

Los Angeles City Council, **Journal/Council Proceedings**  
Tuesday, **October 14, 2008**  
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

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

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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PUBLIC TESTIMONY ON NON-AGENDA ITEMS AT THE CALL OF THE CHAIR -  
An opportunity for public testimony was provided.

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ROLL CALL NUMBER (#) - INDICATES THE ORDER IN WHICH THE ITEMS WERE ACTED  
UPON DURING THE COUNCIL MEETING

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## **Items Noticed for Public Hearing - Items 1-6**

**ITEM NO. (1) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED  
ON NOVEMBER 4, 2008**

**Roll Call #1 - Motion (Zine - Wesson) Adopted to Continue, Unanimous Vote (10); Absent: Alarcon,  
Greuel, Parks, Rosendahl and Smith (5)**

[08-2042](#)

CD 3

HEARING PROTESTS against the proposed improvement and maintenance of the Victory Boulevard and Blemar Avenue Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Victory Boulevard and Blemar Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on August 12, 2008 - Continue hearing and present Ordinance on NOVEMBER 4, 2008 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**Roll Call #4 - Motion (Rosendahl - Wesson) Adopted, Ayes (12); Absent: Alarcon, Greuel and Smith (3)  
(Item Nos. 2-3)**

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

[07-1106](#)

CD 7

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Glenoaks Boulevard and Tyler Street (Reballot) Lighting District.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held September 23, 2008)

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

[08-1635](#)

CD 2

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

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held September 23, 2008)

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

**Roll Call #5 - Motion (Parks - Cardenas) Adopted, Ayes (12); Absent: Alarcon, Greuel and Smith (3)**

[08-1636](#)

CD 9

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Mid City Exposition LRT 18th Street to 23rd Street Lighting District.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held September 23, 2008)

**Roll Call #4 - Motion (Rosendahl - Wesson) Adopted, Ayes (12); Absent: Alarcon, Greuel and Smith (3)  
(Item Nos. 5-6)**

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

[08-1633](#)

CD 12

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

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

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the assessment cannot be enacted.
2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).
3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

(Public Hearing held September 23, 2008)

**ITEM NO. (6) - PUBLIC HEARING CLOSED - ORDINANCE ADOPTED**

[08-1634](#)

CD 5

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

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

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the assessment cannot be enacted.
2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).
3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

(Public Hearing held September 23, 2008)

**Items for Which Public Hearings Have Been Held - Items 7-8**

**ITEM NO. (7) - CONTINUED TO OCTOBER 15, 2008**

**Roll Call #8 - Motion (Weiss - Reyes) Adopted to Continue, as Amended, Unanimous Vote (13);  
Absent: Alarcon and Smith (2)**

[08-0959](#)

CD 5

CONTINUED CONSIDERATION OF PUBLIC ANNOUNCEMENT OF BALLOT TABULATION and ORDINANCE FIRST CONSIDERATION relative to establishment of the Century City 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 the accompanying ORDINANCE establishing the Century City 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 are no City properties in the BID and there will be no effect on the General Fund. (Pursuant to Council action on July 29, 2008 and adoption of Ordinance No. 179932 on June 4, 2008)

(Continued from Council meeting of October 8, 2008)

## CONTINUED

### AMENDING MOTION (WEISS - ROSENDAHL)

#### Recommendations for Council action:

1. **AUTHORIZE** the City Clerk to make technical corrections to the Management District Plan, including but not limited to correcting the boundary lines of the map in Attachment B to reflect the boundaries mentioned in the Management District Plan.
2. **AMEND** the Century City Business Improvement District (BID) to remove the lot with APN 4319-004-139 from the BID boundaries, pursuant to Section 36624 of the California Streets and Highways Code, for the following reasons: the fenced-in residential condominium development that lies at the northeast corner of Century Park West and Olympic Boulevard, together with the vacant parcel to its immediate north, (Identified as APN 4319-004-139), are not included within the PBID boundary. These properties are excluded because the PBID will not provide any services to the fenced in condo development or the integrated parcel to the north, which will be kept as fenced open space for the benefit of the residents of the residential condominium development to the south, and therefore will not receive any special benefit from the services provided.
3. **AMEND** the start date of the Century City BID to January 1, 2009 in accordance with the 2009 fiscal year budget, as currently reflected in the Management District Plan.
4. **BASE** the assessments, should the Century City BID cease to perform maintenance services, and the City levies assessments for the on-going maintenance of the Avenue of the Stars median strip, on the proportional benefit to each property owner, as set forth in the California Streets and Highways Code, Article 13 D of the California Constitution, and any other applicable law.

## ITEM NO. (8) - ADOPTED

Roll Call #2 - Motion (Huizar - LaBonge) Adopted, Ayes (10); Absent: Alarcon, Greuel, Parks, Rosendahl and Smith (5)

[08-2390](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to a refund claim filed by Modular Space Corporation (MSC) for overpayment of business tax.

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

APPROVE the refund claim filed by MSC for overpayment of business tax in the amount of \$124,961 plus daily interest of \$78.69 from the date MSC filed the claim until the refund is paid.

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

Community Impact Statement: None submitted.

## **Items for Which Public Hearings Have Not Been Held - Items 9-14**

(10 Votes Required for Consideration)

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

**Roll Call #3 - Motion (Wesson - Reyes) Adopted, Ayes (10); Absent: Alarcon, Greuel, Parks, Rosendahl and Smith (5)  
(Item Nos. 9a-9e)**

#### 08-0005-S638

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 October 6, 2008:

#### 08-0005-S638

CD 9

- a. Property at 320 East 79th Street (Case No. 41341).  
Assessor I.D. No. 6030-019-028

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

#### 08-0005-S639

CD 9

- b. Property at 356 East 68th Street (Case No. 181692).  
Assessor I.D. No. 6011-011-014

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 23, 2008)

[08-0005-S640](#)

CD 10

- c. Property at 4527 West Pickford Street (Case No. 137814).  
Assessor I.D. No. 5071-024-034

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 30, 2008)

[08-0005-S641](#)

CD 10

- d. Property at 1375 South Keniston Avenue (Case No. 156139).  
Assessor I.D. No. 5083-023-005

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 3, 2008)

[08-0005-S642](#)

CD 13

- e. Property at 639 North Robinson Street (Case No. 145703).  
Assessor I.D. No. 5401-015-010

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 6, 2008)

**ITEM NO. (10) - REFERRED TO BUDGET AND FINANCE COMMITTEE**

**Roll Call #6 - Motion (Huizar - Cardenas) Adopted to Refer, Unanimous Vote (13); Absent: Alarcon and Smith (2)**

[08-1863](#)

COMMUNICATION FROM CHAIR, INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE relative to the Department of General Services (GSD) efforts to deal with higher gasoline prices and potential impacts to the City Budget.

Recommendation for Council action:

NOTE and FILE the September 23, 2008 GSD report, as initiated by Motion (Huizar - Cardenas), relative to the GSD's efforts to deal with higher gasoline prices and potential impacts to the City Budget, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

**ITEM NO. (11) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION**

**Roll Call #7 - Motion (Cardenas - Rosendahl) Adopted, Ayes (13); Absent: Alarcon and Smith (2)**

[08-2591](#)

COMMUNICATION FROM CHAIR, INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE relative to a proposed Fourth Amendment to Contract No. C-108757 with the Los Angeles Cable Television Access Corporation (LACTAC) to provide Citywide public access and educational programming on Channel 36.

Recommendation for Council action:

APPROVE and AUTHORIZE the General Manager, Information Technology Agency, to execute the Fourth Amendment to Contract No. C-108757 with LACTAC in the form of a supplemental agreement, to extend the term by one year to four years until June 30, 2009, and to increase the maximum allowable compensation by \$605,000 to \$2,345,000, subject to the LACTAC's compliance with all applicable City contracting requirements, subject to the approval of the City Attorney as to form.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that funding for the Fourth Amendment to Contract No. C-108757 totaling \$605,000 is included in the Telecommunications Liquidated Damages and Lost Franchise Fee Fund- Telecommunications Development Account, Fund 342, Account 012E. There is no additional impact on the General Fund. The recommendation stated in the September 15, 2008 CAO report and detailed above in Recommendation No. 1 is in compliance with the City Financial Policies I that one-time revenues will be used to support one-time expenditures.

Community Impact Statement: None submitted.

**ITEM NO. (12) - ADOPTED - SEE FOLLOWING**

**Roll Call #9 - Motion (Huizar - LaBonge) Adopted, Ayes (13); Absent: Alarcon and Smith (2)  
(Item Nos. 12a-12p)**

[08-2707](#)

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

Recommendations for Council action:

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

[08-2707](#)

CD 9

- a. MOTION (PERRY - REYES) relative to declaring the Jazzmopolitan on October 11, 2008 a Special Event (fees and costs absorbed by the City = \$500).



[07-0601-S1](#)

CD 9

- b. MOTION (PERRY - REYES) relative to declaring the Cherry Blossom Festival Southern California on April 4-5, 2009 a Special Event (fees and costs absorbed by the City = \$5,000).

**ADOPTED SUBSTITUTE MOTION (REYES - PERRY)**

**CHANGED IN THE BODY OF THE MOTION THE STREET CLOSURE FROM SATURDAY, OCTOBER 11 AT 4:00 A.M. TO FRIDAY, OCTOBER 10 AT 3:00 P.M.**

[08-2708](#)

CD 1

- c. MOTION (REYES - PERRY) relative to declaring the Young Nak Presbyterian Church Sharing Festival 2008 on October 11-12, 2008 a Special Event (fees and costs absorbed by the City = \$3,500).

[08-2709](#)

CD 1

- d. MOTION (REYES - PERRY) relative to declaring the Bi-National Health Week on October 18, 2008 a Special Event (fees and costs absorbed by the City = \$4,000).

[08-2710](#)

CD 13

- e. MOTION (GARCETTI - LABONGE) relative to declaring the Blessed Sacrament Carnival on October 17-19, 2008 a Special Event (fees and costs absorbed by the City = \$5,223).

[08-2711](#)

CD 13

- f. MOTION (GARCETTI - LABONGE) relative to declaring the YMI Jeans event on October 6, 2008 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[08-2712](#)

CD 6

- g. MOTION (CARDENAS - SMITH) relative to declaring the Our Lady of Holy Rosary Church and School Annual Community Fiesta and Carnival on October 9-12, 2008 a Special Event (fees and costs absorbed by the City = \$8,717).

[08-2713](#)

CD 6

- h. MOTION (CARDENAS - SMITH) relative to declaring the Community Clean up on October 4, 2008 a Special Event (fees and costs absorbed by the City = \$1,500).

[08-2714](#)

CD 11

- i. MOTION (ROSENDAHL - HAHN) relative to declaring the Brent Lovrien Memorial Plaque Dedication on October 11, 2008 a Special Event (fees and costs absorbed by the City = \$1,413).

[06-2385-S1](#)

CD 11

- j. MOTION (ROSENDAHL - HAHN) relative to declaring the Annual Bonhill Road Block Party on October 18, 2008 a Special Event (fees and costs absorbed by the City = \$1,642).

[08-2715](#)

CD 5

- k. MOTION (WEISS - ROSENDAHL) relative to declaring the Torah Procession on October 5, 2008 a Special Event (fees and costs absorbed by the City = \$2,510).

[08-2716](#)

CD 8

- l. MOTION (HUIZAR for PARKS - PERRY) relative to declaring the Irishfest on November 29, 2008 a Special Event (fees and costs absorbed by the City = \$5,000).

[08-2717](#)

CD 10

- m. MOTION (WESSON - SMITH) relative to declaring the Wilshire Vista Halloween Haunt on October 25, 2008 a Special Event (fees and costs absorbed by the City = \$1,642).

[06-1195-S1](#)

CD 5

- n. MOTION (WEISS - CARDENAS) relative to declaring the 18th Annual Sherman Oaks Street Fair on October 19, 2008 a Special Event (fees and costs absorbed by the City = \$3,802).

[08-2718](#)

CD 5

- o. MOTION (WEISS - ROSENDAHL) relative to declaring the AIDS Walk Los Angeles on October 19, 2008 a Special Event (fees and costs absorbed by the City = \$22,652).

[07-2969-S1](#)

CD 5

- p. MOTION (WEISS - ROSENDAHL) relative to declaring the Sukkot holiday beginning Monday, October 13 through Wednesday, October 22, 2008 a Special Event (fees and costs absorbed by the City = \$1,285).

**ITEM NO. (13) - ADOPTED**

**Roll Call #3 - Motion (Wesson - Reyes) Adopted, Ayes (10); Absent: Alarcon, Greuel, Parks, Rosendahl and Smith (5)**

[08-2084-S1](#)

CD 9

MOTION (PERRY - SMITH) relative to amending Council action in connection with Special Event declaration for the Holy Cross Church's "Holy Cross Festival."

Recommendations for Council action:

1. AMEND the Special Event Declaration in connection with the Holy Cross Church's "Holy Cross Festival" to change the start time of the street closure to October 17, 2008 at 11:00 am.
2. AUTHORIZE the Chief Legislative Analyst, or designee, to make technical corrections or clarifications as may be necessary to implement the intent of the Motion.

**ITEM NO. (14) - MAP AND BOND APPROVED - CITY ENGINEER REPORT ADOPTED**

**Roll Call #10 - Motion (LaBonge - Cardenas) Adopted, Ayes (13); Absent: Alarcon and Smith (2)**

[08-2637](#)

CD 9

FINAL MAP OF TRACT NO. 64560 for property located at 1016 West Leighton Avenue lying southerly of Leighton Avenue and westerly of Vermont Avenue.

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

(ADOPT City Engineer Report)

(ADOPT Bond No. C-114413)

(Quimby Fee: \$35,696)

Applicants: Enterprise Home Ownership Partners  
Christopher C. Chan

**MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR TUESDAY, OCTOBER 14, 2008, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23**

**ADOPTED - FORTHWITH**

**Roll Call #11 - Motion (Parks - Wesson) Findings on Need to Act - Adopted, Ayes (13); Absent: Alarcon and Smith (2)**

**Roll Call #12 - Motion (Parks - Wesson) Adopted, Ayes (13); Absent: Alarcon and Smith (2)**

[08-1794-S2](#)

**MOTION (PARKS - WESSON) relative to directing the Environmental Affairs Department to attend and present both a verbal and written report to the County of Los Angeles hearing before the Board of Supervisors on October 21, 2008.**

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

**DIRECT the Environmental Affairs Department, in coordination with all related State departments, to attend and present both a verbal and written report to the County of Los Angeles hearing before the Board of Supervisors on October 21, 2008 relative to the matter of the PXP Oilfields in the Baldwin Hills/Ladera area and the final review of the Community Standards District report in order to ensure that the City's position is fully presented.**

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

[08-2783](#)

MOTION (LABONGE - HAHN) relative to declaring the Vanity Fair event on October 21, 2008 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[08-2784](#)

MOTION (LABONGE - HAHN) relative to declaring the South Lucerne Boulevard Block Party on November 9, 2008 a Special Event (fees and costs absorbed by the City = \$1,226).

[08-2785](#)

MOTION (PERRY - REYES) relative to declaring the Family Fall Festival on October 25, 2008 a Special Event (fees and costs absorbed by the City = \$1,226).

[08-2325](#)

MOTION (LABONGE - HAHN) relative to Council action in connection with personal services contract for Council District Four.

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

Upon his request and without objections, Councilmember Parks was excused from Council Session of Wednesday, October 22, 2008 due to City Business.

Upon his request and without objections, Councilmember Cardenas was excused to leave at 1 p.m. from Council Session of Tuesday, October 28, 2008 due to City Business.

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

[08-2604](#) - Dorothy Green

Rosendahl - LaBonge - Reyes - Perry - All Councilmembers

John Robert McGraham

LaBonge - All Councilmembers

Carmen Rocha

Wesson

Amelia Cepin Machingo

Zine

Jessie Bujanda

Rosendahl

**Ayes, Cardenas, Greuel, Hahn, Huizar, LaBonge, Parks, Perry, Reyes, Rosendahl, Weiss, Wesson, Zine and President Garcetti (13); Absent: Alarcon and Smith (2).**

**Whereupon the Council did adjourn.**

ATTEST: Karen E. Kalfayan, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL