

LAPD to pull officers off patrol to deal with influx of offenders

October 3, 2011 | 3:09 pm



The Los Angeles Police Department plans to remove 150 officers from patrol or other assignments in order to deal with the state's prison realignment plan, a move that Chief Charlie Beck said will slow police response times to 911 calls.

Beck and Mayor Antonio Villaraigosa criticized the state's controversial attempt to relieve severe overcrowding in its prisons for not providing adequate funding to the city and warned that the move threatens to reverse the falling crime rates L.A. has experienced in the last decade.

The plan, which went into effect Saturday and is intended to satisfy an order issued by the U.S. Supreme Court, shifts responsibility for thousands of inmates and parolees from the state to county authorities.

As part of that shift, Beck said the LAPD and other local police departments will now have to assume a leading role alongside the county's Probation Department in keeping tabs on a "cascading" number of ex-cons who otherwise would have been under the watch of the state's parole department.

By year's end, the LAPD is expected to be tracking 4,200 offenders, according to figures released by the mayor's office. Statewide, officials project that county agencies will assume responsibility for about 55,000 people by the time the realignment program is fully implemented in 2015.

Beck and Villaraigosa, along with City Controller Wendy Greuel and gang expert Connie Rice, used a morning news conference to rebuke Gov. Jerry Brown and state legislators for leaving the city to fend for itself and to publicly pressure them for funds.

"There is nothing in alignment about this act," Villaraigosa said. "Sacramento is transferring more than 4,200 offenders to Los Angeles and not a single dollar to help with the burden. This is not alignment, this is a recipe for making the problem much worse."

SUMMARY

At a special joint meeting of the Budget and Finance and Public Works Committees on April 19, 2010, the Committees considered BSS reports relative to sidewalk repair options. The BSS reports have been submitted in response to Motion (Parks-Smith), introduced on September 6, 2005. The Motion instructed the BSS, with the assistance of the City Administrative Officer (CAO) and the City Attorney, and in consultation with affected stake-holders, to report with recommendations relative to a point-of-sale plan for fixing the City's sidewalks whereby property sellers would be assessed the cost of fixing the sidewalks in front of their property. In February 2008, the BSS presented a comprehensive Point-of-Sale Implementation Plan to the Public Works Committee. After consideration, the Committee instructed the BSS to develop alternatives other than point-of-sale. Following adoption of the FY 2009-10 Budget, which called for a point-of-sale program to be implemented, two sub-committees (reduced from four previous sub-committees) were reorganized into a Repair Policy Committee chaired by the City Attorney's Office, and a Finance Committee chaired by the CAO. A list of eight potential sidewalk repair options was narrowed down to five options which all have broader support from the task force, primarily from the Real Estate industry, and are detailed in the BSS report dated April 8, 2010 (attached to the Council file).

The BSS reports that the Improvement Act of 1911 and LAMC Section 62.104 already places the responsibility for sidewalk construction, reconstruction and repair on the adjoining property owner. However, in 1974, because of available federal funding, the City accepted responsibility for repairs to curbs, driveways or sidewalks required as the result of tree root growth. This limited exception is still effective today, despite the absence of funding. Under Council file 05-1853-S1, the City Attorney has submitted a draft Ordinance which would repeal the tree root growth exception, effectively eliminating City responsibility for repair of curbs, driveways and sidewalks damaged by any cause, including by tree root growth.

Following a lengthy discussion which included discussion of the proposed draft ordinance, the Budget and Finance and Public Works Committee recommended approval of the draft ordinance amending the LAMC to repeal the "exception" within Section 62.104 that established City liability for repair of curbs, driveways and sidewalks due to tree root damage (Council file 05-1853-S1). The Committees requested the City Attorney to prepare and present an amended ordinance which increases the time required for adjoining property owners to commence the work of repair and/or reconstruction of sidewalks from two weeks to ninety days. The BSS was instructed to: (1) devise a public outreach plan to notify and inform the City's property owners of the ordinance change; and, (2) to implement a one-year Moratorium on its issuance of Notices to Repair Sidewalks to adjoining property owners. During the Moratorium, the BSS was instructed to provide quarterly status reports on development of the details of the sidewalk repair program. The Committees provided the BSS with a list of issues to consider in developing the program. This matter is now forwarded to the Council for its consideration.

MEMBER	VOTE	MEMBER	VOTE
PARKS:	YES	HUIZAR:	YES
ROSENDAHL:	YES	SMITH:	YES
HUIZAR:	YES		
KORETZ:	YES		

SEC. 62.104. CURB AND SIDEWALK REPAIRS.

(Amended by Ord. No. 146,040, Eff. 7/13/74.)

When a sidewalk, driveway or curb constructed on any street shall be out of repair or in need of reconstruction, or in a condition to endanger persons or property passing thereon, or in a condition to interfere with the public convenience in the use thereof, the Board may require that the owners or occupants of lots or portions of lots fronting on said sidewalk, or curb and on the same side of the street where such sidewalk, driveway or curb is located to repair or reconstruct the sidewalk, driveway or curb, or both. The Board may give written notice thereof to the owners of the adjoining premises, or to their agents or to the occupants of such premises, or by leaving a copy of such notice on such premises. (a) Notice – Content of. Said notice shall contain a description of the work required to be done and shall designate the materials to be used and shall specify the manner in which said work shall be done. (b) Time Required for Repairs. Any owner, agent or occupant of any such premises, within two weeks after notice given as provided herein, shall commence the work of repair or reconstruction, or both, and shall do said work in the manner and with the materials specified in said notice. No owners, agent or occupant of any such premises where notice is given as provided herein shall fail, refuse, or neglect to commence the work required in said notice within the time permitted herein, nor shall any such person after having begun such work fail, refuse, or neglect to proceed diligently with the work to completion in the manner and with the materials specified in said notice. (c) Failure to Repair. In the event a person neglects, fails, or refuses within two weeks after notification, to begin the work of repair or reconstruction of the property designated in the notice, or fails to prosecute the work diligently to completion, the Board shall have the power to perform the work described in the notice. (Amended by Ord. No. 175,596, Eff. 12/7/03.) (d) Preventive Measures. The Board is authorized to take preventive action such as root pruning or tree removal to prevent damage to curbs, driveways or sidewalks. (e) Determination of Responsibility for Damage. (Amended by Ord. No. 175,596, Eff. 12/7/03.) Whenever the Board determines that a curb, driveway or sidewalk is damaged as the result of negligence or violation of this Code and the Board determines the responsible party, all costs incurred pursuant to this section shall be a personal obligation of the responsible party, recoverable by the City in an action before any court of competent jurisdiction. These costs shall include an amount equal to 40 percent of the cost to perform the actual work, but not less than the sum of \$100.00, to cover the City's costs for administering any contract and supervising the work required. In addition to this personal obligation and all other remedies provided by law, if the Board determines that a curb, driveway or sidewalk is damaged to such an extent as to create a menace to the public health, welfare and safety, and to constitute a public nuisance, the City may collect any judgment, fee, cost, or charge, including any permit fees, fines, late charges, or interest, incurred in relation to the provisions of this section as provided in Los Angeles Administrative Code Sections 7.35.1 through 7.35.8.

EXCEPTION: Preventive measures and repairs or reconstruction to curbs, driveways or sidewalks required as the result of tree root growth shall be repaired by the Board at no cost to the adjoining property owner.

Rosendahl Calls LA's ACE Ordinance "Half-Baked"

10.03.2011
STEPHEN BOX



UPDATE - LA City Council's Budget & Finance Committee, on Monday, reviewed the City Attorney's most recent version of the proposed Administrative Citation Enforcement (ACE) Ordinance, punching holes in it and sending it back to the City Attorney for repairs. "This ordinance is half-baked!" declared Councilman Bill Rosendahl as he scoffed at the notion that he should even review a draft ordinance that was only released to the public two hours before the commencement of the meeting. He added that the fact that the ACE ordinance pits neighbor against neighbor is a huge flaw and that a complaint driven process lacks a commitment to standards.

Councilman Englander punched budget holes in the draft ordinance, pointing out that it lacks any measure of cost estimate, metrics for evaluating success, and that it is disguised as a pilot program when in fact it is a "phased-in implementation."

Councilman Parks gave a list of specific instructions to the City Attorney's office, calling for clarification of the subpoena authority, a definition of the administrative officers, a real cost analysis, clarity of the need for positive ID requirement for those cited, a plan for collecting fines that comes from the Office of Finance, information on LAPD overtime commitments and

costs for testimony at hearings, a list of violations to be included in the pilot program, and the impact on parallel programs such as the pending signage ordinance.

Councilman Koretz gave the revised draft of the proposed ACE ordinance one last attempt at resuscitation, explaining that this was simply an opening move and that all financial responsibility was the City Attorney's, a claim that was rejected by Pedro Echeverria, Chief Assistant City Attorney.

Councilman Cardenas was quiet, offering no words in favor of the proposed ACE ordinance, standing by as the Budget & Finance Committee called on the City Attorney to report back in 30 days with answers to their many questions and on the CLA to conduct community hearings and outreach on the draft ACE Ordinance.

The standing-room-only crowd consisted of property owners, landlords, and tenants, predominantly in agreement (4 to 1) that the ordinance has many flaws. Noel Weiss referred to the CA's ACE proposal as "so incredibly and poorly drafted that it defies belief. It is an embarrassment to the City Attorney's Office because it constitutes both legal malpractice and political malpractice."



Evangelyn Nathan

Captain III

West Los Angeles Area

Captain III Evangelyn Nathan joined the Los Angeles Police Department on June 29, 1981. She obtained an Associate of Science degree in Biology from Compton Junior College and a Bachelor of Science degree in Business Administration from California State University, Dominguez Hills. Captain Nathan is also a graduate of the FBI National Academy, WestPoint Leadership Institute, Supervisory Leadership Institute, and Command Development School.

Captain Nathan has worked a variety of patrol, investigative, and specialized assignments. She completed her initial probation at 77th Street Patrol Division, followed by assignments to Wilshire patrol, Narcotics Buy Team and Recruitment. Her assignments also included West Los Angeles Vice Unit from 1985-1987, 77th Street Detective Division from 1987 to 1989 in investigative assignments that included Burglary, Crimes Against Persons, Autos, and Operations-South Bureau Homicide. In 1992 she was up-graded to a Detective II and assigned to Internal Affairs. In 1994 she was again upgraded to Detective III and assigned to the Office of the Chief of Police as the Judicial Liaison, Consul Corp Liaison and the Mayor's Liaison. She promoted to Lieutenant in 2000 and was assigned to Pacific Patrol Division as a Watch Commander and later as the Administrative Lieutenant.

In 2002, Captain Nathan was assigned as the Officer-in-Charge of Operations-South Bureau Homicide Task Force. In 2003, Captain Nathan was upgraded to Lieutenant II and assigned as the 77th Street Detective Division Commanding Officer. The first female African American to hold that position on the Los Angeles Police Department.

Captain Nathan is an active member of the Oscar Joel Bryant Foundation, Los Angeles Women Police Officer Association, National Organization of Black Law Enforcement Executives, FBI National Academy Associates, President of the Board of Directors for the Association of Black Law Enforcement Executives, and a Board of Directors member of the Big Brothers Big Sisters of Los Angeles; an agency dedicated to mentoring youth. She is currently a Department Peer Counselor, member/volunteer of the Cedars Sinai Blood Donor Program Gallon Club. Captain Nathan is also a 2006 inductee to Los Angeles Police Revolver and Athletic Club, Athletic Hall of Fame. She received the first Staple's Center Star for Community Involvement award, as well as many awards and recognitions from various community groups; local, state and federal officials.

Captain Nathan is a certified Master Gardener through the University of California State Extension Program and in her spare time enjoys gardening and landscaping.

Captain Evangelyn Nathan is currently the Area Commanding Officer of West Los Angeles Community Police Station. An area that provides public service to a population of over 257,000, in a geographic area that covers 65 square miles.