

Los Angeles City Council, **Journal/Council Proceedings**  
Wednesday, **April 22, 2009**  
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
APRIL 17, 2009

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE - 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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## **Item Noticed for Public Hearing - Item 1**

### **ITEM NO. (1) - ADOPTED**

**Roll Call #6 - Motion (Rosendahl - Smith) Adopted, Ayes (12); Absent: Alarcon, Greuel and Huizar (3)**

[08-3496](#)  
CD 9

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST  
CONSIDERATION relative to the improvement and maintenance of the Vignes and First Streets No.  
1 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 April 1, 2009)

## Items for Which Public Hearings Have Been Held - Items 2-18

Roll Call #6 - Motion (Rosendahl - Smith) Adopted, Ayes (12); Absent: Alarcon, Greuel and Huizar (3)  
(Item Nos. 2-3)

### ITEM NO. (2) - ADOPTED

[09-0223](#)

CD 13

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change and alternative compliance measures for a Public Benefit project for property at 1900-24 West Temple Street, 315-33 North Bonnie Brae Street, and 312-30 North Westlake Avenue.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 09-0223 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 2007-5038 MND] filed on July 3, 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 C2-1 and P-1 to (T)(Q)RAS4-1 to allow three buildings with a floor area ratio modified from 4:1 to 3.7:1, comprised of Building A with height modified from approximately nine stories to eight stories, Building B with height modified from approximately eight stories to six stories, and Building C with height modified from approximately eight stories to six stories for Lot 1, for property at 1900-24 West Temple Street, 315-33 North Bonnie Brae Street, and 312-30 North Westlake Avenue, subject to Conditions of Approval.
4. APPROVE Alternative Compliance Measures for a Public Benefit project, as approved by the CPC, to permit a density increase in excess of 25 percent, or 28 units in excess of the 18 units allowed by-right for a 100 percent affordable housing project located on Lot 2 in the RD1.5-1 zone with the following alternatives: a) to permit a building height of up to 57 feet, which would exceed the building height of adjoining properties; and b) to waive the requirement to provide a solid decorative masonry wall or wrought iron wall or fence at least six feet in height for the property at 1900-24 West Temple Street, 315-33 North Bonnie Brae Street, and 312-30 North Westlake Avenue, subject to Conditions of Approval, and revised plans as submitted by the applicant and approved by the Committee and Council District 13. (The CPC also approved Zone Variances and Site Plan Review for this project.)

Applicant: Temple West Development, LLC  
Representative: James Santa Maria

CPC 2007-5307 ZC-PUB-ZV-ZAA-SPR

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

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 13, 2009

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

### ITEM NO. (3) - ADOPTED

[09-0626](#)

CD 4

ENVIRONMENTAL IMPACT REPORT (EIR), STATEMENT OF OVERRIDING CONSIDERATIONS, MITIGATION MONITORING AND REPORTING PROGRAM, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a Vesting zone and height district change and requested amendments to Hollywood Signage Supplemental Use District for property at 959 North Seward Street, 6624 West Romaine Street, and 6505-55 West Barton Avenue.

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

1. CERTIFY that the Environmental Impact Report No. ENV 2008-717 EIR, State Clearing House No. 2007031050, has been completed in compliance with the California Environmental Quality Act, the State Guidelines and the City Guidelines and that the City Council has reviewed the information contained therein and considered it along with other factors related to this project; that this determination reflects the independent judgment of the lead agency in the City of Los Angeles; and that the documents constituting the record of proceedings in this matter are located in Council file No. 09-0626 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 EIR No. ENV-2008-717 EIR.
2. ADOPT FINDINGS of the City Planning Commission (CPC), including the Environmental Findings as the Findings of the Council.

3. ADOPT FINDINGS made pursuant to, and in accordance with, Section 21081 of the California Public Resources Code and the Statement of Overriding Considerations prepared by the Planning Department.
4. ADOPT FINDINGS pursuant to Section 21081.6 of the California State Public Resources Code, the Mitigation Monitoring and Reporting Program as the Findings of the Council.
5. PRESENT and ADOPT the accompanying ORDINANCE, approved by the CPC, effecting a vesting zone and height district change from MR-1-1 to (T)(Q)M1-1-SN, for the proposed construction of an entertainment office complex with buildings ranging in height from three to five-stories, and consisting of approximately 241,568 square feet with a 4,000 square foot commissary/restaurant which proposes on-site alcohol sales for property located at 959 North Seward Street, 6624 West Romaine Street, and 6505-6555 West Barton Avenue, subject to Conditions of Approval. The proposed project would provide between 516 and 750 parking spaces. The applicant also proposes approximately 6,200 square feet of signage throughout the site. (The CPC also approved: Conditional Uses and a Vesting Conditional Use, Zone Variance, Adjustment, and Site Plan Review for this project.)

Applicant: Snyder 959 Seward, LLC                      CPC 2008-756-VZC-VCU-CU-CUB-ZV-ZAA-SPR  
Representative: Michael Wise

6. ADVISE the applicant of "Q" Qualified classification time limit as indicated pursuant to Section 12.32-J of the Los Angeles Municipal Code as described in the Committee report.
7. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
8. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.
9. REQUEST the City Attorney to prepare and present an Ordinance amending the Hollywood Signage Supplemental Use District (Ordinance No. 176,172) to include the subject property and the incorporation of new sign language into the Supplemental Use Sign District to regulate signage on the site.

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 - JUNE 22, 2009

(LAST DAY FOR COUNCIL ACTION - JUNE 19, 2009)

**Roll Call #1 - Motion (Parks - Smith) Adopted, Ayes (10); Absent: Alarcon, Greuel, Huizar, Reyes and Wesson (5)  
(Item Nos. 4-5)**

**ITEM NO. (4) - ADOPTED**

[08-3368](#)

CD 5

ORDINANCE SECOND CONSIDERATION abandoning all proceedings relating to the Sweetzer Avenue and Clinton Street 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 closed April 15, 2009)

**ITEM NO. (5) - ADOPTED**

[06-2094](#)

ORDINANCE SECOND CONSIDERATION amending Section 94.1219.0 of the Los Angeles Municipal Code relative to the Excess Flow Shut Off Valve as an option to the Seismic Gas Shut Off Valve.

(Communication from City Attorney adopted on April 15, 2009)

**ITEM NO. (6) - ADOPTED - SEE FOLLOWING**

**Roll Call #14 - Motion (Parks - Greuel) Adopted, Ayes (13); Absent: Huizar and Smith (2)**

[09-0533](#)

CONTINUED CONSIDERATION OF MOTION (PARKS - SMITH) relative to the proposed Newsrack Permit Fee increase and the process required to approve such fee increase.

(Budget and Finance Committee report to be submitted in Council. If public comment 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 Budget and Finance Committee at 213-978-1075.)

(Public Works Committee waived consideration of the above matter)

(Continued from Council meeting of April 8, 2009)

**ADOPTED**

**BUDGET AND FINANCE COMMITTEE REPORT relative to the proposed Newsrack Permit Fee increase.**

**Recommendations for Council action, as initiated by Motion (Parks - Smith):**

1. **REQUEST that the Board of Public Works (Board) approve the Newsrack Permit Fee of \$21.69 per Newsrack for Fiscal Year (FY) 2008-09, retroactive to July 1, 2008.**
2. **INSTRUCT the Bureau of Street Services, upon approval of the Newsrack Permit Fee for FY 2008-09 by the Board, to initiate billing of the Fee.**
3. **REQUEST that the Board not increase the Newsrack Permit Fee until the Council has made a final determination in the matter.**
4. **REQUEST that Board representatives meet with the Newsrack industry to resolve the issue of the permit fee and report to the Council in 30 days with recommendations.**

**Fiscal Impact Statement:** The Bureau of Street Services reports that increasing the Newsrack Permit Fee to \$39.49 would provide full cost recovery. Implementation of the permit fee increase over a three year period (effective July 1, 2009) would require continued funding from the City in the approximate amount of \$273,000 and \$136,500 in the first and second year, respectively, until the permit fee increase to \$39.49 is implemented in the last year.

**Community Impact Statement:** None submitted.

**(Public Works Committee waived consideration of the above matter.)**

**ITEM NO. (7) - ADOPTED**

**Roll Call #1 - Motion (Parks - Smith) Adopted, Ayes (10); Absent: Alarcon, Greuel, Huizar, Reyes and Wesson (5)**

[09-0789](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to funding needs for outside counsel.

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

1. TRANSFER \$811,700 from the Unappropriated Balance, Outside Counsel Including Workers' Compensation line item to the City Attorney, Fund No. 100/12, Account No. 9301.
2. AUTHORIZE the Controller to DISENCUMBER the following prior-year encumbrances and RE-APPROPRIATE \$248,472 to the City Attorney, Fund No. 100/12, Account No.9301:

Bannan Green (CO8101475A)	\$ 18,013.34
Jones Day (CO8111423A)	\$ 160,418.60
Orrick Herrington and Sutcliff (CO6109782A)	\$ 38,597.90
Lewis Brisbois (CO8110595A)	\$ 603.60
Spoeri (CO6108310A)	\$ 22,026.00
Thever (CO6108312A)	\$ 8,813.00

3. AUTHORIZE the City Attorney's Office to amend to increase maximum compensation for the following contracts by these respective amounts:

Albright Yee and Schmit - Nunez (C111576)	\$ 216,245
Albright Yee and Schmit - Tso (C111570)	\$ 186,000
Albright Yee and Schmit - Tomassi (C113673)	\$ 130,000
Burke Williams Sorensen - Grobeson (C115056)	\$ 92,000
Colantuono Levin and Rozell - TUT (C106214)	\$ 75,000
Eisenberg Raizman - Fahmie/Carter (C113455)	\$ 110,000
Ivie McNeill and Wyatt - Lee (C111607)	\$ 60,000
Liebert Cassidy and Whitmore - Vucinich/Ackley	\$ 40,000
Liebert Cassidy and Whitmore - Haro (C109883)	\$ 45,000
Liebert Cassidy and Whitmore - Mata (C113155)	\$ 35,000
Meyers Nave - Monterey Hills (C112986)	\$ 75,380
Squire Sanders and Dempsey - Gray (C111682)	\$ 13,918

4. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.

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

Community Impact Statement: None submitted.

(Council may recess to Closed Session, pursuant to Government Code Sections 54956.9(a) and/or (b) to confer with its legal counsel on the above matter.)

**ITEM NO. (8) - ADOPTED, AS AMENDED - SEE FOLLOWING**

**Roll Call #14 - Motion (Parks - Greuel) Adopted, Ayes (13); Absent: Huizar and Smith (2)**

[09-0805](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to proposed law firm recommendations for the Attorney Conflicts Panel (ACP).

Recommendations for Council action:

1. APPROVE the selection of the 55 law firms identified as the Proposed ACP in the City Attorney's Report (R09-0120), dated April 7, 2009 (attached to the Council file).
2. APPROVE the proposed fee schedule identified in the City Attorney's April 7, 2009 report and in Attachment B of the City Administrative Officer (CAO) report, dated April 8, 2009 (attached to the Council file).
3. AUTHORIZE the CAO, or designee, to enter into contracts with the law firms identified as the Proposed ACP in the City Attorney's Report (R09-0120), on an as-needed basis, for retention of outside counsel to represent the City, City officers and/or employees in conflict-of-interest matters which precludes the City Attorney's Office from handling its representation.

Fiscal Impact Statement: The CAO reports that the recommendations contained in this report will have no additional impact on the General Fund. The ACP provides funding for contracts with law firms retained, through a Special Fund, Fund No. 46T, which is managed internally by the CAO.

Community Impact Statement: None submitted.

## **ADOPTED**

### **AMENDING MOTION (PARKS - SMITH)**

**Recommendation for Council action:**

**APPEND to the Council file the attached memo from the City Administrative Officer and City Attorney responding to questions posed during the Budget and Finance Committee's April 13, 2009 deliberations on this matter.**

**Roll Call #1 - Motion (Parks - Smith) Adopted, Ayes (10); Absent: Alarcon, Greuel, Huizar, Reyes and Wesson (5)  
(Item Nos. 9-10)**

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

#### [07-0409-S4](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to Community Redevelopment Agency (CRA) report on activity within the Land Acquisition Fund.

Recommendation for Council action:

RECEIVE and FILE the CRA report dated February 27, 2009 regarding activity within the Land Acquisition Fund, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

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

#### [08-1923](#)

CD 8

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the expenditure of up to \$1 million from the Community Redevelopment Agency (CRA) Land Acquisition fund for acquisition related expenses for Marlton Square Retail Area Properties, located in Santa Barbara Plaza.

Recommendation for Council action:



AUTHORIZE the CRA Chief Executive Officer, or designee, to amend the Fiscal Year 2008-09 Budget and Work Program to authorize the expenditure of \$900,000 from the CRA's Land Acquisition Fund to pay for CRA purchase options and other acquisition related expenses for specified properties within the retail area of the Marilton Square Retail Project located on Martin Luther King, Jr. Boulevard and Marilton Avenue in the Amended Crenshaw Redevelopment Project Area.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the General Fund. As proposed, \$900,000 in CRA Land Acquisition Funds will be used to pay for CRA purchase options and other acquisition related expenses for up to four retail properties located in the Marilton Square Retail Project. The CRA is only bound by the disclosure provisions of the City Debt Management Policies; the City Financial Policies are not applicable to the CRA.

Community Impact Statement: None submitted.

## **ITEM NO. (11) - ENTIRE MATTER REFERRED TO INFORMATION TECHNOLOGY & GENERAL SERVICES COMMITTEE**

**Roll Call #12 - Motion (Parks - Cardenas) Adopted To Refer, Ayes (14); Absent: Huizar (1)**

[09-0546](#)

CD 9

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to renaming the new Police Administration Building "Parker Center."

Recommendation for Council action, pursuant to Motion (Parks - Smith - Zine - et al.):

NAME the new Police Administration Building "Parker Center" in keeping with the traditional name of the City of Los Angeles police headquarters and in order to reduce costs and assure continuity.

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.

## **REFERRED TO INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE**

### **MOTION (ALARCON - GREUEL - GARCETTI - ROSENDAHL)**

**Recommendations for Council action:**

- 1. NAME the new Police Administration Building "Tom Bradley Center" as an expansion of the existing Tom Bradley Square.**
- 2. INSTRUCT the City Administrative Officer and Chief Legislative Analyst, in cooperation with the Police Commission, the Los Angeles Police Department (LAPD), Department of General Services and other departments as needed, report to the Council within 30 days for a means to individually recognize the police chiefs who have lead the LAPD at the Tom Bradley Center.**

**REFERRED TO INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE**

**MOTION (LABONGE - HAHN)**

**Recommendation for Council action:**

**NAME this building as "Los Angeles Police Memorial Administration Building" in honor of all the sacrifices made by our police officers in the line of duty and in service to the people of Los Angeles.**

**REFERRED TO INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE**

**MOTION (PERRY - HAHN)**

**DIRECT that the area surrounding the building currently designated as Parker Center and the surrounding area, remain designated "Parker Center" with possible multi-use spaces/functions for future consideration.**

**Roll Call #1 - Motion (Parks - Smith) Adopted, Ayes (10); Absent: Alarcon, Greuel, Huizar, Reyes and Wesson (5)  
(Item Nos. 12-18)**

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

[06-2368-S10](#)

CD 10

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from provisions of the City's Country Club Park Interim Control Ordinance (ICO) for the property at 1101, 1111, and 1117 South Arlington Avenue.

Recommendations for Council action:

1. GRANT hardship exemption from the City's Country Club Park ICO (Ordinance No. 179285) as noted and as described in the application attached to Council file No. 06-2368-S10, for the proposed demolition of a 7,870 square foot two-story dormitory, and construction of a new three-story, thirty-nine foot high, 16,489 square foot building with a subterranean garage for property at 1101, 1111, and 1117 South Arlington Avenue. The project proposes to provide a total of 30 off-street parking spaces.
2. ADVISE the applicant that this hardship exemption, if granted by the City Council, is not a permit or license and that any other approvals, permits and licenses required by law must be obtained from the proper agencies.

Applicant: John Park

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. (13) - ADOPTED**

[09-0465](#)

CD 14

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the inclusion of the James F. Real Studio Office located at 77 Patrician Way 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 James F. Real Studio Office located at 77 Patrician Way in the list of Historic-Cultural Monuments.

Applicant: Scott Mangan

CHC 2008-4717 HCM

Representative: Charles J. Fisher

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 - MAY 20, 2009

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

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

[09-0466](#)

CD 3

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the inclusion of the Kaye Residence located at 4754 Vanalden Avenue in the list of Historic-Cultural Monuments.

Recommendations for Council action:

1. ADOPT the FINDINGS of the Cultural Heritage Commission (CHC) as the Findings of the Council.
2. APPROVE the recommendation of the CHC relative to the inclusion of the Kaye Residence located at 4754 Vanalden Avenue in the list of Historic-Cultural Monuments.

Applicant/Owner: Daniel H. and Susie Scalisi

CHC 2008-4716 HCM

Representative: Charles J. Fisher

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 - MAY 20, 2009

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

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

[09-0576](#)

CD 12

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a request for modification to a Development Agreement between the City of Los Angeles and Great Western Bank for property at 19808 and 19866 Prairie Street and 9200 Oakdale Avenue.

Recommendation for Council action:

REQUEST the City Attorney to prepare and present an Ordinance authorizing the execution of a modification to a Development Agreement between the City of Los Angeles and Great Western Bank for the proposed construction of a six-story, approximately 180,000 square foot commercial office building along with a five-story, approximately 345,830 square foot parking garage for property at 19808 and 19866 Prairie Street and 9200 Oakdale Avenue.

Applicant: City of Los Angeles

CPC 1993-452 DA-M1

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 30, 2009

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

**ITEM NO. (16) - ADOPTED - BUDGET AND FINANCE REPORT RECEIVED AND FILED**

[08-0600-S55](#)

PUBLIC WORKS COMMITTEE REPORT relative to Special Gas Tax Street Improvement Fund adjustments.

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

1. DECREASE \$9,837,687.26 in appropriations in the Special Gas Tax Improvement Fund No. 206/50 from various accounts as specified in the City Administrative Officer's (CAO) revised Attachment A of the March 2, 2009 CAO report as attached to the Committee report.
2. DECREASE \$365,475 in appropriations to the Department of General Services, Fund No. 00/40, transferred from the Special Gas Tax Improvement Fund No. 206/50, Account Nos. W508 and A508, Medina road Retaining Wall, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1014	Construction Salaries	\$ 84,059.25
1101	Construction Hiring Hall	109,642.50
1121	Construction Hiring Hall Benefits	25,583.25
3180	Construction Materials and Supplies	<u>146,190.00</u>
Total		\$ 365,475.00

3. DECREASE \$176,500 in appropriations to the Bureau of Street Services, Fund 100/86, transferred from the Special Gas Tax Improvement Fund No. 206/50, Account E365, Bridge and Tunnel Maintenance, and Account No. E601, Guardrail Construction, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries General	\$ 78,002
1090	Salaries Overtime	19,693
1100	Construction Hiring Hall	13,606
1120	Construction Hiring Hall Benefits	15,606
1190	Construction Hiring Hall Overtime	6,000
3030	Construction Expense	27,143
6010	Office and Administrative	2,776
6020	Operating Supplies	<u>13,674</u>
Total		\$176,500

4. AUTHORIZE the CAO to make technical corrections as necessary to the transactions included in this report to implement the Mayor and Council intentions.
5. AMEND Attachment A - Revised of the March 2, 2009 CAO report as follows:

a. Delete the following line:

<u>CD</u>	<u>Account</u>	<u>Title</u>	<u>Suspend</u>	Annual Funding & Projects on <u>Hold</u>	<u>Savings</u>
11	S678	Grand Canal Rehabilitation			\$160,579.99

b. Replace the above line with:

<u>CD</u>	<u>Account</u>	<u>Title</u>	<u>Suspend</u>	Annual Funding & Projects on <u>Hold</u>	<u>Savings</u>
11	S678	Grand Canal Rehabilitation	\$160,579.99		

- c. Update the "Subtotals" and "Totals" columns in Attachment A to reflect the above changes.

Fiscal Impact Statement: The CAO reports that a decrease in Special Gas Tax Improvement Fund appropriations totaling \$9.83 million, as detailed in the March 2, 2009 CAO report and attached to the Council file, is necessary to reconcile projected revenues with appropriations. There is no impact to the General fund since the \$15.6 million reimbursement for related costs have not been reduced.

Community Impact Statement: None submitted.

## ITEM NO. (17) - ADOPTED

[09-0426](#)

CD 1

INFORMATION TECHNOLOGY AND GENERAL SERVICES and ARTS, PARKS, HEALTH AND AGING COMMITTEES' REPORT relative to a proposed transfer of jurisdiction of the City-owned property located at 305 Patton Street (APN 5160-003-901) to the Department of Recreation and Parks (RAP).

Recommendations for Council action, as initiated by Motion (Reyes - Perry):

1. AUTHORIZE and INSTRUCT the Department of General Services (GSD) to effectuate a non-financial transfer of jurisdiction of the City-owned property located at 305 Patton Street (APN 5160-003-901) to the RAP.
2. REQUEST the Board of Recreation and Park Commissioners to consider, approve and accept the property, as described above in Recommendation No. 1, and dedicate it as park property in perpetuity.

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

Community Impact Statement Submitted: None submitted.

## ITEM NO. (18) - ADOPTED

[09-0605](#)

CD 6

INFORMATION TECHNOLOGY AND GENERAL SERVICES and TRANSPORTATION COMMITTEES' REPORT relative to funding for highway-rail grade crossing along the Metrolink's Valley and Ventura Subdivisions in the San Fernando Valley.

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

1. AUTHORIZE the transfer, as needed, of \$391,603 within the Transportation Grant Fund Annual Work Program, Fund/Dept. No. 655/94, Account No. Y361, Sunland Boulevard/San Fernando Road Grade Crossing Safety Enhancement Project to Department of General Services Fund No. 100/40, \$25,000 to Account No.1014 Construction Salaries, \$125,000 to Account No.1101 Hiring Hall Salaries, \$47,500 to Account No.1121 Hiring Hall Fringe Benefits, and \$194,103 to Account No.3180 Construction Materials and Supplies.
2. INSTRUCT the Department of General Services to return any uncommitted advances at the end of Fiscal Year 2008-09 to the Transportation Grant Fund No. 655/94, to be re-appropriated to the original accounts.
3. AUTHORIZE the Controller to make technical corrections as necessary to the transaction included in this motion, and detailed above in Recommendation No. 1, to implement the Council's intentions.

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

Community Impact Statement: None submitted.

## **Items for Which Public Hearings Have Not Been Held - Items 19-34**

(10 Votes Required for Consideration)

### **ITEM NO. (19) - ADDITIONAL MOTION ADOPTED - CONTINUED TO MAY 6, 2009 - SEE FOLLOWING**

**Roll Call #15 - Motion (Alarcon - LaBonge) Adopted, Unanimous Vote (12); Absent: Cardenas, Huizar and Smith (3)**

[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 17, 2009)

**ADOPTED**

**MOTION (ALARCON - LABONGE)**

**Recommendation for Council action:**

**INSTRUCT the City Administrative Officer Department of Recreation and Parks with the assistance of the Chief Legislative Analyst, the City Attorney, and relevant departments to identify any of the Children's Museum, Los Angeles (CMLA) funds, including bond funds such as Proposition K retention and any other available funds that can be used for security related purposes to protect the CMLA facility, and to take any action necessary to implement this instruction to protect the CMLA facility.**

**Roll Call #2 - Motion (LaBonge - Cardenas) Adopted, Ayes (10); Absent: Alarcon, Greuel, Huizar, Reyes and Wesson (5)  
(Item Nos. 20a -d)**

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

[09-0005-S239](#)

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 15, 2009:

[09-0005-S239](#)

CD 13

- a. Property at 1242 North Alexandria Avenue aka 1242 1/2 North Alexandria Avenue (Case No. 5547).  
Assessor I.D. No. 5540-007-005

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 10, 2002)

[09-0005-S240](#)

CD 15

- b. Property at 431 North Palos Verdes Street (Case No. 7867).  
Assessor I.D. No. 7449-008-011

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 7, 2005)

[09-0005-S241](#)

CD 5

- c. Property at 465 North Alfred Street aka 467 North Alfred Street (Case No. 212844).  
Assessor I.D. No. 5514-001-015

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 22, 2009)

[09-0005-S242](#)

CD 2

- d. Property at 5118 North Laurel Canyon Boulevard (Case No. 205787).  
Assessor I.D. No. 2355-008-039



(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 22, 2009)

**ITEM NO. (21) - CONTINUED TO APRIL 24, 2009**

**Roll Call #7 - Motion (Perry - Reyes) Adopted To Continue, Unanimous Vote (12); Absent: Alarcon, Greuel and Huizar (3)**

[09-0385](#)  
[09-0385-S1](#)  
CDs 9 & 14

NEGATIVE DECLARATION, COMMUNICATION FROM CHAIR, PLANNING AND LAND USE MANAGEMENT COMMITTEE and RESOLUTION relative to General Plan Amendment to the Central City Community Plan and Transportation Element and proposed amendments to the Downtown Design Guide and Urban Design Standards Guidelines.

Recommendations for Council action:

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 Nos. 09-0385 and 09-0385-S1 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 2008-4505-ND] filed on November 21, 2008.
2. ADOPT the FINDINGS of the City Planning Commission as the Findings of the Council.
3. ADOPT the accompanying RESOLUTION, substantially as approved by the Mayor, City Planning Commission, and the Director of Planning, APPROVING the proposed General Plan Amendment to the Central City Community Plan to: (a) re-designate selected streets from Major and Secondary Highways to Modified Major and Secondary Highways; (b) revise Chapter V of the Central City Community Plan text to incorporate Downtown Design Guide, Urban Design Standards and Guidelines; and, (c) concurrently amend the Transportation Element to revise the Urban Design Chapter and amend the Street Designations for a subarea generally bounded by the 101 Freeway on the north, the 110 Freeway on the west, the 10 Freeway on the south, and San Pedro and Alameda Streets on the east.

Applicant: City of Los Angeles

CPC 2008-4502-GPA and CPC 2008-4503-CA

4. REQUEST the City Attorney to prepare an Ordinance amending Sections 12.03, 12.21, 12.22, 12.37, and 17.05 of the Los Angeles Municipal Code to implement the Downtown Design Guide, Urban Design Standards and Guidelines.
5. INSTRUCT the Director of Planning to make the necessary changes to the Central City Community Plan, maps, and Transportation Element upon adoption by the City Council.
6. REQUEST that the Ad Hoc Downtown Street Standards Committee continue with specific tasks.

7. ADVISE the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 4, 2009

(LAST DAY FOR COUNCIL ACTION - MAY 1, 2009)

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

**Roll Call #20 - Motion (Hahn - LaBonge) Adopted, Ayes (11); Absent: Cardenas, Huizar, Reyes and Smith (4)**

[07-2045](#)

CD 9

COMMUNICATION FROM THE COMMISSION FOR CHILDREN, YOUTH AND THEIR FAMILIES (CCYF) relative to approving a contract to operate and manage the Joy Picus Child Care Center.

Recommendation for Council action:

APPROVE the CCYF's recommendation to award the contract for the operation and management of the Joy Picus Child Care Center to Mount Washington Preschool and Child Care Center, and grant authority to the CCYF's Interim Executive Director, or designee, to negotiate and execute a contract with Mount Washington Preschool and Child Care Center to operate and manage the Joy Picus Center for a term of five years, with two additional one year options.

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

Community Impact Statement: None submitted.

(Arts, Parks, Health and Aging Committee waived consideration of the above matter)

**ITEM NO. (23) - ADOPTED, AS AMENDED - SEE FOLLOWING**

**Roll Call #8 - Motion (Garcetti - Hahn) to Adopt as Amended, Ayes (13); Absent: Greuel and Huizar (2)**

[09-0648-S2](#)

COMMUNICATION FROM THE COMMUNITY DEVELOPMENT DEPARTMENT (CDD) relative to supplemental Workforce Investment Act (WIA) funding awarded through the American Recovery and Reinvestment Act of 2009 (ARRA).

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

1. NOTE and FILE Attachments I and II of the CDD report dated April 6, 2009 to the Mayor and Ad Hoc Committee on Economic Recovery and Reinvestment relative to supplemental WIA funding awarded through ARRA (attached to the Council file).
2. AUTHORIZE the General Manager, CDD, or designee, to:
  - a. Accept United States Department of Labor WIA and Recovery Act funds, assist the Controller in depositing and transferring WIA and Recovery funds as appropriate within established WIA trust funds, and expend such funds upon proper demand in accordance with the directions in the Annual Plan and/or attached strategic frameworks.
  - b. Accept and execute Sub-grant Agreements and unilateral agreements to Sub-grant agreements, including amendments between the State of California and the City of Los Angeles and/or between the Department of Labor and the City of Los Angeles for WIA Recovery Act, subject to the approval of the City Attorney as to form and legality, and in compliance with the City Grants Ordinance No. 174410; and, report the receipt of such funds on a regular basis to the WIB.
  - c. Expend \$2.5 million in Youth WIA funds, and amend existing contracts as of May 1, 2009 to June 30, 2009 to initiate summer youth employment.
  - d. Prepare Controller instructions, and any necessary technical adjustments consistent with this action, subject to the approval of the City Administrative Officer; and, authorize the Controller to implement the instructions per Attachments I and II of CDD's April 6, 2009 report.
3. DIRECT the General Manager, CDD, to report back no later than May 15, 2009, to the Mayor, the Ad Hoc Committee on Economic Recovery and Reinvestment, and the WIB with a draft Annual Plan and recommendations for funding strategies for WIA ARRA funds as well as WIA formula funds.

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

Community Impact Statement: None submitted.

(Ad Hoc Committee on Economic Recovery and Reinvestment waived consideration of the above matter)

**ADOPTED**

**MOTION (GARCETTI - HAHN)**

**Recommendation for Council action:**

**AUTHORIZE the Community Development Department to contract with the agencies indicated in the attachment (including with the Los Angeles Conservation Corps for \$550,000 to act as fiscal agent and employer of record for the Youth Opportunity Movement sites).**

**Roll Call #2 - Motion (LaBonge - Cardenas) Adopted, Ayes (10); Absent: Alarcon, Greuel, Huizar, Reyes and Wesson (5)  
(Item Nos. 24-29)**

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

[08-2171](#)

CD 15

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION TO VACATE relative to the vacation of R Street (portion of southerly side) between McDonald Avenue and 133 feet westerly thereof (VAC E1401125).

Recommendations for Council action:

1. REAFFIRM the FINDINGS of November 26, 2008, that the vacation of R Street (portion of southerly side) between McDonald Avenue and 133 feet westerly thereof, pursuant to the City of Los Angeles Environmental Guidelines, is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City of Los Angeles Environmental Guidelines.
2. REAFFIRM the FINDINGS of November 26, 2008, that this vacation is in substantial conformance with the General Plan pursuant to Section 556 of the Los Angeles City Charter.
3. ADOPT the accompanying RESOLUTION TO VACATE NO. 09-1401125 for the vacation of R Street (portion of southerly side) between McDonald Avenue and 133 feet westerly thereof.
4. INSTRUCT the City Clerk to transmit, following Council adoption, Resolution to Vacate No. 09-1401125 to the Land Development Group of the Bureau of Engineering for recordation of said Resolution with the Los Angeles County Recorder.

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

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

[09-0582](#)

CD 5

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for sidewalk purposes on Sepulveda Boulevard north of Sutton Street (Right of Way No. 36000-1757).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for sidewalk purposes on Sepulveda Boulevard north of Sutton Street (Right of Way No. 36000-1757) is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(19) of the City's Environmental Guidelines.
2. AUTHORIZE the Board of Public Works to acquire the easement for sidewalk purposes on Sepulveda Boulevard north of Sutton Street (Right of Way No. 36000-1757), as depicted on the Exhibit Map in the March 12, 2009 City Engineer report, attached to the Council file.

3. INSTRUCT the City Clerk to forward a copy of the Council action on this project be forwarded to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that a fee of \$2,337.95 was paid for the processing of this offer to dedicate pursuant to Los Angeles Administrative Code Sections 7.3 and 7.41.1. No additional City Funds are needed.

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

[09-0706](#)

CD 5

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for sanitary sewer purposes on property north of Shalomere Avenue west of Beverly Ranch Road (Right of Way No. 36000-1759).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for storm drain purposes on property north of Shalomere Avenue west of Beverly Ranch Road (Right of Way No. 36000-1759) is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(19) of the City's Environmental Guidelines.
2. AUTHORIZE the Board of Public Works to acquire the easement for sanitary sewer purposes on 6180 property north of Shalomere Avenue west of Beverly Ranch Road (Right of Way No. 36000-1759), as depicted on Exhibit Map B in the March 26, 2009 City Engineer report and attached to the Council file.
3. INSTRUCT the City Clerk to forward a copy of the Council action on this project be forwarded to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that a fee of \$2,337.97 was paid for the processing of this offer to dedicate pursuant to Los Angeles Administrative Code Sections 7.3 and 7.41.1. No additional City Funds are needed.

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

[09-0707](#)

CD 9

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for sidewalk purposes on the southwest side of 14th Place southeast of San Pedro Street (Right of Way No. 36000-1754).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for sidewalk purposes on the southwest side of 14th Place southeast of San Pedro Street (Right of Way No. 36000-1754) is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(19) of the City's Environmental Guidelines.

2. AUTHORIZE the Board of Public Works to acquire the easement for sidewalk purposes on the southwest side of 14th Place southeast of San Pedro Street (Right of Way No. 36000-1754), as depicted on the Exhibit Map in the March 26, 2009 City Engineer report and attached to the Council file.
3. INSTRUCT the City Clerk to forward a copy of the Council action on this project be forwarded to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that a fee of \$2,337.95 was paid for the processing of this offer to dedicate pursuant to Los Angeles Administrative Code Sections 7.3 and 7.41.1. No additional City Funds are needed.

## ITEM NO. (28) - ADOPTED

### 07-1441-S1

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:

### 07-1441-S1

CD 9

- a. MOTION (PERRY - ROSENDAHL) relative to declaring the Fifth Annual MusiCares MAP Fund Benefit Concert on May 8, 2009 a Special Event (fees and costs absorbed by the City = \$5,104).

### 09-0838

CD 4

- b. MOTION (LABONGE - GARCETTI) relative to declaring the Hope Walk 2009 on June 13, 2009 a Special Event (fees and costs absorbed by the City = \$4,946).

### 09-0839

CD 8

- c. MOTION (PERRY for PARKS - LABONGE) relative to declaring the Fourth Annual 5K Walk All Over Cancer Walk-a-Thon & Multi-Cultural Festival--Gift for Life on April 25, 2009 a Special Event (fees and costs absorbed by the City = \$2,148).

### 08-0938-S1

CD 5

- d. MOTION (WEISS - ROSENDAHL) relative to declaring the Los Angeles Times Festival of Books on April 25, 2009 a Special Event [fees and costs absorbed by the City = \$3,112.12 (costs) and \$312 (fees)].

[07-2923-S1](#)

CD 6

- e. MOTION (CARDENAS - HUIZAR) relative to declaring the St. Elisabeth's Church Annual Community Festival and Fair on April 30, through May 3, 2009 a Special Event (fees and costs absorbed by the City = \$1,000).

[07-1129-S1](#)

CD 11

- f. MOTION (ROSENDAHL - WEISS) relative to declaring the Brentwood Glen Day on April 25, 2009 a Special Event (fees and costs absorbed by the City = \$1,691).

[08-1021-S1](#)

CD 11

- g. MOTION (ROSENDAHL - CARDENAS) relative to declaring the 2009 Venice Garden and Home Tour on May 2, 2009 a Special Event (fees and costs absorbed by the City = \$1,349).

[07-0516-S1](#)

CD 5

- h. MOTION (WEISS - HAHN) relative to declaring the Eighth Annual Walk-a-Mile in Her Shoes - Men's March to End Violence Against Women on April 25, 2009 a Special Event (fees and costs absorbed by the City = \$1,188).

[09-0841](#)

CD 11

- i. MOTION (ROSENDAHL - SMITH) relative to declaring the Canyon Charter School Fiesta on April 26, 2009 a Special Event (fees and costs absorbed by the City = \$2,563).

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

[07-1913-S1](#)

CD 11

MOTION (ROSENDAHL - GARCETTI) relative to the Arbor Vitae Street Widening - La Cienega Boulevard to Airport Boulevard project.

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

1. INCREASE the City match appropriation by \$650,000 from \$872,000 to \$1,522,000 for the Transportation Grant Fund No. 655/94, Account No. 708.
2. AUTHORIZE the Controller to TRANSFER and APPROPRIATE \$650,000 from Council District 11 Coastal Transportation Corridor Specific Plan, Fund No. 447 into Transportation Grant Fund No. 655/94, Account No. 708 for construction, construction contingency, construction engineering, material testing, inspection and contract administration costs of the Arbor Vitae Street Widening - La Cienega Boulevard to Airport Boulevard project.
3. DIRECT the Los Angeles Department of Transportation, upon completion of the Arbor Vitae Street Widening - La Cienega Boulevard to Airport Boulevard project, to return any unused amount from the \$650,000 back into the Coastal Transportation Corridor Specific Plan, Fund No. 447.

4. AUTHORIZE the City Administrative Officer to make technical corrections as necessary to implement the intent of this motion.

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

**Roll Call #9 - Motion (Weiss - Garcetti) Adopted, Ayes (13); Absent: Greuel and Huizar (2)**

[08-0939-S1](#)

MOTION (WEISS - GARCETTI) relative to trends and issues in sexual assault prevention and services for survivors.

Recommendation for Council action:

INVITE representatives of Peace Over Violence to discuss trends and issues in sexual assault prevention and services for survivors.

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

**Roll Call #2 - Motion (LaBonge - Cardenas) Adopted, Ayes (10); Absent: Alarcon, Greuel, Huizar, Reyes and Wesson (5)**

[09-0842](#)

CD 9

MOTION (PERRY - WESSON) relative to funding for Council District Nine community services.

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

1. UNENCUMBER and REVERT to the Reserve Fund, \$13,014 in Council District Nine General City Purposes (GCP) Funds identified by the City Clerk and TRANSFER therefrom to the Unappropriated Balance, Fund No. 100/58 and REAPPROPRIATE therefrom to the GCP Fund No. 100/56, Account No. 0709 for further support of Council District Nine community services efforts.
2. AUTHORIZE the City Clerk to make any technical corrections or clarifications to the above instructions in order to effectuate the intent of this motion.

**Roll Call #22 - Motion (Parks - Rosendahl) Adopted, Ayes (10); Absent: Cardenas, Huizar, Reyes, Smith and Weiss (5)  
(Item Nos. 32-33)**

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

[09-0010-S27](#)

CONTINUED CONSIDERATION OF MOTION (PARKS - HUIZAR) relative to an offer of reward for information leading to the identification, apprehension and conviction of the person(s) responsible for the injuries sustained by a six year-old and his brother during a hit-and-run motor vehicle collision on February 6, 2009.



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

1. PROVIDE an offer of reward in the amount of \$25,000 for information leading to the identification, apprehension and conviction of the person(s) responsible for the injuries sustained by a six year-old and his brother during a hit-and-run motor vehicle collision on February 6, 2009.
2. FIND that the subject reward complies with the provisions of Chapter 12, Article 1, Division 19, of the Los Angeles Administrative Code.
3. DIRECT the City Clerk to publish the required notices and/or advertisements to effectuate this reward.

(Continued from Council meeting of April 15, 2009)

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

08-0010-S42

CONTINUED CONSIDERATION OF MOTION (PARKS - LABONGE) relative to reinstating the reward offer in the deaths of Shelton Sumerall and Monica Youngblood for an additional six months.

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

REAFFIRM Councils findings and REINSTATE the reward offer relative to the deaths of Shelton Sumerall and Monica Youngblood (Council action of August 13, 2008, Council file No. 08-0010-S42) 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.

(Continued from Council meeting of April 15, 2009)

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

**Roll Call #2 - Motion (LaBonge - Cardenas) Adopted, Ayes (10); Absent: Alarcon, Greuel, Huizar, Reyes and Wesson (5)**

09-0843

CD 2

FINAL MAP OF TRACT NO. 60196 located at 12645 West Oxnard Street easterly of Bellaire Avenue.

(Approve Subdivision Improvement Agreement and Contract with attached security documents)

(ADOPT City Engineer Report)

(ADOPT Bond No. C-114931)

(Quimby Fee: \$36,400)

Applicants: The Family Living Trust  
Cargill Planning

## Items Called Special

### Motions for Posting and Referral

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

### Closed Sessions - Items 35-40

#### ITEM NO. (35) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #23 - Motion (Parks - Greuel) Adopted, Ayes (9); Noes: Zine (1); Absent: Cardenas, Huizar, Reyes, Smith and President Garcetti (5)

#### [08-1150](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Donald Bender v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC361139. (This case arises from a Los Angeles Police Department officer who alleges retaliation as a result of engaging in protected activity on behalf of Patricia Fuller in Bomb K-9 Squad at LAX.)

(Budget and Finance Committee considered the above matter in Closed Session on April 6, 2009.)

(Continued from Council meeting of April 15, 2009)

#### ADOPTED

#### MOTION (PARKS - GREUEL)

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

1. AUTHORIZE the City Attorney to expend \$2,500,000 in settlement of the case entitled Donald Bender v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC361139, from the Liability Claims Account No. 9770, Fund No. 100/59.
2. AUTHORIZE the City Attorney to draw demands thereon, payable to McNicholas and McNicholas, LLP and Donald Bender, as follows:
  - a. \$1,500,000 will be paid in the new fiscal year on or after July 1, 2009;
  - b. \$1,000,000 will be paid in the following fiscal year on or after July 1, 2010.
3. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.

This matter was approved by the Budget and Finance Committee (Parks-Greuel-Smith-Huizar-Rosendahl "yes") at its meeting on April 6, 2009, in Closed Session as permitted by Government Code Section 54956.9(a).

**ITEM NO. (36) - MOTION ADOPTED - SEE FOLLOWING**

**Roll Call #3 - Motion (Parks - Smith) Adopted, Ayes (10); Absent: Alarcon, Greuel, Huizar, Reyes and Wesson (5)**

[09-0553](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Juan Arroyo v. City of Los Angeles, Workers' Compensation Appeals Board Case No. ADJ3542564; Claim No. 9002-1980-6704. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a Police Officer with the Los Angeles Police Department.)

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

**ADOPTED**

**MOTION (PARKS - SMITH)**

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

- 1. AUTHORIZE the City Attorney to enter into a settlement in the case entitled Juan Arroyo v. City of Los Angeles, Workers' Compensation Appeals Board Case No. ADJ3542564; Claim No. 9002-1980-6704, through a Stipulated Award for 74 percent permanent disability or \$120,562.50, plus a life pension thereafter payable at \$54.11 per week.**
- 2. AUTHORIZE the City Attorney to execute the Stipulated Award with all appropriate parties for submission to the Workers' Compensation Appeals Board for its award of payment.**

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

**ITEM NO. (37) - MOTION ADOPTED - SEE FOLLOWING**

**Roll Call #4 - Motion (Parks - Smith) Adopted, Ayes (10); Absent: Alarcon, Greuel, Huizar, Reyes and Wesson (5)**

[09-0584](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Steve Bloch v. City of Los Angeles, Workers' Compensation Appeals Board Case Nos. ADJ1280043, et al.; Claim Nos. 9003-1983-1284, et al. (Applicant alleges he sustained personal injuries during the course and scope of his employment as a Firefighter/Pilot with the Los Angeles Fire Department.)

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

**ADOPTED**

**MOTION (PARKS - SMITH)**

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

1. **AUTHORIZE the City Attorney to enter into a settlement in the case entitled Steve Bloch v. City of Los Angeles, Workers' Compensation Appeals Board Case Nos. ADJ1280043, et al.; Claim Nos. 9003-1983-1284, et al., in the total sum of \$116,086.25, as follows:**
  - a. through a Stipulated Award for 66 percent permanent disability or \$72,936.25, payable at \$185.00 per week;
  - b. through a Stipulated Award for 40 percent permanent disability or \$43,150.00, payable at \$200.00 per week.
2. **AUTHORIZE the City Attorney to execute the Stipulated Awards with all appropriate parties for submission to the Workers' Compensation Appeals Board for its award of payment.**

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

**ITEM NO. (38) - MOTION ADOPTED - SEE FOLLOWING**

**Roll Call #5 - Motion (Parks - Smith) Adopted, Ayes (10); Absent: Alarcon, Greuel, Huizar, Reyes and Wesson (5)**

[09-0703](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Gerald Holtz v. City of Los Angeles, Workers' Compensation Appeals Board Case Nos. VNO0472255, et al.; Claim Nos. 9002-2000-1977, et al. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a Police Officer with the Los Angeles Police Department.)

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

**ADOPTED**

**MOTION (PARKS - SMITH)**

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

1. **AUTHORIZE the City Attorney to enter into a settlement in the case entitled Gerald Holtz v. City of Los Angeles, Workers' Compensation Appeals Board Case Nos. VNO0472255, et al.; Claim Nos. 9002-2000-1977, et al., in the total sum of \$195,800.75, as follows:**
  - a. through a Stipulated Award for 0 percent permanent disability;
  - b. through a Stipulated Award for 12 percent permanent disability or \$7,076.25, payable at \$185.00 per week;
  - c. through a Stipulated Award for 5 percent permanent disability or \$4,000.00, payable at \$200.00 per week;

- d. through a Stipulated Award for 4 percent permanent disability or \$2,220.00, payable at \$185.00 per week;
  - e. through a Stipulated Award for 80 percent permanent disability or \$134,062.50 payable at \$250.00 per week, plus a life pension thereafter payable at \$77.31 per week.
2. **AUTHORIZE** the City Attorney to execute the Stipulated Awards with all appropriate parties for submission to the Workers' Compensation Appeals Board for its award of payment.

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

**ITEM NO. (39) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING**

**Roll Call #24 - Motion (Parks - Smith) Adopted, Ayes (10); Absent: Cardenas, Huizar, Reyes, Smith and President Garcetti (5)**

[09-0555](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Lloyd McMillian v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC298898. (This case arises from plaintiff's claims of discrimination based on race and retaliation in the Bureau of Sanitation.)

(Budget and Finance Committee considered the above matter in Closed Session on April 13, 2009.)

**ADOPTED**

**MOTION (PARKS - SMITH)**

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

1. **AUTHORIZE** the City Attorney to expend \$900,000 in settlement of the case entitled Lloyd McMillan v. City of Los Angeles, Los Angeles Superior Court Case No. BC298898.
2. **AUTHORIZE** the City Attorney to draw a demand payable, upon approval of this settlement to "The Law Offices of David P. Cwiklo and Lloyd McMillan" in the amount of \$100,000 from the Liability Claims Fund No. 100/59, Account No. 9760; reimbursement will be subsequently provided from the Sewer Operations and Maintenance Fund No. 760/50, Account No. C159.
3. **AUTHORIZE** the Bureau of Sanitation to draw a demand payable, after July 1, 2009 to "The Law Offices of David P. Cwiklo and Lloyd McMillian" in the amount of \$800,000, from Sewer Operations and Maintenance Fund No. 760/50, Account No, E282.
4. **AUTHORIZE** the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and **AUTHORIZE** the Controller to implement the instructions.

**ADOPTED**

**MOTION (ALARCON - GREUEL)**

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

**INSTRUCT the Personnel Department to report back to the Council relative to department actions taken in the above entitled case.**

**ITEM NO. (40) - CONTINUED TO APRIL 29, 2009**

**Roll Call #25 - Motion (Alarcon - Zine) Adopted To Continue, Unanimous Vote (10); Absent: Cardenas, Huizar, Reyes, Smith and President Garcetti (5)**

[09-0704](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Mary Cummins-Cobb v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC374596. (This case arises from plaintiff's claims of discrimination based on sexual harassment in the Department of Animal Services.)

(Budget and Finance Committee considered the above matter in Closed Session on April 13, 2009.)

**Item for Which Public Hearing Has Been Held - Item 42**

**ITEM NO. (42) - CONTINUED TO MAY 6, 2009**

**Roll Call #10 - Motion (LaBonge - Greuel) Adopted To Continue, Unanimous Vote (10); Absent: Cardenas, Huizar, Reyes, Smith and President Garcetti (5)**

[09-0252](#)

CONTINUED CONSIDERATION OF AD HOC RIVER and TRANSPORTATION COMMITTEES' REPORTS relative to the status of California's proposed high-speed train system.

**A. AD HOC RIVER COMMITTEE REPORT**

Recommendations for Council action, as initiated by Motion (LaBonge - Greuel):

1. DIRECT the Department of City Planning (Planning) to work with the Los Angeles Department of Transportation (LADOT), and any other appropriate City departments, to assess the impacts of the High Speed Rail current routes on the City community plans and goals, on the Los Angeles River Revitalization Master Plan, and other specific plans that fall within the proposed routes.
2. DIRECT Planning to work with the LADOT, its City taskforce, and other appropriate agencies to establish a cohesive City vision and official City position on alignments.

3. DIRECT Planning to report back in 30 days to the Planning and Land Use Management Committee and the Ad Hoc River Committee with a status report and recommendations for an official City position on high speed rail alignments through the impacted communities.

#### B. TRANSPORTATION COMMITTEE REPORT

Recommendation for Council action, pursuant to Motion (LaBonge - Greuel):

REQUEST the California High Speed Rail Authority to provide a status report on California's high speed train system, including the anticipated time table for decision-making and project implementation that will impact Southern California.

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.

### **Items for Which Public Hearings Have Not Been Held - Items 43-45**

(10 Votes Required for Consideration)

#### **ITEM NO. (43) - ADOPTED - ORDINANCE OVER ONE WEEK TO APRIL 29, 2009**

**Roll Call #21 - Motion (Weiss - Wesson) Adopted, Ordinance Over One Week, Ayes (10); Absent: Cardenas, Huizar, Parks, Reyes and Smith (5)**

#### [07-2893-S2](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to creating Special Funds resulting from the City's Judgment Obligation Bond Issuance, Series 2009-A, and to comply with the Internal Revenue Code for all City Judgment Obligation Bond issues.

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

PRESENT and ADOPT the accompanying ORDINANCE creating Special Funds resulting from the City's Judgment Obligation Bond Issuance, Series 2009-A, and to comply with the Internal Revenue Code for all City Judgment Obligation Bond issues.

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

Community Impact Statement: None submitted.

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

**ITEM NO. (44) - CONTINUED TO APRIL 28, 2009**

**Roll Call #13 - Motion (Cardenas - Smith) Adopted To Continue, Unanimous Vote (10); Absent: Alarcon, Greuel, Huizar, Reyes and President Garcetti (5)**

[09-0601](#)

CONTINUED CONSIDERATION OF LOS ANGELES DEPARTMENT OF ANIMAL SERVICES to report relative to the Spay and Neuter Discount Voucher Program, as detailed in Motion (Cardenas - Alarcon - Zine - et al.).

(Pursuant to Council action on March 27, 2009)

**ITEM NO. (45) - SUBSTITUTE MOTION ADOPTED IN LIEU OF ORIGINAL - SEE FOLLOWING**

**Roll Call #11 - Motion (Parks - Smith) Adopted, Ayes (13); Absent: Greuel and Huizar (2)**

**RECEIVED AND FILED**

[09-0834](#)

CD 13

CONTINUED CONSIDERATION OF MOTION (GARCETTI - REYES) relative to amending the Transportation Element of the General Plan to redesignate Glendale Boulevard from a Secondary Highway to a Modified-Standard Secondary Highway.

Recommendations for Council action:

1. DIRECT the Department of City Planning (DCP) in coordination with the Los Angeles Department of Transportation (LADOT), and the Bureau of Engineering (BOE), to analyze, prepare and present the necessary documents and plan amendments to the "Streets and Highways Designation Map" of the Transportation Element of the General Plan, to redesignate Glendale Boulevard, from its current street classification of Secondary Highway to a Modified-Standard Secondary Highway.
2. DIRECT the DCP, BOE and LADOT, in anticipation of the approval of this General Plan Amendment, to refrain from requiring dedications or street improvements to Secondary Highway standards in connection with any proposed private or public improvements on Glendale Boulevard between Park Drive and Sunset Boulevard.

**ADOPTED**

**MOTION (GARCETTI - REYES)**

Recommendations for Council action:

**DIRECT the Department of City Planning in coordination with the Department of Transportation, and the Bureau of Engineering, to analyze, prepare and present the necessary documents and plan amendments to the "Streets and Highways Designation Map" of the Transportation Element of the General Plan, to redesignate Glendale Boulevard, from its current street classification of Secondary Highway to a Modified-Standard Secondary Highway.**



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

### 07-1304-S2

CD 9

MOTION (PERRY - REYES) relative to declaring the Asian and Pacific Islander American Heritage Month on April 24, 2009 to May 27, 2009 a Special Event (fees and costs absorbed by the City = none submitted).

### 09-0915

CD 1

MOTION (REYES - PERRY) relative to declaring the Cinco de Mayo Parade on May 2, 2009 a Special Event (fees and costs absorbed by the City = \$3,800).

### 08-0624-S1

CD 1

MOTION (REYES - PERRY) relative to declaring the MacArthur Park Spring Carnival on May 1-3, 2009 a Special Event (fees and costs absorbed by the City = \$6,000).

### 07-0037-S1

CD 5

MOTION (WEISS - ROSENDAHL) relative to declaring the Westwood Village Certified Farmers' Market on each Wednesday from April 29, 2009 to June 30, 2009 a Special Event (fees and costs absorbed by the City = \$3,500).

### 08-1050-S1

CD 5

MOTION (WEISS - LABONGE) relative to declaring the Opening Night of the Los Angeles Asian Pacific Film Festival on April 30, 2009 a Special Event (fees and costs absorbed by the City = \$1,188).

### 08-0748-S1

CD 5

MOTION (WEISS - LABONGE) relative to declaring the Temple Beth Hillel's 5K Run, Walk and Stroll/Health Fair on April 26, 2009 a Special Event (fees and costs absorbed by the City = \$3,755).

### 07-3034-S1

CD 15

MOTION (HAHN - LABONGE) relative to declaring the Island Avenue Block Party on May 8, 2009 a Special Event (fees and costs absorbed by the City = \$1,226).

### 09-0010-S29

MOTION (WEISS - CARDENAS) relative to an offer of reward for information leading to the identification, apprehension and conviction of the person(s) responsible for the arson and vandalism crimes targeting UCLA researchers and residents of the City of Los Angeles over the past three years.

[09-0017-S1](#)

CD 13

MOTION (GARCETTI - REYES) relative to issuance of permits to allow the construction of the International Church of the Foursquare Gospel parking structure located at 1136 North Glendale Boulevard.

[08-1013-S1](#)

MOTION (PERRY - REYES) relative to funding for the April 30, 2009 Los Angeles African American Women's Public Policy Institute (LAAAWPPI) Reception in the Rotunda.

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

[09-0726](#) - Uriel Cortez Lopez

(Alarcon)

John Henry Joseph

(Hahn)

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

**Whereupon the Council did adjourn.**

ATTEST: Karen E. Kalfayan, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL