

WHIP Committee - Heath Kline, Chair

WHIP COMMITTEE Report regarding motion to request the LA City Council rescind, reconsider, and refine passed motion to have undefined “High Value Projects” bypass it’s PLUM subcommittee and go directly to the full City Council. (CF 20-1044)

Background:

Because two (2) members of the Los Angeles City Council who sat on and controlled the City PLUM Committee (Englander and Huizar) have been charged with using undue influence and other alleged criminal activities including corruption and bribery in helping to steer the PLUM Committee into approving projects that came before them, the new City Council President Nury Martinez proposed a motion that would allow “high value” projects to be brought directly to the full City Council for a vote instead of having the project go before the City PLUM Committee. This was her attempt to help remove corruption from City Council planning decisions.

Specifically her motion stated, “For high value projects, the granting of entitlements can be worth hundreds of millions of dollars. The developers of these projects hire teams of consultants and lobbyist who often targets members of the PLUM Committee. In some cases these projects are very large and have citywide impacts. For this reason, it is necessary for these high value projects to bypass the PLUM Committee and go directly to the full City Council to be voted on.

Before the motion was adopted by the City Council on February 16, 2021, Councilman Bob Blumenfield introduced an amendment to the motion stating that the City Council decision does not mean a project can’t be directed to the City PLUM: *“Nothing in the proposed rule change shall preclude the PLUM Committee from hearing a high value project.”*

The amended motion passed 9-5-1, and it said in part, “City Planning Department, in coordination with the Chief Legislative Analyst shall report back in 30 days on developing criteria for high value projects and amend the planning process so these projects are diverted from PLUM and go directly to the City Council...the report should analyze high value projects that have gone to PLUM since 2013...”

Issues with the Legislation:

George Bernard Shaw is credited with saying, “The road to Hell is paved with good intentions.” That is precisely what has happened in this case. The law was approved with no specifics as to what exactly *constitutes* a “High Value” project. In the City Council’s effort to strike out corruption, they have created a situation that may in fact create even more confusion, problems and opportunities for “gaming” the system:

- The law now eliminates one level of opportunity for the public to comment on and possibly base an appeal upon a decision by the City.
- There is no clear and quantifiable determination of what constitutes a “High Value Project.”
- There is no process in place where the merits of that determination can be argued by the communities where those projects may be targeted.
- Addressing issues before the City Council limits all public comment(s) to the shortest possible time—1 minute.
- The new approval process—even with the adopted amendment—provides large scale project developers an easy way to bypass more heightened scrutiny by the City Committee created to investigate and parse each Planning project, and instead now charges 14 Council members to investigate a major project that is not in their District and may have no impact on their District.
- The new process insures that lawyers and representatives of major building projects will inundate each Council member with a tonnage of charts, statistics and anecdotal information that neither the Councilmember nor their staff will have the time to read or decipher.
- The decision as to who can anoint a project as “High Value” and to recommend it straight to the City Council--or as the amended version states, allow it to be heard at City PLUM—has not been specified in this law. That needs to be decided.
- These “High Value” projects deserve full vetting with sufficient time and input for evaluating their impacts. The proposal would have the effect of limiting public participation in the approval process.

Proposed Action by the WHWCNC Board

The City Council has already passed the amended motion. However there is still time for the WHWCNC Board to write a Community Impact Statement clarifying many of the key issues that have yet to be determined before this law actually goes into action.

The WHIP/NC Board should voice its opposition to the motion as it currently stands, recommend refinements and changes, and request that the full City Council reconsider their February 16, 2021 determination on the amended City Council motion (CF-20-1044).

Passed by the WHIP Committee 04/08/2021: 3 Yes, 0 No, 1 Absent.

Proposed Motion RE: Council File 20-1044 “High Value Projects”

Concerning the amended City Council Motion on High Value Projects (CF 20-1044) adopted by the Los Angeles City Council on February 16, 2021, the Woodland Hills-Warner Center Neighborhood Council (WHWCNC) requests that the City Council reconsider their decision to move evaluations of “High Value” projects directly to the full City Council Board instead of the City’s PLUM Committee until full resolution on key evaluation issues can be reached:

WHEREAS, while the WHWCNC fully appreciates the efforts to reduce corruption in its determinations, we believe bypassing the City Council’s Planning, Land Use and Mobility (PLUM) Committee to fully vet and evaluate the most impactful projects in the City and their effects on the communities they intend to build in; and,

WHEREAS, the WHWCNC recognizes that these “High Value” projects should provide the public all the opportunities to comment on the significant impacts to their neighborhoods, land values and traffic effects; and,

WHEREAS, the amended motion would have the effect of limiting public participation in the approval process by elimination of any hearing held by the City PLUM Committee; and

WHEREAS, the City has presented no quantifiable determination as to exactly what constitutes a “High Value” project, nor has it shown that the Councilmembers have the time, staffing or depth of understanding to provide each Councilmember with a full understanding of all the significant issues that could/will significantly impact a neighborhood or community; and

WHEREAS, even the determination of who designates a project as “High Value,” and who makes the final decision to either send it to the City PLUM or to the full City Council has not been proposed to the public; and

WHEREAS, the amended City Council resolution makes no effort to create a true independent review of these “High Value” projects which will cost hundreds of millions of dollars and affect the lifestyles of hundreds of thousands of Los Angeles residents and businesses; and

WHEREAS, the City has created no barriers to the lawyers, private planners and other individuals in promoting a “High Value” project to Council Members, thus creating the opportunity for even more City decision makers to be targets for corruption;

THEREFORE, BE IT RESOLVED that the Board of the Woodland Hills-Warner Center Neighborhood Council strongly urges the Los Angeles City Council to reconsider their amended motion of High Value projects that was passed on February 16, 2021, and delay reconsidering the motion again until:

1. A specific definition of a “High Value” project is determined by Planning, the public and the City Council
2. A determination as to exactly which individual(s) will have the authority to determine if a project is sent to the City PLUM Committee or sent directly to the full City Council for resolution.
3. A solution is found that creates a greater timeframe and more generous appeal process for the public—and specifically for stakeholders in the neighborhood where the project is slated to be built--before the sitting City Council members make any final decisions.
4. A process for providing greater awareness of these “High Value” projects is in place so that communities and neighborhoods can more fully be involved in the City Council’s determinations.

5. A process be developed to limit or provide notice of contact outside of public meetings between “High Value” applicants or their representative and the Members of the City Council or their staff.

BE IT FURTHER RESOLVED that the Woodland Hills-Warner Center Neighborhood Council requests the Los Angeles City Council, the Los Angeles Planning Department and the City Department of Neighborhood Empowerment to perform greater outreach to the residents and business of the City of Los Angeles and to their elected Neighborhood Councils so that the constituents of this City can have a greater voice in the most significant projects impacting our lives and lifestyles.

Furthermore, the Board of the Woodland Hills – Warner Center Neighborhood Council send copies of this recommendation to:

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Council Member District 1 - Gil Cedillo	Gilbert.Cedillo@lacity.org
Council Member District 2 - Paul Krekorian	councilmember.Krekorian@lacity.org
Council Member District 3 - Bob Blumenfield	councilmember.blumenfield@lacity.org
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