

**Los Angeles City Council, Journal/Council Proceeding**

**Wednesday, June 12, 2024**

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, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Padilla, Park, Soto-Martínez (10); Absent: de León, Price Jr., Raman, Rodriguez, Yaroslavsky (5)**

**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) **24-0317  
CD 9**

PUBLIC ANNOUNCEMENT OF BALLOT TABULATION and ORDINANCE FIRST CONSIDERATION relative to establishment of the South Los Angeles Industrial Tract Property and Business Improvement District (BID), pursuant to Section 53753 of the California Government Code, Section 36600 et seq. of the California Streets and Highways Code and Article XIII D of the California Constitution.

Recommendations for Council action, if the tabulation of ballots indicates majority support, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. PRESENT and ADOPT the accompanying ORDINANCE, dated May 7, 2024, establishing the BID and confirming the assessments to be levied upon properties within the BID, as described in the Management District Plan.

2. AUTHORIZE the City Clerk, subject to approval of the City Attorney, to prepare, execute and administer an operating agreement between the City and a non-profit corporation for the administration of the BID's programs.

Fiscal Impact Statement: The City Clerk reports that direct costs associated with Department administrative expenses will be charged to the BID and will be recovered from assessments collected. There are no assessment for City-owned properties within the BID, therefore there is no impact on the General Fund.

Proposition 218 requires the separation of general benefits from the special benefits. The general benefit portion for the South Los Angeles Industrial Tract BID is \$25,800 for the first year. However, funds other than assessment revenue must be budgeted annually for the general benefit expense for the remaining years of the BID's six-year term.

**(Pursuant to Council action on Wednesday, May 29, 2024 and adoption of Ordinance No. 188201 on Wednesday, April 3, 2024)**

**Adopted Item Forthwith**

**Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Padilla, Price Jr., Raman, Rodriguez, Soto-Martínez (13); Nays: (0); Absent: Park, Yaroslavsky (2)**

(2) **24-0318  
CD 4**

PUBLIC ANNOUNCEMENT OF BALLOT TABULATION and ORDINANCE FIRST CONSIDERATION relative to establishment of the Studio City Business Improvement District (BID), pursuant to Section 53753 of the California Government Code, Section 36600 et seq. of the California Streets and Highways Code and Article XIII D of the California Constitution.

Recommendations for Council action, if the tabulation of ballots indicates majority support, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. PRESENT and ADOPT the accompanying ORDINANCE, dated May 8, 2024, establishing the BID and confirming the assessments to be levied upon properties within the BID, as described in the Management District Plan.

2. AUTHORIZE the City Clerk, subject to approval of the City Attorney, to prepare, execute and administer an operating agreement between the City and a non-profit corporation for the administration of the BID's programs.

Fiscal Impact Statement: The City Clerk reports that direct costs associated with Department administrative expenses will be charged to the BID and will be recovered from assessments collected. There are no assessment for City-owned properties within the BID, therefore there is no impact on the General Fund.

Proposition 218 requires the separation of general benefits from the special benefits. The general benefit portion for the Studio City BID is \$25,800 for the first year. However, funds other than assessment revenue must be budgeted annually for the general benefit expense for the remaining years of the BID's six-year term.

**(Pursuant to Council action on Wednesday, May 29, 2024 and adoption of Ordinance No. 188200 on Wednesday, April 3, 2024)**

**Adopted Item Forthwith**

**Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Padilla, Price Jr., Raman, Rodriguez, Soto-Martínez (13); Nays: (0); Absent: Park, Yaroslavsky (2)**

**Items for which Public Hearings Have Been Held**

(3) **23-0953**  
**CD 11**

CATEGORICAL EXEMPTION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the inclusion of Marilyn Monroe Residence, located at 12305 West 5th Helena Drive, in the list of Historic-Cultural Monuments.

Recommendations for Council action:

1. DETERMINE that the proposed designation is categorically

exempt from the California Environmental Quality Act (CEQA), pursuant to Article 19, Section 15308, Class 8 and Article 19, Section 15331, Class 31 of the State CEQA Guidelines.

2. DETERMINE that the subject property conforms with the definition of a Monument pursuant to Section 22.171.7 of the Los Angeles Administrative Code.
3. ADOPT the FINDINGS of the Cultural Heritage Commission (CHC) as the Findings of Council.
4. APPROVE the recommendations of the CHC relative to the inclusion of Marilyn Monroe Residence, located at 12305 West 5th Helena Drive, in the list of Historic-Cultural Monuments.

Applicant: City of Los Angeles

Owners: Glory of the Snow 1031 LLC; and Andrew Sahure, Glory of the Snow 1031 Trust

Case No. CHC-2023-6134-HCM

Environmental No. ENV-2023-6135-CE

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

Community Impact Statement: None submitted

**TIME LIMIT FILE - JUNE 16, 2024**

**(LAST DAY FOR COUNCIL ACTION - JUNE 14, 2024)**

**Adopted Item to Continue to June 26, 2024**

**Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Padilla, Park, Price Jr., Raman, Rodriguez, Soto-Martínez (14); Nays: (0);**

**Absent: Yaroslavsky (1)**

(4) **14-1122**

NEIGHBORHOODS AND COMMUNITY ENRICHMENT COMMITTEE REPORT relative to the reappointment of Karen Winnick to the Board of Zoo Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Karen Winnick to the Board of Zoo Commissioners for the term ending June 30, 2029 is APPROVED and CONFIRMED. Appointee resides in Council District 5. (Current Composition: M=3; F=2)

Financial Disclosure Statement: Pending

Community Impact Statement: None submitted.

**TIME LIMIT FILE - JULY 8, 2024**

**(LAST DAY FOR COUNCIL ACTION - JULY 3, 2024)**

**Adopted Item**

**Ayes: Blumenfield, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Padilla, Park, Price Jr., Raman, Rodriguez, Soto-Martínez (13); Nays: (0); Absent: de León, Yaroslavsky (2)**

(5) **23-1200-S157**

NEIGHBORHOODS AND COMMUNITY ENRICHMENT COMMITTEE REPORT relative to the reappointment of Natasha Case to the Board of Cultural Affairs Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Natasha Case to the Board of Cultural Affairs Commissioners, for the term ending June 30, 2029, is APPROVED and CONFIRMED. Appointee resides in Council District 5. (Current Composition: M=3; F=4).

Financial Disclosure Statement: Filed

Community Impact Statement: None submitted.

**TIME LIMIT FILE - JULY 4, 2024**

**(LAST DAY FOR COUNCIL ACTION - JULY 3, 2024)**

**Adopted Item**

**Ayes: Blumenfield, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Padilla, Park, Price Jr., Raman, Rodriguez, Soto-Martínez (13); Nays: (0); Absent: de León, Yaroslavsky (2)**

(6) **23-1200-S57**

NEIGHBORHOODS AND COMMUNITY ENRICHMENT COMMITTEE REPORT relative to the reappointment of Suzanne Manriquez to the Board of El Pueblo de Los Angeles Historical Monument Authority Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Suzanne Manriquez to the Board of El Pueblo de Los Angeles Historical Monument Authority Commissioners for the term ending June 30, 2028, is APPROVED and CONFIRMED. Appointee resides in Council District 14. (Current Composition: F=4; M=4).

Financial Disclosure Statement: Filed

Community Impact Statement: None submitted.

**TIME LIMIT FILE - JULY 4, 2024**

**(LAST DAY FOR COUNCIL ACTION - JULY 3, 2024)**

**Adopted Item**

**Ayes: Blumenfield, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Padilla, Park, Price Jr., Raman, Rodriguez, Soto-Martínez (13); Nays: (0); Absent: de León, Yaroslavsky (2)**

(7) **23-1200-S96**

NEIGHBORHOODS AND COMMUNITY ENRICHMENT COMMITTEE REPORT relative to the reappointment of Fiona Hutton to the Board of Recreation and Park Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Fiona Hutton to the Board of Recreation and Park Commissioners for the term ending June 30, 2029, is APPROVED and CONFIRMED. Appointee resides in Council District 4. (Current Composition: M=3; F=2).

Financial Disclosure Statement: Filed

Community Impact Statement: None submitted.

**TIME LIMIT FILE - JULY 4, 2024**

**(LAST DAY FOR COUNCIL ACTION - JULY 3, 2024)**

**Adopted Item**

**Ayes: Blumenfield, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Padilla, Park, Price Jr., Raman, Rodriguez, Soto-Martínez (13); Nays: (0); Absent: de León, Yaroslavsky (2)**

(8) **24-1200-S18**

NEIGHBORHOODS AND COMMUNITY ENRICHMENT COMMITTEE REPORT relative to the appointment of Bryce Lewis-Smith to the Los Angeles City/County Native American Indian Commission.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Bryce Lewis-Smith to the Los Angeles City/County Native American Indian Commission for the term ending October 7, 2024 is APPROVED and CONFIRMED. The appointee resides in Council District 13. (Current Composition: M=1; F=2; Vacant=2)

Financial Disclosure Statement: Not applicable.

Background Check: Pending.

Community Impact Statement: None submitted.

**Adopted Item**

**Ayes: Blumenfield, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Padilla, Park, Price Jr., Raman, Rodriguez, Soto-Martínez (13); Nays: (0); Absent: de León, Yaroslavsky (2)**

(9) **24-1200-S19**

NEIGHBORHOODS AND COMMUNITY ENRICHMENT COMMITTEE REPORT relative to the appointment of Vivian Garcia to the Los Angeles City/County Native American Indian Commission.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Vivian Garcia to the Los Angeles City/County Native American Indian Commission for the term ending October 7, 2025 is APPROVED and CONFIRMED. The appointee will fill the vacancy created by the departure of Joseph Quintana. (Current Composition: M=1; F=2; Vacant=2)

Financial Disclosure Statement: Not applicable.

Background Check: Pending.

Community Impact Statement: None submitted.

**Adopted Item**

**Ayes: Blumenfield, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Padilla, Park, Price Jr., Raman, Rodriguez, Soto-Martínez (13); Nays: (0); Absent: de León, Yaroslavsky (2)**

(10) **23-1200-S11**

TRANSPORTATION COMMITTEE REPORT relative to the reappointment of Selika Talbott to the Board of Transportation Commissioners for the term ending June 30, 2029.

Recommendation for Council action:

RESOLVE that the Mayor's re-appointment of Selika Talbott to the Board of Transportation Commissioners for the new term ending June 30, 2029,



is APPROVED and CONFIRMED. Ms. Talbott resides in Council District Ten. (Current Composition: F=2; M=4; Vacant=1)

Financial Disclosure Statement: Filed

Community Impact Statement: None submitted.

**TIME LIMIT FILE - JULY 4, 2024**

**(LAST DAY FOR COUNCIL ACTION - JULY 3, 2024)**

**Adopted Item**

**Ayes: Blumenfield, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Padilla, Park, Price Jr., Raman, Rodriguez, Soto-Martínez (13); Nays: (0); Absent: de León, Yaroslavsky (2)**

(11) **24-0642**  
**CD 14**

COMMUNICATION FROM THE MUNICIPAL FACILITIES COMMITTEE relative to authorizing the Department of General Services (GSD) to negotiate and execute a Sublease Agreement with Nordstrom, Inc. for temporary office space for the Los Angeles Housing Department and Office of Finance, and Parking License Agreements with NREA TRC 700, LLC, and Parking Concepts, Inc.; for property located at 700 South Flower Street in Council District 14.

**(Government Operations Committee report to be submitted in Council. if public hearing is not held in Committee, an opportunity for public comment will be provided.)**

**(Please visit [www.lacouncilfile.com](http://www.lacouncilfile.com) for background documents.)**

Community Impact Statement: None submitted

**Adopted Government Operations Committee Report - SEE ATTACHED**

**Ayes: Blumenfield, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Padilla, Park, Price Jr., Raman, Rodriguez, Soto-Martínez (13); Nays: (0); Absent: de León, Yaroslavsky (2)**

(12) **10-0673**  
**CD 15**

ADMINISTRATIVE EXEMPTION and TRADE, TRAVEL AND TOURISM

COMMITTEE REPORT relative to the Fourth Amendment to Operating Agreement No. 23-1989-D with Pacific Harbor Line, Inc. to continue providing rail services to Port of Los Angeles (POLA) terminals

Recommendations for Council action:

1. ADOPT the determination by the Board of Harbor Commissioners (BOHC) that the proposed action is administratively exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II Section 2(f) of the Los Angeles City CEQA Guidelines.
2. APPROVE the POLA Resolution No. 23-10222 for Agreement No. 23-1989-D between the City of Los Angeles Harbor Department and Pacific Harbor Line.

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

Community Impact Statement: None submitted

**TIME LIMIT FILE - JUNE 17, 2024**

**(LAST DAY FOR COUNCIL ACTION - JUNE 14, 2024)**

**Adopted Item**

**Ayes: Blumenfield, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Padilla, Park, Price Jr., Raman, Rodriguez, Soto-Martínez (13); Nays: (0); Absent: de León, Yaroslavsky (2)**

(13) **14-0499-S8**

TRANSPORTATION COMMITTEE REPORT relative to authority to submit grant applications to the State of California Department of Transportation (Caltrans) to compete for the Active Transportation Program (ATP) Cycle 7 Call for Projects.

Recommendations for Council action, SUBJECT TO THE APPROVAL

OF THE MAYOR:

1. AUTHORIZE the General Manager, Los Angeles Department of Transportation (LADOT), and/or Director of the respective lead City Department to submit grant applications to the Caltrans ATP Cycle 7 for the four projects as detailed in the May 29, 2024 LADOT report, attached to the Council File.
2. AUTHORIZE the City Engineer to enter into an agreement with the City of Culver City, subject to the approval of the City Attorney, and include a project contribution of up to \$150,000 from Fund No. 840/94 Appropriation Unit No. 94WE37.
3. AUTHORIZE the respective lead City Department to execute any necessary funding, cooperative agreement, or contractual documents, subject to the approval of the City Attorney as to form and legality, for accepting the funding.
4. DIRECT the General Manager, LADOT, and/or Director of the respective lead City Department to:
  - a. Identify any additional resource needs, including staff, and/or overtime funding, for the successful implementation of the projects awarded funding.
  - b. Report on which projects were awarded funding and related staffing and fiscal impacts.
5. AUTHORIZE leveraging of City staff salaries through the annual budget of the Transportation Grant Fund Annual Work Program in the Proposition C Fund for the LADOT and applicable Public Works Bureaus.
6. AMEND Page 5 of the May 29, 2024 LADOT report, attached to the Council File, to expand the title of LA River Greenways Bike Path Segment 7 to:

LA River Greenways Bike Path Segment 7/Los Angeles

Bikeways, Riverways, and Active Valley Equity - Segment 7 (LA BRAVE 7)

Fiscal Impact Statement: The LADOT reports that there is no impact to the City's General Fund. There is also no immediate impact on special funds; however, for projects awarded grant funding, City agencies, in conjunction with the CAO, will identify the recommended front funding appropriations from available and appropriate funding sources in that current fiscal year to deliver the projects (i.e., design, project management, construction, and inspection). Funding in subsequent budget years will be determined by the Mayor and Council each year as part of the annual budget process.

Community Impact Statement: None submitted.

**Adopted Item**

**Ayes: Blumenfield, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Padilla, Park, Price Jr., Raman, Rodriguez, Soto-Martínez (13); Nays: (0); Absent: de León, Yaroslavsky (2)**

(14) **23-0388-S2  
CD 11**

TRANSPORTATION COMMITTEE REPORT relative to proposed Second Amendment to Contract No. C-135121 with Toole Design Group, LLC. (Toole Design Group) for the completion of the Westside Mobility Project.

Recommendation for Council action:

AUTHORIZE the General Manager, Los Angeles Department of Transportation (LADOT), or designee, to execute the Second Amendment to Contract No. C-135121 with Toole for the completion of the Westside Mobility Project.

Fiscal Impact Statement: The LADOT reports that there is no impact to the General Fund. The use of Toole Design Group for Task Order DD-002 Westside Mobility Project is funded by West LA Transportation Improvement Mitigation Program (TIMP) Fund No. 681, Coastal TIMP Fund No. 447 (Council File No. 19-0453).

Community Impact Statement: None submitted.

**TIME LIMIT FILE - JULY 29, 2024**

**(LAST DAY FOR COUNCIL ACTION - JULY 3, 2024)**

**Adopted Item**

**Ayes: Blumenfield, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Padilla, Park, Price Jr., Raman, Rodriguez, Soto-Martínez (13); Nays: (0); Absent: de León, Yaroslavsky (2)**

(15) **24-0606**

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the execution of first contract amendments to extend the term for an additional 24 months through April 4, 2026, and increase the compensation amount by \$1.5 million for a total compensation amount not-to-exceed \$3 million, with 28 on-call consultants for continued as-needed planning, urban design, marketing, strategic communications, and public outreach services.

Recommendation for Council action:

AUTHORIZE the Director, Department of City Planning, or designee, to:

- a. Execute first contract amendments to extend the term for an additional 24 months through April 4, 2026 and increase the compensation amount by \$1.5 million for a total compensation amount not-to-exceed \$3 million with 26 on-call consultants as follows: Alta Planning and Design; Arup North America, Ltd.; CallisonRTKL Inc. (Callisonetrl Inc.); Champion City, Inc.; City Design Studio LLC.; DDK Communications; Dudek & Associates, Inc.; Finn Partners; M. Arthur Gensler Jr. & Associates, Inc. (Gensler); Gruen Associates; Here Design Studio; IBI Group; Kounkuey Design Initiative; MIG (Moore Iacofano Goltsman, Inc.); Pastilla; Perkins Eastman; PLACEWORKS; Rios Hale Clementi Studios (Rios); Skidmore, Owings, & Merrill LLP; Stoss LU; RDC-S111, Inc. (dba Studio One Eleven); SWA Group; Sax Productions, Inc.; Toole Design Group, LLC.; Trifiletti Consulting, Inc.; and ZELDESIGN (ZHarrison and Associates) to provide on-call planning, urban design, marketing, strategic communication, and public outreach services to various planning projects, in substantial conformance with the proposed contract amendment as approved by the City Attorney, included as Attachment 3 of the City

Administrative Officer (CAO) report dated May 7, 2024, attached to the Council file.

- b. Execute first contract amendments with AECOM Technical Services, Inc. and Dyett & Bhatia to extend the term for an additional 24 months through April 4, 2026, increase the compensation amount by \$1.5 million for a total compensation amount not-to-exceed \$3 million, and add the Regional Early Action Planning (REAP) grant pass through provisions to provide on-call planning, urban design, marketing, strategic communication, and public outreach services to various planning projects, in substantial conformance with the proposed contract amendment as approved by the City Attorney, included as Attachment 4 of said CAO report dated May 7, 2024.

Fiscal Impact Statement: The CAO reports that there is no General Fund impact. Funding for these contracts will be provided by existing budget appropriations for this purpose. In addition, the contracts include a funding clause limiting the City's obligation to make any payments to contractors unless the City shall have first made an appropriation of funds to make any payments.

Financial Policies Statement: The CAO reports that the recommended actions complies with the City's Financial Policies in that expenditures will be limited to the use of funds budgeted for this purpose.

Community Impact Statement: None submitted

**TIME LIMIT FILE - JULY 29, 2024**

**(LAST DAY FOR COUNCIL ACTION - JULY 3, 2024)**

**Adopted Item**

**Ayes: Blumenfield, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Padilla, Park, Price Jr., Raman, Rodriguez, Soto-Martínez (13); Nays: (0); Absent: de León, Yaroslavsky (2)**

(16) **20-0875**

COMMUNICATION FROM THE LOS ANGELES DEPARTMENT OF

TRANSPORTATION relative to the Traffic Enforcement Alternatives Project.

**(Transportation and Public Safety Committees report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)**

**(Please visit [www.lacouncilfile.com](http://www.lacouncilfile.com) for background documents.)**

Community Impact Statement: Yes

For:

North Westwood Neighborhood Council

Los Feliz Neighborhood Council

**(Public Safety Committee report to be submitted in Council.)**

**(Please visit [www.lacouncilfile.com](http://www.lacouncilfile.com) for background documents.)**

**Adopted Transportation Committee and Public Safety Committee Report - SEE ATTACHED**

**Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Padilla, Price Jr., Raman, Rodriguez, Soto-Martínez (13); Nays: (0); Absent: Park, Yaroslavsky (2)**

**Items Called Special**

**Motions for Posting and Referral - SEE ATTACHED**

**Council Members' Requests for Excuse from Attendance at Council Meetings**

**Adjourning Motions - SEE ATTACHED**

**Council Adjournment**

Blumenfield, de León, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Padilla, Price Jr., Raman, Rodriguez, Soto-Martínez (13); Absent: Park, Yaroslavsky (2)

**Whereupon the Council did adjourn.**

ATTEST: Holly L. Wolcott, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL



## COMMENDATORY RESOLUTIONS

<b>MOVED BY</b>	<b>SECONDED BY</b>	<b>NAME</b>
Park	Rodriguez	Paul "P-Rod" Rodriguez Day

## ADJOURNING MOTIONS

<b>MOVED BY</b>	<b>SECONDED BY</b>	<b>NAME</b>
Hutt	All Members	Evan Cablayan
Hutt	All Members	Peggy Moore
Hutt	All Members	Hope Wood-Moore
De Leon	All Members	Johnny Wactor

# Item 11

File No. 24-0642

GOVERNMENT OPERATIONS COMMITTEE REPORT relative to executing a Sublease with Nordstrom, Inc., and Parking License Agreements with NREA TRC 700, LLC, and Parking Concepts, Inc., at 700 South Flower Street.

Recommendation for Council action:

AUTHORIZE the Department of General Services (GSD) to negotiate and execute, for a term of 18 months from July 1, 2024, to December 31, 2025, the following:

- a. A sublease agreement with Nordstrom, Inc., at 700 South Flower Street, in Council District 14, for temporary office space for the Los Angeles Housing Department (LAHD) and the Office of Finance, under the terms and conditions substantially outlined in the Municipal Facilities Committee (MFC) report dated May 31, 2024, attached to the Council file.
- b. A parking license agreement with NREA TRC 700, LLC, at 700 South Flower Street, under the terms and conditions substantially outlined in the MFC report dated May 31, 2024, attached to the Council file.
- c. A parking license agreement with Parking Concepts, Inc., at 700 South Flower Street, under the terms and conditions substantially outlined in the MFC report dated May 31, 2024, attached to the Council file.

Fiscal Impact Statement: The MFC reports that savings from the Citywide Leasing Account will be reappropriated to cover the leasing expenses for the Office of Finance in the amount of \$508,361. There is no additional impact to the General Fund as LAHD is Special Funded.

Community Impact Statement: None submitted

## SUMMARY

At the meeting held on June 11, 2024 your Government Operations Committee considered an MFC report relative to authorizing the GSD to negotiate and execute a Sublease Agreement with Nordstrom, Inc., and Parking License Agreements with NREA TRC 700, LLC, and Parking Concepts, Inc., for 700 South Flower Street.

After an opportunity for public comment was held, the Committee moved to approve the recommendation, as detailed above. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

GOVERNMENT OPERATIONS COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
PADILLA	YES
HERNANDEZ	YES
HUTT	YES

MM 6-11-24 CF 24-0642

**-NOT OFFICIAL UNTIL COUNCIL ACTS-**

TRANSPORTATION and PUBLIC SAFETY COMMITTEES REPORT relative to the Traffic Enforcement Alternatives Project.

Recommendations for Council action:

1. INSTRUCT the Los Angeles Department of Transportation (LADOT), with the assistance of the Department of Public Works, Bureau of Engineering (BOE), the Department of Public Works, Bureau of Street Services (BSS), the Department of City Planning (DCP), City Attorney and in consultation with racial justice and equity advocates, to report in 90 days on how to develop and implement self-enforcing infrastructure as part of The Healthy Streets LA ballot measure (HLA) implementation plan (Council file Nos. 24-0131 and 24-0173) and future Mobility Plan, Community Plan, and other specific plan and overlay zone updates with said report to include a plan to evaluate self-enforcing infrastructure projects to quantify the impacts to public safety after a project has been implemented, as well as development of a multi-departmental disciplinary team that includes racial justice and equity advocates, safe streets advocates, the Los Angeles Police Department (LAPD), and the Los Angeles Fire Department (LAFD), to develop standards and review self-enforcing infrastructure projects.
2. INSTRUCT the Chief Legislative Analyst (CLA) and the City Administrative Officer (CAO), in consultation with the LADOT, the BOE, the City Attorney, the LAPD, other relevant departments, community experts, and other members of the Traffic Enforcement Alternatives Advisory Task Force, to report in 90 days an evaluation criteria matrix that analyzes the impact of non-moving and equipment violations, and moving violations on traffic safety, and identify what violations that do not pose a demonstrative public safety threat or concern.
3. REQUEST the LAPD Inspector General to report in 90 days on:
  - a. An evaluation of the 2022 pretextual stop policy, including all available data on all traffic stops conducted since the 2022 policy change. This report should also include an analysis of pending state legislation that would have the potential to ban or curtail pretextual stops, as well as information on other jurisdictions that have banned or significantly reduced pretextual stops.
  - b. All oversight protocols law enforcement officers are required to follow at all stages before, during, or after a traffic stop. The report should include a list of all traffic safety reasons why law enforcement would currently pull someone over, as well as the prioritization for handling traffic safety issues
4. INSTRUCT the LADOT, Community Investment for Families Department (CIFD), and the CAO to report in 90 days on Council file No. 23-1189 (Soto-Martinez – Harris-Dawson – Hutt – Lee) as part of the Traffic Enforcement Alternatives Project

(Council file No. 20-0875), which requires report consistent with the Traffic Enforcement Alternatives Advisory Task Force recommendations and discussions with respect to Fines and Fees, Adjustments, Alternative Methods, and the potential for a Fines and Fees Task Force. This report should, in addition to addressing budgetary impacts, include who sets the fee or fine, if the local government has the ability to create an alternative or adjustment, and whether a low income or unhoused program can be created or expanded. The report should also include an analysis of the traffic citation processing contracts as well.

5. INSTRUCT the CLA, in collaboration with the CAO, the LADOT, the City Attorney, the LAPD, any other relevant departments, community experts, and other members of the Traffic Enforcement Alternatives Advisory Task Force, to report with an assessment of the fines and fees models for vehicle citations, in connection to Council file No. 23-1189, and all types micro-mobility vehicles and devices in the City of Los Angeles and determine an equitable, means-based model to issue fines and fees. The report should also investigate the following:
  - a. Other comparable municipalities that have implemented alternative models for fines and fees.
  - b. Provide recommendations on a framework to create a revolving door fund that earmarks a proportion of the fines and fees revenue for a vehicle repair voucher, clinic program, and Traffic school voucher program.
  - c. Curate a criterion of motorists that could qualify.
6. INSTRUCT the CLA and the CAO, with assistance from the LADOT, City Attorney, the LAPD, and other relevant departments to report in 90 days with an analysis of other comparable jurisdictional programs and municipalities that have initiated pilot programs, frameworks, and alternative programs to traffic enforcement models that utilize care-centered teams and unarmed civilians for traffic safety issues such as, but not limited to Berkeley, CA; Oakland, CA; Pittsburgh, PA and Philadelphia, PA. The report should focus on the steps necessary to allow unarmed civilians and care-based teams to undertake traffic enforcement and traffic safety, published evaluations of the impact of these programs, cost, size and safety considerations.
7. INSTRUCT the LADOT to report with an analysis of other jurisdictions, including but not limited to Indianapolis, IN, that have cross-disciplinary crash review teams who investigate all serious crashes in order to recommend infrastructural interventions that would prevent future crashes.
8. INSTRUCT the CLA, in collaboration with the Personnel Department, CAO, and City Attorney, and with assistance from the LADOT, to report in 90 days on required measures to implement an unarmed civilian and care-based teams focused exclusively on road safety and responding to traffic-related calls, including crash investigations. The report should include the following information:

- a. Define the feasible roles and responsibilities of these unarmed civilian and care-based teams, specifying their contributions to enforcing traffic safety and responding to traffic-related calls.
  - b. Clarify the parameters and limitations with establishing these teams in alignment to State law.
  - c. Identify any existing classification (e.g. the Crisis Response workforce) eligible for reclassification within the City to form the unarmed civilian and care-based teams, along with a suitable department that could house these personnel, such as the Office of Unarmed Response or LADOT.
  - d. Conduct an analysis of necessary steps to developing a new classification for unarmed civilian and care-based teams and the additional components, such as training, certifications, and other resources that would be required for these personnel.
  - e. Administer a cost-benefit analysis between using existing structures and classifications or creating new classifications for the unarmed civilian and care-based teams.
  - f. An estimation of the size of the workforce needed for citywide implementation based on the information garnered from the findings.
  - g. Convene with relevant labor unions on the feasibility of both the creation of a new classification and use of existing classifications.
9. INSTRUCT the CLA, in collaboration with the LAPD, City Attorney, and any other relevant department, to report in 90 days on the existing moving and non-moving equipment and administrative violations applicable to all types of micro-mobility modes of transportation (e.g., scooters, bicycles, etc.) and direct impact on mitigating traffic safety concerns. This analysis should include how each micro-mobility mode of transportation is classified and cited, and any potential recommendations to reform the interaction and citation processes for micro-mobility modes of transportation.
10. INSTRUCT the CLA, with assistance from the LAPD, CAO, City Controller, and any other relevant agencies, to report in 90 days with an analysis of pretextual stops and citations disaggregated by the following criteria:
  - a. Types of vehicles (make, model, and year)
  - b. Corrective action pursued, such as if the driver received a citation, warning, or any other action
  - c. Council District

d. Census Tracts

11. INSTRUCT the LADOT, with assistance from the Department of Public Works, the LAPD, and any other relevant agencies, to report with a definition of a “Self-enforcing Infrastructure” score or filter for public right-of-way design elements. The report should also define what data would be used to prioritize the implementation of design elements which would include a “Self-enforcing Infrastructure” lens (or a higher-scoring “Self-enforcing Infrastructure” lens) over design elements that would not include a “Self-enforcing Infrastructure” lens or would have a lower-scoring lens.
12. INSTRUCT the LADOT, the LAPD, and any other relevant agencies to collaborate with the University of California Davis, Institute of Transportation Studies’ analysis of police stop data, roadway infrastructure and vehicle crashes, and to identify any additional research questions needed, if any, to evaluate the relationship between distinct moving violations, the locations they have occurred, the underlying roadway conditions, and crash patterns adjacent to nearby said locations as a City of Los Angeles-led effort. Whereas the “Alternative to Traffic Enforcement and Community Task Force Recommendations” report identified the relationship between traffic stops and the High Injury Network in the aggregate, this, deeper review, would build upon that work and look at distinct locations and corridor segments.
13. REQUEST the City Attorney, in coordination with their Risk Management Division and LAPD General Counsel, to report on the state laws that govern traffic enforcement, including who may enforce and what types of enforcement they may conduct, as well as the liability and risk exposure that could result from unarmed or civilian enforcement.

Fiscal Impact Statement: The LADOT reports that there is no fiscal impact.

Community Impact Statement: Yes

For:

Arroyo Seco Neighborhood Council  
Los Feliz Neighborhood Council  
North Westwood Neighborhood Council

Summary:

On December 6, 2023, the Transportation Committee considered a November 30, 2023 LADOT report relative to the Traffic Enforcement Alternatives Project. According to the LADOT, in February 2021, Council directed the LADOT, with assistance of the CAO, CLA, LAPD, and the City Attorney to develop and issue a Request for Proposals (RFP) seeking a consultant to conduct a study on the feasibility of utilizing civilian enforcement of traffic laws for motorists, cyclists, and other forms of transportation occurring within the City.



They specified that the RFP considers existing state and local laws, existing best practices, and the size and diversity of the City.

In addition to the RFP, Council directed the LADOT to convene an Advisory Task Force to make recommendations to the City for traffic safety alternatives and convene community meetings to solicit feedback in regards to community needs. The LADOT received funding in the Fiscal Year 2021-2022 budget to issue the RFP and manage a consultant contract.

In partnership with the LAPD, CAO, CLA, and the City Attorney, the LADOT released a TOS in August 2021, selected a consultant team led by Estolano Advisors in February 2022, and began soliciting for advisory task force participation. The project kicked off in March 2022 and the advisory task force began meeting in June of that year. From June 2022 until September 2023, the Consultant team facilitated a series of Task Force meetings with the support of a City working group that included LADOT, CAO, CLA, LAPD, and the City Attorney. While the Consultant team led the qualitative and quantitative analysis, the Advisory Task Force informed and ultimately approved the final recommendations included in the report. The task force finalized their recommendations in September 2023, and Estolano Advisors submitted the final deliverables (i.e. report) to the City in November 2023. After consideration and having provided an opportunity for public comment, the Committee moved to continue the matter.

Subsequently, on February 21, 2024, the Transportation Committee once again considered this matter and a further continued this matter. On April 3, 2024, the Transportation further considered this matter and after further consideration and having provided an opportunity for public comment, moved to make a series of recommendations that are detailed above.

On June 11, 2024, the Public Safety Committee considered this item and after consideration and having provided an opportunity for public comment, moved to concur with the Transportation Committee. This matter is now submitted to Council for its consideration.

Respectfully Submitted,  
Transportation Committee

**COUNCILMEMBER VOTE**

HUTT: YES  
PARK: YES  
HERNANDEZ: YES  
RAMAN: ABSENT  
YAROSLAVSKY: YES

Public Safety Committee

**COUNCILMEMBER VOTE**

RODRIGUEZ: YES  
LEE: YES  
PARK: YES  
PRICE: YES  
SOTO-MARTINEZ: YES

ARL  
6/11/24

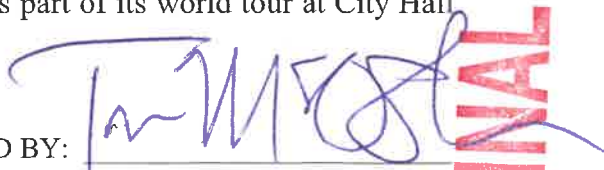
**-NOT OFFICIAL UNTIL COUNCIL ACTS-**

MOTION

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

I MOVE that \$400 be transferred / appropriated from the City Council's portion of the Heritage Month Celebrations & Special Events line item in the General City Purposes Fund No. 100-56, Account No. 000832 to the General Services Fund No. 100-40, Account No. 1100 (Hiring Hall), for services in connection with the Council District 15's special observation of the arrival of the Italian Navy Ship Amerigo Vespucci in Los Angeles as part of its world tour at City Hall on June 28<sup>th</sup>, 2024, including the illumination of City Hall.

PRESENTED BY:



TIM McOSKER  
Councilmember, 15<sup>th</sup> District

SECONDED BY:



ORIGINAL

jwd

PK JUN 12 2024


MOTION

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

#52

I MOVE that \$400 be transferred / appropriated 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's special recognition of Muslim American Heritage Month, including the illumination of City Hall and the Sixth Street Viaduct on July 1 and 31, 2024.

PRESENTED BY:

  
KEVIN DE LEÓN  
Councilmember, 14<sup>th</sup> District

SECONDED BY:



ORIGINAL

PK

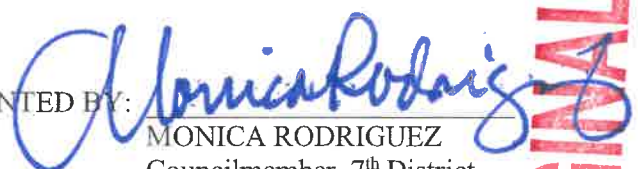
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MOTION

In 2022, the Fire Department (LAFD) released a report related to its youth programming, in response to a Motion (Rodriguez - Busacino, C.F. No. 19-0183) and a Budget instruction from the 2021-22 Adopted Budget (C.F. No. 21-0600-S12). These reports included valuable metrics and data on LAFD youth programming, and the Council would benefit from an update to the report to reflect more up-to-date information.

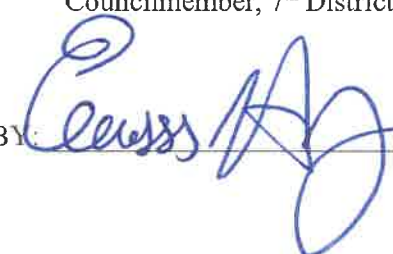
I THEREFORE MOVE the Fire Department (LAFD) be directed to report with an update to its comprehensive review of the Department's youth programs, as reflected in the report on file in C.F. Nos. 21-0600-S12 & 19-0183, including but not limited to the following: an overview and history of LAFD youth programs; participant recruitment and marketing; program locations and availability; requirement for selection of participants and staff; the number of participants and participant demographics; training and education for personnel assigned to youth programs; program standards and policies; goals; and budget and any other operation resources provided for youth programs.

PRESENTED BY:



MONICA RODRIGUEZ  
Councilmember, 7<sup>th</sup> District

SECONDED BY:



ORIGINAL

jwd

JUN 12 2024

PK

# TRANSPORTATION

## RESOLUTION

WHEREAS, California Vehicle Code Section 22507 authorizes cities to restrict the parking of vehicles, including but not limited to, vehicles that are six feet or more in height, on identified City streets during certain hours; and

WHEREAS, the Los Angeles Municipal Code Section 80.69.4 allows the Council to authorize by resolution, the streets upon which the parking of oversize vehicles shall be restricted between 2:00 a.m. and 6:00 a.m.; and

WHEREAS, there is an increased problem with oversized vehicles that park overnight on five street segments where these large vehicles are often parked overnight and immediately adjacent to residential buildings, which constricts travel lanes and creates dangerous situations;

NOW, THEREFORE BE IT RESOLVED, that the City Council, pursuant to the Los Angeles Municipal Code Section 80.69.4, hereby prohibits the parking of vehicles that are in excess of 22 feet in length or over 7 feet in height, during the hours of 2:00 a.m. and 6:00 a.m. along both sides of the following street segments:

- Alabama Avenue between Strathern Street to the cul-de-sac south of Keswick Street
- Blythe Street from Alabama Avenue to the westerly cul-de-sac
- Strathern Street from Canoga Avenue to Remmet Avenue
- Keswick Street from Alabama Avenue to Canoga Avenue
- Ingomar Street from Alabama Avenue to Canoga Avenue

BE IT FURTHER RESOLVED that upon the adoption of this Resolution, the Department of Transportation be directed to post signs giving notice of a "tow away, no parking" restriction for oversized vehicles, with the specific hours detailed, at the above locations; and

BE IT FURTHER RESOLVED that the Department of Transportation be authorized to make technical corrections or clarifications to the above instructions in order to effectuate the intent of this Resolution.

PRESENTED BY:



BOB BLUMENFIELD  
Councilmember, 3rd District

SECONDED BY:



mst

JUN 12 2024

PK

ORIGINAL

RESOLUTION **TRANSPORTATION**

WHEREAS, California Vehicle Code Section 22507 authorizes cities to restrict the parking of vehicles, including but not limited to, vehicles that are six feet or more in height, on identified City streets during certain hours; and

WHEREAS, the Los Angeles Municipal Code Section 80.69.4 allows the Council to authorize by resolution, the streets upon which the parking of oversize vehicles shall be restricted between 2:00 a.m. and 6:00 a.m.; and

WHEREAS, there is an increased problem with oversized vehicles that park overnight on Topham Avenue where these large vehicles are often parked overnight and immediately adjacent to residential buildings, which constricts travel lanes and creates dangerous situations;

NOW, THEREFORE BE IT RESOLVED, that the City Council, pursuant to the Los Angeles Municipal Code Section 80.69.4, hereby prohibits the parking of vehicles that are in excess of 22 feet in length or over 7 feet in height, during the hours of 2:00 a.m. and 6:00 a.m. along both sides of Topham Street between Lindley Avenue and Etiwanda Avenue;

BE IT FURTHER RESOLVED that upon the adoption of this Resolution, the Department of Transportation be directed to post signs giving notice of a "tow away, no parking" restriction for oversized vehicles, with the specific hours detailed, at the above locations; and

BE IT FURTHER RESOLVED that the Department of Transportation be authorized to make technical corrections or clarifications to the above instructions in order to effectuate the intent of this Resolution.

PRESENTED BY:

  
BOB BLUMENFIELD  
Councilmember, 3rd District

SECONDED BY:



**ORIGINAL**

BMR

**JUN 12 2024**

PK

RESOLUTION

TRANSPORTATION

WHEREAS, California Vehicle Code Section 22507 authorizes cities to restrict the parking of vehicles, including but not limited to, vehicles that are six feet or more in height, on identified City streets during certain hours; and

WHEREAS, the Los Angeles Municipal Code Section 80.69.4 allows the Council to authorize by resolution, the streets upon which the parking of oversize vehicles shall be restricted between 2:00 a.m. and 6:00 a.m.; and

WHEREAS, there is an increased problem with oversized vehicles parking along several segments in Council District 14 where large vehicles are often parked overnight and constrict travel lanes, thereby creating dangerous situations;

NOW, THEREFORE BE IT RESOLVED, that the City Council, pursuant to the Municipal Code Section 80.69.4, and the California Vehicle Code Section 22507, hereby prohibits the parking of vehicles that are in excess of 22 feet in length or over 7 feet in height, during the hours of 2:00 a.m. and 6:00 a.m., along both sides of the following street segments:


- Newton Street from Hooper Avenue to South Central Avenue

BE IT FURTHER RESOLVED that upon the adoption of the Resolution, the Department of Transportation be directed to post signs giving notice of a "tow away, no parking" restriction for oversized vehicles, with the specific hours detailed, at the above locations; and

BE IT FURTHER RESOLVED that the Department of Transportation be authorized to make technical corrections or clarifications to the above instructions in order to effectuate the intent of this Resolution.

PRESENTED BY:

SECONDED BY:

  
 \_\_\_\_\_  
 KEVIN DE LEÓN  
 Councilmember, 14<sup>th</sup> District

  
 \_\_\_\_\_

ORIGINAL

JUN 12 2024

PK



MOTION **PLANNING & LAND USE MANAGEMENT**

In December of 2022, Verizon Wireless submitted an application to the Department of City Planning (Planning) for the construction of a 3-story, 45-foot tall wireless telecommunications tower disguised as a faux tree at 1731 W. Colorado Boulevard in Eagle Rock. Despite development on Colorado Boulevard being governed by the Colorado Boulevard Specific Plan, Planning processed the application incorrectly and referred it to the wrong review panel. Eagle Rock constituents identified this error and informed Planning that the application needed to be reviewed by the East Area Planning Commission because the project requested multiple exceptions to the Specific Plan (30-foot overall height limit, 15-foot height limit within 15-feet of a rear yard, design and screening requirements, etc.) Project Permit Compliance, and a Conditional Use Permit.


On February 28, 2024, the applicant informed Planning that the shot clock, which dictates how long an agency has to review an application, had expired. On April 3, 2024, Planning issued a letter stating the 150-day shot clock had expired for the project at 1731 W. Colorado Blvd. and declared the project "deemed approved by operation of law." In its letter, Planning referred to CA Government Code Section 65964.1 and FCC regulation 47 C.F.R. §1.60003. The FCC regulation specifies that a 150-day shot clock for new towers is the "presumptively reasonable length of time" while other FCC regulations describe the remedy available if a shot clock is missed. The remedy for missed shot clocks on new towers is for the applicant to file suit within 30-days of the expiration of the shot clock and request the courts act on the matter. This did not occur, making Planning's letter and the cessation of the public process unnecessary. California law does grant deemed approved status in some cases, but the noted law refers and applies only to co-location applications, not entirely new towers. It also stipulates that even if a shot clock is missed, no project may be deemed approved until at least one public hearing has been held on the matter and all required public notices have been provided. However, no public hearing by a decision making body ever took place for the application.

The result of erroneously determining the project was "deemed approved by operation of law," is that a project that clearly violates a Specific Plan in numerous ways has been approved as-is with no public hearing while an entire community has been silenced and denied their due process rights to be heard by decision-makers. The Eagle Rock community and all interested stakeholders must be provided with the opportunity to express comments to a decision making body on a discretionary land use matter and the legally required public process for entitlement requests must re-commence and be completed.

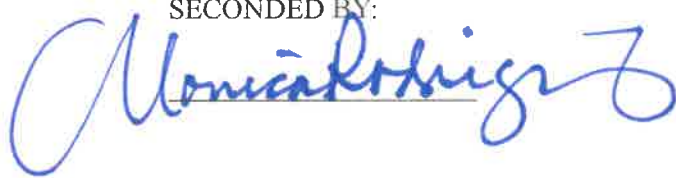
I THEREFORE MOVE that Department of City Planning be INSTRUCTED to rescind its April 3, 2024 action that erroneously deemed approved a cell tower application for the property located at 1731 W. Colorado Boulevard and immediately re-commence the proper public hearing process.

I FURTHER MOVE that the Department of Building and Safety, Los Angeles Fire Department, and the Bureau of Engineering be INSTRUCTED to withhold all permits for this location until the public hearing process is satisfied and a final decision has been rendered by decision-makers.

PRESENTED BY:

  
\_\_\_\_\_  
KEVIN DE LEÓN  
Councilmember, 14<sup>th</sup> District

SECONDED BY:

  
\_\_\_\_\_  
MONICA RODRIGUEZ

**ORIGINAL**

PK

JUN 12 2024

MOTION

TRADE, TRAVEL AND TOURISM

The Jobs and Economic Development Incentive (JEDI) Zone program provides economic development incentives within specific geographies of the City that aim to both promote and expand business in Los Angeles. Businesses located in these zones are eligible to obtain a variety of incentives, including case management of the City development permit process, permit fee reductions, business consulting, and facade improvements, among others.

Council took action on November 2, 2021 (C.F. 13-0934-S2) to authorize the Economic and Workforce Development Department (EWDD) to release a Request for Qualification (RFQ) for the JEDI Zone Facade Improvement Program (Program) to develop a pool of qualified contractors to participate in technical and construction services required for the program. The Program would assist commercial property owners and tenants in the designated JEDI Zones to improve building facades, signage, awnings, lighting, and other exterior architectural features. The RFQ was subsequently released, and EWDD established a pool of qualified contractors.

EWDD has noted that capacity challenges have caused difficulties in managing the specifics of the Program that could be better managed by an outside entity. Providing for a sub-recipient of the Program funds would allow EWDD to name an entity to manage the future implementation of the Program in the remaining JEDI Zones located throughout the City.

Funds are available, and have been previously approved by Council, in the form of Community Development Block Grants (CDBG), as well as those received as a result of the American Rescue Plan Act (ARPA), and approved General Fund dollars. The federal funding sources allow for the selection of a subrecipient to provide management services for the Program.

I THEREFORE MOVE that the Economic and Workforce Development Department be authorized to identify, negotiate, and execute a subrecipient agreement with a third-party services provider for an amount up to \$1,500,000 from the American Rescue Plan Act Fund (Fund 64N); for an amount up to \$1,000,000 from the General Fund (Fund 100); and, for an amount up to \$500,000 in Community Development Block Grant Funds (Fund 424), to provide management services associated with implementation of the JEDI Zone Facade Improvement Program across the City.

I FURTHER MOVE that the General Manager of the Economic and Workforce Development Department, or designee, be authorized to make any technical changes and/or prepare any Controller instructions to effectuate the intent of this action, and authorize the City Controller to implement said instructions.

PRESENTED BY:   
TIM McOSKER  
Councilmember, 15th District

SECONDED BY: 

ORIGINAL

arw

JUN 12 2024

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## MOTION

The City of Los Angeles adopted the Tenant Anti-Harassment Ordinance (“TAHO”) on June 23, 2021, in response to widespread tenant concerns of harassment by landlords. Since the adoption of TAHO, several challenges have arisen necessitating a strengthening of the ordinance to ensure that the City’s public policy goals of preventing tenant harassment are achieved. First, tenants have continued to report rampant harassment, including types of harassment not currently covered by the ordinance such as unilateral and uncompensated reductions in key rental amenities and refusal to participate in rental assistance. Second, challenges have emerged in the enforcement of the ordinance.

One obstacle has been the high evidentiary bar of proving harassment, rendering enforcement actions challenging to bring. Another significant obstacle has been the lack of certain remedies, including mandatory attorneys’ fees (as recommended by the Los Angeles Housing Department in its report responding to C.F. No. 21-0716) and minimum civil penalties. Strengthening the City’s TAHO would align it with other jurisdictions that have similar pre-existing anti-harassment ordinances in California, such as Santa Monica, Oakland, and San Francisco.

**I THEREFORE MOVE** that the City Council request that the City Attorney, with the Los Angeles Housing Department and any other relevant departments, amend the Tenant Anti-Harassment Ordinance (Ordinance No. 187109) with the following changes consistent with state and federal statutes:

Amend LAMC § 45.33 as follows:

Tenant Harassment shall be defined as a landlord's ~~knowing and willful course of~~ **bad faith** conduct directed at a specific tenant or tenants that causes **the latter** detriment ~~and or~~ harm, ~~and that serves no lawful purpose, including,~~ **“Bad faith” refers to willful, reckless, or grossly negligent conduct in disregard for legal requirements or in a manner indifferent to the rights of or impact on tenants.**

**Examples of Tenant Harassment** include but **are** not limited to; the following actions:

Amend LAMC § 45.33.1 as follows:

Reducing or eliminating, **or threatening to reduce or to eliminate**, housing services required by a lease, contract or law, including the elimination of parking if provided in the tenant's lease or contract except when necessary to comply with a court order or local or state law, or to create an accessory dwelling unit or additional housing.

Amend LAMC § 45.33.2 as follows:

Failing to perform and timely complete ~~necessary~~ repairs and maintenance required by Federal, State, County, or local housing, health, or safety laws; or failure to follow applicable industry standards to minimize exposure to noise, dust, lead paint, asbestos, or other building materials with potentially harmful health impacts.

Amend LAMC § 45.33.3 as follows:

Abuse of the right of access into a rental unit as established and limited by California Civil Code Section 1954, including **the following**: entering or photographing portions of a rental unit that are beyond the scope of a lawful entry or inspection; **failure to explicitly state the specific justification for entry in notice to the tenant, failure to reasonably coordinate entry with the tenant’s schedule; misrepresenting the reasons for accessing residential real property as stated on the notice of entry; failure to provide the approximate time window for the entry or providing a time window that is unreasonably excessive in time for the stated purpose; failure to timely notify the tenant that entry for which the tenant was previously given notice has been**

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JUN 12 2024

**canceled, and/or excessively requesting entry in a manner not reasonably justified by the reason stated on the notice.**

Amend LAMC § 45.33.4 as follows:

Threatening a tenant, **or their guests,** by word or gesture, with physical harm.

Amend LAMC § 45.33.5 as follows:

Attempting to coerce the tenant to vacate with offer(s) of payments **or anything else of value.**

Amend LAMC § 45.33.6 as follows:

~~Misrepresenting~~**Representing** to a tenant that the tenant is required to vacate a rental unit or enticing a tenant to vacate a rental unit through an ~~intentional~~ misrepresentation or the concealment or omission of a material fact.

Amend LAMC § 45.33.9 as follows:

Refusing to acknowledge, **facilitate,** or accept receipt of lawful rent payments **or rental assistance payments** as set forth in the lease agreement or as established by the usual practice of the parties or applicable law. **This includes refusal to accept rent paid on behalf of the tenant from a third party, or refusing to timely provide a W-9 form or other necessary documentation for the tenant to receive rental assistance from a government agency, non-profit organization, or other third party.**

Amend LAMC § 45.33.15 as follows:

Interfering with a tenant's right to privacy; or requesting information that violates a tenant's right to privacy, including, but not limited to, residency or citizenship status or social security number, **relationship status, or criminal history,** except as authorized by law.

Insert into LAMC § 45.33 as follows:

**16. Unilaterally imposing or requiring an existing tenant to agree to new material terms of tenancy or a new rental agreement, unless: (1) the change in the terms of the tenancy is authorized by California Civil Code Sections 1946.2(f), 1947.5, or 1947.12, or required by Federal, State, or local law or regulatory agreement with a government agency; or (2) the change in the terms of the tenancy was accepted in writing by the tenant after receipt of written notice from the owner that the tenant need not accept such new term as part of the rental agreement.**

Amend LAMC § 45.33.16 as follows:

~~1617.~~ Other repeated acts or omissions of such significance as to substantially interfere with or disturb the comfort, repose, peace or quiet of a tenant(s) and that cause, are likely to cause, or are committed with the objective to cause a tenant(s) to surrender or waive any rights in relation to such tenancy.

Amend LAMC § 45.34 as follows:

A tenant may use the protections afforded in this article as an affirmative defense in unlawful detainer, ejectment, and other actions, **regardless of the factual allegations in the eviction notice,** when their landlord engages in actions constituting tenant harassment as defined in this article and other applicable laws.

Amend LAMC § 45.35.A as follows:

An aggrieved tenant under this article, **the City of Los Angeles,** or any person, organization, or entity who will fairly and adequately represent the interests of an aggrieved tenant(s) under this article, may institute civil

proceedings as provided by law, against any landlord violating any of the provisions of this article and any person who aids, facilitates, and/or incites another to violate the provisions of this article, regardless of whether the rental unit remains occupied or has been vacated due to harassment.

Amend LAMC § 45.35.B as follows:

A tenant prevailing in court under this article ~~may~~ **shall** be awarded **three times** compensatory damages **(including damages for mental or emotional distress)**, rent refunds for reduction in housing services, reasonable attorney's fees and costs, imposition of civil penalties up to \$10,000 **but no less than \$2,000** per violation depending upon the severity of the violation, tenant relocation, and other appropriate relief, as adjudged by the court.

Amend LAMC § 45.35.D as follows:

Any landlord violating any of the provisions of this article, and any person who aids, facilitates, and/or incites another to violate the provisions of this article may be enjoined therefrom by a court of competent jurisdiction. **A court may issue other equitable relief as appropriate.**

Amend LAMC § 45.35.E as follows:

The remedies in this paragraph are not exclusive nor do they preclude any tenant from seeking any other remedies, or penalties ~~and punitive damages~~, as provided by law. **The court may also award punitive damages to any plaintiff, including the City of Los Angeles, in a proper case as defined by Civil Code Section 3294 or successor statute. In addition to the remedies provided herein, a violator is liable for such costs, expenses, and disbursements paid or incurred by the City in abatement and prosecution of the violation.**


Amend LAMC § 45.35.F as follows:


**Landlord Notice.** A civil proceeding or small claims case initiated under this article alleging any violation of Section 45.33.2: may be commenced only after the tenant **or any other person** provides written notice to the landlord of the alleged violation, and the landlord fails to remedy the repair or maintenance issue within a reasonable period of time. **However, no waiting period shall apply if the landlord's conduct is intentional and demonstrates a willful disregard for the comfort, safety or well-being of the tenant(s).**

Insert into LAMC § 45.45 as follows:

**G. Statute of Limitations. The statute of limitations for an action shall be three (3) years, and all remedies under the ordinance are available for the entire statutory period.**

PRESENTED BY:

  
NITHYA RAMAN  
Councilmember, 4th District

  
MARQUEECE HARRIS-DAWSON  
Councilmember, 8th District

SECONDED BY:



ORIGINAL