

ORDINANCE NO. _____

An ordinance adding Chapter 35 to Division 22 of the Los Angeles Administrative Code establishing a Climate Emergency Mobilization Commission, and adding Article 12 to Chapter 13 of Division 22 of the Los Angeles Administrative Code establishing a Climate Emergency Mobilization Office and Director within the Department of Public Works.

WHEREAS, with the increasing prevalence of climatic events impacting the City of Los Angeles, its constituents, and the region, the City wishes to establish a process for collaborating with communities to plan, coordinate, and provide a meaningful and equitable stakeholder engagement and emergency-level mobilization to respond to the climate crisis, disproportionate harm to disadvantaged communities, and ensure a safe and just city for all of its inhabitants.

NOW, THEREFORE,

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. A new Chapter 35 is added to Division 22 of the Los Angeles Administrative Code to read as follows:

CHAPTER 35

CLIMATE EMERGENCY MOBILIZATION COMMISSION

Sec 2. Articles 1, 2, and 3 are added to Chapter 35 of Division 22 of the Los Angeles Administrative Code to read as follows:

CHAPTER 35, ARTICLE 1

CREATION AND ORGANIZATION

Sec. 22.1500. Climate Emergency Mobilization Commission.

(a) **Definitions.** The following words and phrases, whenever used in this Chapter, shall be construed as defined in this section:

(i) **"Commission"** means a committee comprised of members appointed by the Mayor, the City Council President, and the Chair of the ECCEJR Committee, as defined below, to advise the Mayor and the City Council, and therefore is not advisory to, and does not manage, a department or appointed office pursuant to City Charter Section 502(a).

(ii) **“CalEnviroScreen”** means a mapping tool that helps identify California communities that are most affected by many sources of pollution, and where people are often especially vulnerable to pollution’s effect, as prepared by Office of Environmental Health Hazard Assessment (OEHHA), or such mapping tools created by the State as a successor or replacement to CalEnviroScreen.

(iii) **“Small Business”** means small, local business that qualifies under the provisions of Article 4 of Chapter 1 of Division 10 of this code, relating to the “Small Business Program.”

(iv) **“ECCEJR Committee”** means the Energy, Climate Change, Environmental Justice, and River Committee of the City Council or any successor to such committee having jurisdiction over the subject matter described herein.

(b) **Establishment.** A Climate Emergency Mobilization Commission is hereby created, which shall have the powers, duties, and responsibilities set forth in this chapter and elsewhere in the City Charter, Los Angeles Municipal Code, and Los Angeles Administrative Code. The Commission shall have 19 voting members.

(c) **Appointment and Qualifications.** The Mayor shall appoint 17 members in accordance with Charter Section 502, with qualifications, as follows:

(i) Three Indigenous members, with one from each of the following three historic local tribes: Gabrielino-Tongva, Fernandeño-Tataviam Band of Mission Indians, and Chumash.

(ii) Seven members representing geographically distinct communities in the top 25% score/segment on CalEnviroScreen.

(iii) One organized labor member.

(iv) Three members that are policy experts on climate change/air quality, toxics, and/or workforce.

(v) One member that is an owner of a Small Business.

(vi) Two youth members that are under the age of 24; provided, however, that their terms shall automatically expire and their seat shall become vacant upon turning 24 years old.

The President of the City Council shall appoint one member.

The Chair of the ECCEJR Committee shall appoint one member.

All members shall meet the additional qualification requirements in Charter Section 501(d).

(d) **Removal.** Members appointed by the Mayor may be removed in accordance with Charter Section 502. Members appointed by the President of the City Council may be removed by the President of the City Council subject to approval by the City Council by majority vote. Members appointed by the Chair of the ECCEJR Committee may be removed by the Chair of the ECCEJR Committee subject to approval by the City Council by majority vote.

(e) **Terms of Office.** Commissioner terms shall be governed by Section 501, and shall be five years beginning on July 1; provided, however, that the original members shall have their respective initial terms staggered to commence on the member's respective final approval date for the appointment and expire on June 30 after either a 5, 4, or 3-year initial term based on the following sequential schedule:

- (i) 5 years—Indigenous Gabrielino-Tongva member
- (ii) 4 years—Indigenous Fernandeño-Tataviam Band of Mission Indians member
- (iii) 3 years—Indigenous Chumash member
- (iv) 5 years—First geographically distinct communities member
- (v) 4 years—Second geographically distinct communities member
- (vi) 3 years—Third geographically distinct communities member
- (vii) 5 years—Fourth geographically distinct communities member
- (viii) 4 years—Fifth geographically distinct communities member
- (ix) 3 years—Sixth geographically distinct communities member
- (x) 5 years—Seventh geographically distinct communities member
- (xi) 4 years—Organized labor member
- (xii) 3 years—First climate change/air quality, toxics, and/or workforce policy expert member
- (xiii) 5 years—Second climate change/air quality, toxics, and/or workforce policy expert member
- (xiv) 4 years—Third climate change/air quality, toxics, and/or workforce policy expert member

- (xv) 3 years—Small Business owner member
- (xvi) 5 years—First youth member
- (xvii) 4 years—Second youth member
- (xviii) 3 years—President of the City Council member
- (xix) 5 years—Chair of the ECCEJR Committee member

For example, if the original member is appointed December 1, 2021, with a 4-year initial term, then the initial term would expire on June 30, 2026, and subsequent appointees to that member's seat would have 5-year terms. Notwithstanding the foregoing, incumbent commissioners may continue to hold office beyond the expiration of their term until a successor's appointment has been approved. An appointment to fill a vacant office of an unexpired term shall be for the period of the unexpired term.

(f) **Departmental Advisors.** The Mayor may appoint Assistant General Manager-level representatives from any department in the City to serve as non-voting members on, or as advisors to, the Commission.

CHAPTER 35, ARTICLE 2

CLIMATE EMERGENCY MOBILIZATION COMMISSION DUTIES, RESPONSIBILITIES AND EXECUTIVE DIRECTOR

Sec. 22.1510. Duties of the Climate Emergency Mobilization Commission.

(a) The Commission will advise the Mayor and the City Council on issues related, directly or indirectly, to the following: climate emergency; toxic pollution; biodiversity; related environmental justice and health concerns, including job creation and a just transition for jobs related to the fossil fuel industry, a citywide mobilization to address the impacts of these issues upon the communities of the City and the global community. The Commission will also advise on the following: (i) integrating environmental justice considerations into City programs, policies, and activities to improve and mitigate negative environmental or public health impacts in communities and stakeholders disproportionately burdened by environmental harms and risks; (ii) addressing environmental justice by ensuring equitable and meaningful involvement in the City's decision-making, building capacity in disproportionately burdened communities, and promoting collaborative problem-solving; (iii) strengthening partnerships between the City, communities, and organizations to address environmental justice and climate emergency issues; and (iv) increasing and enhancing research and assessment approaches related to these issues.

(b) Consistent with City Charter Section 502(a), the Commission will not be advisory to or manage the Climate Emergency Mobilization Office established to

operate within the Department of Public Works under the Board of Public Works' authority.

(c) The Commission will provide reports and recommendations to the Mayor and the City Council, which may include recommendations related to the following: climate emergency; resilience response efforts; integrating environmental justice and environmental equity metrics, such as in the reduction of greenhouse gas and toxic pollution emissions; preparing strategic implementation plans and timelines; emergency and non-emergency climate mitigation; resilience and adaptation programs; and, public education and outreach through community assemblies.

(d) The Commission will have the power to adopt administrative rules and procedures for the Commission to implement the provisions of this chapter, including establishing guiding principles, setting regular meetings, releasing agendas, and developing procedures.

Sec. 22.1511. Executive Director to the Climate Emergency Mobilization Commission.

The Commission shall be supported and advised by an Executive Director. The director of the Climate Emergency Mobilization Office within the Department of Public Works, or any successor office thereto, shall serve ex officio as the Executive Director for the Commission, meaning that the Director of the Climate Emergency Mobilization Office shall be deemed to be the Executive Director of the Climate Emergency Mobilization Commission, and shall serve a separate and distinct role as such Executive Director. The Executive Director shall have the power and duty to do the following:

(a) Perform those duties imposed by the Charter, ordinance, or order of the Commission upon the Executive Director of the Commission; provided, however, that the Commission, through such orders, shall not advise or manage the Climate Emergency Mobilization Office or the Director of the Climate Emergency Mobilization Office;

(b) Administer the affairs of the Commission. The Executive Director shall not be considered a chief administrative officer for purposes of Charter Section 508(a); provided, however, that the Executive Director shall otherwise administer the Commission's affairs as its chief administrative officer and secretary, including, but not limited to, the following: coordinating Commission meetings; preparing and/or facilitating the preparing of reports and recommendations developed by the Commission, and submitting such reports and recommendations to City Council and the Mayor; and, serving as the Commission's liaison to other departments, boards, commissions, the Mayor, committees, and Council;

(c) Expend the funds of the Commission in accordance with the provisions of the budget appropriations or of appropriations made after adoption of the budget;

(d) Recommend to the Commission prior to the beginning of each fiscal year an annual budget covering the anticipated revenues and expenditures of the Commission, conforming so far as practicable to the forms and dates provided in Article III of the Charter in relation to the general City budget; and

(e) Certify all expenditures of the Commission.

CHAPTER 35, ARTICLE 3

COOPERATION AND COORDINATION

Sec. 22.1520. Cooperation of Other City Departments.

All boards, offices, departments, agencies and bureaus of the City shall cooperate with the Climate Emergency Mobilization Commission to the fullest extent practicable without conflicting with the lawful and necessary conduct of their duties and operations as provided by law.

Sec. 22.1521. Coordination with Other Agencies.

The Climate Emergency Mobilization Commission shall, whenever practicable, coordinate its programs with other public agencies charged with climate emergency response, toxic pollution regulation and mitigation, and resilience actions to avoid duplication of effort and create effective working relationships.

Sec. 3. A new Article 12 entitled "Climate Emergency Mobilization Office" is added to Chapter 13 of Division 22 of the Los Angeles Administrative Code to read as follows:

CHAPTER 13, ARTICLE 12

CLIMATE EMERGENCY MOBILIZATION OFFICE

Sec. 22.362. Climate Emergency Mobilization Office and Director.

There is hereby established a Climate Emergency Mobilization Office within the Department of Public Works to operate under the Board of Public Works' authority.

The Mayor shall appoint a Director for the Climate Emergency Mobilization Office as an employee of the Department of Public Works. The Director shall have the power and duty, subject to limitations in the City's Charter, Administrative Code, and Municipal Code, and without conflicting with the lawful and necessary conduct, duties, and operations of other boards, offices, departments, agencies, and bureaus of the City as provided by law, to do the following:

- (a) Manage the Climate Emergency Mobilization Office to plan and coordinate the City's climate, toxic pollution, and resilience responses with a strong environmental justice and worker focus including, as follows:
 - (i) Preparing strategic implementation plans and timelines;
 - (ii) Measuring and tracking ongoing greenhouse gas emissions and toxic pollutants;
 - (iii) Developing emergency and non-emergency climate mitigation;
 - (iv) Developing annual climate emissions and toxic pollution budgets;
 - (v) Developing resilience and adaptation programs;
 - (vi) Coordinating public education and outreach stakeholder processes through community assemblies and the Mayor's Sustainability and Resilience Offices, scientists, social and environmental justice advocates, local labor unions and union federations, the Neighborhood Council Sustainability Alliance, local Non-Governmental Organizations, neighborhood councils, homeowners' associations, and business groups;
 - (vii) Identifying and pursuing grant funding opportunities;
 - (viii) Identifying critical research needs and recommending key studies;
 - (ix) Integrating environmental justice considerations into programs, policies, and activities in the region to improve the environment or public health in communities and stakeholders disproportionately burdened by environmental harms and risks;
 - (x) Addressing environmental justice by ensuring meaningful involvement in the City's decision-making, building capacity in disproportionately burdened communities, and promoting collaborative problem-solving for issues involving environmental justice;
 - (xi) Strengthening partnerships with communities and organizations regarding environmental justice and climate emergency issues; and
 - (xii) Enhancing research and assessment approaches related to environmental justice and the climate emergency.
- (b) Cooperate with departments in the City to facilitate a focused and collaborative approach among departments to climate crisis and toxic pollution

mitigation and adaptation and responding to climate events, without conflicting with the lawful and necessary conduct of departments' duties and operations as provided by law;

(c) Respond to direction and advice, including through reports and other documents, from the Mayor and City Council, including items from the Climate Emergency Mobilization Commission, as established under Chapter 35 of Division 22 of the City Administrative Code, or any successor commission thereto, that are approved by the City Council and/or the Mayor for action by the Climate Emergency Mobilization Office; and

(d) Prepare and submit reports to the Climate Emergency Mobilization Commission, as established under Chapter 35 of Division 22 of the City Administrative Code, or any successor commission thereto.

Sec. 22.363. Cooperation of Other City Departments.

All boards, offices, departments, agencies and bureaus of the City shall cooperate with the Climate Emergency Mobilization Office to the fullest extent practicable without conflicting with the lawful and necessary conduct of their duties and operations as provided by law.

Sec. 22.364. Coordination with Other Agencies.

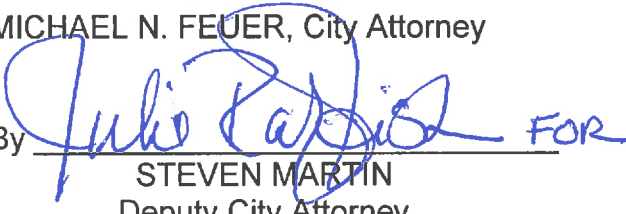
The Climate Emergency Mobilization Office shall, whenever practicable, coordinate its programs with other public agencies charged with climate emergency response, toxic pollution regulation and mitigation, and resilience actions to avoid duplication of effort and create effective working relationships.

Sec. 4. **SEVERABILITY.** If any provision of this ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this ordinance which can be implemented without the invalid provisions, and to this end, the provisions of this ordinance are declared to be severable. The City Council hereby declares that it would have adopted this ordinance and each provision thereof irrespective of whether any one or more provisions are found invalid, unconstitutional or otherwise unenforceable

Sec. 5. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By  FOR
STEVEN MARTIN
Deputy City Attorney

Date 06/23/2021

File No. 19-1084

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The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____