

HOMELESSNESS AND POVERTY COMMITTEE REPORT relative to amending Section 56.11, Article 6, Chapter V, of the Los Angeles Municipal Code (LAMC) to prohibit the storage of personal property in public areas.

Recommendations for Council action, as initiated by Motion (Bonin - Price):

1. NOTE and FILE the August 26, 2015 joint City Administrative Officer (CAO) and Chief Legislative Analyst (CLA) report (attached to Council file 14-1656-S1).
2. REQUEST the City Attorney to prepare and present an ordinance relative to the regulation of Commercial property that includes a penalty structure that is equal or greater to the penalties for individual property.
3. REQUEST the City Attorney to prepare an ordinance to amend LAMC Section 56.11, Article 6, Chapter V, to limit its application to individual property as follows:
 - a. Change Section 3(b) from "All Stored Personal Property in Public Areas may be impounded by the City" to add "with proper notice, or as outlined in this code."
 - b. Define attended property and unattended property.
 - c. Attended property cannot be impounded unless voluntary storage is available within a specified distance, for example two miles, or a means of transportation is provided for those in need.
 - d. Remove establishment of new criminal penalties and fines for individuals violating Section 5 (Failure to Remove Attended Personal Property) and Section 8 (Ban on Erection of Tent During Certain Daytime Hours), while maintaining the Los Angeles Police Department's (LAPD) ability to enforce against an individual's refusal to comply with a lawful order.
 - e. Provide that the City has the ability to move attended and unattended property that does not allow for Americans With Disabilities Act (ADA) passage or which obstructs egress or ingress.
 - f. Provide that attended property which is obstructing City operations or maintenance, including cleanings, must be moved.
4. REQUEST the City Attorney to report as to the options for limiting the amount of property an individual is allowed to claim ownership of and the constitutionality of such a limit.
5. INSTRUCT the Department of Public Works and LAPD to allow owners of property noticed for removal an opportunity to comply at the time their property is subject to removal.
6. REQUEST the City Attorney to report relative to whether successful completion of a diversion program can ensure an individual's record remains clean.

Fiscal Impact Statement: Neither the CAO nor the CLA has completed a financial analysis of this report.

Community Impact Statement: None submitted.

(The Council may recess to Closed Session, pursuant to Government Code Section 54956.9(d)(2)/(e)(5), to confer with legal counsel relative to anticipated litigation and/or significant exposure to threatened litigation.)

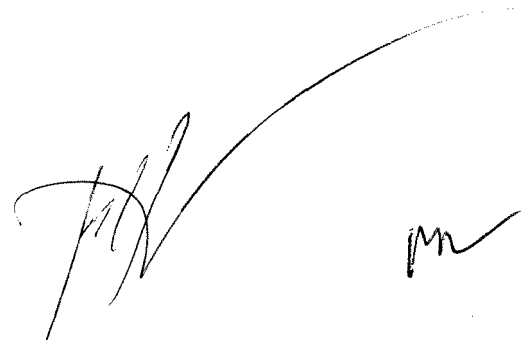
Summary:

At a meeting held on August 26, 2015, the Homelessness and Poverty Committee considered an August 26, 2015 joint CAO and CLA report relative to amending Section 56.11, Article 6, Chapter V, of the LAMC to limit its application to individual property.

During the discussion of this item, representatives from the CAO, CLA and City Attorney's office provided an overview of the matter and responded to related questions from the Committee members. After providing an opportunity for public comment, the Committee recommended that Council note and file the August 26, 2015 joint CAO and CLA report, and moved to approve the recommendations as reflected above. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

HOMELESSNESS AND POVERTY COMMITTEE

Handwritten signatures of committee members, including a large signature on the left and a smaller one on the right.

<u>MEMBER</u>	<u>VOTE</u>
HUIZAR:	YES
HARRIS-DAWSON:	YES
BONIN:	YES
PRICE:	YES
CEDILLO:	YES

EV
14-1656-S1_RPT_HP_08-17-15

-NOT OFFICIAL UNTIL COUNCIL ACTS-