



Officers:
PAT BATES • President
VICTORIA MILLER • Vice President
JODIE FRANCISCO • Secretary
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HENRY ESHELMAN • Sergeant at Arms

RESOLUTION IN SUPPORT OF COUNCIL FILE 20-1376-S1 IF AMENDED

By a vote of ___yea, ___nay, ___abstain, ___ineligible, ___recusal, the Encino Neighborhood Council supports the [Revised Draft Ordinance](#) which replaces Los Angeles City Municipal Code (LAMC) § 41.18, if amended to change a provision which will endanger public safety, as described below. The Revised Draft Ordinance and related motions and documentation is presented in Los Angeles City Council File [20-1376-S1](#). Said revision of LAMC §41.18 was prepared pursuant to Amendment [55A](#) to Council File [20-1376](#). This Amendment 55A requests development of a Street Engagement Strategy to address the needs of persons experiencing homelessness and further the motion directs that all possible actions be taken to relocate people voluntarily and to housing if possible, and that law enforcement only engage if there is a serious threat to public safety. The Encino Neighborhood Council requests that the Street Engagement Strategy be developed without delay and implemented concurrently with any application of the Revised Ordinance.

The public safety issue is the application of §41.18(d) to §41.18(c)(4).

§41.18 (c)(4) provides that ‘Except as limited by Subsection (d), *no person shall sit, lie, sleep, or store, use, maintain, or place personal property, in or upon any street, sidewalk, or other public right-of-way that has been posted with signage prohibiting sitting, lying, sleeping, or storing, using, maintaining, or placing personal property. In order to designate a section of street, sidewalk, or other public right-of-way as prohibited under this subdivision, the City Council shall determine, in a designating resolution and based on specific documentation, that the circumstances of continued sitting, sleeping, lying, storing personal property, or otherwise obstructing the public right-of-way at that location poses a particular and ongoing threat to public health or safety. Such circumstances may include, but are not limited to: (i) the death or serious bodily injury of any person at the location due to a hazardous condition; (ii) repeated serious or violent crimes, including human trafficking, at the location; or (iii) the occurrence of fires that resulted in a fire department response to the location. For each such location, a prohibition pursuant to this subdivision shall be effective for a period of time specified in the resolution, but not to exceed one year.*’ (emphasis added)

§41.18(d) provides: ‘*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.*’

A public safety concern for our Encino, and indeed any, community results from the 14 day (and probably longer) delay in enforcement of provision (c)(4) of LAMC §41.18 in areas deemed to pose a threat to public safety because of deaths of or injuries to persons at the location due to hazardous conditions, repeated serious crimes, and fires.

For example, the September 6, 2020 fire in the Sepulveda Basin Wildlife Area resulted in the death of one entrapped unhoused person and destroyed at least 100 acres of parkland. There were over 30 fires in the area in 2020, and there have been several this year to date. There is no excuse for allowing any type of encampment to exist in dangerous and especially now, fire-prone areas. The Encino Neighborhood Council requests that application of LAMC §41.18(c)(4) be immediate, as it would relate to a clear and present danger to the community