

COMMUNICATION FROM CHAIR AND VICE-CHAIR, IMMIGRANT AFFAIRS, CIVIL RIGHTS, AND EQUITY (IACRE) COMMITTEE relative to establishing the Civil and Human Rights Commission.

Recommendations for Council action:

1. REQUEST the City Attorney, with the assistance of the Chief Legislative Analyst (CLA), to prepare and present Section 1 of the current draft Ordinance, entitled Civil and Human Rights Commission, as a standalone Ordinance, to include the following amendments:
 - a. Provide that the Commission be composed of 15 members to be appointed by the City Council as follows:
 - i. Each Council member recommends one Commission appointee subject to approval of the City Council.
 - ii. Appointments to fill vacancies on the Commission shall be made within 30 days by the same appointing authority who appointed the prior holder of the position and shall be subject to approval of the City Council. Appointments to fill vacancies occurring prior to the end of a set term shall be for the unexpired term of the member whom the appointee succeeds.
 - iii. The Commission shall represent the diversity of the City of Los Angeles including experience in any of the following areas: law, education, civil rights, discrimination issues, equity, employment, housing, and Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) rights, and any other minority or marginalized communities.
 - b. Remove the requirement that Commission members be registered voters in Los Angeles.
2. REQUEST the City Attorney, with the assistance of the CLA, to prepare and present Section 2 of the current draft Ordinance, entitled Civil and Human Rights Law, as an entirely separate Ordinance, to include the following amendments:
 - a. Authorize the Executive Director, or a designee, to include both hearing officers and administrative law judges as options for administrative hearings.
 - b. Add military or veteran status as a protected class under the Ordinance.
 - c. Include a new provision allowing for compensatory penalties to be paid to complainants as an additional remedy.
 - d. Authorize the Executive Director to determine compensatory penalties as part of the Notice of Violation.

- e. Remove any reference of payment of the administrative penalty to the complainant.
 - f. Establish cumulative penalties of up to \$125,000 per standard violations of the Civil and Human Rights Ordinance and cumulative penalties of up to \$250,000 per violation as a result of violent or harassing acts.
- 3. REQUEST the Commission, once established, to prepare procedures, rules and regulations, and consider input from the Immigrant Advocate and develop an educational/community outreach component, and report to Council for approval.
 - 4. INSTRUCT the City Administrative Officer (CAO) to report on the initial implementation costs and necessary authorities for the Civil and Human Rights Commission, including the estimated full year cost for the Commission.
 - 5. INSTRUCT the CLA to:
 - a. Prepare a Resolution to support legislation or administrative action to minimize any state restriction on the City's authority to protect individuals against discrimination.
 - b. Continue to monitor any State action related to lifting the existing preemption of Fair Employment and Housing Act.
 - c. Review the latest draft Ordinance from the Immigrant Advocate, including comments from the IACRE Committee on November 1, 2018, and report to Council at the time this item is heard.
 - 6. NOTE and FILE the CLA report dated August 1, 2018 (attached to the Council file).

Fiscal Impact Statement: The CLA reports that per the CAO, the preliminary cost estimate for initiating the creation of the Civil and Human Rights Commission is \$608,408 and includes nine-month costs for four positions with initial operating expenses. Additional cost detail is reflected in Attachment B of the CLA report dated August 1, 2018 (attached to the Council file).

Community Impact Statement: Yes.

For: Greater Echo Park Elysian Neighborhood Council

Summary:

On November 1, 2018 (continued from September 6, 2018), the IACRE Committee was scheduled to consider a City Attorney report and proposed Ordinance, and CLA report regarding establishing the Civil and Human Rights Commission. Because of a lack of quorum, no meeting occurred. However, the Chair and Vice Chair of the Committee took the opportunity to hear from members of the public and discuss the matter outside of the context of the scheduled meeting. The CLA read aloud some amendments and additional recommendations for the Chair and Vice Chair to consider. After an opportunity for public comment, the Chair and Vice Chair decided to waive the matter out of Committee and to support the CLA's amendments and recommendations to the Council. This matter is now submitted to the Council for consideration.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Jon Cedeño". The signature is written in a cursive, fluid style with a large initial "J".

IMMIGRANT AFFAIRS, CIVIL RIGHTS, AND EQUITY COMMITTEE

-NOT OFFICIAL UNTIL COUNCIL ACTS-