



**MICHAEL N. FEUER**  
CITY ATTORNEY

REPORT NO. R 17 - 0 2 1 0  
JUN 2 1 2017

**REPORT RE:**

**DRAFT ORDINANCE AMENDING SECTION 8.27 OF THE LOS ANGELES  
ADMINISTRATIVE CODE TO CHANGE THE PERIOD OF TIME WHEN CITY  
COUNCIL MUST APPROVE A MAYORAL EMERGENCY DECLARATION**

The Honorable City Council  
of the City of Los Angeles  
Room 395, City Hall  
200 North Spring Street  
Los Angeles, California 90012

Council File No. 17-0293

Honorable Members:

As requested by the City Council, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as form and legality, that would amend Section 8.27 of the Los Angeles Administrative Code (LAAC) to increase the period of time for City Council to renew its approval of a Mayoral Emergency Declaration from every 14 days to every ten Council meeting days, but not to exceed 30 calendar days.

Background

On March 20, 2017, Mayor Eric Garcetti proclaimed a local emergency concerning municipal infrastructure located in Mono, Inyo, Kern and Los Angeles counties, pursuant to Los Angeles City Charter Section 231 and LAAC Section 8.22. Mayor Garcetti found that current snowpack conditions and unprecedented recent snowfall in the Eastern Sierra, coupled with reduced water demands and the maximum capacity limitations of LADWP's Aqueduct and water delivery facilities, presented an extreme flooding risk that could bring devastating damage to many of LADWP's municipally-owned facilities. The Mayor further found that the potential damage could

be in a magnitude that is beyond the control of the normal services, personnel, equipment and facilities of the regularly constituted branches and departments of the City government.

Pursuant to LAAC Section 8.27, the City Council approved the declaration of emergency and has renewed its approval at least every 14 days. LAAC Section 8.27 requirement that the City Council, on an ongoing basis, approve or disapprove the Mayor's Emergency Declaration every 14 days does not allow for regularly scheduled Council recess. Therefore, without adoption of the draft ordinance, a Mayoral Emergency Declaration will terminate during any City Council recess that exceeds 14 days.

#### Summary of Ordinance Provisions

The enclosed draft ordinance enables City Council to approve or disapprove a Mayoral Emergency Declaration at least once every ten council meeting days, but not to exceed once every 30 calendar days. The draft ordinance includes an urgency clause so that, if adopted by Council and approved by the Mayor, it can become effective upon publication.

#### Council Rule 38 Referral

This draft ordinance has been presented to the Board of Water and Power Commissioners pursuant to Council Rule 38.

If you have any questions regarding this matter, please contact Deputy City Attorney David J. Edwards at (213) 367-4496. He or another member of this Office will be available when you consider this matter to answer questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By 

DAVID MICHAELSON  
Chief Assistant City Attorney

DM:DJE:pj  
Transmittal