

Los Angeles City Council, **Journal/Council Proceedings**  
Wednesday, **August 13, 2008**  
John Ferraro Council Chamber, Room 340, City Hall - 10 am

## **ALL ITEMS TRANSMITTED FORTHWITH**

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

**ROLL CALL - Members present: Alarcon, Greuel, LaBonge, Parks, Perry, Rosendahl, Smith, Wesson, Zine and President Garcetti (10); Absent: Cardenas, Hahn, Huizar, Reyes and Weiss (5).**

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF AUGUST 8, 2008

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 51

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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 for Which Public Hearings Have Been Held - Items 1-25**

#### **ITEM NO. (1) - ADOPTED**

**Roll Call #6 - Motion (Rosendahl - Huizar) Adopted, Ayes (13); Absent: Hahn and Weiss (2)**

#### [08-1813](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the Mayor's appointment of Ms. Erica Teasley Linnick to the West Los Angeles Area Planning Commission (WLAAPC).

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Erica Teasley Linnick to the WLAAPC for the term ending June 30, 2009, to fill the vacancy created by the removal of Joyce L. Foster, is APPROVED and CONFIRMED. Ms. Linnick resides in Council District 11. (Current Commission gender composition: M=2; F=2; Vacancy=1)

Ethics Commission Review: Complete

Background Check Review: Complete

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 2, 2008

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 2, 2008)

**Roll Call #5 - Motion (Parks - Perry) Adopted, Ayes (13); Absent: Hahn and Weiss (2)  
(Item Nos. 2-4)**

**ITEM NO. (2) - ADOPTED**

[07-1099](#)

CDs 9 & 14

PUBLIC ANNOUNCEMENT OF BALLOT TABULATION and ORDINANCE FIRST CONSIDERATION relative to establishment of the Historic Downtown Los Angeles Property and Business Improvement District (BID), pursuant to Section 53753 of the California Government Code, Section 36600 et seq. of the California Streets and Highways 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 accompanying ORDINANCE establishing the Historic Downtown Los Angeles Property and BID and confirming the assessments to be levied upon properties within the BID, 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 BID.

Fiscal Impact Statement: The City Clerk reports that direct costs associated with Department administrative expenses will be charged to the BID and will be recovered from assessments collected. There is one City property in the BID. Assessments levied on the one City-owned property for the first year are to be \$5,481.41, or 3.24 percent of the total assessments. Funding is available in the BID Trust Fund No. 659 to pay the General Fund share of assessments for the first operating year.

(Pursuant to Council action of Tuesday, August 12, 2008 and adoption of Ordinance No. 179956 on June 17, 2008.)

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

[06-2728](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and ORDINANCES FIRST CONSIDERATION relative to amending the Redevelopment Plans for the Beacon Street, Crenshaw, East Hollywood/Beverly Normandie, Laurel Canyon, and Monterey Hills Redevelopment Projects extending the dates of effectiveness and the time for receipt of tax increment pursuant to Senate Bills (SBs) 1045 and 1096 to correct clerical errors.

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

PRESENT and ADOPT the accompanying ORDINANCES [Attachment A of the Chief Legislative Analyst (CLA) report dated July 30, 2008] correcting dates setting time limits on the periods of effectiveness and receipt of tax increment funds for the Redevelopment Projects of Beacon Street, Laurel Canyon, East Hollywood/Beverly Normandie, Monterey Hills, and Crenshaw (Amended Project Area) - Harbor, East Valley, Hollywood, and Central, Eastside, and South Los Angeles Regions.

Fiscal Impact Statement: The CLA reports that there is no impact to the General Fund as a result of this action.

Community Impact Statement: None submitted.

## ITEM NO. (4) - ADOPTED

[08-1551](#)  
CD 12

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change at 10764 North Farralone Avenue and 22150 West Tulsa Street.

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. 08-1551 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 2007-0311 MND] filed on October 5, 2007.
2. ADOPT the FINDINGS of the North Valley Area Planning Commission (NVAPC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the NVAPC, effecting a zone change from A2-1 to (T)(Q)RA-1-K, for property at 10764 North Farralone Avenue and 22150 West Tulsa Street, subject to Conditions of Approval. (No specific project is proposed.)

Applicant: Elias Esber APCNV 2007-0329 ZC  
Representative: Dominic Hong, Thomas D. Iacobellis and Associates, Inc.

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
6. 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.

7. 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 NVAPC reports that there is no General Fund impact, as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 8, 2008

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 5, 2008)

## ITEM NO. (5) - ADOPTED

**Roll Call #11 - Motion (Reyes - Huizar) Adopted, Ayes (14); Absent: Weiss (1)**

[08-1657](#)

EXEMPTION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending the Los Angeles Municipal Code (LAMC) to create a conditional use permit process and day laborer operating standards for home improvement stores.

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

1. FIND that this action is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15308 of the CEQA Guidelines and Article III, Section 1, Subsection (h) of the Los Angeles CEQA Guidelines.
2. ADOPT the FINDINGS of the Director of Planning as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE amending Section 12.24 U 14 of the LAMC to create a conditional use permit process and day laborer operating standards for home improvement stores.

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.

Community Impact Statement: None submitted.

## ITEM NO. (6) - ADOPTED

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

[08-1757](#)

CDs 4 & 5

CATEGORICAL EXEMPTION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION establishing the Hancock Park Historic Preservation Overlay Zone (Hancock Park HPOZ), and proposed approval of the Hancock Park Preservation Plan.

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 (CEQA), pursuant to Article 19, Section 15308, Class 8 and Article 19, Section 15331, Class 31 of the State CEQA Guidelines.
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 Director of Planning, establishing the Hancock Park HPOZ generally bounded by Melrose Avenue on the north, both sides of Highland Avenue on the west, both sides of Rossmore Avenue on the east, and Wilshire Boulevard on the south, but excluding all other commercial zoned parcels and multi-family (R4) zoned lots along Rossmore Avenue.

Applicant: City of Los Angeles

CPC 2007-2705 HPOZ-MS

4. APPROVE the Hancock Park Preservation Plan to: 1) Delegate review authority of alterations to the street visible side-elevations to the HPOZ Board; 2) clarify language regarding visibility of structures not currently visible from the street, but would be after the alteration, modification, or addition; and, 3) revise the language regarding the 30 percent review threshold to include all structures and square footage such as basements, garages, detached recreational spaces, patios, porches, breezeways, and accessory sheds and structures.

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.

**ITEM NO. (7) - REFERRED TO HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT AND ARTS, PARKS, HEALTH AND AGING COMMITTEES**

**Roll Call #18 - Motion (LaBonge - Parks) Adopted to Refer, Ayes (13); Absent: Cardenas and Weiss (2)**

[08-1555](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the award of contracts, on an as-needed basis, to a pre-qualified pool of 30 artists for upcoming public art projects.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to:

- a. Award contracts for public arts projects on an as-needed basis to the attached pre-qualified list of 30 artists [revised Attachment A of both the CRA report dated June 5, 2008, and the City Administrative Officer (CAO) report dated July 31, 2008], for an amount not to exceed \$750,000 per contract, effective upon the date of Council approval and continuing for three years thereafter, subject to the review of the City Attorney as to form and legality and the approval of the Department of Public Works, Bureau of Contract Administration, for compliance with certain CRA contracting requirements.

- b. Receive developer contributions for the Art Program Trust Funds pursuant to the CRA Art Policy and executed developer agreements.

Fiscal Impact Statement: The CAO reports that there is no impact on the City General Fund. The estimated expenditure for any single art commission will not exceed \$750,000. Funding for the proposed contracts will be provided from the CRA's Cultural Trust Funds and/or tax increment funds. Since the CRA is only bound by the City Debt Management Policies and the proposed contracts will not impact the City General Fund, the City Financial Policies are not applicable.

Community Impact Statement: None submitted.

**Roll Call #1 - Motion (Parks - Smith) Adopted, Ayes (11); Absent: Cardenas, Hahn, Huizar and Weiss (4) (Item Nos. 8-12)**

**ITEM NO. (8) - ADOPTED**

[08-1847](#)

CDs 1, 7, 13 & 14

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to the Boyle Apartments, Columbus Square Apartments, Griffin Apartments, MacArthur Park Metro Apartments - Phases A and B, and Paseo Plaza Projects (Housing Projects).

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

1. ADOPT the accompanying Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) RESOLUTION and Public Hearing Minutes [Attachments One and Two of the City Administrative Officer (CAO) report dated July 25, 2008, respectively] for the Housing Project, as required pursuant to the TEFRA.
2. INSTRUCT the General Manager, Los Angeles Housing Department, or designee, to submit for Mayor and Council approval, the final finance structure of the bonds for each project prior to the issuance of bonds.

Fiscal Impact Statement: The CAO reports that there is no impact on the General Fund. The City Debt Management Policy is not applicable to the report recommendations since no financial commitments are being made at this time for the six Housing Projects.

Community Impact Statement: None submitted.

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

[08-1953](#)

CD 1

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the issuance of a Request for Proposals (RFP) for the rehabilitation and purchase of property located at 2516 Eastlake Avenue and 3211-13 1/2 Altura Walk (Property).

Recommendations for Council action, pursuant to Motion (Reyes - Perry):

1. AUTHORIZE the Los Angeles Housing Department (LAHD) to draft and issue a RFP for the rehabilitation and purchase of the Property which includes:
  - a. A fully deferred and subordinated loan in the amount of \$570,858 (\$334,858 for acquisition and \$236,000 loan for rehabilitation), secured by a 55-year Deed of Trust.
  - b. A \$236,000 rehabilitation loan from LAHD Fund No. 561; Account No. R209.
  - c. An affordability covenant requiring all units to serve households earning no more than 80 percent of the Area Median Income.
2. INSTRUCT the LAHD to report to Council for approval with a recommended developer.

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. (10) - ADOPTED

[08-1927](#)  
CD 10

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to a Loan Agreement (Agreement) for an amount not to exceed \$1.3 million with the Little Tokyo Service Center Community Development Corporation and the Korean Resource Center, Inc. (KRC), collectively as Developer, for the KRC Senior Apartments Affordable Housing Project (Project), located at 900-06 South Crenshaw Boulevard.

Recommendations for Council action:

1. ADOPT the accompanying joint Finding of Benefit RESOLUTION [attached to the Community Redevelopment Agency (CRA) report dated July 17, 2008] making the finding to appropriate \$1.3 million into the Wilshire Center/Koreatown Recovery Redevelopment Project Area (WCKRPA) Affordable Housing Trust Fund (AHTF) for the Project consisting of affordable housing for senior with low and very low incomes, on a site located adjacent to the WCKRPA at 900-06 South Crenshaw Boulevard.
2. AUTHORIZE the Chief Executive Officer, CRA, or designee, to execute an Agreement and all ancillary documents with the Developer in an amount not to exceed \$1.3 million for the purpose of developing the Project and take such other actions necessary to carry out the Agreement, subject to the review of the City Attorney as to form and legality and the Department of Public Works, Bureau of Contract Administration, for compliance with CRA contracting requirements.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the General Fund. The City's Financial Policies are not applicable to the CRA. The CRA is only bound by the disclosure provisions of the City's Debt Management Policies. Approval of the recommendations will result in the expenditure of an amount not to exceed \$1.3 million from the CRA's WCKRPA AHTF.

Community Impact Statement: None submitted.

**ITEM NO. (11) - ADOPTED**

08-1992  
CD 7

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the creation of a legally required Redevelopment Survey Area in Council District Seven.

Recommendation for Council action, pursuant to Motion (Alarcon - Reyes):

INSTRUCT the Community Redevelopment Agency (CRA) to:

- a. Create a legally required Redevelopment Survey Area, with defined boundaries, pursuant to California Community Redevelopment Law, that would allow the CRA to undertake the studies and other analyses required to determine if redevelopment in the defined area is feasible.
- b. Follow all the necessary procedures in implementing the plan amendment/adoption of the subject project area, including work with respective council office staff in the execution of Motion (Alarcon - Reyes).

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. (12) - ADOPTED**

05-0086

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a review of current standards used for evaluating soil slope stability in steep hillside areas due to conditions associated with soil saturation.

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

1. APPROVE the Department of Building and Safety report, dated January 24, 2008, relative to a review of current standards used for evaluating soil slope stability in steep hillside areas due to conditions associated with soil saturation and recommendations of changes that may be necessary to the City's building and/or zoning code.
2. REQUEST the City Attorney to prepare the necessary ordinance.

Fiscal Impact Statement: None submitted by the Department of Building and Safety. 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. (13) - ADOPTED, AS AMENDED - SEE FOLLOWING**

**Roll Call #13 - Motion (Smith - Reyes) to Adopt as Amended, Ayes (13); Absent: Cardenas and Weiss (2)**

[07-3427](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to Sober Living Homes and recommended land use controls.

Recommendation for Council action, pursuant to Motion (Smith - Reyes):

INSTRUCT the Planning Department, in consultation with the Department of Building and Safety and the City Attorney, to prepare a comprehensive, citywide ordinance that: Regulates licensed community care facilities; regulates licensed alcohol and drug abuse treatment facilities; regulates unlicensed group residential homes; regulates unlicensed group residential homes operating as a business in a residential zone; and, is prepared in accordance with sound zoning principles, the Community Care Facilities Act, state and federal law, and case law.

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.

Community Impact Statement: Yes\*

For Proposal: Chatsworth Neighborhood Council  
North Hills West Neighborhood Council

\*Please click on the above Council file hyperlink to view the whole text of the Community Impact Statement(s). Hard copies are available in the City Clerk's Office.

**ADOPTED**

**AMENDING MOTION (HAHN - REYES)**

Recommendation for Council action:

INSTRUCT the Planning Department along with the Department of Building and Safety Department to study the Long Beach ordinance in connection with Sober Living Homes and to report on its applicability to the City and how a similar ordinance could be implemented for the City of Los Angeles.

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

**Roll Call #1 - Motion (Parks - Smith) Adopted, Ayes (11); Absent: Cardenas, Hahn, Huizar and Weiss (4)**

[08-1855](#)

CD 9

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to initiating proceedings for the establishment of a Historic Preservation Overlay Zone (HPOZ) and preparation of an Interim Control Ordinance (ICO) for the area generally bounded by the Tifal Brothers East 52nd Place Tract.

Recommendations for Council action, pursuant to Motion (Perry - Reyes):

1. INSTRUCT the Planning Department to initiate and complete proceedings to establish an HPOZ, as provided for in Los Angeles Municipal Code Section 12.20.3, in the neighborhood in Council District Nine, which incorporates the Tifal Brothers East 52nd Place Tract and include the 52nd Place blocks, McKinley Avenue to Avalon Boulevard, both sides of the street; and that the Planning Department prepare a report for review and consideration of the Planning and Land Use Management (PLUM) Committee.
2. INSTRUCT the Planning Department with the assistance of the City Attorney, to prepare and process an ICO, to prohibit the issuance of demolition, building and any other applicable permits in the residential zones, within the geographical area generally bounded by the Tifal Brothers East 52nd Place Tract and include the 52nd Place blocks, McKinley Avenue to Avalon Boulevard, both sides of the street; and to include an Urgency Clause making the ICO effective upon publication. The ICO is proposed to run for two six month extensions by Council Resolution, or until the adoption of the appropriate land use regulatory controls have been prepared by the Planning Department, adopted by the Council and become effective whichever occurs first; and that the Planning Department prepare and present the ICO for review and consideration of the PLUM Committee.

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

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

[07-2473](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the proposed purchase and distribution of X-26 TASERS by the Los Angeles Police Department (LAPD) for use by field police officers.

Recommendations for Council action:

1. AUTHORIZE the LAPD to purchase 1,250 TASERS.
2. DIRECT the LAPD to report back to the Public Safety Committee with a standard Department-wide plan for the distribution of the X-26 TASERS to field officers; said report to address the pooling of the X-26 TASERS at area stations to ensure maximum utilization of the devices for every watch.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. Funding for purchase of TASERS was provided in the Forfeited Assets Trust Fund of the LAPD in the 2007-08 Adopted Budget.

Community Impact Statement: None submitted.

**Roll Call #1 - Motion (Parks - Smith) Adopted, Ayes (11); Absent: Cardenas, Hahn, Huizar and Weiss (4)  
(Item Nos. 16-20)**

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

[07-1133](#)

CD 15

PUBLIC WORKS COMMITTEE REPORT relative to a request by the Union Pacific Railroad to temporarily close 108th Street between Grandee Avenue and Willowbrook Avenue on April 19, 2007 from 7:00 AM to 9:00 PM for railroad crossing repairs.

Recommendation for Council action:

NOTE and FILE the April 9, 2007 Board of Public Works report relative to a request by the Union Pacific Railroad to temporarily close 108th Street between Grandee Avenue and Willowbrook Avenue on April 19, 2007 from 7:00 AM to 9:00 PM for railroad crossing repairs, inasmuch as the date requested has passed.

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**

[07-1306](#)

PUBLIC WORKS COMMITTEE REPORT relative to authorization to submit a grant funding request to the California Department of Conservation, Division of Recycling for \$1,054,080 and receive said grant funding for beverage container recycling in connection with the SB33 Program.

Recommendation for Council action, pursuant to Resolution (Perry - Garcetti), SUBJECT TO THE APPROVAL OF THE MAYOR:

RESOLVE to:

- a. Authorize the Director of the Bureau of Sanitation (BOS), or designee, to submit a funding request form to the California Department of Conservation in the amount of \$1,054,080 for Funding Cycle 2008-09, under the "California Beverage Container Recycling and Litter Reduction Grant" (SB322), to be implemented in the City's Fiscal Year 2008-09, to continue the SB332 program as specified.
- b. Authorize the Director of the BOS, or designee, if awarded said funds to execute all necessary agreements, forms, contracts, and other necessary documents, for the purpose of receiving funding to implement and carry out the purposes specified in Section 14581(a)(5)(A) of the California Beverage Container Recycling and Litter Reduction Act, subject to the approval of the City Attorney as to form and legality.
- c. Authorize the Controller, upon deposit of said funds as described above in Recommendation Nos. 1 and 2, to establish new accounts and appropriate \$166,280 within the Integrated Solid Waste Management Fund, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
E122	Community Development	\$ 133,922
E299	Overhead Costs - City Department	\$ 32,358

d. Authorize the Controller to transfer \$133,922 from Fund No. 556/50, Account No. E122, as follows:

Fund No. 100/22, Account No. 1010, Salaries General	\$18,922
Fund No. 100/ 22, Account No. 1070, Salaries As-Needed	\$115,000

for the Community Development Department to assist the BOS with the implementation of the Summer Youth Recycling Intern Program in accordance with SB332 project guidelines, and as approved by the Director of the BOS, or designee.

e. Authorize the Controller and the Bureau of Accounting to make technical corrections or clarifications as may be necessary to implement the intent of this program.

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. (18) - ADOPTED

[08-0924](#)  
CD 3

CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to the private driveway establishment of El Rancho Drive for private driveway lying on De Soto Avenue between Erwin Street and Victory Boulevard.

Recommendations for Council action:

1. FIND that the name establishment of El Rancho Drive is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City of Los Angeles Environmental Guidelines.
2. APPROVE that the name of the private driveway lying on De Soto Avenue between Erwin Street and Victory Boulevard as shown on Exhibit B of the April 11, 2008 City Engineer report and attached to the Council file, be established as El Rancho Drive (Private Driveway).
3. ADOPT the FINDINGS of the City Engineer dated April 11, 2008, as the Findings of the Council.
4. ADOPT the accompanying City Engineer report dated April 11, 2008 to approve the name establishment of El Rancho Drive.
5. INSTRUCT the City Clerk to transmit the following:
  - a. A copy of Council's action on this matter to the Board of Supervisors of the County of Los Angeles pursuant to Section 34092 of the Government Code.

- b. A copy of the Council's action on this matter to the Los Angeles Department of Transportation, Citywide Investigation Section, 221 North Figueroa Street, Suite 300.

Fiscal Impact Statement: The City Engineer reports that the Bureau of Engineering is absorbing the cost of processing this request in the approximate amount of \$3,745 pursuant to Los Angeles Municipal Code Section 18.09.

Community Impact Statement: None submitted.

## ITEM NO. (19) - ADOPTED

[08-0992](#)

CD 1

PUBLIC WORKS COMMITTEE REPORT relative to naming the intersection at Sunset Boulevard and Echo Park Avenue as "Leo Politi Square."

Recommendations for Council action, pursuant to Motion (Reyes - Garcetti):

1. NAME the intersection at Sunset Boulevard and Echo Park Avenue as "Leo Politi Square."
2. DIRECT the Los Angeles Department of Transportation to permanent ceremonial sign(s) as detailed above in Recommendation No. 1.

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. (20) - ADOPTED

[08-1588](#)

PUBLIC WORKS COMMITTEE REPORT relative to grant funding by the State Coastal Conservancy for the Riverdale Avenue Green Street Project.

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

AUTHORIZE the Director of the Bureau of Sanitation (BOS), or designee, to: apply for and accept grant funding; conduct all negotiations; to provide additional information; and to execute and submit all documents, including, but not limited to, applications, agreements, or amendments, subject to the approval of the City Attorney as to form and legality, which may be necessary to securing funding with respect to the Riverdale Avenue Green Street Project with the grant amount not to exceed \$500,000.

Fiscal Impact Statement: The Board of Public Works reports that acceptance of this grant will not impact the City's General Fund. The total estimated project cost is \$687,000. The grant will fund the total project construction cost estimated at \$500,000. The City's matching cost will be \$187,000 to cover the project administration, engineering and management. The City's matching cost will be provided through existing staff cost, currently funded by the Stormwater Pollution Abatement Fund.

Construction funding for this project will be requested as a loan from the Public Works Trust Fund with guaranteed repayment from the grant receipts. Receipt of grant funds will replace funds that will be provided by the loan from the Public Works Trust Fund, in an amount not to exceed \$500,000.

Community Impact Statement: None submitted.

**ITEM NO. (21) - ADOPTED, AS AMENDED - SEE FOLLOWING**

**Roll Call #16 - Motion (Reyes - Wesson) to Adopt as Amended, Ayes (13); Absent: Cardenas and Weiss (2)**

[08-1933](#)

PLANNING AND LAND USE MANAGEMENT and HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEES' REPORT and RESOLUTION relative to the Update to the Housing Element for the period 2006-14 as an Element of the City's General Plan.

Recommendations for Council action:

1. CONCUR in the July 21, 2008, Mayor's approval, and the City Planning Commission's (CPC) determination, dated June 30, 2008, (including the CPC determination letter, Staff Reports dated June 12, 2008 and June 26, 2008, and amendments approved by the CPC).
2. ADOPT the June 30, 2008 FINDINGS of the Director of Planning as the Findings of the Council.
3. ADOPT the accompanying RESOLUTION dated July 29, 2008, which indicates that the City prior to adoption of the Update to the Housing Element of the General Plan will consider the following attachments on the Council file No. 08-1933:
  - a. Housing Element Final Environmental Impact Report
  - b. Adoption of the Mitigation Monitoring and Reporting Program
  - c. Statement of Overriding Considerations
4. ADOPT the Update to the Housing Element for the period 2006-14, amending the General Plan of the City of Los Angeles, as approved by the CPC on June 26, 2008, with the following amendments (as reflected in the attachments to the Committees' report), as follows:
  - a. "Department of City Planning Recommended Changes to the Housing Element" dated July 29, 2008. (Exhibit A)
  - b. Amendments recommended by the Director of Planning in a letter dated July 28, 2008 addressing Los Angeles Housing Department Changes to the Housing Element, as revised. (Exhibit B)
  - c. Recommended Modifications, as approved in a Joint Special Meeting of the Planning and Land Use Management Committee, and Housing, Community and Economic Development Committee, on July 29, 2008, as shown in the attachment to the Committees' report. (Exhibit C)

Fiscal Impact Statement: The CPC reports that there is no General Fund Impact.

Community Impact Statement: None submitted.

**ADOPTED**

**AMENDING MOTION (CARDENAS - HUIZAR)**

**Recommendation for Council action:**

**INCLUDE and APPROVE the following two additional recommendations:**

**1. SUBSTITUTE the following language to Program F of Policy 3.2.1:**

**“F. RSO Tenant/Landlord Outreach and Education Program**

**Educate landlords, brokers, property managers and tenants on the RSO and SCEP programs, as well as their rights and responsibilities through a combination of state of the art technology and traditional community-based outreach methods. Distribute information through print materials and media outlets.**

**Develop a program to ensure that buyers of real property subject to the Rent Stabilization Ordinance are aware of the City’s regulations by requiring sellers of RSO buildings at the time of a sale, to disclose that the building is subject to the RSO and to provide the RSO regulations to the buyer and the buyer’s representative.**

**Lead Agency: LAHD  
Funding Source: RSO Fees, SCEP Fees  
Objective: Complete development of training materials  
Distribute information  
Schedule: 2008-2014”**

**2. ADD a New Program A to Policy 1.2.8 (and re-letter the subsequent programs) to read, as follows:**

**“A. Rent Stabilization Training Program**

**Require first time buyers and managers of RSO properties to complete the property management training program within 180 days of registration.**

**Lead Agency: LAHD  
Funding Source: General Fund  
Objective: Develop mechanism to assure disclosure  
Schedule: 2009 - Report to Council  
2010 - Adopt new measure”**

**ADOPTED**

**AMENDING MOTION (PARKS - GARCETTI)**

**Recommendation for Council action:**

**CHANGE Program H of Policy 1.1.4 to read, as follows:**

**H. Coordination of Infrastructure Improvements**

**Identify infrastructure needs, target infrastructure improvements in neighborhoods that support housing (i.e. parks, roads, transit, schools, libraries, police and fire stations); conduct regular coordinating meetings with departments responsible for infrastructure planning to monitor implementation; explore incorporating facilities financing plans within each Community Plan update; explore the feasibility and efficacy of allocating a percentage of budgets for parks, street and sidewalk improvements, and tree trimming to fund exclusively for projects in areas where affordable housing has been built or planned.**

**ADOPTED**

**AMENDING MOTION (GARCETTI - PERRY)**

**Recommendation for Council action:**

**ADD a new program to Policy 1.2.6 to read, as follows:**

**E. Neighborhood Stabilization Program**

**To implement the provisions of HR 3221, (The American Housing Rescue and Foreclosure Prevention Act of 2008 and Emergency Assistance Provision, Public Law No: 110-289), by acquiring, rehabilitating and reselling/renting foreclosed properties to qualified buyers/renters.**

<b>Lead Agency:</b>	<b>LAHD</b>
<b>Funding Source:</b>	<b>Federal Funds</b>
<b>Objective:</b>	<b>1,000 units at 120 percent of Area Median Income (AMI) or below 25 percent of all funding at 50 percent of AMI and below.</b>
<b>Schedule:</b>	<b>2009 - 2014</b>

**ADOPTED, AS AMENDED**

**AMENDING MOTION (REYES - WESSON)**

**Recommendation for Council action:**

**INCLUDE and APPROVE the recommendations proposed by the Planning Department attached to the Council file.**

**ADOPTED**

**AMENDING MOTION (REYES - WESSON)**

**Recommendation for Council action:**

**AMEND Policy 1.2.2 to read, as follows:**

**Encourage and incentivize the preservation of affordable housing to ensure that demolitions and conversions do not result in net loss of the City's stock of decent, safe, healthy, sanitary or affordable housing. Encourage but not require one-for-one replacement of demolished affordable units, except as mandated by law or ordinance.**

**ADOPTED**

**AMENDING MOTION (HAHN - REYES)**

**Recommendation for Council action:**

**DIRECT the Planning Department to include "TOPA" as a strategy in Program 1.2.5C.**

**Roll Call #1 - Motion (Parks - Smith) Adopted, Ayes (11); Absent: Cardenas, Hahn, Huizar and Weiss (4)  
(Item Nos. 22-23)**

**ITEM NO. (22) - MOTION ADOPTED TO APPROVE COMMITTEES' REPORTS RECOMMENDATION**

[08-1881](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to compliance with a Writ of Mandate.

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

ADOPT the following language to meet the requirements of the Writ of Mandate in the case entitled Mulholland Outer Corridor Deer and Stream Sanctuary of Lankershim, et al. v. City of Los Angeles; Gunvant Patel, et al. Real Parties in Interest, Los Angeles Superior Court Case No. BS107912 (consolidated with similar matter with identical parties, Los Angeles Superior Court Case No. BS110165):

City Council hereby VOIDS the actions taken on July 27, 2007, with respect to Real Parties in Interest's single family residence project at 3599 Lankershim Boulevard; and DIRECTS staff to make no further approvals of the single family residence project of Gunvant Patel, Gary Patel, Madhu Patel and Ken Patel at 3599 Lankershim Boulevard until such time as the City has complied with the California Environmental Quality Act consistent with the Superior Court's April 25, 2008, ruling in the Mulholland Outer Corridor Deer and Stream Sanctuary v. City of Los Angeles, Superior Court Case No. BS107912 (consolidated with Los Angeles Superior Court Case No. BS110165)

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.

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.]

(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 compliance with a Writ of Mandate.**

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

**CONCUR with the recommendation of the Planning and Land Use Management Committee relative to compliance with a Writ of Mandate in the case entitled Mulholland Outer Corridor Deer and Stream Sanctuary of Lankershim, et al. v. City of Los Angeles; Gunvant Patel, et al, Real Parties in Interest, Los Angeles Superior Court (LASC) Case No. BS107912 (consolidated with similar mater with identical parties, LASC BS110165).**

**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.**

**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. (23) - MOTION ADOPTED TO APPROVE COMMITTEES' REPORTS RECOMMENDATION**

[08-0365](#)

**PUBLIC SAFETY COMMITTEE REPORT relative to the 2008 Internet Crimes Against Children (ICAC) State Augmentation Program grant.**

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

**APPROVE the recommendations of the City Administrative Officer (CAO) in the July 30, 2008 report to the Mayor and Council (attached to the Committee report) relative to an application for a grant award in the amount of \$250,000 from the California Office of Emergency Services, Law Enforcement and Victim Services Division for the 2008 ICAC State Augmentation Program for the period of January 1, 2008 through December 31, 2008, position authority in the Los Angeles Police Department for one Police Detective II position, and related actions.**

**Fiscal Impact Statement: The CAO reports that the 2008 ICAC State Augmentation Grant of \$250,000 will support a portion of the salary of a forensics examiner (Detective II) to conduct previews and examinations, as well as staff training, travel and equipment. No matching funds are**

required. Fringe benefit costs of approximately \$21,614 are included in the Adopted Budget; therefore no additional appropriation is necessary at this time. Accepting the grant and approving the CAO's recommendations are in compliance with the Financial Policies in that grant revenues plus General Fund revenues are available to support this Program

Community Impact Statement: None submitted.

(Personnel Committee waived consideration of the above matter)

(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 modifications to the 2008 Internet Crimes Against Children State Augmentation Program.**

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

**CONCUR with the recommendations of the Public Safety Committee relative to modifications to the 2008 Internet Crimes Against Children (ICAC) State Augmentation Program.**

**Fiscal Impact Statement: The City Administrative Officer reports that the 2008 ICAC State Augmentation Grant of \$250,000 will support a portion of the salary of a forensics examiner (Detective II) to conduct previews and examinations, as well as staff training, travel and equipment. No matching funds are required. Fringe benefit costs of approximately \$21,614 are included in the Adopted Budget; therefore no additional appropriation is necessary at this time. Accepting the grant and approving the recommendations are in compliance with the Financial Policies in that grant revenues plus General Fund revenues are available to support this Program.**

**Community Impact Statement: None submitted.**

**Roll Call #17 - Motion (Parks - Greuel) Adopted, Ayes (13); Absent: Cardenas and Weiss (2)  
(Item Nos. 24-25)**

**ITEM NO. (24) - MOTION ADOPTED TO APPROVE COMMITTEES' REPORT RECOMMENDATIONS**

**[07-2186-S1](#)**

COMMUNICATION FROM THE FINANCIAL MANAGEMENT SYSTEM ADVISORY OVERSIGHT COMMITTEE relative to a request for approval to initiate the implementation of a new Financial Management System.

(Joint Budget and Finance and Information Technology and General Services 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 and INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEES' REPORT** relative to a request for approval to initiate the implementation of a new Financial Management System.

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

**1. AUTHORIZE the Controller to:**

- a. Execute the attached Proprietary Software License Agreement for \$1,117,679 with CGI Technologies and Solutions Inc., to acquire select AMS Advantage Financial modules and Third Party Toolset software needed to replace and enhance functionality currently provided by the City's Financial Management System, Citywide Cost Accounting System and Accounts Receivable System.
- b. Execute the attached Proprietary Software Maintenance Agreement for \$2,500,000 with CGI Technologies and Solutions Inc., for maintenance of the software acquired through Recommendation No. 1, after it is implemented.
- c. Execute the attached Professional Services Agreement for \$16,867,602 with CGI Technologies and Solutions Inc., to perform the required software integration services required to implement the software acquired through Recommendation No. 1 and to provide post-implementation support to City staff for knowledge transfer purposes.
- d. Transfer \$743,308 from Fund No. 100/56, General City Purposes, Account 0843, Financial Management System Replacement, to Fund No. 100/26, Controller, Account 6010, Office and Administrative Expense for 2008-09 costs associated with the Financial Management System Project site and facilities. At its July 31, 2008 meeting, the Municipal Facilities Committee approved the reassignment of 27,012 square feet of fourth floor space already under lease in the Garland Building master lease for 1200 West Seventh Street, Los Angeles, for use of the Financial Management System (FMS) Project.
- e. Transfer \$153,424 from Fund No. 100/56, General City Purposes, Account 0843, Financial Management System Replacement, to Revenue Source No. 4551, Miscellaneous Revenue, in the following Fund Nos. as reimbursement for furniture and equipment that will be reassigned to the FMS Project from the Community Development Department for use in the development of a new FMS at the space described under Recommendation No. 4:

<u>Fund No.</u>	<u>Fund Name</u>	<u>Amount</u>
424/22	Community Development Trust Fund	\$ 84,383
428/22	Community Services Block Grant	7,671
44A/22	Workforce Investment Act Trust Fund	<u>61,370</u>
	<b>Total</b>	<b>\$153,424</b>

- f. Transfer \$1,649,818 from Fund No. 100/56, General City Purposes, Account 0843, Financial Management System Replacement, to Accounts in Fund No. 100/26, Controller, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries General	\$ 1,492,954
2130	Travel	61,864
6010	Office and Administrative Expense	<u>95,000</u>
	Total	\$ 1,649,818

- g. Transfer \$1,015,563 from Fund No. 100/56, General City Purposes, Account 0843, Financial Management System Replacement, to Accounts in Fund No. 100/32, Information Technology Agency, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries General	\$ 933,003
2130	Travel	32,560
6010	Office and Administrative Expense	<u>50,000</u>
	Total	\$1,015,563

- h. Transfer \$123,848 from Fund No. 100/56, General City Purposes, Account 0843, Financial Management System Replacement, to Accounts in Fund No. 100/10, City Administrative Officer, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries General	\$ 115,592
2130	Travel	3,256
6010	Office and Administrative Expense	<u>5,000</u>
	Total	\$ 123,848

- AUTHORIZE the debt financing of expenditures associated with the design and development of the new FMS; and, AUTHORIZE the Controller to pay for those expenditures from appropriations established in Fund Nos. 298/26, Controller, and 298/32, Information Technology Agency, for the FMS Project.
- INSTRUCT departments to comply with FMS Project requests to periodically utilize their staff on a part-time basis as subject matter experts throughout the implementation of the new FMS.
- INSTRUCT the FMS Advisory Oversight Committee to report back to the Council as necessary relative to any problems that may be encountered with the FMS implementation.
- AUTHORIZE the City Administrative Officer (CAO) to make technical corrections relative to the actions approved by the Council and Mayor on this matter and further AUTHORIZE the Controller to implement those corrections.

**Fiscal Impact Statement:** The FMS Advisory Oversight Committee reports that the FMS Project is a multi-year project. Approval of recommendations within this report will result in the use of approximately \$15.79 million in 2008-09 budgeted funds to initiate the implementation of a new FMS. The Council approved 2008-09 budget includes appropriations of \$7.34 million in Fund No. 100/56, General City Purposes, \$15 million in Fund No. 298/26, Controller, and \$1 million in Fund No. 298/32, Information Technology Agency, for costs associated with the FMS Project. The total cost of the FMS Project in regards to the implementation and post-implementation activities of the core financial modules is currently estimated at \$51.5 million (includes 15 percent contingency). Cost estimation will improve towards the end of 2008-09.

**Community Impact Statement:** None submitted.

## **ITEM NO. (25) - MOTION ADOPTED TO APPROVE COMMITTEES' REPORT RECOMMENDATIONS**

### **07-2186-S2**

COMMUNICATION FROM THE FINANCIAL MANAGEMENT SYSTEM ADVISORY OVERSIGHT COMMITTEE relative to the Financial Management System Project approach and contract negotiations.

(Joint Budget and Finance and Information Technology and General Services Committee report and Personnel 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, INFORMATION TECHNOLOGY AND GENERAL SERVICES and PERSONNEL COMMITTEES' REPORT** relative to the Financial Management System (FMS) Project approach and contract negotiations.

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

- 1. RESOLVE that Employment Authority for one Assistant General Manager, Information Technology Agency (ITA) (Class Code 6376) position in the ITA from July 1, 2008 through June 30, 2009, subject to allocation by the Civil Service Commission, is APPROVED, and that said position be referred to as the FMS Project Manager.**
- 2. INSTRUCT the Personnel Department and the Civil Service Commission to process the allocation of the position in Recommendation No. 1 on an expedited basis.**
- 3. TRANSFER the contract with the FMS project management consultant from the Controller to the ITA upon the establishment of the Project Oversight Committee.**
- 4. TRANSFER the following four positions from Controller Resolution Authority to ITA Resolution Authority:**

- a. Senior Management Analyst I (Class Code 9171-1)
  - b. Systems Analyst II (Class Code 1596-2)
  - c. Management Analyst II (Class Code 9184-2)
  - d. Senior Clerk Typist (Class Code 1368)
5. TRANSFER \$95,054 from the General City Purposes Budget, Fund No. 100/56, Account 0843, Financial Management System Replacement, to the Office of the Controller contractual Services Account (100/26/3040) an amount of \$75,000 and to the Controllers Salaries General Account (100/26/1010) an amount of \$20,054.
  6. TRANSFER \$165,390 from General City Purposes Budget, Fund No. 100/56, Account 0843, Financial Management System Replacement, to the ITA (100/32/1010), General Salaries.
  7. EXEMPT all positions assigned to the FMS project from the managed hiring process.
  8. AUTHORIZE the City Administrative Officer (CAO) to make technical corrections relative to the actions approved by the Council and Mayor on this matter; and further, AUTHORIZE the Controller to implement those corrections.

**Fiscal Impact Statement:** The FMS Advisory Oversight Committee reports that the FMS Project is a multi-year project. This report requests authority to transfer \$260,444 from a General City Purposes appropriation included in the Council approved 2008-09 Budget. Therefore, approval of this request will not impact the General Fund.

**Community Impact Statement:** None submitted.

## **Items for Which Public Hearings Have Not Been Held - Items 26-56**

(10 Votes Required for Consideration)

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

**Roll Call #7 - Motion (Cardenas - LaBonge) Adopted, Ayes (14); Absent: Weiss (1)**

[08-1924](#)

COMMUNICATION FROM THE MAYOR and COMMUNICATION FROM THE EXECUTIVE EMPLOYEE RELATIONS COMMITTEE (EERC) TO BE SUBMITTED relative to the appointment of Mr. Tony M. Royster as permanent General Manager, Department of General Services (GSD) and City Purchasing Agent.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Tony M. Royster as permanent General Manager, GSD and City Purchasing Agent, is APPROVED and CONFIRMED.

**Ethics Commission Review:** Pending

**Community Impact Statement:** None submitted.

TIME LIMIT FILE - SEPTEMBER 1, 2008

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

(Information Technology and General Services Committee waived consideration of the above matter)

(The EERC will consider the Mayor's salary recommendation August 12, 2008 - the recommendation will be submitted in Council.)

(Council may recess to Closed Session, pursuant to Government Code Section 54957.6, relative to the salary recommendation)

**ADOPTED**

**MOTION (CARDENAS - LABONGE)**

**Recommendation for Council action:**

**RESOLVE that the salary rate of pay for the position of permanent General Manager, Department of General Services, shall BE ESTABLISHED, as recommended by the Mayor and approved by the EERC. The effective date of the permanent appointment is July 16, 2008.**

**ITEM NO. (27) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

**Roll Call #5 - Motion (Parks - Perry) Adopted, Ayes (13); Absent: Hahn and Weiss (2)**

[07-3053](#)

GENERAL EXEMPTION, COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to the modification of the maximum amount of a sewer service charge refund or credit.

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

1. FIND that the activity in question will not have a significant effect on the environment and that the Ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b) (3) and City CEQA Guidelines, Article II, (1) General Rule and General Exemption.
2. PRESENT and ADOPT the accompanying ORDINANCE, dated July 18, 2008, amending Section 64.41.05 of the Los Angeles Municipal Code to modify the maximum amount of a Sewer Service Charge refund or credit.

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.

Community Impact Statement: None submitted.

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

**ITEM NO. (28) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION**

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

[08-0644](#)

COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to clarifying the procedures in the Residential Hotel Unit Conversion and Demolition Ordinance regarding the determination of hotels subject to the ordinance, and to add a provision allowing the Mayor to veto a decision by the Los Angeles City Council regarding the number of replacement units.

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

PRESENT and ADOPT the accompanying ORDINANCE amending Article 7.1 of Chapter IV, Subdivision 13 of Subsection A of Section 151.09, and Subsection G of Section 151.09, of the Los Angeles Municipal Code to clarify procedures in the Residential Hotel Unit Conversion and Demolition Ordinance regarding the determination of hotels subject to the ordinance and the classification of rooms in residential hotels as tourist or residential, and to add a provision allowing the Mayor to veto a decision by the Los Angeles City Council regarding the number of replacement units.

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.

(Housing, Community and Economic Development Committee waived consideration of the above matter)

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

**Roll Call #5 - Motion (Parks - Perry) Adopted, Ayes (13); Absent: Hahn and Weiss (2)**

[08-0647](#)

COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to Bonded Sewer Contractors and the installation of City approved sewer saddles on sewer house connections 15 inches in diameter or less.

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

PRESENT and ADOPT the accompanying ORDINANCE, dated July 14, 2008, amending Article 4 of Chapter VI of the Los Angeles Municipal Code to allow Bonded Sewer Contractors to install City approved sewer saddles on sewer house connections 15 inches in diameter or less and increase the deposit and or bond amount required of sewer contractors who work in the public way.

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.

Community Impact Statement: None submitted.

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

**ITEM NO. (30) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION,  
AS AMENDED - SEE FOLLOWING**

**Roll Call #8 - Motion (Perry - Parks) to Adopt as Amended, Ayes (14); Absent: Weiss (1)**

[07-1433](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM CHAIR, EDUCATION AND NEIGHBORHOODS COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to nighttime and daytime juvenile curfew.

Recommendation for Council action, as initiated by Motion (Perry - Parks), SUBJECT TO THE APPROVAL OF THE MAYOR:

PRESENT and ADOPT the accompanying ORDINANCE amending certain provisions of the Los Angeles Municipal Code governing nighttime and daytime juvenile curfew within the City.

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.

Community Impact Statement: None submitted.

(Continued from Council meeting of August 8, 2008)

**ADOPTED**

**AMENDING MOTION (LABONGE - PERRY)**

**Recommendation for Council action:**

**REQUEST the Chief of Police and Superintendent of the Los Angeles Unified School District to send a notification letter to parents of students outlining the procedure/policy for enforcing daytime curfew.**

**Roll Call #5 - Motion (Parks - Perry) Adopted, Ayes (13); Absent: Hahn and Weiss (2)  
(Item Nos. 31-32)**

**ITEM NO. (31) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

[08-1892](#)

CDs 7 & 12

COMMUNICATION FROM CHAIR and MEMBER, TRANSPORTATION COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to a speed limit revision for Lassen Street between Sepulveda Boulevard and Valley Circle Boulevard.

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

1. CONCUR with the Board of Transportation Commissioners (Board) action of June 26, 2008 approving the amendment of Los Angeles Municipal Code (LAMC) Section 80.81 to raise the speed limit on Lassen Street between Sepulveda Boulevard and Mason Avenue from 35 to 40 miles per hour.

2. PRESENT and ADOPT the accompanying ORDINANCE amending LAMC Section 80.81 to establish the recommended speed limit of Recommendation No. 1.

Fiscal Impact Statement: None submitted by the Board. 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. (32) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

[08-1893](#)

CD 12

COMMUNICATION FROM CHAIR and MEMBER, TRANSPORTATION COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to a speed limit revision for Reseda Boulevard between Sesnon Boulevard and Devonshire Street.

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

1. CONCUR with the Board of Transportation Commissioners (Board) action of June 26, 2008 approving the amendment of Los Angeles Municipal Code (LAMC) Section 80.81 to:

Raise the speed limit on Reseda Boulevard, as follows:

- a. Between Sesnon Boulevard and Asuncion Street from 45 to 50 miles per hour.
- b. Between Asuncion Street and Rinaldi Street from 40 to 50 miles per hour.

2. PRESENT and ADOPT the accompanying ORDINANCE amending LAMC Section 80.81 to establish the recommended speed limit of Recommendation No. 1.

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

Community Impact Statement: None submitted.

**Roll Call #12 - Motion (Wesson - Reyes) Adopted, Ayes (14); Absent: Weiss (1)  
(Item Nos. 33-36)**

## ITEM NO. (33) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

[08-1894](#)

CD 12

COMMUNICATION FROM CHAIR and MEMBER, TRANSPORTATION COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to a speed limit revision for Canoga Avenue between Marilla Street and Roscoe Boulevard.

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

1. CONCUR with the Board of Transportation Commissioners (Board) action of June 26, 2008 approving the amendment of Los Angeles Municipal Code (LAMC) Section 80.81 to raise the speed limit on Canoga Avenue between Marilla Street and Roscoe Boulevard from 35 to 40 miles per hour.
2. PRESENT and ADOPT the accompanying ORDINANCE amending LAMC Section 80.81 to establish the recommended speed limit of Recommendation No. 1.

Fiscal Impact Statement: None submitted by the Board. 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. (34) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

[08-1895](#)

CD 12

COMMUNICATION FROM CHAIR and MEMBER, TRANSPORTATION COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to a speed limit revision for Haskell Avenue between Rinaldi Street and Chase Street.

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

1. CONCUR with the Board of Transportation Commissioners (Board) action of June 26, 2008 approving the amendment of Los Angeles Municipal Code (LAMC) Section 80.81 to raise the speed limit on Haskell Avenue between Rinaldi Street and Chase Street from 35 to 40 miles per hour.
2. PRESENT and ADOPT the accompanying ORDINANCE amending LAMC Section 80.81 to establish the recommended speed limit of Recommendation No. 1.

Fiscal Impact Statement: None submitted by the Board. 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. (35) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

[08-1897](#)

CD 12

COMMUNICATION FROM CHAIR and MEMBER, TRANSPORTATION COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to a speed limit revision for Corbin Avenue between Mason Avenue and Roscoe Boulevard.

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

1. CONCUR with the Board of Transportation Commissioners (Board) action of June 26, 2008 approving the amendment of Los Angeles Municipal Code (LAMC) Section 80.81 to:

- a. Establish a speed limit on Corbin Avenue, as follows:
    - 1) Between its terminus at Mason Avenue and Rinaldi Street at 50 miles per hour.
    - 2) Between Rinaldi Street and the former dead end north of Hiawatha Street at 45 miles per hour.
  - b. Raise the speed limit on Corbin Avenue, as follows:
    - 1) Between the former dead end north of Hiawatha Street and Lassen Street from 40 to 45 miles per hour.
    - 2) Between Lassen Street and Roscoe Boulevard from 35 to 40 miles per hour.
2. PRESENT and ADOPT the accompanying ORDINANCE amending LAMC Section 80.81 to establish the recommended speed limits of Recommendation No. 1.

Fiscal Impact Statement: None submitted by the Board. 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. (36) - ADOPTED**

[08-0005-S492](#)

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 August 5, 2008:

[08-0005-S492](#)

CD 1

- a. Property at 1500 West Allison Avenue (Case No. 83678).  
Assessor I.D. No. 5405-004-017

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 17, 2007)

[08-0005-S493](#)

CD 1

- b. Property at 1500 West Allison Avenue (Case No. 31967).  
Assessor I.D. No. 5405-004-017

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 15, 2007)

[08-0005-S494](#)

CD 1

- c. Property at 1500 West Allison Avenue (Case No. 5165).  
Assessor I.D. No. 5405-004-017

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 27, 2002)

[08-0005-S495](#)

CD 1

- d. Property at 1500 West Allison Avenue (Case No. 6757).  
Assessor I.D. No. 5405-004-017

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 2, 2003)

[08-0005-S496](#)

CD 1

- e. Property at 1225 South Westlake Avenue (Case No. 61586).  
Assessor I.D. No. 5136-023-008

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 10, 2007)

[08-0005-S497](#)

CD 8

- f. Property at 3800 South Arlington Avenue (Case No. 60605).  
Assessor I.D. No. 5035-001-032

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 15, 2007)

[08-0005-S498](#)

CD 10

- g. Property at 4535 West 11th Place (Case No. 176044).  
Assessor I.D. No. 5082-005-022

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

[08-0005-S499](#)

CD 13

- h. Property at 1520 West Marsden Street (Case No. 173417).  
Assessor I.D. No. 5420-030-018

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 8, 2008)

**ITEM NO. (37) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

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

[08-0380](#)

ADMINISTRATIVE EXEMPTION and COMMUNICATION FROM CHAIR, TRADE, COMMERCE AND TOURISM COMMITTEE relative to three agreements for the replacement of pre-1994 model year diesel-powered trucks under the San Pedro Bay Ports Clean Air Action Plan (CAAP) Liquefied Natural Gas (LNG) Truck Program.

Recommendations for Council action:

1. FIND that the approval of the proposed agreements with Cascade Sierra Solutions, Green Fleet Systems, and Pacific 9 Transportation, Inc., for the replacement of pre-1994 model year diesel-powered trucks under the San Pedro CAAP LNG Truck Program is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with Article III, Class 1(14) of the City's CEQA Guidelines.
2. CONCUR with the action taken by the Board of Harbor Commissioners at its meeting held October 4, 2007 approving the following agreements for the replacement of pre-1994 model year diesel-powered trucks under the San Pedro CAAP Truck LNG Program:
  - a. Agreement No. 2683 with Cascade Sierra Solutions in the amount of \$2,024,000.
  - b. Agreement No. 2684 with Green Fleet Systems in the amount of \$2,576,000.
  - c. Agreement No. 2685 with Pacific 9 Transportation, Inc., in the amount of \$2,576,000.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. Funding for the three agreements will be included and deposited in the Harbor Revenue Fund. The proposed three agreements total \$7,176,000 for a seven-year term. The first year of the LNG Truck Program is jointly funded by the Ports of Los Angeles (POLA) and Long Beach (POLB) and South Coast Air Quality Management District (SCAQMD) for total funding of \$27,432,000 to finance 158 LNG trucks, as follows: POLA (\$13,528,000), POLB (\$8,000,000), and SCAQMD (\$5,904,000). The proposed total funding by POLA and POLB for the LNG Truck Program will be approximately \$85,528,000. The POLA will administer the agreements and be reimbursed by the POLB. Since the Port is bound only by City Debt Management Policies, the City financial policies are not applicable.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 29, 2008

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 23, 2008)

**Roll Call #2 - Motion (Perry - Wesson) Adopted, Ayes (11); Absent: Cardenas, Hahn, Huizar and Weiss (4)  
(Item Nos. 38-40)**

**ITEM NO. (38) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

[08-1592](#)

ADMINISTRATIVE EXEMPTION and COMMUNICATION FROM CHAIR, TRADE, COMMERCE AND TOURISM COMMITTEE relative to a proposed Foreign-Trade Zone General Purpose Operating Agreement with Fujitrans U.S.A. Inc., for the operation of a warehouse and distribution center.

Recommendations for Council action:

1. FIND that the proposed Foreign-Trade Zone General Purpose Operating Agreement with Fujitrans U.S.A. Inc., for the operation of a warehouse and distribution center is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with Article III, Class 1(14) of the City's CEQA Guidelines.
2. CONCUR with the action taken by the Board of Harbor Commissioners at its meeting held April 3, 2008 approving Foreign-Trade Zone General Purpose Operating Agreement No. 2648 for a five-year term with three options for five-year renewals, with Fujitrans U.S.A. Inc., for the operation of a warehouse and distribution center at FTZ 202, Site B at 1231 East 230th Street, Carson, California.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. Approval of the proposed agreement includes a one-time administrative fee of \$5,000 and administrative fees of \$5,000 per year, for a total compensation of \$30,000 for the first five-year term and up to \$105,000 over the proposed 20-year life of the agreement. Fees will be deposited in the Harbor Revenue Fund.

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 18, 2008

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

## **ITEM NO. (39) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

[08-1969](#)

ADMINISTRATIVE EXEMPTION and COMMUNICATION FROM CHAIR, TRADE, COMMERCE AND TOURISM COMMITTEE relative to a proposed Foreign-Trade Zone General Purpose Operating Agreement with Schafer Brothers Distribution Center, Inc., for the operation of a warehouse and distribution center.

Recommendations for Council action:

1. FIND that the proposed Foreign-Trade Zone General Purpose Operating Agreement with Schafer Brothers Distribution Center, Inc., for the operation of a warehouse and distribution center is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with Article III, Class 1(14) of the City's CEQA Guidelines.
2. CONCUR with the action taken by the Board of Harbor Commissioners at its meeting held February 7, 2008 approving Foreign-Trade Zone General Purpose Operating Agreement No. 2633 for a term of five years with options for three five-year extensions with Schafer Brothers Distribution Center, Inc., for the operation of a warehouse and distribution center in Carson, California.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that this action will not impact the General Fund. Approval of the proposed agreement includes an annual administrative fee of \$5,000 for a total compensation of \$25,000 for the first five years and up to a total of \$100,000 over the life of the 20-year agreement that will be paid to the Harbor Revenue Fund.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 22, 2008

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 19, 2008)

**ITEM NO. (40) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

08-1970

ADMINISTRATIVE EXEMPTION and COMMUNICATION FROM CHAIR, TRADE, COMMERCE AND TOURISM COMMITTEE relative to a proposed Foreign-Trade Zone General Purpose Operating Agreement with IKEA for the operation of a warehouse and distribution center.

Recommendations for Council action:

1. FIND that the proposed Foreign-Trade Zone General Purpose Operating Agreement with IKEA for the operation of a warehouse and distribution center is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with Article III, Class 1(14) of the City's CEQA Guidelines.
2. CONCUR with the action taken by the Board of Harbor Commissioners at its meeting held January 3, 2008 approving Foreign-Trade Zone General Purpose Operating Agreement No. 2607 with IKEA for a term of five years with options for three five-year extensions for the operation of a warehouse and distribution center in Lebec, California.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. Approval of the proposed agreement includes an annual administrative fee of \$10,000 and a one-time activation fee of \$20,000, for a total compensation of \$70,000 for five years and up to \$220,000 over the life of the 20-year agreement that will be paid to the Harbor Revenue Fund.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 22, 2008

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 19, 2008)

**ITEM NO. (41) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

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

06-2032

COMMUNICATION FROM CHAIR and MEMBER, TRANSPORTATION COMMITTEE and RESOLUTION relative to the Congestion Management Program (CMP) 2008 Local Development Report (LDR).

Recommendations for Council action, as initiated by Motion (Greuel - LaBonge), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. ADOPT the accompanying 2008 CMP Conformance Self-Certification RESOLUTION and transmit the Resolution and LDR to the Los Angeles County Metropolitan Transportation Authority to meet compliance requirements of the CMP.
2. DIRECT the Los Angeles Department of Transportation (LADOT) and City Planning to report back in 90 days.

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

Community Impact Statement: None submitted.

**Roll Call #2 - Motion (Perry - Wesson) Adopted, Ayes (11); Absent: Cardenas, Hahn, Huizar and Weiss (4)  
(Item Nos. 42-48)**

**ITEM NO. (42) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

[08-1828](#)

CD 1

COMMUNICATION FROM CHAIR and MEMBER, TRANSPORTATION COMMITTEE relative to funding for enhanced traffic mitigation measures to improve traffic circulation in the Chavez Ravine area during Dodger games and/or special events at Dodger Stadium.

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

1. AUTHORIZE the Los Angeles Department of Transportation (LADOT) to:
  - a. Accept monies in an amount not to exceed \$1,300,000 from the entities representing the Los Angeles Dodgers organization for additional Traffic Officers, engineering staff, and equipment for the period beginning March 28, 2008 through December 31, 2008 pursuant to a signed and approved Letter of Agreement between the City and the Dodgers.
  - b. Deposit the funds into the LADOT Trust Fund No. 840, Account No. 2200 (Miscellaneous Deposit) and to transfer the actual costs due to the requested services and equipment into the Transportation Fund No. 100/94, Account No. 1090 (Salaries - Overtime).
2. REQUEST the Los Angeles Police Department to provide a uniformed presence to be stationed at the Solano gate of Dodger Stadium as well as the intersection of Amador and Solano in order to address issues of noise, public nuisance, and other unacceptable behavior following Dodger games.

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. (43) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION**

[08-1858](#)

COMMUNICATION FROM CHAIR and MEMBER, TRANSPORTATION COMMITTEE relative to extending the hours of DASH downtown routes on Friday nights.

Recommendation for Council action, as initiated by Motion (Greuel - Perry - Garcetti):

DIRECT the Los Angeles Department of Transportation to report in 30 days on the feasibility of extending the hours of DASH downtown routes on Friday nights, including options to partner with businesses to raise the necessary funds.

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. (44) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

[08-1937](#)

CD 12

COMMUNICATION FROM CHAIR and MEMBER, TRANSPORTATION COMMITTEE relative to funding and an agreement with Southern California Regional Rail Authority (SCRAA) for the safety improvement project at Balboa Boulevard highway-rail Metrolink crossing.

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

1. AUTHORIZE the General Manager of the Los Angeles Department of Transportation (LADOT) to execute, on the behalf of the City of Los Angeles, the agreement with the SCRAA to design and construct the railroad crossing safety improvement project at the Balboa Boulevard highway-rail Metrolink crossing, subject to approval of the City Attorney as to form.
2. INSTRUCT the Board of Public Works to waive all fees associated with roadway and rail construction safety improvements along the Metrolink Ventura Subdivision, owned by the Metropolitan Transportation Authority, as part of the Balboa Boulevard Highway-Rail Grade Crossing Improvement Project.
3. APPROPRIATE an additional \$210,000 to Transportation Grant Fund No. 655 for the Metrolink Crossing Improvement Balboa Boulevard North of Roscoe Boulevard Account (account number to be designated by LADOT).
4. AUTHORIZE the LADOT to invoice and receive a sum of up to \$410,000 of Federal Section 130 Funds from SCRAA as reimbursement for the Balboa Boulevard Highway-Rail Grade Crossing Improvement Project and to deposit received funds to Proposition C Transit Improvement Fund No. 540, Transportation Grant Fund Work Program Account No. C700.

Fiscal Impact Statement: The LADOT reports that the 2007-08 Transportation Grant Fund Annual Work Program Report (Council file No. 06-1282-S3) transferred \$200,000 in front funding from Proposition C Transit Improvement Fund No. 540. LADOT will revolve the front funding to cover this reimbursable project's total cost up to \$410,000. The department notes that sufficient funds will be set aside within the Proposition C Account to front fund the City portion of the improvements as

described above. All Section 130 Funds are available through reimbursement only; no local match is required from the City. There will be no impact to the General Fund.

Community Impact Statement: None submitted.

#### **ITEM NO. (45) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

[08-2107](#)

COMMUNICATION FROM THE BOARD OF RECREATION AND PARK COMMISSIONERS (BOARD) relative to a proposed Lease Agreement between the Department of Recreation and Parks (DRP) and Project Restore, a California non-profit corporation, for the occupation/restoration of the DRP's historic Hollyhock House facility.

Recommendations for Council action:

1. APPROVE the proposed Lease Agreement (substantially as attached to the Board report dated July 23, 2008) between the DRP and Project Restore, a California non-profit corporation, for the occupation/restoration of the DRP's historic Hollyhock House facility, located in Barnsdall Park at 4808 Hollywood Boulevard, Los Angeles, CA 90027, subject to the review of the City Attorney as to form and legality.
2. AUTHORIZE the President and Secretary, Board, to execute the subject Lease Agreement upon obtaining all necessary approvals.

Fiscal Impact Statement: The Board reports that the DRP will save on restoration costs as a result of grant funding that will be received by Project Restore. There are no anticipated additional fiscal impacts to the DRP's General Fund as a result of approval of these recommendations. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

(Arts, Parks, Health, and Aging Committee waived consideration of the above matter)

#### **ITEM NO. (46) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

[07-1900](#)

COMMUNICATION FROM THE ENVIRONMENTAL AFFAIRS DEPARTMENT (EAD) relative to the Environmental Enhancement and Mitigation Program (EEMP) Grant Funds.

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

1. AUTHORIZE the Controller to TRANSFER a \$250,000 advance from the Public Works Trust Fund, Fund No. 834/50, to the Environmental Affairs Trust Fund, Fund No.537/37, and APPROPRIATE therefrom to Account No. 0049, Growing Livable Neighborhoods, Phase II.
2. INSTRUCT the EAD to reimburse the Public Works Trust Fund the advanced \$250,000 as received from the State of California in reimbursement, within 10 days of receipt.

3. AUTHORIZE the Controller to revert \$6,005.25 from 2007-08 As-Needed Salaries Account (Fund No. 100, Account No. 1070) to the Environmental Affairs Trust Fund, Fund No. 537, Account No. 0046.
4. AUTHORIZE the Controller to TRANSFER up to \$80,000 from the Environmental Affairs Trust Fund, Fund No. 537 (Account Nos.0046 and 0049), to the 2008-09 General Salaries Account and the As-Needed Salaries Account, as determined by the EAD, for Growing Livable Neighborhoods Phase I and II.

Fiscal Impact Statement: The EAD reports that the Growing Livable Neighborhoods Phase II Project will bring \$250,000 in State funds to the City to plant 1,000 street trees. This will have no fiscal impact on the General Fund, as required matching funds are being provided by in-kind staff and materials supplied by the Los Angeles Department of Water and Power.

Community Impact Statement: None submitted.

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

#### **ITEM NO. (47) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

[07-3605](#)

COMMUNICATION FROM THE ENVIRONMENTAL AFFAIRS DEPARTMENT (EAD) relative to the acceptance of grant funds from the U.S. Department of Energy (DOE) for Alternative Fuel Vehicle Programmatic Support.

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

1. AUTHORIZE the General Manager, EAD, or designee, to accept, on behalf of the City, the amount of \$12,500 from the U.S. DOE, via their contractor, Research and Development Solutions, LLC (RDS), to be used toward the City's participation in the nationwide Clean Cities Program, a U.S. DOE program that collects alternative fuel use data from our City fleets, performs associated grant research, and promotes the use and deployment of alternative fuel vehicles through outreach and educational events.
2. AUTHORIZE the Controller to deposit funds into the Clean Cities Programmatic Support Grant Account No. 269C, Fund No. 528/37.
3. AUTHORIZE the General Manager, EAD, to prepare controller instructions and/or make any technical adjustments that may be required and are consistent with the above action. subject to the approval of the City Administrative Officer and AUTHORIZE the Controller to implement these instructions.
4. AUTHORIZE the General Manager, EAD, or designee, to negotiate and execute, on behalf of the City, all grant contracts, agreements, and amendments with grantor agencies and contractors as necessary to fully implement the above EAD project, subject to the approval of the City Attorney as to form and legality.
5. DIRECT the EAD to follow all Clean Cities Programmatic support requirements, including preparation of the two required progress reports to RDS, a U.S. DOE contractor.

Fiscal Impact Statement: The EAD reports that acceptance of the U.S. DOE programmatic support funding provides up to \$12,500 from RDS, a U.S. DOE Contractor, to be used toward alternative fuel vehicle outreach and education, alternative fuel vehicle data collection, and alternative fuel vehicle/facility grant research and application preparation, which are tasks included under the City of Los Angeles Clean Cities Program. The total amount of awards and funding to be accepted is \$12,500. There would be no impact to the General Fund from accepting the grant funds.

Community Impact Statement: None submitted.

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

## **ITEM NO. (48) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

### 07-3605-S1

COMMUNICATION FROM THE ENVIRONMENTAL AFFAIRS DEPARTMENT (EAD) relative to the acceptance of grant funds from the Mobile Source Air Pollution Reduction Review Committee (MSRC) Showcase Program to demonstrate new emission control systems on off-road equipment.

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

1. AUTHORIZE the General Manager, Department of General Services (GSD), to accept, on behalf of the City, a grant in the amount of \$85,200 from the MSRC, to be used for payment directly to the vendor to cover the purchase, installation, and monitoring of demonstration diesel emission control and monitoring systems on select City off-road vehicles operated by the Bureau of Street Services (BOSS), as provided for in the grant award contract.
2. AUTHORIZE the General Manager, GSD, or designee, to negotiate and execute, on-behalf of the City, any grant contract, agreements, and amendments with grantor agencies and contractors as necessary, to fully implement the project, subject to the approval of the City Attorney as to form and legality.
3. AUTHORIZE the General Manager, GSD, or designee, to forward vendor invoices directly to the granting agency for payment to cover the purchase, installation, and monitoring of demonstration diesel emission control and monitoring systems on select City off-road vehicles, as provided for in the grant award contract.
4. AUTHORIZE the General Manager, GSD, or designee, to prepare Controller instructions, as necessary, and/or make any technical adjustments that may be required and are consistent with this action subject to the approval of the City Administrative Officer (CAO) and AUTHORIZE the Controller to implement these instructions, as necessary.
5. AUTHORIZE the Director, Bureau of Sanitation (BOS) to accept, on behalf of the City, a grant in the amount of \$63,192 from the MSRC, to be used for payment directly to the vendor to cover the purchase, installation, and monitoring of demonstration diesel emission control and monitoring systems on select City off-road vehicles operated by the BOS, as provided for in the grant award contract.

6. AUTHORIZE the Director, BOS, or designee, to negotiate and execute, on behalf of the City, any grant contracts and all agreements and amendments with grantor agencies and contractors as necessary, to fully implement the project for BOS vehicles, subject to the approval of the City Attorney as to form and legality.
7. AUTHORIZE the Director, BOS, or designee, to forward vendor invoices, in coordination with the GSD, directly to the granting agency for payment to cover the purchase, installation, and monitoring of demonstration diesel emission control and monitoring systems on select City off-road vehicles-operated by the BOS, as provided for in the grant award contract.
8. AUTHORIZE the Director, BOS, or designee, to prepare Controller instructions as necessary and/or make any technical adjustments that may be required and are consistent with this action, subject to the approval of the CAO; and AUTHORIZE the Controller to implement these instructions as necessary.
9. DIRECT the GSD, the BOS, and the BOSS to follow all grant requirements and conditions under their control, including grant contract coordination, overall record keeping, coordinating and participating in vendor agreements, inspections, training, maintaining minimum vehicle operational hours and reporting to the MSRC, as required by the MSRC grant contracts.

Fiscal Impact Statement: The EAD reports that acceptance of participation in the Showcase Demonstration Program will provide \$148,392 from the MSRC to purchase new diesel emission control and monitoring systems for select City off-road vehicles. There would be no significant impact to the General Fund from participating in this program. The GSD would be providing overall project coordination services and EAD will be providing reporting support.

Community Impact Statement: None submitted.

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

**ITEM NO. (49) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS, AS AMENDED - SEE FOLLOWING**

**Roll Call #15 - Motion (Reyes - Huizar) to Adopt as Amended, Ayes (13); Absent: Cardenas and Weiss (2)**

[08-1933](#)  
CDs All

COMMUNICATIONS FROM THE MAYOR, DIRECTOR OF PLANNING, FINAL ENVIRONMENTAL IMPACT REPORT, MITIGATION MONITORING AND REPORTING PROGRAM, AND STATEMENT OF OVERRIDING CONSIDERATIONS relative to the update to the Housing Element for the period 2006-14 as an Element of the City's General Plan.

Recommendations for Council action:

1. CERTIFY that the Final Environmental Impact Report (EIR No. 94-0212; State Clearing House No. 1994071030) (Framework Element FEIR) for the Housing Element has been completed in compliance with the California Environmental Quality Act, the State Guidelines and the City Guidelines and that the Council has reviewed the information contained therein for the Housing Element (2006-14) and considered it along with other factors related to this project; that this determination reflects the independent judgment of the lead agency in the City of Los Angeles;

and that the documents constituting the record of proceedings in this matter are located in Council file No. 08-1933 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Automated Records and Files Section; and ADOPT the Final Environmental Impact Report.

2. ADOPT the FINDINGS that the Framework Element FEIR is adequate for the Housing Element (2006-14).
3. ADOPT the FINDINGS made pursuant to and in accordance with Section 21081 of the Public Resources Code and the Statement of Overriding Considerations prepared by the City Planning Department and attached to Council file No. 08-1993.
4. ADOPT the FINDINGS of the Director of Planning as the Findings of the Council as well as environmental findings and a Mitigation Monitoring and Reporting Program, and attached to Council file No. 08-1993.
5. DIRECT the Department of City Planning staff to file the Notice of Determination after Council approves the project. CPC 2008-2120 GPA

Fiscal Impact Statement: The City Planning Commission reports that there is no General Fund Impact.

Community Impact Statement: None submitted.

(Planning and Land Use Management and Housing, Community and Economic Development Committees waived consideration of the above matter)

## **ADOPTED**

### **AMENDING MOTION (REYES - WESSON)**

#### **Recommendation for Council action:**

**DIRECT the staff of the Planning Department to make corrections to the environmental documentation for the Final Environmental Impact Report for the Housing Element Update attached to the Council file.**

## **ITEM NO. (50) - CONTINUED TO AUGUST 15, 2008**

**Roll Call #22 - Motion (Rosendahl - Smith) Adopted to Continue, Unanimous Vote (12);  
Absent: Cardenas, Reyes and Weiss (3)**

### 08-2054

CONSIDERATION MOTION (REYES - ROSENDAHL) relative to amending Sections 601, 602, and 700 of the citywide template for the formation and election procedures for Project Area Committees (PACs) for the Pico Union Redevelopment Project Area No. 1 and the Pico Union Redevelopment Project Area No. 2.

Recommendation for Council action:

AUTHORIZE the Community Redevelopment Agency to amend Sections 601, 602, and 700 of the citywide template for the formation and election procedures for PACs for the Pico Union Redevelopment Project Area No. 1 and Pico Union Redevelopment Project Area No. 2 PACs, to:

- a. State change in membership number.
- b. Change of Business category.
- c. Change the year for the next Pico Union Redevelopment Project Area No. 1 and Pico Union Redevelopment Project Area No.2 PACs election to May, 2011.

(Housing, Community and Economic Development Committee waived consideration of the above matter)

#### **ITEM NO. (51) - ADOPTED**

**Roll Call #2 - Motion (Perry - Wesson) Adopted, Ayes (11); Absent: Cardenas, Hahn, Huizar and Weiss (4)**

[08-2072](#)  
CD 13

CONSIDERATION OF MOTION (GARCETTI - LABONGE) relative to the donation of a video surveillance system for use by the Los Angeles Police Department (LAPD) at the southwest corner of Sunset and Vine.

Recommendations for Council action:

1. ACCEPT the donation from the Central Hollywood Coalition of a video surveillance system (estimated value of \$25,000) comprised of a digital wireless video camera, a repeater, and a monitor, for use by the LAPD at the southwest corner of Sunset and Vine as described in Motion (attached to the Council file).
2. INSTRUCT the LAPD to record the donated equipment on the Department's inventory list, and thank the donor on behalf of the City.

(Public Safety Committee waived consideration of the above matter)

#### **ITEM NO. (52) - ADOPTED**

**Roll Call #20 - Motion (LaBonge - Huizar) Adopted, Ayes (13); Absent: Cardenas and Weiss (2)**

[06-2310](#)  
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:

[06-2310](#)

CD 1

- a. MOTION (REYES - PERRY) relative to declaring the Annual Parish Festival on September 26-28, 2008 a Special Event (fees and costs absorbed by the City = \$5,000).

[08-2102](#)

CD 1

- b. MOTION (REYES - PERRY) relative to declaring the Annual Greek Festival on September 5-7, 2008 a Special Event (fees and costs absorbed by the City = \$6,000).

[08-2095](#)

CD 1

- c. MOTION (REYES - PERRY) relative to declaring the Central American Carnival on September 19-21, 2008 a Special Event (fees and costs absorbed by the City = \$9,000).

[08-2096](#)

CD 1

- d. MOTION (REYES - PERRY) relative to declaring the Sixth Annual Kermes Festival on August 16, 2008 a Special Event (fees and costs absorbed by the City = \$1,700).

[07-2994](#)

CD 1

- e. MOTION (REYES - SMITH) relative to declaring the Budlong Juliet Catalina Resource Fair on September 6, 2008 a Special Event (fees and costs absorbed by the City = \$1,000).

[08-2097](#)

CD 9

- f. MOTION (PERRY - GARCETTI) relative to declaring the funeral services and related activities for Los Angeles County Sheriff's Deputy Juan Abel Escalante on August 8, 2008 a Special Event (fees and costs absorbed by the City = none submitted).

[08-2098](#)

CD 5

- g. MOTION (WEISS - ROSENDAHL) relative to declaring the EA X Games Red Carpet Event on August 7, 2008 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[06-1541](#)

CD 5

- h. MOTION (WEISS - ROSENDAHL) relative to declaring the Esther Avenue Annual Block Party on Sunday, August 31, 2008 a Special Event (fees and costs absorbed by the City = \$1,000).

[08-2099](#)

CD 8

- i. MOTION (PERRY for PARKS - ROSENDAHL) relative to declaring the Happy Eight Day Celebration - Grand Opening and Health Faire on August 8, 2008 a Special Event (fees and costs absorbed by the City = \$1,642).

- j. MOTION (PERRY for PARKS - ROSENDAHL) relative to declaring the Baldwin Hills Estates Homeowners Community Pride Day on August 9, 2008 a Special Event (fees and costs absorbed by the City = \$1,695).

**Roll Call #9 - Motion (Parks - Perry) Adopted, Ayes (14); Absent: Weiss (1)  
(Item Nos. 53-54)**

**ITEM NO. (53) - ADOPTED**

[08-0010-S39](#)

MOTION (PARKS - 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 Herbert Anthony Stevens on September 5, 2007.

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 Herbert Anthony Stevens on September 5, 2007.
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 in the "Our Weekly" and "LA Watts Times", in addition to the regular publications used by the City Clerk for reward notices, to ensure adequate community notice.

**ITEM NO. (54) - ADOPTED**

[08-0010-S38](#)

MOTION (PARKS - 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 Steven Smith on March 5, 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 Steven Smith on March 5, 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 in the "Our Weekly" and "LA Watts Times", in addition to the regular publications used by the City Clerk for reward notices, to ensure adequate community notice.

**ITEM NO. (55) - ADOPTED**

**Roll Call #17 - Motion (Parks - Greuel) Adopted, Ayes (13); Absent: Cardenas and Weiss (2)**

[08-2094](#)

MOTION (GARCETTI - PERRY) relative to parking for the Stand Up for Cancer event.

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

1. AUTHORIZE the operators of the Hollywood and Highland Parking facility (Department of Transportation Lot 745) to waive the validation requirement necessary to receive a \$2 parking rate at the facility for the participants parking at Lot 745 to attend the Stand Up for Cancer event on September 5, 2008 at the Kodak Theatre.
2. APPROPRIATE \$2,400 from the Unappropriated Balance Fund No. 100/58 to the Special Parking Revenue Fund No. 363/94, Revenue Source No. 4130 (HWD/Highland Lot 745) to pay for the parking charges incurred by event participants on September 5, 2008. Said funds to be reimbursed to the General Fund by the Entertainment Industry Foundation.

**ITEM NO. (56) - ADOPTED**

**Roll Call #21 - Motion (Greuel - Huizar) Adopted, Ayes (13); Absent: Cardenas and Weiss (2)**

[08-0011-S34](#)

CD 5

MOTION (WEISS - GREUEL) relative to funding to improve the medians on Ventura Boulevard from Fulton to Van Noord Avenues.

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

1. AUTHORIZE the City Engineer to perform the survey work associated with the Ventura Boulevard from Fulton to Van Noord Avenues project.
2. AUTHORIZE the Controller to TRANSFER \$15,130 from the Council District Five portion of the Street Furniture Revenue Fund No. 43D/50 to the Bureau of Engineering Special Service Fund No. 682/50, Revenue Source No. 4610.
3. AUTHORIZE the Controller, City Engineer, or Chief Legislative Analyst and their designees to make any technical corrections or clarifications to the above fund transfer in order to implement the intent of the Motion.

**Items Called Special**

**Motions for Posting and Referral**

**Councilmembers' Requests for Excuse from Attendance at Council Meetings**

## Closed Sessions - Items 57-62

ITEM NO. (57) - CONTINUED TO AUGUST 15 , 2008

Roll Call #29 - Motion (Parks - Greuel) Adopted to Continue, Unanimous Vote (11); Absent: Cardenas, Reyes, Weiss and President Garcetti (4)

[08-1650](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to an attorney's fees settlement offer in the case entitled City of Santa Monica, et al. v. City of Los Angeles; Playa Capital Company, LLC, Real Party in Interest, Los Angeles Superior Court (LASC) Case No. BS093502 (Consolidated with Ballona Ecosystem Education Project v. City of Los Angeles; Playa Capital Company, LLC, Real Party in Interest, LASC Case No. BS093507).

(Budget and Finance Committee will consider the above matter in Closed Session on August 11, 2008; Planning and Land Use Management Committee waived consideration of the above matter.)

ITEM NO. (58) - MOTION ADOPTED - SEE FOLLOWING

Roll Call #24 - Motion (Parks - Greuel) Adopted, Ayes (12); Absent: Cardenas, Reyes and Weiss (3)

[08-1971](#)

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 Bruce Hunt v. City of Los Angeles, Workers' Compensation Appeals Board Case No. VNO474065; Claim No. 9002-2001-3405. (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 August 4, 2008.)

ADOPTED

**MOTION (PARKS - GREUEL)**

**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 Bruce Hunt v. City of Los Angeles, Workers' Compensation Appeals Board Case No. VNO474065; Claim No. 9002-2001-3405, through a Stipulated Award in the sum of \$112,585.00 plus a life pension of \$94,951.87 at the weekly rate of \$65.71 payable at the conclusion of permanent disability payments.**
- 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. (59) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING**

**Roll Call #30 - Motion (Parks - Greuel) Adopted in Open Session, Ayes (11); Absent: Cardenas, Reyes, Weiss and President Garcetti (4)**

[08-1972](#)

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 Sandy Castle v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC375280. (This case arises from plaintiff's claims of sexual orientation discrimination and harassment.)

(Budget and Finance Committee considered the above matter in Closed Session on August 4, 2008.)

**ADOPTED**

**MOTION (PARKS - GREUEL)**

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

- 1. AUTHORIZE the City Attorney to expend \$100,000 in settlement of the case entitled Sandy Castle v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC375280, from the Liability Claims Account No. 9760, Fund 100, Department 59.**
- 2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to Jay S. Rothman and Associates.**
- 3. APPROVE the terms of the settlement agreement whereby Plaintiff agrees to go on paid administrative leave for one year, at the end of which her resignation tendered at the time of payment of the settlement will become effective. Plaintiff will not seek employment with the City in the future and Plaintiff will instruct her attorneys to dismiss the entire action as to all defendants and causes of action, with prejudice.**
- 4. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, and AUTHORIZE the Controller to implement the instructions.**

**ITEM NO. (60) - MOTION ADOPTED - SEE FOLLOWING**

**Roll Call #25 - Motion (Parks - Greuel) Adopted, Ayes (11); Noes: Zine (1); Absent: Cardenas, Reyes and Weiss (3)**

[08-1973](#)

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 Patricia Frazier, et al. v. City of Los Angeles, et al., United States District Court Case No. CV07-3502 RGK (CWx). (This case arises from an incident involving members of the Los Angeles Police Department that occurred in November 2006.)

(Budget and Finance Committee considered the above matter in Closed Session on August 4, 2008.)

**ADOPTED**

**MOTION (PARKS - GREUEL)**

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

1. **AUTHORIZE the City Attorney to expend \$550,000 in settlement of the case entitled Patricia Frazier, et al. v. City of Los Angeles, et al., United States District Court Case No. CV07-3502 RGK (CWx), from the Liability Claims Account No. 9770, Fund 100, Department 59.**
2. **AUTHORIZE the City Attorney to draw demands thereon, as follows:**
  - a. **\$500,000 payable to Robert Mann and Donald W. Cook, Gary A. Dordick and Patricia Frazier**
  - b. **\$25,000 payable to Robert Mann and Donald W. Cook, Gary A. Dordick and Howard Frazier**
  - c. **\$5,000 payable to Robert Mann and Donald W. Cook, Gary A. Dordick and D.H.F. a minor, through his guardian ad litem Howard Frazier**
  - d. **\$5,000 payable to Robert Mann and Donald W. Cook, Gary A. Dordick and L.F. a minor, through her guardian ad litem Patricia Frazier**
  - e. **\$5,000 payable to Robert Mann and Donald W. Cook, Gary A. Dordick and D.F. a minor, through his guardian ad litem Howard Frazier**
  - f. **\$5,000 payable to Robert Mann and Donald W. Cook, Gary A. Dordick and J.F. a minor, through his guardian ad litem Howard Frazier**
  - g. **\$5,000 payable to Robert Mann and Donald W. Cook, Gary A. Dordick and C.F. a minor, through his guardian ad litem Patricia Frazier**
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.**

**ITEM NO. (61) - MEETING HELD - ACTION TAKEN IN CLOSED SESSION**

[08-2017](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the cases entitled John Hatfield v. City of Los Angeles, et. al., Los Angeles Superior Court Case No. BS099887, United States District Court Case No. CV06-4865 GAF (JWJx). (These cases concern a Los Angeles Police Department officer against the City of Los Angeles and William Bratton, asserting claims for wrongful termination and violation of due process.)

(Budget and Finance Committee considered the above matter in Closed Session on August 4, 2008)

**ITEM NO. (62) - MOTION ADOPTED - SEE FOLLOWING**

**Roll Call #26 - Motion (Parks - Greuel) Adopted, Ayes (11); Noes: Zine (1); Absent: Cardenas, Reyes and Weiss (3)**

[08-2035](#)

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 William Cardenas v. City of Los Angeles, United States District Court Case No. CV07-02197. (Plaintiff alleges a violation of his civil rights by members of the Los Angeles Police Department.)

(Budget and Finance Committee will consider the above matter in Closed Session on August 11, 2008.)

**ADOPTED**

**MOTION (PARKS - GREUEL)**

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

1. **AUTHORIZE the City Attorney to expend \$112,500 in settlement of the case entitled William Cardenas v. City of Los Angeles, United States District Court Case No. CV07-02197, 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 the Law Offices of B. Kwaku Duren Trust Account and William Cardenas.**

**Item for Which Public Hearing Has Been Held - Item 66**

**ITEM NO. (66) - RECEIVED AND FILED**

**Roll Call #4 - Motion (Garcetti - Reyes) Adopted to Receive and File, Ayes (11); Absent: Cardenas, Hahn, Huizar and Weiss (4)**

[08-2077](#)

CD 6

CONTINUED CONSIDERATION OF AN APPEAL filed by Parker Fender/Evergreen Devco, Inc. (Elizabeth Camacho/Irell and Manella, LLP, Representative), from part of the decision of the Zoning Administrator in denying a conditional use to permit the sale of alcoholic beverages for off-site consumption at 15230 West Vanowen Street in Van Nuys.

Recommendation for Council action:

VETO the July 10, 2008 action and July 28, 2008 letter of determination by the South Valley Area Planning Commission (SVAPC) granting an appeal and overturning the Zoning Administrator's denial of Conditional Use Permit and thereby DENY the Conditional Use to permit the sale of a full line of alcoholic beverages for off-site consumption at a 15,360 square foot market within an existing shopping center located at 15230 Vanowen Street.

[On August 5, 2008, pursuant to Charter Section 245, Council adopted Motion (Cardenas - Reyes) asserting jurisdiction over the July 28, 2008, SVAPC's letter of determination related to ZA-2007-5013-CUB-1A]

TIME LIMIT FILE - AUGUST 26, 2008

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

(Continued from Council meeting of August 12, 2008)

**MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR WEDNESDAY, AUGUST 8, 2008, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23**

**ADOPTED - TO THE MAYOR FORTHWITH**

**Roll Call #27 - Motion (Parks - Perry) Findings on Need to Act - Adopted, Ayes (12); Absent: Cardenas, Reyes and Weiss (3)**

**Roll Call #28 - Motion (Parks - Perry) Adopted, Ayes (12); Absent: Cardenas, Reyes and Weiss (3)**

**08-0010-S42**

**MOTION (PARKS - CARDENAS) relative to reward offer for information leading to the identification, apprehension and conviction of the person(s) responsible for the deaths of Shelton Sumerall and Monica Youngblood on December 24, 2007.**

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

- 1. PROVIDE an offer of reward in the amount of \$75,000 for information leading to the identification, apprehension and conviction of the person(s) responsible for the deaths of Shelton Sumerall and Monica Youngblood on December 24, 2007.**
- 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 in the "Our Weekly" and "LA Watts Times", in addition to the regular publications used by the City Clerk for reward notices, to ensure adequate community notice.**

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

**08-2185**

**MOTION (GARCETTI - LABONGE) relative to declaring the IMP Entertainment event on August 15, 2008 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).**

[08-2184](#)

MOTION (GARCETTI - LABONGE) relative to declaring the Friends of El Faro on September 7, 2008 a Special Event (fees and costs absorbed by the City = \$2,524).

[07-2869](#)

MOTION (REYES - GARCETTI) relative to declaring the Festival Cultural on August 30-31, 2008 a Special Event (fees and costs absorbed by the City = \$5,000).

[08-2183](#)

MOTION (ROSENDAHL - LABONGE) relative to declaring the 15 Years Venice Arts Event on October 25, 2008 a Special Event (fees and costs absorbed by the City = \$3,163).

[07-2648-S1](#)

MOTION (ROSENDAHL - LABONGE) relative to declaring the Westlawn Avenue Block Party on August 31, 2008 a Special Event (fees and costs absorbed by the City = \$2,348).

[07-2570-S1](#)

MOTION (SMITH - ROSENDAHL) relative to declaring the 6100 Shoshone Block Party on August 31, 2008 a Special Event (fees and costs absorbed by the City = \$1,642).

[08-2182](#)

MOTION (CARDENAS - GREUEL) relative to declaring the America's Healthcare Heroes event on August 13, 2007 a Special Event (fees and costs absorbed by the City = \$200).

[06-2103-S1](#)

MOTION (HUIZAR - CARDENAS) relative to declaring the East Los Angeles Mexican Independence Day Parade/Festival on September 7, 2008 a Special Event (fees and costs absorbed by the City = \$4,962).

[07-2689-S1](#)

MOTION (HUIZAR - CARDENAS) relative to declaring the Fiestas Patrias California on September 13- 14, 2008 a Special Event (fees and costs absorbed by the City = \$6,752).

[08-2181](#)

MOTION (PERRY - PARKS) relative to declaring the Fall Carnival on November 20-22, 2008 a Special Event (fees and costs absorbed by the City = \$2,500).

[07-2647-S1](#)

MOTION (PERRY - PARKS) relative to declaring the Annual Labor Day Block Party on August 31, 2008 a Special Event (fees and costs absorbed by the City = \$1,670).

[08-2180](#)

MOTION (ALARCON - CARDENAS) relative to declaring the PINOYFEST on September 6-7, 2008 a Special Event (fees and costs absorbed by the City = \$5,700).

[08-2179](#)

MOTION (WESSON - ROSENDAHL) relative to declaring the Grand Opening of Fire Station No. 43 on August 16, 2008 a Special Event (fees and costs absorbed by the City = \$1,642).

[08-2178](#)

MOTION (HAHN - SMITH) relative to declaring the Fourth Annual Fiesta De Las Patrias on September 13-14, 2008 a Special Event (fees and costs absorbed by the City = \$4,731).

[08-2177](#)

MOTION (HAHN - ROSENDAHL) relative to declaring the First Annual Hands Around Locke on September 6, 2008 a Special Event (fees and costs absorbed by the City = \$2,526).

[08-2146](#)

MOTION (HUIZAR - ALARCON) relative to declaring the El Dia Internacional de la Familia on August 17, 2008 a Special Event (fees and costs absorbed by the City = \$1,430).

[07-2484-S1](#)

MOTION (ROSENDAHL - GARCETTI) relative to declaring the South Regis Way Block Party on August 23, 2008 a Special Event (fees and costs absorbed by the City = \$3,218).

**COMMENDATORY RESOLUTION ADOPTED IN HONOR OF:**

[08-1752](#) - National Recovery Month

(Zine)

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

[08-1753](#) - Bill Gwatney

(Alarcon - All Councilmembers)

Fred Anderson

(Greuel - All Councilmembers)

Michael and Nicolette Stambolis

(Smith)

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

**Whereupon the Council did adjourn.**

ATTEST: Karen E. Kalfayan, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL