

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
FEBRUARY 27, 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 1-11**

**Roll Call #2 - Motion (Perry - Greuel) Adopted to Continue, Ayes (11); Absent: Hahn, Parks, Rosendahl and Zine (4)  
(Item Nos. 1-6)**

### **ITEM NO. (1) - CONTINUED TO MARCH 24, 2009**

08-3219  
CD 14

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 2916 East New Jersey Street. (Lien: \$17,166.48)

### **ITEM NO. (2) - CONTINUED TO MARCH 24, 2009**

08-3220  
CD 5

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the cost of cleaning of the lot at 4761 North Haskell Avenue. (Lien: \$778.40)

**ITEM NO. (3) - CONTINUED TO MARCH 24, 2009**

08-3221  
CD 9

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading all openings and fencing of the lot at 906 West 50th Street.  
(Lien: \$4,702.15)

**ITEM NO. (4) - CONTINUED TO MARCH 24, 2009**

08-3222  
CD 8

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading all openings and cleaning of the lot at 7603 South Brighton Avenue.  
(Lien: \$3,933.45)

**ITEM NO. (5) - CONTINUED TO MARCH 24, 2009**

08-3223  
CD 15

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 2309 East 112th Street.  
(Lien: \$15,642.20)

**ITEM NO. (6) - CONTINUED TO MARCH 24, 2009**

08-3224  
CD 9

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, and graffiti abatement at 353 East 76th Street.  
(Lien: \$13,953.70)

**Roll Call #3 - Motion (Garcetti - Reyes) Adopted to Grant Application, Ayes (11); Absent: Hahn, Parks, Rosendahl and Zine (4)  
(Item Nos. 7-8)**

**ITEM NO. (7) - MOTION ADOPTED TO GRANT APPLICATION**

09-0225  
CD 3

HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for off-site consumption at Pavilions grocery store.

1. DETERMINE that the issuance of a liquor license at Pavilions grocery store located at 19750 Ventura Boulevard, Tarzana, 91364, 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 19750 Ventura 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: Vons (Gaines & Stacey, LLP, representative)

TIME LIMIT FILE - MARCH 19, 2009

(LAST DAY FOR COUNCIL ACTION - MARCH 11, 2009)

**ITEM NO. (8) - MOTION ADOPTED TO GRANT APPLICATION**

09-0224  
CD 3

HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for off-site consumption at Whole Foods Market.

1. DETERMINE that the issuance of a liquor license at Whole Foods Market located at 18700 Ventura Boulevard, Suite 190, Tarzana, 91356, 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 18700 Ventura Boulevard, Suite 190.
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: Mrs. Gooch's Natural Food Market d.b.a. Whole Foods Market (Gaines & Stacey, LLP, representative)

TIME LIMIT FILE - MARCH 19, 2009

(LAST DAY FOR COUNCIL ACTION - MARCH 11, 2009)

**Roll Call #6 - Motion (LaBonge - Hahn) Adopted, Ayes (15)  
(Item Nos. 9-11)**

**ITEM NO. (9) - ADOPTED**

08-0784  
CD 15

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the 10th Street and Grand Avenue Reballot 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 11, 2009)

**ITEM NO. (10) - ADOPTED**

08-3139  
CD 5

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Wallingford and Benedict Canyon Drives 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 11, 2009)

**ITEM NO. (11) - ADOPTED**

08-3178  
CD 4

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Peach Grove and Cleon Avenue Lighting District.

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

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the assessment cannot be enacted.
2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to 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).
3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

(Public Hearing held February 11, 2009)

## Items for Which Public Hearings Have Been Held - Items 12-37

### ITEM NO. (12) - ADOPTED

#### Roll Call #7 - Motion (Reyes - Rosendahl) Adopted, Ayes (15)

09-0280

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the appointment of Ms. Sophia Chang to the West Los Angeles Area Planning Commission.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Sophia Chang to the West Los Angeles Area Planning Commission for the term ending June 30, 2013, to fill the vacancy created by Sean Burton, who resigned on January 14, 2009 is APPROVED and CONFIRMED. Ms. Chang resides in Council District Five. (Current Commission gender composition: M=1; F=3; vacancy=1)

Ethics Commission Review: Pending

Background Check Review: Complete

Community Impact Statement: None submitted.

TIME LIMIT FILE - MARCH 23, 2009

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

#### Roll Call #6 - Motion (LaBonge - Hahn) Adopted, Ayes (15) (Item Nos. 13-14)

### ITEM NO. (13) - ADOPTED

08-3476

CD 11

NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change at 12461-73 Louise 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 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. 08-3476 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Negative Declaration [ENV 2008-2840 ND] filed on August 15, 2008.
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 R3-1 to [Q]R3-1 on APN 4231017025 known commonly as 12461-12473 Louise Avenue, subject to Conditions of Approval. The addition of a Qualifying [Q] condition shall limit the site to a density of 12 units and limit the building height to 39 feet maximum. The [Q] shall require a variable height, with not more than 35 percent of the building height greater than 38 feet, and not more than 70 percent of the building height greater than 37 feet. Any portion of the building above 38 feet would be set back from the westerly lot line abutting R1 zoned properties at least 18 feet.

Applicant: City of Los Angeles

CPC 2008-2783 ZC

4. ADVISE the applicant of [Q] Qualified classification time limit as described in the Committee report.
5. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
6. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

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 - MARCH 23, 2009

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

#### ITEM NO. (14) - ADOPTED

09-0201  
CD 7

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to a General Plan Amendment and zone change for property at 16325 Silver Oaks Drive.

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. 09-0201 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 2007-3141 MND] filed on August 10, 2007.

2. ADOPT the FINDINGS of the City Planning Commission (CPC) as the Findings of the Council.
3. ADOPT the accompanying RESOLUTION as recommended by the Mayor, the CPC and the Director of Planning APPROVING the proposed General Plan Amendment to the Sylmar Community Plan from the Minimum Residential to Low Medium I Residential and Low Medium I Residential to Minimum Residential for the proposed construction of 81 condominium units (distributed over the balance of development), two-stories, approximately 30 feet in height, with two-car garage parking spaces for each dwelling, and 41 guest parking spaces (203 total residential parking spaces) for property at 16325 Silver Oaks Drive. (The CPC also approved Variance options for this project as follows: Option No. 1 - 5,853 square-feet of golf course clubhouse/restaurant and 12,000 square feet of general commercial with 51 parking spaces provided (110 total parking spaces provided); or Option No. 2 - 5,853 square-feet of golf course clubhouse/restaurant, 4,500 square feet of banquet space facilities and 7,500 square feet of general retail space with a total of 134 parking spaces provided.)

Applicant: Cascades Park Properties, LLC

CPC 2007-3140 GPA ZC ZV MPR

4. PRESENT and ADOPT the accompanying ORDINANCE dated, February 20, 2009, approved by the Director of Planning on behalf of the CPC, effecting a zone change from (T)(Q)A1-1 (Agricultural Zone) to (T)(Q)RD3-1 (Restricted Density Multiple Family Zone) over approximately 15.1 acres of land; (T)(Q)RD3-1 (Restricted Density Multiple Family Zone) to (T)(Q) A1-1 over approximately 2.36 acres of land; and A-1-1 (Agricultural Zone) to (T)(Q)A1-1(Agricultural Zone) over approximately 22.5 acres of land for the construction of 81 condominium units (distributed over the balance of development), two-stories, approximately 30 feet in height, with two-car garage parking spaces for each dwelling, and 41 guest parking spaces (203 total residential parking spaces), and two retail options proposed with the 5,853 square-feet of golf course clubhouse/restaurant with 59 parking spaces provided for property at 16325 Silver Oaks Drive, subject to Conditions of Approval, as modified in Committee, and attached to the Committee report.
5. REMOVE (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report.
6. INSTRUCT the Planning Department to update the General Plan and appropriate maps pursuant to this action.
7. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
8. 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.
9. 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.

10. NOT PRESENT and ORDER FILED Ordinance dated July 24, 2008.

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 13, 2009

(LAST DAY FOR COUNCIL ACTION - APRIL 8, 2009)

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

**Roll Call #8 - Motion (Parks - Huizar) Adopted, Ayes (15)**

08-0600-S42

PERSONNEL and BUDGET AND FINANCE COMMITTEES' REPORTS and ORDINANCE FIRST CONSIDERATION relative to implementation of the Tax Amnesty Program from May 1, 2009 through July 31, 2009.

**ADOPTED**

A. PERSONNEL COMMITTEE REPORT

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

1. PRESENT and ADOPT the accompanying ORDINANCE, dated February 4, 2009, amending Article 1.12 of the Los Angeles Municipal Code - Tax Amnesty Program.
2. APPROVE the Tax Amnesty Program from May 1, 2009 through July 31, 2009.
3. INSTRUCT the City Administrative Officer (CAO) to identify \$189,000 in outreach funding for the Office of Finance in the next Financial Status Report.
4. DIRECT the Office of Finance to deposit all revenues from the Tax Amnesty Program into the General Fund.
5. DIRECT the Office of Finance to report back in September 2009 on the outcome of the Program and to include a breakdown of the amount generated in additional General Fund revenue in 2008-09 and 2009-10 as a result of the Program.
6. RECEIVE and FILE the City Attorney report and draft Ordinance dated January 21, 2009, inasmuch as the draft Ordinance was revised by the City Attorney to clarify eligibility for the Tax Amnesty Program.

**RECEIVED AND FILED**

B. BUDGET AND FINANCE COMMITTEE REPORT

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



1. PRESENT and ADOPT the accompanying ORDINANCE amending Article 1.12 of the Los Angeles Municipal Code - Tax Amnesty Program.
2. APPROVE the Tax Amnesty Program from May 1, 2009 through July 31, 2009.
3. INSTRUCT the City Administrative Officer (CAO) to identify \$305,062 in funding for the amnesty program and include in the Midyear Budget Report.
4. REQUEST the Mayor to proceed with the Charter Section 233 transfer of 14 employees to the Office of Finance for audit and amnesty program implementation.
5. RECEIVE and FILE the City Attorney report and draft Ordinance dated January 21, 2009, inasmuch as the draft Ordinance was revised by the City Attorney to clarify eligibility for the Tax Amnesty Program.

Fiscal Impact Statement: The CAO reports that the Office of Finance has indicated that the Tax Amnesty Program will generate approximately \$10 to \$15 million in additional General Fund revenue, of which \$5 million is anticipated to be collected in 2008-09.

Community Impact Statement: None submitted.

**ITEM NO. (16) - ADOPTED - TO THE MAYOR FORTHWITH - SEE FOLLOWING**

**Roll Call #4 - Motion (Wesson - Reyes) Adopted, Ayes (11); Absent: Hahn, Parks, Rosendahl and Zine (4)**

07-2893-S1

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER relative to proposed debt financing of the Harper Settlement Agreement.

(Budget and Finance 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 Budget and Finance committee at 213-978-1075.)

**ADOPTED**

**COMMUNICATION FROM MEMBERS, BUDGET AND FINANCE COMMITTEE, RESOLUTION and INDENTURE relative to proposed debt financing of the Harper Settlement Agreement.**

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

**ADOPT a RESOLUTION and an INDENTURE that allows the City to seek judicial validation of a future bond issuance that will debt finance the \$20.5 million Harper Settlement Agreement.**

**Fiscal Impact Statement:** The City Administrative Officer (CAO) reports that Council's adoption of a Resolution and an Indenture will not impact the General Fund.

**Debt Impact Statement:** The CAO reports that Council's adoption of a Resolution and an Indenture will not cause the City's annual debt service payments to exceed six percent of General Fund revenues for non-voter approved debt, as established in the City's Financial Policies, Debt Management Section.

**Community Impact Statement:** None submitted.

**ITEM NO. (17) - ADOPTED AS AMENDED - TO THE MAYOR FORTHWITH - SEE FOLLOWING**

**Roll Call #9 - Motion (Alarcon - Zine) Adopted, Ayes (10); Noes: Parks, Perry, Rosendahl and Smith (4); Absent: Hahn (1)**

**Roll Call #10 - Motion (Parks - Greuel) to Adopt as Amended, Ayes (14); Absent: Hahn (1)**

08-0600-S54

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER relative to the Mid-Year Financial Status Report for Fiscal Year 2008-09.

(Budget and Finance 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 Budget and Finance Committee at 213-978-1075.)

**ADOPTED**

**BUDGET AND FINANCE COMMITTEE REPORT** relative to the Mid-Year Financial Status Report for Fiscal Year 2008-09.

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

**1. APPROVE** the recommendations contained in the City Administrative Officer's (CAO) Mid-Year Financial Status Report (attached to the Committee report), dated February 26, 2009, with the following amendments:

**a. AMEND CAO Recommendation No. 3 as follows:**

**APPROPRIATE** funds in the amount of \$13,960,036 from the Unappropriated Balance to the departments and funds as specified in the Revised Attachment 7 (attached to the Committee report).

- b. **REFER** back to the Budget and Finance Committee CAO Recommendation No. 30, relative to a transfer of \$1,500,000 for front funding the initiation of the Light Emitting Diode (LED) Conversion program, and **INSTRUCT** the CAO and Bureau of Street Lighting to report back to the Public Works and Budget and Finance Committees relative to a cost analysis of this program as well as an assessment of the contract between the Department of Water and Power and the Bureau of Street Lighting.
  - c. **AMEND** Recommendation No. 34 to include that upon the sale of the Mangrove property, funds will be restored into the respective Council District accounts.
  - d. **AMEND** Recommendation No. 37 to include that implementation by the Department of Recreation and Parks of the Department's "clustering" proposal be implemented in conjunction with discussions with the Councilmembers of the concerned Council Districts.
  - e. **REVISE** CAO Attachment 13, Hiring Criteria, to reflect that the hiring criteria include consideration of the following:
    - 1) revenue generating positions;
    - 2) grant positions that require front funding and/or matching funds;
    - 3) not approving substitute authority positions;
    - 4) whether or not the City is below its Table of Organization (TO).
2. **APPROVE** the recommendations contained in the CAO's Addendum to the Mid-Year Financial Status Report for Fiscal Year 2008-09, dated March 2, 2009 (attached to the Committee report).
  3. **INSTRUCT** the CAO and the Chief Legislative Analyst (CLA) to identify cash in the Special Parking Revenue Fund in order to increase the transfer to the budget.
  4. **INSTRUCT** the CAO and CLA, during the Fiscal Year 2009-10 budget deliberations, to provide alternatives for the Committee/Council to consider should the state fail to restore Proposition 1B funds and should upcoming ballot measures related to the State's budget not be approved by the electorate.
  5. **INSTRUCT** the CAO to report back to the Committee relative to CAO Recommendation No. 15, transfer of \$45,930 to cover costs associated with the government service buy-back program, inasmuch as this program was presented to the Council as being cost-neutral.
  6. **INSTRUCT** the CAO, with the City Attorney, to report back to the Committee relative to the legality of the transfer of funds from the Systematic Code Enforcement Fee Fund to the Los Angeles Housing Department to offset projected deficits in the Department's Contractual Services and Lease accounts.
  7. **INSTRUCT** the CAO, CLA and the Department of Neighborhood Empowerment to report back to the Committee relative to a clarification of issues related to neighborhood councils' credit card usage; available funds versus demand warrants; how much of the allotment to neighborhood councils has been spent and how much remains unspent.

8. **INSTRUCT** the Los Angeles Police Department to report back to the Committee relative to a \$4 million appropriation from the Unappropriated Balance for reimbursable sworn overtime, shown in CAO Attachment 7, and how much of this reimbursable amount is expected to be received before June 30, 2009.
9. **INSTRUCT** the CAO and CLA to report back to the Committee relative to a full analysis of the Mayor's Gang Reduction Program. The report should address the following issues:
  - a. Of the \$24 million designated for the Gang Reduction Program, how much has been spent and what is the projected time line for spending the remainder of the \$24 million?
  - b. Of the \$24 million, how much has been spent on intervention, prevention, suppression and re-entry programs?
  - c. In the \$7.4 million in savings, how much of this money is General Fund or grants from the Federal and State governments?
10. **INSTRUCT** the CAO and CLA to identify how much money was spent for contractual services to date for prevention and intervention programs by Gang Reduction Zones.
11. **INSTRUCT** the CAO and CLA to report back to the Committee this fiscal year on the impact and total costs associated with the increase/decrease in services at Recreation and Parks facilities within and outside the Gang Reduction Zones.
12. **INSTRUCT** the CAO and CLA, with the Department of Animal Services and the Los Angeles Fire Department, to report back to the Committee relative to the status of Federal Emergency Management Agency (FEMA) reimbursements.
13. **INSTRUCT** the Bureau of Sanitation to report back to the Committee relative to the amount of revenue anticipated from the collection of unpaid extra-capacity container fees, and the amount collected to date.
14. **INSTRUCT** the CAO to report back to the Committee relative to the status of parking lot leases at Venice Beach.
15. **INSTRUCT** the CAO, with the Community Development Department, to report back to the Committee relative to CAO Recommendation No. 7 concerning the LA's Hope Grant Program and the LA's Hope-Ending Chronic Homelessness Fund. The report should describe the Program and provide the current status of the Program.
16. **INSTRUCT** the CAO and CLA, at each Budget and Finance Committee meeting for the remainder of the year, to provide a status report relative to the impacts to the City budget from the State and Federal budget actions.

**Fiscal Impact Statement:** The CAO reports that transfers, appropriations and other adjustments totaling approximately \$62.5 million are recommended in this report to meet current-year obligations. The current Reserve Fund balance is estimated at \$160 million (consisting of \$125 million in the Emergency Reserve Account and \$35 million in the Contingency Reserve Account). In the CAO's Addendum report the CAO reports that approval of those recommendations will reduce the year-end projected deficit identified in the Mid Year Financial Status Report from \$35.29 million to approximately \$33.3 million due to an increase in related cost reimbursements to the General Fund from the Street Damage Restoration Fee Special Fund.

**Community Impact Statement:** None submitted.

**ADOPTED AS AMENDED**

**MOTION (PARKS - SMITH)**

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

- 1. CORRECT Recommendation 1.c.i-iv. to reflect 1.e.1-iv.**
- 2. AMEND Recommendation 1.e. ii to state "No grant positions that require front funding and/or matching funds."**
- 3. AMEND Recommendation 1.e. iii to state "not approving substitute authority positions unless required for accommodation of persons returning to work, or other legally mandated situations."**
- 4. APPROVE the attached revised Hiring Criteria, in lieu of Attachment 13 of the City Administrative Officer's Mid-Year Financial Status Report, incorporating Recommendation 1.e. of the Budget and Finance Committee Report."**

**ADOPTED**

**MOTION (ALARCON - HAHN)**

**Recommendation for Council action:**

**REFER the question of review of the managed hiring process with respect to the Fire Department to the Public Safety, Personnel and Budget and Finance Committees, with the review by the Public Safety Committee to include a study to find funding for the positions in question, said review to be completed by the first week of April.**

**Roll Call #4 - Motion (Wesson - Reyes) Adopted, Ayes (11); Absent: Hahn, Parks, Rosendahl and Zine (4)  
(Item Nos. 18-23)**

**ITEM NO. (18) - ADOPTED**

08-1847-S3  
CD 1

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to addressing financing gaps in the MacArthur Park Metro Apartments Phase A and the Andalucia Heights Projects.

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

1. INSTRUCT the Community Redevelopment Agency (CRA) to transfer CRA funds previously allocated to Andalucia Heights in the total amount of \$2.5 million as follows:
  - a. Decrease funds in the following accounts:
    - 1) Fiscal Year 2009 (FY09) Supportive Housing Work Objective (WL1350; \$500,000).
    - 2) FY09 Response to Housing Opportunities Work Objective (WL1990; \$2 million).
  - b. Increase funds in the MacArthur Park Metro Development – Phase B FY09 Work Objective WL1300.
2. AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD), or designee, to:
  - a. Commit \$5,354,118 in Central City West Fund (Fund 521) to Andalucia Heights.
  - b. Prepare Controller’s instructions and make necessary technical adjustments consistent with the Mayor and Council actions on this matter, subject to the approval of the City Administrative Officer (CAO), and authorize the Controller to implement these instructions.
  - c. Transfer \$2,464,062 from MacArthur Park Metro Phase B to Phase A as follows:
    - 1) Decrease the loan for MacArthur Park Phase B from \$8,753,945 to \$6,289,883.
    - 2) Increase the loan amount for MacArthur Park Phase A from \$7,504,245 to \$9,968,307.
3. AUTHORIZE the Controller to:
  - a. Establish a new account new account within the Central City West Housing Trust No. 521/43, and appropriate funds within this account as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
E511	Andalucia Heights	\$5,354,118
  - b. Expend funds from the above account and funds up to \$5,354,118 upon proper written demand from the General Manager, LAHD, or designee.

4. INSTRUCT the LAHD to report to Council in 30 days relative to all outstanding projects with tax credit or bond allocations that are impacted by the current economic downturn and provide recommendations to address the resulting financing shortfalls.

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

Community Impact Statement: None submitted.

## ITEM NO. (19) - ADOPTED

08-2759  
CD 7

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the proposed formation of a Pacoima Business Improvement District (BID).

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

1. INSTRUCT the Community Redevelopment Agency (CRA) and the Office of the City Clerk to work in coordination with the City Attorney to meet with the Van Nuys Boulevard and San Fernando Road business community in Pacoima and provide the necessary assistance to begin the review process for a Pacoima BID.
2. ALLOCATE up to \$40,000 from the Business Improvement District Trust Fund No. 659 to be used for consulting services, which shall include: to collect, categorize and interpret data; to design and conduct interviews with business and property owners; to develop focus group activities, questionnaires and surveys; to organize meetings and prioritize community needs, to identify and organize key stakeholders; to produce cost estimates for service delivery; to develop alternative assessment district boundaries and formulas; to prepare all required reports and documents; to create a nonprofit service provider, as necessary; and, to generally coordinate the entire process for establishment of the proposed Pacoima BID.
3. AUTHORIZE the CRA, in coordination with the Office of the City Clerk, to allocate and transfer \$24,000 in tax increment funds from the Pacoima/Panorama City Redevelopment Project Area to hire a consultant to gather data, prepare necessary documents, attend meetings, and other activities to determine feasibility, and coordinate the formal adoption process needed to establish the Pacoima BID.
4. INSTRUCT the Office of the City Clerk to:
  - a. Provide the necessary assistance to begin the formation of the Pacoima BID.
  - b. Accept \$24,000 from the CRA for funding the consultant study.

- c. Issue a Request for Proposals (RFP) for the hiring of a consultant and to prepare, execute, and administer a contract between the City and the selected consultant, subject to the approval of the City Attorney as to form and legality, in an amount not to exceed \$64,000 for consultant activities and expenses for the entire process related to the establishment of the proposed Pacoima BID.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

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

**ITEM NO. (20) - ADOPTED**

08-2818

CDs 8, 9, 10, 15

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to the use of up to \$1,401,342 for the Menlo Park Apartments Affordable Housing Project (Project) located at 831 West 70th Street.

Recommendations for Council action:

1. ADOPT the accompanying joint Finding of Benefit RESOLUTION [attached to the City Administrative Officer (CAO) report dated February, 24, 2009] with the Community Redevelopment Agency (CRA) Board of Commissioners, pursuant to California Redevelopment Law Health and Safety Code Section 33334.2, which finds that the use of funds up to the aggregate amount of \$1,401,342 for the purpose of developing the Project, sited at 831 West 70th Street and located outside the boundaries of the five Agency Redevelopment Project Areas (Five Project Areas) listed below, and that the respective maximum amounts from each project area as reflected is of benefit to the Five Project Areas:

<u>Redevelopment Project Area</u>	<u>Amount Not To Exceed</u>
CD9 Corridors South of the Santa Monica Freeway Recovery	\$400,000
Exposition/University Park	98,264
Mid-City Recovery	476,000
Watts	111,527
Western/Slauson Recovery	<u>315,551</u>
Total	\$1,401,342

2. AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD) and the Chief Executive Officer, CRA, or designees, to execute an amendment to CRA Contract No. 502817 to extend the term to expire on June 30, 2009, for the provision of CRA funds allocated to the City's Affordable Housing Trust Fund during Fiscal Year 2008-09, subject to the review of the City Attorney as to form and legality.



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 aggregate amount not to exceed \$1,401,342 from the Five Project Areas for the development of affordable housing.

Community Impact Statement: None submitted.

**ITEM NO. (21) - ADOPTED**

08-3297  
CD 1

CONTINUED CONSIDERATION OF HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a Cooperation Agreement with the Department of City Planning, in an amount not to exceed \$84,286, to develop Community Design Overlay Districts for the Westlake Recovery Redevelopment Area and the Pico Union Redevelopment Project Areas Nos. 1 and 2 (Project Areas).

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency, or designee, to negotiate and enter into a Cooperation Agreement with the Department of City Planning, in an amount not to exceed \$84,286, to develop Community Design Overlay Districts for the Project Areas, subject to the review of the City Attorney as to form and legality.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no impact to the General Fund as a result of this action. The funding sources are Westlake General Revenue, Pico Union 1 Tax Increment, and Pico Union 2 Bond proceeds.

Community Impact Statement: None submitted.

(Continued from Council meeting of February 25, 2009)

**ITEM NO. (22) - ADOPTED**

08-3463  
CD 4

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to an Owner Participation Agreement (OPA) with 11055 Cumpston, LLC (Developer), for the construction of 25 residential rental units (Project) at 11055 Cumpston Street.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency, or designee, to execute an OPA with the Developer for the construction of the Project located at 11055 Cumpston Street, subject to the review of the City Attorney as to form and legality.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no impact to the General Fund as a result of this action.

Community Impact Statement: None submitted.

**ITEM NO. (23) - ADOPTED - TO THE MAYOR FORTHWITH**

09-0123  
CD 9

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to the issuance of up to \$5.7 million in tax-exempt Multi-Family Housing Revenue Bonds (Bonds) for the 36th Street and Broadway Apartments Project (Project).

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

1. ADOPT the accompanying RESOLUTION [attached to the Los Angeles Housing Department (LAHD) report dated January 5, 2009] authorizing the issuance of up to \$5.7 million in Series 2009A Bonds for the Project located at 157 East 36th Street and 4775 South Broadway.
2. APPROVE:
  - a. The related Bond documents on this matter in substantial conformance with the draft documents provided in the LAHD report dated January 5, 2009, subject to the review of the City Attorney as to form and legality.
  - b. The Project's retention of \$708,772 out the \$713,200 bridge loan from the Affordable Housing Trust Fund to help close the financing gap created by the reduction in tax credit pricing.
  - c. A six month extension of the Project's LAHD commitment letters (from March 19, 2009 to September 30, 2009) to allow additional time for loan closing.
3. AUTHORIZE the General Manager, LAHD, or designee, to negotiate and execute the relevant Bond documents, subject to the review of the City Attorney as to form and legality.

Fiscal Impact Statement: The CAO reports that there is no impact to the General Fund. Funding authority for the Bonds is provided from the California Debt Limit Allocation Committee. No City funds are being requested at this time. The Borrower will pay all Bond issuance costs. Approval of the recommendations will enable the developers of the Project to secure funding from Bonds to provide 27 units of affordable housing for transition-aged youth. The City's Debt Management Policy is not applicable as there are no City funds being used to issue the Bonds.

Community Impact Statement: None submitted.

**ITEM NO. (24) - CONTINUED TO MARCH 10, 2009**

**Roll Call #16 - Motion (Alarcon - Cardenas) Adopted to Continue, Ayes (14); Absent: Hahn (1)**

09-0148

CONTINUED CONSIDERATION OF HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to extending for two years the contracts for outside legal counsel for the Los Angeles Housing Department (LAHD).

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

1. AUTHORIZE the City Attorney Housing Division (CAHD) to extend outside legal counsel contracts for an additional two years with the following law firms:
  - a. Best, Best, & Krieger (Contract No. 109391).
  - b. Robie & Matthai (Contract No. 109667).
  - c. Robinson & Pearman, LLP (Contract No. 109244).
  - d. Kutack Rock, LLP (Contract No. 109393).
  - e. Hawkins, Delafield, & Wood, LLP (Contract No. 109625).
2. AUTHORIZE the Controller to:
  - a. Establish a new appropriation account within Fund No. 41 M, Code Enforcement Trust Fund, and Fund 440, Rent Stabilization Trust Fund, Department 43, as follows:

<u>Account</u>	<u>Title</u>
E227	Outside Legal Counsel

- b. Transfer appropriations within Funds No. 41M, Code Enforcement Trust Fund, and Fund 440, Rent Stabilization Trust Fund, Department 43, on an as-needed basis for a total of up to \$500,000, as follows:

From:	<u>Fund/Dept.</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
	41M/43	V143	Housing	\$250,000
	440/43	W143	Housing	\$250,000
To:	<u>Fund/Dept.</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
	41M	E227	Outside Legal Counsel	\$250,000
	440/43	E227	Outside Legal Counsel	\$250,000

- c. Expend funds not to exceed \$500,000 from the above funds and accounts upon proper written demand of the General Manager, LAHD, or designee, on an as-needed basis.

3. AUTHORIZE the General Manager, LAHD, or designee, to prepare Controller instructions and make any necessary technical adjustments consistent with the Mayor and Council action in this matter, subject to the approval of the City Administrative Officer (CAO), and AUTHORIZE the Controller to implement these instructions.

Fiscal Impact Statement: The CAO reports that there is no additional cost to the General Fund as a result of these recommendations. The total estimated expenditure for CAHD outside legal counsel or an additional two years (2009-11) will be up to \$550,000. Of this amount, \$500,000 will be provided by currently available funds in the Code Enforcement and Rent Stabilization Trust Funds. The recommendations in this report are in compliance with the City's Financial Policies in that Special Revenue Funds are supported by special levies and fees, grants, or intergovernmental revenues. Expenditures in these funds are strictly limited to the mandates of the funding source.

Community Impact Statement: None submitted.

(Continued from Council meeting of February 25, 2009)

#### **ITEM NO. (25) - ADOPTED**

#### **Roll Call #4 - Motion (Wesson - Reyes) Adopted, Ayes (11); Absent: Hahn, Parks, Rosendahl and Zine (4)**

09-0198  
CD 10

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to executing a \$18.2 million City Loan Agreement (City Loan) with RAD Ventures, LLC (Borrower), to provide acquisition funding assistance in the development of the Office Building Project (Project) located at 5860 West Jefferson Boulevard, and related actions.

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

1. FIND, pursuant to an eligibility review conducted by Community Development Department (CDD), that the Project meets a National Objective and Public Benefit compliance of the Housing and Community Development Act and is necessary and appropriate to accomplish the City's economic development objectives.
2. APPROVE the City loan with Section 108 Loan proceeds in an amount up to \$18,208,519 for the Project, subject to environmental assessment of the proposed Project and satisfactory compliance with the California Environmental Quality Act and the National Environmental Policy Act.
3. AUTHORIZE the General Manager, CDD, or designee, to:
  - a. Negotiate and execute a Promissory Note in favor of the U. S. Department of Housing and Urban Development (HUD), related documents, and amendments to these documents, to borrow an amount up to \$18,208,519 pursuant to the Section 108 Loan Guarantee Program for a City Loan toward the Project, subject to the review of the City Attorney as to form and legality.

- b. Negotiate and execute a City Loan Agreement financed with Section 108 Loan proceeds in an amount up to \$18,208,519 for the Project and all related documents between the City and Borrower, which will obligate the Borrower to repay the City Loan on the condition that all private and other funding for the Project have been secured by the Borrower prior to release of the funds for the Project, subject to the review of the City Attorney as to form and legality, and compliance with the City's contracting requirements.
  - c. Negotiate and execute agreements that will subordinate the City Loan to construction or permanent senior loans acquired by the Borrower for the Project, subject to the review of the City Attorney as to form and legality.
  - d. Prepare Controller instructions for any technical adjustments that are necessary and consistent with the Mayor and Council action on this matter, subject to the approval of the City Administrative officer (CAO), and authorize the Controller to implement those instructions.
4. AUTHORIZE the Controller to establish a new account, E305 within the Section 108 Fund 43F, titled 5860 West Jefferson and appropriate and expend funds in an amount up to \$18,208,519 upon proper demand of the General manager, CDD, or designee.

Fiscal Impact Statement: The CAO reports that there is no General Fund impact. The City's total investment in the Project is approximately \$18.2 million from the proceeds of a Section 108 Loan Guarantee. The City Loan will generate program income for the Community Development Block Grant (CDBG) through a front-end fee of \$273,000 when the City Loan is disbursed and proceeds from a 1.5 percent spread over the loan amount through loan maturity. Collateral and debt service obligations on the City loan, as funded by Section 108 loan are the sole responsibility of the borrower and are secured by City liens on the project to prevent any impact on City grant resources. Section 108 proceeds are ultimately guaranteed with future CDBG allocations to the City from HUD.

Community Impact Statement: None submitted.

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

**Roll Call #11 - Motion (Garcetti - Wesson) Adopted, Ayes (14); Absent: Hahn (1)**

09-0319

MOTION (GARCETTI - ALARCON - PERRY) relative to regulation of individuals or entities that offer foreclosure consulting or mortgage modification services prior to a Notice of Default.

(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 the regulation of individuals or entities that offer foreclosure consulting or mortgage modification services prior to a Notice of Default (NOD).

**Recommendation for Council action, pursuant to Motion (Garcetti - Alarcon - Perry):**

**REQUEST** the City Attorney to prepare and present an Ordinance to regulate individuals or entities that offer foreclosure consulting or mortgage modification services prior to an NOD, which would:

- a. **Prohibit providers of these services from charging a fee in advance of service.**
- b. **Require a written contract describing services to be provided prior to initiation of services.**
- c. **Provide a private cause of action for treble damages, attorneys' fees, and costs.**
- d. **Require that any contract entered into for these services include in bold 14-point type the notice requirements similar to those contained in Civil Section 29.45 et seq.**

**Fiscal Impact Statement:** Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

**Community Impact Statement:** None submitted.

**Roll Call #4 - Motion (Wesson - Reyes) Adopted, Ayes (11); Absent: Hahn, Parks, Rosendahl and Zine (4) (Item Nos. 27-29)**

**ITEM NO. (27) - ADOPTED**

09-0322  
CD 9

**HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT** relative to converting a Capacity Building Loan of \$75,000 given to the Little Tokyo Service Center (LTSC) into a grant.

**Recommendations for Council action, pursuant to Motion (Perry - Garcetti):**

1. **CONVERT** the Capacity Building Loan provided to the LTSC in 1994, in the amount of \$75,000, into a grant, subject to the review of the City Attorney as to form and legality.
2. **INSTRUCT** the Community Development Department to make the necessary changes to convert the \$75,000 Capacity Building Loan provided to the LTSC into a grant and report back to the Housing, Community and Economic Development Committee accordingly.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

**ITEM NO. (28) - ADOPTED**

09-0282

CONTINUED CONSIDERATION OF INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to enforcement of the City's Sweat-Free Procurement Ordinance (Ordinance No. 176291).

Recommendations for Council action:

1. NOTE and FILE the February 5, 2009 Department of General Services (GSD) report relative to enforcement of the City's Sweat-Free Procurement Ordinance (Ordinance No. 176291).
2. INSTRUCT the GSD to report back to the Information Technology and General Services Committee within 60 days in regard the elimination of Rocky Brands from the Galls contract (Contract No. C-57889; Council file No. 07-2575) to include an account of the circumstances leading to the City's action to eliminate Rocky Brands as a subcontractor.
3. INSTRUCT the GSD to report back to the Information Technology and General Services Committee within 60 days in regard to disseminating information to the public in connection with the City's enforcement of the Sweat-Free Ordinance on a real-time basis.
4. INSTRUCT the GSD to report back to the Information Technology and General Services Committee prior to releasing a future Request for Proposals for an independent monitoring organization in connection with the Sweat-Free Ordinance.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

(Continued from Council Meeting of February 24, 2009)

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

09-0259

PERSONNEL COMMITTEE REPORT relative to the renewal of the City's current life and disability insurance contracts with Prudential Insurance Company of America (Prudential) and Standard Insurance Company (Standard).

Recommendation for Council action:

AUTHORIZE the General Manager, Personnel Department, to renew the City's current life and disability insurance contracts with Prudential and Standard for two additional one-year periods through December 31, 2010.

Fiscal Impact Statement: The Personnel Department reports that the City's contribution to the life insurance contract is approximately \$420,000 per year. There is no specific contract maximum or exact cost as the contract is based on the number of employees covered. The remaining monies paid to the life insurance carrier are payroll deducted from employees who choose to purchase supplemental and/or dependent life insurance coverage. The premium rates will remain unchanged. The City's contribution to the disability insurance contract is approximately \$6.2 million. As with life insurance, there is no specific contract maximum or exact cost as the contract is based on the number of employees covered. The remaining monies paid to the disability insurance carrier are payroll deducted from employees who choose to purchase supplemental disability insurance coverage. The premium rates will remain unchanged.

Community Impact Statement: None submitted.

#### **ITEM NO. (30) - ADOPTED**

#### **Roll Call #17 - Motion (Alarcon - Reyes) Adopted, Ayes (14); Absent: Hahn (1)**

08-3240  
CD 7

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an appeal of Tentative Tract Map No. 69481 for property at 14675 Nordhoff Street.

Recommendations for Council action:

1. ADOPT the FINDINGS of the Advisory Agency, as the Findings of the Council.
2. RESOLVE TO DENY APPEAL filed by Howard Bruce Hanes, Jr., and Sharon Sue Hanes (Applicants), David P. Waite, Esq., Jeffer Mangels Butler & Marmaro LLP (Representatives) from the entire decision of the Advisory Agency in disapproving Tentative Tract No. 69481 for a one-lot subdivision to convert an existing 30-unit apartment building with 60 parking spaces into a 30-unit condominium building with 60 parking spaces for property at 14675 Nordhoff Street. (On November 6, 2008, the North Valley Area Planning Commission failed to reach a consensus which resulted in the automatic reaffirmation of the Advisory Agency's decision to disapprove the project.)

TT 69481-CC-1A

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - MARCH 4, 2009

(LAST DAY FOR COUNCIL ACTION - MARCH 4, 2009)



**ITEM NO. (31) - CONTINUED TO MARCH 6, 2009**

**Roll Call #18 - Motion (Reyes - Huizar) Adopted to Continue, Ayes (15)**

09-0186  
CD 15

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the initiation of a specific plan for the proposed Jordan Downs public housing redevelopment plan.

Recommendation for Council action, pursuant to Motion (Hahn - Greuel), as amended:

INSTRUCT the Department of City Planning to initiate a specific plan, in cooperation with Housing Authority of the City of Los Angeles, Community Redevelopment Agency of the City of Los Angeles, Community Development Department, Department of Transportation, the Department of Public Works, and any additional necessary departments, for the Jordan Downs public housing redevelopment plan which will address appropriate land uses, development standards, design and community amenities.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

**Roll Call #4 - Motion (Wesson - Reyes) Adopted, Ayes (11); Absent: Hahn, Parks, Rosendahl and Zine (4)  
(Item Nos. 32-34)**

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

09-0219  
CD 13

CONTINUED CONSIDERATION OF CATEGORICAL EXEMPTION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the proposed Interim Control Ordinance imposing temporary regulations in a portion of the Silver Lake - Echo Park - Elysian Valley Community Plan Area within the proposed Echo Park Community Design Overlay study area.

Recommendations for Council action:

1. FIND that this action is generally exempt from California Environmental Quality Act (CEQA) pursuant to Article II, Section 1(8) of the City's Guidelines.
2. ADOPT the FINDINGS of the City Planning Commission (CPC) as the Findings of the Council.
3. REQUEST the City Attorney to prepare and present an Interim Control Ordinance imposing temporary regulations on the issuance of building and demolition permits which affect the addition, alteration, construction, demolition, reconstruction, rehabilitation, relocation, removal or restoration of the exterior of any building, structure, landscaping, natural feature or lot, within the proposed Echo Park Community Design Overlay study area, generally bounded on the north by Sunset Boulevard, on the east by Echo Park Avenue, on the south by the 101 Freeway and on the west by Bonnie Brae Street within the Echo Park study area.

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.

(Continued from Council meeting of February 20, 2009)

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

09-0260  
CD 2

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the inclusion of the Verdugo Hills of Peace Pioneer Cemetery located at 7000 Parsons Trail 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 Verdugo Hills of Peace Pioneer Cemetery located at 7000 Parsons Trail in the list of Historic-Cultural Monuments.

Applicant: Verdugo Hills Preservation Society, Mary Lou Pozzo  
and Kathleen Travers  
Owner: Hills of Peace

CHC 2008-4385 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 - MARCH 18, 2009

(LAST DAY FOR COUNCIL ACTION - MARCH 11, 2009)

**ITEM NO. (34) - ADOPTED**

07-3886

ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE AND TOURISM COMMITTEE REPORT relative to a change order to Contract No. DA-4141 with Clark/McCarthy, a Joint Venture, to add construction of modifications and enhancements to the project entitled Tom Bradley International Terminal Interior Improvements and Baggage Screening Facilities (Project) at Los Angeles International Airport, and to add \$27.9 million to the contract cost.

Recommendations for Council action:

1. FIND that this action is exempt from the requirements of the California Environmental Quality Act (CEQA) as provided by Article II, Section 2 (i) of the Los Angeles City CEQA Guidelines.
2. APPROVE the proposed change order to Contract No. DA-4141 with Clark/McCarthy, a Joint Venture, for construction of various project modifications and enhancements.
3. CONCUR with the Board of Airport Commissioners (BOAC) action on January 12, 2009 authorizing the Executive Director, LAWA, to execute the change order to Contract No. DA-4141 with Clark/McCarthy, a Joint Venture.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. Approval of the proposed change order will increase the contract cost by an amount not to exceed \$27.9 million for a total revised contract of approximately \$566.1 million. Since the LAWA is only bound by City debt management policies, City financial policies are not applicable.

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 9, 2009

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

#### **ITEM NO. (35) - ADOPTED**

#### **Roll Call #13 - Motion (Rosendahl - LaBonge) Adopted, Ayes (14); Absent: Hahn (1)**

09-0309

TRADE, COMMERCE AND TOURISM COMMITTEE REPORT relative to approval of the Crossfield Taxiway Project (Project) at the Los Angeles International Airport (LAX), including the Final Environmental Impact Report (FEIR) for the Project, the Los Angeles World Airports Executive Director's recommendation for approval of LAX Plan Compliance, and related actions.

Recommendations for Council action:

1. FIND that the Project complies with the LAX Plan, any design guidelines required by the LAX Plan, and all applicable provisions of the LAX Specific Plan, as fully set forth in the Executive Director's Report (EDR) dated February 11, 2009 (attached to the Council file).
2. FIND that the Project has been adequately analyzed in compliance with California Environmental Quality Act (CEQA), and the applicable LAX Master Plan commitments and mitigation measures contained in the LAX Master Plan Mitigation Monitoring and Reporting Program (MMRP) or identified in any subsequent environmental review have been incorporated into the Project to the extent feasible, as fully set forth in the EDR.
3. AFFIRM the Board of Airport Commissioners' certification of the FEIR.
4. ADOPT the Statement of Overriding Considerations, CEQA findings, Project's MMRP, EDR.
5. APPROVE the Project and the LAX Plan Compliance as recommended in the EDR, including adoption of the required findings and imposition of all recommended conditions.

6. CONCUR with the Board of Airport Commissioners action of February 9, 2009, Resolution No. 23707, in its approval of the Project.

Fiscal Impact Statement: The Executive Director, Los Angeles World Airports' (LAWA) reports that approval of this item is an administrative action and has no fiscal impact on the LAWA Operating or Capital Budget.

Community Impact Statement: None submitted.

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

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

09-0327

ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE AND TOURISM COMMITTEE REPORT relative to amending Los Angeles World Airports (LAWA) contract with DMJM Aviation, Inc. (DMJM) for program management of the Capital Improvement Program at Los Angeles International Airport (LAX) to extend the term by five years, to expire on March 20, 2014, and to increase the total contract value by \$75,000,000 for a total contract amount of \$100,000,000.

Recommendations for Council action:

1. FIND that this action is exempt from the requirements of the California Environmental Quality Act (CEQA) as provided by Article II, Section 2 (f) of the Los Angeles City CEQA Guidelines.
2. APPROVE First Amendment to Contract No. DA-4260 with DMJM, to extend the term by another five years and to increase the total contract value to \$100,000,000.
3. CONCUR with the Board of Airport Commissioners (BOAC) action on February 9, 2009 authorizing the Executive Director, LAWA, to execute First Amendment to the contract with DMJM.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. Funding for the second year of the agreement will be \$25 million and the remaining \$50 million for subsequent years will be subject to budgetary approval by the BOAC.

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 13, 2009

(LAST DAY FOR COUNCIL ACTION - APRIL 8, 2009)

**ITEM NO. (37) - ADOPTED**

**Roll Call #4 - Motion (Wesson - Reyes) Adopted, Ayes (11); Absent: Hahn, Parks, Rosendahl and Zine (4)**

08-3244

ARTS, PARKS, HEALTH AND AGING and HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEES' REPORT relative to approval of the release of the Adult Day Program Request for Proposal.

Recommendations for Council action:

1. APPROVE the Request for Proposal (RFP) documents for the Adult Day Program and the RFP process identified and included in the Los Angeles Department of Aging's (LADOA) report dated November 20, 2008, attached to the Council file.
2. AUTHORIZE the General Manager, LADOA, or designee, to release the above referenced RFP in accordance with the above process.

Fiscal Impact Statement: The LADOA reports that the Adult Day Support Center program is funded with Community Development Block Grant dollars and Older Americans Act Family Caregiver (Title III-E) funds. City General Funds totaling \$890,686 will be allocated to the project.

Community Impact Statement: None submitted.

**Items for Which Public Hearings Have Not Been Held - Items 38-43**

(10 Votes Required for Consideration)

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

**Roll Call #5 - Motion (Cardenas - Wesson) Adopted, Ayes (11); Absent: Hahn, Parks, Rosendahl and Zine (4)**

09-0005-S125

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 February 25, 2009:

09-0005-S125

CD 14

- a. Property at 2201 East Sheridan Street (Case No. 181581).  
Assessor I.D. No. 5175-018-017

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 9, 2008)

09-0005-S126  
CD 10

- b. Property at 2525 South Hauser Avenue (Case No. 157460).  
Assessor I.D. No. 5048-001-031

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 6, 2008)

09-0005-S127  
CD 9

- c. Property at 308 East 74th Street (Case No. 52046).  
Assessor I.D. No. 6022-019-012

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 7, 2007)

09-0005-S128  
CD 10

- d. Property at 817 South Catalina Street (Case No. 91258).  
Assessor I.D. No. 5094-015-004

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 22, 2007)

09-0005-S129  
CD 10

- e. Property at 823 South Catalina (Case No. 77000).  
Assessor I.D. No. 5094-015-005

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 30, 2006)

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

**Roll Call #19 - Motion (Cardenas - Wesson) Adopted, Ayes (14); Absent: Hahn (1)**

08-0615-S2

CONTINUED CONSIDERATION OF 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 a financial analysis of this report.

Community Impact Statement: None submitted.

(Continued from Council meeting of February 25, 2009)

#### **ITEM NO. (40) - CONTINUED TO MARCH 6, 2009**

**Roll Call #1 - Motion (Garcetti - Alarcon) Adopted to Continue, Ayes (11); Absent: Hahn, Parks, Rosendahl and Zine (4)**

09-0002-S12

CONSIDERATION OF RESOLUTION (GARCETTI - ALARCON - PERRY) relative to the City's position on SB 94 (Calderon), which would require foreclosure consultants to specify the total costs of their services prior to providing any service.

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

ADOPT the accompanying RESOLUTION to include in the City's 2009-10 State Legislative Program SUPPORT of SB 94 (Calderon), which would require foreclosure consultants to specify the total costs of their services prior to providing any service, and prohibit the collection of a fee in advance for foreclosure-prevention services.

Community Impact Statement: None submitted.

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

**ITEM NO. (41) - SUBSTITUTE MOTION ADOPTED IN LIEU OF ORIGINAL MOTION**

**Roll Call #20 - Motion (Huizar - Greuel) Adopted, Ayes (14); Absent: Hahn (1)**

09-0002-S25

CONSIDERATION OF RESOLUTION (HUIZAR - GARCETTI) relative to the City's position on amending the California Constitution to require that all new initiatives be reviewed by the California Supreme Court prior to being placed on a ballot.

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

ADOPT the accompanying RESOLUTION to include in the City's 2009-10 State Legislative Program SUPPORT for any legislation which would place a referendum on the 2010 California ballot to amend the California Constitution to require that all new initiatives be reviewed by the California Supreme Court prior to being placed on a ballot to determine if they are constitutional and, for those that would change the State Constitution, whether they constitute a simple amendment or a revision, which must instead be placed on the ballot by the Legislature.

Community Impact Statement: None submitted.

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

**ADOPTED**

**SUBSTITUTE MOTION (HUIZAR - ROSENDAHL - HAHN)**

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

**ADOPT the accompanying RESOLUTION to include in the City's 2009-10 State Legislation Program SUPPORT for any legislation which would place a referendum on the 2010 California ballot to amend the California Constitution to require that all new initiatives be reviewed by the California Supreme Court prior to being placed on a ballot to determine if they are constitutional and, for those that would change the State Constitution, whether they constitute a simple amendment or a revision, which must instead be placed on the ballot by the Legislature.**

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

**Roll Call #5 - Motion (Cardenas - Zine) Adopted, Ayes (11); Absent: Hahn, Parks, Rosendahl and Zine (4)  
(Item Nos. 42a-43)**

09-0441

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:

09-0441  
CD 14

- a. MOTION (HUIZAR - LABONGE) relative to declaring the Monthly Bulky Item Pick-up Program in City Parking Lot No. 668 from February 28, 2009 to February 27, 2010, on the fourth Saturday of every month, a Special Event (fees and costs absorbed by the City = \$1,890).

08-0694-S1  
CD 4

- b. MOTION (LABONGE - GARCETTI) relative to declaring the 18th Annual Los Feliz Village Street Fair on June 14, 2009 a Special Event (fees and costs absorbed by the City = \$6,131).

09-0439  
CD 7

- c. MOTION (ALARCON - HUIZAR) relative to declaring the HOPE for Tomorrow Star Gala on April 23, 2009 a Special Event (fees and costs absorbed by the City = \$877).

09-0438  
CD 14

- d. MOTION (HUIZAR - ROSENDAHL) relative to declaring the Eve of Justice: Lighting the way for the Supreme Court on March 4, 2009 a Special Event (fees and costs absorbed by the City = \$1,101.70).

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

09-0440

MOTION (PERRY - PARKS) relative to a meeting for the Chicano Employees Association.

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

APPROPRIATE \$866 from the Reserve Fund to the Unappropriated Balance Fund No. 100/58 to the General Services Fund No. 100/40 as follows: \$567 to Account No. 1090 (Salaries - Overtime), \$56 to Account No. 1090C (Salaries - Overtime) and \$243 to Account No. 1070 (Salaries - As Needed) for services in connection with the Council District Nine meeting for the Chicano Employees Association - said funds to be reimbursed to the General Fund by the Chicano Employees Association.

### **Items Called Special**

### **Motions for Posting and Referral**

### **Councilmembers' Requests for Excuse from Attendance at Council Meetings**

## Closed Session - Item 44

### ITEM NO. (44) - ACTION TAKEN IN OPEN SESSION

Roll Call #15 - Motion (Parks - Wesson) Adopted, Ayes (14); Absent: Hahn (1)

09-0208

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(b), to confer with its legal counsel relative to settlement in the case entitled Mercury Casualty Company as Subrogee of Rodeo Partnership v. City of Los Angeles, Los Angeles Superior Court Case No. BC 380522 (concerning 5939 Rodeo Road in Council District 10).

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

### ADOPTED

#### MOTION (PARKS - WESSON)

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

1. APPROVE the recommended settlement of \$650,000 in the case entitled Mercury Casualty Company as Subrogee of Rodeo Partnership v. City of Los Angeles, Los Angeles Superior Court Case No. BC 380522 (5939 Rodeo Road, Council District 10).
2. AUTHORIZE the City Attorney to execute a settlement agreement and all other documents necessary to implement the settlement.
3. AUTHORIZE the Chief Accounting Officer of the Department of Public Works to draw the necessary demand in the amount of \$650,000 payable to Mercury Insurance Group and the Law Offices of Robert A. Stutman from the Sewer Operations and Maintenance Fund 760, Account E282, Object 656 Liability Claims.

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

08-0414-S1

CD 9

MOTION (PERRY - REYES) relative to declaring the Way of the Cross on April 10, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs).

09-0479

CD 9

MOTION (PERRY - ROSENDAHL) relative to declaring the Eighth Annual Festival of St. Patrick on March 27-29, 2009 a Special Event (fees and costs absorbed by the City = \$600).

07-0606-S1  
CD 9

MOTION (PERRY - ROSENDAHL) relative to declaring the Easter Celebration on April 11, 2009 a Special Event (fees and costs absorbed by the City = \$1,660).

07-0517-S1  
CD 5

MOTION (WEISS - GARCETTI) relative to declaring the Temple B'nai Hayim's Annual Purim Carnival on March 8, 2009 a Special Event (fees and costs absorbed by the City = \$312).

09-0481  
CD 8

MOTION (PARKS - PERRY) relative to declaring the funeral activities for LAPD, Deputy Chief, Kenneth Otto Garner on March 9, 2009 a Special Event (fees and costs absorbed by the City = \$10,000).

09-0483  
CD 2

MOTION (ROSENDAHL - GREUEL) relative to initiating alley vacation proceedings to vacate Laurel Grove Avenue from Gault Street to approximately 140 feet southerly thereof.

09-0484  
CD 14

MOTION (ROSENDAHL - HUIZAR) relative to initiating street vacation proceedings to vacate Lyon Street northerly of Cesar E. Chavez Avenue and easterly of Vignes Street.

08-0564-S1

MOTION (PERRY - REYES) relative to the 48th Assembly District's Women's History Month Celebration.

09-0410-S1

MOTION and RESOLUTION (GREUEL - CARDENAS) relative to an amendment to the Earthquake Disaster Assistance Plan for the Laurel Canyon Commercial Corridor.

**Councilmember LaBonge moved, seconded by Councilmember Smith, that the Council meeting adjourn.**

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

**Whereupon the Council did adjourn.**

ATTEST: Karen E. Kalfayan, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL