

Los Angeles City Council, **Journal/Council Proceedings**
Tuesday, **July 14, 2009**
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

ROLL CALL - Members present: Alarcón, Cárdenas, Huizar, Koretz, Parks, Perry, Rosendahl, Smith, Wesson, and President Garcetti (10); Absent: Hahn, LaBonge, Reyes and Zine (4); Vacant: Council District Two

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
JULY 8, 2009

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 39

PUBLIC TESTIMONY ON NON-AGENDA ITEMS AT THE CALL OF THE CHAIR -
An opportunity for public testimony was provided.

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

ITEM NO. (1) - PUBLIC HEARING CLOSED - BALLOT TABULATION ON JULY 15, 2009

Roll Call #1 - Motion (Smith - Perry) Adopted to Close Public Hearing, Ayes (10); Absent: Hahn, LaBonge, Reyes and Zine (4)

[09-0127](#)

CDs 9 & 14

HEARING OF PROTESTS relative to the establishment of the Downtown Industrial District Property and Business Improvement District (BID), pursuant to Section 53753 of the California Government Code, Section 36600 et seq. of the California Streets and Highways Code and Article XIII D of the California Constitution.

(Pursuant to Council adoption of Ordinance No. 180699 on May 20, 2009. Public announcement of the tabulation of ballots is on Wednesday, July 15, 2009.)

**Roll Call #2 - Motion (Huizar - Parks) Adopted to Continue, Unanimous Vote (10); Absent: Hahn, LaBonge, Reyes and Zine (4)
(Item Nos. 2-4)**

**ITEM NO. (2) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED
AUGUST 4, 2009**

[08-3471](#)

CD 7

HEARING PROTESTS against the proposed improvement and maintenance of the Paxton Street and Bradley Avenue Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Paxton Street and Bradley Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on May 13, 2009 - Continue hearing and present Ordinance on AUGUST 4, 2009 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (3) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED
AUGUST 4, 2009**

[08-3472](#)

CD 2

HEARING PROTESTS against the proposed improvement and maintenance of the Fulton Avenue and Oxnard Street Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Fulton Avenue and Oxnard Street Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on May 13, 2009 - Continue hearing and present Ordinance on AUGUST 4, 2009 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (4) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED
AUGUST 4, 2009**

[09-0790](#)

CD 11

HEARING PROTESTS against the proposed improvement and maintenance of the Union Jack Street and Speedway Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Union Jack Street and Speedway Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on May 13, 2009 - Continue hearing and present Ordinance on AUGUST 4, 2009 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (5) - CONTINUED TO JULY 15, 2009

Roll Call #10 - Motion (Garcetti - Parks) Adopted to Continue, Unanimous Vote (12); Absent: Reyes and Zine (2)

[09-0890](#)

CD 1

CONTINUED CONSIDERATION OF HEARING PROTESTS relative to Department of Building and Safety report and confirmation of lien against property located at 3900 North Figueroa Street, APN 5451-006-021. (Lien: \$1,871.65)

Recommendations for Council action:

1. HEAR PROTESTS relative to a proposed lien recorded against property located at 3900 North Figueroa Street, to recover the cost of delinquent annual inspection invoices, plus appropriate fees and fines, as authorized by the Los Angeles Municipal Code Section 98.0402(e), and Sections 7.35.3 and 7.35.5 of the Los Angeles Administrative Code, as described in the Building and Safety report, attached to the Council file; and, CONFIRM said lien.
2. INSTRUCT the Department of Building and Safety to deposit to Department 08, Fund 48R, Balance Sheet Account 2200, any payment received against this lien in the amount of \$1,871.65 on the above referenced property.

(Continued from Council meeting of July 7, 2009)

Items for Which Public Hearings Have Been Held - Items 6-72

ITEM NO. (6) - ADOPTED

Roll Call #7 - Motion (Parks - Hahn) Adopted, Ayes (12); Absent: Reyes and Zine (2)

[09-1429](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the appointment of Mr. Adlai Wertman to the Board of Fire and Police Pension Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Adlai Wertman to the Board of Fire and Police Pension Commissioners for the term ending June 30, 2011 is APPROVED and CONFIRMED. Mr. Wertman resides in Council District 11. (Current Commission gender composition: M=7; F=2)

Background Check Review:

Ethics Commission Review: Pending

Community Impact Statement: None submitted.

TIME LIMIT FILE - JULY 26, 2009

(LAST DAY FOR COUNCIL ACTION - JULY 24, 2009)

**Roll Call #4 - Motion (Huizar - Perry) Adopted, Ayes (10); Absent: Hahn, LaBonge, Reyes and Zine (4)
(Item Nos. 7-25)**

ITEM NO. (7) - ADOPTED

[09-1235](#)

ORDINANCE SECOND CONSIDERATION for the proposed maintenance and operation of the annual assessment of the 2009-10 - Los Angeles City Lighting District.

(Public hearing closed on July 7, 2009)

ITEM NO. (8) - ADOPTED

[09-1236](#)

ORDINANCE SECOND CONSIDERATION for the proposed maintenance and operation of the annual assessment of the 1996-97 Z-Series Street Lighting Maintenance Assessment District for 2009-10.

(Public hearing closed on July 7, 2009)

ITEM NO. (9) - ADOPTED

[09-1237](#)

ORDINANCES SECOND CONSIDERATION for the proposed maintenance and operation of the annual assessment of the 2009-10 - Proposition 218 Confirmed Street Lighting Assessment District - Benefiting Footage Method and Land Use Method.

(Public hearing closed on July 7, 2009)

ITEM NO. (10) - ADOPTED

[09-0583](#)

CD 6

ORDINANCE SECOND CONSIDERATION levying the assessments and ordering the maintenance of Cohasset Street and Orion Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing closed on July 7, 2009)

ITEM NO. (11) - ADOPTED

[09-0585](#)

CD 11

ORDINANCE SECOND CONSIDERATION levying the assessments and ordering the maintenance of Olympic Boulevard and Stoner Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing closed on July 7, 2009)

ITEM NO. (12) - ADOPTED

[09-0586](#)

CD 11

ORDINANCE SECOND CONSIDERATION levying the assessments and ordering the maintenance of the Bundy Drive and Rochester Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing closed on July 7, 2009)

ITEM NO. (13) - ADOPTED

[09-0587](#)

CD 6

ORDINANCE SECOND CONSIDERATION levying the assessments and ordering the maintenance of the Cantara Street and Ensign Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing closed on July 7, 2009)

ITEM NO. (14) - ADOPTED

[09-0588](#)

CD 9

ORDINANCE SECOND CONSIDERATION levying the assessments and ordering the maintenance of the Hewitt and First Streets Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing closed on July 7, 2009)

ITEM NO. (15) - ADOPTED

[09-0589](#)

CD 12

ORDINANCE SECOND CONSIDERATION levying the assessments and ordering the maintenance of the Plummer Street and Corbin Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing closed on July 7, 2009)

ITEM NO. (16) - ADOPTED

[09-0850](#)

CD 11

ORDINANCE SECOND CONSIDERATION establishing zone changes, boundaries and revising a Qualified [Q] condition for the Loyola Village Community Design Overlay District in the Westchester-Playa Del Rey Community Plan Area.

(Negative Declaration and Planning and Land Use Management Committee Report adopted in Council on July 7, 2009)

ITEM NO. (17) - ADOPTED

[09-0967](#)

CD 4

ORDINANCE SECOND CONSIDERATION for a zone change for property at 1850 North Cherokee Avenue.

(Mitigated Negative Declaration, Planning and Land Use Management Committee Report adopted in Council on July 7, 2009)

ITEM NO. (18) - ADOPTED

[09-0994](#)

CD 3

ORDINANCE SECOND CONSIDERATION for a zone change for property at 7112-14 Baird Avenue.

(Mitigated Negative Declaration, Planning and Land Use Management Committee Report adopted in Council on July 7, 2009)

ITEM NO. (19) - ADOPTED

[09-1440](#)

CD 9

ORDINANCE SECOND CONSIDERATION for a General Plan Amendment and zone change for property at 1340-60 South Figueroa Street (Lot 1) and 1355-65 South Flower Street (Lot 2).

(Mitigated Negative Declaration, Planning and Land Use Management Committee Report and Resolution adopted in Council on July 7, 2009)

ITEM NO. (20) - ADOPTED

[09-1255](#)

ORDINANCE SECOND CONSIDERATION for a proposed Consent to Assignment and Modification and Amended and Restated Arizona Nuclear Power Project (ANPP) Hassayampa Switchyard Interconnection Agreement (DWP No. BP 01-011).

(Energy and Environment Committee Report adopted in Council on July 7, 2009)

ITEM NO. (21) - ADOPTED

[09-1124](#)

CD 9

ORDINANCE OF INTENTION SECOND CONSIDERATION setting the date of **SEPTEMBER 8, 2009** as the hearing date for the maintenance of the 59th and Main Streets Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

(Communication from the Bureau of Street Lighting Adopted In Council on July 7, 2009)

ITEM NO. (22) - ADOPTED

[09-1167](#)

CD 13

ORDINANCE OF INTENTION SECOND CONSIDERATION setting the date of **SEPTEMBER 8, 2009** as the hearing date for the maintenance of the Elsinore and Alvarado Streets Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

(Communication from the Bureau of Street Lighting Adopted In Council on July 7, 2009)

ITEM NO. (23) - ADOPTED

[09-1269](#)

CD 4

ORDINANCE OF INTENTION FIRST CONSIDERATION setting the date of **SEPTEMBER 8, 2009** as the hearing date for the maintenance of the Kling Street and Denny Avenue Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

(Communication from the Bureau of Street Lighting Adopted In Council on July 7, 2009)

ITEM NO. (24) - ADOPTED

[09-1271](#)

CD 3

ORDINANCE OF INTENTION FIRST CONSIDERATION setting the date of **SEPTEMBER 8, 2009** as the hearing date for the maintenance of the Valerio Street and Lubao Avenue Lighting District, In Accordance With Proposition 218, Articles XIII C And XIII D Of The California Constitution And Government Code Section 53753.

(Communication from the Bureau of Street Lighting Adopted In Council on July 7, 2009)

ITEM NO. (25) - ADOPTED

[09-1369](#)

CD 1

ORDINANCE OF INTENTION SECOND CONSIDERATION setting the date of **SEPTEMBER 8, 2009** as the hearing date for the maintenance of the Cesar E. Chavez Avenue and Figueroa Street No. 1 Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

(Communication from the Bureau of Street Lighting Adopted In Council on July 7, 2009)

ITEM NO. (26) - ADOPTED - FORTHWITH - SEE FOLLOWING

Roll Call #12 - Motion (Garcetti - Parks) Adopted, Ayes (12); Absent: Reyes and Zine (2)

[07-2438-S12](#)

COMMUNICATION FROM THE GENERAL MANAGER, LOS ANGELES HOUSING DEPARTMENT relative to an ARRA United States Department of Housing and Urban Development's Neighborhood Stabilization Program 2 grant award in the amount of \$100,000,000 for the acquisition, restoration, rehabilitation, and sale of foreclosed properties, and related actions.

(Ad Hoc Committee on Economic Recovery and Reinvestment report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

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

1. INSTRUCT the General Manager, Housing Department, or designee, to:
 - a. Submit the NSP2 Notice of Funding Availability grant application for \$100,000,000 to HUD by July 17, 2009.
 - b. Report to Council, upon notification of grant award from HUD, to with an NSP2 program budget and other actions as necessary to implement the program.

2. AUTHORIZE the Controller, for the continuation of budgetary authorities for NSP1 in fiscal year 2009-2010, to:

- a. Establish new appropriation account within Neighborhood Stabilization Program Fund 50T/43 as follows:

| <u>Account</u> | <u>Title</u> |
|----------------|----------------------|
| F143 | Housing |
| F299 | Related Costs |
| F304 | NSP1 - Admin Reserve |

- b. Transfer appropriations within Fund 50T/43, as follows:

| | <u>Account</u> | <u>Title</u> | <u>Amount</u> |
|-------|----------------|---------------|---------------|
| From: | E143 | Housing | \$12,962 |
| | E299 | Related Costs | 9,073 |
| To: | E143 | Housing | 12,962 |
| | E299 | Related Costs | 9,073 |

| | <u>Account</u> | <u>Title</u> | <u>Amount</u> |
|-------|----------------|--------------------|----------------|
| From: | E820 | NSP Program Admin | \$369,662 |
| To: | F143 | Housing | 67,623 |
| | F299 | Related Costs | 36,836 |
| | F304 | NSP1-Admin Reserve | <u>265,203</u> |
| | | Total: | \$369,662 |

- c. Increase appropriations in General Fund 100/43, as follows:

| <u>Account</u> | <u>Title</u> | <u>Amount</u> |
|----------------|-------------------------|---------------|
| 1010 | Salaries | \$65,585 |
| 6010 | Office & Administrative | <u>15,000</u> |
| | Total | \$80,585 |

- d. Expend NSP1 funds not to exceed \$369,662 in the above funds and general administrative accounts for Fiscal Year 2009-2010 upon proper written demand of the General Manager, Housing Department, or designee.
3. AUTHORIZE the General Manager, Housing Department, or designee, to prepare Controller instructions and any necessary technical adjustments that are consistent with this action, subject to the approval of the City Administrative Officer, and REQUEST that the Controller implement those instructions.

Fiscal Impact Statement: The Housing Department reports that this action will not impact the General Fund.

**Roll Call #4 - Motion (Huizar - Perry) Adopted, Ayes (10); Absent: Hahn, LaBonge, Reyes and Zine (4)
(Item Nos. 27-29)**

ITEM NO. (27) - ADOPTED

[09-0600-S3](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to a request to restore six resolution authority positions in the Bureau of Street Services Illegal Sign Division (Budget Motion No. 14).

Recommendation for Council action, as initiated by Motion (Huizar - Smith):

INSTRUCT the City Administrative Officer (CAO) to report back to the Council relative to a request to restore six resolution authority positions in the Bureau of Street Services Illegal Sign Division consisting of one Senior Street Services Investigator II and five Maintenance Laborers to be offset by fees from violations.

Fiscal Impact Statement: Neither the CAO nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (28) - ADOPTED

[09-0600-S4](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to referral of the moratorium on all Special Event declarations, Section (iv) of the new Special Events Fee subsidies proposal, to the Budget and Finance Committee to be considered along with the necessary ordinance to reform the special events process. (Budget Motion No. 15).

Recommendation for Council action:

RECEIVE and FILE the Motion (Huizar - LaBonge) relative to referral of the moratorium on all Special Event declarations, Section (iv) of the new Special Events Fee subsidies proposal, to the Budget and Finance Committee to be considered along with the necessary ordinance to reform the special events process, inasmuch as the matter will be considered by the Budget and Finance Committee upon submission to the Council for its consideration of the related reports and Ordinance, and no Council action is necessary at this time.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (29) - ADOPTED

[09-1178](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to a conflict waiver request of Hawkins Delafield and Wood LLP.

Recommendations for Council action:

1. APPROVE the request from Hawkins Delafield and Wood LLP for a waiver of potential or actual conflicts of interest.
2. AUTHORIZE the City Attorney, or designee, to execute the waiver on behalf of the City.

Fiscal Impact Statement: None submitted by the City Attorney. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (30) - ADOPTED

Roll Call #9 - Motion (Alarcon - Hahn) Adopted, Ayes (10); Noes: Cardenas and Huizar (2); Absent: Reyes and Zine (2)

[08-2758](#)

CD 2

EDUCATION AND NEIGHBORHOODS COMMITTEE REPORT relative to an application to rename a community Sherman Oaks.

Recommendations for Council action:

1. APPROVE the application relative to renaming a community Sherman Oaks, roughly located in a neighborhood north of Burbank Boulevard, south of Oxnard Street, east of Sepulveda Boulevard and west of Hazeltine Avenue, with the following boundaries:
 - a. Eastern Boundary - Northside of Burbank Boulevard, West side of Hazeltine, North side of Califa/Tiara.

- b. Northern Boundary - Northside of Califa/Tiara. This boundary includes the residences on Vesper Street which may have addresses on Oxnard Boulevard. Califa Street is located along the Western end of the North Boundary. The street does not have passage through to Sepulveda Boulevard which is the Western boundary. The applicants request that a boundary line is extended from the North West corner of the intersection of Califa and Halbrent to Sepulveda Boulevard to the West.
 - c. Exclusion - East and Westside of Van Nuys Boulevard consistent with the current exclusion from Magnolia Boulevard through Burbank Boulevard.
 - d. Western Boundary - Eastside of the 405 Freeway.
2. INSTRUCT all relevant departments to perform the necessary requirements to effectuate the renaming of this community, including but not limited to, the installation of signs.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst have completed a financial analysis of this report.

Community Impact Statement: Yes
 Against Proposal: Van Nuys Neighborhood Council
 Sherman Oaks Neighborhood Council

**Roll Call #4 - Motion (Huizar - Perry) Adopted, Ayes (10); Absent: Hahn, LaBonge, Reyes and Zine (4)
 (Item Nos. 31-44)**

ITEM NO. (31) - ADOPTED

[09-0144](#)

ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to proposed Settlement Agreement; Proposed Amendment No. 1 to Contract No. C-96463 (Landfill Gas Collection System Operations and Maintenance Agreement); and Amendment No. 3 to Contract No. C-66074 (Landfill Gas Lease) with Neo Lopez Canyon, LLC and MM Lopez Canyon, LLC.

Recommendations for Council action:

- 1. APPROVE the settlement agreement and General Release between the City of Los Angeles and NEO Lopez Canyon, LLC (NEO) and MM Lopez Canyon, LLC (MM).
- 2. AUTHORIZE the Board of Public Works (BPW) to execute Amendment No. 1 to Contract No. C-96463, Landfill Gas Collection System Operation and Maintenance Agreement with NEO.
- 3. REQUEST the City Attorney to assist the Bureau of Sanitation (BOS) with regard to the interpretation of Contract No. C-98601, Site Lease with MM, as it relates to royalties from the sale of power and gas.
- 4. AUTHORIZE the BPW to execute Amendment No. 3 to Contract No. C-66074, Landfill Gas Lease with NEO.

Fiscal Impact Statement: The City Administrative Officer reports that there is no General Fund impact. The Settlement Agreement amount of \$242,001 will be deposited in Fund 488, Landfill Closure and Postclosure Trust Fund, Department 50, Miscellaneous Revenue Account 4551. The funds will be used for future closure and/or post closure maintenance costs related to City landfills.

Community Impact Statement: None submitted.

ITEM NO. (32) - ADOPTED

[09-1193](#)

CD 9

ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to the feasibility of creating an underground wiring district on Central Avenue between Washington Boulevard and Slauson Avenue.

Recommendation for Council action, pursuant to Motion (Perry - Parks):

DIRECT the Los Angeles Department of Water and Power and Department of Public Works, with the assistance of all relevant departments, to prepare a study for consideration by Council and the Public Works Committee detailing the feasibility of creating an underground wiring district on Central Avenue between Washington Boulevard and Slauson Avenue.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

ITEM NO. (33) - ADOPTED

[09-1323](#)

CD 14

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to approval of a new parking license agreement with the Los Angeles Department of Water and Power (LADWP) at 605 East Temple Street.

Recommendations for Council Action:

1. AUTHORIZE the Department of General Services (GSD) to negotiate and execute a parking license agreement with the LADWP, Licensor, for short-term parking at 605 East Temple Street, Los Angeles, California under the terms and conditions substantially as detailed in the May 28, 2009 GSD report and attached to the Council file.
2. AMEND the May 28, 2009 GSD report as follows:

Rental Rate: Delete "\$04.65 cents per square foot" and replace with "\$.05 cents per square foot."

Fiscal Impact Statement: The GSD reports that there will be an offsetting reduction in the payment to the City by the LADWP for personnel services equal to the amount of rent specified in this agreement.

Community Impact Statement: None submitted.

ITEM NO. (34) - ADOPTED

[09-1331](#)

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to authorization to destroy certain obsolete records from the Personnel Department, Workers Compensation Division (PER/70 - 12 Boxes) for the period of January 1, 2003 through December 31, 2005.

Recommendation for Council Action:

RECEIVE and FILE the June 3, 2009 City Attorney report relative to the destruction of certain obsolete records from the Personnel Department, Workers Compensation Division (PER/70 - 12 Boxes) for the period of January 1, 2003 through December 31, 2005.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (35) - ADOPTED

[09-1332](#)

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Los Angeles Department of Transportation, Rates and Franchise Division (DOT/31 - 174 Boxes) for the period of January 1, 1984 through December 31, 2005.

Recommendation for Council Action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the Los Angeles Department of Transportation, Rates and Franchise Division (DOT/31 - 174 Boxes) for the period of January 1, 1984 through December 31, 2005.

Fiscal Impact Statement: The City Clerk reports that the retention of the retention of 174 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$27.14 per month, or \$325.68 per year.

Community Impact Statement: None submitted.

[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 473-8449 or via email at Todd.Gaydowski@lacity.org to arrange for inspection of records.]

ITEM NO. (36) - ADOPTED

09-1337

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Los Angeles Department of Transportation, Master Files Division (DOT/12 - 22 Boxes) for the period of January 1, 1996 through December 31, 1997.

Recommendation for Council Action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the Los Angeles Department of Transportation, Master Files Division (DOT/12 - 22 Boxes) for the period of January 1, 1996 through December 31, 1997.

Fiscal Impact Statement: The City Clerk reports that the retention of the retention of 22 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$3.43 per month, or \$41.16 per year.

Community Impact Statement: None submitted.

[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 473-8449 or via email at Todd.Gaydowski@lacity.org to arrange for inspection of records.]

ITEM NO. (37) - ADOPTED

09-1338

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Los Angeles Department of Transportation, Personnel Division (DOT/15 - 6 Boxes) for the period of January 1, 1996 through April 30, 2003.

Recommendation for Council Action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the Los Angeles Department of Transportation, Personnel Division (DOT/15 - 6 Boxes) for the period of January 1, 1996 through April 30, 2003.

Fiscal Impact Statement: The City Clerk reports that the retention of the retention of 408 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$.94 per month, or \$11.28 per year.

Community Impact Statement: None submitted.

[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 473-8449 or via email at Todd.Gaydowski@lacity.org to arrange for inspection of records.]

ITEM NO. (38) - ADOPTED

[09-1363](#)

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Personnel Department, Medical Services Division (PER/60 - 3,031 Boxes) for the period of January 1, 1930 through September 30, 1998.

Recommendations for Council Action:

1. ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the Personnel Department, Medical Services Division (PER/60 - 3,031 Boxes) for the period of January 1, 1930 through September 30, 1998.
2. AUTHORIZE the destruction of only those records labeled "Custody Case Medical Treatment File" as detailed in the June 4, 2009 City Attorney report, attached to the Council file.

Fiscal Impact Statement: The City Clerk reports that the retention of the retention of 3,031 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$472.84 per month, or \$5,674.08 per year.

Community Impact Statement: None submitted.

[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 473-8449 or via email at Todd.Gaydowski@lacity.org to arrange for inspection of records.]

ITEM NO. (39) - ADOPTED

[09-1364](#)

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Los Angeles Department of Transportation, Data Systems Division (DOT/26 - 2 Boxes) for the period of January 1, 1980 through December 31, 1995.

Recommendation for Council Action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the Los Angeles Department of Transportation, Data Systems Division (DOT/26 - 2 Boxes) for the period of January 1, 1980 through December 31, 1995.

Fiscal Impact Statement: The City Clerk reports that the retention of the retention of 2 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$.31 per month, or \$3.72 per year.

Community Impact Statement: None submitted.

[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213)

473-8449 or via email at Todd.Gaydowski@lacity.org to arrange for inspection of records.]

ITEM NO. (40) - ADOPTED

09-1365

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Los Angeles Department of Transportation, Liability Claims Management Division (DOT/02 - 10 Boxes) for the period of January 1, 1992 through June 30, 1998.

Recommendation for Council Action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the Los Angeles Department of Transportation, Liability Claims Management Division (DOT/02 - 10 Boxes) for the period of January 1, 1992 through June 30, 1998.

Fiscal Impact Statement: The City Clerk reports that the retention of the retention of 10 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$1.56 per month, or \$18.72 per year.

Community Impact Statement: None submitted.

[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 473-8449 or via email at Todd.Gaydowski@lacity.org to arrange for inspection of records.]

ITEM NO. (41) - ADOPTED

09-1366

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Los Angeles Department of Transportation, Material Control Division (DOT/17 - 28 Boxes) for the period of July 1, 2002 through June 30, 2005.

Recommendation for Council Action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the Los Angeles Department of Transportation, Material Control Division (DOT/17 - 28 Boxes) for the period of July 1, 2002 through June 30, 2005.

Fiscal Impact Statement: The City Clerk reports that the retention of the retention of 28 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$4.37 per month, or \$52.44 per year.

Community Impact Statement: None submitted.

[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 473-8449 or via email at Todd.Gaydowski@lacity.org to arrange for inspection of records.]

ITEM NO. (42) - ADOPTED

[09-1367](#)

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Los Angeles Department of Transportation, Regulation and Enforcement Division (DOT/33 - 408 Boxes) for the period of January 1, 1969 through December 31, 2006.

Recommendation for Council Action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the Los Angeles Department of Transportation, Regulation and Enforcement Division (DOT/33 - 408 Boxes) for the period of January 1, 1969 through December 31, 2006.

Fiscal Impact Statement: The City Clerk reports that the retention of the retention of 408 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$63.65 per month, or \$763.80 per year.

Community Impact Statement: None submitted.

[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 473-8449 or via email at Todd.Gaydowski@lacity.org to arrange for inspection of records.]

ITEM NO. (43) - ADOPTED

[09-0949](#)

CD 14

MITIGATED NEGATIVE DECLARATION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a variance appeal for property at 3425 East First Street.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 09-0949 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2006-10110 MND] filed on October 5, 2007.
2. ADOPT FINDINGS of the Zoning Administrator as the Findings of the Council.
3. RESOLVE TO DENY APPEAL filed by Boyle Heights Neighborhood Stakeholders Association (BHSA), Nadine Diaz/BHSA Executive Board, Representative, from the entire decision of the East Los Angeles Area Planning Commission (ELAAPC), in sustaining the decision of the Zoning Administrator, THEREBY APPROVE a Variance for the construction of a grand entrance attached to the existing building containing office and retail space in a P-1 Zone for all property at 3425 East First Street, subject to Conditions of Approval, as modified by the ELAAPC.

Applicant: Pedro Rosado; Representative: Brian Silveira ZA 2006-10109-CU-CUB-CUX-ZV-1A

Fiscal Impact Statement: The ELAAPC reports that there is no General Fund impact, as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JULY 31, 2009

(LAST DAY FOR COUNCIL ACTION - JULY 31, 2009)

ITEM NO. (44) - ADOPTED

[05-0872-S56](#)

CD 3

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from the Medical Marijuana Dispensaries Interim Control Ordinance (ICO) for property at 20000 West Ventura Boulevard, Suites B and C.

Recommendation for Council action:

DENY the application for a hardship exemption from provisions of the Medical Marijuana Dispensaries ICO (No. 179027) for the Hills Caregivers located at 20000 West Ventura Boulevard, Suites B and C.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (45) - RECEIVED AND FILED IN AS MUCH AS APPLICATION HAS BEEN WITHDRAWN

Roll Call #3 - Motion (Cardenas - Koretz) Adopted to Receive and File, Unanimous Vote (10); Absent: Hahn, LaBonge, Reyes and Zine (4)

[05-0872-S106](#)

CD 3

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from the Medical Marijuana Dispensaries Interim Control Ordinance (ICO) for property at 18375 West Ventura Boulevard, Suite 329.

Recommendation for Council action:

DENY the application for a hardship exemption from provisions of the Medical Marijuana Dispensaries ICO (No. 179027) for the business located at 18375 West Ventura Boulevard, Suite 329.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

**Roll Call #4 - Motion (Huizar - Perry) Adopted, Ayes (10); Absent: Hahn, LaBonge, Reyes and Zine (4)
(Item Nos. 46-50)**

ITEM NO. (46) - ADOPTED

[05-0872-S107](#)
CD 3

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from the Medical Marijuana Dispensaries Interim Control Ordinance (ICO) for property at 19528 West Ventura Boulevard, Suite 261.

Recommendation for Council action:

DENY the application for a hardship exemption from provisions of the Medical Marijuana Dispensaries ICO (No. 179027) for the business located at 19528 West Ventura Boulevard, Suite 261.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (47) - ADOPTED

[05-0872-S117](#)
CD 3

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from the Medical Marijuana Dispensaries Interim Control Ordinance (ICO) for property at 19513 West Ventura Boulevard.

Recommendation for Council action:

DENY the application for a hardship exemption from provisions of the Medical Marijuana Dispensaries ICO (No. 179027) for the Green Healing Group located at 19513 West Ventura Boulevard.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (48) - ADOPTED

[05-0872-S95](#)

CD 5

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from the Medical Marijuana Dispensaries Interim Control Ordinance (ICO) for property at 800 North Fairfax Avenue, No. 100.

Recommendation for Council action:

DENY the application for a hardship exemption from provisions of the Medical Marijuana Dispensaries ICO (No. 179027), for Fairfax Organic Farm located at 800 North Fairfax Avenue, No. 100.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (49) - ADOPTED

[05-0872-S169](#)

CD 5

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from the Medical Marijuana Dispensaries Interim Control Ordinance (ICO) for property at 7418 Melrose Avenue.

Recommendation for Council action:

DENY the application for a hardship exemption from provisions of the Medical Marijuana Dispensaries ICO (No. 179027) for Buds on Melrose located at 7418 Melrose Avenue.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (50) - ADOPTED

[05-0872-S217](#)

CD 5

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from the Medical Marijuana Dispensaries Interim Control Ordinance (ICO) for property at 15826 Ventura Boulevard, Suite 116.

Recommendation for Council action:

DENY the application for a hardship exemption from provisions of the Medical Marijuana Dispensaries ICO (No. 179027) for Encino Discount Collective located at 15826 Ventura Boulevard, Suite 116.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (51) - RECEIVED AND FILED IN AS MUCH AS APPLICATION HAS BEEN WITHDRAWN

Roll Call #3 - Motion (Cardenas - Koretz) Adopted to Receive and File, Unanimous Vote (10); Absent: Hahn, LaBonge, Reyes and Zine (4)

[05-0872-S236](#)

CD 5

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from the Medical Marijuana Dispensaries Interim Control Ordinance (ICO) for property at 7350 Melrose Avenue.

Recommendation for Council action:

DENY the application for a hardship exemption from provisions of the Medical Marijuana Dispensaries ICO (No. 179027) for LA-OG located at 7350 Melrose Avenue.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

**Roll Call #4 - Motion (Huizar - Perry) Adopted, Ayes (10); Absent: Hahn, LaBonge, Reyes and Zine (4)
(Item Nos. 52-71)**

ITEM NO. (52) - ADOPTED

[05-0872-S97](#)

CD 10

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from the Medical Marijuana Dispensaries Interim Control Ordinance (ICO) for property at 3008 Wilshire Boulevard, No. 100.

Recommendation for Council action:

DENY the application for a hardship exemption from provisions of the Medical Marijuana Dispensaries ICO (No. 179027) for the Wilshire Compassionate Collective located at 3008 Wilshire Boulevard, No. 100.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (53) - ADOPTED

[05-0872-S144](#)

CD 10

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from the Medical Marijuana Dispensaries Interim Control Ordinance (ICO) for property at 5208 West Pico Boulevard, No. 5.

Recommendation for Council action:

DENY the application for a hardship exemption from provisions of the Medical Marijuana Dispensaries ICO (No. 179027) for Canna Health Caregivers located at 5208 West Pico Boulevard, No. 5.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (54) - ADOPTED

[05-0872-S178](#)

CD 10

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from the Medical Marijuana Dispensaries Interim Control Ordinance (ICO) for property at 9636 Venice Boulevard.

Recommendation for Council action:

DENY the application for a hardship exemption from provisions of the Medical Marijuana Dispensaries ICO (No. 179027) for Holistic Harvest located at 9636 Venice Boulevard.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (55) - ADOPTED

[05-0872-S214](#)

CD 10

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from the Medical Marijuana Dispensaries Interim Control Ordinance (ICO) for property at 5427 West Pico Boulevard, Unit 201.

Recommendation for Council action:

DENY the application for a hardship exemption from provisions of the Medical Marijuana Dispensaries ICO (No. 179027) for Relax Herbal Place, Inc. located at 5427 West Pico Boulevard, Unit 201.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (56) - ADOPTED

[05-0872-S221](#)

CD 10

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from the Medical Marijuana Dispensaries Interim Control Ordinance (ICO) for property at 3511 West Olympic Boulevard, No. 203.

Recommendation for Council action:

DENY the application for a hardship exemption from provisions of the Medical Marijuana Dispensaries ICO (No. 179027) for Holistic Harvest located at 3511 West Olympic Boulevard, No. 203.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (57) - ADOPTED

[05-0872-S275](#)

CD 10

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from the Medical Marijuana Dispensaries Interim Control Ordinance (ICO) for property at 5591 West Pico Boulevard.

Recommendation for Council action:

DENY the application for a hardship exemption from provisions of the Medical Marijuana Dispensaries ICO (No. 179027) for Pot of Gold, etc., a Nonprofit Corporation, located at 5591 West Pico Boulevard.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (58) - ADOPTED

[05-0872-S309](#)

CD 10

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from the Medical Marijuana Dispensaries Interim Control Ordinance (ICO) for property at 2126 South La Brea Avenue, No. 104.

Recommendation for Council action:

DENY the application for a hardship exemption from provisions of the Medical Marijuana Dispensaries ICO (No. 179027) for 420 Wellness located at 2126 South La Brea Avenue, No. 104.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (59) - ADOPTED

[05-0872-S393](#)

CD 10

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from the Medical Marijuana Dispensaries Interim Control Ordinance (ICO) for property at 5155 West Washington Boulevard.

Recommendation for Council action:

DENY the application for a hardship exemption from provisions of the Medical Marijuana Dispensaries ICO (No. 179027) for Blue Moon Collective located at 5155 West Washington Boulevard.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (60) - ADOPTED

[05-0872-S398](#)

CD 10

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from the Medical Marijuana Dispensaries Interim Control Ordinance (ICO) for property at 5591 West Pico Boulevard.

Recommendation for Council action:

DENY the application for a hardship exemption from provisions of the Medical Marijuana Dispensaries ICO (No. 179027) for Green Care located at 5591 West Pico Boulevard.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (61) - ADOPTED

[05-0872-S426](#)

CD 10

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from the Medical Marijuana Dispensaries Interim Control Ordinance (ICO) for property at 9636 Venice Boulevard.

Recommendation for Council action:

DENY the application for a hardship exemption from provisions of the Medical Marijuana Dispensaries ICO (No. 179027) for Helping Hand Network, Inc. located at 9636 Venice Boulevard.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (62) - ADOPTED

[05-0872-S270](#)

CD 11

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from the Medical Marijuana Dispensaries Interim Control Ordinance (ICO) for property at 11924 Jefferson Boulevard.

Recommendation for Council action:

DENY the application for a hardship exemption from provisions of the Medical Marijuana Dispensaries ICO (No. 179027) for Green Oasis located at 11924 Jefferson Boulevard.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (63) - ADOPTED

[05-0872-S377](#)

CD 11

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from the Medical Marijuana Dispensaries Interim Control Ordinance (ICO) for property at 11600 San Vicente Boulevard.

Recommendation for Council action:

DENY the application for a hardship exemption from provisions of the Medical Marijuana Dispensaries ICO (No. 179027) for the Organic Living Center located at 11600 San Vicente Boulevard.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (64) - ADOPTED

[05-0872-S67](#)

CD 13

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from the Medical Marijuana Dispensaries Interim Control Ordinance (ICO) for property at 1640 Cahuenga Boulevard.

Recommendation for Council action:

DENY the application for a hardship exemption from provisions of the Medical Marijuana Dispensaries ICO (No. 179027), for the Green Guild located at 1640 Cahuenga Boulevard.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (65) - ADOPTED

[05-0872-S78](#)

CD 13

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from the Medical Marijuana Dispensaries Interim Control Ordinance (ICO) for property at 6410 Hollywood Boulevard.

Recommendation for Council action:

DENY the application for a hardship exemption from provisions of the Medical Marijuana Dispensaries ICO (No. 179027) for Advanced Patient's Collective located at 6410 Hollywood Boulevard.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (66) - ADOPTED

[05-0872-S330](#)

CD 13

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from the Medical Marijuana Dispensaries Interim Control Ordinance (ICO) for property at 6435 West Sunset Boulevard.

Recommendation for Council action:

DENY the application for a hardship exemption from provisions of the Medical Marijuana Dispensaries ICO (No. 179027) for City of Angels Wellness Center located at 6435 West Sunset Boulevard.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (67) - ADOPTED

[05-0872-S319](#)

CD 14

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from the Medical Marijuana Dispensaries Interim Control Ordinance (ICO) for property at 120 South Avenue 64.

Recommendation for Council action:

DENY the application for a hardship exemption from provisions of the Medical Marijuana Dispensaries ICO (No. 179027) for Northeast Collective at 120 South Avenue 64.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: Yes
Against proposal: Eagle Rock Neighborhood Council

ITEM NO. (68) - ADOPTED

[05-0872-S375](#)

CD 14

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from the Medical Marijuana Dispensaries Interim Control Ordinance (ICO) for property at 4157 Eagle Rock Boulevard.

Recommendation for Council action:

DENY the application for a hardship exemption from provisions of the Medical Marijuana Dispensaries ICO (No. 179027) for Universal Caregivers Center, a Non Profit Corporation, located at 4157 Eagle Rock Boulevard.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: Yes
Against proposal: Eagle Rock Neighborhood Council

ITEM NO. (69) - ADOPTED

[05-0872-S425](#)

CD 14

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from the Medical Marijuana Dispensaries Interim Control Ordinance (ICO) for property at 215 West Sixth Street, Suite 115.

Recommendation for Council action:

DENY the application for a hardship exemption from provisions of the Medical Marijuana Dispensaries ICO (No. 179027) for the business located at 215 West Sixth Street, Suite 115.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (70) - ADOPTED

[05-0872-S491](#)

CD 14

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to applications for hardship exemptions from the Medical Marijuana Dispensaries Interim Control Ordinance (ICO) for property at 2272 Colorado Boulevard, No. 1341.

Recommendation for Council action:

DENY the applications for hardship exemptions from provisions of the Medical Marijuana Dispensaries ICO (No. 179027) for Fantastic Healing Plants Collective, a Non Profit Corporation, and Gods Good Medicine, a Non Profit Corporation, located at 2272 Colorado Boulevard, No. 1341.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (71) - ADOPTED

[05-0872-S621](#)

CD 14

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from the Medical Marijuana Dispensaries Interim Control Ordinance (ICO) for property at 1733 Colorado Boulevard.

Recommendation for Council action:

DENY the application for a hardship exemption from provisions of the Medical Marijuana Dispensaries ICO (No. 179027) for the Organic Healing Center, Inc. located at 1733 Colorado Boulevard.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (72) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #15 - Motion (Cardenas - Huizar) to Adopt as Amended, Ayes (11); Absent: Reyes, Wesson and Zine (3)

[09-0651](#)

CD 6

CONTINUED CONSIDERATION OF PUBLIC WORKS COMMITTEE REPORT relative to the feasibility closing the pedestrian tunnel at Tonopah Street under the I-5 and I-170 Freeways.

Recommendations for Council action:

1. RECEIVE and FILE the May 18, 2009 Bureau of Street Services (BOSS) report in response to Motion (Cardenas - Parks) relative to the feasibility of closing the pedestrian tunnel at Tonopah Street, under the I-5 and I-170 Freeways.
2. INSTRUCT the BOSS to advise Council District Six of any response from the California Department of Transportation in regard to the feasibility of closing the pedestrian tunnel at Tonopah Street, under the I-5 and I-170 Freeways.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

(Continued from Council meeting of July 7, 2009)

ADOPTED

MOTION (CÁRDENAS - HUIZAR)

Recommendations for Council action:

1. INSTRUCT the Bureau of Street Services to explore the feasibility of a temporary closure.
2. INSTRUCT the Department of Public Works to seek the necessary permitting from the California Department of Transportation for the temporary closure.

Items for Which Public Hearings Have Not Been Held - Items 73-83

(10 Votes Required for Consideration)

ITEM NO. (73) - ADOPTED

Roll Call #8 - Motion (Koretz - LaBonge) Adopted, Ayes (12); Absent: Reyes and Zine (2)

[07-3684](#)

COMMUNICATION FROM THE MAYOR relative to the reappointment of Ms. Diana M. Bonta to the Board of Fire Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Ms. Diana M. Bonta to the Board of Fire Commissioners for the new term ending June 30, 2014, is APPROVED and CONFIRMED, subject to the City Ethics Commission's review of Ms. Bonta's Statement of Economic Interests. Ms. Bonta resides in Council District Five. (Current Board gender composition: M=2; F=3)

Ethics Commission Review: Pending

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 3, 2009

(LAST DAY FOR COUNCIL ACTION - JULY 31, 2009)

(Public Safety Committee waived consideration of the above matter)

ITEM NO. (74) - ADOPTED

Roll Call #11 - Motion (Perry - Rosendahl) Adopted, Ayes (12); Absent: Reyes and Zine (2)

[09-0002-S84](#)

COMMUNICATION FROM CHIEF LEGISLATIVE ANALYST and RESOLUTION (PERRY - SMITH) relative to the City's position on SB 17 (Padilla) that would require utilities to develop smart grid deployment plans to meet energy efficiency objectives.

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

ADOPT the accompanying RESOLUTION to include in the City's 2009-10 State Legislative Program SUPPORT for SB 17 (Padilla) that would require utilities to develop smart grid deployment plans to meet energy efficiency objectives.

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)

**Roll Call #5 - Motion (Perry - Smith) Adopted, Ayes (11); Absent: LaBonge, Reyes and Zine (3)
(Item Nos. 75-76)**

ITEM NO. (75) - ADOPTED

[09-0002-S103](#)

COMMUNICATION FROM CHIEF LEGISLATIVE ANALYST and RESOLUTION (PERRY - SMITH) relative to the City's position on AB 162 (Ruskin) which would provide for more accurate energy generation information.

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

ADOPT the accompanying RESOLUTION to include in the City's 2009-10 State Legislative Program SUPPORT for AB 162 (Ruskin) which would provide for more accurate energy generation information, the progress of renewable energy goals, and streamline the regulatory reporting

process for electricity providers.

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. (76) - ADOPTED

[09-1641](#)

CONSIDERATION OF MOTION (SMITH - ROSENDAHL) relative to an expenditure from the Furtherance of International Conference Goals Fund for continuing earthquake preparedness.

Recommendations for Council action:

1. AUTHORIZE the City Clerk to expend funding from the Furtherance of International Conference Goals Fund (Fund 441/14) for the purposes of continuing earthquake preparedness and advancing outcomes of the City hosted International Earthquake Conference, conducting outreach at non-City hosted events and conferences, and planning a City-hosted event in the future.
2. AUTHORIZE the City Clerk to make technical corrections or clarifications as may be necessary to implement the intent of this Motion.

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

**Roll Call #13 - Motion (Smith - Parks) to Adopt as Amended, Ayes (11); Absent: Reyes, Wesson and Zine (3)
(Item Nos. 77-78)**

ITEM NO. (77) - ADOPTED, AS AMENDED - SEE FOLLOWING

[09-0369-S5](#)

CONSIDERATION OF MOTION (SMITH - ROSENDAHL - PERRY) relative to the feasibility of exempting disabled residents and residential and commercial properties in high fire severity zones from water use restrictions under the Emergency Water Conservation Plan Ordinance.

Recommendations for Council action:

1. DIRECT the Los Angeles Department of Water and Power (LADWP) to report to Council in 30 days on the feasibility of exempting disabled residents, who cannot use hand-held hoses with shut-off valves, from water use restrictions under the Emergency Water Conservation Plan Ordinance.
2. DIRECT the LADWP to report to Council in 30 days on the feasibility of exempting residential and commercial properties in high fire severity zones from water use restrictions under the Emergency Water Conservation Plan Ordinance.

Community Impact Statement: None submitted.

(Energy and Environment Committee waived consideration of the above matter)

ADOPTED

MOTION (SMITH - PERRY - PARKS)

DIRECT the Los Angeles Department of Water and Power to report to Council in 30 days on the feasibility of exempting residential and commercial properties in high fire severity zoned from the water use restrictions under the Emergency Water Conservation Plan Ordinance; and that the review of exemption options include the installation and use of weather-based or moisture-based sprinkler controllers on these properties.

ADOPTED

MOTION (PARKS - SMITH)

REQUEST the Los Angeles Department of Water and Power to study the feasibility of exempting residential, commercial and city properties from water conservation programs that install and have property functioning weather-based sprinklers controllers, moisture-based sprinklers controllers or Smart Sprinkler Technology.

ITEM NO. (78) - ADOPTED, AS AMENDED - SEE FOLLOWING

[09-0371](#)

CONSIDERATION OF MOTION (SMITH - PERRY) relative to the feasibility of implementing a full rebate program for the installation of weather -based or moisture-based sprinkler controllers for the City's residential and commercial customers.

Recommendations for Council action:

1. DIRECT the Los Angeles Department of Water and Power (LADWP) to report to Council in 30 days on the feasibility of implementing a full rebate program, administered by the LADWP, for the installation of weather-based or moisture-based sprinkler controllers for the City's residential and commercial customers; and further report on similar water conservation rebate programs administered by other cities and jurisdictions.
2. DIRECT the LADWP to report to Council on an implementation plan to install weather-based sprinkler controllers on all City facilities.
3. REQUEST the California Department of Transportation to report to Council on its landscape water conservation practices on freeway medians within the City.

Community Impact Statement: None submitted.

(Energy and Environment Committee waived consideration of the above matter)

ADOPTED

MOTION (SMITH - PERRY - PARKS)

DIRECT the Los Angeles Department of Water and Power (LADWP) to report to Council in 30 days on the feasibility of implementing a full rebate program, administered by the LADWP, for the installation of weather-based or moisture-based sprinkler controllers for the City's residential and commercial customers, including an LADWP program that directly provides weather-based or moisture-based sprinkler controllers to the City's residential and commercial customers free-of-charge; and further report on similar water.

ADOPTED

MOTION (PARKS - SMITH)

REQUEST the Los Angeles Department of Water and Power to study the feasibility of exempting residential, commercial and city properties from water conservation programs that install and have property functioning weather-based sprinklers controllers, moisture-based sprinklers controllers or Smart Sprinkler Technology.

ITEM NO. (79) - ADOPTED

Roll Call #5 - Motion (Perry - Smith) Adopted, Ayes (11); Absent: LaBonge, Reyes and Zine (3)

[07-0100](#)

CONSIDERATION OF MOTION (REYES - GARCETTI) relative to amending the Council action of May 8, 2009, in connection with the implementation of the Leadership in Energy and Environmental Design (LEED) Silver standards in all newly-built or renovated City facilities 7,500 square feet or larger.

Recommendation for Council action:

AMEND Council's action of May 8, 2008 relative to the implementation of LEED Silver standards to include the following:

- a. Postpone the implementation date of the LEED Silver Standards from July 1, 2009, to January 1, 2010.
- b. Instruct the Los Angeles Department of Water and Power (LADWP) to work with the Bureau of Engineering, to develop a Memorandum of Understanding to install photovoltaic modules in all LEED Silver standard newly-built or renovated City facilities 7,500 square feet or larger, which will be paid for by the LADWP.

Community Impact Statement: None submitted.

(Planning and Land Use Management and Energy and Environment Committees waived consideration of the above matter)

**Roll Call #16 - Motion (Rosendahl - Smith) Adopted, Ayes (11); Absent: Reyes, Wesson and Zine (3)
(Item Nos. 80a-80d)**

ITEM NO. (80) - ADOPTED

07-1856-S1

et al. MOTIONS relative to "Special Events" to be held in the various Council Districts.

Recommendations for Council action:

DECLARE the following community events as "Special Events"; APPROVE any temporary street closures as requested; and, INSTRUCT the involved City departments to perform such services as detailed the Council motions attached to the various listed Council files, including the waiver of fees, costs and requirements and other related issues, as specified:

07-1856-S1

CD 9

- a. MOTION (PERRY - PARKS) relative to declaring the 51st Annual Obon Carnival on July 11-12, 2009 a Special Event (fees and costs absorbed by the City = \$5,741).

09-1679

CD 5

- b. MOTION (KORETZ - HUIZAR) relative to declaring the First Annual Heart and Sole 5K Walk and Run on July 19, 2009 a Special Event (all costs incurred by the City associated with this event will be paid by the event sponsor).

09-1680

CD 12

- c. MOTION (SMITH - ROSENDAHL) relative to declaring the Canoga Park Elks Lodge Car Show on July 12, 2009 a Special Event (fees and costs absorbed by the City = \$1,594).

08-0222-S2

CD 14

- d. MOTION (HUIZAR - LABONGE) relative to declaring the Eagle Rock Farmers' Market on Friday evenings from June 5, 2009 to July 31, 2009 a Special Event (fees and costs absorbed by the City = \$2,956).

**Roll Call #5 - Motion (Perry - Smith) Adopted, Ayes (11); Absent: LaBonge, Reyes and Zine (3)
(Item Nos. 81-82)**

ITEM NO. (81) - ADOPTED

09-1681

CD 3

MOTION (ZINE - SMITH) relative to authorizing Council District Three use of the City Hall Tom

Bradley Room for a special meeting for the Trutanich Transition Team on June 15, 2009.

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

1. AUTHORIZE Council District Three use of the City Hall Tom Bradley Room for a special meeting for the Trutanich Transition Team on June 15, 2009 from 5:00 p.m. to 9:00 p.m.
2. TRANSFER \$473 from the Unappropriated Balance Fund No. 100/58 and APPROPRIATE therefrom to the General Services Fund No. 100/40, as follows: \$335 to Account No. 1090 (Salaries - Overtime), \$122 to Account No. 1070 (Salaries - As Needed), and \$16 to Account No. 6020 (Operating Supplies & Expense) for services in connection with the June 15, 2009 Council District Three special meeting for the Trutanich Transition Team in the City Hall Tom Bradley Room - said funds to be reimbursed to the General Fund by the Trutanich Transition Team.

ITEM NO. (82) - ADOPTED - FORTHWITH

[09-1682](#)

CD 8

MOTION (PARKS - PERRY) relative to Heritage Month funding for the 19th Annual Theatre Festival in Los Angeles.

Recommendations for Council action:

1. UTILIZE \$50,000 in the Council's portion of the Heritage Month Celebration and Special Events line item in the General City Purposes Fund No. 100/56 to fund any aspect of the 19th Annual Theatre Festival.
2. DIRECT the City Clerk to prepare and process the necessary documents and/or payments in the above amount, for the above purpose, with the appropriate agency or organization, subject to the approval of the City Attorney as to form, if needed; and AUTHORIZE the City Clerk to execute any such documents on behalf of the City.
3. AUTHORIZE the City Clerk to make any technical corrections or clarifications to the above instructions in order to effectuate the intent of this Motion.

ITEM NO. (83) - CONTINUED TO JULY 21, 2009

Roll Call #6 - Motion (Perry - Koretz) Adopted to Continue, Unanimous Vote (10); Absent: Hahn, LaBonge, Reyes and Zine (4)

[09-1678](#)

CD 9

MOTION (PERRY - PARKS) relative to the memorial service to honor the memory and accomplishments of the late entertainer, Michael Jackson, at the Staples Center on July 7, 2009.

Recommendations for Council action:

1. INSTRUCT the City Administrative Officer (CAO) to report back to the Council within 30 days on the services provided by the Los Angeles Police Department, Los Angeles Fire Department, Los Angeles Department of Transportation, Public Works Bureaus of Sanitation and Street Services, Department of General Services, Information Technology Agency, Convention Center, and any other department required to provide services necessary to safeguard public health and safety including, but not limited to the following:
 - a. Police protection
 - b. Fire and emergency medical response
 - c. Traffic control
 - d. Trash receptacles
 - e. Portable toilets
 - f. Street cleaning/repairs
 - g. Illegal vending enforcement
 - h. Security
 - i. Communication services
2. INSTRUCT the CAO to report to the Council on any permits and insurance policies that may have been taken out by the memorial service organizer(s) to limit the City's liability resulting from this event.
3. INSTRUCT the Chief Legislative Analyst to report to the Council within 30 days on existing policies and procedures by which City services are provided under specific circumstances, and which may, or may not, have been followed in this instance.

MOTIONS PRESENTED PURSUANT TO RULE NO. 16 - TO BE PLACED ON THE NEXT AVAILABLE AGENDA

09-1733

MOTION (HAHN - ALARCON) relative to declaring the Denison Avenue Block Party on July 25, 2009 a Special Event (fees and costs absorbed by the City = \$1,226).

08-1839-S1

MOTION (HAHN - ALARCON) relative to declaring the Fifth Annual Fiesta Corazon Del Puerto on July 18-19, 2009 a Special Event (fees and costs absorbed by the City = \$5,731).

08-1095-S1

MOTION (PERRY - GARCETTI) relative to declaring the Relay for Life-Downtown Los Angeles on August 1-2, 2009 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).

09-1734

MOTION (ROSENDAHL - SMITH) relative to declaring the Westside Family YMCA Bus Loading and Unloading on July 25, 2009 a Special Event (fees and costs absorbed by the City = \$1,845).

09-1732

MOTION (PERRY - ROSENDAHL) relative to installing street banners announcing the NuSkin Enterprises 25th Anniversary event at the Los Angeles Convention Center on October 21-23, 2009.

[09-1728](#)

MOTION (HAHN - KORETZ) relative to installing street banners announcing the 11th Annual Lobster Festival on September 18-20, 2009.

[07-2018](#)

MOTION (GARCETTI - LABONGE) relative to re-affirming the Special Event declaration for the Studio City Farmers' Market.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[09-1668](#) - Jean C. Samson

Garcetti - All Councilmembers

Bruce E. Jones

Garcetti - All Councilmembers

Detective III Gregory D. Beckley

Garcetti - All Councilmembers

**At the conclusion of this day's Council Session
ADJOURNING MOTIONS WERE ADOPTED in tribute to the memory of:**

[09-1667](#) - Alonzo Day

Hahn - All Councilmembers

Ayes, Alarcón, Cárdenas, Hahn, Huizar, Koretz, LaBonge, Parks, Perry, Rosendahl, Smith, and President Garcetti (11); Absent: Reyes, Wesson and Zine (3); Vacant: Council District Two

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL