

Los Angeles City Council, **Journal/Council Proceedings**  
Friday, **February 27, 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: Alarcon, Greuel, Huizar, LaBonge, Parks, Perry, Rosendahl, Wesson, Zine and President Garcetti (10); Absent: Cardenas, Hahn, Reyes, Smith and Weiss (5).**

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
FEBRUARY 24, 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 1-6**

**Roll Call #1 - Motion (LaBonge - Reyes) Adopted, Ayes (12); Absent: Cardenas, Hahn and Weiss (3)  
(Item Nos. 1-6)**

### **ITEM NO. (1) - PUBLIC HEARING CLOSED - ADOPTED**

[08-2882](#)  
CD 4

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST  
CONSIDERATION relative to the improvement and maintenance of the Denny Avenue and  
Chandler Boulevard Lighting District.

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

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

(Public Hearing held February 6, 2009)

**ITEM NO. (2) - PUBLIC HEARING CLOSED - ADOPTED**

[08-2883](#)

CD 5

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Moorpark Street and Ethel Avenue Lighting District.

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

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

(Public Hearing held February 6, 2009)

**ITEM NO. (3) - PUBLIC HEARING CLOSED - ADOPTED**

[08-2886](#)

CD 12

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Roscoe Boulevard and Owensmouth Avenue Lighting District.

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

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

(Public Hearing held February 6, 2009)

**ITEM NO. (4) - PUBLIC HEARING CLOSED - ADOPTED**

[08-2958](#)

CD 13

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Echo Park Avenue and Delta Street Lighting District.

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

1. DENY the protests and confirm the assessments.

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

(Public Hearing held February 6, 2009)

**ITEM NO. (5) - PUBLIC HEARING CLOSED - ADOPTED**

[08-2960](#)

CD 5

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the San Vicente Boulevard and Alden Drive Lighting District.

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

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

(Public Hearing held February 6, 2009)

**ITEM NO. (6) - PUBLIC HEARING CLOSED - ADOPTED**

[08-2961](#)

CD 2

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Victory Boulevard and Wilkinson Avenue Lighting District.

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

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

(Public Hearing held February 6, 2009)

## Items for Which Public Hearings Have Been Held - Items 7-11

### ITEM NO. (7) - ADOPTED

Roll Call #2 - Motion (Reyes - Rosendahl) Adopted, Ayes (12); Absent: Cardenas, Hahn and Weiss (3)  
(Item Nos. 7-11)

#### [05-0894-S3](#)

ORDINANCE SECOND CONSIDERATION amending Section 22.805 of the Los Angeles Administrative Code to implement the Neighborhood Council Review Commission recommendations concerning the appointments to the Board of Neighborhood Commissioners.

(Education and Neighborhoods Committee Report, as Amended and Resolution adopted on February 20, 2009)

### ITEM NO. (8) - ADOPTED

#### [07-0445](#)

AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT relative to Fiscal Year 2007-08 Audited Financial Statements and the debt service compliance report for the Sewer Construction and Maintenance Fund.

Recommendation for Council action:

APPROVE the Controller's report relative to the Fiscal Year 2007-08 Audited Financial Statements and the debt service compliance report for the Sewer Construction and Maintenance Fund.

Fiscal Impact Statement: None submitted by the Controller. 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. (9) - ADOPTED

#### [09-0209](#)

AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT relative to Fiscal Year 2007-08 Audited Financial Statements.

Recommendation for Council action:

APPROVE the Controller's report relative to the Fiscal Year 2007-08 Audited Financial Statements.

Fiscal Impact Statement: None submitted by the Controller. 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. (10) - ADOPTED**

[09-0142](#)

COMMUNICATION FROM THE COMMUNITY REDEVELOPMENT AGENCY (CRA) relative to amending the CRA Fiscal Year 2009 Budget to transfer \$14,583,204 to the Education Revenue Augmentation Fund and deleting \$33,589,937 in projected bond issuance proceeds.

(Housing, Community and Economic Development Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comments will be provided.)

(For background reports and materials related to this matter, contact the Legislative Assistant for the Housing, Community and Economic Development Committee at 213-978-1080.)

**ADOPTED**

**HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT** relative to amending the Community Redevelopment Agency (CRA) Fiscal Year 2008-09 Budget to transfer \$14,583,204 to the Education Revenue Augmentation Fund (ERAF) and deleting \$33,589,937 in projected tax allocation bond proceeds.

**Recommendations for Council action:**

1. **AUTHORIZE** the Chief Executive Officer, CRA, or designee, to:
  - a. **Amend the Fiscal Year 2008-09 CRA Budget and Work Program to transfer \$14,583,204 from various Redevelopment Project Areas (RPAs) to the ERAF.**
  - b. **Pay \$14,583,204 to the ERAF as required by Assembly Bill 1389.**
2. **AMEND** the 2008-09 CRA Budget and Work Program to delete \$33,589,937 in 2008-09 projected bond issuance proceeds for five RPAs and the respective amounts as listed below:

<u>Redevelopment Project Area</u>	<u>Amount</u>
Central Industrial	\$10,267,406
City Center	8,291,431
East Hollywood/Beverly Normandie	6,613,100
Adelante Eastside	5,881,000
Laurel Canyon	<u>2,537,000</u>
<b>Total:</b>	<b>\$33,589,937</b>

3. **INSTRUCT** the Chief Executive Officer, CRA, or designee, to:
  - a. **Report back to the Council in 30 days with an evaluation of the Land Acquisition Fund, provide recommendations on the feasibility of continuing the Fund beyond 2008-09, and include a plan on how it will address the \$5,300,000 funding shortfall.**

- b. Report back to the Council in 45 days on the status of the California Redevelopment Association lawsuit against the State relative to Assembly Bill 1389.

**Fiscal Impact Statement:** The City Administrative Officer and Chief Legislative Analyst report that there is no impact on the General Fund. Approval of the proposed actions will decrease the CRA 2008-09 Amended Budget and Work Program by \$48.2 million, from \$847.7 million to a total revised Budget of \$799.5 million. The proposed changes involve tax increment and other non-General Fund monies. The CRA is only bound by the disclosure provisions of the City Debt Management Policies; the City Financial Policies are not applicable to CRA.

**Community Impact Statement:** None submitted.

## ITEM NO. (11) - ADOPTED

[09-0143](#)

CD 1

COMMUNICATION FROM THE COMMUNITY REDEVELOPMENT AGENCY and RESOLUTION relative to an environmental action and a Loan Agreement for an amount not to exceed \$5.2 million with AMCAL Multi-Housing, Inc., for the Mosaic Affordable Housing Development located at 1521 West Pico Boulevard.

(Housing, Community and Economic Development Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comments will be provided.)

(For background reports and materials related to this matter, contact the Legislative Assistant for the Housing, Community and Economic Development Committee at 213-978-1080.)

## ADOPTED

**HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION** relative to a Loan Agreement (Agreement), in an amount not to exceed \$5.2 million, with AMCAL Multi-Housing, Inc. (Developer), for the Mosaic Affordable Housing Development (Project) located at 1521 West Pico Boulevard.

### Recommendations for Council action:

1. **ADOPT** the accompanying joint Finding of Benefit RESOLUTION (attached to the City Administrative Officer (CAO) report dated February 20, 2009) with the Community Redevelopment Agency (CRA) Board of Commissioners finding that the use of Pico Union Two Redevelopment Project Area (P2RPA) Affordable Housing Trust Funds for the purpose of developing the Project, which is located outside the boundaries of the P2RPA, is of benefit to the P2RPA.

2. **AUTHORIZE** the Chief Executive Officer, CRA, or designee, to execute an Agreement and all ancillary documents with the Developer in an amount not to exceed \$5.2 million for the purpose of developing the Project, and take such other actions as may be necessary to carry out the Agreement, subject to the review of the City Attorney as to form and legality, and the Department of Public Works, Bureau of Contract Administration, for compliance with any applicable CRA contracting requirements.

**Fiscal Impact Statement:** The CAO reports that there is no impact on the General Fund. The City's Financial Policies are not applicable to the CRA. The CRA is only bound by the disclosure provisions of the City's Debt Management Policies. Approval of the recommendations will result in the expenditure of an amount not to exceed \$5.2 million from the Affordable Housing Trust Funds of the CRA's Pico Union One Redevelopment Project Area (P1RPA) and the P2RPA for the development of affordable housing.

**Community Impact Statement:** None submitted.

## **Items for Which Public Hearings Have Not Been Held - Items 12-17**

(10 Votes Required for Consideration)

### **ITEM NO. (12) - ADOPTED**

**Roll Call #4 - Motion (Smith - Huizar) Adopted, Ayes (10); Absent: Cardenas, Greuel, Hahn, Perry and Weiss (5)**

#### 09-0394

et al. MOTIONS relative to "Special Events" to be held in the various Council Districts.

Recommendations for Council action:

DECLARE the following community events as "Special Events"; APPROVE any temporary street closures as requested; and, INSTRUCT the involved City departments to perform such services as detailed the Council motions attached to the various listed Council files, including the waiver of fees, costs and requirements and other related issues, as specified:

#### 09-0394

CD 13

- a. MOTION (GARCETTI - ZINE) relative to declaring the IMP Entertainment Grammy Party on February 8, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

#### 09-0393

CD 13

- b. MOTION (GARCETTI - ZINE) relative to declaring the XBIZ Awards on February 12, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[09-0391](#)

CD 9

- c. MOTION (PERRY - GARCETTI) relative to declaring the Friends Serving Friends - Homeless Feed on February 28, 2009 a Special Event (fees and costs absorbed by the City = \$1,000).

[08-3396-S1](#)

CD 13

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

[07-2676-S2](#)

CD 12

- e. MOTION (SMITH - ROSENDAHL) relative to declaring the 27th Annual Marching Band Field Competition on November 14, 2009 a Special Event (fees and costs absorbed by the City = \$7,725).

[09-0403](#)

CD 12

- f. MOTION (SMITH - ROSENDAHL) relative to declaring the Ninth Annual Granada Hills Street Faire on October 3, 2009 a Special Event (fees and costs absorbed by the City = \$6,068).

[09-0402](#)

CD 11

- g. MOTION (ROSENDAHL - SMITH) relative to declaring the First Annual American Society for the Prevention of Cruelty to Animals Walk on April 25, 2009 a Special Event (fees and costs absorbed by the City = \$3,141).

**Roll Call #3 - Motion (Huizar - Garcetti) Adopted, Ayes (12); Absent: Cardenas, Hahn and Weiss (3)  
(Item Nos. 13-17)**

**ITEM NO. (13) - ADOPTED**

[08-0010-S36](#)

MOTION (HUIZAR - ALARCON) relative to extending the reward offer in the death of Josue Hernandez and Leonardo Ponce, and the brutal rape and death of Sigreta Hernandez for an additional six months.

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

EXTEND Council's findings for the reward offer relative to the death of Josue Hernandez and Leonardo Ponce and the brutal rape and death of Sigreta Hernandez 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. (14) - ADOPTED**

[09-0392](#)

MOTION (GARCETTI - ZINE) relative to the Young Presidents Organization special reception.

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

TRANSFER \$490 from the Reserve Fund to the Unappropriated Balance Fund No. 100/58 and APPROPRIATE therefrom to the General Services Fund No. 100/40, as follows: \$368 to Account No. 1090 (Salaries - Overtime) and \$122 to Account No. 1070 (Salaries - As Needed) for services in connection with the February 19, 2009 Council District 13 special reception for the Young Presidents Organization - said funds to be reimbursed to the General Fund by the Young Presidents Organization.

**ITEM NO. (15) - ADOPTED**

[07-0601-S2](#)

CD 9

MOTION (PERRY - GARCETTI) relative to the Cherry Blossom Festival special event.

Recommendations for Council action:

1. AMEND previous Council action of October 14, 2008 relative to the Cherry Blossom Festival to DIRECT the Los Angeles Department of Transportation to allow Lot No. 753 to be used by the Cherry Blossom Festival from April 3, 2009 at 6:00 p.m. to April 5, 2009.
2. AUTHORIZE the Chief Legislative Analyst, or designee, to make any technical corrections or clarifications as may be necessary to implement the intent of this Motion.

**ITEM NO. (16) - ADOPTED**

[09-0011-S7](#)

CD 12

MOTION (SMITH - ROSENDAHL) relative to graffiti abatement services for Council District 12.

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

1. TRANSFER \$30,000 from the Council District 12 portion of the Street Furniture Revenue Fund No. 43D/50 to the Department of Public Works, Fund 100/74, Account No. 3040 (Contractual Services) to fund additional graffiti abatement service solely for the benefit of Council District 12.
2. AUTHORIZE the Chief Legislative Analyst, or designee, to make any technical corrections or clarifications as may be necessary to implement the intent of this Motion.

**ITEM NO. (17) - ADOPTED**

[09-0401](#)

CD 11

MOTION (ROSENDAHL - SMITH) relative to funding for tree trimming along San Vicente Boulevard.

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

TRANSFER the unallocated and unencumbered balance in the Coral Tree Trimming Trust Fund No. 442 to the General City Purposes Fund No. 100/56, Account No. 0711 (CD 11 Community Services) to provide funding for trimming of the coral trees along San Vicente Boulevard in the Brentwood area in Council District 11.

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

[09-0446](#)

CD 13

MOTION (GARCETTI - ZINE) relative to declaring the Armenian Independence Day Festival on May 31, 2009 a Special Event (fees and costs absorbed by the City = \$10,999).

[07-1532-S1](#)

CD 15

MOTION (LABONGE for HAHN - ALARCON) relative to declaring the Harbor Adult School Graduation on June 16, 2009 a Special Event (fees and costs absorbed by the City = \$1,226).

[09-0449](#)

CD 15

MOTION (LABONGE for HAHN - ALARCON) relative to declaring the 2009 Independence Day celebration at Cabrillo Beach on July 4, 2009 a Special Event (fees and costs absorbed by the City = \$7,880).

[08-1485-S1](#)

CD 15

MOTION (LABONGE for HAHN - ALARCON) relative to declaring the 14th Annual Wilmington Family Picnic on June 13, 2009 a Special Event (fees and costs absorbed by the City = \$1,220).

[09-0450](#)

CD 11

MOTION (ROSENDAHL - SMITH) relative to declaring the Purim Block Party on March 10, 2009 a Special Event (fees and costs absorbed by the City = \$2,651).

[09-0452](#)

CD 13

MOTION (GARCETTI - LABONGE) relative to declaring the X-Men After Party at Avalon on March 2, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[09-0453](#)

CD 13

MOTION (GARCETTI - LABONGE) relative to declaring the Nike Presents: Living with Armstrong on March 7, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[09-0454](#)

CD 13

MOTION (GARCETTI - LABONGE) relative to declaring the Enchantment of Beauty and the Beast on March 3, 5, 10, 12, 17, 19, 24, and March 26, 2009 a Special Event (fees and costs absorbed by the City = \$13,136).

[09-0010-S19](#)

MOTION (PERRY - GARCETTI) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Alan Steve Turcios and Santos Joaquin Turcios on March 1, 2008.

[09-0011-S8](#)

CD 13

MOTION (GARCETTI - ZINE) relative to funding for the Glenfeliz/Dover/Valleybrink Intersection Improvements Project from the Street Furniture Revenue Fund.

[09-0447](#)

MOTION (GARCETTI - GREUEL) relative to funding for services in connection with the Council District 13 special reception for the Jewish Community Relations Committee in the City Hall Tom Bradley Room.

[09-0011-S9](#)

CD 2

MOTION (GREUEL - LABONGE) relative to funding from the Council District Two portion of the Street Furniture Revenue Fund for the re-pavement of Moorpark Avenue between Laurel Canyon and Carpenter.

[09-0011-S10](#)

CD 2

MOTION (GREUEL - LABONGE) relative to funding for graffiti removal in Council District Two from the Street Furniture Revenue Fund.

[09-0448](#)

CD 8

MOTION (PARKS - PERRY) relative to funding from the Pipeline Franchise Revenue portion of the Council District Eight Real Property Trust Fund for sidewalk or curb repair.

[09-0451](#)

CD 1

MOTION (REYES - PERRY) relative to authorizing an extension of the terms of an Exclusive Right to Negotiate (ERN) with McCormack Baron Salazar (MBS) to develop the Avenue 57 Transit Oriented District Project.

[09-0011-S12](#)

CD 14

MOTION (HUIZAR - ALARCON) relative to funding from the Street Furniture Revenue Fund for tree trimming in Council District 14.

[07-2137-S2](#)

CD 13

MOTION (GARCETTI - ZINE) relative to the 2009 Hollywood Holiday Parade.

[07-1764-S1](#)

MOTION (GARCETTI - PERRY) relative to funding to secure services for the El Grito event.

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

[05-0872-S185](#)

RESOLUTION (ZINE - REYES) relative to extending the provisions of the Medical marijuana Interim Control Ordinance No. 179027.

[07-1212-S4](#)

RESOLUTION (ALARCON - WESSON for CARDENAS - HUIZAR) relative to declaring February 28, 2009 Los Angeles Spay Day 2009.

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

[09-0003](#) - David Brian Abrams

(Rosendahl - Garcetti - All Councilmembers)

Edward Flemming

(Wesson)

Nell Soto

(Alarcon - Cardenas - Wesson - Perry)

Joe Garvey

(LaBonge)

Martin Eli Weil

(Garcetti - LaBonge)

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

**Whereupon the Council did adjourn.**

ATTEST: Karen E. Kalfayan, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL