PAT BROWN INSTITUTE FOR PUBLIC AFFAIRS
Unleashing the Power of Participation

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The power to declare local emergencies is an LA solution to expanding mayoral authority when it is needed.

On her first day in office, Mayor Karen Bass declared a local emergency regarding the crisis in homelessness and housing in Los Angeles. The mayor's action makes maximum use of the powers that an LA mayor has in extraordinary circumstances. The city council has seven days to approve the declaration, and must vote to renew it every 30 days thereafter.

The Mayor will convene and lead the Emergency Operations Center, issuing directives that pursue new paths to addressing a severely deficient supply of affordable housing. The mayor will be able to unlock stalled bureaucratic processes, have greater leeway to identify and utilize available housing sites, provide more flexible funding for housing efforts, and in general move a sluggish system forward.

We often hear that the Los Angeles mayor is weak compared to their peers in such other big cities as New York and Chicago. And in formal terms, the mayor does share authority locally with an immensely powerful city council and a separately elected school board and regionally with an elected County Board of Supervisors. The mayor's direct authority is most pronounced over city departments and commissions, most of which in effect are part of the mayor's administration. But in challenges like homelessness, it can be beyond frustrating to get all of these bodies onto the same page.

But there is one case in which authority flows to the mayor, as the unchallenged and best known political leader in the region, and that is in an emergency.

The long history of charter reform in Los Angeles has featured small but steady increases in mayoral authority and emergency leadership is a case in point. Until 1999, the mayor's role in emergency management rested only in ordinances passed by the city council and not in the city charter whose provisions require voter approval.

In 1980, Mayor Tom Bradley proposed and the council adopted ordinances that represented a major revision of the administrative code to clarify the mayor's leading role in emergency management. It set forth considerable detail about how the process would work once the mayor declares an emergency.

In 1999, the new city charter for the first time placed the mayor's authority to declare emergencies directly into the city's governing document: "the Mayor shall have the power and duty to: …..declare a local emergency and coordinate the City's emergency response activities…". (Section 23`(i). Most of the details of how these powers work can still be found in the administrative code.

What elevated this power from ordinance to governing document was a pair of cataclysmic events two years apart that occurred under two very different mayors.

In 1991-1992, Los Angeles endured its most profound crisis: the videotaped beating of Rodney King in 1991, the acquittal of four LAPD officers by a Simi Valley jury on April 29, 1992, and the widespread civil disorder that ensued. Mayor Bradley, nearing the end of his historic five terms in office, drew on the powers listed in the administrative code to declare a local emergency.

The limitations on the mayor's authority in an emergency were magnified by Bradley's frustrations with a defiant police chief, Daryl Gates, who at the height of the crisis abandoned his post downtown to attend a fundraiser for opponents of police reform.

Two year later, Mayor Richard Riordan issued an emergency declaration following the January 17, 1994 Northridge earthquake, one of the most damaging natural events in modern Los Angeles history. As in 1992, the directive was based on the provisions of the administrative code with no charter authority to rely on. For the first and perhaps only time, Riordan was able to fully use the mayoral authority whose limitations bridled him.

Based in part on the 1994 earthquake, Riordan asked the two charter reform commissions to place the mayor's authority to declare emergencies into the charter itself. The commissions agreed and added that provision. After the passage of the charter, the city council amended the administrative code to clarify that the mayor was in charge of the emergency operations effort rather than the City Administrative Officer. In 2000, the city council created a new Department of Emergency Preparedness to support the city's crisis efforts. In 2007, it was renamed the Department of Emergency Management.

Since then, mayoral emergency declarations have not been unusual. Often they have dealt with natural disasters, such as fire or floods.

The most significant recent action was Mayor Eric Garcetti's emergency declaration on the COVID-19 crisis. Mayor Garcetti issued the order on March 2, 2020, and the council voted quickly to approve it on March 4. The order coincided with a period of high visibility for the mayor, as he gave widely-watched daily briefings on local television. While the emergency order is still in place, the council recently voted to end the declaration as of February 1, 2023. These continually renewed emergency declarations establish a precedent that they can be useful for as long as it takes.

Los Angeles mayors are seen differently in emergencies than in quieter times. Unlike their fellow mayors in big, highly political cities where the mayor is all over the news on just about everything, voters seem to recognize that this is a leadership position that is to be called upon when visible leadership is most needed.

The timing of such a declaration is critical; if everything is an emergency, nothing is. The beginning of a new mayoral administration that promises a reset of what has been a frustratingly entrenched crisis that voters consider the city's most important issue is a good time to take this step. The need to win regular council approval to extend the declaration may well provide a useful way for the city and the public to monitor progress along the way. In any case, the emergency declaration put forward by Mayor Bass makes abundantly clear that this is a turning point in the city's history.

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