

Los Angeles City Council, **Journal/Council Proceedings**  
Wednesday, **October 29, 2008**  
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
OCTOBER 24, 2008

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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

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

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

**ITEM NO. (1) - CONTINUED TO NOVEMBER 19, 2008**

**Roll Call #1 - Motion (Hahn - Reyes) Adopted to Continue, Unanimous Vote (11); Absent: Greuel, Huizar, Parks and Weiss (4)**

[08-1681](#)

CD 15

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings, and cleaning and fencing of the lot at 10334-44 1/2 South Juniper Street. (Lien: \$15,232.22)

**Roll Call #2 - Motion (Perry - Alarcon) Adopted to Receive and File, Ayes (11); Absent: Greuel, Huizar, Parks and Weiss (4)  
(Item Nos. 2-4)**

**ITEM NO. (2) - RECEIVED AND FILED INASMUCH AS THE LIEN HAS BEEN PAID**

[08-1682](#)

CD 8

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings, and cleaning and fencing of the lot at 234 East 99th Street. (Lien: \$8,215.23)

**ITEM NO. (3) - RECEIVED AND FILED INASMUCH AS THE LIEN HAS BEEN PAID**

[08-1683](#)

CD 9

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings, cleaning and fencing of the lot, and graffiti abatement at 114 East 82nd Street. (Lien: \$11,655.53)

**ITEM NO. (4) - RECEIVED AND FILED INASMUCH AS THE LIEN HAS BEEN PAID**

[08-1990](#)

CD 7

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings, fencing of the lot, and graffiti abatement at 13070 West Beaver Street. (Lien: \$7,602.18)

**Roll Call #3 - Motion (LaBonge - Hahn) Adopted, Ayes (11); Absent: Greuel, Huizar, Parks and Weiss (4)  
(Item Nos. 5-6)**

**ITEM NO. (5) - PUBLIC HEARING CLOSED - NO APPEALS - LIEN CONFIRMED**

[08-2001](#)

CD 14

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of cleaning of the lot at 364 North Crane Boulevard. (Lien: \$651.00)

**ITEM NO. (6) - PUBLIC HEARING CLOSED - NO APPEALS - LIEN CONFIRMED**

[08-2002](#)

CD 3

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings, cleaning and fencing of the lot, and graffiti abatement at 20748 West Enadia Way. (Lien: \$16,054.80)

**Roll Call #12 - Motion (Alarcon - Reyes) Adopted, Ayes (13); Absent: Greuel and Parks (2)  
(Item Nos. 7-11)**

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

[08-1820](#)

CD 7

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Filmore Street and Glenoaks Boulevard 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 October 8, 2008)

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

[08-1885](#)

CD 9

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Adams Boulevard and Compton 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 October 8, 2008)

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

[08-1890](#)

CD 10

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Washington Boulevard and Third 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 October 8, 2008)

**ITEM NO. (10) - ADOPTED**

[08-1891](#)

CD 1

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Washington Boulevard and Budlong 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 October 8, 2008)

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

[08-1889](#)

CD 3

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Ventura Boulevard and Paralta 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 October 8, 2008)

## Items for Which Public Hearings Have Been Held - Items 12-39

Roll Call #12 - Motion (Alarcon - Reyes) Adopted, Ayes (13); Absent: Greuel and Parks (2)  
(Item Nos. 12-13)

### ITEM NO. (12) - ADOPTED - TO THE MAYOR FORTHWITH

#### 08-1441-S2

PERSONNEL COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to the amendment of Ordinance No. 179994 to provide cost-of-living salary adjustments for the classes of Chief of Police, General Manager, Harbor Department, General Manager, Airports, General Manager, Los Angeles City Employees Retirement System (LACERS), General Manager, Department of Fire and Police Pensions (FPPS), General Manager, Los Angeles Department of Water and Power (LADWP) and Council Aide I through VI.

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

1. PRESENT and ADOPT the accompanying ORDINANCE amending Ordinance No. 179994 (Salary Increase Recommendations for Non-Represented City Employees for Fiscal Years 2007-08 through 2008-09) to:
  - a. Implement salary adjustments of two percent effective July 1, 2007; two percent effective January 1, 2008; and three percent effective July 1, 2008 for persons employed as of the above listed effective dates in the following classes: Chief of Police, General Manager, Harbor Department, General Manager, Airports, General Manager, LACERS, General Manager, FPPS, and General Manager, LADWP.
  - b. Implement salary adjustments of two percent effective January 1, 2008 and three percent effective July 1, 2008 for the class of Council Aide, pay grades I through VI.
2. AUTHORIZE the City Administrative Officer (CAO) and the Controller to correct any clerical errors, or if approved by the City Attorney, any technical errors in the Ordinance.

Fiscal Impact Statement: The CAO reports that the 2008-09 General Fund impact is \$22,000 for the Chief of Police salary adjustment and approximately \$390,000 for the salary adjustments for the Council Aides. The increases will be absorbed by the Police Department and the respective Council Offices.

Community Impact Statement: None submitted.

(Budget and Finance Committee waived consideration of the above matter)

### ITEM NO. (13) - ADOPTED

#### 08-1200

ADMINISTRATIVE EXEMPTION, TRADE, COMMERCE AND TOURISM COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending Port of Los Angeles Tariff No. 4, Section 2, Item 220, Penalties for Violation, to add language and items for misdemeanors and infractions to the Tariff.

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

1. FIND that Permanent Order No. 08-6965 amending the Port's tariff to make penalties for tariff violations consistent with the Los Angeles Municipal Code is exempt from the requirements of the California Environmental Quality (CEQA) in accordance with Article II, Section 2(f), of the City's CEQA Guidelines.
2. CONCUR with the Board of Harbor Commissioners action taken June 19, 2008, approving Permanent Board Order No. 08-6965 amending the Port of Los Angeles Tariff No. 4, Section 2, Item 220, Penalties for Violation, to revise the penalties for violations.
3. PRESENT and ADOPT the accompanying ORDINANCE dated June 11, 2008, approving Permanent Board Order No. 08-6965 amending the Port of Los Angeles Tariff No. 4, Section 2, Item 220, Penalties for Violation, to add language and items for misdemeanors and infractions to the Tariff.
4. NOTE and FILE the Harbor Department report to the Trade, Commerce, and Tourism Committee dated October 1, 2008 relative to proposed amendment of Port of Los Angeles Tariff No. 4 to incorporate penalties for violations to the Tariff.
5. NOT PRESENT and ORDER FILED ordinance dated November 30, 2007, approving Permanent Board Order No. 08-6940 regarding Tariff misdemeanors and infractions.

Fiscal Impact Statement: The Board of Harbor Commissioners reports that this action will amend Tariff No.4, Section 2, Item No. 220, Penalties for Violation. The Board reports that the Port Police have written 484 Tariff citations this year. If one half of these violations could have been adjudicated out of court, 242 court cases could have been avoided. If each of these cases requires an average of two hours to adjudicate, the City of Los Angeles would save almost \$500,000 in court costs, the Port Police would save thousands of dollars in personnel costs and the courts and citation recipients can save hundreds of hours of time. According to the Board, penalties for violation may be up to \$1,000 for each occurrence of the violation. Although the revenue generated from citations are allocated to the City's General Fund the Port will receive the savings of officer time that would occur if they were required to appear in Court.

Community Impact Statement: None submitted.

**Roll Call #5 - Motion (Wesson - Zine) Adopted, Ayes (11); Absent: Greuel, Huizar, Parks and Weiss (4)  
(Item Nos. 14-24)**

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

[08-0600-S20](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the current status of the City's 2008-09 Liability Claims Accounts.

Recommendations for Council action, as initiated by Motion (Greuel - Parks):

1. REQUEST the City Attorney and INSTRUCT the City Administrative Officer (CAO) to report to the next meeting of the Budget and Finance Committee on the current status of the City's 2008-09 Liability Claims Accounts, details on the City's potential liability exposure and the City Attorney's expenditure plans for the remainder of the fiscal year, and include a discussion of efforts to minimize the City's exposure.
2. NOTE and FILE the CAO's status report relative to liability claims and the Attorney Conflict Panel, inasmuch as the report is a confidential report submitted for information only and no further Council action is necessary.
3. INSTRUCT the CAO to:
  - a. Create a report that provides information relative to the status of Conflict Panel cases, similar to that provided by the City Attorney for pending litigation and liability claims accounts;
  - b. Take into account, during the Budget process, potential impacts on the City Attorney liability accounts 9770 and 9760, as it relates to CAO Conflict Panel cases that are in the process of being litigated or settled.

Fiscal Impact Statement: Neither the CAO 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. (15) - ADOPTED

### 08-0600-S22

BUDGET AND FINANCE COMMITTEE REPORT relative to the City Administrative Officer (CAO) and the Chief Legislative Analyst (CLA) recommendations for the best use of the \$19.87 million in the Unappropriated Balance designated by the Joint Labor Management Committee (JLMC) for avoiding the implementation of the mandatory furlough program.

Recommendation for Council action, pursuant to Motion (Greuel - Huizar):

INSTRUCT the CAO and the CLA to report with recommendations relative to the overall and coordinated best use the \$19.87 million in the Unappropriated Balance designated by the JLMC for avoiding the implementation of the mandatory furlough program.

Fiscal Impact Statement: Neither the CAO nor the CLA has completed a financial analysis of this report.

Community Impact Statement: None submitted.

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

08-0600-S26

BUDGET AND FINANCE COMMITTEE REPORT relative to the Attorney Conflicts Panel Status Report.

Recommendation for Council action:

NOTE and FILE the City Administrative Officer report relative to the Attorney Conflicts Panel Status Report.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

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

**ITEM NO. (17) - ADOPTED**

06-0626

ENERGY AND ENVIRONMENT COMMITTEE REPORT and RESOLUTION relative to authority to accept funding from the California Integrated Waste Management Board (CIWMB) to maintain local used oil and used oil filter collection and recycling programs for Fiscal Year 2008-09.

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

1. AUTHORIZE the Director of the Bureau of Sanitation (BOS), or designee, to accept the grant funds from the CIWMB, to conduct all negotiations, to provide additional information, and to execute and submit all documents, including, but not limited to, agreements and amendments, subject to the approval of the City Attorney as to form and legality, which may be necessary to secure funding with respect to the Used Oil Block Grant for Fiscal Year 2008-09.
2. ADOPT the accompanying RESOLUTION, approving the acceptance of grant funding estimated at \$1,024,295 (exact amount to be determined by the CIWMB at a later date) and appointing the Director of the BOS, or designee, to conduct all negotiations and to execute and submit all documents necessary to accept grant funding for maintaining a used oil and used oil filter collection and recycling program.

Fiscal Impact Statement: The Board of Public Works reports that the receipt of grant funds will maintain the existing used oil and used oil filter collection and recycling program. Failure to accept the funds in the approximate amount of \$1,024,295 from CIWMB will eliminate the funding available to the City of Los Angeles to conduct its used oil and used oil filters collection program and will negatively impact the General Fund as the City will need to continue the program.

Community Impact Statement: None submitted.



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

06-0626-S1

ENERGY AND ENVIRONMENT COMMITTEE REPORT and RESOLUTION relative to an application to the California Integrated Waste Management Board (CIWMB) for the Used Oil Recycling Grant for Fiscal Years 2009-10, 2010-11, and 2011-12.

Recommendations for Council action:

1. AUTHORIZE the Director of the Bureau of Sanitation (BOS), or designee, to submit applications to the CIWMB for the Used Oil Recycling Block Grants for Fiscal Year 2009-10 only.
2. DIRECT the BOS to obtain Council approval, on an annual basis, to submit applications to the CIWMB for the Used Oil Recycling Block Grants for Fiscal Years 2010-11 and 2011-12.
3. ADOPT the accompanying RESOLUTION, with the amendment that the BOS is authorized to submit applications for Used Oil Recycling Block Grants for Fiscal Year 2009-10 only, and if awarded the grants to obtain Council approval for the receipt of the funds and authorization to negotiate and execute grant agreements.

Fiscal Impact Statement: The Board of Public Works reports that the submittal of applications for grant funds will support the continuation of the existing used oil and used oil filter collection program. Failure to request the funds from the CIWMB will eliminate the funding available to the City of Los Angeles to conduct its used oil and used oil filters collection program. There is no fiscal impact on the General Fund, as the General Fund does not fund this program.

Community Impact Statement: None submitted.

**ITEM NO. (19) - ADOPTED**

08-0486

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to executing a Contract with AmeriNational Community Services, Inc. (AmeriNational), to service the Los Angeles Housing Department (LAHD) amortizing loan portfolio.

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

1. APPROVE the results of the Request for Proposals (RFP) for Loan Servicing, as conducted by the LAHD.
2. AUTHORIZE the General Manager, LAHD, or designee, to:
  - a. Negotiate and execute a contract with AmeriNational for an amount not to exceed \$312,500, to manage the LAHD's amortizing loan portfolio for one year, effective from November 1, 2008 through October 31, 2009, with two one-year renewal options, in substantial conformance with the Professional Services Agreement (attached to the LAHD transmittal dated September 11, 2008) and subject to the availability of future funding, contractor performance, and the review of the City Attorney as to form and legality.

- b. Prepare Controller instructions and make any technical adjustments as needed and consistent with the actions pertaining to these actions, subject to the approval of the City Administrative Officer (CAO), and authorize the Controller to implement the instructions.

3. AUTHORIZE the Controller to:

- a. Establish a new account within Fund No. 815/43, Municipal Housing Finance Fund (MHFF), as follows:

<u>Account</u>	<u>Title</u>
E220	Loan Servicing - AmeriNational

- b. Transfer appropriations within Fund No. 815/43, MHFF, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
C005	Acquisition, Rehab & Construction Dev Loan	\$185,390.29
E005	Acquisition, Rehab & Construction Dev Loan	<u>126,909.71</u>
	Total	\$312,500.00
To: E220	Loan Servicing - AmeriNational	\$312,500.00

- c. Expend funds not to exceed \$312,500 from Fund No. 815/43, MHFF, Account No. E220, Loan Servicing-AmeriNational, upon proper written demand of the General Manager, LAHD, or designee.

Fiscal Impact Statement: The CAO reports that there is no impact to the General Fund. Approval of the recommendations would authorize the LAHD to negotiate and execute a contract with AmeriNational for an amount not to exceed \$312,500 for loan services to manage LAHD's amortizing loan portfolio. The recommendations are in compliance with City Financial Policies in that the full cost of these services will be paid through available MHFFs. Any subsequent contract extensions will be contingent on the identification of continuation funding.

Community Impact Statement: None submitted.

**ITEM NO. (20) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS - SEE FOLLOWING**

[08-0499](#)

COMMUNICATION FROM THE COMMUNITY REDEVELOPMENT AGENCY (CRA) and RESOLUTION relative to a Project Labor Agreement with the Los Angeles/Orange County Building Trades Council and amending the CRA's Construction Careers and Project Stabilization Policy.

(Housing, Community and Economic Development 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 Housing, Community and Economic Development Committee at 213-978-1080.)

**ADOPTED**

**HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to a Project Labor Agreement (PLA) with the Los Angeles/Orange County Building Trades Council and amending the Community Redevelopment Agency's (CRA's) Construction Careers and Project Stabilization Policy.**

**Recommendations for Council action:**

- 1. ADOPT the accompanying RESOLUTION (Exhibit B attached to the Chief Legislative Analyst (CLA) report dated October 28, 2008) amending the CRA's Construction Careers and Project Stabilization Policy.**
- 2. AUTHORIZE the Chief Executive Officer, CRA, or designee, to execute the PLA with the Los Angeles/Orange County Building Trades Council (Exhibit A attached to the CLA report dated October 28, 2008), subject to the review of the City Attorney as to form and legality.**
- 3. INSTRUCT the CRA to:**
  - a. Continue discussions with the Southwest Regional Council of Carpenters on a PLA.**
  - b. Report to Council annually on each project that will be covered by the PLA with local hire results.**
- 4. INSTRUCT the Workforce Investment Board to:**
  - a. Work with the CRA, as well as other departments doing local hiring, to develop an Access Plan in different parts of the City for new entrants to the construction field.**
  - b. Report to Council in 90 days relative to the status of the aforementioned Access Plan.**

**Fiscal Impact Statement: The CLA reports that there is no impact to the General Fund.**

**Community Impact Statement: None submitted.**

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

[08-2663](#)

CDs 1 & 10

**HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982 (TEFRA) RESOLUTION and PUBLIC HEARING MINUTES relative to the Leeward Plaza and Taylor Terrace Apartment Projects.**

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

1. ADOPT the accompanying TEFRA RESOLUTION and Public Hearing Minutes (attached to the Los Angeles Housing Department (LAHD) report dated September 26, 2008) for the Leeward Plaza Project located at 2929-51 Leeward Avenue (Council District 10) and the Taylor Terrace Project located at 2307 West Sixth Street (Council District 1), as required pursuant to the TEFRA.
2. INSTRUCT the General Manager, LAHD, or designee, to submit for Mayor and Council approval the final finance structure of the bonds for each project prior to issuance of bonds.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the General Fund. The recommendations above involve the adoption of the TEFRA Resolution and the results of a Public Hearing to benefit the Leeward Plaza Project in Council District 10 and the Taylor Terrace Project in Council District 1. The City's Debt Management Policy is not applicable to these actions since no financial commitments are being made at this time for the two housing projects.

Community Impact Statement: None submitted.

**ITEM NO. (22) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS - SEE FOLLOWING**

[07-2825](#)

COMMUNICATION FROM THE MAYOR relative to the exemption of one position of Assistant General Manager, pursuant to Charter Section 1001(b)(1), for the Information Technology Agency.

(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, please contact the Legislative Assistant for the Personnel Committee at 213-978-1078.)

TIME LIMIT FILE - OCTOBER 31, 2008

(LAST DAY FOR COUNCIL ACTION - OCTOBER 31, 2008)

**ADOPTED**

**PERSONNEL COMMITTEE REPORT** relative to the exemption of one Assistant General Manager position in the Information Technology Agency (ITA) from the Civil Service provisions of the City Charter.

**Recommendation for Council action:**

**APPROVE** the exemption of one Assistant General Manager position in the ITA from the Civil Service provisions of the City Charter, pursuant to Charter Section 1001(b) (1).

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

**Community Impact Statement:** None submitted.

**TIME LIMIT FILE - OCTOBER 31, 2008**

**(LAST DAY FOR COUNCIL ACTION - OCTOBER 31, 2008)**

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

[06-2732](#)

PUBLIC SAFETY COMMITTEE REPORT relative to amending the contract with HOK in association with Tetra Design for architectural design consulting services related to the Los Angeles Police Department's Metropolitan Detention Center project.

Recommendations for Council action:

1. APPROVE the proposed amendment to Contract No. C-105541 with HOK in association with Tetra Design, to increase compensation by \$63,000 from \$5,077,806 to a maximum not-to-exceed compensation total of \$5,140,806 for architectural and engineering design services for the Metropolitan Detention Center project, subject to the approval of the City Attorney as to form and legality.
2. AUTHORIZE the President, Board of Public Works, to execute the second amendment to Contract No. C-105541 with HOK in association with Tetra Design.

**Fiscal Impact Statement:** The City Administrative Officer reports that this action is in compliance with the City financial policies and will not impact the General Fund. The Metropolitan Detention Center project is part of the Proposition Q - Citywide Public Safety Facilities Bond Program. The proposed Second Amendment increases the contract ceiling by \$63,000, from \$5,077,806 to \$5,140,806, and will be funded from proceeds of Proposition Q bonds. Once completed, the opening of the Metropolitan Detention Center may have an impact on the General Fund with regard to the funding of its operation and maintenance. The proposed amendment is not expected to result in an increase of these operating and maintenance costs.

**Community Impact Statement:** None submitted.

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

[08-0600-S24](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the Los Angeles Police Department's (LAPD) Narcotics Analysis Laboratory Trust Fund (NALTF) Expenditure Plan No. 14

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

APPROVE the LAPD's proposed NALTF Expenditure Plan No. 14 for \$755,400.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. Approval of the above recommendation authorizes the LAPD to spend \$755,400 on training and equipment from NALTF. This action complies with the City financial policies in that one-time revenue supports one-time expenditures.

Community Impact Statement: None submitted.

**ITEM NO. (25) - ADOPTED, AS AMENDED - SEE FOLLOWING**

**Roll Call #24 - Motion (Perry - Wesson) to Adopt as Amended, Ayes (10); Absent: Greuel, Hahn, LaBonge, Parks and Weiss (5)**

[08-2167](#)

CONTINUED CONSIDERATION OF RULES AND GOVERNMENT COMMITTEE REPORT relative to the development of language for a City Charter amendment at the next available City election to clarify and better define the role of city Controller as it relates to the conduct of performance audits.

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

REQUEST the City Attorney, in consultation with the Chief Legislative Analyst (CLA), to prepare and present the documents necessary to place before the voters on the March, 2009 ballot a Charter amendment which would provide for the performance audit by the Controller of programs administered by City elective offices, as follows:

- a. Programs shall be defined as an activity, project, function, or entity with established goals and objectives that is funded by City resources, and/or;
- b. Programs subject to performance audit must be established by ordinance, and/or;
- c. Programs transferred to City elective offices which were formerly housed in City non-elective offices would be subject to performance audit, and/or;
- d. Programs funded through state or federal grants would be subject to performance audit, and;
- e. Nothing shall preclude the Council and Mayor from conducting audits of programs, including programs, as defined above, administered by the Office of the Controller.

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

Community Impact Statement: None submitted.

(Continued from Council meeting of October 24, 2008)

**ADOPTED**

**MOTION (HUIZAR - GREUEL - ZINE - GARCETTI)**

**Recommendation for Council action:**

**INCLUDE a provision in the proposed Charter amendment that the effective date shall be July 1, 2009.**

**Roll Call #15 - Motion (Huizar - Rosendahl) to Adopt As Amended, Ayes (9); Noes: Huizar, Reyes, Rosendahl (3); Absent: Greuel, LaBonge and Parks (3)  
(Item Nos. 26-27)**

**ITEM NO. (26) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS, AS AMENDED - SEE FOLLOWING**

[09-1100-S1](#)

CONTINUED CONSIDERATION OF RULES AND GOVERNMENT COMMITTEE REPORT relative to placement on the March 2009 Municipal election ballot of a City Charter amendment to allow the use of an Instant Runoff Voting system for elections in the City of Los Angeles.

SUBMITS WITHOUT RECOMMENDATION the following recommendations of the Chief Legislative Analyst, as initiated by Motions (Huizar - Rosendahl) and (Rosendahl - Huizar - Reyes):

1. CONTINUE consideration of Motion (Huizar - Rosendahl) and Motion (Rosendahl - Huizar - Reyes) in the Rules and Government Committee concerning Instant Runoff Voting (IRV) until results of a pending City Clerk Request for Proposals for election voting systems have been reported.
2. ESTABLISH a working group comprised of the Mayor, City Attorney, City Administrative Officer, Chief Legislative Analyst, the City Ethics Commission, the Los Angeles Unified School District, the Los Angeles Community College District, the County Registrar-Recorder, and elections specialists from local academic institutions, to be chaired by the City Clerk, to identify issues related to implementation of IRV and report back to Council with policy options.

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

Community Impact Statement: Yes  
For Proposal: West Los Angeles Neighborhood Council

(Continued from Council meeting of October 24, 2008)

**ADOPTED**

**MOTION (HUIZAR - ROSENDAHL)**

**Recommendations for Council action:**

1. **CONTINUE consideration of Motion (Huizar - Rosendahl) and Motion (Rosendahl - Huizar - Reyes) in the Rules and Government Committee concerning Instant Runoff Voting (IRV) until results of a pending City Clerk Request for Proposals for election voting systems have been reported.**

2. **ESTABLISH a working group comprised of the Mayor, City Attorney, City Administrative Officer, Chief Legislative Analyst, the City Ethics Commission, the Los Angeles Unified School District, the Los Angeles Community College District, the County Registrar-Recorder, and elections specialists from local academic institutions, to be chaired by the City Clerk, to identify issues related to implementation of IRV and report back to Council with policy options.**
- \*3. **DIRECT the City Clerk to report with the results of the working group's conclusions by July 2009.**

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

##### 09-1100-S4

CONTINUED CONSIDERATION OF RULES AND GOVERNMENT COMMITTEE REPORT relative to placement on the March 2009 Municipal election ballot of a City Charter amendment to allow the use of an Instant Runoff Voting system for elections in the City of Los Angeles.

SUBMITS WITHOUT RECOMMENDATION the following recommendations of the Chief Legislative Analyst, as initiated by Motions (Huizar - Rosendahl) and (Rosendahl - Huizar - Reyes):

1. CONTINUE consideration of Motion (Huizar - Rosendahl) and Motion (Rosendahl - Huizar - Reyes) in the Rules and Government Committee concerning Instant Runoff Voting (IRV) until results of a pending City Clerk Request for Proposals for election voting systems have been reported.
2. ESTABLISH a working group comprised of the Mayor, City Attorney, City Administrative Officer, Chief Legislative Analyst, the City Ethics Commission, the Los Angeles Unified School District, the Los Angeles Community College District, the County Registrar-Recorder, and elections specialists from local academic institutions, to be chaired by the City Clerk, to identify issues related to implementation of IRV and report back to Council with policy options.

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

Community Impact Statement: Yes

For Proposal: West Los Angeles Neighborhood Council

(Continued from Council meeting of October 24, 2008)

#### **ADOPTED**

##### **MOTION (HUIZAR - ROSENDAHL)**

##### **Recommendations for Council action:**

1. **CONTINUE consideration of Motion (Huizar - Rosendahl) and Motion (Rosendahl - Huizar - Reyes) in the Rules and Government Committee concerning Instant Runoff Voting (IRV) until results of a pending City Clerk Request for Proposals for election voting systems have been reported.**



2. **ESTABLISH a working group comprised of the Mayor, City Attorney, City Administrative Officer, Chief Legislative Analyst, the City Ethics Commission, the Los Angeles Unified School District, the Los Angeles Community College District, the County Registrar-Recorder, and elections specialists from local academic institutions, to be chaired by the City Clerk, to identify issues related to implementation of IRV and report back to Council with policy options.**
- \*3. **DIRECT the City Clerk to report with the results of the working group's conclusions by July 2009.**

**Roll Call #5 - Motion (Wesson - Zine) Adopted, Ayes (11); Absent: Greuel, Huizar, Parks and Weiss (4) (Item Nos. 28-29)**

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

[08-2639](#)

ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE AND TOURISM COMMITTEE REPORT relative to a proposed Port of Los Angeles Foreign Trade Zone (FTZ) Subzone Operating Agreement with KW International Inc., for the management of a warehouse, distribution, and office facility.

Recommendations for Council action:

1. FIND that approving the proposed FTZ Subzone Operating Agreement between the City of Los Angeles and KW International Inc., is exempt from the requirements of the California Environmental Quality Act (CEQA) under Article III, Section 1(14) of the City's CEQA Guidelines.
2. APPROVE Port Agreement No. 2605 an FTZ agreement with KW International Inc. for the management of a warehouse, distribution, and office facility at FTZ 202, Site 4C, 18655 South Bishop Avenue, Carson, for an initial term of five years with three five-year renewal options.
3. CONCUR with the action taken by the Board of Harbor Commissioners at its meeting held January 3, 2008, approving Port Agreement No. 2605 between the City of Los Angeles and KW International Inc. for the management of a warehouse, distribution, and office facility.

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 application/ activation fee of \$5,000 and an annual administrative operating fee of \$5,000 per year for a total of \$30,000 for the first five-year term and up to \$25,000 for each of three five-year renewal options, for an additional \$75,000, and a total contractual amount of \$105,000 over 20 years. Funds will be deposited in the Harbor Revenue Fund.

Community Impact Statement: None submitted.

TIME LIMIT FILE - DECEMBER 1, 2008

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 26, 2008)

**ITEM NO. (29) - ADOPTED**

[08-2640](#)

ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE AND TOURISM COMMITTEE REPORT relative to a proposed Port of Los Angeles Foreign Trade Zone (FTZ) Subzone Developer Agreement with Redlands Business Center, LLC.

Recommendations for Council action:

1. FIND that approving the proposed FTZ Subzone Developer Agreement between the City of Los Angeles and Redlands Business Center, LLC, is exempt from the requirements of the California Environmental Quality Act (CEQA) under Article III, Section 1(14) of the City's CEQA Guidelines.
2. APPROVE Port Agreement No. 08-2698 an FTZ Developer Agreement with Redlands Business Center, LLC for the management of approximately 84 acres of land for office, warehouse, and distribution uses at FTZ, No. 202, Site 22, in Redlands, for an initial term of five years with three five-year renewal options.
3. CONCUR with the action taken by the Board of Harbor Commissioners at its meeting held July 17, 2008, approving Port Developer Agreement No. 08-2698 between the City of Los Angeles and Redlands Business Center, LLC for the management of approximately 84 acres of land for office, warehouse, and distribution uses.

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 fee of \$1,500 to modify the boundary of the existing FTZ. Funds will be deposited in the Harbor Revenue Fund.

Community Impact Statement: None submitted.

TIME LIMIT FILE - DECEMBER 1, 2008

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 26, 2008)

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

**Roll Call #16 - Motion (Smith - Hahn) Adopted, Ayes (11); Absent: Greuel, LaBonge, Parks and Weiss (4)**

[06-1841](#)

TRANSPORTATION COMMITTEE REPORT relative the Parking Cash-Out Program.

Recommendations for Council action:

1. REQUEST the City Attorney to:

- a. Prepare and present changes to the City's Transportation Demand Management Ordinance that would require certain categories of employers to submit transportation plans and define the parameters of those plans (including parking cash-out), and would set forth penalties for non-compliance.
  - b. Report back in 30 days.
2. INSTRUCT the City Administrative Officer, in consultation with the Office of Finance, to report back on the fiscal impact to the City's General Fund that will be incurred pursuant to the prospective changes to the Transportation Demand Management Ordinance.
  3. DIRECT the Chief Legislative Analyst (CLA) to prepare a resolution to sponsor and/or support legislation to amend state law to authorize municipalities to require businesses to show proof of compliance with the parking cash-out law and the pre tax dollar commuter account law.

Fiscal Impact Statement: The CLA reports that there is no impact to the General Fund from approval of the recommendations. However, subsequent actions may result in impacts to the General Fund.

Community Impact Statement: None submitted.

**Roll Call #5 - Motion (Wesson - Zine) Adopted, Ayes (11); Absent: Greuel, Huizar, Parks and Weiss (4) (Item Nos. 31-36)**

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

[06-2610](#)

TRANSPORTATION COMMITTEE REPORT relative to Los Angeles County Metropolitan Transportation Authority (Metro) Proposition A Incentive Fund Mini-Call for Projects.

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

1. AUTHORIZE the Los Angeles Department of Transportation (LADOT) to accept the \$4,385,750 Metro Proposition A Incentive Reserve Mini-Call grant funds for replacement of DASH, Cityride and Department of Aging shuttle vehicles.
2. AUTHORIZE the General Manager, LADOT, to execute a contract with Creative Bus Sales, Inc. (an awardee of the State of California vehicle bid process) for the purchase of 33 paratransit vehicles at an estimated total amount not-to-exceed \$2,170,000 including State of California use of contract fee.
3. AUTHORIZE the appropriation and transfer of \$800,000 from the Proposition A Local Transit Fund No. 385/94, Reserve for Future Transit Capital and Service Account No. E399, to a new account number to be designated by the LADOT. These funds will provide the front funding and local match for eight Department of Aging Multipurpose Center paratransit vehicles.

4. AUTHORIZE the LADOT to submit grant reimbursement requests to the grantor, receive the grant funds, and deposit the funds into Proposition A Local Transit Fund No. 385/94, Reserve for Future Capital and Service Account.

Fiscal Impact Statement: The LADOT reports that the local match share and any front funding for the planned transit vehicle replacement purchase would be provided through the City's previously adopted Proposition A Budget, with the exception of 18 paratransit vehicles to be purchased by the Department of Aging. A total of \$800,000 must be transferred from the Proposition A Local Transit Fund No. 385/94, Reserve for Future Transit Capital and Service Account, for the local match and front funding for the remaining 18 paratransit vehicles to be purchased by the Department of Aging.

Community Impact Statement: None submitted.

## ITEM NO. (32) - ADOPTED

[06-2494](#)

CD 4

GENERAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal of Temporary Preferential Parking District (PPD) No. 33.

Recommendations for Council action:

1. FIND that the renewal of Temporary PPD No. 33, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) under the General Exemption (Article II, Section 1 of the 2002 Los Angeles City CEQA Guidelines).
2. FIND that the parking problem that led to the establishment of Temporary PPD No. 33 still exists and that no permanent solution has been found.
3. ADOPT the accompanying RESOLUTION renewing Temporary PPD No. 33 for 12 more months, until November 5, 2009, pursuant to Section 80.58.d of the LAMC.
4. DIRECT the Los Angeles Department of Transportation (LADOT) to prepare a Notice of Exemption reflecting Council's actions under Recommendation No. 1 and file such notice with the City and County Clerks within five working days of the City Council's action.

Fiscal Impact Statement: The LADOT reports that revenue from the sale of permits will cover the additional cost of implementing, administering, and enforcing Temporary PPD No. 33. The department also states that the City may gain additional General Fund revenue from the issuance of parking citations to violators of the District's parking restrictions.

Community Impact Statement: None submitted.

**ITEM NO. (33) - ADOPTED**

[06-2777](#)

CD 4

GENERAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal of Temporary Preferential Parking District (PPD) No. 109 on Cartwright and Willowcrest Avenues south of Magnolia Boulevard.

Recommendations for Council action:

1. FIND that the renewal of Temporary PPD No. 109, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) under the General Exemption (Article II, Section 1 of the 2002 Los Angeles City CEQA Guidelines).
2. FIND that the parking problem that led to the establishment of Temporary PPD No. 109 on Cartwright and Willowcrest Avenues south of Magnolia Boulevard in Council District Four still exists and that no permanent solution has been found.
3. ADOPT the accompanying RESOLUTION renewing Temporary PPD No. 109 for 12 more months, until November 22, 2009, pursuant to Section 80.58.d of the LAMC.
4. DIRECT the Los Angeles Department of Transportation (LADOT) to prepare a Notice of Exemption reflecting Council's actions under Recommendation No. 1 and file such notice with the City and County Clerks within five working days of the City Council's action.

Fiscal Impact Statement: The LADOT reports that revenue from the sale of permits will cover the additional cost of implementing, administering, and enforcing Temporary PPD No. 109. The department also states that the City may gain additional General Fund revenue from the issuance of parking citations to violators of the District's parking restrictions.

Community Impact Statement: None submitted.

**ITEM NO. (34) - ADOPTED**

[07-3288](#)

CD 5

GENERAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal of Temporary Preferential Parking District (PPD) No. 132 on Curson and Sierra Bonita Avenues north of Beverly Boulevard, near "The Grove."

Recommendations for Council action:

1. FIND that the renewal of Temporary PPD No. 132, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) under the General Exemption (Article II, Section 1 of the 2002 Los Angeles City CEQA Guidelines).
2. FIND that the parking problem that led to the establishment of Temporary PPD No. 132 for the neighborhood north of Beverly Boulevard, near "The Grove" shopping complex in Council District Five, still exists and that no permanent solution has been found.

3. ADOPT the accompanying RESOLUTION renewing Temporary PPD No. 132 for 12 more months, until October 30, 2009, pursuant to Section 80.58.d of the LAMC.
4. DIRECT the Los Angeles Department of Transportation (LADOT) to prepare a Notice of Exemption reflecting Council's actions under Recommendation No. 1 and file such notice with the City and County Clerks within five working days of the City Council's action.

Fiscal Impact Statement: The LADOT reports that revenue from the sale of permits will cover the additional cost of implementing, administering, and enforcing Temporary PPD No. 132. The department also states that the City may gain additional General Fund revenue from the issuance of parking citations to violators of the District's parking restrictions.

Community Impact Statement: None submitted.

### ITEM NO. (35) - ADOPTED

[07-3325](#)

CD 9

GENERAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal of Temporary Preferential Parking District (PPD) No. 48.

Recommendations for Council action:

1. FIND that the renewal of Temporary PPD No. 48, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) under the General Exemption (Article II, Section 1 of the 2002 Los Angeles City CEQA Guidelines).
2. FIND that the parking problem that led to the establishment of Temporary PPD No. 48 still exists and that no permanent solution has been found.
3. ADOPT the accompanying RESOLUTION renewing Temporary PPD No. 48 for 12 more months, until November 5, 2009, pursuant to Section 80.58.d of the LAMC.
4. DIRECT the Los Angeles Department of Transportation (LADOT) to prepare a Notice of Exemption reflecting Council's actions under Recommendation No. 1 and file such notice with the City and County Clerks within five working days of the City Council's action.

Fiscal Impact Statement: The LADOT reports that revenue from the sale of permits will cover the additional cost of implementing, administering, and enforcing Temporary PPD No. 48. The department also states that the City may gain additional General Fund revenue from the issuance of parking citations to violators of the District's parking restrictions.

Community Impact Statement: None submitted.

**ITEM NO. (36) - ADOPTED**

[08-2723](#)

CD 4

GENERAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal of Temporary Preferential Parking District (PPD) No. 115 near Larchmont Boulevard and Melrose Avenue.

Recommendations for Council action:

1. FIND that the renewal of Temporary PPD No. 115, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) under the General Exemption (Article II, Section 1 of the 2002 Los Angeles City CEQA Guidelines).
2. FIND that the parking problem that led to the establishment of Temporary PPD No. 115 for the neighborhood southwest of Larchmont Boulevard and Melrose Avenue in Council District Four still exists and that no permanent solution has been found.
3. ADOPT the accompanying RESOLUTION renewing Temporary PPD No. 115 for 12 more months, until November 19, 2009, pursuant to Section 80.58.d of the LAMC.
4. DIRECT the Los Angeles Department of Transportation (LADOT) to prepare a Notice of Exemption reflecting Council's actions under Recommendation No. 1 and file such notice with the City and County Clerks within five working days of the City Council's action.

Fiscal Impact Statement: The LADOT reports that revenue from the sale of permits will cover the additional cost of implementing, administering, and enforcing Temporary PPD No. 115. The department also states that the City may gain additional General Fund revenue from the issuance of parking citations to violators of the District's parking restrictions.

Community Impact Statement: None submitted.

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

**Roll Call #17 - Motion (Reyes - Rosendahl) Adopted, Ayes (11); Absent: Greuel, LaBonge, Parks and Weiss (4)**

[08-0475](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and COMMUNICATION FROM CHAIR and MEMBER, TRANSPORTATION COMMITTEE relative to the Bicycle Advisory Committee (BAC).

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

1. DIRECT the Los Angeles Department of Transportation (LADOT) and the Department of Recreation and Parks (DRP) to jointly staff the BAC, with City Planning staff, where appropriate, to be assigned to assist the BAC as various City Planning documents are updated.

2. AFFIRM that the BAC will continue to be comprised of 19 members, without alternates, with one member appointed by each Councilmember and four appointed by the Mayor.
3. UNFREEZE one position in LADOT to post agendas, post and record minutes, and provide administrative staff support to the BAC.
4. DIRECT the establishment of a new policy for the selection of the BAC Chair, to be selected by the membership of the Committee by majority vote with elections held on February 15 every odd-numbered year commencing February 15, 2009. The Chair will serve a minimum of two years.
5. DIRECT the BAC to elect a Vice Chair at the same time and in the same manner as Chair, to fulfill the duties of the Chair in cases where the Chair is absent or unable to fulfill his/her term.
6. DIRECT the Department of Public Works to assign staff to address the concerns of bicyclists regarding the impacts of capital improvement projects and roadway maintenance.
7. REQUEST the City Attorney to provide Brown Act training to the BAC and to attend meetings as appropriate or when requested.
8. RECOMMEND the appointment of Alex Baum as Chairman Emeritus of the BAC in recognition of his 35 year contribution as BAC Chair.
9. INSTRUCT the LADOT to report back in 6 months.

Fiscal Impact Statement: The LADOT reports that the fiscal impacts from providing additional support for the BAC would include the cost of additional staff time from the LADOT, DRP, City Planning, Department of Public Works, and a City Attorney assigned to the BAC on a regular basis.

Community Impact Statement: None submitted.

**ITEM NO. (38) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION - TO THE MAYOR FORTHWITH**

**Roll Call #5 - Motion (Wesson - Zine) Adopted, Ayes (11); Absent: Greuel, Huizar, Parks and Weiss (4)**

[08-2362](#)

COMMUNICATION FROM CHAIR and MEMBER, PUBLIC SAFETY COMMITTEE and BUDGET AND FINANCE COMMITTEE REPORT relative to reprogramming 2005 Urban Area Security Initiative (UASI) grant award funds and modifying program budgets.

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

APPROVE the recommendations of the City Administrative Officer (CAO) in the October 2, 2008 report to the Mayor and Council (attached to the Committee report) relative to authorizing the Mayor to exchange a set of projects between the Fiscal Year (FY) 2005 and 2006 UASI grant awards, and amending various contracts and executing various transfers associated with the FY05 UASI and FY06 UASI awards, in order to implement the proposed project swap.



Fiscal Impact Statement: The CAO reports that approval of the above recommendation will result in the completion of previously approved FY05 UASI grant projects, by exchanging these uncompleted projects with completed FY06 UASI projects. This action is in compliance with City financial policies, as grant expenditures will be fully reimbursed by grant funds.

Community Impact Statement: None submitted.

**ITEM NO. (39) - RECEIVED AND FILED**

**Roll Call #4 - Motion (Hahn - LaBonge) Adopted to Receive and File, Ayes (11); Absent: Greuel, Huizar, Parks and Weiss (4)**

[08-1731](#)  
CD 15

CONTINUED CONSIDERATION OF COMMUNICATION FROM CHAIR, INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE and BUDGET AND FINANCE COMMITTEE REPORT relative to a proposed lease agreement for office space at 1149 West 190th Street for the Council District 15 Harbor Gateway field office.

A. COMMUNICATION FROM CHAIR, INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE

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

1. AUTHORIZE the Department of General Services (GSD) to negotiate and execute a lease agreement for 1149 West 190th Street, Suite 1200, Los Angeles, California under the terms and conditions substantially as detailed in the June 26, 2008 GSD report, attached to the Council file.
2. APPROPRIATE \$26,785 from the Unappropriated Reserve Fund to GSD Fund No. 100/40, Account No. 6030 Leasing Account for the lease as detailed in the June 26, 2008 GSD report, attached to the Council file.

B. BUDGET AND FINANCE COMMITTEE REPORT

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

1. CONCUR with the recommendation of the Information Technology and General Services Committee to authorize the Department of General Services (GSD) to negotiate and execute a lease agreement for 1149 West 190th Street, Suite 1200, Los Angeles, CA, under the terms and conditions substantially as outlined in the GSD report, attached to the Council file.
2. APPROPRIATE \$26,785 from the Unappropriated Reserve Fund to GSD Fund No. 100/40, Account No. 6030 Leasing Account for the lease.
3. INSTRUCT the City Administrative Officer to review the GSD's Leasing Account and report back to the Council with recommendations for adjustments, if any, in its Financial Status Report.

Fiscal Impact Statement: The GSD reports that the annual rent will increase from \$24,215 to \$51,000. There is a projected budget shortfall of \$26,785 in the GSD's Leasing Account No. 6030 in Fiscal Year 2008-09 for this Lease. It is requested that additional funds totaling \$26,785 be appropriated to the GSD's Leasing Account No. 6030 for this purpose.

Community Impact Statement: None submitted.

(Continued from Council meeting of October 15, 2008)

## **Items for Which Public Hearings Have Not Been Held - Items 40-56**

(10 Votes Required for Consideration)

### **ITEM NO. (40) - ORDINANCE OVER TO NOVEMBER 5, 2008**

**Roll Call #18 - Motion (Garcetti - Perry) To Withhold Unanimous Consent - Ordinance Over One Week, Ayes (11); Absent: Greuel, LaBonge, Parks and Weiss (4)**

[08-1665](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to the amendment of the Los Angeles Administrative Code (LAAC) to add to the purposes and expenditures from the Central Los Angeles Recycling and Transfer Station (CLARTS) Trust Fund and retain monies not expended within any fiscal year within the fund.

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

PRESENT and ADOPT the accompanying ORDINANCE amending Subsections (b), (d) and (f) of Section 5.540, Chapter 140, of the LAAC to add to the purposes and expenditures from the CLARTS Trust Fund and retain monies not expended within any fiscal year within the fund.

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)

(Continued from Council meeting of October 22, 2008)

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

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

[07-1738](#)

COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to amending the Los Angeles Municipal Code (LAMC) to require adherence to the Off-Leash Dog Park Rules and Regulations, to establish designated dog exercise and training areas at Griffith Park and Whitnall Off-Leash Dog Park, and to prohibit unlicensed dogs in City dog parks.

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

PRESENT and ADOPT the accompanying ORDINANCE amending the LAMC Section 63.44 to require adherence to the Department of Recreation and Parks' Off-Leash Dog Park Rules and Regulations, to establish designated dog exercise and training areas at Griffith Park and Whitnall Off-Leash Dog Park, and to prohibit unlicensed dogs in City dog parks.

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

Community Impact Statement: None submitted.

**ITEM NO. (42) - ADOPTED**

**Roll Call #8 - Motion (Zine - Rosendahl) Adopted, Ayes (11); Absent: Greuel, Huizar, Parks and Weiss (4)**

[08-0005-S685](#)

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 21, 2008:

[08-0005-S685](#)

CD 9

- a. Property at 4000 South Broadway Place (Case No. 129461).  
Assessor I.D. No. 5111-025-016

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 27, 2007)

[08-0005-S686](#)

CD 9

- b. Property at 348 West 67th Street (Case No. 129716).  
Assessor I.D. No. 6012-006-022

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 15, 2008)

[08-0005-S687](#)

CD 13

- c. Property at 4139 West Brunswick Avenue (Case No. 171266).  
Assessor I.D. No. 5594-026-026

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 12, 2008)

[08-0005-S688](#)

CD 15

- d. Property at 650 East 109th Place (Case No. 140373).  
Assessor I.D. No. 6071-004-018

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 4, 2008)

[08-0005-S689](#)

CD 4

- e. Property at 130 South Oxford Avenue (Case No. 200550).  
Assessor I.D. No. 5517-009-006

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

[08-0005-S690](#)

CD 10

- f. Property at 4631 West Saturn Street (Case No. 137641).  
Assessor I.D. No. 5071-020-014

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 12, 2008)

[08-0005-S691](#)

CD 13

- g. Property at 1631 North Edgemont Street (Case No. 44742).  
Assessor I.D. No. 5543-008-012

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 14, 2006)

[08-0005-S692](#)

CD 9

- h. Property at 814 West 49th Street (Case No. 13401).  
Assessor I.D. No. 5018-015-019

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 27, 2006)

[08-0005-S693](#)

CD 13

- i. Property at 1639 North Edgemont Street (Case No. 44745).  
Assessor I.D. No. 5543-008-008

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 14, 2006)

[08-0005-S694](#)

CD 10

- j. Property at 1927 West Jefferson Boulevard (Case No. 141633).  
Assessor I.D. No. 5052-024-019

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 24, 2008)

**ITEM NO. (43) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION**

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

[06-0727](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM CHAIR and MEMBER, AD HOC COMMITTEE ON GANG VIOLENCE AND YOUTH DEVELOPMENT relative to the enactment of gang injunctions and the processes by which an individual is placed on a gang injunction list and removed from said list.

Recommendation for Council action:

NOTE and FILE the March 31, 2008 Motion (Cardenas - Hahn - Reyes) relative to the enactment of gang injunctions and the processes by which an individual is placed on a gang injunction list and removed from said list.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

(Continued from Council meeting of October 22, 2008)

**ITEM NO. (44) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

**Roll Call #19 - Motion (Cardenas - Reyes) Adopted, Ayes (11); Absent: Greuel, LaBonge, Parks and Weiss (4)**

[08-0150-S1](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM CHAIR and MEMBER, AD HOC COMMITTEE ON GANG VIOLENCE AND YOUTH DEVELOPMENT relative to receiving public/community input in regard to potential gang injunctions.

Recommendation for Council action:

NOTE and FILE the June 20, 2008 Motion (Alarcon - Cardenas) relative to receiving public/community input in regard to potential gang injunctions.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

(Continued from Council meeting of October 22, 2008)

**Roll Call #8 - Motion (Zine - Rosendahl) Adopted, Ayes (11); Absent: Greuel, Huizar, Parks and Weiss (4)  
(Item Nos. 45-48)**

**ITEM NO. (45) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION - FORTHWITH**

[07-3387-S3](#)

CD 4

COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to using Quimby funds to address improvements such as asphalt and lighting at Shatto Park.

Recommendation for Council action, pursuant to Motion (LaBonge - Wesson):

INSTRUCT the Department of Recreation and Parks, in collaboration with the City Administrative Officer (CAO), the Chief Legislative Analyst (CLA) and Council District Four, to prepare a report in 15 days regarding the use of Quimby funds to address improvements at Shatto Park, including the asphalt, lighting issues, and other future improvements for a much used park in one of the most dense parts of Los Angeles.

Fiscal Impact Statement: Neither the CAO nor the CLA has completed a financial analysis of this report.

Community Impact Statement: None submitted.

**ITEM NO. (46) - ADOPTED**

[08-2649](#)

COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to amending senior service contracts to close out Fiscal Year 2007-08.

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

1. AUTHORIZE the General Manager, Los Angeles Department of Aging (LADOA), to negotiate and execute closeout amendments in the amounts as set forth in Table 1 attached to the Committee report.
2. AUTHORIZE the General Manager, LADOA, to prepare Controller instructions for any technical adjustments that are consistent with Mayor and Council actions, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement these instructions.

3. DISBURSE funds to the contractors upon submission of proper demand from the General Manager, LADOA, or designee.

Fiscal Impact Statement: The LADOA reports that the above recommendations will have no effect on General Funds. The recommendations comply with the City's financial policy. The LADOA's proposed actions will reimburse the agencies that over-served and overspent; and allow the amending of the contract to reflect the change in name to Wise and Healthy Aging. There is no fiscal impact on the City General Fund.

Community Impact Statement: None submitted.

**ITEM NO. (47) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - TO THE MAYOR FORTHWITH**

[07-0120](#)

COMMUNICATIONS FROM THE MAYOR and THE CITY ADMINISTRATIVE OFFICER (CAO) relative to a donation from the Allstate Foundation for the Crisis Response Team Program.

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

1. ACCEPT on behalf of the City the donation of \$20,000 from the Allstate Insurance Company Foundation (Allstate Foundation) for the City of Los Angeles Crisis Response Team Program.
2. REQUEST and AUTHORIZE the Controller to deposit the funds from the Allstate Foundation into the Volunteer Bureau Trust Fund No. 892, Account K206.
3. AUTHORIZE the staff of the Office of the Mayor to prepare any necessary technical adjustments to the accounting instructions consistent with this action, subject to the approval of the CAO; and, AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. Donated funds in the amount of \$20,000 will be used to pay for operating costs of the Crisis Response Team Program. The donation is in compliance with the City financial policies in that one-time revenues will pay for one-time expenditures.

(Public Safety Committee waived consideration of the above matter)

**ITEM NO. (48) - ADOPTED**

[07-0600-S93](#)

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) relative to Department of Animal Services (ASD) service and permit fees.

Recommendations for Council action:

1. APPROVE the ASD's proposed fee structure and revised methodology.
2. APPROVE the ASD's proposed special events schedule.

3. REQUEST the City Attorney to draft the necessary ordinance to implement the proposed fee structure.
4. DIRECT the ASD to conduct annual cost recovery studies and submit them to the Council for approval.
5. DIRECT the ASD to monitor and report monthly to the Council:
  - a. the number of adoptions processed
  - b. number of permits issued
  - c. number of fee waivers granted
  - d. revenue collected from both adoptions and permits
  - e. number of special events held
  - f. cost of special events
  - g. revenues generated by special events
  - h. number of adoptions resulting from special events

Fiscal Impact Statement: The CAO reports that adoption of the revised fee structure will increase adoption and permit fee revenue to the General Fund. These fee and permit revisions will also reduce the General Fund subsidy required to adopt animals, redeem animals and issue permits. Total annual revenues, based on Fiscal Year 2006-07 statistics, are approximately \$2.5 million with the proposed fee and permit structure. This represents an estimated increase of approximately \$800,000 in revenue. The 2008-09 Adopted Budget projected a \$450,000 revenue increase from this revised fee structure. Currently, the General fund subsidy required for ASD to operate its adoption and permit programs amounts to approximately \$4.1 million. This subsidy would be reduced to approximately \$3.9 million by the proposed fee and permit structure/cost recovery plan. The recommendations in this report are in compliance with the City's Financial Policies in that they attempt to achieve full or partial cost recovery where appropriate.

(Public Safety and Budget and Finance Committees waived consideration of the above matter)

**ITEM NO. (49) - CONTINUED TO NOVEMBER 19, 2008**

**Roll Call #6 - Motion (Hahn - Smith) Adopted to Continue, Unanimous Vote (11); Absent: Greuel, Huizar, Parks and Weiss (4)**

[08-0002-S122](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST (CLA) and RESOLUTION relative to the City's position on continued funding of the C-17 aircraft program.

Recommendation for Council action, pursuant to Resolution (Hahn - Smith - Garcetti), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to include in the City's 2007-08 Federal Legislative Program SUPPORT for continued funding of the C-17 aircraft program.



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

Community Impact Statement: None submitted.

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

(Continued from Council Meeting of October 15, 2008)

## **ITEM NO. (50) - ADOPTED**

### **Roll Call #20 - Motion (Huizar - Rosendahl), Ayes (11); Absent: Greuel, LaBonge, Parks and Weiss (4)**

[08-2728](#)

CONSIDERATION OF MOTION (PARKS - CARDENAS - GARCETTI) and COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST (CLA) relative to the sale of one surplus ambulance to the municipality of Bocaue, Bulacan, Philippines for the below market value price of \$1.00.

Recommendations for Council action:

1. AUTHORIZE the sale of one surplus ambulance to the municipality of Bocaue, Bulacan, Philippines, for the below market value price of \$1.00, in accordance with Los Angeles Administrative Code Section 22.547.
2. REQUEST the City Attorney to expedite preparation of appropriate documents to effectuate the sale and transfer of the above identified surplus equipment at the below market value price of \$1.00 to Bocaue, Bulacan, Philippines.
3. INSTRUCT the City Clerk to inform representatives from Bocaue, Bulacan, Philippines (Eduardo J. Villanueva, Jr., Municipal Mayor, 10 Horseshoe Lane, Carson, CA 90745 [310-549-0807]) that the surplus ambulance must be claimed within 60 days from the date of Council approval of the request, or notification of vehicle availability, whichever occurs later, at which time it will revert to the City's surplus equipment pool for disposal by the Department of General Services.

Fiscal Impact Statement: The CLA reports that the sale of one ambulance at below market value is consistent with the City's Financial Policies since the equipment will be used for "humanitarian purposes for emergency response, recovery or reconstruction efforts following natural or man-made disasters." This below market sale will increase the General Fund by \$1.00.

(Budget and Finance Committee waived consideration of the above matter)

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

**Roll Call #21 - Motion (Smith - Wesson) Adopted, Ayes (10); Absent: Greuel, Hahn, LaBonge, Parks and Weiss (5)**

[08-2869](#)

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:

[08-2869](#)

CD 13

- a. MOTION (GARCETTI - PERRY) relative to declaring the Reelz Channel Mixer on October 23, 2008 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[08-2870](#)

CD 9

- b. MOTION (PERRY - GARCETTI) relative to declaring the 11th Annual Saint Cecilia's Festival on November 21-23, 2008 a Special Event (fees and costs absorbed by the City = \$2,000).

[08-2872](#)

CD 9

- c. MOTION (PERRY - GARCETTI) relative to declaring the Los Angeles Mission Thanksgiving Dinner on November 26, 2008 a Special Event (fees and costs absorbed by the City = \$2,565).

[08-2873](#)

CD 9

- d. MOTION (PERRY - GARCETTI) relative to declaring the Community Fun Day on November 8, 2008 a Special Event (fees and costs absorbed by the City = \$2,420).

[07-3474-S1](#)

CD 5

- e. MOTION (WEISS - REYES) relative to declaring the Stansbury Avenue Neighborhood Halloween Block Party on October 31, 2008 a Special Event (fees and costs absorbed by the City = \$1,188).

[08-2875](#)

CD 10

- f. MOTION (WESSON - ZINE) relative to declaring the Edgehill Neighborhood Social on November 8, 2008 a Special Event (fees and costs absorbed by the City = \$1,642).

[06-1575-S1](#)

CD 10

- g. MOTION (WESSON - ZINE) relative to declaring the Community Carnival and Street Fair on October 25-27, 2008 a Special Event (fees and costs absorbed by the City = \$9,273).

[08-2877](#)

CD 15

- h. MOTION (HAHN - GREUEL) relative to declaring the Conoco Phillips - 56th Annual Similin' Jack' Halloween Community Celebration on October 30-31, 2008 a Special Event (fees and costs absorbed by the City = \$1,765).

[06-2276-S1](#)

CD 15

- i. MOTION (HAHN - GREUEL) relative to declaring the San Pedro High School Homecoming Coronation on November 7, 2008 a Special Event (fees and costs absorbed by the City = \$1,280).

[06-2523-S1](#)

CD 15

- j. MOTION (HAHN - GREUEL) relative to declaring the Learning for Life 5K-10K San Pedro Run on November 8, 2008 a Special Event (fees and costs absorbed by the City = \$6,675).

[08-2138-S1](#)

CD 15

- k. MOTION (HAHN - HUIZAR) relative to declaring the Saint Lawrence of Brindisi Church Carnival on October 31, November 1-2, 2008 a Special Event (fees and costs absorbed by the City = \$2,226).

[08-2880](#)

CD 15

- l. MOTION (HAHN - HUIZAR) relative to declaring the First Annual Locke High School Homecoming Parade on November 1, 2008 a Special Event (fees and costs absorbed by the City = \$2,526).

[08-2878](#)

CD 4

- m. MOTION (LABONGE - GARCETTI) relative to declaring the Garfield Watch Halloween Block Party on October 26, 2008 a Special Event (fees and costs absorbed by the City = \$1,226).

[08-2879](#)

CD 12

- n. MOTION (SMITH - ALARCON) relative to declaring the Public Safety and Community Appreciation Picnic on November 2, 2008 a Special Event (fees and costs absorbed by the City = \$989).

[06-2564-S1](#)

CD 2

- o. MOTION (LABONGE for GREUEL - PERRY) relative to declaring the Shadow Hills Property Owners Association Annual Halloween Event on October 31, 2008 a Special Event (fees and costs absorbed by the City = \$4,146).

[08-2881](#)

CD 2

- p. MOTION (PERRY for GREUEL - ZINE) relative to declaring the Willis Neighborhood Halloween Party on October 26, 2008 a Special Event (fees and costs absorbed by the City = \$1,642).

**Roll Call #8 - Motion (Zine - Rosendahl) Adopted, Ayes (11); Absent: Greuel, Huizar, Parks and Weiss (4)  
(Item Nos. 52-54)**

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

[08-2871](#)

CD 3

MOTION (ROSENDAHL - ZINE) relative to initiating street vacation proceedings for the Avenue San Luis between Crespi Street and Dunman Avenue.

Recommendations for Council action:

1. INITIATE street vacation proceedings, pursuant to California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law for the Avenue San Luis between Crespi Street and Dunman Avenue.
2. DIRECT the Bureau of Engineering to investigate the feasibility of this vacation request.
3. DIRECT the Bureau of Engineering to present its report regarding the feasibility of vacating the requested areas to the Public Works Committee.
4. DIRECT the City Clerk to schedule this request for the City Council's consideration at the appropriate time under the City's Street Vacation procedures.

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

[08-2874](#)

CD 11

MOTION (ROSENDAHL - HAHN) relative to initiating street vacation proceedings for a portion of the alley southerly of Washington Boulevard westerly of Carter Avenue.

Recommendations for Council action:

1. INITIATE street vacation proceedings, pursuant to California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law for a portion of the alley southerly of Washington Boulevard westerly of Carter Avenue.
2. DIRECT the Bureau of Engineering to investigate the feasibility of this vacation request.
3. DIRECT the Bureau of Engineering to present its report regarding the feasibility of vacating the requested areas to the Public Works Committee.

4. DIRECT the City Clerk to schedule this request for the City Council's consideration at the appropriate time under the City's Street Vacation procedures.

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

[08-2876](#)

MOTION (WESSON - GARCETTI) relative to accepting donations for the Peer-to-Peer Housing Policy Forum.

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

AUTHORIZE the Los Angeles Housing Department (LAHD) to:

- a. Accept donations in a total amount not to exceed \$6,000 for the Peer-to-Peer Housing Policy Forum.
- b. Deposit funds into a new or existing account in the LAHD Small Grants and Awards Fund No. 49N.
- c. Expend funds for the above purpose and to thank the donor(s) on behalf of the City.
- d. Make any technical corrections or clarifications to the above fund transfer instructions in order to effectuate the intent of the Motion.

**ITEM NO. (55) - RECEIVED AND FILED**

**Roll Call #7 - Motion (Perry - LaBonge) Adopted, Ayes (11); Absent: Greuel, Huizar, Parks and Weiss (4)**

[06-2181-S1](#)

CONTINUED CONSIDERATION OF MOTION (PERRY - GARCETTI) relative to a request for an exemption from the Convention Center fee waiver policy for the Seventh Annual Cash for College event on December 4-5, 2008.

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

1. FIND that the Seventh Annual Cash for College event, sponsored by the Los Angeles Area Chamber of Commerce serves a public purpose in that it will expand awareness of financial aid opportunities among L.A. students and their families. The event will feature colleges and universities throughout California and the U.S., speakers and exhibits on college life, interactive career demonstrations, and information about scholarships and other financial aid, all designed to help students understand the importance of college.
2. AUTHORIZE the General Manager, Convention Center, to make an exception to the Council's Convention Center waiver policy by waiving a maximum of \$33,000 in room rental fees for this event.

(Continued from Council meeting of October 22, 2008)

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

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

[08-2857](#)

RESOLUTION (ZINE - PERRY - HAHN - GREUEL) relative to declaring October 2008 as Breast Cancer Awareness Month in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE October 2008 as Breast Cancer Awareness Month in the City of Los Angeles in order to provide a special opportunity to offer education on the importance of monthly breast self-examinations and annual mammograms; and, URGE organizations and health practitioners to use this opportunity to promote awareness about breast cancer, to support monthly self-examinations, and to encourage annual mammograms.

**Items Called Special**

**Motions for Posting and Referral**

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

**Closed Sessions - Items 57-59**

**ITEM NO. (57) - CONTINUED TO NOVEMBER 19, 2008**

**Roll Call #9 - Motion (Zine - Perry) Adopted, Unanimous Vote (11); Absent: Greuel, Huizar, Parks and Weiss (4)**

[08-1150](#)

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 Fuller v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC346464. (This case arises out of a Los Angeles Police Department officer against the City of Los Angeles and individual defendants' claims of sexual discrimination, sexual harassment and retaliation.)

(Budget and Finance Committee considered the above matter in Closed Session on October 20, 2008.)

**ITEM NO. (58) - ADOPTED IN OPEN SESSION**

**Roll Call #22 - Motion (Garcetti - Wesson) Adopted In Open Session, Ayes (10); Absent: Greuel, Hahn, LaBonge, Parks and Weiss (5)**

[08-2651](#)

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 Jews For Jesus, et al. v. City of Los Angeles, et al., United States District Court Case No. CV06-7445. (This matter involves a claim resulting from an incident that occurred at an event held in Woodley Park in 2006.)

(Budget and Finance Committee considered the above matter in Closed Session on October 20, 2008)

**ITEM NO. (59) - CONTINUED TO NOVEMBER 19, 2008**

**Roll Call #27 - Motion (Perry - Smith), Ayes (11); Absent: Greuel, LaBonge, Parks and Weiss (4)**

[08-2793](#)

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 case entitled B.A. Aguilar, et al. v. City of Los Angeles, et al., United States District Court (USDC) Case No. CV07-04131 AHM (FMOx) (30 plaintiffs); Sal Aguilar, et al. v. City of Los Angeles, et al., USDC Case No. CV08-02301 AHM (FMOx) (22 plaintiffs); Xiomara Ajuria, et al. v. City of Los Angeles, et al., USDC Case No. CV07-08433 AHM (FMOx) (9 plaintiffs); Byron Guidel v. City of Los Angeles, et al., USDC Case No. CV08-01370 AHM (FMOx) (1 plaintiff); P. Lopez, et al. v. City of Los Angeles, et al., USDC Case No. CV07-05555 AHM (FMOx) (2 plaintiffs); Meiwon v. City of Los Angeles, et al., USDC Case No. CV-3072 AHM (FMOx) (193 plaintiffs); Andrew Newton, et al. v. City of Los Angeles, USDC Case No. CV07-4455 AHM (FMOx) (2 plaintiffs); Jose Ponce v. City of Los Angeles, et al., USDC Case No. CV08-2710 AHM (FMOx) (1 plaintiff); Erfelina Reyes, et al. v. City of Los Angeles, et al., USDC Case No. CV08-02225 AHM (FMOx) (11 plaintiffs); Mary Santiago v. City of Los Angeles, et al., USDC Case No. CV07-2966 AHM (FMOx) (24 plaintiffs). (This action arises from an incident involving members of the Los Angeles Police Department commencing on May Day 2007.)

(Budget and Finance Committee considered the above matter in Closed Session on October 20, 2008)

**Item for Which Public Hearing Has Been Held - Item 62**

**ITEM NO. (62) - ADOPTED**

**Roll Call #10 - Motion (Hahn - Rosendahl) Adopted, Ayes (11); Absent: Greuel, Huizar, Parks and Weiss (4)**

[08-2611](#)

CONTINUED CONSIDERATION OF ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE AND TOURISM COMMITTEE REPORT relative to a proposed Foreign Trade Zone (FTZ) Subzone Operating Agreement with Sony Electronics for the operation of a warehouse and distribution center.

Recommendations for Council action:

1. FIND that approving Port Agreement No. 2647 between the City of Los Angeles and Sony Electronics Inc., is exempt from the requirements of the California Environmental Quality Act (CEQA) under Article III, Section 1(14) of the City's CEQA Guidelines.
2. APPROVE Port Agreement No. 2647 an FTZ agreement for a ten-year term with the option to extend for two additional five-year terms, with Sony Electronics Inc., for the operation of a warehouse and distribution center at FTZ 202, at 2201 East Carson Street, Carson, California.
3. CONCUR with the action taken by the Board of Harbor Commissioners at its meeting held April 3, 2008, approving Port Agreement No. 2647 between the City of Los Angeles and Sony Electronics Inc. for the operation of a warehouse and distribution center.

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 \$20,000 and administrative fees of \$10,000 per year, for a total compensation of \$120,000 for the first ten-year term and up to \$220,000 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 - DECEMBER 1, 2008

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 26, 2008)

## **Item for Which Public Hearing Has Not Been Held - Item 63**

(10 Votes Required for Consideration)

### **ITEM NO. (63) - RECEIVED AND FILED**

**Roll Call #26 - Motion (Alarcon - Cardenas) Adopted to Receive and File, Unanimous Vote (10); Absent: Greuel, Hahn, LaBonge, Parks and Weiss (5)**

[08-1125](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM VICE-CHAIR and MEMBER, BUDGET AND FINANCE COMMITTEE relative to a proposed luxury tax on homes within the City of Los Angeles that exceed 5,000 square feet.

SUBMITS WITHOUT RECOMMENDATION the recommendations contained in the Chief Legislative Analyst (CLA) report dated October 20, 2008 (attached to the Committee report), relative to a proposed luxury tax on homes within the City of Los Angeles that exceed 5,000 square feet.

Fiscal Impact Statement: Neither the City Administrative Officer nor the CLA has submitted a financial analysis of this report.

Community Impact Statement: None submitted.

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



RECEIVED AND FILED

MOTION (ALARCON - CARDENAS)

Recommendations for Council action:

- 1 REQUEST the City Attorney, with the assistance of the Chief Legislative Analyst (CLA) and the City Administrative Officer (CAO), to prepare the necessary Ordinance and Resolution of Necessity to place a measure on the March 3, 2009 City Primary Election ballot to place a surcharge on the electrical users' tax component of the City's Utility Users Tax on all residences larger than 5,000 square feet that have a bi-monthly usage of electricity greater than 4,000 kWh, with a higher surcharge on usage above 5,000 kWh, in a manner that will generate \$10 million in additional Utility User Tax revenue, with said documents to be transmitted no later than November 5, 2008.
2. INSTRUCT the City Clerk to, upon submission on the Ordinance and Resolution of Necessity, to place them on the next available Council Agenda for consideration on or before November 7, 2008.

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

[08-2970](#)

CD 13

MOTION (GARCETTI - ZINE) relative to declaring the Launch Party on October 29, 2008 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[08-2971](#)

CD 8

MOTION (CARDENAS for PARKS - HUIZAR) relative to declaring the Raymond Avenue Block Club Carnival on October 31, 2008 a Special Event (fees and costs absorbed by the City = \$1,751).

[08-2972](#)

CD 9

MOTION (PERRY - CARDENAS) relative to declaring the Historic Core Holiday Party on December 6, 2008 a Special Event (fees and costs absorbed by the City = \$1,000).

[08-2973](#)

CD 9

MOTION (PERRY - REYES) relative to declaring the Holiday Light Parade on December 13, 2008 a Special Event (fees and costs absorbed by the City = \$24,163).

[08-2974](#)

CD 9

MOTION (PERRY - REYES) relative to declaring the Union Rescue Mission's Thanksgiving Celebration on November 22, 2008 a Special Event (fees and costs absorbed by the City = \$2,831).

[06-2869-S1](#)

CD 12

MOTION (SMITH - PERRY) relative to declaring the 2008 Chatsworth Holiday Parade and Festival on December 14, 2008 a Special Event (fees and costs absorbed by the City = \$6,070).

[08-2975](#)

CD 2

MOTION (GREUEL - HUIZAR) relative to declaring the Morning Star Halloween Party on October 31, 2008 a Special Event (fees and costs absorbed by the City = \$4,525).

[08-2986](#)

CD 10

MOTION (WESSON - PERRY) relative to declaring the W.A.T.C.C. What About the Children Carnival on November 1, 2008 a Special Event (fees and costs absorbed by the City = \$4,747).

[07-3472-S1](#)

CD 10

MOTION (WESSON - PERRY) relative to declaring the Hallelujah Night Community Event on October 31, 2008 a Special Event (fees and costs absorbed by the City = \$3,368).

[07-3404-S1](#)

CD 14

MOTION (HUIZAR - GREUEL) relative to declaring the Legend of Creepy Collis on October 31, 2008 a Special Event (fees and costs absorbed by the City = \$1,518).

[08-2985](#)

CD 13

MOTION (GARCETTI - HUIZAR) relative to declaring the Heaven and Hell Event on October 31, 2008 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[07-3439-S1](#)

CD 14

MOTION (HUIZAR - ALARCON) relative to declaring the Nightmare on First Street on October 31, 2008 a Special Event (fees and costs absorbed by the City = \$2,338).

[07-3758-S1](#)

CD 7

MOTION (ALARCON - CARDENAS) relative to a personal services contract with John De La Rosa to provide services to the Seventh Council District.

[08-2984](#)

CD 6

MOTION (ROSENDAHL - CARDENAS) relative to initiating street vacation proceedings to vacate the alley westerly of Laurel Canyon Boulevard and southerly of Saticoy Street.

[08-2296-S1](#)

MOTION (HUIZAR - ZINE) relative to authorizing the Quality and Productivity Commission use of the City Hall Tom Bradley Room on December 9, 2008.

[08-2766-S1](#)

CD 9

MOTION (PERRY - CARDENAS) relative to amending a previous Council action regarding the Southern California Institute of Architecture special event.

[08-2976](#)

CD 4

MOTION (LABONGE - HAHN) relative to funding to support Council office services associated with street and sidewalk infrastructure improvements in Council District Four.

[08-2983](#)

MOTION (ZINE - LABONGE) relative to a briefing on Proposition F fueling stations that are out of service.

[08-0011-S46](#)

CD 12

MOTION (SMITH - ZINE) relative to funding for a commemorative plaque at the new Topanga Police Station.

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

[08-2604](#) - Dorothy "Dot" Saltzman

(Garcetti - All Councilmembers)

Reverend Helen Alexandra "Alix" Evans

(Wesson)

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

**Whereupon the Council did adjourn.**

ATTEST: Karen E. Kalfayan, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL