

CITY OF LOS ANGELES

CALIFORNIA



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December 18, 2009

To All Interested Parties:

The City Council adopted the action(s), as attached, under Council file No. 09-2615, at its meeting held December 16, 2009.

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City Clerk
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TO THE COUNCIL OF THE
CITY OF LOS ANGELES

Your **BUDGET AND FINANCE Committee**

reports as follows:

BUDGET AND FINANCE COMMITTEE REPORT relative to retention of outside counsel.

Recommendation for Council action:

RECEIVE and FILE the Motion (Perry-Parks) relative to retaining outside legal counsel to represent the City Council and the Department of Building and Safety in the matter of issuance of permits relating to off-site signs, off-site digital displays and supergraphic signs relative to the Los Angeles Sports and Entertainment project, inasmuch as the Chief Assistant City Attorney advised the Committee that the City Attorney does not see that a conflict exists whereby the City Attorney cannot represent the City and the Council in this matter, and no further Council action is necessary.

Community Impact Statement: None submitted

SUMMARY

At its meeting of December 7, 2009, the Budget and Finance Committee considered Motion (Perry-Parks) relative to an instruction that the City Administrative Officer identify funding to retain outside counsel to represent the City in the matter of issuance of permits relating to off-site signs, off-site digital displays and supergraphic signs relative to the Los Angeles Sports and Entertainment project. During the Committee's discussion, the Chief Assistant (CA) City Attorney advised the Committee that when the Council considered the matter of billboard signs and the Staples Arena, the Office of the City Attorney was providing its' best advice, however it was the Council's discretion to disregard that advice and the Office of the City Attorney would defend the Council's actions no matter what. The CA City Attorney stated that this is what the City Attorney is doing and continues to do, and sees no basis or need for outside counsel in this matter. The Committee Chair stressed that the Council is the client and the City Attorney is the Council's lawyer; while the City Attorney may have an opinion, it is the Council's direction that is the City Attorney's guidance in defending the City. The CA City Attorney advised the Committee that he did not see that a conflict exists whereby the City Attorney cannot represent the City and the Council in this matter.

The Budget and Finance Committee recommended to receive and file the Motion (Perry-Parks). This matter is now forwarded to the Council for its consideration.

Respectfully submitted,

BUDGET AND FINANCE COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
PARKS:	YES
SMITH:	YES
ROSENDAHL:	YES
HUIZAR:	YES
KORETZ:	YES

LB
09-2615_rpt_bfc_12-10-09

-NOT OFFICIAL UNTIL COUNCIL ACTS-

ADOPTED

DEC 16 2009

**LOS ANGELES CITY COUNCIL
FORTHWITH**