

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **November 26, 2008**
John Ferraro Council Chamber, Room 340, City Hall - 10 am

ALL ITEMS TRANSMITTED FORTHWITH

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
NOVEMBER 21, 2008

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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

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

Item Noticed for Public Hearing - Item 1

ITEM NO. (1) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

Roll Call #13 - Motion (Parks - Weiss) Adopted, Ayes (12); Absent: Greuel, Rosendahl and President Garcetti (3)

[07-0600-S7](#)

COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to new fees for the Fire Department's inspection of high-rise residential apartments and condominiums.

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

PRESENT and ADOPT accompanying ORDINANCE amending Subsections C and D of Section 57.119.05 of the Los Angeles Municipal Code to modify the method of determining costs from salaries with fringe benefits to full costs including indirect costs, and authorizing new fees for the Fire Department's inspection of high-rise residential apartments and condominiums.

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

Items for Which Public Hearings Have Been Held - Items 2-14

ITEM NO. (2) - ADOPTED

Roll Call #5 - Motion (Weiss - Hahn) , Ayes (11); Absent: Alarcon, Greuel, Reyes and Rosendahl (4)

[08-1876](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the reappointment of Mr. Richard A. Roupoli to the Los Angeles County Emergency Preparedness Commission.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. Richard A. Roupoli to the Los Angeles County Emergency Preparedness Commission for the new term ending November 16, 2012, is APPROVED and CONFIRMED. (Gender composition of City appointees: M=3; F=0)

Ethics Commission Review: Not applicable.

Community Impact Statement: None submitted.

TIME LIMIT FILE - DECEMBER 8, 2008

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

**Roll Call #2 - Motion (Smith - LaBonge) Adopted, Ayes (11); Absent: Alarcon, Greuel, Reyes and Rosendahl (4)
(Item Nos. 3-4)**

ITEM NO. (3) - ADOPTED

[08-2093](#)

EDUCATION AND NEIGHBORHOODS COMMITTEE REPORT relative to the development of an inventory tracking system for Neighborhood Councils.

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

1. INSTRUCT the Department of Neighborhood Empowerment (DONE) to report to the Education and Neighborhoods Committee in 30 days with a written report on the current process in which equipment purchased by Neighborhood Councils, using City General Fund resources, is accounted for and to identify procedures that are in place to inventory such equipment purchases.

2. INSTRUCT the DONE, with the cooperation of the Board of Neighborhood Commissioners, to develop an inventory tracking system for Neighborhood Councils and to submit a written report to the Education and Neighborhoods Committee with its findings and recommendations within 60 days.

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

Community Impact Statement: None submitted.

ITEM NO. (4) - ADOPTED

[08-2682](#)

CD 1

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to executing a Loan Agreement (Agreement), in an amount not to exceed \$3,175,000, with the Little Tokyo Service Center Community Development Corporation (LTSC) for the Menlo Family Housing Project (Project) located at 1230, 1236, and 1240 South Menlo Avenue.

Recommendations for Council action:

1. ADOPT the accompanying joint Finding of Benefit RESOLUTION [attached to the City Administrative Officer (CAO) report dated November 18, 2008] with the Community Redevelopment Agency (CRA) Board of Commissioners (Board) finding that the use of Wilshire Center/Koreatown Recovery Redevelopment Project Area (WCKRPA) Affordable Housing Trust Funds for the purpose of developing the Project, which is located outside the boundaries of the WCKRPA, is of benefit to the WCKRPA.
2. AUTHORIZE the Chief Executive Officer, CRA, or designee, to execute an Agreement and all ancillary documents with the LTSC in an amount not to exceed \$3,175,000, no sooner than 30 days after the adoption of the Relocation Plan by the CRA Board for the purpose of developing the Project, and take such other actions as may be necessary to carry out the Agreement, subject to the review of the City Attorney as to form and legality and the Department of Public Works, Bureau of Contract Administration, for compliance with any applicable CRA contracting requirements.

Fiscal Impact Statement: The CAO reports that there is no impact on the General Fund. The City's Financial Policies are not applicable to the CRA. The CRA is only bound by the disclosure provisions of the City's Debt Management Policies. Approval of the recommendations will result in the expenditure of an amount not to exceed \$3,175,000 from the CRA's WCKRPA Affordable Housing Trust Fund for the development of affordable housing.

Community Impact Statement: None submitted.

ITEM NO. (5) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS - SEE FOLLOWING

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

[08-3147](#)

CDs 4 & 13

MOTION (GARCETTI - GREUEL) relative to remedying financing gaps in the amounts of \$718,552 for the Mediterranean Affordable Housing Development and \$390,000 for the Hollywood Bungalow Court Apartments Affordable Housing Development.

(Housing, Community and Economic Development Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comments 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 relative to remedying financing gaps in the amounts of \$718,552 for the Mediterranean Affordable Housing Development and \$390,000 for the Hollywood Bungalow Court Apartments Affordable Housing Development.

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

- 1. INSTRUCT the General Manager, Los Angeles Housing Department (LAHD), or designee, to:**
 - a. Make available up to \$390,000 for the Hollywood Bungalow Court Apartments Affordable Housing Development and up to \$718,552 for the Mediterranean Affordable Housing Development from funds set aside by the Community Redevelopment Agency (CRA) from the Hollywood Redevelopment Project Area for the City Affordable Housing Trust Fund.**
 - b. Report to Council in 30 days relative to the impact of national economic conditions on affordable housing projects with existing City funding commitments and provide recommendations to address any resulting financing gaps.**
- 2. AUTHORIZE the General Manager, LAHD, to prepare Controller instructions and to make any necessary technical adjustments and corrections consistent with the intent of the subject Motion, subject to review of the City Administrative Officer (CAO).**
- 3. AUTHORIZE the Controller to implement the instructions upon proper demand of the General Manager, LAHD.**

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

Community Impact Statement: None submitted.

ITEM NO. (6) - CONTINUED TO DECEMBER 3, 2008

Roll Call #1 - Motion (Perry - Parks) Adopted to Continue, Ayes (11); Absent: Alarcon, Greuel, Reyes and Rosendahl (4)

[08-2620](#)

CDs 8 & 9

CONTINUED CONSIDERATION OF PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the development of a University of Southern California (USC) University Park Campus Specific Plan.

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

1. DIRECT the Planning Department, working with the First, Eighth and Ninth Council Districts, and in coordination with the Community Redevelopment Agency, the Department of Transportation, the Department of Building and Safety, and other City agencies as appropriate, to develop a USC University Park Specific Plan.
2. DIRECT the Planning Department, in coordination with the abovementioned Council Districts and City agencies, to prepare the Specific Plan with full citizen input and participation in the drafting of the Specific Plan and recommend any amendments to the applicable Community Plans as may be required to achieve the broad objective identified in the Motion, for the area under consideration attached to the Motion as Exhibit A.
3. DIRECT the Planning Department to provide a status report on the progress of implementation approximately every 60 days to the South Los Angeles Area Planning Commission and submit a draft plan to the City Planning Commission for consideration before January 2010, subject to delays beyond the control of the City.
4. DIRECT the Planning Department to prepare a nexus impact study in conjunction with the environmental impact report to assess the impacts of specific plan development on public infrastructure, facilities, and services and plan for the provision by applicant(s) of such facilities to be phased with development.
5. APPROVE amendments submitted by the Planning Department, Community Planning Bureau, as submitted in the Planning and Land Use Management Committee and attached to Council file No. 08-2620, that achieves the following: a) Ensures that through the Specific Plan, a unified vision is fostered for USC and the community making the Specific Plan a benefit for USC and the community; and, b) ensures the Specific Plan is consistent with the Community Plan Update currently being conducted.

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

Community Impact Statement: None submitted.

(Continued from Council meeting of November 5, 2008)

**Roll Call #2 - Motion (Smith - LaBonge) Adopted, Ayes (11); Absent: Alarcon, Greuel, Reyes and Rosendahl (4)
(Item Nos. 7-14)**

ITEM NO. (7) - MOTION (SMITH - ZINE - CARDENAS) ADOPTED

[08-2991](#)

CDs 3 & 12

CONTINUED CONSIDERATION OF MOTION (PERRY for SMITH - ZINE - CARDENAS) requesting the Planning Department, in coordination with the Los Angeles Department of Transportation and Bureau of Engineering to prepare and present the necessary documents and plan amendments to the "Streets and Highways Designation Map" of the Transportation Element of the General Plan, the Chatsworth-Porter Ranch Community Plan, the Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan and the Warner Center Specific Plan for the Metro Orange Line Extension.

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

(For background reports and materials related to this matter, contact the Legislative Assistant for the Planning and Land Use Management Committee at 213-978-1068.)

(Transportation Committee waived consideration of the above matter)

(Continued from Council meeting of November 19, 2008)

ADOPTED

MOTION (PERRY for SMITH - ZINE - CARDENAS)

Recommendation for Council action:

1. **DIRECT the Department of City Planning, in coordination with the Los Angeles Transportation Department (LADOT) and Bureau of Engineering, to prepare and present the necessary documents and plan amendments to the "Streets and Highways Designation Map" of the Transportation Element of the General Plan, the Chatsworth-Porter Ranch Community Plan, the Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan and the Warner Center Specific Plan to re-designate Canoga Avenue between Marilla Street and Vanowen Street from a Secondary Highway to a Modified Secondary Highway in order to accommodate the proposed cross-section of the Metro Orange Line Extension while maintaining the existing Canoga Avenue cross-section, except at key locations where intersections flaring may be required for right-turn only lanes.**

2. **INSTRUCT the BOE and LADOT to continue to review the preliminary and final design plans prepared by Metro for the Orange Line Extension without adhering to the existing Secondary Highway street dedication and widening requirements.**

ITEM NO. (8) - ADOPTED

[00-1968-S2](#)

CD 9

PUBLIC WORKS COMMITTEE REPORT relative to the Caltrans Exchange Agreement and claim for damages in connection with the Police Administration (New Parker Center) Project.

Recommendation for Council action:

NOTE and FILE the October 7, 2008 Municipal Facilities Committee report relative to the Caltrans Exchange Agreement and claim for damages in connection with the Police Administration (New Parker Center) Project.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (9) - ADOPTED

[07-1165](#)

CD 4

PUBLIC WORKS COMMITTEE REPORT relative to the temporary closure of Treasure Trail between Pacific View Drive and 100 feet easterly thereof.

Recommendation for Council action:

RECEIVE and FILE the January 25, 2008 City Engineer report relative to the temporary closure of Treasure Trail between Pacific View Drive and 100 feet easterly thereof.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (10) - ADOPTED

[08-2171](#)

CD 15

CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to vacating "R" Street (portion of southerly side) between McDonald Avenue and 133 feet westerly thereof (VAC E1401125).

Recommendations for Council action:

1. FIND that the vacation of "R" Street (portion of southerly side) between McDonald Avenue and 133 feet westerly thereof is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City of Los Angeles Environmental Guidelines.
2. DIRECT that the street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law BE INSTITUTED for the vacation of the public right-of-way indicated below and shown colored blue on Exhibit A of the October 22, 2008 City Engineer report, attached to the Council file:

A portion of the southerly side of "R" Street between McDonald Avenue and 133 feet westerly thereof.

3. ADOPT the FINDINGS of the City Engineer dated October 22, 2008, as the Findings of the Council.
4. ADOPT the accompanying City Engineer report dated October 22, 2008 to approve the vacation.
5. INSTRUCT the City Clerk to set a public hearing date for **JANUARY 7, 2009**.

Fiscal Impact Statement: The City Engineer reports that to date, an estimated \$5,679.84 in charges has been expended in the investigation and processing of this proceeding. Since Los Angeles Administrative Code Section 7.46 exempts all governmental agencies from payment of fees, the processing of this proceeding may be absorbed by the Bureau of Engineering. Maintenance of the public easement by City Forces will be eliminated.

Community Impact Statement: None submitted.

ITEM NO. (11) - ADOPTED

[08-2316](#)

CD 4

CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to vacating the alley and future alley southerly of Sixth Street and easterly of Bronson Avenue (VAC E1401113).

Recommendations for Council action:

1. FIND that the vacation of the alley and future alley southerly of Sixth Street and easterly of Bronson Avenue is exempt from the California Environmental Quality Act of 1970, pursuant to Article VII, Class 5(3) of the City of Los Angeles Environmental Guidelines.
2. DIRECT that the street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law BE INSTITUTED for the vacation of the public right-of-way indicated below and shown colored blue on Exhibit B of the October 21, 2008 City Engineer report, attached to the Council file:

The public and future alleys southerly of Sixth Street and easterly of Bronson Avenue.

3. ADOPT the FINDINGS of the City Engineer dated October 21, 2008, as the Findings of the Council.

4. ADOPT the accompanying City Engineer report dated October 21, 2008 to approve the vacation.
5. INSTRUCT the City Clerk to set a public hearing date for **JANUARY 7, 2009**.

Fiscal Impact Statement: The City Engineer reports that the petitioner has paid a fee of \$6,420.00 for the investigation of this vacation request pursuant to Los Angeles Administrative Code (LAAC) Section 7.42. Any deficit fee to recover the cost pursuant to LAAC Section 7.44 may be required of the petitioner. Maintenance of the public easement by City Forces will be eliminated.

Community Impact Statement: None submitted.

ITEM NO. (12) - MOTION ADOPTED TO APPROVE COMMITTEES' REPORT RECOMMENDATIONS

[07-4165](#)
CD 15

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT and PUBLIC WORKS COMMITTEES' REPORT and RESOLUTION relative to expending funds in an amount not to exceed \$200,000 for the Pacific Avenue Street Lighting Improvements Project.

Recommendations for Council action:

1. ADOPT the accompanying RESOLUTION [attached to the City Administrative Officer (CAO) report dated October 6, 2008] making specified findings pursuant to California Redevelopment Law Health and Safety Code Section 33445 related to the expenditure of Community Redevelopment Agency (CRA) Pacific Corridor Redevelopment Project Area (PCRPA) Tax Increment funds for public street lighting improvements located along Pacific Avenue between Fourth and Ninth Streets.
2. AUTHORIZE the Chief Executive Officer, CRA, or designee, to amend the CRA Fiscal Year 2008-09 Budget and Work Program to transfer \$200,000 of PCRPA Tax Increment funds from budgeted line item category "Development Opportunities" to line item category "Public Improvements."

Fiscal Impact Statement: The CAO reports that there is no impact on the General Fund. The City's Financial Policies are not applicable to the CRA. The CRA is only bound by the disclosure provisions of the City's Debt Management Policies. Approval of the recommendations will result in the expenditure of up to \$200,000 for the installation of street lighting along Pacific Avenue in the PCRPA, provided from Project Area Tax Increment funds.

Community Impact Statement: None submitted.

ITEM NO. (13) - MOTION ADOPTED TO APPROVE COMMITTEES' REPORT RECOMMENDATIONS

[08-1647](#)

CD 7

PUBLIC SAFETY and HOUSING COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEES' REPORT and RESOLUTION relative to the purchase and installation of security cameras in and around the Earthquake Disaster Assistance Project for Portions of Council District Seven Redevelopment Project Area.

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

1. ADOPT the accompanying JOINT RESOLUTION with the Community Redevelopment Agency (CRA) Board of Commissioners, pursuant to State Health and Safety Code Section 33445, making the finding that the expenditure of Agency funds to install publicly owned wireless camera systems is of benefit to the Earthquake Disaster Assistance Project for Portions of Council District Seven Redevelopment Project Area, that there is no other reasonable means of financing the wireless camera systems, and that such financing will help eliminate blight within the Project Area and is consistent with the Five-Year Implementation Plan.
2. AUTHORIZE the CRA Chief Executive Officer, or designee, to execute a Cooperation Agreement (CRA Contract No. 503250) with the Police Department's Mission Area Bureau in an amount not to exceed to \$360,000 to expend Assembly Bill (AB) 1290 funds for the purchase and installation of 14 wireless camera systems for the areas located in and outside the Project Area, expiring on June 30, 2009, with a renewal option of two additional one-year periods, subject to the approval of the City Attorney as to form and legality.
3. AUTHORIZE the Chief of Police, or designee, to execute the proposed Cooperation Agreement with the CRA in an amount not to exceed to \$360,000 to expend AB 1290 funds for the purchase and installation of 14 wireless camera systems for areas located in and outside the Project Area, subject to the approval of the City Attorney as to form and legality.
4. AUTHORIZE the Controller, upon proper demand of the CRA Chief Executive Officer, or designee, in accordance with the proposed Cooperation Agreement, to transfer funds from the CRA to the Police Department in an aggregate amount not to exceed \$360,000, from CRA Fund No. 5303/740, Account No. PC2990-6997-7777, into Police Fund No. 100/70, Account No. 3734 (Revenue from Other Agencies) for reimbursement of direct expenditures consistent with this action, and appropriate into Account No. 3040 (Contractual Services).
5. AUTHORIZE the Chief of Police, or designee, to prepare Controller instructions and/or to make any technical adjustments that may be required consistent with this action, subject to the approval of the City Administrative Officer (CAO); and, AUTHORIZE the Controller to implement said instructions and/or adjustments.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. City financial policies are not applicable to the CRA. The CRA is only bound by the disclosure provisions of City debt management policies. Approval of the above recommendations will result in \$360,000 for the installation of City-owned wireless camera systems public improvements servicing the CRA's Earthquake Disaster Assistance Project for Portions of Council District Seven Redevelopment Project Area, provided from AB 1290 funds.

Community Impact Statement: None submitted.

ITEM NO. (14) - MOTION ADOPTED TO APPROVE BUDGET AND FINANCE COMMITTEE REPORT RECOMMENDATIONS

[07-2878-S1](#)

PUBLIC SAFETY and BUDGET AND FINANCE COMMITTEES' REPORTS relative to the 2008-09 Forensic Casework DNA Backlog Reduction Program.

RECEIVED AND FILED

A. PUBLIC SAFETY COMMITTEE REPORT

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

1. AUTHORIZE the Chief of Police or designee to:
 - a. Accept a grant award of \$435,860 for the 2008-09 Forensic Casework DNA Backlog Program from the United States Department of Justice, National Institute of Justice (NIJ), for the period October 1, 2008 through March 31, 2010.
 - b. Execute the Forensic Casework DNA Backlog Reduction Program Cooperative Agreement on behalf of the City and submit all necessary documents relative to the grant award and to negotiate, execute, and submit any other necessary agreements and documents relative to the grant for 2008-09, subject to the approval of the City Attorney as to form and legality.
2. AUTHORIZE the Controller to set up a grant receivable of \$435,860 and establish an appropriation account, account number to be determined, within Fund No. 339/70, for the receipt and disbursement of grant funds.
3. AUTHORIZE the Los Angeles Police Department (LAPD) to submit grant reimbursement requests to the grantor and deposit grant receipts in Fund No. 339/70, account number to be determined.
4. AUTHORIZE the Controller to increase appropriations as needed from Fund No. 339/70 to Fund No. 100/70, account numbers and amounts as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1090	Overtime General	\$157,500
2130	Training and Travel	\$21,792
3040	Contractual Services	\$185,625
3090	Field Equipment Expense	\$70,943

5. AUTHORIZE the Chief of Police, or designee, to increase existing contracts with Orchid Cellmark, Bode, Seri and Fairbax by an amount not to exceed \$185,625 for contractual services related to DNA analysis.
6. AUTHORIZE the LAPD to procure, negotiate, and execute a contract not to exceed \$70,943, or, in the alternative, increase the existing contract with Justice Trax by an amount not to exceed \$70,943, to purchase additional hardware and software to add custom features to the Laboratory Information Management System.

7. AUTHORIZE the LAPD to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer (CAO); and, AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund inasmuch as the acceptance of the grant does not require the City to provide matching funds. The Forensic Casework DNA Backlog Reduction Program costs are fully reimbursable. The above recommendations comply with City financial policies as one-time revenue will be used to support one-time expenses.

Community Impact Statement: None submitted.

ADOPTED

B. BUDGET AND FINANCE COMMITTEE REPORT

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

1. AUTHORIZE the Chief of Police, or designee, to accept a grant award of \$435,860 for the 2008-09 Forensic Casework DNA Backlog Program from the United States Department of Justice, National Institute of Justice (NIJ), for the period October 1, 2008 through March 31, 2010.
2. AUTHORIZE the Chief of Police, or designee, to execute the Forensic Casework DNA Backlog Reduction Program Cooperative Agreement on behalf of the City and submit all necessary documents relative to the grant award and to negotiate, execute and submit any other necessary agreements and documents relative to the grant for 2008-09, subject to the approval of the City Attorney as to form and legality.
3. AUTHORIZE the Controller to set up a grant receivable of \$435,860 and establish an appropriation account, account number to be determined, within Fund No. 339/70, for the receipt and disbursement of grant funds.
4. AUTHORIZE the Los Angeles Police Department (LAPD) to submit grant reimbursement requests to the grantor and deposit grant receipts in Fund No. 339/70, account number to be determined.
5. AUTHORIZE the Controller to increase appropriations as needed from Fund No. 339/70 to Fund No. 100/70, account numbers and amounts as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1090	Overtime General	\$ 157,500
2130	Training and Travel	\$21,792
3040	Contractual Services	\$185,625
3090	Field Equipment Expense	\$70,943

6. AUTHORIZE the Chief of Police, or designee, to increase existing contracts with Orchid Cellmark, Bode, Seri and Fairbax by an amount not to exceed \$185,625 for contractual services related to DNA analysis.

7. AUTHORIZE the LAPD to procure, negotiate and execute a contract not to exceed \$70,943, or, in the alternative, increase the existing contract with Justice Trax by an amount not to exceed \$70,943, to purchase additional hardware and software to add custom features to the Laboratory Information Management System (LIMS).
8. AUTHORIZE the LAPD to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer (CAO), and AUTHORIZE the Controller to implement the instructions.
9. INSTRUCT the LAPD, in the Department's response to the Controller's audit, to distinguish between the work product of the Serology/DNA Unit that is accomplished as a result of grant funding vs. the work that is accomplished from budgeted funds, to highlight what the Department has accomplished using the additional grant funds.
10. REQUEST the Mayor, in conjunction with the Council and the Chief of Police, submit a letter to the NIJ in support of the LAPD request for reconsideration and/or grant augmentation in light of the approximate \$500,000 reduction in the 2008-09 NIJ grant.
11. RECEIVE and FILE the CAO report, dated July 3, 2008, relative to the 2008-09 Forensic Casework DNA Backlog Reduction Program, inasmuch as the recommendations in a subsequent CAO report dated July 23, 2008, are reflected in this Committee report and recommended for approval.

Fiscal Impact Statement: The CAO reports that the Forensic Casework DNA Backlog Reduction Program costs are fully reimbursable. Therefore, there is no impact to the General Fund as the acceptance of the grant does not require the City to provide matching funds. The recommendations in this report comply with the City's Financial Policies as one-time revenue will be used to support one-time expenses.

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 15-30

(10 Votes Required for Consideration)

**Roll Call #6 - Motion (Huizar - Parks) Adopted, Ayes (12); Absent: Greuel, Reyes and Rosendahl (3)
(Item Nos. 15-16)**

ITEM NO. (15) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

[08-2824](#)

COMMUNICATION FROM THE COUNCIL PRESIDENT relative to the appointment of Mr. Michael Jones to the Quality and Productivity Commission.

Recommendation for Council action:

RESOLVE that the Council President's appointment of Mr. Michael Jones to the Quality and Productivity Commission, is APPROVED and CONFIRMED. Mr. Michael Jones resides in Council District Eight. (Current Board gender composition: M = 8; F = 5).

Background Check Review: Pending.

Ethics Commission Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - DECEMBER 1, 2008

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

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

ITEM NO. (16) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

[08-3103](#)

COMMUNICATION FROM THE COUNCIL PRESIDENT relative to the appointment of Ms. Maria Teresa Acosta to the Quality and Productivity Commission.

Recommendation for Council action:

RESOLVE that the Council President's appointment of Ms. Maria Teresa Acosta to the Quality and Productivity Commission, is APPROVED and CONFIRMED. Ms. Maria Teresa Acosta resides in Council District 14. (Current Board gender composition: M = 8; F = 5).

Background Check Review: Pending.

Ethics Commission Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 2, 2009

(LAST DAY FOR COUNCIL ACTION - DECEMBER 17, 2008)

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

**Roll Call #3 - Motion (Perry - Huizar) Adopted, Ayes (11); Absent: Alarcon, Greuel, Reyes and Rosendahl (4)
(Item Nos. 17-22)**

ITEM NO. (17) - ADOPTED

[08-0005-S755](#)

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 November 18, 2008:

[08-0005-S755](#)

CD 8

- a. Property at 231 West 102nd Street (Case No. 151259).
Assessor I.D. No. 6053-025-015

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 29, 2007)

[08-0005-S756](#)

CD 9

- b. Property at 722 West 43rd Street (Case No. 114864).
Assessor I.D. No. 5019-012-029

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 3, 2007)

[08-0005-S757](#)

CD 13

- c. Property at 201 South Bonnie Brae Street (Case No. 147029).
Assessor I.D. No. 5154-003-001

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

[08-0005-S758](#)

CD 13

- d. Property at 2036 North Alvarado Street (Case No. 193356).
Assessor I.D. No. 5420-005-026

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

ITEM NO. (18) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

[08-2887](#)

CD 15

COMMUNICATION FROM CHAIR AND MEMBER, ENERGY AND ENVIRONMENT COMMITTEE and RESOLUTION relative to authority to apply for and accept grant funding from the State of California, under the 319(h) Nonpoint Source Implementation Grant Program, for the Machado Lake Watershed Trash Capture Project.

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

1. AUTHORIZE the Director, Bureau of Sanitation (BOS), or designee, to apply for and accept grant funding; to conduct all negotiations; to provide additional information; and to execute and submit all documents, including but not limited to, applications, agreements, or amendments, subject to the approval of the City Attorney as to form and legality, which may be necessary to secure funding with respect to the implementation of the grant.
2. ADOPT the accompanying RESOLUTION authorizing the Director, BOS, or designee, to apply for and if awarded accept grant funding from the State Water Resources Control Board, in an amount not to exceed \$450,000 for the implementation of the Machado Lake Watershed Trash Capture Project.

Fiscal Impact Statement: The Board of Public Works reports that acceptance of this grant will have no impact on the General Fund. The total estimated cost for the project is \$600,000. The grant application requests \$450,000 in funding. The 25 percent required match from the City will be provided by the Proposition O Program. Receipt of grant funding will leverage funds provided by this program.

Community Impact Statement: None submitted.

ITEM NO. (19) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

[08-2888](#)

CDs 5, 10 & 11

COMMUNICATION FROM CHAIR AND MEMBER, ENERGY AND ENVIRONMENT COMMITTEE and RESOLUTION relative to authority to apply for and accept grant funding from the Santa Monica Bay Restoration Commission (SMBRC), Proposition 84 Grant Program, for the Coastal Interceptor Relief Sewer Project, the Pico Green Street Project, and the Ballona Creek Watershed Trash Capture Project.

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

1. AUTHORIZE the Director, Bureau of Sanitation (BOS), or designee, to apply for and accept grant funding; to conduct all negotiations; to provide additional information; and to execute and submit all documents, including but not limited to, applications, agreements, or amendments, subject to the approval of the City Attorney as to form and legality, which may be necessary to secure funding with respect to the Coastal Interceptor Relief Sewer Project, the Pico Green Street Project, and the Ballona Creek Watershed Trash Capture Project.
2. APPROVE the acceptance of grant funding by the BOS from the SMBRC Proposition 84 Grant Program beginning Fiscal Year (FY) 2009-10 through FY 2012-13, in an amount not to exceed \$8,000,000.
3. ADOPT the accompanying RESOLUTION authorizing the Director, BOS, or designee, to apply for and if awarded accept grant funding from the SMBRC Proposition 84 Grant Program in an amount not to exceed \$8,000,000 for the implementation of the projects.

Fiscal Impact Statement: The Board of Public Works reports that acceptance of this funding will have no impact on the General Fund. Initial funding for this project is available through the BOS' Wastewater Capital Improvement and Proposition O Programs, as well as by Council District 11's

Discretionary Fund. Receipt of grant funds will leverage funds provided by these programs in an amount not to exceed \$8,000,000. The City's contribution of up to \$4,600,000 satisfies the SMBRC's Proposition 84 Grant Program requirement of a minimum 15 percent match, which will consist of in-kind services. Estimated total project costs amount to \$12,600,000.

Community Impact Statement: None submitted.

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

[08-2964](#)

CD 11

COMMUNICATION FROM CHAIR AND MEMBER, ENERGY AND ENVIRONMENT COMMITTEE and RESOLUTION relative to authority to apply for and accept grant funding from the Santa Monica Bay Restoration Commission (SMBRC), Proposition 84 Grant Program, for the Parkways Retrofit Project.

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

1. AUTHORIZE the Director, Bureau of Sanitation (BOS), or designee, to apply for and accept grant funding; to conduct all negotiations; to provide additional information; and to execute and submit all documents, including but not limited to, applications, agreements, or amendments, subject to the approval of the City Attorney as to form and legality, which may be necessary to secure funding with respect to the Parkways Retrofit Project, under the SMBRC Proposition 84 Grant Program.
2. APPROVE the acceptance of grant funding by the BOS from the SMBRC Proposition 84 Grant Program beginning Fiscal Year (FY) 2009-10 through FY 2011-12, in an amount not to exceed \$850,000.
3. ADOPT the accompanying RESOLUTION authorizing the Director, BOS, or designee, to apply for and if awarded accept grant funding from the SMBRC Proposition 84 Grant Program in an amount not to exceed \$850,000 for the implementation of the project.

Fiscal Impact Statement: The Board of Public Works reports that acceptance of this funding will have no impact on the City's General Fund. Initial funding for this project is available through the BOS' Stormwater Pollution Abatement Fund (SPAF). Receipt of grant funds will leverage funds provided by the SPAF funding source, in an amount not to exceed \$850,000. The City's contribution of up to \$150,000 satisfies the SMBRC's Proposition 84 Grant Program requirement of a minimum 15 percent match, which will consist of in-kind services. Estimated total project costs amount to \$1 million.

Community Impact Statement: None submitted.

ITEM NO. (21) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

[08-2899](#)

CD 6

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 13390 West Kagel Canyon pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated October 7, 2008 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 13390 West Kagel Canyon.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$2,386.10 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$2,230 and a seven percent surcharge in the amount of \$156.10 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

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

[08-3072](#)

CD 3

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 4643 Cartina Drive pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.

3. ADOPT the City Engineer report dated November 4, 2008 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 4643 Cartina Drive.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$1,926 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$1,800 and a seven percent surcharge in the amount of \$126 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (23) - ADOPTED

Roll Call #15 - Motion (Parks- LaBonge) Adopted, Ayes (12); Absent: Greuel, Rosendahl and President Garcetti (3)

06-2854-S1

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

Recommendations for Council action:

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

06-2854-S1

CD 14

- a. MOTION (HUIZAR - CARDENAS) relative to declaring the Third Annual Toy Giveaway & Bridge Lighting Ceremony on December 6, 2008 a Special Event (fees and costs absorbed by the City = \$7,366).

08-3154

CD 14

- b. MOTION (HUIZAR - CARDENAS) relative to declaring the Third Annual El Sereno Winter Wonderland on December 13, 2008 a Special Event (fees and costs absorbed by the City = \$5,168).

08-3155

CD 13

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

[08-3156](#)

CD 13

- d. MOTION (GARCETTI - LABONGE) relative to declaring the Major League Soccer/Volkswagen event on November 21, 2008 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[06-2798-S1](#)

CD 8

- e. MOTION (PARKS - LABONGE) relative to declaring the Conquest 2008 on December 4-5, 2008 a Special Event (fees and costs absorbed by the City = \$3,597).

[08-2973-S1](#)

CD 9

- f. MOTION (PERRY - GARCETTI) relative to declaring the Holiday Light Parade Festival on December 13, 2008 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[06-2858-S1](#)

CD 9

- g. MOTION (PERRY - REYES) relative to declaring the Project Restore Holiday Tree Lighting Ceremony on December 4, 2008 a Special Event (fees and costs absorbed by the City = none submitted).

[08-0070-S1](#)

CD 9

- h. MOTION (PERRY - GARCETTI) relative to declaring the Celebracion del Quince de Enero on January 11, 2009 a Special Event (fees and costs absorbed by the City = \$4,320).

[06-3179-S1](#)

CD 9

- i. MOTION (PERRY - GREUEL) relative to declaring the January Gift and Home Furnishing Show on January 13-19, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[07-3401-S2](#)

CD 9

- j. MOTION (PERRY - GREUEL) relative to declaring the Youth Concerts on March 3-6, 2009 a Special Event (fees and costs absorbed by the City = \$3,778).

[07-3637-S1](#)

CD 8

- k. MOTION (PARKS - LABONGE) relative to declaring the Sixth Annual Thanksgiving Community Outreach on November 22, 2008 a Special Event (fees and costs absorbed by the City = \$3,672).

[07-3874-S1](#)

CD 14

- l. MOTION (HUIZAR - HAHN) relative to declaring the 40th Annual Eagle Rock Holiday Tree Lighting on December 5, 2008 a Special Event (fees and costs absorbed by the City = \$1,701).

[07-3636-S1](#)

CD 13

- m. MOTION (GARCETTI - PERRY) relative to declaring the New Music Weekly Awards on November 22, 2008 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[08-3159](#)

CD 13

- n. MOTION (GARCETTI - PERRY) relative to declaring the LA Music Awards on November 20, 2008 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

**Roll Call #3 - Motion (Perry - Huizar) Adopted, Ayes (11); Absent: Alarcon, Greuel, Reyes and Rosendahl (4)
(Item Nos. 24-27)**

ITEM NO. (24) - ADOPTED

[07-1949-S1](#)

MOTION (PERRY - REYES) relative to a request for an exemption from the Convention Center fee waiver policy for the Los Angeles Police Department's Officer Recognition Day on December 11, 2008.

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

1. FIND that the Officer Recognition Day event, sponsored by the Los Angeles Police Department (LAPD), serves a public purpose in that it will pay tribute to the efforts of approximately 350 men and women of the LAPD.
2. AUTHORIZE the General Manager, Convention Center, to make an exception to the Council's Convention Center waiver policy by waiving a maximum of \$2,500 in room rental fees for this event.

ITEM NO. (25) - ADOPTED

[07-0010-S58](#)

MOTION (HAHN - GREUEL) relative to reinstating the reward offer in the death of Tierney Yates for an additional six months.

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

REAFFIRM Council's findings and REINSTATE the reward offer relative to the death of Tierney Yates (Council action of October 8, 2008 Council file No. 07-0010-S58) for an additional period of six months from the publication of the offer of reward by the Office of the City Clerk and, further, that the sum of \$50,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.

ITEM NO. (26) - ADOPTED

[08-3157](#)

CD 14

MOTION (HUIZAR - CARDENAS) relative to funding for the replacement of a school marquee.

Recommendations for Council action:

1. UTILIZE \$10,000 in the Council District 14 Real Property Trust Fund No. 696 to fund any aspect of the replacement of a school marquee with a new electronic marquee at Stevenson Middle School.
2. DIRECT the City Clerk to prepare the necessary document(s) with, and/or payment(s) to Stevenson Middle School, or any other agency or organization, as appropriate, in the above amount, for the above purpose, subject to the approval of the City Attorney, if needed.
3. AUTHORIZE the Councilmember of Council District 14 to execute any such documents on behalf of the City.
4. AUTHORIZE the City Clerk to make any technical corrections or clarifications to the above instructions in order to effectuate the intent of the Motion.

ITEM NO. (27) - ADOPTED

[07-3479-S2](#)

CD 13

MOTION (GARCETTI - PERRY) relative to a special event declaration for the Hollywood Santa Parade.

Recommendation for Council action:

AMEND the Council action of November 18, 2008 (Council file No. 07-3479-S1) relative to the special event declaration for the Hollywood Santa Parade to adopt following additional instructions:

- a. Direct the Bureau of Sanitation to supply the appropriate number of trash container, liners, and the personnel to service them for this event.
- b. Instruct the Bureau of Street Services to assist with personnel and trucks to ensure the streets are clean before and after this event.

ITEM NO. (28) - ADOPTED

Roll Call #16 - Motion (Huizar - Parks) Adopted, Ayes (12); Absent: Greuel, Rosendahl and President Garcetti (3)

[08-0536-S1](#)

CD 14

MOTION (HUIZAR - PARKS) relative to funding for community amenities in Council District 14.

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

TRANSFER \$50,000 from the Central Los Angeles Recycling and Transfer Station Community Amenities Trust Fund No. 47S/14 to the General City Purposes Fund No. 100/56, Account No. 0714 (Council District 14 Community Services) to provide funding for community amenities in Council District 14.

ITEM NO. (29) - ADOPTED

Roll Call #3 - Motion (Perry - Huizar) Adopted, Ayes (11); Absent: Alarcon, Greuel, Reyes and Rosendahl (4)

[06-2408-S1](#)

CD 3

MOTION (ZINE - WESSON) relative to the special event declaration for the Woodland Hills Medical Center Certified Farmers' Market.

Recommendation for Council action:

AMEND the Council actions of October 17, 2006 and September 26, 2007 (Council file No. 06-2408) relative to the special event declaration for the Woodland Hills Medical Center Certified Farmers' Market and RE-ADOPT the fee waiver, street closure, departmental instructions, and other provisions contained therein for an additional period of one year from the date of expiration of the previous one year period.

ITEM NO. (30) - ADOPTED

Roll Call #17 - Motion (LaBonge - Hahn) Adopted, Ayes (12); Absent: Greuel, Rosendahl and President Garcetti (3)

[08-3158](#)

CD 4

MOTION (LABONGE - HAHN) relative to the refund of an Arts Development Fee paid in error by the Los Angeles County Museum of Art.

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

1. INSTRUCT and AUTHORIZE the Department of Cultural Affairs to process Claim No. 98659 for refund of a \$54,959.04 Arts Development Fee, which was paid in error by the Los Angeles County Museum of Art under the circumstances described in the text of the Motion.

2. AUTHORIZE the Controller to make payment to the Museum Associates (dba Los Angeles County Museum of Art) in the amount of \$54,959.04 from the Arts Development Trust Fund No. 516 for the above purpose.
3. AUTHORIZE the Department of Cultural Affairs to make any technical corrections or clarifications to the above financial transaction instructions in order to effectuate the intent of the Motion.

Closed Sessions - Items 31-36

ITEM NO. (31) - MOTION ADOPTED - SEE FOLLOWING

Roll Call #7 - Motion (Parks - Smith) Adopted in Open Session, Ayes (12); Absent: Greuel, Reyes and Rosendahl (3)

08-2805

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 Larry Ford v. City of Los Angeles, Workers' Compensation Appeals Board Case No. VNO545469. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a Firefighter/Paramedic with the Los Angeles Fire Department.)

(Budget and Finance Committee considered the above matter in Closed Session on November 17, 2008.)

ADOPTED

MOTION (PARKS - SMITH)

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

1. **AUTHORIZE the City Attorney to enter into a settlement in the case entitled Larry Ford v. City of Los Angeles, Workers' Compensation Appeals Board Case No. VNO545469, through a Stipulated Award for 84 percent permanent disability or \$177,457.50 with a life pension thereafter payable at \$185.54 per week.**
2. **AUTHORIZE the City Attorney to execute the Stipulated Award with all appropriate parties for submission to the Workers' Compensation Appeals Board for its award of payment.**

This matter was approved by the Budget and Finance Committee (Parks-Greuel-Rosendahl "yes") at its meeting on November 17, 2008, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (32) - MOTION ADOPTED - SEE FOLLOWING

Roll Call #8 - Motion (Parks - Smith) Adopted in Open Session, Ayes (12); Absent: Greuel, Reyes and Rosendahl (3)

[08-2806](#)

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 Mauricio Garcia v. City of Los Angeles, Workers' Compensation Appeals Board Case No. VNO536558. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a Police Officer with the Los Angeles Police Department.)

(Budget and Finance Committee considered the above matter in Closed Session on November 17, 2008.)

ADOPTED

MOTION (PARKS - SMITH)

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

1. **AUTHORIZE the City Attorney to enter into a settlement in the case entitled Mauricio Garcia v. City of Los Angeles, Workers' Compensation Appeals Board Case No. VNO536558, through a Stipulated Award for 100 percent permanent disability or \$242,257.50 with a life pension thereafter payable at \$515.38 per week.**
2. **AUTHORIZE the City Attorney to execute the Stipulated Award with all appropriate parties for submission to the Workers' Compensation Appeals Board for its award of payment.**

This matter was approved by the Budget and Finance Committee (Parks-Greuel-Rosendahl) at its meeting on November 17, 2008, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (33) - MOTION ADOPTED - SEE FOLLOWING

Roll Call #9 - Motion (Parks - Smith) Adopted in Open Session, Ayes (12); Absent: Greuel, Reyes and Rosendahl (3)

[08-2894](#)

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 Donald Richards v. City of Los Angeles, Workers' Compensation Appeals Board Case No. VNO542742. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a Police Officer with the Los Angeles Police Department.)

(Budget and Finance Committee considered the above matter in Closed Session on November 17, 2008.)

ADOPTED

MOTION (PARKS - SMITH)

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

1. **AUTHORIZE** the City Attorney to enter into a settlement through a Stipulated Award for 85 percent permanent disability or \$181,777.50 with a life pension thereafter payable at \$193.27 per week.
2. **AUTHORIZE** the City Attorney to execute the Stipulated Award with all appropriate parties for submission to the Workers' Compensation Appeals Board for its award of payment.

This matter was approved by the Budget and Finance Committee (Parks-Greuel-Rosendahl "yes") at its meeting on November 17, 2008, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (34) - MOTION ADOPTED - SEE FOLLOWING

Roll Call #10 - Motion (Parks - Smith) Adopted in Open Session, Ayes (12); Absent: Greuel, Reyes and Rosendahl (3)

[08-2816](#)

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 Richard Houchin and Robert Hart dba Rodeo Partnership v. City of Los Angeles; Inverse Condemnation Claim No. C08-0148 (concerning 5939 Rodeo Road in Council District 10).

(Budget and Finance Committee considered the above matter in Closed Session on November 17, 2008.)

ADOPTED

MOTION (PARKS - SMITH)

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

1. **AUTHORIZE** the City Attorney to execute the settlement agreement and all other documents necessary to implement the settlement.
2. **AUTHORIZE** the City Attorney to expend \$411,791.44 in settlement of the case entitled Richard Houchin and Robert Hart dba Rodeo Partnership v. City of Los Angeles; Inverse Condemnation Claim No. C08-0148, from the Sewer Construction and Maintenance Fund 760, Account 282, Object 304 City Attorney Claims.
3. **AUTHORIZE** the City Attorney to draw a demand thereon in said amount payable to Richard Houchin and Robert Hart and Silverberg Law Corporation.

This matter was approved by the Budget and Finance Committee (Parks-Greuel-Rosendahl "yes") at its meeting on November 17, 2008, in Closed Session as permitted by Government Code Section 54956.9(a).

**Roll Call #11 - Motion (Parks - Smith) Adopted in Open Session, Ayes (12); Absent: Greuel, Reyes and Rosendahl (3)
(Item Nos. 35-36)**

ITEM NO. (35) - MOTION ADOPTED - SEE FOLLOWING

[08-2895](#)

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 Salomon Cohen v. City of Los Angeles, Los Angeles Superior Court Case No. EC046035. (This case arises from an alleged trip and fall incident that occurred on June 3, 2007.)

(Budget and Finance Committee considered the above matter in Closed Session on November 17, 2008.)

ADOPTED

MOTION (PARKS - SMITH)

Recommendation for Council action:

ADOPT the recommendation of the City Attorney in connection with the case entitled Salomon Cohen v. City of Los Angeles, Los Angeles Superior Court Case No. EC046035. (This case arises from an alleged trip and fall incident that occurred on June 3, 2007).

ITEM NO. (36) - MOTION ADOPTED - SEE FOLLOWING

[08-2592](#)

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 Vickey Lott v. City of Los Angeles, Los Angeles Superior Court Case No. BC383089. (This case arises from an alleged trip and fall incident that occurred on December 16, 2006.)

(Budget and Finance Committee considered the above matter in Closed Session on November 17, 2008.)

ADOPTED

MOTION (PARKS - SMITH)

Recommendation for Council action:

ADOPT the recommendation of the City Attorney in connection with the case entitled Vickey Lott v. City of Los Angeles, Los Angeles Superior Court Case No. BC383089. (This case arises from an alleged trip and fall incident that occurred on December 16, 2005.):

Items for Which Public Hearings Have Been Held - Items 37-38

ITEM NO. (37) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #12 - Motion (Huizar - Weiss) to Adopt as Amended, Ayes (12); Absent: Greuel, Rosendahl and President Garcetti (3)

[08-2599](#)

CDs 1 & 14

CONTINUED CONSIDERATION OF MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to zone changes for various subareas within the Northeast Los Angeles Community Plan.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council File No. 08-2599 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2008-1183 MND] filed on May 23, 2008.
2. ADOPT the November 19, 2008, FINDINGS of the Director of Planning, as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE dated November 19, 2008, and approved by the Director of Planning, effecting zone changes for various subareas within the Northeast Los Angeles Community Plan, located in the hillside easterly of the 110 Freeway and for portions of Elephant Hill-Happy Valley-Hermon-Heritage Square-Lincoln Heights-Mt. Olympus (Flattop Hill)-Montecito Heights-Monterey Hills-Oak Hill-Paradise Hill-Rose Hills, El Sereno North, Ascot Hills-El Sereno-Hillside Village-Omaha Heights, and University Hills in the Northeast Los Angeles Community Plan area, from OS-1XL-HPOZ to [Q]OS-1XLD-HPOZ, OS-1XL to [Q]OS-1XLD, A1-1 to [Q]A1-1D, A1-1XL to [Q]A1-1XLD, RE40-1 to [Q]RE40-1D, RE20-1 to [Q]RE20-1D, RE9-1 to [Q]RE9-1D, RS-1 to [Q]RS-1D, R1-1-HPOZ to [Q]R1-1D-HPOZ, R1-1 to

[Q]R1-1D, R2-1-HPOZ to [Q]R2-1D-HPOZ, R2-1 to [Q]R2-1D, RD6-1 to [Q]RD6-1D, [T][Q]RD6-1 to [T][Q]RD6-1D, RD5-1 to [Q]RD5-1D, [Q] RD5-1 to [Q]RD5-1D, RD4-1-HPOZ to [Q]RD4-1D-HPOZ, RD3-1-HPOZ to [Q]RD3-1D-HPOZ, RD3-1 to [Q]RD3-1D, RD2-1 to [Q]RD2-1D RD1.5-1 to [Q]RD1.5-1D, (T)(Q)RD1.5-1 to (T)[Q]RD1.5-1D, C1-1 to [Q]C1-1 and PF-1 to [Q]PF-1D, subject to D limitations and Q Conditions of Approval, as modified and attached to the Committee report. No individual development project is being proposed.

Applicant: City of Los Angeles

CPC 2008-1182-ZC

4. NOT PRESENT and ORDER FILED Ordinances dated August 14, 2008.

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

Community Impact Statement: Yes*

Against Proposal: Glassell Park Neighborhood Council

General Comments: Lincoln Heights Neighborhood Council

TIME LIMIT FILE - DECEMBER 29, 2008

(LAST DAY FOR COUNCIL ACTION - DECEMBER 17, 2008)

ADOPTED

AMENDING MOTION (HUIZAR - REYES)

Recommendation for Council action:

AMEND the Ordinance to include the following language under Section 4:

Sec. 4 The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

"If any provision of this Ordinance or its application to any property is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, invalidity shall not affect other Ordinance provisions, clause4s or applications which can be implemented without the invalid provision, clause or application, and to this end the provisions and clauses of this Ordinance are declared to be severable."

ITEM NO. (38) - CONTINUED TO DECEMBER 2, 2008

Roll Call #4 - Motion (Hahn - Zine) Adopted to Continue, Ayes (11); Absent: Alarcon, Greuel, Reyes and Rosendahl (4)

[08-1397](#)

CD 15

CONTINUED CONSIDERATION OF ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to the condition of and operations at and near Cabrillo Beach, as they relate to the historic poor water quality in the beach area.

Recommendations for Council action, as initiated by Motion (Hahn - Rosendahl):

1. NOTE and FILE the October 7, 2008 report from the Harbor Department relative to the condition of and operations at and near Cabrillo Beach, as they relate to the historic poor water quality in the beach area.
2. DIRECT the Harbor Department to report back in February 2009 with an update/status report.

Fiscal Impact Statement: None submitted by the Harbor Department. 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 39-40

(10 Votes Required for Consideration)

**Roll Call #18 - Motion (Reyes - Wesson) Adopted to Continue, Ayes (12); Absent: Greuel, Rosendahl and President Garcetti (3)
(Item Nos. 39-40)**

ITEM NO. (39) - CONTINUED TO DECEMBER 2, 2008

[08-2054-S1](#)

CD 1

CONTINUED CONSIDERATION OF COMMUNICATION FROM THE CITY CLERK and RESOLUTION relative to the certified results of the Community Redevelopment Agency (CRA) Pico Union 1 Project Area Committee (PAC) election held on October 28, 2008.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION approving the certified results of votes cast at the CRA Pico Union PAC election conducted by the Office of the City Clerk, Election Division on October 28, 2008, for the various candidates at the election for 15 vacancies in the categories of Existing Community Organization, Business Owner, Residential Owner Occupant and Residential Tenant.

TIME LIMIT FILE - NOVEMBER 26, 2008

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

ITEM NO. (40) - CONTINUED TO DECEMBER 2, 2008

[08-2054-S2](#)

CD 1

CONTINUED CONSIDERATION OF COMMUNICATION FROM THE CITY CLERK and RESOLUTION relative to the certified results of the Community Redevelopment Agency (CRA) Pico Union 2 Project Area Committee (PAC) election held on October 28, 2008.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION approving the certified results of votes cast at the CRA Pico Union 2 PAC election conducted by the Office of the City Clerk, Election Division on October 28, 2008, for the various candidates at the election for 15 vacancies in the categories of Existing Community Organization, Business Owner, Residential Owner Occupant and Residential Tenant.

TIME LIMIT FILE - NOVEMBER 26, 2008

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

MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR WEDNESDAY, NOVEMBER 26, 2008, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

ADOPTED - FORTHWITH

Roll Call #19 - Motion (Alarcon - Smith) Findings on Need to Act - Adopted, Ayes (12); Absent: Garcetti Greuel and Rosendahl (3)

Roll Call #20 - Motion (Alarcon - Smith) Adopted, Ayes (12); Absent: Garcetti Greuel and Rosendahl (3)

[08-3144-S3](#)

MOTION (ALARCON - SMITH) relative to utilizing the Lopez Canyon Community Amenities Trust Fund to find any aspect of the community assistance efforts to victims of the recent Sayre and Marek Fires.

Recommendations for Council action:

- 1. RESOLVE that \$100,000 in the Lopez Canyon Landfill Community Amenities Trust Fund No. 531-14, Account No. L302, be utilized to fund any aspect of the community assistance efforts to victim of the recent Sayre and Marek Fires.**

2. **DIRECT** the City Clerk to prepare the necessary document(s) and/or agreements(s) with the Valley Economic Development Center, or any other agency or organization, as appropriate, in the above amount, for the above purpose, subject to the approval of the City Attorney as to form and legality, if needed, and **AUTHORIZE** the Councilmember of the District to execute such agreement or other document(s) on behalf of the City.
3. **AUTHORIZE** the City Clerk to make any technical corrections or clarifications to the above instructions in order to effectuate the intent of this Motion.

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

[08-3230](#)

CD 9

MOTION (PERRY - GARCETTI) relative to declaring the Grammy Museum Grand Opening Ceremony on December 5, 2008 a Special Event (fees and costs absorbed by the City = \$500).

[08-3231](#)

CD 9

MOTION (PERRY - GARCETTI) relative to declaring the Community Big Giveaway Day on December 23, 2008 a Special Event (fees and costs absorbed by the City = \$1,226).

[07-3799-S1](#)

CD 9

MOTION (PERRY - PARKS) relative to declaring the Our Lady Virgin Mary Celebration on December 7, 2008 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[08-3232](#)

CD 6

MOTION (CARDENAS - SMITH) relative to declaring the Gift of Flight at Van Nuys Airport on December 4, 2008 a Special Event (fees and costs absorbed by the City = \$1,600).

[07-3883-S1](#)

CD 13

MOTION (GARCETTI - PERRY) relative to declaring the Street Festival-Celebrate the Feast of Our Lady of Guadalupe Cultural Event on December 7, 2008 a Special Event (fees and costs absorbed by the City = \$3,848).

[06-2872-S1](#)

CD 8

MOTION (PARKS - LABONGE) relative to declaring the Seventh Annual District Tree Lighting in Historic Leimert Park on December 1, 2008 a Special Event (fees and costs absorbed by the City = \$4,120).

[08-3233](#)

CD 1

MOTION (REYES - PERRY) relative to declaring the Holiday Community Celebration on December 12, 2008 a Special Event (fees and costs absorbed by the City = \$6,000).

[07-3735-S1](#)

CD 1

MOTION (REYES - PERRY) relative to declaring the 64th Annual Northeast Los Angeles Holiday Parade and Winter Festival on December 7, 2008 a Special Event (fees and costs absorbed by the City = \$8,000).

[08-3234](#)

CD 1

MOTION (REYES - PERRY) relative to declaring the Lincoln Heights Holiday Parade on December 14, 2008 a Special Event (fees and costs absorbed by the City = \$4,000).

[07-3747-S1](#)

CD 2

MOTION (HAHN for GREUEL - LABONGE) relative to declaring the Tujunga Village Holiday Open House on December 6, 2008 a Special Event (fees and costs absorbed by the City = \$4,221).

[07-3795-S1](#)

CD 2

MOTION (ZINE for GREUEL - PERRY) relative to declaring the Studio City 14th Annual Holiday Parade and Open House on December 7, 2008 a Special Event (fees and costs absorbed by the City = \$6,572).

[08-3236](#)

CD 8

MOTION (PARKS - CARDENAS) relative to declaring the People's Choice Awards Presentation on January 7, 2009 a Special Event (fees and costs absorbed by the City = \$15,000).

[08-3229](#)

MOTION (LABONGE - PARKS) relative to authorizing the Department of Public Works, Office of Community Beautification use of the City Hall Tom Bradley Room on January 15, 2009.
Recommendation for Council action:

[08-2972-S1](#)

CD 9

MOTION (PERRY - PARKS) relative to the Gilmore Associates Historic Core Holiday Party.

[08-3235](#)

CD 2

MOTION (HAHN for GREUEL - LABONGE) relative to an agreement to lease office space for the Sun Valley Area Neighborhood Council.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember Wesson was excused from Council of January 20, 21 and 23, 2009 due to personal business.

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

[08-2604](#) Ross H. Valencia (Huizar - All)

Nicholas Michael Sidrow (Smith - Zine)

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

Whereupon the Council did adjourn.

ATTEST: Karen E. Kalfayan, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL