

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **April 29, 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, Parks, Perry, Smith, Weiss, Zine and President Garcetti (10); Absent: Greuel, Hahn, Reyes, Rosendahl and Wesson (5).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
APRIL 24, 2009

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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

Items Noticed for Public Hearing - Items 1-7

ITEM NO. (1) - RECEIVED AND FILED - INASMUCH AS LIEN HAS BEEN PAID

Roll Call #2 - Motion (Weiss - Parks) Adopted to Receive and File, Unanimous Vote (10); Absent: Greuel, Hahn, Reyes, Rosendahl and Wesson (5)

[08-3031](#)
CD 10

CONTINUED CONSIDERATION OF HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the cost of barricading all openings of the lot at 2212 South Burnside Avenue. (Lien: \$300)

(Continued from Council meeting of April 1, 2009)

ITEM NO. (2) - PUBLIC HEARING CLOSED - LIEN CONFIRMED

Roll Call #4 - Motion (Cardenas - Parks) Adopted to Confirm Lien, Ayes (11); Absent: Greuel, Hahn, Reyes and Wesson (4)

[08-3034](#)

CD 2

CONTINUED CONSIDERATION HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the cost of cleaning the lot at 3728 North Berry Drive. (Lien: \$300)

(Continued from Council meeting of April 1, 2009)

ITEM NO. (3) - PUBLIC HEARING CLOSED - LIEN CONFIRMED

Roll Call #7 - Motion (Parks - Perry) Adopted to Confirm Lien, Ayes (14); Absent: Reyes (1)

[08-3035](#)

CD 8

CONTINUED CONSIDERATION HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the cost of cleaning the lot at 2915 West 67th Street. (Lien: \$14,946.26)

(Continued from Council meeting of April 1, 2009)

**Roll Call #2 - Motion (Weiss - Parks) Adopted to Receive and File, Unanimous Vote (10); Absent: Greuel, Hahn, Reyes, Rosendahl and Wesson (5)
(Item Nos. 4-5)**

ITEM NO. (4) - RECEIVED AND FILED - INASMUCH AS LIEN HAS BEEN PAID

[08-3036](#)

CD 8

CONTINUED CONSIDERATION 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 3934 West 58th Place. (Lien: \$10,764.43)

(Continued from Council meeting of April 1, 2009)

ITEM NO. (5) - RECEIVED AND FILED - INASMUCH AS LIEN HAS BEEN PAID

[08-3037](#)

CD 14

CONTINUED CONSIDERATION HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of cleaning and fencing of the lot at 1705 West Yosemite Drive. (Lien: \$4,309.20)

(Continued from Council meeting of April 1, 2009)

ITEM NO. (6) - PROTEST DENIED - LIEN CONFIRMED

Roll Call #10 - Motion (Parks - LaBonge) Adopted, Ayes (14); Absent: Reyes (1)

[09-0191](#)

CD 8

CONTINUED CONSIDERATION OF HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of fencing of the lot at 4000 West Don Diablo Drive. (Lien: \$9,576)

(Continued from Council meeting of April 15, 2009)

ITEM NO. (7) - CONTINUED TO MAY 20, 2009

Roll Call #3 - Motion (Alarcon - Weiss) Adopted to Continue, Unanimous Vote (10); Absent: Greuel, Hahn, Reyes, Rosendahl and Wesson (5)

[09-0459](#)

CD 7

CONTINUED CONSIDERATION OF HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for off-site consumption at Snack Size Market located at 9051 Van Nuys Boulevard, Panorama City.

Application filed by: David Dawad (Lee Ambers, California Property Consultants, representative)

TIME LIMIT FILE - APRIL 29, 2009

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

(Findings and Council recommendations required relative to the above application)

(Continued from Council meeting of April 8, 2009)

Items for Which Public Hearings Have Been Held - Items 8-23

ITEM NO. (8) - ADOPTED - SEE FOLLOWING

Roll Call #9 - Motion (Wesson - Alarcon) Adopted, Ayes (14); Absent: Reyes (1)

[07-0111](#)

COMMUNICATION FROM THE MAYOR relative to the reappointment of Mr. Damian Martinez to the Relocation Appeals Board.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. Martinez to the Relocation Appeals Board for the new term ending April 2, 2011, is APPROVED and CONFIRMED. Mr. Martinez resides in Council District Five. (Current Board gender composition: M=2; F=3)

Ethics Commission Review: Pending

Background Check Review: Pending

Community Impact Statement: None submitted.

(Housing, Community and Economic Development 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 Housing, Community, and Economic Development Committee at 213-978-1080)

ADOPTED

HOUSING, COMMUNITY, AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the reappointment of Mr. Damian Martinez to the Relocation Appeals Board.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. Martinez to the Relocation Appeals Board for the term ending April 2, 2011, is APPROVED and CONFIRMED. Mr. Martinez resides in Council District Five. (Current Board gender composition: M=2; F=3)

Ethics Commission Review: Pending.

Background Check Review: Pending.

Community Impact Statement: None submitted.

ITEM NO. (9) - CONTINUED TO MAY 6, 2009

Roll Call #8 - Motion (Wesson - Greuel) Adopted to Continue, Unanimous Vote (14); Absent: Reyes (1)

07-2480

COMMUNICATION FROM THE MAYOR relative to the reappointment of Mr. Raffi Ghazarian to the Relocation Appeals Board.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. Ghazarian to the Relocation Appeals Board for the new term ending April 2, 2011, is APPROVED and CONFIRMED. Mr. Ghazarian resides in Council District Two. (Current Board gender composition: M=2; F=3)

Ethics Commission Review: Pending

Background Check Review: Pending

Community Impact Statement: None submitted.

(Housing, Community and Economic Development 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 Housing, Community, and Economic Development Committee at 213-978-1080)

HOUSING, COMMUNITY, AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the reappointment of Mr. Raffi Ghazarian to the Relocation Appeals Board.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. Ghazarian to the Relocation Appeals Board for the term ending April 2, 2011, is APPROVED and CONFIRMED. Mr. Ghazarian resides in Council District Two. (Current Board gender composition: M=2; F=3)

Ethics Commission Review: Pending.

Background Check Review: Pending.

Community Impact Statement: None submitted.

ITEM NO. (10) - ADOPTED - SEE FOLLOWING

Roll Call #9 - Motion (Wesson - Alarcon) Adopted, Ayes (14); Absent: Reyes (1)

[07-3422](#)

COMMUNICATION FROM THE MAYOR relative to the reappointment of Ms. Yolanda Anguiano to the Relocation Appeals Board.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Ms. Anguiano to the Relocation Appeals Board for the new term ending April 2, 2011, is APPROVED and CONFIRMED. Ms. Anguiano resides in Council District Seven. (Current Board gender composition: M=2; F=3)

Ethics Commission Review: Pending

Background Check Review: Pending

Community Impact Statement: None submitted.

(Housing, Community and Economic Development 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 Housing, Community, and Economic Development Committee at 213-978-1080)

ADOPTED

HOUSING, COMMUNITY, AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the reappointment of Ms. Yolanda Anguiano to the Relocation Appeals Board.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Ms. Anguiano to the Relocation Appeals Board for the term ending April 2, 2011, is **APPROVED** and **CONFIRMED**. Ms. Anguiano resides in Council District Seven. (Current Board gender composition: M=2; F=3)

Ethics Commission Review: Pending.

Background Check Review: Pending.

Community Impact Statement: None submitted.

ITEM NO. (11) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #5 - Motion (Zine - Smith) Adopted, Ayes (13); Absent: Reyes and Wesson (2)

[09-0242](#)

CD 14

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change for property at 4875 West Onteora Way.

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. 09-0242 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 2006-9508-MND] filed on November 30, 2007.
2. ADOPT the April 15, 2009, FINDINGS of the Director of Planning as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, effecting a zone change from RE20-1 to (T)(Q)RE11-1 for the proposed nine-lot subdivision which includes private streets, and the construction of nine single-family dwellings for property at 4875 West Onteora Way, subject to Conditions of Approval as modified and attached to the Committee report.

Applicant: Thaer Mahmoud

APCE 2007-5295 ZC

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report as modified.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
6. 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.
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.
8. NOT PRESENT and ORDER FILED the Ordinance approved by the City Planning Commission on August 13, 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 - MAY 1, 2009

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

ITEM NO. (12) - ADOPTED

Roll Call #11 - Motion (Smith - Rosendahl) Adopted, Ayes (13); Absent: Parks and Reyes (2)

[07-2893-S2](#)

ORDINANCE SECOND CONSIDERATION 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.

(Communication from the City Attorney adopted on April 22, 2009)

**Roll Call #5 - Motion (Zine - Smith) Adopted, Ayes (13); Absent: Reyes and Wesson (2)
(Item Nos. 13-14)**

ITEM NO. (13) - ADOPTED

[08-0600-S56](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to revenue estimates for the upcoming fiscal year and an estimate of the amount of revenue required to meet the annual debt service requirements for principal and interest for the City's General Obligation Bonds.

Recommendation for Council action:

NOTE and FILE the Controller's March 1, 2009 report relative to an estimate of revenue for the upcoming fiscal year and an estimate of the amount of revenue required to meet the annual debt service requirements for principal and interest for the City's General Obligation Bonds, 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. (14) - ADOPTED

[08-1292-S1](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the status of Reserve Fund loans as of December 31, 2008.

Recommendation for Council action:

NOTE and FILE the Controller's report relative to the status of Reserve Fund loans as of December 31, 2008, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (15) - ADOPTED

Roll Call #12 - Motion (Huizar - Perry) Adopted, Ayes (13); Absent: Parks and Reyes (2)

[09-0181-S1](#)

CD 14

BUDGET AND FINANCE COMMITTEE REPORT relative to the vacation of Eaton Street between Nolden Street and Avenue 56 southerly of Tehama Street in Council District (CD)14.

Recommendation for Council action, as initiated by Motion (Huizar - LaBonge):

AUTHORIZE a Development Fee subsidy in an amount not to exceed \$5000 for administrative processing fees associated with re-issuing the vacation of Eaton Street between Nolden Street and Avenue 56 southerly of Tehama Street in CD 14.

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 #5 - Motion (Zine - Smith) Adopted, Ayes (13); Absent: Reyes and Wesson (2)
(Item Nos. 16-18)**

ITEM NO. (16) - ADOPTED

[08-1674](#)

[08-1674-S1](#)

PERSONNEL COMMITTEE REPORT relative to an amendment to a contract with National Seminars Group to increase the maximum amount payable to conduct state-mandated online sexual harassment training.

Recommendations for Council action:

1. AUTHORIZE the General Manager, Personnel Department, or designee, to amend the contract with National Seminars Group to increase the maximum amount payable from \$440,000 to \$640,000, as recommended in the Personnel Department report attached to Council file No. 08-1674-S1.
2. NOTE and FILE the Personnel Department report attached to Council file No. 08-1674.

Fiscal Impact Statement: The Personnel Department reports that based on the approximately 13,000 supervisors and managers to be retrained in 2009-10, in accordance with Assembly Bill 1825, it is estimated that the additional compensation for the fifth contract year will be \$200,000, increasing the maximum compensation over the five-year term from \$440,000 to \$640,000. Funding has been included in the Personnel Department's 2009-10 budget request.

Community Impact Statement: None submitted.

ITEM NO. (17) - ADOPTED - TO THE MAYOR FORTHWITH

[09-0807](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to Department of Building and Safety's request for approval of funding from the Construction Services Trust Fund to continue Phase II of the Internet Document Imaging System.

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

APPROVE funding in the amount of \$756,723 from the Construction Services Trust Fund No. 438/50, for the conversion of building permits dated from 1905 to 1924 from microfilm reels to digital images to continue Phase II of the Department of Building and Safety Internet Document Imaging System.

Fiscal Impact Statement: The City Administrative Officer reports that the source of funds is the Construction Services Trust Fund, which has sufficient funds to finance this eligible request. This expenditure complies with the City's Financial Policies in that collected surcharges on permits will be used to support this one-time expenditure associated with the Construction Services Centers.

Community Impact Statement: None submitted.

ITEM NO. (18) - ADOPTED

06-1715

PUBLIC SAFETY COMMITTEE REPORT relative to an Assistance to Firefighters Program (FIRE) Act grant award from the United States Department of Homeland Security for 175 5-gas detectors, calibration stations, and training for the Fire Department.

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

1. APPROVE the Los Angeles Fire Department's (LAFD) application to the Office of Domestic Preparedness, United States Department of Homeland Security, for the FIRE Act grant award in the amount of \$386,000, for the acquisition of 175 5-Gas Detectors, calibration stations and related training.
2. AUTHORIZE the Fire Chief to accept FIRE Act grant funds for deposit into a new account in LAFD Grant Fund 335 established specifically for this project on behalf of the City; said approval for Fiscal Years 2008-09 through 2009-10.
3. AUTHORIZE the LAFD to transfer \$77,200 from Fund 40J, LAFD Special Training Fund, Account 001R, to the LAFD Grant Fund 335, established for this project for disbursement to Office of Domestic Preparedness as the non-Federal 20 percent cash match from 2008-09.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. The LAFD has identified \$77,200 in available funds to comply with the 20 percent City match requirement of the FIRE Act grant. Approval of the above recommendations is consistent with City financial policies inasmuch as budgeted funds will be used to support this one-time expenditure.

Community Impact Statement: None submitted.

ITEM NO. (19) - ADOPTED

Roll Call #13 - Motion (Cardenas - Weiss) Adopted, Ayes (13); Noes: Parks (1); Absent: Reyes (1)

06-3081

PUBLIC SAFETY COMMITTEE REPORT relative to grant award from State of California, Office of Emergency Services (OES) for the 2009 Law Enforcement Specialized Units Program (LESUP) to fund a new model of the Los Angeles Police Department's (LAPD) Domestic Abuse Response Team (DART).

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

1. AUTHORIZE the Chief of Police, or designee, to:
 - a. Accept the award of the LESUP grant in the amount of \$150,000 from the OES for the period of January 1, 2009 through December 31, 2009, subject to the written approval by the OES of the proposed modified grant budget.
 - b. Negotiate and execute a Cooperative Agreement upon award of grant funds, subject to the approval of the City Attorney as to form and legality.
2. AUTHORIZE the Controller to set up a grants receivable, in the amount of \$150,000, and establish an appropriation account, account number to be determined, within Fund No. 339/70 for the disbursement and receipt of LESUP grant funds.
3. AUTHORIZE the Chief of Police, or designee, to negotiate and execute a Personal Services Agreement with Valley Trauma Center and the Domestic Abuse Center, as well as, use \$39,230 in grant funds for the provision of domestic abuse services for the period of January 1, 2009 to December 31, 2009.
4. AUTHORIZE the Controller to transfer, as needed, up to:
 - a. \$85,236 from Fund No. 339/70, LESUP Grant Program, account number to be determined, to the LAPD Fund No. 100/70 Account No. 1012.
 - b. \$13,934 from Fund No. 339/70, LESUP Grant Program, account number to be determined, to the LAPD Fund No. 100/70 Account No.1092.
5. AUTHORIZE the LAPD to use the remaining \$11,600 in grant funds consistent with the final OES approved grant budget award.
6. INSTRUCT the LAPD to transmit, at a minimum of once per year, to the City Administrative Officer (CAO), all grant mandated LESUP audit reports; and, to notify the CAO of any changes to the grant budget and contracting authorities.
7. AUTHORIZE the LAPD to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the CAO; and, AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. A \$50,000 in-kind match is required for this grant which is provided in the form of the original Police Officer II salaries. The cost of the two Police Officers, \$245,282, is included in the 2008-09 Adopted Budget and will be included in the 2009-10 Proposed Budget since these positions are filled by existing LAPD personnel. Acceptance of the grant is in compliance with City financial policies inasmuch as one-time revenue is used for one-time expenses.

Community Impact Statement: None submitted.

**Roll Call #5 - Motion (Zine - Smith) Adopted, Ayes (13); Absent: Reyes and Wesson (2)
(Item Nos. 20-21)**

ITEM NO. (20) - ADOPTED

[07-0609](#)

PUBLIC SAFETY COMMITTEE REPORT relative to an Urban Area Security Initiative (UASI)/Law Enforcement Terrorism Prevention Program (LETPP) Supplemental Award contracting authority with the National Consortium of Intelligence Led Policing to develop and implement the Los Angeles Police Department (LAPD) National Counter Terrorism Academy.

Recommendation for Council action:

AUTHORIZE the Mayor, or designee, to negotiate and execute a sole source contract with the National Consortium of Intelligence Led Policing, for a term of 12 months from March 1, 2009 to March 31, 2010, in an amount not to exceed \$491,540 from the 2007 UASI and 2007 LETPP grants, to develop and implement the LAPD National Counter Terrorism Academy, subject to receipt of approval by the grantor and further subject to the approval of the City Attorney as to form and legality.

Fiscal Impact Statement: None submitted by the Mayor's Office. 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. (21) - ADOPTED

[08-2362](#)

PUBLIC SAFETY COMMITTEE REPORT relative to various contract amendments, fund transfers, and expenditures relative to the closeout of the 2005 Urban Area Security Initiative (UASI) grant award.

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

1. AUTHORIZE the Mayor, or designee, to negotiate and execute novation contracts, supplemental agreements, or contract amendments as applicable for the 2005 UASI grant with the following jurisdictions: Alhambra, Burbank, Burbank-Glendale-Pasadena Airport Authority, Beverly Hills, Culver City, El Segundo, Glendale, Inglewood, Los Angeles County, Los Angeles Harbor Department, Los Angeles World Airports, Monterey Park, Pasadena, San Fernando, Santa Monica, Torrance, and Vernon, to reflect revised budget amounts and to extend the term of the contracts through August 31, 2009, solely for the purpose of processing payment by the Controller's Office, subject to the approval of the City Attorney as to form and legality.
2. AUTHORIZE the Controller to transfer the various appropriations, and to take related actions, as delineated in the City Administrative Officer (CAO) April 14, 2009 report to the Mayor and Council (attached to the Committee report) Recommendation Nos. 2 - 12.
3. AUTHORIZE the Mayor, or designee, to prepare Controller instructions for any technical accounting adjustments consistent with this action, subject to the approval of the CAO; and, AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that approval of the above recommendations will result in the completion of the 2005 UASI grant. This action complies with the City financial policies, inasmuch as grant expenditures have already been fully reimbursed by grant funds. The requested financial and contracting authorities will allow for the transfer of grant funds to reimburse the General Fund and grant award sub-recipients as appropriate.

Community Impact Statement: None submitted.

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

ITEM NO. (22) - CONTINUED TO MAY 1, 2009

Roll Call #19 - Motion (Greuel - LaBonge) Adopted to Continue, Ayes (14); Absent: Reyes (1)

[08-1862](#)

TRANSPORTATION COMMITTEE REPORT relative to the status of the City's efforts on the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) reauthorization.

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

1. APPROVE the City of Los Angeles SAFETEA-LU Reauthorization Proposed List dated April 22, 2009, submitted to the Transportation Committee (attached to the Council file).
2. DIRECT the Los Angeles Department of Transportation (LADOT) to update the status of the City's SAFETEA-LU Earmark projects every six months.
3. INSTRUCT the LADOT to further explore options to secure funding for shortfalls and report back.

Fiscal Impact Statement: The LADOT reports that it is anticipated that there will be no impact on the General Fund. Proposition C, the Public Works Trust Fund, Proposition K, Gas Tax, and other Special Funds will provide the match and front-funding while Proposition C and Metro funds will provide funding for the shortfalls.

Community Impact Statement: None submitted.

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

B. AMENDING MOTION (GREUEL - PARKS)

Recommendation for Council action:

APPROVE the revised City of Los Angeles SAFETEA-LU Reauthorization project list, attached to the Council file.

(Continued from Council meeting of April 29, 2009)

ITEM NO. (23) - ADOPTED

Roll Call #5 - Motion (Zine - Smith) Adopted, Ayes (13); Absent: Reyes and Wesson (2)

[08-0864](#)

CD 15

BUDGET AND FINANCE and INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEES' REPORTS relative to the proposed acquisition of City-owned property located at 10800 South Central Avenue, Los Angeles by the Watts Labor Community Action Committee (WLCAC).

A. BUDGET AND FINANCE COMMITTEE REPORT

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

1. INSTRUCT the General Manager, Community Development Department (CDD), or designee, with assistance from the City Attorney, to conduct a detailed analysis of Community Development Block Grant (CDBG) funds expended for improvements to the City-owned property located at 10800 South Central Avenue in Los Angeles (Property) and contact the U.S. Department of Housing and Urban Development (HUD) to determine the feasibility and procedure required of the sale of CDBG funded property partially for cash and partially for in-kind services.
2. INSTRUCT the General Manager, Department of General Services (GSD), or designee, to review the Property under the City's Surplus Property process and report back on the feasibility of a direct sale of the Property to the WLCAC.
3. INSTRUCT the City Administrative Officer (CAO) to report back within 30 days of the completion of the City's Surplus Property Process and the CDD's comprehensive report on the feasibility of the sale of the Property to WLCAC.

4. INSTRUCT the GSD and the Chief Legislative Analyst to report back to the Committee relative to any impacts this proposed public benefit sale may have on the non-profit lease and sale policy as it is currently being developed.

Fiscal Impact Statement: The CAO reports there is no General Fund impact at this time. The City Financial Policies do not apply to the recommendations in this report.

Community Impact Statement: None submitted.

ADOPTED

B. INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT

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

1. INSTRUCT the General Manager, Community Development Department (CDD), or designee, with assistance from the City Attorney, to conduct a detailed analysis of Community Development Block Grant (CDBG) funds expended for improvements to the City-owned property located at 10800 South Central Avenue in Los Angeles (Property) and contact the U.S. Department of Housing and Urban Development (HUD) to determine the feasibility and procedure required of the sale of CDBG funded property partially for cash and partially for in-kind services.
2. INSTRUCT the General Manager, Department of General Services, or designee, to review the Property under the City's Surplus Property process and report back on the feasibility of a direct sale of the Property to the WLCAC.
3. INSTRUCT the City Administrative Officer (CAO) to report back within 30 days of the completion of the City's Surplus Property Process and the CDD's comprehensive report on the feasibility of the sale of the Property to WLCAC.

Fiscal Impact Statement: The CAO reports there is no General Fund impact at this time. The City Financial Policies do not apply to the recommendations contained in the February 10, 2009 CAO report.

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 24-32

(10 Votes Required for Consideration)

**Roll Call #14 - Motion (Rosendahl - Smith) Adopted, Ayes (14); Absent: Reyes (1)
(Item Nos. 24a-24i)**

ITEM NO. (24) - ADOPTED

[09-0005-S253](#)

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 21, 2009:

[09-0005-S253](#)

CD 1

- a. Property at 2235 North Johnston Street a.k.a. 2239 North Johnston Street (Case No. 179814). Assessor I.D. No. 5204-025-008

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 12, 2008)

[09-0005-S254](#)

CD 3

- b. Property at 22769 West Del Valle Street (Case No. 100165). Assessor I.D. No. 2040-031-042

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 3, 2007)

[09-0005-S255](#)

CD 8

- c. Property at 237 East 103rd Street a.k.a. 237 1/2 East 103rd Street (Case No. 179414). Assessor I.D. No. 6063-010-028

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

[09-0005-S256](#)

CD 1

- d. Property at 2434 Griffin Avenue (Case No. 8620). Assessor I.D. No. 5204-023-022

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 26, 2005)

[09-0005-S257](#)

CD 14

- e. Property at 3235 East Eighth Street (Case No. 23749). Assessor I.D. No. 5190-012-027

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 18, 2006)

[09-0005-S258](#)

CD 9

- f. Property at 333 East 68th Street a.k.a. 333 1/2 East 68th Street (Case No. 181683). Assessor I.D. No. 6011-012-009

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 14, 2008)

[09-0005-S259](#)

CD 9

- g. Property at 4060 South Wall Street a.k.a. 4066 1/2 Wall Street (Case No. 127100).
Assessor I.D. No. 5113-026-007

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 6, 2007)

[09-0005-S260](#)

CD 4

- h. Property at 744 South Detroit Street (Case No. 175204).
Assessor I.D. No. 5089-001-022

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 8, 2008)

[09-0005-S261](#)

CD 15

- i. Property at 826 North McDonald Avenue (Case No. 95693).
Assessor I.D. No. 7416-021-025

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 8, 2007)

ITEM NO. (25) - ADOPTED

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

[09-0755](#)

CD 1

COMMUNICATION FROM THE COMMUNITY REDEVELOPMENT AGENCY (CRA) and RESOLUTIONS relative to: an Acquisition Loan Agreement (Agreement) with META Housing Corporation in an amount not to exceed \$3.6 million for development of the Chinatown Metro Apartments Project (Project) located at 808-10 North Spring Street; review and consideration of environmental effects of the Project; and, authorization to apply for and accept Proposition 1C Grant funding.

Recommendations for Council action:

1. AUTHORIZE the Chief Executive Officer, CRA, or designee, to:
 - a. Execute an Agreement with Meta Housing Corporation for the Project in an amount not to exceed \$3.6 million, and to take such other actions as may be necessary to carry out the Agreement.
 - b. Adopt a Resolution making the finding that an economically feasible alternative of financing on substantially comparable terms but without subordination of the CRA Deed of Trust, covenants, and use restrictions is not reasonably available, and authorize the subordination of the CRA's Deed of Trust, covenants, and use restrictions to the construction and permanent loans provided for the proposed Project.

2. ADOPT the accompanying RESOLUTION (Attachment C of the CRA report dated April 2, 2009) that authorizes the submittal of the applications, acceptance and execution of agreements, and award of Proposition 1C Transit Oriented District Housing and Improvements or other grant funding.
3. ADOPT the accompanying Finding of Benefit Joint RESOLUTION (Attachment B of the CRA report dated April 2, 2009) for the Project providing a not to exceed amount of \$2.1 million of Bunker Hill Replacement Housing Trust Fund, finding that housing affordable to very low, low, and moderate income households at 808-810 North Spring Street is of Benefit to the Bunker Hill Redevelopment Project Area.
4. AMEND the CRA Fiscal Year Budget and Work Program to recognize \$2.1 million from budgeted line item "Affordable Housing" in the Bunker Hill Redevelopment Project Area to budgeted line item "Affordable Housing" in the Chinatown Redevelopment Project Area for housing development.

Fiscal Impact Statement: The CRA reports that there is no fiscal impact to the City's General Fund.

Community Impact Statement: None submitted.

(Housing, Community, and Economic Development Committee waived consideration of the above matter)

ITEM NO. (26) - ADOPTED

Roll Call #16 - Motion (Wesson - Perry) Adopted, Ayes (14); Absent: Reyes (1)

[09-0883](#)

CDs 1, 10 & 14

COMMUNICATION FROM THE COMMUNITY REDEVELOPMENT AGENCY (CRA) relative to submitting three Land Acquisition Funding Applications in the amount of \$9 million to the State of California Housing and Community Development (HCD) Proposition 1C Transit Oriented Development (TOD) Program and executing a Memorandum of Understanding (MOU) with the Department of Public Works, Bureau of Engineering (BOE), to manage TOD Infrastructure Project Grant funds for two projects.

Recommendations for Council action:

1. AUTHORIZE the Chief Executive Officer, CRA, or designee, to:
 - a. Execute all necessary agreements with the HCD upon award of land acquisition funding, subject to HCD terms and conditions, and the review of the City Attorney as to form and legality.
 - b. Execute an MOU with the BOE, the co-applicant on behalf of the City, to have the CRA manage the awards under the TOD Infrastructure Project granted by the HCD and collaborate with the developer applicants to meet the objectives stated in the grant agreement for the Chinatown Metro Project and the Wilshire/Vermont Project.

2. AMEND the CRA Budget and Work Program to:
 - a. Recognize the Proposition 1C TOD funds as awarded and place such funds in budgeted line item "Development Opportunities" for land acquisitions when applications are approved, awarded, and funds are received.
 - b. Recognize the Proposition 1C TOD funds as awarded and place such funds in budgeted line item "Affordable Housing" for infrastructure improvements when applications are approved, awarded, and funds are received.

Fiscal Impact Statement: The CRA reports that there is no fiscal impact to the City's General Fund.

Community Impact Statement: None submitted.

(Housing, Community and Economic Development Committee waived consideration of the above matter)

ITEM NO. (27) - ADOPTED

Roll Call #6 - Motion (Perry - Weiss) Adopted, Ayes (13); Absent: Reyes and Wesson (2)

[08-0600-S60](#)

CD 8

CONSIDERATION OF MOTION (PARKS - SMITH) relative to street repairs on Don Rodolfo Place in Council District Eight.

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

1. TRANSFER \$60,000 from the following accounts from the Department of Public Works, Bureau of Street Services Fund 100/86 to the Department of Public Works, Bureau of Engineering Fund No. 682/50, Account No. 4610 for street repairs on Don Rodolfo Place:

<u>Account</u>	<u>Amount</u>
1090	\$20,000
3030	\$20,000
3040	\$20,000

2. AUTHORIZE a loan in an amount not to exceed \$100,000 from the Public Works Trust Fund 834/50 to the Department of Public Works, Bureau of Engineering to be used for street repairs on Don Rodolfo Place, to be repaid from sources of revenue to be identified in the future.
3. TRANSFER \$100,000 from Public Works Trust Fund 834/50 to the Department of Public Works, Bureau of Engineering Fund No. 682/50, Account No. 4610.
4. INSTRUCT the City Administrative Officer (CAO) to assist Council District Eight in determining future sources of revenue to repay the loan from the Public Works Trust Fund.
5. AUTHORIZE the CAO to make any technical adjustments that may be needed to implement the above recommendations.

(Budget and Finance and Public Works Committees waived consideration of the above matter)

**Roll Call #17 - Motion (Hahn - Huizar) Adopted, Ayes (14); Absent: Reyes (1)
(Item Nos. 28a-28g)**

ITEM NO. (28) - ADOPTED

[07-1304-S2](#)

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:

[07-1304-S2](#)

CD 9

- a. 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

- b. 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

- c. 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

- d. 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

- e. 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

- f. 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

- g. 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).

**Roll Call #6 - Motion (Perry - Weiss) Adopted, Ayes (13); Absent: Reyes and Wesson (2)
(Item Nos. 29-31)**

ITEM NO. (29) - ADOPTED

[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.

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

- 1. PROVIDE an offer of reward in the amount of \$20,000 for each victim listed below for information leading to the identification, apprehension and conviction of the person(s) responsible for the following incidents:

<u>Victim</u>	<u>Date</u>	<u>Incident</u>
Lynn Fairbanks	June 2006	incendiary device on front porch
Arthur Rosenbaum	June 2007	incendiary device on front porch
Edythe London	February 2008	incendiary device on front porch
Goran Lacan	November 2008	arson of vehicles
David Jentsch	March 2009	arson of vehicle

- 2. FIND that the subject reward complies with the provisions of Chapter 12, Article 1, Division 19, of the Los Angeles Administrative Code.
- 3. DIRECT the City Clerk to publish the required notices and/or advertisements to effectuate this reward.

ITEM NO. (30) - ADOPTED

[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.

Recommendation for Council action:

DIRECT the Bureau of Engineering to issue the necessary permits to allow the construction of the International Church of the Foursquare Gospel parking structure, located at 1136 North Glendale Boulevard, within the newly dedicated public right-of-way.

ITEM NO. (31) - ADOPTED

[08-1013-S1](#)

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

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

APPROPRIATE \$605 from the Reserve Fund to the Unappropriated Balance Fund No. 100/58 and TRANSFER to the General Services Fund No. 100/40, as follows: \$202 to Account 1070 (Salaries - As Needed) and \$403 to Account No. 1090 (Salaries - Overtime) for services in connection with the April 30, 2009, Council District Nine LAAWPPI Reception in the City Hall Rotunda - said funds to be reimbursed to the General Fund by LAAWPPI.

ITEM NO. (32) - CONTINUED TO MAY 13, 2009

Roll Call #1 - Motion (Parks - LaBonge) Adopted to Continue, Unanimous Vote (10); Absent: Greuel, Hahn, Reyes, Rosendahl and Wesson (5)

[09-0317](#)

CD 15

CONTINUED CONSIDERATION OF MOTION (ROSENDAHL - HAHN) relative to initiating street vacation proceedings to vacate the Avalon Boulevard and "M" Street vacation district.

Recommendations for Council action:

1. INITIATE street vacation proceedings, pursuant to California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law to vacate the Avalon Boulevard and "M" Street vacation district.
2. DIRECT the Bureau of Engineering to investigate the feasibility of this vacation request.
3. DIRECT the Bureau of Engineering to present its report regarding the feasibility of vacating the requested areas to the Public Works Committee.

4. DIRECT the City Clerk to schedule this request for the City Council's consideration at the appropriate time under the City's Street Vacation procedures.

(Continued from Council meeting of April 21, 2009)

Items Called Special

Motions for Posting and Referral

Councilmembers' Requests for Excuse from Attendance at Council Meetings

Closed Session - Item 33

ITEM NO. (33) - CONTINUED TO MAY 1, 2009

Roll Call #18 - Motion (Parks - LaBonge) Adopted to Continue, Unanimous Vote (14); Absent: Reyes (1)

[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.)

(Continued from Council meeting of April 22, 2009)

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

[09-0976](#)

CD 14

MOTION (HUIZAR - PARKS) relative to declaring the Tri-Cultural Celebration on May 17, 2009 a Special Event (fees and costs absorbed by the City = \$10,506).

[09-0977](#)

CD 14

MOTION (HUIZAR - PARKS) relative to declaring the LAC+USC Health and Science Fair on April 24, 2009 a Special Event (fees and costs absorbed by the City = \$1,146).

[08-1088-S1](#)

CD 14

MOTION (HUIZAR - ALARCON) relative to declaring the Estrada Courts Cinco de Mayo Health and Job Fair on May 5, 2009 a Special Event (fees and costs absorbed by the City = \$2,088).

[09-0978](#)

CD 4

MOTION (LABONGE - HAHN) relative to declaring the St. Patrick's Parish Fiesta on May 22, 2009 a Special Event (fees and costs absorbed by the City = \$7,897).

[09-0979](#)

CD 15

MOTION (HAHN - ALARCON) relative to declaring the Harbor Day of Service on May 2, 2009 a Special Event (fees and costs absorbed by the City = none submitted).

[09-0980](#)

CD 9

MOTION (PERRY - LABONGE) relative to declaring the Obon Festival on July 11-12, 2009 a Special Event (fees and costs absorbed by the City = \$1,384).

[08-1470-S1](#)

CD 6

MOTION (CARDENAS - GARCETTI) relative to declaring the Council District Six and Community, Greater San Fernando Valley Chamber of Commerce Clean Up on May 2, 2009 a Special Event (fees and costs absorbed by the City = \$3,000).

[09-0983](#)

CD 5

MOTION (WIESS - ALARCON) relative to declaring the Start Your Engines Brunch on May 2, 2009 a Special Event (fees and costs absorbed by the City = \$2,500).

[09-1001](#)

CD 13

MOTION (GARCETTI - LABONGE) relative to declaring the "Live" Charity Radio-thon by El Piolin on April 30, 2009 a Special Event (fees and costs absorbed by the City = \$1,642).

[09-0982](#)

CD 11

MOTION (ROSENDAHL - HAHN) relative to additional funding to support efforts of the People Organized for Westside Renewal (POWER) to advocate for affordable housing in Venice.

[09-0981](#)

MOTION (PERRY - LABONGE) relative to the swine flu epidemic.

[09-0981-S1](#)

MOTION (GREUEL - PARKS) relative to the swine flu epidemic.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon her request, and without objections, Councilmember Hahn was excused to arrive at 10:30 a.m. for the Council session of Tuesday, June 2, 2009 due to City business.

Upon his request, and without objections, Councilmember Zine was excused to arrive at 10:30 a.m. for the Council session of Wednesday, May 6, 2009 due to City business.

Upon his request, and without objections, Councilmember Zine was excused to arrive at 12:30 p.m. for the Council session of Wednesday, May 13, 2009 due to City business.

Upon his request, and without objections, Councilmember Zine was excused to arrive at 11:00 a.m. for the Council session of Wednesday, July 8, 2009 due to City business.

Upon her request, and without objections, Councilmember Greuel was excused to leave at 12:00 p.m. from the Council session of Wednesday, May 20, 2009 due to City business.

Upon her request, and without objections, Councilmember Greuel was excused to leave at 12:45 p.m. from the Council session of Friday, June 19, 2009 due to City business.

Upon his request, and without objections, Councilmember Alarcon was excused from the Council session of Wednesday, May 6, 2009 due to City business.

Upon his request, and without objections, Councilmember Cardenas was excused from the Council session of Friday, August 14, 2009 due to City business.

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

<u>09-0726</u> - Pauline Ann Arsenian Yoxsimer	(LaBonge - All Councilmembers)
Bea Arthur	(LaBonge - Hahn)
Bob Oates	(LaBonge)

Ayes, Alarcon, Cardenas, Greuel, Hahn, Huizar, LaBonge, Parks, Perry, Rosendahl, Smith, Weiss, Wesson, Zine and President Garcetti (14); Absent: Reyes (1).

Whereupon the Council did adjourn.

ATTEST: Karen E. Kalfayan, CITY CLERK

By	
Council Clerk	PRESIDENT OF THE CITY COUNCIL