

CITY OF LOS ANGELES

CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

FRANK T. MARTINEZ
City Clerk

KAREN E. KALFAYAN
Executive Officer

When making inquiries
relative to this matter
refer to File No.

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CITY CLERK
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HELEN GINSBURG
Chief, Council and Public Services Division

05-1522

August 22, 2005

Councilmember Garcetti
Councilmember Parks
City Attorney (w/Blue sheet)
Community Redevelopment Agency
Department of Building and Safety
Planning Department

Controller, Room 300
Accounting Division, F&A
Disbursement Division
Chief Legislative Analyst
City Administrative Officer
Housing, Community and Economic
Development Committee Clerk,
Attn: J. White

RE: REQUESTING THAT THE CITY ATTORNEY PREPARE AN ORDINANCE TO EXTEND
PERMITTING REQUIREMENTS AND STANDARDS FOR SUPERMARKETS TO ADDRESS
PUBLIC SAFETY CONCERNS, PROVIDE AMENITIES TO THE PUBLIC, AND TO
MAINTAIN QUALITY OF LIFE STANDARDS IN THE COMMUNITIES THEY ARE
LOCATED; AND, TO PROVIDE FOR TRANSITIONAL WORKER RETENTION TO ASSURE
THE MAINTENANCE OF THOSE STANDARDS WHEN SUPERMARKET ESTABLISHMENTS
CHANGE OWNERSHIP

At the meeting of the Council held AUGUST 12, 2005, the following action
was taken:

- Attached report adopted, as amended..... X
Attached amending motion (Garcetti - Parks) adopted..... X
Attached resolution adopted..... X
FORTHWITH..... X
Mayor concurred
To the Mayor FORTHWITH
Motion adopted to approve communication recommendation(s).....
Motion adopted to approve committee report recommendation(s).....
Ordinance adopted.....
Ordinance number.....
Publication date.....

Handwritten signature of Frank T. Martinez

City Clerk
kw



Adopted as amended by Council action on 8-12-05

TO THE COUNCIL OF THE
CITY OF LOS ANGELES

File No. 05-1522

Your HOUSING, COMMUNITY, AND ECONOMIC DEVELOPMENT
COMMITTEE

reports as follows:

	<u>Yes</u>	<u>No</u>
Public Comments	<u>XX</u>	—

HOUSING, COMMUNITY, AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to extending permitting requirements and standards for supermarkets to address public safety concerns, provide amenities to the public, and to maintain quality of life standards; and, to provide for transitional worker retention when supermarket establishments change ownership.

Recommendation for Council action, as initiated by Motion (Padilla - Cardenas):

REQUEST that the City Attorney prepare and present an ordinance which would extend permitting requirements and standards to supermarkets to address public safety concerns, provide amenities to the public, and to maintain quality of life standards in the communities where they are located; and also provide for the transitional worker retention to assure the maintenance of these standards when supermarket establishments change ownership.

Fiscal Impact Statement: None submitted. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Summary:

On July 22, 2005, Council considered Motion (Padilla - Cardenas) relative to extending permitting requirements and standards for supermarkets to address public safety concerns, provide amenities to the public, and to maintain quality of life standards; and, to provide for transitional worker retention when supermarket establishments change ownership. Motion states that supermarkets and similar commercial institutions are important magnets for the communities they serve. Thousands of residents pass through these facilities every week. For many communities, supermarkets are the most important venue serving the public. They provide essential services to the public and play a major role in determining the health of their community.

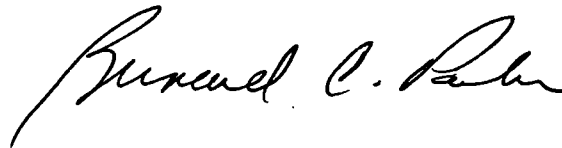
Motion goes on to state that the City has an interest in seeing that these important commercial establishments advance, not harm, the development of the neighborhoods in which they are located. To that end, Motion recommends that the Council adopt an ordinance to apply similar permitting standards to them that are applied to other establishments that serve as public venues, including graffiti abatement, surveillance and security, hygiene standards, alcohol control, and transportation and public amenities.

To ensure these standards remain in place in the event of a change of ownership, the proposed ordinance should also require the new owner to maintain the prior workforce in place for an appropriate transitional period. The ordinance should not interfere with employer's decision making in setting wages or determining staffing levels and need not prevent the employer from releasing unsatisfactory employees at any time. Council referred Motion to the Housing, Community, and Economic Development Committee for consideration.

At its meeting held August 10, 2005, the Housing, Community, and Economic Development Committee received comments from the public relative to this matter. During the public comment period, community members expressed support for the Motion and the proposed ordinance. It was stated that cities have begun to recognize the importance of protecting workers. The proposed ordinance should, in concept, provide notice to supermarket employees of pending changes in the conditions of their employment. A speaker stated that workers should not be punished when a supermarket changes ownership. The Committee recommended that Council request that the City Attorney prepare the ordinance, as described above.

Respectfully submitted,

HOUSING, COMMUNITY, AND ECONOMIC DEVELOPMENT COMMITTEE



<u>MEMBER</u>	<u>VOTE</u>
GARCETTI	YES
REYES	YES
PARKS	YES

JAW
8/11/05

#021072d.wpd

RPT
ADOPTED
** AS AMENDED*
AUG 12 2005
SEE ATTACHED MOTION
LOS ANGELES CITY COUNCIL

FORTHWITH

VERBAL MOTION

I HEREBY MOVE that Council AMEND the Housing, Community and Economic Development Committee report (Item #4, CF 05-1522) relative to a proposed ordinance to extend the permitting requirements and standards for supermarkets, and REQUEST the City Attorney to report back on whether the proposed ordinance covers "superstores"; whether it can be extended to include "major retailers"; and require a notification period of 90-180 days of the sale, transfer of ownership, closure or adaptive reuse of the facility.

PRESENTED BY _____

BERNARD C. PARKS
Councilmember, 8th District

SECONDED BY _____

ERIC GARCETTI
Councilmember, 13th District

August 12, 2005
CF 05-1522

Motion
ADOPTED

AUG 12 2005

LOS ANGELES CITY COUNCIL

FORTHWITH