

PERSONNEL AND ANIMAL WELFARE COMMITTEE REPORT relative to amending the Los Angeles Municipal Code (LAMC) to ensure that the new job classification of Environmental Compliance Investigators of the Bureau of Sanitation's (BOS) Watershed Waste Protection Division has the same authority and liability protection as the previous job classifications.

Recommendation for Council action, as initiated by Motion (Buscaino - Englander):

REQUEST the City Attorney to prepare and present an Ordinance to amend LAMC Sections 61.07 and 64.70 to:

- a. Authorize the powers of arrest with peace officer status for all Environmental Compliance Inspectors in the BOS pursuant to California Penal Code Section 830.7(j).
- b. Update job titles of the Industrial Waste Inspector Classification series to reflect the current job titles of "Environmental Compliance Inspector", "Senior Environmental Compliance Inspector", and "Chief Environmental Compliance Inspector."
- c. Update the name of "Stormwater Management Division of the Bureau of Engineering" to "Watershed Protection Division of the Bureau of Sanitation."

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

Community Impact Statement: None submitted.

Summary:

On May 20, 2014, your Committee considered a Motion (Buscaino - Englander) relative to amending LAMC Sections 61.07 and 64.70 to ensure that the new job classification of Environmental Compliance Investigators of the BOS' Watershed Waste Protection Division (WPD) has the same authority and liability protection as the previous job classifications. According to the Motion, the BOS, WPD, Environmental Compliance Inspectors are the City's primary environmental enforcement personnel for illicit discharges and illegal dumping of hazardous materials, waste, hazardous substances, and pollutants. Each year, there are an estimated 2,500 incidents in the City of Los Angeles involving illicit discharge and illegal dumping which require WPD's response.

The WPD conducts investigations to identify the responsible parties and, when applicable, develop criminal and civil cases which are filed with local and federal prosecutors. Currently, the civil liability protection and arrest authority listed in the LAMC is outdated because the job classification titles have changed. Proposed amendments to LAMC Sections 61.07 and 64.70 would grant Environmental Compliance Inspectors of the BOS WPD authority similar to what currently exists for Bureau of Street Services Investigators under LAMC Section 61.07(a). This authority would increase effectiveness and efficiency by reducing reliance on Police resources for obtaining responsible party information and ensure the same level of protection for both the City and WPD personnel from civil liability when lawfully exercising arrest authority as public officers. The proposed LAMC amendments would not change or add responsibilities to WPD Environmental Compliance Inspectors.

After consideration and having provided an opportunity for public comment, the Committee moved to

recommend approval of the Motion, as amended, and detailed in the above recommendation. This matter is now referred to Council for its consideration.

Respectfully Submitted,

PERSONNEL AND ANIMAL WELFARE COMMITTEE

**MEMBER    VOTE**

KORETZ:    YES

O'FARRELL: YES

FUENTES:    YES

ARL

5/20/14

**-NOT OFFICIAL UNTIL COUNCIL ACTS-**