

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **January 14, 2009**
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
JANUARY 9, 2009

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 13

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 #1 - Motion (Hahn - Parks) Adopted, Ayes (10); Absent: Alarcon, Greuel, Huizar, Smith and Wesson (5)
(Item Nos. 1-5)**

ITEM NO. (1) - PUBLIC HEARING CLOSED - NO PROTESTS - CITY ENGINEER INSTRUCTED TO PROCEED

[07-1485](#)

CD 7

HEARING PROTESTS against the proposed vacation of Brand Boulevard (turnaround) southwesterly of Bromont Avenue and southeasterly of Maclay Street (VAC E1401058).

(Committee report and findings adopted, and categorical exemption approved on December 10, 2008)

ITEM NO. (2) - PUBLIC HEARING CLOSED - NO PROTESTS - CITY ENGINEER INSTRUCTED TO PROCEED

[08-0045](#)

CD 8

HEARING PROTESTS against the proposed vacation of the alley southerly of Manchester Avenue between Menlo Avenue and Baring Cross Street (VAC E1401095).

(Committee report and findings adopted, and categorical exemption approved on December 10, 2008)

ITEM NO. (3) - PUBLIC HEARING CLOSED - NO PROTESTS - CITY ENGINEER INSTRUCTED TO PROCEED

[08-0105](#)

CD 15

HEARING PROTESTS against the proposed vacation of the east-west alley northerly of 113th Street between Grand Avenue and Figueroa Street (VAC E1401096).

(Committee report and findings adopted, and categorical exemption approved on December 10, 2008)

ITEM NO. (4) - PUBLIC HEARING CLOSED - NO PROTESTS - CITY ENGINEER INSTRUCTED TO PROCEED

[08-2488](#)

CD 9

HEARING PROTESTS against the proposed vacation of Broadway Place between Olympic Boulevard and Main Street (VAC E1400827).

(Committee report and findings adopted, and categorical exemption approved on December 10, 2008)

ITEM NO. (5) - PUBLIC HEARING CLOSED - NO PROTESTS - CITY ENGINEER INSTRUCTED TO PROCEED

[06-2822](#)

CD 1

HEARING PROTESTS against the proposed vacation the alley southeasterly of Bixel Street from Sixth Street to approximately 420 feet southwesterly thereof (VAC E1401027).

(Committee report and findings adopted, and categorical exemption approved on December 17, 2008)

Items for Which Public Hearings Have Been Held - Items 6-9

ITEM NO. (6) - ADOPTED

Roll Call #5 - Motion (Reyes - Weiss) Adopted, Ayes (14); Absent: Wesson (1)

[08-3371](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the appointment of Mr. Sean O. Burton to the City Planning Commission.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Sean O. Burton to the City Planning Commission, for the term ending June 30, 2009, is APPROVED and CONFIRMED. Mr. Burton will fill the vacancy created by Ms. Jane Usher who resigned on December 11, 2008. Mr. Burton resides in Council District Five. (Current Commission gender composition: M=5; F=3; Vacancy=1).

Ethics Commission Review: Pending

Background Check Review: Pending

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 25, 2009

(LAST DAY FOR COUNCIL ACTION - JANUARY 23, 2009)

ITEM NO. (7) - ADOPTED

Roll Call #7 - Motion (Reyes - Huizar) Adopted, Ayes (14); Absent: Wesson (1)

[08-1552](#)

CD 12

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change for property at 17350 West Vanowen Street.

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. 08-1552 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 2005-2739 - MND] filed on December 1, 2006.
2. ADOPT the January 6, 2009 FINDINGS of the Director of Planning as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, disapproved by the Director of Planning, effecting a zone change from RA-1 to (T)(Q)RD4-1 for the proposed maximum new three-parcel, "small lot" single-family development on a 14,352 square foot lot for property at 17350 West Vanowen Street, subject to Conditions of Approval.

Applicant: Hadi Safa (Oscar Ensafi, Representative)

APCSV 2006-0149-ZC-BL

4. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
5. 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.
6. 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.
7. NOT PRESENT and ORDER FILED the ordinances dated August 23, 2007 submitted by the South Valley Area Planning Commission (SVAPC).

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 14, 2009

(LAST DAY FOR COUNCIL ACTION - JANUARY 14, 2009)

**Roll Call #2 - Motion (Reyes - LaBonge) Adopted, Ayes (10); Absent: Alarcon, Greuel, Huizar, Smith and Wesson (5)
(Item Nos. 8-9)**

ITEM NO. (8) - ADOPTED

[08-2907](#)

CD 4

COMMUNICATION FROM THE CULTURAL HERITAGE COMMISSION relative to the inclusion of the North Vermont Avenue Moreton Bay Fig Trees located at North Vermont Avenue between Los Feliz Boulevard and Aberdeen Avenue in the list of Historic-Cultural Monuments.

CHC 2008-3064 HCM

Applicant: Thomas Ford, Los Feliz Improvement Association
Owner: George Gonzalez, Chief Forester Urban Forestry Division,
Public Works, Street Services Division

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 14, 2009

(LAST DAY FOR COUNCIL ACTION - JANUARY 14, 2009)

TIME LIMIT FILE - JANUARY 14, 2009

(LAST DAY FOR COUNCIL ACTION - JANUARY 14, 2009)

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

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

ADOPTED

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the inclusion of the Stonehurst House located at 10021 North Stonehurst Avenue in the list of Historic-Cultural Monuments.

Recommendations for Council action:

1. **ADOPT** the FINDINGS of the Cultural Heritage Commission (CHC) as the Findings of the Council.
2. **APPROVE** the recommendation of the CHC relative to the inclusion of the Stonehurst House located at 10021 North Stonehurst Avenue in the list of Historic-Cultural Monuments.

Applicant/Owner: Suzanna Wood

CHC 2008-3084 HCM

Fiscal Impact Statement: The CHC reports that such designation in and of itself has no fiscal impact. Future applications for permits may cause minimal administrative costs.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 14, 2009

(LAST DAY FOR COUNCIL ACTION - JANUARY 14, 2009)

Items for Which Public Hearings Have Not Been Held - Items 10-18

(10 Votes Required for Consideration)

**Roll Call #3 - Motion (Reyes - Weiss) Adopted, Ayes (11); Absent: Alarcon, Greuel, Smith and Wesson (4)
(Item Nos. 10-11)**

ITEM NO. (10) - ADOPTED

[09-0005-S12](#)

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 January 7, 2009:

[09-0005-S12](#)

CD 8

- a. Property at 3131 West Florence Avenue (Case No. 126546).
Assessor I.D. No. 4006030021

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 2, 2007)

[09-0005-S13](#)

CD 6

- b. Property at 6531 North Sepulveda Boulevard (Case No. 106528).
Assessor I.D. No. 2234017005

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 12, 2007)

ITEM NO. (11) - ADOPTED

[08-1933-S1](#)

EXEMPTION, COMMUNICATIONS FROM THE MAYOR AND THE DIRECTOR OF PLANNING on behalf of the City Planning Commission and RESOLUTION relative to the Update to the Housing Element for the period 2006-14 as an element of the City's General Plan.

Recommendations for Council action:

1. FIND that the adoption of the Resolution is exempt from the California Environmental Quality Act (CEQA) because none of the conditions described in CEQA Guidelines Section 15162 to require a subsequent Environmental Impact Report (EIR) have occurred or exist since August 13, 2008, when the City Council certified the EIR.
2. CONCUR with the January 5, 2009, action of the Mayor and the December 5, 2008, action of the Director of Planning on behalf of the City Planning Commission, relative to approval of changes made by the City Council on August 13, 2008 to the Update to the Housing Element for the period 2006-14.
3. RE-ADOPT the FINDINGS of the Director of Planning as the Findings of the Council.
4. ADOPT the accompanying RESOLUTION, dated December 5, 2008, relative to the Update to the Housing Element for the period 2006-14.
5. ADOPT the Update to the Housing Element for the period 2006-14, amending the General Plan of the City of Los Angeles, as approved by the City Council on August 13, 2008, and by the Director of Planning on behalf of the City Planning Commission on December 5, 2008, and by the Mayor on January 5, 2009. CPC 2008-2120 GPA
6. DIRECT the Department of City Planning to file a new Notice of Determination.

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

Community Impact Statement: None submitted.

(Planning and Land Use Management and Housing, Community and Economic Development Committees waived consideration of the above matter)

ITEM NO. (12) - ADOPTED

Roll Call #8 - Motion (Perry - LaBonge) Adopted, Ayes (13); Absent: Greuel and Wesson (2)

[09-0046](#)

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:

[09-0046](#)

CD 9

- a. MOTION (PERRY - GARCETTI) relative to declaring the Census Open House on January 27, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

ADOPTED

SUBSTITUTE MOTION (PERRY - GARCETTI)

Recommendation for Council action:

DECLARE the Census Open House on January 28, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event)

[09-0048](#)

CD 13

- b. MOTION (GARCETTI - PERRY) relative to declaring the Fox's TCA/My House on January 13, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[09-0049](#)

CD 9

- c. MOTION (PERRY - PARKS) relative to declaring the Pac-10 Rivalry Run on March 8, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[09-0050](#)

CD 5

- d. MOTION (WEISS - GARCETTI) relative to declaring the 2009 Golden Globes on January 11, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

**Roll Call #3 - Motion (Reyes - Weiss) Adopted, Ayes (11); Absent: Alarcon, Greuel, Smith and Wesson (4)
(Item Nos. 13-17)**

ITEM NO. (13) - ADOPTED

[08-3254](#)

MOTION (PARKS - HUIZAR) relative to amending previous Council action regarding use of the Tom Bradley Room by the Los Angeles City Employees' Retirement System (LACERS).

Recommendations for Council action:

1. AMEND previous Council action of December 2, 2008 relative to LACERS use of the Tom Bradley Room on January 20 and 21, 2009 to reflect new dates of February 10 and 11, 2009.
2. AUTHORIZE the LACERS to use the Tom Bradley Room on February 10 and 11, 2009 during normal business hours for the Off-Site Special Board of Administration Meetings.

ITEM NO. (14) - ADOPTED

[08-3438](#)

CD 9

MOTION (PERRY - GARCETTI) relative to amending previous Council action regarding the Art of Elysium special event.

Recommendations for Council action:

1. AMEND previous Council action of January 6, 2009 to include a street closure on Main Street between Second and Third Streets from 10 p.m. to 11 p.m.
2. AUTHORIZE the Chief Legislative Analyst, or designee, to make technical corrections or clarifications as may be necessary to implement the intent of this Motion.

ITEM NO. (15) - ADOPTED

[09-0011-S1](#)

CD 2

MOTION (GREUEL - HUIZAR) relative to the development of a small park on Coldwater Canyon Avenue.

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

1. INSTRUCT the General Manager, Department of General Services, or designee, to expedite a non-financial transfer of jurisdiction of the City-owned parcel located at 7960 Bellaire Avenue to the Department of Recreation and Parks, provided that a Phase I assessment identifies no recognized environmental concern.
2. TRANSFER \$350,000 from the Council District Two portion of the Street Furniture Revenue Fund No. 43D/50, to Recreation and Parks Proposition 40 (Roberti-Z'Berg-Harris) Fund 47W/89, Account TBD, for the Phase I assessment and the development of the new park, with reimbursement to be requested from the Proposition 40 (Roberti-Z'Berg-Harris) program upon the advice of the City Administrative Officer.
3. REQUEST the Board of Recreation and Park Commissioners to consider and accept the transfer of jurisdiction of the parcel and dedicate it if there is no environmental impediment to doing so, after which the Department is to begin recreational development of the site.

ITEM NO. (16) - ADOPTED

[09-0051](#)

CD 12

MOTION (SMITH - ZINE) relative to a Neighborhood Council lease agreement for the Granada Hills North Neighborhood Council.

Recommendation for Council action

APPROVE the executed Neighborhood Council Lease Agreement between the City of Los Angeles, through the Department of Neighborhood Empowerment (on behalf of the Granada Hills North Neighborhood Council) and Gelb Enterprises, under the terms and conditions outlined in the Neighborhood Council lease agreement dated December 11, 2008, attached to the Council file.

ITEM NO. (17) - ADOPTED

[09-0052](#)

CD 9

MOTION (PERRY - PARKS) relative to funding to support community services in Council District Nine.

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

TRANSFER \$50,000 in the General City Purposes Fund No. 100/56, Account No. 0709 to the Council District Nine portion of Council Fund No. 100/28, Account No. 1010 (Salaries-General) to support Council office services to the community in Council District Nine, as detailed in the attached Motion.

ITEM NO. (18) - ADOPTED

Roll Call #6 - Motion (Garcetti - LaBonge) Adopted, Ayes (14); Absent: Wesson (1)

[09-0053](#)

RESOLUTION (GARCETTI - GREUEL) relative to declaring January 16, 2009 as NBC4 Los Angeles Day.

Recommendation for Council action:

RESOLVE to DECLARE January 16, 2009 as NBC4 Los Angeles Day in the City of Los Angeles.

RECONSIDERATION OF SPECIAL 2, MOTION (ALARCON - SMITH), FROM COUNCIL MEETING OF JANUARY 13, 2009 - SUBSTITUTE MOTION ADOPTED IN LIEU OF ORIGINAL MOTION - SEE FOLLOWING

Roll Call #9 - Motion (Alarcon - Cardenas) Adopted, Ayes (13); Absent: Greuel and Wesson (2)

Roll Call #10 - Motion (Alarcon - Cardenas) to Adopt Substitute Motion, Ayes (13); Absent: Greuel and Wesson (2)

[08-3151-S1](#)

SUBSTITUTE MOTION (ALARCON - CARDENAS) relative to fire-related debris at the site of the Oakridge Mobile Home Park.

Recommendations for Council action:

- 1. AUTHORIZE the Los Angeles Department of Building and Safety (LADBS), to:**
 - a. Secure the delegation of authority from the State of California, Department of Housing and Community Development (HCD) for 60 days per California Health and Safety Code Section 18307, to initiate and follow through the process of debris removal with the assistance of the Department of Public Works, Bureau of Engineering (BOE) in order to abate the existing threat to public property and human health as set forth in the findings for this motion.**
 - b. Seek a declaration from the HCD that the City may initiate fire-related debris removal and disposal activities at the site of the Oakridge Mobile Home Park.**
 - c. Work with the BOE on the use of its "on call" list of demolition and debris removal contractors in order to expedite the completion of a valid contract to accomplish the necessary debris removal from the Oakridge site and to work with the Department of Environmental Affairs and Community Development Department to ensure that the scope of work requested by the City meets all State and Federal contractual and regulatory requirements for such work.**
 - d. Request the BOE to remove the debris if the property owner does not comply with the Order to Comply issued by the LADBS to remove the debris, pursuant to Los Angeles Municipal Code Section 91.8905.3.**

2. **INSTRUCT the BOE to:**
 - a. **Expedite the bid process and awarding of a contract from the BOE's "on call" list once the scope of work has been developed.**
 - b. **Provide oversight of the "on call" contractor.**
3. **INSTRUCT the Department of Environmental Affairs to develop, implement and monitor the health and safety plan for the process of residents sifting through the debris prior to the removal of the debris from the site.**
4. **INSTRUCT the City Administrative Officer and the Chief Legislative Analyst to work together to ensure that there is adequate funding available to complete the required fire-related debris removal and disposal at the time the contract is ready for award and explore any and all sources of funding to complete this emergency action, and report to the Budget and Finance Committee on recommendations for sources of funding.**
5. **INSTRUCT the LADBS to provide weekly reports to Council on the status of the abatement effort.**

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

09-0115

MOTION (PERRY - PARKS) relative to declaring the Inauguration Press Set Up on January 19, 2009 a Special Event (fees and costs absorbed by the City = \$500).

09-0114

MOTION (WEISS - GARCETTI) relative to declaring the House 100th Episode Celebration on January 21, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

09-0113

MOTION (WEISS - GARCETTI) relative to declaring the Lodger Movie Premiere on January 14, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

07-0059-S1

MOTION (PARKS - LABONGE) relative to declaring the 24th Annual Dr. Martin Luther King, Jr. Kingdom Day Parade on January 19, 2009 a Special Event (fees and costs absorbed by the City = \$38,850).

09-0111

MOTION (HAHN - LABONGE) relative to declaring the Cabrillo Marine Aquarium Annual Whale Fiesta on January 25, 2009 a Special Event (fees and costs absorbed by the City = \$1,260).

09-0110

MOTION (HAHN - LABONGE) relative to declaring the Annual Tour de Cure on May 31, 2009 a Special Event (fees and costs absorbed by the City = \$5,800).

[08-1199-S1](#)

MOTION (HAHN - LABONGE) relative to installing street banners to celebrate the waterfront development and to help beautify the Port interface within the local communities.

[09-0112](#)

MOTION (PERRY - ZINE) relative to the Da Camera Society Concert in Council Chambers.

[09-0109](#)

MOTION (PERRY - PARKS) relative to a Neighborhood Council lease agreement for the Voices 90037 Neighborhood Council.

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

[09-0108](#)

RESOLUTION (GREUEL - HUIZAR) relative to declaring March 27, 2009 as Mediation Day 2009.

[09-0107](#)

RESOLUTION (HUIZAR - ROSENDAHL - REYES - PARKS) relative to declaring 2009 as Meth Awareness Year.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember Huizar was excused from the Council sessions of Tuesday, March 10, 2009, and Wednesday, March 11, 2009, due to City business.

Motion (Garcetti - Perry) unanimously adopted to excuse Councilmember Huizar from the Council session of Friday, January 30, 2009, due to City business.

Upon his request, and without objections, Councilmember Smith was excused to arrive at 11:15 a.m. for the Council session of Tuesday, January 27, 2009, due to City business.

Upon his request, and without objections, Councilmember Weiss was excused to arrive at 10:30 a.m. for the Council session of Tuesday, February 3, 2009, due to personal business.

Upon his request, and without objections, Councilmember Weiss was excused from the Council sessions of Wednesday, January 28, 2009, Tuesday, March 3, 2009 and Wednesday, March 4, 2009, due to personal business.

COMMENDATORY RESOLUTION ADOPTED IN HONOR OF:

[09-0004](#) - Dana Stephens

(Greuel - LaBonge)

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

09-0003 - Ricardo Montalban	(Garcetti)
Roberto Lopez, Jr.	(Reyes - All Councilmembers)
Eric Scoggins	(Parks)
Scott David LaChasse	(Zine - All Councilmembers)

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

Whereupon the Council did adjourn.

ATTEST: Karen E. Kalfayan, CITY CLERK

By	
Council Clerk	PRESIDENT OF THE CITY COUNCIL