

Los Angeles City Council, **Journal/Council Proceedings**  
Tuesday, **November 24, 2009**  
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
NOVEMBER 18, 2009

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 48

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

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

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## **Items Noticed for Public Hearing - Items 1-6**

**Roll Call #7 - Motion (Hahn - Huizar) Adopted to Continue, Unanimous Vote (13); Absent: Rosendahl and Wesson (2)  
(Item Nos. 1-3)**

**ITEM NO. (1) - PUBLIC HEARING HELD - CONTINUED HEARING AND ORDINANCE TO BE PRESENTED  
ON DECEMBER 15, 2009**

[08-1633](#)

CD 12

HEARING PROTESTS against the proposed improvement and maintenance of the Amestoy Avenue and Raymer Street (Reballot) Lighting District.

Recommendation for Council action:

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

(Ordinance of Intention adopted on September 22, 2009 - Continue hearing and present Ordinance on DECEMBER 15, 2009 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (2) - PUBLIC HEARING HELD - CONTINUED HEARING AND ORDINANCE TO BE PRESENTED  
ON DECEMBER 15, 2009**

[09-2083](#)

CD 1

HEARING PROTESTS against the proposed improvement and maintenance of the Fifth Street and Hartford Avenue Lighting District.

Recommendation for Council action:

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

(Ordinance of Intention adopted on September 22, 2009 - Continue hearing and present Ordinance on DECEMBER 15, 2009 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (3) - PUBLIC HEARING HELD - CONTINUED HEARING AND ORDINANCE TO BE PRESENTED  
ON DECEMBER 15, 2009**

[09-2084](#)

CD 10

HEARING PROTESTS against the proposed improvement and maintenance of the St. Andrews Place and San Marino Street Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the St. Andrews Place and San Marino Street Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on September 22, 2009 - Continue hearing and present Ordinance on DECEMBER 15, 2009 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**Roll Call #8 - Motion (Hahn - Huizar) Adopted, Ayes (12); Absent: Rosendahl and Wesson (2)  
(Item Nos. 4-6)**

**ITEM NO. (4) - PUBLIC HEARING CLOSED - ORDINANCE ADOPTED**

[08-1040-S2](#)

CD 4

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Denny Avenue and Magnolia Boulevard No. 2 (Reballot) Lighting District.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held November 4, 2009)

**ITEM NO. (5) - PUBLIC HEARING CLOSED - ORDINANCE ADOPTED**

[09-1811](#)

CD 3

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Eton Avenue and Kittridge Street Lighting District.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held November 4, 2009)

**ITEM NO. (6) - PUBLIC HEARING CLOSED - ORDINANCE ADOPTED**

[09-1910](#)

CD 2

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Sarah Street and Colfax Avenue Lighting District.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held November 4, 2009)

## Items for Which Public Hearings Have Been Held - Items 7-24

### ITEM NO. (7) - ADOPTED - SEE FOLLOWING

**Roll Call #15 - Motion (LaBonge - Reyes) Adopted, Ayes (12); Absent: Rosendahl and Wesson (2)**

[09-2669](#)

COMMUNICATION FROM THE MAYOR relative to the appointment of Ms. Erin K. Pak to the Commission for Children, Youth and Their Families.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Erin K. Pak to the Commission for Children, Youth and Their Families for the term ending June 30, 2012, to fill the vacancy created by Lucia Diaz, is APPROVED and CONFIRMED. Ms. Pak resides in Council District 11. (Current Commission gender composition: M=6; F=9)

Background Check Review: Complete.

Ethics Commission Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - DECEMBER 15, 2009

(LAST DAY FOR COUNCIL ACTION - DECEMBER 15, 2009)

(Arts, Parks, Health and Aging 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

**COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to the appointment of Ms. Erin K. Pak to the Commission for Children, Youth and Their Families.**

**Recommendation for Council action:**

**RESOLVE that the Mayor's appointment of Ms. Erin K. Pak to the Commission for Children, Youth and Their Families for the term ending June 30, 2012, to fill the vacancy created by Lucia Diaz, is APPROVED and CONFIRMED. Ms. Pak resides in Council District 11. (Current Commission gender composition: M = 6; F = 9)**

**Background Check Review: Complete.**

**Ethics Commission Review: Complete.**

**Community Impact Statement: None submitted.**

**TIME LIMIT FILE - DECEMBER 15, 2009**

**(LAST DAY FOR COUNCIL ACTION - DECEMBER 15, 2009)**

**ITEM NO. (8) - ADOPTED - SEE FOLLOWING**

**Roll Call #16 - Motion (Huizar - LaBonge) Adopted, Ayes (12); Absent: Rosendahl and Wesson (2)**

**09-2759**

COMMUNICATION FROM THE MAYOR relative to the appointment of Mr. Robert Levy to the Commission on Disability.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Robert Levy to the Commission on Disability for the term ending June 30, 2013, to fill the vacancy created by Dexter Henderson, is APPROVED and CONFIRMED. Mr. Levy resides in Council District 11. (Current Commission gender composition: M=5; F=4)

**Background Check Review: Complete.**

**Ethics Commission Review: Pending.**

**Community Impact Statement: None submitted.**

**TIME LIMIT FILE - DECEMBER 26, 2009**

**(LAST DAY FOR COUNCIL ACTION - DECEMBER 16, 2009)**

(Arts, Parks, Health and Aging 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**

**COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE** relative to the appointment of Mr. Robert Levy to the Commission on Disability.

**Recommendation for Council action:**

**RESOLVE** that the Mayor's appointment of Mr. Robert Levy to the Commission on Disability for the term ending June 30, 2013, to fill the vacancy created by Dexter Henderson, is **APPROVED** and **CONFIRMED**. Mr. Levy resides in Council District 11. (Current Commission gender composition: M = 5; F = 4)

**Background Check Review:** Complete.

**Ethics Commission Review:** Complete.

**Community Impact Statement:** None submitted.

**TIME LIMIT FILE - DECEMBER 26, 2009**

**(LAST DAY FOR COUNCIL ACTION - DECEMBER 16, 2009)**

**ITEM NO. (9) - ADOPTED - TO THE MAYOR FORTHWITH**

**Roll Call #14 - Motion (Parks - Smith) Adopted, Ayes (12); Absent: Rosendahl and Wesson (2)**

[09-2633](#)

BUDGET AND FINANCE COMMITTEE REPORT and ORDINANCES FIRST CONSIDERATION relative to issuance of Municipal Corporation of Los Angeles (MICLA) Lease Revenue Bonds, Series 2009-C, 2009-D and 2009-E, the lease/leaseback of properties and creating related Special Funds.

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

PRESENT and ADOPT the accompanying ORDINANCES relative to issuance of MICLA Lease Revenue Bonds, Series 2009-C, 2009-D and 2009-E, the lease/leaseback of properties and creating related Special Funds.

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

**Community Impact Statement:** None submitted.

**ITEM NO. (10) - AMENDING MOTIONS AND ORDINANCES CONTINUED TO DECEMBER 2, 2009**

[08-0923](#)

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

A. PUBLIC SAFETY and PLANNING AND LAND USE MANAGEMENT COMMITTEES' REPORT

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, Los Angeles 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.

B. 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.

C. 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.

D. 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.”

E. 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.”

F. 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).”



G. 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.”

H. 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.”

I. 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.

J. 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.

K. 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.

L. 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."

M. 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.”

N. 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).

O. 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

P. 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.

(Continued from Council meeting of November 18, 2009)

**SUBSTITUTE MOTION (REYES - KORETZ - ZINE)**

Recommendation for Council action:

**MODIFY the Instruction under #10C to read as follows:**

**INSTRUCT the Los Angeles Police Department (LAPD), the Department of Building and Safety, Office of Finance, any other relevant departments and appropriate State agencies 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; Additionally request Office of Finance and appropriate State agencies to report back on the creation of an auditing mechanism for collectives to ensure no profits.**

**SUBSTITUTE MOTION (HAHN - KORETZ - GARCETTI)**

Recommendation for Council action:

**AMEND Section 45.19.6.6 of the Ordinance (Existing Medical Marijuana Operations) to give pre-Interim Control Ordinance collectives a 180 days grace period to come into compliance as long as they have not been subject to three of the following or any combination thereof within the last 12 months prior to the adoption of this ordinance:**

- a. LAPD Citations
- b. Crime Reports
- c. Documented community complaints to any City Agency

**AMENDING MOTION (KORETZ - REYES - ZINE)**

Recommendations for Council action:

**AMEND as follows:**

1. **MODIFY Section 45.19.6.2(E) of the Registration Form y 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 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 collection for a period of five years and shall be made available by the collective to the LAPD ~~upon request~~ pursuant to a properly executed search warrant, subpoena or court order or other means conforming with Due Process under the law.”

3. **MODIFY accordingly Section 45.19.6.5 (Inspection and Enforcement Responsibilities) to be consistent with deletion of reference to records and Section 45.19.6.4 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...

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.”

#### **AMENDING MOTION (PERRY - PARKS)**

**Recommendation for Council action:**

**INSTRUCT** the Department of Building and Safety, in consultation with the South Coast Air Quality Management District, to report back to Council in 30 days as to the viability and practicality of requiring Medical Marijuana dispensaries to maintain order and filtration systems on site in order mitigate air quality impacts.

#### **AMENDING MOTION (REYES - GARCETTI - ZINE for WESSON)**

**Recommendation for Council action:**

**MODIFY** the Instruction under #10J(1e) to ~~strikeout~~ certain words to read 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.~~

Refer the amending motion #100(Wesson - Reyes) relative to including “mixed use” to the Planning department to address with the report back on the land use/zoning component.

#### **AMENDING MOTION (REYES - GARCETTI - ZINE)**

**Recommendations for Council action:**

1. **COMBINE** amendments #10H(1h) and #10J(i) under #10J(h) which were inadvertently listed separately and **MODIFY** to read as follows:

MODIFY Conditions of Operation, Sec. 45.19.6.3B8, to delete this language that specifies a specific amount and instead reference the state law and keep the rest.  
DELETE entire existing language:

~~No medical marijuana collective shall possess more than 5 pounds of dried marijuana or more than 100 plants of any size at the location. No collective shall possess or provide marijuana other than marijuana that was cultivated by the collective: (a) at the location; or (b) at the collective's previous location if that previous location was registered and operated in strict accordance with this article."~~

2. REPLACE entire existing language 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."

Renumber accordingly the following amendments on the list.

#### AMENDING MOTION (REYES - GARCETTI - ZINE)

Recommendation for Council action:

MODIFY 10J(3) to ensure the attachment detailing various land use zoning aspects is recognized to be included in the Planning department report back. The attachment was inadvertently not reflected on the council agenda despite being attached with the original motion.

#### AMENDING MOTION (SMITH for WESSON - GARCETTI)

Recommendations for Council action:

1. MODIFY section 45.19.6.2 (C) Location Priority Status, to add additional language and delete as follows:

c. ~~Location Priority~~ RFP Eligibility Status. Upon issuance of: (1) a written preinspection report by the Department of Building and Safety verifying that the proposed location complies with Sections 45.19.6.3 A.1 through 4 of this article, and (2) all required building permits if the pre inspection report specifies alterations, the collective shall ~~obtain priority status~~ be eligible for the Request for Proposals (RFP) process for that location, ~~except that a blind drawing shall be conducted by the Department of Building and Safety to select the one collective that obtains priority status between two or more collectives with conflicting locations under this article that simultaneously fulfill the requirements of this provision. This priority eligibility status shall become invalid if the building permits are revoked or expire. During the time that the location priority eligibility status is valid, no preinspection for another collective shall be conducted or approved if its location conflicts under the provisions of this article with the location that has priority status. Collectives will be selected through a RFP process conducted by the Department of City Planning and approved by the City Council. The approval of a particular collective will be valid for three years, with a possibility of two one-year extensions. Any existing medical marijuana operation qualified under Section 45.19.6.6 shall be given priority~~



during the RFP process.

2. **MODIFY** section 45.19.6.8 Violation and Enforcement, to add additional language as follows:

**ADD** a new Section 3 to read:

**Sec. 3 Article IX of the Los Angeles Municipal Code is amended by adding a new item 19.16 to read:**

**19.16 Medical Marijuana Collective RFP Application.** An application fee pursuant to Section 45.19.6.2 C of the Los Angeles Municipal Code shall be collected by the Department of City Planning to fully cover all Department costs for the RFP application process. The application fee shall be in addition to any other fee that the Department determines is necessary due to the work involved.

3. **RENUMBER** Section 3 through 5 to 4 through 6.
4. **AUTHORIZE** the City Attorney to make any further technical amendments to meet the intent of the above changes.

#### **AMENDING MOTION (ALARCON - CARDENAS)**

**Recommendation for Council action:**

**AMEND** the Ordinance drafted pursuant to Council File Index 08-2093 to assure that no employee of the Medical Marijuana establishment receive more than \$100,000 in total, annually, in salary or any other compensation.

#### **AMENDING MOTION (HUIZAR - CARDENAS)**

**Recommendation for Council action:**

**ADOPT** the following provision/amendment to be included in the ordinances:

**Require** an annual audit of each dispensary to determine whether the dispensary has complied with all City rules and regulations especially the regulations pertaining to the requirement for each dispensary to grow its own medical marijuana supply. The audit shall analyze the cash transactions and quantity of marijuana transacted to determine whether any “outside” marijuana is being purchased.

#### **AMENDING MOTION (ALARCON - HUIZAR)**

**Recommendation for Council action:**

**AMEND** the Ordinance to include a sunset clause of three years from the day that the ordinance is adopted by the City of Los Angeles, unless renewed by a vote of the Council and the mayor’s approval.

**AMENDING MOTION (ALARCON - HUIZAR)**

**Recommendation for Council action:**

**AMEND the Ordinance to require that the City grant a license to a medical marijuana establishment, as defined in the ordinance, to a period no longer than three years from the date that the license is granted, with a process to allow the license to be renewed.**

**AMENDING MOTION (ALARCON - LABONGE)**

**Recommendation for Council action:**

**REQUEST the City Attorney to include in the proposed medical marijuana collective ordinance, language to overcome barriers relative to smoking in assisted living facilities.**

**AMENDING MOTION (ALARCON - GARCETTI)**

**Recommendation for Council action:**

**AMEND to require the ordinance to define a health and safety testing procedure or applicable procedures for determining the content of medical marijuana by an outside independent certified laboratory, as provided in the ordinance, to be provided at the cost of the medical marijuana facility, to do all of the following as a condition of operations:**

- a. test the medical marijuana for its content, using the procedure defined in the ordinance, and**
- b. post the results prominently in the licensee's facility so that the information is visible and available without encumbrance to all who visit the facility.**

**AMENDING MOTION (ALARCON - GARCETTI)**

**Recommendation for Council action:**

**AMEND to ADD the following provisions:**

- a. Require the final medical marijuana ordinance regulations to include cost recovery provisions to require the medical marijuana dispensary operations to post a bond or other financial mechanism for enforcement, review and oversight.**
- b. Require the medical marijuana dispensary operators to pay the City in advance for the reimbursement of enforcement, review, and oversight costs.**

**ITEM NO. (11) - ADOPTED**

**Roll Call #9 - Motion (Huizar - LaBonge) Adopted, Ayes (12); Absent: Rosendahl and Wesson (2)**

[09-2275](#)

**ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT** relative to the 2009-10 Memorandum of Understanding (MOU) for the After-School Enrichment and Supervision Program.

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

1. AUTHORIZE the Department of Recreation and Parks to accept Juvenile Justice and Crime Prevention Act grant funds in the amount of \$482,558 from the Los Angeles County Probation Department.
2. APPROVE and AUTHORIZE the President and Secretary of the Board of Recreation and Park Commissioners to execute, the proposed MOU with the Los Angeles County Probation Department for the acceptance of the grant funds in Recommendation No. 1 above for the After-School Enrichment and Supervision Program for the term beginning July 1, 2009 through June 30, 2010, subject to the approval of the City Attorney.

Fiscal Impact Statement: The City Administrative Officer reports that funding in the amount of \$482,558 in Juvenile Justice and Crime Prevention Act grant funds will be provided by the Los Angeles County Probation Department for the After-School Enrichment and Supervision Program through June 30, 2010. There is no impact on the General Fund. The recommendations above are 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.

**ITEM NO. (12) - CONTINUED TO DECEMBER 8, 2009**

**Roll Call #1 - Motion (Huizar - LaBonge) Adopted to Continue, Unanimous Vote (12); Absent: Rosendahl and Wesson (2)**

[09-2729](#)

COMMUNICATIONS FROM THE MAYOR, CITY CONTROLLER, INFORMATION TECHNOLOGY AGENCY, CITY ADMINISTRATIVE OFFICER and CHIEF LEGISLATIVE ANALYST relative to the Financial Management System Project request to re-approve Municipal Improvement Corporation of Los Angeles funds, transfer funds, and execute contract amendment.

(Budget and Finance 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.)

**ITEM NO. (13) - ADOPTED**

**Roll Call #9 - Motion (Huizar - LaBonge) Adopted, Ayes (12); Absent: Rosendahl and Wesson (2)**

[09-2043](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to delinquent accounts receivable \$1,000 and over per account.

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

1. APPROVE the Board of Review recommendations to:
  - a. Authorize the Los Angeles Convention Center to remove from its active accounts receivable the invoices totaling \$52,309.41.
  - b. Authorize the Department of Public Works to remove from its active accounts receivable the invoices totaling \$2,380,340.65.
2. INSTRUCT the City Administrative Officer, Chief Legislative Analyst, and Office of Finance, working with the Mayor's Office, to report back to the Budget and Finance Committee in January 2010 relative to a draft financial policy concerning debt collection. The policy should identify criteria for debt collection, responsibilities of each department involved in the debt collection process as well as time limits for the various steps in the process, and the selling of uncollectible debt.

Fiscal Impact Statement: The Board of Review reports that the proposed action will decrease the City's receivable base by \$2,432,650.06. Six-hundred eight (608) of the invoices totaling \$2,386,606.05 exceeded the statute of limitations for collection.

Community Impact Statement: None submitted.

#### **ITEM NO. (14) - CONTINUED TO NOVEMBER 25, 2009**

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

#### [09-0600-S151](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the Second Financial Status Report for Fiscal Year (FY) 2009-10.

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

1. APPROPRIATE \$841,366.28 to accounts as specified in Attachment 5 of the City Administrative Officer (CAO) Report (Attached).
2. TRANSFER \$4,508,781.35 between accounts within various departments and funds as specified in CAO Attachment 6.
3. TRANSFER \$23,422,209.81 between various departments and funds as specified in CAO Attachment 7.
4. APPROPRIATE \$280,000 to the Fire Department from the Unappropriated Balance as specified in CAO Attachment 8.
5. DIRECT departments to cease all expenditures in Salaries, Overtime (refer to CAO Attachment 9) except for cash payouts mandated by Memoranda of Understanding with labor organizations or the Administrative Code, unless otherwise authorized by the Council.
6. APPROVE the following actions to allow the Community Development Department (CDD) to reimburse the General Fund for costs associated with the Enterprise Zone Tax Credit Program as authorized by Ordinance No. 176632:

- a. Establish new accounts and appropriate \$429,087 within the Enterprise Zone Tax Credit Fund No. 48L/22 from the available cash balance as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
F122	Community Development	\$ 282,434
F299	Related Costs	\$ 146,653

- b. Appropriate, in accordance with the above recommendation, \$282,434 from the Enterprise Zone Tax Credit Fund No. 48L/22, Account F122, Community Development, to various accounts within CDD Fund No. 100/22 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries, General	\$ 250,736
6010	Office and Administrative	\$1,000
6030	Rent and Parking	\$30,698

7. APPROVE the following actions to allow the CDD to reimburse the General Fund for administrative expenses related to Workforce Investment Act (WIA) - American Reinvestment and Recovery Act (ARRA) activities:

- a. Transfer \$533,825 within WIA - ARRA Fund No. 51G/22, from Account No. F279, WIA - Rapid Response - ARRA, to the following accounts:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
F122	Community Development	\$484,842
F299	Related Costs	\$48,983

- b. Appropriate in accordance with the above recommendation, \$484,825 from CDD WIA - ARRA Fund No. 51G/22, Account F122, Community Development, to various accounts within CDD Fund No. 100/22 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries, General	\$83,746
3040	Contractual Services	\$200,000
6010	Office and Administrative	\$30,000
6020	Operating Supplies	\$167,292
6300	Rent and Parking	\$3,804

8. TRANSFER expenditures from WIA Fund No. 44A/22 to WIA - ARRA Fund No. 51G/22 in an amount not-to-exceed \$2,500,000 upon proper demand of the General Manager, CDD, or designee, to move expenditures into the correct fund.
9. TRANSFER expenditures from L.A. Hope Fund No. 48D/22 to WIA Fund No. F44A/22 in an amount not-to-exceed \$7,189.98 upon proper demand of the General Manager, CDD, or designee, to reimburse expenditures previously paid by WIA.

10. AUTHORIZE the CDD and the Controller to change the title of Fund No. 51J from "Department of Education - Youth Program" to "Department of Education - Improvement of Education Program" to appropriately describe the receipts and disbursements to be tracked in this fund.
11. TRANSFER \$774,000 from the Reserve Fund to the Unappropriated Balance and APPROPRIATE therefrom to Fund No. 100/56, Account 0506, Annual City Audit/Single Audit to complete payment for audit services performed in 2008-09.
12. APPROPRIATE \$150,000 within the Central Los Angeles Recycling and Transfer Station Fund No. 47S/14 to new Account No. F128, entitled "Council" from the available cash balance; and APPROPRIATE therefrom to Council Fund No. 100/28, Account No. 1070, Salaries As-Needed.
13. REAPPROPRIATE funds totaling \$59,038 in Cultural Affairs Fund No. 100/30 from the unencumbered 2008-09 balance of Account 9832, entitled "Matching Grant Program" into the same account for the Cultural Exchange International Program.
14. INSTRUCT El Pueblo to prepare the necessary documents to repay \$103,000 of its outstanding \$418,465 Reserve Fund Loan from available cash within the El Pueblo Historical Monument Fund No. 737/33.
15. DIRECT the Fire Department to identify alternate savings to offset unrealized savings originally expected from the Modified Deployment Plan and report back with recommendations.
16. AUTHORIZE the Controller to decrease appropriations by \$365 within Federal Emergency Shelter Grant Fund No. 517/43, Account No. F299, Related Costs to reflect the final entitlement award from the U.S. Department of Housing and Urban Development for the Emergency Shelter Grant.
17. AUTHORIZE the Controller to increase appropriations in the amount of \$27,462 within Housing Opportunities for Persons with AIDS (HOPWA) Fund No. 569/43, Account F143, Housing, and correspondingly increase appropriations by a like amount in Housing Department Fund 100/43, Account 1010, Salaries General to reflect the final entitlement award from the U.S. Department of Housing and Urban Development.
18. AUTHORIZE the Controller, in accordance with Recommendation Nos. 2 and 17, to expend funds not to exceed the noted amounts from Fund Nos. 569, 440, and 41M upon proper written demand of the General Manager, LAHD, or designee.
19. APPROVE the use of \$8,862,000 in Municipal Investment Corporation of Los Angeles (MICLA) financing included in the 2009-10 Budget for the following seven projects in the amounts identified below:

<u>Project</u>	<u>Amount</u>
18 GHz Microwave Replacement	\$ 900,000
Police Department Fiber Upgrade	\$3,600,000
Mount Lee Electrical Upgrade	\$1,280,000
Network Infrastructure	\$2,200,000
Consolidated Server Infrastructure	\$ 232,000
Fire Department Antenna System Upgrade	\$ 250,000
800 MHz Radio System Upgrade	\$ 400,000

20. TRANSFER \$629,568 previously reappropriated under Budget authority from Mayor Fund No. 100/46, Account No. 3040, Contractual Services to City Attorney Fund No. 100/12 Account No. 1010, Salaries General, for services performed in support of the CLEAR Program.

a. Reduce Appropriations previously reappropriated under Budget authority by \$376,472 in the Mayor's Office Fund No. 100/46, Contractual Services Account No. 3040, to recognize related costs associated with services performed by the City Attorney's Office for the CLEAR Program.

21. AUTHORIZE the Controller to increase appropriations by \$224,172.81 from grant reimbursement funds in the Office of Traffic Safety Fund No. 48F/46, Account No. C202, Contractual Services, to Mayor Fund No. 100/46, Account No. 3040, Contractual Services for Safe Moves DUI - Prevention expenditures.

22. AUTHORIZE the Mayor's Office to accept a reimbursement in the amount of \$133,979.04 from Community Partners and deposit as a General Fund receipt; and thereafter AUTHORIZE the Controller to increase appropriations to Mayor Fund No. 100/46, Account No. 1070, Salaries As-Needed for salary costs associated with the Million Trees LA.

23. TRANSFER \$45 million in appropriations within Police Department Fund 100/70 from Account No. 1092, Sworn Overtime, to Account No. 1012, Sworn Salaries, to offset the deficit using savings from the recently approved agreement with the Los Angeles Police Protective League.

24. REAPPROPRIATE \$77,626 in the Police Department Fund No. 100/70, from the unencumbered 2008-09 account balances as detailed below, into the same accounts for purchases for new facilities:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
6010	Office and Admin. Expense	\$ 42,435
7300	Furniture, Office and Tech Equipment	\$ 35,191

25. RESCIND Recommendation No. 13 in the First Financial Status Report (Council file No. 09-0600-S141), in accordance with Recommendation No. 2 concerning transfers within the Forfeited Assets Trust Fund corresponding with the revised Forfeited Assets Trust Fund Schedule 3.
26. TRANSFER \$150,000 in appropriations within the Community Development Trust Fund No. 424/22 from Account No. F431, River Rangers, to Account No. F174, Public Works Board; and APPROPRIATE therefrom to Public Works Board Fund No. 100/78, Account No. 3040, Contractual Services.
27. DIRECT the Bureau of Sanitation and the Office of the City Administrative Officer (CAO) to report back within 60 days on the fiscal impact of modifying the current Solid Waste Fee Lifeline Program to be consistent with other existing City Lifeline Programs (e.g. Sewer Service Charge, Department of Water and Power fees).
28. REAPPROPRIATE \$929,229.96 from the Community Development Trust Fund No. 424/22 as follows to enable the PW - Bureau of Street Lighting to complete various lighting improvement projects initiated in 2008-09:

- a. Transfer appropriations totaling \$929,229.96 within the Community Development Trust Fund No. 424/22, into new Account No. F184 entitled "Public Works Street Lighting" from the accounts as specified below:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
E421	Sun Valley Lighting Imprv	\$ 7,321.67
E184	Public Works Street Lighting	\$ 921,908.29

- b. Appropriate, in accordance with the above recommendation, \$929,229.96 from the Community Development Trust Fund No. 424/22, Account No. F184, Public Works - Street Lighting to accounts within the PW - Bureau of Street Lighting Fund No. 100/84 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries General	\$ 36,721.96
1090	Salaries, Overtime	\$ 88,300.00
3040	Contractual Services	\$ 734,208.00
8780	St. Lighting Improvement Supplies	\$ 70,000.00

29. APPROPRIATE \$307,799 within the Subventions and Grants Fund No. 305/50 to new Account No. F186, entitled "PW - St. Services" from receipts in Revenue Source Code No. 3741, Revenue from Community Redevelopment Agency, for the Bonnie Brae/Pico Blvd, Case Street and Sixth Street projects.

- a. Appropriate \$307,799, in accordance with the above recommendation, from Subventions and Grants Fund No. 305/50, Account No. F186, PW - St. Services, to various accounts within Street Services Fund No. 100/86 as follows:



<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries, General	\$ 172,368
1090	Salaries, Overtime	\$ 43,092
3030	Construction Expense	\$ 61,559
3040	Contractual Services	\$ 3,078
6010	Office and Administrative	\$ 9,234
6020	Operating Supplies	\$ 18,468

30. APPROPRIATE \$13,225 within the Subventions and Grants Fund No. 305/50 to Account No. F186, PW - St. Services from receipts in Revenue Source Code No. 3734, Reimbursement from Other Funds/Departments, for street print repairs.

- a. Appropriate, in accordance with the above recommendation, \$13,225 from Subventions and Grants Fund No. 305/50, Account No. F186, PW - St. Services, to various accounts within Street Services Fund No. 100/86 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries, General	\$ 7,405
1090	Salaries, Overtime	\$ 1,852
3030	Construction Expense	\$ 2,645
3040	Contractual Services	\$ 133
6010	Office and Administrative	\$ 397
6020	Operating Supplies	\$ 793

31. REAPPROPRIATE \$393,472 from the Public Works Trust Fund No. 834/50, Account 186E, Bureau of Street Services and TRANSFER to accounts within the Bureau of Street Services Fund No. 100/86, as detailed below:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries, General	\$ 49,472
1090	Salaries, Overtime	\$ 24,000
1100	Hiring Hall, Salaries	\$ 24,000
1120	Hiring Hall, Benefits	\$ 8,000
1190	Hiring Hall, Overtime	\$ 4,000
3030	Construction Expense	\$224,000
3040	Contractual Services	\$ 4,000
3330	Utilities Expense	\$ 4,000
6010	Office & Administrative	\$ 8,000
6020	Operating Supplies	\$ 44,000

32. RESCIND Recommendation No. 2 in the Personnel Committee Report relative to funding for the One Stop Special Events Permit Procedure and Fee Subsidy Program (Council file No. 09-0600-S135) as the funding is already provided for this purpose within the Street Services Fund.

33. INSTRUCT the City Clerk to unencumber \$90,059.98 in the 2008-09 General City Purposes Fund 100/56, Account No. 0306, Official Visits of Dignitaries.

- a. Authorize the Controller, in accordance with the above recommendation, to process an early reversion in the amount of \$90,059.98 from the Uncommitted Balance in the 2008-09 General City Purposes Fund 100/56, Account 0306, Official Visits of Dignitaries to the Reserve Fund; and appropriate therefrom to the 2009-10 General City Purposes Fund 100/56, Account No. 0306, Official Visits of Dignitaries.
34. AUTHORIZE the Controller, in accordance with Recommendation No. 3 concerning MICLA appropriations to the Department of General Services (GSD), Information Technology Agency (ITA) and Bureau of Street Services (BSS), to TRANSFER cash from the appropriated MICLA account to reimburse the General Fund on an as needed basis upon proper documentation from GSD, ITA or BSS, and approval of the requesting departments and the CAO.
35. AUTHORIZE the CAO to make technical corrections as necessary to those transactions included in this report to implement Mayor and Council intentions.
36. DIRECT Departments to immediately return vehicles flagged for inventory reduction to the General Services Department.
37. FIND that the current status of the Reserve Fund indicates that a transfer of \$13 million from the fund to cover the remaining Shared Responsibility and Sacrifice for the Fire Department is not feasible (Council file No. 09-1861).
38. INSTRUCT the CAO, with the Zoo Department, to report back to the Budget and Finance Committee relative to the feasibility of implementing parking fees at the Los Angeles Zoo and Botanical Gardens.
39. INSTRUCT the CAO to report back to the Council relative to expenditures made in response to requests for Mutual Aid, which upon reimbursement are then deposited into the General Fund rather than the departments which have expended the funds, thus creating deficits in the concerned department budgets.

Fiscal Impact Statement: The City Administrative Officer reports that the remaining 2009-10 Budget deficit is estimated at \$98.1 million, which reflects projected savings from the implementation of new agreements with the Coalition of City Unions and the Los Angeles Police Protective League, the Early Retirement Incentive Program, and other proposed budget-balancing measures. The projected shortfall in revenue is estimated at \$75 million. Other impacts from pending lawsuits and shortfalls in department accounts cannot be accurately quantified at present, but will be addressed in future reports. Accounting for proposed Reserve Fund loans and transfers, including reappropriations recommended in this report, the current Reserve Fund balance is estimated at \$122 million (consisting of \$121 million in the Emergency Reserve Account and \$1 million in the Contingency Reserve Account).

Transfers, appropriations and other adjustments totaling approximately \$90.8 million are recommended in this report. It is also recommended that departments be directed to cease spending approximately \$28.6 million in uncommitted funds in department overtime accounts - with the exception of cash pay outs mandated by Memoranda of Understanding between the City and labor organizations or the Administrative Code - unless otherwise authorized by Council.

Community Impact Statement: None submitted.

**Roll Call #9 - Motion (Huizar - LaBonge) Adopted, Ayes (12); Absent: Rosendahl and Wesson (2)  
(Item Nos. 15-17)**

**ITEM NO. (15) - ADOPTED**

[09-2641](#)

INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT relative to the City's billboard channel being available to broadcast the AIDS Watch program on December 1, 2009.

Recommendations for Council action, pursuant to Motion (Rosendahl - Koretz):

1. DIRECT the Information Technology Agency's (ITA) LA CityView 35 to work with AIDS Watch producers and other relevant City partners to take the necessary steps to make the City's billboard channel available to broadcast the AIDS Watch program on December 1, 2009.
2. DIRECT the ITA to take advantage of future programming opportunities, relevant to the City of Los Angeles, by utilizing the billboard channel until such time that the City has determined a different designation for this channel.

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

Community Impact Statement: None submitted.

**ITEM NO. (16) - ADOPTED**

[09-0084-S7](#)

INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT relative to a new channel launch by Cox Communications.

Recommendation for Council action:

NOTE and FILE the March 20, 2009 Information Technology Agency report relative to a new channel launch by Cox Communications, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Community Impact Statement Submitted: None submitted.

**ITEM NO. (17) - ADOPTED**

[09-0084-S9](#)

INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT relative to Verizon's Hallmark Channel change and rate adjustment.

Recommendation for Council action:

NOTE and FILE the June 26, 2009 Information Technology Agency report relative to Verizon's Hallmark Channel change and rate adjustment, 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. (18) - CONTINUED TO NOVEMBER 25, 2009**

**Roll Call #3 - Motion (Huizar - LaBonge) Adopted to Continue, Unanimous Vote (12); Absent: Rosendahl and Wesson (2)**

[08-1783](#)

CONTINUED CONSIDERATION OF 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.

(Continued from Council meeting of November 18, 2009)

**ITEM NO. (19) - CONTINUED TO NOVEMBER 25, 2009**

**Roll Call #4 - Motion (Huizar - LaBonge) Adopted to Continue, Unanimous Vote (12); Absent: Rosendahl and Wesson (2)**

[08-1783-S2](#)

CONTINUED CONSIDERATION OF 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.

(Continued from Council meeting of November 18, 2009)

**Roll Call #9 - Motion (Huizar - LaBonge) Adopted, Ayes (12); Absent: Rosendahl and Wesson (2)  
(Item Nos. 20-23)**

**ITEM NO. (20) - ADOPTED**

[09-2474](#)

CD 1

CATEGORICAL EXEMPTION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an appeal of corrective Conditions imposed on the operation of the business known as Wally's Liquor located at 1955 South San Pedro Street.

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

1. FIND that this action is categorically exempt from California Environmental Quality Act pursuant to Article III, Section 1, Class 21(2) of the City's Environmental Guidelines.
2. ADOPT the FINDINGS of the Zoning Administrator, acting on behalf of the Director of Planning, as the Findings of the Council.
3. RESOLVE TO DENY APPEAL filed by Parvinder Jit Singh on behalf of Karamjot Corporation (also known as Wally's Liquor), from part of the decision of the Zoning Administrator and THEREBY SUSTAIN and find that the operation of the business known as Wally's Liquor located at 1955 South San Pedro Street is a public nuisance and requires the modification of its operation (as shown in the attachment to the Committee report), to mitigate adverse impacts associated with that use on persons and property.

Applicant: City of Los Angeles, Office of Zoning Administration

DIR 2009-0557 RV

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - NOVEMBER 25, 2009

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

**ITEM NO. (21) - ADOPTED**

[09-2597](#)

PUBLIC SAFETY COMMITTEE REPORT relative to a donation of a grant for the purchase of two personal computers and software, and for the design and publication of brochures and other written information relating to public safety education for use by the Fire Department.

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

1. ACCEPT and APPROVE a donation of a \$5,000 grant from the Fireman's Heritage Fund for the purchase of two personal computers and software, and for the design and publication of brochures and other written information relating to public safety education for distribution to the general public, for use by the Fire Department's Community Liaison Office, and THANK the donor for this generous donation.
2. AUTHORIZE the Controller to deposit these funds in Account 848, Fire Department Trust Fund.

Fiscal Impact Statement: None submitted by the Fire Department. 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. (22) - ADOPTED

[09-2628](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the establishment of an above-ground storage tank Fire Department inspection permit fee.

Recommendations for Council actions:

1. CONCUR with the action taken by the Board of Fire Commissioners at its meeting held August 19, 2009, to approve the Aboveground Storage Tank Permit Fee, and to set the fee at \$260 per tank per year.
2. REQUEST the City Attorney to prepare an ordinance to amend the Los Angeles Municipal Code (LAMC) Section 57.14.10 E to:
  - a. Collect fees for the Aboveground Storage Tank Program.
  - b. Remove the hazardous materials fee categories and include the latest hazardous materials fees in the Schedule of Fees updated per the provisions of LAMC Section 57.04.12 C.

Fiscal Impact Statement: The Fire Department reports that revenue generated from the implementation of the Aboveground Storage Tank Program is estimated to be \$147,680 in Fiscal Year 2010-11. No additional resources are required to implement the program.

Community Impact Statement: None submitted.

## ITEM NO. (23) - ADOPTED

[09-0744](#)

CD 11

PUBLIC WORKS COMMITTEE REPORT relative to vacating the east/west alley southerly of Arbor Vitae Street and easterly of Airport Boulevard (VAC E1401116).

Recommendation for Council action:

NOTE and FILE the September 11, 2009 City Engineer relative to the vacation of the east/west alley southerly of Arbor Vitae Street and easterly of Airport Boulevard.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

## **ITEM NO. (24) - ADOPTED**

**Roll Call #18 - Motion (Cárdenas - Huizar) Adopted, Ayes (12); Absent: Rosendahl and Wesson (2)**

### 09-2235

CONTINUED CONSIDERATION OF 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.

(Continued from Council meeting of November 18, 2009)

## **Items for Which Public Hearings Have Not Been Held - Items 25-39**

(10 Votes Required for Consideration)

### **ITEM NO. (25) - ADOPTED, AS AMENDED - SEE FOLLOWING**

**Roll Call #19 - Motion (Cárdenas - Huizar) to Adopt as Amended, Ayes (12); Absent: Rosendahl and Wesson (2)**



NEGATIVE DECLARATION, COMMUNICATION FROM THE CITY ENGINEER and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to the vacation of Mission Road and Seventh Street Vacation District (VAC E1400458).

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

1. ADOPT Negative Declaration BE 347-99, filed with the City Clerk on August 12, 1999, for the prepared by the City of Los Angeles/Bureau of Engineering's Environmental Management Group associated with the impacts of the vacation of Mission Road and Seventh Street Vacation District; and FIND that no new information exists to show that the project or circumstances of the project have been changed to require additional environmental review, as described in California Environmental Quality Act Guidelines 15162 and therefore the existing environmental documents adequately describe the potential impacts for the vacation of Mission Road and Seventh Street Vacation District.
2. APPROVE Map No. VAC-09-1400458, as attached to the Council file, and DIRECT that said map be filed with the City Engineer for the vacation of:
  - a. Mission Road between approximately 125 feet southerly of Jesse Street and Seventh Street.
  - b. A portion of the northerly side of Seventh Street between Mission Road and Myers Street.
3. REAFFIRM, in conformance with City Charter Section 556, that the Council's FINDINGS of June 3, 1998, that this vacation is in substantial conformance with the General Plan.
4. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION declaring the intention of the City Council to order the vacation of Mission Road and Seventh Street Vacation District.
5. INSTRUCT the City Engineer to Prepare and Present a Resolution to Vacate after the conclusion of the Public Hearing and Council's instruction to proceed with this vacation and upon compliance with the conditions established for this vacation.

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

**ADOPTED**

**MOTION (HUIZAR - PARKS)**

**Recommendation for Council action:**

**AUTHORIZE the City Engineer to execute a Driveway Easement for ingress and egress, subject to the approval of the City Attorney as to form, and AUTHORIZE the recording of such easement for the benefit of Seventh Street Warehouse, LLC, the owners of the parcel west of portion of Mission Road to be vacated (APN 5171-0150008).**

**Roll Call #10 - Motion (Hahn - LaBonge) Adopted, Ayes (12); Absent: Rosendahl and Wesson (2)  
(Item Nos. 26a-26m)**

**ITEM NO. (26) - ADOPTED**

[09-0005-S718](#)

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 17, 2009:

[09-0005-S718](#)

CD 6

- a. Property at 13118 West Osborne Street (Case No. 88412).  
Assessor I.D. No. 2626-005-024

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 18, 2007)

[09-0005-S719](#)

CD 2

- b. Property at 14521 West Moorpark Street (Case No. 39246).  
Assessor I.D. No. 2265-011-002

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 7, 2006)

[09-0005-S720](#)

CD 9

- c. Property at 201 West 45th Street (Case No. 249807).  
Assessor I.D. No. 5110-001-012

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

[09-0005-S721](#)

CD 9

- d. Property at 201 West 45th Street (Case No. 216036).  
Assessor I.D. No. 5110-001-012

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 26, 2009)

[09-0005-S722](#)

CD 15

- e. Property at 214 East 120th Street (Case No. 214257).  
Assessor I.D. No. 6086-002-008

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 29, 2009)

[09-0005-S723](#)

CD 10

- f. Property at 3002 West James M. Wood Boulevard (Case No. 245956).  
Assessor I.D. No. 5094-024-021

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 18, 2009)

[09-0005-S724](#)

CD 13

- g. Property at 427 North Mountain View Avenue (Case No. 150566).  
Assessor I.D. No. 5157-023-006

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 26, 2008)

[09-0005-S725](#)

CD 10

- h. Property at 5654 West Airdrome Street (Case No. 198265).  
Assessor I.D. No. 5069-014-001

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 26, 2008)

[09-0005-S726](#)

CD 9

- i. Property at 6123 South Hoover Street (Case No. 3829).  
Assessor I.D. No. 6004-012-015

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 26, 2006)

[09-0005-S727](#)

CD 8

- j. Property at 625 West 92nd Street (Case No. 196379).  
Assessor I.D. No. 6039-015-011

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 30, 2008)

[09-0005-S728](#)

CD 8

- k. Property at 6411 South 11th Avenue (Case No. 119643).  
Assessor I.D. No. 4006-010-024

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 7, 2008)

[09-0005-S729](#)

CD 1

- l. Property at 714 West College Street (Case No. 247001).  
Assessor I.D. No. 5407-008-008

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

[09-0005-S730](#)

CD 4

- m. Property at 837 North Cherokee Avenue (Case No. 169241).  
Assessor I.D. No. 5524-006-005

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 22, 2008)

**ITEM NO. (27) - ADOPTED**

**Roll Call #20 - Motion (Reyes - Koretz) Adopted, Ayes (10); Absent: Perry, Rosendahl, Wesson and President Garcetti (4)**

[09-2236](#)

COMMUNICATION FROM VICE-CHAIR, EDUCATION AND NEIGHBORHOODS COMMITTEE relative to the status of the Neighborhood Council Review Commission's recommendations.

Recommendation for Council action:

NOTE and FILE the August 11, 2009 communication from the Chief Legislative Analyst (CLA) relative to the status of the Neighborhood Council Review Commission's recommendations.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

**ITEM NO. (28) - CONTINUED TO DECEMBER 9, 2009**

**Roll Call #5 - Motion (Reyes - Koretz) Adopted to Continue, Unanimous Vote (12); Absent: Rosendahl and Wesson (2)**

[07-0970-S1](#)

COMMUNICATION FROM CHAIR AND MEMBER, ENERGY AND ENVIRONMENT COMMITTEE relative to the status and implementation of the proposed City of Los Angeles Green Business Certification Program and related matters.

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

1. AUTHORIZE the General Manager, Environmental Affairs Department (EAD), to enter into a Memorandum of Understanding (MOU) with the Los Angeles Department of Water and Power (LADWP) to support the implementation of the Los Angeles Green Business Certification Program.
2. AUTHORIZE the General Manager, EAD, to accept up to \$150,000 from LADWP for the services provided through the Los Angeles Green Business Certification Program, including green jobs education and training, outreach and marketing to businesses, and technical expertise related to energy and other resource conservation equipment and strategies.

3. AUTHORIZE the Controller to TRANSFER funds for support of the Green Business Certification Program from the LADWP according to the MOU and other future funding sources to the EAD Trust Fund, Fund 537, Account 0052, Los Angeles Green Business Certification Program.
4. FIND, in accordance with Charter Section 1022, that the work to be performed for the Green Business Certification Program (as defined in the RFP/Scope of Work, attached to the Council file) can be performed more feasibly by an independent consultant(s), rather than by City of Los Angeles employees, because the work is of limited scope and of an intermittent nature.
5. AUTHORIZE the General Manager, EAD, or designee, to negotiate and execute, on behalf of the City, all grant contracts/MOUs, agreements, and amendments with grantor/cooperative agencies and contractors as necessary to fully implement the Green Business Certification Program, subject to the approval of the City Attorney as to form and legality.
6. AUTHORIZE the General Manager, EAD, to enter into an MOU with LA Inc. The Convention and Visitors Bureau and Green Seal Inc., to further implement the Los Angeles Green Lodging Program as a component of the City of Los Angeles Green Business Certification Program, subject to the City Attorney as to form and legality.
7. AUTHORIZE the Controller to TRANSFER funds up to the amount of \$150,000 from the EAD Trust Fund, Fund 537, Account 0052 for services related to the Los Angeles Green Business Certification Program to the EAD, Fund 100/37, Fiscal Year 2009-10 Account No. 3040, Contractual Services.
8. AUTHORIZE the General Manager, EAD, to prepare controller instructions and/or make any technical adjustments that may be required and are consistent with this action, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement these instructions.

Fiscal Impact Statement: The EAD reports that implementation of the Green Business Certification Program and the Green Lodging component will not impact the General Fund.

Community Impact Statement: None submitted.

## **ITEM NO. (29) - ADOPTED**

**Roll Call #21 - Motion (Cárdenas - LaBonge) Adopted, Ayes (10); Absent: Perry, Rosendahl, Wesson and President Garcetti (4)**

[09-2591](#)

COMMUNICATION FROM THE ENVIRONMENTAL AFFAIRS DEPARTMENT (EAD) relative to authority to apply for grant funding offered by various sources for City air quality improvement projects and related matters.

Recommendations for Council action:

1. AUTHORIZE the General Manager of the EAD, or designee, to prepare and submit applications for grant funding on behalf of the City of Los Angeles. This includes grant funding applications for mobile source emission reduction projects from the United States Department of Energy and its contractors, United States Environmental Protection Agency, California Air Resources Board,

California Energy Commission, Mobile Source Air Pollution Reduction Review Committee, and South Coast Air Quality Management District including the Fiscal Year 12 Carl Moyer Program, Air Quality Investment Program, Advanced Technology Demonstration Programs, and similar local, state or federal grant funding programs that may be offered to reduce mobile source emissions.

2. DIRECT City departments to participate in these grant programs to the fullest extent possible through the EAD.
3. INSTRUCT the General Manager of the EAD, or designee, to report back to the Mayor and City Council for the purpose of accepting any funds awarded.

Fiscal Impact Statement: The EAD reports that applying for these grants is not anticipated to have a fiscal impact on the General Fund. If grant funds are awarded, EAD and recipient departments would come back to City Council to request authority to accept the award. Any fiscal impacts associated with acceptance of the award will be identified at that time.

Community Impact Statement: None submitted.

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

## **ITEM NO. (30) - ADOPTED**

### **Roll Call #10 - Motion (Hahn - LaBonge) Adopted, Ayes (12); Absent: Rosendahl and Wesson (2)**

[06-2763](#)

CD 5

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION TO VACATE relative to the vacation of Tione Road from Stradella Road to its northwesterly terminus (VAC E1401021).

Recommendations for Council action:

1. REAFFIRM the FINDINGS of March 2, 2007, that the vacation of Tione Road from Stradella Road to its northwesterly terminus, pursuant to the City of Los Angeles Environmental Guidelines, 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. REAFFIRM the FINDINGS of March 2, 2007, that this vacation is in substantial conformance with the General Plan pursuant to Section 556 of the Los Angeles City Charter.
3. ADOPT the accompanying RESOLUTION TO VACATE NO. 09-1401021 for the vacation of Tione Road from Stradella Road to its northwesterly terminus.
4. INSTRUCT the City Clerk to transmit, following Council adoption, Resolution to Vacate No. 09-1401021 to the Land Development Group of the Bureau of Engineering for recordation of said Resolution with the Los Angeles County Recorder.

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

**ITEM NO. (31) - ADOPTED**

**Roll Call #22 - Motion (Smith - Parks) Adopted, Ayes (10); Absent: Perry, Rosendahl, Wesson and President Garcetti (4)**

[09-2722](#)

CONSIDERATION OF MOTION (GARCETTI - SMITH) relative to developing a group that is responsible for economic impact analysis as well as a process for incorporating the use of economic impact analysis in legislative decision making.

Recommendations for Council action:

1. INSTRUCT the Chief Legislative Analyst (CLA) and the City Administrative Officer (CAO), in conjunction with the City Attorney, to report back to the Budget and Finance Committee within 60 days on a proposal to develop a group that is responsible for economic impact analysis, as well as a process for incorporating the use of economic impact analysis in legislative decision making. This report should be based upon the best practices established by the City/County of San Francisco and also include recommendations on where to locate this new office to ensure independence and objectivity.
2. REQUEST the City Attorney and the CLA to provide input on whether a Charter amendment is required to effectively implement such a program.

Community Impact Statement: None submitted.

(Housing, Community, and Economic Development and Jobs and Business Development Committees waived consideration of the above matter)

**ITEM NO. (32) - ADOPTED**

**Roll Call #23 - Motion (Hahn - Reyes) Adopted, Ayes (10); Absent: Perry, Rosendahl, Wesson and President Garcetti (4)**

[09-0349-S1](#)

CD 9

CONSIDERATION OF RESOLUTION (PERRY for REYES - ROSENDAHL) relative to grant funding for the installation of a green roof on City Hall.

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

RESOLVE to authorize the General Manager, Environmental Affairs Department, or designee, to:

- a. Accept grant funding in the amount of \$100,000 from the California Department of Forestry and Fire Protection obtained from Proposition 40 and 84 urban forestry grant program funds, on behalf of the City, for the installation of a green roof on City Hall.
- b. Issue a Request for Proposals to design and install a green roof at City Hall and to evaluate the proposal from those submitted using City guidelines ensuring grant funds are expended prior to March 31, 2012.

- c. Conduct all negotiations, execute and submit all documents including, but not limited to, applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the aforementioned project.
- d. Report back to the City Council relative to the awarding of the design and installation contract associated with the project.

Community Impact Statement: None submitted.

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

#### **ITEM NO. (33) - ADOPTED**

**Roll Call #24 - Motion (Koretz - LaBonge) Adopted, Ayes (10); Absent: Perry, Rosendahl, Wesson and President Garcetti (4)**

#### 09-0002-S195

CONSIDERATION OF RESOLUTION (WESSON - GARCETTI) relative to the City's position on utilizing Fiscal Year 2007-08 data to calculate the amount of community redevelopment funds.

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

ADOPT the accompanying RESOLUTION to include in the City's 2009-10 State Legislative Program OPPOSITION to AB 182 (Evans) which would authorize the Director of Finance to utilize Fiscal Year 2007-08 data to calculate the amount of community redevelopment funds to shift to the Supplemental Educational Revenue Augmentation Fund and as a result increase the Community Redevelopment Agency of the City of Los Angeles' share by \$14.6 million.

Community Impact Statement: None submitted.

(Information Technology and Government Affairs Committee waived consideration of the above matter)

**Roll Call #10 - Motion (Hahn - LaBonge) Adopted, Ayes (12); Absent: Rosendahl and Wesson (2)  
(Item Nos. 34-35)**

#### **ITEM NO. (34) - ADOPTED**

#### 09-2409

CD 4

MOTION (LABONGE - PARKS) relative to amending prior Council action of October 6, 2009, declaring the Child Health and Safety Fair at Valley Plaza Park in North Hollywood a Special Event.

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

AMEND Council action of October 6, 2009 (Council file No. 09-2409) declaring the Child Health and Safety Fair at Valley Plaza Park in North Hollywood, as follows:



APPROPRIATE \$555 for the Unappropriated Balance Fund No. 100/58 to the General Services Fund No. 100/40, Account No. 1090 (Salaries - Overtime) for services in connection with this event - said funds to be reimbursed to the General Fund by the California Community Foundation.

**ITEM NO. (35) - ADOPTED - FORTHWITH**

[09-2784](#)

CD 8

MOTION (PARKS - LABONGE) relative to accepting the donation gift of the sum of \$9,602.50 by Nitrus Media/Hard Events/Monotone to help support various upcoming and future community event in the Eighth Council District.

Recommendations for Council action:

1. ACCEPT the gift of the sum of \$9,602.50 by Nitrus Media/Hard Events/Monotone (Contact: Gary Richards, 820 Seward Street, Los Angeles, CA 90038) to help support various upcoming and future community events in the Eighth Council District.
2. DEPOSIT into the Council District Eight Public Benefits Trust Fund No. 49F, and AUTHORIZE the Councilmember of the Eighth District to thank the donor on behalf of the City.
3. AUTHORIZE the City Clerk to make any technical corrections or clarifications to the above fund transfer and/or deposit instructions in order to effectuate the intent of this Motion.

**ITEM NO. (36) - ADOPTED**

**Roll Call #13 - Motion (Cárdenas - Parks) Adopted, Ayes (12); Absent: Rosendahl and Wesson (2)**

[09-0010-S55](#)

CONTINUED CONSIDERATION OF MOTION (CARDENAS - PARKS - ALARCON) 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 18, 2009)

**Roll Call #10 - Motion (Hahn - LaBonge) Adopted, Ayes (12); Absent: Rosendahl and Wesson (2)  
(Item Nos. 37-39b)**

**ITEM NO. (37) - ADOPTED**

[09-0011-S51](#)

CD 13

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

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

1. TRANSFER \$6,000 from the Council District 13 portion of the Street Furniture Revenue Fund No. 43D/50 to the Board of Public Works Fund No. 682, Account No. 4610 (Bureau of Engineering) to complete an environmental assessment study for the property at 5401 La Mirada in Council District 13.
2. AUTHORIZE the Chief Legislative Analyst to make any technical corrections for clarification to the above instructions to carry out the intent of this Motion.

**ITEM NO. (38) - ADOPTED**

[07-2283-S4](#)

CD 4

RESOLUTION (LABONGE - REYES - GARCETTI) relative to extending provisions of the Oaks Interim Control Ordinance for an additional six months.

Recommendations for Council action:

RESOLVE TO EXTEND the provisions of Ordinance No. 179814, imposing temporary interim regulations on the issuance of certain building permits, as described within that portion of the Hollywood Community Plan Area, as described, for a 180 day period ending on May 25, 2010, or upon adoption of permanent regulations, inasmuch as the City Planning Department is actively working to assure that a new ordinance is being expeditiously processed.

**ITEM NO. (39) - MAPS AND BONDS APROVED - CITY ENGINEER REPORTS ADOPTED**

[09-2782](#)

et al. FINAL MAPS in the various Council Districts.

Recommendation for Council action:

APPROVE the Final Maps and ADOPT the City Engineer Reports as detailed in the various listed Council files, including bonds, agreements, contracts and other related issues as specified:

[09-2782](#)

CD 5

- a. FINAL MAP OF TRACT NO. 68706 for property located at 10710 Wilshire Boulevard lying southerly of Wilshire Boulevard and westerly of Manning Avenue.  
(Bond No. C-116201)  
(Quimby Fee: \$389,934)  
(Less Dwelling Unit Construction Tax: \$11,600)  
Applicants: 10700 Wilshire, LLC  
Thomas Iacobellis

[09-2801](#)

CD 5

- b. FINAL MAP OF TRACT NO. 68141 for property located at 815-17 South LeDoux Road lying westerly of LeDoux Road and southerly of Gregory Way.  
(Bond No. C-116202)  
(Quimby Fee: \$21,000)  
Applicants: DHS Associates  
Cyrus Matanedi  
Jack Little Co.

## **Item for Which Public Hearing Has Been Held - Item 40**

**ITEM NO. (40) - ADOPTED - TO THE MAYOR FORTHWITH**

**Roll Call #17 - Motion (Hahn - Smith) Adopted, Ayes (12); Absent: Rosendahl and Wesson (2)**

[07-1233-S1](#)

CONTINUED CONSIDERATION OF 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.

(Continued from Council meeting of November 20, 2009)

## **Items for Which Public Hearings Have Not Been Held - Items 41-47**

(10 Votes Required for Consideration)

**Roll Call #11 - Motion (Hahn - LaBonge) Adopted, Ayes (12); Absent: Rosendahl and Wesson (2)  
(Item Nos. 41-45)**

### **ITEM NO. (41) - ADOPTED**

[08-3237-S1](#)

CD 15

CONTINUED CONSIDERATION OF MOTION (HAHN - LABONGE) relative to free holiday parking program for shopping districts located in Council District 15.

Recommendation for Council action:

INSTRUCT the Los Angeles Department of Transportation to take the necessary steps to implement a 2009 free holiday parking program from Monday, December 14, 2009 through Friday, January 1, 2010 in the San Pedro parking meter zone (No. 518), the City's parking lots in San Pedro (Lots Nos. 641, 647, 648, and 735) and the Wilmington parking meter zone (No. 534).

Community Impact Statement: None submitted.

(Transportation Committee waived consideration of the above matter)

(Continued from Council meeting of November 20, 2009)

### **ITEM NO. (42) - ADOPTED, AS AMENDED - SEE FOLLOWING**

[09-2812](#)

MOTION (PARKS - LABONGE - GARCETTI) relative to the City of Los Angeles submitting a bid to host the 2018 or 2022 FIFA World Cup.

Recommendation for Council action:

INSTRUCT the Chief Legislative Analyst, with assistance of the City Administrative Officer and the City Attorney, to immediately work with the Coliseum Commission to review and analyze the proposed agreements and report back to the Budget and Finance Committee on December 7, 2009 on the impact to the City of approving the agreements and formally submitting a bid to host the 2018 or 2022 FIFA World Cup.

**ADOPTED**

**MOTION (PARKS - LABONGE)**

**AMEND Motion (Parks - LaBonge - Garcetti) relative to submitting a bid to host the 2018 or 2022 FIFA World Cup to change the date of the Budget and Finance Committee hearing to November 30, 2009 and further INSTRUCT the City Clerk to put on the Council agenda for DECEMBER 1, 2009 a placeholder for this item.**

**ITEM NO. (43) - ADOPTED**

[07-3723-S2](#)

CD 4

MOTION (LABONGE - GARCETTI) relative to an extension of the Environmental Enhancement and Mitigation (EEM) program grant Cooperative Work Agreement (CWA) to August 2010.

Recommendations for Council action:

1. APPROVE the application for a grant completion date extension relative to the Sunnynook River Park project, located in Council District Four, attached to the Council file.
2. AUTHORIZE the City Clerk, the Bureau of Engineering or any other person or agency, as appropriate, to execute the application on behalf of the City Council, and AUTHORIZE the Bureau of Engineering (contact Lawrence Hsu - 213-485-4652) to submit this application on behalf of the City. (This application must be submitted to CalTrans by November 25, 2009.)

**ITEM NO. (44) - ADOPTED**

[08-2138](#)

MOTION (KORETZ - GARCETTI) relative to amending prior Council action of October 30, 2009, relative to settlement in the cases entitled Hubbard v. City of Los Angeles, Los Angeles Superior Court (LASC) Case No. BS 114091, and Housing Coalition Los Angeles v. City of Los Angeles, LASC Case No. 114338.

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

AMEND prior Council action of October 30, 2009 (Council file No. 08-2138), relative to settlement in the cases entitled Hubbard v. City of Los Angeles, Los Angeles Superior Court (LASC) Case No. BS 114091, and Housing Coalition Los Angeles v. City of Los Angeles, LASC Case No. 114338 to adopt the following necessary technical fund and payee instructions, inasmuch as they were omitted from the original action:

1. AUTHORIZE the City Attorney to expend \$139,631 in settlement of the case entitled Hubbard v. City of Los Angeles, LASC Case No. BS 114901, and Housing Coalition Los Angeles v. City of Los Angeles, LASC Case No. 114338, from the Liability Claims Account No. 9770, Fund No. 100/59.

2. AUTHORIZE the City Attorney to draw demands for the total settlement of \$139,631 paid as follows:

\$40,000 to the Law Offices of Noel Weiss  
\$99,631 to Chatten-Brown & Carstens

3. AUTHORIZE the City Attorney to make any technical corrections or clarifications to the above fund and payee instructions in order to effectuate the intent of this Motion.

#### **ITEM NO. (45) - ADOPTED**

[08-2307-S1](#)

CD 7

MOTION (ALARCON - SMITH) relative to lease approval for office space at 14500 Roscoe Boulevard, Fourth Floor No. 425, Panorama City, CA 91402.

Recommendation for Council action:

APPROVE the executed Neighborhood Council Lease Agreement between the City of Los Angeles, through the Department of Neighborhood Empowerment (on behalf of the Panorama City Neighborhood Council), and Excel Executive Suites, LLC, under the terms and conditions outlined in the Neighborhood Council Lease Agreement, attached to the Council file.

#### **ITEM NO. (46) - CONTINUED TO DECEMBER 1, 2009**

**Roll Call #6 - Motion (Hahn - Koretz) Adopted to Continue, Unanimous Vote (12); Absent: Rosendahl and Wesson (2)**

[09-2824](#)

RESOLUTION (ROSENDAHL - KORETZ) relative to declaring December 1, 2009 as WORLD AIDS DAY in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE December 1, 2009 as WORLD AIDS DAY in the City of Los Angeles, and call upon all the residents and leaders of this great city to join us in heightening the awareness of HIV infection and AIDS prevention and the need for accessible and available testing for all.

**Roll Call #11 - Motion (Hahn - LaBonge) Adopted, Ayes (12); Absent: Rosendahl and Wesson (2)  
(Item Nos. 47a-47b)**

#### **ITEM NO. (47) - MAPS AND BONDS APROVED - CITY ENGINEER REPORTS ADOPTED**

[09-2814](#)

et al. FINAL MAPS in the various Council Districts.

Recommendation for Council action:

APPROVE the Final Maps and ADOPT the City Engineer Reports as detailed in the various listed Council files, including bonds, agreements, contracts and other related issues as specified:

[09-2814](#)  
CD 4

- a. FINAL MAP OF TRACT NO. 66520 for property located at 10762 West Camarillo Street lying southerly of Camarillo Street and westerly of Denny Avenue.  
(Bond No. C-116204)  
(Quimby Fee: \$34,656)  
Applicants: Toluca Royal Properties, Inc.  
                  Techna Land Co.

[09-2811](#)  
CD 5

- b. FINAL MAP OF TRACT NO. 63404 for property located 13002-22 Riverside Drive lying southerly of Riverside Drive and easterly of Wortser Avenue.  
(Bond No. C-116205)  
Applicants: Jerry Levy  
                  Iacobellis & Associates

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

[09-2854](#)

MOTION (ZINE - SMITH) relative to funding for enhanced graffiti reduction efforts in Council District Three.

[08-2301](#)

MOTION (PARKS - LABONGE) relative to reinstating the reward offer for information on a serial killer that has been linked through DNA testing to eleven murders in the South Los Angeles and Inglewood areas for an additional six months.

[08-0010-S16](#)

MOTION (KORETZ - PARKS) relative to reinstating the reward offer in the death of Katan Khaimov for an additional six months.

[09-2853](#)

MOTION (ZINE - SMITH) relative to installing street banners announcing the El Camino Real High School 40th Anniversary and to promote school pride.

[09-1571](#)

MOTION (HUIZAR - CARDENAS) relative to reallocating Urban Development Action Grant (UDAG) Miscellaneous Funds to conduct a Youth enrichment Program in the East Los Angeles communities of Boyle Heights and El Sereno.

**COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:**

[09-2501](#) - Posthumously Tommy Jacquette

Hahn - All Councilmembers

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

**Whereupon the Council did adjourn.**

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL