

**- - - SPECIAL COUNCIL MEETING - - -**

10:15 A.M. OR AS SOON THEREAFTER  
AS COUNCIL RECESSES ITS REGULAR MEETING

**ALL ITEMS FORTHWITH**

**ROLL CALL - Members present: Alarcón, Cárdenas, Hahn, Huizar, Koretz, Krekorian, LaBonge, Parks, Perry, Reyes, Rosendahl, Smith, Wesson, Zine and President Garcetti (15)**

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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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**Item for Which Public Hearing Has Been Held - Item 57**

**ITEM NO. (57) - REFER TO BUDGET AND FINANCE and PUBLIC SAFETY COMMITTEES - SEE  
FOLLOWING**

**Roll Call #4 - Adopted to Refer, Ayes (10); Absent: Huizar, Krekorian, LaBonge, Rosendahl and  
President Garcetti (5)**

[10-1046](#)

PUBLIC SAFETY COMMITTEE REPORT relative to staffing the Los Angeles Police Department's (LAPD) Metropolitan Detention Center (MDC).

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

1. RESOLVE that the following 13 position authorities are approved for the period January 30, 2011, through June 30, 2011, and are exempt from the Managed Hiring Process:

<u>No.</u>	<u>Class Title</u>	<u>Class Code</u>	<u>Department</u>
8	Custodian	3156-N	General Services
1	Senior Custodian II	3157 -2N	General Services
4	Correctional Nurse II	2317-2	Personnel

2. TRANSFER an appropriation from the Capital Finance Administration Fund line item designated for In-Car Video in the amount of \$781,051 to the following General Services Department accounts for custodial and maintenance services, and utilities at the MDC:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries General	\$181,896
1100	Hiring Hall	164,492
1120	Hiring Hall Fringe Benefits	52,637
1090	Overtime	18,190
3040	Contractual Services	100,420
3160	Maintenance Materials	43,426
3170	Custodial Supplies	21,827
3330	Natural Gas	14,503
6020	Operating Supplies	10,008
7350	Operating Equipment	12,156
	Water and Electricity	<u>161,496</u>
	Total	\$781,051

3. TRANSFER an appropriation from the Capital Finance Administration Fund line item for In-Car Video of \$189,587 to the following Personnel Department accounts for custody medical services:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries General	\$139,425
3190	Medical Supplies	25,687
7300	Equipment	<u>24,475</u>
	Total	\$189,587

4. DIRECT the LAPD to report to the Public Safety Committee on a monthly basis following the opening of the MDC relative to the citywide impact on patrol deployment of reassigning police officers from the field to the MDC.
5. DIRECT the Department of General Services to report relative to the impact of the support service requirements of opening the MDC on General Services personnel.
6. REQUEST that the Mayor pursue legislation to enable Detention Officers to carry side-arms thereby allowing Detention Officers to transport arrestees to jail facilities.
7. REFER to the Budget and Finance Committee for consideration Recommendation Nos. 4 and 5 of the City Administrative Officer (CAO) report to Council dated December 10, 2010 (attached to the Public Safety Committee Report), relative to the use of civilian Detention Officers to staff the MDC.

Fiscal Impact Statement: The CAO reports that opening the MDC in January 2011 will cost a minimum of approximately \$971,000 in General Services and Personnel Department support services. Funding for this purpose can be transferred from the Capital Finance Administration Fund. If the decision is made to authorize hiring additional detention staff in the LAPD, this will have a General Fund impact of approximately \$1.24 million.

Community Impact Statement: None submitted.

**REFERRED TO PUBLIC SAFETY and BUDGET AND FINANCE COMMITTEES'**

**AMENDING MOTION (CARDENAS - ALARCON)**

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

- 1. ELIMINATE the remaining furloughs for civilian detention officers and senior detention officer personnel and to pay for this utilizing available funds in the Los Angeles Police Department budget for this purpose.**
- 2. TRANSFER \$1,000,000 within the Los Angeles Police Department Fund No. 100-70, Account No. 1012 (Salaries - Sworn) to Account No. 1010 (Salaries - General); and**
- 3. AUTHORIZE the City Administrative Officer to make any technical adjustments/corrections to this fund transfer instruction in order to effectuate the intent of this Motion.**

**Item for Which Public Hearing Has Not Been Held - Item 58**

(10 Votes Required for Consideration)

**ITEM NO. (58) - ADOPTED**

**Roll Call #1 - Adopted, Ayes (14); Absent: LaBonge (1)**

[10-1929](#)  
CD 15

ADMINISTRATIVE EXEMPTION AND COMMUNICATION FROM THE BOARD OF HARBOR COMMISSIONERS (Board) relative to proposed purchase and sale agreement with the Port of Los Angeles Charter High School (POLAHS) concerning the sale of surplus Harbor Department property located at 250 West 5th Street in San Pedro.

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

- 1. FIND that these actions, as described in the December 10, 2010 Board report and attached to the Council file, are exempt from the California Environmental Quality Act (CEQA) pursuant to Article II Class 2(i) of the Los Angeles City CEQA Guidelines.**
- 2. FIND that the subject property located at 250 West 5th Street in San Pedro is not needed for Harbor Department purposes.**
- 3. FIND that the private sale of the subject property located at 250 West 5th Street in San Pedro is in the best interest of the Harbor Department, as no other bids or offers were received pursuant to the surplus sale noticing requirements, as required under California Government Code Section 54220. The Los Angeles City Charter, and Los Angeles Administrative Code, Division 7, Article IV.**
- 4. FIND that the public interest allows the private sale of the subject property located at 250 West 5th Street in San Pedro to POLAHS based on its adjacent location to the Harbor Department's Administrative Headquarters, close proximity to international trade activities and other port-related**

businesses to provide maritime educational resources for school purposes, and consistency with the Memorandum of Understanding between the Harbor Department and the State Lands Commission regarding the use of the subject property as a public charter high school.

5. APPROVE the Purchase and Sale Agreement with POLAHS as substantially attached to the December 10, 2010 Board report and Council file authorizing the private sale of the subject property located at 250 West 5th Street in San Pedro to POLAHS.
6. INSTRUCT the Executive Director to prepare the necessary documents providing for the sale of the property located at 250 West 5th Street in San Pedro that substantially conform to the terms and conditions contained in the December 10, 2010 Board report and attached to the Council file, including but not limited to:
  - a. A grant deed
  - b. Easement Agreement
  - c. Right of First Offer
  - d. Recording the documents for an estimated net proceeds amount of \$4,122,900.48, the exact amount is subject to prorates incurred in escrow after December 1, 2010, per the terms of the Purchase and Sale Agreement as attached to the December 10, 2010 Board report and the Council file.
7. AUTHORIZE the Executive Director to assign the Purchase and Sale Agreement to an LLC consisting of POLAHS as the sole member, as allowed before closing of escrow upon disclosure and approval of all assignment documents by the Executive Director and submission of certification of the LLC by the California Secretary of State.
8. AUTHORIZE the Executive Director to execute and the Board Secretary to attest to the Purchase and Sale Agreement and Grant Deed(s) upon approval by City Council.
9. ADOPT Order No. 10-7067.

Fiscal Impact Statement: The Board reports that the subject property located at 250 West 5th Street in San Pedro appears on the Harbor Department's assets ledger at an acquisition cost of \$3.4 million, plus \$10.9 million for improvements, totaling \$14.3 million. Accumulated depreciation of \$1.9 million recorded to date reduces the total to a current net asset value of \$12.4 million. The proposed sale will generate \$4.1 million to be paid to the harbor Department. In doing so, the Department's Net Assets of approximately \$2,429 million will be reduced by \$8.3 million, and be reflected in the current fiscal year's income statement as an \$8.3 (\$12.4 - \$4.1) million dollar loss on the sale of assets. In addition, it is anticipated that the Harbor Department's annual expenses retaining to this site (grounds keeping, utilities and maintenance) will cease, resulting in annual operating expense savings of \$330,000.

Community Impact Statement: None submitted.

(Trade, Commerce and Tourism Committee waived consideration of the above matter)

## Closed Session - Items 59-60

ITEM NO. (59) - MOTION ADOPTED IN OPEN SESSION - AS AMENDED - CONTINUED TO JANUARY 4, 2011 - SEE FOLLOWING

Roll Call #2 - Adopted to Continue, Unanimous Vote (15)

[08-0923-S7](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to medical marijuana collectives litigation, LASC Case No. BC433942 and all related actions; City of Los Angeles et al v. 420 Grand, et al, LASC Case No. BC444336; Communication from City Attorney and ORDINANCE FIRST CONSIDERATION TO BE SUBMITTED to address in Open Session some or all of the items addressed in the Courts Order, including amending the Los Angeles Municipal Code regarding registration, records, enforcement, sunset clause, etc., for medical marijuana collectives; consideration of whether adoption of the ordinance is exempt from the California Environment Quality Act (CEQA).

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

**ADOPTED**

**MOTION (REYES - ZINE)**

**Recommendations for Council action:**

1. **REQUEST the City Attorney to draft the subject Ordinance.**
2. **INSTRUCT the City Clerk to agendize this matter for Council's consideration on January 4, 2011.**

ITEM NO. (60) - NO ACTION TAKEN

[08-1903](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to a status update in the case entitled City of Los Angeles In Re Municipal Derivatives Antitrust Litigation MDL 1950, No. 08-02516 (VM) (GWG) (S.D.N.Y.)

**Whereupon the Special Council meeting did adjourn.**

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL