

Los Angeles City Council, **Journal/Council Proceedings**  
Wednesday, **May 20, 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, Hahn, Huizar, LaBonge, Parks, Rosendahl, Smith, Wesson and Zine (10); Absent: Alarcon, Perry, Reyes, Weiss and President Garcetti (5).**

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
MAY 15, 2009

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 21

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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 1-7**

### **ITEM NO. (1) - PUBLIC HEARING CLOSED - NO APPEALS - LIEN CONFIRMED**

**Roll Call #4 - Motion (Zine - Parks) Adopted to Confirm Lien, Ayes (10); Absent: Alarcon, Perry, Reyes, Weiss and President Garcetti (5)**

[07-1235](#)  
CD 3

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading all openings and cleaning of the lot at 21415 West Dumetz Road. (Lien: \$1,078.40)

### **ITEM NO. (2) - RECEIVED AND FILED - INASMUCH AS LIEN HAS BEEN PAID**

**Roll Call #3 - Motion (Cardenas - Rosendahl) Adopted to Receive and File, Unanimous Vote (10); Absent: Alarcon, Perry, Reyes, Weiss and President Garcetti (5)**

[09-0509](#)  
CD 6

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the cost of barricading of all openings at 14540 West Hart Street. (Lien: \$2,436.26)

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

**Roll Call #11 - Motion (Parks - LaBonge) Adopted to Confirm Lien, Ayes (12); Absent: Huizar, Weiss and President Garcetti (3)**

[09-0511](#)

CD 8

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings, cleaning and fencing of the lot, graffiti abatement, demolition of the building(s), asbestos removal from the building(s) and monitoring of the asbestos removal at 5310 South Denker Avenue and 5310-12 South Denker Avenue.

(Lien: \$38,107.41)

**ITEM NO. (4) - PUBLIC HEARING CLOSED - NO APPEALS - LIEN CONFIRMED**

**Roll Call #4 - Motion (Zine - Parks) Adopted to Confirm Lien, Ayes (10); Absent: Alarcon, Perry, Reyes, Weiss and President Garcetti (5)**

[09-0512](#)

CD 2

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings, cleaning and fencing of the lot at 4739 North Beck Avenue.

(Lien: \$4,779.96)

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

**Roll Call #3 - Motion (Cardenas - Rosendahl) Adopted to Receive and File, Unanimous Vote (10); Absent: Alarcon, Perry, Reyes, Weiss and President Garcetti (5)**

[09-0520](#)

CD 15

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the cost of fencing of the lot at 1782 East 107th Street.

(Lien: \$1,332.80)

**ITEM NO. (6) - PUBLIC HEARING CLOSED - NO APPEALS - LIEN CONFIRMED**

**Roll Call #4 - Motion (Zine - Parks) Adopted to Confirm Lien, Ayes (10); Absent: Alarcon, Perry, Reyes, Weiss and President Garcetti (5)**

[09-0526](#)

CD 9

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading all openings, cleaning and fencing of the lot at 706 East 41st Street aka 704-06 East 41st Street.

(Lien: \$19,940.18)

**ITEM NO. (7) - CONTINUED TO MAY 27, 2009**

**Roll Call #1 - Motion (Rosendahl - Smith) Adopted to Continue, Ayes, Unanimous Vote (10); Absent: Alarcon, Perry, Reyes, Weiss and President Garcetti (5)**

[09-0459](#)

CD 7

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

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

TIME LIMIT FILE - MAY 28, 2009

(LAST DAY FOR COUNCIL ACTION - MAY 27, 2009)

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

(Continued from Council meeting of April 29, 2009)

**Items for Which Public Hearings Have Been Held - Items 8-19**

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

**Roll Call #9 - Motion (Smith - Perry) Adopted, Ayes (12); Absent: Huizar, Weiss and President Garcetti (3)**

[09-0674](#)

CD 10

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change at 9901 West Washington 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. 09-0674 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 2008-2453 MND] filed on September 19, 2008.
2. ADOPT the FINDINGS of the City Planning Commission (CPC) as the Findings of the Council.

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the CPC, effecting a zone change from C2-1, CR-1, R5-1 and P-1 to (T)(Q)RAS4-1, for the proposed construction, use and maintenance of a new six-story, 90-foot tall, approximately 145,112 square foot mixed-use building containing 131 apartment units (11 units reserved for very low income residents) over 12,148 square feet of ground level commercial (2,000 square feet restaurant, 2,914 square feet office, 7,234 square feet retail) with ground level plus three levels of subterranean parking containing a minimum of 191 parking spaces. The project site is approximately 39,103 square feet for property at 9901 West Washington Boulevard, subject to Conditions of Approval. (CPC also approved a Zone Variance, Density Bonus, one on-menu Affordable Housing Incentive and Site Plan Review for this project.)

Applicant: 9901 Luxe, LLC, Neil Shekhter

CPC 2008-2452 ZC ZV DB SPR

Representative: Renee Meshul - Brown/Meshul, Inc.

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.

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - JUNE 24, 2009

(LAST DAY FOR COUNCIL ACTION - JUNE 24, 2009)

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

**Roll Call #12 - Motion (Cardenas - Hahn) Adopted, Ayes (11); Absent: Greuel, Weiss, Wesson and President Garcetti (4)**

[07-3428](#)

[08-2385](#)

ORDINANCE SECOND CONSIDERATION amending Article 14 of Chapter IV of the Los Angeles Municipal Code 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.

(Public Safety Committee report adopted on May 13, 2009)

**ITEM NO. (10) - ADOPTED - TO THE MAYOR FORTHWITH**

**Roll Call #10 - Motion (Parks - LaBonge) Adopted, Ayes (11); Noes: Alarcon (1); Absent: Huizar, Weiss and President Garcetti (3)**

[09-0087](#)

ORDINANCE SECOND CONSIDERATION authorizing the transfer of \$27,813,200 from the Power Revenue Fund of the Los Angeles Department of Water and Power to the City's Reserve Fund during Fiscal Year 2008-09.

(Communications from the Board of Water and Power Commissioners and City Attorney adopted on May 13, 2009)

**Roll Call #5 - Motion (LaBonge - Huizar) Adopted, Ayes (10); Absent: Alarcon, Perry, Reyes, Weiss and President Garcetti (5)  
(Item Nos. 11-18)**

**ITEM NO. (11) - ADOPTED**

[08-0299](#)

CD 14

ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to authorization and execution of a Memorandum of Understanding (MOU) with North East Trees, Inc., (NET) to implement the Garvanza Park Stormwater Best Management Practices Project (Project).

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

1. APPROVE the proposed MOU between the City and NET for the Project, as amended herein, pursuant to Grant Agreement 06-222-554-0 executed for the Project with the California State Water Resources Control Board (SWRCB).

2. RECOGNIZE, subject to approval of the Los Angeles Department of Water and Power (LADWP) Board of Commissioners, a change in the City's match requirement for the Project to reflect an additional contribution of \$90,000 from the LADWP from its current level of \$243,333, supplanting the proposed Stormwater Pollution Abatement match for a total LADWP contribution of \$333,333.
3. AUTHORIZE, in accordance with Recommendation 2, the Bureau of Sanitation (BOS) to solicit reimbursement from LADWP for costs incurred relative to the Personnel Services budget line item as established in the Grant Agreement.
4. DIRECT that Articles 9 and 11 (Changes/Modifications) of the MOU be modified or consolidated to clarify approval required for changes or modifications to the MOU and scope of work, as follows, subject to City Attorney approval: Changes or modifications in the terms of the MOU or scope of work may be made via amendment and/or by mutual written consent between the appointed representatives of the parties to the MOU and are subject to approval by the Board of Public Works. Additionally, changes impacting the financial aspects of the MOU, such as City grant matching contributions, will require Mayor and Council approval. The MOU or any changes thereof must comply with the Grant Agreement.
5. AUTHORIZE the President or two members of the Board of Public Works to execute the MOU.
6. AUTHORIZE a loan in an amount not to exceed \$1 million from the Public Works Trust Fund (PWTF), Fund 834, to meet cash flow needs for the Project, to be repaid by the SWRCB on a reimbursement basis pursuant to a \$1 million grant to the City from that agency as established in the Grant Agreement.
7. AUTHORIZE the Controller, upon written confirmation from SCWRB of the availability of currently suspended State funds for the Grant Agreement, to transfer \$1 million from the PWTF, Fund 834, Department 50, to the Subventions and Grants Fund, Fund 305, Department 50, and APPROPRIATE to a new account in Fund 305 titled "Garvanza Park BMP," recognizing that interest earned on idle funds pursuant to this transfer will continue to be deposited to the General Fund.
8. AUTHORIZE the Controller to disburse payments to NET from the Subventions and Grants Fund in accordance with invoicing and payment provisions set forth in the MOU and Grant Agreement.
9. INSTRUCT the Director, BOS, to repay PWTF loan disbursements upon receipt of SWRCB grant reimbursements, with final payment not to occur beyond June 30, 2011.
10. DIRECT, to minimize burden on the PWTF loan, that Article 6 (Invoicing and Payment) of the MOU be modified to establish that the City as grant administrator, notwithstanding good faith efforts to process invoices in a timely manner, shall reserve the right to condition disbursements to NET upon receiving reimbursement from the State for outstanding invoices paid by the City.

Fiscal Impact Statement: The City Administrative Officer reports that the City's share of costs for the MOU on the Project consists of a \$333,333 match contribution from the LADWP. Sufficient revenues are available for the \$1 million in short-term funding proposed from the Public Works Trust Fund, to be reimbursed from the State pursuant to a SWRCB grant agreement for \$1 million executed with the City. In reference to the City's Financial policies, the City's participation will be limited to the extent of available funds in any given year of the MOU, including both State and City resources. Recognizing that the Grant Agreement does not provide for interest on advanced City funds, the amount of foregone interest on disbursed PWTF funds through duration of the project is expected to be minimal at around \$5,000, assuming a reasonable (60-day) turnaround on State reimbursements. The ongoing maintenance costs for the Project, estimated at \$5,000 to \$10,000 annually, will be absorbed by the Bureau, albeit a portion of the Bureau's stormwater operations are subsidized by the General Fund in the form of related costs.

Community Impact Statement: None submitted.

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

[07-1004-S6](#)

CD 14

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from provisions of the City's Garvanza Interim Control Ordinance (ICO) for the property at 901 North Cooper Avenue.

Recommendations for Council action:

1. GRANT hardship exemption from the City's Garvanza ICO (Ordinance No. 179277) as noted and as described in the application attached to Council file No. 07-1004-S6, for the proposed addition of an accessory living quarters with a height of 14 feet (located in the rear section of the lot with limited visibility from the street) and total construction consisting of 1,018 square feet for property at 901 North Cooper Avenue.
2. ADVISE the applicant that this hardship exemption, if granted by the City Council, is not a permit or license and that any other approvals, permits and licenses required by law must be obtained from the proper agencies.

Applicant: Todd Neal

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

Community Impact Statement: None submitted.

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

[07-1004-S7](#)

CD 14

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from provisions of the City's Garvanza Interim Control Ordinance (ICO) for the property at 835 Cooper Avenue.

Recommendations for Council action:

1. GRANT hardship exemption from the City's Garvanza ICO (Ordinance No. 179277) as noted and as described in the application attached to Council file No. 07-1004-S7, for the proposed addition of a master bedroom and bathroom, an extension to the living room area, a conversion of the existing garage into a recreational area (with wet bar and bathroom), and a new two-car garage. A new driveway will lead to the proposed rear garage which will result in a change of landscape. Also a wraparound porch will be secured, at the finished floor level, around the East façade of the new footprint located at 835 Cooper Avenue.
2. ADVISE the applicant that this hardship exemption, if granted by the City Council, is not a permit or license and that any other approvals, permits and licenses required by law must be obtained from the proper agencies.

Applicant: Henry Bojorquez and David Lara, Katherine Cadiente, Representative

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. (14) - ADOPTED

[09-0623](#)

CD 9

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the inclusion of the Foreman and Clark Building located at 701 South Hill Street in the list of Historic-Cultural Monuments.

Recommendations for Council action:

1. ADOPT the FINDINGS of the Cultural Heritage Commission (CHC) as the Findings of the Council.
2. APPROVE the recommendation of the CHC relative to the inclusion of the Foreman and Clark Building located at 701 South Hill Street in the list of Historic-Cultural Monuments.

Owner/Applicant: Kyung Ku Cho c/o Young Ju Kwon CHC 2008-4978 HCM  
Representative: Robert Chattel, Chattel Architecture, Planning and Preservation

Fiscal Impact Statement: The CHC reports that such designation in and of itself has no fiscal impact. Future applications for permits may cause minimal administrative costs.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JUNE 17, 2009

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



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

[09-0624](#)

CD 10

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the inclusion of the Dunsmuir Flats located at 1281 South Dunsmuir Avenue in the list of Historic-Cultural Monuments.

Recommendations for Council action:

1. ADOPT the FINDINGS of the Cultural Heritage Commission (CHC) as the Findings of the Council.
2. APPROVE the recommendation of the CHC relative to the inclusion of the Dunsmuir Flats located at 1281 South Dunsmuir Avenue in the list of Historic-Cultural Monuments.

Owner/Applicant: Joseph Schwarzenbach

CHC 2008-4976 HCM

Fiscal Impact Statement: The CHC reports that such designation in and of itself has no fiscal impact. Future applications for permits may cause minimal administrative costs.

Community Impact Statement: None submitted.

**TIME LIMIT FILE - JUNE 17, 2009**

**(LAST DAY FOR COUNCIL ACTION - JUNE 17, 2009)**

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

[09-0625](#)

CD 11

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the inclusion of the Dickinson and Gillespie Building located at 200 East Culver Boulevard in the list of Historic-Cultural Monuments.

Recommendations for Council action:

1. ADOPT the FINDINGS of the Cultural Heritage Commission (CHC) as the Findings of the Council.
2. APPROVE the recommendation of the CHC relative to the inclusion of the Dickinson and Gillespie Building located at 200 East Culver Boulevard in the list of Historic-Cultural Monuments.

Owner/Applicant: 200 Culver Investors

CHC 2008-4984 HCM

Representative: Christina Chiang, Christopher A. Joseph and Associates

Fiscal Impact Statement: The CHC reports that such designation in and of itself has no fiscal impact. Future applications for permits may cause minimal administrative costs.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JUNE 17, 2009

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

**ITEM NO. (17) - ADOPTED**

[09-0711](#)

CD 4

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the inclusion of the Villa Bonita located at 1817 Hillcrest Road in the list of Historic-Cultural Monuments.

Recommendations for Council action:

1. ADOPT the FINDINGS of the Cultural Heritage Commission (CHC) as the Findings of the Council.
2. APPROVE the recommendation of the CHC relative to the inclusion of the Villa Bonita located at 1817 Hillcrest Road in the list of Historic-Cultural Monuments.

Owner/Applicant: Villa Bonita Partners

CHC 2008-4979 HCM

Representative: Robert Chattel, Chattel Architecture, Planning and Preservation

Fiscal Impact Statement: The CHC reports that such designation in and of itself has no fiscal impact. Future applications for permits may cause minimal administrative costs.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JUNE 17, 2009

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

**ITEM NO. (18) - ADOPTED**

[09-0723](#)

CD 14

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the inclusion of the Great Republic Life Building located at 756 South Spring Street in the list of Historic-Cultural Monuments.

Recommendations for Council action:

1. ADOPT the FINDINGS of the Cultural Heritage Commission (CHC) as the Findings of the Council.

2. APPROVE the recommendation of the CHC relative to the inclusion of the Great Republic Life Building located at 756 South Spring Street in the list of Historic-Cultural Monuments.

Owner/Applicant: Main Spring Development, LLC  
Representative: Anna Marie Brooks

CHC 2009-198 HCM

Fiscal Impact Statement: The CHC reports that such designation in and of itself has no fiscal impact. Future applications for permits may cause minimal administrative costs.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JULY 1, 2009

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

#### ITEM NO. (19) - CONTINUED TO JUNE 19, 2009

**Roll Call #2 - Motion (Parks - Rosendahl) Adopted to Continue, Unanimous Vote (10); Absent: Alarcon, Perry, Reyes, Weiss and President Garcetti (5)**

[03-2009](#)

CD 1

CONTINUED CONSIDERATION OF CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to vacating Valencia Street and Ingraham Street Vacation District (VAC E1400875).

Recommendations for Council action:

1. FIND that the vacation of Valencia Street and Ingraham Street Vacation District is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City of Los Angeles Environmental Guidelines.
2. DIRECT that the street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law BE INSTITUTED for the vacation of the public right-of-way indicated below and shown colored blue on Exhibit C of the February 13, 2007 City Engineer report, attached to the Council file:
  - a. Valencia Street between Wilshire Boulevard and Ingraham Street
  - b. Ingraham Street between Union Avenue and Valencia Street
  - c. The northwest-southeast alley northeasterly of Ingraham Street between Union Avenue and Valencia Street
  - d. The northwest-southeast alley northeasterly of Ingraham Street from Valencia Street to approximately 210 feet southeasterly thereof
  - e. The northwest-southeast alley northeasterly of Ingraham Street between Union Avenue and Valencia Street

3. ADOPT the FINDINGS of the City Engineer dated February 13, 2007, as the Findings of the Council.
4. ADOPT the accompanying City Engineer report dated February 13, 2007 to approve the vacation.
5. REQUEST the petitioner, Los Angeles Unified School District (LAUSD), to transmit a formal request to the Los Angeles Department of Transportation (LADOT) to post signage as detailed in Condition 13 of the February 13, 2007 City Engineer report, attached to the Council file.
6. REQUEST the petitioner, the LAUSD, to work with the LADOT and Council District One staff to remove as soon as possible existing parking meters as detailed in Condition 15 of the February 13, 2007 City Engineer report, attached to the Council file.
7. REQUEST the petitioner, the LAUSD, to work with the LADOT and Council District One staff to clarify the implementation of Condition 14 of the February 13, 2007 City Engineer report, attached to the Council file.
8. INSTRUCT the City Clerk to set a public hearing date for **FEBRUARY 11, 2009**.

Fiscal Impact Statement: The City Engineer reports that to date, an estimated \$17,475 in charges has been expended in the investigation of this request. Since Los Angeles Administrative Code Section 7.46 exempts all governmental agencies from payment of fees, the processing of this request will be absorbed by the Bureau of Engineering.

Community Impact Statement: None submitted.

(Continued from Council meeting of April 21, 2009)

## **Items for Which Public Hearings Have Not Been Held - Items 20-29**

(10 Votes Required for Consideration)

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

**Roll Call #7 - Motion (LaBonge - Perry) Adopted, Ayes (12); Absent: Huizar, Weiss and President Garcetti (3)**

#### 09-0815

COMMUNICATION FROM THE MAYOR relative to the appointment of Ms. Judith Valles to the Board of Recreation and Park Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Judith Valles to the Board of Recreation and Park Commissioners for the term ending June 30, 2010, is APPROVED and CONFIRMED. Ms. Valles resides in Council District Nine. (Current Commission gender composition: M = 3; F = 2)

Background Check Review: Complete.

Ethics Commission Review: Complete.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 24, 2009

(LAST DAY FOR COUNCIL ACTION - MAY 22, 2009)

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

**ITEM NO. (21) - ADOPTED - ORDINANCE OVER TO MAY 27, 2009**

**Roll Call #13 - Motion (Rosendahl - Smith) Adopted, Ordinance Over One Week, Ayes (10); Absent: Cardenas, Greuel, Weiss, Wesson and President Garcetti (5)**

[09-1054](#)

CDs 9 & 10

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Mid-City/Exposition LRT Project Segments B2A-B2D Street Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated May 5, 2009.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **JULY 21, 2009** as the hearing date for the maintenance of the Mid-City/Exposition LRT Project Segments B2A-B2D Street Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$61,790.72 will be collected annually starting with tax year 2010-11 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: July 13, 2009)

**Roll Call #9 - Motion (Smith - Perry) Adopted, Ayes (12); Absent: Huizar, Weiss and President Garcetti (3)  
(Item Nos. 22-23)**

**ITEM NO. (22) - ADOPTED - TO THE MAYOR FORTHWITH**

[07-1803](#)

CD 12

COMMUNICATION FROM THE OFFICE OF THE CITY CLERK and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to the reconfirmation procedure for the merchant-based Chatsworth Business Improvement District (BID).

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

1. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION confirming the Chatsworth BID Annual Report and levying an annual assessment for the Chatsworth BID's eighth operating year, June 1, 2009 to May 31, 2010.
2. DIRECT the City Clerk to schedule, prepare, publish, and mail the public hearing notice, as required by the provisions of Section 36500 et seq. of the California Streets and Highways Code.
3. INSTRUCT the City Clerk, subject to approval by the City Attorney as to form and legality, to prepare an enabling Ordinance levying the special assessment for the Chatsworth BID's eighth operating period beginning June 1, 2009 to May 31, 2010.
4. AUTHORIZE the City Clerk, subject to City Attorney approval, to prepare, execute, and administer a contract between the City and the Chatsworth B.I.D., Inc. to administer the Chatsworth BID, if the Ordinance reconfirming the BID is adopted.
5. REQUEST the Controller to provide, if necessary and available, an advance against the Chatsworth BID 2009/2010 assessment revenue in the amount of \$26,535 representing 25 percent of the anticipated BID revenue receipts, to the Chatsworth B.I.D., Inc., if the Ordinance reconfirming the BID is adopted.

Fiscal Impact Statement: The City Clerk reports that there is no impact on the General Fund.

Community Impact Statement: None submitted.

(Jobs, Business Growth and Tax Reform Committee waived consideration of the above matter)

**ITEM NO. (23) - ADOPTED - TO THE MAYOR FORTHWITH**

[09-0127](#)

CD 9 & 14

COMMUNICATION FROM THE OFFICE OF THE CITY CLERK and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to the renewal of the existing Downtown Industrial Property-Based Business Improvement District (PBID).

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

1. FIND that the petitions submitted on behalf of the proponents of the proposed Downtown Industrial District Property and Business Improvement District are signed by property owners who will pay more than 50 percent of the assessments proposed to be levied.
2. ADOPT the Preliminary Report of the City Clerk.
3. ADOPT the Management District Plan, attached to the Council file.
4. ADOPT the Engineer's Report, attached to the Council file.

5. FIND that all parcels that will have a special benefit conferred upon them and upon which an assessment would be imposed are those as identified in the Management District Plan.
6. FIND that in accordance with Article XIID of the California Constitution and based on the facts and conclusions contained in the Engineer's Report, attached to the Council file, the assessment levied on each parcel within the proposed District is proportionate to the special benefit derived from the improvements and activities that are to be provided.
7. FIND that in accordance with Article XIID of the California Constitution and based on the facts and conclusions contained in the attached Engineer's Report, there are no general benefits to be separated from the special benefits conferred on each parcel within the proposed District.
8. FIND that in accordance with Article XIID of the California Constitution and based on the facts and conclusions contained in the attached Engineer's Report, no assessment imposed on any parcel exceeds the reasonable cost of the proportional special benefit conferred on that parcel.
9. FIND that the services provided by the Owners' Association are in the nature of professional, expert, technical or other special services, that the services are of a temporary and occasional character, and that the use of competitive bidding would be impractical, not advantageous, undesirable or where the common law otherwise excuses compliance with competitive bidding requirements.
10. APPROVE the Central City East Association to serve as the Owners' Association to administer the Downtown Industrial District Property and Business Improvement District and authorize the City Clerk to execute a contract with the Central City East Association, if the District is renewed.
11. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION to renew the Downtown Industrial District Property and Business Improvement District.
12. DIRECT the City Clerk to comply with the notice, protest, and hearing procedures prescribed in the Proposition 218 Omnibus Implementation Act (California Government Code, Section 53750 et seq.).
13. REQUEST the City Attorney, with the assistance of the City Clerk, to prepare an enabling Ordinance renewing the Downtown Industrial District Property and Business Improvement District for Council consideration at the conclusion of the required public hearing.

Fiscal Impact Statement: The City Clerk reports that there is no impact to the General Fund associated with this action.

(Jobs, Business Growth and Tax Reform Committee waived consideration of the above matter)

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

**Roll Call #14 - Motion (Zine - Parks) Adopted, Ayes (10); Absent: Cardenas, Greuel, Weiss, Wesson and President Garcetti (5)**

[09-0947](#)

COMMUNICATION FROM CHAIR, PERSONNEL COMMITTEE relative to the authorization and execution of various agreements with Blue Shield of California (Blue Shield) to provide continued health care services to Los Angeles Department of Water and Power (LADWP) active and retired employees.

Recommendation for Council action:

CONCUR with the Board of Water and Power Commissioners' action of April 21, 2009, and APPROVE Resolution No. 009-233, approved as to form and legality by the City Attorney, which authorizes the execution of Agreements 47845-9, 47846-9, 47847-9, 47848-9, and 47867-9 with Blue Shield to provide continued health care services to LADWP active and retired employees.

Fiscal Impact Statement: The LADWP reports that funds authorized under these Agreements (approximately \$19.7 million) 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 27, 2009

(LAST DAY FOR COUNCIL ACTION - JUNE 26, 2009)

**Roll Call #15 - Motion (Huizar - LaBonge) Adopted, Ayes (10); Absent: Cardenas, Greuel, Weiss, Wesson and President Garcetti (5)  
(Item Nos. 25a-25d)**

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

[07-1461-S1](#)

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

Recommendations for Council action:

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



[07-1461-S1](#)

CD 11

- a. MOTION (ROSENDAHL - LABONGE) relative to declaring the 30th Anniversary of Venice Art Walk & Auction on May 17, 2009 a Special Event (fees and costs absorbed by the City = \$15,816).

[09-1122](#)

CD 5

- b. MOTION (WEISS - ROSENDAHL) relative to declaring the Palms Weekend Farmers' Market on every Saturday and Sunday from May 16, 2009 to July 5, 2009 a Special Event (fees and costs absorbed by the City = \$9,163).

[07-2258-S1](#)

CD 4

- c. MOTION (LABONGE - HAHN) relative to declaring the 41st Annual Southern California Center Pow Wow on July 31 - August 2, 2009 a Special Event (fees and costs absorbed by the City = \$10,235).

[08-2930-S1](#)

CD 4

- d. MOTION (LABONGE - HAHN) relative to declaring the 19th Annual Intertribal Arts Marketplace on November 6-8, 2009 a Special Event (fees and costs absorbed by the City = \$9,235).

**Roll Call #6 - Motion (Smith - Zine) Adopted, Ayes (10); Absent: Alarcon, Perry, Reyes, Weiss and President Garcetti (5)  
(Item Nos. 26-27)**

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

[09-0011-S26](#)

CD 6

MOTION (CARDENAS - SMITH) relative to funding for bulky item pickup services in Council District Six.

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

1. AUTHORIZE the Board of Public Works, Office of Accounting to transfer and appropriate \$24,000 from the Council District Six portion of the Street Furniture Revenue Fund No. 43D/50, to the Public Works Office of Beautification Fund No. 100/74, Account No. 3040.
2. AUTHORIZE the Chief Legislative Analyst, or designee, to make any technical corrections or clarifications to the above fund transfer instructions in order to effectuate the intent of this Motion.

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

[09-0011-S27](#)

CD 5

MOTION (WEISS - ROSENDAHL) relative to streetscape improvements in the West Third Street community.

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

1. INSTRUCT the Bureau of Street Services to prepare an agreement or other necessary document with Civic Enterprise Associates, LLC to assist the West Third Street community with Implementation Phase of the universal public valet program and associated parking related entitlement issues and streetscape program for West Third Street, subject to the approval of the City Attorney as to form and legality. Said agreement or other necessary document shall include, but not be limited to the following: A detailed description of the work to be performed and the estimated completion date of such services.
2. AUTHORIZE the Councilmember of Council District Five to enter into and execute an agreement or other necessary document with Civic Enterprise Associates LLC, for an amount not to exceed \$24,900 for the above work to be performed.
3. INSTRUCT the Bureau of Street Services to ensure that Civic Enterprise Associates LLC submits to the Board of Public Works, Office of Accounting, a detailed accounting of the actual expenditures for the performance of the above work, and return any unspent funds to the Bureau within thirty days of completion of the above work.
4. AUTHORIZE the Chief Legislative Analyst, or designee, to make any technical corrections or clarifications as may be necessary to implement the intent of this Motion.
5. AUTHORIZE the Board of Public Works, Office of Accounting and the Controller, as appropriate, to TRANSFER up to \$24,900 from the Council District Five portion of the Street Furniture Revenue Fund No. 43D/50 to issue payment to West Third Street Business Association, for the above work to be performed.

**ITEM NO. (28) - ADOPTED**

**Roll Call #16 - Motion (Parks - Reyes) Adopted, Ayes (10); Absent: Cardenas, Greuel, Weiss, Wesson and President Garcetti (5)**

[09-0219-S1](#)

CD 13

RESOLUTION (PARKS for GARCETTI - REYES) relative to extending the temporary interim regulations on the issuance of building permits for a portion within the Silver Lake - Echo Park - Elysian Valley Community Plan.

Recommendation for Council action:

RESOLVE to EXTEND the provisions of Ordinance No. 180587 imposing temporary interim regulations on the issuance of building permits for uses detailed in the attached Resolution, within that portion of the Silver Lake - Echo Park - Elysian Valley Community Plan Area for a 90 days period ending on September 12, 2009 or upon adoption of permanent regulations inasmuch as the City Planning Department is actively working to assure that a Community Design Overlay for the subject area is being expeditiously processed.

**ITEM NO. (29) - CONTINUED TO MAY 22, 2009**

**Roll Call #17 - Motion (Huizar - Reyes) Adopted to Continue, Unanimous Vote (10); Absent: Cardenas, Greuel, Weiss, Wesson and President Garcetti (5)**

[09-1141](#)  
CD 14

FINAL MAP OF TRACT NO. 70020, located at 1105-55 South Boyle Avenue, lying westerly of Boyle Avenue and northerly of Pomona Freeway.  
(ADOPT City Engineer Report)  
Applicants: Dynamic Builders, Inc.  
Daniel A. Calvillo

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

[08-1564-S1](#)

MOTION (SMITH - ROSENDAHL) relative to declaring the Our Savior's First Lutheran Church and School Carnival on June 19-21, 2009 a Special Event (fees and costs absorbed by the City = \$7,123).

[09-1201](#)

MOTION (HAHN - LABONGE) relative to declaring the Essence K. Coprich Library Grand Opening on May 29, 2009 a Special Event (fees and costs absorbed by the City = \$2,226).

[08-2739-S1](#)

MOTION (HAHN - LABONGE) relative to declaring the Ascension Catholic Church Fiesta on May 29-31, 2009 a Special Event (fees and costs absorbed by the City = \$2,226).

[09-1202](#)

MOTION (PERRY for GARCETTI - LABONGE) relative to declaring the 97.1 Amp Launch on May 20, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[09-1203](#)

MOTION (PERRY for GARCETTI - LABONGE) relative to declaring the School Spring Festival on May 29-31, 2009 a Special Event (fees and costs absorbed by the City = \$4,641).

[09-1204](#)

MOTION (PERRY - PARKS) relative to declaring the E3 on June 2, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[09-1205](#)

MOTION (PERRY - PARKS) relative to declaring the Nintendo Event on May 30 - June 2, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[07-1637-S1](#)

MOTION (ROSENDAHL - SMITH) relative to declaring the Venice Japanese American Community Festival on June 20-21, 2009 a Special Event (fees and costs absorbed by the City = \$5,444).

[08-1359-S1](#)

MOTION (ROSENDAHL - SMITH) relative to declaring the West Los Angeles District Bureau of Sanitation Open House on June 27, 2009 a Special Event (fees and costs absorbed by the City = \$2,472).

[09-1206](#)

MOTION (ROSENDAHL - CARDENAS) relative to declaring the 33rd Annual Brentwood 5K & 10K Run and Kiddie K on June 7, 2009 a Special Event (fees and costs absorbed by the City = \$5,580).

[08-1363-S1](#)

MOTION (ROSENDAHL - CARDENAS) relative to declaring the St. Gerard Majella Family Festival on June 26-28, 2009 a Special Event (fees and costs absorbed by the City = \$5,905).

[07-1771-S1](#)

MOTION (ROSENDAHL - PARKS) relative to declaring the Boise Avenue Block Party on June 14, 2009 a Special Event (fees and costs absorbed by the City = \$1,857).

[08-1384-S1](#)

MOTION (ROSENDAHL - HAHN) relative to declaring the Carneval! Venice Beach on June 6, 2009 a Special Event (fees and costs absorbed by the City = \$2,472).

[09-1192](#)

MOTION (ROSENDAHL - HAHN) relative to declaring the Mar Vista Neighborhood Association Block Party on June 13, 2009 a Special Event (fees and costs absorbed by the City = \$1,857).

[08-2301](#)

MOTION (PARKS - PERRY) relative to reinstating the reward offer on a serial killer that has been linked through DNA testing to at least 11 murders in the South Los Angeles and Inglewood areas, for an additional six months.

[09-0011-S28](#)

MOTION (LABONGE - HAHN) relative to funding for bus services for the Los Angeles County Museum of Arts' Muse Miracle Mile ArtWalk.

[09-0011-S29](#)

MOTION (LABONGE - HAHN for GARCETTI) relative to funding for the installation of U.S. flags along the Glendale-Hyperion Viaduct Bridge.

[09-0011-S30](#)

MOTION (HAHN - LABONGE) relative to funding for community projects in Council District 15.

[09-1207](#)

MOTION (HAHN - HUIZAR) relative to establishing the Cheryl Green Community Center in the Harbor Gateway.

## **COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS**

Upon his request, and without objections, Councilmember Zine was excused from Council session of Friday, July 10, 2009 due to City business.

Upon his request, and without objections, Councilmember LaBonge was excused from Council sessions of Tuesday, July 28, Wednesday, July 29, Friday, July 31, and Tuesday, August 4, 2009 all due to City business.

## **COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:**

[09-0727](#) - California State University Dominguez Hills (Rosendahl - All Councilmembers)

Officer Leonard C. Johnson (Rosendahl - All Councilmembers)

Marie Mardesich (Zine - All Councilmembers)

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

[09-0726](#) - Karen De Foor Lateef (Parks - All Councilmembers)

Alicia White (Parks)

Si Frumkin (Zine - All Councilmembers)

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

**Whereupon the Council did adjourn.**

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT PRO TEMPORE OF THE CITY COUNCIL