

Los Angeles City Council, **Journal/Council Proceedings**
Friday, **April 17, 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, Hahn, Huizar, LaBonge, Perry, Reyes, Rosendahl, Smith, Wesson, Zine and President Garcetti (12); Absent: Cardenas, Parks and Weiss (3).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
APRIL 14, 2009

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 9

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

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

Item for Which Public Hearing Has Been Held - Item 1

ITEM NO. (1) - PUBLIC HEARING CLOSED - ADOPTED, AS AMENDED - SEE FOLLOWING - FORTHWITH

**Roll Call #2 - Motion (Perry - LaBonge) to Adopt as Amended, Ayes (9); Noes: Hahn and Zine (2);
Absent: Cardenas, Greuel, Parks and Weiss (4)**

[07-3248-S1](#)

BOARD OF WATER AND POWER COMMISSIONERS TO SUBMIT a resolution authorizing the implementation of Shortage Year Water Rates, designed to encourage water conservation through appropriate price signals to water consumers during current drought conditions affecting the City's water resources.

(Energy and Environment Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(For background reports and materials related to this matter, contact the Legislative Assistant for the Energy and Environment Committee at 213-978-1078.)

ADOPTED

ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to authorization for the implementation of Shortage Year Water Rates.

Recommendations for Council action:

1. **APPROVE** Resolution No. 009-232, adopted by the Board of Water and Power Commissioners (Board) on April 14, 2009 and approved as to form and legality by the City Attorney, which authorizes implementation of Shortage Year Water Rates designed to encourage water conservation through appropriate price signals to water consumers during current drought conditions affecting the City's water resources.
2. **REQUEST** the City Attorney to prepare and present amendments to the Water Rates Ordinance (Ordinance No. 170435) that:
 - a. Allows the City Council a minimum of 30 days to review water shortage rate proposals.
 - b. Requires the Los Angeles Department of Water and Power (LADWP), upon the implementation of shortage year rates, to provide the Mayor and Council with quarterly reports on drought conditions, the status of shortage year rates and the need to continue or terminate them given the status of the water supply.

Fiscal Impact Statement: The LADWP reports that as a result of the Water Shortage Rate implementation at 15 percent, the fiscal impact to the LADWP will remain relatively unchanged with net income and coverage ratios that are in-line with current financial targets.

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 29, 2009

(LAST DAY FOR COUNCIL ACTION - APRIL 29, 2009)

ADOPTED

AMENDING MOTION (ALARCON - SMITH)

Recommendation for Council action:

DIRECT the Los Angeles Department of Water and Power to institute a hardship exemption process and report back to the Council in 30 days with the proposal to include, but not be limited to the following usages: registered horses/livestock, medical needs and for those who already have reduced their water usage as much as possible.

Items for Which Public Hearings Have Not Been Held - Items 2-7

(10 Votes Required for Consideration)

ITEM NO. (2) - ADOPTED

Roll Call #3 - Motion (Alarcon - Wesson) Adopted, Ayes (11); Absent: Cardenas, Greuel, Parks and Weiss (4)

09-0501

COMMUNICATION FROM THE MAYOR relative to the appointment of Ms. Karen Mack to the Board of Neighborhood Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Karen Mack to the Board of Neighborhood Commissioners for the term ending June 30, 2013, is APPROVED and CONFIRMED. Ms. Mack resides in Council District 10. (Current Commission gender composition: M = 3; F = 4)

Background Check Review: Complete.

Ethics Commission Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 20, 2009

(LAST DAY FOR COUNCIL ACTION - APRIL 17, 2009)

(Education and Neighborhoods Committee waived consideration of the above matter)

ITEM NO. (3) - NO ACTION TAKEN

09-0648

CONSIDERATION OF AND AUTHORITY TO submit potential grant applications in order to meet deadlines established by the Federal Government to secure American Recovery and Reimbursement Act of 2009 (ARRA) funding for the City of Los Angeles.

(Scheduled pursuant to Council action of April 7, 2009)

ITEM NO. (4) - ADOPTED - SEE FOLLOWING

Roll Call #5 - Motion (Reyes - Perry) Adopted, Ayes (11); Absent: Cardenas, Greuel, Parks and Weiss (4)

[09-0521](#)

CD 1

CONSIDERATION OF RESULTS of the public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 requirements to be submitted by the Los Angeles Housing Department (LAHD) with the assistance of the City Administrative Officer, to enable the LAHD to issue Multifamily Housing Revenue Bonds to undertake the financing of the Mayfair Hotel Project.

(Scheduled pursuant to Council action of March 25, 2009)

ADOPTED

MOTION (REYES - PERRY)

Recommendation for Council action:

ADOPT the accompanying Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) Resolution and Minutes of the TEFRA public hearing, conducted by the LAHD for the Mayfair Hotel Apartments project, in satisfaction of California Debt Limit Allocation Committee requirements.

ITEM NO. (5) - ADDITIONAL MOTION ADOPTED - CONTINUED TO APRIL 22, 2009 - SEE FOLLOWING

**Roll Call #6 - Motion (Alarcon - LaBonge) to Continue and Additional Motion Adopted, Ayes (10);
Absent: Cardenas, Greuel, Parks, Weiss and President Garcetti (5)**

[09-0722](#)

CD 7

CONTINUED CONSIDERATION OF DEPARTMENT OF RECREATION AND PARKS, BUREAU OF ENGINEERING, CITY ADMINISTRATIVE OFFICER AND CHIEF LEGISLATIVE ANALYST and any other involved City departments to report relative to the Children's Museum of Los Angeles Board of Directors decision to file for bankruptcy under Chapter 7 of federal bankruptcy laws, and related matters.

(Continued from Council meeting of April 7, 2009)

ADOPTED

MOTION (ALARCON - LABONGE)

Recommendations for Council action:

- 1. REQUEST the City Attorney to immediately contact the attorneys for the CMLA as well as the Bankruptcy Trustee to pursue all legal avenues to have the City obtain control and possession of the CMLA facilities, including keys, security and maintenance.**
- 2. INSTRUCT the Chief Legislative Analyst, City Administrative Officer and the Department of General Services to develop and implement a long term plan to secure and protect the CMLA facility. The plan should include possible short-term use by City departments or a non-profit organization to ensure that the facility is protected.**

ITEM NO. (6) - ADOPTED

**Roll Call #1 - Motion (Alarcon - Rosendahl) Adopted, Ayes (12); Absent: Cardenas, Parks and Weiss (3)
(Item Nos. 6a-6i)**

[09-0005-S227](#)

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 April 10, 2009:

[09-0005-S227](#)

CD 10

- a. Property at 1050 South Mansfield Avenue (Case No. 204211).
Assessor I.D. No. 5084-010-029

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 18, 2008)

[09-0005-S228](#)

CD 4

- b. Property at 11425 West Albers Street (Case No. 50147).
Assessor I.D. No. 2350-007-053

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 12, 2006)

[09-0005-S229](#)

CD 15

- c. Property at 115 South Mesa Street (Case No. 171695).
Assessor I.D. No. 7449-024-012

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 15, 2008)

[09-0005-S230](#)

CD 1

- d. Property at 1249 West 23rd Street (Case No. 194032).
Assessor I.D. No. 5055-019-008

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 12, 2009)

[09-0005-S231](#)

CD 8

- e. Property at 1433 West 84th Place (Case No. 211191)
Assessor I.D. No. 6034-021-019

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 26, 2008)

[09-0005-S232](#)

CD 8

- f. Property at 1629 West 37th Street (Case No. 155363).
Assessor I.D. No. 5041-022-023

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 1, 2008)

[09-0005-S233](#)

CD 9

- g. Property at 312 East 52nd Street (Case No. 12975).
Assessor I.D. No. 5109-025-013

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 2, 2006)

[09-0005-S234](#)

CD 14

- h. Property at 820 South Esperanza Street (Case No. 22951).
Assessor I.D. No. 5188-008-040

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 6, 2006)

[09-0005-S235](#)

CD 15

- i. Property at 852 West 18th Street (Case No. 152348).
Assessor I.D. No. 7462-003-010

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 17, 2008)

ITEM NO. (7) - ADOPTED

Roll Call #7 - Motion (Hahn - Rosendahl) Adopted, Ayes (10); Absent: Cardenas, Greuel, Parks, Weiss and President Garcetti (5)

[09-0717](#)

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) relative to the Professional Services Agreement with Smart City Networks, LP and the Los Angeles Convention Center, to provide exclusive service for telecommunications, internet, data, network and WiFi services.

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

1. INSTRUCT the Los Angeles Convention Center to add a provision to state that the Contractor will offer an incentive payment of \$100,000 for exclusivity, which is due and payable at the time of the execution of the Agreement.
2. AUTHORIZE and INSTRUCT the General Manager of the Los Angeles Convention Center to execute the Agreement with Smart City Networks, LP., subject to the approval of the City Attorney as to form.
3. AUTHORIZE the Controller to increase appropriation in the Convention Center Fund No. 100/48, by \$100,000 from the available balance in the Convention Center Revenue Trust Fund No. 725, and APPROPRIATE therefrom to the 6010 Account, Office and Administrative Expense.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. Funding for this contract is provided in the Los Angeles Convention Center 2008-09 Adopted Budget, Contractual Services Account No. 3040. There is no additional impact on the General Fund.

TIME LIMIT FILE - JUNE 2, 2009

(LAST DAY FOR COUNCIL ACTION - JUNE 2, 2009)

(Trade, Commerce and Tourism Committee waived consideration of the above matter)

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

08-0400-S1

MOTION (PERRY for PARKS - LABONGE) relative to declaring the March for Babies Walk on April 25, 2009 a Special Event (fees and costs absorbed by the City = \$28,230).

09-0861

MOTION (GARCETTI - PERRY) relative to declaring the Ghost of Girlfriends Past on April 27, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

09-0560

MOTION (GARCETTI - PERRY) relative to declaring the Heroes for Autism Benefit on April 19, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

09-0862

MOTION (GARCETTI - PERRY) relative to declaring the Halo Opening Party on April 9, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[09-0863](#)

MOTION (GARCETTI - PERRY) relative to declaring the US Weekly Hot Hollywood on April 22, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[09-0864](#)

MOTION (ROSENDAHL - PERRY) relative to declaring the Venice Vintage Motorcycle Rally on April 19, 2009 a Special Event (fees and costs absorbed by the City = \$5,036).

[07-1126-S1](#)

MOTION (HUIZAR - ALARCON) relative to declaring the L.A. Fiesta Broadway 2009 on April 26, 2009 a Special Event (fees and costs absorbed by the City = \$180,586).

[07-1530-S1](#)

MOTION (HAHN - ALARCON) relative to declaring the Croatian Independence on May 24, 2009 a Special Event (fees and costs absorbed by the City = \$1,226).

[09-0868](#)

MOTION (HAHN - ALARCON) relative to declaring the Warren Chapel CME Church Annual Block Party on May 9, 2009 a Special Event (fees and costs absorbed by the City = \$1,226).

[09-0869](#)

MOTION (HAHN - LABONGE) relative to declaring the Cabrillo Beach - Traffic Management Services on Saturday's and Sunday's beginning May 23, to September 8, 2009 a Special Event (fees and costs absorbed by the City = \$3,765), except fees and costs that may be associated with the use of facilities under the jurisdiction of the Board of Recreation and Park Commissioners.

[08-0984-S1](#)

MOTION (HAHN - LABONGE) relative to declaring the St. Margaret Mary Church Block Party on April 24, 2009 a Special Event (fees and costs absorbed by the City = \$1,226).

[08-0983-S1](#)

MOTION (HAHN - LABONGE) relative to declaring the Third Annual Community Awareness Day on April 25, 2009 a Special Event (fees and costs absorbed by the City = \$2,520).

[09-0848](#)

MOTION (HAHN - LABONGE) relative to declaring the Whole Neighborhood Energy Fair on May 2, 2009 a Special Event (fees and costs absorbed by the City = \$1,226).

[09-0010-S20](#)

MOTION (REYES - ROSENDAHL) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Agapito Gaspar Nicolas on March 29, 2009.

[03-1183](#)

MOTION (ROSENDAHL - REYES) relative to initiating street vacation proceedings for Bunker Hill Avenue and Boston Street vacation district.

[09-0011-S22](#)

MOTION (REYES - ROSENDAHL) relative to funding for Charter bus services in Council District

One.

[09-0867](#)

MOTION (PERRY - GARCETTI) relative to adopting principals as a condition to applying for and accepting federal Recovery Act grants.

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

[09-0865](#)

RESOLUTION (ALARCON - SMITH) relative to recognizing April 25, 2009 as Arbor Day in the City of Los Angeles.

[08-1319-S1](#)

RESOLUTION (ALARCON - HUIZAR) relative to observing Bert Corona Day in the City of Los Angeles.

[09-0866](#)

RESOLUTION (ALARCON - GREUEL) relative to recognizing the month of April 2009 as National Child Abuse Prevention Month in the City of Los Angeles.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember Weiss was excused from Council session of Tuesday, April 21, 2009 due to City Business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[09-0727](#) - George Harrison

Garcetti - LaBonge

Armenian Genocide

Garcetti - Greuel

College Link Outreach Program

Garcetti

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

[09-0726](#) - Salvatore "Sal" Guarriello

Perry - Rosendahl - All Councilmembers

Sister Jane McGlory

Alarcon

Richard L. "Sully" Sullivan

Smith - Zine

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

Whereupon the Council did adjourn.

ATTEST: Karen E. Kalfayan, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL