



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 21 - 0091
MAR 16 2021

REPORT RE:

DRAFT ORDINANCE AMENDING CHAPTER 32 OF DIVISION 22 OF THE LOS ANGELES ADMINISTRATIVE CODE TO ESTABLISH A CIVIL, HUMAN RIGHTS AND EQUITY DEPARTMENT AND INCLUDE THE BOARD OF COMMISSIONERS ON THE STATUS OF WOMEN AND BOARD OF HUMAN RELATIONS COMMISSIONERS IN CHAPTER 32; ADDING A NEW CHAPTER 191 TO DIVISION 5 OF THE LOS ANGELES ADMINISTRATIVE CODE TO ESTABLISH THE CIVIL AND HUMAN RIGHTS COMMUNITY ENGAGEMENT FUND; AND AMENDING SECTIONS 51.02 AND 51.03 AND OTHER SECTIONS OF THE LOS ANGELES MUNICIPAL CODE TO CLARIFY PROVISION OF THE CIVIL AND HUMAN RIGHTS LAW AND MAKE ITS TERMINOLOGY CONSISTENT WITH CHAPTER 32 OF THE LOS ANGELES ADMINISTRATIVE CODE IN ACCORDANCE WITH THE ORDINANCE

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. 20-0761

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality, to establish the Civil, Human Rights and Equity Department (CHRED), which will support and work with the Commission on Civil Rights, the Board of Commissioners on the Status of Women and the Board of Human Relations Commissioners to enforce the Human Rights Law.

The draft ordinance amends Article 3 of the Los Angeles Administrative Code (LAAC) to establish a CHRED with duties and responsibilities to support and work with the Commission on Civil Rights, the Board of Commissioners on the Status of Women, and the Board of Human Relations Commissioners, to serve and defend the liberties of Los Angeles' diverse communities, promote the general welfare of residents of the City of Los Angeles against discrimination, enforce Chapter IV, Article 16 of the LAAC (the Human Rights Law), and create the Office of Racial Equity under the purview of CHRED.

The draft ordinance further amends Division 22 of the LAAC to change the title of the Civil and Human Rights Commission to the Commission on Civil Rights and to change the title and transfer the duties of the Civil and Human Rights Commission Executive Director to the General Manager of the Civil, Human Rights and Equity Department.

The draft ordinance establishes a Civil and Human Rights Community Engagement Fund for the receipt, retention and disbursement of gifts, contributions, and bequests to support CHRED and Commission on Civil Rights for programming and capital expense needs as specified.

While the Council's request refers to the Fund being for the needs of all three Commissions (i.e., the Commission on Civil Rights, the Board of Commissioners on the Status of Women, and the Board of Human Relations Commissioners), the latter two Commissions already have trust funds established to support their work, which include detailed requirements. (See LAAC Sections 5.560 and 5.562, respectively.) Should this Honorable Body desire to dissolve the existing trust funds and create one fund for CHRED and all three Commissions, this Office can revise the draft ordinance to accomplish this purpose, if so requested.

The draft ordinance amends Los Angeles Municipal Code Section 51.03 to replace the term 'Income status' with 'source of income' and to add 'primary language' as a protected class.

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Executive Director of the Civil and Human Rights Commission, the City Administrative Officer, and Chief Legislative Analyst with a request that all comments, if any, be presented directly to the City Council when this matter is considered.

If you have any questions regarding this matter, please contact Assistant City Attorney Heather Aubry at (213) 978-8100. She or another member of this Office will be present when you consider this matter to answer questions you may have.

Sincerely,

MICHAEL N. FEUER, City Attorney

By 

DAVID MICHAELSON
Chief Assistant City Attorney

DM:HA:pj
Transmittal