



Office of the Los Angeles City Attorney
Hydee Feldstein Soto

REPORT NO. R 23 - 0425
NOV 09 2023

REPORT RE:

**DRAFT ORDINANCE REPEALING ORDINANCE NO. 187566, AN INITIATIVE
ORDINANCE REGARDING A MINIMUM WAGE FOR EMPLOYEES WORKING AT
CERTAIN HEALTHCARE FACILITIES THAT HAS BEEN WITHDRAWN FROM
THE MARCH 5, 2024 BALLOT**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Honorable Members:

In conjunction with the City Clerk's report dated November 9, 2023, this Office has prepared and now transmits for your consideration the enclosed draft ordinance repealing an initiative ordinance that has been withdrawn from the ballot. We have approved the ordinance as to form and legality.

On June 10, 2022, the City Clerk presented the City Council with a certified initiative petition in support of a proposed ordinance regarding a minimum wage for employees working at certain healthcare facilities. The City Council responded to the initiative petition by adopting the initiative ordinance directly, as authorized in the City Charter. The initiative ordinance was assigned Ordinance No. 187566. Before the ordinance took effect, however, opponents of the initiative ordinance circulated and filed a certified referendum petition against the ordinance, staying the effective date of the ordinance until it is acted upon by the voters. On September 30, 2022, the City Council adopted a resolution directing that the initiative ordinance be placed on the March 5, 2024 ballot.



The State Legislature recently adopted SB 525, a bill which regulates the same subject matter as the initiative – healthcare worker wages – but on a statewide basis. The Governor signed SB 525 on October 13, 2023. SB 525 also contains a provision preempting any local ordinance on the same subject that has not yet taken effect.

As a result of SB 525, both the supporters and opponents of the initiative ordinance wish to withdraw the measure from the City's March 5, 2024 ballot. The City Charter and City Election Code provide that a measure may be withdrawn from the ballot at the request of proponents and upon approval of City Council if done at least 88 days before the election (*i.e.*, by December 8, 2023).

Both sets of proponents have filed official withdrawal requests with the City Clerk. Proponents of the referendum petition against the initiative ordinance filed their withdrawal request with the City Clerk on October 26, 2023. Proponents of the original initiative petition in support of the initiative ordinance filed their withdrawal request on November 9, 2023. The City Clerk has received the withdrawal requests and has transmitted a Resolution approving withdrawal to the City Council for adoption.

The attached draft ordinance completes the withdrawal process by repealing the previously adopted initiative ordinance (Ordinance No. 187566), which has not taken effect, to prevent it from taking effect upon the withdrawal of the referendum.

Pursuant to Council Rule 38, we have discussed the draft ordinance with the City Clerk's office.

If you have any questions regarding this matter, please contact Assistant City Attorney Harit Trivedi at (213) 978-7100. A member of this Office will be available when you consider this matter to answer questions you may have.

Sincerely,

HYDEE FELDSTEIN SOTO, City Attorney

By  for
VALERIE L. FLORES
Chief Assistant City Attorney

VLF:HT:d
Transmittal