

Los Angeles City Council, Journal/Council Proceeding

Wednesday, November 10, 2021

JOHN FERRARO COUNCIL CHAMBER ROOM 340, CITY HALL 200 NORTH SPRING STREET, LOS ANGELES, CA 90012 - 10:00 AM

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

Roll Call

Members Present: Bonin, Buscaino, de León, Harris-Dawson, Koretz, Lee, O'Farrell, Price, Raman, Rodriguez and President Martinez (11); Absent: Blumenfield, Cedillo, Krekorian (3)

Approval of the Minutes

Commendatory Resolutions, Introductions and Presentations - SEE ATTACHED

Multiple Agenda Item Comment

Public Testimony of Non-agenda Items Within Jurisdiction of Council

Items Noticed for Public Hearing - PUBLIC HEARING CLOSED

(1) **21-1199
CD 11**

COMMUNICATION FROM THE LOS ANGELES WORLD AIRPORTS (LAWA) and CONSIDERATION OF CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) SECTION 21151(C) APPEAL filed by the Service Employees International Union United Service Workers West (SEIU-USWW), USWW members Victor Landa, Wilma Sharpe, and Valerie King, Physicians for Social Responsibility-Los Angeles, Koreatown Immigrant Workers Alliance, and Sunrise Movement LA, of the action taken by the City of Los Angeles Board of Airport Commissioners (BOAC) at its meeting held October 7, 2021, regarding the certification of the Final Environmental Impact (EIR) Report and consideration of associated environmental findings for the Airfield and Terminal Modernization Project (ATMP) at the Los Angeles International Airport (LAX).

(Trade, Travel, and Tourism Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or go to <http://www.lacouncilfile.com> for background documents.)

Community Impact Statement: None submitted

Adopted Item Forthwith - SEE ATTACHED

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Koretz, Krekorian, Lee, Martinez, O'Farrell, Price , Raman, Rodriguez (14); Nays: (0); Absent: (0)

(2) **21-1108
CDs 1, 4, 10**

HEARING OF PROTESTS AND ORDINANCE FIRST CONSIDERATION relative to levying the Wilshire Center Business Improvement District (“District”) special assessment for the District’s twenty-seventh fiscal year (operating year) beginning on January 1, 2022 through December 31, 2022.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. HEAR PROTESTS against the proposed levying of the special assessment for the District’s 2022 fiscal year, pursuant to Section 36524 of the California Streets and Highways Code.
2. PRESENT and ADOPT accompanying ORDINANCE dated November 2, 2021 levying the special assessment for the District’s 2022 fiscal year, if a majority protest, as defined by Section 36525 of the California Streets and Highways Code is found not to exist.
3. APPROVE the Wilshire Center Business Improvement District Advisory Board for the District’s 2022 fiscal year.
4. AUTHORIZE the City Clerk, subject to City Attorney approval, to prepare, execute and administer a contract between the City and the Wilshire Center Business Improvement Corporation, the nonprofit service provider for administration of the District.

Fiscal Impact Statement: The City Clerk reports that direct costs for Department administration of the District program for its 2022 fiscal year will be recovered from the assessments collected. The amount of recoverable City costs to be charged to the District will be \$22,824.72, representing 2% of the District’s anticipated assessment revenue for its 2021 fiscal year, plus an additional 1% for departmental costs associated

with the direct billing of District stakeholders. There are no assessments to be paid for City-owned properties located within the boundaries of the District. Therefore, there is no impact on the General Fund.

(Pursuant to Council adoption of Ordinance No.187242 on October 19, 2021)

Adopted Item Forthwith

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Koretz, Krekorian, Lee, Martinez, O'Farrell, Price , Raman, Rodriguez (14); Nays: (0); Absent: (0)

Items for which Public Hearings Have Been Held

(3) 21-1200-S38

ECONOMIC DEVELOPMENT AND JOBS COMMITTEE REPORT relative to the appointment of Ms. Germonique Ulmer to the Board of City Tourism Commissioners for the term ending June 30, 2026.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Germonique Ulmer to the Board of City Tourism Commissioners for the term ending June 30, 2026 is APPROVED and CONFIRMED. Ms. Ulmer resides in Council District Five. (Current composition: F=1; M=3; Vacant=1)

Financial Disclosure Statement: Pending

Background Review: Pending

(Economic Development and Jobs Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or go to <http://www.lacouncilfile.com> for background documents.)

Community Impact Statement: None submitted.

TIME LIMIT FILE - NOVEMBER 22, 2021

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 12, 2021)

Adopted Item Forthwith - SEE ATTACHED

Ayes: Bonin, Buscaino, de León, Harris-Dawson, Koretz, Lee, Martinez, O'Farrell, Price, Raman, Rodriguez (11); Nays: (0); Absent: Blumenfield, Cedillo, Krekorian (3)

(4) **21-1039**

ENERGY, CLIMATE CHANGE, ENVIRONMENTAL JUSTICE, AND RIVER COMMITTEE REPORT relative to the interdepartmental process to create a sustainable year-to-year municipal solar and storage program, including staffing, and maintenance needs.

Recommendations for Council action, pursuant to Motion (Krekorian – O'Farrell - Blumenfield - et al.), **SUBJECT TO THE APPROVAL OF THE MAYOR***:

1. INSTRUCT the City Administrative Officer (CAO) and the Chief Legislative Analyst (CLA) to report within 60 days with recommendations to create a coordinated interdepartmental process, to create a sustainable year to year municipal solar and storage program, including staffing and maintenance needs, in coordination with the Los Angeles Department of Water and Power (LADWP), and the following Departments:
 - a. Department of General Services (GSD)
 - b. Bureau of Engineering (BOE)
 - c. Bureau of Street Services (BSS)
 - d. Los Angeles Police Department
 - e. Los Angeles Fire Department
 - f. Department of Transportation
 - g. Los Angeles Public Library
 - h. Department Department of Recreation and Parks (RAP)
 - i. Emergency Management Department
 - j. Los Angeles Zoo

2. DIRECT the BOE to work closely with GSD, LADWP, CAO, CLA, RAP, and other City departments, and create a Building Decarbonization Workplan assessing the renewable solar energy generation potential of existing municipal facilities, in order to prioritize projects for net-energy metered systems, resiliency generation systems, or grid-connected systems. The Workplan should identify up to 25 facilities that are strong candidates for near-term pilot distributed energy generation systems that offer a high degree of solar energy generation efficiency, high community value, and project "shovel-readiness," giving special priority to buildings in disadvantaged communities in Los Angeles. The Workplan should leverage the existing GSD asset database, existing energy audits and physical needs assessments, existing energy use data, and pursue more comprehensive projects where feasible. The Workplan should address opportunities for cost efficiency and time efficiency through strategies such as bundling of projects and should include a funding plan for expeditiously spending the FY 21-22 funds. BOE with the assistance of the other City departments should report in 90 days on progress towards this goal.
3. INSTRUCT the CAO and CLA to review the City's Financial Policies, Section 2 - Capital and Technological Improvements, and report with recommendations in order to update City resilience and sustainability policies, such that future facility/building/power-reliant projects support the goals of LA's Green New Deal towards reaching a 100 percent clean energy grid.
4. INSTRUCT the CAO and CLA, to report on options to include solar/battery/resiliency projects in the City's long-term capital and technological improvement plans.
5. REQUEST the Controller to transfer \$500,000 from the Unappropriated Balance to a new account in the Engineering Special Services Fund No. 682/50, entitled "Building Decarbonization Workplan" for City staff and consultant costs so that the BOE can develop a "Building Decarbonization Workplan". This Workplan will consider the building users, building area, year built, maintenance history, Energy Use Intensity, solar access, electric grid conditions, Council priorities, and other criteria.
6. PROVIDE six months salary funding totaling \$63,700 at the BOE for an Electrical Engineering Associate III, Account No. 1010, Salaries General.

7. ADD position authority and six months funding from the Unappropriated Balance at the GSD's, Account No. 1010, for one Building Construction Maintenance Superintendent, one Electrician Supervisor, and one Electrician, totaling \$187,500.
8. ADD from the Unappropriated Balance \$75,000 for Maintenance Materials and Supplies into Account 3160; \$37,500 for administrative and training expenses into Account No. 6010; and \$50,000 for zero-emissions transportation equipment into Account No. 7340.
9. AUTHORIZE the City Engineer, GSD, or designee, to make any technical and accounting corrections to the recommendation above necessary to effectuate the intent of the City Council action.
10. INSTRUCT the CAO, CLA, BOE, and LADWP to report quarterly, with recommendations and updates on the program once the first set of reports are completed.
11. DIRECT the CAO and CLA, with the assistance of the LADWP, BOE, GSD, RAP, and BSS to report within 60 days outlining the staffing, training needs, project management, vendor coordination, routine system maintenance, and monitoring for construction and maintenance of these investments. Staffing needs may be for implementation of Net Energy Metered, Resiliency Generation Systems, and Grid-Connected Systems at City-owned facilities. The report should indicate if the departments have existing position vacancies that could fulfill the above-mentioned roles, and, if they were used for the municipal solar and storage program, how they might impact other citywide goals.

DIRECT the CAO and CLA to report on the financial benefits of the LADWP's Feed-in-Tariff program and clarify if City facilities, including the proprietaries, could participate.

***Journal correction**

Fiscal Impact Statement:

Neither the CAO nor the CLA has completed a financial analysis of this report

Community Impact Statement: Yes

For:

Westside Neighborhood Council

(Budget and Finance Committee waived consideration of the above matter)

Adopted Item Forthwith

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Koretz, Krekorian, Lee, Martinez, O'Farrell, Price , Raman, Rodriguez (14); Nays: (0); Absent: (0)

(5) **21-1167**

ENERGY, CLIMATE CHANGE, ENVIRONMENTAL JUSTICE, AND RIVER COMMITTEE REPORT relative to the instructions for the Department of Emergency Management, in consultation with the Climate Emergency Mobilization Office, to report the City's extreme heat preparedness efforts, along with recommendations to improve the City's efforts, including early warning systems, and related matters.

Recommendations for Council action, pursuant to Motion (Koretz – O'Farrell – Rodriguez):

1. DIRECT the Department of Emergency Management, in consultation with the Climate Emergency Mobilization Office, to report in 30 days on the status of the City's extreme heat preparedness efforts, along with recommendations to improve the City's efforts, including early warning systems.
2. DIRECT the City Administrative Officer (CAO) and the Chief Legislative Analyst (CLA), in consultation with the Department of Emergency Management and the Climate Emergency Mobilization Office to report in 30 days on available State and Federal funding to assist the City's emergency preparedness planning and implementation for worsening heatwaves, and a plan to access such funds if they are available.
3. DIRECT the Department of Emergency Management to consult with the appropriate State agencies and the Southern California Association of Governments (SCAG) and report in 30 days on the status and cost of a surveillance system for use within the City to track when and where heat-related deaths and injuries are occurring, the identification of vulnerable populations in those locations, and the development of plans to minimize to near-zero deaths related to heat.
4. REQUEST the City Attorney to report in 30 days on an ordinance that would institute a mandatory charge of criminal negligence to an

employer for any employee deaths associated with businesses operations that occur due to preventable heat-related deaths.

Fiscal Impact Statement: Neither the CAO nor the CLA has completed a financial analysis of this report.

Community Impact Statement: None submitted

Adopted Item Forthwith

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Koretz, Krekorian, Lee, Martinez, O'Farrell, Price , Raman, Rodriguez (14); Nays: (0); Absent: (0)

Items for which Public Hearings Have Not Been Held - (10 Votes Required for Consideration)

(6) **20-0291**

RESOLUTION relative to the Declaration of Local Emergency by the Mayor, dated March 4, 2020, wherein he declared that conditions of disaster or of extreme peril to the safety of persons and property have arisen both internationally and within the United States as a result of the introduction of the novel coronavirus (COVID-19), pursuant to the provisions of the Los Angeles Administrative Code (LAAC) Section 8.27.

Recommendation for Council action:

Adopt the accompanying RESOLUTION to:

1. Resolve that a local emergency continues to persist within the City of Los Angeles, within the meaning of Los Angeles Administrative Code Section 8.21, et seq., and the continuance of the Mayor's March 4, 2020, Declaration of Local Emergency through 30 days from the adoption of this Resolution is therefore necessary.
2. Direct, in accordance with the LAAC, Section 8.21 et seq., all appropriate City departments, agencies and personnel shall continue to perform all duties and responsibilities to represent the City of Los Angeles in this matter for the purpose of abating the emergency and

for the receipt, processing and coordination of all inquiries and requirements necessary to obtain whatever State and Federal assistance that may become available to the citizens of Los Angeles who may be affected by the emergency.

3. Instruct the General Manager, Emergency Management Department, to advise the Mayor and City Council on the need for extension of this Declaration of Local Emergency as may be required.
4. Instruct the City Clerk to forward copies of this Resolution to the Governor of the State of California, the Director of the California Office of Emergency Services, and the Los Angeles County Board of Supervisors.

Adopted Item Forthwith

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Koretz, Krekorian, Lee, Martinez, O'Farrell, Price , Raman, Rodriguez (14); Nays: (0); Absent: (0)

(7) **21-1189**

COMMUNICATION FROM THE CITY ATTORNEY relative to finding in accordance with AB 361 Section 3(e)(1)(B) whether meeting in person would present imminent risks to the health or safety of attendees because of the continuing state of emergency related the Covid-19 pandemic, as originally proclaimed by the Governor on March 4, 2020; related actions.

Recommendations for Council action:

1. FIND in accordance with AB 361 Section 3(e)(3) that, while the state of emergency due to the Covid-19 pandemic, as originally proclaimed by the Governor on March 4, 2020, remains active and/or state or local officials have imposed or recommended measures to promote social distancing, the City Council has reconsidered the circumstances of the state of emergency and finds for City Council, including its advisory Committees, that the state of emergency continues to directly impact the ability of the members to meet safely in person and/or state or local officials continue to impose or recommend measures to promote social distancing.

2. FIND in accordance with AB 361 Section 3(e)(3) that, while the state of emergency due to the Covid-19 pandemic, as originally proclaimed by the Governor on March 4, 2020, remains active and/or state or local officials have imposed or recommended measures to promote social distancing, the City Council has reconsidered the circumstances of the state of emergency and finds for all City Brown Act bodies that the state of emergency continues to directly impact the ability of the members to meet safely in person and/or state or local officials continue to impose or recommend measures to promote social distancing.
3. INSTRUCT the Clerk to place on the agenda for a Council meeting not more than 30 calendar-days after Council adopts these findings and recommendations an item entitled "Findings to Continue Teleconference Meetings Pursuant to AB 361 and Related Actions" and include these same recommendations for adoption by Council; and instruct the Clerk to continue to do so on the agenda for a Council meeting not more than 30 calendar-days after each time Council adopts these findings and recommendations, until Council instructs the Clerk to cease doing so.

Adopted Item Forthwith

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Koretz, Krekorian, Lee, Martinez, O'Farrell, Price , Raman, Rodriguez (14); Nays: (0); Absent: (0)

(8) **18-1065
CD 4**

CONTINUED CONSIDERATION OF CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION TO VACATE relative to vacating Eleanor Avenue from Seward Street to its Westerly Terminus, VAC-E1401348 (Vacation).

Recommendations for Council action:

1. REAFFIRM the FINDINGS of February 25, 2020, that the Vacation, pursuant to the City of Los Angeles Environmental Guidelines, is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City of Los Angeles Environmental Guidelines.

2. REAFFIRM the FINDINGS of February 25, 2020, that the Vacation is in substantial conformance with the General Plan pursuant to Section 556 of the Los Angeles City Charter.
3. ADOPT the accompanying RESOLUTION TO VACATE No. 21-1401348 for the Vacation.

Fiscal Impact Statement: None submitted by the City Engineer. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted

(Continued from Council meeting of October 27, 2021)

Adopted Item Forthwith

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Koretz, Krekorian, Lee, Martinez, O'Farrell, Price , Raman, Rodriguez (14); Nays: (0); Absent: (0)

(9) **21-0011-S16
CD 1**

MOTION (CEDILLO – DE LEON) relative to providing funds for transit related projects, sidewalk projects, curb/sidewalk improvements, beautification projects needed to improve conditions for public transit patrons, and all expensed relating or incidental thereto, as well as on general services to the community in each Council District.

Recommendation for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. TRANSFER and APPROPRIATE \$5,980 in the Council District 1 portion of the Street Furniture Revenue Fund No. 43D/50 to the Street Services Fund No. 100/86, Account No. 003040 (Contractual Services) for a holiday tree lighting beautification project at the median island located at 4044 Eagle Rock Boulevard.
2. AUTHORIZE the Bureau of Street Services to make any technical corrections or clarifications to the above fund transfer instructions in order to effectuate the intent of this Motion.

Adopted Item Forthwith

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Koretz, Krekorian, Lee, Martinez, O'Farrell, Price , Raman, Rodriguez (14); Nays: (0); Absent: (0)

(10) **21-1280**
CD 13

MOTION (O'FARRELL – DE LEON) relative to funding for services in connection with the Council District 13 observance of Indigenous Missing Women & Girls Awareness on November 7, 2021 including the illumination of City Hall.

Recommendation for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

TRANSFER and APPROPRIATE \$400 from the Council's portion of the Heritage Month Celebration and Special Events-Council line item in the General City Purposes Fund No. 100/56 to the General Services Fund No. 100/40, Account No. 1070 (Salaries-As Needed), for services in connection with the Council District 13 observance of Indigenous Missing Women & Girls Awareness on November 7, 2021 including the illumination of City Hall.

Adopted Item Forthwith

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Koretz, Krekorian, Lee, Martinez, O'Farrell, Price , Raman, Rodriguez (14); Nays: (0); Absent: (0)

(11) **21-1281**

MOTION (LEE – KREKORIAN) relative to funding the Los Angeles Department of Water and Power to bring the City's first ever indoor pod farm to Council District 12.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. TRANSFER and APPROPRIATE \$5000 in the AB1290 Fund No.53P Account No. 281212 (CD 12 Redevelopment Projects – Services) to

the Water and Power Fund No. 705/98 Revenue Source Code No. 5166 for contributions towards the indoor pod farm located in CD12.

2. AUTHORIZE the City Clerk to make any corrections or clarifications to the above instructions in order to effectuate the intent of this Motion.

Adopted Item Forthwith

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Koretz, Krekorian, Lee, Martinez, O'Farrell, Price , Raman, Rodriguez (14); Nays: (0); Absent: (0)

(12) **21-1155**
CD 14

COMMUNICATION FROM THE CITY CLERK and ORDINANCE FIRST INTENTION relative to the reconfirmation of the Little Tokyo Merchant-Based Business Improvement District.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that:

- a. The assessments imposed by the Little Tokyo BID for the 2022 fiscal year (FY) provide services that directly benefit each of the businesses which pay the assessments.
- b. The services funded by the assessment are provided only to each of the assessed businesses within the boundaries of the BID.
- c. The assessment imposed does not exceed the reasonable cost of conferring the benefits.
- d. The proposed improvements and activities are completely separate from the day-to-day operations of the City of Los Angeles.
- e. The assessments for the proposed business-based District are not taxes and that the BIDt qualifies for exemption from Proposition 26 under exemption 1 of Article XIII C Section 1(e)(1).
- f. The services to be provided by the Owners' Association, the Little Tokyo Business Association, are in the nature of professional, expert, technical or other special services, that the services are

of a temporary and occasional character, and that the use of competitive bidding would be impractical, not advantageous, undesirable or where the common law otherwise excuses compliance with competitive bidding requirements.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION dated October 4, 2021 confirming the Little Tokyo BID Annual Report, levying an annual assessment for the Little Tokyo Business Improvement District's 19th operating year, January 1, 2022 to December 31, 2022.
3. DIRECT the City Clerk to:
 - a. Schedule, prepare, publish, and mail the public hearing notice, as required by the provisions of Section 36500 et seq. of the California Streets and Highways Code.
 - b. Prepare, subject to approval by the City Attorney as to form and legality, an enabling Ordinance levying the special assessment for the Little Tokyo BID's 19th operating period beginning January 1, 2022 to December 31, 2022.
4. APPROVE the Little Tokyo Business Association to administer the proposed services of the Little Tokyo BID pursuant to Section 36500 et seq. of the California Streets and Highways Code and City regulations.
5. AUTHORIZE the City Clerk, subject to City Attorney approval, to prepare, execute, and administer a contract between the City and the Little Tokyo Business Association to administer the Little Tokyo BID, if the Ordinance reconfirming said BID is adopted.
6. APPOINT the attached Advisory Board as detailed in the October 4, 2021 City Clerk report, attached to the Council File.

Fiscal Impact Statement: The City Clerk reports that there is no impact on the General Fund.

Community Impact Statement: None submitted.

(Economic Development and Jobs Committee waived consideration of the above matter.)

Adopted Item Forthwith

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Koretz, Krekorian, Lee, Martinez, O'Farrell, Price , Raman, Rodriguez (14); Nays: (0); Absent: (0)

(13) **21-1200-S37**

COMMUNICATION FROM THE MAYOR relative to the appointment of Mr. Kirkpatrick Tyler to the Rent Adjustment Commission.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Kirkpatrick Tyler to the Rent Adjustment Commission for the term ending May 20, 2022 is APPROVED and CONFIRMED. Mr. Tyler resides in Council District 10. (Current composition: M=1; F=5)

Financial Disclosure Statement: Pending.

Background Check: Pending.

Community Impact Statement: None submitted

TIME LIMIT FILE - NOVEMBER 22, 2021

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 12, 2021)

(Housing Committee waived consideration of the above matter)

Adopted Item Forthwith

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Koretz, Krekorian, Lee, Martinez, O'Farrell, Price , Raman, Rodriguez (14); Nays: (0); Absent: (0)

(14) **21-1277**

CONSIDERATION OF MOTION (KREKORIAN – BLUMENFIELD – KORETZ – MARTINEZ – O'FARRELL) relative to the establishment of a City of Los Angeles Chief Heat Officer (CHO), creation of a Heat Action Plan, early warning system, interagency emergency response plan, and related matters.

Recommendations for Council action:

1. INSTRUCT the Chief Legislative Analyst, with the assistance of the City Administrative Officer, to report within 90 days on options to establish a City of Los Angeles Chief Heat Officer (CHO). The report

should describe the potential responsibilities of the CHO, recommended governance, position authority, and annual budget. The CHO should be responsible for creating a Heat Action Plan, which at minimum should include the establishment of an early warning system, interagency emergency response plan (as described in Council file No. 21-1167), and opportunities to reduce exposure using long-term strategies. The report should be prepared in consultation with relevant city departments and informed by non-profit organizations and community groups with expertise on extreme heat such as Los Angeles Urban Cooling Collaborative members and participants in the CEMO Community Assemblies process. The report should also consider funding strategies, including opportunities for foundation or federal or state grant funding, including from the Governor's FY 21-22 budget.

2. INSTRUCT the Los Angeles Department of Water and Power to report on the strategies being taken to mitigate the impacts of extreme heat on the power system, including opportunities to expand customer-facing programs such as demand response and energy efficiency programs, and expanding the tree distribution program for eligible ratepayers.
3. DIRECT the Los Angeles Department of Buildings and Safety to report on the feasibility of updating building codes to require that all new and existing buildings provide cooling, or be cooling-ready; develop energy efficiency requirements for new and existing buildings that will reduce the load on the power sector and save customers on utility costs; and expand requirements under the cool roof ordinance to coat and treat non-roof surfaces with "cool" materials, including parking structures, and public buildings and infrastructure throughout the City.
4. INSTRUCT the Department of Emergency Management, with the assistance of the Department of Recreation and Parks and the Climate Emergency Mobilization Office, report on opportunities to improve the network of cooling centers, including non-traditional models for public and community partnership that engage local nonprofits and houses of worship in providing such spaces and in identifying Angelenos most vulnerable to heat.
5. INSTRUCT the Streets L.A. to report on the impacts of its comprehensive Cool Streets LA program with recommendations for its expansion, particularly in the San Fernando Valley.

6. DIRECT the Department of City Planning to report on strategies to expand access to cool spaces, to sustain and increase tree canopy cover, and to encourage or require access to more green spaces and shade hubs (such as "cool routes" or "safe routes to school") in neighborhoods, including progress on its Climate Action Plan.

Community Impact Statement: None submitted

(Energy, Climate Change, Environmental Justice, and River Committee waived consideration of the above matter)

Adopted Item Forthwith

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Koretz, Krekorian, Lee, Martinez, O'Farrell, Price , Raman, Rodriguez (14); Nays: (0); Absent: (0)

(15) **21-0766**

COMMUNICATION FROM THE LOS ANGELES DEPARTMENT OF WATER AND POWER (LADWP) relative to the Metropolitan Water District of Southern California and the LADWP to provide updates on the Colorado River Compact to meet the worsening drought conditions, including the implementation of water conservation elements, water recycling, watershed management approaches, and the City's ongoing response efforts.

Community Impact Statement: None submitted

(Energy, Climate Change, Environmental Justice, and River Committee waived consideration of the above matter)

Adopted Item Forthwith

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Koretz, Krekorian, Lee, Martinez, O'Farrell, Price , Raman, Rodriguez (14); Nays: (0); Absent: (0)

Items Called Special

Motions for Posting and Referral - SEE ATTACHED

Council Members' Requests for Excuse from Attendance at Council Meetings

Closed Session

(16) **21-1090**

The City Council may recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled Tamerin Lewis, et al. v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC645185. (This matter arises from an incident involving members of the Los Angeles Police Department on June 20, 2016, in Los Angeles, California.)

(Budget and Finance Committee to consider the above matter in Closed Session on November 8, 2021)

**Adopted Motion (Krekorian – Blumenfield) Forthwith - SEE ATTACHED
Ayes: Blumenfield, Bonin, Cedillo, de León, Harris-Dawson, Koretz, Krekorian, Lee, Martinez, O'Farrell, Price , Raman, Rodriguez (13); Nays: Buscaino (1); Absent: (0)**

Adjourning Motions - SEE ATTACHED

Council Adjournment

ENDING ROLL CALL

Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Koretz, Krekorian, Lee, O'Farrell, Price, Raman, Rodriguez and President Martinez (14)

Whereupon the Council did adjourn.

ATTEST: Holly L. Wolcott, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL

Regular meeting recessed at 12:00 p.m.
Special meeting convened at 12:00 p.m.
Special meeting adjourned at 2:54 p.m.
Regular meeting convened at 2:54 p.m.

COMMENDATORY RESOLUTIONS

MOVED BY	SECONDED BY	NAME
O'Farrell	Krekorian	Salma Hayek

ADJOURNING MOTIONS

MOVED BY	SECONDED BY	NAME
O'Farrell	All Councilmembers	Transgender Day of Remembrance

ITEM No. 1

File No. 21-1199

TRADE, TRAVEL, AND TOURISM COMMITTEE REPORT relative to the consideration of California Environmental Quality Act (CEQA) Section 21151(c) Appeal filed by the Service Employees International Union United Service Workers West (SEIU-USWW), USWW members Victor Landa, Wilma Sharpe, and Valerie King, Physicians for Social Responsibility-Los Angeles, Koreatown Immigrant Workers Alliance, and Sunrise Movement LA, of the action taken by the City of Los Angeles Board of Airport Commissioners (BOAC) at its meeting held October 7, 2021, regarding the certification of the Final EIR and consideration of associated environmental findings for the Airfield and Terminal Modernization Project (ATMP) at the Los Angeles International Airport (LAX).

Recommendations for Council action:

1. DENY the Appeal of BOAC's October 7, 2021, certification of the Final EIR for the LAX ATMP and associated environmental findings.
2. AFFIRM BOAC's October 7, 2021, certification of the Final EIR for the LAX ATMP.
3. ADOPT the CEQA Findings and Statement of Overriding Considerations as adopted by BOAC on October 7, 2021.
4. CONCUR with BOAC's other actions related to the LAX ATMP as stated in BOAC Resolution No. 27351.
5. DIRECT staff to file a Notice of Determination reflecting the City Council's actions in a form substantially similar to that provided in Attachment D of the Los Angeles World Airports report dated October 26, 2021, attached to the Council file.

Fiscal Impact Statement: BOAC reports that there is no impact to the General Fund.

Community Impact Statement: None submitted

SUMMARY

At the meeting held on November 9, 2021, the Trade, Travel, and Tourism Committee considered a CEQA Appeal dated October 15, 2021, attached to the Council file, relative to the action taken by BOAC at its meeting held October 7, 2021, regarding the certification of the Final EIR and consideration of associated environmental findings for the ATMP at LAX.

LAWA provided a brief overview of the ATMP followed by the City Attorney who gave a brief overview of CEQA and the Committee's obligations in hearing the appeal. After an opportunity for public comment was held, the Appellant was given five minutes to present their case for the appeal and LAWA was given five minutes to respond to the Appellant's claims. The members of the Committee had an opportunity to ask questions and then the Committee moved to approve the recommendations as detailed above. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

TRADE, TRAVEL, AND TOURISM COMMITTEE

MEMBER
BUSCAINO

VOTE
YES

BONIN YES
LEE YES

AS 11/9/21
COUNCIL FILE NO. 21-1199

-NOT OFFICIAL UNTIL COUNCIL ACTS-

ECONOMIC DEVELOPMENT AND JOBS COMMITTEE REPORT relative the appointment of Ms. Germonique Ulmer to the Board of City Tourism Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Germonique Ulmer to the Board of City Tourism Commissioners for the term ending June 30, 2026 is APPROVED and CONFIRMED. Ms. Ulmer resides in Council District Five. (Current composition: F=1; M=3; Vacant=1)

Financial Disclosure Statement: Pending

Background Review: Pending

Community Impact Statement: None submitted.

TIME LIMIT FILE – NOVEMBER 22, 2021

(LAST DAY FOR COUNCIL ACTION – NOVEMBER 12, 2021)

Summary:

On November 9, 2021, your Committee considered an October 8, 2021 communication from the Mayor relative to the appointment of Ms. Germonique Ulmer to the Board of City Tourism Commissioners for the term ending June 30, 2025. Ms. Ulmer will fill the vacancy created by Ms. Noel Hyun Minor, who has resigned. After consideration the Committee Chair moved to recommend approval of the appointment of Ms. Ulmer. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

Economic Development and Jobs Committee

COUNCILMEMBER	VOTE
PRICE:	YES
KREKORIAN:	YES
BLUMENFIELD:	YES
RAMAN:	YES
HARRIS-DAWSON:	YES

ARL

11/9/21

-NOT OFFICIAL UNTIL COUNCIL ACTS-

ITEM NO. 16

11/10/21 Council – Regular Meeting Agenda
Closed Session

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations in order to effect settlement in the case entitled Tamerin Lewis, et al. v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC645185. (This matter arises from an incident involving members of the Los Angeles Police Department on June 20, 2016, in Los Angeles, California.), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. AUTHORIZE the City Attorney to expend up to **\$465,000** in settlement of the above-entitled matter.
2. AUTHORIZE the Controller’s Office to transfer \$465,000 from the Liability Claims Fund No. 100/59, Account No. 009798, Miscellaneous Liability Payouts, to Fund No. 100/59, Account No. 009792, Police Liability Payouts.
3. AUTHORIZE the City Attorney to draw a demand from Fund No. 100/59, Account No. 009792, Police Liability Payouts, as follows: Law Offices of Alvin L. Pittman APC Client Trust Account in the amount of \$465,000.
4. AUTHORIZE the City Attorney, or designee, to make necessary technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.

This matter was recommended for approval by the Budget and Finance Committee (Krekorian – Blumenfield – De León – Price: “Yes”) at its meeting held on November 8, 2021, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

PRESENTED BY _____

PAUL KREKORIAN
Councilmember, 2nd District

SECONDED BY _____

BOB BLUMENFIELD
Councilmember, 3rd District

MOTION

TO CITY CLERK FOR PLACEMENT ON NEXT
REGULAR COUNCIL AGENDA TO BE POSTED #51

On September 3, 2021 at approximately 9:35 p.m., the Los Angeles Police Department (LAPD) Central Area Patrol Officers responded to a radio call of a battery investigation in front of 916 Centennial Street. Upon arrival, officers learned that the victim, Michael Lam was transported by the Los Angeles Fire Department (LAFD) to a local hospital for blunt force trauma. Michael Lam failed to respond to medical aid and was pronounced dead at the hospital.

The person or persons responsible for this crime represent an ongoing threat to the safety of the people of Los Angeles; therefore, it is appropriate for the City of Los Angeles to offer a reward for information leading to the identification, apprehension and conviction of the person or persons responsible for the death of Michael Lam.

I THEREFORE MOVE that by adoption of this Motion, the City Council provide an offer of reward for information leading to the identification, apprehension, and conviction of the person or persons responsible for the death of Michael Lam on September 3, 2021, and in support thereof, make the following findings pursuant to Division 19, Chapter 12, Article 1 of the Los Angeles Administrative Code:

1. That the death of Mr. Lam was caused by the willful misconduct of one or more persons.
2. That this offer of reward is consistent with and taken for the immediate protection of the public peace, health and safety of local residents, as well as visitors to the City, and is consistent with the need to arrest and convict the person who, because of not being apprehended, could by their actions further terrorize and present a continuing and immediate menace to the rights of persons in the City.
3. That what happened to the victim is an especially disturbing crime and therefore, as a matter of public policy, the City hereby offers a reward as an added inducement for persons to come forward with information leading to the identification, apprehension and conviction of the person or persons responsible for the death of Michael Lam.
4. That the sum of \$50,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.
5. That the offer of reward shall be in effect for six months from the date of the advertisement of the reward by the City Clerk.

I FURTHER MOVE that the City Clerk be directed to cause notices and/or advertisements to be duly published according to the requirements of Division 19, Chapter 12, Article 1 of the Los Angeles Administrative Code, and to thereby cause the offer of reward to become effective.

PRESENTED BY: Gil Cedillo
GILBERT A. CEDILLO
Councilmember, 1st District

SECONDED BY: Denis de Ven

ORIGINAL

NOV 10 2021

abg

[Handwritten signature]

MOTION

With the City continuing to operate under the COVID emergency for well over 18 months, there have been many additional emergency orders, ordinances, policies, as well as revenues ---- all of which are contingent upon or connected to the Council's repeated and periodic ratification of the Mayor's State of Emergency declaration.

We need to get clarification and on all these orders, in order to better decide matters on a going forward basis.

I THEREFORE MOVE that the City Administrative Officer be directed to report in 30 days on all emergency orders, ordinances, policies and revenues, that are contingent upon the City Council's continued ratification of the Mayor's State of Emergency declaration.

PRESENTED BY: 
JOE BUSCAINO
Councilmember, 15th District

SECONDED BY: 

ORIGINAL



NOV 10 2021

MOTION

HOUSING

A six-unit residential property located at 2949-2953 Edgehill Drive, in the City of Los Angeles, (Property) was acquired by the Los Angeles Housing Department (LAHD), formerly the Housing and Community Investment Development (HCID), in 2019 through a Settlement Agreement between HCID and CitiMortgage pertaining to fees and penalties owed by CitiMortgage to the City of Los Angeles' Foreclosure Registry. The Settlement Agreement included transferring ownership of the property to HCID.

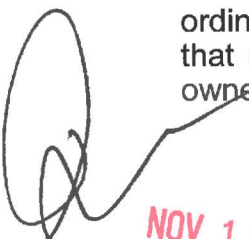
Los Angeles Administrative Code Section 7.27 ("Private Sale") permits the sale of City-owned real property without notice of sale or advertisement for bids provided that the City Council determines that the public interest or necessity requires such sale. LAHD believes that the public interest and necessity require the sale of the Property to the Housing Authority of the City of Los Angeles (HACLA) for \$0 (Section 7.27.3) and without notice of sale or advertisement for bids because HACLA plans to develop and use the property as long-term affordable housing giving priority to voucher holders seeking housing. While discrimination against voucher holders is illegal, there are still many voucher holders facing difficulties in locating a unit, causing many vouchers to expire or remain unused. Therefore, a sale to HACLA will increase desperately needed affordable housing opportunities for voucher holders.


LAHD believes that HACLA is well suited to own and operate the Property and will ensure that the site can be rehabilitated, subsidized with vouchers, as applicable, and utilized as long term affordable housing in a timely manner. Sale of the property to HACLA for the purpose of developing affordable housing qualifies the property as "exempt surplus land" for the purposes of the State's Surplus Land Act under Government Code Section 54221(f)(1)(D) since HACLA is a local governmental entity that provides affordable housing to low-income individuals and families.

I THEREFORE MOVE that the City Council determine that pursuant to Section 7.27 of the City's Administrative Code, the public interest or necessity require the transfer of the property located at 2949 Edgehill Drive in the City of Los Angeles (Property) to the Housing Authority of the City of Los Angeles (HACLA) without notice of sale or advertisement for bids, and at no cost, on condition that HACLA rehabilitate the property, and use the property as long-term affordable housing with priority given to voucher holders seeking housing, given that there are still many voucher holders facing difficulties in locating a unit and many vouchers regularly expire or remain unused, and furthermore, because the sale to HACLA will increase desperately needed affordable housing.

I FURTHER MOVE that the City Council declare that the Property constitutes "exempt surplus land" for the purposes of the Surplus Land Act under Government Code Sections 54221(f)(1)(D) based on the facts that the property will be transferred to HACLA for the purpose of developing an affordable housing project and direct the Los Angeles Housing Department to submit this motion to the California Department of Housing and Community Development.

I FURTHER MOVE that the City Attorney be requested to prepare and present an ordinance authorizing the transfer of the Property for City Council approval, with a clause that specifies that is the property cease to be used for the aforementioned purpose, ownership shall revert to the City.


NOV 10 2021

PRESENTED BY 

SECONDED BY 

ORIGINAL

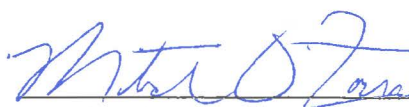
MOTION


The Los Angeles City Council has adopted a number of ordinances that provide that City employees called to active military duty would receive the difference between their regular City salaries and their military salaries and would enjoy continuation of current City medical, dental, and life insurance program benefits for the duration of their military assignment. Most recently, such ordinances have been adopted for the COVID-19 pandemic, the 2017 and 2018 California Summer Wildfires, and Operation Atlantic Resolve.

The City currently provides the aforementioned benefits to City employees for up to 30 days of continuous service per year. Some City employees choose to take vacation time for inactive duty training days, also known as drills, in order to avoid exceeding the current limit. The City Council has repeatedly reaffirmed the position that City employees should not have to bear financial burdens for their service as members of the United States Armed Forces by adopting ordinances to provide salary difference compensation and benefit extension beyond the regularly provided 30-day period. The City should update its military leave policy to ensure that employees are not made to feel obligated to use vacation time to fulfill their military duties, including inactive duty training, by removing the existing 30-day limit on compensation.

I THEREFORE MOVE that the Personnel Department, with assistance from the City Attorney and the City Administrative Officer, be instructed to report on the feasibility of updating the City's policies regarding military leave and compensation to extend the existing provisions to City employees for inactive duty training, the feasibility of removing the 30-day cap, and the potential fiscal impacts of these changes.


PRESENTED BY: 
JOE BUSCAINO
Councilmember, 15th District


MITCH O'FARRELL
Councilmember, 13th District

SECONDED BY: 

ORIGINAL

NOV 10 2021

tcjn 

MOTION

Los Angeles still experiences some of the worst air quality in the nation, a reality that is especially pronounced in the environmental justice communities adjacent to the Port of Los Angeles. In 2017, the cities of Los Angeles and Long Beach signed a joint declaration to achieve 100% zero emissions (ZE) cargo handling equipment by 2030 and 100% ZE drayage trucks by 2035. In 2020, Governor Newsom signed executive order N-79-20 directing the California Air Resources Board to develop and propose regulations to achieve a goal of 100% ZE drayage statewide by 2035. Governor Newsom also signed AB 639 (Cervantes) which requires the state to identify policies and programs to mitigate the employment impacts of automation and transitioning of port operations to low- and zero-emission operations.

The joint Los Angeles-Long Beach Clean Air Action Plan (CAAP) committed both ports to reaching key goals across all aspects of their operations. The guiding principles of the plan are to reduce air emissions and associated health risks expeditiously from port-related operations, to create new workforce opportunities associated with “green” goods movement, to ensure equity between men and women who move cargo at the ports, and to establish a transparent and inclusive process for advancing these goals. The CAAP sets the goal to reduce residential cancer risk from port-related diesel particulate matter (DPM) emissions by 85% by 2020, to reduce port-related emissions by 59% for nitrogen oxides (NOx) by 2023, to reduce sulfur oxides (SOx) by 93% by 2023, to reduce DPM by 77% by 2023, and to reduce greenhouse gas emissions to 40% below 1990 levels by 2030.

A critical element in the 2017 CAAP update is the establishment of a Clean Truck Fund (CTF) Rate as part of the Clean Truck Program to help incentivize the transition to ZE drayage trucks. The first clean truck program, adopted in 2007 with a \$35/TEU rate, was successful at transitioning the heavy duty truck fleet operating at the port. The port’s latest emissions inventories (2020) show that since 2005, truck-related DPM emissions had a 98% reduction, NOx an 83% reduction, and SOx a 92% reduction. On November 4, 2021 the Board of Harbor Commissioners approved a new \$10/TEU Clean Truck Fund rate that will be paid by cargo owners (and not drayage truck drivers) and whose funds will be used exclusively to subsidize ZE trucks and infrastructure.

The South Coast Air Quality Management District (SCAQMD) has been working toward an MOU with the ports since 2017, following a successful precedent of an MOU with LAWA. An MOU would commit the ports and SCAQMD to jointly achieving CAAP goals, in the near term focused on programs to reduce emissions from trucks and cargo handling equipment. An MOU is a preferential approach to achieving significant air quality improvements at the port, because it is based on the collaborative stakeholder process embodied in the CAAP. In order to deliver on the public health and climate goals contemplated through the CAAP process, and due to the long useful life of newly purchased equipment, an MOU must exclusively benefit and prioritize ZE technology. Especially as the port contemplates large infrastructure improvements, it must immediately lay a strong foundation for a zero emissions (ZE) future.

NOV 10 2021

I THEREFORE MOVE that the Harbor Department work collaboratively with SCAQMD and the Port of Long Beach to develop and agree on an MOU that facilitates achieving the CAAP goals while exclusively utilizing ZE programs and technology for trucks and cargo handling equipment. Deployment of ZE technology should be to firms in compliance with state law including AB 794 and SB 338.

I FURTHER MOVE that the Harbor Department report within 90 days, and on a semi-annual basis thereafter, on efforts to achieve the ZE goals of the CAAP, including any development of ZE policies, programs, targets, and measures in all five source categories of ocean-going vessels, harbor craft, cargo handling equipment, locomotives, and trucks. This also includes providing updates on critical supporting work to ensure the decarbonization of port operations. Specifically, these updates should include technology readiness, investment from public and private sources (and learnings from the Clean Truck ZE Funding Program RFI), workforce or employment impacts, technology demonstration projects and pilots, strategies for achieving high labor and jobs standards, and desired state and federal actions.

Presented by: Paul Krekorian Nury Martinez
PAUL KREKORIAN NURY MARTINEZ
Councilmember, 2nd District Councilmember, 6th District

Seconded By: Mrs. [Signature]

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