

Yet Another Community Group Sues the City Over Lapse in Required Annual Infrastructure Reports

The City

By Ken Draper



Turning to the courts is becoming the action of choice for getting City Halls attention.

Fix The City, an unincorporated coalition of community groups, has filed suit in Los Angeles Superior Court challenging the City to comply with the Charter requirement that the Planning Department provide Annual Growth and Infrastructure Reports.

This is the second suit against the City on this issue in the last five months. The LaBrea – Willoughby Coalition filed a similar suit in June. Their case is set for trial in May of next year. In its petition, [Fix the City](#) reminds the court that the City Charter’s General Plan requires an annual report on growth and infrastructure “in order to establish a system for the monitoring of growth, infrastructure and services.”

This Annual Report ... which has not been filed since 1998 ... is designed, Fix The City says, to be used as the basis to guide future capital investments and development decisions ... thousands of which are made annually by the City’s Planning folks. Currently these decisions are being made with what some believe is seriously dated information.

Speaking for Fix The City, James O’Sullivan, President of the Miracle Mile Residential Association, provided the following explanation for the law suit:

“The City has failed to fully perform its duties to monitor and report on population growth, infrastructure and services since 1998. Without this information, the public and elected officials cannot be certain that City infrastructure and services will serve and protect them.

For example, the City’s sanitation, water supply, electricity and transportation infrastructure are essential City functions and services which the City must preserve for existing residents, workers and business owners.

The City’s failure to provide updated, accurate Annual Reports to its land use decision makers impairs the decision making process and integrity on issues of great concern to health, safety, general welfare, and quality of life.”

The law suit asks the court to compel the City to bring the Annual Reports up to date from 1998 and then to do them annually as required by law. It does not ask for a moratorium on issuing permits as the LaBrea – Willoughby filing does.

“The reality is,” explained one land use attorney who asked not to remain anonymous, “the City issues millions of building permits every year. The information being used to approve those permits ... and for neighborhood councils and stakeholders to weigh in in their advisory capacity ... is dangerously out dated. Thousands of these permit decisions affect our neighborhoods and our future. In addition, providing the Annual Reports is the law. Why shouldn't the City have to obey the law?”

As the law suits mount up, it would seem to make good economic sense for the City to use the dollars it will spend defending itself in court on personnel to update the Annual Reports. ■

Click [here](#) for the Fix The City law suit.

Click [here](#) for the LaBrea-Willoughby law suit.

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