



clerk CIS <clerk.cis@lacity.org>

Your Community Impact Statement Submittal - Council File Number: 21-0329-S5

LA City SNow <cityoflaprod@service-now.com>
 Reply-To: LA City SNow <cityoflaprod@service-now.com>
 To: Clerk.CIS@lacity.org

Tue, Jul 16, 2024 at 10:26 PM

A Neighborhood Council Community Impact Statement (CIS) has been successfully submitted to your Commission or City Council. We provided information below about CISs and attached a copy of the CIS.

We encourage you to reach out to the Community Impact Statement Filer to acknowledge receipt and if this Community Impact Statement will be scheduled at a future meeting. Neighborhood Council board members are volunteers and it would be helpful if they received confirmation that you received their CIS.

The CIS process was enabled by the to Los Angeles Administrative Code §Section 22.819. It provides that, "a Neighborhood Council may take a formal position on a matter by way of a Community Impact Statement (CIS) or written resolution." NCs representatives also testify before City Boards and Commissions on the item related to their CIS. If the Neighborhood Council chooses to do so, the Neighborhood Council representative must provide the Commission with a copy of the CIS or rResolution sufficiently in advance for review, possible inclusion on the agenda, and posting on the Commission's website. Any information you can provide related to your agenda setting schedule is helpful to share with the NC.

If the CIS or resolution pertains to a matter *listed on the Commission's agenda*, during the time the matter is heard, the designated Neighborhood Council representative should be given an opportunity to present the Neighborhood Council's formal position. We encourage becoming familiar with the City Council's rules on the subject. At the Chair's discretion, the Neighborhood Council representative may be asked to have a seat at the table (or equivalent for a virtual meeting) typically reserved for City staff and may provide the Neighborhood Council representative more time than allotted to members of the general public. They are also permitted up to five (5) minutes of time to address the legislative body. If the CIS or resolution pertains to a matter *not listed on the agenda*, the designated Neighborhood Council representative may speak during General Public Comments.

We share this information to assist you with the docketing neighborhood council items before your board/commission. If you have questions and/or concerns, please contact the Department of Neighborhood Empowerment at empowerla@lacity.org.

***** This is an automated response, please DO NOT reply to this email. *****

Contact Information

Neighborhood Council: Arleta

Name: Jesus Ramos

Email: jramos@arletanc.org

The Board approved this CIS by a vote of: Yea(9) Nay(0) Abstain(0) Ineligible(2) Recusal(0)

Date of NC Board Action: 07/16/2024

Type of NC Board Action: Against

Impact Information

Date: 07/17/2024

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 21-0329-S5

City Planning Number:

Agenda Date:

Item Number:

Summary: RE: Council File 21-0329-S5 Dear Councilmembers: The Arleta Neighborhood Council does not support the motion pushed forward by the representative from council district 5 that characterizes the enforcement of Los Angeles Municipal (LAMC) 41.18 as ineffective. 1 To nullify 41.18 is to disregard the US Supreme Court 6-3 decision made on June 28, 2024 regarding the Grants Pass v. Johnson case involving homeless encampments and municipalities' abilities to prohibit encampments on the public right-of-ways. For almost two decades we were told by officials that municipalities could not remove homeless encampments and this motion is highly suspect in that it seems the status quo seeks to maintain a degenerated City of Los Angeles evermore while surrounding municipalities maintain their cities safe and

clean.2 Since before Mayor Garcetti's administration, and the city council compositions prior to the current one (July 2024), the homeless crisis was already in a disorderly state. 41.18 is meant to protect everyone regardless of how many Los Angeles Police Department officers there are—or aren't—particularly in areas where schools, child care centers, senior centers, hospitals, and places of worship are located as such sites are especially sensitive and vulnerable. LAMC 41.18 is meant for the safety of the citizenry and the safe use of public rights-of-way—it has never been about the homeless crisis and its impacts on the unsheltered population. Moreover, the 1963 ordinance precedes the chaos that developed acutely since 2006 after *Jones v. The City of Los Angeles* where the U.S. 9th Circuit Court of Appeals ruled that 41.18(d) was a violation of the Eight Amendment of the U.S. Constitution, therefore, deemed as cruel and unusual punishment. For 18 years the tax-paying law-abiding citizenry has endured legally permitted nuisances and criminal activity on the public right-of-ways such as: people yelling at all hours of the night in residential areas, loitering, concealment of fir

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ARLETA NEIGHBORHOOD COUNCIL
Community Impact Statement

July 16, 2024

RE: Council File 21-0329-S5

Dear Councilmembers:

The Arleta Neighborhood Council **does not support** the motion pushed forward by the representative from council district 5 *that characterizes the enforcement of Los Angeles Municipal (LAMC) 41.18 as ineffective.*¹ To nullify 41.18 is to disregard the US Supreme Court 6-3 decision made on June 28, 2024 regarding the *Grants Pass v. Johnson* case involving homeless encampments and municipalities' abilities to prohibit encampments on the public right-of-ways. For almost two decades we were told by officials that municipalities could not remove homeless encampments and this motion is highly suspect in that it seems the status quo seeks to maintain a degenerated City of Los Angeles evermore while surrounding municipalities maintain their cities safe and clean.² Since before Mayor Garcetti's administration, and the city council compositions prior to the current one (July 2024), the homeless crisis was already in a disorderly state. 41.18 is meant to protect everyone regardless of how many Los Angeles Police Department officers there are—or aren't—*particularly* in areas where schools, child care centers, senior centers, hospitals, and places of worship are located as such sites are especially sensitive and vulnerable. LAMC 41.18 is meant for the safety of the citizenry and the safe use of public rights-of-way—it has never been about the homeless crisis and its impacts on the unsheltered population. Moreover, the 1963 ordinance precedes the chaos that developed acutely since 2006 after *Jones v. The City of Los Angeles* where the U.S. 9th Circuit Court of Appeals ruled that 41.18(d) was a violation of the Eight Amendment of the U.S. Constitution, therefore, deemed as cruel and unusual punishment. For 18 years the tax-paying law-abiding citizenry has endured legally permitted nuisances and criminal activity on the public right-of-ways such as: people yelling at all hours of the night in residential areas, loitering, concealment of firearms, use of firearms and other weapons upon other unsheltered individuals or against members of the public, defecation/urination in public, alcohol consumption, individuals openly using drugs, the selling of narcotics, and some individuals engaged in partial/full nudity and/or exercising carnal knowledge activities autonomously or with a partner or various partners in full unobstructed public view.

Section 41.18(d) in its current state codifies the following:

No person shall be found to be in violation of any prohibition set forth in Subsection (c), unless and until: (i) the City Council has taken action, by resolution, to designate a specified area or areas for enforcement against sitting, lying, sleeping, or storing, using, maintaining, or placing personal property, or otherwise obstructing the public right-of-way; (ii) the City has posted signage at the designated area or areas set forth in the resolution, with such signage including reference to any required findings adopted in the resolution, and giving notice of the date after which no sitting, lying, sleeping, or storing, using, maintaining, or placing personal property, or otherwise obstructing the public right-of-way will be allowed; and (iii) at least 14 calendar days have passed from the date on which the signage is posted at the designated area or areas.³

Proper enforcement of 41.18 requires more police officers and a political leadership that defends the Los Angeles Police Department's officers instead of "tying officers' hands" on the enforcement of anything. No wonder attrition is high because officers are not allowed to actually police. The community of Arleta has witnessed how other police agencies' officers

¹ https://clkrep.lacity.org/online/docs/2021/21-0329-S5_misc_6-04-24.pdf

² https://www.supremecourt.gov/opinions/23pdf/23-175_19m2.pdf

³ https://codelibrary.amlegal.com/codes/los_angeles/latest/lamc/0-0-0-128514#JD_41.18.

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July 16, 2024

9 Yea 0 No 2 Absent 0 Abstain

enforce the laws in surrounding municipalities while our political and bureaucratic system suppresses logic and positive results here. A nuisance "brokendown vehicle" that is parked for more than an X amount of hours in an unmetered restrictive parking zone or residential area moves only an inch or less *and is deemed to have "relocated"* thus sidestepping the criteria that was meant for a parking citation? Nonsense! We have an arsonist that continues to haunt a particular neighborhood and despite multiple arrests of the same individual the criminal continues to roam free in our community. Does that happen in more affluent LA communities or in other cities?

Billions in tax dollars have already been **wasted on an industry/crisis with no end in sight** so it is absurd to believe that "*credible offers of housing*" to unhoused individuals have not been made already in each council district in the last 6 years. Measure H was approved on March 7, 2017 and went into effect October 1, 2017 where the county's sales tax rate went from 9.25% to 9.50%—this proves the financial and moral commitment of LA County voters back in 2017, and presently, on the subject. But 7 years have passed and the problem persists despite the billions spent. Homelessness advocacy groups and elected officials who carried out the same propaganda on the subject misled voters on the efficacy of the funding for the problem and expected results. Homelessness has only increased and over 40,000 people in the City of LA alone remain out in the streets despite the **\$2.4 billion already collected via Measure H.**⁴ ***So where did the money go and what did it do because we know and can see what it hasn't done?*** See Table 1 for the special tax revenue amounts collected since fiscal year 2017-2018. Astonishingly, homeless services workers also can't afford housing themselves and RAND Corporation researchers determined that "workers need to make \$64,000 annually to afford a one-bedroom apartment or \$82,000 for a two bedroom apartment."⁵ Evidently, "[Los Angeles Homeless Services Authority] employees were making as little as \$33,000, [thus] leading to high [staff] turnover."⁶ *Is this where the new half-cent tax revenue will be destined to, to pay for increased personnel's salaries at both public and nonprofit agencies?* Measure H revenue was never meant to actually solve the homelessness crisis but rather to nourish a newly created tax revenue sucking industry and to allow for a real estate bonanza for realtors and construction trade groups.

It is in the interests of nonprofits (**unaccountable directly to the public**) *to not actually solve the homeless crisis at all*, otherwise, the money and homelessness services industry dries up and jobs in that sector disappear. Case in point, a **coalition of nonprofits** managed to get 393,293 signatures from registered voters to qualify a measure titled *Affordable Housing, Homelessness Solutions and Prevention Now* to be on the ballot where **a permanent half-cent sales tax will be voted upon on November 5, 2024.**⁷ Housing is included now in the measure so that means new constructions which will be in the millions and millions of dollars given inflation and construction costs among other things.

Fiscal Year	Measure H: Special Tax Revenue Collected
2017-2018	259,966,348
2018-2019	401,879,640
2019-2020	371,526,893
2020-2021	418,638,597
2021-2022	486,379,562
2022-2023	526,637,221
	2,465,028,261

Table 1. \$2.4 billion collected via Measure H. Los Angeles County Auditor-Controller: Homeless and Housing Measure H Special Revenue Fund - For fiscal years 2017-2018 to 2022-2023.

⁴ <https://auditor.lacounty.gov/homeless-and-housing-measure-h-special-revenue-fund/>

⁵ <https://www.latimes.com/california/story/2023-05-15/frontline-workers-key-in-l-a-countys-homelessness-struggle-to-afford-ho>

⁶ <https://www.latimes.com/california/story/2023-05-15/frontline-workers-key-in-l-a-countys-homelessness-struggle-to-afford-ho>

⁷ <https://www.kcrw.com/news/shows/kcrw-features/homeless-sales-tax-ballot-housing-solutions>

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 9 Yea 0 No 2 Absent 0 Abstain

The Arleta Neighborhood Council does not support 21-0329-S5 and requests that the City of Los Angeles protect its citizenry by making 41.18(d) stronger with automatic enforcement instead of the current piecemeal application process. The political leadership has allowed the City of Los Angeles to become dumping grounds for other municipalities while their cities are safer and cleaner. Please encourage the State of California to build state mental health institutions outside the City of Los Angeles and outside Los Angeles County since the poorest communities in the City of Los Angeles not only bear the brunt of the homeless problem but remain poor despite half a century of representation and no representation.

Respectfully,

The Arleta Neighborhood Council.

APPROVED

July 16, 2024

9 Yea 0 No 2 Absent 0 Abstain