Los Angeles City Council, Journal/Council Proceedings
Tuesday, April 28, 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, Greuel, LaBonge, Parks, Smith, Weiss, Wesson, Zine and President Garcetti (10); Absent: Hahn, Huizar, Perry, Reyes and Rosendahl (5).


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 1-4

ITEM NO. (1) - PUBLIC HEARING CLOSED - CONTINUED TO MAY 5, 2009

Roll Call #7 - Motion (Greuel - LaBonge) Adopted to Continue, Unanimous Vote (14); Absent: Reyes (1)

09-0410-S1
CD 2

JOINT PUBLIC HEARING AND JOINT PUBLIC MEETING BETWEEN THE CITY COUNCIL AND THE BOARD OF COMMISSIONERS OF THE COMMUNITY REDEVELOPMENT AGENCY relative to the proposed Fifth Amendment to the Laurel Canyon Commercial Corridor Redevelopment Plan.

Recommendation for Council action:

HEAR PROTESTS against the proposed Fifth Amendment to the Laurel Canyon Commercial Corridor Redevelopment Plan.

(The Joint Public Meeting between the City Council and the Board of Commissioners of the Community Redevelopment Agency will be continued to Tuesday, May 5, 2009 for consideration of the Fifth Amendment to the Laurel Canyon Commercial Corridor Redevelopment Plan.)
ITEM NO. (2) - PUBLIC HEARING CLOSED - ORDINANCE ADOPTED

07-0204
CD 15

HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to levying the Wilmington Commercial District Business Improvement District (District) special assessment for the District’s ninth fiscal year (operating year) beginning on January 1, 2009 through December 31, 2009.

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

1. HEAR PROTESTS against the proposed levying of the special assessment for the District’s 2009 fiscal year, pursuant to Section 36524 of the California Streets and Highways Code.

2. PRESENT and ADOPT the accompanying ORDINANCE levying the special assessment for the District’s 2009 fiscal year, if a majority protest, as defined by Section 36525 of the California Streets and Highways Code is found not to exist.

3. APPROVE the Wilmington Commercial District Business Improvement District Advisory Board for the District’s 2009 fiscal year.

4. AUTHORIZE the City Clerk, subject to City Attorney approval, to prepare, execute and administer a contract between the City and the Wilmington Chamber of Commerce, the nonprofit service provider for administration of the District.

5. AUTHORIZE the Controller to provide, if necessary and if available, an advance against the District’s assessment revenue, in an amount not to exceed $12,000 (representing 25 percent of the anticipated assessment revenue for the District’s 2009 fiscal year), to the Wilmington Commercial District Business Improvement District.

Fiscal Impact Statement: The City Clerk reports that direct costs for Department administration of the District program for its 2009 fiscal year will be recovered from the assessments collected. The amount of recoverable City costs to be charged to the District will be $2,880, representing five percent of the District’s anticipated assessment revenue for its 2009 fiscal year, plus an additional one percent for departmental costs associated with the direct billing of District stakeholders. There are no assessments to be paid for City-owned properties located within the boundaries of the District. Therefore, there is no impact on the General Fund.

Community Impact Statement: None submitted.

(Pursuant to Council adoption of Ordinance No. 180617 on March 31, 2009)

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

08-3474
CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Harry Bridges Boulevard Improvements Street Lighting District.

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

1. DENY the protests and confirm the assessments.

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

   (Public Hearing held April 7, 2009)

ITEM NO. (4) - PUBLIC HEARING CLOSED - ORDINANCE OVER TO MAY 5, 2009

Roll Call #17 - Motion (Cardenas - Perry) Adopted, Ordinance Over One Week, Ayes (10); Absent: Greuel, Hahn, Reyes, Weiss and President Garcetti (5)

PUBLIC SAFETY COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to establishing police permit fees for ammunition vendors and ammunition salespersons.

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

1. PRESENT and ADOPT the accompanying ORDINANCE amending Los Angeles Municipal Code Section 103.12 to establish police permit fees for ammunition vendors and ammunition salespersons in the City of Los Angeles by modifying the "Business Permit Fee Schedule," and to insert the following additional business classifications and fees in appropriate alphabetical order and respective columns:

   | Ammunition Salesperson | 125.00 | 100.00 | 125.00 |
   | Ammunition Vendor       | 570.00 | 100.00 | 570.00 |

2. REQUEST the Board of Police Commissioners to inform the County of Los Angeles and other neighboring cities and municipalities of this action.

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.

Items for Which Public Hearings Have Been Held - Items 5-25

Roll Call #5 - Motion (Greuel - LaBonge) Adopted, Ayes (13); Absent: Perry and Reyes (2)

(Item Nos. 5-6)
ITEM NO. (5) - ADOPTED

07-2481
TRADE, COMMERCE AND TOURISM COMMITTEE REPORT relative to the appointment of Mr. Tom Canas to the Los Angeles Convention and Exhibition Center Authority.

Recommendation for Council action:

RESOLVE that the Mayor’s appointment of Mr. Tom Canas to the Los Angeles Convention and Exhibition Center Authority for the term ending January 16, 2013 is APPROVED and CONFIRMED. Mr. Canas will fill the vacancy created by Mr. George Luk. Mr. Canas resides in Council District One.  (Current Commission gender composition: M=7; F=3)

Ethics Commission Review: Complete.
Background Check Review: Pending.
Community Impact Statement: None submitted.

ITEM NO. (6) - ADOPTED

08-3473
TRADE, COMMERCE AND TOURISM COMMITTEE REPORT relative to the reappointment of Ms. Tunua Thrash to the Los Angeles Convention and Exhibition Center Authority.

Recommendation for Council action:

RESOLVE that the Mayor’s reappointment of Ms. Tunua Thrash to the Los Angeles Convention and Exhibition Center Authority for the new term ending January 16, 2013 is APPROVED and CONFIRMED. Ms. Thrash resides in Council District 10.  (Current Commission gender composition: M=10; F=5)

Ethics Commission Review: Complete.
Background Check Review: Complete.
Community Impact Statement: None submitted.

ITEM NO. (7) - ADOPTED, *AS AMENDED - SUBSTITUTE ORDINANCE ADOPTED - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #8 - Motion (Garcetti - Alarcon) Adopted, Ayes (12); Absent: Greuel, Huizar and Reyes (3)

09-0319
EXEMPTION, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to adding Article 7.2 to Chapter IV of the Los Angeles Municipal Code (LAMC) to regulate mortgage modification consultants.
Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that pursuant to the California Environmental Quality Act (CEQA), that adoption of this Ordinance is exempt from the provisions of CEQA under Article 18, Section 15060 (c)(2) of the State CEQA Guidelines and Article II, Section 2(m) of the City CEQA Guidelines.

2. PRESENT and ADOPT the accompanying ORDINANCE adding Article 7.2 to Chapter IV of the LAMC to regulate mortgage modification consultants.

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

Community Impact Statement: None submitted.

*URGENCY CLAUSE

ITEM NO. (8) - ADOPTED

Roll Call #9 - Motion (Cardenas - LaBonge) Adopted, Ayes (11); Absent: Greuel, Huizar, Reyes and President Garcetti (4)

09-0183

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to recognizing American Sign Language as the official language of the deaf community in the City of Los Angeles.

Recommendation for Council action, pursuant to Motion (Cardenas - Huizar):

INSTRUCT the Department on Disability, and any other relevant City departments, to report with recommendations on recognizing American Sign Language as the official language of the deaf community in the City of Los Angeles.

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. (9) - ADOPTED

Roll Call #1 - Motion (Greuel - LaBonge) Adopted, Ayes (11); Absent: Hahn, Perry, Reyes and Rosendahl (4)

09-0808

CDs 1, 4, 13 & 15

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to applying for a grant from the Getty Foundation.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:
3. AUTHORIZE the General Manager, Department of Cultural Affairs (DCA), or designee, to submit a grant application to the Getty Foundation in the amount of $60,000 for the Getty Foundation’s “Pacific Standard Time” initiative.

2. AUTHORIZE the General Manager, DCA, or designee, to submit required grant documents as required by the Getty Foundation, including project proposal, budget, and DCA operating budget documentation, subject to the City Attorney approval as to form and content.

3. AUTHORIZE the General Manager, DCA, or designee, to prepare any Controller instructions needed to implement actions approved by the Council and Mayor on matters presented in or deriving from the report, and/or to make necessary technical adjustments, subject to review by the City Administrative Officer, and further, AUTHORIZE the Controller to implement these instructions.

Fiscal Impact Statement: The DCA reports that there is no fiscal impact to the General Fund.

Community Impact Statement: None submitted.

ITEM NO. (10) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #5 - Motion (Greuel - LaBonge) Adopted, Ayes (13); Absent: Perry and Reyes (2)

07-2907

BUDGET AND FINANCE COMMITTEE REPORT relative to the Dispute Resolution Program - 19th Year.

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

1. APPROVE the proposed agreement between the City and the County of Los Angeles Department of Community and Senior Services for the Dispute Resolution Program in the amount of $289,588 for the period July 1, 2008 through June 30, 2009, subject to City Attorney approval as to form and legality.

2. AUTHORIZE the City Attorney to accept the 19th year grant amount of $289,588 from the County of Los Angeles.

3. APPROVE the City cash and in-kind match in the amount of $289,588 for the period of July 1, 2008 through June 30, 2009.

4. AUTHORIZE the Controller to:
   a. Establish a receivable within Fund 368 in the amount of $289,588 from the County of Los Angeles.
   b. Establish new appropriation accounts within the City Attorney Grant Fund, Fund No. 368/12 and appropriate up to $289,588 upon receipt of grant funds as follows:

<table>
<thead>
<tr>
<th>Account</th>
<th>Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>D112</td>
<td>Available City Attorney</td>
<td>272,359</td>
</tr>
</tbody>
</table>
D702  Travel  1,500
D703  Operating Expenses  15,729
Total  $289,588

5. TRANSFER $272,359 from Fund 368, Account D112 to Fund 100/12, Account 1020 - Salaries Grant Reimbursed.

6. TRANSFER cash to Fund 100, Revenue Source 4852, upon receipt of grant funds, to fund the salary appropriation.

7. REQUEST the City Attorney to submit invoices to the County of Los Angeles on a monthly basis to ensure that expenditures are reimbursed in a timely manner.

8. RECOGNIZE that the City will be subsidizing the cost of the program.

9. NOTE and FILE the City Administrative Officer (CAO) report dated March 6, 2009, inasmuch as the information is submitted for information only and no further Council action is necessary.

10. AUTHORIZE the CAO to make any necessary technical adjustments to implement the intent of the Mayor and Council, and AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that under the revised program structure, the total cost of the Dispute Resolution Program is $579,176. The grant will reimburse the City for $289,588. The remaining cost will be a General Fund subsidy of $289,588 (related costs at $211,525 and $70,692 for the regular position). This subsidy meets the minimum grant match requirements.

Community Impact Statement: None submitted.

(Audits and Governmental Efficiency Committee waived consideration of the above matter)

ADOPTED

AMENDING MOTION (PARKS - GREUEL)

Recommendation for Council action:

INSTRUCT the CAO and City Attorney to maintain volunteer hours for all future year grants such that they will comprise $200K of the City's match requirement for this program. Further, reduce program staffing so that the total of volunteer hours and City Staff cost for all future year participation in the Dispute Resolution Program will result in a 1-to-1 match for this program, thereby minimizing the General Fund impact program in future years.

ITEM NO. (11) - ADOPTED

Roll Call #1 - Motion (Greuel - LaBonge) Adopted, Ayes (11); Absent: Hahn, Perry, Reyes and Rosendahl (4)

07-2071

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to
renewing and awarding annual purchase orders and contracts for various goods and services for Fiscal Year (FY) 2009-10.

Recommendation for Council action:

APPROVE the recommendations of the City Administrative Officer (CAO), as shown in the CAO report dated April 9, 2009 (attached to the Council file), relative to renewing and awarding annual purchase orders and contracts for various goods and services for FY 2009-10.

Fiscal Impact Statement: The CAO reports that there is no impact on the General Fund. The City's Financial Policies are not applicable to the Community Redevelopment Agency (CRA). The CRA is only bound by the disclosure provisions of the City's Debt Management Policies. The cumulative total for the annual purchase orders (APOs) and contracts is not to exceed $11,660,000 for FY 2009-10. Funding for the APOs and contracts will be from CRA overhead or other project resources depending on the redevelopment project area served.

Community Impact Statement: None submitted.

ITEM NO. (12) - ADOPTED

Roll Call #10 - Motion (Hahn - Rosendahl) Adopted, Ayes (11); Absent: Greuel, Huizar, Reyes and President Garcetti (4)

08-1229
CD 15

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a loan agreement with Vista Alegre, L.P. for the development of Toberman Village.

Recommendations for Council action:

1. APPROVE the Community Redevelopment Agency (CRA) Board of Commissioner's adoption of the Resolution (attached to the Council file) that:

   a. Finds that an economically feasible alternative method of financing the Toberman Village Project (Project) on substantially comparable terms without subordination of the CRA's deeds of trust and affordability restrictions is not reasonably available.

   b. Authorizes the Chief Executive Officer (CEO), CRA, or designee, to execute subordination agreements which subordinate CRA's deeds of trust, covenants, and use restrictions to approved construction and permanent loans from other lenders.

2. AUTHORIZE the CEO, CRA, or designee, to execute a loan agreement and ancillary documents with Vista Alegre, L.P. to use in an amount not to exceed $1,200,000 in Pacific Corridor Low and Moderate Income Housing Funds from the Pacific Corridor Redevelopment Project Area, to budgeted line item "Affordable Housing."

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no General Fund impact as a result of this action. Source of funds are Pacific Corridor Low and Moderate Income Housing Funds.
Roll Call #1 - Motion (Greuel - LaBonge) Adopted, Ayes (11); Absent: Hahn, Perry, Reyes and Rosendahl (4) (Item Nos. 13-14)

ITEM NO. (13) - ADOPTED

08-2614-S1

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a review of the Mixed-Income Technical Advisory Taskforce’s proforma and other recommendations and the development of new proforma models that may inform a Citywide Mixed-Income Housing Ordinance.

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

1. AUTHORIZE the Los Angeles Housing Department (LAHD) to hire one of its consultants to review the Technical Advisory Taskforce’s proforma and other recommendations and if necessary develop new proforma models that may inform a Citywide Mixed-Income Housing Ordinance.

2. INSTRUCT the LAHD to report back on the consultant's findings and recommendations to the Housing, Community and Economic Development Committee in 60 days.

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

Community Impact Statement: None submitted.

ITEM NO. (14) - ADOPTED

09-0409

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a legal services agreement with Lamb and Kawakami.

Recommendation for Council action:

AUTHORIZE the Community Redevelopment Agency (CRA) Chief Executive Officer, or designee, to execute the professional legal services agreement with Lamb & Kawakami LLP (L&K) to replace Smith & Rendon LLP as outside counsel in relation to Superior Court of California County of Los Angeles Case No. BS111277 (Superior Court case), The Agency v. State of California Department of Toxic Substances Control, ex relatione Industrial Service Oil Company, Inc. (ISOCI), and the assignment of a purchase order to L&K in the amount of $70,250 for legal services for the prosecution of a Petition for Writ of Mandate related to the proposed expansion of ISOCI facilities at 1700 South Soto Street located in the Adelante Eastside Redevelopment Project Area in Council District 14, for a term that is contingent upon the duration of the Superior Court case, subject to the approval of the City Attorney as to form and the Department of Public Works, Bureau of Contract Administration as to compliance with CRA contracting requirements.
Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the City General Fund. The CRA is only bound by the City Debt Management Policies; the City Financial Policies are not applicable to the CRA. Approval of the recommendation will allow for the reassignment of a purchase order in the amount of $70,250 budgeted for the CRA's legal services costs, provided from Adelante Eastside Redevelopment Project Area tax increment funds. There are no additional costs for the proposed reassignment of the purchase order.

Community Impact Statement: None submitted.

ITEM NO. (15) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #11 - Motion (Wesson - Smith) to Adopt as Amended, Ayes (11); Absent: Greuel, Huizar, Reyes and President Garcetti (4)

09-0500

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a report back on the availability and adequacy of third-party, independent review of home loan documentation to ensure that borrowers are offered fair terms.

Recommendations for Council action:

1. NOTE and FILE the Los Angeles Housing Department (LAHD) report dated April 13, 2009 regarding the availability and adequacy of third-party, independent review of home loan documentation to ensure that borrowers are offered fair terms, inasmuch as the report is submitted for information only and no Council action is necessary.

2. INSTRUCT the LAHD to report back in 45 days on the following:
   a. Recommendations on establishing a system for predatory loan referral to the Housing Rights Center and other enforcement agencies.
   b. Recommendations to centralize data and track bad lenders.
   c. Investigation on how the County and State Consumer Affairs Departments are handling claims of bad lenders.
   d. Tracking of Mortgage Grader's pilot program with Fannie Mae and housing counseling agencies to determine its viability for homebuyers purchasing homes in the City.
   e. Recommendations for the tracking of fraudulent foreclosure-related activity in the City.

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

Community Impact Statement: None submitted.

ADOPTED
AMENDING MOTION (WESSON for REYES - GARCETTI)

Recommendation for Council action:

INCLUDE the following additional recommendations:

2f. INSTRUCT the Los Angeles Housing Department (LAHD), in collaboration with the City Attorney, to report to Council in 45 days with a mechanism to make public (i.e. via the City’s web page) those mortgage brokers and lenders engaged in unscrupulous practices.

3. REQUEST the City Attorney, in collaboration with the LAHD to investigate the practice of yield spread premiums, and whether this practice can be prosecuted as fraud, and to report to Council in 45 days with the outcome of this investigation.

4. INSTRUCT the Chief Legislative Analyst, in collaboration with the LAHD to prepare a Resolution to support or sponsor legislation that would ban the practice of yield spread premiums and prepayment penalties and create a system of accountability where lenders and investors share responsibility for brokered loans.

Roll Call #1 - Motion (Greuel - LaBonge) Adopted, Ayes (11); Absent: Hahn, Perry, Reyes and Rosendahl (4)
(Item Nos. 16-17)

ITEM NO. (16) - ADOPTED

09-0514

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to increasing funding for Lead-Based Paint Testing and Hazardous Materials Abatement Services on an as-needed basis for various demolition, rehabilitation, and “Paint is Free” programs.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to increase the amount of funds for lead-based paint testing and hazardous materials abatement services on an as-needed basis for various CRA-funded demolition, rehabilitation and "Paint is Free" programs for the period ending June 30, 2009 by $200,000 for a total amount not to exceed $400,000.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no impact to the General Fund as a result of this action. Source of funds for the proposed $200,000 increase are a combination of General Revenue funds and tax increment derived from project areas utilizing these services.

Community Impact Statement: None submitted.

ITEM NO. (17) - ADOPTED
HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a cooperation agreement with the Department of General Services to provide as-needed construction services.

Recommendation for Council action:

APPROVE the recommendations of the City Administrative Officer (CAO), as shown in the CAO report dated April 8, 2009 (attached to the Council file), relative to a cooperation agreement with the Department of General Services to provide as-needed construction services.

Fiscal Impact Statement: The CAO reports that there is no impact on the General Fund. The City’s Financial Policies are not applicable to the Community Redevelopment Agency (CRA). The CRA is only bound by the disclosure provisions of the City’s Debt Management Policies. Approval of the recommendations will result in the expenditure of an aggregate amount not to exceed $10 million over a three-year period, with option to renew for two additional one year periods to pay for as-needed construction and maintenance services. Funding will be from CRA Tax Increment funds depending on the redevelopment project area served.

Community Impact Statement: None submitted.

ITEM NO. (18) - CONTINUED TO MAY 1, 2009

Roll Call #3 - Motion (Parks - Greuel) Adopted to Continue, Unanimous Vote (13); Absent: Perry and Reyes (2)

CONTINUED CONSIDERATION OF THE INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to authorization to accept $140,000 in connection with the purchase and installation of ten security cameras at Martin Luther King, Jr. Park and Mary McLeod Bethune Library.

Recommendations for Council action, pursuant to Motion (Parks - Huizar), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the Controller to accept LA Community Redevelopment Agency (CRA) AB 1290 (Normandie 5 Redevelopment Project Area) funds in the amount of $140,000 in connection with the purchase and installation of ten security cameras at Martin Luther King, Jr. Park and Mary McLeod Bethune Library and deposit said funds into the Department of General Services Fund 100/40 Account 1101 Construction Hiring Hall $65,000, Account 1121 Construction Hiring Hall Fringe Benefits $24,700 and Account 3180 Construction Material and Supplies $50,300.

2. REQUEST the CRA to revise the existing contract for this project to reflect the change in the scope of work.

3. AUTHORIZE the Chief Legislative Analyst (CLA) to make technical corrections or clarifications as may be necessary to implement the intent of the Motion.

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

Community Impact Statement: None submitted.

(Continued from Council meeting of April 14, 2009)

Roll Call #1 - Motion (Greuel - LaBonge) Adopted, Ayes (11); Absent: Hahn, Perry, Reyes and Rosendahl (4)
(Item Nos. 19-20)

ITEM NO. (19) - ADOPTED

08-1463
CD 6

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to a request to amend the lease agreement with GSL Pharmacy, Inc., dba Colfax Pharmacy, to operate a retail pharmacy in Space E in the Braude Retail Mall, 6262 Van Nuys Boulevard, Van Nuys.

Recommendation for Council action:

AUTHORIZE the Department of General Services (GSD) to amend the lease agreement with GSL Pharmacy, Inc., dba Colfax Pharmacy to reflect the legal name, dba name and rental rate adjustment substantially as detailed in the May 26, 2009 GSD report as attached to the Committee report.

Fiscal Impact Statement: The GSD reports the lease of this space will generate $3,495 per month or $41,940 annually to the General Fund.

Community Impact Statement: None submitted.

ITEM NO. (20) - ADOPTED

09-0819

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to a request from the Bureau of Contract Administration, Office of Contract Compliance to destroy obsolete records for the period of January 1, 1992 through December 31, 1998 (BCA/02-151 Boxes).

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to authorize destruction of certain obsolete records from the Bureau of Contract Administration, Office of Contract Compliance to destroy obsolete records for the period of January 1, 1992 through December 31, 1998 (BCA/02-151 Boxes).

Fiscal Impact Statement: The City Clerk reports that the retention of 155 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of $28.69 per month, or $344.28 per year.

Community Impact Statement: None submitted.
ITEM NO. (21) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #6 - Motion (Garcetti - LaBonge) Adopted, Ayes (13); Noes: Smith (1); Absent: Reyes (1)

09-0002-S55

RULES AND GOVERNMENT COMMITTEE REPORT and RESOLUTION relative to the City's position on HR 1409/S. 560, the Employee Free Choice Act of 2009, which amends the National Labor Relations Act to establish a more efficient system for employees to form and join unions.

Recommendation for Council action, pursuant to Resolution (Garcetti - Wesson - Hahn - Alarcon), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to include in the City's 2009-10 Federal Legislative Program SUPPORT of HR 1409/S. 560, the Employee Free Choice Act of 2009, which amends the National Labor Relations Act to establish a more efficient system for employees to form and join unions and provide remedies for unfair labor practices for union-related activities.

Fiscal Impact Statement: None submitted by the Chief Legislative Analyst. The City Administrative Officer has not completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (22) - ADOPTED

Roll Call #1 - Motion (Greuel - LaBonge) Adopted, Ayes (11); Absent: Hahn, Perry, Reyes and Rosendahl (4)

08-3465

BUDGET AND FINANCE and TRANSPORTATION COMMITTEES’ REPORT relative to the Special Study to Assess Opportunities to Develop Public-Private Partnerships.

Recommendations for Council action:

1. NOTE and FILE the Controller’s report relative to the Special Study to Assess Opportunities to Develop Public-Private Partnerships (Study) inasmuch as the report is submitted for information only and no Council action is necessary.

2. INSTRUCT the Chief Legislative Analyst (CLA) and City Administrative Officer (CAO) to evaluate the Study and report back to the Council in 60 days with recommendations relative to Public-Private Partnerships.

Fiscal Impact Statement: None submitted by the Controller. Neither the CAO nor CLA has completed a financial analysis of this report.
ITEM NO. (23) - REFERRED TO ENERGY AND ENVIRONMENT and BUDGET AND FINANCE COMMITTEES’

Roll Call #12 - Motion (Perry - Cardenas) Adopted to Refer, Unanimous Vote (12); Absent Greuel, Reyes and President Garcetti (3)

COMMUNICATION FROM THE BUREAU OF SANITATION relative to the Clean Water Initiative, revenue needs, and the proposed Stormwater Pollution Abatement Charge fee increase.

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

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

ITEM NO. (24) - ADOPTED

Roll Call #1 - Motion (Greuel - LaBonge) Adopted, Ayes (11); Absent: Hahn, Perry, Reyes and Rosendahl (4)

PUBLIC SAFETY and BUDGET AND FINANCE COMMITTEES’ REPORT relative to recommended fee amounts for new ammunition vendor police permit fees.

Recommendation for Council action:

REQUEST the City Attorney to prepare and present an ordinance establishing fees for Ammunition Vendor and Sales Persons as follows:

Vendor New Permit: $570
Vendor Annual Permit Renewal: $100
Vendor Change of Location Permit: $570
Sales Person New Permit: $125
Sales Person Annual Permit Renewal: $100
Sales Person Change of Location Permit: $125

Fiscal Impact Statement: The City Administrative Officer reports that the proposed fees recover the costs of administering the permit program. There is no net impact to the General Fund. Revenue from these additional fees is estimated at less than $10,000 annually.

ITEM NO. (25) - ADOPTED - TO THE MAYOR FORTHWITH
TRANSPORTATION and BUDGET AND FINANCE COMMITTEE REPORT and COMMUNICATION FROM CHAIR, INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE relative to assessing Public-Private Partnerships (P3) for City parking assets.

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

1. AUTHORIZE City Administrative Officer (CAO) to evaluate and report back on one or more public-private partnership transactions for parking structures and parking meters.

2. AUTHORIZE the CAO to negotiate and execute Agreements using the attached pro forma with JP Morgan Chase, Ramirez & Co., and Loop Capital, for a term not to exceed two years and total compensation not to exceed the tiered compensation structure specified in Section 301 of the attached pro forma with the allocation of the Transaction Fee amongst the advisors subject to further revision, for sell-side advisory services, subject to City Attorney approval as to form.

3. TRANSFER appropriations of $500,000 within Special Parking Revenue Fund No. 363/94, Account 0040, Capital Equipment Purchases to Account E203, Capital Finance Administration Fund.

4. APPROPRIATE $500,000 from Special Parking Revenue Fund No. 363/94, Account E203, Capital Finance Administration Fund to the Capital Finance Administration Fund No.1, General Administration Account No. 0170, for expenditures related to the engagement of outside counsel, the Sell-Side Advisory Agreement and the Financial Advisor Contract including subcontractors needed to evaluate the public-private partnership transactions.

5. REQUEST the City Attorney to prepare and present an Ordinance to amend Sections 5.117 through 5.119 of the Los Angeles Administrative Code to clarify that Special Parking Revenue Fund incidental expenses include attorney and consultant fees.

6. REQUEST the Working Group, consisting of staff from the CAO, Chief Legislative Analyst, City Attorney and Mayor’s Office, to confirm in writing the names of the key names of the individuals as part of the team from JP Morgan, Chase, Ramirez and Company, and Loop Capital who will be involved in the P3 project.

Fiscal Impact Statement: The CAO reports that it will report back to Council with the results of the public-private partnership evaluation and include a fiscal impact statement based on any proposals resulting from this evaluation.

Debt Impact Statement: The City Administrative Officer will report back with the results of the public-private partnership evaluation and include a debt impact statement based on any proposals resulting from this evaluation.

Community Impact Statement: None submitted.
Items for Which Public Hearings Have Not Been Held - Items 26-34
(10 Votes Required for Consideration)

ITEM NO. (26) - ADOPTED

Roll Call #18 - Motion (Zine - Rosenthal) Adopted, Ayes (10); Absent: Greuel, Hahn, Reyes, Wesson and President Garcetti (5)
(Item Nos. 26a-26f)

09-0005-S247
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-S247
CD 9
a. Property at 201 East 45th Street a.k.a 4416 South Wall Street (Case No. 113210). Assessor I.D. No. 5109-011-015

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

09-0005-S248
CD 9
b. Property at 201 East 45th Street a.k.a 4416 South Wall Street (Case No. 133376). Assessor I.D. No. 5109-011-015

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

09-0005-S249
CD 9
c. Property at 213 East Adams Boulevard (Case No. 2952). Assessor I.D. No. 5127-036-009

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 12, 2000)

09-0005-S250
CD 8
d. Property at 4150 South Harvard Boulevard (Case No. 3111). Assessor I.D. No. 5021-011-001

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 10, 2007)
e. Property at 7015 North De Soto Avenue (Case No. 121778). Assessor I.D. No. 2138-027-024
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 27, 2007)

f. Property at 844 West 57th Street (Case No. 172009). Assessor I.D. No. 5001-014-011
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 24, 2008)

ITEM NO. (27) - ADOPTED

Roll Call #19 - Motion (Cardenas - LaBonge) Adopted, Ayes (10); Absent: Greuel, Hahn, Reyes, Wesson and President Garcetti (5)

COMMUNICATION FROM CHAIR, INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE relative to the federally-mandated transition of over-the-air broadcasting to the digital platform (DTV).

Recommendation for Council action:

NOTE and FILE the January 13, 2009 Information Technology Agency report relative to the federally-mandated transition of over-the-air broadcasting to DTV.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (28) - CONTINUED TO MAY 12, 2009

Roll Call #14 - Motion (Cardenas - Rosendahl) Adopted to Continue, Unanimous Vote (12); Absent: Greuel, Reyes and President Garcetti (3)

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)

(Continued from Council meeting of April 22, 2009)
ITEM NO. (29) - ADOPTED

Roll Call #20 - Motion (Cardenas - LaBonge) Adopted, Ayes (10); Absent: Greuel, Hahn, Reyes, Wesson and President Garcetti (5)

CONSIDERATION OF MOTION (GARCETTI - ROSENDAHL) relative to conditions imposed on parcel map application no. AA-2008-2166-PMLA for property at 1932 Echo Park Avenue and 1558 Duane Street.

INSTRUCT the Bureau of Engineering, Bureau of Street Lighting, and the Los Angeles Fire Department to waive Conditions Nos. 1a, 1b (1-5), 2a, and 5(a) imposed on parcel map application No. AA-2008-2166-PMLA, for property located at 1932 Echo Park Avenue and 1558 Duane Street.

Community Impact Statement: None submitted.

(Planning and Land Use Management Committee waived consideration of the above matter)

ITEM NO. (30) - ADOPTED

Roll Call #2 - Motion (Cardenas - LaBonge) Adopted, Ayes (11); Absent: Hahn, Perry, Reyes and Rosendahl (4)

CONSIDERATION OF MOTION (ROSENDAHL - GREUEL) relative to initiating vacation proceedings in connection with Vantage Avenue between Archwood Street and the alley south of Vanowen Street pursuant to California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law.

Recommendations for Council action:

1. INITIATE street vacation proceedings to vacate Vantage Avenue between Archwood Street and the alley south of Vanowen Street pursuant to California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law.

2. DIRECT the Bureau of Engineering (BOE) to investigate the feasibility of this vacation request, as described above in Recommendation No. 1.

3. DIRECT the BOE to present its report regarding the feasibility of vacating the requested area, as described above in Recommendation No. 1, to the Public Works Committee.

4. DIRECT the City Clerk, upon review of the Public Works Committee, to schedule this vacation request for Council consideration at the appropriate time under the City’s Street Vacation Procedures.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)
ITEM NO. (31) - ADOPTED

Roll Call #21 - Motion (Cardenas - LaBonge) Adopted, Ayes (10); Absent: Greuel, Hahn, Reyes, Wesson and President Garcetti (5)

09-0771

CONSIDERATION OF RESOLUTION (ZINE - SMITH) relative to requesting that James William Kilgore be required to serve his entire parole term in California.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to call on members of the High Desert State Prison Parole Board and Governor Arnold Schwarzenegger to ensure that, if granted parole, James William Kilgore be required to serve his entire parole term in California.

Community Impact Statement: None submitted.

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

ITEM NO. (32) - ADOPTED

Roll Call #22 - Motion (Huizar - Perry) Adopted, Ayes (10); Absent: Greuel, Hahn, Reyes, Wesson and President Garcetti (5)

09-0894

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

Recommendations for Council action:

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

09-0894

CD 13 a. MOTION (GARCETTI - LABONGE) relative to declaring The Phone Party Arrivals on April 20, 2009 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).

09-0895

CD 13 b. MOTION (GARCETTI - LABONGE) relative to declaring the Earth Premier on April 18, 2009 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).

09-0896

CD 13 c. MOTION (GARCETTI - LABONGE) relative to declaring the Star Trek on April 30, 2009 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).
d. MOTION (CARDENAS - SMITH) relative to declaring the Lake Balboa Day on April 25, 2009 a Special Event (fees and costs absorbed by the City = $500).

e. MOTION (CARDENAS - ZINE) relative to declaring the WorldFest 2009 on May 16, 2009 a Special Event (fees and costs absorbed by the City = $1,000).

f. MOTION (PERRY - ZINE) relative to declaring the JANM Benefit Boutique on May 30, 2009 a Special Event (fees and costs absorbed by the City = $1,000).

g. MOTION (PERRY - PARKS) relative to declaring the Diverse Unified Integrated Community Block Party on May 2, 2009 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).

h. MOTION (PARKS - PERRY) relative to declaring the Annual community Awareness Day on April 26, 2009 a Special Event (fees and costs absorbed by the City = $1,244).

i. MOTION (PARKS - PERRY) relative to declaring the Children’s Miracle Network Benefit: Derby Days on April 24, 2009 a Special Event (fees and costs absorbed by the City = $2,232).

j. MOTION (PERRY - PARKS) relative to declaring the Los Angeles Philharmonic 2009 Gala on October 8-9, 2009 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).

k. MOTION (ROSENDAHL - SMITH) relative to declaring the Stoner Activity League Fundraiser on April 24, 2009 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).

l. MOTION (ROSENDAHL - SMITH) relative to declaring the St. Mark School Fiesta Carnival on May 8-9, 2009 a Special Event (fees and costs absorbed by the City = $9,835).

ITEM NO. (33) - ADOPTED

Roll Call #23 - Motion (Zine - Rosendahl) Adopted, Ayes (10); Absent: Greuel, Hahn, Reyes, Wesson
MOTION (PERRY - ZINE) relative to declaring the Environmental Services Fair on April 25, 2009 a Special Event (fees and costs absorbed by the City = $1,670).

Recommendations for Council action:

1. DECLARE the Environmental Services Fair a “Special Event”; APPROVE any temporary street closures as requested; and, INSTRUCT the involved City departments to perform such services as detailed the Council motion including the waiver of fees, costs and requirements and other related issues, as specified.

2. ACCEPT the donation of food and supplies (estimated value of $1,115) from the Ralphs - Food 4 Less Grocery Company for use as part of the City’s annual Environmental Service Fair.

3. AUTHORIZE the Councilmember of the Ninth District to thank the donors on behalf of the City.

ITEM NO. (34) - ADOPTED

Roll Call #15 - Motion (Parks - Perry) Adopted, Ayes (11); Absent: Greuel, Hahn, Reyes and President Garcetti (4)

MOTION (PARKS - LABONGE) relative to reinstating the reward offer in the death of Rodney Elijah Love 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 death of Rodney Elijah Love (Council action of October 3, 2007, Council file No. 07-0010-S24) 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 $50,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.

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

MOTION (GARCETTI - ZINE) relative to declaring the Stars and Stripes Celebrity Ride on May 16, 2009 a Special Event (fees and costs absorbed by the City = $1,642).

MOTION (GARCETTI - ZINE) relative to declaring the Kids with Cancer Scavenger Cup on May 1, 2009 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).
07-1498-S1  
MOTION (LABONGE - HAHN) relative to declaring the Larchmont Village Farmer's Market on every Sunday from June 2009 to June 2010 a Special Event (fees and costs absorbed by the City = none submitted).

09-0955  
MOTION (WESSON - LABONGE) relative to declaring the Commemoration of the 17th Anniversary of the L.A. Riots on April 29, 2009 a Special Event (fees and costs absorbed by the City = $4,409).

09-0956  
MOTION (ALARCON - CARDENAS) relative to declaring the Valley Youth Fair on May 2, 2009 a Special Event (fees and costs absorbed by the City = $1,360).

09-0957  
MOTION (WEISS - CARDENAS) relative to declaring the Big Sunday Event on May 3, 2009 a Special Event (fees and costs absorbed by the City = $1,000).

07-1222-S1  
MOTION (WIESS - CARDENAS) relative to declaring the 19th Annual Warner Walk on May 8, 2009 a Special Event (fees and costs absorbed by the City = $998).

09-0958  
MOTION (ROENDEHL - WEISSON) relative to declaring the 2009 Love Walk on May 17, 2009 a Special Event (fees and costs absorbed by the City = $5,781).

07-1291-S1  
MOTION (PERRY - GARCETTI) relative to declaring the Bank of America Farmers' Market on every Friday from May 15, 2009 through May 7, 2010 a Special Event (fees and costs absorbed by the City = $26,000).

08-0968-S1  
MOTION (PERRY - GARCETTI) relative to declaring the Mother's Makeover on May 4, 2009 a Special Event (fees and costs absorbed by the City = $1,660).

09-0959  
MOTION (PERRY - GARCETTI) relative to declaring the NAFSA Opening Reception on May 26, 2009 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).

07-1702-S2  
MOTION (HAHN - PARKS) relative to declaring the 21st Annual Seafood Festival on June 10, 2009 a Special Event (fees and costs absorbed by the City = $1,226).

07-1260-S1  
MOTION (HAHN - PARKS) relative to declaring the 17th Annual Watts Cinco de Mayo Fiesta on May 2, 2009 a Special Event (fees and costs absorbed by the City = $4,912).

08-1047-S1  
MOTION (HAHN - PARKS) relative to declaring the Concert in the Park on May 8, 2009 a Special Event (fees and costs absorbed by the City = $2,226).

09-0961
MOTION (HAHN - PARKS) relative to declaring the Community Resource Fair on May 2, 2009 a Special Event (fees and costs absorbed by the City = $2,226).

09-0962

MOTION (LABONGE - GARCETTI - ET AL.) relative to declaring the Los Angeles City Employees Memorial Program on May 22, 2009 a Special Event (fees and costs absorbed by the City = none submitted).

09-0965

MOTION (PERRY - PARKS) relative to declaring the LA’s BEST Casino Night on April 17, 2009 a Special Event (fees and costs absorbed by the City = $900).

09-0011-S23

MOTION (PARKS - LABONGE) relative to funding for the installation of various plaques and/or pedestals at various locations at Jesse Brewer Park in Council District Eight.

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

09-0726 - Dr. Hassan Hathout
LaBonge - Rosendahl - All Councilmembers

Jason Schultz
Rosendahl

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

Whereupon the Council did adjourn.

ATTEST: Karen E. Kalfayan, CITY CLERK

By

Council Clerk PRESIDENT OF THE CITY COUNCIL