

Los Angeles City Council, **Journal/Council Proceedings**  
Tuesday, **April 22, 2008**  
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: Alarcon, Cardenas, Greuel, Hahn, Huizar, LaBonge, Perry, Smith, Zine and President Garcetti (10); Absent: Parks, Reyes, Rosendahl, Weiss and Wesson (5).**

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
APRIL 16, 2008

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 23

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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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## **Item Noticed for Public Hearing - Item 1**

**ITEM NO. (1) - PUBLIC HEARING CLOSED - ORDINANCE TO BE PRESENTED ON MAY 13, 2008**

**Roll Call #1 - Motion (Huizar - LaBonge) Adopted to Continue, Unanimous Vote (10);  
Absent: Parks, Reyes, Rosendahl, Weiss and Wesson (5)**

[04-1090](#)

CD 7

HEARING PROTESTS relative to the proposed sewer improvement for the project entitled, La Mesa Street (near El Dorado Avenue) - A'11-SZC11400 (Assessment Sewer Improvement).

Recommendation for Council action:

HEAR PROTESTS against the proposed sewer improvement under the 1911 Act and the Los Angeles Administrative Code Sections 6.1-6.5 for the project entitled, La Mesa Street (near El Dorado Avenue) Improvement, in accordance with Proposition 218, Articles XIIC and XIID of the California Code and Government Code Section 53753.

(Ordinance of Intention adopted on February 22, 2008 - Continue to MAY 13, 2008 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

## Items for Which Public Hearings Have Been Held - Items 2-15

### ITEM NO. (2) - ADOPTED

Roll Call #4 - Motion (Cardenas - Smith) Adopted, Ayes (12); Absent: Parks, Reyes and Weiss (3)

[08-0379](#)  
CD 4

CATEGORICAL EXEMPTION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change establishing the Equine (K) Overlay District in the area generally bounded by the Los Angeles River to the west, Chevy Chase to the north, Edenhurst to the east, and Rigali Avenue to the south.

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

1. FIND that this action is categorically exempt from the California Environmental Quality Act pursuant to Article II, Section 2(m), of the City's Guidelines.
2. ADOPT the FINDINGS of the Planning Department as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the City Planning Commission (CPC), effecting a zone change from OS-1XL to OS-1XL-K; from A2-1 to A1-1-K; and from R1-1 to R1-1-K to those parcels lying within the proposed Equine Keeping (K) District, an area generally bounded by the Los Angeles River to the west, Chevy Chase to the north, Edenhurst Avenue to the east, and Rigali Avenue to the south, for the establishment of an Equinekeeping (K) District in the Atwater Village neighborhood. There is no project proposed.

Applicant: City of Los Angeles

CPC 2007-2821 ZC

Fiscal Impact Statement: The CPC reports that there is no General Fund impact, as administrative costs are recovered through fees.

TIME LIMIT FILE - MAY 13, 2008

(LAST DAY FOR COUNCIL ACTION - MAY 13, 2008)

**Roll Call #2 - Motion (Zine - Greuel) Adopted, Ayes (10); Absent: Parks, Reyes, Rosendahl, Weiss and Wesson (5)  
(Item Nos. 3-5)**

**ITEM NO. (3) - ADOPTED**

[07-4192](#)

CD 2

ORDINANCE SECOND CONSIDERATION levying the assessments and ordering the maintenance of the Vista Del Monte Avenue and Hortense Street 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 closed April 15, 2008)

**ITEM NO. (4) - ADOPTED**

[07-4193](#)

CD 7

ORDINANCE SECOND CONSIDERATION levying the assessments and ordering the maintenance of the Chamberlain Street and Oneida Avenue 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 closed April 15, 2008)

**ITEM NO. (5) - ADOPTED**

[07-4195](#)

CD 15

ORDINANCE SECOND CONSIDERATION levying the assessments and ordering the maintenance of the Santa Ana Boulevard and Mona Avenue 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 closed April 15, 2008)

**ITEM NO. (6) - ADOPTED**

**Roll Call #5 - Motion (Garcetti - Reyes) Adopted, Ayes (14); Absent: Parks (1)**

[08-0201](#)

ORDINANCE SECOND CONSIDERATION amending the Los Angeles Municipal Code to add the failure to comply with the City's Business Tax and Parking Occupancy Tax laws as additional grounds for denying or suspending a Police Permit.

(Budget and Finance Committee report adopted on April 15, 2008)

**Roll Call #2 - Motion (Zine - Greuel) Adopted, Ayes (10); Absent: Parks, Reyes, Rosendahl, Weiss and Wesson (5)  
(Item Nos. 7-14)**

**ITEM NO. (7) - ADOPTED**

[07-4141](#)  
CD 3

ORDINANCE SECOND CONSIDERATION effecting a concurrent zone change from (Q)MR-1VL, (T)(Q)MR2-1VL and (Q)P-1VL to (T)(Q)RD3-1VL for the construction of 22 condominium dwelling units for property at 21125 Ingomar Street and 7850 North Deering Avenue, subject to Conditions of Approval.

(Planning and Land Use Management Committee report, Resolution, Mitigated Negative Declaration and Findings adopted on April 15, 2008)

**ITEM NO. (8) - ADOPTED - TO THE MAYOR FORTHWITH**

[08-0542](#)  
CD 9

CONTINUED CONSIDERATION OF ORDINANCES SECOND CONSIDERATION effecting a zone change from M1-1 to OS-1 for the development of a 4.5 acre wetlands park on a nine acre parcel at 5413 South Avalon Boulevard, subject to Conditions of Approval (Subarea 1), a zone change from PF-2D-O to M2-2D-O-SN on the block bounded by 16th Street, South of San Pedro, 15th Street, and Griffith Street (Subarea 2) and establishing the 15th Street Sign Supplemental Use District (Subarea 2).

(10 VOTES REQUIRED)

(Communications from Chair, Planning and Land Use Management Committee, City Attorney and Resolutions adopted on April 8, 2008)

(Continued from Council meeting of April 15, 2008)

**ITEM NO. (9) - ADOPTED**

[06-2332](#)

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to a supplemental agreement with the National Oasis Institute for the Physical Activity Demonstration Project.

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

1. AUTHORIZE the General Manager, Department of Aging, to execute a supplemental agreement to Contract No. 106377 with the National OASIS Institute, for a term beginning on September 30, 2003 through March 31, 2008 with a maximum allowable compensation of \$393,561.

2. AUTHORIZE the Controller to TRANSFER \$8,815 within the Area Plan for the Aging Title III, Fund No. 395, Account No. Y102, Aging to Account No. A205, National Oasis Institute.

Fiscal Impact Statement: The City Administrative Officer reports that funding for the supplemental agreement is provided by grant awards. Department of Aging staff is required to perform various program oversight and administrative duties in association with the grant program. The Department will pursue additional grant funds to support this program but will strictly limit financial support of these programs to avoid commitments that continue beyond available funding. There is no additional impact on the General Fund. The above recommendation is in compliance with the City Financial Policies in that revenues will be used to one-time offset one-time expenditures.

**ITEM NO. (10) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS -  
SEE FOLLOWING**

[06-0337-S8](#)

MOTION (PARKS - ZINE) relative to a transfer of funds to continue the contract with Sierra Systems Group, Inc., to complete system enhancements and to provide technical support for the Los Angeles Police Department's Training Evaluation and Management System II, and related matters.

(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.)

(For background reports and materials related to this matter, contact the Legislative Assistant for the Budget and Finance Committee at 213-978-1075.)

**ADOPTED**

**BUDGET AND FINANCE COMMITTEE REPORT** relative to the contract with Sierra Systems Group, Inc., to complete system enhancements and provide technical support for the Los Angeles Police Department's Training Evaluation and Management System (TEAMS) II.

**Recommendations for Council action, pursuant to Motion (Parks - Zine), SUBJECT TO THE APPROVAL OF THE MAYOR:**

**1. AUTHORIZE the Controller to:**

- a. Transfer from the General Fund, Unappropriated Balance, LAPD Consent Decree in the amount of \$1,500,000 to the TEAMS II Special Fund, and appropriate the same amount into the TEAMS II Special Fund Number 47C, Department 28 Council, Account A101 TEAMS II Miscellaneous.
- b. Transfer funds from Fund 100/56, Account 05AT, TEAMS II, in the amount of \$284,059.09 to the TEAMS II Special Fund, and appropriate the same amount in the TEAMS II Special Fund Number 47C, Department 28, Council, Account A101 TEAMS II Miscellaneous.

2. **AUTHORIZE** the Mayor and Chief Legislative Analyst to amend the contract for Sierra Systems Group, Inc., to increase the not-to-exceed amount of \$19,300,000.
3. **INSTRUCT** the Los Angeles Police Department and Information Technology Agency to work with the Personnel Department to establish a City job class and initiate the process to assume the responsibilities of system architecture and configuration management to facilitate knowledge transfer from Sierra Systems Group, Inc., prior to any additional cap increase as proposed in Recommendation No. 3 above.

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

#### **ITEM NO. (11) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS**

[07-0600-S83](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to litigation successes and the status of Liability Claims Accounts for the period of September through December 2007.

Recommendations for Council action:

1. NOTE and FILE the City Attorney report relative to litigation successes and the status of Liability Claims Accounts for the period of September through December 2007, inasmuch as the report is submitted for information only and no Council action is necessary.
2. INSTRUCT the City Administrative Officer (CAO) and Chief Legislative Analyst (CLA), and REQUEST the City Attorney to report back to the Budget and Finance Committee relative to an evaluation of the benefits of in-house versus outside counsel handling of Fair Labor Standards Act litigation cases as well as Workers' Compensation cases, with specific emphasis on Workers' Compensation cases dealing with public safety personnel and whether these cases should continue to be handled by outside counsel.

**Fiscal Impact Statement:** None submitted by the City Attorney. Neither the CAO nor the CLA have completed a financial analysis of this report.

[Council may recess to Closed Session, pursuant to Government Code Section 54956.9(a) and/or (b), to confer with its legal counsel relative to the above matter.]

#### **ITEM NO. (12) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS**

[07-2907](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the Dispute Resolution Program (DRP) - 18th Year.

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

1. APPROVE the proposed agreement between the City and the County of Los Angeles Department of Community and Senior Services for the DRP in the amount of \$263,262 for the period of July 1, 2007 through June 30, 2008, subject to City Attorney approval as to form and legality.
2. AUTHORIZE the City Attorney to accept the 18th year grant amount of \$263,262 from the County of Los Angeles.
3. APPROVE the City cash and in-kind match in the amount of \$475,489 for the period of July 1, 2007 through June 30, 2008.
4. AUTHORIZE the Controller to:
  - a. Establish a receivable in the amount of \$263,262 from the County of Los Angeles.
  - b. Establish new appropriation accounts within the City Attorney Grant Fund, Fund No. 368/12, and appropriate up to \$263,262 upon receipt of grant funds as follows:
 

Account No. C701 - Personal Services	\$259,488
Account No. C703 - Operating Expenses	<u>3,774</u>
Total	\$263,262
  - c. Transfer up to \$259,488 from Fund No. 368/12, Account No. C701, to Fund No. 100/12, Account No. 1020 - Salary Grant Reimbursed.
5. REQUEST the City Attorney to submit invoices to the County of Los Angeles on a monthly basis to ensure that expenditures are reimbursed in a timely manner.
6. AUTHORIZE the City Administrative Officer (CAO) to make any necessary technical adjustments to implement the intent of the Mayor and Council, and AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that the total cost of the 2007-08 DRP is \$738,760 of which \$263,262 will be reimbursed by the County of Los Angeles. The City's match of \$475,498 is composed of the following: \$68,352 for one position, \$200,000 earned credit for volunteer hours, \$5,000 audit fees and \$202,146 for indirect costs. The City Attorney's Office has been able to cover most of the County reimbursable portion of the DRP expenses without an advance from the Reserve Fund. The recommendations in this report are in compliance with the City's Financial Policies as all grant eligible costs are fully covered by grant funds.

(Audits and Governmental Efficiency Committee waived consideration of the above matter)

**ITEM NO. (13) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS**

[08-0726](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to a refund claim filed by Oversee.Net, Inc., for overpayment of business tax.

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

APPROVE the refund claim filed by Oversee.Net, Inc., in an amount not to exceed \$150,092.42, for overpayment of business tax, with the demand to be drawn on Fund No. 100/62, Revenue Source Code 3121.

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

**ITEM NO. (14) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT AND COMMUNICATION RECOMMENDATIONS**

[08-0618](#)

CD 6

BUDGET AND FINANCE COMMITTEE REPORT and COMMUNICATION FROM CHAIR, INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE relative to a Memorandum Of Agreement (MOA) with the Los Angeles World Airports (LAWA) regarding a perimeter fence at Van Nuys Airport.

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

1. AUTHORIZE the Department of General Services (GSD) to negotiate and execute an MOA with the LAWA to remove the existing perimeter fence at Van Nuys Airport, install already purchased fence, and purchase and install a new perimeter fence at Van Nuys Airport for a total amount not to exceed \$2,173,673 under the terms and conditions of the MOA approved by the Board of Airport Commissioners on February 25, 2008 and subject to the approval of the City Attorney as to form and legality.
2. AUTHORIZE the Controller to transfer, appropriate and/or otherwise cause to be deposited, funds in an amount not to exceed \$2,173,673 for the above purpose from the LAWA to the below listed accounts, as appropriate, in the GSD Fund No. 100/40, as these funds are made available incrementally by the LAWA to reimburse the General Fund on an as-needed basis upon approval of expenditure reports submitted by the GSD:

<u>Account</u>	<u>Title</u>
1014	Salaries, Construction
1097	Salaries, Construction Overtime
3180	Construction Materials Supplies and Supplies



3. AUTHORIZE the GSD to make any technical corrections or clarifications to the above fund transfer instructions in order to effectuate the intent of the Motion.

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

**ITEM NO. (15) - SEE ITEM NO. 19 - MOTION ADOPTED TO APPROVE COMMITTEE REPORT AND COMMUNICATION RECOMMENDATIONS, AS AMENDED - FORTHWITH - SEE FOLLOWING**

**Roll Call #6 - Motion (Perry - Garcetti) To Adopt as Amended, Ayes (14); Absent: Parks (1)**

[07-0705](#)

ENERGY AND ENVIRONMENT COMMITTEE REPORT and COMMUNICATION FROM CHAIR, PLANNING AND LAND USE MANAGEMENT COMMITTEE relative to the green building program.

Recommendations for Council action:

1. APPROVE the City Planning Department report and proposed ordinance relative to the creation of a Green Building Program, as amended with the following revisions:
  - a) The membership of the Green Building Team as set forth in Section 3.b. (Composition) of the proposed ordinance be revised to change "Chief Legislative Administrator" to "Chief Legislative Analyst" and to include the Mayor, the Council President, the Chair of the Energy and Environment Committee and the Chair of the Planning and Land Use Management Committee as co-chairs of the Team. All other members of the Team would remain as currently set forth in Section 3.b.
  - b) The Program effective date be changed to six months after Council adoption for non-residential buildings, projects or structures of 50,000 square feet or more of floor area and residential buildings of 50,000 square feet or more of floor area in excess of six stories; and, changed to one year after Council adoption for residential buildings or projects of six stories or less consisting of 50 dwelling units and 50,000 square feet of floor area whereby at least 80 percent of the project's floor area is dedicated for residential uses.
2. REQUEST the City Attorney to prepare the ordinance as amended.

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

**ADOPTED**

**AMENDING MOTION (HUIZAR - CARDENAS)**

**DIRECT City Planning to report back to the Planning and Land Use Management Committee within 30 days with recommendations on how to implement and opt-out program or official exemptions for historical buildings and adaptive reuse projects, so that the Green Building Ordinance will better address the needs and unique circumstances related to historic buildings and adaptive re-use projects.**

**Items for Which Public Hearings Have Not Been Held - Items 16-29**

(10 Votes Required for Consideration)

**Roll Call #3 - Motion (Hahn - Perry) Adopted, Ayes (12); Absent: Parks, Reyes and Weiss (3)  
(Item Nos. 16-18)**

**ITEM NO. (16) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS -  
SET FOR HEARING JUNE 24, 2008**

[06-2905](#)

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 Burbank Boulevard and Willis Avenue (Reballot) 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 March 27, 2008.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **JUNE 24, 2008** as the hearing date for the maintenance of the Burbank Boulevard and Willis Avenue (Reballot) 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, \$315.06 will be collected annually starting with tax year 2009-10 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: June 16, 2008)

**ITEM NO. (17) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS -  
SET FOR HEARING JUNE 24, 2008**

[08-0772](#)

CD 11

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Westgate and Texas Avenues (Reballot) 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 March 27, 2008.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **JUNE 24, 2008** as the hearing date for the maintenance of the Westgate and Texas Avenues (Reballot) Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$358.92 will be collected annually starting with tax year 2009-10 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: June 16, 2008)

**ITEM NO. (18) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS -  
SET FOR HEARING JUNE 24, 2008**

[08-0785](#)

CD 6

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Vose Street and Vesper 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 April 1, 2008.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **JUNE 24, 2008** as the hearing date for the maintenance of the Vose Street and Vesper Avenue Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$382.86 will be collected annually starting with tax year 2009-10 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: June 16, 2008)

**ITEM NO. (19) - SEE ITEM NO. 15 - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION - TO THE MAYOR FORTHWITH SEE FOLLOWING**

**Roll Call #6 - Motion (Perry - Garcetti) Adopted, Ayes (14); Absent: Parks (1)**

[07-0705](#)

COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to establishing the Green Building Program.

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

PRESENT and ADOPT the accompanying ORDINANCE adding Sections 16.10 and 16.11 to the Los Angeles Municipal Code to establish the Green Building Program.

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.

(Energy and Environment and Planning and Land Use Management Committees waived consideration of the above matter)

**ADOPTED**

**MOTION (GARCETTI - PERRY)**

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

1. **FIND, pursuant to the California Environmental Quality Act (CEQA) of 1970, that adoption of the ordinance is categorically exempt from the requirements of CEQA, pursuant to Class 8, Section 15308 of the State CEQA Guidelines, the adoption of the ordinances which involve procedures for the protection and enhancement of the environment.**
2. **PRESENT and ADOPT the accompanying ORDINANCE amending Chapter I of the Los Angeles Municipal Code by adding new Sections 16.10 and 16.11 to establish the Green Building Program.**

**ITEM NO. (20) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

**Roll Call #12 - Motion (Cardenas - Wesson) Adopted, Ayes (14); Absent: Parks (1)**

[07-1563](#)

CD 8

CATEGORICAL EXEMPTION, COMMUNICATION FROM CHAIR, INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to the direct sale of surplus property located at 5407 South 11th Avenue.

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

1. FIND that the sale of the real property to the Community Redevelopment Agency (CRA) is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15300.
2. PRESENT and ADOPT the accompanying ORDINANCE providing for the sale of the property without calling for bids to the CRA for \$675,000.
3. INSTRUCT the Department of General Services (GSD) to complete the transactions as outlined in the proposed Ordinance, process the necessary documentation to effectuate the sale and deposit the proceeds, over and above the expenses incurred by GSD in connection with the sale of the property, into the Special Parking Revenue Fund (Fund No. 363/94, Revenue Source Code No. 4540).

Fiscal Impact Statement: The City Administrative Officer reports that there will be a one-time increase of \$675,000, less expenses, to the Special Parking Revenue Fund. The GSD will deposit funds into Fund No. 363/94, Revenue Source Account No. 4540. The proposed transaction is in compliance with the Financial Policies of the City.

**Roll Call #3 - Motion (Hahn - Perry) Adopted, Ayes (12); Absent: Parks, Reyes and Weiss (3)  
(Item Nos. 21a-22)**

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

[08-0005-S237](#)

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 April 14, 2008:

[08-0005-S237](#)

CD 13

- a. Property at 1418 North Allesandro Street (Case No. 140055).  
Assessor I.D. No. 5424-028-005

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 28, 2008)

[08-0005-S238](#)

CD 8

- b. Property at 1945 23rd Street (Case No. 152782).  
Assessor I.D. No. 5058-023-015

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

[08-0005-S239](#)

CD 15

- c. Property at 819 East 111th Place (Case No. 140440).  
Assessor I.D. No. 6071-015-011

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 12, 2007)

[08-0005-S240](#)

CD 15

- d. Property at 114 West 110th Street (Case No. 147429).  
Assessor I.D. No. 6074-017-007

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 18, 2008)

[08-0005-S241](#)

CD 15

- e. Property at 116 West 110th Street (Case No. 147430).  
Assessor I.D. No. 6074-017-008

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 19, 2008)

**ITEM NO. (22) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

[08-0681](#)

COMMUNICATION FROM CHAIR, PERSONNEL COMMITTEE relative to the addition of a Plan-Sponsored Individual Retirement Account (IRA) to the City's Deferred Compensation Plan.

Recommendations for Council action:

1. APPROVE the recommendation of the Board of Deferred Compensation Administration (Board) to add a Plan-Sponsored IRA to the City's Deferred Compensation Plan.
2. REQUEST the City Attorney to draft the necessary ordinance.

Fiscal Impact Statement: The Board reports that there would be no fiscal impact to the General Fund for offering a Plan-Sponsored IRA. Deferred Compensation Plan participants pay all Plan costs. Plan participants who open Plan-Sponsored IRAs would pay an annual record-keeping fee of \$39.75.

**ITEM NO. (23) - ADOPTED**

**Roll Call #9 - Motion (Smith - Zine) Adopted, Ayes (14); Absent: Parks (1)  
(Item Nos. 23a-23i)**

07-1131

et al. MOTIONS relative to "Special Events" to be held in the various Council Districts.

Recommendations for Council action:

DECLARE the following community events as "Special Events"; APPROVE any temporary street closures as requested; and, INSTRUCT the involved City departments to perform such services as detailed the Council motions attached to the various listed Council files, including the waiver of fees, costs and requirements and other related issues, as specified:

07-1131

CD 6

- a. MOTION (CARDENAS - HUIZAR) relative to declaring the Israel Independence Day Festival on May 18, 2008 a Special Event (fees and costs absorbed by the City = \$1,278).

08-0931

CD 14

- b. MOTION (HUIZAR - CARDENAS) relative to declaring the Feria del Pueblo Event on April 26-27, 2008 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

08-0932

CD 14

- c. MOTION (HUIZAR - CARDENAS) relative to declaring the Grand-Opening of El Sereno Community Center on May 9, 2008 a Special Event (fees and costs absorbed by the City = \$4,570).

06-1151

CD 13

- d. MOTION (GARCETTI - PERRY) relative to declaring the Armenian Independence Day Festival on June 1, 2008 a Special Event (fees and costs absorbed by the City = \$10,999).

08-0933

CD 13

- e. MOTION (GARCETTI - PERRY) relative to declaring the UYA March on April 24, 2008 a Special Event (fees and costs absorbed by the City = \$6,430).

08-0934

CD 13

- f. MOTION (GARCETTI - PERRY) relative to declaring the Motley Crew event on April 15, 2008 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[08-0935](#)

CD 13

- g. MOTION (GARCETTI - PERRY) relative to declaring the New Roads School on April 26, 2008 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[08-0937](#)

CD 4

- h. MOTION (LABONGE - GARCETTI) relative to declaring the Woodbridge Block Party on May 18, 2008 a Special Event (fees and costs absorbed by the City = \$1,856).

[08-0938](#)

CD 5

- i. MOTION (WEISS - HUIZAR) relative to declaring the Festival of Books on April 26-27, 2008 a Special Event (fees and costs absorbed by the City = \$6,990.10).

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

**Roll Call #3 - Motion (Hahn - Perry) Adopted, Ayes (12); Absent: Parks, Reyes and Weiss (3)**

[07-0957](#)

RESOLUTION (GARCETTI - LABONGE) relative to declaring "ASCAP I Create Music Week" in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE the week of April 6-12, 2008, as "ASCAP I Create Music Week in the City of Los Angeles.

**ITEM NO. (25) - ADOPTED**

**Roll Call #10 - Motion (LaBonge - Cardenas) Adopted, Ayes (14); Absent: Parks (1)**

[08-0825-S1](#)

CD 13

RESOLUTION (GARCETTI - LABONGE) relative to declaring Kate Linder Day in Hollywood.

Recommendation for Council action:

RESOLVE to DECLARE April 10, 2008, Kate Linder Day in Hollywood.



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

**Roll Call #13 - Motion (Rosendahl - Perry) Adopted, Ayes (14); Absent: Parks (1)**

[08-0921-S1](#)

RESOLUTION (GARCETTI - LABONGE) relative to declaring Michael D. Eisner Day in Hollywood.

Recommendation for Council action:

RESOLVE to DECLARE April 25, 2008, Michael D. Eisner Day in Hollywood.

**Roll Call #3 - Motion (Hahn - Perry) Adopted, Ayes (12); Absent: Parks, Reyes, Weiss (3)  
(Item Nos. 27-28)**

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

[08-0930](#)

RESOLUTION (GARCETTI - ALARCON) relative to declaring Ruben Salazar Day in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE April 22, 2008, as Ruben Salazar Day in the City of Los Angeles.

**ITEM NO. (28) - ADOPTED**

[08-0824-S1](#)

RESOLUTION (GARCETTI - LABONGE) relative to declaring Stephen Schwartz Day in Hollywood.

Recommendation for Council action:

RESOLVE to DECLARE April 8, 2008, as Stephen Schwartz Day in Hollywood.

**ITEM NO. (29) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED**

**Roll Call #13 - Motion (Rosendahl - Perry) Adopted, Ayes (14); Absent: Parks (1)**

[08-0960](#)

CD11

FINAL MAP OF TRACT NO. 62738 located at 11611 West Iowa Avenue lying northerly of Iowa Avenue and westerly of Federal Avenue.

(Approve Subdivision Improvement Agreement and Contract with attached security documents)

(ADOPT City Engineer Report)

(ADOPT Bond No. C-113219)

(Quimby Fee: \$66,586)

Applicants: AIA Properties, LLC

Jack Little Co.

## Closed Sessions - Items 30-31

### ITEM NO. (30) - REFERRED TO BUDGET AND FINANCE COMMITTEE

Roll Call #17 - Motion (Greuel - Smith) Adopted to Refer, Unanimous Vote (12);  
Absent: Parks, Perry and Weiss (3)

[08-0708](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled City of Los Angeles v. Union Pacific Railroad Company, Los Angeles Superior Court Case No. BC360802. (This is a condemnation action concerning property adjacent to Sycamore Gove Park in Council District One.)

(Budget and Finance Committee considered the above matter in Closed Session on April 14, 2008.)

### ITEM NO. (31) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH SEE FOLLOWING

Roll Call #18 - Motion (Greuel - Smith) Adopted, Ayes (12); Absent: Parks, Perry and Weiss (3)

[08-0712](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Jose Cancino v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC350013. (This action arises from a personal injury incident which occurred on July 3, 2005.)

(Budget and Finance Committee considered the above matter in Closed Session on April 14, 2008.)

## ADOPTED

### MOTION (GREUEL - SMITH)

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

1. AUTHORIZE the City Attorney to expend \$275,000 in settlement of the case entitled Jose Cancino v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC350013, from Liability Claims Account No. 9770, Fund 100, Department 59.
2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to Snyder Dorenfeld, LLP and Jose Cancino.
3. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.

This matter was approved by the Budget and Finance Committee (Parks - Greuel - Huizar - Rosendahl "yes") at its meeting on April 14, 2008, in Closed Session as permitted by Government Code Section 54956.9(a).

## Items for Which Public Hearings Have Not Been Held - Items 32-33

(10 Votes Required for Consideration)

### ITEM NO. (32) - ADOPTED

Roll Call #13 - Motion (Rosendahl - Perry) Adopted, Ayes (14); Absent: Parks (1)

[06-1854-S7](#)

[06-1854-S6](#)

CD 13

CONTINUED CONSIDERATION OF RESOLUTION (GARCETTI - LABONGE) relative to a hardship exemption from the Echo Park Interim Control Ordinance (ICO) for properties located at 1819 Montrose Street and 1910 Park Avenue.

Recommendations for Council action:

1. GRANT the hardship exemption from the Echo Park ICO No. 178454 to repaint original wood siding, repair existing wood windows, and install new wood and sash windows where necessary for the property located at 1819 Montrose Street, as depicted in the plans contained in Council file No. 06-1854-S7.
2. GRANT the hardship exemption from the Echo Park ICO No. 178454 to stucco repair the property and change the remaining windows for the property located at 1910 Park Avenue, as depicted in the plans contained in Council file No. 06-1854-S6.
3. ADVISE the applicant (International Church of the Four Square Gospel, Don Stillner, representative) that these hardship exemptions, if granted by the Council, are not a permit or license and that any other approvals, permits or licenses required by law must be obtained from the proper agencies.

(Continued from Council meeting of April 18, 2008)

### ITEM NO. (33) - ADOPTED

Roll Call #14 - Motion (Smith - Wesson) Adopted, Ayes (13); Absent: Parks and Weiss (2)

[08-0978](#)

CD 12

MOTION (ZINE for SMITH - ROSENDAHL) relative to asserting jurisdiction over an April 16, 2008 South Valley Area Planning Commission written determination regarding property at 6100 North Lindley Avenue.

Recommendations for Council action:

1. ASSERT jurisdiction over the April 16, 2008 South Valley Area Planning Commission written determination in the matter of Case No. ZA-2007-0187-CU-ZV-1A, relative to Condition No. 9 to permit the continued operation, use and maintenance of a five classroom preschool and kindergarten for property located at 6100 North Lindley Avenue.
2. REFER the matter, upon asserting jurisdiction, to the Planning and Land Use Management Committee for its review and consideration.

10 VOTES REQUIRED

TIME LIMIT FILE - APRIL 29, 2008

(LAST DAY FOR COUNCIL ACTION - APRIL 29, 2008)

**MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR TUESDAY, APRIL 22, 2008, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23**

**ADOPTED - FORTHWITH**

**Roll Call #15 - Motion (Wesson - Rosendahl) Findings on Need to Act - Adopted, Ayes (12);  
Absent: Parks, Perry and Weiss (3)**

**Roll Call #16 - Motion (Wesson - Zine) Adopted, Ayes (12);  
Absent: Parks, Perry and Weiss (3)**

**08-0010-S21**

**MOTION (WESSON - 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 Hernan Cardona on April 19, 2008.**

**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 Hernan Cardona on April 19, 2008.
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.

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

[08-0997](#)

MOTION (GARCETTI - HUIZAR) relative to declaring the Angel City Jazz Festival on September 1, 2008 a Special Event (fees and costs absorbed by the City = \$4,188).

[07-1298](#)

MOTION (CARDENAS - HUIZAR) relative to declaring the St. Elisabeth's Community Festival and Fair on May 1-4, 2008 a Special Event (fees and costs absorbed by the City = \$1,000).

[08-0998](#)

MOTION (REYES - PERRY) relative to declaring the St. Thomas the Apostle Parish Festival on May 30, 2008 through June 1, 2008 a Special Event (fees and costs absorbed by the City = \$4,000).

[08-0999](#)

MOTION (REYES - PERRY) relative to declaring the Tamal De La Paz on April 30, 2008 a Special Event (fees and costs absorbed by the City = \$900).

[07-0869](#)

MOTION (SMITH - PERRY) relative to declaring the CSUN's Annual Run, Walk and Roll on April 26, 2008 a Special Event (fees and costs absorbed by the City = \$7,241).

[08-1000](#)

MOTION (CARDENAS - HUIZAR) relative to declaring the First Annual Pet Care Fair on May 24, 2008 a Special Event (fees and costs absorbed by the City = \$3,500).

[08-1001](#)

MOTION (PERRY - SMITH) relative to declaring the Summer Carnival and Block Party on June 6-8, 2008 a Special Event (fees and costs absorbed by the City = \$2,000).

[06-1141](#)

MOTION (LABONGE for PARKS - CARDENAS) relative to declaring the 26th Annual UNCF Walk for Education on May 17, 2008 a Special Event (fees and costs absorbed by the City = \$5,306).

[07-0527](#)

MOTION (PERRY for PARKS - CARDENAS) relative to declaring the University of Southern California 125th Commencement Ceremonies on May 14-16, 2008 a Special Event (fees and costs absorbed by the City = \$7,094).

[07-1085](#)

MOTION (PERRY for PARKS - CARDENAS) relative to declaring the Keck School of Medicine Commencement 2008 on May 18, 2008 a Special Event (fees and costs absorbed by the City = \$2,223).

[08-1002](#)

MOTION (PERRY - SMITH) relative to declaring the Mothers Day Celebration at South Park on May 11, 2008 a Special Event (fees and costs absorbed by the City = \$1,226).

[07-1129](#)

MOTION (ROSENDAHL - LABONGE) relative to declaring the Brentwood Glen Day on April 26, 2008 a Special Event (fees and costs absorbed by the City = \$1,642).

[08-1003](#)

MOTION (ROSENDAHL - LABONGE) relative to declaring the Community Candlelight Vigil for Firefighter Brent Lovrien on April 3, 2008 a Special Event (fees and costs absorbed by the City = \$1,642).

[07-1126](#)

MOTION (HUIZAR - PERRY) relative to declaring the L.A. Fiesta Broadway 2008 on April 27, 2008 a Special Event (fees and costs absorbed by the City = \$252,977).

[07-0011-S48](#)

MOTION (ROSENDAHL - GREUEL) relative to amending previous Council action in connection with allocation of Council District 11 Street Furniture Revenue Funds.

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

[07-4190](#)

RESOLUTION (GARCETTI - LABONGE) relative to declaring May 2, 2008, Sean Combs Day in Hollywood.

**COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS**

Motion (Greuel - Zine) unanimously adopted to excuse President Garcetti to leave at 12:00 p.m. from Council Session of Wednesday, April 23, 2008 and upon his request and without objections, was excused to leave at 12:00 p.m. from Council Session of Wednesday, May 7, 2008, both due to City Business.

Motion (Garceti - Smith) unanimously adopted to excuse Councilmember Zine to leave at 11:30 a.m. from Council Session of Tuesday, April 29, 2008, due to City Business.

Motion (Zine - Rosendahl) unanimously adopted to excuse Councilmember Weiss from Council Sessions of Tuesday, June 3, and Wednesday, June 4, 2008 both due to City Business and upon his request and without objections, was excused from Council Sessions of Tuesday, June 24, Wednesday, June 25, and Friday, June 27, 2008 all due to Personal Business.

Upon his request and without objections, Councilmember Alarcon was excused from Council Sessions of Tuesday, May 20, and Wednesday, May 21, 2008 both due to City Business.

**COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:**

[08-0789](#) - Bob Jeffers

(Rosendahl - All Councilmembers)

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

[08-0788](#) - Rayburn (Ray) Martin Knabe

(Rosendahl - Hahn - All Councilmembers)

Francis Goff

(Greuel)

Craig Burris

(Hahn)

Carlotta Ewing

(Garcetti for Perry)

**Ayes, Alarcon, Cardenas, Greuel, Hahn, Huizar, LaBonge, Reyes, Rosendahl, Smith, Zine and President Garcetti (11); Absent: Parks, Perry, Weiss and Wesson (4).**

**Whereupon the Council did adjourn.**

ATTEST: Karen E. Kalfayan, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL