

Los Angeles City Council, **Journal/Council Proceedings**  
Wednesday, **February 4, 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, Perry, Reyes, Smith, Weiss, Wesson, Zine (10); Absent: Alarcon, Hahn, Parks, Rosendahl and President Garcetti (5).**

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
JANUARY 30, 2009

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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

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

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## **Items Noticed for Public Hearing - Items 1-19**

**Roll Call #2 - Motion (Greuel - Smith) Adopted to Continue, Unanimous Vote (11); Absent: Alarcon, Parks, Rosendahl and President Garcetti (4)  
(Item Nos. 1-6)**

**ITEM NO. (1) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED  
ON FEBRUARY 25, 2009**

[08-2345](#)  
CD 2

HEARING PROTESTS against the proposed improvement and maintenance of the Colfax Avenue and Chandler Boulevard Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Colfax Avenue and Chandler Boulevard Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on December 3, 2008 - Continue hearing and present Ordinance on FEBRUARY 25, 2009 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (2) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED  
ON FEBRUARY 25, 2009**

[08-2347](#)

CD 13

HEARING PROTESTS against the proposed improvement and maintenance of the El Centro Avenue and Santa Monica Boulevard Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the El Centro Avenue and Santa Monica Boulevard Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on December 3, 2008 - Continue hearing and present Ordinance on FEBRUARY 25, 2009 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (3) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED  
ON FEBRUARY 25, 2009**

[08-2529](#)

CD 7

HEARING PROTESTS against the proposed improvement and maintenance of the Hubbard and Fenton Avenues No. 1 Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Hubbard and Fenton Avenues No. 1 Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on December 3, 2008 - Continue hearing and present Ordinance on FEBRUARY 25, 2009 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (4) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED  
ON FEBRUARY 25, 2009**

[08-2530](#)

CD 8

HEARING PROTESTS against the proposed improvement and maintenance of the Figueroa and 77th Streets Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Figueroa and 77th Streets Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on December 3, 2008 - Continue hearing and present Ordinance on FEBRUARY 25, 2009 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (5) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED  
ON FEBRUARY 25, 2009**

[08-2533](#)

CD 8

HEARING PROTESTS against the proposed improvement and maintenance of the Main Street between 88th Place and 90th Street Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Main Street between 88th Place and 90th Street Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on December 3, 2008 - Continue hearing and present Ordinance on FEBRUARY 25, 2009 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (6) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED  
ON FEBRUARY 25, 2009**

[08-2534](#)

CD 5

HEARING PROTESTS against the proposed improvement and maintenance of the Sherbourne and Whitworth Drives Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Sherbourne and Whitworth Drives Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on December 3, 2008 - Continue hearing and present Ordinance on FEBRUARY 25, 2009 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (7) - RECEIVED AND FILED - INASMUCH AS THE LIEN HAS BEEN PAID**

**Roll Call #3 - Motion (Perry - Zine) Adopted to Receive and File, Ayes (11); Absent: Alarcon, Parks, Rosendahl and President Garcetti (4)**

[08-3092](#)

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 of the lot at 620 East 83rd Street. (Lien: \$5,998.80)

**ITEM NO. (8) - PUBLIC HEARING CLOSED - NO PROTEST - LIEN CONFIRMED**

**Roll Call #4 - Motion (Cardenas - Perry) Adopted, Ayes (11); Absent: Alarcon, Parks, Rosendahl and President Garcetti (4)**

[08-3093](#)

CD 8

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 734 West 97th Street. (Lien: \$4,251.45)

**ITEM NO. (9) - RECEIVED AND FILED - INASMUCH AS THE LIEN HAS BEEN PAID**

**Roll Call #3 - Motion (Perry - Zine) Adopted to Receive and File, Ayes (11); Absent: Alarcon, Parks, Rosendahl and President Garcetti (4)**

[08-3094](#)

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, and graffiti abatement at 13777 North Brussels Avenue. (Lien: \$9,460.08)

**ITEM NO. (10) - PUBLIC HEARING CLOSED - NO PROTEST - LIEN CONFIRMED**

**Roll Call #4 - Motion (Cardenas - Perry) Adopted, Ayes (11); Absent: Alarcon, Parks, Rosendahl and President Garcetti (4)**

[08-3095](#)

CD 8

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 5101 South Crenshaw Boulevard. (Lien: \$5,732.61)

**ITEM NO. (11) - RECEIVED AND FILED - INASMUCH AS THERE HAS BEEN A CHANGE OF OWNERSHIP**

**Roll Call #3 - Motion (Perry - Zine) Adopted to Receive and File, Ayes (11); Absent: Alarcon, Parks, Rosendahl and President Garcetti (4)**

[08-3096](#)

CD 3

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 23657 West Emelita Street.

(Lien: \$5,852.12)

**ITEM NO. (12) - PUBLIC HEARING CLOSED - NO PROTEST - LIEN CONFIRMED**

**Roll Call #11 - Motion (LaBonge - Parks) Adopted, Ayes (14); Absent: Rosendahl (1)**

[08-3105](#)

CD 13

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 2244 West Fargo Street (includes: 2246 and 2246 1/2 Fargo Street).

(Lien: \$17,489.91)

**ITEM NO. (13) - RECEIVED AND FILED - INASMUCH AS THE LIEN HAS BEEN PAID**

**Roll Call #3 - Motion (Perry - Zine) Adopted to Receive and File, Ayes (11); Absent: Alarcon, Parks, Rosendahl and President Garcetti (4)**

[08-3111](#)

CD 11

HEARING PROTESTS relative to Department of Building and Safety report and confirmation of lien against property located at 11305 West Venice Boulevard

(Lien: \$851.39)

Recommendations for Council action:

1. HEAR PROTESTS relative to a proposed lien recorded against property located at 11305 West Venice Boulevard, 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 \$851.39 on the above referenced property.

**ITEM NO. (14) - PUBLIC HEARING CLOSED - NO PROTEST - LIEN CONFIRMED**

**Roll Call #4 - Motion (Cardenas - Perry) Adopted, Ayes (11); Absent: Alarcon, Parks, Rosendahl and President Garcetti (4)**

[08-3114](#)

CD 9

HEARING PROTESTS relative to Department of Building and Safety report and confirmation of lien against property located at 4608 South Avalon Boulevard (Lien: \$2,589.80)

Recommendations for Council action:

1. HEAR PROTESTS relative to a proposed lien recorded against property located at 4608 South Avalon Boulevard, 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 \$2,589.80 on the above referenced property.

**Roll Call #3 - Motion (Perry - Zine) Adopted to Receive and File, Ayes (11); Absent: Alarcon, Parks, Rosendahl and President Garcetti (4)  
(Item Nos. 15-16)**

**ITEM NO. (15) - RECEIVED AND FILED - INASMUCH AS THE LIEN HAS BEEN PAID**

[08-3116](#)

CD 8

HEARING PROTESTS relative to Department of Building and Safety report and confirmation of lien against property located at 7872 South Western Avenue (Lien: \$1,642.69)

Recommendations for Council action:

1. HEAR PROTESTS relative to a proposed lien recorded against property located at 7872 South Western Avenue, 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 \$1,642.69 on the above referenced property.

**ITEM NO. (16) - RECEIVED AND FILED - INASMUCH AS THE LIEN HAS BEEN PAID**

[08-3117](#)

CD 3

HEARING PROTESTS relative to Department of Building and Safety report and confirmation of lien against property located at 7137 North Reseda Boulevard (Lien: \$1,329.43)

Recommendations for Council action:

1. HEAR PROTESTS relative to a proposed lien recorded against property located at 7137 North Reseda Boulevard, 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 \$1,329.43 on the above referenced property.

**ITEM NO. (17) - PUBLIC HEARING CLOSED - NO PROTEST - LIEN CONFIRMED**

**Roll Call #12 - Motion (Cardenas - Reyes) Adopted, Ayes (14); Absent: Rosendahl (1)**

[08-3118](#)

CD 6

HEARING PROTESTS relative to Department of Building and Safety report and confirmation of lien against property located at 11209 West Tuxford Street (Lien: \$848)

Recommendations for Council action:

1. HEAR PROTESTS relative to a proposed lien recorded against property located at 11209 West Tuxford 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 \$848 on the above referenced property.

**ITEM NO. (18) - PUBLIC HEARING CLOSED - PROTEST DENIED - LIEN CONFIRMED**

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

08-3060

CD 7

CONTINUED CONSIDERATION OF 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)

(Continued from Council meeting of January 28, 2009)

**ITEM NO. (19) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO GRANT APPLICATION**

**Roll Call #5 - Motion (Perry - Reyes) Adopted to Grant Application, Ayes (11); Absent: Alarcon, Parks, Rosendahl and President Garcetti (4)**

09-0103

CD 9

HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for off-site consumption at Fresh & Easy market.

1. DETERMINE that the issuance of a liquor license at Fresh & Easy market located at 1011 East Adams Boulevard, Los Angeles, 90011, 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 off-site consumption at 1011 East Adams Boulevard.
3. INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

Applicant: Russell Perkins (Elizabeth Peterson Group, representative)

TIME LIMIT FILE - MARCH 2, 2009

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 27, 2009)



## Items for Which Public Hearings Have Been Held - Items 20-34

### ITEM NO. (20) - ADOPTED

**Roll Call #10 - Motion (LaBonge - Greuel) Adopted, Ayes (13); Absent: Rosendahl and President Garcetti (2)**

[09-0044](#)

TRANSPORTATION COMMITTEE REPORT relative to the appointment of Mr. Jaime J. Rodriguez to the Board of Transportation Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Jaime J. Rodriguez to the Board of Transportation Commissioners for term ending June 30, 2013 is APPROVED and CONFIRMED. Mr. Rodriguez resides in Council District Four. (Current commission gender composition: M = 3; F = 4)

Ethics Commission Review: Complete

Background Check Review: Complete

Community Impact Statement: None submitted.

TIME LIMIT FILE - FEBRUARY 20, 2009

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 20, 2009)

**Roll Call #9 - Motion (Greuel - LaBonge) Adopted, Ayes (12); Absent: Parks, Rosendahl and President Garcetti (3)  
(Item Nos. 21-23)**

### ITEM NO. (21) - ADOPTED

[09-0060](#)

CD 3

TRANSPORTATION COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a speed limit revision for Corbin Avenue between Roscoe Boulevard and Ventura Boulevard.

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

1. CONCUR with the Board of Transportation Commissioners (Board) action of December 11, 2008 approving the amendment of Los Angeles Municipal Code (LAMC) Section 80.81 to raise the speed limit for Corbin Avenue between Roscoe Boulevard and Ventura Boulevard from 35 to 40 miles per hour.
2. PRESENT and ADOPT the accompanying ORDINANCE amending LAMC Section 80.81 to establish the recommended speed limit of Recommendation No. 1.

Fiscal Impact Statement: None submitted by the Board. 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. (22) - ADOPTED**

[09-0062](#)

CD 3

TRANSPORTATION COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a speed limit revision for Mulholland Drive between Topanga Canyon Boulevard and Calabasas Road.

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

1. CONCUR with the Board of Transportation Commissioners (Board) action of December 11, 2008 approving the amendment of Los Angeles Municipal Code (LAMC) Section 80.81 to raise the speed limit for Mulholland Drive as follows:
  - a. Between Topanga Canyon Boulevard and San Feliciano Drive from 35 to 40 miles per hour.
  - b. Between a point approximately 930 feet west of San Feliciano Drive and Calabasas Road from 40 to 45 miles per hour.
2. PRESENT and ADOPT the accompanying ORDINANCE amending LAMC Section 80.81 to establish the recommended speed limit of Recommendation No. 1.

Fiscal Impact Statement: None submitted by the Board. 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. (23) - ADOPTED**

[09-0063](#)

CD 3

TRANSPORTATION COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a speed limit revision for Fallbrook Avenue between Roscoe Boulevard and Ventura Boulevard.

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

1. CONCUR with the Board of Transportation Commissioners (Board) action of December 11, 2008 approving the amendment of Los Angeles Municipal Code (LAMC) Section 80.81 to raise the speed limit for Fallbrook Avenue between Roscoe Boulevard and Ventura Boulevard from 40 to 45 miles per hour.
2. PRESENT and ADOPT the accompanying ORDINANCE amending LAMC Section 80.81 to establish the recommended speed limit of Recommendation No. 1.

Fiscal Impact Statement: None submitted by the Board. 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 (Wesson - Reyes) Adopted, Ayes (11); Absent: Alarcon, Parks, Rosendahl and President Garcetti (4)  
(Item Nos. 24-26)**

**ITEM NO. (24) - ADOPTED - SEE FOLLOWING**

[07-2414](#)

COMMUNICATION FROM THE BOARD OF WATER AND POWER COMMISSIONERS relative to Amendment No. 1 to the Wind Farm Easement Agreement with the Hansen Family Limited Partnership to reduce the distance from a planned turbine location to 1,100 feet or more solely for the purpose of allowing for the construction and occupation of a dwelling by the Hansen family.

(Energy and Environment 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, please contact the Legislative Assistant for the Energy and Environment Committee at 213-978-1078.)

**ADOPTED**

**ENERGY AND ENVIRONMENT COMMITTEE REPORT** relative to the First Amendment to the Wind Farm Easement Agreement with the Hansen Family Limited Partnership to reduce the distance from a planned turbine location to 1,100 feet or more solely for the purpose of allowing for the construction and occupation of a dwelling by the Hansen family.

**Recommendation for Council action:**

**CONCUR** with the Board of Water and Power Commissioners' action of December 2, 2008, Resolution No. 009-130, authorizing the execution of the First Amendment to the Wind Farm Easement Agreement with the Hansen Family Limited Partnership which amends an easement by reducing the allowable distance between a planned turbine location and the site of a dwelling for the Hansen family from 1,500 to 1,100 feet.

**Fiscal Impact Statement:** The City Administrative Officer reports that approval of this request will not impact the General Fund. There is no additional cost to the Los Angeles Department of Water and Power (LADWP) for the proposed First Amendment. The City Debt Management Policies and the LADWP Financial Policies are not applicable.

**Community Impact Statement:** None Submitted.

**TIME LIMIT FILE - FEBRUARY 8, 2009**

**(LAST DAY FOR COUNCIL ACTION - FEBRUARY 6, 2009)**

**ITEM NO. (25) - ADOPTED - SEE FOLLOWING**

[08-3340](#)

COMMUNICATION FROM THE BOARD OF WATER AND POWER COMMISSIONERS relative to an agreement with the environmental engineering firm of Brown and Caldwell for a comprehensive study of groundwater in the San Fernando Basin.

(Energy and Environment 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, please contact the Legislative Assistant for the Energy and Environment Committee at 213-978-1078.)

**ADOPTED**

**ENERGY AND ENVIRONMENT COMMITTEE REPORT** relative to an agreement with the environmental engineering firm of Brown and Caldwell for a comprehensive study of groundwater in the San Fernando Basin.

**Recommendations for Council action:**

1. **CONCUR** with the Board of Water and Power Commissioners' action of December 2, 2008, Resolution No. 009-131, authorizing the execution of Agreement No. 47786 with Brown and Caldwell to provide the Los Angeles Department of Water and Power (LADWP) with professional services for a Groundwater System Improvement Study for the San Fernando Basin for a not-to-exceed amount of \$11,500,000 and a term of six years.
2. **DIRECT** the LADWP to report back to the Energy and Environment Committee in six months with an update/status report.

**Fiscal Impact Statement:** The City Administrative Officer reports that the proposed Agreement will consist of a not-to-exceed amount of \$11.5 million which will be provided by the LADWP's Water Revenue Fund over a six-year period. Since the LADWP is bound only by the City Debt Management Policies, the City Financial Policies are not applicable. Approval of the proposed Agreement will have no impact on the City's General Fund.

**Community Impact Statement:** None Submitted.

**TIME LIMIT FILE - FEBRUARY 8, 2009**

**(LAST DAY FOR COUNCIL ACTION - FEBRUARY 6, 2009)**

**ITEM NO. (26) - ADOPTED**

[08-2842](#)

CD 6

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the adoption of a new Redevelopment Survey Area "17," encompassing the community of Van Nuys.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency, or designee, to adopt a new Redevelopment Survey Area "17" for study purposes for the Van Nuys area.

Fiscal Impact Statement: The Chief Legislative Analyst reports that this action will not impact the General Fund.

Community Impact Statement: None submitted.

**ITEM NO. (27) - ADOPTED, AS AMENDED - SEE FOLLOWING**

**Roll Call #15 - Motion (Wesson - Smith) Adopted, Ayes (14); Absent: Rosendahl (1)**

[08-3194](#)

CD 10

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to the implementation of the Mid-City Crenshaw Vision + Implementation Plan, and related actions.

Recommendations for Council action:

1. ADOPT the Community Redevelopment Agency's (CRA) Mid City Crenshaw Vision + Implementation Plan.
2. ADOPT the accompanying joint CRA/City RESOLUTION, pursuant to Section 33445 of the Health & Safety Code making the findings that the use of \$1,000,000 for the construction and installation of public improvements on Crenshaw Boulevard between the Rosa Parks Freeway (Santa Monica I-10 Freeway) and Martin Luther King, Jr. Boulevard is of benefit to the Wilshire Center/Koreatown Recovery Redevelopment Project Area.
3. AUTHORIZE the CRA to transfer the following:
  - a. \$1,000,000 from Wilshire Center/Koreatown Recovery Redevelopment Project Area budgeted line item "Development Opportunities" to Mid-City Recovery Redevelopment Project Area budgeted line item "Public Improvements" to assist in implementing the Crenshaw Boulevard Streetscape project.
  - b. \$68,700 from Mid-City Recovery Redevelopment Project Area budgeted line item "Development Opportunities" to budgeted line item "Public Improvements."

4. AUTHORIZE the Chief Executive Officer, CRA, or designee, to submit grant applications to Federal, State, and local agencies to secure financial resources for the implementation of the recommendations within the Mid-City Crenshaw Vision +Implementation Plan including, but not limited to Proposition 1C In-fill and Infrastructure Grant, Proposition IC Transit Oriented District Grant, Economic Development Administration, Community Development Block Grant, and the 2009 California Economic Stimulus Package.
5. INSTRUCT the CRA to report relative to the cooperation agreements to be entered into by the CRA with City Departments that participated as members of the Technical Advisory Committee including the Community Development and Planning Departments and the Los Angeles Departments of Transportation, Water and Power, and Public Works.

Fiscal Impact Statement: The Chief Legislative Analyst (CLA) reports that this action will not impact the General Fund.

Community Impact Statement: None submitted.

## ADOPTED

### AMENDING MOTION (WESSON - REYES)

#### Recommendation for Council action:

**AMEND the CLA Report's Recommendations 1(a) and 2(b) on Item 08-3194 to require repayment of \$1,000,000 from the Mid-City Recovery Redevelopment Project Area to the Wilshire Center-Koreatown Project Area by January, 2019.**

**Roll Call #6 - Motion (Wesson - Reyes) Adopted, Ayes (11); Absent: Alarcon, Parks, Rosendahl and President Garcetti (4)  
(Item Nos. 28-34)**

## ITEM NO. (28) - ADOPTED

[08-3187](#)

CD 9

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to an increase of \$86,000 for Hawkins, Delafield & Wood, LLP (Hawkins), to perform bond counsel services and authorize designated officers to direct the bond trustee to effectuate payment for the \$96 million Angelus Plaza Tax-Exempt Multi-Family Housing Revenue Bonds, Series 2008 (Bonds), for the Angelus Plaza Multifamily Housing Project (Project).

#### Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to increase payment by \$86,000, from \$64,000 to a total amount not to exceed \$150,000, to Hawkins for expenses, and authorize designated officers to direct the bond trustee to effectuate payment by releasing the \$86,000 cited above to Hawkins as additional bond counsel fees incurred in the issuance of Bonds for the Project located in the Bunker Hill Redevelopment Project Area.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the General Fund. The CRA is only bound by the disclosure provisions of the City Debt Management Policies; the City Financial Policies are not applicable to the CRA. Approval of the recommended action will increase bond counsel fees by \$86,000, from \$64,000 to a total amount of \$150,000, to effectuate payment for additional fees incurred for the Project, payable from bond proceeds or Retirement Housing Foundation (Developer) funds.

Community Impact Statement: None submitted.

**ITEM NO. (29) - ADOPTED**

[08-3247](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to transferring a contract from Aid for AIDS (AFA) to the Serra Ancillary Care Corporation (Serra).

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. Execute an amendment to Contract No. 112180 to delete the current contractor authority from AFA and replace it with "Serra, doing business as (dba) AFA," as soon as practicable after the merger is finalized, subject to the review of the City Attorney as to form and legality.
  - b. Prepare Controller instructions for any necessary adjustments, subject to the approval of the City Administrative Officer (CAO) and authorize the Controller to implement the instructions.
2. AUTHORIZE the Controller to TRANSFER funds in the amount of \$450,000 under Contract No. 112180 from Short Term Rent, Mortgage, and Utility Program to the Permanent Housing Replacement Grant to address the current community need. The amended contract amounts for the two programs for the 12-month program year will be as follows:

Short Term Rent, Mortgage, & Utility Program	\$1,858,219
Permanent Housing Replacement Grant	<u>1,216,221</u>
Total	\$3,074,440

Fiscal Impact Statement: The CAO reports that there is no impact on the General Fund. The recommendations contained in this report involve previously approved \$3,794,391 in Housing Opportunities for Persons with AIDS (HOPWA) funds. Approval of the recommendations will enable the LAHD to execute a contract amendment for the continued provision of HOPWA services. The above 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. (30) - ADOPTED**

[08-3308](#)

CD 4

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to increasing the Commercial Façade Improvement Grant for additional exterior improvements consistent with the Magnolia Boulevard Priority Zone Commercial Façade Improvement Program.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency, or designee, to increase the Commercial Façade Improvement grant to 11122 Magnolia Boulevard, LLC, by an amount not to exceed \$100,000, for additional exterior improvements to facilitate the proposed tenancy by Le Pain Quotidien Cafe in accordance with the Magnolia Boulevard Priority Zone Commercial Façade Improvement Program.

Fiscal Impact Statement: The Chief Legislative Analyst reports that this action will not impact the General Fund. Source of funds are North Hollywood Redevelopment Project Area tax increment.

Community Impact Statement: None submitted.

**ITEM NO. (31) - ADOPTED**

[08-3310](#)

CD 7

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a Community Redevelopment Agency Predevelopment and Construction Loan Agreement with Habitat for Humanity of San Fernando and Santa Clarita Valleys, Inc., for the development of the Pierce Street Villas.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, CRA, or designee, to execute:

- a. Predevelopment and Construction Loan Agreement with Habitat for Humanity San Fernando and Santa Clarita Valleys, Inc. in an amount not to exceed \$3,360,000 for the development of the Pierce Street Villas at 11257 Borden Avenue in the Agency's Earthquake Disaster Assistance Project for Portions of Council District Seven Redevelopment Project Area, subject to the approval of the City Attorney as to form and legality, and further subject to the approval of the Department of Public Works, Bureau of Contract Administration for compliance with any applicable CRA contracting requirements.
- b. Purchase Assistance Loan Agreements, subordinate deeds of trust and other documents with qualified low income first time homebuyers to provide an aggregate amount of up to \$3,360,000 of direct purchase assistance, as proposed from the conversion of the CRA Loan to 24 Purchase Assistance Loan Agreements for each unit purchase (not to exceed \$140,000 per household), subject to the completion of construction and the Developer securing eligible buyers for all 24 units of the Project, and subject to the approval of the City Attorney as to form and legality and further subject to the approval of the Department of Public Works, Bureau of Contract Administration for compliance with any applicable Agency contracting requirements.



Fiscal Impact Statement: The City Administrative Officer (CAO) reports that this action will not impact the General Fund. The CRA is only bound by the disclosure provisions of City debt management policies; City financial policies are not applicable to the CRA. Approval of the above action will commit up to \$3,360,000 in Low and Moderate Income Housing Trust Funds from the Earthquake Disaster Assistance Project for Portions of Council District Seven Redevelopment Project Area for the development of the Pierce Street Villas, including the provision of affordable housing opportunities related to the site.

Community Impact Statement: None submitted.

**ITEM NO. (32) - ADOPTED**

[08-3460](#)

CD 14

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to the transfer of funds to the Department of Public Works for public improvements to St. Louis Street, outside of the Adelante Eastside Redevelopment Project Area.

Recommendations for Council action:

1. ADOPT the accompanying joint RESOLUTION with the Community Redevelopment Agency (CRA) Board of Commissioners, pursuant to Section 33445 of the California Redevelopment Law Health and Safety Code, making findings that the use of the following CRA funding sources to pay for City-owned public improvements on St. Louis Street, located outside the Agency's Adelante Eastside Redevelopment Project Area, is of benefit to the Redevelopment Project Area:

Adelante Eastside Redevelopment Project Area Tax Increment	\$ 100,700
City Infrastructure Investment funds (also Tax Increment)	<u>119,300</u>
Total	\$ 220,000

2. AUTHORIZE the Chief Executive Officer, CRA, or designee, to transfer a cumulative total of up to \$220,000 from the CRA funding sources in Recommendation No. 1 above, and allocate such to be expended under the Cooperation Agreement (CRA Contract No. 502806) with the Department of Public Works, Bureau of Street Services for the installation of City-owned streetscape public improvements in Council District 14.
3. AUTHORIZE the Director, Bureau of Street Services, or designee, to:
  - a. Deposit a cumulative amount not to exceed \$220,000 from the CRA funding sources listed in Recommendation No. One above into Subventions and Grants Fund 305/50, Revenue Source Code 3741, Reimbursement from CRA.
  - b. Prepare Controller instructions and/or make any technical adjustments, to appropriate amounts there from to BSS Fund 100/86 into accounts as necessary for direct expenditures that may be required and are consistent with this action, for the installation of public improvements on St. Louis Street, subject to the approval of the City Administrative Officer (CAO); and, authorize that the Controller to implement these instructions.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. City financial policies are not applicable to the CRA. The CRA is only bound by the disclosure provisions of the City's debt management policies. Approval of the above recommendations will result in a cumulative total of up to \$220,000, provided from CRA Tax Increment funds for the installation of City-owned streetscape public improvements servicing the Adelante Eastside Redevelopment Project Area.

Community Impact Statement: None submitted.

**ITEM NO. (33) - ADOPTED**

[08-3469](#)

CDs 1, 8, 9 & 10

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a Community Redevelopment Agency (CRA) contract with Rosenow Spevacek Group, Inc. (RSG) to assist with plan amendments for seven redevelopment project areas.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, CRA, or designee, to enter into a contract with RSG for a two-year term in an amount not to exceed \$468,900 to assist the CRA prepare Redevelopment Plans for seven project areas in the South Los Angeles region (Broadway/Manchester; Crenshaw Amended; Crenshaw Slauson Recovery; Exposition-University Park; Normandie 5; Vermont/Manchester Recovery; and Western/Slauson Recovery), and related documents, including the merger of these project areas, extension or renewal of eminent domain time limits, and the increase of bonding capacities.

Fiscal Impact Statement: The Chief Legislative Analyst reports that this action will not impact the City's General Fund. The source of funds for the proposed action is CRA General Revenue.

Community Impact Statement: None submitted.

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

[07-4170-S1](#)

CDs 1, 13 & 15

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982 (TEFRA) RESOLUTION and MINUTES relative to the Central City Apartments, Swansea Park Senior Apartments, Toberman Village, and Vendome Palms Apartments Projects (Projects).

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

1. ADOPT the accompanying TEFRA RESOLUTION and Public Hearing Minutes [Attachments One and Two respectively of the City Administrative Officer (CAO) report dated January 23, 2009] for the Projects, as required pursuant to the TEFRA.

2. INSTRUCT the General Manager, Los Angeles Housing Department, or designee, to submit for Mayor and Council approval the final finance structure of the bonds for each project prior to issuance of bonds.

Fiscal Impact Statement: The CAO reports that there is no impact on the General Fund. The City Debt Management Policy is not applicable to the report recommendations since no financial commitments are being made at this time for the Projects.

Community Impact Statement: None submitted.

## **Items for Which Public Hearings Have Not Been Held - Items 35-44**

(10 Votes Required for Consideration)

### **ITEM NO. (35) - CONTINUED TO FEBRUARY 17, 2009**

**Roll Call #1 - Motion (Cardenas - Huizar) Adopted to Continue, Unanimous Vote (11);  
Absent: Alarcon, Parks, Rosendahl and President Garcetti (4)**

#### 08-0615-S2

COMMUNICATION FROM CHAIR, AD HOC COMMITTEE ON GANG VIOLENCE AND YOUTH DEVELOPMENT relative to efforts to enhance coordination, collaboration and communication with gang intervention workers when responding to gang-related, associated and motivated incidents.

Recommendations for Council action:

1. NOTE and FILE the Board of Police Commissioners report dated December 19, 2008 inasmuch as the report is submitted for information only and no Council action is necessary.
2. DIRECT the Los Angeles Police Department (LAPD) to report to the Ad Hoc Committee on Gang Violence and Youth Development in 90 days with a status report on the gang intervention efforts and its expansion.
3. INSTRUCT the LAPD to:
  - a. Incorporate the community-based gang intervention evaluation measurements.
  - b. Explore the ramifications of establishing and implementing Real Time Analysis and Critical Response notification system.
  - c. Report back to the Ad Hoc Committee on Gang Violence and Youth Development on the following:
    - 1) LAPD recommendations relative to skill set and tools needed to facilitate a working relationship with Public Safety entities within the City of Los Angeles.
    - 2) LAPD recommendations regarding the outcomes of the Professional Community Intervention Training Institute and the Advancement Project's Community Violence Intervention Academy.

3) A status update prior to the expansion of the Gang Intervention Collaborative.

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

Community Impact Statement: None submitted.

**ITEM NO. (36) - ADOPTED**

**Roll Call #8 - Motion (Smith - LaBonge) Adopted, Ayes (12); Absent: Parks, Rosendahl and President Garcetti (3)**

[08-2384](#)

COMMUNICATION FROM CHAIR, AD HOC COMMITTEE ON GANG VIOLENCE AND YOUTH DEVELOPMENT relative to the process and protocol for reporting and documenting hate crimes.

Recommendation for Council action:

NOTE and FILE the Board of Police Commissioners report dated December 1, 2008 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. (37) - REFERRED TO PUBLIC WORKS COMMITTEE**

**Roll Call #7 - Motion (Greuel - Smith) Adopted to Refer, Unanimous Vote (12); Absent: Parks, Rosendahl and President Garcetti (3)**

[08-2444](#)

CD 13

CONTINUED CONSIDERATION OF COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION OF INTENTION relative to the redesignation of public alley to pedestrian mall for the alley easterly of Cahuenga Boulevard between Selma Avenue and the alley northerly of Selma Avenue.

Recommendations for Council action:

1. INSTITUTE the redesignation of public alley to pedestrian mall proceedings, pursuant to the Pedestrian Mall Law of 1960, over the alley easterly of Cahuenga Boulevard lying between Selma Avenue, as shown in Exhibit A of the January 16, 2009 City Engineer report and attached to the Council file.

2. FIND that the redesignation of the public alley to pedestrian mall for the alley easterly of Cahuenga Boulevard between Selma Avenue and the alley northerly of Selma Avenue to be subject to the Council's determination to be made at the Public Hearing to be held, pursuant to the Pedestrian Mall Law of 1960, and to be scheduled under the Resolution of Intention, as attached to the Council file.
3. FIND, in conformance with Section 11102 of the Pedestrian Mall Law of 1960, that the public alley being redesignated is not needed for motorized vehicles.
4. ADOPT the accompanying RESOLUTION OF INTENTION for the proposed redesignation.
5. DIRECT the Real Estate Division of the Bureau of Engineering to record the Resolution of Intention, as attached to the Council file, with the Los Angeles County Recorder.
6. DIRECT the City Clerk to schedule a public hearing on **MAY 19, 2009** upon adoption of the Resolution of Intention by Council.

Fiscal Impact Statement: The City Engineer reports that the General Fund will be impacted by the administrative costs for the investigation and processing of this redesignation of public alley to pedestrian mall and the minimum cost is \$4,000.

Community Impact Statement: None submitted.

10 VOTES REQUIRED

(Public Works Committee waived consideration of the above matter)

(Continued from Council meeting of January 30, 2009)

#### **ITEM NO. (38) - ADOPTED**

**Roll Call #17 - Motion (Hahn - Huizar) Adopted, Ayes (14); Absent: Rosendahl (1)  
(Item Nos. 38a-38c)**

[09-0203](#)

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 in the Council motions attached to the various listed Council files, including the waiver of fees, costs and requirements and other related issues, as specified:

[09-0203](#)

CD 13

- a. 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](#)

CD 13

- b. 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](#)

CD 13

- c. 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).

**Roll Call #8 - Motion (Smith - LaBonge) Adopted, Ayes (12); Absent: Parks, Rosendahl and President Garcetti (3)  
(Item Nos. 39-44)**

**ITEM NO. (39) - ADOPTED**

[04-0010-S20](#)

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

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

REAFFIRM Council's findings and REINSTATE the reward offer relative to the death of Sean Williams (Council action of April 20, 2004, Council file No. 04-0010-S20) for an additional period of six months from the publication of the offer of reward by the Office of the City Clerk and, further, that the sum of \$50,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.

**ITEM NO. (40) - ADOPTED**

[08-0010-S9](#)

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

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

REAFFIRM Council's findings and REINSTATE the reward offer relative to the deaths of Veronica and Cynthia Ultreras (Council action of June 28, 1994, Council file No. 94-0010-S17) for an additional period of six months from the publication of the offer of reward by the Office of the City Clerk and, further, that the sum of \$75,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.

**ITEM NO. (41) - ADOPTED**

[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.

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

1. PROVIDE an offer of reward in the amount of \$50,000 for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Melvin Almendares on January 18, 2009.
2. FIND that the subject reward complies with the provisions of Chapter 12, Article 1, Division 19, of the Los Angeles Administrative Code.
3. DIRECT the City Clerk to publish the required notices and/or advertisements to effectuate this reward.

**ITEM NO. (42) - ADOPTED**

[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.

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

1. PROVIDE an offer of reward in the amount of \$75,000 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.
2. FIND that the subject reward complies with the provisions of Chapter 12, Article 1, Division 19, of the Los Angeles Administrative Code.
3. DIRECT the City Clerk to publish the required notices and/or advertisements to effectuate this reward.

**ITEM NO. (43) - ADOPTED**

[09-0205](#)

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

Recommendation for Council action:

AUTHORIZE the Department of General Services to use the Tom Bradley Room on January 22, 2009 during normal business hours.

**ITEM NO. (44) - ADOPTED**

[09-0204](#)

CD 15

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

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

TRANSFER \$53,000 in the Council District 15 Real Property Trust Fund No. 697 to the Council District 15 portion of the Council Fund No. 100/28, Account No. 1010 (Salaries - General) for additional Council office services and support to the community in Council District 15.

**Closed Sessions - Items 45-50**

**ITEM NO. (45) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING**

**Roll Call #18 - Motion (Smith - Huizar) Adopted, Ayes (11); Absent: LaBonge, Parks, Rosendahl and Wesson (4)**

[08-2793](#)

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 B. A. Aguilar, et al. v. City of Los Angeles, et al., United States District Court (USDC) Case No. CV07-04131 AHM (FMOx); Sal Aguilar, et al. v. City of Los Angeles, et al., USDC Case No. CV08-02301 AHM (FMOx); Xiomara Ajuria, et al. v. City of Los Angeles, et al., USDC Case No. CV07-08433 AHM (FMOx); Byron Guidel v. City of Los Angeles, et al., USDC Case No. CV08-01370 AHM (FMOx); P. Lopez, et al. v. City of Los Angeles, et al., USDC Case No. CV07-05555 AHM (FMOx); MEIWON v. City of Los Angeles, et al., USDC Case No. CV-3072 AHM (FMOx); Andrew Newton, et al. v. City of Los Angeles, USDC Case No. CV07-4455 AHM (FMOx); Jose Ponce v. City of Los Angeles, et al., USDC Case No. CV08-02225 AHM (FMOx); Mary Santiago v. City of Los Angeles, et al., USDC Case No. CV07-2966 AHM (FMOx).

(Public Safety Committee waived consideration of the above matter; Budget and Finance Committee will consider the above matter in Closed Session on February 2, 2009.)

**ADOPTED**

**MOTION (SMITH - HUIZAR)**

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



1. AUTHORIZE the City Attorney to expend \$12,850,000, and APPROVE the proposed settlement terms, in settlement of the cases entitled B. A. Aguilar, et al. v. City of Los Angeles, et al., United States District Court (USDC) Case No. CV07-04131 AHM (FMOx); Sal Aguilar, et al. v. City of Los Angeles, et al., USDC Case No. CV08-02301 AHM (FMOx); Xiomara Ajuria, et al. v. City of Los Angeles, et al., USDC Case No. CV07-08433 AHM (FMOx); Byron Guidel v. City of Los Angeles, et al., USDC Case No. CV08-01370 AHM (FMOx); P. Lopez, et al. v. City of Los Angeles, et al., USDC Case No. CV07-05555 AHM (FMOx); MEIWON v. City of Los Angeles, et al., USDC Case No. CV-3072 AHM (FMOx); Andrew Newton, et al. v. City of Los Angeles, USDC Case No. CV07-4455 AHM (FMOx); Jose Ponce v. City of Los Angeles, et al., USDC Case No. CV08-02225 AHM (FMOx); Mary Santiago v. City of Los Angeles, et al., USDC Case No. CV07-2966 AHM (FMOx).
2. AUTHORIZE the issuance and use of Judgment Obligation Bonds to fund this settlement.

This matter was approved by the Budget and Finance Committee (Parks-Greuel-Huizar-Rosendahl-Smith "yes") at its meeting on February 2, 2009, in Closed Session as permitted by Government Code Section 54956.9(a).

**ITEM NO. (46) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING**

**Roll Call #19 - Motion (Smith - Huizar) Adopted, Ayes (11); Absent: LaBonge, Parks, Rosendahl and Wesson (4)**

[08-3085](#)

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 James Smith v. City of Los Angeles, Los Angeles Superior Court Case No. BC365824. (This case arises from plaintiff's resignation as a probationary firefighter from the Los Angeles Fire Department.)

(Budget and Finance Committee will consider the above matter in Closed Session on February 2, 2009.)

**ADOPTED**

**MOTION (SMITH - HUIZAR)**

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

1. AUTHORIZE the City Attorney to expend \$285,000 in settlement of the case entitled James Smith v. City of Los Angeles, Los Angeles Superior Court Case No. BC365824, from the Liability Claims Account No. 9770, Fund 100, Department 59.
2. AUTHORIZE the City Attorney to draw demands thereon as follows:
  - a. \$100,000 payable to Armstrong and Armstrong Client Trust Account upon approval of this settlement.
  - b. \$185,000 payable to Armstrong and Armstrong Client Trust Account payable on July 3, 2009.

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.

This matter was approved by the Budget and Finance Committee (Parks-Greuel-Huizar-Smith-Rosendahl "yes") at its meeting on February 2, 2009, in Closed Session as permitted by Government Code Section 54956.9(a).

**ITEM NO. (47) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING**

**Roll Call #20 - Motion (Smith - Huizar) Adopted, Ayes (11); Absent: LaBonge, Parks, Rosendahl and Wesson (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.)

(Continued from Council meeting of January 28, 2009)

**ADOPTED**

**MOTION (SMITH - HUIZAR)**

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

1. **AUTHORIZE** the City Attorney to expend \$170,000 in settlement of the case entitled Berta Sanabria v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC 367835, from the Liability Claims Account No. 9770, Fund 100, Department 59.
2. **AUTHORIZE** the City Attorney to draw demands thereon payable as follows:
  - a. **\$54,500.00** - payable to Levitt, Leichenger and Aberle Client's Trust account for settlement of minor Rafael Martinez.
  - b. **\$60,000.00** - payable to Levitt, Leichenger and Aberle Client's Trust account for settlement of minor Nelson Martinez.
  - c. **\$25,750.00** - payable to Levitt, Leichenger and Aberle Client's Trust account for settlement of minor Lidia Sanabria.

- d. \$12,000.00 - Levitt, Leichenger and Aberle and Berta Sanabria.
  - e. \$17,750.00 - Levitt, Leichenger and Aberle and Ana Rivera.
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.

This matter was approved by the Budget and Finance Committee (Parks-Huizar-Rosendahl-Smith "yes") at its meeting of January 28, 2009, in Closed Session as permitted by Government Code Section 54956.9(a).

**ITEM NO. (48) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING**

**Roll Call #21 - Motion (Smith - Huizar) Adopted, Ayes (11); Absent: LaBonge, Parks, Rosendahl and Wesson (4)**

[09-0056](#)

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 David A. Medina v. City of Los Angeles, United States District Court Case No. CV06-4926 CBM (Ex). (This case arises out of allegations of police misconduct occurring on March 30, 2003 whose family claims he expired as a result of the actions of the police officers.)

(Budget and Finance Committee will consider the above matter in Closed Session on February 2, 2009.)

**ADOPTED**

**MOTION (SMITH - HUIZAR)**

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

1. **AUTHORIZE** the City Attorney to expend \$450,000 in settlement of the case entitled David A. Medina v. City of Los Angeles, United States District Court Case No. CV06-4926 CBM (Ex), from the City Attorney Liability Claims Accounts.
2. **AUTHORIZE** the City Attorney to draw demands as follows:
  - a. \$100,000 from Liability Claims Account No. 9760, Fund 100, Department 59, payable to the Law Offices of Dale K. Galipo and David A. Medina on or before March 2, 2009.
  - b. \$350,000 from Liability Claims Account No. 9770, Fund 100, Department 59, payable to the Law Offices of Dale K. Galipo and David A. Medina in Fiscal Year 2009-10 on or before July 17, 2009.

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.

This matter was approved by the Budget and Finance Committee (Parks-Greuel-Huizar-Rosendahl-Smith "yes") at its meeting on February 2, 2009, in Closed Session as permitted by Government Code Section 54956.9(a).

**ITEM NO. (49) - CONTINUED TO FEBRUARY 11, 2009**

**Roll Call #16 - Motion (Smith - Huizar) Adopted to Continue, Unanimous Vote (14);  
Absent: Rosendahl (1)**

[09-0057](#)

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 Manhole Adjusting Contractors, Inc. v. City of Los Angeles, Los Angeles Superior Court Case No. BC383389. (This case arises out of a public works construction contract entitled Maintenance Hole Resetting W.O. SZC11264.)

(Budget and Finance Committee will consider the above matter in Closed Session on February 2, 2009.)

**ITEM NO. (50) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING**

**Roll Call #22 - Motion (Smith - Huizar) Adopted, Ayes (11); Absent: LaBonge, Parks, Rosendahl and Wesson (4)**

[09-0058](#)

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 Angela Cruz v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC372482. (This case involves a trip and fall incident which occurred on May 25, 2006.)

(Budget and Finance Committee will consider the above matter in Closed Session on February 2, 2009.)

**ADOPTED**

**MOTION (SMITH - HUIZAR)**

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

1. **AUTHORIZE** the City Attorney to expend \$200,000 in settlement of the case entitled Angela Cruz v. City of Los Angeles, Los Angeles Superior Court Case No. BC372482, from Liability Claims Account No. 9770, Fund 100, Department 59.

2. **AUTHORIZE** the City Attorney to draw a demand thereon in said amount payable to Angela Cruz and the Law Office of Carpenter and Zuckerman.
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.

This matter was approved by the Budget and Finance Committee (Parks-Greuel-Huizar-Rosendahl-Smith "yes") at its meeting on February 2, 2009, in Closed Session, as permitted by Government Code Section 54956.9(a).

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

### 09-0245

MOTION (PERRY - CARDENAS) relative to declaring the funeral services for Culver City Police Officer Curtis Massey on February 6, 2009 a Special Event (fees and costs absorbed by the City = none submitted).

### 09-0246

MOTION (HUIZAR - LABONGE) relative to declaring the Ascot Hills Presentation on February 3, 2009 a Special Event (fees and costs absorbed by the City = \$195).

### 09-0247

MOTION (REYES - PERRY) relative to declaring the Clean Community Celebration and Environmental Services Fair on February 21, 2009 a Special Event (fees and costs absorbed by the City = \$3,000).

### 09-0248

MOTION (REYES - PERRY) relative to declaring the St. Ignatius of Loyola Parish 10th Annual Community Festival on April 10, 2009 a Special Event (fees and costs absorbed by the City = \$3,000).

### 09-0249

MOTION (GARCETTI - PERRY) relative to declaring the LA Magazine/Rhino Entertainment event on February 7, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

### 09-0250

MOTION (GARCETTI - PERRY) relative to declaring the Mayor's Day of Service on February 7, 2009 a Special Event (fees and costs absorbed by the City = \$1,642).

### 09-0251

MOTION (GARCETTI - PERRY) relative to declaring the Belvedere on February 5, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[08-0010-S34](#)

MOTION (GREUEL - PARKS) relative to reinstating the reward offer in the deaths of Kevin Deville and Saul Garcia for an additional six months.

[08-0067-S2](#)

MOTION (HUIZAR - ALARCON) relative to the Latina Lawyers Bar Association special reception.

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

<a href="#">09-0003</a> - Mary Donahue Hoffman	Hahn
Istiharoh "Isti" Glasgow	Huizar
Rose Justh	Greuel
Millard Fuller	Greuel - All Councilmembers
Pastor Glenn Douglass Howell, Sr.	Wesson
James Lee	Wesson

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

**Whereupon the Council did adjourn.**

ATTEST: Karen E. Kalfayan, CITY CLERK

By	
Council Clerk	PRESIDENT OF THE CITY COUNCIL