

Los Angeles City Council, **Journal/Council Proceedings**
Tuesday, **December 16, 2008**
John Ferraro Council Chamber, Room 340, City Hall - 10 am

ALL ITEMS FORTHWITH

(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, Perry, Rosendahl, Smith, Wesson, Zine and President Garcetti (12); Absent: Cardenas, Reyes and Weiss (3).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
DECEMBER 10, 2008

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 57

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 Noticed for Public Hearing - Items 1-5

**Roll Call #2 - Motion (Wesson - LaBonge) Adopted, Ayes (12); Absent: Cardenas, Hahn and Parks (3)
(Item Nos. 1-2)**

ITEM NO. (1) - ADOPTED

[08-2244](#)
CD 1

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
CONSIDERATION relative to the improvement and maintenance of the Seventh and Bonnie Brae
Streets Lighting District.

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

1. DENY the protests and confirm the assessments.

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

(Public Hearing held November 25, 2008)

ITEM NO. (2) - ADOPTED

[08-2249](#)

CD 9

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the 53rd and San Pedro Streets Lighting District.

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

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

(Public Hearing held November 25, 2008)

ITEM NO. (3) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION - ORDINANCE ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #11 - Motion (Rosendahl - Alarcon) Adopted, Ayes (14); Absent: Cardenas (1)

[08-2524](#)

COMMUNICATION FROM CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to establishing the amounts of fees and bonds the City Clerk will be authorized to charge for the recount of ballots cast at City elections.

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

PRESENT and ADOPT the accompanying ORDINANCE establishing the amounts of fees and bonds the City Clerk will be authorized to charge for the recount of ballots cast at City elections.

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

Community Impact Statement: None submitted

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

ITEM NO. (4) - PUBLIC HEARING CLOSED

Roll Call #13 - Motion (Perry - Huizar) Adopted to Close Public Hearing, Ayes (15)

[07-0472](#)

CDs 9 & 14

HEARING OF PROTESTS relative to the establishment of the Fashion District Property and Business Improvement District (BID), pursuant to Section 53753 of the California Government Code, Section 36600 et seq. of the California Streets and Highways Code and Article XIII D of the California Constitution.

(Pursuant to Council adoption of Ordinance No. 180312 on October 28, 2008. Public announcement of the tabulation of ballots is on Wednesday, December 17, 2008.)

ITEM NO. (5) - MOTION ADOPTED TO GRANT APPLICATION

Roll Call #1 - Motion (Garcetti - LaBonge) Adopted, Ayes (11); Absent: Cardenas, Hahn, Parks and Reyes (4)

[08-3258](#)

CD 13

HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for on-site consumption at El Prado bar and lounge.

1. DETERMINE that the issuance of a liquor license at El Prado bar and lounge located at 1805 West Sunset Boulevard, Los Angeles, 90026, will serve the "Public Convenience or Necessity" and will not tend to create a law enforcement problem.
2. GRANT the Application for Determination of "Public Convenience or Necessity" for the sale of alcoholic beverages for on-site consumption at 1805 West Sunset Boulevard.
3. INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control (ABC) as the required findings under Business and Professions Code Section 23958.4.

Applicant: Robert Ellermeyer (Elizabeth Peterson, representative)

TIME LIMIT FILE - JANUARY 16, 2009

(LAST DAY FOR COUNCIL ACTION - JANUARY 16, 2009)

Items for Which Public Hearings Have Been Held - Items 6-47

Roll Call #9 - Motion (Greuel - Rosendahl) Adopted, Ayes (13); Absent: Cardenas and Parks (2)
(Item Nos. 6-7)

ITEM NO. (6) - ADOPTED

[08-3083](#)

TRANSPORTATION COMMITTEE REPORT relative to the appointment of Ms. Stephanie M. Rodriguez to the Board of Transportation Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Stephanie M. Rodriguez to the Board of Transportation Commissioners for the term ending June 30, 2010 is APPROVED and CONFIRMED. Ms. Rodriguez resides in Council District Six. (Current commission gender composition: M=4; F=3)

Ethics Commission Review: Complete

Background Check Review: Complete

Community Impact Statement: None submitted.

TIME LIMIT FILE - DECEMBER 19, 2008

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

ITEM NO. (7) - ADOPTED

[08-3239](#)

TRANSPORTATION COMMITTEE REPORT relative to the appointment of Ms. Grace E. Yoo to the Board of Transportation Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Grace E. Yoo to the Board of Transportation Commissioners for the term ending June 30, 2011 is APPROVED and CONFIRMED. Ms. Yoo resides in Council District 13. (Current commission gender composition: M = 4; F = 3)

Ethics Commission Review: Pending

Background Check Review: Complete

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 10, 2009

(LAST DAY FOR COUNCIL ACTION - JANUARY 9, 2009)

**Roll Call #5 - Motion (Perry - Wesson) Adopted, Ayes (12); Absent: Cardenas, Hahn and Parks (3)
(Item Nos. 8-9)**

ITEM NO. (8) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

[08-3292](#)

CDs 6 & 7

COMMUNICATION FROM THE CITY CLERK and ORDINANCE FIRST CONSIDERATION relative to the formation of a proposed Property and Business Improvement District to be called the Panorama City Business Improvement District.

(Jobs, Business Growth and Tax Reform 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 Jobs, Business Growth and Tax Reform Committee at 213-978-1071.)

ADOPTED

MOTION (SMITH - PARKS) relative to the formation of a proposed property and business improvement district to be called the Panorama City Business Improvement District.

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

- 1. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION to establish the Panorama City Business Improvement District.**
- 2. FIND that:**
 - a. The petitions submitted on behalf of the proponents of the proposed Panorama City Business Improvement District are signed by property owners who will pay more than fifty (50) percent of the assessments proposed to be levied.**
 - b. All parcels that will have a special benefit conferred upon them and upon which an assessment would be imposed are those as identified in the Management District Plan.**
- 3. ADOPT the preliminary Report of the City Clerk, the Management District Plan, and the Engineer's Report, attached to the Council file.**
- 4. FIND that in accordance with Article XIID of the California Constitution, and based on the facts and conclusion contained in the attached Engineer's Report that:**

- a. **The assessment levied on each parcel within the proposed District is proportionate to the special benefit derived from the improvements and activities that are to be provided.**
 - b. **There are no general benefits to be separated from the special benefits conferred on each parcel within the proposed District.**
 - c. **No assessment imposed on any parcel exceeds the reasonable cost of the proportional special benefit conferred on that parcel.**
5. **AUTHORIZE the City Clerk, upon establishment of the District, to prepare, execute and administer a contract between the City of Los Angeles and a non-profit corporation for the administration of the District's programs.**
 6. **DIRECT the City Clerk to comply, with the notice, protest, and hearing procedures prescribed in the Proposition 218 Omnibus Implementation Act (California Government Code, Section 53750 et seq.).**
 7. **REQUEST the City Attorney, with the assistance of the City Clerk, to prepare an enabling Ordinance establishing the Panorama City Business Improvement District for City Council consideration at the conclusion of the required public hearing.**
 8. **DIRECT the Controller to provide, if necessary, an advance to the chosen contracted non-profit corporation an amount not to exceed one quarter (25%) of the BID's 2009 anticipated assessment revenue, if the Ordinance establishing the BID is adopted and the funds are available.**

ITEM NO. (9) - ADOPTED

08-2954
CD 3

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to an Appeal and zone change for property at 19762-19858 West Ventura Boulevard.

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. 08-2954 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 2004-5200 MND REC] filed on June 17, 2005.
2. ADOPT the December 5, 2008 FINDINGS of the Director of Planning as the Findings of the Council.

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, effecting a zone change from P-1VL-D and C1-1VL-D to (T)(Q)C1-1VL-D for the proposed demolition of a 35,142 square foot portion of an existing shopping center for the construction of a future 47,465 square foot 24-hour supermarket within a shopping center and the remodel of the shopping center with a new façade and exterior landscaping improvements (86,032 square feet of total building area), with 365 parking spaces on a 5.22 acre site for property at 19762-19858 West Ventura Boulevard, subject to modified Conditions of Approval.

Applicant: Vons, Richard Chavez

CPC 2004-5201-ZC-CU-CUB-SPE-SPP

(Fred Gaines, Gaines & Stacey, LLP., Representative)

4. RESOLVE TO DENY APPEAL filed by Mahnaz and Parviz Kohanchi from part of the decision of the City Planning Commission and THEREBY APPROVE: (1) a Conditional Use to permit 24 hour operation of a commercial corner development beyond the hours of 7:00am and 11:00pm and to permit alcohol sales within a new full service retail market; (2) Exceptions to the Ventura-Cahuenga Boulevard Corridor Specific Plan to permit a height of 38 feet in lieu of the maximum 30-foot height, a driveway and parking area to be located directly in front of the building in lieu of locating the parking spaces and driveways at the rear of the building, and a landscaped buffer less than the required 10 feet wide around the surface parking lot; and (3) a Project Permit Compliance determination for the proposed demolition of a 35,142 square foot portion of an existing shopping center for the construction of a future 47,465 square foot 24-hour supermarket within a shopping center and the remodel of the shopping center with a new façade and exterior landscaping improvements (86,032 square feet of total building area), with 365 parking spaces on a 5.22 acre site for property at 19762-19858 West Ventura Boulevard, subject to Conditions of Approval.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
6. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
7. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.
8. NOT PRESENT and ORDER FILED the ordinance dated August 28, 2008 submitted by the City Planning Commission (CPC).

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.

TIME LIMIT FILE - JANUARY 5, 2009

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

**Roll Call #3 - Motion (Wesson - Alarcon) Adopted to Continue, Unanimous Vote (12); Absent: Cardenas, Hahn and Parks (3)
(Item Nos. 10-15)**

ITEM NO. (10) - CONTINUED TO DECEMBER 17, 2008

[08-1403](#)

[08-1405](#)

PUBLIC SAFETY COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to requiring ammunition vendors to obtain a license to sell ammunition and comply with other requirements.

Recommendations for Council action, as initiated by Motions (Weiss - Huizar) and (Weiss - Garcetti - Hahn), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. PRESENT and ADOPT the accompanying ORDINANCE dated November 25, 2008 adding Section 103.314.1 to, and amending Section 55.11 of, the Los Angeles Municipal Code to require ammunition sellers to obtain a permit from the Board of Police Commissioners, to require face-to-face sales of ammunition, to require sellers of ammunition to obtain a thumbprint, and to require employees handling ammunition to submit to a background check.
2. NOT PRESENT and ORDER FILED Ordinance dated August 27, 2008 relative to requiring ammunition vendors to obtain a license to sell ammunition and comply with other requirements.

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

Community Impact Statement: None submitted.

ITEM NO. (11) - CONTINUED TO DECEMBER 17, 2008

[08-1404](#)

PUBLIC SAFETY COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to the permanent seizure of vehicles used by known gang members while committing a crime.

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

PRESENT and ADOPT the accompanying ORDINANCE adding Section 41.71 to Chapter IV of the Los Angeles Municipal Code to provide for the forfeiture of vehicles used by gang members while committing crimes.

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

Community Impact Statement: None submitted.

ITEM NO. (12) - CONTINUED TO DECEMBER 17, 2008

[08-1406](#)

PUBLIC SAFETY COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to banning the possession and sale of .50 caliber cartridges and ammunition.

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

PRESENT and ADOPT the accompanying ORDINANCE adding Section 55.19 to the Los Angeles Municipal Code to ban the possession and sale of .50 caliber cartridges and ammunition.

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

Community Impact Statement: None submitted.

ITEM NO. (13) - CONTINUED TO DECEMBER 17, 2008

[08-1407](#)

PUBLIC SAFETY COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to including illegal possession or use of weapons and ammunition on the premises or within 1,000 feet of a rental property as grounds for eviction of a tenant by a landlord.

Recommendations for Council action, as initiated by Motion (Weiss - Hahn - Garcetti), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. PRESENT and ADOPT the accompanying ORDINANCE dated December 5, 2008 amending Sections 47.50 and 151.09 of the Los Angeles Municipal Code (LAMC) to include unlawful weapons or ammunition crime on the premises or within 1,000 feet of a rental property as grounds for eviction of a tenant by a landlord.
2. NOT PRESENT and ORDER FILED Ordinance dated November 24, 2008 amending the LAMC to include unlawful weapons or ammunition crime on the premises or within 1,000 feet of a rental property as grounds for eviction.

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

Community Impact Statement: None submitted.

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

ITEM NO. (14) - CONTINUED TO DECEMBER 17, 2008

[08-1511](#)

PUBLIC SAFETY COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to banning the installation of secret compartments in vehicles to hide firearms and destructive devices.

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

PRESENT and ADOPT the accompanying ORDINANCE adding Section 55.20 to the Los Angeles Municipal Code to ban the installation of secret compartments in vehicles to hide unlawfully possessed firearms and destructive devices.

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

Community Impact Statement: None submitted.

ITEM NO. (15) - CONTINUED TO DECEMBER 17, 2008

[08-1570](#)

PUBLIC SAFETY COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to requiring gun dealers to perform physical inspections of their inventories twice a year, and related requirements.

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

1. PRESENT and ADOPT accompanying ORDINANCE amending Los Angeles Municipal Code (LAMC) Section 103.314 to require firearms dealers to perform physical inspections of their inventories twice a year, send a sworn affidavit of these inspections to the Police Department, report any missing or stolen guns, and related technical corrections.
2. NOT PRESENT and ORDER FILED Ordinance dated August 27, 2008 amending the LAMC to require firearms dealers to perform physical inspections of their inventories.

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

Community Impact Statement: None submitted.

**Roll Call #5 - Motion (Perry - Wesson) Adopted, Ayes (12); Absent: Cardenas, Hahn and Parks (3)
(Item Nos. 16-27)**

ITEM NO. (16) - ADOPTED

[07-2877-S3](#)

PUBLIC WORKS COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending Los Angeles Administrative Code (LAAC) Section 5.168.7 to substitute the Board of Public Works (BPW) as administrator of the Capital Reserves Fund.

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

PRESENT and ADOPT the accompanying ORDINANCE amending LAAC Section 5.168.7 to substitute the BPW as the administrator of the Capital Projects Bond Reserves Fund.

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.

(Budget and Finance Committee waived consideration of this matter)

ITEM NO. (17) - ADOPTED

[08-2191](#)

CD 13

ORDINANCE SECOND CONSIDERATION levying the assessments and ordering the maintenance of the Riverside Drive and Gail Street lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing closed on December 9, 2008)

ITEM NO. (18) - ADOPTED

[08-3101-S1](#)

ORDINANCE SECOND CONSIDERATION, dated December 3, 2008, adding Chapter XIX to the Los Angeles Municipal Code to consolidate various provisions regarding solid waste and recycled materials management and enforcement and to increase certain related fees.

(General Exemption approved and Communication from the City Attorney adopted on December 9, 2008)

ITEM NO. (19) - ADOPTED

[08-2690-S1](#)

ORDINANCE SECOND CONSIDERATION dated November 24, 2008, adding Chapter 151 to Division 5 of the Los Angeles Administrative Code to add a fund for alternatives to landfills.

(General Exemption approved, Communication from the City Attorney adopted on December 9, 2008)

ITEM NO. (20) - ADOPTED

[08-2690-S3](#)

ORDINANCE SECOND CONSIDERATION, dated November 24, 2008, adding Section 66.08.7 to the Los Angeles Municipal Code imposing an Alternative to Landfilling Fee on all Refuse Disposal Facilities operating within the City boundaries.

(General Exemption approved and Communication from the City Attorney adopted on December 9, 2008)

ITEM NO. (21) - ADOPTED

[07-2529](#)

ORDINANCE SECOND CONSIDERATION dated August 7, 2007, authorizing the execution of a license agreement to UNAVCO on City of Los Angeles-owned properties located in Inyo and Mono Counties, California.

(Communication from Energy and Environment Committee adopted on December 9, 2008)

ITEM NO. (22) - ADOPTED

[07-3632-S1](#)

CD 5

ORDINANCE OF INTENTION SECOND CONSIDERATION setting the date of **FEBRUARY 10, 2009** as the hearing date for the maintenance of the Lawler Street and Overland Avenue No. 1 Lighting District.

(Communication from the Bureau of Street Lighting adopted on December 9, 2008)

ITEM NO. (23) - ADOPTED

[07-3900](#)

CD 6

ORDINANCE OF INTENTION SECOND CONSIDERATION setting the date of **FEBRUARY 10, 2009** as the hearing date for the maintenance of the Hart Street and Laurel Canyon Boulevard (Reballot) Lighting District.

(Communication from the Bureau of Street Lighting adopted on December 9, 2008)

ITEM NO. (24) - ADOPTED

[08-2957](#)

CD 2

ORDINANCE OF INTENTION SECOND CONSIDERATION setting the date of **FEBRUARY 10, 2009** as the hearing date for the maintenance of the Hillrose Street and Commerce Avenue Lighting District.

(Communication from the Bureau of Street Lighting adopted on December 9, 2008)

ITEM NO. (25) - ADOPTED

[08-2959](#)

CD 2

ORDINANCE OF INTENTION SECOND CONSIDERATION setting the date of **FEBRUARY 10, 2009** as the hearing date for the maintenance of the Greeley Street and Pinewood Avenue Lighting District.

(Communication from the Bureau of Street Lighting adopted on December 9, 2008)

ITEM NO. (26) - ADOPTED

[08-3003](#)

CD 4

ORDINANCE OF INTENTION SECOND CONSIDERATION setting the date of **FEBRUARY 10, 2009** as the hearing date for the maintenance of the Satsuma Avenue and Magnolia Boulevard Lighting District.

(Communication from the Bureau of Street Lighting adopted on December 9, 2008)

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

[08-3038](#)

AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT relative to the City of Los Angeles Cost Allocation Plan (CAP) 30 for City Overhead and Fringe Benefit Costs for Fiscal Year 2007-08.

Recommendation for Council action:

NOTE and FILE the Controller report relative to the City of Los Angeles CAP 30 for City Overhead and Fringe Benefit Costs for Fiscal Year 2007-08, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (28) - ADOPTED

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

[07-1434](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the Los Angeles Triathlon.

Recommendations for Council action:

1. APPROVE Pacific Sports LLC as the contractor for production of the Los Angeles Triathlon, in accordance with the terms and conditions contained in Attachment B to the Chief Legislative Analyst (CLA)/City Administrative Officer (CAO) joint report (attached to this Committee report), and the following:
 - a. Pacific Sports must submit any requested route change for the 2009 race to the Council, at a minimum, nine (9) months before the race in which the change will be effective.
 - b. Pacific Sports must improve the process for notifying businesses and residents located on, or near, the approved route of the LA Triathlon of the anticipated street closures and other detours that will be in effect.
 - c. CAO and CLA review of contractor financial records.
2. REQUEST the City Attorney to prepare a contract between the City and Pacific sports LLC for production of the LA Triathlon in accordance with the terms and conditions contained in Attachment B to the CLA/CAO report. If the City Attorney and Pacific Sports LLC cannot agree on contract language within 45 days from Council and Mayor approval, then AUTHORIZE the CAO and CLA to issue a Request for Proposal (RFP) for the Triathlon.
3. AUTHORIZE the CAO to execute the contract on behalf of the City, subject to City Attorney approval as to form and legality.
4. INSTRUCT the CAO, with the assistance of the CLA, to submit a pre-event report 90 days prior to each annual triathlon discussing, at a minimum, athlete financial incentives, promotions, advertising plans, potential problems and plans for resolution, sponsors, potential number of participants. Further, within 90 days subsequent to each annual triathlon, submit a post-event report discussing actual results (sponsorship statistics, number of runners, race statistics, number of hotel room nights booked at hotels in the City of Los Angeles), problems and necessary adjustments for the next annual race, and any other issues that should be noted.
5. AUTHORIZE the CAO to make any technical corrections or clarifications that may be necessary to implement the intent of this action.

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

Community Impact Statement: None submitted.

**Roll Call #5 - Motion (Perry - Wesson) Adopted, Ayes (12); Absent: Cardenas, Hahn and Parks (3)
(Item Nos. 29-32)**

ITEM NO. (29) - ADOPTED - TO THE MAYOR FORTHWITH

[08-2934](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the escheatment of funds from the Parking Violations Trust Fund No. 853 to the Reserve Fund.

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

1. INSTRUCT the Los Angeles Department of Transportation and the City Treasurer to process the sum of \$164,097.75 from the Parking Violations Trust Fund No. 853.
2. REQUEST the Controller to TRANSFER all identified eligible monies to the City's Reserve Fund.

Fiscal Impact Statement: None submitted by the City Treasurer. 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. (30) - ADOPTED - TO THE MAYOR FORTHWITH

[08-2935](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the escheatment of funds from the Unclaimed Monies Seized Incidental to Arrest Trust Fund (UMSIATF) to the General Fund.

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

1. INSTRUCT the Los Angeles Police Department and the City Treasurer to process the sum of \$321,476.27 from the UMSIATF No. 7772.
2. REQUEST the Controller to TRANSFER all identified eligible monies to the General Fund, Fund No. 100, Department 70, Revenue Source Code 4334.

Fiscal Impact Statement: None submitted by the City Treasurer. 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 COMMITTEE REPORT RECOMMENDATION

[08-1671](#)

EDUCATION AND NEIGHBORHOODS COMMITTEE REPORT relative to the June 2008 elections process for the Board elections of 22 Neighborhood Councils.

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

NOTE and FILE the October 10, 2008, After Action Report from the City Clerk on the Election Division's conduct of the June 2008 Neighborhood Council Elections, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

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

[07-1277-S2](#)

CD 9

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the status of the Community Enhancement Corporation's (CEC's) efforts to obtain project financing for the historic preservation, rehabilitation, and adaptive reuse of the Angelus Funeral Home located at 976-1010 East Jefferson Boulevard.

Recommendations for Council action:

1. NOTE and FILE the Community Redevelopment Agency (CRA) report dated November 4, 2008, inasmuch as the report is submitted for information only and no Council action is necessary.
2. INSTRUCT the CRA to report back annually, (rather than every 180 days as previously instructed), relative to the status of the CEC's service repayment efforts.

Fiscal Impact Statement: The CRA reports that there is no fiscal impact to the City's General Fund.

Community Impact Statement: None submitted.

ITEM NO. (33) - CONTINUED TO DECEMBER 17, 2008

Roll Call #4 - Motion (Smith - Weiss) Adopted to Continue, Unanimous Vote (12); Absent: Cardenas, Hahn and Parks (3)

[07-2438-S9](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to regulating the grounds for the eviction of tenants from foreclosed residential rental properties.

Recommendations for Council action:

1. NOT PRESENT and ORDER FILED the Ordinance adding Article 14.1 to Chapter IV of the Los Angeles Municipal Code (LAMC) to regulate the grounds for eviction of tenants from foreclosed residential rental properties.

2. REQUEST the City Attorney to prepare and present an Ordinance adding Article 14.1 to Chapter IV of the LAMC to regulate the grounds for eviction of tenants from foreclosed residential rental properties (substantially as the Ordinance above) which includes a one-year sunset provision with options to extend for periods of six months at a time.

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.

**Roll Call #5 - Motion (Perry - Wesson) Adopted, Ayes (12); Absent: Cardenas, Hahn and Parks (3)
(Item Nos. 34-39)**

ITEM NO. (34) - ADOPTED - TO THE MAYOR FORTHWITH

[08-2742](#)
[08-2910](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a Request for Qualifications (RFQ) for housing studies and related contract amendments.

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

1. AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD), or designee, to:
 - a. Release the RFQ (included as an attachment to the LAHD report dated September 17, 2008, Council file No. 05-0576), to prepare housing studies related to new and existing subject areas, assess the responses, and report to the Mayor and Council for approval of contractor recommendations, funding levels and Controller instructions.
 - b. Execute amendments to the following contracts, subject to the review of the City Attorney as to form and legality and compliance with all necessary City and federal contracting requirements, and authorize funding as indicated:
 - 1) Fifth Amendment to Contract No. C-109773 with Ann Bauman, A.I.C.P., increasing compensation by \$86,722 for a revised contract total of \$606,322 and extending the term of the contract by six months for a total term of 42 months through June 30, 2009, for consulting and professional services in substantial conformance with Attachment 1 of the LAHD transmittal dated October 6, 2008 (Council file No. 08-2910).
 - 2) Third Amendment to Contract No. C-109771 with the Coalition for Economic Survival, a non-profit community-based organization, to increase compensation by \$75,000, for a revised contract total of \$200,000 retroactive to July 1, 2008, to provide tenant outreach and education for the Los Angeles Affordable Housing Preservation Program in substantial conformance with Attachment 2 of the LAHD transmittal dated October 6, 2008 (Council file No. 08-2910).
2. REQUEST the Controller to:

- a. Establish a new appropriations account within Fund No. 815, Municipal Housing Finance Fund (MHFF), and Fund No. 440, Rent Stabilization Fund, Department 43 as follows:

<u>Account</u>	<u>Title</u>
E245	Professional Services Contracts

- b. Transfer appropriations within Fun No. 815, MHFF, Department 43 as follows:

	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	E005	ACQ, Rehab & Const Dev & Loan	\$138,570
To:	E245	Professional Services Contracts	\$138,570

- c. Transfer appropriations within Fund No. 440, Rent Stabilization Fund, Department 43 as follows:

	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	A143	Housing	\$23,152
To:	E245	Professional Services Contracts	\$23,152

3. Expend funds not to exceed \$161,722 from the above funds and accounts upon proper written demand of the General Manager, LAHD, or designee.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact to the General Fund. Approval of these recommendations would authorize the LAHD to release a RFQ to solicit contractors for the completion of various housing studies utilizing \$52,000 in MHFF for the first six months of service contracts. Funding for subsequent years will vary depending on funding availability. The LAHD must report back to the Mayor and Council with recommendations for final awards based on the results of the RFQ. In addition, the LAHD would be authorized to execute contract amendments totaling \$161,722 with Ann Bauman, A.I.C.P. (\$86,722) and the Coalition for Economic Survival (\$75,000) utilizing previously budgeted MHFF and Rent Stabilization Trust Funds. The recommendations of this report are in compliance with City Financial Policies in that the full cost of these services will be paid through available special fund sources. Any subsequent funding awards and contract extensions will be contingent on the availability of continuation funding.

Community Impact Statement: None submitted.

ITEM NO. (35) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS - TO THE MAYOR FORTHWITH

[08-2912](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the acceptance of the 2008-11 Housing Opportunities for Persons with AIDS (HOPWA) Connections Program Renewal Grant and related actions.

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

1. AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD), or designee, to:
 - a. Accept the grant award of \$1,430,000 million from the U.S. Department of Housing and Urban Development (HUD) for the HOPWA Connections Program, for the period August 1, 2008 through July 31, 2011.
 - b. Execute a Grant Agreement and any amendments thereto with and submit to HUD, on behalf of the City, such documents as may be required to accept and disburse the Connections Renewal Grant award, subject to the review of the City Attorney as to form and legality.
 - c. Negotiate and execute a contract with the Housing Authority of the City of Los Angeles (HACLA), substantially in the form as attached to the LAHD transmittal dated September 30, 2008, for the period of August 1, 2008 through July 31, 2011, for a total of \$1,391,000 (\$1,300,000 for Tenant Based Rental Assistance [TBRA] and \$91,000 for Project Sponsor Administration), subject to the review of the City Attorney as to form and legality.
 - d. Prepare Controller instructions and/or make any technical adjustments that may be required and are consistent with these actions, subject to the approval of the City Administrative Officer (CAO), and request the Controller to implement these instructions.
2. DIRECT HACLA to transition program participants to the Housing Choice Voucher (Section 8) Program on a priority basis after receiving twelve months of TBRA services.
3. REQUEST the Controller to:
 - a. Establish new accounts and appropriate \$1,430,000 within Fund No. 47X/43 Connections Grant Fund as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
E313	Tenant Based Rental Assistance	\$1,300,000
E315	Project Sponsor Administration	91,000
E143	LAHD	13,000
D304	Administration Reserve for 2 Years	26,000

- b. Transfer appropriations within Fund No. 47X/43 Connections Grant Fund as follows:

	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	W143	LAHD	\$28,915
	W299	Related Cost	<u>7,085</u>
		Total	\$36,000
To:	E143	LAHD	\$36,000

- c. Expend funds not to exceed \$1,466,000 from the above fund and accounts upon proper written demand of the LAHD, General Manager, or designee.
- d. Increase the appropriation in General Fund 100/43, Account 1010 Salaries-General in the amount of \$49,000.

Fiscal Impact Statement: The CAO reports that there is no impact on the General Fund. The Connections Program costs are fully reimbursable by the Grant and do not require a City match. Acceptance of the Grant and approval of the recommendations are in compliance with the City's Financial Policies as the Grant funds all grant eligible activities.

Community Impact Statement: None submitted.

ITEM NO. (36) - ADOPTED

[08-3192](#)
CD 1

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to participating in the State Proposition One C (Prop 1C) Infill Infrastructure Grant Program, the development of the Yale Street Family Apartments Affordable Housing Project (Project) located at 715-721 Yale Street, and various actions related thereto.

Recommendations for Council action:

1. ADOPT the accompanying JOINT RESOLUTION [attached to the City Administrative Officer (CAO) report dated December 9, 2008] with the Community Redevelopment Agency (CRA) Board of Commissioners to authorize the CRA to submit applications to participate in the Prop 1C Infill Infrastructure Grant Program, and if necessary, to accept the Prop 1C Infill Area Project Grant or other grant funding and to execute agreements with the State for an award amount not to exceed \$5,000,000, for the purpose of installing improvements related to the Chinatown Yale Street Qualified Infill Linkage Project.
2. APPROVE a waiver by the CRA Board of the CRA's Housing Policy to authorize a decrease in the percentage of units for extremely low income households for the Project located in the Chinatown Redevelopment Project Area in Council District One.

3. AUTHORIZE the Chief Executive Officer, CRA, or designee, to execute an Acquisition Loan Agreement and all ancillary documents with Affirmed Housing Group in an amount not to exceed \$2,500,000 for the purpose of developing the Project, 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 \$2,500,000 from the CRA's Chinatown Redevelopment Project Area Low and Moderate Income Housing Trust Fund for the development of affordable housing.

Community Impact Statement: None submitted.

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

[08-2917](#)

CD 5

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to the transfer of jurisdiction of former Fire Station 83 located at 5001 North Balboa Boulevard (APN 2258-016-901) from the Department of General Services (GSD) to the Department of Recreation and Parks (RAP).

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

1. INSTRUCT the GSD to effectuate a non-financial transfer of jurisdiction of 5001 North Balboa Boulevard, Encino, CA 91316, Assessor Parcel Number (APN) No. 2258-016-901 to the RAP.
2. REQUEST the Board of Recreation and Parks Commissioners to consider, approve, and accept the transfer of jurisdiction of the property located at 5001 North Balboa Boulevard, Encino, CA 91316, APN No. 2258-016-901, as well as dedication of the same as park property in perpetuity.
3. INSTRUCT the RAP to work closely with the Encino Neighborhood Council in the development of programs and services at the facility.

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.

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

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

[06-0304-S2](#)

CD 1

COMMUNICATION FROM THE CITY CLERK relative to the Fiscal Year 2009 Annual Planning Report for the Lincoln Heights Industrial Zone Property-Based Business Improvement District.

(Jobs, Business Growth and Tax Reform 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 Jobs, Business Growth and Tax Reform Committee at 213-978-1071.)

ADOPTED

MOTION (SMITH - PARKS) relative to the Fiscal Year 2009 Annual Planning Report for the Lincoln Heights Industrial Zone Property-Based Business Improvement District.

Recommendations for Council action:

- 1. FIND that the FY 2009 Annual Planning Report (attached to the City Clerk report dated December 1, 2008) for the Lincoln Heights Industrial Zone PBID complies with the requirements of the City's Landscaping, Security, Programming, and Maintenance (LSPM) PBID Ordinance.**
- 2. ADOPT the FY 2009 Annual Planning Report for the Lincoln Heights Industrial Zone PBID, pursuant to the LSPM PBID Ordinance.**

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

[08-1667](#)

CD 3

COMMUNICATIONS FROM THE COMMUNITY REDEVELOPMENT AGENCY and CHIEF LEGISLATIVE ANALYST relative to consultant services for the renewal process of the Canoga Park Business Improvement District.

(Jobs, Business Growth and Tax Reform 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 Jobs, Business Growth and Tax Reform Committee at 213-978-1071.)

ADOPTED

MOTION (SMITH - PARKS) relative to consultant services for the renewal process of the Canoga Park Business Improvement District.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency, or designee, to execute a contract with the Canoga Park Improvement Association, in the amount of \$50,000, for the purpose of securing consultant services related to the renewal process of the Canoga Park Business Improvement District.

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

Roll Call #15 - Motion (Huizar - Perry) Adopted, Ayes (14); Absent: Cardenas (1)

[08-3189](#)

CD 14

NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and RESOLUTION relative to a General Plan Amendment to revise Community Plan text language and to change the boundaries of a Special Boundary Area (Artists-in-Residence District) on the General Plan Land Use map of the Central City North 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 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. 08-3189 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 2008-3611ND] filed on October 3, 2008.
2. ADOPT the FINDINGS of the Director of Planning as the Findings of the Council.
3. ADOPT the accompanying RESOLUTION as recommended by the Mayor, Director of Planning and the City Planning Commission, APPROVING the proposed General Plan Amendment to revise Community Plan text language and to change the boundaries of a Special Boundary Area (Artists-in-Residence District) on the General Plan Land Use Map of the Central City North Community Plan to include the area generally bounded by East Sixth Street to the north, Mill Street and Wilson Street to the west, Violet Street to the south, and the Los Angeles River to the east, pursuant to Motion (Huizar - Hahn, Council file No. 07-1609).

Applicant: City of Los Angeles

CPC 2008-3417 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 - FEBRUARY 17, 2009

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 17, 2009)

ITEM NO. (41) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT AND COMMUNICATION RECOMMENDATION

Roll Call #5 - Motion (Perry - Wesson) Adopted, Ayes (12); Absent: Cardenas, Hahn and Parks (3)

[07-1959-S1](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and COMMUNICATION FROM CHAIR, AD HOC COMMITTEE ON GANG VIOLENCE AND YOUTH DEVELOPMENT relative to City contracting requirements and program transition in connection with the closure of the LA Bridges I and II Programs.

Recommendation for Council action:

RECEIVE and FILE the June 16, 2008 Community Development Department (CDD) report relative to City contracting requirements and transition of the LA Bridges I and II Programs from the CDD to the Office of the Mayor.

Fiscal Impact Statement: Not applicable

Community Impact Statement: None submitted.

ITEM NO. (42) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT AND COMMUNICATION RECOMMENDATION, AS AMENDED

Roll Call #12 - Motion (Alarcon - Parks) Adopted, Ayes (14); Absent: Cardenas (1)

[08-3198](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and COMMUNICATION FROM CHAIR AND MEMBER, AD HOC COMMITTEE ON GANG VIOLENCE AND YOUTH DEVELOPMENT relative to executing contract amendments with various LA Bridges II contractors.

Recommendation for Council action, pursuant to Motion (Cardenas - Perry):

AUTHORIZE the Mayor's Office to execute contract amendments with the following LA Bridges II contracts to perform gang intervention services for the amounts noted and to extend the performance time to March 31, 2009, subject to the approval of the City Attorney as to form and legality:

- | | | |
|----|--------------------------------|-----------|
| a. | Communities in Schools | \$180,794 |
| b. | Public Health Foundation | \$252,227 |
| c. | Soledad Enrichment Action | \$ 55,508 |
| d. | Toberman Neighborhood Services | \$417,591 |

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.

ADOPTED

AMENDING MOTION (ALARCON - HAHN)

Recommendations for Council action:

1. **AUTHORIZE the Council authorize the Controller to decrease the appropriation and transfer funds totaling \$42, 500 from Fund No. 531-14, Lopez Canyon landfill Community Amenities Trust, Account No. L302, and increase appropriations within Fund No. 100/46, Mayor's Office, Account No. 3040, Contractual Services by this amount.**
2. **EXPEND funds in the amount of \$42, 500 from Fund No. 100/46, Mayor's Office, account No. 3040, Contractual Services, upon proper written demand of the Mayor, or designee.**

ITEM NO. (43) - MOTION ADOPTED TO APPROVE COMMUNICATION AND COMMITTEE REPORT RECOMMENDATIONS

Roll Call #5 - Motion (Perry - Wesson) Adopted, Ayes (12); Absent: Cardenas, Hahn and Parks (3)

[07-0427](#)

COMMUNICATION FROM CHAIR, AD HOC COMMITTEE ON RECOVERING ENERGY, NATURAL RESOURCES AND ECONOMIC BENEFIT FROM WASTE FOR LOS ANGELES and ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to a contract amendment with HDR Engineering, Inc. (HDR), to amend the Solid Waste Integrated Resources Plan (SWIRP) to include Alternative Solid Waste Processing Technologies Studies.

Recommendations for Council action:

1. **AUTHORIZE the Board of Public Works (Board) to execute a first amendment to Contract No. 111500 relative to the SWIRP, with HDR, for Phase III of the Solid Waste Alternative Processing Technologies project, substantially as attached to the Board report dated September 5, 2008, increasing the cost ceiling of the SWIRP contract by \$2.3 million from \$7.7 million to \$10 million to cover costs for additional tasks under the scope of work, and to include contract payment retention provisions consistent with other contracts of this nature, subject to the approval of the City Attorney as to form and legality.**
2. **DIRECT the Bureau of Sanitation to report to the Mayor and Council within 90 days on the progress of Phase III and an update on the entire scope and cost of the Solid Waste Alternative Processing Technologies project.**

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that this action will not impact the General Fund. The CAO states that the total funding for the first amendment to the SWIRP contract to include Phase III of the Alternative Technologies Project is \$2.3 million. Funding is provided by the Integrated Solid Waste Management Fund. The above recommendations comply with City financial policies in that sufficient revenue is identified to support these costs. The balance needed for additional phases of the project will be provided from special funds in future budgets as those costs are determined. The contract includes a clause limiting the City's financial liability to the extent of the present appropriation to fund the agreement, as well as appropriations for successive fiscal years as funding needs are determined.

Community Impact Statement: None submitted.

ITEM NO. (44) - MOTION ADOPTED TO APPROVE COMMUNICATION AND COMMITTEES' REPORT RECOMMENDATION - TO THE MAYOR FORTHWITH

Roll Call #16 - Motion (Weiss - Zine) Adopted, Ayes (14); Absent: Cardenas (1)

[08-0969](#)

COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE and INFORMATION TECHNOLOGY AND GENERAL SERVICES and BUDGET AND FINANCE COMMITTEES' REPORT relative to the Los Angeles Regional Interoperable Communications System (LA-RICS) Joint Powers Authority (JPA).

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

1. APPROVE, in concept, the JPA and AUTHORIZE the Mayor to sign it on behalf of the City, as amended to reflect the changes proposed in the November 19, 2008 City Administrative Officer (CAO) - Chief Legislative Analyst (CLA) joint report to Council (attached to the Committee report), subject to approval of the City Attorney as to form and legality.
2. REQUEST that the CAO, CLA, and City Attorney work with the LA-RICS Steering Committee to make the changes to the JPA proposed in the joint CAO-CLA report.
3. DIRECT the CAO and CLA to report to Council relative to a funding plan to be developed by the JPA Board of Directors.
4. DIRECT the Information Technology Agency (ITA), and Fire and Police Departments to report to Council on a quarterly basis relative to the status of LA-RICS implementation.
5. TRANSFER \$250,000 from the Unappropriated Balance, Fund 100/58, Account No. 0238, LA Regional Interoperable Communications System to the ITA, Fund 100/32, Account No. 3040, Contractual Services.

Fiscal Impact Statement: The CAO and CLA report that the impact to the General Fund from participating in LA-RICS is potentially as high as \$234 million. However, the actual impact to the General Fund cannot be known until design of LA-RICS is complete and the JPA Board adopts a funding plan. It is possible that the impact to the General Fund can be mitigated by imposing a special tax.

Community Impact Statement: None submitted.

ITEM NO. (45) - ADOPTED

Roll Call #17 - Motion (Huizar - Smith) Adopted, Ayes (14); Absent: Cardenas (1)

[08-1409](#)

BUDGET AND FINANCE and AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEES' REPORTS relative to a pilot zero-based budget exercise for Fiscal Year 2009-10.

A. BUDGET AND FINANCE COMMITTEE REPORT

Recommendation for Council action, as initiated by Motion (Huizar - Rosendahl):

INSTRUCT the City Administrative Officer (CAO) and Chief Legislative Analyst (CLA) to report back to the Council with recommendations to assist the City in moving forward with a pilot zero-based budget exercise for the 2009-10 Fiscal Year budget.

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

B. AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT

Recommendation for Council action:

NOTE and FILE Motion (Huizar - Rosendahl) relative to the pilot zero-based budget exercise for three departments as they prepare their proposed budgets for Fiscal Year 2009-10.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (46) - ADOPTED

Roll Call #28 - Motion (Huizar - Rosendahl) Adopted to Suspend Rules, Ayes (13); Absent: Cardenas and Weiss (2)

[08-1303](#)

BUDGET AND FINANCE and PUBLIC WORKS and PERSONNEL COMMITTEES' REPORTS relative to a proposed fee subsidy policy for special events.

A. PUBLIC WORKS and PERSONNEL COMMITTEES' REPORT

Recommendations for Council action:

1. RECEIVE and FILE the July 30, 2008 Joint Chief Legislative Analyst (CLA)/City Administrative Officer (CAO) report relative to the Proposed Fee Subsidy Policy, as attached to the Council file.

2. ADOPT the May 16, 2008 Joint CLA/CAO report in connection to the Proposed Fee Subsidy Policy, as attached to the Committee report, with the following amendments:
 - a. Delete the recommendation that provides the Council office with discretion to decide which events will or will not be funded.
 - b. Delete the establishment of a Special Events Evaluation Committee comprised of numerous departments and bureaus to perform various functions, evaluations and recommendations to the Board of Public Works (BPW), inasmuch as these departments will work cooperatively without the establishment of a committee.
 - c. Delete the language regarding an appeal from the Board of Public Works and establish that the City Council has the right to review a special event matter under Charter Section 245.
3. DIRECT that no fees, to include permit fees and salary costs, are to be charged by City departments for block parties.
4. INSTRUCT the Bureau of Street Services (BOSS) and/or Los Angeles Department of Transportation (LADOT) to allow the coordinators of block parties to pick up and return traffic control devices from the nearest convenient location and further Instruct that the only charge will be a refundable deposit for said traffic control devices.
5. INSTRUCT the CLA to separate out the category of Farmer's Markets from the proposed fee subsidy policy.
6. INSTRUCT the CLA and CAO to report to Council in regard to Farmer's Markets as a category in the proposed fee subsidy policy and to further analyze alternative strategies to address the issues of Farmers' Markets and in particular the following:
 - a. How much money do Farmers' Markets make?
 - b. In what manner do Farmers' Markets operate?
7. INSTRUCT all relevant departments to review their policies on what services they provide on fee waiver.
8. AUTHORIZE the City Attorney, CLA and CAO to make technical corrections or clarifications to carry out the intent of the directives of the Council.

ADOPTED

Roll Call #29 - Motion (Huizar - Rosendahl) Adopted, Ayes (11); Absent: Cardenas, LaBonge and Weiss (3)

B. BUDGET AND FINANCE COMMITTEE REPORT

Recommendations for Council action, as initiated by Motion (Weiss-Perry-Garcetti), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. CONCUR with the recommendations of the Public Works and Personnel Committees relative to a proposed fee subsidy policy for special events.
2. INSTRUCT the Bureau of Street Services to report back to the Council as to the relevance/ feasibility of a recommendation contained in a joint Chief Legislative Analyst (CLA)/City Administrative Officer (CAO) report dated November 18, 2003 (Council file 02-0088), relative to the proposed expansion of the role of Film LA (successor organization to the Entertainment Industry Development Corporation) in the coordination through the one-stop special events permit office of the processing of permits for all entertainment industry related activities including motion picture filming, fashion photography, movie premieres and awards ceremonies.
3. INSTRUCT the Bureau of Street Services to ensure that the Special Events Policy is in Geographical Information System (GIS) format and readily available on the City's website.
4. INSTRUCT the Office of Finance to conduct annual reviews to ensure that businesses operating Farmers Markets have current business tax permits.

Fiscal Impact Statement: The CLA and the CAO report that adoption of the recommendations as contained in the September 16, 2008 Joint CLA/CAO report would reduce the impact to the General Fund by an estimated \$2.5 million annually in that the City would subsidize only 50 percent of the fees and salary costs associated with non-profit special events under the proposed Special Events Permit Process.

Community Impact Statement: None submitted.

REFERRED TO BUDGET AND FINANCE

Roll Call #30 - Motion (Parks - Smith) Adopted to Refer, Ayes (12); Absent: Cardenas, LaBonge and Weiss (3)

MOTION (HUIZAR - LABONGE)

Recommendation for Council action:

INCLUDE additional recommendation

5. **Unused special event subsidy funds allocated for events in Council Districts that have less than \$100,000 in fee waivers will be allocated to the fund to support subsidies of Citywide events to support events in Districts that have large amounts of events due to the presence of facilities such as City Hall, El Pueblo, etc.**

ITEM NO. (47) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #18 - Motion (Smith - Huizar) Adopted, Ayes (14); Absent: Cardenas (1)

[08-2601](#)

CD 15

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to submitting an application for a Harbor Area State Enterprise Zone (SEZ) Designation and related actions.

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

1. ADOPT the accompanying RESOLUTION [attached to the City Administrative Officer (CAO) report dated October 29, 2008] relative to the new Harbor Area SEZ application, finding that the application area is an economically depressed area requiring designation, that the City commits to providing adequate staffing and resources to manage and promote the Zone, and commits to completing all actions described in the application should a designation be awarded.
2. AUTHORIZE the General Manager, Community Development Department (CDD), or designee, to:
 - a. Oversee preparation of an application for designation of specified census tracts in the San Pedro, Wilmington, Harbor City, and Harbor Gateway communities, as deemed eligible, as the new Harbor SEZ, and submit such application and all supporting documents to the California Department of Housing and Community Development (HCD) in conformance with the Request for Proposals (RFP) for expiring SEZs and State regulations.
 - b. Negotiate and execute a contract with Jack Faucett Associates, Inc., (JFA) (substantially in the form of the draft attached to the CAO report dated October 29, 2008), to analyze, coordinate, and prepare an application and related documents for an SEZ designation for the Harbor Area; subject to review of the City Attorney as to form and compliance with City contracting Ordinances and U.S. Department of Housing and Urban Development (HUD) regulations, contingent upon approval from HUD for a non-competitive or sole source contract with JFA.
 - c. Submit a joint application with the County of Los Angeles for the Harbor SEZ, in accordance with RFP guidelines.
 - d. Prepare Controller instructions and/or make technical adjustments that may be required and are consistent with this action, subject to the approval of the CAO and authorize the Controller to implement these instructions.
3. INSTRUCT the General Managers and/or Directors of the Planning Department, Office of Finance, Housing Department, Department of Public Works, Department of Building and Safety, and the Community Redevelopment Agency, or designees, to cooperate fully and timely with CDD staff to provide all required statistics, maps, and project data necessary to complete the SEZ applications.

4. REQUEST the Controller to expend funds in the amount not to exceed \$150,000 from Fund No. 100/22, Account No. 3040, as approved by Council for the Harbor SEZ, upon proper demand of the General Manager, CDD, or designee.
5. REPROGRAM if the Mayor and Council should find that it is in the best interest of the City, \$36,181 in prior year Community Development Block Grant (CDBG) funds as follows:
 - a. Authorize the General Manager, CDD, or designee and Request the Controller to reprogram the amount of \$36,181 in CDBG grants funds for the Los Angeles Business Assistance Program (LABAP) for overtime salary costs for Planning and decrease appropriations within the Community Development Trust Fund No. 424 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
C240	Micro - Enterprise	\$ 3,100
C242	Retail - LABAP	1
A240	Micro - Enterprise - LABAP	22,710
Y240	Micro - Enterprise - Business Assistance Center	<u>10,370</u>
	Total	\$36,181

- b. Establish a new account within the Community Development Trust Fund No. 424, titled Planning, Account No. E168 and appropriate the amount of \$36,181, therein.
- c. Increase appropriations to Planning, Fund No. 100/68, Account 1090, Overtime General, in the amount of \$36,181.
- d. Transfer cash from the Community Development Trust Fund No. 424, Account E168, as needed to the Planning Department upon presentation of proper documentation from the Planning Department and proper demand of the General Manager, CDD, or designee.

Fiscal Impact Statement: The CAO reports that there is no impact to the General Fund. The recommendations in this report comply with City Financial Policies in that funding for the administrative costs to manage the program and Planning Department staff costs are funded by the Community Development Block Grant and Hiring Credit Voucher Fee income. The City does not provide a subsidy or incur liability for tax credits granted under SEZ programs.

Community Impact Statement: None submitted.

(Jobs, Business Growth and Tax Reform 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 Jobs, Business Growth and Tax Reform Committee at 213-978-1071.)

ADOPTED

MOTION (SMITH - PARKS) relative to submitting an application for a Harbor Area State Enterprise Zone (SEZ) Designation and related actions.

Recommendations for Council action:

1. **FIND** that the County of Los Angeles' Request for Proposals (RFP) for the selection of a consultant meets the City's procurement requirements and can be used as the basis for the selection of Jack Faucett Associates, Inc. as the contractor in this matter.
2. **AUTHORIZE** the General Manager, Community Development Department (CDD), or designee, to piggyback on the RFP issued by the County of Los Angeles in July 2007 and negotiate and execute a contract with JFA for an amount not to exceed \$137,937 and a term of four months retroactive from December 1, 2008 through March 29, 2009, with the option to renew for up to two additional one-year periods, for the purpose of analyzing, coordinating and preparing an application and related documents for a State Enterprise Zone designation for the Harbor Area, substantially in the form of the draft attached to the CAO report dated December 9, 2008, subject to review and approval by the City Attorney as to form and compliance with City contracting ordinances and the U.S. Department of Housing and Urban Development regulations.
3. **DELETE** Recommendation No. Three of the CAO report dated October 29, 2008.
4. **AUTHORIZE** the CDD to prepare Controller instructions and/or make technical adjustments that may be required and are consistent with this action subject to the approval of the CAO and **AUTHORIZE** the Controller to implement these instructions.

Items for Which Public Hearings Have Not Been Held - Items 48-70

(10 Votes Required for Consideration)

ITEM NO. (48) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION - ORDINANCE ADOPTED

Roll Call #19 - Motion (LaBonge - Alarcon) Adopted, Ayes (14); Absent: Cardenas (1)

[06-0402](#)

[07-1147-S1](#)

[07-3808](#)

[08-1542](#)

COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to establishing the operating hours of various City parks and recreation facilities.

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

PRESENT and ADOPT the accompanying ORDINANCE amending Section 63.44 of the Los Angeles Municipal Code to change and establish the operating hours of various City parks and recreation facilities including Dearborn Park, Hansen Dam Recreation Center, Telfair Park, and Valley Plaza Park (Whitsett Section).

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

Community Impact Statement: None submitted.

**ITEM NO. (49) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMUNICATION
RECOMMENDATION - ORDINANCE ADOPTED - TO THE MAYOR FORTHWITH**

Roll Call #20 - Motion (Smith - Alarcon), Ayes (14); Absent: Cardenas (1)

[08-0600-S33](#)

COMMUNICATIONS FROM THE CITY ADMINISTRATIVE OFFICER, CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to authorization to amend the Los Angeles Administrative Code (LAAC) to expand the uses of the Special Parking Revenue Fund.

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

PRESENT and ADOPT the accompanying ORDINANCE amending Section 5.117 of the LAAC with respect to the uses of the Special Parking Revenue Fund, payments on its financings, and transfer of surplus funds.

Fiscal Impact Statement: The CAO reports that adoption of the proposed Ordinance will have no net effect on the overall City Budget.

Community Impact Statement: None submitted.

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

**ITEM NO. (50) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS -
ORDINANCE ADOPTED - TO THE MAYOR FORTHWITH**

Roll Call #6 - Motion (LaBonge - Alarcon) Adopted, Ayes (12); Absent: Cardenas, Hahn and Parks (3)

[06-2513](#)

CDs 1, 4, & 10

COMMUNICATION FROM THE CITY CLERK and ORDINANCE FIRST CONSIDERATION relative to the reconfirmation procedure for the Wilshire Center Merchant-Based Business Improvement District (BID).

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

1. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION confirming the Wilshire Center BID Annual Report and levying an annual assessment for the Wilshire Center BID's fourteenth operating year, January 1, 2009 to December 31, 2009.
2. DIRECT the City Clerk to schedule, prepare, publish, and mail the public hearing notice, as required by the provisions of Section 36500 et seq. of the California Streets and Highways Code.
3. INSTRUCT the City Clerk, subject to approval by the City Attorney as to form and legality, to prepare an enabling Ordinance levying the special assessment for the Wilshire Center BID's fourteenth operating period beginning January 1, 2009 to December 31, 2009.

4. AUTHORIZE the City Clerk, subject to City Attorney approval, to prepare, execute, and administer a contract between the City and the Wilshire Center Business Improvement Corporation to administer the Wilshire Center BID, if the Ordinance reconfirming the BID is adopted.
5. AUTHORIZE the Controller to provide, if necessary and available, an advance against the Wilshire Center BID 2009 assessment revenue in the amount of \$192,237.42 representing 25 percent of the anticipated BID revenue receipts, to the Wilshire Center Business Improvement Corporation, if the Ordinance reconfirming the BID is adopted.

Fiscal Impact Statement: The City Clerk reports that City Clerk administrative expenses will be charged to the BID and will be recovered from assessments collected. The amount of recoverable costs for the BID's thirteenth operating year will be \$23,068.49 or three percent (2 percent plus an additional 1 percent for processing of billing for a total of 3 percent) of the BID's annual assessments revenue. This is a merchant-based BID and there are no assessments for City-owned properties within the BID, therefore there is no impact on the General Fund.

Community Impact Statement: None submitted.

(Jobs, Business Growth and Tax Reform Committee waived consideration of the above matter)

**Roll Call #6 - Motion (LaBonge - Alarcon) Adopted, Ayes (12); Absent: Cardenas, Hahn and Parks (3)
(Item Nos. 51a-51g)**

ITEM NO. (51) - ADOPTED

[08-0005-S787](#)

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 9, 2008:

[08-0005-S787](#)

CD 1

- a. Property at 1105 South Ardmore Avenue (Case No. 197648).
Assessor I.D. No. 5080-029-002

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

[08-0005-S788](#)

CD 4

- b. Property at 4800 West Oakwood Avenue (Case No. 155822).
Assessor I.D. No. 5522-033-014

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 7, 2008)

[08-0005-S789](#)

CD 9

- c. Property at 4422 South Towne Avenue (Case No. 134800).
Assessor I.D. No. 5109-014-012

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 25, 2007)

[08-0005-S790](#)

CD 10

- d. Property at 4025 West 21st Street (Case No. 120527).
Assessor I.D. No. 5060-009-014

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 21, 2008)

[08-0005-S791](#)

CD 10

- e. Property at 2229 South Vineyard Avenue (Case No. 120564).
Assessor I.D. No. 5061-024-011

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 26, 2008)

[08-0005-S792](#)

CD 14

- f. Property at 6228 East Annan Way (Case No. 18442).
Assessor I.D. No. 5482-004-013

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 11, 2006)

[08-0005-S792](#)

CD 14

- g. Property at 6228 East Annan Way (Case No. 101518).
Assessor I.D. No. 5482-004-013

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 1, 2007)

ITEM NO. (52) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

Roll Call #21 - Motion (LaBonge - Reyes) Adopted, Ayes (14); Absent: Cardenas (1)

[08-2752](#)

COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to allowing park facilities to remain open later for operation after the normal closing time to accommodate departmentally approved events on an as-needed basis.

Recommendations for Council action:

1. NOT PRESENT and ORDER FILED the Ordinance dated September 23, 2008, relative to allowing park facilities to remain open for operation for an additional 1 1/2 hours after the normal 10:30 pm closing time to accommodate departmentally approved events on an as-needed basis.
2. REQUEST the City Attorney to prepare and present an Ordinance relative to allowing park facilities, with the exception of Griffith Park, to remain open for operation for an additional 1 1/2 hours after the normal 10:30 p.m. closing time to accommodate departmentally approved events on an as-needed basis.

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

Community Impact Statement: None submitted.

**Roll Call #6 - Motion (LaBonge - Alarcon) Adopted, Ayes (12); Absent: Cardenas, Hahn and Parks (3)
(Item Nos. 53-54)**

ITEM NO. (53) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

[08-3184](#)

CD 7

COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to establishing the hours of operation at Tobias Avenue Park in Panorama City.

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

1. ESTABLISH that the hours of operation at Tobias Avenue Park be in accordance with the sunrise to sunset policy of the Department of Recreation and Parks, whereby the park opens one hour before sunrise and closes one hour after sunset.
2. INSTRUCT the Department of Recreation and Parks to prominently post the aforementioned hours at Tobias Avenue Park.
3. REQUEST the City Attorney to prepare and present an Ordinance to add Tobias Avenue Park to the list of parks closed at various times as specified in the Los Angeles Municipal Code, Section 63.44.

4. REQUEST the Board of Recreation and Park Commissioners to concur with the above recommendations and to instruct the Los Angeles Park Rangers to enforce the new park hours at Tobias Avenue Park seven days a week.

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. (54) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

[08-3089](#)

COMMUNICATION FROM CHAIR, TRADE, COMMERCE, AND TOURISM COMMITTEE relative to the Professional Services Agreement between Servicon Systems, Inc. (Servicon) and the Los Angeles Convention Center (LACC) for custodial services.

Recommendations for Council action:

1. AUTHORIZE the General Manager and Chief Executive Officer, LACC, or designee, to execute the contract with Servicon, subject to the approval of the City Attorney as to form and legality.
2. INSTRUCT the City Administrative Officer (CAO) to facilitate a discussion between the Department of General Services, LACC and the Service Employees International Union and report back to the Trade, Commerce, and Tourism Committee within 60 days.

Fiscal Impact Statement: The CAO reports that there is no impact to the City's General Fund. Funding for this contract is provided in the LACC 2008-09 Adopted Budget, Contractual Services Account No. 3040.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 13, 2009

(LAST DAY FOR COUNCIL ACTION - JANUARY 13, 2009)

ITEM NO. (55) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

Roll Call #22 - Motion (Parks - Smith) Adopted, Ayes (14); Absent: Cardenas (1)

[08-1805](#)

COMMUNICATION FROM THE MAYOR relative to a request for six-month extension of the time period during which the position of the interim City Administrative Officer may be filled.

Recommendation for Council action:

APPROVE a six month extension of the time period during which the position of the interim City Administrative Officer, currently filled by Mr. Raymond P. Ciranna, may be filled by temporary appointment.

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

**Roll Call #6 - Motion (LaBonge - Alarcon) Adopted, Ayes (12); Absent: Cardenas, Hahn and Parks (3)
(Item Nos. 56-57)**

ITEM NO. (56) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

[08-3160](#)

COMMUNICATION FROM THE CITY ATTORNEY relative to a conflict waiver request of Kaye Scholer LLP.

Recommendations for Council action:

1. APPROVE the request from the firm of Kaye Scholer LLP for a waiver of potential conflicts of interest.
2. AUTHORIZE the City Attorney, or designee, to execute the waiver on behalf of the City.

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

ITEM NO. (57) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

[08-3161](#)

COMMUNICATION FROM THE CITY ATTORNEY relative to a conflict waiver request of Sidley Austin LLP.

Recommendations for Council action:

1. APPROVE the request from the firm of Sidley Austin LLP for a waiver of potential conflicts of interest.
2. AUTHORIZE the City Attorney, or designee, to execute the waiver on behalf of the City.

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

**ITEM NO. (58) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION - TO THE
MAYOR FORTHWITH**

Roll Call #23 - Motion (Reyes - Rosendahl) Adopted, Ayes (14); Absent: Cardenas (1)

[08-2475-S1](#)

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER relative to the 2008-09 Second Construction Projects Report.

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

1. TRANSFER \$204,396 between departments and funds as specified in Attachment 1 (attached to the CAO report).
2. AUTHORIZE the Controller to increase appropriations in the amount of \$1,994,254 to various departments from Municipal Corporation of Los Angeles (MICLA) and other financings, as specified in Attachment 2 (attached to the CAO report).
3. TRANSFER \$201,455 for various project costs from General Obligation Bond Funds as specified in Attachment 3 (attached to the CAO report).
4. TRANSFER \$362,602 between accounts within departments and funds as specified in Attachment 4 (attached to the CAO report).
5. AUTHORIZE the Controller to increase appropriations to various departments as delineated in Attachment 5 (attached to the CAO report), in the amount of \$6,113,017, from General Obligation Bond Fund No. 16Q, for estimated project management staff costs related to the Clean Water Bond Program.
6. AUTHORIZE the Controller to increase appropriations to various departments as delineated in Attachment 6 (attached to the CAO report), in the amount of \$767,561, General Obligation Bond Fund Nos. 198, 15A, and 15E, for estimated project management and construction staff costs related to the Library Construction Bond Program.
7. AUTHORIZE the Controller to accept funds up to \$2,150,000 in 2008-09 from the Community Redevelopment Agency, as specified in Council File Nos. 05-1292 and 08-0155, and deposit into the Reserve Fund to be recognized as a receipt under the General Services Department Fund No. 100/40, Revenue Source 3741, entitled Revenue from the Community Redevelopment Agency, for reimbursement of asset management and construction services.
8. AUTHORIZE the Controller to accept up to \$34,074 from the Harbor Department, as specified in Council File No. 07-2877 and deposit into the Reserve Fund to be credited as revenue under the General Services Department Fund No. 100/40, Revenue Source 4196, entitled Revenue from the Harbor Department, for reimbursement of construction services requested by the Harbor Department, subject to the approval of the Board of Harbor commissioners.
9. AUTHORIZE the Controller to TRANSFER \$34,074 from the Reserve Fund to the Unappropriated Balance and APPROPRIATE to the General Services Department Fund 100/40, Account 1014, Construction Salaries, and REQUEST the Harbor Department to transfer cash to reimburse the General Fund upon approval of expenditure reports submitted by the General Services Department.
10. AUTHORIZE the Controller to accept funds up to \$1,956,306 from the Los Angeles World Airport, as specified in Council File No. 08-0618 and deposit into the Reserve Fund to be recognized as a receipt under the General Services Department Fund No. 100/40, Revenue Source 4194, entitled Revenue from the Los Angeles World Airport for reimbursement of construction services.

11. AUTHORIZE the Controller, in accordance with Attachment 2, to transfer cash from the appropriate Special Fund to reimburse the General Fund on an as-needed basis upon proper documentation from the departments and approval of the Program Managers and the City Administrative Officer (CAO).
12. AUTHORIZE the Controller, in accordance with Attachments 3,5 and 6 (attached to the CAO report), to transfer cash from the appropriate General Obligation Bond Fund to reimburse the General Fund on an as-needed basis upon proper documentation from the departments and approval of the Program Managers and the CAO.
13. AUTHORIZE the CAO to make technical corrections, as necessary, to those transactions included in this report to implement the Mayor and Council's intentions.

Fiscal Impact Statement: The CAO reports that transfers and appropriations totaling \$9,677,359 are recommended in this report. Of this amount, \$2,411,781 is for transfers and appropriations to the General Services Department, \$385,000 to other City Funds and \$6,880,578 for staff cost reimbursements. All transfers and appropriations are based on existing funds, reimbursements or revenues. There is no additional impact to the General Fund.

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

**Roll Call #6 - Motion (LaBonge - Alarcon) Adopted, Ayes (12); Absent: Cardenas, Hahn and Parks (3)
(Item Nos. 59-64)**

ITEM NO. (59) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

[04-0346](#)

CDs 1 & 9

COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION TO VACATE relative to the vacation of Banning Street northerly of First Street from approximately 50 feet easterly of Alameda Street to approximately 870 feet easterly thereof (VAC E1400894).

Recommendations for Council action:

1. REAFFIRM the FINDINGS of September 28, 2005, that the vacation of Banning Street northerly of First Street from approximately 50 feet easterly of Alameda Street to approximately 870 feet easterly thereof, pursuant to the City of Los Angeles Environmental Guidelines, complies with the California Environmental Quality Act of 1970 based on the Environmental Impact Report submitted for the Proposition Q and F Civil Center Public Safety Facilities Project (Council File No. 05-1344), which was approved by City Council on July 15, 2005.
2. REAFFIRM the FINDINGS of September 28, 2005, that this vacation is in substantial conformance with the General Plan pursuant to Section 556 of the Los Angeles City Charter.
3. PRESENT and ADOPT the accompanying RESOLUTION TO VACATE NO. 08-1400894 for the vacation of Banning Street northerly of First Street from approximately 50 feet easterly of Alameda Street to approximately 870 feet easterly thereof.

4. INSTRUCT the City Clerk to transmit, following Council adoption, Resolution to Vacate No. 08-1400894 to the Land Development Group of the Bureau of Engineering for recordation of said Resolution with the Los Angeles County Recorder.

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

ITEM NO. (60) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

[08-3020](#)

CD 9

CATEGORICAL EXEMPTION AND COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for storm drain purposes lying southwest of 20th Street southeast of Central Avenue (Right of Way No. 36000-1740).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for storm drain purposes lying southwest of 20th Street southeast of Central Avenue (Right of Way No. 36000-1740) is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(19) of the City's Environmental Guidelines.
2. AUTHORIZE the Board of Public Works to acquire the easement for storm drain purposes lying southwest of 20th Street southeast of Central Avenue (Right of Way No. 36000-1740), as depicted on the Exhibit Map in the October 29, 2008 City Engineer report and attached to the Council file.
3. INSTRUCT the City Clerk to forward a copy of the Council action on this project be forwarded to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that a fee of \$2,033 was paid for the processing of this offer to dedicate pursuant to Los Angeles Administrative Code Sections 7.3 and 7.41.1. No additional City Funds are needed.

ITEM NO. (61) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

[08-3070](#)

CD 8

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 8327 South Figueroa Street 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 VII, 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 8327 South Figueroa Street.
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 \$2,247 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 \$2,100 and a seven percent surcharge in the amount of \$147 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. (62) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

[08-3071](#)
CD 4

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 11556 Burbank Boulevard 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 VII, 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 11556 Burbank Boulevard.
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 \$2,247 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 \$2,100 and a seven percent surcharge in the amount of \$147 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. (63) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

[08-3073](#)

CD 4

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 1334-1342 N. Highland Avenue 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 VII, 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 1334-42 North Highland Avenue.
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 \$2,247 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 \$2,100 and a seven percent surcharge in the amount of \$147 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. (64) - ADOPTED

[08-3146](#)

CONSIDERATION OF MOTION (REYES - GARCETTI) and RESOLUTION relative to the Los Angeles River Keepers Project application for Proposition 84 grant funding.

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

ADOPT the accompanying RESOLUTION, required by the State, authorizing the Director of the Bureau of Sanitation or designee to co-sponsor the Los Angeles River Keepers Project application for up to \$988,723 in funding from Proposition 84 and to provide up to \$400,000 in matching funds, subject to City funding availability.

Community Impact Statement: None submitted.

(Energy and Environment and Ad Hoc River Committees waived consideration of the above matter)

ITEM NO. (65) - ADOPTED

Roll Call #10 - Motion (Reyes - Huizar) Adopted, Ayes (14); Absent: Cardenas (1)

[08-3252](#)

CONTINUED CONSIDERATION OF MOTION (REYES - HUIZAR) relative to honoring the contributions and services of Fire Commissioner Joe M. Sanchez, Jr.

Recommendation for Council action:

DIRECT the Fire Department to erect a commemorative plaque or other suitable sign at Fire Station One in Lincoln Heights in honor of the contributions and services of Joe M. Sanchez, Jr., the first Latino Los Angeles Fire Commissioner in modern times.

(Public Safety Committee waived consideration of the above matter)

(Continued from Council meeting of December 9, 2008)

ITEM NO. (66) - ADOPTED

**Roll Call #24 - Motion (Reyes - Hahn) Adopted, Ayes (14); Absent: Cardenas (1)
(Item Nos. 66a-66j)**

[06-3117-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:

[06-3117-S1](#)

CD 1

- a. MOTION (REYES - PERRY) relative to declaring the Pico Union Harvest Festival on December 13, 2008 a Special Event (fees and costs absorbed by the City = \$2,000).

[08-3319](#)

CD 9

- b. MOTION (PERRY - PARKS) relative to declaring the Market makeover on December 11, 2008 a Special Event (fees and costs absorbed by the City = \$350).

[08-3321](#)

CD 15

- c. MOTION (HAHN - ROSENDAHL) relative to declaring the Annual Watts Winter Wonderland on December 19-21, 2008 a Special Event (fees and costs absorbed by the City = \$1,260).

[08-3322](#)

CD 15

- d. MOTION (HAHN - ROSENDAHL) relative to declaring the 21st Annual Harbor Holiday Parade on December 14, 2008 a Special Event (fees and costs absorbed by the City = \$4,800).

[07-3729-S1](#)

CD 15

- e. MOTION (HAHN - ROSENDAHL) relative to declaring the Toys for Watts on December 13, 2008 a Special Event (fees and costs absorbed by the City = \$2,520).

[08-3326](#)

CD 15

- f. MOTION (HAHN - ROSENDAHL) relative to declaring the Watts Christmas Party on December 17, 2008 a Special Event (fees and costs absorbed by the City = \$2,520).

[06-2851-S1](#)

CD 11

- g. MOTION (ROSENDAHL - GREUEL) relative to declaring the Holiday Ho-Ho-Ho 2008 on December 12, 2008 a Special Event (fees and costs absorbed by the City = \$2,126).

[07-3823-S1](#)

CD 11

- h. MOTION (ROSENDAHL - GREUEL) relative to declaring the 31st Annual Santa Monica-Venice Christmas Run on December 13, 2008 a Special Event (fees and costs absorbed by the City = \$4,761).

[07-2666-S1](#)

CD 6

- i. MOTION (PERRY for CARDENAS - PARKS) relative to declaring the St. Bridget of Sweden School Carnival on September 26-28, 2008 a Special Event (fees and costs absorbed by the City = \$140).

[08-3329](#)

CD 6

- j. MOTION (PERRY for CARDENAS - PARKS) relative to declaring the Great Christmas Toy Give-A-Way on December 20, 2008 a Special Event (fees and costs absorbed by the City = \$3,809).

**Roll Call #6 - Motion (LaBonge - Alarcon) Adopted, Ayes (12); Absent: Cardenas, Hahn and Parks (3)
(Item Nos. 67-70)**

ITEM NO. (67) - ADOPTED

[08-3320](#)

CD 9

MOTION (ROSENDAHL - PERRY) relative to initiating street vacation proceedings to vacate the 88th Place and Crocker Street Vacation District.

Recommendations for Council action:

1. INITIATE street vacation proceedings, pursuant to California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law to vacate the 88th Place and Crocker Street Vacation District.
2. DIRECT the Bureau of Engineering to investigate the feasibility of this vacation request.
3. DIRECT the Bureau of Engineering to present its report regarding the feasibility of vacating the requested areas to the Public Works Committee.
4. DIRECT the City Clerk to schedule this request for the City Council=s consideration at the appropriate time under the City=s Street Vacation procedures.

ITEM NO. (68) - ADOPTED

08-2972

CD 9

MOTION (PERRY - REYES) relative to amending a Special Event Declaration for the Gilmore Associates "Historic Core Holiday Party."

Recommendations for Council action:

1. AMEND the November 5, 2008 Council action in connection with the Special Event Declaration for the Gilmore Associates "Historic Core Holiday Party" (Council file No. 08-2972) to include, pursuant to Ordinance No. 150267 relating to temporary street closures, the following streets and sidewalk closures from 3 pm on December 6, 2008 to 2 am on December 7, 2008 subject to the supervision of the Director, Bureau of Street Services:

Main Street between Winston Street and Third Street

2. AUTHORIZE the Chief Legislative Analyst, or designee, to make technical corrections or clarifications as may be necessary to implement the intent of the Motion.

ITEM NO. (69) - ADOPTED - TO THE MAYOR FORTHWITH

08-0144-S1

CD 9

MOTION (PERRY - PARKS) relative to funding for services in connection with the Council District Nine Farmers' Market on the South Lawn of City Hall from July 3, 2008 to January 15, 2009.

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

APPROPRIATE \$1,300 from the Unappropriated Balance Fund No. 100/58 to the General Services Fund No. 100/40, Account No. 1090 (overtime account) for services in connection with the Council District Nine Farmers' Market, held at the South Lawn of City Hall weekly on Thursdays from July 3, 2008 to January 15, 2009 - said funds to be reimbursed to the General Fund by the Little Tokyo Arts District Farmers' Market.

ITEM NO. (70) - ADOPTED - TO THE MAYOR FORTHWITH

[08-0144-S2](#)

CD 9

MOTION (PERRY - REYES) relative to funding for services in connection with the Council District Nine Farmers' Marks on the South Lawn of City Hall from January 22, 2009 to July 16, 2009.

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

APPROPRIATE \$1,300 from the Unappropriated Balance Fund No. 100/59 to the General Services Fund No. 100/40, Account No. 1090 (overtime account) for services in connection with the Council District nine Farmers' Market, held at the South Lawn of City Hall weekly on Thursdays from January 22, 2009 to July 16, 2009 - said funds to be reimbursed to the General Fund by the Little Tokyo Arts District Farmers' Market.

ITEM NO. (71) - PUBLIC HEARING CLOSED - LIEN CONFIRMED

Roll Call #7 - Motion (Perry - Wesson) Adopted, Ayes (12); Absent: Cardenas, Hahn and Parks (3)

[08-2569](#)

CD 9

CONTINUED CONSIDERATION OF HEARING PROTESTS relative to Department of Building and Safety report and confirmation of lien against property located at 9111-21 South San Pedro Street, APN 6041-009-027.

Lien: (\$2,262.89)

Recommendations for Council action:

1. HEAR PROTESTS relative to a proposed lien recorded against property located at 9111-21 South San Pedro Street, to recover the cost of inspections, plus appropriate fees and fines, as authorized by the Los Angeles Municipal Code Sections 91.103, 98.0402(e), 98.0411(a) and Sections 7.35.5 and 7.35.5 of the Los Angeles Administrative Code, as described in the Building and Safety report, attached to the Council file; and, CONFIRM said lien.
2. INSTRUCT the Department of Building and Safety to deposit to Department 08, Fund 48R, Balance Sheet Account 2200, any payment received against this lien in the amount of \$2,262.89 on the above referenced property.

(Continued from Council meeting of December 12, 2008)

Items for Which Public Hearings Have Not Been Held - Items 72-79

(10 Votes Required for Consideration)

ITEM NO. (72) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #25 - Motion (Rosendahl - Hahn) Adopted, Ayes (13); Absent: Cardenas and Smith (2)

[08-0002-S166](#)

CONTINUED CONSIDERATION OF RESOLUTION (GARCETTI - ROSENDAHL) relative to the City's position on S.R. 7 and A.R. 5 which oppose Proposition 8, the ban on gay marriage.

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

ADOPT the accompanying RESOLUTION to include in the City's 2009-10 State Legislative Program SUPPORT for S.R. 7 and A.R. 5 which oppose Proposition 8, the ban on gay marriage.

Community Impact Statement: None submitted.

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

(Continued from Council meeting of December 12, 2008)

ITEM NO. (73) - ADOPTED

**Roll Call #8 - Motion (Wesson - Perry) Adopted, Ayes (12); Absent: Cardenas, Hahn and Parks (3)
(Item Nos. 73a-73k)**

[08-3389](#)

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:

[08-3389](#)

CD 8

- a. MOTION (PARKS - PERRY) relative to declaring the Annual Lovejoy Christmas on December 13, 2008 a Special Event (fees and costs absorbed by the City = \$3,500).

[08-3390](#)

CD 9

- b. MOTION (PERRY - PARKS) relative to declaring the Christmas in the City at the USC Galen Center on December 21, 2008 a Special Event (fees and costs absorbed by the City = \$1,217).

[08-3391](#)

CD 9

- c. MOTION (PERRY - PARKS) relative to declaring the Christmas Outreach on December 20, 2008 a Special Event (fees and costs absorbed by the City = \$350).

[08-3392](#)

CD 13

- d. MOTION (PERRY for GARCETTI - LABONGE) relative to declaring the Health Fair on January 18, 2009 a Special Event (fees and costs absorbed by the City = \$2,883).

[08-3393](#)

CD 15

- e. MOTION (HAHN - HUIZAR) relative to declaring the Holiday Event for homeless families on December 20, 2008 a Special Event (fees and costs absorbed by the City = \$1,213).

[08-3394](#)

CD 13

- f. MOTION (PERRY for GARCETTI - LABONGE) relative to declaring the Christmas in November on December 21, 2008 a Special Event (fees and costs absorbed by the City = \$754).

[07-3938-S1](#)

CD 14

- g. MOTION (HUIZAR - PARKS) relative to declaring the 27th Annual Miracle on First Street Christmas Toy Giveaway on December 13, 2008 a Special Event (fees and costs absorbed by the City = \$10,152).

[08-3395](#)

CD 1

- h. MOTION (REYES - PERRY) relative to declaring the Annual Toy Giveaway on December 17, 2008 a Special Event (fees and costs absorbed by the City = \$2,750).

[08-3396](#)

CD 13

- i. MOTION (PERRY for GARCETTI - LABONGE) relative to declaring the Pepsi Sampling on December 20-21, 2008 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[08-3397](#)

CD 13

- j. MOTION (PERRY for GARCETTI - LABONGE) relative to declaring the Bedtime Stories Movie Premiere at El Capitan Theatre on December 18, 2008 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[08-3399](#)

CD 8

- k. MOTION PARKS - HUIZAR) relative to declaring the New Year's Eve Event on December 27, 2008 a Special Event (fees and costs absorbed by the City = \$3,000).

ITEM NO. (74) - ADOPTED

Roll Call #8 - Motion (Wesson - Perry) Adopted, Ayes (12); Absent: Cardenas, Hahn and Parks (3)

[08-3400](#)

CD 9

MOTION (ROSENDAHL - PERRY) relative to initiating street vacation proceedings to vacate 58th Place from Main Street to approximately 392 feet westerly thereof.

Recommendations for Council action:

1. INITIATE street vacation proceedings, pursuant to California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law to vacate 58th Place from Main Street to approximately 392 feet westerly thereof.
2. DIRECT the Bureau of Engineering to investigate the feasibility of this vacation request.
3. DIRECT the Bureau of Engineering to present its report regarding the feasibility of vacating the requested areas to the Public Works Committee.
4. DIRECT the City Clerk to schedule this request for the City Council=s consideration at the appropriate time under the City=s Street Vacation procedures.

ITEM NO. (75) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #26 - Motion (Greuel - Perry) Adopted, Ayes (13); Absent: Cardenas and Smith (2)

[08-2234-S1](#)

CD 1

MOTION (PERRY for GARCETTI - LABONGE) relative to the construction of a new soccer field at the Camino Nuevo Charter Academy.

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

AUTHORIZE the General Manager, Community Development Department, to:

- a. Negotiate and execute a contract with Pueblo Nuevo Charter Academy for the construction of a new soccer field, utilizing Community Development Block Grant funds in the amount of \$700,000 appropriated for this purpose, pursuant to Council's action of September 17, 2008.
- b. Prepare Controller instructions and/or make any technical adjustments that may be required and are consistent with this action subject to the approval of the City Administrative Officer and authorize the Controller to implement those instructions.
- c. Amend, as necessary, the appropriate Consolidated Plan to reflect this action.

ADOPTED

SUBSTITUTE MOTION (GARCETTI - LABONGE)

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

AUTHORIZE the General Manager, Community Development Department, to:

- a. Negotiate and execute a contract with Pueblo Nuevo Charter Academy for the construction of a new soccer field, utilizing Community Development Block Grant funds in the amount of \$700,000 appropriated for this purpose, pursuant to Council's action of September 17, 2008 (C.F. 08-2234).**
- b. Prepare Controller instructions and/or make any technical adjustments that may be required and are consistent with this action subject to the approval of the City Administrative Officer and authorize the Controller to implement those instructions.**
- c. Amend, as necessary, the appropriate Consolidated Plan to reflect this action.**

**Roll Call #8 - Motion (Wesson - Perry) Adopted, Ayes (12); Absent: Cardenas, Hahn and Parks (3)
(Item Nos. 76-78)**

ITEM NO. (76) - ADOPTED

[08-1090](#)

CD 13

MOTION (PERRY for GARCETTI - LABONGE) relative to amending a previous Council action regarding the Echo Park Community Parade.

Recommendation for Council action:

AMEND Council's action of May 6, 2008 relative to the Echo Park Community Parade on December 13, 2008 to DIRECT the Los Angeles Department of Transportation to allow the participants of the event the use of City Parking Lots No. 663 and No. 643 for the duration of the event.

ITEM NO. (77) - ADOPTED

[08-3398](#)

CD 1

MOTION (REYES - ROSENDAHL) relative to installation of a gas service line and sewer house construction for 4029 North Elderbank Drive.

Recommendations for Council action:

1. AUTHORIZE the Bureau of Engineering to issue permits to allow installation of a gas service line and sewer house construction for 4029 North Elderbank Drive, within a street under the One-year Moratorium, without the requirement to resurface the entire block from curb-to-curb, as required by Section 62.06(d) of the Los Angeles Municipal Code.
2. REQUIRE the applicant to repair and resurface the cut area to the satisfaction of the Bureau of Street Services and the Bureau of Engineering.
3. REQUIRE the applicant to coordinate construction of the gas service line and sewer house connection and to adhere to all necessary measures per the Bureau of Street Services and the Bureau of Engineering to minimize construction duration and disruption of traffic while particularly ensuring public safety at all times and that emergency vehicle access is not compromised on Elderbank Drive.

ITEM NO. (78) - ADOPTED

[08-0426-S1](#)

EXEMPTION and RESOLUTION (HAHN - HUIZAR) relative to an agreement between the Los Angeles World Airports (LAWA) and Meriwether and Williams Insurance Services for administration of LAWA's participation in the City's Bond Assistance Program.

Recommendations for Council action:

1. FIND that this action is exempt from the requirements of the California Environmental Quality Act pursuant to Article II Section 2 (f) of the Los Angeles City CEQA Guidelines.
2. RESOLVE to APPROVE the agreement between LAWA and Meriwether and Williams Insurance Services for administration of LAWA's participation in the City's Bond Assistance Program for a period of up to five years and an amount not to exceed \$3,742,098.
3. CONCUR with the Board of Airport Commissioners action of May 5, 2008 authorizing the Executive Director of LAWA to execute the contract.

ITEM NO. (79) - MAPS APPROVED - CITY ENGINEER REPORT ADOPTED

**Roll Call #27 - Motion (Rosendahl - Weiss) Adopted, Ayes (13); Absent: Cardenas and Smith (2)
(Item Nos. 79a-79h)**

[08-3372](#)

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:

[08-3372](#)

CD 14

- a. FINAL MAP OF TRACT NO. 63591 for property located at 2245 West Las Colinas Avenue, lying northerly of Las Colinas Avenue and easterly of Ellenwood Drive.
(Bond No. C-114869)
Applicants: W. Las Colinas, LLC
William C. Shen

[08-3374](#)

CD 11

- b. FINAL MAP OF TRACT NO. 62820 for property located at 1529 South Westgate Avenue, lying westerly of Westgate Avenue and northerly of Idaho Avenue.
(Bond No. C-114870)
(Quimby Fee: \$35,696)
Applicants: Westgate Development, LLC
Reynaldo T. De Rama

[08-3375](#)

CD 4

- c. FINAL MAP OF TRACT NO. 65330 for property located at 5264 North Satsuma Avenue, lying easterly of Satsuma Avenue and southerly of Chandler Boulevard.
(Bond No. C-114871)
(Quimby Fee: \$82,308)
Applicants: Jerry Kasabyan
Jeremiah M. Crowley

[08-3376](#)

CD 3

- d. FINAL MAP OF TRACT NO. 68070 for property located at 18706-28 Ventura Boulevard, lying southerly of Ventura Boulevard and westerly of Yolanda Avenue.
(Bond No. C-114872)
(Quimby Fee: \$502,272)
Applicants: The Village at Tarzana, L.P.
Iacobellis & Associates

[08-3408](#)

CD 4

- e. FINAL MAP OF TRACT NO. 66772 for property located at 2748 North Auburn Street, lying easterly of Auburn Street and southerly of Waverly Drive.
(Bond No. C-114917)
(Quimby Fee: \$30,324)
Applicants: Ben Safyari
Todd Wexman
Reynaldo E. De Leon, P.E.

[08-3409](#)

CD 9

- f. FINAL MAP OF TRACT NO. 63480-03 for property located at 200-42 North Los Angeles Street, lying easterly of Los Angeles Street and northerly of Second Street.
(Bond No. C-114918)
Applicants: Related/LTC Urban Housing, LLC
 Kanai Nortoshi/Fusako/Kanai Family Trust
 LRW Investments LLC/L&R Investment
 Fusco Engineering

[08-3410](#)

CD 9

- g. FINAL MAP OF TRACT NO. 61144 for property located at 761 East 12th Street, lying northerly of 12th Street and easterly of Crocker Street.
(Bond No. C-114919)
Applicants: Winstress Limited
 Mollenhauer Group

[08-3373](#)

CD 3

- h. FINAL MAP OF PARCEL MAP L.A. NO. 2006-1946 for property located at 5950 North Melvin Avenue, lying easterly of Melvin Avenue and northerly of Ventura Freeway.
(Bond No. C-114873)
(Quimby Fee: \$3,407)
Applicants: Rafi Sharon
 Gene Rosecrans

Closed Sessions - Items 80-81

ITEM NO. (80) - ACTION TAKEN IN CLOSED SESSION

[08-2893](#)

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 World Wide Rush, LLC v. City of Los Angeles; United States District Court Case No. CV 07-238 ABC (JWJx).

(Planning and Land Use Management Committee considered the above matter in Closed Session on December 9, 2008)

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

(Continued from Council meeting of December 12, 2008)

ITEM NO. (81) - ACTION TAKEN IN CLOSED SESSION

08-2893-S1

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 Summit Media, LLC v. City of Los Angeles, Los Angeles Superior Court Case No. BS116611.

(Pursuant to Council action of December 12, 2008)

MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR TUESDAY, DECEMBER 16, 2008, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

ADOPTED - FORTHWITH

**Roll Call #31 - Motion (Huizar - Parks) Findings on Need to Act - Adopted, Ayes (12);
Absent: Cardenas, LaBonge and Weiss (3)**

**Roll Call #32 - Motion (Huizar - Parks) Findings on Need to Act - Adopted, Ayes (12);
Absent: Cardenas, LaBonge and Weiss (3)**

08-3437

MOTION (HUIZAR - PARKS) relative to contract amendments with providers to perform gang prevention and intervention services, for the period September 1, 2008 through December 31, 2008.

Recommendation for Council action:

AUTHORIZE the Mayor's Office to execute contract amendments with the providers listed above to perform gang prevention and intervention services for the amounts noted, for the period September 1, 2008 through December 31, 2008, Subject to the approval of the City Attorney as to form and legality.

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

08-3434

CD 11

MOTION (ROSENDAHL - HAHN) relative to declaring the Ninth Annual Westchester, Playa del Rey & Marina Del Rey Holiday Parade on December 14, 2008 a Special Event (fees and costs absorbed by the City = \$5,806).

[08-3435](#)

CD 8

MOTION (PARKS - HUIZAR) relative to declaring the Second Annual Spirit of Giving Dinner on December 20, 2008 a Special Event (fees and costs absorbed by the City = \$4,484).

[07-3739-S1](#)

CD 9

MOTION (PERRY - ROSENDAHL) relative to declaring the Christmas in Hope Central on December 24, 2008 a Special Event (fees and costs absorbed by the City = \$1,226).

[06-0224-S1](#)

CD 9

MOTION (PERRY - PARKS) relative to declaring the Central Avenue Jazz Festival on July 25-26, 2009 a Special Event (fees and costs absorbed by the City = \$30,000).

[08-3438](#)

CD 9

MOTION (PERRY - GARCETTI) relative to declaring the Art of Elysium on January 10, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[08-3427](#)

CD 9

MOTION (PERRY - PARKS) relative to declaring the 39th Annual Blue Ribbon Children's Festival on March 18-20, 2009 a Special Event (fees and costs absorbed by the City = \$5,675).

[06-0686-S1](#)

CD 9

MOTION (PERRY - ROSENDAHL) relative to declaring the 30th Annual Very Special Arts Festival on April 29, 2009 a Special Event (fees and costs absorbed by the City = \$3,002).

[07-0855-S1](#)

CD 9

MOTION (PERRY - GARCETTI) relative to declaring the 12th Annual City of Angels Fun Ride on April 26, 2009 a Special Event (fees and costs absorbed by the City = none submitted).

[08-3440](#)

CD 1

MOTION (REYES - PERRY) relative to declaring the Salvadoran Christmas Parade on December 20, 2008 a Special Event (fees and costs absorbed by the City = \$2,500).

[08-3395-S1](#)

CD 1

MOTION (REYES - PERRY) relative to declaring the Annual Toy Giveaway on December 19, 2008 a Special Event (fees and costs absorbed by the City = \$2,750).

[06-2933](#)

CD 4

MOTION (LABONGE - GARCETTI) relative to declaring the Holiday Trombone Extravanganza on December 19, 2008 a Special Event (fees and costs absorbed by the City = none submitted).

[08-0307-S1](#)

CD 4

MOTION (LABONGE - PERRY) relative to declaring the Los Angeles St. Patrick's Day Parade on March 17, 2009 a Special Event (fees and costs absorbed by the City = \$5,000).

[08-3439](#)

CD 5

MOTION (ROSENDAHL - WEISS) relative to initiating alley vacation proceedings to vacate Laurel Avenue and Third Street Vacation District.

[08-3436](#)

CD 11

MOTION (ROSENDAHL - REYES) relative to asserting jurisdiction over the West Los Angeles Area Planning Commission (APC) failure to take action (Letter of Determination date: December 12, 2008).

[07-0600-S77](#)

CD 8

MOTION (PARKS - PERRY) relative to amending Council action of April 2, 2008 in connection with allocating \$50,000 in Heritage Month funds to the African Marketplace.

[08-3122](#)

CD 11

MOTION (ROSENDAHL - GARCETTI) relative to amending Council action of November 25, 2008 in connection with the Chanuka Carnival Special Event declaration.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[08-2603](#) - Keifer Sutherland

(Garcetti - LaBonge)

Detective William "Bill" Holcomb

(Zine - All Councilmembers)

At the conclusion of this day's Council Session

ADJOURNING MOTIONS WERE ADOPTED in tribute to the memory of:

[08-2604](#) - Joseph Sanders

(LaBonge - Zine - All Councilmembers)

Jacque Lamishaw

(Smith - Zine - Alarcon - All Councilmembers)

Earl Portlock

(Garcetti - Zine)

Yvon Docker Lincoln

(Garcetti - LaBonge)

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

Whereupon the Council did adjourn.

ATTEST: Karen E. Kalfayan, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL