

Los Angeles City Council, **Journal/Council Proceedings**
Tuesday, **January 19, 2010**
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, Koretz, Krekorian, Perry, Reyes, Smith, Zine and President Garcetti (10); Absent: Huizar, LaBonge, Parks, Rosendahl and Wesson (5)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
January 13, 2010

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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

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

Item Noticed for Public Hearing - Item 1

ITEM NO. (1) - PUBLIC HEARING CLOSED - ADOPTED

Roll Call #14 - Motion (Wesson - Zine) Adopted, Ayes (14); Absent: LaBonge (1)

[09-2715](#)

CDs 1, 4 & 10

HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to levying the Wilshire Center Business Improvement District ("District") special assessment for the District's 15th fiscal year (operating year) beginning on January 1, 2010 through December 31, 2010.

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

1. HEAR PROTESTS against the proposed levying of the special assessment for the District's 2010 fiscal year, pursuant to Section 36524 of the California Streets and Highways Code.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the special assessment for the District's 2010 fiscal year, if a majority protest, as defined by Section 36525 of the California Streets and Highways Code, is found not to exist.
3. APPROVE the Wilshire Center Business Improvement District Advisory Board for the District's 2010 fiscal year.

4. AUTHORIZE the City Clerk, subject to City Attorney approval, to prepare, execute and administer a contract between the City and the Wilshire Center Business Improvement Corporation, the nonprofit service provider for administration of the District.
5. AUTHORIZE the Controller to provide, if necessary and if available, an advance against the District's assessment revenue, in an amount not to exceed \$214,559.03 (representing 25 percent of the anticipated assessment revenue for the District's 2010 fiscal year), to the Wilshire Center Business Improvement District.

Fiscal Impact Statement: The City Clerk reports that direct costs for Department administration of the District program for its 2010 fiscal year will be recovered from the assessments collected. The amount of recoverable City costs to be charged to the District will be \$25,747.08, representing two percent of the District's anticipated assessment revenue for its 2010 fiscal year, plus an additional one percent for departmental costs associated with the direct billing of District stakeholders. There are no assessments to be paid for City-owned properties located within the boundaries of the District. Therefore, there is no impact on the General Fund.

(Pursuant to Council adoption of Ordinance No.180994 on November 25, 2009)

(Continued from Council meeting of December 15, 2009)

Items for Which Public Hearings Have Been Held - Items 2-12

ITEM NO. (2) - ADOPTED

Roll Call #5 - Motion (Zine - Koretz) Adopted, Ayes (12); Absent: Huizar, LaBonge and Parks (3)

[09-2976](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the appointment of Mr. Jerry Bardwell to the Los Angeles City Employees' Retirement System (LACERS) Board.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Jerry Bardwell to the LACERS Board for the term ending June 30, 2011, is APPROVED and CONFIRMED. Mr. Bardwell resides in Council District Six. (Current Board gender composition: M=5; F=2)

Ethics Commission Review: Complete.

Background Check Review: Complete.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 21, 2010

(LAST DAY FOR COUNCIL ACTION - JANUARY 20, 2010)

**Roll Call #1 - Motion (Smith - Koretz) Adopted, Ayes (11); Absent: Huizar, LaBonge, Parks and Rosendahl (4)
(Item Nos. 3-4)**

ITEM NO. (3) - ADOPTED

[09-0184](#)

CD 10

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to various actions for the Rancho Cienega Track and Field Improvements Project.

Recommendations for Council action, pursuant to Motion (Wesson - Reyes), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE and INSTRUCT the General Manager, Community Development Department (CDD) and the Department of Recreation and Parks (RAP), to negotiate and execute an amendment to the existing cooperation agreement No. 115732 between CDD and RAP for the Rancho Cienega Sports Complex, as necessary, to include improvements to a new synthetic turf soccer field at the same site, in compliance with all requirements of the City's Citizen Participation Plan.
2. AUTHORIZE the CDD to make a minor amendment to the Housing and Community Development Action Plan, as necessary, in accordance with the City's adopted Citizen's Participation Plan.
3. ALLOCATE undesignated Proposition 40 Per Capita funds in an amount not to exceed \$650,000 for the new synthetic turf soccer field project at the Rancho Cienega Sports Complex.
4. AUTHORIZE a loan in an amount not to exceed \$650,000 to the RAP from the established revolving Public Works Trust Fund to be used as cash flow for the Proposition 40 Per Capita funds that have been identified for a new synthetic turf soccer field at the Rancho Cienega Sports complex that will be reimbursed upon receipt of these funds from the State.

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

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

ITEM NO. (4) - ADOPTED

[09-2298](#)

PUBLIC SAFETY COMMITTEE REPORT relative to a Right Response Cooperative Agreement with Peace Over Violence for services to be provided to survivors of domestic violence and sexual assault who are deaf, hard of hearing, and/or physically disabled.

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

1. AUTHORIZE the City Attorney, or designee, to execute the Right Response Cooperative Agreement with Peace Over Violence for the period of October 8, 2008, to September 30, 2011, subject to the approval of the City Attorney as to form and legality.
2. ACCEPT funding in the amount of \$10,000 for the first project year of the Right Response Cooperative Agreement between the City and Peace Over Violence.
3. AUTHORIZE the Controller to deposit funding in the amount of \$10,000 in reimbursements for the first year into Fund 100/12, Revenue Source Code 4610.
4. REQUEST the City Attorney to report back to Council and Mayor as necessary for authority and funding appropriations for the second and third year when finalized.
5. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments consistent with this action, subject to the approval of the City Administrative Officer (CAO); and, AUTHORIZE the Controller to implement the instructions.
6. DIRECT the Department on Disability, the Los Angeles Police Department, and the CAO to report back to the Public Safety and Information Technology and Governmental Affairs Committees relative to:
 - a. The costs associated with a possible upgrade of the City's current assistive technologies for the deaf and hard of hearing.
 - b. An assessment of the City's compliance with Title III the American with Disabilities Act with regards to those systems.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. The acceptance and use of the grant funds is consistent with City financial policies in that one-time revenue will be used to support one-time expenditures.

Community Impact Statement: None submitted.

ITEM NO. (5) - ADOPTED, AMENDED - SEE FOLLOWING

Roll Call #15 - Motion (Smith - Zine) To Adopt As Amended, Ayes (13); Absent: Huizar and LaBonge (2)

[09-2545](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the 2009 Edward Byrne Memorial Justice Assistance Grant (JAG) award to partially fund Community Law Enforcement and Recovery (CLEAR) sites.

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

APPROVE the recommendations of the City Administrative Officer (CAO) as stated in the January 6, 2010, report to the Mayor and Council (attached to the Public Safety Committee report) accepting the 2009 Edward Byrne Memorial JAG award in the amount of \$7,316,821 (\$2,557,821 for the City of Los Angeles to partially fund CLEAR sites and for administrative expenses), authorizing the Mayor to execute the 2009 JAG Memorandum of Understanding and related sub-recipient agreements with the County of Los Angeles and 57 partner jurisdictions located within the county for the period October 1, 2008, through September 30, 2012, and related actions.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. Acceptance of the 2009 Edward Byrne Memorial JAG will provide allocations totaling \$7,316,821 to 59 different Los Angeles area jurisdictions. The City's grant allocation totals \$2,557,821, of which \$2,045,643 will be used for expenditures associated with the CLEAR Program and \$512,178 for administrative expenses. Full funding for the CLEAR sites is composed of various grants and General Funds. Approximately \$480,000 in overhead costs associated with 2009 JAG administrative staff salaries will not be reimbursed. Approval of the CAO's recommendations is in compliance with City financial policies inasmuch as budgeted General Fund monies plus grant revenues are available to support the cost of this program.

Community Impact Statement: None submitted.

ADOPTED

AMENDING MOTION (SMITH - ZINE)

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

1. **SUBSTITUTE Recommendation No. 8 in the Public Safety Committee Report with the following:**
 - a. **CREATE a new interest-bearing Fund, titled Fiscal Year (FY) 2009 Justice Assistance Grant Fund, establish a receivable in this new Fund in the amount \$7,316,821 and create new Appropriation Accounts within the new XXX, Department 46 as follows:**

<u>Account</u>	<u>Title</u>	<u>Amount</u>
F112	City Attorney Salaries	\$128,820.00
F146	Mayor Salaries	\$155,964.82
F212	City Attorney Salaries - Reserve (Admin)	\$103,731.33
F246	Mayor Salaries - Reserve	\$79,029.91
F299	Fringe Benefits - Mayor and City Attorney	\$82,455.43
F304	CLEAR Contractual Services - County	\$1,814,819.21
F305	CLEAR Evaluation Services	\$90,000.00
F306	County of Los Angeles Allocation	\$2,045,643.21
F307	LA County Partner Jurisdictions Allocations	\$2,713,357.00
F308	Mayor's Office Other (HSPS)	\$3,000.00
F309	HSPS Contractual Services	<u>\$100,000.00</u>
	Total:	\$7,316,821.00

- b. **EXPEND funds upon presentation of proper demands from the Mayor's Office of Homeland Security and Public Safety;**

- c. **INCREASE** appropriations for the City Attorney's Office, Fund 100/12 from the FY09 Justice Assistance Grand Fund, Department 46/F112 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries General	\$128,820

- d. **INCREASE** appropriations for the Mayor's Office, Fund 100/46 from the FY09 Justice Assistance Grand Fund, Department 46/F146 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1020	Salaries Grant Reimbursed	\$155,946.82

- e. Upon submission of proper documentation, transfer \$82,455.43 on an as-needed basis from the FY09 Justice Assistance Grant Fund, Department 46/F299 to the General Fund 100, Revenue Source Code 4681 for reimbursement of grant-funded related costs.

2. **ADD** the following recommendations:

10. **AUTHORIZE** the Mayor's Office of Homeland Security and Public Safety to release a Request for proposal inviting submission of proposals for a Certified Public Accountant Fiscal Monitoring Firm, in an amount not to exceed \$100,000 and a period of time not to exceed 36 months within the applicable grant performance period, subject to the approval of the City Attorney as to form.
11. **AUTHORIZE** the Mayor's Office to negotiate and execute a contract with the Fiscal Monitoring Firm selected as a result of the Request for Proposal process described in the above Recommendation 8, subject to the approval of the City Attorney as to form.

Roll Call #1 - Motion (Smith - Koretz) Adopted, Ayes (11); Absent: Huizar, Labonge, Parks and Rosendahl (4)
(Item Nos. 6-12)

ITEM NO. (6) - ADOPTED

[09-3007](#)

PUBLIC SAFETY COMMITTEE REPORT relative to a donation from the Allstate Foundation for the City's Crisis Response Team.

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

1. **ACCEPT** donation in the amount of \$20,000 from the Allstate Foundation for the City's Crisis Response Team Program.
2. **AUTHORIZE** the Controller to deposit funds from the Allstate Foundation donation into Volunteer Bureau Trust Fund No. 892, Account K206.

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. (7) - ADOPTED

[09-3008](#)

PUBLIC SAFETY COMMITTEE REPORT relative to a donation from Kaiser Permanente for the City's Crisis Response Team.

Recommendations for Council actions:

1. AUTHORIZE the Mayor to execute a Memorandum of Agreement (MOA) between the City of Los Angeles and U.S. Crisis Care (USCC), subject to the approval of the City Attorney as to form and legality, and in substantial conformity with the pro forma MOA attached to the Mayor's report to Council dated December 8, 2009 (attached to the Council file).
2. AUTHORIZE the Mayor, or designee, to accept goods and services from Kaiser Permanente for the support of the Los Angeles Crisis Response Team Program, in accordance with the terms of the MOA.

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. (8) - ADOPTED

[09-3068](#)

PUBLIC SAFETY COMMITTEE REPORT relative to donations of equipment and a monetary gift for use by the Los Angeles Fire Department's (LAFD) Disaster Preparedness Section and Community Emergency Response Team Unit (CERT).

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

1. ACCEPT and APPROVE donations from the Allianz Life and Firemen's Fund Insurance Company / Firemen's Fund Heritage Program: equipment valued at \$41,432.38 for use by the LAFD's Disaster Preparedness Section and CERT, and a monetary gift of \$20,540.62 for community outreach and training.
2. AUTHORIZE the Controller to deposit the \$20,540.62 cash donation into Fund 848, Fire Department Trust Fund; account number to be determined.

Fiscal Impact Statement: The LAFD reports that the donated equipment will not add any additional maintenance and/or repair costs to the City. All supply items related to community outreach and survival products are a one-time purchase and, if necessary, will be replaced using funds from Fund 848. No maintenance is required by the City of a donated stand-alone desktop system, so no maintenance or repair costs are anticipated.

Community Impact Statement: None submitted.

ITEM NO. (9) - ADOPTED

[08-0014](#)

CD 11

CATEGORICAL EXEMPTION and TRADE, COMMERCE AND TOURISM COMMITTEE REPORT relative to an amendment to on-airport automobile rental concession agreements at Los Angeles International Airport (LAX).

Recommendations for Council action:

1. FIND that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article III Class 1(18)(c) of the Los Angeles City CEQA Guidelines.
2. APPROVE the second amendment with the Hertz Corporation, Avis Rent A Car System Inc., Budget Rent A Car System, Inc., Alamo Rental (US) Inc., National Rental (US) Inc., DTG Operations, Inc., Enterprise Rent-A-Car Company of Los Angeles, Fox Rent-A-Car, Inc., DTG Operations, Inc., and Simply Wheelz, LLC.
3. CONCUR with the Board of Airport Commissioners action of December 21, 2009 authorizing the second amendment.
4. REQUEST the Department of Airports to report back in three months on the Consolidated Rental Car Facility Project.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed request will generate a minimum of approximately \$49.3 million in annual concession fees, based upon the current minimum annual guarantee, which will be credited to the Airport Revenue Fund. Since the Department of Airports is bound only by the City Debt Management Policies, the City Financial Policies are not applicable. Approval of the proposed amendments will have no impact upon the City General Fund.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 27, 2010

(LAST DAY FOR COUNCIL ACTION - JANUARY 27, 2010)

ITEM NO. (10) - ADOPTED

[08-2977](#)

CD 11

CATEGORICAL EXEMPTION and TRADE, COMMERCE AND TOURISM COMMITTEE REPORT relative to an amendment to an agreement with Avis Rent-A-Car System, LLC.

Recommendations for Council action:

1. FIND that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article III Class 1(18)(c) of the Los Angeles City CEQA Guidelines.
2. APPROVE the first amendment to an agreement with Avis Rent-A-Car System, LLC.
3. CONCUR with the Board of Airport Commissioners action of December 21, 2009 authorizing the second amendment.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed amendment will generate approximately \$6,154,700 in rent for the Department of Airports during the first year of the term extension as well as an additional \$1.1 million in rent payments annually for five years. The annual rental revenue will increase periodically during the 10 years as revisions in the rental rates are implemented. Since the Department of Airports is only bound by the City Debt Management Policies, the City Financial Policies are not applicable.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 27, 2010

(LAST DAY FOR COUNCIL ACTION - JANUARY 27, 2010)

ITEM NO. (11) - ADOPTED

[09-3080](#)

CD 6

CATEGORICAL EXEMPTION and TRADE, COMMERCE AND TOURISM COMMITTEE REPORT relative to a one-year replacement lease with Raytheon Company for the use of hangar and office space on approximately 9.05 acres of land at Van Nuys Airport.

Recommendations for Council action:

1. FIND that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article III Class 1(18)(c) of the Los Angeles City CEQA Guidelines.
2. APPROVE the replacement lease with Raytheon Company.
3. CONCUR with the Board of Airport Commissioners action of December 21, 2009 authorizing the replacement lease.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed replacement lease will generate \$889,849 annually for the Airport Revenue Fund, exclusive of periodic adjustments. The Department of Airports will also receive a retroactive rent payment of \$521,581 that is due for the month-to-month holdover period of April 1, 2007 through November 30, 2009. Additionally, Raytheon will accrue an additional \$15,847 monthly until billing commences under the proposed replacement lease. Since the Department of Airports is bound only by the City Debt Management Policies, the City Financial Policies are not applicable.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 27, 2010

(LAST DAY FOR COUNCIL ACTION - JANUARY 27, 2010)

ITEM NO. (12) - ADOPTED

[09-2896](#)

COMMUNICATION FROM CHAIR AND MEMBER, TRANSPORTATION COMMITTEE and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to recommended changes to the zoning code to increase the number of bicycle parking spaces required for new developments.

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

DIRECT the Department of City Planning, in consultation with the Los Angeles Department of Transportation, to report with recommended changes to the zoning code to increase the number of bicycle parking spaces required for new development, including: the feasibility of including short and long term bicycle parking requirements, an analysis of whether new bicycle parking requirements should be tied to parking spaces or building square footage, and the possibility of expanding bicycle parking requirements to residential uses, particularly multi-family developments.

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

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 13-30

(10 Votes Required for Consideration)

ITEM NO. (13) - ADOPTED

Roll Call #7 - Motion (Perry - Rosendahl) Adopted, Ayes (13); Absent: LaBonge and Parks (2)

[09-1409](#)

CD 2

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Moorpark Street and Murietta Avenue Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated December 21, 2009.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **MARCH 23, 2010** as the hearing date for the maintenance of the Moorpark Street and Murietta Avenue Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$11,537.57 will be collected annually starting with tax year 2010-11 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: March 15, 2010)

ITEM NO. (14) - ADOPTED - ORDINANCE (B) OVER TO JANUARY 26, 2010

Roll Call #10 - Motion (Cardenas - Rosendahl) Failed Of Adoption, Ayes (9); Noes: Alarcon, Huizar, Parks, Perry and Rosendahl (5); Absent: LaBonge (1)

Roll Call #12 - Motion (Wesson - Hahn) Failed Of Adoption, Ayes (5); Noes: Alarcon, Hahn, Huizar, Parks, Perry, Rosendahl, Smith, Wesson and Zine (9); Absent: LaBonge (1)

Roll Call #13 - Motion (Wesson - Hahn) Adopted, Ordinance Over One Week, Ayes (11); Noes: Parks, Perry and Rosendahl (3); Absent: LaBonge (1)

[08-0923](#)

EXEMPTION, COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCES FIRST CONSIDERATION relative to adding Article 5.1 to Chapter IV of the Los Angeles Municipal Code (LAMC) and amending Section 91.107.3.2 of the LAMC to implement the Compassionate Use Act and the Medical Marijuana Program Act consistent with the provisions of the Acts, but without violating state or federal law.

FAILED OF ADOPTION

- A. ORDINANCE [Section 45.19.6.3.A.2(a) - 500-foot radius from sensitive uses requirement]

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

1. FIND that adoption of this ordinance is exempt from the California Environmental Quality Act (CEQA) Guidelines sections 15060(c)(2) and (3) because it will not result in a direct or reasonably foreseeable indirect physical change in the environment, since it merely establishes regulations for medical marijuana collectives and will result in a substantial decrease in the number of locations that are currently in existence, and the City's CEQA Guidelines Article II, Section 1 (General Exemption) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; and further, DIRECT staff to file a "Notice of Exemption" as permitted by the CEQA.

2. PRESENT and ADOPT the accompanying ORDINANCE adding Article 5.1 to Chapter IV of the LAMC and amending Section 91.107.3.2 of the LAMC to implement the Compassionate Use Act and the Medical Marijuana Program Act consistent with the provisions of the Acts, but without violating state or federal law.

ADOPTED

- B. ORDINANCE [Section 45.19.6.3.A.2(a) - 1,000-foot radius from sensitive uses requirement]

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

1. FIND that adoption of this ordinance is exempt from the California Environmental Quality Act (CEQA) Guidelines sections 15060(c)(2) and (3) because it will not result in a direct or reasonably foreseeable indirect physical change in the environment, since it merely establishes regulations for medical marijuana collectives and will result in a substantial decrease in the number of locations that are currently in existence, and the City's CEQA

Guidelines Article II, Section 1 (General Exemption) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; and further, DIRECT staff to file a "Notice of Exemption" as permitted by the CEQA.

2. PRESENT and ADOPT the accompanying ORDINANCE adding Article 5.1 to Chapter IV of the LAMC and amending Section 91.107.3.2 of the LAMC to implement the Compassionate Use Act and the Medical Marijuana Program Act consistent with the provisions of the Acts, but without violating state or federal law.

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: Yes - Eagle Rock Neighborhood Council, Venice Beach Neighborhood Council, Sunland-Tujunga Neighborhood Council, Studio City Neighborhood Council.

(Pursuant to Council action of January 13, 2009)

**Roll Call #4 - Motion (Wesson - Zine) Adopted, Ayes (11); Absent: Huizar, LaBonge, Parks and Rosendahl (4)
(Item Nos. 15-24)**

ITEM NO. (15) - ADOPTED

[10-0005-S34](#)

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 January 12, 2010:

[10-0005-S34](#)

CD 9

- a. Property at 1017 East 43rd Place aka 1019 East 43rd Place (Case No. 225815).
Assessor I.D. No. 5115-015-022

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 9, 2009)

[10-0005-S35](#)

CD 9

- b. Property at 1017 East 43rd Place aka 1019 East 43rd Place (Case No. 135716).
Assessor I.D. No. 5115-015-022

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 11, 2007)

[10-0005-S36](#)

CD 8

- c. Property at 10518 South Vermont Avenue (Case No. 165091).
Assessor I.D. No. 6061-004-007

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 3, 2008)

[10-0005-S37](#)

CD 15

- d. Property at 11209 South Main Street (Case No. 229916).
Assessor I.D. No. 6074-023-053

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

[10-0005-S38](#)

CD 9

- e. Property at 1150 East 52nd Street aka 1152 East 52nd Street (Case No. 53674).
Assessor I.D. No. 5104-003-022

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 29, 2000)

[10-0005-S39](#)

CD 10

- f. Property at 1422 South Carmona Avenue (Case No. 189784).
Assessor I.D. No. 5069-029-007

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 12, 2009)

[10-0005-S40](#)

CD 1

- g. Property at 1518 South Hobart Boulevard (Case No. 255020).
Assessor I.D. No. 5074-009-026

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 17, 2009)

[10-0005-S41](#)

CD 13

- h. Property at 232 North New Hampshire Avenue aka 234 North New Hampshire Avenue (Case No. 48253).
Assessor I.D. No. 5518-033-027

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 24, 2006)

[10-0005-S42](#)

CD 10

- i. Property at 2753 West 11th Street aka 2759 West 11th Street (Case No. 225519).
Assessor I.D. No. 5078-014-012

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 7, 2009)

[10-0005-S43](#)

CD 9

- j. Property at 330 1/2 West 55th Street (Case No. 7311).
Assessor I.D. No. 5101-037-020

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 2, 2006)

[10-0005-S44](#)

CD 9

- k. Property at 330 1/2 West 55th Street (Case No. 144842).
Assessor I.D. No. 5101-037-020

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 8, 2007)

[10-0005-S45](#)

CD 9

- l. Property at 352 West 65th Street (Case No. 129687).
Assessor I.D. No. 6012-004-023

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 25, 2007)

ITEM NO. (16) - ADOPTED

[09-1089](#)

CD 2

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 4854 and 4856 Laurel Canyon Boulevard pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated April 24, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 4854 and 4856 Laurel Canyon Boulevard.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

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

ITEM NO. (17) - ADOPTED

[09-2950](#)

CD 6

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 1167 West Penrose Street pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.

3. ADOPT the City Engineer report dated September 24, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 1167 West Penrose Street.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$2,695 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$2,874.20 and a seven percent surcharge in the amount of \$179.20 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (18) - ADOPTED

[09-2952](#)

CD 3

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 6838 Yolanda Avenue pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated September 24, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 6838 Yolanda Avenue.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

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

ITEM NO. (19) - ADOPTED

[09-2954](#)

CD 5

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 5212 North Whitsett Avenue pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated October 7, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 5212 North Whitsett Avenue
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

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

ITEM NO. (20) - ADOPTED

[09-2958](#)

CD 5

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 16600 West Adlon Road pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.

3. ADOPT the City Engineer report dated October 7, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 16600 West Adlon Road.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$2,286.10 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$2,230 and a seven percent surcharge in the amount of \$156.10 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (21) - ADOPTED

[09-3054](#)
CD 6

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 13736 West Saticoy Street pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated October 22, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 13736 West Saticoy Street.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$2,286.10 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$2,230 and a seven percent surcharge in the amount of \$156.10 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (22) - ADOPTED

[09-3056](#)

CD 4

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 10825 West Moorpark Street pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated October 22, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 10825 West Moorpark Street.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$2,286.10 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$2,230 and a seven percent surcharge in the amount of \$156.10 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (23) - ADOPTED

[09-3057](#)

CD 4

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 10825 West Moorpark Street pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles

City Charter.

3. ADOPT the City Engineer report dated October 22, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 10825 West Moorpark Street.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$2,286.10 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$2,230 and a seven percent surcharge in the amount of \$156.10 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (24) - ADOPTED

[09-3058](#)

CD 2

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 11649 West Sunshine Terrace pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated October 23, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 11649 West Sunshine Terrace.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$2,033 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$1,900 and a seven percent surcharge in the amount of \$133 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (25) - ADOPTED

Roll Call #16 - Motion (Perry - Rosendahl) Adopted, Ayes (13); Absent: Huizar and LaBonge (2)

[10-0011](#)

CD 5

MOTION (KORETZ - HUIZAR) relative to funding for enhanced efforts for transit related projects, sidewalk projects, curb/sidewalk improvements, beautification projects needed to improve conditions for public transit patrons in Council District Five.

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

1. TRANSFER \$125,000 in the Council District Five portion of the Street Furniture Revenue Fund No. 43D/50 to the Council District Five portion of the Council Fund No. 100/28, Account No. 1010 (Salaries - General) to provide funding efforts relative to projects, sidewalk projects, curb/sidewalk improvements, beautification projects needed to improve conditions for public transit patrons, and all expenses relating or incidental thereto in Council District Five.
2. AUTHORIZE the City Clerk to make any technical corrections or clarifications to the above fund transfer instructions in order to effectuate the intent of this Motion.

ITEM NO. (26) - ADOPTED

Roll Call #17 - Motion (Zine - Perry) Adopted, Ayes (13); Absent: Huizar and LaBonge (2)

[10-0010-S3](#)

MOTION (REYES - ROSENDAHL) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Fereidoun Kohanim on December 21, 2009.

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 Fereidoun Kohanim on December 21, 2009.
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.

ITEM NO. (27) - ADOPTED

Roll Call #18 - Motion (Perry - Reyes) Adopted, Ayes (13); Absent: Huizar and LaBonge (2)

[10-0010-S5](#)

MOTION (CARDENAS - ZINE) relative to offer(s) of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the various crimes perpetrated by alleged gang members, listed on the Council file.

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

1. PROVIDE offer(s) of reward in the amount of \$50,000 for information leading to the identification, apprehension, and conviction of the person(s) responsible for the various crimes perpetrated by alleged gang members, listed on the Council file.
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.

ITEM NO. (28) - ADOPTED - FORTHWITH TO THE MAYOR

Roll Call #9 - Motion (Perry - Smith) Adopted, Ayes (13); Absent: LaBonge and Parks (2)

[10-0010-S4](#)

MOTION (PARKS - PERRY) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Annette Marie Carter on January 3, 2010.

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 Annette Marie Carter on January 3, 2010.
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.

ITEM NO. (29) - ADOPTED

Roll Call #4 - Motion (Wesson - Zine) Adopted, Ayes (11); Absent: Huizar, LaBonge Parks and Rosendahl (4)

[10-0057](#)

MOTION (HAHN - GARCETTI) relative to installing street banners announcing the Auto Club Speedway Day in L.A. on February 18, and the Auto Club 500 NASCAR event on February 21, 2010.

Recommendations for Council action:

1. APPROVE the street banner program announcing the Auto Club Speedway Day in L.A. and Auto Club 500 NASCAR Event, as a City of Los Angeles Event, Street Banner Program.
2. APPROVE the content of the street banners for the above specified event.

ITEM NO. (30) - CONTINUED TO FEBRUARY 5, 2010

Roll Call #3 - Motion (Cardenas - Krekorian) Adopted to Continue, Ayes (11); Absent: Huizar, LaBonge Parks and Rosendahl (4)

[10-0058](#)

RESOLUTION (ALARCON - PARKS) relative to declaring February 6, 2010 as Los Angeles Federal Earned Income Tax Credit (EITC) Day in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE February 6, 2010 as Los Angeles EITC Day in the City of Los Angeles and use this opportunity to raise awareness of this lesser-known but important credit, encourage low-income Angelenos to find out whether they are eligible for the EITC and promote the use of the free Volunteer Income Tax Assistance preparation sites around the city, to ensure that all Angelenos receive the economic assistance to which they are entitled during this difficult economic time.

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

[08-0010-S9](#)

MOTION (REYES - PERRY) relative to reinstating the reward offer in the death of Veronica and Cynthia Ultreras for an additional six months.

[10-0010-S8](#)

MOTION (PARKS - PERRY) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Juan Johnson on August 16, 2009.

[10-0010-S9](#)

MOTION (PARKS - PERRY) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Damien White on April 5, 2009.

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

[10-0003](#) - Bertram CeDillos

(Zine)

Ayes, Alarcón, Cárdenas, Hahn, Koretz, Krekorian, Parks, Perry, Reyes, Rosendahl, Smith, Wesson, Zine and President Garcetti (13); Absent: Huizar and LaBonge (2)

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL