

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **December 10, 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, Greuel, Hahn, Huizar, LaBonge, Parks, Rosendahl, Smith, Wesson and President Garcetti (10); Absent: Cardenas, Perry, Reyes, Weiss and Zine (5).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
DECEMBER 5, 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

Items for Which Public Hearings Have Been Held - Items 1-24

ITEM NO. (1) - ADOPTED

Roll Call #5 - Motion (Reyes - Wesson) Adopted, Ayes (11); Absent: Cardenas, Perry, Weiss and Zine (4)

[08-2979](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the Mayor's appointment of Mr. Javier C. Angulo to the East Los Angeles Area Planning Commission.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Javier C. Angulo to the East Los Angeles Area Planning Commission for the term ending June 30, 2011, to fill the vacancy created by Fabiola Vilchez, is APPROVED and CONFIRMED. Mr. Angulo resides in Council District One. (Current Commission gender composition: M=2; F=2; vacancy=1)

Ethics Commission Review: Complete

Background Check Review: Pending

Community Impact Statement: None submitted.

TIME LIMIT FILE - DECEMBER 15, 2008

(LAST DAY FOR COUNCIL ACTION - DECEMBER 12, 2008)

ITEM NO. (2) - ADOPTED

Roll Call #7 - Motion (Parks - Huizar) Adopted, Ayes (12); Absent: Cardenas, Weiss and Zine (3)

[08-2841](#)

CD 2

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to a General Plan Amendment and zone change for property at 12417, 12419, and 12421 Mulholland Drive.

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

1. ADOPT the October 1, 2008 FINDINGS of the Director of Planning as the Findings of the Council.
2. ADOPT the accompanying RESOLUTION as recommended by the Mayor and the Director of Planning APPROVING the proposed General Plan Amendment to the Sherman Oaks - Studio City - Toluca Lake - Caluenga Pass Community (portion of Subarea 170) restoring the land use designation of Minimum Residential as part of the Open Space II - General Plan Consistency Program for properties at 12417, 12419, and 12421 Mulholland Drive.

Applicant: City of Los Angeles
170

CPC 1995-0148 GPC SA

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, restoring the RE40-1-H Zone for privately owned properties in Subarea 170 of Ordinance 171149.
4. INSTRUCT the Planning Department to update the General Plan and appropriate maps pursuant to this action.

(Negative Declaration was adopted by Council on June 16, 1996)

Fiscal Impact Statement: None submitted by the Planning Department. 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 - JANUARY 5, 2009

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

**Roll Call #1 - Motion (Wesson - Rosendahl) Adopted, Ayes (10); Absent: Cardenas, Perry, Reyes, Weiss and Zine (5)
(Item Nos. 3-12)**

ITEM NO. (3) - ADOPTED

[07-1342](#)

AD HOC RIVER COMMITTEE REPORT relative to the establishment of a Los Angeles River Special Projects Office and the implementation of the Los Angeles River Revitalization Master Plan.

Recommendation for Council action:

NOTE and FILE the November 12, 2008 and November 10, 2008 reports from the Bureau of Engineering and the November 12, 2008 and October 16, 2008 reports from the Department of City Planning relative to the establishment of a Los Angeles River Special Projects Office and the implementation of the Los Angeles River Revitalization Master Plan.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: Yes.*

Against Proposal: Studio City Neighborhood Council

*Please click on the above Council file No. hyperlink to view the whole text of the Community Impact Statement(s). Hard copies are available in the City Clerk's Office.

ITEM NO. (4) - ADOPTED

[06-0428](#)

CD 3

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to amending a contract with Chrysalis Works, in an amount not to exceed \$50,000 and for a term not to exceed one year, for the purpose of providing continued landscaping and maintenance services.

Recommendation for Council action:

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

- a. Amend Contract 502976 with Chrysalis Works, in an amount not to exceed \$50,000 and for a term not to exceed one year, for the purpose of providing continued landscaping and maintenance services [Reseda Streetscape Maintenance Program (Program)] in the Reseda Business District, subject to the review of the City Attorney as to form and legality.
- b. Amend the Proposed Fiscal Year 2009 Budget and Work Program to transfer and use \$50,000 of Assembly Bill (AB) 1290 funds from the Reseda - West Van Nuys Redevelopment Project Area to budgeted line item "Public Improvements."

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no General Fund impact as a result of this action. The source of funds is AB1290 funds.

Community Impact Statement: None submitted.

ITEM NO. (5) - ADOPTED

[08-0577](#)
CD 8

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to expending \$4 million from the Land Acquisition Fund (LAF) for the acquisition of parcels located on the 8400 and 8500 blocks of South Vermont Avenue.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to amend the CRA's Fiscal Year 2008-09 Budget and Work Program to expend an amount not exceed \$4 million from the CRA's LAF to fund a portion of the purchase price of the CRA's acquisition of parcels located on South Vermont Avenue between 84th Street and Manchester Avenue (parcel numbers 6032-012-001 through 006 and 6032-013-002 through 008).

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no General Fund impact. The source of funds for the requested action is from the CRA LAF.

Community Impact Statement: None submitted.

ITEM NO. (6) - ADOPTED

[06-0795](#)
CD 3

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to amending a contract in the amount of \$150,000 with Main Street Canoga Park (MSCP) for the continued operation and expansion of the Canoga Park Main Street Program of enhanced landscaping and maintenance services and related marketing activities.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency, or designee, to execute a contact with MSCP in the amount of \$150,000 for the continued operation and expansion of the Canoga Park Main Street Program of enhanced landscaping and maintenance services and related marketing activities within the Reseda-Canoga Park Disaster Assistance Project Area West Valley Region for an 18-month period from the date of execution, subject to the review of the City Attorney as to form and legality.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no General Fund impact as a result of this action. The source of funds is Reseda-Canoga Park Tax Increment.

Community Impact Statement: None submitted.

ITEM NO. (7) - ADOPTED

08-2065

CD 4

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to an Agreement with J.H. Snyder Company (Borrower), or assignee, to provide \$25 million in funding assistance in the development of the 959 Seward Office Campus Project (Project) and related actions.

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

1. FIND, pursuant to an eligibility review conducted by the Community Development Department (CDD), that the Project meets a National Objective and Public Benefit compliance of the Housing and Community Development Act and is necessary and appropriate to accomplish the City's economic development objectives.
2. AUTHORIZE the General Manager, CDD, or designee, to:
 - a. Negotiate and execute a Promissory Note in favor of the U. S. Department of Housing and Urban Development (HUD), related documents, and amendments to these documents, to borrow \$25 million pursuant to the Section 108 Loan Guarantee Program for a City Loan toward the Project, subject to the review of the City Attorney, as to form and legality.
 - b. Negotiate and execute a City Loan Agreement financed with Section 108 Loan proceeds in the amount of \$25 million for the Project and all related documents between the City and Borrower, which will obligate 959 Seward, LLC, to repay the City Loan, subject to the review of the City Attorney as to form and legality and compliance with the City's contracting requirements and on the condition that all private and other funding for the Project has been secured by the Borrower prior to the release of funds for the Project.
 - c. Negotiate and execute agreements that will subordinate the City Loan to a Construction or Permanent Senior Loan as acquired by the Borrower for the Project, subject to the review of the City Attorney as to form and legality.
 - d. Prepare Controller instructions for any technical adjustments that are necessary and consistent with the Mayor and Council action on this matter, subject to the approval of the City Administrative Officer (CAO), and authorize the Controller to implement those instructions.
3. APPROVE the City Loan with Section 108 Loan proceeds in the amount of \$25 million for the Project subject to environmental assessment of the proposed Project and satisfactory compliance with the California Environmental Quality Act and the National Environmental Policy Act.
4. AUTHORIZE the Controller to establish a new account E302, 959 Seward, within Section 108 Fund 43F and appropriate and expend funds in the amount of up to \$25 million upon proper demand of the General Manager, CDD, or designee.

Fiscal Impact Statement: The CAO reports that there is no General Fund impact. The City's total investment in the Project is \$25 million from the proceeds of a Section 108 Loan Guarantee. Collateral and debt service obligations on the City loan, as funded by Section 108 loan proceeds are the sole responsibility of the Borrower and are thereby secured by City liens on the Project to prevent any impact on City grant resources. Section 108 proceeds are ultimately guaranteed with future Community Development Block Grant allocations to the City from HUD.

Community Impact Statement: None submitted.

ITEM NO. (8) - ADOPTED

[08-2066](#)

CD 4

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to an Agreement with J.H. Snyder Company (Borrower), or assignee, to provide \$13,965,000 funding assistance in the development of the North Hollywood Phase III Office Building Project (Project) and related actions.

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

1. FIND, pursuant to an eligibility review conducted by the Community Development Department (CDD), that the Project meets a National Objective and Public Benefit compliance of the Housing and Community Development Act and is necessary and appropriate to accomplish the City's economic development objectives.
2. AUTHORIZE the General Manager, CDD, or designee, to:
 - a. Negotiate and execute a Promissory Note in favor of the U. S. Department of Housing and Urban Development (HUD), related documents, and amendments to these documents, to borrow \$13,965,000 pursuant to the Section 108 Loan Guarantee Program for a City Loan toward the North Hollywood Phase III Office Building Project, subject to the review of the City Attorney, as to form and legality.
 - b. Negotiate and execute a City Loan Agreement financed with Section 108 Loan proceeds in the amount of \$13,965,000 for the Project and all related documents between the City and Borrower, which will obligate SL NOHO, LLC, to repay the City Loan, subject to the review of the City Attorney as to form and legality and compliance with the City's contracting requirements, and on the condition that all private and other funding for the Project has been secured by the Borrower prior to the release of funds for the Project.
 - c. Negotiate and execute agreements that will subordinate the City Loan to a Construction or Permanent Senior Loan acquired by the Borrower for the Project, subject to the review of the City Attorney as to form and legality.
 - d. Prepare Controller instructions for any technical adjustments that are necessary and consistent with the Mayor and Council action on this matter, subject to the approval of the City Administrative Officer (CAO), and authorize the Controller to implement those instructions.

3. APPROVE the City Loan with Section 108 Loan proceeds in the amount of \$13,965,000 for the Project subject to environmental assessment of the proposed Project and satisfactory compliance with the California Environmental Quality Act and the National Environmental Policy Act.
4. AUTHORIZE the Controller to establish a new account E301, NOHO III, within Section 108 Fund 43F and appropriate and expend funds in the amount of up to \$13,965,000 upon proper demand of the General Manager, CDD, or designee.
5. INSTRUCT the General Manager, CDD, or designee, to report back to Council and Mayor within 90 days, and annually thereafter, with a Program Status Report, including the marketing of the Program, methodology for selection of prospective City Loan recipients, current and pending borrowing commitments with HUD, and a comprehensive evaluation of the Section 108 Loan portfolio to determine whether loan repayments adequately cover the City's debt service obligations.

Fiscal Impact Statement: The CAO reports that there is no General Fund impact. The City's total investment in Phase III of the Project is \$13,965,000 from the proceeds of a Section 108 Loan Guarantee. Collateral and debt service obligations on the City loan, as funded by Section 108 loan are the sole responsibility of the Borrower and are secured by City liens on the project to prevent any impact on City grant resources. Section 108 proceeds are ultimately guaranteed with future Community Development Block Grant allocations to the City from HUD.

Community Impact Statement: None submitted.

ITEM NO. (9) - ADOPTED

[08-2627](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to awarding contracts in a total aggregate amount not to exceed \$4.5 million for a three-year period with two one-year extensions to ten firms for general landscape-architectural services.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to award contracts with the following ten firms in an aggregate amount not to exceed \$4.5 million in compensation for as-needed general landscape architectural services for a three-year term with renewal options for two additional one-year periods for various CRA projects, 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 requirements:

- a. Patricia Smith, ASLA, AICP
- b. Barrio Planners Inc.
- c. Ahbe Landscape Architects
- d. EDAW, Inc.

- e. Rios Clementi Hale Studios
- f. RRM Design Group
- g. Nuvis
- h. Gruen Associates
- i. Troller Mayer Associates, Inc.
- j. Burton & Company

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the General Fund. The CRA is only bound by the disclosure provisions of the City Debt Management Policies; the City Financial Policies are not applicable to the CRA. Approval of the recommendation will result in the as-needed funding of up to ten contracts with landscape architecture and design firms in an amount of compensation not to exceed an aggregate of \$4.5 million for all firms, subject to availability of funds derived from the CRA's various Project Areas.

Community Impact Statement: None submitted.

ITEM NO. (10) - ADOPTED

[08-2700](#)

CD 4 & 13

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a Memorandum of Understanding (MOU) with the Environmental Simulation Center (ESC) for the Human Development Overlay District (HD-OD) Pilot Project and related contracts and other actions.

Recommendations for Council action:

1. AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to:
 - a. Apply for (retroactively) and accept the HD-OD Pilot Project grant which totals \$125,000 per year for a three-year period.
 - b. Negotiate and execute a MOU with the ESC which generally describes the scope of the HD-OD Pilot Project and related compensation of \$125,000 per year for a three-year period, subject to the review of the City Attorney as to form and legality.
 - c. Negotiate and execute contracts necessary to commence and administer the HD-OD Pilot Project, including the expenditure of up to \$155,000 annually, subject to the review of the City Attorney as to form and legality.
 - d. Amend the CRA's Fiscal Year (FY) 2009 through FY 2011 Budget to recognize the related grant award of \$125,000 for a three-year period.

2. INSTRUCT the CRA to:
 - a. Report annually relative to the findings and/or results of the HD-OD Pilot Project.
 - b. Report within 60 days relative to the status of all grant activities.

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

Community Impact Statement: None submitted.

ITEM NO. (11) - ADOPTED

[08-2744](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a Request for Proposals (RFP) for hiring a consultant for the design and development of a Rent Stabilization and Code Enforcement (Rent and Code) Outreach Program.

Recommendations for Council action:

1. AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD), or designee, to:
 - a. Release an RFP to hire a consultant to design and develop a Rent and Code Outreach Program, substantially in the form as attached to the LAHD report dated September 23, 2008, subject to the review of the City Attorney as to form and legality.
 - b. Report back to the Mayor and Council with the RFP results, recommendation for contractor selection, funding amount, and any necessary Controller instructions.
2. AUGMENT available funding for the RFP from \$80,000 to an amount of up to \$150,000 to be paid through a combination of Rent Stabilization and Code Enforcement Trust Funds.
3. AMEND the first paragraph of the Scope of Work for the RFP to read as follows:

The Contractor shall develop a successful Tenant and Landlord Outreach and Education Program to increase awareness of the Rent Stabilization Ordinance (RSO), the Systematic Code Enforcement Program, and the City's foreclosure-eviction prevention efforts. The Program should provide information on how to access LAHD's programs and resources including filing of RSO complaints and loan programs. The Program should utilize state of the art media technology and traditional community based outreach methods.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the General Fund. Approval of the recommendations authorizes the LAHD to release an RFP to hire a consultant for a Rent and Code Outreach Program. The recommendations are in compliance with City Financial Policies in that the full cost of the proposed services will be paid through a combination of Rent Stabilization and Code Enforcement Trust Funds approved in the Adopted 2008-09 Budget.

Community Impact Statement: None submitted.

ITEM NO. (12) - ADOPTED

[08-2807](#)

CDs 4 & 13

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a Grant Agreement with the Los Angeles Gay and Lesbian Center (LAGLC) in an amount not to exceed \$325,000.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to execute a Grant Agreement with the LAGLC in an amount not to exceed \$325,000 to assist with supportive services and administrative operations at LAGLC facilities located in the Hollywood Redevelopment Project Area (7051 Santa Monica Boulevard and 1625 North Schrader Boulevard), 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 applicable contracting requirements.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the General Fund. The City's Financial Policies are not applicable to the CRA. The CRA is only bound by the disclosure provisions of the City's Debt Management Policies. Approval of the recommendation will result in the expenditure of an amount not to exceed \$325,000 in Community Benefit Fees paid to the CRA under the terms of the Disposition and Development Agreement executed for the development of the Hollywood and Highland Mixed-Use Entertainment Center.

Community Impact Statement: None submitted.

ITEM NO. (13) - ADOPTED

Roll Call #6 - Motion (Hahn - Wesson) Adopted, Ayes (12); Absent: Cardenas, Weiss and Zine (3)

[08-2846](#)

CD 15

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to amending the Watts Corridors Recovery Redevelopment Project Area (WCRRPA) Plan to expand the project boundary, reinstate eminent domain, conform permitted land use language, and provide flexibility in the Redevelopment Plan Land Use Map.

Recommendations for Council action:

1. ADOPT the accompanying RESOLUTION [Attachment B of the Chief Legislative Analyst (CLA) report dated November 25, 2008] which will provide for processing the draft amendments to the proposed WCRRPA, prepared by the Community Redevelopment Agency (CRA) under the California Community Redevelopment law, in such a manner that the review by the City Council would be subject to the "10-day rule" under the Oversight Ordinance, pursuant to Section 8.99.05 of the Los Angeles Administrative Code.

2. INTERPRET certain actions, relative to the preparation process of the proposed amendments to the existing WCRPPA Plan as ministerial actions and not "actions of the CRA," subject to Section 8.99.04 of the Los Angeles Administrative Code, to include the following, subject to the CRA fully consulting with the appropriate Council District offices prior to taking action, and that any concerns of other Councilmembers will be raised through the mechanism provided by the "10-day rule"; and only the WCRPPA will be affected by the expedited procedures:
 - a. Reinstatement of eminent domain powers.
 - b. Expansion of the project area boundary.
 - c. Conformation of permitted land used language in the Plan.
 - d. Changes in the land uses of the redevelopment plan land use map to conform to the Community Plan land uses of the General Plan.
3. AUTHORIZE the Chief Executive Officer, CRA, or designee, to:
 - a. Proceed with a possible amendment to the Redevelopment Plan for the WCRPPA on an expedited basis, and all actions necessary to complete the amendment.
 - b. Transmit the Preliminary Plan, Preliminary Report, Final Report to Council, State reports, Proposed Redevelopment Plan, and any and all other required documents for the proposed plan amendment to all affected taxing agencies, the Planning Commission of the City of Los Angeles, the City Council, Departments of the State of California, and any other required parties, as applicable.

Fiscal Impact Statement: The CLA reports that there is no fiscal impact to the City's General Fund as a result of these actions.

Community Impact Statement: None submitted.

**Roll Call #1 - Motion (Wesson - Rosendahl) Adopted, Ayes (10); Absent: Cardenas, Perry, Reyes, Weiss and Zine (5)
(Item Nos. 14-24)**

ITEM NO. (14) - ADOPTED

[07-0658](#)

PERSONNEL COMMITTEE REPORT relative to the annual performance evaluation of the Department of Fire and Police Pensions General Manager for the Fiscal Year 2007-08.

Recommendation for Council action:

NOTE and FILE the November 3, 2008 report from the Department of Fire and Police Pensions and the September 4, 2008 report from the Board of Fire and Police Pension Commissioners (Board) relative to the annual performance evaluation of the Department of Fire and Police Pensions General Manager for the Fiscal Year 2007-08, inasmuch as the reports are submitted for information only and no Council action is necessary.

Fiscal Impact Statement: The Board reports that the General Manager's salary is paid out of fund assets and is reported as part of the administrative budget.

Community Impact Statement: None submitted.

ITEM NO. (15) - ADOPTED

[08-0393](#)

PERSONNEL COMMITTEE REPORT relative to safeguard of City employees' personal information to prevent identity theft.

Recommendation for Council action:

NOTE and FILE the November 17, 2008 Personnel Department report submitted in response to Motion (Zine - Greuel), relative to safeguard of City employees' personal information to prevent identity theft.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (16) - ADOPTED

[06-2368-S5](#)

CD 10

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from provisions of the City's Country Club Park Interim Control Ordinance (ICO) for the property at 1044 South St. Andrews Place.

Recommendations for Council action:

1. GRANT hardship exemption from the City's Country Club Park ICO (Ordinance No. 179285), as noted and described in the application attached to Council file No. 06-2368-S5, for the proposed second floor addition of 377 square feet with a bedroom and bathroom; and remodeling of first floor bedroom and bathroom and relocation of the kitchen for property at 1044 South St. Andrews Place, as amended and attached to the Committee report.
2. ADVISE the applicant that this hardship exemption, if granted by the City Council, is not a permit or license and that any other approvals, permits and licenses required by law must be obtained from the proper agencies.

Applicant: Robert Chun (Chris Song, Representative)

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

Community Impact Statement: None submitted.

ITEM NO. (17) - ADOPTED

[08-2720](#)

CD 15

NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and RESOLUTION relative to a General Plan Amendment and Transportation Element to re-designate Cushing Avenue, between Grant Street and Southern Pacific Drive from a Collector Street to a Local Street.

Recommendations for Council action:

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 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. 08-2720 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 Negative Declaration [ENV 2008-2329ND] filed June 20, 2008.
2. ADOPT the FINDINGS of the City Planning Commission as the Findings of the Council.
3. ADOPT the accompanying RESOLUTION as recommended by the Mayor, the Director of Planning and the City Planning Commission, APPROVING the proposed General Plan Amendment to the Wilmington-Harbor City Community Plan and Transportation Element of the General Plan to re-designate Cushing Avenue, between Grant Street and Southern Pacific Drive from a Collector Street to a Local Street.

Applicant: City of Los Angeles

CPC 2007-2952 GPA

4. INSTRUCT the Planning Department to update the General Plan and appropriate maps pursuant to this action.

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - DECEMBER 22, 2008

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

ITEM NO (18) - ADOPTED

[08-2840](#)

[08-0476](#)

CD 5

MITIGATED NEGATIVE DECLARATION, CATEGORICAL EXEMPTION, and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a modification to a Development Agreement between the City of Los Angeles and Fifield Companies for property at 10804-20 Wilshire Boulevard.

Recommendations for Council action, pursuant to Motion (Weiss - Greuel):

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. 08-2840 and 08-0476 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 1997-0177 MND-REC1] filed on June 6, 1997.
2. FIND that this action is categorically exempt from California Environmental Quality Act pursuant to Article III, Section 1, Class 1 (3) (20) of the City's Guidelines.
3. ADOPT the FINDINGS of the City Planning Commission (CPC) as the Findings of the Council.
4. INSTRUCT the City Attorney to prepare and present a final draft ordinance authorizing the execution of a modified Development Agreement between City of Los Angeles and Fifield Companies as approved by the City Planning Commission, to allow for community improvements, such as street resurfacing, sidewalk repair, improvements, traffic studies and educational programs, street lighting, recreation facilities, community facilities and related improvements for property at 10804-20 Wilshire Boulevard.

Applicant: City of Los Angeles

CPC 2002-5255 DA-M1

5. INSTRUCT the Planning Department with the assistance of the City Attorney to modify and execute the existing Development Agreement relating to real property in the Westwood Community Plan and the Wilshire-Westwood Scenic Corridor Plan area at 10804-20 Wilshire Boulevard.

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

Community Impact Statement: None submitted.

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

[07-3889](#)

CD 14

PUBLIC WORKS COMMITTEE REPORT relative to vacating the L-shaped alley (portion of) northerly of Palmetto Street between Molino and Hewitt Streets (VAC E1401085).

Recommendations for Council action:

1. DISAPPROVE the request to vacate the L-shaped alley (portion of) northerly of Palmetto Street between Molino and Hewitt Streets.
2. ADOPT the FINDINGS of the City Engineer dated October 16, 2008, as the Findings of the Council.

3. ADOPT the accompanying City Engineer report dated October 16, 2008 to disapprove the vacation.

Fiscal Impact Statement: The City Engineer reports that to date, an estimated \$6,420 in charges has been expended in the investigation of this 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.

Community Impact Statement: None submitted.

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

[07-1485](#)

CD 7

CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to vacating Brand Boulevard (turnaround) southwesterly of Bromont Avenue and southeasterly of Maclay Street (VAC E1401058).

Recommendations for Council action:

1. FIND that the vacation of Brand Boulevard (turnaround) southwesterly of Bromont Avenue and southeasterly of Maclay Street 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 February 1, 2008 City Engineer report, attached to the Council file:

Brand Boulevard (turnaround) southwesterly of Bromont Avenue and southeasterly of Maclay Street.

3. ADOPT the FINDINGS of the City Engineer dated February 1, 2008, as the Findings of the Council.
4. ADOPT the accompanying City Engineer report dated February 1, 2008 to approve the vacation.
5. INSTRUCT the City Clerk to set a public hearing date for **JANUARY 14, 2009**.

Fiscal Impact Statement: The City Engineer reports that to date, an estimated \$1,534.91 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.

Community Impact Statement: None submitted.

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

[08-0045](#)

CD 8

CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to vacating the alley southerly of Manchester Avenue between Menlo Avenue and Baring Cross Street (VAC E1401095).

Recommendations for Council action:

1. FIND that the vacation of the alley southerly of Manchester Avenue between Menlo Avenue and Baring Cross Street 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 March 25, 2008 City Engineer report, attached to the Council file:

The alley southerly of Manchester Avenue between Menlo Avenue and Baring Cross Street.

3. ADOPT the FINDINGS of the City Engineer dated March 25, 2008, as the Findings of the Council.
4. ADOPT the accompanying City Engineer report dated March 25, 2008 to approve the vacation.
5. INSTRUCT the City Clerk to set a public hearing date for **JANUARY 14, 2009**.

Fiscal Impact Statement: The City Engineer reports that to date, an estimated \$4,664.08 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. (22) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS

[08-0105](#)

CD 15

CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to vacating the east-west alley northerly of 113th Street between Grand Avenue and Figueroa Street (VAC E1401096).

Recommendations for Council action:

1. FIND that the vacation of the east-west alley northerly of 113th Street between Grand Avenue and Figueroa Street 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 B of the May 6, 2008 City Engineer report, attached to the Council file:

The east-west alley northerly of 113th Street between Grand Avenue and Figueroa Street.

3. ADOPT the FINDINGS of the City Engineer dated May 6, 2008, as the Findings of the Council.
4. ADOPT the accompanying City Engineer report dated May 6, 2008 to approve the vacation.
5. INSTRUCT the City Clerk to set a public hearing date for **JANUARY 14, 2009**.

Fiscal Impact Statement: The City Engineer reports that to date, an estimated \$3,210 in charges has been expended in the investigation of this 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. (23) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS

[08-2488](#)

CD 9

CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to vacating Broadway Place between Olympic Boulevard and Main Street (VAC E1400827).

Recommendations for Council action:

1. FIND that the vacation of Broadway Place between Olympic Boulevard and Main Street 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 November 21, 2008 City Engineer report, attached to the Council file:

Broadway Place between Olympic Boulevard and Main Street.
3. ADOPT the FINDINGS of the City Engineer dated November 21, 2008, as the Findings of the Council.
4. ADOPT the accompanying City Engineer report dated November 21, 2008 to approve the vacation.
5. INSTRUCT the City Clerk to set a public hearing date for **JANUARY 14, 2009**.

Fiscal Impact Statement: The City Engineer reports that to date, an estimated \$12,221.71 in charges has been expended in the investigation of this 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.

Community Impact Statement: None submitted.

ITEM NO. (24) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS

[08-2494](#)

CD 4

NEGATIVE DECLARATION and PUBLIC WORKS COMMITTEE REPORT relative to the Widening of Magnolia Boulevard - Cahuenga Boulevard to Vineland Avenue Project.

Recommendations for Council action:

1. FIND that the Initial Study/Negative Declaration for the Widening of Magnolia Boulevard - Cahuenga Boulevard to Vineland Avenue Project (BE 368-08), prepared by the City of Los Angeles/Bureau of Engineering's Environmental Management Group on June 5, 2008, attached to the Council file, complies with the California Environmental Quality Act of 1970, pursuant to the City of Los Angeles Environmental Guidelines.
2. FIND on the basis of the whole record that there is no substantial evidence that the Widening of Magnolia Boulevard - Cahuenga Boulevard to Vineland Avenue Project will have a significant effect on the environment.
3. FIND that the Negative Declaration as detailed above in Recommendation No.1 reflects the City's independent judgment and analysis.
4. ADOPT the Negative Declaration (BE 368-08), as detailed above in Recommendation Nos. 1-3, attached to the Council file.
5. ADOPT the FINDINGS of the September 15, 2008 Board of Public Works (BPW) report, as attached to the Council file, as the Findings of the Council.
6. APPROVE the Widening of Magnolia Boulevard - Cahuenga Boulevard to Vineland Avenue Project as detailed in the June 5, 2008 Initial Study, attached to the Council file.
7. INSTRUCT the City Clerk to immediately notify Julie Van Wagner of the Bureau of Engineering's Environmental Management Division at (213) 485-5754 of the adoption of the Negative Declaration so that the Notice of Determination can be filed with the Office of the County Clerk within five working days.

Fiscal Impact Statement: The BPW reports that funding for the Widening of Magnolia Boulevard - Cahuenga Boulevard to Vineland Avenue Project is provided by the Los Angeles County Metropolitan Transportation Authority (Metro) Proposition C and Local Proposition C funds. There is no impact to the General Fund.

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 25-39

Roll Call #7 - Motion (Parks - Huizar) Adopted, Ayes (12); Absent: Cardenas, Weiss and Zine (3)
(Item Nos. 25-27)

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

[08-0784](#)

CD 15

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the 10th Street and Grand Avenue Reballot Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated November 20, 2008.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **FEBRUARY 11, 2009** as the hearing date for the maintenance of the 10th Street and Grand Avenue Reballot Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$242.48 will be collected annually starting with tax year 2009-10 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: February 2, 2009)

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

[08-3139](#)

CD 5

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Wallingford and Benedict Canyon Drives Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated November 17, 2008.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **FEBRUARY 11, 2009** as the hearing date for the maintenance of the Wallingford and Benedict Canyon Drives Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$2,041.92 will be collected annually starting with tax year 2009-10 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: February 2, 2009)

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

[08-3178](#)

CD 4

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Peach Grove and Cleon Avenue Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated November 20, 2008.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **FEBRUARY 11, 2009** as the hearing date for the maintenance of the Peach Grove and Cleon Avenue Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$197.76 will be collected annually starting with tax year 2009-10 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: February 2, 2009)

**Roll Call #2 - Motion (LaBonge - Smith) Adopted, Ayes (10); Absent: Cardenas, Perry, Reyes, Weiss and Zine (5)
(Item Nos. 28a-c)**

ITEM NO. (28) - ADOPTED

[08-0005-S784](#)

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 December 3, 2008:

[08-0005-S784](#)

CD 1

- a. Property at 1706 South Berendo Street (Case No. 8729).
Assessor I.D. No. 5075-018-010

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

[08-0005-S785](#)

CD 1

- b. Property at 2527 North Lincoln Park Avenue (Case No. 155484).
Assessor I.D. No. 5208-026-026

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 10, 2008)

[08-0005-S786](#)

CD 8

- c. Property at 1717 West Gage Avenue (Case No. 201877).
Assessor I.D. No. 6002-029-012

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 9, 2008)

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

Roll Call #9 - Motion (Reyes - LaBonge) Adopted, Ayes (12); Absent: Cardenas, Weiss and Zine (3)

[07-1342-S3](#)

COMMUNICATION FROM CHAIR and MEMBER, AD HOC RIVER COMMITTEE relative to quarterly status of Los Angeles River Revitalization projects.

Recommendation for Council action:

NOTE and FILE the October 9, 2008 quarterly report from the City Administrative Officer relative to the status of Los Angeles River Revitalization projects.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (30) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

Roll Call #2 - Motion (LaBonge - Smith) Adopted, Ayes (10); Absent: Cardenas, Perry, Reyes, Weiss and Zine (5)

[08-0412-S1](#)

CD 3

COMMUNICATION FROM THE CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to naming the West Valley Park in memory of the late Los Angeles Police Department (LAPD) SWAT Officer Randal D. Simmons.

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

REQUEST that the Board of Recreation and Park Commissioners also name the West Valley Park in memory of the late LAPD SWAT Officer Randal D. Simmons in recognition of his personal sacrifice and his dedication to the community.

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. (31) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

Roll Call #12 - Motion (Huizar - Parks) Adopted, Ayes (11); Absent: Cardenas, Reyes, Weiss and Zine (4)

[08-3021](#)

CD 14

COMMUNICATION FROM THE CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to an agreement with Community Partners for the renovation, development of recreational programs and shared use of the Hazard Park Armory.

Recommendation for Council action:

AUTHORIZE the President and Secretary of the Board of Recreation and Park Commissioners to execute, the proposed 50-year agreement between Community Partners, a 501(c)(3) California non-profit corporation, acting through and for the benefit of Legacy LA, and the Department of Recreation and Parks relative to a 4.2 acre portion of Hazard Park, subject to the approval of the City Attorney.

Fiscal Impact Statement: The City Administrative Officer reports that there is no fiscal impact and, therefore, the City Financial Policies are not applicable.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 3, 2009

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

**Roll Call #2 - Motion (LaBonge - Smith) Adopted, Ayes (10); Absent: Cardenas, Perry, Reyes, Weiss and Zine (5)
(Item Nos. 32-34)**

ITEM NO. (32) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

[08-3149](#)

CD 3

COMMUNICATION FROM THE CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to various actions to initiate the Reseda Pool Replacement Project.

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

INSTRUCT the City Administrative Officer (CAO), with the assistance and cooperation of the Department of Recreation and Parks, Bureau of Engineering and Chief Legislative Analyst (CLA) to:

- a. Identify the steps necessary to initiate the Reseda Pool Replacement Project on an expedited basis.
- b. Prepare a report to include, but not be limited to, the following: a project analysis, implementation time-line, preliminary cost estimates and identification of all potential funding sources.
- c. Transmit the report to the Arts, Parks, Health and Aging Committee within 60 days.

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

Community Impact Statement: None submitted.

ITEM NO. (33) - ADOPTED

[08-2621](#)

CD 4

CONSIDERATION OF MOTION (LABONGE - GARCETTI) relative to instructing the Bureau of Sanitation to prepare a grant application for the Toyon Canyon Stream Project.

Recommendation for Council action:

INSTRUCT the Bureau of Sanitation to prepare a grant application for the Toyon Canyon Stream Project to be submitted to the State for its Urban Streams Restoration Grant Program.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

ITEM NO. (34) - ADOPTED

[08-3228](#)

CD 12

CONSIDERATION OF MOTION (SMITH - ZINE) relative to identification of funds to cover the cost of resurfacing Schoenborn Street between Canoga and Owensmouth Avenues in Council District 12.

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

1. AUTHORIZE the Controller to TRANSFER \$156,000 from the Street Damage Restoration Fee Special Fund 41A/50, and APPROPRIATE therefrom to the following accounts within Bureau of Street Services Fund 100/86:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries, General	\$ 94,000
1090	Salaries, Overtime	9,000
3030	Construction Expense	25,000
3040	Contractual Services	3,000
3330	Utilities Expense	3,000
6010	Office and Administrative	2,000
6020	Operating Supplies	<u>20,000</u>
	Total	\$ 156,000

2. AUTHORIZE the City Administrative Officer to make technical corrections, as necessary, to implement the intent of this Motion.

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

**Roll Call #13 - Motion (Rosendahl - Smith) Adopted, Ayes (11); Absent: Cardenas, Reyes, Weiss and Zine (4)
(Item Nos. 35a-c)**

ITEM NO. (35) - ADOPTED

08-3267

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:

08-3267

CD 13

- a. MOTION (GARCETTI - PERRY) relative to declaring the Geller Company Party on December 4, 2008 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

08-3268

CD 1

- b. MOTION (REYES - PERRY) relative to declaring the Immaculate Conception Church Centennial Celebration on December 7, 2008 a Special Event (fees and costs absorbed by the City = \$1,000).

08-3269

CD 8

- c. MOTION (PARKS - LABONGE) relative to declaring the L.A. Second Free Methodist Church Holiday Community Bazaar on December 6, 2008 a Special Event (fees and costs absorbed by the City = \$4,139).

**Roll Call #2 - Motion (LaBonge - Smith) Adopted, Ayes (10); Absent: Cardenas, Perry, Reyes, Weiss and Zine (5)
(Item Nos. 36-39h)**

ITEM NO. (36) - ADOPTED

[07-3720-S1](#)

MOTION (GARCETTI - PERRY) relative to funding for services in connection with a reception for the Asian Pacific Islander Leaders Group.

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

1. AUTHORIZE the Board of Public Works to use the City Hall Tom Bradley Room on December 4, 2008 from 6 pm to 8 pm.
2. APPROPRIATE \$209 from Unappropriated Balance Fund No. 100/58 to the General Services Fund No. 100/40, as follows: \$168 to Account No. 1090 (Salaries - Overtime) and \$41 to Account No. 1070 (Salaries - As Needed), for services in connection with the December 4, 2008 Board of Public Works special reception for the Asian Pacific Islander Leaders Group in the City Hall Tom Bradley Room. Said funds to be reimbursed to the General Fund by the Asian Pacific Islander Leaders Group.

ITEM NO. (37) - ADOPTED

[08-0477-S1](#)

CD 11

MOTION (ROSENDAHL - GARCETTI) relative to a lease agreement with Beyond Baroque Foundation.

Recommendation for Council action:

AMEND the Council action of February 29, 2008 (Council file No. 08-0477) relative to a lease agreement with Beyond Baroque Foundation for space occupied at 681 North Venice Boulevard, Venice, CA 90291, for a 25 year period at \$1 a year in exchange for all maintenance, repairs, and or upgrades at the location, to include and adopt similar instructions for L.A. Theatre Works, a non-profit theatre arts center, for the space they currently occupy at 681 North Venice Boulevard, Venice, CA 90291, which has been leased for \$1 a year since October 1986. The new lease for L.A. Theatre Works will contain similar terms and conditions as the new lease agreement for Beyond Baroque Foundation inasmuch as L.A. Theatre Works also provides essential services to the community that cannot be provided by any other agency or organization.

ITEM NO. (38) - ADOPTED

[08-3270](#)

CD 4

MOTION (LABONGE - GARCETTI - GREUEL) relative to funding for the development of designs for the Larchmont Median North Project.

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

TRANSFER \$5,000 in donated Larchmont Median Project funds in the Public Works Trust Fund, Special Deposits Account No. 4873 to the Street Services Fund No. 100/86, Account No. 1010 (Salaries - General) for the development of designs for the Larchmont Median North Project.

ITEM NO. (39) - ADOPTED

[08-3261](#)

et al. FINAL MAPS in the various Council Districts.

Recommendation for Council action:

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

[08-3261](#)

CD 13

- a. FINAL MAP OF TRACT NO. 63611 for property located at 130 Bonnie Brae Street, lying easterly of Bonnie Brae Street and southerly of Beverly Boulevard.
(Bond No. C-114740)
(Quimby Fee: \$24,308)
Applicants: David Bond
Jack Little Co.

[08-3274](#)

CD 4

- b. FINAL MAP OF TRACT NO. 66782 for property located at 1277 North Wilcox Avenue, lying westerly of Wilcox Avenue and southerly of Fountain Avenue.
(Bond No. C-114741)
(Quimby Fee: \$147,288)
Applicants: Sheryl Rosenberg
Stanley Diller
DS Ventures, LLC
Westcon Engineering, Inc.

[08-3286](#)

CD 5

- c. FINAL MAP OF TRACT NO. 68309 for property located at 13150 Riverside Drive, lying southerly of Riverside Drive and easterly of Atoll Avenue.
(Bond No. C-114742)
(Quimby Fee: \$30,324)
Applicants: 13150 Riverside, LLC
Rovert K. Kameoka

[08-3287](#)

CD 5

- d. FINAL MAP OF TRACT NO. 65651 for property located at 13037 West Moorpark Street northerly of Moorpark Street and westerly of Wortser Avenue.
(Bond No. C-114743)
(Quimby Fee: \$35,696)
Applicants: 26 Moorpark, LLC
Harvey A. Goodman

[08-3288](#)

CD 2

- e. FINAL MAP OF TRACT NO. 63597 for property located at 7123-25 West Greeley Street northerly of Greeley Street and westerly of Pinewood Avenue.
(Bond No. C-114744)
(Quimby Fee: \$51,984)
Applicants: Ivan Youssefian
Hayk Martirosian

[08-3289](#)

CD 2

- f. FINAL MAP OF TRACT NO. 63332 for property located at 4550 North Coldwater Avenue, lying easterly of Coldwater Canyon Avenue and northerly of Milbank Street.
(Bond No. C-114745)
(Quimby Fee: \$54,765)
Applicants: Coldwater Canyon Capital, LLC
Robert K. Kameoka

[08-3291](#)

CD 13

- g. FINAL MAP OF TRACT NO. 67718 for property located at 6290 Sunset Boulevard, lying southerly of Sunset Boulevard and easterly of Vine Street.
(Bond No. C-114860)
(Quimby Fee: \$145,031)
Applicants: CIM/Sunset & Vine, LP
Iacobellis & Associates

[08-3290](#)

CD 11

- h. FINAL MAP OF PARCEL MAP L.A. NO. 2003-3660 for property located at 1106 West Harrison Drive, lying southerly of Harrison Boulevard and westerly of Lincoln Boulevard.
(Bond No. C-114861)
Applicants: Michael S. Murphy
Thomas Iacobellis

Items Called Special

Motions for Posting and Referral

Closed Session - Item 40

ITEM NO. (40) - MOTION ADOPTED - FORTHWITH TO THE MAYOR - SEE FOLLOWING

Roll Call #3 - Motion (Smith - Parks) Adopted, Ayes (11); Absent: Cardenas, Perry, Weiss and Zine (4)

[08-3162](#)

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 Bertha Medina, et al. v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC374723. (This action arises from a sanitation truck versus U.S. Postal delivery vehicle accident, which occurred on February 8, 2007.)

(Budget and Finance Committee will consider the above matter in Closed Session on December 8, 2008.)

ADOPTED

MOTION (SMITH - PARKS)

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

1. **AUTHORIZE** the City Attorney to expend \$1,466,640.98 in settlement of the case entitled Bertha Medina, et al. v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC374723, from the Liability Claims Account No. 9770, Fund 100, Department 59.
2. **AUTHORIZE** the Controller to establish a new appropriation account entitled Account No. E159, Liability Claims, in Fund 508/50, Solid Waste Resources Revenue Fund, and **APPROPRIATE** \$250,000 from the available cash balance in Fund 508 into this new account.
3. **TRANSFER** appropriation in the amount of \$250,000 from Fund 508/50, Solid Waste Resources Revenue Fund, Account No. E159, Liability claims, to Fund 100, Department 59, Liability Claims Fund, Account No. 9770.
4. **AUTHORIZE** the City Attorney to draw demands from City Attorney Fund No. 100, Department 59, Account No. 9770 as follows:
 - a. \$879,200 payable to Plaintiffs Bertha Medina and Sergio Chavez, and their attorneys of record, The Kaye Law Offices;
 - b. \$310,233 payable to Prudential Assigned Settlement Services Corporation;
 - c. \$248,067 payable to Aviva London Assignment Corporation;
 - d. \$6,521 payable to Sheila Marshall;
 - e. \$22,619.98 payable to the United States Postal Service.
5. **AUTHORIZE** the loan of \$1,216,640.98 (\$1,466,640.98 - \$250,000) from the General Fund to the Solid Waste Resources Revenue Fund to be repaid in the future when the Fund is solvent.

This matter was approved by the Budget and Finance Committee (Parks-Greuel-Rosendahl-Smith "yes") at its meeting on December 8, 2008, in Closed Session as permitted by Government Code Section 54956.9(a).

Item for Which Public Hearing Has Been Held - Item 42

ITEM NO. (42) - SUBSTITUTE MOTION ADOPTED IN LIEU OF COMMITTEE REPORT, AS AMENDED - SEE FOLLOWING

Roll Call #8 - Motion (Reyes - Rosendahl) to Adopt Substitute Motion, As Amended, Ayes (11); Noes: Greuel (1); Absent: Cardenas, Weiss and Zine (3)

RECEIVED AND FILED

[08-3271](#)

CONTINUED CONSIDERATION OF BUDGET AND FINANCE COMMITTEE REPORT relative to a legal services agreement with Fredric D. Woocher, Esq, to represent the Controller and the Controller's Office.

Recommendation for Council action:

REQUEST that the City Attorney, while the Council is considering the matter, take no further legal action relative to the Civil Complaint served on the City Controller, including expenditures for outside counsel, until the Council has an opportunity to discuss the matter and make a policy decision on whether or not to proceed with litigation.

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

[Council may recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled, The City of Los Angeles v. Los Angeles City Controller, Laura N. Chick, in her official capacity, Los Angeles Superior Court Case No. BC402345]

ADOPTED

SUBSTITUTE MOTION, AS AMENDED (REYES - ROSENDAHL)

Recommendation for Council action:

DEFINE, as policymakers of the City, what constitutes program and policy.

ADOPTED

AMENDING MOTION (SMITH - ROSENDAHL)

Recommendation for Council action:

REQUEST both the City Attorney and Controller to stop any action - "stand down" - and further, that no funds should be expended until the matter is resolved.

Items for Which Public Hearings Have Not Been Held - Items 43-46

(10 Votes Required for Consideration)

ITEM NO. (43) - ADOPTED

Roll Call #7 - Motion (Parks - Huizar) Adopted, Ayes (12); Absent: Cardenas, Weiss and Zine (3)

[08-1009](#)

CD 8

ORDINANCE FIRST CONSIDERATION relative to authorizing and providing for the sale of certain City-owned real property which is no longer required for use by the City.

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

PRESENT and ADOPT the accompanying ORDINANCE authorizing and providing for the sale of certain City-owned real property located at 3671-89 South Vermont Avenue, which is no longer required for use by the City, and the public interest or necessity requires the transfer thereof, without the necessity of calling for bids, to the Community Redevelopment Agency of the City of Los Angeles, or its nominees or lawful successors in interest thereof, for the sum of Three Million Three Hundred Ninety-Nine Thousand Dollars.

(Scheduled pursuant to Council action of December 9, 2008)

**Roll Call #4 - Motion (Parks - Reyes) Adopted, Ayes (11); Absent: Cardenas, Perry, Weiss and Zine (4)
(Item Nos. 44a-d)**

ITEM NO. (44) - ADOPTED

[08-0005-S780](#)

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 December 1, 2008:

[08-0005-S780](#)

CD 1

- a. Property at 311 North Avenue 52 (Case No. 181521).
Assessor I.D. No. 5469-019-007

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 28, 2008)

[08-0005-S781](#)

CD 8

- b. Property at 5727 South Ruthelen Street (Case No. 139274).
Assessor I.D. No. 5005-018-022

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 11, 2007)

[08-0005-S782](#)

CD 9

- c. Property at 802 East 73rd Street (Case No. 52039).
Assessor I.D. No. 6023-006-001

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

[08-0005-S783](#)

CD 11

- d. Property at 345 South Fifth Avenue (Case No. 177689).
Assessor I.D. No. 4240-008-016

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 5, 2008)

(Left on Desk from Council meeting of December 9, 2008)

ITEM NO. (45) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS, AS AMENDED - SEE FOLLOWING

Roll Call #14 - Motion (Hahn - Wesson) to Adopt as Amended, Ayes (10); Absent: Cardenas, Greuel, Reyes, Weiss and Zine (5)

[07-3475-S1](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM THE CITY PLANNING DEPARTMENT relative to the processing of all future City support of Federal and State historic designations in conformance with the City's intergovernmental relations process.

Recommendations for Council action:

1. DIRECT the City Planning Department's Office of Historic Resources to implement the proposed new review procedures for National Register and California Register nominations, as described in the City Planning Department's report dated May 19, 2008.
2. DIRECT the Office of Historic Resources to create an official planning case in the Planning Case Tracking System for all National Register and California Register nominations.
3. APPROVE a streamlined committee review procedure that will allow the Council to provide comments within the short time limits for local government review of National Register and California Register nominations.
4. DIRECT the City Planning Department to report to the Rules and Government Committee within two years on the City's experiences with the new review and comment procedures, and on any recommendations for changing the procedures.

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

Community Impact Statement: None submitted.

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

(Left on Desk from Council meeting of December 9, 2008)

ADOPTED

AMENDING MOTION (HAHN - WESSON)

Recommendations for Council action:

1. **DIRECT the Office of Historic Resources to indicate the deadline on each nomination so that Neighborhood Councils and the Council can provide input in a timely manner.**
2. **DIRECT the Office of Historic Resources to report on the possibility of amending State legislation to extend the deadline for providing input.**

ITEM NO. (46) ADOPTED

Roll Call #4 - Motion (Parks - Reyes) Adopted, Ayes (11); Absent: Cardenas, Perry, Weiss and Zine (4) (Item Nos. 46a-d)

07-4001-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:

07-4001-S1

CD 13

- a. MOTION (GARCETTI - LABONGE) relative to declaring the Kids Christmas Spectacular 2008 on December 20, 2008 a Special Event (fees and costs absorbed by the City = \$2,828).

08-3256

CD 1

- b. MOTION (REYES - PERRY) relative to declaring the Pico Union Shalom Ministries Community Holiday Celebration on December 14, 2008 a Special Event (fees and costs absorbed by the City = \$2,000).

[08-3255](#)

CD 9

- c. MOTION (PERRY - REYES) relative to declaring the Mammography and Early Intervention Programs on December 4, December 9, and December 20, 2008 a Special Event (fees and costs absorbed by the City = \$550).

[08-3257](#)

CD 5

- d. MOTION (WEISS - ROSENDAHL) relative to declaring the Third Street Universal Valet Program on December 4, December 6 and 7, December 13 and 14, December 20 and 21, 2008 a Special Event (fees and costs absorbed by the City = none submitted).

(Left on Desk from Council meeting of December 9, 2008)

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

ADOPTED - FORTHWITH TO THE MAYOR

Roll Call #10 - Motion (Reyes - Alarcon) Findings on Need to Act - Adopted, Ayes (12);

Absent: Cardenas, Weiss and Zine (3)

Roll Call #11 - Motion (Reyes - Alarcon) Adopted, Ayes (12);

Absent: Cardenas, Weiss and Zine (3)

[08-0002-S167](#)

RESOLUTION (REYES - ALARCON) relative to the City's position in connection with support of legislation which would result in immediate government assistance to the auto industry.

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

ADOPT the accompanying RESOLUTION to include in the City's Federal Legislative Program a position to support legislation which would result in immediate government assistance to the auto industry, as further described in the text of the Resolution.

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

[08-3339](#)

CD 12

MOTION (SMITH - ROSENDAHL) relative to declaring the Topanga Police Station Grand Opening on January 3, 2009 a Special Event (fees and costs absorbed by the City = \$1,648).

[07-3480-S1](#)

CD 11

MOTION (ROSENDAHL - GREUEL) relative to declaring the 11th Annual LA Cancer Challenge 5K and 10K Run and Kids Can Cure 1K Run on October 26, 2008 a Special Event (fees and costs absorbed by the City = \$2,834).

[07-4046-S1](#)

CD 8

MOTION (PARKS - LABONGE) relative to declaring the Community Outreach Celebration on December 24, 2008 a Special Event (fees and costs absorbed by the City = \$4,214).

[08-3328](#)

CD 8

MOTION (PARKS - LABONGE) relative to declaring the Ground Blessing and Celebration on December 14, 2008 a Special Event (fees and costs absorbed by the City = \$1,853).

[08-3330](#)

CD 11

MOTION (ROSENDAHL - GREUEL) relative to declaring the Brentwood Farmers' Market on every Sunday from January 11, 2009 to January 10, 2010 a Special Event (fees and costs absorbed by the City = \$77,807).

[06-0014-S1](#)

CD 11

MOTION (ROSENDAHL - GREUEL) relative to declaring the Pacific Palisades Farmers' Market on every Sunday from January 18, 2009 to January 10, 2010 a Special Event (fees and costs absorbed by the City = \$83,079).

[08-3331](#)

CD 10

MOTION (WESSON - SMITH) relative to declaring the Winter Holiday Festival on December 13, 2008 a Special Event (fees and costs absorbed by the City = \$5,834).

[08-3332](#)

CD 14

MOTION (HUIZAR - PARKS) relative to declaring the Semana Guadalupana on December 8-10, 2008 a Special Event (fees and costs absorbed by the City = \$6,160).

[08-3341](#)

CD 9

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

[08-3342](#)

CD 11

MOTION (ROSENDAHL - PERRY) relative to declaring the Chanukah Wonderland Street Festival on December 21, 2008 a Special Event (fees and costs absorbed by the City = \$2,678).

[08-3344](#)

CD 1

MOTION (REYES - PERRY) relative to declaring the El Regalo de Vida - (The Gift of Life) on December 11, 2008 a Special Event (fees and costs absorbed by the City = \$3,518).

[08-3345](#)

CD 13

MOTION (GARCETTI - LABONGE) relative to declaring the In 2 It Media event on December 10, 2008 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[08-3346](#)

CD 13

MOTION (GARCETTI - LABONGE) relative to declaring the Beso Charity Dinner on December 30, 2008 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[08-3347](#)

CD 13

MOTION (GARCETTI - LABONGE) relative to declaring the Spirit Premiere on December 17, 2008 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[08-3333](#)

CD 14

MOTION (ROSENDAHL - HUIZAR) relative to initiating street vacation proceedings to vacate the alley northerly of Porter Street easterly of Santa Fe Avenue.

ITEM NO. ()

[08-3343](#)

CD 13

MOTION (ROSENDAHL - GARCETTI) relative to initiating street vacation proceedings to vacate an approximate 190-foot portion of Lake Shore Avenue along the westerly side approximately 25 feet wide southerly of Montana Street.

[08-3350](#)

CD 15

MOTION (ROSENDAHL - HAHN) relative to initiating street vacation proceedings to vacate Graham Avenue between 103rd and 104th Streets.

[08-2072](#)

CD 13

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

[08-0011-S53](#)

CD 13

MOTION (GARCETTI - LABONGE) relative to funding for the Atwater Village Christmas Tree Lighting event.

[08-0011-S54](#)

CD 13

MOTION (GARCETTI - GREUEL) relative to funding for landscape design services for the Silver Lake Meadow Project.

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

[08-0002-S168](#)

RESOLUTION (SMITH - ROSENDAHL) relative to the California Integrated Waste Management Board to continue to take action to implement the framework for an Extended Producer Responsibility (EPR) System in California to manage universal and other wastes.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember Cardenas was excused from Council session of Friday, January 9, 2009 due to City business.

Motion (Alarcon - Wesson) unanimously adopted to excuse President Garcetti from Council session to leave at 1:00 p.m., on Wednesday, December 17, 2008 due to City business.

Upon her request, and without objections, Councilmember Hahn was excused from Council session of Friday, January 30, 2009 due to City business.

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

08-2604 - Cris Mojica - Gomez	(Alarcon - Hahn)
Priscilla Mildred Penegar	(Parks)
Marie Khatcherian- El-Assad	(Parks - All)
Odetta Holmes	(LaBonge)
Elmer Valentine	(LaBonge)
Nina Foch	(LaBonge)
Beverly Garland	(LaBonge)
Robert Lester Wolf	(LaBonge)
Charles "Chuck" Richard Leone	(Rosendahl)

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

Whereupon the Council did adjourn.

ATTEST: Karen E. Kalfayan, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL