

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **November 18, 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, Huizar, Koretz, Parks, Perry, Reyes, Smith, Wesson, Zine and President Garcetti (10); Absent: Cárdenas, Hahn, LaBonge and Rosendahl (4); Vacant: Council District Two

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
NOVEMBER 6, 2009

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 53

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

Items Noticed for Public Hearing - Items 1-9

**Roll Call #7 - Motion (Reyes - Perry) Adopted to Continue, Unanimous Vote (11); Absent: Cárdenas, LaBonge and Rosendahl (3)
(Item Nos. 1-7)**

ITEM NO. (1) - CONTINUED TO JANUARY 6, 2010

[09-2150](#)
CD 9

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings and cleaning and fencing of the lot at 320 West 59th Place. (Lien: \$4,576.07)

ITEM NO. (2) - CONTINUED TO JANUARY 6, 2010

[09-2157](#)
CD 3

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings, cleaning and fencing of the lot and graffiti abatement at 20905 West Hart Street. (Lien: \$10,709.32)

ITEM NO. (3) - CONTINUED TO JANUARY 6, 2010

[09-2158](#)

CD 3

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings and fencing of the lot at 7536 North Jumilla Avenue. (Lien: \$8,315.01)

ITEM NO. (4) - CONTINUED TO JANUARY 6, 2010

[09-2159](#)

CD 9

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings and fencing of the lot at 240 West 47th Street. (Lien: \$14,388.83)

ITEM NO. (5) - CONTINUED TO JANUARY 6, 2010

[09-2160](#)

CD 9

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings, cleaning and fencing of the lot at 383 West 47th Place. (Lien: \$13,472.52)

ITEM NO. (6) - CONTINUED TO JANUARY 6, 2010

[09-2202](#)

CD 9

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of cleaning and fencing of the lot at 208 East 60th Street. (Lien: \$4,001.98)

ITEM NO. (7) - CONTINUED TO JANUARY 6, 2010

[09-2203](#)

CD 9

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings, cleaning and fencing of the lot and graffiti abatement at 226 West 62nd Street. (Lien: \$5,599.98)

ITEM NO. (8) - PUBLIC HEARING CLOSED - CITY ENGINEER INSTRUCTED TO PROCEED

Roll Call #8 - Motion (Hahn - Perry) Adopted, Ayes (11); Absent: Cárdenas, LaBonge and Rosendahl (3)

[07-0189](#)

CD 6

HEARING PROTESTS relative to vacating the north-south and east-west alleys easterly of Balboa Boulevard and northerly of Vanowen Street (Re-application; VAC E1401038).

(Categorical Exemption and Public Works Committee Report adopted on October 14, 2009)

ITEM NO. (9) - PUBLIC HEARING CLOSED - CITY ENGINEER INSTRUCTED TO PROCEED

Roll Call #16 - Motion (Perry - Reyes) Adopted, Ayes (14)

[08-3400](#)

CD 9

HEARING PROTESTS relative to vacating 58th Place from Main Street to approximately 392 feet westerly thereof in connection with the construction of South Region Elementary School No. 6 (VAC E1401123).

(Final Environment Impact Report and Public Works Committee Report adopted on October 14, 2009)

Items for Which Public Hearings Have Been Held - Items 10-41

**Roll Call #14 - Motion (Rosendahl - Wesson) Adopted, Ayes (14)
(Item Nos. 10-17)**

ITEM NO. (10) - ADOPTED

[09-2548](#)

COMMUNICATION FROM THE MAYOR relative to the appointment of Mr. Martin Lee to the Affordable Housing Commission.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Lee to the Affordable Housing Commission for the term ending June 30, 2010, is APPROVED and CONFIRMED. Mr. Lee resides in Council District 11. (Current Board gender composition: M=3; F=4)

Ethics Commission Review: Pending

Background Check Review: Complete

Community Impact Statement: None submitted.

TIME LIMIT FILE - NOVEMBER 30, 2009

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 25, 2009)

(Housing, Community and Economic Development Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or go to <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

ADOPTED

HOUSING, COMMUNITY, AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the appointment of Mr. Martin Lee to the Affordable Housing Commission.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Lee to the Affordable Housing Commission for the term ending June 30, 2010, is **APPROVED** and **CONFIRMED**. Mr. Lee resides in Council District 11. (Current Board gender composition: M=3; F=4)

Ethics Commission Review: Pending

Background Check Review: Complete

Community Impact Statement: None submitted.

TIME LIMIT FILE - NOVEMBER 30, 2009

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 25, 2009)

ITEM NO. (11) - ADOPTED

[09-1931](#)

COMMUNICATION FROM THE HOUSING, COMMUNITY, AND ECONOMIC DEVELOPMENT COMMITTEE CHAIR relative to the appointment of Mr. Kim Craft to the Green Retrofit Development Advisory Council.

Recommendation for Council action:

RESOLVE that the Housing, Community, and Economic Development Committee Chair's appointment of Mr. Craft to the Green Retrofit Development Advisory Council for the term ending September 30, 2011, is APPROVED and CONFIRMED.

Community Impact Statement: None submitted.

(Housing, Community and Economic Development Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or go to <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

ADOPTED

HOUSING, COMMUNITY, AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the appointment of Mr. Kim Craft to the Green Retrofit Development Advisory Council.

Recommendation for Council action:

RESOLVE that the Housing, Community, and Economic Development Committee Chair's appointment of Mr. Craft to the Green Retrofit Development Advisory Council for the term ending September 30, 2011, is **APPROVED** and **CONFIRMED**.

Community Impact Statement: None submitted.

ITEM NO. (12) - ADOPTED

[09-2237](#)

COMMUNICATION FROM THE COUNCIL PRESIDENT relative to the appointment of Mr. Jason Elias to the Green Retrofit Development Advisory Council.

Recommendation for Council action:

RESOLVE that the Council President's appointment of Mr. Elias to the Green Retrofit Development Advisory Council for the term ending September 30, 2010, is **APPROVED** and **CONFIRMED**.

Community Impact Statement: None submitted.

(Housing, Community and Economic Development Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or go to <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

ADOPTED

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the appointment of Mr. Jason Elias to the Green Retrofit Development Advisory Council.

Recommendation for Council action:

RESOLVE that the Council President's appointment of Mr. Elias to the Green Retrofit Development Advisory Council for the term ending September 30, 2010, is APPROVED and CONFIRMED.

Community Impact Statement: None submitted.

ITEM NO. (13) - ADOPTED

[09-2571](#)

COMMUNICATION FROM THE MAYOR relative to the appointment of Ms. Teresa Sanchez to the Green Retrofit Development Advisory Council.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Sanchez to the Green Retrofit Development Advisory Council for the term ending September 30, 2011, is APPROVED and CONFIRMED.

Community Impact Statement: None submitted.

(Housing, Community and Economic Development Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or go to <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

ADOPTED

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the appointment of Ms. Teresa Sanchez to the Green Retrofit Development Advisory Council.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Sanchez to the Green Retrofit Development Advisory Council for the term ending September 30, 2011, is APPROVED and CONFIRMED.

Community Impact Statement: None submitted.

ITEM NO. (14) - ADOPTED

[09-2572](#)

COMMUNICATION FROM THE MAYOR relative to the appointment of Mr. Bill Gallegos to the Green Retrofit Development Advisory Council.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Gallegos to the Green Retrofit Development Advisory Council for the term ending September 30, 2010, is APPROVED and CONFIRMED.

Community Impact Statement: None submitted.

(Housing, Community and Economic Development Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or go to <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

ADOPTED

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the appointment of Mr. Bill Gallegos to the Green Retrofit Development Advisory Council.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Gallegos to the Green Retrofit Development Advisory Council for the term ending September 30, 2010, is APPROVED and CONFIRMED.

Community Impact Statement: None submitted.

ITEM NO. (15) - ADOPTED

[09-2573](#)

COMMUNICATION FROM THE MAYOR relative to the appointment of Dr. Paul Bunje to the Green Retrofit Development Advisory Council.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Dr. Bunje to the Green Retrofit Development Advisory Council for the term ending September 30, 2010, is APPROVED and CONFIRMED.

Community Impact Statement: None submitted.

(Housing, Community and Economic Development Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or go to <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

ADOPTED

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the appointment of Dr. Paul Bunje to the Green Retrofit Development Advisory Council.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Dr. Bunje to the Green Retrofit Development Advisory Council for the term ending September 30, 2010, is APPROVED and CONFIRMED.

Community Impact Statement: None submitted.

ITEM NO. (16) - ADOPTED

[09-2574](#)

COMMUNICATION FROM THE MAYOR relative to the appointment of Mr. Alberto Mendoza to the Green Retrofit Development Advisory Council.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Mendoza to the Green Retrofit Development Advisory Council for the term ending September 30, 2011, is APPROVED and CONFIRMED.

Community Impact Statement: None submitted.

(Housing, Community and Economic Development Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or go to <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

ADOPTED

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the appointment of Mr. Alberto Mendoza to the Green Retrofit Development Advisory Council.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Mendoza to the Green Retrofit Development Advisory Council for the term ending September 30, 2011, is APPROVED and CONFIRMED.

Community Impact Statement: None submitted.

ITEM NO. (17) - ADOPTED

[09-2575](#)

COMMUNICATION FROM THE MAYOR relative to the appointment of Ms. Elsa Barboza to the Green Retrofit Development Advisory Council.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Barboza to the Green Retrofit Development Advisory Council for the term ending September 30, 2010, is APPROVED and CONFIRMED.

Community Impact Statement: None submitted.

(Housing, Community and Economic Development Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or go to <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

ADOPTED

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the appointment of Ms. Elsa Barboza to the Green Retrofit Development Advisory Council.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Barboza to the Green Retrofit Development Advisory Council for the term ending September 30, 2010, is **APPROVED** and **CONFIRMED**.

Community Impact Statement: None submitted.

ITEM NO (18) - ENTIRE MATTER CONTINUED TO NOVEMBER 24, 2009

**Roll Call #27 - Motion (Reyes - Smith) Adopted to Continue, as Amended, Unanimous Vote (12);
Absent: Smith and Wesson (2)**

08-0923

DISCUSSION AND CONSIDERATION OF ORDINANCE FIRST CONSIDERATION, Reports, and Motions relative to amending the Los Angeles Municipal Code to establish regulations regarding medical marijuana collectives.

(Public Safety Committee and Planning and Land Use Management Committee report(s) to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or got to <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

PUBLIC SAFETY and PLANNING AND LAND USE MANAGEMENT COMMITTEES' REPORT and ORDINANCES relative to amending the Los Angeles Municipal Code (LAMC) to establish regulations regarding medical marijuana collectives.

Recommendations for Council action:

1. **REQUEST** that the City Attorney prepare and present an ordinance amending the LAMC to establish regulations regarding medical marijuana collectives, substantially as previously presented and identified as Fifth Revised Draft Ordinance and dated November 13, 2009, and as amended to reflect the following:

- a. **Modify Section 45.19.6 Purpose and Intent to remove the word "federal" from the last sentence.**
 - b. **Modify Section 45.19.6.3B6 to delete the sentence "No sale or marijuana or of products containing marijuana shall be allowed, nor shall the manufacturing of these products for sale be permitted," and replace with: "Cash contributions, reimbursements, and compensations shall be allowed provided in compliance with State law."**
 - c. **Modify Section 45.19.62E to require warrants for police searches of records that pertain specifically to patient information.**
2. **REQUEST that the City Attorney, Police Department, Planning Department, and the Department of Building and Safety provide an analysis of the amendments presented above in Recommendation No. 1, and other amendments proposed during Council consideration of this matter.**

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.

AMENDING MOTION (HAHN - ZINE - ROSENDAHL)

Recommendations for Council action:

1. **INSTRUCT the Chief Legislative Analyst (CLA) with the assistance of the Office of Finance to analyze and report back on the implementation of a membership, expense, or cultivation base tax as well as the potential revenue each one of these may bring.**
2. **INSTRUCT the CLA to compare each of these options to the business tax currently in the City's code and report on whether it may still be applicable under the new Ordinance adopted by the Los Angeles City Council.**

AMENDING MOTION (KORETZ - REYES)

Recommendation for Council action:

INSTRUCT the Los Angeles Police Department (LAPD), the Department of Building and Safety, and any other relevant departments to report back on an action plan by which at least one member of the Medical Marijuana dispensary management must attend a coordinated, regularly held meeting with the LAPD and other relevant City staff, and how this program will be organized and implemented citywide.

AMENDING MOTION (KORETZ - REYES)

Recommendations for Council action:

1. **MODIFY** Section 45.19.6.2(E) of the Registration Form, by striking out the last portion of the sentence as follows:

“In addition, the registration form shall confirm the consent by the collective, without requirement for a search warrant, subpoena or court order, for the inspection and copying by the Los Angeles Police Department (LAPD) of the recordings and records required to be maintained under Sections 45.19.6.3(B) 1 and ~~45.19.6.4 of this article.~~”

2. **AMEND** Section 45.19.6.4 of the Maintenance of Records, by adding language to the clause as follows:

“...These records shall be maintained by the collective for a period of five years and shall be made available by the collective to the LAPD pursuant to a properly executed search warrant, subpoena or court order or other means conforming with Due Process under the law.”

AMENDING MOTION (KORETZ - REYES - ROSENDAHL)

Recommendation for Council action:

MODIFY Section 45.19.6.3 (B) of the Conditions of Operations by adding the following clause:

“Dispensaries shall not store more than two hundred dollars (\$200) in cash reserves overnight on the premises and shall make at least one daily bank drop that includes all cash collected on that business day.”

AMENDING MOTION (KORETZ - REYES)

Recommendation for Council action:

DELETE language in Section 45.19.6.3(B)6, of the Conditions of Operation, and **REPLACE** it with the following language:

“No for profit sale of marijuana or of products containing marijuana shall be allowed.

The proceeds from the sales of any items legally allowed within the Medical Marijuana establishment for sale to registered patients may only be used for the following: reasonable employee compensation, reimbursement for the actual expenses of the growth and cultivation of the medicine or derivative products, or for the payment of operational expenses incurred in providing this service (such as, but not limited to, rent, utility bills, water bills, insurance, etc).”

AMENDING MOTION (KORETZ - REYES)

Recommendation for Council action:

ADD an additional clause in Section 45.19.6.3(B) of the Conditions of Operation, and **INSERT** the following language as the second clause of that section as follows:

“Dispensaries shall provide a neighborhood security guard patrol for a two-block radius surrounding the dispensary during all hours of operation; Security guards shall not possess firearms or tazers.”

AMENDING MOTION (KORETZ - REYES - ROSENDAHL)

Recommendation for Council action:

MODIFY Section 45.19.6.2, Registration Form, by inserting the following language as such:

“...the name, telephone number, and address or a person authorized to accept service of process for the collective; Dispensaries shall provide law enforcement and all neighbors within a 200 foot radius of the dispensary with the name and phone number of an onsite staff person to notify if there are operational problems with the establishment, this may be the same person designated as the individual authorized to accept service of process.”

AMENDING MOTION (PERRY - REYES - PARKS)

Recommendation for Council action:

REQUEST the California State Attorney General to provide an opinion that clarifies and interprets Proposition 215, the Compassionate Use Act of 1996, as it pertains to the sale of medical marijuana, and that clearly explains why some cities allow the sale of marijuana for medical purposes and others do not.

AMENDING MOTION (REYES - GARCETTI)

Recommendations for Council action:

1. AMEND the Ordinance as follows:

a. Modify Registration, Section 45.19.6.2E, as follows:

E. Registration Form. Modify to include in the registration form – “Upon collectives becoming a nuisance, the names of all persons who are members of the collective”; and to modify the last sentence – “In addition, the registration form shall confirm the consent by the collective, without the requirement for a search warrant, subpoena or court order, for the inspection and copying by the Los Angeles Police Department of the recordings and records required to be maintained under Sections 45.19.6.3B.1 and 45.15.6.4 of this article.”

b. Modify accordingly Section 45.19.6.5 (Inspection and Enforcement Responsibilities) to be consistent with deletion of reference to records and Section 45.15.6.4. to read as follows

Modify the second sentence to read as follows: In addition, the LAPD may enter and inspect the location of any collective and the recordings maintained pursuant to Section 45.19.6.3 and 45.19.6.4 of this article between the hours of 10 a.m. and 8 p.m., or at any reasonable time, to ensure compliance with Sections 45.19.6.2, 45.19.6.3B, 45.19.6.4, 45.19.6.6, 45.19.6.7 and 45.19.6.8 of this article.

- c. Modify the third sentence to read as follows: “It is unlawful...to refuse to allow, impede, obstruct or interfere with a valid inspection, review or copying of records and of closed-circuit monitoring authorized...or monitoring.”**
- d. Modify Regulations, Section 45,19.6.3A1, Preinspection Requirements, as follows:

Delete Preinspection Requirement #A1 (Defer to address in the land use component).**
- e. Modify Preinspection Requirements, Section 45.19.6.3A2 as follows:

No collective shall abut or be located across the street or alley from or have a common corner with a property improved with an exclusively residential building.**
- f. Modify Preinspection Requirements, Section 45.19.6.3A3 as follows:

No collective shall be located within a 500-foot radius of a school, public park, public library, religious institution, child care center, youth center, substance abuse rehabilitation center or within 1,000-foot radius of any other collectives to the closest property line of the lot on which the collective is located without regard to intervening structures.**
- g. Modify Conditions of Operation, Sec. 45.19.6.3B15, as follows:

To be consistent with the Joint Cte. Action on the sales and reimbursements issue under operations standard #6, delete operation standard #15 because no longer necessary.

Delete entire operation standard #15 which reads as follows: “Nothing in this article shall prevent members engaged in the collective cultivation of medical marijuana in strict accordance with this article from sharing the actual, out-of-pocket costs of their collective cultivation. Actual, out-of-pocket costs shall not be recovered through the sale of marijuana. Nothing in this article shall pertain to or affect the reimbursements from qualified patients to their primary caregivers pursuant to California Health and Safety Code Section 11362.765.”**
- h. Modify Conditions of Operation, Section 45.19.6.3B8, to delete the language that specifies a specific amount and instead reference the state law and keep the rest.**
- i. Delete entire existing language and replace with the following:**

No medical marijuana collective shall possess more dried marijuana plants of any size on the property than that permitted pursuant to state law, SB420 section 11362.77.

- j. **Technical Amendment: Modify Conditions of Operation, Section 45.19.6.3B14, to add clarifying sentences at the end relative to how background checks are to be processed.**

Only members of the collective may be engaged in the management of the collective. A person who has been convicted within the previous 10 years of a felony or a crime of moral turpitude, or who is currently on parole or probation for the sale or distribution of a controlled substance, shall not be engaged directly or indirectly in the management of the collective, and further, shall not manage or handle the receipts and expenses of the collective. Verification shall be processed according to the US Department of Justice guidelines. Clearance of passing the background investigation shall be received by the LAPD.

- k. **City Resources/Effectiveness of the Ordinance**

Amend the ordinance to include language that make the ordinance effective upon the fees becoming effective.

2. **INSTRUCT the City Administrative Officer (CAO), Chief Legislative Analyst (CLA), LAPD, and Department of Building and Safety to report by March 2010 with a draft fee ordinance relative to establishing a Proactive Annual Inspection Program through the creation of a task force.**
3. **INSTRUCT the Planning Department, in consultation with the City Attorney and CLA to promptly prepare and present an ordinance on the land use and zoning aspects as detailed in the attached further proposed revisions (including addressing the request to add more discretionary review process into the permitting process); Planning to include analysis and recommendations when considering factors for discretionary review of on-site consumption and up to max 20 percent deviation from the distance requirements; INSTRUCT Planning to bring back the radius citywide map for 500 feet and 1000 feet from sensitive usage and certain zones along with analysis and recommendations that renders reasonable amount of acreage for locating of the medical marijuana collectives/cooperatives; and further INSTRUCT Planning to include analysis and recommendations on establishing a cap on the number of collectives by LAPD Station area within the City.**
4. **INSTRUCT the CAO, working in conjunction with the CLA and relevant City departments to develop a fee study with regards to administration, implementation, enforcement of the revised City Attorney ordinance; INSTRUCT the CAO working in conjunction with the CLA and relevant City departments to investigate the ability to implement a taxing scheme related to revised City Attorney ordinance; INSTRUCT the CAO to bring back a report and ordinance for Council action before the December 2009 holiday Council recess.**

5. **INSTRUCT** the Department of Building and Safety, the LAPD, the CLA and any other relevant City departments to form an intergovernmental Taskforce between the State of California, the County of Los Angeles and the City to ensure communication, proper monitoring and enforcement; and to create an auditing mechanism for collectives to ensure no profits.

AMENDING MOTION (HAHN - GARCETTI)

Recommendation for Council action:

AMEND Section 45.19.6.6 of the Ordinance to give pre-Interim Control Ordinance collectives a 180 day grace period to come into compliance as long as there have been no nuisance citations or other public safety concerns at that particular location.

AMENDING MOTION (HUIZAR - SMITH)

Recommendations for Council action:

AMEND the proposed Ordinance on Medical Marijuana dispensaries as follows:

- a. Place a cap of one collective per 57,000 residents, resulting in 70 collectives Citywide. The 70 collectives shall be distributed by community plan area based upon the population size of each planning area (utilizing population numbers as of October 1, 2008). At such time as independent data on medical marijuana demand is available, the Los Angeles City Council shall conduct a study and analyze the cap. The Council can raise the cap if it determines that it is too restrictive to meet the needs of qualified patients in Los Angeles.
- b. Require each facility to have a 24-hour on-call contact posted at the entrance to each location. Each collective must have a designated person and functioning phone number as the contact.
- c. Remove Section 45.19.6.6 (Existing Medical Marijuana Operations) which would result in pre-ICO registered collectives not being allowed to continue to operate for 180 days while they come into compliance, nor to be given priority status for relocation.
- d. Require that each collective have twice daily cash drops to prevent large amounts of cash being kept onsite.
- e. Require that one operator may only operate one collective. Multiple or serial ownerships are prohibited.
- f. Establish a system by which collectives will be allowed to register, and once registered and qualified, collectives shall be selected per planning area via a blind random drawing system, if there are more collectives who are qualified and registered than there are slots open per community planning area.
- g. Amend Section 45.19.6.2D to include the following “A copy of all materials provided to the Department of Building and Safety pursuant to Section 45,19.6.2B shall also be provided to the Council Office and the local neighborhood council.”

AMENDING MOTION (ZINE - REYES)

Recommendation for Council action:

AMEND 45.19.6.3 (B) of the Conditions of Operation by adding the following clause:

“Patient and primary caregiver shall not be a member of more than one collective/cooperative for the purposes of accessing more medical cannabis than is allowed per the California Health and Safety Code Section 11362.77.”

AMENDING MOTION (WESSON - SMITH)

Recommendations for Council action:

1. MODIFY Section 45.19.6.2.(F) Additional Registration Documents, to strike and amend as follows:

... (2) for each member engaged in the management of the collective, a fully legible copy of one government-issued form of identification, such as a social security card, a state driver’s license or identification card, or a passport; and (3) the collective’s Certificate of Occupancy for the cultivation use; and (4) for each member of the collective, a valid State of California Medical Marijuana Identification card.

2. MODIFY Section 45.19.6.4 Maintenance of Records, to strike and amend as follows:

... (7) an inventory record documenting the dates and amounts of marijuana cultivated at the location, including the amounts of marijuana stored at the location at any given time; and (8) proof of registration with the Department of Building and Safety in conformance with Section 45.19.6.2 of this article, including evidence of an accepted; and (9) copies of each member of the collective’s valid State of California Medical Marijuana Identification card.

3. MODIFY Section 45.19.6.2 Registration, to amend as follows:

Add a new letter (G) to state:

G. Required Identification. All members of the collective must have a valid State of California Medical Marijuana Identification card. Non-compliance would be considered a violation under Section 45.19.6.8.

4. RE-LETTER (G) and (H) to (H) and (I).

AMENDING MOTION (WESSON - REYES)

Recommendation for Council action:

MODIFY Section 45.19.6.3 (A) Preinspection Requirements, to strike and amend as follows:

2. **No collective shall abut or be located across the street or alley from or have a common corner with a lot improved with an exclusively residential building or mixed-use building containing residential;**

AMENDING MOTION (KORETZ - ROSENDAHL)

Recommendation for Council action:

AMEND Amendment 3 in Amending Motion (Huizar - Smith) in connection with medical marijuana collectives to give priority status to the approximately 186 pre-ICO registered collectives.

ITEM NO. (19) - ADOPTED - FORTHWITH

Roll Call #9 - Motion (Hahn - Reyes) Adopted, Ayes (11); Absent: Cárdenas, LaBonge and Rosendahl (3)

[09-0648-S15](#)

AD HOC COMMITTEE ON ECONOMIC RECOVERY AND REINVESTMENT REPORT relative to recommendations for the use of American Recovery and Reinvestment Act of 2009 (ARRA) Energy Efficiency and Conservation Block Grant Funds in the amount of \$37,017,900.

Recommendations for Council action:

1. APPROVE the recommendations of the Environmental Affairs Department (EAD) for the use of American Recovery and Reinvestment Act of 2009 (ARRA) Energy Efficiency and Conservation Block Grant Funds in the amount of \$37,017,900 as contained in the Department's report to the Ad Hoc Committee on Economic Recovery and Reinvestment dated November 4, 2009 (attached to the Council file), and as amended by the Ad Hoc Committee on Economic Recovery and Reinvestment at its special meeting held November 6, 2009 (attached to the Committee report).
2. DIRECT the EAD, to report back to the Ad Hoc Committee on Economic Recovery and Reinvestment relative to:
 - a. In conjunction with the Community Redevelopment Agency, the use of the Community Development Department (CDD) as program lead for funding recommendation numbers 2, 3, and 4 of the EAD report.
 - b. Making available funding discussed in recommendation numbers 5 and 7 of the Department report for the green retrofitting of Rent Stabilization Ordinance residences.
 - c. In conjunction with the Department of Water and Power, broadening the use of green energy funds for the retrofit of existing buildings.
3. DIRECT the CDD to report to the Ad Hoc Committee on Economic Recovery and Reinvestment relative to use of ARRA and employment development funds for environmentally progressive deconstruction of obsolete structure projects and the re-use of construction materials.

4. REQUEST that EAD, the Mayor's Office, and the Harbor Department report back to the Ad Hoc Committee on Economic Recovery and Reinvestment with further detail on how the funds described in recommendation number 11 of the EAD report will be used.

Fiscal Impact Statement: None submit by the EAD. 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. (20) - CONTINUED TO DECEMBER 8, 2009

Roll Call #1 - Motion (Alarcón - Perry) Adopted to Continue, Unanimous Vote (11); Absent: Cárdenas, LaBonge and Rosendahl (3)

[07-0971](#)

CONTINUED CONSIDERATION OF ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to a Commission on Children, Youth and Their Families study conducted on child safety in Los Angeles.

Recommendation for Council action:

NOTE and FILE the Commission for Children, Youth and Their Families report dated April 17, 2009 relative to a study conducted on child safety in Los Angeles, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

(Continued from Council meeting of October 30, 2009)

ITEM NO. (21) - CONTINUED TO DECEMBER 2, 2009

Roll Call #2 - Motion (Reyes - Parks) Adopted to Continue, Unanimous Vote (11); Absent: Cárdenas, LaBonge and Rosendahl (3)

[07-2112-S1](#)

CONTINUED CONSIDERATION OF ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to requesting amendments to the administration of the Venice Beach Boardwalk Public Expression Permit Program Rules.

Recommendation for Council action, pursuant to Motion (Rosendahl - LaBonge):

REQUEST the City Attorney to prepare and present amendments to Los Angeles Municipal Code Section 42.15 which includes the following:

- a. Ensures the use of all musical instruments are discontinued at sunset.

- b. Ensures that all performers are rotated in a timely manner thus allowing for the participation of other performers for shared space purposes.
- c. Instructs the Department of Recreation and Parks to create a lottery system that is year-round for both the I-Zone and P-Zone.

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 September 22, 2009)

**Roll Call #9 - Motion (Hahn - Reyes) Adopted, Ayes (11); Absent: Cárdenas, LaBonge and Rosendahl (3)
(Item Nos. 22-23)**

ITEM NO. (22) - ADOPTED

[07-2815](#)

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the Fiscal Year (FY) 2008-09 annual report for the Pico/Genessee Community Pocket Park Trust Fund No. 917.

Recommendation for Council action:

NOTE and FILE the FY 2008-09 annual report for the Pico/Genessee Community Pocket Park Trust Fund No. 917, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (23) - ADOPTED

[09-2421](#)

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the Fiscal Year (FY) 2008-09 annual report for the Anti-Smoking Trust Fund No. 41Z.

Recommendation for Council action:

NOTE and FILE the FY 2008-09 annual report for the Anti-Smoking Trust Fund No. 41Z, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (24) - CONTINUED TO NOVEMBER 20, 2009

Roll Call #3 - Motion (Hahn - Parks) Adopted to Continue, Unanimous Vote (11); Absent: Cárdenas, LaBonge and Rosendahl (3)

[09-2487](#)

CD 15

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to a gift agreement with the Los Angeles Harbor Watts Economic Development Corporation relative to the Pacific Overlook.

Recommendation for Council action:

APPROVE and AUTHORIZE the President and Secretary of the Board of Recreation and Park Commissioners to execute, the agreement with the Los Angeles Harbor Watts Economic Development Corporation to accept improvements valued at \$750,000 for the Pacific Overlook for a term of 35 years, subject to the approval of the City Attorney.

Fiscal Impact Statement: The City Administrative Officer reports that the Los Angeles Harbor Watts Economic Development Corporation will donate to the City improvements valued at \$750,000 for the Pacific Overlook. There is no additional impact on the General Fund. The recommendation above is in compliance with the City Financial Policies in that one-time revenues will be used to support one-time expenditures.

Community Impact Statement: None submitted.

TIME LIMIT FILE - DECEMBER 6, 2009

(LAST DAY FOR COUNCIL ACTION - DECEMBER 4, 2009)

ITEM NO. (25) - ADOPTED

Roll Call #9 - Motion (Hahn - Reyes) Adopted, Ayes (11); Absent: Cárdenas, LaBonge and Rosendahl (3)

[09-2547](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to approval of the request for waiver of penalty filed by Porter Ranch Development Co., Inc.

Recommendation for Council action:

APPROVE the request for waiver of penalty filed by Porter Ranch Development Co., Inc. in the amount of \$77,187.17, pursuant to Los Angeles Municipal Code Section 21.15(f) as the taxpayer's reason meets the guidelines for compromise of penalty.

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

Community Impact Statement: None submitted.

ITEM NO. (26) - CONTINUED TO NOVEMBER 24, 2009

Roll Call #4 - Motion (Alarcón - Perry) Adopted to Continue, Unanimous Vote (11); Absent: Cárdenas, LaBonge and Rosendahl (4)

[08-1783](#)

JOBS AND BUSINESS DEVELOPMENT COMMITTEE REPORT relative to the ten hardest to film locations in the City of Los Angeles.

Recommendations for Council action:

1. REQUEST FilmLA to report to the Jobs and Business Development Committee on a quarterly basis relative to issues in connection with the ten hardest to film locations in the City of Los Angeles as defined by the Motion Picture and Theatrical Trade Teamsters, Local 399.
2. REQUEST FilmLA to prepare a rental cost survey of frequently filmed locations in the City of Los Angeles and report back to the Jobs and Business Development Committee with its findings.
3. REQUEST Motion Picture and Theatrical Trade Teamsters, Local 399 to report to the Jobs and Business Development Committee relative to criteria used to create its list of the ten hardest to film locations in the City of Los Angeles.

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

Community Impact Statement: None submitted.

ITEM NO. (27) - CONTINUED TO NOVEMBER 24, 2009

Roll Call #15 - Motion (Garcetti - Smith) Adopted to Continue, Unanimous Vote (11); Absent: Cárdenas, LaBonge and Rosendahl (3)

[08-1783-S2](#)

JOBS AND BUSINESS DEVELOPMENT COMMITTEE REPORT relative to the implementation of a program to provide City-owned parking lots at no cost to film and television productions.

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

1. DIRECT the Department of General Services (GSD) to implement a program within 30 days to provide City-owned parking lots at no cost to film and television productions after operating hours and including special events; and further, DIRECT that said program shall include an exception for the cost of providing a Parking Attendant on site, as detailed in the October 28, 2009 GSD report, attached to the Council file.
2. AUTHORIZE that all future filming services and use fee revenues for the GSD be deposited into the Motion Picture Coordination Fund, No. 417, retroactive to July 1, 1996.

3. AUTHORIZE the Controller and the GSD to TRANSFER funds from the Motion Picture Coordination Fund No. 417 to GSD Fund 100/40, Salaries Overtime Account No. 1090 to GSD Fund 100/40, Salaries Overtime Account No. 1090, Salaries General Account No. 1010, Salaries As-Needed Account No. 1070 as reimbursement for direct expenditures for the GSD providing parking services for filming; and further, AFFIRM that the GSD will be providing parking attendants in lieu of security officers as part of said parking services.
4. INSTRUCT the GSD to provide accounting services for the Trust Fund within existing staff levels.
5. DIRECT that the program to provide City-owned parking lots at no cost to film and television productions should be provided in all available City parking lots after operating hours, including special events, as detailed in the October 28, 2009 GSD report, attached to the Council file.
6. DIRECT that those customers of City-owned parking facilities who are monthly parking permit holders will not be displaced from their parking spaces while the parking facility is being utilized by the film production company.
7. INSTRUCT the GSD to report back to the Jobs and Business Development Committee in 30 days with recommendations relative to City-owned parking lots that could be utilized by film and television production companies during operating hours that would be revenue-neutral or offered at a discount and that would cause no harm to local businesses.
8. INSTRUCT the GSD to create a list of City-owned parking lots, to include maps of each lot, hours of operation and report back to the Jobs and Business Development Committee with said list.
9. INSTRUCT the GSD to provide information in regard to City-owned parking facilities to FilmLA as a means of promoting filming activity in the City of Los Angeles with said information to be distributed as part of the film permitting process.

Fiscal Impact Statement: None submitted by the GSD. 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. (28) - CONTINUED TO NOVEMBER 20, 2009

Roll Call #3 - Motion (Hahn - Parks) Adopted to Continue, Unanimous Vote (11); Absent: Cárdenas, LaBonge and Rosendahl (3)

[07-1233-S1](#)

PUBLIC SAFETY COMMITTEE REPORT relative to extending the grant award period of the 2007 Six-Site Comprehensive Anti-Gang Initiative (AIG) Program.

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

1. AUTHORIZE the Chief of Police to:

- a. Accept the California Emergency Management Agency's approval of a no-cost extension for the 2007 Six-Site Comprehensive AIG Program, extending the award period from September 30, 2009, to May 31, 2010.
 - b. Negotiate and execute a sole-source agreement with Motorola, during the period of September 1, 2009, through May 31, 2010, for a sum not to exceed \$600,000 for the purchase and installation of mesh wireless camera equipment, subject to the approval of the City Attorney as to form and legality.
2. AUTHORIZE the Los Angeles Police Department (LAPD) to prepare Controller instructions for any technical adjustments consistent with this action, subject to the approval of the City Administrative Officer (CAO); and, AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: None submitted by the LAPD. Neither the CAO nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

Roll Call #9 - Motion (Hahn - Reyes) Adopted, Ayes (11); Absent: Cárdenas, LaBonge and Rosendahl (4) (Item Nos. 29-31)

ITEM NO. (29) - ADOPTED - FORTHWITH

[08-2169](#)

COMMUNICATIONS FROM THE BOARD OF POLICE COMMISSIONERS and CITY ADMINISTRATIVE OFFICER relative to a contract in the amount of \$1,158,581 with Safe Environmental Engineering for the purchase and integration of equipment to implement the Federal 2006 Infrastructure Protection Grant Program -- Chemical Sector Buffer Zone Protection Program.

(Public Safety Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or go to <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

ADOPTED

PUBLIC SAFETY COMMITTEE REPORT relative to a contract with Safe Environmental Engineering for the purchase and integration of equipment to implement the Federal 2006 Infrastructure Protection Grant -- Chemical Sector Buffer Zone Protection Program.

Recommendations for Council action:

1. **AUTHORIZE** the Chief of Police to execute a contract in the amount of \$1,158,581 with Safe Environmental Engineering for purchase and integration of equipment to implement the Federal 2006 Infrastructure Protection Grant: Chemical Sector Buffer Zone Protection Program, subject to the approval of the City Attorney review as to form and legality.
2. **INSTRUCT** the Police Department to:

- a. Obtain an updated letter from the County of Los Angeles Chief Executive Officer regarding the reimbursement process for the grant extension period through May 31, 2010.
- b. In conjunction with the City Administrative Officer (CAO), include in all future grants an agreement with the grantor to ensure reimbursement to the City for all eligible costs.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. All expenditures under the contract will be made from the Police Department Grant Fund 339, and will be fully reimbursed by the County of Los Angeles. While there is no executed agreement with the County for reimbursement, it is anticipated that the County will comply with the agreements executed between the City and the State and the State and the County regarding this grant.

Community Impact Statement: None submitted.

ITEM NO. (30) - ADOPTED - TO THE MAYOR FORTHWITH

[09-2308](#)

PUBLIC SAFETY COMMITTEE REPORT relative to a grant award from the California Office of Traffic Safety (OTS) for the Los Angeles Police Department's (LAPD) "Arrive Alive" Sober Driving Coalition - United States 101 Driving Under the Influence (DUI) Corridor Safety Project.

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

1. AUTHORIZE the Chief of Police, or designee, to:
 - a. Accept an award of \$20,000 for the DUI US-101 Corridor Traffic Safety Project from the OTS for the period June 1, 2009, through May 31, 2010.
 - b. Execute the DUI 101 Corridor Traffic Safety Project Agreement on behalf of the City and submit all necessary documents relative to the award; and, to negotiate, execute, and submit any other necessary agreements and documents relative to the award, subject to the approval of the City Attorney as to form and legality.
2. AUTHORIZE the Controller to set up a receivable of \$20,000 in Fund No. 339 and establish an appropriation account, account number to be determined, within Fund No. 339/70 for the receipt and disbursement of award funds.
3. AUTHORIZE the LAPD to submit reimbursement requests to the California OTS, and deposit award receipts in Fund No. 339/70, account number to be determined.
4. AUTHORIZE the Controller to increase appropriations, up to \$20,000, from Fund No. 339/70, account number to be determined to Fund No. 100/70, account numbers and amounts as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1092	Overtime Sworn	\$20,000

5. AUTHORIZE the LAPD to prepare Controller instructions for any necessary technical adjustments consistent with this action, subject to the approval of the City Administrative Officer (CAO); and, AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund inasmuch as the acceptance of the grant award does not require the City to provide matching funds.

The DUI US-101 Corridor Traffic Safety Project's costs are fully reimbursable. The above recommendations comply with City financial policies as one-time revenue will be used to support one-time expenses.

Community Impact Statement: None submitted.

ITEM NO. (31) - ADOPTED

[09-2545](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the re-appropriation of Edward Byrne Memorial Justice Assistance Grant (JAG) award fund allocations.

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

APPROVE the recommendations of the City Administrative Officer (CAO) as stated in the October 27, 2009, report to the Mayor and Council (attached to the Public Safety Committee report) relative to the re-appropriation of Edward Byrne Memorial JAG award fund allocations for Fiscal Years (FY) 2005, 2006, 2007, and 2008; and, extending the term of the FY 2005 JAG award through December 31, 2009.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. Approval of the above recommendations is in compliance with City financial policies, inasmuch as the requested re-appropriation of grant funds will provide sufficient funds to support JAG activities.

Community Impact Statement: None submitted.

ITEM NO. (32) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #17 - Motion (Huizar - Koretz) to Adopt as Amended, Ayes (14)

[07-4035](#)

PUBLIC WORKS COMMITTEE REPORT relative to amending Los Angeles Municipal Code (LAMC) Section 61.07 to allow the Bureau of Street Services (BOSS) to more effectively address the problem of illegally posted advertising signs (handbills).

Recommendation for Council action, as initiated by Motion (Hahn - LaBonge):

REQUEST the City Attorney to prepare and present an ordinance to amend LAMC Section 61.07 to make it unlawful for any person to make a false or misleading statement, or misrepresentation in any writing submitted to a public officer authorized by LAMC Section 61.07(a), as detailed in the November 2, 2009 BOSS report, attached to the Council file.

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.

ADOPTED

MOTION (LABONGE - HUIZAR)

Recommendation for Council action:

DIRECT the Bureau of Street Services to report back to the Council on the feasibility of an additional referral to the Police Commission for commercial entities that have received habitual complaints about illegally posted advertising signs.

**Roll Call #9 - Motion (Hahn - Reyes) Adopted, Ayes (11); Absent: Cárdenas, LaBonge and Rosendahl (3)
(Item Nos. 33-36)**

ITEM NO. (33) - ADOPTED

[08-0840](#)

PUBLIC WORKS COMMITTEE REPORT relative to the "Performance Audit of the Construction of the Los Angeles Police Department (LAPD) Headquarters Facility."

Recommendation for Council action:

NOTE and FILE the April 8, 2008 Motion (Rosendahl - Huizar - Parks) relative to the "Performance Audit of the Construction of the LAPD Headquarters Facility."

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (34) - ADOPTED

[01-0208-S1](#)

CD 1

CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to vacating North Main Street (portion of) westerly of Alpine Street (VAC E1400959).

Recommendations for Council action:

1. FIND that the vacation of the north-south and east-west alleys easterly of North Main Street (portion of) westerly of Alpine Street is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City of Los Angeles Environmental Guidelines.
2. DIRECT that the street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law BE INSTITUTED for the vacation of the public right-of-way indicated below and shown colored blue on Exhibit B of the September 2, 2009 City Engineer report, attached to the Council file:

A portion of the northwesterly side of North Main Street northeasterly of Alameda Street.

3. ADOPT the FINDINGS of the City Engineer dated September 2, 2009, as the Findings of the Council.
4. ADOPT the accompanying City Engineer report dated September 2, 2009 to approve the vacation.
5. INSTRUCT the City Clerk to set a public hearing date for **DECEMBER 9, 2009**.

Fiscal Impact Statement: The City Engineer reports that to date, an estimated \$8,005.56 in charges have been expended in the investigation and processing of this vacation proceeding pursuant to Section 7.46 of the Los Angeles Administrative Code (LAAC). Since LAAC 7.46 exempts all governmental agencies from payment of fees, the processing of this proceeding will be absorbed by the Bureau of Engineering. Maintenance of the public easement by City Forces will be eliminated.

Community Impact Statement: None submitted.

ITEM NO. (35) - ADOPTED

[09-0181](#)

CD 14

CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to vacating Eaton Street between Nolden Street and Avenue 56 southerly of Tehama Street (Reapplication; VAC E1400971).

Recommendations for Council action:

1. FIND that the vacation of Eaton Street between Nolden Street and Avenue 56 southerly of Tehama Street is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City of Los Angeles Environmental Guidelines.
2. DIRECT that the street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law BE INSTITUTED for the vacation of the public right-of-way indicated below and shown colored blue on Exhibit A of the September 10, 2009 City Engineer report, attached to the Council file:

Eaton Street between Nolden Street and Avenue 56.

3. ADOPT the FINDINGS of the City Engineer dated September 10, 2009, as the Findings of the Council.
4. ADOPT the accompanying City Engineer report dated September 10, 2009 to approve the vacation.
5. INSTRUCT the City Clerk to set a public hearing date for **DECEMBER 9, 2009**.

Fiscal Impact Statement: The City Engineer reports that the applicant had originally paid a fee of \$6,420.00 for the initial investigation of this vacation request. Subsequently, a Motion was introduced on February 17, 2009, under Council File No. 09-0181-S1, for the waiving of the Bureau of Engineering processing fee in conjunction with this vacation reapplication. On April 29, 2009, Council authorized a development fee subsidy in an amount not to exceed \$5,000.00 for the administration processing fee. Maintenance of the public easement by City Forces will be eliminated if this street is vacated.

Community Impact Statement: None submitted.

ITEM NO. (36) - ADOPTED

[09-0743](#)
CD 13

CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to vacating the walkway easterly of the Hollywood Freeway (I-101) and southerly of Hollywood Boulevard (VAC E1401144).

Recommendations for Council action:

1. FIND that the vacation of the walkway easterly of the Hollywood Freeway (I-101) and southerly of Hollywood Boulevard is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City of Los Angeles Environmental Guidelines.
2. DIRECT that the street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law BE INSTITUTED for the vacation of the public right-of-way indicated below and shown colored blue on Exhibit A of the September 23, 2009 City Engineer report, attached to the Council file:

A Walkway easterly of the Hollywood Freeway and southerly of Hollywood Boulevard adjacent to Lot 1, Grider And Hamilton's Grant Place tract.

3. ADOPT the FINDINGS of the City Engineer dated September 23, 2009, as the Findings of the Council.
4. ADOPT the accompanying City Engineer report dated September 23, 2009 to approve the vacation.
5. INSTRUCT the City Clerk to set a public hearing date for **DECEMBER 9, 2009**.

Fiscal Impact Statement: The City Engineer reports that the petitioner has paid a fee of \$10,700.00 for the investigation of this vacation request pursuant to Section 7.42 of the Los Angeles Administrative Code (LAAC). Any deficit fee to recover the cost pursuant to LAAC Section 7.44 may be required of the petitioner. Maintenance of the public easement by City Forces will be eliminated.

Community Impact Statement: None submitted.

ITEM NO. (37) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #19 - Motion (Perry - Parks) Adopted, Ayes (14)

[09-2129](#)

CD 9

PUBLIC WORKS COMMITTEE REPORT relative to naming the northeast corner of 42nd Place and Central Avenue as "Ezekiel Mobley, Jr. Square."

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

1. NAME the northeast corner of 42nd Place and Central Avenue as "Ezekiel Mobley, Jr. Square."
2. DIRECT the Los Angeles Department of Transportation (LADOT) to erect permanent ceremonial sign(s) as detailed above in Recommendation No. 1.
3. DIRECT the LADOT to notify the respective Council Office upon the installation of the ceremonial sign(s) as detailed above in Recommendation No. 2.

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.

ADOPTED

MOTION (PERRY - PARKS)

Recommendation for Council action:

AMEND to change the location to the northeast corner of 43rd Place and Central Avenue.

ITEM NO. (38) - CONTINUED TO NOVEMBER 24, 2009

**Roll Call #6 - Motion (Cárdenas - Parks) Adopted to Continue, Unanimous Vote (12);
Absent: LaBonge and Rosendahl (2)**

[09-2235](#)

PUBLIC WORKS COMMITTEE REPORT relative to regulating the placement of dumpsters, trash containers, and roll-off bins in the public rights-of-way.

Recommendations for Council action, pursuant to Motion (Cárdenas - Perry - Reyes - Wesson Parks):

1. DIRECT the Bureau of Street Services (BOSS), with assistance from the Bureau of Sanitation (BOS), as necessary, to report to the Council with an analysis of the policies and programs that various other cities and municipalities take to ensure that dumpsters in their cities are fully permitted and legally placed and how illegal dumpsters are dealt with; and further, DIRECT that the BOSS, with assistance from the BOS, as necessary, also prepare recommendations for establishing a program for the City of Los Angeles that would allow it to more effectively deal with illegal dumpsters.
2. DIRECT the BOSS to implement the appropriate standards to mitigate accidents (reflective details placed on all bins, sign postage, etc.) in residential neighborhoods where storage bins are located.
3. REQUEST the City Attorney to prepare and present an ordinance to amend Section 62.45 of the Los Angeles Municipal Code, and other sections as necessary, to implement a dumpster enforcement program that would monitor and remove illegal dumpsters from the City's rights-of-way.

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 #9 - Motion (Hahn - Reyes) Adopted, Ayes (11); Absent: Cárdenas, LaBonge and Rosendahl (3)
(Item Nos. 39-40)**

ITEM NO. (39) - ADOPTED

[09-2458](#)

CD 4

NEGATIVE DECLARATION and PUBLIC WORKS COMMITTEE REPORT relative to the widening of Burbank Boulevard - Lankershim Boulevard to Cleon Avenue Project.

Recommendations for Council action:

1. FIND that the Initial Study/Negative Declaration for the Widening of Burbank Boulevard - Lankershim Boulevard to Cleon Avenue Project (BE 339-09), prepared by the City of Los Angeles/Bureau of Engineering's Environmental Management Group on July 13, 2009 and attached to the Council file, complies with the California Environmental Quality Act of 1970, pursuant to the City of Los Angeles Environmental Guidelines.
2. FIND on the basis of the while record that there is no substantial evidence that the Widening of Burbank Boulevard - Lankershim Boulevard to Cleon Avenue Project will have a significant effect on the environment.
3. FIND that the Negative Declaration as detailed above in Recommendation No.1 reflects the City's independent judgment and analysis.
4. ADOPT the Negative Declaration (BE 339-09), as detailed above in Recommendation Nos. 1-3, attached to the Council file.
5. ADOPT the FINDINGS of the September 30, 2009 Board of Public Works (BPW) report, as attached to the Council file, as the Findings of the Council.
6. APPROVE the Burbank Boulevard - Lankershim Boulevard to Cleon Avenue Project as detailed in the July 13, 2009 Initial Study and attached to the Council file.
7. INSTRUCT the City Clerk to immediately notify Julie Van Wagner of the Bureau of Engineering's Environmental Management Division at (213) 485-5754 of the adoption of the Negative Declaration so that the Notice of Determination can be filed with the Office of the County Clerk within five working days.

Fiscal Impact Statement: The BPW reports that funding for the Burbank Boulevard - Lankershim Boulevard to Cleon Avenue Project is provided by the Federal Regional Surface Transportation Program, Los Angeles County Metropolitan Transportation Authority Proposition C and Local Proposition C funds. There is no impact to the General Fund.

Community Impact Statement: None submitted.

ITEM NO. (40) - ADOPTED

[09-0914](#)

CD 11

TRANSPORTATION, INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS and BUDGET AND FINANCE COMMITTEES' REPORT relative to the sale of Municipal Off-Street Parking Lot No. 654 at 1611 South Beloit Avenue (APN 4261-00-7900).

Recommendations for Council action, as initiated by Motion (Rosendahl - Hahn):

1. DIRECT the General Manager, Los Angeles Department of Transportation (LADOT), to seek the declaration of Municipal Parking Lot No. 654 located at 1611 South Beloit Avenue (APN 4261007900) as surplus property from the Board of Transportation Commissioners.

2. AUTHORIZE the General Manager, LADOT, to release a Request for Bid to sell the property at fair market value for use as commercial development within the approved zoning for the property.
3. INSTRUCT the General Manager, Department of General Services, to prepare all necessary documents, including the preparation of a Class "C" estimate to effectuate the sale and to deposit the net proceeds from the sale of Municipal Parking Lot No. 654 in the Special Parking Revenue Fund.

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

Community Impact Statement: None submitted.

ITEM NO. (41) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #34 - Motion (Parks - Huizar) Adopted, Ayes (10); Absent: Cárdenas, Reyes, Smith and Wesson (4)

[09-2242](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM THE CITY ATTORNEY relative to the litigation status of Hunter/La Ley v. City of Los Angeles, et al, United States District Court Case Nos. CV 92-1897 and CV 92-1898 MMM.

(Public Safety Committee and Budget and Finance Committee reports to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or go to <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

[Council may recess to closed session, pursuant to Government Code Sections 54956.9(a), to confer with the City Attorney]

(Continued from Council meeting of November 3, 2009)

ADOPTED

PUBLIC SAFETY COMMITTEE REPORT relative to the litigation status of Hunter/La Ley v. City of Los Angeles, et al, United States District Court (USDC) Case Nos.: CV 92-1897 and CV 92-1898 MMM.

Recommendation for Council action:

APPROVE the recommendations of the City Attorney in the confidential report to Council dated September 10, 2009, relative to the litigation status of Hunter/La Ley v. City of Los Angeles, et al, USDC Case Nos.: CV 92-1897 and CV 92-1898 MMM.

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.

ADOPTED

MOTION (PARKS - HUIZAR)

Recommendation for Council action:

DIRECT the Los Angeles Police Department to report back to the Public Safety Committee with a comprehensive plan to address the issues covered by the consent decree.

Items for Which Public Hearings Have Not Been Held - Items 42-53

(10 Votes Required for Consideration)

ITEM NO. (42) - CONTINUED TO NOVEMBER 20, 2009

Roll Call #5 - Motion (Alarcón - Perry) Adopted to Continue, Unanimous Vote (11); Absent: Cárdenas, LaBonge and Rosendahl (3)

[09-0722](#)

CD 7

CONTINUED CONSIDERATION OF DEPARTMENT OF RECREATION AND PARKS, BUREAU OF ENGINEERING, CITY ADMINISTRATIVE OFFICER and CHIEF LEGISLATIVE ANALYST and any other involved City departments to report relative to the Children's Museum of Los Angeles Board of Directors decision to file for bankruptcy under Chapter 7 of federal bankruptcy laws, and related matters.

(Continued from Council meeting of October 16, 2009)

ITEM NO. (43) - ADOPTED

Roll Call #18 - Motion (Huizar - Smith) Adopted, Ayes (14)

[08-1512](#)

COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to amending Subsection (c) of Section 28.04 of the Los Angeles Municipal Code (LAMC) to establish administrative penalties for the illegal posting of handbills and stickers in the public right-of-way.

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

PRESENT and ADOPT the accompanying ORDINANCE amending Subsection (c) of Section 28.04 of the LAMC to add administrative penalties for the illegal posting of handbills and stickers in the public right-of-way.

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.

(Public Works Committee waived consideration of the above matter)

ITEM NO. (44) - ADOPTED

Roll Call #20 - Motion (Smith - Wesson) Adopted, Ayes (14)

[09-1011](#)

COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to adding new Section 71.27 to Chapter VII of the Los Angeles Municipal Code (LAMC) to provide for the inspection of limousine waybills and enhance bandit taxicab enforcement in the City of Los Angeles.

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

PRESENT and ADOPT the accompanying ORDINANCE adding new Section 71.27 to Chapter VII of the LAMC to provide for the inspection of limousine waybills and enhance bandit taxicab enforcement in the City of Los Angeles.

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.

(Transportation Committee waived consideration of the above matter)

**Roll Call #13 - Motion (Huizar - Rosendahl) Adopted, Ayes (13); Absent: LaBonge (1)
(Item Nos. 45-47)**

ITEM NO. (45) - ADOPTED

[09-1437](#)

CD 14

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and ORDINANCE FIRST CONSIDERATION relative to the quitclaim of Storm Drain Easement for Boyle Avenue northerly of Opal Street (Right of Way No. 36000-1742).

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

1. FIND that the quitclaim of Storm Drain Easement for Boyle Avenue northerly of Opal Street (Right of Way No. 36000-1742) is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(4) of the City's Environmental Guidelines.

2. APPROVE the quitclaim of Storm Drain Easement for Boyle Avenue northerly of Opal Street (Right of Way No. 36000-1742) as shown colored green on Exhibit A of the June 4, 2009 City Engineer report, attached to the Council file, subject to the following condition:

That the petitioner make satisfactory arrangement with the Real Estate Group of the Bureau of Engineering with respect to the payment of the document recording fee.

3. ADOPT the City Engineer report dated June 4, 2009, to approve the petitioner's request for Boyle Avenue northerly of Opal Street (Right of Way No. 36000-1742).
4. PRESENT and ADOPT the accompanying Ordinance authorizing the quitclaim of Storm Drain Easement for Boyle Avenue northerly of Opal Street (Right of Way No. 36000-1742).
5. INSTRUCT the City Clerk to forward a copy of the Council action and ORDINANCE to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that a fee of \$5,537.25 was paid for processing this request pursuant to Section 7.40 of the Los Angeles Administrative Code.

ITEM NO. (46) - ADOPTED

[09-1767](#)

CD 11

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and ORDINANCE FIRST CONSIDERATION relative to the quitclaim of Sanitary Sewer Easement for Tranquillo Road at Sabbiadoro Way (Right of Way No. 36000-1727).

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

1. FIND that the quitclaim of Sanitary Sewer Easement for Tranquillo Road at Sabbiadoro Way (Right of Way No. 36000-1727) is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(4) of the City's Environmental Guidelines.
2. APPROVE the quitclaim of Sanitary Sewer Easement for Tranquillo Road at Sabbiadoro Way (Right of Way No. 36000-1727) as shown colored green on Exhibit A of the July 13, 2009 City Engineer report, attached to the Council file, subject to the following condition:

That petitioner make satisfactory arrangement with the Real Estate Group of the Bureau of Engineering with respect to the payment of the document recording fee.

3. ADOPT the City Engineer report dated July 13, 2009, to approve the petitioner's request for Tranquillo Road at Sabbiadoro Way (Right of Way No. 36000-1727).
4. PRESENT and ADOPT the accompanying ORDINANCE authorizing the quitclaim of Sanitary Sewer Easement for Tranquillo Road at Sabbiadoro Way (Right of Way No. 36000-1727).
5. INSTRUCT the City Clerk to forward a copy of the Council action and Ordinance to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that a fee of \$4,815 was paid for processing this request pursuant to Section 7.40 of the Los Angeles Administrative Code.

ITEM NO. (47) - ADOPTED

[09-2216](#)

CD 3

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and ORDINANCE FIRST CONSIDERATION relative to the quitclaim of Drainage Easement for Kelvin Avenue northerly of Quedo Drive (Right of Way No. 36000-1744).

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

1. FIND that the quitclaim of Drainage Easement for Kelvin Avenue northerly of Quedo Drive (Right of Way No. 36000-1744) is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(4) of the City's Environmental Guidelines.
2. APPROVE the quitclaim of Drainage Easement for Kelvin Avenue northerly of Quedo Drive (Right of Way No. 36000-1744) as shown colored green on Exhibit A of the September 4, 2009 City Engineer report, attached to the Council file, subject to the following condition:

That petitioner make satisfactory arrangement with the Real Estate Group of the Bureau of Engineering with respect to the payment of the document recording fee.

3. ADOPT the City Engineer report dated September 4, 2009, to approve the petitioner's request for Kelvin Avenue northerly of Quedo Drive (Right of Way No. 36000-1744).
4. PRESENT and ADOPT the accompanying ORDINANCE authorizing the quitclaim of Drainage Easement for Kelvin Avenue northerly of Quedo Drive (Right of Way No. 36000-1744).
5. INSTRUCT the City Clerk to forward a copy of the Council action and Ordinance to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that a fee of \$5,537.25 was paid for processing this request pursuant to Section 7.40 of the Los Angeles Administrative Code.

**Roll Call #21 - Motion (Perry - Parks) Adopted, Ayes (14)
(Item Nos. 48a-48l)**

ITEM NO. (48) - ADOPTED

[09-0005-S685](#)

et al. RESOLUTIONS relative to removing various properties from the Rent Escrow Account Program.

Recommendation for Council action:

ADOPT the accompanying RESOLUTIONS removing the following properties from the Rent Escrow Account Program (REAP), inasmuch as the owner(s) have corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department (LAHD), Code Enforcement Unit, habitability citations, pursuant to Ordinance 173810, and ADOPT the Findings contained in the LAHD's report of November 11, 2009:

[09-0005-S685](#)

CD 1

- a. Property at 1337 South Albany Street (Case No. 217114).
Assessor I.D. No. 5135-034-016

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 14, 2009)

[09-0005-S686](#)

CD 15

- b. Property at 154 West 112th Street aka 156 West 112th Street (Case No. 43907).
Assessor I.D. No. 6074-023-013

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 29, 2007)

[09-0005-S687](#)

CD 15

- c. Property at 200 East 111th Place (Case No. 147404).
Assessor I.D. No. 6073-023-012

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 13, 2007)

[09-0005-S688](#)

CD 1

- d. Property at 305 North Avenue 51 aka 307 North Avenue 51 (Case No. 142323).
Assessor I.D. No. 5469-013-011

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 10, 2008)

[09-0005-S689](#)

CD 9

- e. Property at 461 East 43rd Street (Case No. 133359).
Assessor I.D. No. 5113-011-004

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 19, 2007)

[09-0005-S690](#)

CD 1

- f. Property at 492 West Solano Avenue (Case No. 234413).
Assessor I.D. No. 5414-023-010

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 1, 2009)

[09-0005-S691](#)

CD 13

- g. Property at 557 North Commonwealth Avenue aka 557 1/2 North Commonwealth Avenue (Case No. 144897).
Assessor I.D. No. 5539-029-004

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 1, 2007)

[09-0005-S692](#)

CD 13

- h. Property at 557 North Commonwealth Avenue aka 557 1/2 North Commonwealth Avenue (Case No. 236317).
Assessor I.D. No. 5539-029-004

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 23, 2009)

[09-0005-S693](#)

CD 9

- i. Property at 720 East 48th Street (Case No. 247850).
Assessor I.D. No. 5108-010-028

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 27, 2009)

[09-0005-S694](#)

CD 5

- j. Property at 807 North Stanley Avenue aka 809 North Stanley Avenue (Case No. 228679).
Assessor I.D. No. 5527-006-003

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 3, 2009)

[09-0005-S695](#)

CD 15

- k. Property at 878 West 19th Street aka 880 West 19th Street (Case No. 215813).
Assessor I.D. No. 7462-010-015

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 4, 2009)

[09-0005-S696](#)

CD 8

- l. Property at 912 West Gage Avenue (Case No. 119007).
Assessor I.D. No. 6004-017-033

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 6, 2007)

ITEM NO. (49) - ADOPTED

Roll Call #22 - Motion (Perry - Reyes) Adopted, Ayes (14)

[09-2649](#)

COMMUNICATION FROM CHAIR, ENERGY AND ENVIRONMENT COMMITTEE relative to the submittal of the Implementation Plan for the Ballona Creek, Ballona Estuary and Sepulveda Channel Bacteria Total Maximum Daily Load (TMDL).

Recommendations for Council action:

1. APPROVE the Implementation Plan developed jointly by the City of Los Angeles, the City of Beverly Hills, the City of Culver City, the City of Inglewood, the City of West Hollywood, the City of Santa Monica, and the California State Department of Transportation to meet the requirements of the Ballona Creek, Ballona Estuary and Sepulveda Channel Bacteria TMDL.
2. AUTHORIZE the Bureau of Sanitation (BOS) to submit the Implementation Plan to the California Regional Water Quality Control Board, Los Angeles Region (Regional Board).

Fiscal Impact Statement: The Board of Public Works (Board) reports that the estimated capital cost to the City of Los Angeles for implementing the institutional and structural measures proposed by the draft Implementation Plan is \$721.3 million over the next 11 years (until 2021). The cost for operation and maintenance of the implemented projects is estimated to increase to a total of approximately \$19.3 million per year by 2021. The implementation of this plan is subject to the availability of necessary funding. Existing revenues from the Stormwater Pollution Abatement Charge estimated at \$28 million per year have been fully allocated. Currently, none of Best Management Practices and projects identified in the plan is funded, except for some of the institutional measures. The City continues to pursue funding alternatives in partnership with other agencies in the watershed including the Los Angeles County. The BOS will also pursue requesting for state and federal grants.

Community Impact Statement: None submitted.

**Roll Call #10 - Motion (Reyes - Huizar) Adopted, Ayes (11); Absent: Cárdenas, LaBonge and Rosendahl (4)
(Item Nos. 50-52)**

ITEM NO. (50) - ADOPTED

[09-2730](#)

CD 5

COMMUNICATION FROM THE BOARD OF TRANSPORTATION COMMISSIONERS relative to the proposed relinquishment from the State of California to the City of Los Angeles of municipal off-street Parking Lot No. 762 located at 15314 West Dickens Street in Sherman Oaks.

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

1. CONCUR with the proposed relinquishment, from the State of California to the City of Los Angeles, of the State of California Department of Transportation (Caltrans) owned and Los Angeles Department of Transportation (LADOT) managed off-street Parking Lot No. 762.
2. CONCUR with the State's reservation of a footing easement on the west portion of the area to be relinquished as shown on map REL-1237A (attached to the Council file).
3. CONCUR and ACCEPT the proposed relinquishment from the State of California and State's reservation of a footing easement on the west portion of the area to be relinquished located at 15314 West Dickens Street in Sherman Oaks.

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

Community Impact Statement: None submitted.

(Transportation Committee waived consideration of the above matter)

ITEM NO. (51) - ADOPTED

[09-1831](#)
CD 11

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 3171 South Bundy Drive pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated July 1, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 3171 South Bundy Drive.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$2,247 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$2,100 and a seven percent surcharge in the amount of \$147 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (52) - ADOPTED

[09-1889](#)

CD 11

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 11406-14 West Exposition Boulevard pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated July 8, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 11406-14 West Exposition Boulevard.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$2,386.10 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$2,230 and a seven percent surcharge in the amount of \$156.10 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (53) - ADOPTED

Roll Call #23 - Motion (Smith - Koretz) Adopted, Ayes (14)

[09-1149](#)

CD 2

CONSIDERATION OF MOTION (GREUEL - SMITH) relative to removing the dedication and improvement requirements for Chandler Boulevard abutting Keyes European located at 5400 Van Nuys Boulevard as set forth in case ZA-2006-2725-CU-ZV-ZAA-SPR.

Recommendation for Council action:

REMOVE the dedication and improvement requirements for Chandler Boulevard abutting Keyes European located at 5400 Van Nuys Boulevard as set forth in case ZA-2006-2725-CU-ZV-ZAA-SPR for the reasons indicated in the text of the Motion and attached to the Council file.

Community Impact Statement: None submitted.

(Planning and Land Use Management and Public Works Committees waived consideration of the above matter)

Items Called Special

Motions for Posting and Referral

Councilmembers' Requests for Excuse from Attendance at Council Meetings

Closed Sessions - Items 54-61

ITEM NO. (54) - MOTION ADOPTED IN OPEN SESSION

Roll Call #35 - Motion (Parks - Perry) Adopted, Ayes (10); Absent: Cárdenas, Reyes, Smith and Wesson (4)

[09-0577](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Wayne and Marjorie Threm v. City of Los Angeles, Claim No. C05-4743. (This is an inverse condemnation claim concerning 2639 Harlesden Court in Council District Four.)

(Budget and Finance Committee considered the above matter in Closed Session on November 9, 2009)

ADOPTED

MOTION (PARKS - SMITH) relative to the case entitled Wayne and Marjorie Threm v. City of Los Angeles, Claim No. C05-4743.

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

- 1. APPROVE settlement of the case entitled Wayne and Marjorie Threm v. City of Los Angeles, Inverse Condemnation Claim No. C05-4743.**
- 2. AUTHORIZE the City Attorney to execute a settlement agreement and all other documents necessary to implement the settlement.**
- 3. AUTHORIZE the City Attorney to expend \$893,118 in settlement of the case entitled Wayne and Marjorie Threm v. City of Los Angeles, Inverse Condemnation Claim No. C05-4743 from the City Attorney Liability Claims Budget, Department 59, Account No. 9770.**

4. **AUTHORIZE the City Attorney, to draw a demand thereon in said amount payable to Wayne Threm, Marjorie Threm, and The Law Offices of Darren Burge.**

This matter was approved by the Budget and Finance Committee (Parks - Smith - Rosendahl - Koretz "yes") at its meeting on November 9, 2009, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (55) - CONTINUED TO DECEMBER 2, 2009

Roll Call #36 - Motion (Parks - Perry) Adopted to Continue, Unanimous Vote (10); Absent: Cárdenas, Reyes, Smith and Wesson (4)

[09-1482](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Bekeredjian v. City of Los Angeles, Los Angeles Superior Court Case No. BC343886. (This case arises from earth movement that occurred on February 27, 2005, in the vicinity of Laurel Canyon Boulevard. The earth movement affected private property and Laurel Canyon Boulevard.)

(Budget and Finance Committee considered the above matter in Closed Session on July 20, 2009)

(Continued from Council meeting of October 14, 2009)

ITEM NO. (56) - MOTION ADOPTED IN OPEN SESSION

Roll Call #37 - Motion (Parks - Rosendahl) Adopted, Ayes (10); Absent: Cárdenas, Reyes, Smith and Wesson (4)

[09-1906](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Mohamed Refaat v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC 391410. (This case arises from plaintiff's claim of race and age discrimination and retaliation with the Office of Finance.)

(Budget and Finance Committee considered the above matter in Closed Session on November 2, 2009.)

ADOPTED

MOTION (PARKS - SMITH) relative to the case entitled Mohamed Refaat v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC 391410.

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

1. **AUTHORIZE** the City Attorney to expend \$150,000, inclusive of costs and attorney's fees, in exchange for the dismissal in its entirety, with prejudice, of the case entitled Mohamed Refaat v. City of Los Angeles, et al., LASC Case No. BC 391410, from the Liability Claims Account No. 9770, Fund No. 100, Department 59.
2. **AUTHORIZE** the City Attorney to draw a demand thereon in said amount payable to the Law Offices of Jeffrey McIntyre and Mohamed Refaat.
3. **AUTHORIZE** the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and **AUTHORIZE** the Controller to implement the instructions.

This matter was approved by the Budget and Finance Committee (Parks - Smith - Rosendahl - Huizar "yes") at its meeting on November 2, 2009, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (57) - MOTION ADOPTED

Roll Call #11 - Motion (Parks - Smith) Adopted, Ayes (11); Absent: Cárdenas, LaBonge and Rosendahl (3)

[09-2546](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled City of Los Angeles v. City of Santa Monica, Santa Monica City Claim No.08-6265. (This case arises out of an overpayment by the City of Los Angeles to the City of Santa Monica for the costs related to the City of Santa Monica's Coastal Interceptor Sewer System.)

(Budget and Finance Committee considered the above matter in Closed Session on November 2, 2009.)

ADOPTED

MOTION (PARKS - SMITH) relative to the case entitled City of Los Angeles v. City of Santa Monica.

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

AUTHORIZE the City Attorney to settle the case entitled City of Los Angeles v. City of Santa Monica, Santa Monica City Claim No. 08-6265, whereby the City of Santa Monica will pay to the City of Los Angeles the sum of \$4,001,166 to resolve a billing dispute over the City's share for the costs for the Coastal Interceptor Sewer System (CISS). The City of Santa Monica will pay a lump-sum cash payment of \$2.7 million within 10 business days after the settlement agreement has been executed by all parties and payment credits of \$1,301,116 for the CISS costs charged for fiscal years 2007-08, 2008-09, and 2009-10.

This matter was approved by the Budget and Finance Committee (Parks - Smith - Rosendahl - Huizar "yes") at its meeting on November 2, 2009, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (58) - MOTION ADOPTED

Roll Call #12 - Motion (Parks - Smith) Adopted, Ayes (11); Absent: Cárdenas, LaBonge and Rosendahl (3)

[09-2614](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Arthur Jefferson v. City of Los Angeles, Workers' Compensation Appeals Board Case Nos. MON 258055, et al; Claim Nos. 9001-1998-0718, et al. (Plaintiff alleges personal injuries sustained during the course and scope of his employment as a Truck Driver for the City of Los Angeles Bureau of Sanitation.)

(Budget and Finance Committee considered the above matter in Closed Session on November 9, 2009.)

ADOPTED

MOTION (PARKS - SMITH) relative to the case entitled Arthur Jefferson v. City of Los Angeles, Workers' Compensation Appeals Board Case Nos. MON 258055, et al; Claim Nos. 9001-1998-0718, et al.

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

- 1. AUTHORIZE the City Attorney to enter into a settlement in the case entitled Arthur Jefferson v. City of Los Angeles, Workers' Compensation Appeals Board Case Nos. MON 258055, et al.; Claim Nos. 9001-1998-0718, et al. through a Compromise and Release in the amount of \$115,000.**
- 2. AUTHORIZE the City Attorney to execute the settlement agreement with all appropriate parties for submission to the Workers' Compensation Appeals Board for its award of payment from the Personnel Department's Human Resources Benefit Account No. 9910.**

This matter was approved by the Budget and Finance Committee (Parks - Smith - Rosendahl - Koretz "yes") at its meeting on November 9, 2009, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (59) - MOTION ADOPTED IN OPEN SESSION

Roll Call #38 - Motion (Parks - Perry) Adopted, Ayes (10); Absent: Cárdenas, Reyes, Smith and Wesson (4)

[09-2617](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Youbet.Com, Inc. v. City of Los Angeles, Los Angeles Superior Court Case No. BC398804. (This matter is regarding payment of business taxes.)

(Budget and Finance Committee considered the above matter in Closed Session on November 9, 2009.)

ADOPTED

MOTION (PARKS - SMITH)

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

- 1. AUTHORIZE the City Attorney to approve an offer in compromise in the case entitled Youbet.Com, Inc. v. City of Los Angeles, Los Angeles Superior Court Case No. BC398804, in which the City agrees to refund to Youbet the sum of Two Hundred Fifty Thousand Dollars (\$250,000) which Youbet will accept in the form of credits against future tax liabilities to the City. The City would also agree that absent substantial changes in its business operations, and/or a change in the City's Multimedia Ordinance, Youbet is classified as a Multimedia Business for purposes of Business Tax classification under the Los Angeles Municipal Code.**
- 2. REQUEST the City Attorney, with the assistance of the Office of Finance, to report on the status of Youbet.Com, Inc. with respect to the business tax ordinance and if there are substantial changes to business operations to prepare and present an ordinance to bring Youbet.Com, Inc. in compliance.**

This matter was approved by the Budget and Finance Committee (Parks - Smith - Rosendahl - Koretz "yes") at its meeting on November 9, 2009, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (60) - CONTINUED TO NOVEMBER 25, 2009

Roll Call #39 - Motion (Parks - Perry) Adopted to Continue, Unanimous Vote (10); Absent: Cárdenas, Reyes, Smith and Wesson (4)

[09-2627](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Robert C. Stein v. City of Los Angeles, et al., Los Angeles Superior Court Case No. SC 095276. (This case arises out of a dangerous condition of public property claim against the City as a result of malfunctioning traffic control signals.)

(Budget and Finance Committee considered the above matter in Closed Session on November 9, 2009.)

ITEM NO. (61) - MOTION ADOPTED IN OPEN SESSION

Roll Call #40 - Motion (Garcetti - Parks) Adopted, Ayes (10); Absent: Cárdenas, Reyes, Smith and Wesson (4)

[09-2632](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Niles Rose v. City of Los Angeles, Los Angeles Superior Court Case No. BC392289. (This case arises out of a personal injury claim against the City involving a collision between a motorcyclist and a City vehicle on the 101 Freeway.)

(Budget and Finance Committee considered the above matter in Closed Session on November 9, 2009.)

ADOPTED

MOTION (GARCETTI - PARKS) relative to the case entitled Niles Rose v. City of Los Angeles, Los Angeles Superior Court Case No. BC392289.

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

- 1. AUTHORIZE the City Attorney to expend \$2,300,000 in settlement of the case entitled Niles Rose v. City of Los Angeles, LASC Case No. BC392289, from the Liability Claims Account No. 9770, Fund No. 100/59.**
- 2. AUTHORIZE the City Attorney to draw demands thereon in the amount of \$1,150,000 to be paid forthwith and \$1,150,000 to be paid July 1, 2010 and made payable to AlderLaw, PC, Scott J. Corwin, A Professional Corporation and Niles Rose.**
- 3. AUTHORIZE the Controller to:**
 - a. To pay the first installment, transfer \$1,150,000 from the Reserve Fund to the Unappropriated Balance and appropriate therefrom to Liability Claims Fund 100, Department 59, Liability claims over \$100,000, Account No. 9770 to be reimbursed by proceeds from a future Judgment Obligation Bond issuance.**
 - b. If the second installment is not paid from the proceeds of a future Judgment Obligation bond issuance on or before July 1, 2010, transfer \$1,150,000 from the Reserve Fund to the Unappropriated Balance and appropriate therefrom to Liability Claims, Fund 100, Department 59, Account 9770 to be reimbursed by proceeds from a future Judgment Obligation Bond issuance.**
- 4. FIND, based on City Administrative Officer and Chief Legislative Analyst recommendations:**

- a. **The settlement is in the best interest of the City.**
 - b. **There are no other sources of available money to pay the settlement amount on a timely basis pursuant to the terms of the settlement agreement.**
 - c. **The City intends to make one or more interfund borrowings or advances from the Reserve Fund to pay all or a portion of the settlement on an interim basis, which loan or advance will be refunded or reimbursed with the proceeds of a judgment obligation bond issue.**
 - d. **The City will obtain a Stipulated Judgment pursuant to Code of Civil Procedure Section 664.6.**
5. **AUTHORIZE the City Attorney, or designee, to prepare Controller instructions as needed for any technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.**

This matter was approved by the Budget and Finance Committee (Parks - Smith - Rosendahl - Koretz "yes") at its meeting on November 9, 2009, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (62) - CONTINUED TO NOVEMBER 24, 2009

Roll Call #6 - Motion (Cárdenas - Parks) Adopted to Continue, Unanimous Vote (12); Absent: LaBonge and Rosendahl (2)

[09-0010-S55](#)

CONTINUED CONSIDERATION OF MOTION (CÁRDENAS - PARKS - ALARCÓN) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Lanthrick Givens on September 7, 2005.

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

1. PROVIDE an offer of reward in the amount of \$50,000 for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Lanthrick Givens on September 7, 2005.
2. FIND that the subject reward complies with the provisions of Chapter 12, Article 1, Division 19, of the Los Angeles Administrative Code.
3. DIRECT the City Clerk to publish the required notices and/or advertisements to effectuate this reward.

(Continued from Council meeting of November 17, 2009)

ITEM NO. (63) - ADOPTED

Roll Call #24 - Motion (Cárdenas - Parks) Adopted, Ayes (14)

[09-2719](#)

CD 12

CONTINUED CONSIDERATION OF MOTION (SMITH - ROSENDAHL) relative to funds for new and innovative ways to solve the sidewalk repair issue in the City of Los Angeles.

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

1. AUTHORIZE the Controller to TRANSFER and APPROPRIATE \$35,836 from the Sunshine Canyon Communities Trust Fund No. 699/14 to the Department of Public Works, Bureau of Street Services (BOSS) Fund No. 100/86, various accounts as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries, General	\$17,918
3030	Construction Expense	\$ 5,375
3040	Contractual Services	\$ 5,375
6020	Operating Supplies	\$ 7,168

2. AUTHORIZE the Director, BOSS, or designee, to make any technical corrections or clarification as necessary to the above instructions in order to effectuate the intent of this Motion.

(Lost quorum left on desk - Continued from Council meeting of November 17, 2009)

ITEM NO. (64) - ADOPTED

Roll Call #25 - Motion (Koretz - Reyes) Adopted, Ayes (14)

[09-0011-S50](#)

CDs 4 & 5

CONTINUED CONSIDERATION OF MOTION (LABONGE - KORETZ) relative to funds for transit related services to the growing arts district in the Miracle Mile Area.

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

1. AUTHORIZE the Public Works Bureau of Accounting to pay MV Transportation \$3,486.87 for services provided from October 2008 through October 2009. TRANSFER and APPROPRIATE this payment from the Council District Four and Council District Five portions of the Street Furniture Revenue fund.

Council District Four	\$1,743.43
Council District Five	\$1,743.42

2. AUTHORIZE the Director, Bureau of Street Services, or designee, to make technical corrections as necessary to implement the above recommendations.

(Lost quorum left on desk - Continued from Council meeting of November 17, 2009)

MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR WEDNESDAY, NOVEMBER 18, 2009, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

ADOPTED - FORTHWITH TO THE MAYOR

Roll Call #28 - Motion (Reyes - Zine) Findings on Need to Act - Adopted, Ayes (12); Absent: Smith and Wesson (2)

Roll Call #29 - Motion (Reyes - Zine) Adopted, Ayes (12); Absent: Smith and Wesson (2)

09-0010-S56

MOTION (REYES - WESSON) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person or persons responsible for the series of kidnapping and sexual assault crimes.

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

FIND That:

- a. The series of crimes was caused by the willful misconduct of one or more persons.**
- b. This offer of reward is consistent with and taken for the immediate protection or the public peace, health and safety of local residents, as well as visitors to the City, and is consistent with the peace, health and safety of local residents, as well as visitors to the City, and is consistent with the need to arrest and convict the person or persons who, because of not being apprehended, could by their actions further terrorize and present a continuing and immediate menace to the rights of persons in the City.**
- c. These crimes are especially disturbing and therefore, as a matter of public policy, the City hereby offers a reward as an added inducement for persons to come forward with information leading to the identification, apprehension and conviction of the person or persons responsible for the series of kidnapping and sexual assault crimes.**
- d. The sum of \$50,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.**
- e. The offer of reward shall be in effect for six months from the date of the advertisement of the reward by the City Clerk.**

ADOPTED - FORTHWITH TO THE MAYOR

Roll Call #30 - Motion (Parks - Huizar) Findings on Need to Act - Adopted, Ayes (12); Absent: Smith and Wesson (2)

Roll Call #31 - Motion (Parks - Huizar) Adopted, Ayes (12); Absent: Smith and Wesson (2)

09-0122

MOTION (PARKS - HUIZAR) relative to amending Council action of November 3, 2009 in connection with a settlement agreement in the case entitled Monterey Hills Investors, LLC v. City of Los Angeles, Los Angeles Superior Court Case (LASC) No. BS 110114.

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

- 1. AUTHORIZE the City Attorney to expend \$464,068 in settlement of the case entitled Monterey Hills Investors, LLC v. City of Los Angeles, LASC Case No. BS 110114, from the Liability Claims Account No. 9770, Fund No. 100/59.**
- 2. AUTHORIZE the Department of General Services (GSD) to expend \$8,565,932 in settlement of said case from MICLA commercial paper.**
- 3. AUTHORIZE the City Attorney to draw a demand from the Liability Claims Account No. 9770 in the amount of \$464,068 payable to, and sent via wire transfer to First American Insurance Company.**
- 4. AUTHORIZE the GSD to draw a demand from MICLA commercial paper in the amount of \$8,565,932 payable to, and sent via wire transfer to First American Title Insurance Company.**
- 5. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions as needed for any technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.**
- 6. AUTHORIZE the Controller to return any remaining estimated escrow costs to the General Fund's Capital Finance Fund 100/53 in order to pay down the principal and/or interest on commercial paper notes.**

ADOPTED - FORTHWITH TO THE MAYOR

Roll Call #32 - Motion (Huizar - Reyes) Findings on Need to Act - Adopted, Ayes (12); Absent: Smith and Wesson (2)

Roll Call #33 - Motion (Huizar - Reyes) Adopted, Ayes (11); Absent: Cárdenas, Smith and Wesson (3)

09-0002-S197

RESOLUTION (HUIZAR - REYES - GARCETTI - ALARCON) relative to requesting City departments to assist in the emergency and reconstruction relief efforts in response to the widespread flooding in the nation of El Salvador.

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

- 1. INSTRUCT relevant City Departments, including the Los Angeles Fire Department, Emergency Management Department, Department of General Services and the Department of Water and Power be requested to provide any available staff, equipment or other resources that can be spared to assist in the emergency and reconstruction relief efforts in response to the widespread flooding in the nation of El Salvador.**
- 2. REQUEST City's business, nonprofit and residential community to participate in relief and recovery efforts to feed and provide housing to displaced residents in the form of monetary aid, reconstruction equipment and professional services, and that the Los Angeles-San Salvador Sister City Committee should be urged to help Coordinate these efforts.**
- 3. ADOPT the accompanying RESOLUTION to include in the City's 2009-10 Federal Legislative Program SUPPORT for legislation and/or administrative action which would grant the victims of the recent disaster in El Salvador Temporary Protected Status for their families who reside in the U.S., which will be a great humanitarian gesture that will provide these Salvadorans the opportunity to help rebuild their country and support there.**

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

09-0011-S51

MOTION (GARCETTI - KORETZ) relative to funds to complete an environmental assessment study for the property at 5401 La Mirada in Council District 13.

09-2788

MOTION (WESSON - LABONGE) relative to a donation to the City of a bronze bust of the Honorable Nate Holden (ret.) likeness, to be displayed at the Nate Holden Performing Arts Center.

[09-0011-S46](#)

MOTION (PERRY - PARKS) relative to funding for enhanced efforts for transit related projects, sidewalk projects, curb/sidewalk improvements, beautification projects needed to improve conditions for public transit patrons, and all expenses relating or incidental thereto in Council District Nine.

[09-0011-S52](#)

MOTION (LABONGE - PARKS) relative to funding for enhanced efforts for transit related projects, sidewalk projects, curb/sidewalk improvements, beautification projects needed to improve conditions for public transit patrons, and all expenses relating or incidental thereto in Council District Four.

[09-0011-S53](#)

MOTION (PARKS - PERRY) relative to funding to develop a website to provide public transit users, residents, businesses and visitors to the Eighth Council District information regarding traffic conditions and bus line detours during the Expo Line Construction.

[09-1556-S1](#)

MOTION (REYES - PERRY) relative to reprogramming Community Development Block Grant (CDBG) funds for predevelopment costs associated with the former Villa Palacios project in Council District One.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[09-2501](#) - Alan A. Scott

(Garcetti)

John Stamos

(Garcetti - LaBonge)

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

[09-2500](#) - Douglas R. Ring

(Garcetti - All Councilmembers)

Tommy Jacquette

(Hahn - Parks - Perry)

George Gonzales

(Hahn)

Palma Matesich

(Hahn)

Lee Lipkis

(Rosendahl - All Councilmembers)

Robert James McGill

(Zine)

Albert Ferraro

(Zine)

Yongwon Lee

(Wesson)

Alma Louise Hatcher

(Wesson)

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL