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RESOLUTION

WHEREAS, on January 7, 2025, the Mayor declared a state of local emergency relating to the life-threatening, destructive, and widespread windstorm that has resulted in multiple, large-scale fires across the City and county;

WHEREAS, on January 7, 2025, the Governor proclaimed a state of emergency in response to the dangerous winds and extreme fire weather, which has resulted in multiple fires across the City and county, and the evacuation of over 170,000 people across Los Angeles county;

WHEREAS, on January 8, 2025, the President of the United States declared that a major disaster exists in order to support ongoing efforts, and ordered federal funding be available to combat the multiple fires that continue to devastate the Los Angeles area beginning January 7, 2025;

WHEREAS, President Biden authorized the Federal Emergency Management Agency (FEMA) to reimburse 100% of specified costs, including debris removal and lifesaving and life sustaining activities such as fire suppression, pledging his full support and partnership as L.A. recovers and rebuilds. These financial resources could ensure that Los Angeles will rebuild stronger than before, however they require swift action to help restore communities;

WHEREAS, on January 13, 2025, the Mayor updated the declaration of local emergency dated January 7, 2025, and directed all divisions of the City's Emergency Operations Organization and all other City Departments to take necessary steps for the protection of life, health and safety in the City of Los Angeles in addressing the windstorms, extreme fire danger, and rebuilding effort;

WHEREAS, the windstorm resulted in severe winds and multiple wildfires within the City of Los Angeles and the Los Angeles metropolitan area threatening life and safety, public and private property and structures, and other critical infrastructure, including City-owned infrastructure and prompting numerous evacuation orders, road closures, and significant impacts to the provision of City services, including, but not limited to, utility services, public safety services, and transportation services;

WHEREAS, the Palisades Fire, still not fully contained, is already considered one of the most destructive fires in the history of this nation;

WHEREAS, during the initial hours of the fire, firefighters confronted Category 2 hurricane force gusts of wind at estimated speeds in excess of 100 mph, essentially a dry hurricane racing over parched vegetation;

WHEREAS, the extreme winds fueled a wildfire in urban interface and residential areas causing extreme threat to life and unprecedented destruction to property;

WHEREAS, the Palisades Fire has outpaced the Tubbs Fire to become the second most destructive fire in California history in terms of structures destroyed, including many single

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family and multifamily homes, and the combination of fires in Los Angeles are the most destructive in the history of the city of Los Angeles;

WHEREAS, thousands of families, elderly and vulnerable people, and animals and pets have been displaced with more than 80,000 people remaining under evacuation orders;

WHEREAS, the City of Los Angeles, including all of its departments and divisions, including, but not limited to its proprietary departments must take immediate steps to continue the provision of public services, restore public services and infrastructure interrupted by the windstorm and wildfires, and protect life and property;

WHEREAS, the Mayor's Declaration of Local Emergency further recognized the need to mobilize mutual aid resources in support of the City's emergency response efforts;

WHEREAS, as of January 13, 2025, there are currently two active fires in the City Of Los Angeles in addition to those active in Los Angeles County: the Palisades and Hurst Fires:

Palisades Fire - Burning in the Santa Monica Mountains since about 10:30 a.m. on January 7, 2025, this fire has consumed over 23,000 acres with 14% containment and over 5,000 structures damaged or destroyed.

Hurst Fire (formerly Sylmar Fire) - Burning in the Sylmar area since about 10:30 p.m. on January 7, 2025, this fire is currently at 800 acres with 95% containment;

WHEREAS, several additional fires have been contained within the city of Los Angeles including the Kenneth Fire, Sunset Fire, Studio City and Foothills Fire;

WHEREAS, even after the wildfires are contained, emergency responses to help support displaced communities and Angelinos will be necessary to continue to protect and preserve the public health and safety of Angelinos across the City;

WHEREAS, in terms of financial destruction, the 2025 Fire is likely to exceed in today's dollars the costly destruction of the historic earthquake and fire of 1906 in San Francisco and exceeds a geographical area larger than San Francisco or Boston;

WHEREAS, California Penal Code Section 396 *et seq.* makes price-gouging during a state of emergency declared as a result of a natural disaster, including wildfires, a misdemeanor punishable by imprisonment in county jail for up to one year and/or a fine of up to ten thousand dollars (\$10,000) for each offense;

WHEREAS, the California Penal Code, including, but not limited to Sections 484 and 532, makes fraud and theft by deceit a crime punishable by varying penalties as defined by law;

WHEREAS, the City desires to protect Angelenos and members of the public affected by the January 2025 wildfires against all forms of price-gouging as described in Penal Code Section 396 *et seq.*, including, but not limited to the price of emergency supplies, medical supplies, food, reconstruction services, building materials, and housing to the fullest extent allowable under the law;

WHEREAS, during a declared emergency, City Charter Section 371, allows the City Council to adopt a resolution by two-thirds vote suspending any or all of the competitive bidding requirements with regards to specific boards, officers, and/or employees; and

WHEREAS, during the pendency of the existence of a local emergency, the Los Angeles City Council shall retain its full authority to consider City ordinances to codify the measures necessary to address this crisis.

NOW THEREFORE, the Council of the City of Los Angeles RESOLVES that:

1. As set forth in the Mayor's January 13, 2025 Updated Declaration of Local Emergency, which incorporated the declaration of emergency dated January 7, 2025, there exists a local emergency resulting from ongoing windstorm and extreme fire weather system and the devastating wildfires in the City of Los Angeles (City) within the meaning of Los Angeles Administrative Code Section 8.21, *et seq.*, which the City Council hereby ratifies;
2. Because the local emergency, which began on January 7, 2025, continues to exist, there is a need to continue the state of local emergency, which the City Council hereby ratifies;
3. In accordance with Los Angeles Administrative Code section 8.21 *et seq.*, all appropriate City departments (including proprietary departments), agencies, and personnel are instructed and requested to continue to perform all duties and responsibilities to represent the City in this matter to respond to and abate the emergency and prevent further harm to the life, health, property, and safety, and receive, process, and coordinate all inquiries and requirements necessary to obtain whatever State and Federal assistance that may become available to the City and/or to the citizens of the City who may be affected by the emergency;
4. The General Manager of the Emergency Management Department is hereby instructed, as appropriate, to advise the Mayor and City Council on the need to extend the state of local emergency;
5. To the extent the public interest and necessity demand the immediate expenditure of public funds to safeguard life, health, or property in response to the local emergency and to support the emergency operations of the City and its departments (including its proprietary departments), agencies, and personnel (including mutual aid resources) in responding to the declared local emergency, the competitive bidding requirements enumerated in City Charter Section 371, and further codified in the Los Angeles Administrative Code, including LAAC Section 10.15 be suspended until termination of the state of emergency and solely with respect to purchases and contracts needed to respond to the declared state of emergency;
6. City departments and agencies making purchases pursuant to the authority granted in paragraph five (5), above, shall report every two (2) weeks to the City Council regarding the purchases and contracts made during the prior two week period on the reasons justifying why such purchase or contract was necessary to respond to the emergency, including why the emergency did not permit a delay resulting from a competitive solicitation for bids or proposals and why competitive proposals or bidding was not reasonably practicable or compatible with the City's interests;
7. All City departments and agencies who have the authority to investigate and/or enforce any/all forms of price gouging, fraud, and theft by deceit, as described in the

California Penal Code, are hereby requested to do so to the fullest extent permissible under federal, state, and local law;

8. The City Clerk is hereby instructed, unless and until Council directs otherwise or discontinues the state of emergency, to timely agendaize this matter so that Council may consider whether to continue the state of emergency; and
9. The City Clerk is hereby instructed to forward copies of this Resolution to the Governor of the State of California, the Director of the Office of Emergency Services of the State of California, the Los Angeles County Office of Emergency Management, and the Los Angeles County Board of Supervisors.

PRESENTED BY:



MARQUEECE HARRIS-DAWSON
Councilman, 8th District

SECONDED BY:



ORIGINAL

