



Homeowners of Encino

◆ Serving the Homeowners of Encino ◆

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April 11, 2011

Budget and Finance Committee Agenda Item #11
Los Angeles City Council
City Hall, Room 395
Los Angeles, CA 90012

Re: Administrative Citations Enforcement Procedures Ordinance
Council Files 10-0085 and 10-0600

Dear Committee Members:

Homeowners of Encino urges the Budget and Finance Committee to support the Ordinance to establish an Administrative Citation Enforcement (ACE) Program and creation of a Code Compliance Fund with the amending language proposed by Councilmember Paul Koretz.

Lack of compliance and enforcement of the public safety and quality of life codes compiled by the City Attorney's Office and listed in the amending motion have been a continuing and frustrating problem for the community.

The primary reasons that code enforcement is not working in the City are (1) a shortage of enforcement officers; (2) lack of an efficient collection system to collect fines, fees, and penalties; and (3) the inability of the City Attorney to prosecute misdemeanors for minor offenses, which most code violations are.

The City Administrative Officer's (CAO) proposal to limit the ACE program to the Department of Animal Services will do little to improve that which needs immediate attention – public safety and quality of life issues for the residents of the City.

Councilmember Paul Koretz' amendment to the CAO's report to create a pilot that is more appropriately centered on quality of life issues, and addresses the list of low-grade violations of City law.

It is important that recommendations in the CAO report NOT be adopted, and that the Committee instead adopt Councilman Koretz's amended version of the CAO report.

The proposed Ordinance with amending language by Councilmember Paul Koretz offers a sensible solution and it will also bring much needed revenue into the general fund. This Ordinance is overwhelmingly supported by communities throughout the City. We urge your support.

Gerald A. Silver

President

To the Members of the City of Los Angeles Budget and Finance Committee:

Chairperson Councilman Bernard Parks
Vice Chairperson Councilman Greig Smith
Councilman Bill Rosendahl
Councilman Jose Huizar
Councilman Paul Koretz

Regarding the Budget and Finance Committee Meeting on April 11, 2011: Item #11 referring to 10-0085

I endorse the proposal for the creation of the Administrative Citation Enforcement Ordinance and Code Compliance Fund, as amended by Councilman Koretz.

This program will support the enforcement throughout our City of existing public safety and quality of life codes without placing any burden on the City for additional financial obligations and/or for additional personnel. Another plus is that it will bring revenue into the City coffers. The City Attorney has indicated his support for this proposal and the willingness of his office to assist in its implementation.

This pilot program will give this Committee and the City Council the opportunity to measure the effectiveness of ACE before it decides whether ACE and the Code Compliance Fund should become a permanent part of the City code enforcement program.

This Committee has important responsibilities for the welfare of our City and its citizens. If we cannot enforce the legal obligations set forth in our codes, we can neither deter nor punish those who flaunt them. The City wants inspectors to carry out their duties; the Council Members must be willing and able to support them in doing so. If not, our codes become a sham, and the City loses the respect of its citizens. Why let the violators continue unabated and unpunished?

I urge you to vote in favor of the (Koretz) amended ACE Ordinance to establish an Administrative Citation Enforcement Program and the creation of a Code Compliance Fund..

Irene Sandler
CD 5 Resident
active member of
Bel Air Crest Master Board
BABCNC Board,
WLA Traffic Committee
Metro I-405/Sepulveda Community Advisory Committee
Coalition of HOA's CD5

From: **Paul Gamberg** <paul@gamberg.org>

Date: Sun, Apr 10, 2011 at 9:06 PM

Subject: [10-0085](#) Item Number 11 Room 1010 City Hall Monday April 11, 2011 1 PM (For File)

To: bernard.parks@lacity.org, greig.smith@lacity.org, bill.rosendahl@lacity.org, jose.huiizar@lacity.org, paul.koretz@lacity.org, erika.pulst@lacity.org

The Roscomare Valley Association is an old 501 c 4, organized to promote community betterment. We are that piece of paradise that is the best of country life within the hillsides of the City of LA. Quality of Life issues, if allowed to flounder could turn our neighborhood and its few public spaces into a commercial haven.

We all would rather see the City collect fines in a very broad enforcement program then charge rent for advertising to us on public land.

We understand that in this matter as with many others of like ilk, the devil is in the details and the cost of the cure must not be allowed to overwhelm the direct and indirect costs of the problem. The key is an efficient and easily enforceable mechanism to increase and collect fines, akin to parking tickets or moving violations. In supporting Mr. Koretz on 10-0085 we are extending our trust that such a mechanism will either be found or that the pilot example will be smaller. We are mindful of Jack Allen's comments as well and feel they need to be addressed. Perhaps the City could even leverage their staff by allowing established Neighborhood Associations to issue Administrative Citations.

Therefore we have tonight as a Board passed the following resolution:

In consideration of the financial plight of the City and the lack of personnel resources to enforce those Civil Code matters such as willful violation of conditions, noise, illegal vending, trespass, etc. we urge the Members of the Budget Committee to forward Mr. Koretz 's version of a comprehensive ACE program to the whole Council.

The link to the hearing

is <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=10-0085>



PACIFIC PALISADES COMMUNITY COUNCIL

April 11, 2011

Councilman Bernard Parks
Chair, Budget and Finance Committee
200 N Spring Street, Rm 460
Los Angeles, CA 90012

bernard.parks@lacity.org
Via e-mail and US Postal Service

Subject: Administrative Citation Enforcement (ACE) program (CF 10-0085 and 10-0600)

Dear Councilman Parks,

The City of Los Angeles currently fails to enforce violations of the Los Angeles Municipal Code (LAMC) which includes among others, Building & Safety, Zoning, and sign violations. Non-compliance is considered to be “cost of doing business” by some home owners or contractors who operate without permits or in violation of permits and deliberately ignore citations issued by the responsible Departments. The City Attorney has stated that that bringing the full weight of the mandated criminal system to bear on citizens who violate fence, sign or other planning or zoning regulations is excessive and unfair.

It is a moral imperative to adopt an effective enforcement system for our Los Angeles Municipal Code (LAMC). Failure to maintain an effective enforcement system results in law abiding citizens voluntarily complying with the rules while scofflaws disregard them. Respect for the rule of law is undermined as violations proliferate and citizens come to resent one another.

The Pacific Palisades Community Council (PPCC) maintains that fair and effective enforcement of its ordinances and laws will protect the quality of life of our community. In support of this belief PPCC passed the following motion at its regularly scheduled board meeting on March 24, 2011:

WHEREAS, the Pacific Palisades Community Council has often commented on the failure of enforcement of sign violations and of building and zoning violations of the Los Angeles Municipal Code (LAMC);

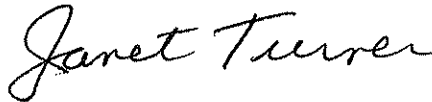
WHEREAS, the City Attorney has drafted an Ordinance for an Administrative Citation Enforcement Program (“ACE”) (CF 10-0085 and 10-0600);

NOW, THEREFORE, the Pacific Palisades Community Council supports the objectives of ACE in concept to enforce the LAMC.

Despite its general support for code enforcement, PPCC is concerned about the details of the implementation of ACE and the unintended consequences it might have on individuals or business. Of special concern is the ability to fairly appeal a citation without unreasonable cost and effort, when it might have been issued without sufficient cause.

In summary, PPCC supports and encourages the implementation of an effective and self-funded enforcement process beyond the currently proposed pilot program with Animal Services, but cautions the City to assure that safeguards are in place to protect the innocent from abuse or from unreasonable costs.

Sincerely,



Janet Turner,
Chair, PPCC

cc via e-mail

Councilman Greig Smith, greig.smith@lacity.org

Councilman Bill Rosendahl, bill.rosendahl@lacity.org

Councilman Jose Huizar, jose.huizar@lacity.org

Councilman Paul Koretz, paul.koretz@lacity.org



"Representing Over 1,000 Member Households with a Positive Approach to Issues of Zoning, Traffic and Transit, Taxation, Public Safety, Recycling and Environmental Protection."

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Elaine Skaist, *Secretary*
Betty Joe Weinstein, *Treasurer*

April 11, 2011

Budget and Finance Committee Agenda Item #11
Los Angeles City Council
City Hall, Room 395
Los Angeles, CA 90012

Re: Administrative Citations Enforcement Procedures Ordinance
Council Files 10-0085 and 10-0600

Dear Committee Members:

We support Councilmember Paul Koretz proposed motion which creates an Administrative Code Enforcement (ACE) program that will provide for enforcement and prosecution of violations of the City Codes listed below. This program will maximize public safety efforts and generate revenue for the City's general fund without additional personnel or costs.

ACE provides an alternative to criminal prosecution by authorizing police officers, code enforcement officers, and other law enforcement officials to address low-grade **"quality of life"** violations with real-time enforcement.

We know that the City Administrative Officer (CAO) analyzed the ACE program and recommended that the program be supported. However, we understand that ACE will be implemented as a very tiny pilot program through the Department of Animal Services. Animal Services is not the correct place to start because it lacks enforcement staff, has existing conflicting administrative code provisions for animal registration, and other implementation challenges. Councilman Koretz's proposal would dramatically improve enforcement of the codes subject to ACE (shown below) and provide the City millions of dollars.

We understand that the Councilman has consulted with the City Attorney, and will be offering an amendment to the CAO's report to create a pilot program that is more appropriately centered on **"quality of life"** issues, the amendment will also address the list of low-grade violations of City law.

It is important that the committee adopts Councilman Koretz's amended version of the CAO Report.

CODE SECTIONS SUBJECT TO ACE

Los Angeles Police Department:

- 112.01: Excessive noise (Loud parties)
- 41.18/41.22: Loitering
- 41.23/41.24: Trespass
- 41.27: Drinking in public/Open container
- 41.47.2: Urinating or defecating in public
- 41.49: Failure to maintain motel registry
- 41.50: Smoking violations
- 41.57: Loud & raucous noise
- 42.00: Illegal vending
- 42.15: Illegal vending at Venice Beach
- 43.01: Gambling
- 44.00: Solicitation without permit
- 47.11: Unlawful display of aerosol spray paint
- 47.15: Spectator at speed contest
- 63.44: Park violations (various)
- 112.04: Powered equipment in residential areas (gas powered leaf blowers)

Los Angeles Department of Building and Safety

- 12.21A7 & 14.4.10: Sign violations (other than billboards & supergraphics)
- 80.71.3: Parking on required front lawn
- 91.103.3: Violation of Order
- 91.106.1: Construction without permit
- 91.8903: Violations related to vacant buildings
- 12.21: Illegal use of land (illegal auto repair, illegal storage, etc)
- 12.29: Violation of Conditional Use Permit

Los Angeles Housing Department

- 12.21: Illegal use of land (various)
- 151.00 et. seq.: Rent Stabilization Ordinance
- 91.8102: Failure to maintain premises

Department of Public Works/Street Services Division

41.46: Failure to keep sidewalks clean

80.73.2: Storage of vehicles on street

85.01: Vehicle repairs on street

Department of Public Works

62.132: Street banners without permit

62.49: Failure to clean construction materials from street

62.96: Painting curb numbers without permit

Department of Transportation

71.02: Operating Taxi without permit

Thank you for your attention to this matter.

Diane Rosen,
Vice President Encino Property Owners Association

Marquez Knolls Property Owners Association, Inc.

April 11, 2011

Councilman Bernard Parks
Chair, Budget and Finance Committee
200 N Spring Street, Rm 460
Los Angeles, CA 90012

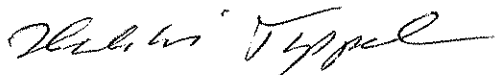
bernard.parks@lacity.org
Via e-mail and US Postal Service

Subject: Administrative Citation Enforcement (ACE) program (CF 10-0085 and 10-0600)

The Marquez Knolls Property Association, representing 1,250 homes in Pacific Palisades, supports the revised ACE proposed ordinance with the aim to enforce the Los Angeles Municipal Code (LAMC) in all applicable areas and with special focus on Building & Safety, Zoning, Noise Abatement, and Animal Services Codes.

The lack of enforcement of laws and ordinances leads to diminished order in a community and eventually turns neighbor against neighbor in an effort to self-enforce. It will adversely affect not only the safety but also the quality of life of the residents in our community and of the City of Los Angeles in general. Enforcing our laws becomes a moral imperative.

Sincerely,



Haldis Toppel,
President, Marquez Knolls Property Owners Association

cc via e-mail

Councilman Greig Smith, greig.smith@lacity.org
Councilman Bill Rosendahl, bill.rosendahl@lacity.org
Councilman Jose Huizar, jose.huizar@lacity.org
Councilman Paul Koretz, paul.koretz@lacity.org

Good afternoon. I am Dr. Marcia Selz. I live in the Holmby Hills neighborhood of West Los Angeles. I am a member of the Bel Air-Beverly Crest Neighborhood Council and am Founder of the Coalition of Homeowner Associations for Council District 5. However, today I speak on behalf of myself regarding ACE.

I support the ACE ordinance and Councilmember Koretz' amendment. They offer a new plan for much-needed enforcement of codes that should have been routinely enforced previously, but have not been. The amendment is good because it seeks to expand the pilot program into a meaningful test of the Ace process. Some valid key concerns have been raised. 1) that ACE has the potential to be used in an abusive and vindictive manner, 2) that the typical system of checks and balances may not be in place.

Thus, to identify if these concerns actually result, I suggest that the pilot program be independently, thoughtfully and thoroughly analyzed, including a complete review of the process, its

effectiveness, and achievement of goals, purpose and intent.

This assessment should include community input, with a survey of those who were cited to assess how they were treated and to ensure that due process was provided. Since the concerns over ACE are long-term, this assessment process should be implemented on an annual basis for the life of ACE.

We cannot sit idly by and do nothing while the city's quality of life is sliding downhill fast. So I ask you to accept ACE. However, independent evaluation of a reasonably sized pilot program would help ensure operational effectiveness. With evaluation, we can identify the actual strengths and flaws of ACE and we can execute continuous improvement. To do nothing gets us nothing. However, let us be sure that what we do works well.

Therefore, I urge the Committee to accept the ordinance with the Koretz amendment so we will have a viable pilot program, and to include as part of the ACE operations, a comprehensive system of assessment.

Thank you.
Marcia Selz, Ph.D.