

Los Angeles City Council, **Journal/Council Proceedings**

Friday, **October 17, 2008**

John Ferraro Council Chamber, Room 340, City Hall - 10:30 am

- - - SPECIAL COUNCIL MEETING - - -

10:30 A.M. OR AS SOON THEREAFTER
AS COUNCIL RECESSES ITS REGULAR MEETING

ROLL CALL - Members present: Alarcon, Cardenas, Greuel, Huizar, LaBonge, Reyes, Rosendahl, Smith, Weiss, Wesson, Zine and President Garcetti (12); Absent: Hahn, Parks and Perry (3).

ROLL CALL NUMBER (#) - INDICATES THE ORDER IN WHICH THE ITEMS WERE ACTED
UPON DURING THE COUNCIL MEETING

Veto Message from the Mayor - Item 21

ITEM NO. (21) - MOTION ADOPTED TO SUSTAIN MAYOR'S VETO

Roll Call #3 - Motion (Greuel - Garcetti) Adopted, Unanimous Vote (11); Absent: Hahn, Parks, Perry and Reyes (4)

[08-2368](#)

MAYOR'S VETO MESSAGE disapproving Council's action of October 1, 2008 to transfer \$96,000 from the Unappropriated Balance and to approve the retention of an outside law firm to assist the City Attorney in defending the case entitled John Quarles, et al. v. City of Los Angeles, et al. United States District Court Case No. CV 06-08222 DPP (SSx).

PURSUANT TO CHARTER SECTION 341 (b)

10 VOTES REQUIRED TO OVERRIDE MAYOR'S VETO

(Council may recess to Closed Session, pursuant to Government Code Section 54956.9(a) to confer with its legal counsel relative to the above matter)

Items for Which Public Hearings Have Not Been Held - Items 22-27

(10 Votes Required for Consideration)

ITEM NO. (22) - ADOPTED

Roll Call #1 - Motion (Garcetti - Greuel) Adopted, Ayes (12); Absent: Hahn, Parks and Perry (3)

[08-2787](#)

RESOLUTION relative to the Declaration of Local Emergency by the Mayor, dated October 14, 2008 due to the Marek and Sesnon wildland fires driven by dry conditions and high winds which caused significant damage to property in and around the wildland fires' boundaries, pursuant to the provisions of the Los Angeles Administrative Code (LAAC) Section 8.27.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to approve the Mayor's Declaration of Local Emergency, directing the Emergency Operations Organization to take such steps that are necessary for the protection of life and property in the affected areas; directing all City Departments impacted by the fire and its ongoing effects to continue conducting damage assessments and collecting cost estimates for the purpose of State and Federal disaster assistance; requesting the County of Los Angeles Board of Supervisors to declare a local emergency; and, directing that the Declaration of Local Emergency shall take effect immediately and that the widespread publicity and notice shall be given this Declaration through the most feasible and adequate means of disseminating such notice throughout the City.

(Pursuant to Section 8.27 of the LAAC, Council approval of the existence of a local emergency and need for continuing state of local emergency is required within seven days from the original declaration by the Mayor and every 14 days thereafter until terminated.)

ITEM NO. (23) - FAILED OF ADOPTION

Roll Call #2 - Motion (Cardenas - Alarcon) Adopted, Ayes (3); Noes: Greuel, Huizar, LaBonge, Rosendahl, Smith, Weiss, Wesson, Zine and President Garcetti (9); Absent: Hahn, Parks and Perry (3)

[08-0002-S138](#)

COMMUNICATION FROM CHAIR, AD HOC COMMITTEE ON GANG VIOLENCE AND YOUTH DEVELOPMENT and RESOLUTION relative to the City's position on Proposition 5, the Nonviolent Offender Rehabilitation Act.

Recommendation for Council action, pursuant to Resolution (Cardenas - Parks) SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to include in the City's 2007-08 State Legislative Program SUPPORT for Proposition 5, the Nonviolent Offender Rehabilitation Act, which will provide effective, community-based, culturally and linguistically appropriate drug treatment and supportive services to nonviolent offenders instead of prison and ensure that youth inside and outside the criminal justice system are given early and effective treatment to prevent future addiction and crime.

Fiscal Impact Statement: None submitted by the Chief Legislative Analyst. The City Administrative Officer has not completed a financial analysis of this report.

Community Impact Statement: None submitted.

(Rules and Government Committee waived consideration of the above matter)

**ITEM NO. (24) - FAILED OF ADOPTION - OVER TO OCTOBER 21, 2008 PURSUANT TO COUNCIL
RULE 53**

**Roll Call #4 - Motion (Alarcon - Cardenas) Adopted, Ayes (7); Noes: Rosendahl, Smith and Zine (3);
Absent: Hahn, Parks, Perry, Reyes and Weiss (5)**

08-2400

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST and RESOLUTION (ALARCON - CARDENAS - REYES - WESSON - HUIZAR - GARCETTI - PARKS) relative to the City's position on the California Voters First Initiative, Proposition 11.

Recommendation for Council action, SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to include in the City's 2007-08 State Legislative Program: 1) OPPOSITION to Proposition 11, the California Voters First Initiative; and, 2) URGE the State Legislature to develop its own redistricting plan to place a referendum on the 2010 ballot that addresses concerns with previous proposals.

Community Impact Statement: None submitted

(Rules and Government Committee waived consideration of the above matter)

ITEM NO. (25) - ADOPTED

Roll Call #1 - Motion (Garcetti - Greuel), Ayes (12); Absent: Hahn, Parks and Perry (3)

08-2786

CONSIDERATION OF MOTION (PARKS - PERRY) relative to funding from the Heritage Month Celebrations and Special Events line item in the General City Purposes budget for the Kwanza Foundation's Spoken Word 2009 and the third annual "Taste of Soul" sponsored by Mothers in Action.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the use of \$55,000 in the Council's portion of the Heritage Month Celebration and Special Events line item in the General City Purposes Fund No. 100/56 as follows:
 - a. \$15,000 to fund any aspect of the Kwanza Foundation's Spoken Word 2009;
 - b. \$40,000 to fund any aspect of the third annual "Taste of Soul" community event sponsored by Mothers in Action.

2. INSTRUCT the City Clerk to prepare the necessary document(s) with, and/or payment(s) in an amount not to exceed \$15,000 to the Kwanza Foundation, and in an amount not to exceed \$40,000 to Mothers in Action, or any other agency or organization, as appropriate, in the above amounts, for the above purposes, subject to the approval of the City Attorney, if needed.
3. AUTHORIZE the City Clerk to make any technical corrections or clarifications to the above instructions in order to effectuate the intent of the Motion.

(Budget and Finance Committee waived consideration of the above matter)

ITEM NO. (26) - ADOPTED

Roll Call #5 - Motion (Rosendahl - Cardenas), Ayes (10); Absent: Hahn, Parks, Perry, Reyes and Weiss (5)

[08-0002-S115](#)

CONSIDERATION OF RESOLUTION (HAHN - CARDENAS) relative to the City's position on H.R. 5662 the "Putting our Resources Towards Security Act."

Recommendation for Council action, SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to include in the City's 2007-08 Federal Legislative Program SUPPORT for H.R. 5662 the "Putting our Resources Towards Security Act, " which would (1) require the Secretary of Homeland Security, during the next five years, to increase as specified the number of Customs and Border Protection Officers, Agricultural Specialists and Border Security Support Personnel for posting at U.S. ports of entry; and (2) authorize \$1,000,000,000 for each of Fiscal Years 2009-2013 to make improvements to existing ports of entry in the United States to improve border security and for other purposes as specified.

Community Impact Statement: None submitted.

(Rules and Government Committee waived consideration of the above matter)

ITEM NO. (27) - ADOPTED

Roll Call #1 - Motion (Garcetti - Greuel) , Ayes (12); Absent: Hahn, Parks and Perry (3)

[08-0002-S121](#)

CONSIDERATION OF RESOLUTION (HAHN - SMITH) relative to the City's position on S. 1237 and HR 2074 regarding closing the "terror gap."

Recommendation for Council action, SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to include in the City's 2008-09 Federal Legislative Program SUPPORT for S. 1237 and HR 2074 or any subsequent legislation which would add individuals who are suspected of terrorism as a tenth category of prohibitions against dangerous persons purchasing or possessing firearms.

Community Impact Statement: None submitted.

(Rules and Government Committee waived consideration of the above matter)

Councilmember Alarcon moved, seconded by Councilmember Reyes, that the Special Council meeting adjourn.

Ayes, Alarcon, Cardenas, Greuel, Huizar, LaBonge, Reyes, Rosendahl, Smith, Weiss, Wesson, Zine and President Garcetti (12); Absent: Hahn, Parks and Perry (3).

Whereupon the Special Council meeting did adjourn.

ATTEST: Karen E. Kalfayan, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL