

Los Angeles City Council, **Journal/Council Proceedings**  
Tuesday, May 5, 2009  
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
APRIL 29, 2009

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 40

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

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

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## **Items Noticed for Public Hearing - Items 1-10**

**Roll Call #1 - Motion (Rosendahl - Alarcon) Adopted To Continue, Unanimous Vote (11); Absent: Hahn, Huizar, Reyes and Weiss (4)  
(Item Nos. 1-5)**

**ITEM NO. (1) - PUBLIC HEARING HELD - CONTINUE HEARING AND PRESENT ORDINANCE ON MAY 26, 2009**

[08-1634](#)  
CD 5

HEARING PROTESTS against the proposed improvement and maintenance of the Moorpark Street and Wortser Avenue (Reballot) Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Moorpark Street and Wortser Avenue (Reballot) Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on March 3, 2009 - Continue hearing and present Ordinance on MAY 26, 2009 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (2) - PUBLIC HEARING HELD - CONTINUE HEARING AND PRESENT ORDINANCE ON MAY 26, 2009**

[09-0381](#)

CD 11

HEARING PROTESTS against the proposed improvement and maintenance of the Darlington and Barrington Avenues No. 1 Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Darlington and Barrington Avenues No. 1 Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on March 3, 2009 - Continue hearing and present Ordinance on MAY 26, 2009 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (3) - PUBLIC HEARING HELD - CONTINUE HEARING AND PRESENT ORDINANCE ON MAY 26, 2009**

[09-0382](#)

CD 14

HEARING PROTESTS against the proposed improvement and maintenance of the Yosemite Drive and Floristan Avenue Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Yosemite Drive and Floristan Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on March 3, 2009 - Continue hearing and present Ordinance on MAY 26, 2009 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (4) - PUBLIC HEARING HELD - CONTINUE HEARING AND PRESENT ORDINANCE ON MAY 26, 2009**

[09-0383](#)

CD 12

HEARING PROTESTS against the proposed improvement and maintenance of the Cobalt Street and Dronfield Avenue Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Cobalt Street and Dronfield Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on March 3, 2009 - Continue hearing and present Ordinance on MAY 26, 2009 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (5) - PUBLIC HEARING HELD - CONTINUE HEARING AND PRESENT ORDINANCE ON  
MAY 26, 2009**

[09-0386](#)

CD 9

HEARING PROTESTS against the proposed improvement and maintenance of the 20th Street and Central Avenue Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the 20th Street and Central Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on March 3, 2009 - Continue hearing and present Ordinance on MAY 26, 2009 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**Roll Call #7 - Motion (Rosendahl - Alarcon) Adopted, Ayes (13); Absent: Reyes and Weiss (2)  
(Item Nos. 6-10)**

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

[08-1464](#)

CD 11

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Federal and Missouri Avenues (Reballot) Lighting District.

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

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

(Public Hearing held April 14, 2009)

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

[09-0118](#)

CD 13

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the McCready Avenue and Electric 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 14, 2009)

**ITEM NO. (8) - ADOPTED**

[09-0121](#)

CD 2

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION against the proposed improvement and maintenance of the Coldwater Canyon Avenue and Sarah Street No. 3 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 14, 2009)

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

[09-0199](#)

CD 7

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Telfair Avenue and El Cajon 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 14, 2009)

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

[09-0173](#)

CD 2

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Woodman Avenue and Gault Street No. 2 Lighting District.

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

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the assessment cannot be enacted.
2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).
3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

(Public Hearing held April 14, 2009)

**Items for Which Public Hearings Have Been Held - Items 11-31**

**Roll Call #12 - Motion (Reyes - Greuel) Adopted, Ayes (13); Absent: Reyes and Weiss (2)  
(Item Nos. 11-12)**

**ITEM NO. (11) - ADOPTED - FORTHWITH - SEE FOLLOWING**

[08-3468](#)

COMMUNICATION FROM THE MAYOR relative to the reappointment of Mr. Jesus E. Quiñonez to the Board of Directors of the Metropolitan Water District of Southern California.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. Jesus E. Quiñonez to the Board of Directors of the Metropolitan Water District of Southern California for the new term ending December 31, 2012, is APPROVED and CONFIRMED. Mr. Quiñonez resides in Pasadena, California. (Current Board gender composition: M=3; F=1; Vacancy=1)

Ethics Commission Review: Complete.

Background Check Review: Complete.

Community Impact Statement: None submitted.

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

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

## **ADOPTED**

**ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to the reappointment of Mr. Jesus E. Quiñonez to the Board of Directors of the Metropolitan Water District of Southern California (MWD).**

**Recommendation for Council action:**

**RESOLVE that the Mayor's reappointment of Mr. Jesus E. Quiñonez to the Board of Directors of the MWD for the term ending December 31, 2012, is APPROVED and CONFIRMED. Mr. Quiñonez resides in Pasadena, California. (Current Board gender composition: M=3; F=1; Vacancy=1)**

Ethics Commission Review: Complete.

Background Check Review: Complete.

Community Impact Statement: None submitted.

## **ITEM NO. (12) - ADOPTED FORTHWITH - SEE FOLLOWING**

[09-0672](#)

COMMUNICATION FROM THE MAYOR relative to the appointment of Mr. David Fleming to the Board of Directors of the Metropolitan Water District of Southern California.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. David Fleming to the Board of Directors of the Metropolitan Water District of Southern California for the term ending December 31, 2012 to fill the vacancy created by Ms. Nancy Sutley, who resigned on January 23, 2009, is APPROVED and CONFIRMED. Mr. Fleming resides in Council District Four. (Current Board gender composition: M=3; F=1; Vacancy=1)

Ethics Commission Review: Pending.

Background Check Review: Complete.

Community Impact Statement: None submitted.

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

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

## **ADOPTED**

**ENERGY AND ENVIRONMENT COMMITTEE REPORT** relative to the appointment of Mr. David Fleming to the Board of Directors of the Metropolitan Water District of Southern California (MWD).

**Recommendation for Council action:**

**RESOLVE** that the Mayor's appointment of Mr. David Fleming to the Board of Directors of the MWD for the term ending December 31, 2012 to fill the vacancy created by Ms. Nancy Sutley, who resigned on January 23, 2009, is **APPROVED** and **CONFIRMED**. Mr. Fleming resides in Council District Four. (Current Board gender composition: M=3; F=1; Vacancy=1)

Ethics Commission Review: Complete.

Background Check Review: Complete.

Community Impact Statement: None submitted.

## **ITEM NO. (13) - ADOPTED - FORTHWITH**

**Roll Call #13 - Motion (Cardenas - Perry) Adopted, Ayes (12); Absent: Reyes, Weiss and Wesson (3)**

[09-0693](#)

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and COMMUNICATION FROM THE EXECUTIVE EMPLOYEE RELATIONS COMMITTEE (EERC) relative to the appointment of Ms. June Lagmay as permanent City Clerk.

### **A. INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT**

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. June Lagmay as permanent City Clerk is APPROVED and CONFIRMED.

Ethics Commission Review: Pending

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 11, 2009

LAST DAY FOR COUNCIL ACTION - MAY 8, 2009

**B. COMMUNICATION FROM THE EERC**

Recommendation for Council action:

RESOLVE that the salary rate of pay for the position of permanent City Clerk shall BE ESTABLISHED, as recommended by the Mayor and approved by the EERC on April 14, 2009. The effective date of the permanent appointment is March 31, 2009.

(Council may recess to Closed Session, pursuant to Government Code 54957.6, relative to the above salary recommendation)

**ITEM NO. (14) - ADOPTED FORTHWITH - SEE FOLLOWING**

**Roll Call #10 - Motion (Greuel - Garcetti) Adopted, Ayes (13); Absent: Reyes and Weiss (2)**

[09-0410-S1](#)

CD 2

CONTINUED CONSIDERATION OF JOINT PUBLIC MEETING BETWEEN THE CITY COUNCIL AND THE BOARD OF COMMISSIONERS OF THE COMMUNITY REDEVELOPMENT AGENCY (CRA/LA), RESOLUTIONS and ORDINANCE FIRST CONSIDERATION relative to the proposed Fifth Amendment to the Laurel Canyon Commercial Corridor Redevelopment Plan.

**ACTIONS FOR CONSIDERATION BY THE COMMUNITY REDEVELOPMENT AGENCY**

Recommendations for CRA/LA action:

1. ADOPT the accompanying RESOLUTION certifying that the CRA/LA has reviewed and considered the information in the Final Environmental Impact Report for the Laurel Canyon Commercial Corridor Redevelopment Plan Amendment, making certain Findings regarding the environmental impacts, adopting a Mitigation Monitoring Program and adopting a Statement of Overriding Considerations.
2. ADOPT the accompanying RESOLUTION approving and adopting the Five-Year Implementation Plan for the Laurel Canyon Commercial Corridor Redevelopment Project (Fiscal Years 2010-14).
3. ADOPT the accompanying RESOLUTION approving the proposed Fifth Amendment to the Redevelopment Plan for the Laurel Canyon Commercial Corridor Redevelopment Project and the Report to Council and making certain Findings related thereto.

**ACTIONS FOR CONSIDERATION BY THE CITY COUNCIL**

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



1. ADOPT the accompanying RESOLUTION certifying that the Council has reviewed and considered the information in the Final Environmental Impact Report for the Laurel Canyon Commercial Corridor Redevelopment Plan Amendment, making certain Findings regarding the environmental impacts, adopting a Mitigation Monitoring Program and adopting a Statement of Overriding Considerations.
2. PRESENT and ADOPT the accompanying ORDINANCE approving and adopting the Fifth Amended and Restated Redevelopment Plan for the Laurel Canyon Commercial Redevelopment Project Area.
3. APPROVE the CRA/LA action adopting the Resolution approving and adopting the Five-Year Implementation Plan for the Laurel Canyon Commercial Corridor Redevelopment Plan.

(Public Hearing Closed on April 28, 2009)

## **ADOPTED**

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

1. **ADOPT the accompanying RESOLUTION certifying that the City Council has reviewed and considered the information in the Final Environmental Impact Report for the Earthquake Disaster Assistance Project for the Laurel Canyon Commercial Corridor Redevelopment Plan Amendment and Proposed Development of Valley Plaza Shopping Center and the Laurel Plaza Residential and Park Development Projects, making certain Findings regarding the environmental impacts, adopting a Mitigation Monitoring Program and adopting a Statement of Overriding Considerations.**
2. **ADOPT the accompanying RESOLUTION adopting written findings and responses to written comments or objections received in connection with consideration of the Fifth Amended and Restated Redevelopment Plan for the Laurel Canyon Commercial Corridor Redevelopment Project Area in accordance with the provisions of Health and Safety Code Section 33363.**
3. **PRESENT and ADOPT the accompanying ORDINANCE amending and restating the redevelopment plan for the Earthquake Disaster Assistance Project for the Laurel Canyon Commercial Corridor in Council District Two redevelopment project area.**
4. **APPROVE the CRA/LA adoption of the Resolution approving and adopting the Five-Year implementation plan for the Laurel Canyon Commercial Corridor Redevelopment Plan.**

**ITEM NO. (15) - REFER TO PERSONNEL COMMITTEE**

**Roll Call #14 - Motion (Zine - Smith) Adopted To Refer, Unanimous Vote (12); Absent: Reyes, Weiss and Wesson (3)**

[07-1783](#)

CONTINUED CONSIDERATION OF PERSONNEL COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to the 2009-11 Special Parking Memorandum of Understanding (MOU) to reflect an agreement reached by the Joint Labor-Management Committee on Commute Options and Parking (JLMC-COP).

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

1. APPROVE the 2009-11 Special Parking MOU, attached to the Council file.
2. PRESENT and ADOPT the accompanying ORDINANCE amending the Los Angeles Administrative Code (LAAC) to include a provision regarding the City Employee Rideshare Program and the role of the JLMC-COP.
3. AUTHORIZE the City Administrative Officer (CAO) and the Controller to make clerical or technical corrections to the MOU and LAAC Ordinance as required.

Fiscal Impact Statement: The CAO reports that the provisions of the 2009-11 Special Parking MOU have been designed to achieve revenue neutrality in the City Employee Rideshare Program. Therefore, no General Fund appropriation is anticipated during the remainder of 2008-09 or in the ensuing 2009-10 and 2010-11 fiscal years.

Community Impact Statement: None submitted.

(Continued from Council meeting of April 3, 2009)

**ITEM NO. (16) - ADOPTED**

**Roll Call #7 - Motion (Rosendahl - Alarcon) Adopted, Ayes (13); Absent: Reyes and Weiss (2)**

[09-0329](#)

CD 4

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT (PLUM) COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change at 6766 West Santa Monica Boulevard.

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. 09-0329 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2007-5484 MND] filed on July 3, 2008.
2. ADOPT the April 24, 2009 FINDINGS of the PLUM Committee as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, effecting a Zone Change from MR1-1-SN to (T)(Q)M1-1-SN for the proposed demolition of a 1,920 square foot fast food restaurant and construction of a single-story (with basement), 13,387 square-foot commercial retail structure for property at 6766 West Santa Monica Boulevard, subject to modified Conditions of Approval and attached to the Committee report. (The CAPC failed to reach a consensus on a 2-1 vote which resulted in a failure to act and an approval of the zone change request as filed.)

Applicant: Charles Arbing, Village Investment Partners  
Representative: Planning Associates, Inc.

APCC 2007-5483-ZC

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report.
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 Central Los Angeles Area Planning Commission on December 9, 2008.

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 13, 2009

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

**Roll Call #2 - Motion (Greuel - Zine) Adopted To Continue, Unanimous Vote (11); Absent: Hahn, Huizar, Reyes and Weiss (4)**

**ITEM NO.(17) - CONTINUED TO MAY 13, 2009**

[07-3428](#)

[08-2385](#)

PUBLIC SAFETY COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending the Los Angeles Municipal Code (LAMC) to hold the parent/guardian of a minor graffiti offender liable for the recovery of costs for graffiti abatement, and related abatement penalties and procedures.

Recommendations for Council action, as initiated by Motion (Zine - Smith) and Motion (Parks - Garcetti), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. PRESENT and ADOPT the accompanying ORDINANCE amending Article 14 of Chapter IV of the LAMC in its entirety to establish the Graffiti Removal and Recovery Act and the Los Angeles Administrative Code to establish the Graffiti Technology and Recovery Fund, to hold the parent/guardian of a minor graffiti offender liable for the recovery of costs for graffiti abatement, and to establish related abatement penalties and procedures.
2. REQUEST the City Attorney to prepare an amending ordinance to stipulate that recovered graffiti fees and penalties deposited in the proposed Graffiti Technology and Recovery Fund can also be used for graffiti abatement.
3. DIRECT the Chief Legislative Analyst (CLA), City Administrative Officer (CAO) and other appropriate City departments to report back relative to:
  - a. Recommendations for the implementation of a process that would bring together the City programs that address the graffiti issue and put them under the auspices of one entity in the City.
  - b. Expanding and clarifying the Parenting Classes prescribed in the aforementioned Ordinance.

Fiscal Impact Statement: None submitted by the City Attorney. Neither the CAO nor the CLA has completed a financial analysis of this report.

Community Impact Statement: None submitted.

**Roll Call #3 - Motion (Greuel - Zine) Adopted To Continue, Unanimous Vote (11); Absent: Hahn, Huizar, Reyes and Weiss (4)  
(Item Nos. 18-19)**

**ITEM NO. (18) - CONTINUED TO MAY 19, 2009**

[08-1896](#)

CD 12

CONTINUED CONSIDERATION OF TRANSPORTATION COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a speed limit revision for Zelzah Avenue between Rinaldi Street and Nordhoff Street.

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

1. CONCUR with the Board of Transportation Commissioners (Board) action of June 26, 2008 approving the amendment of Los Angeles Municipal Code (LAMC) Section 80.81 to raise the speed limit for Zelzah Avenue as follows:
  - a. Between Rinaldi Street and San Fernando Mission Boulevard from 30 to 35 miles per hour.
  - b. Between Chatsworth Street and Nordhoff Street from 35 to 40 miles per hour.
2. PRESENT and ADOPT the accompanying ORDINANCE amending LAMC Section 80.81 to establish the recommended speed limit of Recommendation No. 1.

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

Community Impact Statement: Yes  
General Comments: Northridge East Neighborhood Council

(Continued from Council meeting of April 21, 2009)

**ITEM NO. (19) - CONTINUED TO MAY 19, 2009**

[08-2336](#)

CDs 5, 6 & 12

CONTINUED CONSIDERATION OF TRANSPORTATION COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a speed limit revision for Balboa Boulevard between Foothill Boulevard and Ventura Boulevard.

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

1. CONCUR with the Board of Transportation Commissioners (Board) action of August 14, 2008 approving the amendment of Los Angeles Municipal Code (LAMC) Section 80.81 to raise the speed limit on Balboa Boulevard as follows:
  - a. Between Foothill Boulevard and Jolette Avenue/Pineridge Drive from 45 to 50 miles per hour.
  - b. Between Jolette Avenue/Pineridge Drive and Midwood Drive from 40 to 50 miles per hour.
  - c. Between Rinaldi Street and Victory Boulevard from 35 to 40 miles per hour.
  - d. Between Victory Boulevard and Burbank Boulevard from 40 to 45 miles per hour.
  - e. Between Burbank Boulevard and Ventura Boulevard from 35 to 40 miles per hour.
2. PRESENT and ADOPT the accompanying ORDINANCE amending LAMC Section 80.81 to establish the recommended speed limit of Recommendation No. 1.

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

Community Impact Statement: None submitted.

(Continued from Council meeting of April 21, 2009)

**Roll Call #4 - Motion (LaBonge - Perry) Adopted, Ayes (11); Absent: Hahn, Huizar, Reyes and Weiss (4) (Item Nos. 20-22)**

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

[08-1405](#)

ORDINANCE SECOND CONSIDERATION 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 additional business classifications and fees in appropriate alphabetical order and respective columns.

(Public Safety Committee Report adopted on April 28, 2009)

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

[09-0784](#)

RESOLUTION (GARCETTI - WESSON) requesting that the Emergency Food and Shelter Program (EFSP) Local Board incorporate certain priorities into the EFSP funds provided through American Recovery and Reinvestment Act of 2009.

(Ad Hoc Committee on Economic Recovery and Reinvestment 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 Ad Hoc Committee on Economic Recovery and Reinvestment at 213-978-1072.)

**ADOPTED**

**AD HOC COMMITTEE ON ECONOMIC RECOVERY AND REINVESTMENT REPORT** relative to the Los Angeles County Emergency Food and Shelter Program (EFSP) Local Board incorporating certain priorities into the EFSP funds provided through American Recovery and Reinvestment Act of 2009 (ARRA).

**Recommendation for Council action, as initiated by Resolution (Garcetti - Wesson), SUBJECT TO THE APPROVAL OF THE MAYOR:**

**REQUEST** that the EFSP Local Board incorporate the following priorities into the expenditure plan for additional EFSP funds provided through ARRA:

1. **Expansion of food bank goods and services to correspond to increased demand for these services.**

2. Youth nutrition programs and meals for seniors.
3. Programs to promote the availability of fresh food in neighborhoods with limited grocery options.
4. Expanded shelter and temporary housing services for individuals and families becoming homeless as a result of the economic downturn, including but not limited to: up to 60 days of hotel/motel voucher assistance for qualified individuals or families; and use for daytime shelters.

**Fiscal Impact Statement:** None submitted. 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. (22) - ADOPTED

[09-0846](#)

COMMUNICATION FROM THE GENERAL MANAGER, LOS ANGELES HOUSING DEPARTMENT and the EXECUTIVE DIRECTOR, LOS ANGELES HOMELESS SERVICES AUTHORITY relative to an application for American Recovery and Reinvestment Act of 2009 funding to implement the Homelessness Prevention and Rapid Re-Housing Program.

(Ad Hoc Committee on Economic Recovery and Reinvestment 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 Ad Hoc Committee on Economic Recovery and Reinvestment at 213-978-1072.)

## ADOPTED

**AD HOC COMMITTEE ON ECONOMIC RECOVERY AND REINVESTMENT REPORT** relative to an application for American Recovery and Reinvestment Act of 2009 (ARRA) funding to implement the Homelessness Prevention and Rapid Re-Housing Program (HPRP).

### Recommendations for Council action:

1. **AUTHORIZE** the General Manager, Housing Department, or designee, to:
  - a. Execute the Application for Federal Domestic Assistance SF424, HUD Form 40119, required certifications and any other required documents between the United States Department of Housing and Urban Development (HUD) and the City of Los Angeles for the receipt and disbursement of a HPRP grant funds in the amount of \$29,446,304.
  - b. Submit the substantial amendment to HUD before the deadline of May 18, 2009.
  - c. Apply for and receive additional funding from HUD and the State of California for HPRP, if such funds become available.

**2. AUTHORIZE the Controller to:**

- a. Establish new accounts and appropriate funds in the Emergency Shelter Grant Fund Number 517 Department 43 as follows:**

<u>Account</u>	<u>Title</u>	<u>Amount</u>
XXX	HPRP Program Operation	\$27,973,989
XXX	HPRP Program Admin.	<u>1,472,315</u>
	<b>Total:</b>	<b>\$29,446,304</b>

- b. Expend funds from the above fund and accounts not to exceed \$29,446,304 upon proper written demand by the General Manager, Housing Department, or designee, for the implementation of the HPRP and for program administration in accordance with applicable State and Federal guidelines and all local rules and ordinances of the City of Los Angeles.**

**3. AUTHORIZE the General Manager, Housing Department, or designee, to:**

- a. Prepare Controller instructions and make any necessary technical adjustments consistent with the Mayor and Council action in this matter, subject to the approval of the City Administrative Officer (CAO); and, REQUEST that the Controller implement these instructions.**
- b. Make any necessary program adjustments consistent with this action, and submit the required revisions to HUD as needed.**
- 4. REQUEST that the Housing Department and the Los Angeles Homeless Services Authority (LAHSA) to work with the Housing Authority of the City of Los Angeles (HACLA) in the formulation of final program design recommendations.**
- 5. REQUIRE that receipt and expenditure of HPRP funds is subject to a report to Council from Housing Department, LAHSA, and HACLA with detailed recommendations for the design and implementation of the HPRP program.**
- 6. REQUEST that the Housing Department, LAHSA, and HACLA include the following program design elements in the program design:**
- a. Coordinating HPRP with the Homeless Section 8 program to assist homeless people and their families access permanent housing.**
- b. Implementing a program that allows eligible clients to utilize HPRP medium-term rental assistance for up to 18 months and then roll over to the Section 8 Voucher program.**
- 7. REQUEST that the Housing Department, LAHSA, and HACLA report to Council in 30 days relative to:**



- a. The use of City HPRP funds to enhance local efforts related to enrollment of disabled clients into SSI and SSDI.
  - b. What County of Los Angeles HPRP rapid re-housing efforts with the County of Los Angeles Department of Public Social Services' CalWORKs 12-month rental subsidy assistance program will be and how it may relate to the City's program.
  - c. Neighborhoods from which homeless families and individuals currently originate as well as a program design which targets HPRP prevention resources towards households in those neighborhoods and how to best integrate this with the Neighborhood Stabilization Program.
  - d. Recommendations for administering program funds and tracking results.
  - e. Discussion relative to the service overlap that has been designed and how multiple service programs shall be made available to people in need.
8. REQUEST that the Chief Legislative Analyst, CAO, and LAHSA report on the status of LAHSA's administrative allowance for the Continuum of Care and whether the agency is making full use of this resource for the agency's administrative costs at this time.

**Fiscal Impact Statement:** The Housing Department reports that this action will not impact the General Fund. This special allocation of federal funds will be used to pay for recommended program activities.

**Community Impact Statement:** None submitted.

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

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

**Roll Call #15 - Motion (Huizar - LaBonge) To Adopt As Amended, Ayes (12); Absent: Reyes, Weiss and Wesson (3)**

[09-0673](#)

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to extending the discount evening parking rate at the Pershing Square Parking Garage.

Recommendation for Council action:

INSTRUCT the Department of Recreation and Parks, with assistance from any other relevant department, to implement the necessary actions to extend the discount parking rate at the Pershing Square Parking Garage from 1:00 a.m. to 2:00 a.m.

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.

## **ADOPTED**

### **MOTION (HUIZAR - PERRY)**

**INSTRUCT** the Department of Recreation and Parks, with assistance from any other relevant department, to implement the necessary actions to extend the discount parking rate at the Pershing Square Garage from 1:00 a.m. to 2:30 a.m.

**Roll Call #4 - Motion (LaBonge - Perry) Adopted, Ayes (11); Absent: Hahn Huizar, Reyes and Weiss (4) (Item Nos. 24-27)**

### **ITEM NO. (24) - ADOPTED - FORTHWITH TO THE MAYOR**

[07-2975](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to adjusting City Census Tract Boundaries.

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

1. APPROVE the adjusted City Census Tract Boundaries proposed by the Census Technical Committee [as indicated on the maps attached to the Chief Legislative Analyst (CLA) report dated April 23, 2009].
2. TRANSMIT the adjusted City Census Tract Boundaries to the U.S. Census Bureau.

Fiscal Impact Statement: None submitted by the CLA.

Community Impact Statement: None submitted.

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

[08-2113](#)

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

Recommendation for Council action:

RECEIVE and FILE the Mayor's reappointment of Ms. Ibarra to the Relocation Appeals Board for the term ending April 2, 2011. Ms. Ibarra no longer resides in the City. (Current Board gender composition: M=2; F=3)

Ethics Commission Review: Pending.

Background Check Review: Pending.

Community Impact Statement: None submitted.

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

[09-0414](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to Cooperation Agreements between the Community Redevelopment Agency (CRA) and the Environmental Affairs Department (EAD) to receive grant and other funds not to exceed \$5 million for the investigation, assessment, oversight, and remediation of Brownfield Properties for an initial period of three years, to fund Environmental Management Services in an amount not to exceed \$90,872, and related actions.

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

1. ADOPT the accompanying joint RESOLUTION [Attachment C of the City Administrative Officer (CAO) report dated April 24, 2009] making specified findings pursuant to Health and Safety Code Section 33445 of California Redevelopment Law, that:
  - a. The provision of CRA Tax Increment (TI) funds for the purpose of environmental investigation and remediation of contaminants at the proposed Rockwood Park located at the intersection of Colton Street and Rockwood Street in Council District 13 is of benefit to the immediate neighborhood of the Westlake Recovery Redevelopment Project Area.
  - b. The provision of CRA TI funds for the purpose of environmental investigation and remediation of contaminants at the proposed East Wilmington Park located at 825-27 Sanford Avenue and 828-32 Dominguez Avenue in Council District 15 is of benefit to the immediate neighborhood of the Los Angeles Harbor Industrial Center Redevelopment Project Area.
2. AUTHORIZE the Chief Executive Officer, CRA, or designee, to:
  - a. Execute the Cooperation Agreement (significantly similar in form to Attachment A of the CAO report dated April 24, 2009), for the CRA to receive compensation up to an aggregate amount of \$5 million from EAD for as-needed environmental engineering and related services at Brownfields sites, for a term of three years with options to renew for two additional one-year periods, subject to the approval of the City Attorney as to form and legality and the Department of Public Works (DPW), Bureau of Contract Administration (BCA), as to compliance with applicable CRA and City contracting requirements.
  - b. Amend the CRA Budget and Work Program as needed during the Fiscal Years of the term of the Cooperation Agreement reflected above [Recommendation 2(a)], for the creation of work objectives and allocation of funds received by the CRA from the EAD for Brownfields related expenses that are required by this action.

- c. Execute the Cooperation Agreement (significantly similar in form to Attachment B of the CAO report dated April 24, 2009), for reimbursement to the City for professional services for Brownfields projects for a term commencing on July 1, 2008 and expiring on June 30, 2009, with the entire amount of \$90,872 deposited to the City by June 30, 2009, subject to the approval of the City Attorney as to form and legality and the DPW, BCA, as to compliance with applicable CRA and City contracting requirements.
3. AUTHORIZE the General Manager, EAD, or designee, to:
    - a. Execute the Cooperation Agreement with the CRA (significantly similar in form to Attachment A of the CAO report dated April 24, 2009), for the provision of compensation to the CRA in an aggregate amount not to exceed \$5 million for as-needed environmental engineering and related services at Brownfields sites, for a term of three years with options to renew for two additional one-year periods, subject to the approval of the City Attorney as to form and legality.
    - b. Prepare Controller instructions to transfer funds from the EAD to the CRA, pursuant to the terms of the Cooperation Agreement for Brownfields related expenses that are required by this action, in an aggregate amount not to exceed \$5 million for as-needed environmental engineering and related services related to Brownfields grants from the U.S. Environmental Protection Agency and other future grant awards from Federal and State sources, subject to the availability of funds and the approval of the CAO for all transactions that are required by this action in an aggregate amount not to exceed \$5 million, and authorize the Controller to implement these instructions.
    - c. Execute the proposed Cooperation Agreement with the CRA (significantly similar in form to Attachment B of the CAO report dated April 24, 2009), in an amount not to exceed \$90,872 for reimbursement to the City for professional services for Brownfields projects for a term commencing on July 1, 2008 and expiring on June 30, 2009, with the entire amount of \$90,872 deposited to the City by June 30, 2009, subject to the approval of the City Attorney as to form and legality.
    - d. Deposit a cumulative amount not to exceed \$90,872 from the CRA, pursuant to the Cooperation Agreement in Recommendation 3(c) above, into General Fund 100, EAD 37, Revenue Source Code 4290, Service to the CRA, for reimbursement to the City for professional services for Brownfields projects, with the entire amount of \$90,872 deposited to the City by June 30, 2009.
    - e. Prepare Controller instructions and/or make any technical adjustments that may be consistent and required by these actions, subject to the approval of the CAO, and authorize the Controller to implement these instructions.

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 CRA. The CRA is only bound by the disclosure provisions of the City's Debt Management Policies. Approval of the recommendations will result in: 1) as-needed funding received by the CRA for services performed for various Brownfields projects in an amount not to exceed an aggregate of \$5 million over a three-year period, with two one-year renewal options; and, 2) the reimbursement to the EAD for professional services for Brownfields projects in the amount of \$90,872 for a term commencing on July 1, 2008 and expiring on June 30, 2009. The source of funds include, but are not limited to, grant funds from various Federal and State sources and CRA TI depending on the individual project area served.

Community Impact Statement: None submitted.

## ITEM NO. (27) - ADOPTED

[08-1143](#)  
CD 10

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to the acquisition of real property at 3011-23 South Western Avenue (Site) and an Exclusive Negotiating Agreement (ENA) with Mercy Housing California, Inc. (Mercy), for the redevelopment of the Site.

Recommendations for Council action:

1. ADOPT the accompanying joint RESOLUTION [attached to the City Administrative Officer (CAO) report dated April 28, 2009] of the Community Redevelopment Agency (CRA) Board of Commissioners and Council finding that the use of use of the CRA's Low and Moderate Income Housing Funds up to an aggregate amount of \$3 million, consisting of \$1.2 million from the Normandie Five Redevelopment Project Area (N5RPA) and \$1.8 million from the Wilshire Center/Koreatown Redevelopment Project Area (WCKRPA), for the acquisition of the Site located in the N5RPA for the potential subsequent development of the Mercy Jefferson Park Project (Project), is of benefit to the adjacent WCKRPA, pursuant to California Redevelopment Law Health and Safety Code Section 33334.2 and 33334.6.
2. AUTHORIZE Chief Executive Officer, CRA, or designee, to:
  - a. Execute an ENA with Mercy for a term not to exceed 180 days, with options to extend for two additional 90-day periods, to establish exclusive rights to negotiations for the development of the Project to be located at the Site, subject to the review of the City Attorney as to form and legality and the Department of Public Works, Bureau of Contract Administration, as to compliance with CRA contracting requirements.
  - b. Amend the CRA Fiscal Year 2008-09 Budget and Work Program to transfer \$1.8 from the WCKRPA line item category "Affordable Housing" and allocate such to the N5RPA line item category "Affordable Housing" to pay for the acquisition of the Site.

Fiscal Impact Statement: The CAO 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 recommendations will result in an aggregate of up to \$3.25 million of CRA Low and Moderate Income Housing Funds (N5RPA = \$1.2 million; WCKRPA = \$1.8 million; and, Land Acquisition Fund = \$250,000) to pay for the acquisition of the Site.

Community Impact Statement: None submitted.

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

**Roll Call #16 - Motion (Hahn - Rosendahl) Adopted To Continue, Unanimous Vote (12); Absent: Reyes, Weiss and Wesson (3)**

[09-0840](#)

PERSONNEL COMMITTEE REPORT relative to the exemption of one First Deputy General Manager Harbor Department position from the Civil Service provisions of the City Charter.

Recommendation for Council action:

APPROVE the exemption of one First Deputy General Manager Harbor Department position from the Civil Service provisions of the City Charter, pursuant to Charter Section 1001(b) (1).

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 6, 2009

(LAST DAY FOR COUNCIL ACTION - MAY 6, 2009)

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

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

[09-0851](#)

PERSONNEL COMMITTEE REPORT relative to the authorization and execution of various Los Angeles Department of Water and Power (LADWP) health and dental plan agreements.

Recommendation for Council action:

CONCUR with the Board of Water and Power Commissioners' action of April 7, 2009, and APPROVE six Resolutions, approved as to form and legality by the City Attorney, which authorize the execution of the various LADWP health and dental plan agreements as follows:

Resolution No.

- 009-212 CIGNA HealthCare of California, Inc., Agreements Nos. 47849-9 and 47850-9, and CIGNA HealthCare of Arizona, Inc., Agreements Nos. 47857-9 and 47851-9.
- 009-213 Delta Dental of California, Agreement No. 47852-9.
- 009-214 Health Plan of Nevada, Agreement No. 47853-9.
- 009-215 Kaiser Foundation Health Plan, Inc., Agreements Nos. 47854-9 and 47855-9.
- 009-216 PacifiCare of California/a United Health Care Company, Agreements Nos. 47856-9 and 47858-9.
- 009-217 United Concordia Dental Plans of California, Inc., Agreements Nos. 47859-9, 47866-9 and 47860-9.

Fiscal Impact Statement: The LADWP reports that funds authorized under these Agreements are budgeted and will be used to pay for health plan premiums on behalf of active and retired LADWP employees and their dependents in accordance with Memorandum of Understanding provisions and long-standing agreements with the Retired Employees Association.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JUNE 15, 2009

(LAST DAY FOR COUNCIL ACTION - JUNE 12, 2009)

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

**Roll Call #17 - Motion (Hahn - LaBonge) Adopted, Ayes (11); Absent: Reyes, Smith, Weiss and Wesson (4)**

[09-0002-S46](#)

RULES AND GOVERNMENT COMMITTEE REPORT and RESOLUTION relative to the City's position on legislation that would provide federal funding to support Community School Parks Programs.

Recommendation for Council action, pursuant to Resolution (Hahn - LaBonge - Huizar), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to include in the City's 2009-10 Federal Legislative Program SUPPORT of administrative action or legislation that would provide federal funding to support Community School Parks Programs.

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. (31) - ADOPTED- FORTHWITH TO THE MAYOR**

**Roll Call #18 - Motion (Rosendahl - Garcetti) Adopted, Ayes (11); Absent: Reyes, Smith, Weiss and Wesson (4)**

[09-0002-S48](#)

RULES AND GOVERNMENT COMMITTEE REPORT and RESOLUTION relative to the City's position on HR 1024 (Nadler) and S. 424 (Leahy), the Uniting American Families Act.

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

ADOPT the accompanying RESOLUTION to include in the City's 2009-10 Federal Legislative Program SUPPORT for HR 1024 (Nadler) and S. 424 (Leahy), the Uniting American Families Act, which would provide a mechanism under the Immigration and Nationality Act to allow United States citizens and legal permanent residents in binational same-sex relationships to sponsor their foreign born partner for immigration benefits to the United States.

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.

**Items for Which Public Hearings Have Not Been Held - Items 32-44**

(10 Votes Required for Consideration)

**Roll Call #19 - Motion (LaBonge - Parks) Adopted, Ayes (11); Absent: Reyes, Smith, Weiss and Wesson (4)**

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

[09-0005-S268](#)

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 28, 2009:



[09-0005-S268](#)

CD 15

- a. Property at 119 East 111th Place (Case No. 209453).  
Assessor I.D. No. 6073-017-019

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 16, 2007)

[09-0005-S269](#)

CD 10

- b. Property at 1253 South Citrus Avenue aka 5050 West Dockweiler Street (Case No. 158993).  
Assessor I.D. No. 5084-026-025

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 5, 2009)

[09-0005-S270](#)

CD 9

- c. Property at 216 West 77th Street (Case No. 116827).  
Assessor I.D. No. 6031-017-013

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 7, 2008)

[09-0005-S271](#)

CD 9

- d. Property at 7300 South San Pedro Street (Case No. 200880).  
Assessor I.D. No. 6022-018-012

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

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

**Roll Call #20 - Motion (Parks - Huizar) Adopted, Ayes (12); Absent: Reyes, Weiss and Wesson (3)**

[08-0010-S45](#)

COMMUNICATION FROM THE BOARD OF POLICE COMMISSIONERS relative to the payment of a reward for information leading to the arrest of the suspect convicted of child concealment for an incident that occurred on September 1, 2008.

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

1. APPROVE the payment of \$25,000 to claimant providing information leading to the arrest of the suspect convicted of child concealment for an incident that occurred on September 1, 2008.
2. INSTRUCT the City Clerk to:
  - a. Transfer \$25,000 from the Reserve Fund to the Unappropriated Balance and appropriate therefrom to the Special reward Trust Fund No. 436/14.

b. Transfer \$25,000 from the Special reward Trust Fund No. 436/14, Account No. XXXX to the Los Angeles Police Department (LAPD) Fund No. 100/70, Secret Service Account No. 4310.

3. INSTRUCT the LAPD to make the appropriate reward payment.

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

(Public Safety Committee waived consideration of the above matter)

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

**Roll Call #22 - Motion (Rosendahl - Smith) Adopted, Ayes (12); Absent: Reyes, Weiss and Wesson (3)**

[09-0006-S7](#)

CD 4

COMMUNICATION FROM THE CHIEF OF POLICE relative to a graffiti apprehension reward payment for a graffiti vandalism incident that occurred on August 29, 2008, at 5811 Tujunga Avenue.

Recommendations for Council action:

1. APPROVE the \$1,000 graffiti apprehension reward payment for a graffiti vandalism incident that occurred on August 29, 2008, at 5811 Tujunga Avenue.
2. AUTHORIZE the City Clerk to pay this claim from the Vandalism and Graffiti Trust Fund No. 870.

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

(Public Safety Committee waived consideration of the above matter)

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

**Roll Call #23 - Motion (Parks - Smith) Adopted, Ayes (12); Absent: Reyes, Weiss and Wesson (3)**

[09-1330](#)

CD 10

COMMUNICATION FROM THE CHIEF OF POLICE relative to an Illegal Dumping Apprehension Reward Payment for an incident that occurred at Nicolet Avenue, north of Santa Tomas Drive on February 2, 2009.

Recommendations for Council action:

1. APPROVE the \$1,000 graffiti apprehension reward payment for an Illegal Dumping Apprehension Reward Payment for an incident that occurred at Nicolet Avenue, north of Santa Tomas Drive on February 2, 2009.

2. AUTHORIZE the City Clerk to pay this claim from the Illegal Dumping Trust Fund No. 46G.

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

(Public Safety Committee waived consideration of the above matter)

**Roll Call #5 - Motion (LaBonge - Greuel) Adopted, Ayes (11); Absent: Hahn, Huizar, Reyes and Weiss (4)  
(Item Nos. 36-39)**

**ITEM NO. (36) - ADOPTED - FORTHWITH TO THE MAYOR**

[07-2345](#)

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) relative to the closeout of the United States Department of Homeland Security Archangel Grant Award, and related actions.

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

1. AUTHORIZE the Mayor, or designee, to accept the grant adjustment notice to modify the grant budget and extend the grant performance period through June 30, 2009 for the Urban Areas Security Initiative (UASI) Operation Archangel Pilot Project Program.
2. AUTHORIZE the Controller to TRANSFER appropriations in the amount of \$634,375.42 within the Homeland Security Assistance Fund 47N/46 as follows:

	<u>Fund/Dept</u>	<u>Account</u>	<u>Title</u>		<u>Amount</u>
From:	47N/46	A202	Supplies	\$	469.00
	47N/46	W201	Equipment		13.89
	47N/46	W202	Supplies		1,035.55
	47N/46	W203	Travel		1,142.80
	47N/46	Y170	LAPD Salaries		<u>631,714.18</u>
			Total		\$ 634,375.42
To:	47N/46	W204	Consultants	\$	2,499.57
	47N/46	W205	Fringe Benefits (LAPD)		107,597.64
	47N/46	A205	LAPD Fringe		495,565.05
	47N/46	E170	LAPD Salaries		<u>28,713.16</u>
			Total		\$ 634,375.42

3. AUTHORIZE the Controller to TRANSFER appropriations from the Homeland Security Assistance Fund 47N/46 to the General Fund for Operation Archangel expenditures as follows:

	<u>Fund/Dept</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	47N/46	E170	LAPD Salaries	\$28,713.16
To:	100/70	1010	Salaries, Civilian	\$28,713.16

4. AUTHORIZE the Controller to transfer cash from the Homeland Security Assistance Fund 47N/46 to reimburse the General Fund, on an as-needed basis, upon presentation of proper documentation from the Police Department, subject to the approval of the Mayor's Office of Homeland Security and Public Safety.
5. AUTHORIZE the Mayor, or designee, to prepare Controller instructions for any technical accounting adjustments, subject to the approval of the CAO; and, AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that approving the recommendations above will result in the completion of the Urban Areas Security Initiative Operation Archangel Pilot Project Grant Program. Salary and fringe benefits of the three civilian resolution authority positions associated with the grant are fully grant-funded. This action complies with City financial policies inasmuch as all grant eligible costs are fully covered by grant funds.

Community Impact Statement: None submitted.

(Public Safety Committee waived consideration of the above matter)

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

[07-3777](#)

CD 14

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for street purposes on property lying on the northwest side of Pickwick Street east of Elder Court (Right of Way No. 36000-1704).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for street purposes on property lying on the northwest side of Pickwick Street east of Elder Court (Right of Way No. 36000-1704) is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(19) of the City's Environmental Guidelines.
2. AUTHORIZE the Board of Public Works to acquire the easement for street purposes on property lying on the northwest side of Pickwick Street east of Elder Court (Right of Way No. 36000-1704), as depicted on the Exhibit Map in the November 13, 2007 City Engineer report and attached to the Council file.
3. INSTRUCT the City Clerk to forward a copy of the Council action on this project be forwarded to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that a fee of \$2,033 was paid for the processing of this offer to dedicate pursuant to Los Angeles Administrative Code Sections 7.3 and 7.41.1. No additional City Funds are needed.

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

[08-0306](#)

CD 14

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for sanitary sewer and storm drain purposes on Yorkshire Drive north of Parrish Avenue (Right of Way No. 36000-1638).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for sanitary sewer and storm drain purposes on Yorkshire Drive north of Parrish Avenue (Right of Way No. 36000-1638) is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(19) of the City's Environmental Guidelines.
2. AUTHORIZE the Board of Public Works to acquire the easement for sanitary sewer and storm drain purposes on Yorkshire Drive north of Parrish Avenue (Right of Way No. 36000-1638), as depicted on the Exhibit Map in the January 30, 2009 City Engineer report and attached to the Council file.
3. INSTRUCT the City Clerk to forward a copy of the Council action on this project be forwarded to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that a fee of \$1,284 was paid for the processing of this offer to dedicate pursuant to Los Angeles Administrative Code Sections 7.3 and 7.41.1. No additional City Funds are needed.

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

[09-0610](#)

CD 14

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for storm drain purposes on Hines Drive at Lavell Drive (Right of Way No. 36000-1756).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for storm drain purposes on Hines Drive at Lavell Drive (Right of Way No. 36000-1756) is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(19) of the City's Environmental Guidelines.
2. AUTHORIZE the Board of Public Works to acquire the easement for sanitary sewer purposes on Hines Drive at Lavell Drive (Right of Way No. 36000-1756), as depicted on the Exhibit Map in the March 12, 2009 City Engineer report and attached to the Council file.

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

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

**ITEM NO. (40) - ADOPTED**

**Roll Call #24 - Motion (Rosendahl - Zine) Adopted, Ayes (12); Absent: Reyes, Weiss and Wesson (3)**

[08-3422-S2](#)

CONSIDERATION OF RESOLUTION (REYES - GARCETTI - ROSENDAHL - ET AL.) relative to extending the provisions of Ordinance No. 180445 temporarily prohibiting the issuance of building permits for off-site signs, off-site signs digital displays, and supergraphic signs.

Recommendation for Council action:

RESOLVE to EXTEND the provisions of Ordinance No. 180445 temporarily prohibiting the issuance of building permits for off-site signs, off-site digital sings and supergraphic signs for a second and final 45 days to June 24, 2009, or upon the adoption of permanent regulations is approved, inasmuch as the City Planning Department is actively working towards the creation of the appropriate regulatory measures to address this issue.

Community Impact Statement: None submitted.

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

**Roll Call #25 - Motion (Rosendahl - Zine) Adopted, Ayes (12); Absent: Reyes, Weiss and Wesson (3)  
(Item Nos. 41a-q)**

**ITEM NO. (41) - ADOPTED**

[09-0954](#)

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:

[09-0954](#)

CD 13

- a. 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).

[09-0953](#)

CD 13

- b. 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](#)

CD 4

- c. 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](#)

CD 10

- d. 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](#)

CD 7

- e. 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](#)

CD 5

- f. 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](#)

CD 5

- g. MOTION (WEISS - 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](#)

CD 11

- h. MOTION (ROSENDAHL - WESSON) 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](#)

CD 9

- i. 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](#)

CD 9

- j. 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](#)

CD 9

- k. 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](#)

CD 15

- l. 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](#)

CD 15

- m. 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](#)

CD 15

- n. 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](#)

CD 15

- o. 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](#)

CD 4

- p. 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](#)

CD 9

- q. 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).

**ITEM NO. (42) - ADOPTED, AS AMENDED - SEE FOLLOWING**

**Roll Call #26 - Motion (Parks - Perry) To Adopt As Amended, Ayes (12); Absent: Reyes, Weiss and Wesson (3)**

[09-0011-S23](#)

CD 8

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



1. TRANSFER \$64,575 from the Council District Eight portion of the Street Furniture Revenue Fund No. 43D/50 to the General Services Fund No. 100-40, as follows: \$23,000 to Account No. 1101 (Construction Hiring Hall), \$8,740 to Account No. 1121 (Construction Hiring Hall Fringe Benefits), and \$32,835 to Account No. 3180 (Construction Materials & Supplies), for services in connection with the installation of various plaques and pedestals at ~~Jesse Brewer Park~~ in Council District Eight. **(Parks - LaBonge)**
2. AUTHORIZE the Department of General Services to make clarifications or technical corrections to the above fund transfer instructions as may be necessary to implement the intent of this Motion.

**ITEM NO. (43) - NOTED AND FILED**

**Roll Call #9 - Motion (Perry - Greuel) Adopted To Note and File, Unanimous Vote (13); Absent: Reyes and Weiss (2)**

[09-0981](#)

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

Recommendation for Council action:

REQUEST that the Los Angeles County Health Department, the City Emergency Management Department and the Fire Department make a presentation to the Council at its meeting of May 5, 2009 relative to the swine flu epidemic, including what measures can be taken to address this epidemic, what plans we have in place, and what, if any, additional programs and resources may be needed.

**ITEM NO. (44) - NOTED AND FILED**

**Roll Call #11 - Motion (Greuel - Perry) Adopted To Note And File, Ayes (13); Absent: Reyes and Weiss (2)**

[09-0981-S1](#)

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

Recommendation for Council action:

DIRECT the Department of Transportation to report at the May 5, 2009 Council meeting on precautions that are being taken on the City's transit vehicles relative to the recent swine flu outbreak and efforts to coordinate with the other transit providers, as well as the City's emergency plans for epidemic/pandemic scenarios.

## Items for Which Public Hearings Have Been Held - Items 45-48

Roll Call #8 - Motion (Greuel - LaBonge) Adopted, Ayes (13); Absent: Reyes and Weiss (2)  
(Item Nos. 45-47)

### ITEM NO. (45) - ADOPTED

[08-0265](#)

CONTINUED CONSIDERATION OF ADMINISTRATIVE EXEMPTION, TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending Port of Los Angeles Tariff No. 4, Section 20, Items 2000, 2005, and 2030, Clean Air Action Plan - General Rules and Regulations, concerning drayage trucks and the Clean Truck Program (CTP).

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

1. FIND that Permanent Order No. 08-6973 amending the Port Tariff to modify various requirements is exempt from the requirements of the California Environmental Quality (CEQA) in accordance with Sections 15273, 15301 (d) and 15061 (b) (3), of the State's CEQA Guidelines.
2. CONCUR with the Board of Harbor Commissioners' (Board) action taken October 23, 2008, approving Permanent Board Order No. 08-6973 to amend Port of Los Angeles Tariff No. 4, Section 20, Items 2000, 2005, and 2030, Clean Air Action Plan - General Rules and Regulations, concerning drayage trucks and the Clean Truck Program.
3. PRESENT and ADOPT the accompanying ORDINANCE, approving Permanent Board Order No. 08-6973 to amend Port of Los Angeles Tariff No. 4, Section 20, Items 2000, 2005, and 2030, Clean Air Action Plan - General Rules and Regulations, concerning drayage trucks and the Clean Truck Program.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. Approval of the Harbor Department (Port) request to amend Item Numbers 2000, 2005 and 2030 under the Port of Los Angeles Tariff No.4, Section No. 20, of the Clean Air Action Plan will change and clarify provisions in the CTP. The proposed Amendment to Tariff No.4 will primarily clarify the existing language in the Tariff and have minimal changes on the overall CTP and its fee collection component under the Clean Truck Fees Program. An estimated revenue amount of less than one percent or approximately \$1 million will be lost by exempting fees from United States military cargo containers entering and leaving the Port. There is no additional revenue loss anticipated. The City Financial Policies are not applicable. Funding is provided from and to the Harbor Revenue Fund.

Community Impact Statement: None submitted.

(Continued from Council meeting of May 1, 2009)

**ITEM NO. (46) - ADOPTED**

[09-0243](#)

CONTINUED CONSIDERATION OF ADMINISTRATIVE EXEMPTION, TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending Port of Los Angeles Tariff No. 4, Section 3, Item 370, Charges for Vessel Traffic Service (VTS).

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

1. FIND that Permanent Order No. 08-6975 amending the Port Tariff to increase the VTS User Fees by approximately 7.5 percent is exempt from the requirements of the California Environmental Quality (CEQA) in accordance with Article II, Section 2(f), of the City's CEQA Guidelines.
2. CONCUR with the Board of Harbor Commissioners' action taken November 20, 2008, approving Permanent Board Order No. 08-6975 amending the Port of Los Angeles Tariff No. 4, Section 3, Item 370, Charges for VTS.
3. PRESENT and ADOPT the accompanying ORDINANCE, approving Permanent Board Order No. 08-6975 amending the Port of Los Angeles Tariff No. 4, Section 3, Item 370, Charges for VTS.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. Approval of the request by the Harbor Department (Port) to amend Tariff No.4 will have no direct financial impact on the Port. The Port is requesting an increase in the VTS User Fees by approximately 7.5 percent, or an average of \$26 per vessel, because of rising operating costs (for computer support, maintenance and insurance), a loss of revenue due to an eight percent decline in the number of ship arrivals in 2008 and cost cutting of \$145,000 from a \$2,476,000 annual operating budget. Since the Port is only bound by the City Debt Management Policies, the City Financial Policies are not applicable. Proceeds from the increased VTS User Fees will be deposited in the Harbor Revenue Fund.

Community Impact Statement: None submitted.

(Continued from Council meeting of May 1, 2009)

**ITEM NO. (47) - ADOPTED**

[09-0258](#)

CONTINUED CONSIDERATION OF ADMINISTRATIVE EXEMPTION, TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending Port of Los Angeles Tariff No. 4, Section 20, Items 2000, 2010, 2020, 2025, 2030, 2035, 2040, and 2050 Clean Air Action Plan (CAAP) - General Rules and Regulations.

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

1. FIND that Permanent Order No. 08-6971 amending the Port Tariff to modify various requirements is exempt from the requirements of the California Environmental Quality (CEQA) in accordance with Sections 15273, 15301 (d) and 15061 (b) (3), of the City's CEQA Guidelines.

2. CONCUR with the Board of Harbor Commissioners' (Board) action taken August 21, 2008, approving Permanent Board Order No. 08-6971 amending the Port of Los Angeles Tariff No. 4, Section 20, Items 2000, 2010, 2020, 2025, 2030, 2035, 2040, and 2050 CAAP General Rules and Regulations, as transmitted by the Board's report dated April 7, 2009.
3. PRESENT and ADOPT the accompanying ORDINANCE, approving Permanent Board Order No. 08-6971 amending the Port of Los Angeles Tariff No. 4, Section 20, Items 2000, 2010, 2020, 2025, 2030, 2035, 2040, and 2050 CAAP - General Rules and Regulations.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. Approval of the request by the Harbor Department (Port) to amend Tariff No.4 Section No. 20, Item Numbers 2000,2010,2020,2025, 2030, 2040 and 2050, will modify the provisions and allow the use of funds under Item No. 2035, Clean Truck Fund, for the EPA 2007 Compliant Truck Incentive Program. There are initial and ongoing costs (in excess of \$8.4 million) estimated by the Port for the proposed Amendment that have been identified and budgeted for; contingent upon participation by licensed motor carriers in the CAAP Heavy Duty Drayage Truck Program and Clean Truck Program (CTP). The Mayor and Council previously approved funding by the Board for various programs under CAAP, including the CTP, Clean Truck Fee/Fund, Infrastructure Cargo Fee and Liquefied Natural Gas Truck Program. The City Financial Policies are not applicable. Funding is provided from the Harbor Revenue Fund.

Community Impact Statement: None submitted.

(Continued from Council meeting of May 1, 2009)

## **ITEM NO. (48) - ADOPTED**

**Roll Call #6 - Motion (Rosendahl - LaBonge) Adopted, Ayes (11); Absent: Hahn, Huizar, Reyes and Weiss (4)**

[09-0563](#)

CONTINUED CONSIDERATION OF ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to the Permanent Board Order (Order) No. 08-6642 amending the Port of Los Angeles Tariff No. 4, for the Clean Truck Program (CTP) Participation Agreements (PA) and Authority Delegation.

Recommendations for Council action:

1. FIND that this action is exempt from the requirements of the California Environmental Quality Act (CEQA) as provided by Article II, Section 2(f) and 2 (i) of the Los Angeles City CEQA Guidelines.
2. APPROVE Order No. 08-6642 proposed PA's with the CTP grant recipients: San Pedro Bay Ports Clean Trucks Program Truck Replacement Funding Participation Agreement (Subsidized Lease); San Pedro Bay Ports Clean Truck Program Truck Replacement Funding Participation Agreement (Proposition 1B); and San Pedro Bay Ports Clean Truck Program Truck Replacement Funding Participation Agreement (Purchase Subsidy).
3. CONCUR with the Board of Harbor Commissioners (Board) action on October 23, 2008 authorizing the Executive Director, Harbor Department (Port), to execute the Participation Agreements with the CTP grant recipients.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. Approvals of the PA's are legal contracts that will provide financial incentives and grant funding for eligible participants under the CTP. Total funding for the proposed Agreements will be contingent upon the number and eligibility of applicants for the subsidized leases and loans and Proposition 1B (Prop 1B) grant funding awards. The Port estimates that the total estimated cost for the subsidized programs will be approximately \$250 million to fund approximately 2,000 alternative fuels trucks. The Prop 1B funds will not affect Port funding except in the case of a default by CTP Participants. The proposed Amendments to the Tariff will have no impact on the City General Fund and the City Financial Policies are not applicable. Funding is provided from the Harbor Revenue Fund.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 15, 2009

(LAST DAY FOR COUNCIL ACTION - MAY 15, 2009)

(Continued from Council meeting of May 1, 2009)

## **Items for Which Public Hearings Have Not Been Held - Items 49-50**

(10 Votes Required for Consideration)

### **ITEM NO. (49) - ADOPTED, AS AMENDED - SEE FOLLOWING**

**Roll Call #27 - Motion (Parks - Huizar) To Adopt As Amended, Ayes (9); Noes: Alarcon and Zine (2); Absent: Hahn, Reyes, Weiss and Wesson (4)**

#### 09-0993

CONSIDERATION OF MOTION (PARKS - SMITH) relative to instructions to initiate the layoff process.

Recommendations for Council action, pursuant to Motion (Parks - Smith):

1. INSTRUCT the General Managers of all City departments and bureaus impacted by layoffs contained in the Mayor's Proposed Budget to immediately transmit to the Personnel Department requests for layoff lists in accordance with Charter Section 1015, as appropriate, in order to implement the position eliminations identified in the Mayor's Proposed Budget, as further detailed in the City Administrative Officer's (CAO) "Supporting Information for the Budget and Finance Committee."
2. DIRECT the Personnel Department to immediately transmit displacement election forms to employees potentially impacted by the layoffs.
3. AUTHORIZE and INSTRUCT the Personnel Department to utilize April 15, 2009 as the final layoff calculation date.
4. DIRECT the CAO, with the assistance of the Personnel Department, to immediately commence negotiations with impacted employee organizations on a citywide layoff seniority and displacement seniority tie breaking system.

Community Impact Statement: None submitted.

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

**ADOPTED**

**MOTION (Huizar - Parks)**

**Recommendation for Council action:**

**INCLUDE the following recommendation:**

- 5. REQUEST that the Personnel Department, with the assistance of the City Administrative Officer and Chief Legislative Analyst develop a succession or "coaching" program to create a partnership between outgoing City employees and other workers who are scheduled or are likely to take on their tasks once they have retired.**

**ITEM NO. (50) - ADOPTED**

**Roll Call #21 - Motion (Rosendahl - Garcetti) Adopted, Ayes (12); Absent: Reyes, Weiss and Wesson (3)**

[09-0002-S81](#)

RESOLUTION (GARCETTI - ROSENDAHL - HAHN - GREUEL) relative to the City's position in connection with HR 1913 (Conyers), the Local Law Enforcement Hate Crime Prevention Act of 2009.

Recommendation for Council action, 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 1913 (Conyers), the Local Law Enforcement Hate Crime Prevention Act of 2009, which would authorize the Attorney General to provide technical, forensic, prosecutorial and other assistance in the criminal investigation or prosecution of a crime motivated by the victim's actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity, or disability.

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

[09-1008](#)

CD 13

MOTION (GARCETTI - LABONGE) relative to declaring the Cheap Chick Fashion Show and Auction on May 2, 2009 a Special Event (fees and costs absorbed by the City = \$1,642).

[07-1703-S1](#)

CD 15

MOTION (HAHN - LABONGE) relative to declaring the Annual Shakespeare by the Sea from June 11, 2009 through August 8, 2009 a Special Event (fees and costs absorbed by the City = \$4,280).

[08-1191-S1](#)

CD 9

MOTION (PERRY - PARKS) relative to declaring the It Takes A Village on September 5, 2009 a Special Event (fees and costs absorbed by the City = \$1,226).

[09-1010](#)

CD 9

MOTION (PERRY - PARKS) relative to declaring the Senior Center Dress Rehearsal on May 19, 2009 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).

[09-1017](#)

CD 15

MOTION (HAHN - LABONGE) relative to declaring the Beacon House Thanksgiving Day on November 29, 2009 a Special Event (fees and costs absorbed by the City = \$1,226).

[09-1018](#)

CD 15

MOTION (HAHN - LABONGE) relative to declaring the Beacon House Awards Dinner on June 27, 2009 a Special Event (fees and costs absorbed by the City = \$1,226).

[09-1020](#)

CD 8

MOTION (PARKS - LABONGE) relative to declaring the 27th Annual UNCF Walk for Education on May 16, 2009 a Special Event (fees and costs absorbed by the City = \$5,310).

[09-1037](#)

CD 15

MOTION (HAHN - LABONGE) relative to declaring the Nightmare on Beacon Street on October 30, 2009 - November 1, 2009 a Special Event (fees and costs absorbed by the City = \$5,731).

[09-1038](#)

CD 15

MOTION (HAHN - LABONGE) relative to declaring the 24th Annual Block Party on August 7-9, 2009 a Special Event (fees and costs absorbed by the City = \$3,726).

[09-1040](#)

CD 15

MOTION (HAHN - LABONGE) relative to declaring the Beacon House Christmas Day on December 25, 2009 a Special Event (fees and costs absorbed by the City = \$1,226).

[09-1044](#)

CD 13

MOTION (GARCETTI - LABONGE) relative to declaring the Summer Festival on May 30, 2009 a Special Event (fees and costs absorbed by the City = \$1,731).

[09-0010-S31](#)

MOTION (PARKS - PERRY) relative to an offer of reward for information leading to the identification, apprehension and conviction of the person(s) responsible for the November 1, 2008 death of Carrington Henderson.



[09-0010-S32](#)

MOTION (PARKS - PERRY) relative to an offer of reward for information leading to the identification, apprehension and conviction of the person(s) responsible for the March 28, 2009 death of Larry Darnell Howard III.

[09-0010-S33](#)

MOTION (PARKS - PERRY) relative to an offer of reward for information leading to the identification, apprehension and conviction of the person(s) responsible for the March 3, 2009 death of Ronald Buckner.

[09-0010-S34](#)

MOTION (PARKS - LABONGE) relative to an offer of reward for information leading to the identification, apprehension and conviction of the person(s) responsible for the February 8, 2009 vandalism and burglary of the Saint Mark United Methodist Church.

[09-0010-S35](#)

MOTION (PARKS - LABONGE) relative to an offer of reward for information leading to the identification, apprehension and conviction of the person(s) responsible for the March 7, 2009 vandalism and graffiti of the Church of Scientology Community Center.

[09-0998](#)

CD 15

MOTION (HAHN - PARKS) relative to a Proposition A-I grant application for the Cabrillo Coastal Park Trail Phase II Project.

[09-1016](#)

CD 14

MOTION (HUIZAR - PERRY) relative to leasing office space at 453 South Spring Street #1020 for the Downtown Neighborhood Council.

[09-1019](#)

CD 9

MOTION (PERRY - CARDENAS) relative to acceptance, fabrication and installation of the new Police Memorial located east of the new Police Administration Building.

[08-2578-S1](#)

CD 11

MOTION (ROSENDAHL - LABONGE) relative to the identification of AMMA Transit Planning as an appropriate consulting firm to complete an analysis of unmet mobility needs in Del Rey, Mar Vista and other nearby communities and the design/initial implementation of such a community-based transit service.



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

### [09-0002-S83](#)

RESOLUTION (PERRY - GARCETTI) relative to the City's position in connection with AB 139 (Brownley), relative to the assessment of storm water fees.

### [09-1039](#)

RESOLUTION (GARCETTI - LABONGE - ET AL) relative to declaring May 11-15, 2009 as Bike to Work Week in the City of Los Angeles.

## COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon her request, and without objections, Councilmember Perry was excused from Council session(s) of Wednesday, May 6, 2009 arriving at 11:15 a.m. due to City business.

Upon her request, and without objections, Councilmember Hahn was excused from Council session(s) of Friday, July 10, 2009 leaving at 11:30 a.m. due to City business.

Upon his request, and without objections, Councilmember Weiss was excused from Council session(s) of May 5, 12 and 13, 2009 due to City business.

Upon his request, and without objections, Councilmember Smith was excused from Council session(s) of Friday, November 6, 2009 due to personal business.

Upon his request, and without objections, Councilmember Zine was excused from Council session(s) of Tuesday, June 9, 2009.

## COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[09-0727](#) - Sergeant Ken Buscarino (Rosendahl - All)

Morton Weishar (Greuel - All)

Windward Wildcats Boys Basketball Team (Rosendahl - All)

### **At the conclusion of this day's Council Session**

### **ADJOURNING MOTIONS WERE ADOPTED in tribute to the memory of:**

[09-0726](#) - Iris Cassadrine Silvera-Black (Wesson)

Opal M. Curtis (Wesson)

Eddie Marie Deckard (Parks)

Alpert L. Greene (Cardenas)

**Ayes, Alarcon, Cardenas, Greuel, Huizar, LaBonge, Parks, Perry, Rosendahl, Smith, Zine and President Garcetti (11); Absent: Hahn, Reyes, Weiss and Wesson (4).**

**Whereupon the Council did adjourn.**

ATTEST: Karen E. Kalfayan, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL