

Los Angeles City Council, **Journal/Council Proceedings**
Tuesday, **April 13, 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, Huizar, Koretz, Krekorian, LaBonge, Parks, Rosendahl, Zine (10); Absent: Perry, Reyes, Smith, Wesson and President Garcetti (5)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
APRIL 7, 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 - ORDINANCE OVER TO APRIL 20, 2010

Roll Call #6 - Motion (Rosendahl - Zine) Adopted, Ordinance Over One Week, Ayes (10); Absent: Perry, Reyes, Smith, Wesson and President Garcetti (5)

[09-1405](#)

CD 2

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

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

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the assessment cannot be enacted.
2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to 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).
3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not

installed or are removed from service if previously installed.

(Public Hearing held on March 23, 2010)

Items for Which Public Hearings Have Been Held - Items 2-3

ITEM NO. (2) - NO ACTION TAKEN

[10-0247](#)

CONSIDERATION, DISCUSSION and POSSIBLE ACTIONS addressing the Fiscal Year 2009-10 and 2010-11 budget deficits, City staff and others to report on budget balancing matters and possible closed executive session as it may relate to bargaining instructions relative to negotiations with employees and employee organizations.

[Council may recess to Closed Session, pursuant to Government Code Section 54957.6, to meet with the City's labor negotiator(s) relative to the above matter.]

(Public Hearing closed on March 30, 2010)

ITEM NO. (3) - ADOPTED

Roll Call #8 - Motion (Cárdenas - Rosendahl) Adopted, Ayes (10); Absent: Perry, Reyes, Smith, Wesson and President Garcetti (5)

[10-0444](#)

CONTINUED CONSIDERATION OF PUBLIC SAFETY COMMITTEE REPORT relative to the appointment of Mr. Richard E. Drooyan to the Board of Police Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Richard E. Drooyan to the Board of Police Commissioners for the term ending June 30, 2014, to fill the vacancy created by the resignation of Ms. Andrea Ordin, is APPROVED and CONFIRMED. Mr. Drooyan resides in Council District Five. (New Commission Gender Composition: M = 4, F = 1)

Ethics Commission Review: Pending

Background Check Review: Pending

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 29, 2010

(LAST DAY FOR COUNCIL ACTION - APRIL 28, 2009)

(Continued from Council meeting of April 7, 2010)

Items for Which Public Hearings Have Not Been Held - Items 4-12

(10 Votes Required for Consideration)

ITEM NO. (4) - CONTINUED TO APRIL 16, 2010

Roll Call #1 - Motion (Parks - Rosendahl) Adopted to Continue, Unanimous Vote (10); Absent: Perry, Reyes, Smith, Wesson and President Garcetti (5)

[09-0136](#)

CD 9

COMMUNICATION FROM CHAIR, TRADE, COMMERCE, AND TOURISM COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to amending Los Angeles Administrative Code (LAAC) Section 8.149.2 to establish flexible demand based space rental pricing for the Los Angeles Convention and Exhibition Center.

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

PRESENT and ADOPT the accompanying ORDINANCE amending LAAC Section 8.149.2 to establish flexible demand based space rental pricing for the Los Angeles Convention and Exhibition Center.

Fiscal Impact Statement: None submitted by the City Attorney. Neither the City Administrative Officer or the Chief Legislative Analyst have completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (5) - ADOPTED, AS AMENDED - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #9 - Motion (Krekorian - Koretz) to Adopt as Amended, Ayes (10); Absent: Perry, Reyes, Smith, Wesson and President Garcetti (5)

[09-0600-S196](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM CHAIR, EDUCATION AND NEIGHBORHOODS COMMITTEE relative to limited access to Neighborhood Councils' roll over funds.

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

1. AUTHORIZE the Controller to:
 - a. Transfer \$1,053,968.70 from the Unappropriated Balance to the Reserve Fund and appropriate therefrom to Fund 44B/47, Account F158, to the appropriate subaccount within Fund 44B.
 - b. Make any technical adjustments necessary to effectuate the transfer.
2. AUTHORIZE the General Manager, Department of Neighborhood Empowerment (DONE), subject to approval of the City Administrative Officer (CAO), to transfer \$1,053,968.70 from Fund

44B/47, Account F158, to the appropriate Neighborhood Council subsidiary accounts within Fund 44B/47.

Fiscal Impact Statement: None submitted by the DONE. Neither the CAO or the Chief Legislative Analyst have completed a financial analysis of the report.

Community Impact Statement: None submitted.

(Continued from Council meeting of April 6, 2010)

ADOPTED

MOTION (KREKORIAN - KORETZ)

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

1. REQUEST the Controller to:

- a. **Transfer \$915,239.99 from the Unappropriated Balance to the Reserve Fund and appropriate therefrom to Fund 44B/47, Account F158, to the appropriate subaccount within Fund 44B.**
- b. **Make any technical adjustments necessary to effectuate the transfer.**

2. AUTHORIZE the General Manager, Department of Neighborhood Empowerment, subject to approval of the City Administrative Officer, to transfer \$915,239.99 from Fund 44B/47, Account F158, to the appropriate Neighborhood Council subsidiary accounts within Fund 44B/47.

3. REQUEST the Controller, with the assistance to the General Manager, Department of Neighborhood Empowerment and City Administrative Officer to report within 30 days after the close of FY 2009-10 to City Council on the status of all claims and expenditures as reflected in these transfer amounts.

ITEM NO. (6) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #10 - Motion (Zine - Parks) Adopted, Ayes (10); Absent: Perry, Reyes, Smith, Wesson and President Garcetti (5)

[09-0560](#)

COMMUNICATION FROM THE COMMUNITY DEVELOPMENT DEPARTMENT (CDD) relative to modification of Community Services Block Grant (CSBG) funds, American Recovery and Reinvestment Act (ARRA) Implementation Plan.

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

1. **APPROVE the proposed modifications to the City's CSBG ARRA implementation plan as identified in the CDD report dated February 11, 2010, attached to the Council File.**

2. AUTHORIZE the CDD to negotiate and execute contracts and contract amendments with the organizations identified in Attachment A up to the amounts identified therein.
3. AUTHORIZE the Controller to:
 - a. Decrease the appropriation within CSBG-ARRA Fund 51H, Account F122 by \$60,000.
 - b. Decrease the appropriation within Fund 100/22, COO, Account 7300 Furniture and Equipment by \$60,000.
 - c. Decrease the appropriation within CSBG-ARRA Fund 51H, Account F502 One-E-System-ARRA by \$200,000.
 - d. Establish Account F402 Family Source Augmentation and appropriate \$1,500,000 within CSBG-ARRA Fund 51H.
 - e. Increase the appropriation within CSBG-ARRA Fund 51H, Account F401 Family Source -Specialized Services by \$512,500.
 - f. Increase the appropriation within CSBG-ARRA Fund 51H, Account F501 CSBG-ARRA Family Development by \$192,500.
 - g. Establish Account F182 Public Works-Sanitation and appropriate \$700,000 within CSBG-ARRA Fund 51H.
 - h. Increase the appropriation within the Department of Public Works Fund 100/82, Account 1070 - Salaries as Needed for \$700,000.
4. AUTHORIZE the CDD to prepare Controller instructions for any necessary technical corrections subject to the review and approval of CAO and AUTHORIZE the Controller to implement such instructions.

Fiscal Impact Statement: The CDD reports that there is no impact to the General Fund.

Community Impact Statement: None submitted.

(Ad Hoc on Economic Recovery and Reinvestment Committee waived consideration of the above matter)

ITEM NO. (7) - CONTINUED TO APRIL 14, 2010

Roll Call #2 - Motion (Krekorian - Parks) Adopted to Continue, Unanimous Vote (11); Absent: Perry, Reyes, Smith and Wesson (4)

10-0201

CONTINUED CONSIDERATION OF CITY ADMINISTRATIVE OFFICER TO REPORT relative to results of the working group convened to review consolidation initiatives and identify potential risks and benefits of consolidation.

(Pursuant to Council action of February 22, 2010)

(Continued from Council meeting of April 7, 2010)

ITEM NO. (8) - CONTINUED TO APRIL 14, 2010

Roll Call #3 - Motion (Koretz - Krekorian) Adopted to Continue, Unanimous Vote (10); Absent: Perry, Reyes, Smith, Wesson and President Garcetti (5)

[09-0600-S159](#)

CONTINUED CONSIDERATION OF CITY ADMINISTRATIVE OFFICER and CHIEF LEGISLATIVE ANALYST TO REPORT relative to a restructuring proposal for Information Technology Restructuring and Infrastructure Efficiencies.

(Pursuant to Council action of February 22, 2010)

(Continued from Council meeting of April 7, 2010)

ITEM NO. (9) - CONTINUED TO APRIL 14, 2010

Roll Call #11 - Motion (Huizar - Koretz) Adopted to Continue, Unanimous Vote (10); Absent: Perry, Reyes, Smith, Wesson and President Garcetti (5)

[09-0600-S191](#)

CITY ADMINISTRATIVE OFFICER AND CHIEF LEGISLATIVE ANALYST TO REPORT relative to an assessment of the implications of the Mayor's Citywide spending freeze from non-salary General Fund account appropriations, pursuant to Motion (Huizar - Koretz).

(Pursuant to Council action on April 6, 2010)

ITEM NO. (10) - REFERRED TO INFORMATION TECHNOLOGY & GOVERNMENT AFFAIRS COMMITTEE

Roll Call #4 - Motion (Cárdenas - Parks) Adopted to Refer, Unanimous Vote (10); Absent: Perry, Reyes, Smith, Wesson and President Garcetti (5)

[09-0600-S200](#)

CONTINUED CONSIDERATION OF CITY ADMINISTRATIVE OFFICER REPORT relative to identifying cost savings and efficiencies for fleet maintenance.

(Pursuant to Council action of February 22, 2010)

(Continued from Council meeting of April 7, 2010)

ITEM NO. (11) - ADOPTED

Roll Call #12 - Motion (Parks - LaBonge) Adopted, Ayes (11); Absent: Perry, Reyes, Smith and Wesson (4)

[10-0600](#)

MOTION (PARKS - SMITH) relative to holding public hearings on the Mayor's Proposed 2010-11 Budget for the City.

Recommendations for Council action:

1. HOLD public hearings on the Mayor's Proposed 2010-11 Budget for the City commencing on Friday, May 14, 2010 at 10:00 a.m., in the John Ferraro Council Chamber and continuing each regular and special Council meeting day at said hour until such time as the City Council concludes its consideration of the Proposed Budget.
2. SCHEDULE special meetings beginning at 10:00 a.m. on Monday May 17, 2010 and on Thursday, May 20, 2010, which shall be devoted entirely to consideration of the Budget and Finance Committee report and City Council motions to amend the Mayor's Proposed 2010-11 Budget.
3. INSTRUCT the City Clerk, with assistance of the City Administrative Officer and the Chief Legislative Analyst to provide information to the public on the Mayor's Proposed 2010-11 Budget and publish the required public notices.

ITEM NO. (12) - ADOPTED

Roll Call #7 - Motion (Krekorian - LaBonge) Adopted, Ayes (10); Absent: Perry, Reyes, Smith, Wesson and President Garcetti (5)

[09-0010-S9](#)

CD 13

MOTION (GARCETTI - KORETZ for KREKORIAN - LABONGE) relative to reinstating the reward offer in the deaths of Khachik Safaryan and Lusin Safaryan for an additional six months.

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

REAFFIRM Council's findings and REINSTATE the reward offer relative to the deaths of Khachik Safaryan and Lusin Safaryan (Council action of January 20, 2009, Council file No. 09-0010-S9) for an additional period of six months from the publication of the offer of reward by the Office of the City Clerk and, further, that the sum of \$75,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.

Item Noticed for Public Hearing - Item 13

ITEM NO. (13) - CONTINUED TO APRIL 16, 2010

Roll Call #5 - Motion (Parks - Huizar) Adopted to Continue, Unanimous Vote (10); Absent: Perry, Reyes, Smith, Wesson and President Garcetti (5)

[08-0923-S5](#)

CONTINUED CONSIDERATION OF EXEMPTION, PLANNING AND LAND USE MANAGEMENT and BUDGET AND FINANCE COMMITTEES' REPORT and ORDINANCE FIRST

CONSIDERATION relative to amending Sections of the Los Angeles Municipal Code (LAMC) to establish fees for the processing of registration applications under the Medical Marijuana Collectives provisions, and to amend Ordinance No. 181069 for clarification.

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

1. FIND that this action is exempt from California Environmental Quality Act (CEQA) pursuant to Section 15378 (b) (4) of the State CEQA Guidelines and Article II, Section 2(m) of the City's CEQA Guidelines.
2. PRESENT and ADOPT the accompanying ORDINANCE amending Sections 45.19.6.1, 45.19.6.2, 45.19.6.3, 98.0410, and 98.0416 of the LAMC to establish fees for the processing of registration applications under the Medical Marijuana Collectives provisions, add a definition of "Youth Center," and clarify the requirements applicable to the filing of the Notice of Intent to Register and the operative date of Ordinance No. 181069.
3. INSTRUCT the City Clerk to mail a notification letter to the collectives which registered under Interim Control Ordinance No. 179027 informing them of the registration requirements and encouraging them to begin the Live Scan process as soon as possible.
4. INSTRUCT the City Administrative Officer (CAO), Chief Legislative Analyst (CLA) and related City departments to report back in six months with any recommended revised registration fees if found necessary given implementation experience of registrations.
5. INSTRUCT the CAO, CLA and related City departments and REQUEST the City Attorney to report back in three months with recommended annual regulatory/enforcement fees (considering City of Oakland model), and personnel requests to establish, implement and maintain a designated and dedicated enforcement unit for the City's Medical Marijuana Ordinance, including Building and Safety, Los Angeles Police Department, and City Attorney personnel.
6. INSTRUCT CAO, CLA, and related City departments to report back with recommendations to move forward as soon as possible, meeting the deadline for submitting for the November 2010 elections, with a tax for medical marijuana collectives.

Fiscal Impact Statement: The CAO reports that this action complies with the City's Financial Policies in that the fees are calculated to fully recover the City's costs of registering medical marijuana collectives. There is no impact on the General Fund.

Community Impact Statement: None submitted.

(Public Safety Committee waived consideration of the above matter)

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

[10-0602](#)

MOTION (HAHN - PARKS) relative to the City Administrative Officer to report on the recent move by the credit rating agencies.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon her request, and without objections, Councilmember Perry was excused to arrive at 10:30 a.m. to Council Session of Wednesday, April 21, 2010 and excused from Council Session of Tuesday, April 27, 2010 both due to City Business.

Upon his request, and without objections, Councilmember Parks was excused to arrive at 1:00 p.m. to Council Session of Tuesday, April 27, 2010 due to City Business.

Upon his request, and without objections, Councilmember Reyes was excused from Council Session of Tuesday, May 11, 2010 due to City Business.

Upon his request, and without objections, Councilmember Zine was excused to leave at 12:00 p.m. from Council Session of Wednesday, June 2, 2010 due to City Business.

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

[10-0003-S1](#) - Dixie Carter

Garcetti

Wilma Mankiller

Hahn

William "Bill" Ellis

Parks

President Lech Kaczynski

LaBonge - All Councilmembers

First Lady Maria Kaczynski

LaBonge - All Councilmembers

Ayes, Alarcón, Cárdenas, Hahn, Huizar, Koretz, Krekorian, LaBonge, Parks, Rosendahl, Zine and President Garcetti (11); Absent: Perry, Reyes, Smith and Wesson (4)

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL