

Los Angeles City Council, **Journal/Council Proceedings**  
Wednesday, **July 23, 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, LaBonge, Parks, Perry, Reyes, Rosendahl, Smith, Weiss, Wesson and Zine (12); Absent: Hahn, Huizar and President Garcetti (3).**

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
JULY 18, 2008

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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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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## **Items Noticed for Public Hearing - Items 1-11**

**Roll Call #1 - Motion (Alarcon - Rosendahl) Adopted, Ayes (12); Absent: Hahn, Huizar and President Garcetti (3)  
(Item Nos. 1-4)**

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

[08-0888](#)  
CD 7

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

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of 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).

(Public Hearing held July 2, 2008)

**ITEM NO. (2) - PUBLIC HEARING CLOSED - ADOPTED**

[08-1027](#)

CD 13

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Vine and Selma Avenues Lighting District.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of 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).

(Public Hearing held July 2, 2008)

**ITEM NO. (3) - PUBLIC HEARING CLOSED - ADOPTED**

[08-1029](#)

CD 2

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Riverside Drive and Coldwater Canyon Avenue Lighting District.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of 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).

(Public Hearing held July 2, 2008)

**ITEM NO. (4) - PUBLIC HEARING CLOSED - ADOPTED**

[08-1028](#)

CD 2

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Moorpark Street and Laurelgrove 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 July 2, 2008)

**ITEM NO. (5) - PUBLIC HEARING CLOSED - ADOPTED**

**Roll Call #14 - Motion (Rosendahl - Perry) Adopted, Ayes (12); Absent: Hahn, Weiss and President Garcetti (3)**

[08-1030](#)

CD 2

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Helen Avenue and Wicks Street 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 July 2, 2008)

**Roll Call #2 - Motion (LaBonge - Wesson) Adopted, Ayes (12); Absent: Hahn, Huizar and President Garcetti (3)  
(Item Nos. 6-9)**

**ITEM NO. (6) - PUBLIC HEARING CLOSED - NO PROTESTS - CITY ENGINEER INSTRUCTED TO PROCEED**

[06-0815](#)

CD 4

HEARING PROTESTS against the proposed vacation of the alley westerly of Ventura Boulevard from Willowcrest Avenue to approximately 50 feet southerly thereof (VAC E14010994).

(Communication from Chair, Public Works Committee adopted on June 25, 2008)

**ITEM NO. (7) - PUBLIC HEARING CLOSED - NO PROTESTS - CITY ENGINEER INSTRUCTED TO PROCEED**

[07-2181](#)

CD 10

HEARING PROTESTS against the proposed vacation of Fourth Avenue walkway easement southerly of Exposition Boulevard (VAC E1401068).

(Communication from Chair, Public Works Committee adopted on June 25, 2008)

**ITEM NO. (8) - PUBLIC HEARING CLOSED - NO PROTESTS - CITY ENGINEER INSTRUCTED TO PROCEED**

[07-4011](#)

CD 9

HEARING PROTESTS against the proposed vacation of the alley westerly of Central Avenue between 52nd Place and 53rd Street (VAC E1401094).

(Communication from Chair, Public Works Committee adopted on June 25, 2008)

**ITEM NO. (9) - PUBLIC HEARING CLOSED - NO PROTESTS - CITY ENGINEER INSTRUCTED TO PROCEED**

[07-4026](#)

CD 9

HEARING PROTESTS against the proposed vacation of Hill Street (airspace) and 36th Street Vacation District (VAC E1401028).

(Communication from Chair, Public Works Committee adopted on June 25, 2008)

**ITEM NO. (10) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO DENY APPLICATION - SEE FOLLOWING**

**Roll Call #3 - Motion (Zine - Reyes) Adopted to Deny Application, Ayes (12); Absent: Hahn, Huizar and President Garcetti (3)**

[08-1058](#)

CD 3

CONTINUED CONSIDERATION OF HEARING COMMENTS relative to an application for determination of "Public Convenience or Necessity" for alcohol sales for off-site consumption at the Valley Mobil Gas Station and Mini-Mart located at 18056 Saticoy Street, Reseda, 91335.

Applicant: Sami Sweiss (Robert B. Lamishaw, JPL Zoning Services, Inc. representative)

TIME LIMIT FILE - JULY 27, 2008

(LAST DAY FOR COUNCIL ACTION - JULY 25, 2008)

(Findings and Council recommendations required relative to the above application required)

(Continued from Council meeting of July 11, 2008)

**ADOPTED**

**MOTION (ZINE - REYES)**

**Recommendations for Council action:**

1. **DETERMINE** that the “Public Convenience or Necessity” **WILL NOT** be served by the sale of beer and wine for off-site consumption at Valley Mobil Gas Station and Mini Mart located at 18056 Saticoy Street, Reseda, inasmuch as there is an undue concentration of alcoholic beverage sales licenses in the census tract in which the proposed site is located and the subject is located in a high crime reporting district.
2. **DENY** the application for a finding of “Public Convenience or Necessary” to sell beer and wine for off-site consumption at 18056 Saticoy Street, Reseda. The Evidence in the record of the administrative proceedings which supports the finding includes but is not limited, to the following:
  - a. There is an undue concentration of existing liquor licenses in the area. The Department of Alcoholic Beverage Control allows three off-site licenses, but has issued six off-site licenses. There are three alcoholic beverage outlets within a 600 foot radius of the proposed site.
  - b. The proposed site is located in a high crime Report District (i.e., No. 1028) and in 2007, 319 crimes were committed in the district which exceeds the citywide average of 256. The sale of beer and wine would tend to create a law enforcement problem.
  - c. There are three sensitive uses within 1,000 feet of the proposed site. These sensitive uses include a church, an elementary school, and a pre-school.
3. **INSTRUCT** the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

**Applicant: Sami Sweiss (Robert B. Lamishaw, JPL Zoning Services, Inc. representative)**

**TIME LIMIT FILE - JULY 27, 2008**

**(LAST DAY FOR COUNCIL ACTION - JULY 25, 2008)**

**ITEM NO. (11) - CONTINUED TO JULY 25, 2008**

**Roll Call #4 - Motion (Reyes - LaBonge) Adopted to Continue, Unanimous Vote (12); Absent: Hahn, Huizar and President Garcetti (3)**

COMMUNICATIONS FROM MAYOR, DIRECTOR OF PLANNING, AND CITY PLANNING COMMISSION, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to a proposed General Plan Amendment to the Hollywood Community Plan from the Highway Oriented Commercial to the Regional Center Commercial land use designation; concurrent zone and height district change from C4-1-SN and a portion of the [Q]R4-1VL zone (Lots 15 and 16 of Bagnoli Tract No. 2 only) to (T)(Q)C2-2D-SN, and a zone change to remove the [Q] Condition from the [Q]R4-1VL zone (1528-40 North Gordon Street, Lots 17, 18, and 19 of Bagnoli Tract No. 2 only) to permit a density of 400 square feet of lot area per unit in lieu of the current restriction of 600 square feet of lot area per unit, subject to Conditions of Approval; and the following appeals, submitted by the City Planning Commission (CPC):

- A. An appeal filed by Mark Edlen/Kelly Saito, Sunset & Gordon Investors, LLC. (Katherine Casey, Craig Lawson and Co., LLC, Representative) from part of the decision of the CPC in denying an exception from the Hollywood Signage and Supplemental Use District to permit one supergraphic sign to be located on the southern façade elevation and in approving a Project Permit Compliance for two supergraphic signs to be located on the eastern and western façade elevations (appeal specific to the location of the supergraphic sign on the western facade);
- B. An appeal filed by Doug Haines and the La Mirada Avenue Neighborhood Association of Hollywood (Robert Silverstein, Representative) from part of the decision of the CPC in approving certain variances, zoning adjustments, Conditional Use Permit Approvals, Site Plan Review, Project Permit Compliance, and certification/approval of the project's Environmental Impact Report (EIR), Erratum and Addendum to the EIR, and adoption of the Statement of Overriding Considerations;
- C. An appeal filed by Robert Blue from part of the decision of the CPC in approving Conditional Use Permit Approvals, certain Variances, Zoning Administrator's Adjustment, Site Plan Review, and Project Permit Compliance, for the proposed construction of a 324,432 square feet, mixed-use project, including 305 dwelling units, 40,000 square feet of creative office space and 13,500 square feet of ground floor retail (including 8,500 square feet of restaurant space), subject to Conditions of Approval, for the property at 5929-45 Sunset Boulevard and 1512-40 North Gordon Street.

(The CPC also approved a Conditional Use Plan Approval, Conditional Use Permit, certain Variances, Zoning Administrator's Adjustment, Site Plan Review, Project Permit Compliance for the site, and certified that it had reviewed and considered the information contained in the draft and final EIR and Erratum and Addendum to the EIR, and adopted the Environmental Findings and a Statement of Overriding Considerations.)

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

Community Impact Statement: None submitted.

(Planning and Land Use Management Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

## Items for Which Public Hearings Have Been Held - Items 12-21

### ITEM NO. (12) - ADOPTED

**Roll Call #11 - Motion (Reyes - Alarcon) Adopted, Ayes (13); Absent: Hahn and President Garcetti (2)**

[08-1718](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the Mayor's appointment of Mr. Victor H. Cuevas to the Board of Building and Safety Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Victor H. Cuevas to the Board of Building and Safety Commissioners for the term ending June 30, 2010, to fill the vacancy created by Pedro Birba, who resigned on June 3, 2008, is APPROVED and CONFIRMED. Mr. Cuevas resides in Council District Seven. (Current Commission gender composition: M=1; F=3; Vacancy=1)

Ethics Commission Review: Complete

Background Check Review: Pending

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 11, 2008

(LAST DAY FOR COUNCIL ACTION - AUGUST 8, 2008)

### ITEM NO. (13) - CONTINUED TO JULY 29, 2008

**Roll Call #5 - Motion (Reyes - Perry) Adopted to Continue, Unanimous Vote (12); Absent: Hahn, Huizar and President Garcetti (3)**

[08-1285](#)

CD 1

PUBLIC ANNOUNCEMENT OF BALLOT TABULATION and ORDINANCE FIRST CONSIDERATION relative to establishment of the Lincoln Heights Business and Community Benefit District (District), pursuant to Sections 6.600 through 6.620 of Chapter 9 of the Los Angeles Administrative Code and Article XIII D of the California Constitution.

Recommendations for Council action, if the tabulation of ballots indicates majority support, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. PRESENT and ADOPT the accompanying ORDINANCE establishing the District and confirming the assessments to be levied upon properties within the District, as described in the Management District Plan.
2. AUTHORIZE the City Clerk, subject to approval of the City Attorney, to prepare, execute and administer an operating agreement between the City and a nonprofit management entity, for administration of the District.

Fiscal Impact Statement: The City Clerk reports that funding for assessments levied on the City-owned properties within the District were included in the General Fund allocation to the 2008-09 Business Improvement District Trust Fund No. 659. Assessments levied on the Department of Water and Power property within the District will not be paid from the General fund.

(Pursuant to Council action on July 22, 2008 and adoption of Ordinance No. 179916 on May 28, 2008)

**Roll Call #6 - Motion (Parks - Wesson) Adopted, Ayes (12); Absent: Hahn, Huizar and President Garcetti (3)  
(Item Nos. 14-18)**

**ITEM NO. (14) - ADOPTED**

[06-0598-S1](#)

CD 15

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to transferring administrative responsibility for the Robert Pitts Community Center.

Recommendations for Council action, pursuant to Motion (Hahn - LaBonge):

1. DIRECT the Community Development Department, with the assistance of the Department of General Services (GSD), the Information Technology Agency and any other involved City departments, to report with recommendations and any necessary agreements to transfer the responsibility for administration of the City-owned facility located at 1827 East 103rd Street, currently operated as the Robert Pitts Community Center, to the Los Angeles Conservation Corps, Inc., which agency manages an alternative high school onsite.
2. DIRECT the GSD to request the Los Angeles Department of Water and Power and the Southern California Gas Company to split the utility meter(s) installed at this facility in order to provide for separate accountability for electrical power, water and gas consumption between the restaurant tenant and the remainder of the facility resulting in individual utility billing for the restaurant and for the rest of the facility.

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. (15) - ADOPTED**

[06-0739](#)

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to a supplemental agreement with Environmental Science Associates for environmental consulting services.

Recommendation for Council action:



APPROVE and AUTHORIZE the President and Secretary of the Board of Recreation and Park Commissioners to execute, the agreement to Contract No. 2888 with Environmental Science Associates in the form of a supplemental agreement, for a 12-year term beginning on May 21, 1999 through May 20, 2011 and a maximum allowable compensation of \$900,000, subject to the approval of the City Attorney.

Fiscal Impact Statement: The City Administrative Officer reports that funding for the fees paid under the terms of the contract is provided within each individual project budget. There is no additional impact on the General Fund. The above recommendation is in compliance with the City Financial Policies in that one-time revenues will be used to support one-time expenditures.

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 17, 2008

(LAST DAY FOR COUNCIL ACTION - AUGUST 15, 2008)

**ITEM NO. (16) - ADOPTED - FORTHWITH**

[08-1542](#)  
CD 12

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to establishing the hours of operation at Dearborn Park.

Recommendations for Council action, pursuant to Motion (Smith - Rosendahl):

1. ESTABLISH that the hours of operation for Dearborn Park will be in accordance with the Department of Recreation and Parks' (DRP) sunrise to sunset policy, whereby the park opens one hour before sunrise and closes one hour after sunset.
2. INSTRUCT the DRP to prominently post the aforementioned hours at Dearborn Park.
3. REQUEST the City Attorney to prepare and present an Ordinance to add Dearborn Park to the list of parks closed at various times as specified in the Los Angeles Municipal Code, Section 63.44.
4. REQUEST the Board of Recreation and Park Commissioners to concur with the above recommendations and to instruct the Los Angeles Park Rangers to enforce the new park hours at Dearborn Park seven days-a-week.

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. (17) - ADOPTED**

[07-0600-S89](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to litigation successes and the status of Liability Accounts for the period January-February 2008.

Recommendation for Council action:

NOTE and FILE the City Attorney report relative to litigation successes and the status of Liability Accounts for the period January-February 2008, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

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

## **ITEM NO. (18) - ADOPTED**

### 08-0600-S13

BUDGET AND FINANCE COMMITTEE REPORT relative to outside counsel expenditures for the Fiscal Year (FY) 2007-08 as of April 30, 2008.

Recommendations for Council action:

1. NOTE and FILE the City Attorney report relative to outside counsel expenditures for FY 2007-08 as of April 30, 2008, 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) to report back to the Budget and Finance Committee relative to the status of their analysis concerning the allocation of resources as it relates to the use of in-house attorneys vs. outside counsel in the handling of Fair Labor Standards Act and Workers' Compensation litigation.

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

Community Impact Statement: None submitted.

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

## **ITEM NO. (19) - ADOPTED, AS AMENDED - SEE FOLLOWING**

**Roll Call #15 - Motion (Perry - Parks) to Adopt as Amended, Ayes (12); Absent: Hahn, Huizar and President Garcetti (3)**

### 08-0644

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to amending Council's action of May 6, 2008, regarding the Residential Hotel Unit Conversion and Demolition Ordinance.

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

AMEND Council's action of May 6, 2008, adopting an Ordinance to regulate the demolition and conversion of residential hotel units, to REQUEST the City Attorney to prepare and present an Ordinance to make Council action on appeal to sustain, modify, or reject the Los Angeles Housing Department's authorization of the construction of fewer units under Section 47.83.G of the Ordinance subject to the approval of the Mayor.

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.

## ADOPTED

### AMENDING MOTION (PERRY - PARKS)

#### Recommendation for Council action:

**REQUEST the City Attorney to prepare and present an Ordinance to clarify the process by which the Los Angeles Housing Department determines which hotels in the City are subject to the Residential Hotel Unit Conversion and Demolition Ordinance.**

**Roll Call #6 - Motion (Parks - Wesson) Adopted, Ayes (12); Absent: Hahn, Huizar and President Garcetti (3)  
(Item Nos. 20-21)**

## ITEM NO. (20) - ADOPTED - FORTHWITH

### [07-3466-S1](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to amending the 2008 Permanent Supportive Housing Program (PSHP) Notice of Funding Availability (NOFA) to extend the submittal until July 2, 2008, in order to accept additional applications for projects that would apply to the California Tax Credit Allocation Committee (CTCAC) by its July 24, 2008, Round 2 deadline.

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

AUTHORIZE the Los Angeles Housing Department to amend the 2008 PSHP NOFA to extend the submittal until July 2, 2008, in order to accept additional applications for projects that would apply to the CTCAC by its July 24, 2008, Round 2 deadline.

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. (21) - ADOPTED**

[08-1294](#)

CD 9

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a Predevelopment Loan Agreement in the amount of \$1,890,137 with California Hospital Medical Center (Developer) for the development of the Venice Hope Recreation Center (Center) located at 1600 South Hope Street.

Recommendations for Council action:

1. AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency, or designee, to execute a Predevelopment Loan Agreement with the Developer in an amount not to exceed \$1,890,137 for the development of the Center, subject to the review of the City Attorney as to form and legality.
2. DESIGNATE that site specific revenues from this project will solely be used to repay the general revenue funding sources.

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

Community Impact Statement: None submitted.

**Items for Which Public Hearings Have Not Been Held - Items 22-33**

(10 Votes Required for Consideration)

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

**Roll Call #13 - Motion (Reyes - LaBonge) Adopted, Ayes (12); Absent: Hahn, Weiss and President Garcetti (3)**

[08-1305](#)

CD 4

MITIGATED NEGATIVE DECLARATION, COMMUNICATION FROM VICE CHAIR, PLANNING AND LAND USE MANAGEMENT COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to a zone change at 100-26 North Western Avenue and 101-23 North Oxford Avenue.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 08-1305 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV-2006-10384-MND] filed on August 31, 2007.
2. ADOPT the FINDINGS of the City Planning Commission (CPC) as the Findings of the Council.

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the CPC, effecting a zone change from R4-1 and C2-1 to (T)(Q)RAS4-1 for the proposed demolition of an existing market and accessory parking lot and construction of an eight-story, approximately 194,400 square feet mixed use project with approximately 76,500 square feet of commercial/retail use, including a grocery store, on the ground level and basement, and approximately 187 studio and one-bedroom dwelling units above for the property at 100-26 North Western Avenue and 101-23 North Oxford Avenue, subject to Conditions of Approval. (The CPC also approved a Zone Variance, Conditional Use Permit, Zone Adjustment, Zone Interpretation and a Site Plan Review for property at 100-26 North Western Avenue and 101-23 North Oxford Avenue.)

Applicant: H.K. Town, LLC, et al. (Kevin McDonnell, representative)

CPC 2006-10383-ZC-ZV-ZAA-ZAI-SPR-CUB

4. APPROVE a modification Conditions for Effectuation (T) Tentative Classification to add Condition No. 2 g, as shown in the attachment to the Committee Communication.
5. REMOVE the (T) Tentative classification as described in detail in the attachment to the Committee Communication.
6. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee Communication.
7. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
8. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 18, 2008

(LAST DAY FOR COUNCIL ACTION - AUGUST 15, 2008)

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

**Roll Call #7 - Motion (Weiss - Perry) Adopted, Ayes (12); Absent: Hahn, Huizar and President Garcetti (3)**

[08-0005-S428](#)

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 July 15, 2008:

[08-0005-S428](#)

CD 1

- a. Property at 345 North Douglas Street (Case No. 112472).  
Assessor I.D. No. 5160-009-023

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 23, 2007)

[08-0005-S429](#)

CD 1

- b. Property at 4455 East Tourmaline Street (Case No. 135454).  
Assessor I.D. No. 5305-043-017

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 25, 2008)

[08-0005-S430](#)

CD 5

- c. Property at 1862 South Kelton Avenue (Case No. 168046).  
Assessor I.D. No. 4323-006-014

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 1, 2008)

[08-0005-S431](#)

CD 8

- d. Property at 823 West 69th Street (Case No. 117123).  
Assessor I.D. No. 6013-008-009

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 20, 2008)

[08-0005-S432](#)

CD 9

- e. Property at 1200 East Martin Luther King Jr. Boulevard (Case No. 157036).  
Assessor I.D. No. 5114-032-001

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

[08-0005-S433](#)

CD 9

- f. Property at 290 East 48th Street (Case No. 102000).  
Assessor I.D. No. 5109-009-054

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 5, 2007)

[08-0005-S434](#)

CD 9

- g. Property at 348 East 71st Street (Case No. 18132).  
Assessor I.D. No. 6011-008-014

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 31, 2006)

[08-0005-S435](#)

CD 10

- h. Property at 3451 South West Boulevard (Case No. 169487).  
Assessor I.D. No. 5046-007-019

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 11, 2008)

[08-0005-S436](#)

CD 13

- i. Property at 1445 North Lake Shore Avenue (Case No. 145044).  
Assessor I.D. No. 5419-020-026

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 2, 2008)

[08-0005-S437](#)

CD 14

- j. Property at 537 South Bernal Avenue (Case No. 140356).  
Assessor I.D. No. 5186-007-056

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 31, 2008)

**ITEM NO. (24) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

**Roll Call #16 - Motion (Zine - Alarcon) Adopted, Ayes (12); Absent: Hahn, Weiss and President Garcetti (3)**

[08-0006-S7](#)

CD 7

COMMUNICATION FROM THE CHIEF OF POLICE relative to a graffiti apprehension reward payment for a graffiti vandalism incident that occurred at 12162 San Fernando Road on April 3, 2008.

Recommendations for Council action:

1. APPROVE the \$1,000 graffiti apprehension reward payment for a graffiti vandalism incident that occurred at 12162 San Fernando Road on April 3, 2008.
2. AUTHORIZE the City Clerk to pay this claim from the Vandalism and Graffiti Trust Fund No. 870.

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

(Public Safety Committee waived consideration of the above matter)

**Roll Call #7 - Motion (Weiss - Perry) Adopted, Ayes (12); Absent: Hahn, Huizar and President Garcetti (3)  
(Item Nos. 25-26)**

**ITEM NO. (25) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

[08-0006-S8](#)

CD 5

COMMUNICATION FROM THE CHIEF OF POLICE relative to a graffiti apprehension reward payment for a graffiti vandalism incident that occurred at Kincardine and Livonia Avenues on February 28, 2008.

Recommendations for Council action:

1. APPROVE the \$1,000 graffiti apprehension reward payment for a graffiti vandalism incident that occurred at Kincardine and Livonia Avenues on February 28, 2008.
2. AUTHORIZE the City Clerk to pay this claim from the Vandalism and Graffiti Trust Fund No. 870.

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

(Public Safety Committee waived consideration of the above matter)

**ITEM NO. (26) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION**

[06-1235](#)

COMMUNICATION FROM THE BOARD OF PUBLIC WORKS (BPW) relative to the execution of Amendment No. 2 to a Personal Services Agreement with CH2M HILL, Inc. for Total Maximum Daily Load (TMDL) specialized services.

Recommendation for Council action:

AUTHORIZE the BPW to execute Amendment No. 2 to Personal Services Agreement No. C-107066 with CH2M HILL, Inc. for TMDL specialized and expert services and to extend the term by an additional 12 months to July 2009 at no additional cost.

Fiscal Impact Statement: The BPW reports that there will be no financial impact due to this amendment since it is only a time extension. Existing funding is being provided by Sewer Construction and Maintenance Fund No. 760.

Community Impact Statement: None submitted.

(Energy and Environment Committee waived consideration of the above matter)



**ITEM NO. (27) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION,  
AS AMENDED - SEE FOLLOWING**

**Roll Call #21 - Motion (Hahn - LaBonge) to Adopt as Amended, Ayes (14); Absent: President Garcetti (1)**

[07-0002-S86](#)

COMMUNICATION FROM CHIEF LEGISLATIVE ANALYST (CLA) and RESOLUTION relative to the City's position on legislation that would impose strict limits on sulfur and other harmful emissions from ships.

Recommendation for Council action, as initiated by Resolution (Hahn - Rosendahl), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to include in the City's 2007-08 Federal Legislative Program SUPPORT of H.R. 802 (Oberstar), the "Maritime Pollution Prevention Act of 2008", which would authorize the Environmental Protection Agency and the Coast Guard to implement and enforce Annex VI to the International Convention for the Prevention of Pollution from Ships (known as the MARPOL Convention); and URGE President George W. Bush to sign H.R. 802 into law.

Fiscal Impact Statement: None submitted by the CLA. The City Administrative Officer has not completed a financial analysis of this report.

Community Impact Statement: None submitted.

(Rules and Government Committee waived consideration of the above matter)

**ADOPTED**

**MOTION (LABONGE - HAHN)**

**Recommendation for Council action, SUBJECT TO THE CONCURRENCE OF THE MAYOR:**

**INSTRUCT the Chief Legislative Analyst to contact the various Sister Cities requesting that they ask their consuls and governments to support the Maritime Pollution Prevention Act of 2008 and MARPOL Convention.**

**ITEM NO. (28) - SUBSTITUTE RESOLUTION ADOPTED IN LIEU OF ORIGINAL RESOLUTION,  
AS AMENDED - SEE FOLLOWING - TO THE MAYOR FORTHWITH**

**Roll Call #20 - Motion (Parks - Smith) to Adopt Substitute Resolution As Amended, Ayes (14);  
Absent: President Garcetti (1)**

[08-0002-S110](#)

CONSIDERATION OF RESOLUTION (GARCETTI - ZINE) relative to the City's position on efforts made by the State to borrow Proposition 1A funds.

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

ADOPT the accompanying RESOLUTION to include in the City's 2007-08 State Legislative Program OPPOSITION to any efforts by the State to "borrow" Proposition 1A funds.

Community Impact Statement: None submitted.

(Rules and Government Committee waived consideration of the above matter)

**ADOPTED AS AMENDED**

**SUBSTITUTE RESOLUTION (PARKS - GREUEL - ZINE FOR GARCETTI - SMITH - PERRY)**

**Recommendation for Council action, SUBJECT TO THE CONCURRENCE OF THE MAYOR:**

**INCLUDE in the City's 2007-08 State Legislative Program OPPOSITION to any efforts by the State to retain or "borrow" funds protected by Propositions 1A of 2004 and 2006, inasmuch as the actions currently proposed by the State Legislature violate the provisions of both voter-approved measures by proceeding with these takings without fulfilling the legal requirements for publicly declaring a state fiscal emergency.**

**ADOPTED**

**AMENDING MOTION (HUIZAR - ZINE)**

**Recommendation for Council action, SUBJECT TO THE CONCURRENCE OF THE MAYOR:**

**INCLUDE OPPOSITION to the taking or "borrowing" of funds from any vote approved proposition or other local revenue source.**

**ITEM NO. (29) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

**Roll Call #7 - Motion (Weiss - Perry) Adopted, Ayes (12); Absent: Hahn, Huizar and President Garcetti (3)**

[07-0694](#)

CD 10

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for street purpose on the east side of St. Andrews Place north of Olympic Boulevard (Right of Way No. 36000-1637).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for street purpose on the east side of St. Andrews Place north of Olympic Boulevard (Right of Way No. 36000-1637) is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(19) of the City's Environmental Guidelines.
2. AUTHORIZE the Board of Public Works to acquire the easement for street purpose on the east side of St. Andrews Place north of Olympic Boulevard (Right of Way No. 36000-1637), as depicted on the Exhibit Map in the February 9, 2007 City Engineer report and attached to the Council file.
3. INSTRUCT the City Clerk to forward a copy of the Council action on this project to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that a fee of \$1,284 was paid for the processing of this offer to dedicate pursuant to Los Angeles Administrative Code Sections 7.3 and 7.41.1. No additional City Funds are needed.

**ITEM NO. (30) - ADOPTED**

**Roll Call #17 - Motion (Cardenas - Alarcon) Adopted, Ayes (13); Absent: Hahn and President Garcetti (2)**

[08-1871](#)

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:

[08-1871](#)

CD 6

- a. MOTION (CARDENAS - GREUEL) relative to declaring the Fourth Annual Family Health, Safety and Community Fair on July 26, 2008 a Special Event (fees and costs absorbed by the City = \$1,000).

[06-2389](#)

CD 11

- b. MOTION (ROSENDAHL - ZINE) relative to declaring the Annual Alive and Running for Suicide Prevention 5K/10K on September 28, 2008 a Special Event (fees and costs absorbed by the City = \$3,387).

[08-1870](#)

CD 11

- c. MOTION (ROSENDAHL - ZINE) relative to declaring the 14th Annual Brentwood Autumn Art Festival and the Fourth Annual WLA Chamber Business Fair on September 14, 2008 a Special Event (fees and costs absorbed by the City = \$2,324).

**ITEM NO. (31) - ADOPTED**

**Roll Call #18 - Motion (Rosendahl - Reyes) Adopted, Ayes (13); Absent: Hahn and President Garcetti (2)**

[08-0623](#)

MOTION (HAHN - CARDENAS) relative to funding for additional Council office services and support to the community of Council District 15.

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

TRANSFER \$50,000 from Council District 15 Real Property Trust Fund No. 697 to the Council District 15 portion of Council Fund No. 100/28, Account No. 1010 (Salaries - General) for additional Council office services and support to the community of Council District 15.

**ITEM NO. (32) - ADOPTED**

**Roll Call #12 - Motion (LaBonge - Rosendahl) Adopted, Ayes (12); Absent: Hahn, Weiss and President Garcetti (3)**

[08-1865](#)

MOTION (LABONGE - HAHN - GARCETTI) relative to accepting a donation of the book "American Ports" from the Harbor Department.

Recommendations for Council action:

1. ACCEPT the generous donation by the Harbor Department of 70 copies of the book "American Ports" (estimated total value of \$2,800) and, AUTHORIZE the Councilmember of the Fourth District to thank the donor on behalf of the City.
2. DIRECT that upon receipt, the books be given to the Library Department for distribution and use throughout the City's branch libraries.

**ITEM NO. (33) - MAPS AND BONDS APPROVED - CITY ENGINEER REPORTS ADOPTED**

**Roll Call #19 - Motion (Rosendahl - Reyes) Adopted, Ayes (13); Absent: Hahn and President Garcetti (2)**

[08-1899](#)

et al. FINAL MAPS in the various Council Districts.

Recommendation for Council action:

APPROVE the Final Maps and ADOPT the City Engineer Reports as detailed in the various listed Council files, including bonds, agreements, contracts and other related issues as specified:

[08-1899](#)

CD 11

- a. FINAL MAP OF TRACT NO. 63244 located at 13337 West Beach Avenue for property lying southerly of Washington Boulevard and westerly of Redwood Avenue.  
(Bond No. C-113658)  
(Quimby Fee: \$169,026)  
Applicants: Lou Hochman, Sophie Hochman and David Paule  
Wahinton Live/Work, LLC  
Linda Siegel

[08-1900](#)

CD 2

- b. FINAL MAP OF TRACT NO. 607175 located at 10415 North Commerce Avenue for property lying westerly of Commerce Avenue and southerly of Summitrose Street.  
(Bond No. C-113659)  
(Quimby Fee: \$25,610)  
Applicants: Alvina Tenekenjian  
Aran Yegiyants  
Hayk Martirosian

[08-1901](#)

CD 1

- c. FINAL MAP OF TRACT NO. 63516 located at 122 North Avenue 23, lying easterly of Avenue 23 and northerly of Pasadena Avenue.  
(Quimby Fee: \$25,992)  
(Less Dwelling Unit Construction Tax: \$1,200)  
Applicants: Lincoln Garden Development, LLC  
David T. Rosell

[08-1898](#)

CD 12

- d. PARCEL MAP L.A. NO. 2004-4110 for property lying northerly of Nordhoff Street and easterly of Topanga Canyon Boulevard.  
(Bond No. C-113660)  
Applicants: Chase Nordhoff, LLC  
Randall J. Smith

## **Closed Sessions - Items 34-36**

**ITEM NO. (34) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING - TO THE MAYOR FORTHWITH**

**Roll Call #22 - Motion (Smith - LaBonge) Adopted in Open Session, Ayes (12); Absent: Parks, Reyes and President Garcetti (3)**

[07-0373](#)

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. Devonshire LTD., et al., Los Angeles Superior Court Case No. BC333401. (This action arose out of a direct condemnation action by the City in connection with the City's acquisition of property for construction of Fire Station 87 in Council District 12.)

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

**ADOPTED**

**MOTION (SMITH - LABONGE)**

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

1. **AUTHORIZE the City Attorney to expend \$575,000 in settlement of the case entitled City of Los Angeles v. Devonshire LTD., et al., Los Angeles Superior Court Case No. BC333401.**
2. **AUTHORIZE the City Attorney to execute all necessary documents which may be required to carry out the settlement.**
3. **AUTHORIZE the Controller to issue warrants drawn on Proposition F Fire Facilities General Obligation Bonds Series 2005-A, Fire/Paramedic Construction Fund 16-D, Department 50, Account No. Y-308, and from Fire Facilities General Obligation Bonds**

Series 2006-A, Fund 16-J, Account No. A-308, Department 50, in amounts not to exceed \$575,000. Such warrants shall be made payable to Dapeer, Rosenblit and Litvak LLP, the attorneys for Devonshire Ltd., and 13756 Ventura 01 Investors.

**ITEM NO. (35) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING - TO THE MAYOR FORTHWITH**

**Roll Call #23 - Motion (Smith - Huizar) Adopted in Open Session, Ayes (12); Absent: Parks, Reyes and President Garcetti (3)**

[08-1707](#)

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 Lawrence Mullaly v. City of Los Angeles, Workers' Compensation Appeals Board Case No. VNO496859; Claim No. 9002-2003-2493. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a police officer with the Los Angeles Police Department.)

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

**ADOPTED**

**MOTION (SMITH - HUIZAR)**

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

1. **AUTHORIZE the City Attorney to enter into a settlement in the case entitled Lawrence Mullaly v. City of Los Angeles, Workers' Compensation Appeals Board Case No. VNO496859; Claim No. 9002-2003-2493, through a Stipulated Award for 73 percent permanent disability which equals \$118,312.50 payable at the rate of \$250.00 per week plus payment of a life pension of \$50.25 per week.**
2. **AUTHORIZE the City Attorney to execute the Stipulated Award with all appropriate parties for submission to the Workers' Compensation Appeals Board for its award of payment.**

**ITEM NO. (36) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING - TO THE MAYOR FORTHWITH**

**Roll Call #24 - Motion (Smith - Huizar) Adopted in Open Session, Ayes (12); Absent: Parks, Reyes and President Garcetti (3)**

[08-1709](#)

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 Eric Robinson v. City of Los Angeles, United States District Court Case No. CV07-06209. (Plaintiff alleges damages arising from his conviction and incarceration.)

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

**ADOPTED**

**MOTION (SMITH- HUIZAR)**

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

1. **AUTHORIZE** the City Attorney to expend \$1,750,000 in settlement of the case entitled Eric Robinson v. City of Los Angeles, United States District Court Case No. CV07-06209, from the Liability Claims Account No. 9770, Fund 100, Department 59.
2. **AUTHORIZE** the City Attorney to draw a demand thereon in said amount payable to Moreno and Perez, Law Offices of Andrew M. Stein and Eric Robinson.

**RECONSIDERATION OF ITEM 43 FROM COUNCIL MEETING OF TUESDAY, JULY 22, 2008 -  
SUBSTITUTE MOTION ADOPTED IN LIEU OF ORIGINAL MOTION - SEE FOLLOWING**

**Roll Call #9 - Motion (Perry - Wesson) Adopted to Reconsider, Ayes (13); Absent: Hahn and President Garcetti (2)**

**Roll Call #10 - Motion (Perry - Wesson) to Adopt Substitute Motion, Ayes (13); Absent: Hahn and President Garcetti (2)**

[07-0011-S28](#)

CD 13

MOTION (GARCETTI - REYES) relative to funding from the Street Furniture Revenue Fund for a Personal Services Contract for consultant services associated with land use issues.

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

1. **INSTRUCT** the Bureau of Street Services (BOSS) to prepare a Personal Services Contract, agreement or other necessary contractual document with Kelli Bernard for consultant services associated with land-use issues, for the period September 1, 2008 to September 1, 2009, subject to the approval of the City Attorney as to form and legality. Said Personal Services Contract, agreement or other necessary contractual document shall include, but not be limited to, the following: A description of the work to be performed, the estimated completion date, and an advance payment provision, as appropriate.
2. **AUTHORIZE** the Councilmember of Council District 13 to enter into and execute a Personal Services Contract, agreement or other necessary contractual document with Kelli Bernard, for an amount not to exceed \$70,000 for the above work to be performed.
3. **AUTHORIZE** the Board of Public Works, Office of Accounting and the Controller, as appropriate, to **TRANSFER** up to \$70,000 from the Council District 13 portion of the Street Furniture Revenue Fund No. 43D/50, to Fund No. 100/28 (Council), Account No. 3040 (Contractual Services), for the above-specified Personal Services Contract, agreement or other necessary contractual document between Council District 13 and Kelli Bernard.
4. **INSTRUCT** the BOSS to ensure that Kelli Bernard submits invoices to the Board of Public Works, Office of Accounting, of the actual expenditures for consultant services associated with land-use issues, along with a detailed accounting of the actual expenditures, and return any unspent funds within 30 days of completion of this project.

5. AUTHORIZE the Chief Legislative Analyst, or designee, to make technical corrections or clarifications as may be necessary to implement the intent of the Motion.

## **ADOPTED**

### **SUBSTITUTE MOTION (PERRY FOR GARCETTI - WESSON)**

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

1. **INSTRUCT the Bureau of Street Services (BOSS) to prepare a Personal Services Contract, agreement or other necessary contractual document with Kelli Bernard for consultant services associated with land-use issues, for the period August 1, 2008 to July 31, 2009, subject to the approval of the City Attorney as to form and legality. Said Personal Services Contract, agreement or other necessary contractual document shall include, but not be limited to, the following: A description of the work to be performed, the estimated completion date, and an advance payment provision, as appropriate.**
2. **AUTHORIZE the Councilmember of Council District 13 to enter into and execute a Personal Services Contract, agreement or other necessary contractual document with Kelli Bernard, for an amount not to exceed \$70,000 for the above work to be performed.**
3. **AUTHORIZE the Board of Public Works, Office of Accounting, and the Controller, as appropriate, to TRANSFER up to \$70,000 from the Council District 13 portion of the Street Furniture Revenue Fund No. 43D/50, to Fund No. 100/28 (Council), Account No. 3040 (Contractual Services), for the above-specified Personal Services Contract, agreement or other necessary contractual document between Council District 13 and Kelli Bernard.**
4. **INSTRUCT the BOSS to ensure that Kelli Bernard submits invoices to the Board of Public Works, Office of Accounting, of the actual expenditures for consultant services associated with land-use issues, along with a detailed accounting of the actual expenditures, and return any unspent funds within 30 days of completion of this project.**
5. **AUTHORIZE the Chief Legislative Analyst, or designee, to make technical corrections or clarifications as may be necessary to implement the intent of the Motion.**

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

### [08-1962](#)

MOTION (PERRY for GARCETTI - REYES) relative to declaring the KIDS Tarde Alegre 2008 on July 26, 2008 a Special Event (fees and costs absorbed by the City = \$1,350). This action does not include the waiver of fees and costs that may be associated with the use of facilities under the jurisdiction of the Board of Recreation and Park Commissioners.

### [08-1964](#)

MOTION (PERRY - REYES) relative to declaring the Flea Market event on the third Sunday of every month starting September 21, 2008 through September 21, 2009 a Special Event (fees and costs absorbed by the City = \$1,766).



[08-1963](#)

MOTION (PERRY for GARCETTI - REYES) relative to declaring the KTLA Morning News "Pump to Pump" Free Gas Giveaway and Blood Drive on July 28, 2008 a Special Event (fees and costs absorbed by the City = \$2,338).

[08-1965](#)

MOTION (PERRY for GARCETTI - ZINE) relative to declaring the X Files After Party on July 23, 2008 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[08-1956](#)

MOTION (SMITH - ROSENDAHL) relative to declaring the Mid-Valley 5K and 3K Walk for Education on October 4, 2008 a Special Event (fees and costs absorbed by the City = \$7,241).

[06-1449](#)

MOTION (LABONGE for HAHN - PARKS) relative to declaring the 20th Annual Taste of San Pedro event on August 2-3, 2008 a Special Event (fees and costs absorbed by the City = \$6,000).

[08-1955](#)

MOTION (LABONGE for HAHN - PARKS) relative to declaring the Festival of Sail L.A. 2008 on August 15-17, 2008 a Special Event (fees and costs absorbed by the City = \$6,840).

[07-2393](#)

MOTION (LABONGE - GREUEL) relative to declaring the 2008 Gala Anniversary Event on August 9, 2008 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[08-1954](#)

MOTION (ALARCON - HUIZAR) relative to declaring the Brimfield Block Party on August 5, 2008 a Special Event (fees and costs absorbed by the City = \$1,180).

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

Upon his request, and without objections, Councilmember Weiss was excused to arrive at 11:30 a.m. for the Council session of Friday, September 12, 2008 due to City business.

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

<a href="#">08-1753</a> - Estelle Getty	(LaBonge)
Lata Ryan	(LaBonge - All Councilmembers)
Yeghisapet Baghoumian Ibranossian	(Zine)
Robert Roy "Red" Jorgensen	(Greuel)

**Ayes, Alarcon, Cardenas, Greuel, Hahn, Huizar, LaBonge, Perry, Rosendahl, Smith, Weiss, Wesson and Zine (12); Absent: Parks, Reyes and President Garcetti (3).**

**Whereupon the Council did adjourn.**

ATTEST: Karen E. Kalfayan, CITY CLERK

By

Council Clerk

PRESIDENT PRO TEMPORE OF THE CITY COUNCIL