

**RESOLUTION NO. 190-73**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCATA  
PLACING A BALLOT MEASURE REGARDING ARTICLE XXXIV LIMITATIONS ON  
THE NOVEMBER 2020 BALLOT**

**WHEREAS**, Article XXXIV of California Constitution requires authorization by majority vote to allow the construction or acquisition of government-assisted or constructed affordable housing units; and

**WHEREAS**, Arcata voters approved Measure L in 1992, authorizing up to five percent (5%) of the housing stock in the City to be rent-restricted and subject to Article XXXIV; and

**WHEREAS**, the City has provided low-interest loans and other financial assistance to approximately 380 housing units in the City of Arcata, which are subject to the limitations set forth in Article XXXIV; and only 19 additional units may be constructed under the limit established by voters in 1992; and

**WHEREAS**, the City of Arcata is the Housing Successor to the former Arcata Community Development Agency (aka Redevelopment Agency), and elected to assume the housing functions and take over the housing assets of the Redevelopment Agency, along with related rights, powers, liabilities, duties and obligations, including financial assistance for the production of rent-restricted housing; and

**WHEREAS**, the Housing Successor Fund may be used, along with other City, State, or federal and private financing to assist the acquisition, development, and construction of rent-restricted affordable housing subject to Article XXXIV; and

**WHEREAS**, the State-mandated Regional Housing Needs Allocation includes affordable housing goals as described in the City's certified Housing Element, including the production of 237 units of low-income housing by 2027; and

**WHEREAS**, the acquisition, development, and construction of affordable housing units up to 7.5 percent of the total housing stock for the elderly, disabled, and households earning less than 80 percent Area Median Income (or approximately \$56,000 annually for a family of four) is consistent with the City of Arcata General Plan, including its Housing Element;

**WHEREAS**, voter approval of the ballot measure does not increase taxes, has no fiscal impact, and does not grant approval for any specific project, as each would go through the public review process; and

**WHEREAS**, the decision to initiate a ballot measure, the placement of the measure on the ballot, and the resulting decision on the measure increasing the cap on subsidized affordable housing does not, in and of itself, create an impact on the environment, since the measure does not create a physical change to the environment. Any housing developed in the future that is subject to

these limitation is speculative at this time. Therefore, the potential for environmental impacts of future subject projects are not related to this action;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Arcata:

1. The Article XXXIV ballot measure shall be placed on the November 3, 2020, ballot with the following form on the ballot:

“Shall private and public entities be authorized to develop, construct, or acquire up to 7.5% of the total number of housing units in the City of Arcata for elderly, disabled and alter-abled, and low-income households, pursuant to Article XXXIV of the California Constitution? An affirmative vote on this measure has no fiscal impact, nor does it grant approval for any specific project. If approved, this measure would rescind and replace the 1992 Measure L, which authorized a limit of 5%. ”;

2. The City Attorney is directed to draft an impartial analysis of the measure;
3. The City Clerk is directed to take all actions, including public notice, and publication of the measure, as required by elections law to place the measure on the November 3, 2020, ballot.
4. This action is exempt from the California Environmental Quality Act pursuant to the common sense rule [CEQA Guidelines 15061(b)(3)].

**DATED:** May 20, 2020

**ATTEST:**

**APPROVED:**

  
 City Clerk, City of Arcata

  
 Vice Mayor, City of Arcata

**CLERK'S CERTIFICATE**

I hereby certify that the foregoing is a true and correct copy of Resolution No. 190-73, passed and adopted at a regular meeting of the City Council of the City of Arcata, Humboldt County, California held on the 20<sup>th</sup> day of May, 2020, by the following vote:

**AYES: WINKLER, PITINO, PEREIRA, WATSON**  
**NOES: NONE**  
**ABSENT: NONE**  
**ABSTENTIONS: NONE**

  
 City Clerk, City of Arcata