

Los Angeles City Council, Journal/Council Proceeding

Friday, January 27, 2023

JOHN FERRARO COUNCIL CHAMBER ROOM 340, CITY HALL 200 NORTH SPRING STREET, LOS ANGELES, CA 90012 - 10:15 AM

SPECIAL COUNCIL MEETING

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

Special Agenda

Roll Call

Members Present: Blumenfield, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Raman, Rodriguez, Soto-Martínez, Yaroslavsky (13); Absent: de León (1)

An Opportunity for Public Comment will be Provided for All Items on the Agenda, Regardless of Whether a Public Hearing has been Previously Held

Items for which Public Hearings Have Been Held

(12) **21-0042-S4**

EXEMPTION from the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline Section 15061(b)(3) and Article II, Section 1 of the City CEQA Guidelines; HOUSING AND HOMELESSNESS COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending Section 151.09 of Article 1, Chapter XV, and Section 165.03 of Article 5, Chapter XVI of the Los Angeles Municipal Code (LAMC) in furtherance of the public interest to avoid forfeiture, limit displacement and homelessness, and restrict evictions for nonpayment of rent that is not material as specified.

SUBMITS WITHOUT RECOMMENDATION the following recommendations of the City Attorney, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that the adoption of the Ordinance attached to the City Attorney report (R23-0016) dated January 23, 2023, attached to

Council file No. 21-0042-S4, is exempt from the CEQA through Section 15061(b)(3) of the State CEQA Guidelines and Article II, Section 1 of the City CEQA Guidelines.

2. PRESENT and ADOPT the accompanying ORDINANCE, dated January 23, 2023, amending Section 151.09 of Article 1, Chapter XV, and Section 165.03 of Article 5, Chapter XVI of the LAMC in furtherance of the public interest to avoid forfeiture, limit displacement and homelessness, and restrict evictions for nonpayment of rent that is not material as specified.

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

Community Impact Statement: None submitted

The City Council may recess to Closed Session, pursuant to Government Code Section 54956.9(d)(2), (e)(3) to confer with its legal counsel relative to the threat of litigation (one potential case).

(URGENCY CLAUSE - 12 VOTES REQUIRED ON SECOND READING)

Adopted Motion (Blumenfield – McOsker – Raman) - SEE ATTACHED

Ayes: Blumenfield, Harris-Dawson, Hernandez, Hutt, Lee, McOsker, Park, Raman, Rodriguez, Soto-Martínez, Yaroslavsky (11); **Nays:** (0); **Absent:** de León, Krekorian, Price Jr. (3)

Adopted Motion (Soto-Martinez – Blumenfield) - SEE ATTACHED

Ayes: Blumenfield, Harris-Dawson, Hernandez, Hutt, Lee, McOsker, Park, Raman, Rodriguez, Soto-Martínez, Yaroslavsky (11); **Nays:** (0); **Absent:** de León, Krekorian, Price Jr. (3)

Adopted Motion (Raman – Blumenfield) to adopt Ordinance as Amended; Ordinance held over to February 3, 2023 for a second reading - SEE ATTACHED

Ayes: Blumenfield, Harris-Dawson, Hernandez, Hutt, Lee, McOsker, Park, Raman, Rodriguez, Soto-Martínez, Yaroslavsky (11); **Nays:** (0); **Absent:** de León, Krekorian, Price Jr. (3)

(13) **21-0042-S5**

EXEMPTION from the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline Section 15061(b)(3) and Article II, Section 1 of the City CEQA Guidelines; HOUSING AND HOMELESSNESS COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to adding Section 165.09 to Article 5, Chapter XVI of the Los Angeles Municipal Code (LAMC) to require payment of specified relocation assistance to certain tenants when the tenant elects to relinquish their rental unit due to the inability to pay rent increases as specified.

SUBMITS WITHOUT RECOMMENDATION the following recommendations of the City Attorney, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that the adoption of the Ordinance attached to the City Attorney report (R23-0017) dated January 23, 2023, attached to Council file No. 21-0042-S5, is exempt from the CEQA through Section 15061(b)(3) of the State CEQA Guidelines and Article II, Section 1 of the City CEQA Guidelines.
2. PRESENT and ADOPT the accompanying ORDINANCE, dated January 23, 2023, adding Section 165.09 to Article 5, Chapter XVI of the LAMC to require payment of specified relocation assistance to certain tenants when the tenant elects to relinquish their rental unit due to the inability to pay rent increases as specified.

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

Community Impact Statement: None submitted

The City Council may recess to Closed Session, pursuant to Government Code Section 54956.9(d)(2), (e)(3) to confer with its legal counsel relative to the threat of litigation (one potential case).

**(URGENCY CLAUSE - 12 VOTES REQUIRED ON SECOND
READING)**

Adopted Motion (Blumenfield – McOsker – Raman) - SEE ATTACHED

Ayes: Blumenfield, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Raman, Rodriguez, Soto-Martínez, Yaroslavsky (13); Nays: (0); Absent: de León (1)

Adopted Motion (Raman – Blumenfield – McOsker) - SEE ATTACHED

Ayes: Blumenfield, Harris-Dawson, Hernandez, Hutt, McOsker, Price Jr., Raman, Soto-Martínez, Yaroslavsky (9); Nays: Krekorian, Lee, Park, Rodriguez (4); Absent: de León (1)

Adopted Item to Continue to January 31, 2023

Ayes: Blumenfield, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Raman, Rodriguez, Soto-Martínez, Yaroslavsky (13); Nays: (0); Absent: de León (1)

Items Called Special

Motions have been Referred and will be Posted on the City Clerk's Website shortly after the Council Meeting

Council Adjournment

ENDING ROLL CALL

Blumenfield, Harris-Dawson, Hernandez, Hutt, Lee, McOsker, Park, Raman, Rodriguez, Soto-Martínez, Yaroslavsky (11); Absent: de León Krekorian, Price Jr. (3)

Whereupon the Council did adjourn.

ATTEST: Holly L. Wolcott, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL

Item No.12

MOTION

I HEREBY MOVE, regarding the matter of the ORDINANCE FIRST CONSIDERATION amending Section 151.09 of Article 1, Chapter XV, and Section 165.03 of Article 5, Chapter XVI of the Los Angeles Municipal Code in furtherance of the public interest to avoid forfeiture, limit displacement and homelessness, and restrict evictions for nonpayment of rent that is not material as specified, that Council:

ADOPT the ORDINANCE as amended by Amending Motion (Blumenfield – McOsker – Raman) and Amending Motion (Soto-Martinez – Blumenfield).

PRESENTED BY _____
NITHYA RAMAN
Councilmember, 4th District

SECONDED BY _____
BOB BLUMENFIELD
Councilmember, 3rd District

January 27, 2023

CF 20-0142-S4

MOTION

I MOVE that the matter of the EXEMPTION from the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline Section 15061(b)(3) and Article II, Section 1 of the City CEQA Guidelines; HOUSING AND HOMLESSNESS COMMITTEE REPORT and ORDINANCE FIRST CONSDIERATION relative to amending Section 151.09 of Article 1, Chapter XV, and Section 165.03 of Article 5 Chapter XVI of the Los Angeles Municipal Code (LAMC) in furtherance of the public interest to avoid forfeiture, limit displacement and homelessness, and restrict evictions for nonpayment of rent that is not material as specified, Item No. 12 on today's Council Agenda (Council File 21-0042-S4) BE AMENDED to ADD the following:

- A) AMEND the draft ordinance to include a severability clause;
- B) INSTRUCT the Los Angeles Housing Department to report on renter protection policies in other cities within Los Angeles County, as well as to report on how the City's new renter protections may impact housing production.
- C) INSTRUCT the Los Angeles Housing Department to report within 14 days with recommendations on the number of months a renter may remain in arrears.

CO- PRESENTED BY: Bob Blumenfeld
BOB BLUMENFIELD
Councilmember, 3rd District

CO-PRESENTED BY: Tim McCosker
TIM McCOSKER
Councilmember, 15th District

SECONDED BY: Natasha Kaur

ORIGINAL

cb

JAN 27 2023

MOTION

I MOVE that the matter relative to the EXEMPTION from the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline Section 15061(b)(3) and Article II, Section 1 of the City CEQA Guidelines; HOUSING AND HOMELESSNESS COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending Section 151.09 of Article 1, Chapter XV, and Section 165.03 of Article 5, Chapter XVI of the Los Angeles Municipal Code (LAMC) in furtherance of the public interest to avoid forfeiture, limit displacement and homelessness, and restrict evictions for nonpayment of rent that is not material as specified, Item No. 12 on today’s Special Council Agenda (C.F. 21-0042-S4), BE AMENDED to adopt the following language for inclusion into the ordinance on this matter:

- 1. Add a new Section 3 as follows:

“Sec. 3 Section 165.10 is added to Article 5 of Chapter XVI of the Los Angeles Municipal Code to read as follows:

Section 165.10

If any provision of this article is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this article which can be implemented without the invalid provisions, and to this end, the provisions of this article are declared to be severable. The City Council hereby declares that it would have adopted this article and each provision thereof irrespective of whether any one or more provisions are found invalid, unconstitutional or otherwise unenforceable.”

- 2. Update Section 3 relating to the Urgency Clause to read as follows:

“~~Sec. 3.~~ Sec. 4 URGENCY CLAUSE.”

PRESENTED BY:

HUGO SOTO-MARTINEZ
Councilmember, 13th District

SECONDED BY:

ORIGINAL

MOTION

I MOVE that the matter of the EXEMPTION from the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline Section 15061(b)(3) and Article II, Section 1 of the City CEQA Guidelines; HOUSING AND HOMELESSNESS COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to adding Section 165.09 to Article 5, Chapter XVI of the Los Angeles Municipal Code (LAMC) to require payment of specified relocation assistance to certain tenants when the tenant elects to relinquish their rental unit due to the inability to pay rent increases as specified, Item No. 13 on today's Council Agenda (Council File 21-0042-S5) BE AMENDED to adopt the following:

- AMEND Section 165.09 A. of the draft ordinance to strike and replace the following language:



“A landlord of residential real property subject to this article shall provide the relocation assistance specified in this section to a tenant who elects to relinquish their tenancy ~~due to their inability to pay~~ following a proposed rental increase that exceeds the lesser of (1) the Consumer Price Index – All Urban Consumers, plus five percent, or (2) ten percent.”

PRESENTED BY:



NITHYA RAMAN
Councilmember, 4th District

SECONDED BY:

TRANSITION

JAN 27 2023

PK

MOTION

I MOVE that the matter of the EXEMPTION from the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline Section 15061(b)(3) and Article II, Section 1 of the City CEQA Guidelines; HOUSING AND HOMLESSNESS COMMITTEE REPORT and ORDINANCE FIRST CONSDIERATION relative to adding Section 165.09 to Article 5, Chapter XVI of the Los Angeles Municipal Code (LAMC) to require payment of specified relocation assistance to certain tenants when the tenant elects to relinquish their rental unit due to the inability to pay rent increases as specified, Item No. 13 on today’s Council Agenda (Council File 21-0042-S5) BE AMENDED to ADD the following:

- A) AMEND the draft ordinance to include a severability clause;
- B) AMEND Section 165.09 A. of the draft ordinance to clarify that a rent increase that would trigger the displacement provisions should be based on the contracted monthly rent for the unit, excluding any promotional rents or rent discounts;
- C) STRIKE Section 165.09 E. of the draft ordinance;
- D) INSTRUCT the Los Angeles Housing Department to report within 90 days on renter protection policies in other cities within Los Angeles County, as well as to report on how the City’s new renter protections may impact housing production;

CO- PRESENTED BY: Bob Blumenfeld
BOB BLUMENFIELD
Councilmember, 3rd District

CO-PRESENTED BY: Tim McCosker
TIM McCOSKER
Councilmember, 15th District

SECONDED BY: Dilpreet Kaur

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