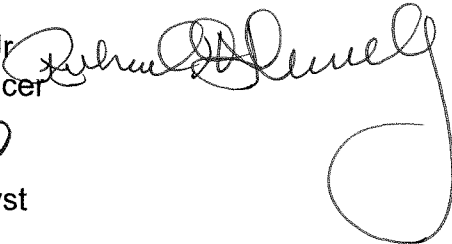
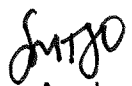


CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

Date: March 19, 2019

To: City Council
Energy, Climate Change and Environmental Justice Committee

From: Richard H. Llewellyn, Jr. 
City Administrative Officer

Sharon M. Tso 
Chief Legislative Analyst

Subject: **ESTABLISHING A CLIMATE EMERGENCY MOBILIZATION DEPARTMENT
(C.F. 18-0054)**

RECOMMENDATION

That the City Council:

1. Direct the City Administrative Officer (CAO) and the Chief Legislative Analyst (CLA) to prepare a draft Request for Proposal (RFP) to hire a consultant to develop and perform a stakeholder engagement process to further explore, identify and provide recommendations on how the City may best incorporate policies and programs relative to climate change, including the establishment of a Climate Emergency Mobilization Department; and,
2. Direct the CAO and CLA to report back on the draft RFP within 60 days.

SUMMARY

On April 27, 2018, the City Council approved an Energy, Climate Change and Environmental Justice Committee report relative to the establishment of a Climate Emergency Mobilization Department (CEMD), initiated by Motion (Koretz – Blumenfield – Huizar – Bonin; C.F. 18-0054). The matter instructed the City Administrative Officer (CAO) and the Chief Legislative Analyst (CLA) to report on the feasibility of establishing a CEMD with the authority to plan and coordinate the City's climate and resilience responses; and related matters.

Although the City is working to address the threat of climate change through various mitigation and adaptation initiatives across departments, there is a desire to accelerate these efforts through a more coordinated and structured approach, which includes marginalized and front line communities as part of the discussion.

This report does not make specific recommendations regarding the establishment of a new department. Its intent is to provide a starting point for further policy discussions by

policy makers and stakeholders and to provide potential options for consideration. Climate change mitigation is a highly complex and intricate matter, and determining the City's mission, scope and effective governance strategy warrants thorough discussion and guidance.

BACKGROUND

The Council action instructed the CAO and CLA to report on the proposed establishment of a CEMD to plan and coordinate Citywide emergency climate mitigation, resilience and adaptation programs with a public education and stakeholder outreach component. In addition, the CAO and the CLA were instructed to consider the authority that a CEMD may have over other City departments; and the feasibility of creating a stakeholder commission that oversees the CEMD; and related matters.

Climate change affects all residents and is predicted to grow in the coming years, causing extreme heat, persistent droughts, rain storms, mudslides, wildfires and poor air quality. The Council action is derived from an expressed desire to accelerate current strategies and adopt policies with an environmental justice component to ensure front line and marginalized communities receive equitable benefits.

Recent Reports/Initiatives

IPCC/Climate Assessments

Following the April 2018 Council action on this matter, three noteworthy reports on the topic of climate change were released in September and November 2018. The reports were from the Intergovernmental Panel on Climate Change (IPCC), Fourth National Climate Assessment – sponsored by the U.S. Global Change Research Program, and California's Fourth Climate Change Assessment – All Regions. Each report discusses the immediate threats of climate change and the need for more proactive climate policies to safeguard communities.

The IPCC report presented the most alarming data in that human activities are estimated to have caused a 1.0 degree Celsius increase in temperatures (global warming) above pre-industrial levels and that governments around the world must take "rapid, far-reaching and unprecedented changes in all aspects of society" to avoid disastrous levels of global warming by as early as 2030. The report notes that global warming is likely to reach 1.5 degree Celsius between 2030 and 2052, should it continue to increase at the current rate.¹

The Green New Deal

On February 7, 2019, H. Res. 109 relative to supporting and implementing The Green New Deal (GND) was introduced in the U.S. Congress. The GND is an initiative which seeks to pursue the conversion of the existing economy into a new, green economy that is environmentally sustainable, racially just and economically secure. Its objective is to transition key energy-oriented sectors of the economy and achieve net-zero greenhouse gas emissions by 2030 in order to mitigate the effects of climate change. It partners this objective with securing employment and economic well-being for all U.S. residents.

¹ Intergovernmental Panel on Climate Change. <https://www.ipcc.ch/sr15/chapter/summary-for-policy-makers/>

Green New Deal for Los Angeles

On February 13, 2019, the City Council introduced a Motion (Bonin - Harris-Dawson - Martinez – Koretz - Price - Rodriguez - Wesson; C.F. 19-0156) relative to the development and implementation of a *Green New Deal for Los Angeles*. The Motion instructs various City departments to conduct an assessment of the GND and provide a recommended framework for the City's Initiative. It requests that City departments incorporate environmental sustainability principles with strident Environmental and Restorative Justice Directives in order to guide climate change mitigation policies and operations; and related matters.

CITY HALL OVERSIGHT/CURRENT AND FUTURE GOVERNANCE

Currently governance relative to climate change, global warming and all matters concerning environmental issues are led by the Mayor's Office, City Council and various Board-led departments (e.g. Los Angeles World Airports, Harbor, Water and Power, Public Works, etc.). All department proposals requiring City Council approval are first directed to the Mayor, pursuant to Mayor Villaraigosa Executive Directives (ED) 3 and 4, for substantial review, analysis and fact checking before further consideration by remaining approval authorities.

Mayor Garcetti is actively involved with climate change leadership on a global, national and local level. He has formed coalitions with mayors across the country and the world to develop climate change goals such as Climate Mayors, Fossil Fuel Free, C40 and alignment with the Paris Climate Agreement.

Local efforts to provide more focused leadership include the City's first appointed Chief Sustainability Officer and Chief Resilience Officer to lead Citywide actions in all matters related to climate change and sustainability. In addition, priority initiatives and strategies are intermittently released through various Mayoral Executive Directives for implementation at the department level. For example Mayor Garcetti ED 22, released in 2018 presented *Resilient Los Angeles*, which identified goals and specific actions for 28 departments to ensure a resilient Los Angeles in the wake of emergencies and threats posed by climate change.

In terms of the City Council, it established by Resolution (C.F. 17-0769) the Energy, Climate Change and Environmental Justice Committee on July 1, 2017 to provide leadership and oversee functions related to environmental justice, energy, water supply and conservation, climate change and global warming, oil and natural gas. As part of the 2018-19 City Council budget deliberations, the City Council introduced a variety of Motions (Refer to Attachment A) instructing City departments to report back and provide further insight relative to climate change mitigation and adaptation activities. The majority of these report backs are still pending.

In addition, over the past five years the City has adopted several initiatives which focus on Citywide efforts to address the anticipated impacts of climate change which are projected to negatively impact the environment, human health and the economy over the next decade. The following reports/directives have been released which outline proposed Citywide strategies,

goals and action plans and highlight complementary planning, mitigation and adaptation activities being pursued:

- Resilience by Design (2014)
- Sustainable City pLAN (2015)
- Plan for a Healthy Los Angeles (2015)
- LA River Ecosystem Restoration Project (2016)
- San Pedro Bay Ports Clean Air Action Plan Update (2017)
- Resilience Los Angeles (2018)
- Various Mayor Garcetti Executive Directives (No. 5, 7, 14, 22)

There are multiple examples of departments across the City that have developed programs which seek to mitigate the effects of climate change and aim to reduce greenhouse gas emissions. The Department of Water and Power (DWP) has been on the forefront of integrating clean energy sources into its power supply such as wind, solar, geothermal, biomass and hydroelectric power. Plus, the City has the most installed local solar power of any city in the nation.

The Department of Transportation (DOT) operates carshare and bikeshare programs and is working to expand their electric vehicle carshare program for disadvantaged communities. All City departments are working to expand and electrify their fleets and charging infrastructure; the Port of LA developed the Clean Air Action Plan and the Clean Truck Program to reduce air pollution from harbor trucks; and, the Bureau of Sanitation is working with all City departments to identify, collect, track and measure municipal energy production and consumption.

A recent report released by the *Kroll Bond Rating Agency* cited the City of Los Angeles as one of three large cities providing local leadership in reducing emissions and promoting sustainability to protect communities against climate events.²

Previous Efforts with Environmental Affairs Department

In 1990, the City established the Environmental Affairs Department (EAD) with the mission, “To ensure a sustainable, green and healthful environment for all people of Los Angeles. By restoring habitats, creating innovative alternatives, assisting businesses and revitalizing communities, EAD makes LA a better place to live, work and play.” EAD’s core activities included: proposing policies and programs to the Mayor and City Council to improve the quality of the City’s environment; and, providing environmental advice and information to the public, City officials and departments. In addition, it maintained the function of Local Enforcement Agency for the California Integrated Waste Management Board, regulating public and private landfills, recycling facilities, municipal recovery facilities, and other waste related business.

In Fiscal Year 2010-11 as result of economic and fiscal challenges due to the Great Recession, EAD was dissolved and its functions were transferred to several other departments, including

² Kroll Bond Rating Agency. “Public Finance: Behind the Headlines for Climate Change Risk: One Size Does Not Fit All”, March 4, 2019. <https://www.krollbondratings.com/research>

the Department of Transportation, the Bureau of Sanitation, the Department of Water and Power and the Department of Building and Safety.

Policy Elements for Consideration

Various policy elements should be considered and determined as part of the potential establishment of a CEMD. These elements are central to determining a “way forward” on climate change mitigation and designing a commensurate governance approach. These policy elements include the following:

Mission/Role - What is the CEMD’s mission and objective? What is its role and function?

Citywide Planning and Coordination – What is the most effective way to plan and coordinate climate change mitigation activities? Is the creation of a CEMD the most effective way to conduct these activities? Does the City grant a CEMD authority over all climate change mitigation activities; and if so, how would it interact with existing department responsibilities and practices?

Or does the City grant a CEMD a defined scope of activity related to climate change mitigation; and if so, is this approach too limited and similar to the EAD?

Climate Change Tracking/Monitoring – How should the City conduct the tracking and reporting of greenhouse gas emissions to determine and assess ongoing progress? Should this activity be conducted by a CEMD or existing departments; and which entity should be responsible for maintaining these records and public reporting?

Recent Initiatives - Should this effort integrate recent initiatives related to the Green New Deal and Green New Deal for Los Angeles; and if so, to what capacity?

Obtaining clarity with regard to these policy elements would assist the City in formulating the next steps towards addressing climate change mitigation and its administration through the establishment of a CEMD or other suitable governance option.

Governance Options

The following discussion provides a preliminary range of governance options for consideration. Each option indicates follow-up steps, if any, to implement them.

Create the Climate Emergency Mobilization Department

The City could choose to create a new Climate Emergency Mobilization Department with authority over citywide coordination and planning for emergency mobilization. The department could be established by ordinance, which would specify its mission and parameters for operations. The challenge with this form of establishment is that the pressures of future economic downturns could potentially place this department at risk of reduction or elimination, similar to EAD. Also, mechanisms would need to be implemented to provide this department

with sufficient authority over its sister agencies and departments in order for it to effectively execute its mission. This would be challenging given the existence of Charter-mandated boards and current lines of authority.

Alternatively, the new department could be established by Charter with specified authority over other departments, potentially in the form of an Inspector General capacity to oversee and enforce the City's climate emergency policies. This method of establishment would provide some degree of protection from fiscal pressures and could possibly empower the new department to have a prescribed level of authority.

If the policy makers choose to pursue either of these options, additional investigation would be needed in order to develop potential pathways. In this case, additional instructions would be needed directing the CAO, CLA, City Attorney and Personnel Department to report back on this option.

Create a new division within an existing department

The City could choose to establish a Climate Emergency Mobilization Division within an existing department. This option could be implemented on a temporary basis to incubate the function as it develops the full scope of its mission; or it could be on a permanent basis if there are synergies with its host department that support it. This new division would face similar challenges described above regarding a department established by ordinance.

If the policy makers choose to pursue this option, additional investigation would be needed in order to develop potential pathways. In this case, additional instructions would be needed directing the CLA, CAO, City Attorney and Personnel Department to report back on this option.

Continue Status Quo

The Mayor and Council currently have oversight and authority over climate change related issues. The Mayor has staffed the Offices of Sustainability and Resilience within his administration to create policy goals and provide direction to the City's various departments. The Council has similarly exercised its legislative authority to target critical issues and direct specific responses by departments. Pursuant to Council File 18-0600-S55, the Department of City Planning released a report which indicates that the City is currently undertaking a comprehensive update to the General Plan which will consider opportunities to further incorporate climate change adaptation, mitigation strategies and recovery efforts. The General Plan will incorporate sustainability and climate change policies throughout the various General Plan elements including Urban Form, Open Space, Economy and Environmental Justice.

Along these lines, the Mayor and Council may consider pursuing periodic and extensive reviews of departmental performance regarding climate change mitigation. These reviews can be conducted by a blue ribbon commission/advisory group of policy makers, department representatives, technical experts and interested community members to track the progress of City objectives. At the conclusion of the review, the commission may issue a report with

findings and recommendations; and advise the Mayor and Council on the status of objectives and actions they can take to address climate change concerns.

As an example, the DWP initiated the 100% Renewable Energy Study in 2017 to determine the best strategy to achieve clean energy integration, pursuant to Council Motion (Krekorian – Bonin – Wesson; C.F. 16-0243). The Study is being developed with input from the 100% Renewable Energy Advisory Group which is comprised of City officials, technical experts, research universities, commercial customers and community interest groups.

The policy makers may decide to continue this governance approach, in which case no additional instructions would be needed.

Stakeholder Engagement Process

To better facilitate discussion regarding these policy elements and governance options, our Offices recommend pursuing a stakeholder engagement process first to better inform decision makers.

The implementation of this process may consist of the following components:

- Create a stakeholder engagement process to explore, identify and address climate change issues, and their impact on various communities throughout the City. The process should be transparent, interactive and obtain input from a diverse array of stakeholders. The process should provide results and recommendations relative to climate change mitigation and governance. Approximately \$500,000 was set aside in the Unappropriated Balance, in a special purpose fund appropriation entitled, Climate Change Emergency Mobilization Program as part of the 2018-19 Adopted Budget. Funds are intended to develop a strategy and best approach to creating a CEMD, and reporting authority. A portion of these funds can be used to fund this approach.
- Utilize the results of the stakeholder engagement process to provide a basis for a more informed discussion by decision makers and elected officials as to whether or not the current governance structure is sufficient, if the creation of a new department is warranted, or if a new division within an existing department will best serve frontline communities. Should the creation of a new department or division within an existing department be warranted, discussion and direction regarding mission and goals can be developed.

To initiate this approach, the CAO and the CLA should be instructed to prepare a draft Request for Proposal (RFP) to hire a consultant to develop and perform the stakeholder engagement process. Further, the draft RFP should be presented to the City Council prior to its release to ensure that it includes relevant areas for review and assessment concerning climate change and its impact on local communities.

FISCAL IMPACT STATEMENT

There is no fiscal impact to the City from the recommendations contained in this report. The financial impact of any options contemplated by the Mayor and City Council will be addressed in future reports, if necessary.

RHL:SB:ir: 10190091

**Summary list of Motions related to Climate Change
adopted as part of the 2018-19 Budget**

1. **C.F. 18-0600-S18** - Instruct the Emergency Management Department (EMD), with assistance from the City Administrative Officer, to report to the Public Safety Committee and the Energy, Climate Change, and Environmental Justice Committee on whether the City engages in adequate climate change planning and mitigation to maintain its credit ratings; and related matters.
2. **C.F. 18-0600-S21** - Instruct the Fire Department to report to the Public Safety Committee and the Energy, Climate Change, and Environmental Justice Committee on projections of what fire conditions are anticipated to be in 10 to 20 years given the effects of global warming and climate change; and related matters.
3. **C.F. 18-0600-S40** - Instruct the Chief Legislative Analyst to report to the Energy, Climate Change, and Environmental Justice Committee on the Climate Change Emergency Mobilization Program within a new Environmental Affairs Department (C.F. 18-0054), including how to establish such a department and what other cities are doing in this regard; and related matters.
4. **C.F. 18-0600-S45** - Instruct the Library Department to report to the Arts, Entertainment, Parks, and River Committee on the ability of the Department to provide educational outreach on climate change issues (for example, an educational kiosk) and whether this could be incorporated into the Department's budget without additional cost; and related matters.
5. **C.F. 18-0600-S54** - Instruct the City Planning Department to report to the Planning and Land Use Management Committee and the Energy, Climate Change, and Environmental Justice Committee on the cost to prepare a State-sanctioned climate action plan, whether the Department has performed a climate change risk assessment, and what resources could be secured, should such a plan be in place; and related matters.
6. **C.F. 18-0600-S55** - Instruct the City Planning Department to report to the Planning and Land Use Management Committee and the Energy, Climate Change, and Environmental Justice Committee on the Department's efforts and activities to reduce the impacts of climate change, and the scope and cost of these activities.
7. **C.F. 18-0600-S68** - Instruct the Bureau of Engineering to report to the Energy, Climate Change, and Environmental Justice Committee on the Department's climate change mitigation and adaptation efforts with a focus on protecting marginalized and at-risk communities; and related matters.

8. **C.F. 18-0600-S74** - Instruct the Bureau of Sanitation to report to the Energy, Climate Change, and Environmental Justice Committee on greenhouse gas emissions and the continuance of the City's green programs in the future. The report should address how the City is institutionalizing current efforts and polices.
9. **C.F. 18-0600-S75** - Instruct the Bureau of Sanitation to report to the Energy, Climate Change, and Environmental Justice Committee on the Sustainable City pLAn greenhouse gas emissions target to reduce emissions below 1990 levels by 45 percent by 2025, 65 percent by 2035, and 80 percent by 2050. The report should include the potential for meeting the 45 percent target by 2020, the 65 percent target by 2025, and the 80 percent target by 2040.
10. **C.F. 18-0600-S80** - Instruct the Bureau of Sanitation to report to the Energy, Climate Change, and Environmental Justice Committee on ways the City's current climate change efforts will protect marginalized communities, including frontline communities living near oil wells and oil refineries, Aliso Canyon, the Exide Battery Plant, and freight-adjacent freeways, from further damage and exploitation; and related matters.
11. **C.F. 18-0600-S103** - Instruct the Zoo Department to report to the Arts, Entertainment, Parks, and River Committee relative to potential climate impacts on animals living at the Zoo. The report should include low-cost initiatives the department can employ to educate the public locally and around the world about the impact of climate change on all animals.
12. **C.F. 18-0600-S119** - Instruct the Bureau of Sanitation to report to the Energy, Climate Change, and Environmental Justice Committee with an analysis of the City's current efforts to address climate change; and related matters. The report should detail staffing, funding, and related matters.