

Los Angeles City Council, Journal/Council Proceeding

Friday, February 17, 2023

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: Blumenfield, de León, Harris-Dawson, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Soto-Martinez (10); Absent: Hernandez, Raman, Rodriguez, Yaroslavsky (4)

Approval of the Minutes

Commendatory Resolutions, Introductions and Presentations

Multiple Agenda Item Comment

Public Testimony of Non-agenda Items Within Jurisdiction of Council

Items for which Public Hearings Have Been Held

(1) **22-1574**

BUDGET, FINANCE AND INNOVATION COMMITTEE REPORT relative to a Los Angeles Department of Building and Safety (LADBS) refund claim filed by Louisiana Glen, LP, for the project located at 10405 Louisiana Avenue, Los Angeles, California 90025.

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

APPROVE the refund claim number 160235 in the amount of \$154,880, submitted by Louisiana Glen, LP, under building permit number 19010-10000-02347 for the project located at 10405 Louisiana Avenue, Los Angeles, California 90025.

Fiscal Impact Statement: None submitted by the LADBS. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a

financial analysis of this report.

Community Impact Statement: None submitted

Adopted Item

Ayes: Blumenfield, de León, Harris-Dawson, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Soto-Martínez (10); Nays: (0); Absent: Hernandez, Raman, Rodriguez, Yaroslavsky (4)

(2) **22-1571**

BUDGET, FINANCE AND INNOVATION COMMITTEE REPORT relative to a Los Angeles Department of Building and Safety (LADBS) refund claim filed by Napoli Land Group, LLC, for the project located at 1660 Casale Road, Pacific Palisades, California 90272.

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

APPROVE the refund claim number 160834 in the amount of \$202,020.21, submitted by Napoli Land Group, LLC, under building permit number 18010-10010-01720 for the project located at 1660 Casale Road, Pacific Palisades, California 90272.

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

Community Impact Statement: None submitted

Adopted Item

Ayes: Blumenfield, de León, Harris-Dawson, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Soto-Martínez (10); Nays: (0); Absent: Hernandez, Raman, Rodriguez, Yaroslavsky (4)

(3) **22-1575**

BUDGET, FINANCE AND INNOVATION COMMITTEE REPORT relative to a Los Angeles Department of Building and Safety (LADBS) refund claim filed by 1664 Malcolm Properties, LLC, for the project located at 1664 South Malcolm Avenue, Los Angeles, California 90024.

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

APPROVE the refund claim number 160988 in the amount of \$72,929.12, submitted by 1664 Malcolm Properties, LLC, under building permit number 20010-10000-02859 for the project located at 1664 South Malcolm Avenue, Los Angeles, California 90024.

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

Community Impact Statement: None submitted

Adopted Item

Ayes: Blumenfield, de León, Harris-Dawson, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Soto-Martínez (10); Nays: (0); Absent: Hernandez, Raman, Rodriguez, Yaroslavsky (4)

(4) **22-1570**

BUDGET, FINANCE AND INNOVATION COMMITTEE REPORT relative to a Los Angeles Department of Building and Safety (LADBS) refund claim filed by 11867 Jefferson LLC, for the project located at 11863 West Jefferson Boulevard, Los Angeles, California 90230.

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

APPROVE the refund claim number 160989 in the amount of \$80,731.20, submitted by 11867 Jefferson LLC, under building permit number 19010-10000-04149 for the project located at 11863 West Jefferson Boulevard, Los Angeles, California 90230.

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

Community Impact Statement: None submitted

Adopted Item

Ayes: Blumenfield, de León, Harris-Dawson, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Soto-Martínez (10); Nays: (0); Absent: Hernandez, Raman, Rodriguez, Yaroslavsky (4)

(5) **22-1572**

BUDGET, FINANCE AND INNOVATION COMMITTEE REPORT relative to a Los Angeles Department of Building and Safety (LADBS) refund claim filed by Brett M Sutherlin Trustee, for the project located at 764 North Patterson Place, Pacific Palisades, California 90272.

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

APPROVE the refund claim number 161197 in the amount of \$166,266.24, submitted by Brett M Sutherlin Trustee, under building permit number 19010-20000-04542 for the project located at 764 North Patterson Place, Pacific Palisades, California 90272.

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

Community Impact Statement: None submitted

Adopted Item

Ayes: Blumenfield, de León, Harris-Dawson, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Soto-Martínez (10); Nays: (0); Absent: Hernandez, Raman, Rodriguez, Yaroslavsky (4)

(6) **22-0167-S2
CD 13**

HOUSING AND HOMELESSNESS COMMITTEE REPORT relative to increased Housing Opportunities for People With AIDS (HOPWA) funding for the Alvarado Kent Apartments located at 707-711 North Alvarado Street in Council District 13; and related matters.

Recommendations for Council action, pursuant to Motion (O'Farrell – Lee), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD), or designee, to:

a. Increase funding by \$2,041,645 in HOPWA funds to Alvarado Kent Apartments, L.P. for the Project located at 707-711 North Alvarado Street, as noted below, and cause these funds to be transferred to the appropriate accounts to effectuate an increase in funding for the Project:

| <u>Fund</u> | <u>Account</u> | <u>Amount</u> |
|-------------|----------------|------------------|
| HOPWA | | |
| 569 | 43P440 | \$ 295,397 |
| 569 | 43T440 | <u>1,746,248</u> |
| | | \$2,041,645 |

b. Negotiate, amend, and execute loan amendments, covenant amendments, subordination agreements and other documents as necessary to reflect the new amounts, subject to the approval of the City Attorney as to form, and make any technical corrections to the fund transfer instructions as necessary to effectuate the intent of the Motion.

c. Prepare Controller Instructions, subject to the approval of the Chief Legislative Analyst (CLA).

2. AUTHORIZE the Controller to implement the instructions and expend funds upon receipt of proper demand by the General Manager, LAHD, or designee.

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

Community Impact Statement: None submitted

Adopted Item

Ayes: Blumenfield, de León, Harris-Dawson, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Soto-Martínez (10); Nays: (0); Absent: Hernandez, Raman, Rodriguez, Yaroslavsky (4)

(7) **23-0129**
CD 5

CONSIDERATION OF MOTION (YAROSLAVSKY - PARK) relative to available strategies to preserve the Senderos Canyon property and identifying various options to fund the purchase the property, including potential County, State, and Federal funding sources.

(Neighborhoods and Community Enrichment 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 www.lacouncilfile.com for background documents.)

Community Impact Statement: Yes

For: Westside Neighborhood Council

Adopted Item as Amended by Motion (McOsker for Yaroslavsky - Lee) - SEE ATTACHED

Ayes: Blumenfield, de León, Harris-Dawson, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Raman, Rodriguez, Soto-Martínez (12); Nays: (0); Absent: Hernandez, Yaroslavsky (2)

(8) **23-0082**

BUDGET, FINANCE AND INNOVATION COMMITTEE REPORT relative to a Fiscal Year (FY) 2022-23 Interim Budget Request for position authorities and expense funding for the City Attorney.

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

RESOLVE that the following positions to be utilized by the City Attorney for reorganizing the Office of the City Attorney is APPROVED and CONFIRMED for the period of February 1, 2023 through June 30, 2023:

| No. | Class Code | Title |
|-----|------------|--------------------------------|
| 1 | 0555 | Chief Assistant City Attorney |
| 1 | 0554 | Senior Assistant City Attorney |
| 1 | 0598 | Assistant City Attorney |

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that approval of the recommendation contained in its February 7, 2023 report, attached to the Council File, will have no additional impact to the General Fund for FY 2022-23. For FY 2023-24, the projected annual General Fund impact is \$1,429,711, for direct and indirect salary costs for the three City Attorney positions, which would need to be considered for funding during the 2023-24 budget development process.

Financial Policies Statement: The CAO reports that the recommendation stated in its February 7, 2023 report, attached to the Council File, comply with the City's Financial Policies, as the funding transactions utilize current revenues and account balances to fund current operations.

Community Impact Statement: None submitted

(Personnel, Audits and Hiring Committee waived consideration of the above matter)

Adopted Item

Ayes: Blumenfield, de León, Harris-Dawson, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Soto-Martínez (10); Nays: (0); Absent: Hernandez, Raman, Rodriguez, Yaroslavsky (4)

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

(9) **23-0118**

CONSIDERATION OF RESOLUTION (PRICE – HARRIS-DAWSON – HUTT – KREKORIAN) relative to naming the stairs entering City Hall South (111 East First Street) as Herb J. Wesson, Jr. Steps.

Recommendation for Council action, pursuant to Resolution (Price – Harris-Dawson – Hutt – Krekorian):

ADOPT the accompanying RESOLUTION recognizing Herb J. Wesson, Jr's. leadership and service to the City by naming the stairs entering City Hall South (111 East First Street) as Herb J. Wesson, Jr. Steps.

Community Impact Statement: None submitted

**(Rules Elections and Intergovernmental Relations Committee
waived consideration of the above matter)**

Adopted Item

Ayes: Blumenfield, de León, Harris-Dawson, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Raman, Rodriguez, Soto-Martínez (12); Nays: (0); Absent: Hernandez, Yaroslavsky (2)

(10) **22-0761-S1
CD 12**

MOTION (LEE - MCOSKER) relative to funding for additional police services within Council District 12.

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

1. TRANSFER and APPROPRIATE \$84,700 in the Council District 12 portion of the Neighborhood Service Enhancements line item General City Purposes Fund No. 100/56, to the Police Fund No. 100/70, Account No. 1092 (Overtime - Police Officers), to be used for additional police services within Devonshire Division, Council District 12.
2. AUTHORIZE the Los Angeles Police Department to make any corrections, clarifications or revisions to the above fund transfer instructions, including any new instructions, in order to effectuate the intent of this Motion including any corrections and changes to fund or account numbers; said corrections / clarifications / changes may be made orally, electronically or by any other means.

Adopted Item

Ayes: Blumenfield, de León, Harris-Dawson, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Raman, Rodriguez (11); Nays: Soto-Martínez (1); Absent: Hernandez, Yaroslavsky (2)

(11) **12-0938-S3
CD 12**

MOTION (LEE - HUTT) relative to funding to assist the Granada Hills

Charter High school Music Program, Robodox program, and Baseball Team to obtain much needed equipment.

Recommendations for Council action:

1. ALLOCATE \$30,000 in the Sunshine Canyon Community Amenities Trust Fund No. 699/14 to assist the Granada Hills Charter High School Music Program, Robodox Program, and Baseball Team to obtain much needed equipment.
2. DIRECT the City Clerk prepare and process the necessary document(s) with, and/or payment(s) to Granada Hills Charter Excellence Fund, or any other agency or organization, as appropriate, in the above amount, from the above source, and for the above purpose, subject to the approval of the City Attorney as to form, if needed; and, AUTHORIZE, if needed, the Council member of the Twelfth District to execute any such documents on behalf of the City.
3. AUTHORIZE the City Clerk to make any technical corrections or clarifications to the above fund transfer instructions in order to effectuate the intent of this Motion.

Adopted Item

Ayes: Blumenfield, de León, Harris-Dawson, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Raman, Rodriguez, Soto-Martínez (12); Nays: (0); Absent: Hernandez, Yaroslavsky (2)

(12) **22-0263-S1**
CD 15

MOTION (MCOSKER - KREKORIAN) relative to funding for services in connection with the Council District 15 special observation of St. Patrick's Day on March 17, 2023, 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 Celebrations & Special Events 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 15 special observation of St. Patrick's Day on March 17, 2023, at City Hall, including the illumination of City Hall.

Adopted Item

Ayes: Blumenfield, de León, Harris-Dawson, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Raman, Rodriguez, Soto-Martínez (12); Nays: (0); Absent: Hernandez, Yaroslavsky (2)

(13) **23-0147**
CD 13

MOTION (SOTO-MARTINEZ - KREKORIAN) relative to funding for the Council District 13 special observation at City Hall on February 24, 2023, of the anniversary of the invasion of Ukraine, including the illumination of City Hall.

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

TRANSFER and APPROPRIATE \$400 from the Council's portion of the Heritage Month Celebrations & Special Events 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 the Council District 13 special observation at City Hall on February 24, 2023, of the anniversary of the invasion of Ukraine, including the illumination of City Hall.

Adopted Item

Ayes: Blumenfield, de León, Harris-Dawson, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Raman, Rodriguez, Soto-Martínez (12); Nays: (0); Absent: Hernandez, Yaroslavsky (2)

(14) **23-0149**

MOTION (HARRIS-DAWSON - HUTT) relative to funding for services in connection with the Mayor's special recognition at City Hall on February 7, 2023, for LeBron James, Los Angeles Laker, breaking the All-Time National Basketball Association (NBA) Point Leader record, including the illumination of City Hall.

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

TRANSFER and APPROPRIATE \$400 from the Mayor's portion of the Heritage Celebration & Special Events line item in the General City Purposes Fund No.100/56 to the General Service Fund No. 100/40, Account No. 1070 (Salaries-As Needed), for services in connection with the Mayor's special recognition on February 7, 2023, at City Hall, for LeBron James, Los Angeles Laker, breaking the All-Time NBA Point Leader record, including the illumination of City Hall.

Adopted Item

Ayes: Blumenfield, de León, Harris-Dawson, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Raman, Rodriguez, Soto-Martínez (12); Nays: (0); Absent: Hernandez, Yaroslavsky (2)

(15) **21-1041**
CD 4

MOTION (RAMAN - YAROSLAVSKY) relative to amending the Council actions of December 8, 2021 and February 16, 2022 (Council file No. 21-1041), requesting the Los Angeles Homeless Services Authority (LAHSA) to execute a new or amend an existing sole source subcontract with The People Concern for implementation of the Council District 4 Encampment to Home Program.

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

1. AMEND the Council actions of December 8, 2021 and February 16, 2022 relative to requesting the LAHSA to "execute a new or amend an existing sole source subcontract with The People Concern for an amount of \$1,222,569 for the term of October 1, 2021 - June 30, 2022 (extended to December 30, 2022), to implement the Council District 4 Encampment to Home Program" (Council file No. 21-1041) to transfer and appropriate an additional amount of \$271,387 from the "Additional Homeless Services" line item in the General City Purposes Fund No. 100/56, Account No. 000903, to the account established for this purpose in the Housing Fund No. 10A/43, in order to cover the cost of services provided during the period October 1, 2022 to December 31, 2022, with all other aspects, instructions and authorizations of the Council actions to remain unchanged.
2. INSTRUCT and AUTHORIZE the Housing Department to prepare,

process and execute any document(s) needed for the above purpose and to make any corrections, clarifications or revisions to the above fund transfer instructions, including any new instructions, in order to effectuate the intent of this Motion, and including any corrections and changes to fund or account numbers; said corrections / clarifications / changes may be made orally, electronically or by any other means.

Adopted Item

Ayes: Blumenfield, de León, Harris-Dawson, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Raman, Rodriguez, Soto-Martínez (12); Nays: (0); Absent: Hernandez, Yaroslavsky (2)

(16) **22-1063**
CD 4

COMMUNICATION FROM THE MUNICIPAL FACILITIES COMMITTEE (MFC) relative to a lease with Ventura - Ethel Ltd., at 13103 Ventura Boulevard, Studio City, California 91604 for office space for Council District Four.

Recommendation for Council action:

AUTHORIZE the Department of General Services (GSD) to negotiate and execute a lease with Ventura - Ethel Ltd., at 13103 Ventura Boulevard, Studio City, California 91604 for office space for Council District Four under the terms and conditions substantially outlined in the GSD report dated January 26, 2023, attached to the Council file.

Fiscal Impact Statement: The MFC reports that there is no additional General Fund impact anticipated in the current year, with projected costs of \$200,000 to be absorbed within capacity available within the Citywide Leasing Fund, to include four months of rental payments, parking and associated one-time expenses. The annual leasing costs for 2023-24 is estimated at a total of \$156,650, which would need to be funded through the City Budget process.

TIME LIMIT FILE - APRIL 11, 2023

(LAST DAY FOR COUNCIL ACTION - APRIL 11, 2023)

(Government Operations Committee waived consideration of the above matter)

Adopted Item

Ayes: Blumenfield, de León, Harris-Dawson, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Raman, Rodriguez, Soto-Martínez (12); Nays: (0); Absent: Hernandez, Yaroslavsky (2)

Items Called Special

Motions for Posting and Referral - SEE ATTACHED

Council Members' Requests for Excuse from Attendance at Council Meetings

Adjourning Motions

Council Adjournment

ENDING ROLL CALL

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

Whereupon the Council did adjourn.

ATTEST: Holly L. Wolcott, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL


COMMENDATORY RESOLUTIONS


| MOVED BY | SECONDED BY | NAME |
|-----------------|--------------------|-----------------------------------|
| Rodriguez | Lee | Walter Garcia |
| Rodriguez | Hutt | Mary MacAdam |
| Raman | Hutt | Kester Elementary / Magnet School |

7 A

MOTION

I MOVE that the matter relative to available strategies to preserve the Senderos Canyon property and identifying various options to fund the purchase the property, including potential County, State, and Federal funding sources, Item No. 7 (CF 23-0129) on today's Council Agenda, BE AMENDED to adopt the Motion attached to the File.

PRESENTED BY: 
Katy Yaroslavsky
Councilwoman, 5th District

SECONDED BY: 

ORIGINAL

of

FEB 17 2023

RESOLUTION

WHEREAS, the pedestrian tunnel at Tonopah Street under the I-5 and I-170 freeways was intended to provide safe access to students and families traveling to their local schools; and

WHEREAS, the Tonopah pedestrian tunnel has become a site for nuisance and illegal activity; and

WHEREAS, there is strong support to close this pedestrian tunnel from both the local community and the Los Angeles Police Department to address the public safety issues arising from this location; and

WHEREAS, the Bureau of Engineering has recommended that the City install locking gates at the tunnel entrances to abate public safety issues while still ensuring the Department of Water and Power has access to utilities within the tunnel (C.F. 19-0988); and

WHEREAS, the Fiscal Year 2021-22 Adopted Budget programmed \$130,000 in funding as part of the Capital and Technology Improvement Expenditure Program for the closure of the Tonopah pedestrian tunnel; and

WHEREAS, the Tonopah pedestrian tunnel is under the jurisdiction of the State Department of Transportation (Caltrans); and

WHEREAS, Caltrans has requested that the Council adopt a Resolution declaring its support of the closure of this pedestrian tunnel to allow the Bureau of Engineering to proceed with work to close this pedestrian tunnel;

NOW, THEREFORE, BE IT RESOLVED that the City of Los Angeles approves the closing of the pedestrian undercrossing at Tonopah Street under the Interstate 5 and Interstate I-170 freeways.

PRESENTED BY: _____



SECONDED BY: _____



ORIGINAL

majs

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AMEND the Council actions of December 8, 2021 and February 16, 2022 relative to requesting the LAHSA to “execute a new or amend an existing sole source subcontract with The People Concern for an amount of \$1,222,569 for the term of October 1, 2021 - June 30, 2022 (extended to December 30, 2022), to implement the Council District 4 Encampment to Home Program” (Council file No. 21-1041) to:

- A. TRANSFER and APPROPRIATE an additional amount of \$271,387 from the “Additional Homeless Services” line item in the General City Purposes Fund No. 100/56, Account No. 000903, to Housing Fund No. 10A/43, 43VB59 - CD 4 Encampment to Home, in order to cover the cost of services provided during the period October 1, 2022 to December 31, 2022, with all other aspects, instructions and authorizations of the Council actions to remain unchanged.
- B. INSTRUCT and AUTHORIZE the General Manager of the Los Angeles Housing Department (LAHD), or their designee, to amend General Fund Contract C-140706 to add \$271,387 to support the CD4 Encampment to Home program.
- C. AUTHORIZE the General Manager of LAHD, or their designee to prepare, process and execute any document(s) needed for the above purpose and to make any corrections, clarifications or revisions to the above fund transfer instructions, including any new instructions, in order to effectuate the intent of this Motion, and including any corrections and changes to fund or account numbers; said corrections / clarifications / changes may be made orally, electronically or by any other means.

PRESENTED BY:

Nithya Raman

NITHYA RAMAN
Councilmember, 4th District

SECONDED BY:

Jesse...

ORIGINAL

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MOTION

I MOVE that \$350,000 in the Council District 2 portion of the Street Furniture Revenue Fund No. 43D, Dept. 50 be transferred / appropriated to a new Account in the Transportation Trust Fund No. 840-94 entitled "CD 2 Elementary School Area Speed Hump Program" for speed humps where feasible around elementary schools in Council District 2.

I FURTHER MOVE that the Transportation Department be authorized to make any technical corrections or clarifications as necessary to the above fund transfer instructions in order to effectuate the intent of this Motion.

PRESENTED BY:



PAUL KREKORIAN
Councilman, 2nd District

SECONDED BY:



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ORIGINAL



FEB 17 2023

MOTION

In recent years, several city officials faced federal criminal indictments for accepting cash and large gifts from people who were illegally trying to influence the city's land use and development process. Actual and perceived corruption erodes the public's trust in local government and complicates efforts to tackle our housing crisis and to encourage investment and jobs creation. Los Angeles must build stronger accountability and safeguards into our city's land use and development services process.

An Office of Inspector General, focused specifically on land use, development, and construction services, is a potential tool that is missing from our municipal arsenal, though there are successful models in other jurisdictions. LA Metro has an Office of Inspector General specifically focused on waste, fraud, and abuse regarding the transit agency's procurements and development projects. Chicago's Office of the Inspector General may independently start investigations and issue subpoenas. New York's Department of Investigations conducts audits, with an Inspector General who has statutory qualification requirements. Other cities such as Houston, Philadelphia, and Jacksonville also have their own Offices of Inspectors General. The City of Los Angeles should follow suit. An earlier instruction from the Council, CF 20-0608, charged the Chief Legislative Analyst with studying this task. That analysis has yet to commence and is better suited to be led by the Ethics Commission, given its technical expertise and the public review process inherent in the Commission's structure.

I THEREFORE MOVE that the Ethics Commission, with the assistance of the Planning Department, Department of Building and Safety, Bureau of Engineering, Chief Legislative Analyst, and City Attorney, be instructed to report back on best practices and recommendations for the development, implementation, structure, budget, and operation of an independent auditors/investigators office to provide focused oversight and monitoring of land use, development, and construction services in the City of Los Angeles, including potential amendments to the Los Angeles Municipal Code, Administrative Code, and City Charter.

PRESENTED BY: Paul Kerkorian
PAUL KREKORIAN
Councilmember, 2nd District

Marqueece Harris-Dawson
MARQUEECE HARRIS-DAWSON
Councilmember, 8th District

CB

SECONDED BY: Bl. B...

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ORIGINAL

MOTION

PUBLIC SAFETY

The deaths of multiple Angelenos in the first weeks of 2023 renewed the decades-old demand for accountability from law enforcement in our City. It is imperative that the City Council swiftly address systemic inequities and remedy any mistakes of the past, especially with regard to police accountability and the disciplinary process.

Section 1070 of the Los Angeles City Charter details the disciplinary process for officers within the Los Angeles Police Department. It prescribes that almost all disciplinary actions taken against members of the police department – including suspension, demotion, and removal – be recommended by the Chief of Police, but ultimately decided by a “Board of Rights.”

A Board of Rights is a three-member panel that serves as a quasi-judicial body, hearing evidence related to each charge of misconduct, determining guilt, and deciding whether to approve, reduce, or increase the recommended punishment from the Chief of Police. The Chief of Police may then levy a punishment up to, but not exceeding, the recommendation by the Board.

Before 2017, the Charter dictated that the composition of a Board of Rights panel be one civilian and two officers of the rank Captain or above. In May of 2017, voters approved Charter Amendment C, which authorized City Council to allow officers facing disciplinary action to request an all-civilian Board of Rights panel. In 2019, City Council adopted Ordinance No. 186100, effectuating this alternative model for police accountability.

One of the primary promises of Charter Amendment C was to increase police accountability. However, after analyzing almost four years of Board of Rights hearings and determinations, it is clear that the opposite is true. Chief of Police Michel Moore wrote the following in a correspondence to the Board of Police Commissioners (CF #22-1590) last year:

“The Department has observed that all-civilian Boards are resulting in an increased frequency in which sworn employees who have committed serious misconduct are not being removed from their positions. Similarly, all-civilian Boards are proving substantially more lenient[,] reducing every recommended penalty in each Board completed this year.”

According to the Office of the Inspector General, between June 23, 2019 and December 31, 2021, the Chief of Police recommended 55 officers for removal from the LAPD. Of those 55 officers, 37 chose an all-civilian Board of Rights composition to determine their ultimate punishment. In over two-thirds of those cases, the all-civilian Boards either found the accused officers not guilty, or decided upon a lesser punishment than was recommended by the Chief of Police. Reviewing every Board of Rights hearing that occurred during this period, all-civilian Boards’ determinations led to no or lesser punishment in 77% of cases. For Board of Rights hearings with traditional compositions, that number was 50%.



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Given the clear leniency with which these all-civilian Boards act, more officers are opting to select this alternate composition. In the cases where officers were facing removal from the police department, 91% opted for an all-civilian Board in 2021, growing from 88% in 2020, and 62% in 2019.

The demands for increased police accountability are widespread and growing. Mayor Karen Bass issued a letter to the Board of Police Commissioners on January 30, 2023 which called for the Chief of Police to work with the City Council “to reform or remove” the all-civilian option for Board of Rights composition, and President William Briggs of the Board of Police Commissioners called for the repeal of Ordinance No. 186100 in the Commission’s February 7, 2023 meeting.

There are several options available to both the City Council and the voters in order to better meet the goal of improving the discipline systems to hold officers accountable, while also protecting due process rights. It’s time the City of Los Angeles meet the demands of the moment and continue to pursue meaningful change in our police disciplinary systems.

I THEREFORE MOVE that the City Council request that the City Attorney prepare and present a draft ordinance, repealing Division 22, Chapter 11, Article 12 of the Los Angeles Administrative Code, entitled “ALTERNATIVE COMPOSITION OF BOARD OF RIGHTS.”

I FURTHER MOVE that the City Council request that the Chief Legislative Analyst, City Attorney, the City Clerk, the Los Angeles Police Department, and the Civil and Human Rights and Equity Department report back in 90 days on recommendations and implementation plans to modify Section 1070 of the Los Angeles City Charter through various options, which should include, but are not limited to:

- Alternative models for the Board of Rights, including a modified composition of civilian and sworn personnel serving on a Board;
- Incorporating binding arbitration as a component of the discipline process, where appropriate; and
- Authorizing the Chief of Police to terminate officers immediately (prior to a Board of Rights or other due process proceeding) in appropriate cases, as to be determined by the severity of the misconduct.

I FURTHER MOVE that the City Council request that the City Attorney to prepare and present a draft ordinance to improve the pool of qualified candidates for civilian hearing examiners, which should include, but is not limited to:

- Adding nominating agencies to include local clergy, civil rights organizations, the Office of the Inspector General, City Council Offices, and the Mayor;
- Requiring the inclusion of civilians with diverse experiences and perspectives;
- Eliminating the criteria requiring years of experience in mediation, arbitration, or similar work;

- Prohibiting individuals who are current or former employees of local law enforcement agencies from serving as civilian hearing examiners; and
- Requiring and providing training from community-based experts and independent experts on police discipline and oversight for all panelists on issues the Board routinely considers such as excessive force and domestic violence.

I FURTHER MOVE that the City Council request that the Board of Police Commissioners and the Office of the Inspector General, with the assistance from the City Attorney and the City Administrative Officer, to report back in 90 days on the status of the transition to attorney prosecutors in lieu of sworn personnel as advocates to present the City's case for discipline.

I FURTHER MOVE that the City Council instruct the Civil and Human Rights and Equity Department to report back in 90 days, with assistance from the Office of the Inspector General and the Chief Legislative Analyst, on additional recommendations for affirmatively furthering Angelenos rights against misconduct by law enforcement, and for increasing accountability when such misconduct occurs.

PRESENTED BY:



HUGO SOTO-MARTÍNEZ
Councilmember, 13th District



TIM McOSKER
Councilmember, 15th District

SECONDED BY:



ORIGINAL

MOTION

The Clean Air Action Plan (CAAP) is a collaborative effort between the Port of Los Angeles and Port of Long Beach that establishes a comprehensive strategy for reducing health risks associated with air pollution from shipping operations at the ports. The CAAP was first adopted in 2006, and updated versions were adopted in 2010 and 2017.

The CAAP focuses on five source categories: ocean going vessels, harbor craft, heavy duty trucks, cargo handling equipment, and locomotives. It's implementing strategy centers on clean vehicles and equipment technology and fuels, freight infrastructure investment and planning, freight efficiency, and energy resource planning, through technological advancement, demonstration projects, regulatory advocacy, and funding advocacy.

The Ports of Los Angeles and Long Beach jointly prepare quarterly progress updates on the implementation of the CAAP, providing accomplishments and planned actions. Additionally, the ports provide annual reports on the Technology Advancement Program, which advances the implementation of the CAAP.

The projects implemented in efforts to achieve the goals of the CAAP are uniquely important to the residents of Council District 15. It would benefit the public for the Port of Los Angeles to communicate the progress of its implementation of the CAAP to the City Council, the timelines for zero emission technology, and the community input or influence on the CAAP.

I THEREFORE MOVE that the City Council request the Port of Los Angeles to report within 90 days, and on a semi-annual basis thereafter, on efforts to achieve the zero-emission goals of the Clean Air Action Plan, including the current state and overall feasibility of using clean, heavy-duty drayage truck technology throughout the San Pedro Bay port complex, and any community input received on clean air projects that have or are being implemented as part of the Clean Air Action Plan.

PRESENTED BY:



TIM McOSKER

Councilmember, 15th District

SECONDED BY:



ORIGINAL



FEB 17 2023

MOTION

Los Angeles International Airport (LAX) lost power for nearly an hour on the afternoon of February 1, 2023. The power outage affected most terminals and resulted in a number of service delays. LAX is one of the busiest airports in the world, and while Los Angeles World Airports (LAWA) worked quickly alongside the Los Angeles Department of Water and Power (LADWP) to address the outage and restore services, power outages of any scale are significant disruptions.

There have been several power outages at LAX in recent years, with varying levels of disruption. In 2017, a Motion (C.F. 17-0971) was introduced to request LADWP to report on power reliability issues at LAX. LADWP stated that it would take a number of steps to address these issues in the ensuing report, including implementing new action plans and improving coordination with LAWA staff and management.

On June 5, 2019, a power outage lasted several hours, resulting in flight cancellations and creating security concerns. A Motion (C.F. 19-0614) was introduced requesting LAWA and LADWP to report on the outage. LAWA's Emergency Management Division prepared and presented an after-action report on the incident, with dozens of recommendations based on its observations and findings. As LAWA investigates the recent power outage at LAX, it is important to take this opportunity to revisit this 2019 report to see how the recommendations were implemented.

I THEREFORE MOVE that Los Angeles World Airports be requested to report, with assistance from the Department of Water and Power, to the Trade, Travel, and Tourism Committee on the cause of and response to the February 1, 2023 power outage at Los Angeles International Airport.

I FURTHER MOVE that Los Angeles World Airports be requested to report on its implementation of the recommendations provided in the After-Action Report prepared by its Emergency Management Division following the June 5, 2019 power outage at Los Angeles International Airport.

PRESENTED BY: Traci Park
TRACI PARK
Councilwoman, 11th District

SECONDED BY: [Signature]

SP

FEB 17 2023

ORIGINAL

RESOLUTION

WHEREAS, the City recognizes the public health and economic impacts of the Covid-19 pandemic, and further appreciates the need to facilitate temporary Zoning Code relief to support the local economy and livelihood of those living and working in the City; and

WHEREAS, the City's declared local emergency initially issued on March 4, 2020 in response to the threat and risks posed by Covid-19 pandemic, and that declaration was subsequently amended and affirmed, and extraordinary measures were undertaken by the City to support residents, tenants, business owners, and property owners Citywide; and

WHEREAS, although the formally declared local emergency terminated February 1, 2023, the need for measures to provide targeted regulatory relief to local businesses continues to exist in order to maintain economic stability as they try to recover from the effects of the pandemic; and

WHEREAS, the City desires to extend the provisions within the Municipal Code, Section 16.02.1, *Relief from Specified Land Use Provisions*, that allow for regulatory relief from specific time limitations for approvals and certain automobile parking requirements in the Municipal Code, and must affirmatively activate them by Resolution; and

WHEREAS, the City intends for the relief to provide needed flexibility for businesses and projects by extending time limits for approvals, and provide targeted automobile parking relief for existing buildings and operators that are underpinned by a desire to provide cost savings to local proprietors while furthering the environmental and mobility goals of the General Plan; and

WHEREAS, an extension of these provisions will provide the Planning Department the ability to engage in outreach and analysis to determine what permanent changes to the Municipal Code should be made to support the economic vitality of Los Angeles' commercial districts; and

WHEREAS, the City has undertaken an environmental review of the proposed provisions and found that will not have a significant effect on the environment (ENV-2020-4927-ND), and further found that aspects of the proposed regulatory relief are exempt from environmental review (ENV-2021-325-CE-SE);

NOW, THEREFORE, BE IT RESOLVED, that by the adoption of this Resolution, the Council hereby extends the provisions of Section 16.02.1 of the Municipal Code, *'Relief from Specified Land Use Provisions'*, to provide temporary regulatory relief from certain time limitations and automobile parking provisions during and for an additional 24-month period for a total of 36 months, after the termination or expiration of the local emergency order, as provided in that section.

PRESENTED BY:


BOB BLUMENFELD
Councilmember 3rd District

SECONDED BY:





ORIGINAL

FEB 17 2023