 cents, adjusted for inflation after 2021, per engaged mile;
- limiting app-based drivers from working more than 12 hours during a 24-hour period, unless the driver has been logged off for an uninterrupted 6 hours;
- for drivers who average at least 25 hours per week of engaged time during a calendar quarter, require companies to provide healthcare subsidies equal to 82% the average California Covered (CC) premium for each month;
- for drivers who average between 15 and 25 hours per week of engaged time during a calendar quarter, require companies to provide healthcare subsidies equal to 41% the average CC premium for each month;
- require companies to provide or make available occupational accident insurance to cover at least $1 million in medical expenses and lost income resulting from injuries suffered while a driver was online (defined as when the driver is using the app and can receive service requests) but not engaged in personal activities;
- require the occupational accident insurance to provide disability payments of 66 percent of a driver's average weekly earnings during the previous four weeks before the injuries suffered (while the driver was online but not engaged in personal activities) for upwards of 104 weeks (about 2 years);
- require companies to provide or make available accidental death insurance for the benefit of a driver's spouse, children, or other dependents when the driver dies while using the app;

Proposition 22 would define a driver's engaged time as the time between accepting a service request and completing the request.

On August 10, 2020, Judge Ethan Schulman of San Francisco’s Superior Court ruled that Uber and Lyft had violated state law by misclassifying workers as independent contractors and not employees. On August 20, 2020, the California First District Court of Appeal stayed Judge Schulman's ruling from taking effect.

Fiscal Impact:
The LAO estimates, assuming that app-based companies can hire drivers as independent contractors and avoid paying the 20% employee-related costs, the state will see a minor increase in income taxes paid by rideshare and delivery company drivers and investors.

Support:
Proposition 22 is sponsored by Uber, DoorDash and Lyft and supported by several organizations, including California Chamber of Commerce, California Small Business...

Opposed:

Proposition 22 is opposed by Democratic presidential candidate and former Vice President Joe Biden, U.S. Senators Kamala Harris and Elizabeth Warren, California Assembly Speaker Anthony Rendon, labor organizations such as California Labor Federation, California State Council of Laborers, California Teachers Association, SEIU California State Council, State Building and Construction Trades Council of California, Transport Workers Union of America, Unite HERE, and United Food and Commercial Workers Western States Council.

Recommendation:

The City Council has not taken a position on AB 5 as many local residents do depend on app-based work. Thus, staff recommends the City Council take no position on Proposition 22.


Proposition 23 is an initiated statute that qualified for November 3 ballot after the initiative’s proponents gathered the required number of signatures and the Secretary of State verified a sample of those signatures to meet legal requirements. According to the Secretary of State, for an initiative statute to qualify for submission to the voters during a general election, proponents must gather 623,212 signatures.

Analysis:

Proposition 23 will impose new regulations on operators of the kidney dialysis clinics; among them, operators will be prohibited from discriminating against a patient because of the type of payor source the patient uses to cover the cost of services. Proposition 23 will also require that one licensed physician be present on site during all times that in-center dialysis patients are being treated. This physician shall have authority and responsibility over patient safety and to direct the provision and quality of medical care. In addition, Proposition 23 would require a dialysis center or its governing company to provide written notice to the state and obtain written consent from the state before it closes a dialysis center or reduces its hours of operations. A dialysis center shall quarterly report to the California Department of Public Health (CDPH) infection data, including the incidence and type of incidents at each chronic dialysis clinic in California. Operators who fail to properly report are subject to penalties.
Fiscal Impact:
The LAO estimates the state would incur in additional costs due to new reporting requirements. If clinics are always required to have a doctor on site, then operators could seek rate increases, which the state and private health insurance may end up paying for.

Support:
Proposition 23 is sponsored by Californians for Kidney Dialysis Patient Protection, a campaign led by SEIU -UHW West and endorsed by the California Democratic Party and the California Labor Federation.

Opposed:
Proposition 23 is opposed by Stop the Dangerous & Costly Dialysis Proposition and corporations such as DaVita, Inc., Fresenius Medical Care. In addition, the following organizations oppose Proposition 23: AMVETS, Department of California, American Legion, Department of California, California Medical Association, and California NAACP State Conference.

Recommendation:
Staff recommends the City Council take no position on Proposition 23.


Proposition 24 is an initiated statute that qualified for November 3 ballot after the initiative’s proponents gathered the required number of signatures and the Secretary of State verified a sample of those signatures to meet legal requirements. According to the Secretary of State, for an initiative statute to qualify for submission to the voters during a general election, proponents must gather 623,212 signatures.

Analysis:
Proposition 24 aims to amend the California Consumer Privacy Act (CCPA) of 2018, AB 375 (Chau) Privacy: personal information: businesses, (Chapter 55, Statutes of 2018) to allow consumers to direct businesses to not share their personal information; remove the time period in which businesses can fix violations before being penalized; and create the Privacy Protection Agency to enforce the state’s consumer data privacy laws.

The Electronic Frontier Foundation (EFF), a nonprofit organization defending civil liberties in the digital world, which champions user privacy, free expression, and innovation through impact litigation, described Proposition 24 as "a mixed bag of partial steps backwards and forwards".

Fiscal Impact:
The LAO estimates annual state costs of at least $10 million, but unlikely exceeding low tens of millions of dollars due to costs associated with the creation of a new state agency. In addition, the state would incur in new costs to enforce expanded consumer privacy laws. Some costs would be offset by penalties for violating these laws. The LAO was unable to estimate impact on state and local governments revenues due to the new requirements businesses will be subject to.
Support:
Proposition 24 is led by Californians for Consumer Privacy and former Democratic presidential pre-candidate Andrew Yang, State Senator Bob Hertzberg, former Senator and former Chair of the California Democratic Party John Burton, and organizations such as Common Sense, Consumer Watchdog, and California State Conference NAACP. For a complete list of individuals and organizations in support of Proposition 24, please visit: https://www.caprivacy.org/our-growing-list-of-supporters/

Opposed:
Opposition to Proposition 24 is led by a group called the Consumers and Privacy Advocates Oppose Proposition 24. The ACLU of California, the Bay Area Reporter, CHIRLA, Consumer Federation of America, Courage Campaign, League of Women Voters of California, and others. For a complete list of individuals and organizations who oppose Proposition 24, please visit: https://noon24ca.org/who-opposes-proposition-24/

Recommendation:
Given that many reputable consumer privacy experts and organizations support and oppose this proposition, staff is unable to judge whether this, in the long run, will be a positive step for consumers in California; thus, staff recommends the City Council take no position on Proposition 24.

Proposition 25: REFERENDUM ON LAW THAT REPLACED MONEY BAIL WITH SYSTEM BASED ON PUBLIC SAFETY AND FLIGHT RISK. Voter Referendum

Proposition 25 qualified to appear on the November 3 statewide ballot after proponents of this referendum gathered the required number of signatures from registered voters.

Analysis:
Proposition 25 will ask voters to decide whether SB 10 (Hertzberg) Pretrial release or detention: pretrial services, (Chapter 244, Statutes of 2018) should go into effect or not. SB 10 replaced the cash bail system in California with a pretrial a risk-based non-monetary pre-arraignment and pretrial release system for people arrested for criminal offenses, including preventative detention procedures for person’s determined to be too high a risk to assure public safety if released.

A yes vote upholds SB 10 and would allow the new pretrial assessment, no cash bail system to be fully implemented. A no vote repeals SB 10.

Fiscal Impact:
The LAO estimates that, If the new pre-trial assessment process goes into effect, the state courts and county district attorneys’ offices will have increased workloads to process individuals’ assessments. Counties would see reduced costs due to less people being detained in local jails.

Support:
The Coalition to End Money Bail/Yes on 25 is comprised of Senate Pro Tem Toni Atkins, Senators Allen, Hertzberg, Mitchell, and Durazo, California Assembly Speaker Anthony Rendon, U.S. Representatives Karen Bass and Ted Lieu, Assemblymember Bonta,
Carrillo, Chiu, Gonzalez; labor organizations such as SEIU California, the California Democratic Party, California Medical Association, Californians for Safety & Justice, the League of Women Voters of California, and many others. For a complete list of supporters, please visit: https://yesoncaprop25.com/bail_reform_supporters

Opposed:

The campaign to oppose Proposition 25 is led by the Californians Against the Reckless Bail Scheme, a group comprised of bail and bond businesses, as well as Black Women Organized for Political Action (BWOPA), California Asian Pacific Chamber of Commerce, California Bail Agents Association, California Black Chamber of Commerce, California Business Roundtable, California Hispanic Chambers of Commerce, California Peace Officers’ Association, California Senior Advocates League, California Small Business Association, California State Conference of the NAACP. In addition, the following individuals have also registered their opposition to Proposition 25: Pastor Eldridge W. Bell, Mt. Olive 2nd MBC, Pastor Oliver E. Buie, New Century Baptist Church, Pastor Tracy Crawford, New Century Baptist Church, Reverend Constance Garrett, Uplift Community Church, James I. Ines, Jr., President, Southern Bureau Ministered Alliance, Wendell Anderson, Sheriff, Yuba County, Brandon Barnes, Sheriff, Sutter County, Don Barnes, Sheriff, Orange County, Chad Bianco, Sheriff, Riverside County, Douglas A. Binnewies, Sheriff-Coroner, Mariposa County, Mike Boudreaux, Sheriff, Tulare County, Burton Brink, Sergeant (ret.), Los Angeles County Sheriff’s Department, Orange County Board of Supervisors, and many others. For a complete list of individuals and organizations opposing Proposition 25, please visit: https://stopprop25.com/coalition-members-2/

Recommendation:

In 2018, when SB 10 was amended, City staff reviewed the bill and its legislative intent. The bill’s intent aligned with the City Council’s direction to staff to support legislation that sought reform of the justice system. In late 2018, the City Council adopted the 2019-2020 legislative priorities, and incorporated a new section called “Social Justice”. The section reads: “The City’s incorporation was driven by an intense belief in social justice and the need to end discrimination against LGBTQ people as well as minorities. Thus, social justice issues are of concern to the City”. In 2020, the City Council also endorsed the County of Los Angeles’ CEO report “Alternatives To Incorporation” (ATI), which seeks to prioritize care first, jails last. Thus, while SB 10 is not the perfect, most in-depth, desired reform to the current system of justice, and realizing that organizations like the ACLU and Human Rights Watch have spoken against SB 10, staff recommends the City Council support Proposition 25. The Council could also direct staff to work with advocates such as the ACLU to pursue new legislation addressing their concerns.

MEASURE J: BUDGET ALLOCATION FOR ALTERNATIVES TO INCARCERATION. CHARTER AMENDMENT. Placed on the ballot by the Los Angeles County Board of Supervisors.

Measure J was placed on the November 3 ballot by a vote of the Los Angeles County Board of Supervisors (BOS) with Supervisors Hahn, Kuehl, Solis, and Ridley-Thomas voting Yes, and Barger No. Measure J asks voters whether the county’s charter should be amended to require that no less than 10% of the county’s general fund be appropriated to community programs and alternatives to incarceration.
Analysis:

In 2019, and following up on the consensus that was built around the suspension of the contract for the construction of a new jail, the BOS directed the County’s Chief Executive Officer (CEO) to organize a working group and develop a roadmap to change the failed law-and-order, criminal justice response approach to one that emphasizes diverting people from jail into care. The result of the Alternatives to Incarceration (ATI) Work Group was the completion of a report called “Care First, Jails Last: Health and Racial Justice Strategies for Safer Communities”. The report included 114 recommendations that were developed through an intensive consensus-building process. On July 6, 2020, the City Council adopted Resolution No. 20-5306 supporting the vision and program recommendations included in the ATI report.

Measure J proposes allocating not less than 10% of locally generated revenues/unrestricted general funds to fund initiatives included in the ATI report. For community investment, the amendment includes allocating funds to the following: youth development programs, job training and low-income jobs, investment in small minority-owned businesses, rent assistance, housing vouchers, and transitional housing.

For alternatives to incarceration, the amendment includes allocating funds to the following: community-based restorative justice programs, pre-trial non-custody services and treatment, and health services, counseling, and mental health and substance use disorder services.

The amendment would become effective on July 1, 2021 and implement the 10% allocation over three years with the full set aside in effect by June 30, 2024. The amendment authorizes the BOS to reduce the 10% allocation with a 4-1 vote during declared fiscal emergencies.

According to the county’s chief executive office, between $360 million and $496 million could potentially go toward purposes specified in Measure J.

Fiscal Impact:

As an independent, contract city, the City of West Hollywood enacts its own budget and contracts for services with different agencies, some of which are part of the County of Los Angeles. As a successful city with a track record of fiscal responsibility and premium credit ratings, the City has largely managed to remain fiscally solvent and whether storms such as the current pandemic. Measure J would divert funds to community programs that could potentially assist West Hollywood residents. The redirection of funds from jails to alternative programs could pose a budget constrain for the LA County Sheriff (LASD). At this time, it is unknown how that potential shift could impact LASD and cities like West Hollywood, which are served by LASD.

Support:

Measure J is supported by Supervisors Hahn, Kuehl, Ridley-Thomas, and Solis. In addition, Measure J is sponsored by the Re-Imagine L.A. Coalition, which is comprised of several community groups such as Black Lives Matter/LA Chapter, Coalition for Responsible Community Development, Community Power Collective, Advancement Project California, Initiate Justice, Los Angeles Community Action Network (LACAN), TransLatin@ Coalition, White People 4 Black Lives, Youth Justice LA Coalition, United
Way of Greater Los Angeles, Reform L.A. Jails, etc. For additional information on supporters and the campaign, please visit: https://yesonj.reimagine.la/about/

Opposed:
Measure J is opposed by Supervisor Kathryn Barger, Los Angeles County Sheriff Alex Villanueva, the Association of Deputy District Attorneys, and labor groups such as the Association of Los Angeles County Deputy Sheriffs (ALADS) and the Coalition of Probation Unions. The LA Times editorial board has questioned the wisdom of using a ballot measure to make budgetary decisions.

Recommendation:
Measure J is consistent with the premise of the ATI, which the City Council has endorsed. In addition, Measure J is consistent with the City Council’s approved 2019-2020 legislative priorities’ Social Justice section, “SJ 2: Support legislation that puts emphasis on rehabilitation and successful reintroduction into society of incarcerated individuals”. The ATI’s recommended strategies and approach of care first, jails last are consistent with the City’s core values, adopted policies, ongoing strategic programs, and the 2019-2020 legislative priorities. Therefore, staff recommends the City Council support Measure J.

CONFORMANCE WITH VISION 2020 AND THE GOALS OF THE WEST HOLLYWOOD GENERAL PLAN:
This item is consistent with the Primary Strategic Goal(s) (PSG) and/or Ongoing Strategic Program(s) (OSP) of:

- OSP-12: Actively Participate in Regional Issues.

In addition, this item is compliant with the following goal(s) of the West Hollywood General Plan:

- G-1: Ensure that the community is active and engaged in the decision-making process.

EVALUATION PROCESSES:
N/A

ENVIRONMENTAL SUSTAINABILITY AND HEALTH:
N/A.

COMMUNITY ENGAGEMENT:
N/A.
OFFICE OF PRIMARY RESPONSIBILITY:
CITY MANAGER'S DEPARTMENT / COMMUNITY & LEGISLATIVE AFFAIRS DIVISION

FISCAL IMPACT:
None. Per State law, cities are prevented from spending taxpayers’ funds on political campaigns.

ATTACHMENTS: YES
Attachment B: “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF PROPOSITION 15: THE TAX ON COMMERCIAL AND INDUSTRIAL PROPERTIES FOR EDUCATION AND LOCAL GOVERNMENT FUNDING INITIATIVE”.
Attachment D: “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF PROPOSITION 17: VOTING RIGHTS RESTORATION FOR PERSONS ON PAROLE AMENDMENT”
Attachment G: “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REAFFIRMING ITS SUPPORT FOR PROPOSITION 21: EXPANDS LOCAL GOVERNMENTS’ AUTHORITY TO ENACT RENT CONTROL ON RESIDENTIAL PROPERTY. INITIATIVE STATUTE”.
Attachment H: “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF LOS ANGELES COUNTY MEASURE J: BUDGET ALLOCATION FOR ALTERNATIVES TO INCARCERATION. CHARTER AMENDMENT”.
RESOLUTION NO. 20 - _______

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF WEST HOLLYWOOD IN SUPPORT OF
PROPOSITION 14: THE STEM CELL RESEARCH
INSTITUTE BOND INITIATIVE

THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DOES
HEREBY RESOLVE AS FOLLOWS:

WHEREAS, Proposition 14 is an initiative to change state statute led by
Robert N. Klein, a real estate developer and lawyer who was the original sponsor
of Proposition 71 in 2004, the California Research and Cures Act. Proposition 71
was approved by 59% of California voters, leading to the establishment of the
California Institute for Regenerative Medicine (CIRM), and issuing $3 billion in
general obligation bonds to fund CIRM; and

WHEREAS, Proposition 71 was in direct response to the George W. Bush
administration’s ban on the use of federal funds for stem cell research that
required the use of embryonic stem cells, which was advocated by pro-life
groups that believe that life starts at conception; and

WHEREAS, if approved, Proposition 14 would authorize the state to sell
$5.5 billion in general obligation bonds. Proceeds from the sale of bonds would
be awarded to grantees such as educational and research institutions like the
University of California Los Angeles (UCLA), which has received funds from
Proposition 71; and

WHEREAS, grant awards would be used to fund innovative research
using stem cells to develop new treatments for diseases such Alzheimer’s and
Parkinson’s, autoimmune diseases, HIV, etc. Proposition 14 sets aside at least
$1.5 billion for research and development of treatments for diseases affecting the
brain and central nervous system; and

WHEREAS, Proposition 14 also directs CIRM to allocate a portion of
grant funds for training of students at the California State University (CSU) and
the California Community Colleges (CCC), as well as a small share for helping to
establish and support facilities focused on research and clinical trials. Proposition
14 sets a cap on administration-related costs at 7.5 percent of bond funds; and

WHEREAS, the state’s Legislative Analyst Office (LAO) estimates that
Proposition 14’s bond sale will cost the state approximately $7.8 billion ($5.5
billion in bond sales and $2.3 billion in interest). In addition, the LAO estimates
the repayment cost to the state for principal and interest to average about $260
million per year for the next 30 years; and

ATTACHMENT A
WHEREAS, many of organizations and individuals support Proposition 14, including Cedars Sinai Medical Center, The Michael J. Fox Foundation for Parkinson’s Research, Prostate Cancer Foundation, National Hispanic Medical Association, San Francisco AIDS Foundation, American Diabetes Association, Arthritis Foundation, Bay Area Council, labor organizations, California Democratic Party, Los Angeles County Democratic Party, Bay Area Reporter, California Religious Action Center of Reform Judaism, Equality California, Long Beach Gray Panthers, San Francisco Tenants Union, University of California Board of Regents, and Democratic elected officials such as Lt. Governor Eleni Kounalakis, Alex Padilla, California’s Secretary of State, California’s Insurance Commissioner Ricardo Lara, Senators Bon Archuleta and Scott Wiener, Assemblymembers David Chiu and Lorena Gonzalez, and LA County Supervisors Sheila Kuehl and Mark Ridley-Thomas; and

WHEREAS, Proposition 14 is opposed by Marcy Darnovsky, Executive Director of the Center for Genetics and Society; in addition, the editorial boards of The Orange County Register, The Bakersfield Californian, and Mercury News & East Bay Times have also called for a no vote on Proposition 14; and

WHEREAS, funding for research and development of treatments and related scientific discoveries using innovative and cutting-edge use of embryonic stem cells hold the promise for patients and their families of new and effective treatment of diseases such as Parkinson’s, Alzheimer’s, and HIV, for example. The complicated nature of the diseases that the CIRM is targeting requires significant amounts of funding that the private sector and the federal government may not be able to procure or choose not to provide; and

WHEREAS, for many West Hollywood residents, the advent of new treatments for HIV, Alzheimer’s, Parkinson’s, and the like cannot appear soon enough. Consistent with the City’s core values, in 2004, the City Council supported Proposition 71 by adopting Resolution 04-3113; and

THEREFORE, BE IT RESOLVED that the City Council of the City of West Hollywood supports Proposition 14, THE STEM CELL RESEARCH INSTITUTE BOND INITIATIVE.

PASSED, APPROVED AND ADOPTED THIS ____ day of _____, 20__.

________________________________________
MAYOR

ATTEST:

________________________________________
City Clerk
RESOLUTION NO. 20 - _________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF PROPOSITION 15: THE TAX ON COMMERCIAL AND INDUSTRIAL PROPERTIES FOR EDUCATION AND LOCAL GOVERNMENT FUNDING INITIATIVE

THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, Proposition 15 is an initiated constitutional amendment which seeks to change how commercial and industrial properties’ tax assessments are calculated by using the market value of the property and not the original purchase price of the property; and

WHEREAS, in California, the proposal to assess taxes on commercial and industrial properties at market value, while continuing to assess taxes on residential properties based on the purchase price, is known as split roll. Proposition 15 changes the assessment for commercial and industrial properties from the purchase price to market value (or the price a property can be sold for); and

WHEREAS, the new assessment methodology would be phased-in beginning in fiscal year 2022-2023. Properties such as retail centers, whose occupants are 50 percent or more small businesses, would be taxed based on market value beginning in fiscal year 2025-2026 (or later if the legislature decides to do so); and

WHEREAS, Proposition 15 would define small businesses as those that are independently owned and operated, own California property, and have 50 or fewer employees. The change does not start before 2025 for properties used by California businesses that meet certain rules and have 50 or fewer employees. Housing, residential property and agricultural land continues to be taxed based on its original purchase price; and

WHEREAS, in 1978, California voters approved Proposition 13, which required that residential, commercial, and industrial properties be assessed taxes based on their purchase price. The tax is limited to no more than 1 percent of the purchase price at the time of purchase, with an annual adjustment equal to the rate of inflation or 2 percent, whichever is lower; and

WHEREAS, according to the non-partisan Legislative Analyst’s Office (LAO), market values in California tend to increase faster than 2 percent per year, meaning the taxable value of commercial and industrial properties is often lower than the market value; and

ATTACHMENT B
WHEREAS, Proposition 15 exempts from this new taxing rule, commercial property owners that own real estate that is worth $3 million or less, maintaining the original purchase price as the basis for a tax assessment. In addition, Proposition 15 reduces the tax base for business equipment owned by a landlord. Business owners who own equipment worth $500,000 or less will pay no taxes on such equipment; and

WHEREAS, the LAO found that Proposition 15 would increase property taxes on eligible commercial properties by $6.5 billion to $11.5 billion, annually. Sixty percent of these additional funds will go to cities, counties, and special districts. Each city, county, or special district’s share of the money depends on several things including the amount of new taxes paid by commercial properties in that community; and

WHEREAS, the LAO also found that not all governments would be guaranteed new money. Some in rural areas may end up losing money because of lower taxes on business equipment. The other 40 percent would increase funding for schools and community colleges. Each school or community college’s share of the money is mostly based on how many students they have. The new threshold for assessing taxes on business equipment will also mean a reduction in tax revenues. This would mean a negative fiscal impact for rural counties where revenues from taxes on equipment, especially farm equipment, will be reduced; and

WHEREAS, the LAO found, too, that educational programs and local governments such as counties and cities will see increased revenues that can be used to fund new programs and/or augment funding for existing ones; according the Public Policy Institute of California (PPIC), the state’s per pupil spending remains lower than the national average; through 2015 (the most recent year for which national data are available), per pupil spending statewide ($10,786) was almost 13% below the national average level of spending ($12,346); and

WHEREAS, several individuals and organizations support Proposition 15, among them, former Vice President and Democratic presidential candidate, Joe Biden, Democratic Party presidential pre-candidates Pete Buttigieg, Mike Bloomberg, Beto O’Rourke, and Julian Castro, to name a few. In addition, the California Democratic Party and Green Party support this proposition, along with the ACLU of Northern California, labor unions, the California League of Conservation Voters, the League of Women Voters, several organizations representing workers’ unions, environmental policy issues, senior citizens, community engagement, healthcare, business, clergy & interfaith have also endorsed Proposition 15; and

WHEREAS, Proposition 15 is opposed by several organizations, among them the West Hollywood Chamber of Commerce and dozens of chambers of commerce across the state, homeowners’ associations, real estate organizations, veterans’ groups, and trade associations; and
WHEREAS, while paying taxes is something that most individuals would like to avoid, there is a reality that without the collection of taxes, no state government can operate and funding for programs would not be possible. Clearly, taxes are needed for the state and special districts to fund strong educational programs that can prepare our youth to become successful individuals. As previously mentioned, the state lags in the national per-pupil spending and additional revenues could certainly increase the quality of education and reduce class sizes. Collected revenues also support essential safety programs, which would also benefit from additional funding; and

WHEREAS, the state’s current tax structure is overly reliant on personal income tax, which is more likely to fluctuate significantly during economic downturns, which provides for uneven tax revenues. An adjustment in how commercial property tax revenues are assessed would help to stabilize tax revenues in the state; and

WHEREAS, the changes proposed in Proposition 15 would also close loopholes in the current state tax law that allows large commercial properties to avoid reassessment even when they are sold; and

WHEREAS, the initiative’s exemption that protects truly small business owners is reasonable, particularly at this time when COVID-19 has wrecked many small businesses, and the likelihood of a quick and complete rebound to a pre-COVID-19 economy is not great; and

THEREFORE, BE IT RESOLVED that the City Council of the City of West Hollywood supports Proposition 15, THE TAX ON COMMERCIAL AND INDUSTRIAL PROPERTIES FOR EDUCATION AND LOCAL GOVERNMENT FUNDING INITIATIVE.

PASSED, APPROVED AND ADOPTED THIS ____ day of _____, 20__. 

________________________________________
MAYOR

ATTEST:

________________________________________
City Clerk
RESOLUTION NO. 20 - _________

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF WEST HOLLYWOOD IN SUPPORT OF
PROPOSITION 16: REPEAL PROPOSITION 209,
AFFIRMATIVE ACTION AMENDMENT OF 1996

THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DOES
HEREBY RESOLVE AS FOLLOWS:

WHEREAS, Proposition 16 is a constitutional amendment that was placed
on the statewide ballot by the California Legislature by adopting Assembly
Constitutional Amendment (ACA) 5 (Chapter 23, Statutes of 2020), authored by
Assemblymember Dr. Shirley Weber, D-San Diego, who represents the 79th
Assembly District; and

WHEREAS, Proposition 16 would repeal Proposition 209 of 1996, which
amended the California Constitution by adding Section 31 to Article 1 of the
California Constitution to prohibit consideration of race, sex, color, ethnicity, or
national origin for admission to higher education institutions, public employment
and consideration and award of government contracts. By repealing Section 31
of Article 1, affirmative action guidelines will be based on standing federal laws
and regulations that define the parameters of affirmative action; and

WHEREAS, if approved, higher education institutions and governmental
agencies could consider race, sex, color, ethnicity, and national origin in public
education, public employment, and public contracting to the extent allowed under
federal and state law. It would not permit the use of quotas or policies that
broadly tailored and do not consider the totality of the individual college applicant,
job applicant, or contract bidder. Proposition 16 is prospective, and it will likely be
limited to the implementation of new programs; and

WHEREAS, according to the Legislative Analyst’s Office (LAO), the fiscal
impact of Proposition 16 would be minimal and largely dependent on future
choices by state and local agencies to implement programs that consider race,
sex, color, ethnicity, or national origin in public education, public employment,
and public contracting; and

WHEREAS, Proposition 16 is supported by a large number of individuals,
elected officials and organizations, among them, U.S. Senators Dianne Feinstein
and Kamala Harris, several members of the Democratic Caucus of the House of
Representatives, state Senators Scott Wiener, Maria Elena Durazo, Connie
Leyva, Holly Mitchell, Assembly members Aguiar-Curry, Joaquin Arambula, Rob
Bonta, David Chiu, the ACLU of California, California Labor Federation, the
California Teachers Association, the California Federation of Teachers, former
California U.S. Senator Barbara Boxer, California Black Chamber of Commerce,
California Hispanic Chambers of Commerce, California NAACP State
Conference, and many other individuals and organizations; and
WHEREAS, according to the non-partisan Legislative Analyst’s Office (LAO), market values in California tend to increase faster than 2 percent per year, meaning the taxable value of commercial and industrial properties is often lower than the market value; and

WHEREAS, Proposition 16 is opposed by the American Civil Rights Institute, American Freedom Alliance, individuals such as Ward Connerly, who spearheaded Proposition 209, Republican state Senators Ling Ling Chang and Melissa Melendez, former Republican elected officials such as U.S. Rep. Darrell Issa and Tom Campbell, and former Republican California Senate Minority Leader Bob Huff; and

WHEREAS, in 1998, the City Council adopted Resolution No. 98-1908 in support of the Equal Education Opportunity Initiative, which sought to repeal Proposition 209 as it had a negative impact on admissions of minority students' institutions of higher education in the state. Due to lack of campaign funds, gathering of the required number of signatures (800,000) to qualify the initiative was done by volunteers only. Thus, proponents of the initiative failed to gather enough signatures and the ballot initiative did not qualify; and

WHEREAS, the City of West Hollywood values diversity and has been a strong advocate to end discrimination in all aspects of society; and

THEREFORE, BE IT RESOLVED that the City Council of the City of West Hollywood supports Proposition 16, REPEAL PROPOSITION 209, AFFIRMATIVE ACTION AMENDMENT OF 1996.

PASSED, APPROVED AND ADOPTED THIS ____ day of _____, 20__.

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MAYOR

ATTEST:

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City Clerk
RESOLUTION NO. 20 - _________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF PROPOSITION 17: VOTING RIGHTS RESTORATION FOR PERSONS ON PAROLE AMENDMENT

THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, Proposition 17 was placed on the November 3 statewide ballot by the California Legislature through approval of ACA 6 Elections: disqualification of electors, (Chapter 24, Statutes of 2020), which was authored by Assemblymember Kevin McCarty D-Sacramento, who represents the 7th Assembly district in the California Legislature; and

WHEREAS, Proposition 17 restores the voting rights of convicted felons serving on state parole. It amends sections 2 and 4 of Article II of the California Constitution and restores the right to vote of parolees upon them completion of their prison term; and

WHEREAS, according to the Legislative Analyst’s Office (LAO), there are about 50,000 individuals on parole in California, and thus, unable to vote; and

WHEREAS, according to the LAO, too, counties and the state will have additional costs in the hundreds of thousands of dollars as many more people could now register to, and subsequently, vote requiring county clerks to process additional forms and ballots. The state would incur new costs associated with updating voter registration records; and

WHEREAS, Proposition 17 is supported by U.S. Senator and Vice Presidential candidate, Kamala Harris, (D-CA), state Senators Holly Mitchell, Steven Bradford, Scott Wiener, Assemblymembers Rob Bonta, Lorena Gonzalez, Ash Kalra, Kevin Mullin, Shirley Weber, Wendy Carrillo, Mike Gipson, Kevin McCarthy, Mark Stone, and Secretary of State Alex Padilla. Proposition 17 is opposed by Republican Senator, Jim Nielsen, who represents the 4th district of the California Seante; and

WHEREAS, at the direction of the City Council, City staff has developed initiatives to encourage voter participation in elections. Consistent with this direction, City staff endeavored to increase civic engagement and participation in the democratic process. This proposition restores the voting rights of individuals who have paid their debts to society and who are now on parole; and
WHEREAS, restoring the ability to participate in the electoral process of individuals who have served out their sentences is part of the rehabilitation process and reintegration into their communities; and

WHEREAS, the City of West Hollywood has adopted legislative priorities that include supporting policies and programs that prioritize rehabilitation of inmates and parolees, and their reintegration into society; and

WHEREAS, Proposition 17 is a step in the right direction to integrate convicted individuals who have served their time and repaid their debts to society; and

THEREFORE, BE IT RESOLVED that the City Council of the City of West Hollywood supports Proposition 17, VOTING RIGHTS RESTORATION FOR PERSONS ON PAROLE AMENDMENT.

PASSED, APPROVED AND ADOPTED THIS ____ day of _____, 20__.  

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MAYOR

ATTEST:

__________________________________________

City Clerk
RESOLUTION NO. 20 - ________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF PROPOSITION 18: PRIMARY VOTING FOR 17-YEAR-OLDS AMENDMENT

THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, Proposition 18 was placed on the November 3 statewide ballot by the California Legislature when it approved ACA 4 Elections: voting age, (Chapter 30, Statutes of 2020), which was authored by Assemblymember Kevin Mullin, D-South San Francisco, who represents the 22nd district of the California Assembly; and

WHEREAS, Proposition 18 would amend Section 2 of Article II so that a United States citizen who is 17 years of age, is a resident in this State, and will be at least 18 years of age at the time of the next general election may vote in any primary or special election that occurs before the next general election in which the citizen would be eligible to vote if at least 18 years of age; and

WHEREAS, according to the Legislative Analyst's Office (LAO), counties and the state will incur additional costs as more individuals will be able to register to vote and additional paperwork will have to be processed by County Registrars. In addition, the Secretary of State will have additional work to update voter registration records; and

WHEREAS, according to the LAO, too, counties and the state will have additional costs in the hundreds of thousands of dollars as many more people could now register to, and subsequently, vote requiring county clerks to process additional forms and ballots. The state would incur new costs associated with updating voter registration records; and

WHEREAS, Democratic Assemblymember Kevin Mullin and Secretary of State, Alex Padilla have endorsed Proposition 18; the Election Integrity Project California submitted arguments opposing ACA 4 to Assembly staff and these comments were included in the Assembly Floor analysis for the Concurrence in Senate Amendments; and

WHEREAS, at the direction of the City Council, City staff has developed initiatives to encourage voter participation in elections. Consistent with this direction, City staff endeavored to increase civic engagement and participation in the democratic process. This proposition expands participation in the democratic, electoral process by making it easier for younger citizens to exercise their right to vote; and

ATTACHMENT E
WHEREAS, improving access to and encouraging participation in the electoral process of individuals is consistent with the City’s core values, adopted policies and ongoing programs; and

THEREFORE, BE IT RESOLVED that the City Council of the City of West Hollywood supports Proposition 18, PRIMARY VOTING FOR 17-YEAR-OLDS AMENDMENT.

PASSED, APPROVED AND ADOPTED THIS _____ day of _____, 20__.

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MAYOR

ATTEST:

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City Clerk
RESOLUTION NO. 20 - __________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF PROPOSITION 19: PROPERTY TAX TRANSFERS, EXEMPTIONS, AND REVENUE FOR WILDFIRE AGENCIES AND COUNTIES AMENDMENT.

THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, Proposition 19 was placed on the November 3 statewide ballot by the California Legislature through passage of ACA 11 The Home Protection for Seniors, Severely Disabled, Families, and Victims of Wildfire or Natural Disasters Act, (Chapter 31, Statutes of 2020), which was authored by Assemblymember Kevin Mullin, D-South San Francisco who represents the 22nd district of the California Assembly; and

WHEREAS, Proposition 19 would amend the California Constitution by adding Sections 2.1, 2.2 and 2.3 to Article XIII A; and

WHEREAS, Proposition 19 would allow the transfer of a primary home tax assessment anywhere within the state for homeowners over 55 years old, people with severe disabilities, and victims of natural disasters or wildfires; currently, counties can choose to adopt an ordinance accepting incoming transfers of existing tax assessments. This, in turn, poses a problem for homeowners who would like to move to a county and transfer the tax assessment, if the county has chosen not to adopt an ordinance allowing such transfers. As of 2020, only 10 counties have adopted such ordinances allowing transfers of existing tax assessments; and

WHEREAS, Proposition 19 would allow tax assessments to be transferred to a more expensive for qualified homeowners with an upward adjustment in the tax assessment, and increase the number of times that persons over 55 years old or severely disabled can transfer their tax assessments from one to three; and

WHEREAS, Proposition 19 would require that inherited homes that are not used as principal residences, such as second homes or rentals, be reassessed at market value when transferred and would allocate additional revenue or net savings resulting from the ballot measure to wildfire agencies and counties; and

WHEREAS, Proposition 19 would eliminate the parent-to-child and grandparent-to-grandchild exemption in cases where the child or grandchild does not use the inherited property as their principal residence, such as using a property a rental house or a second home. When the inherited property is used as the recipient's principal residence but has a market value above $1 million, an upward adjustment in assessed value would occur; and
WHEREAS, Proposition 19 would also apply these rules to certain farms. Beginning on February 16, 2023, the taxable value of an inherited principal residential property would be adjusted each year at a rate equal to the change in the California House Price Index; and

WHEREAS, Proposition 19 measure would create the California Fire Response Fund (CFRF) and County Revenue Protection Fund (CRPF). The ballot measure would require the California Director of Finance to calculate additional revenues and net savings resulting from the ballot measure. The California State Controller would be required to deposit 75 percent of the calculated revenue to the Fire Response Fund and 15 percent to the County Revenue Protection Fund; and

WHEREAS, the CRPF would be used to reimburse counties for revenue losses related to the measure's property tax changes. The Fire Response Fund would be used to fund fire suppression staffing and full-time station-based personnel; and

WHEREAS, The Legislative Analyst’s Office (LAO) has found that by narrowing the regulations for how inherited properties will be taxed, local governments and schools could benefit from the collection of increased revenues; and

WHEREAS, the LAO also found that as more homeowners can transfer their existing tax assessments and tax assessors would potentially collect lower real estate taxes, local governments and schools would see decreased revenues; and

WHEREAS, the LAO concluded that, in the end, property taxes for local governments and schools probably are likely to increase, and in the first few years, local governments could gain tens of millions of dollars per year; in addition, the LAO found that, over time, these revenue gains could grow to a few hundred million dollars per year, and schools could receive similar property tax gains; and

WHEREAS, Proposition 19 is supported by California Gavin Newsom, Treasurer Fiona Ma, Controller Betty Yee, Senate President pro Tempore Toni Atkins, state Senators Bill Dodd, Brian Dahle, Jerry Hill, Mike McGuire, Richard Pan, Scott Wiener, Scott Wilk, Assemblymembers Cecilia Aguiar-Curry and Jim Cooper, among many more; and

WHEREAS, Proposition 19 is also supported by labor unions such as AFSCME California, California Nurses Association, California Faculty Association, California State Federation of Labor AFL-CIO; Operating Engineers Local 3, Painters District Council 36, United Domestic Workers – AFSCME Local 3930, and others. California Democratic Party, California Young Democrats, California Impact Republicans, Alice B Toklas Democratic Club, Culver City
Democratic Club, Democrats for Israel-Los Angeles, District 11 Democratic Club -San Francisco, East Contra Costa Democratic Club, and Los Angeles County Democratic Party among many other political groups; and

WHEREAS, Proposition 19 is opposed by the Howard Jarvis Taxpayers Association and the editorial board of the Orange County Register oppose Proposition 19; and

WHEREAS, in 2018, staff presented a staff report in which the City Council was presented information related to Proposition 5, Property Tax Transfer Initiative. At the time, staff recommended no position due to potential negative fiscal impact. Proposition 5 was rejected by the voters; and

WHEREAS, taking into consideration the LAO’s estimate on the potential positive fiscal impact, which would generate additional tax revenues due to new taxing rules for inherited properties and the flexibility the proposition would afford to seniors, disabled individuals, and victims of wildfires, the proposition's intent aligns with the legislative priorities of the City of West Hollywood; and

THEREFORE, BE IT RESOLVED that the City Council of the City of West Hollywood supports Proposition 19, PROPERTY TAX TRANSFERS, EXEMPTIONS, AND REVENUE FOR WILDFIRE AGENCIES AND COUNTIES AMENDMENT.

PASSED, APPROVED AND ADOPTED THIS _____ day of _____, 20__.

________________________________________
MAYOR

ATTEST:

________________________________________
City Clerk
RESOLUTION NO. 20 - _________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REAFFIRMING ITS SUPPORT FOR PROPOSITION 21: EXPANDS LOCAL GOVERNMENTS’ AUTHORITY TO ENACT RENT CONTROL ON RESIDENTIAL PROPERTY. INITIATIVE STATUTE

THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, in November 1984, the City of West Hollywood adopted a temporary moratorium ordinance as an urgency measure rolling back rents to those in effect on August 6, 1984 and limiting evictions to certain specified grounds; and

WHEREAS, then, in 1985, the City of West Hollywood adopted its rent stabilization ordinance (RSO) (Title XVII of the West Hollywood Municipal Code); such ordinance covers buildings for which a certificate of occupancy was first issued before July 1, 1979, and exempts certain multifamily housing units for which a certificate of occupancy was issued after July 1, 1979; and

WHEREAS, these multi-family residential units are considered “new construction”, and were exempted from the ordinance. Condominiums and single-family homes were also exempted from the ordinance. In the case of the City of Los Angeles, the rent stabilization ordinance covers properties built before October 1, 1978; and

WHEREAS, on February 23, 1995, former Assembly Member Phil Hawkins, (R-Bellflower) and former Senator Jim Costa, (D-Fresno) introduced AB 1164, which was known as the “Costa Hawkins Rental Housing Act of 1995” or “Costa Hawkins”. Then-Governor Pete Wilson (R), signed AB 1164 (Chapter 331, Statutes of 1995) into law on July 24, 1995. The law became effective on January 1, 1996, allowing landlords to set new/market rental rates upon vacancy by a tenant; and

WHEREAS, Costa Hawkins prohibited local governments from controlling rents on multifamily housing buildings, which had received a certificate of occupancy on or after February 1, 1995; and

WHEREAS, before Costa Hawkins became law, other California cities like the City of Berkeley, the City and County of San Francisco and the City of Los Angeles had adopted local ordinances regulating the rental price of residential units in multifamily apartment buildings; and

ATTACHMENT G
WHEREAS, “strict” rent stabilization ordinances like the one adopted by the City of West Hollywood regulated the rental rate of a unit after a vacancy. Enactment of Costa Hawkins prohibited this practice, establishing what today is referred to as “vacancy decontrol”; when a unit is vacated, a landlord can charge whatever rent he/she desires; and

WHEREAS, in 2018, the City’s Rent Stabilization & Housing (RS&H) Division also found that average rent for tenancies beginning prior to 1996 (pre-Costa Hawkins) ranged from $848 for a studio to $1,642 for a three-bedroom unit. Average new rents (post-Costa Hawkins) for the same rent stabilized units following a vacancy ranged from $1,590 for a studio to $3,753 for a 3-bedroom unit; and

WHEREAS, according to a report by the National Low-Income Housing Coalition, an individual residing in Los Angeles County must earn $19 per hour in order to be able to afford a single apartment and $22.98 for a 1-bedroom apartment. According to the same report, a person looking to rent a 1 bedroom in the City of West Hollywood will need to earn $28.65 and $33.75 for 2-bedroom apartment. The same report shows that California is the 3rd least affordable in terms of housing in the United States only surpassed by Hawaii and the District of Columbia (DC) ranking #1 and #2, respectively; and

WHEREAS, in 2018, the West Hollywood City Council adopted Resolution 18-5028 in support of the “Affordable Housing Act” (AHA) or Proposition 10. The AHA, which sponsored by the AIDS Healthcare Foundation (AHF) and its President & CEO, Michael Weinstein, proposed repealing Costa Hawkins and to allow local governments to adopt local ordinances governing the setting of initial rental rates and subsequent adjustments. Proposition 10 was rejected by voters (59.4% of California voters, while 40.6% supported it); and

WHEREAS, in April 2019, Michael Weinstein, President & CEO of the, Cynthia Davis, Jesse Brooks, Rene Christian Moya, and Susan Hunter filed a request with the Office of the Attorney General of California for title and summary of what today is known as Proposition 21, the Rent Affordability Act (RAA); and

WHEREAS, Proposition 21, amends state law to allow local governments to establish rent control on residential properties over 15 years old; Proposition 21 allows rent increases on rent-controlled properties of up to 15 percent over three years from previous tenant’s rent above any increase allowed by local ordinance; and

WHEREAS, unlike Proposition 10 of 2018, which sought to repeal Costa Hawkins, Proposition 21 seeks to amend a portion of the Costa Hawkins law by exempting from new rent control ordinances homes owned by landlords who only own up to two homes; and
WHEREAS, in accordance with California law, Proposition 21 provides that rent-control policies may not violate landlords’ right to a fair financial return on their property; and

WHEREAS, according to the Secretary of State's office Proposition 21 has been deemed eligible for qualifying to be on the ballot on the November 3, 2020 statewide election; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of West Hollywood finds that Proposition 21 is consistent with Resolution No. 20-5259 and the 2019-2020 legislative priorities and previously adopted policies; and

BE IT FURTHER RESOLVED that the City Council of the City of West Hollywood reaffirms its support for the Rent Affordability Act of 2020, which is now known as Proposition 21: EXPANDS LOCAL GOVERNMENTS’ AUTHORITY TO ENACT RENT CONTROL ON RESIDENTIAL PROPERTY. INITIATIVE STATUTE.

PASSED, APPROVED AND ADOPTED THIS ____ day of _____, 20__. 

________________________________________
MAYOR

ATTEST:

________________________________________
City Clerk
RESOLUTION NO. 20 - ________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF LOS ANGELES COUNTY MEASURE J: BUDGET ALLOCATION FOR ALTERNATIVES TO INCARCERATION. CHARTER AMENDMENT

THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, Measure J was placed on the November 3 ballot by a vote of the Los Angeles County Board of Supervisors (BOS) with Supervisors Hahn, Kuehl, Solis, and Ridley-Thomas voting Yes, and Barger No; and

WHEREAS, Measure J asks voters whether the county's charter should be amended to require that no less than 10% of the county's general fund be appropriated to community programs and alternatives to incarceration; and

WHEREAS, in 2019, and following up on the consensus that was built around the suspension of the contract for the construction of a new jail, the BOS directed the County’s Chief Executive Officer (CEO) to organize a working group and develop a roadmap to change the failed law-and-order, criminal justice response approach to one that emphasizes diverting people from jail into care. The result of the Alternatives to Incarceration (ATI) Work Group was the completion of a report called “Care First, Jails Last: Health and Racial Justice Strategies for Safer Communities”; the report included 114 recommendations that were developed through an intensive consensus-building process; and

WHEREAS, Measure J proposes allocating not less than 10% of locally generated revenues/unrestricted general funds to fund initiatives included in the ATI report. For community investment, the amendment includes allocating funds to the following: youth development programs, job training and low-income jobs, investment in small minority-owned businesses, rent assistance, housing vouchers, and transitional housing; and

WHEREAS, for alternatives to incarceration, the amendment includes allocating funds to the following programs: community-based restorative justice initiatives, pre-trial non-custody services and treatment, and health services, counseling, and mental health and substance use disorder services; and

WHEREAS, the amendment would become effective on July 1, 2021 and implement the 10% allocation over three years with the full set aside in effect by June 30, 2024. The amendment authorizes the BOS to reduce the 10% allocation with a 4-1 vote during declared fiscal emergencies; and

ATTACHMENT H
WHEREAS, according to the county’s chief executive office, between $360 million and $496 million could potentially go toward purposes specified in Measure J; and

WHEREAS, as an independent, contract city, the City of West Hollywood enacts its own budget and contracts for services with different agencies, some of which are part of the County of Los Angeles. As a successful city with a track record of fiscal responsibility and premium credit ratings, the City has largely managed to remain fiscally solvent and whether storms such as the current pandemic. Measure J would divert funds to community programs that could potentially assist West Hollywood residents; and

WHEREAS, the redirection of funds from jails to alternative programs could pose a budget constrain for the LA County Sheriff (LASD). At this time, it is unknown how that potential shift could impact LASD and cities like West Hollywood, which are served by LASD; and

WHEREAS, Measure J is consistent with the premise of the ATI, which the City Council endorsed when it adopted Resolution No. 20-5306 on July 6, 2020. In addition, Measure J is consistent with the City Council’s approved 2019-2020 legislative priorities’ Social Justice section, “SJ 2: Support legislation that puts emphasis on rehabilitation and successful reintroduction into society of incarcerated individuals”; and

WHEREAS, the ATI’s recommended strategies and approach of care first, jails last are consistent with the City’s core values, adopted policies, ongoing strategic programs, and the 2019-2020 legislative priorities.

WHEREAS, Measure J is supported by Supervisors Hahn, Kuehl, Ridley-Thomas, and Solis. In addition, Measure J is sponsored by the Re-Imagine L.A. Coalition, which is comprised of several community groups such as Black Lives Matter/LA Chapter, Coalition for Responsible Community Development, Community Power Collective, Advancement Project California, Initiate Justice, Los Angeles Community Action Network (LACAN), TransLatin@ Coalition, White People 4 Black Lives, Youth Justice LA Coalition, United Way of Greater Los Angeles, and Reform L.A. Jails; and

WHEREAS, Measure J is opposed by Supervisor Kathryn Barger, Los Angeles County Sheriff Alex Villanueva, the Association of Deputy District Attorneys, and labor groups such as the Association of Los Angeles County Deputy Sheriffs (ALADS) and the Coalition of Probation Unions; and
NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of West Hollywood supports Measure J, the LOS ANGELES COUNTY BUDGET ALLOCATION FOR ALTERNATIVES TO INCARCERATION. CHARTER AMENDMENT.

PASSED, APPROVED AND ADOPTED THIS ____ day of _____, 20__.

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MAYOR

ATTEST:

________________________________________
City Clerk