

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **January 28, 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, Greuel, Huizar, LaBonge, Parks, Perry, Reyes, Weiss, Wesson, Zine and President Garcetti (11); Absent: Alarcon, Hahn, Rosendahl and Smith (4).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
JANUARY 23, 2009

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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

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

Items Noticed for Public Hearing - Items 1-6

ITEM NO. (1) - PUBLIC HEARING CLOSED - NO APPEALS - LIEN CONFIRMED

Roll Call #3 - Motion (Perry - Parks) Adopted, Ayes (11); Absent: Alarcon, Hahn, Rosendahl and Smith (4)

[08-3059](#)
CD 12

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading all openings, cleaning and fencing, and graffiti abatement of the lot at 16709 West Chatsworth Street. (Lien: \$11,693.98)

ITEM NO. (2) - CONTINUED TO FEBRUARY 4, 2009

Roll Call #1 - Motion (Cardenas - Reyes) Adopted to Continue, Unanimous Vote (10); Absent: Alarcon, Hahn, Perry, Rosendahl and Smith (5)

[08-3060](#)
CD 7

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of cleaning and fencing of the lot at 11759 North Fenton Avenue. (Lien: \$9,828)

ITEM NO. (3) - PUBLIC HEARING CLOSED - NO APPEALS - LIEN CONFIRMED

Roll Call #3 - Motion (Perry - Parks) Adopted, Ayes (11); Absent: Alarcon, Hahn, Rosendahl and Smith (4)

[08-3061](#)

CD 7

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading all openings, cleaning and fencing of the lot at 13681 West Foothill Boulevard aka 13651 Foothill Boulevard and 13673-89 Foothill Boulevard. (Lien: \$12,078.64)

ITEM NO. (4) - PUBLIC HEARING CLOSED - NO APPEALS - LIEN CONFIRMED

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

[08-3062](#)

CD 6

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading all openings, cleaning and fencing of the lot at 13571 West Glamis Street. (Lien: \$10,275.08)

**Roll Call #3 - Motion (Perry - Parks) Adopted, Ayes (11); Absent: Alarcon, Hahn, Rosendahl and Smith (4)
(Item Nos. 5-6)**

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

[08-3063](#)

CD 9

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading all openings, cleaning and fencing, and graffiti abatement of the lot at 1253 East 25th Street and 1253 1/2 East 25th Street (rear single family dwelling). (Lien: \$16,582.56)

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

[08-3064](#)

CD 8

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings, cleaning and fencing of the lot at 1555 West 35th Place (apartment building) aka 1555-57 West 35th Place. (Lien: \$20,502.64)

Items for Which Public Hearings Have Been Held - Items 7-13

Roll Call #6 - Motion (Smith - Weiss) Adopted, Ayes (12); Absent: Alarcon, Hahn and Rosendahl (3)
(Item Nos. 7-9)

ITEM NO. (7) - ADOPTED

[08-1810](#)

CD 2

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE relative to a zone change for property at 10741 West Longford 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. 08-1810 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 2007-5559 MND] filed on January 18, 2008.
2. ADOPT the North Valley Area Planning Commission (NVAPC), as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the NVAPC, effecting a zone change from RA-1 to (T)(Q)RE11-1 for the proposed construction of three single-family dwellings, incident to preliminary parcel map, with two-stories and/or a maximum height of 26 feet on a 41,911 net square-foot site for property at 10741 West Longford Street, subject to Conditions of Approval.

Applicant: Isaias and Delia Guizar
Wayne Fukuda, Representative

APCNV 2007-5572 ZC-SPP

4. NOT PRESENT and ORDER FILED the Ordinance, disapproved by the Director of Planning and dated September 30, 2008.
5. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report.
6. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
7. 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.

8. 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.

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

Community Impact Statement: None submitted.

ITEM NO. (8) - ADOPTED

[08-2905](#)

CD 7

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change at 9213 North Tobias Avenue.

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. 08-2905 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 2007-3564 MND] filed on April 4, 2008.
2. ADOPT the FINDINGS of the North Valley Area Planning Commission (NVAPC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the NVAPC, effecting a zone change from RA-1 to (T)(Q)RD1.5-1 for the proposed construction of a new 15-unit condominium building, two story over garage (approximately 37 feet high), with 36 parking spaces provided (two per unit and four guest parking spaces), on an approximate 23,690 square foot lot located at 9213 North Tobias Avenue, subject to Conditions of Approval. (NVAPC also denied a Variance to permit 16 dwelling units for this project.)

Applicant: John Song
Representative: Steve Nazemi

APCNV 2008-1064 ZC-ZV

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report.
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.

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 28, 2009

(LAST DAY FOR COUNCIL ACTION - JANUARY 28, 2009)

ITEM NO. (9) - ADOPTED

[08-3106](#)

CD 6

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a building line removal for property at 16156 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. 08-3106 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2008-1446 MND] filed on June 20, 2008.
2. ADOPT the FINDINGS of the South Valley Area Planning Commission (SVAPC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the SVAPC, for removal of a building line, incident to subdivision, and removal of a 25 foot setback from Vanowen Street for property at 16156 West Vanowen Street for the proposed construction of a three story, 33-foot high, eleven-unit condominium with 25 parking spaces in the RD1.5-1 Zone. Parking accommodations would be located in a semi-subterranean parking garage. The project would involve the demolition of three single-family structures and two garages. The total area of the project site is 15,923 square feet (16,084 net square feet). (SVAPC also approved a Zoning Administrator's Adjustment for this project.)

Applicant: Sylvan Investments
Representative: Ron Cargill

APCSV 2008-1464 BL-ZAA

4. 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.
5. 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.

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 - FEBRUARY 16, 2009

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

ITEM NO. (10) - CONTINUED TO FEBRUARY 11, 2009

Roll Call #2 - Motion (Wesson - Reyes) Adopted to Continue, Unanimous Vote (11); Absent: Alarcon, Hahn, Rosendahl and Smith (4)

09-0040
CD 10

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change at 3525 West Eighth 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. 09-0040 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 2006-9525 MND] filed on May 18, 2007.
2. ADOPT the FINDINGS of the City Planning Commission (CPC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the CPC, effecting a zone change from R3P-1, C2-1, (T)(Q)P-1 and (T)(Q)C2-1 to (T)(Q)C2-1 for lots 79-80, 112-113, and 139-141 of Tract 2189 for the continued use, maintenance, and expansion of an existing 104,998 square foot commercial/retail building by adding approximately 1,663 square feet of ground floor retail use for property at 3525 West Eighth Street, subject to Conditions of Approval.

Applicant: Sung Chul Rhee, Assi Market

CPC 2006-9524 ZC-CUB-CU-SPR

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report.
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.

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 - APRIL 6, 2009

(LAST DAY FOR COUNCIL ACTION - APRIL 3, 2009)

ITEM NO. (11) - ADOPTED, AS AMENDED - TO THE MAYOR FORTHWITH

Roll Call #9 - Motion (LaBonge - Hahn) to Adopt as Amended, Ayes (11); Noes: Cardenas, Parks, Perry and Zine (4)

Roll Call #10 - Motion (Parks - Perry) Adopted, Ayes (15)

[08-2850](#)

COMMUNICATIONS FROM THE ZOO DEPARTMENT AND BUREAU OF ENGINEERING relative to various actions related to elephants, elephant exhibits, and the Los Angeles Zoo.

(Arts, Parks, Health and Aging 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 Arts, Parks, Health and Aging Committee at 213-978-1071.)

ADOPTED

COMMUNICATION FROM THE CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to various actions related to the proposed Elephant Pachyderm Exhibit at the Los Angeles Zoo.

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

1. **APPROVE completion of the Pachyderm Forest Exhibit at the Los Angeles Zoo.**

2. **ACCEPT** the Greater Los Angeles Zoo Association's (GLAZA) offer to pay the Municipal Improvement Corporation of Los Angeles (MICLA) debt service of \$14,479,700 thereby eliminating the General Fund contribution to the Pachyderm Forest Exhibit of approximately \$1.2 million per year for 20 years and **ACCEPT** GLAZA's offer to make an upfront payment of \$6 million of its \$14,479,700 commitment at the time of permanent financing of the project, leaving GLAZA to pay approximately \$8.5 million of MICLA debt service.
3. **INSTRUCT** the City Administrative Officer (CAO) to provide debt payment schedules reflecting a 10 and 20 year repayment period and to ensure they are part of the contract between the City and GLAZA.
4. **APPROVE** the provisions in the term sheet, attached to the Committee report, and **AUTHORIZE** the Zoo Director to execute the term sheet.
5. **AUTHORIZE** the City Attorney and the Zoo Director to negotiate and execute a contract with GLAZA, substantially reflecting the provisions identified in the draft term sheet.
6. **NOTE** and **FILE** the Zoo Department report dated January 21, 2009, relative to the costs associated with transferring the remaining elephant at the Los Angeles Zoo to an elephant sanctuary inasmuch as the report is submitted for information and no Council action is necessary.
7. **NOTE** and **FILE** the Bureau of Engineering report dated January 23, 2009, relative to alternative uses for the current Elephant Pachyderm Exhibit and the possible transfer of other zoo animals into the Exhibit inasmuch as the report is submitted for information and no Council action is necessary.
8. **NOTE** and **FILE** the Zoo Department report dated January 21, 2009, relative to the status of elephant exhibits throughout the United States that have closed and currently do house elephants on the zoos premise inasmuch as the report is submitted for information and no Council action is necessary.

Fiscal Impact Statement: The CAO reports that if the Pachyderm Forest Exhibit is completed and the GLAZA offer is accepted, the project's impact to the General Fund of \$24 million over 20 years would be completely mitigated. If the Pachyderm Forest Exhibit is canceled, the General Fund would need to repay \$5 million in voter approved funding to the County of Los Angeles within 60 days. If the Pachyderm Forest Exhibit is replaced with another project, the project's impact to the General Fund would be about \$26 million in debt service over 20 years.

Community Impact Statement: Yes

General Comments: Greater Griffith Park Neighborhood Council

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

ADOPTED

AMENDING MOTION (PARKS - PERRY)

Recommendation for Council action:

DIRECT the City Administrative Officer to report on the 80 MICLA projects that are being held back before moving forward.

**Roll Call #4 - Motion (Reyes - Huizar) Adopted, Ayes (11); Absent: Alarcon, Hahn, Rosendahl and Smith (4)
(Item Nos. 12-13)**

ITEM NO. (12) - ADOPTED

[08-3088](#)

CD 4

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the inclusion of the Heerman Estate located at 525 South Van Ness 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 Heerman Estate located at 525 South Van Ness Avenue in the list of Historic-Cultural Monuments.

Applicant: Concerned Residents of Larchmont

CHC 2008-3554 HCM

Owner: Ho Y and Woo J. Im

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 28, 2009

(LAST DAY FOR COUNCIL ACTION - JANUARY 28, 2009)

ITEM NO. (13) - ADOPTED

[08-3242](#)

CD 14

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the inclusion of the Hermon Car Wall located at 400 block of Pullman 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 Hermon Car Wall located at 400 block of Pullman Avenue in the list of Historic-Cultural Monuments.

Applicant: Arroyo Seco Neighborhood Council
Owner: City of Los Angeles

CHC 2008-3350 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 28, 2009

(LAST DAY FOR COUNCIL ACTION - JANUARY 28, 2009)

Items for Which Public Hearings Have Not Been Held - Items 14-19

(10 Votes Required for Consideration)

**Roll Call #5 - Motion (Smith - Greuel) Adopted, Ayes (12); Absent: Alarcon, Hahn and Rosendahl (3)
(Item Nos. 14-15)**

ITEM NO. (14) - ADOPTED

[08-3496](#)

CD 9

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Vignes and First Streets No. 1 Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated December 30, 2008.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **APRIL 1, 2009** as the hearing date for the maintenance of the Vignes and First Streets No. 1 Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$1,249.33 will be collected annually starting with tax year 2009-10 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: March 23, 2009)

ITEM NO. (15) - ADOPTED

[09-0005-S37](#)

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 21, 2009:

[09-0005-S37](#)

CD 8

- a. Property at 1111 West 39th Place (Case No. 48697).
Assessor I.D. No. 5037-020-039

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 24, 2006)

[09-0005-S38](#)

CD 8

- b. Property at 1736 West 37th Place (Case No. 140179).
Assessor I.D. No. 5041-035-051

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 8, 2007)

[09-0005-S39](#)

CD 9

- c. Property at 332 East 69th Street (Case No. 122106).
Assessor I.D. No. 6012-008-042

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 16, 2007)

[09-0005-S40](#)

CD 8

- d. Property at 5821 South Third Avenue (Case No. 183883).
Assessor I.D. No. 4005-021-019

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

[09-0005-S41](#)

CD 8

- e. Property at 646 West 73rd Street (Case No. 174140).
Assessor I.D. No. 6020-026-010

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

ITEM NO. (16) - ADOPTED

Roll Call #7 - Motion (LaBonge - Smith) Adopted, Ayes (12); Absent: Hahn, Rosendahl and Weiss (3)

[06-1379](#)

CDs 4&13

COMMUNICATION FROM THE OFFICE OF THE CITY CLERK relative to the Fiscal Year (FY) 2009 Annual Planning Report for the East Hollywood Property-Based Business Improvement District (PBID).

Recommendations for Council action:

1. FIND that the FY 2009 Annual Planning Report (attached to the City Clerk report dated December 30, 2008) for the East Hollywood PBID complies with the requirements of Section 36600 et seq. of the California Streets and Highways Code (State Law).
2. ADOPT the FY 2009 Annual Planning Report for the East Hollywood PBID, pursuant to the State Law.

Fiscal Impact Statement: The City Clerk reports that there is no impact to the General Fund associated with this action.

Community Impact Statement: None submitted.

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

ITEM NO. (17) - ADOPTED

Roll Call #8 - Motion (LaBonge - Smith) Adopted, Ayes (12); Absent: Hahn, Rosendahl and Weiss (3)

[07-0084](#)

CD 4

COMMUNICATION FROM THE OFFICE OF THE CITY CLERK relative to the Fiscal Year (FY) 2009 Annual Planning Report for the North Hollywood Transit Property-Based Business Improvement District (PBID).

Recommendations for Council action:

1. FIND that the FY 2009 Annual Planning Report, attached to the Council File, for the North Hollywood Transit PBID complies with the requirements of Section 36600 et seq. of the California Streets and Highways Code (State Law).
2. ADOPT the FY 2009 Annual Planning Report for the North Hollywood Transit PBID, pursuant to the State Law.

Fiscal Impact Statement: The City Clerk reports that there is no impact to the General Fund associated with this action.

Community Impact Statement: None submitted.

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

**Roll Call #5 - Motion (Smith - Greuel) Adopted, Ayes (12); Absent: Alarcon, Hahn and Rosendahl (3)
(Item Nos. 18-19)**

ITEM NO. (18) - ADOPTED

[08-0239](#)

CD 13

COMMUNICATION FROM THE OFFICE OF THE CITY CLERK relative to the Fiscal Year (FY) 2009 Annual Planning Report for the Sunset and Vine Property-Based Business Improvement District (PBID).

Recommendations for Council action:

1. FIND that the FY 2009 Annual Planning Report (attached to the City Clerk report dated December 19, 2008) for the Sunset and Vine PBID complies with the requirements of Section 36600 et seq. of the California Streets and Highways Code (State Law).
2. ADOPT the FY 2009 Annual Planning Report for the Sunset and Vine PBID, pursuant to the State Law.

Fiscal Impact Statement: The City Clerk reports that there is no impact to the General Fund associated with this action.

Community Impact Statement: None submitted.

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

ITEM NO. (19) - ADOPTED

[09-0092](#)

CD 9

COMMUNICATION FROM THE OFFICE OF THE CITY CLERK relative to the Fiscal Year (FY) 2009 Annual Planning Report for the Toy District Property-Based Business Improvement District (PBID).

Recommendations for Council action:

1. FIND that the FY 2009 Annual Planning Report (attached to the City Clerk report dated January 9, 2009) for the Toy District 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 Toy District PBID, pursuant to the LSPM PBID Ordinance.

Fiscal Impact Statement: The City Clerk reports that there is no impact to the General Fund associated with this action.

Community Impact Statement: None submitted.

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

Items Called Special

Motions for Posting and Referral

Councilmembers' Requests for Excuse from Attendance at Council Meetings

Closed Sessions - Items 20-22

ITEM NO. (20) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION

Roll Call #14 - Motion (Greuel - Rosendahl) Adopted in Open Session, Ayes (10); Absent: Alarcon, LaBonge, Parks, Smith and Weiss (5)

[07-2893-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 settlement in the cases entitled Harper v. City of Los Angeles, United States District Court (USDC) Case No. SACV 03-959; Liddy, Ortiz and Buchanan v. City of Los Angeles, USDC Case Nos. CV 05-5697/CV 05-5699; Buchanan v. City of Los Angeles, USDC Case No. CV 06-4479; Liddy v. City of Los Angeles, USDC Case No. CV 06-4479 [formerly Los Angeles Superior Court (LASC) Case No. BC383173]; Ortiz v. City of Los Angeles, LASC Case No. BS106263; Liddy v. City of Los Angeles, LASC Case No. BS102454.

(Budget and Finance Committee considered the above matter in Closed Session on January 12, 2009.)

ADOPTED

MOTION (GREUEL - ROSENDAHL)

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

1. AUTHORIZE the settlement of \$20,500,000 in the cases entitled Harper v. City of Los Angeles, United States District Court (USDC) Case No. SACV 03-959; Liddy, Ortiz and Buchanan v. City of Los Angeles, USDC Case Nos. CV 05-5697/CV 05-5699; Buchanan v. City of Los Angeles, USDC Case No. CV 06-4479; Liddy v. City of Los Angeles, USDC Case No. CV 06-4479 [formerly Los Angeles Superior Court (LASC) Case No. BC383173]; Ortiz v. City of Los Angeles, LASC Case No. BS106263; Liddy v. City of Los Angeles, LASC Case No. BS102454. The settlement funds will be paid through a judgment obligation bond, with the full settlement to be paid on or before June 30, 2009.

2. **AUTHORIZE** a demand in said amount payable to the trust funds of the following attorneys: Joseph Y. Avrahamy, Etan Z. Lorant and Matthew S. McNicholas.

Note: The Harper, Liddy global settlement will be paid through a judgment obligation bond, pending Council approval and authorization to the Controller's Office to establish a special fund from which the funds are to be distributed. The City Administrative Officer will be submitting a subsequent report to Council for authorization as to the bond issuance.

ITEM NO. (21) - CONTINUED TO FEBRUARY 4, 2009

Roll Call #12 - Motion (Greuel - Huizar) Adopted to Continue, Unanimous Vote (11); Absent: LaBonge, Parks, Smith and Weiss (4)

[08-3363](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Berta Sanabria v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC 367835. (This case arises out of a personal injury damage claim against the City of Los Angeles, State of California, Carlos Melendez and Mark Petrash.)

(Budget and Finance Committee considered the above matter in Closed Session on January 12, 2009.)

ITEM NO. (22) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION

Roll Call #13 - Motion (Wesson - Greuel) Adopted in Open Session, Ayes (11); Absent: LaBonge, Parks, Smith and Weiss (4)

[08-3364](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Anthony E. Garcia v. Rodolfo D. Vizcarra, et al., Los Angeles Superior Court Case No. LC 079930. (This case involves a personal injury incident which occurred on June 7, 2007.)

(Budget and Finance Committee considered the above matter in Closed Session on January 28, 2009.)

ADOPTED

MOTION (WESSON - GREUEL)

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

1. **AUTHORIZE** the City Attorney to expend \$125,000 in settlement of the case entitled Anthony E. Garcia v. Rodolfo D. Vizcarra, et al., Los Angeles Superior Court Case No. LC 079930, from the Liability Claims Account No. 9770, Fund 100, Department 59.

2. **AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to the Law Offices of Michael A. Levin and Anthony E. Garcia.**
3. **AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.**

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

09-0203

MOTION (GARCETTI - PARKS) relative to declaring the Health and Well Being Fair 2009 on January 31, 2009 a Special Event (fees and costs absorbed by the City = \$1,563).

09-0202

MOTION (GARCETTI - PARKS) relative to declaring the Verizon Grammys on February 6, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

08-0194-S1

MOTION (GARCETTI - PARKS) relative to declaring the Lust for LACE on February 13, 2009 a Special Event (fees and costs absorbed by the City = \$2,337).

04-0010-S20

MOTION (REYES - SMITH) relative to reinstating the reward offer in the death of Sean Williams for an additional six months.

08-0010-S9

MOTION (REYES - SMITH) relative to reinstating the reward offer in the death of Veronica and Cynthia Ultreras for an additional six months.

09-0010-S15

MOTION (REYES - SMITH) relative to an offer of reward for information leading to the identification, apprehension and conviction of the person(s) responsible for the death of Melvin Almendares on January 18, 2009.

09-0010-S16

MOTION (REYES - SMITH) relative to an offer of reward for information leading to the identification, apprehension and conviction of the person(s) responsible for the deaths of Steve Munoz and Luis Rodriguez on October 12, 2008.

09-0205

MOTION (HUIZAR - HAHN) relative to use of the Tom Bradley Room for the Department of General Services.

[09-0204](#)

MOTION (HAHN - HUIZAR) relative to funding to support services to the community of Council District 15.

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

09-0003 - Virginia Mae Adams	(Garcetti)
Ghazaros Kademian	(Garcetti)
Lupoe Family	(Hahn)
Edmund Stanley Butts, M.D.	(Parks - Perry)

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

Whereupon the Council did adjourn.

ATTEST: Karen E. Kalfayan, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL