

FIX THE CITY

PRESS RELEASE

FOR IMMEDIATE RELEASE
September 4, 2019

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FTC SUES L.A. FOR FAILING TO OBEY MEASURE JJJ: AFFORDABLE HOUSING & GOOD JOBS INITIATIVE

Los Angeles - Affordable Housing and Good Jobs- that is what Measure JJJ was supposed to be about.

Developers would build needed affordable housing while providing good jobs. In return, they would be allowed to build bigger buildings. This was the deal presented to voters in Measure JJJ. But that's not what we got.

Instead, voters got a Planning-Department-created grab-bag of goodies for developers that failed to require the good jobs that voters were promised.

Adding insult to injury, the City made these changes without a public hearing and without City Council approval as required by state law. Even worse, the new rules were designed to limit public awareness and evade transparency all while putting even greater strain on our already over-burdened first-responders.

The wholesale disregard for the will of the voters, need for good jobs and transparent government: That is why Fix the City filed a complaint in LA Superior Court on August 30, 2019, challenging the City of Los Angeles' June 3, 2019 approval under the flawed "TOC Guidelines" of a seven-story, 120-unit residential building located at **10400 Santa Monica Boulevard** west of Century City.

The complaint argues that the Planning Department's approval violated several state and city laws and most importantly, violated the will of the voters by granting massive bonuses without providing good job.

The complaint also challenges the City's policy and practice of using the flawed TOC guidelines to provide an ever-more-generous series of concessions to developers in violation of state law.

"But City Hall forgot one thing: Measure JJJ stated that only the voters can change the incentives or eliminate the prevailing wage requirement," said Laura Lake, Fix the City Board Member. That is why the lawsuit was filed.

Section 6, TOC incentives were limited to three: increased residential Floor Area Ratio (square footage), increased number of dwelling units, and reduced parking. Neither the Planning Commission nor City Council can add to these incentives. But they did.

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They also, behind closed doors, created TOC Guidelines that were wholly inconsistent with the will of the voters: The Guidelines unlawfully *added incentives* (e.g., extra height, reduced open space and yards), *and did not require prevailing wage*.

“This was not the bargain the voters struck with the City.” Said James O’Sullivan, VP of Fix The City. “The Planning Department needs to re-read Measure JJJ, go back to the drawing board and propose Guidelines that follow the Initiative. This process must be the open and transparent approval process called for in Measure JJJ - nothing less.”

Fix The City is also asking the courts to take a close look at the failure of the city to provide for the public’s safety, both by making sure our first-responders can get to us when we need them and by not allowing buildings to be built too close to earthquake faults.

The 10400 project, as well as other TOC projects, is within a state earthquake zone and per state and city rules, requires a setback from the Santa Monica fault where several small earthquakes struck earlier this year.

FTC hopes that the City will revisit its obligation to public safety as clearly described in Section 35(a) of the California Constitution, makes it clear that safety comes first:

“(1) Public safety services are critically important to the security and well-being of the State's citizens and to the growth and revitalization of the State's economic base.

(2) The protection of the public safety is the first responsibility of local government and local officials have an obligation to give priority to the provision of adequate public safety services.”

We all need the peace-of-mind that comes with knowing that we have sufficient numbers of first-responders so that they can do what they do best: Save lives, homes and businesses.

The City needs affordable housing and the city’s workers need good jobs. That was the bargain struck by the voters: “Affordable housing AND Good Jobs.”

FTC seeks to force the city to honor its part of the bargain. A copy of the conformed complaint is attached.

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