

Los Angeles City Council, **Journal/Council Proceedings**
Tuesday, **July 21, 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: Cárdenas, Hahn, Koretz, LaBonge, Perry, Reyes, Rosendahl, Smith, Wesson and Zine (10); Absent: Alarcón, Huizar, Parks and President Garcetti (4); Vacant: Council District Two

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

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 23

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

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

Item Noticed for Public Hearing - Item 1

**ITEM NO. (1) - PUBLIC HEARING HELD - CONTINUE HEARING AND PRESENT ORDINANCE ON
AUGUST 11, 2009**

**Roll Call #12 - Motion (Perry - Wesson) Adopted to Continue, Unanimous Vote (12); Absent: Huizar and
Parks (2)**

[09-1054](#)

CDs 9 & 10

HEARING PROTESTS against the proposed improvement and maintenance of the
Mid-City/Exposition LRT Project Segments B2A-B2D Street Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Mid-City/Exposition
LRT Project Segments B2A-B2D Street Lighting District, in accordance with Sections 6.95-6.127 of
the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on May 27, 2009 - Continue hearing and present Ordinance on
AUGUST 11, 2009 to consider report of protests to be submitted as a result of balloting, pursuant to
Proposition 218)

Items for Which Public Hearings Have Been Held - Items 2-14

ITEM NO. (2) - ADOPTED

Roll Call #6 - Motion (Perry - Hahn) Adopted, Ayes (12); Absent: Huizar and Parks (2)

[09-1378](#)

ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to the reappointment of Ms. Alina M. Bokde to the Environmental Affairs Commission (EAC).

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Ms. Alina M. Bokde to the EAC for the new term ending June 30, 2014 is APPROVED and CONFIRMED. Ms. Bokde resides in Council District One. (Current Commission gender composition: M=0; F=5).

Ethics Commission Review: Complete

Community Impact Statement: None submitted.

TIME LIMIT FILE - JULY 23, 2009

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

ITEM NO. (3) - CONTINUED TO JULY 22, 2009

Roll Call #2 - Motion (Cardenas - Koretz) Adopted to Continue, Unanimous Vote (10); Absent: Alarcon, Huizar, Parks and President Garcetti (4)

[09-0510](#)

ENERGY AND ENVIRONMENT and PLANNING AND LAND USE MANAGEMENT COMMITTEES' REPORT and ORDINANCE FIRST CONSIDERATION relative to the establishment of water efficiency requirements for new development and renovation of existing buildings in the City.

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

1. CONCUR with the Board of Water and Power Commissioners' action of April 7, 2009, Resolution No. 009-227, recommending approval of the establishment of water efficiency requirements for new development and renovation of existing buildings in the City.
2. PRESENT and ADOPT the accompanying ORDINANCE adding Article V to Chapter XII and amending Section 94.103.1.2.9 of the Los Angeles Municipal Code establishing water efficiency requirements for new development and renovation of existing buildings and mandating installation of high efficiency plumbing fixtures in residential and commercial buildings in the City of Los Angeles.

Fiscal Impact Statement: The Los Angeles Department of Water and Power reports that there is no impact to the General Fund.

Community Impact Statement: None submitted.

**Roll Call #3 - Motion (Rosendahl - Smith) Adopted, Ayes (10); Absent: Alarcon, Huizar, Parks and President Garcetti (4)
(Item Nos. 4-5)**

ITEM NO. (4) - ADOPTED

[07-1232](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the Victim Assistance Program (VAP) Grant for Fiscal Year (FY) 2008-09.

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

1. AUTHORIZE the City Attorney, or designee, to submit the grant award agreement in the amount of \$808,279 for the Twenty-Ninth Year funding of the VAP to the County of Los Angeles and AUTHORIZE the City Attorney, or designee, to accept the grant award.
2. APPROVE the proposed contract between the City and the County for the VAP in the amount of \$808,279 for the period of July 1, 2008 through June 30, 2009, subject to the approval of the City Attorney as to form and legality and AUTHORIZE the City Attorney, or designee, to execute the contract.
3. AUTHORIZE the Controller to establish new appropriation accounts within the City Attorney Grant Fund, Fund No. 368/12 and APPROPRIATE up to \$808,279 upon receipt of grant funds as follows:

D301	Personal Services		\$ 798,079
D030	Operating Expenses		<u>10,200</u>
		Total	\$ 808,279

4. REQUEST the City Attorney to submit invoices to the County of Los Angeles on a monthly basis to ensure that expenditures are reimbursed in a timely manner.
5. REQUEST the City Attorney to reimburse the General Fund from the City Attorney Grant Fund, Fund No. 368/12 upon receipt of reimbursements from the County.
6. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer (CAO) and AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports there will be no impact to the General Fund under the reduced program structure. The total cost of the 2008-09 VAP is \$963,888 of which \$808,279 will be reimbursed by the County of Los Angeles. The remaining cost is the City's required Federal Victims of Crime Act match of \$155,609. No additional City contribution is required. The recommendations in this report are in conjunction with the City's Financial Policies as ongoing costs will be supported by ongoing revenue.

Community Impact Statement: None submitted

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

ITEM NO. (5) - ADOPTED

[09-1342](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to a refund claim filed by Straight Arrow Publishers LLC for overpayment of business tax.

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

1. APPROVE the refund claim filed by Straight Arrow Publishers LLC for overpayment of business tax in the amount of \$279,000.
2. INSTRUCT the Office of Finance to report back to the Budget and Finance Committee with recommendations for eliminating the City's financial liability for interest payments in cases where the initial overpayment of business taxes is clearly the fault of the taxpayer and not the City.

Fiscal Impact Statement: None submitted by the Office of Finance. 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. (6) - CONTINUED TO JULY 22, 2009

Roll Call #1 - Motion (Reyes - Hahn) Adopted to Continue, Unanimous Vote (10); Absent: Alarcon, Huizar Parks and President Garcetti (4)

[09-1387](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the City Administrative Officer (CAO) and General Managers of non-proprietary departments to take neighborhood resources into consideration when implementing any cuts in public services.

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

INSTRUCT the CAO and General Managers of all non-proprietary Departments to take into consideration the resources in the surrounding neighborhoods when they consider how to implement any cuts in public services and that they not implement across the board cuts where lower income neighborhoods would be negatively impacted to a greater extent than other areas.

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

Community Impact Statement: None submitted.

ITEM NO. (7) - ADOPTED

Roll Call #14 - Motion (LaBonge - Hahn) Adopted, Ayes (12); Absent: Huizar and Parks (2)

[09-1620](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to authorizing an expenditure of 2009-10 Los Angeles Fire Department (LAFD) funds for brush clearance.

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

1. INSTRUCT the City Administrative Officer (CAO) to allocate up to \$30,000 from the LAFD's 2009-10 Brush Clearance Contract Account No. 3070, for the hiring of contractors to clear to City Fire Code 27 parcels owned by the Santa Monica Mountains Conservancy (SMMC) located in proximity to residences.
2. REQUEST the City Attorney to report to the Council with an opinion on the issues raised in the letter from the SMMC announcing their intention to stop clearing brush on their parcels in those parts of the City where residents have not already voted to assess themselves for this purpose.

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

Community Impact Statement: None submitted.

(Public Safety Committee waived consideration of the above matter)

ITEM NO. (8) - ADOPTED - SEE FOLLOWING

Roll Call #22 - Motion (Alarcon - Zine) Adopted, Ayes (11); Absent: Huizar, LaBonge and Parks (3)

[09-1674](#)

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER relative to a request to issue up to \$180 million in General Obligation (G.O.) Bonds for Stormwater Projects, and \$80 million in refunding bonds to refinance previously issued G.O. Bonds.

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

(For background reports and materials related to this matter, contact the Legislative Assistant for the Budget and Finance Committee at 213-978-1075.)

ADOPTED

BUDGET AND FINANCE COMMITTEE REPORT relative to authorization to issue up to \$180 million in General Obligation (GO) Bonds for storm water projects, and \$80 million in refunding bonds to refinance previously issued GO Bonds.

Recommendations for Council action:

1. **APPROVE** the necessary documents required to complete the financing for the GO Bonds, Series 2009-A and Series 2009-B, in an amount not-to-exceed \$180 million for storm water projects and an amount not-to-exceed \$80 million for refunding bonds, including an Authorizing Resolution providing for the issuance and sale of the bonds and a Preliminary Official Statement, including Appendix A, the City's offering and disclosure document.
2. **INSTRUCT** the City Clerk to place on the Council Agenda on **AUGUST 4, 2009**, or on an alternate date as specified by the City Administrative Officer (CAO), the adoption of a Resolution awarding to the successful bidder(s) the sale of the GO Bonds, Series 2009-A and Series 2009-B, in an amount not-to-exceed \$80 million for refunding bonds.
3. **AUTHORIZE** the CAO to receive and open bids on the published sale date and to award the bonds to the bidder with the lowest True Interest Cost on behalf of the City, if there is no Council quorum or no meeting in City Hall on the advertised date of the sale, as described in the Notice inviting Bids for the bonds.

Fiscal Impact Statement: The CAO reports there is no fiscal impact on the General Fund as a result of the proposed GO Bonds Series 2009-A and Series 2009-B issuance because the proposed bonds and related costs of issuance will be paid from an increase in ad valorem taxes levied upon all of the taxable properties within the City. The refunding of \$21.2 million in GO Bond maturities is expected to result in a net present value savings of approximately \$1.12 million to property owners over the life of the bonds. This bond issuance meets the requirements of the City's Financial Policies.

Debt Impact Statement: The CAO reports that the issuance of up to \$180 million in bonds for storm water projects is anticipated to result in average debt service payments of approximately \$12.6 million annually for 20 years. Issuance of the \$21.2 million in refunding bonds is projected to result in net present value savings of approximately \$1.12 million in GO bond debt Service over the life of the bonds. The issuances will not cause the City's debt service payments to exceed 15 percent of General Fund revenues for both voter-approved and non-voter approved debt, as established in the City's Financial Policies, Debt Management Section.

Community Impact Statement: None submitted.

**Roll Call #3 - Motion (Rosendahl - Smith) Adopted, Ayes (10); Absent: Alarcon, Huizar, Parks and President Garcetti (4)
(Item Nos. 9-11)**

ITEM NO. (9) - ADOPTED - TO THE MAYOR FORTHWITH

[07-4170-S2](#)

CD 9

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to the 36th Street and Broadway Apartments Projects (Projects) located at 153 through 161 3/4 East 36th Street and 4771 through 4779 South Broadway, respectively.

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

1. ADOPT the accompanying Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) RESOLUTION and public hearing minutes [attached to the Los Angeles Housing Department (LAHD) report dated June 3, 2009] for the Projects, as required pursuant to the TEFRA.
2. INSTRUCT the General Manager, LAHD, or designee, to submit for Mayor and Council approval the final finance structure of the bonds for each Project prior to issuance of bonds.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the General Fund. The recommendations involve the adoption of the TEFRA Resolution and the results of a public hearing to benefit the Projects in Council District Nine. The City's Debt Management Policy is not applicable to these actions since no financial commitments are being made at this time for the Projects.

Community Impact Statement: None submitted.

ITEM NO. (10) - ADOPTED

[09-1523](#)

CD 13

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to extending the time of performance of a Community Development Block Grant (CDBG) contract between the Community Redevelopment Agency (CRA) and the Community Development Department (CDD) for the Santa Monica/Western Pedestrian Safety Improvement Project (Project).

Recommendations for Council action:

1. AUTHORIZE the Chief Executive Officer, CRA, or designee, to amend CDBG Contract No. 502802 (City Contract No. C-107947) with the CDD to extend the time of performance for the Project to March 31, 2010, subject to the review of the City Attorney as to form and legality.
2. AUTHORIZE the General Manager, CDD, or designee, to amend CDBG Contract No. 502802 (City Contract No. C-107947) with the CRA to extend the time of performance for the Project to March 31, 2010, subject to the review of the City Attorney as to form and legality.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no impact to the General Fund.

Community Impact Statement: None submitted.

ITEM NO. (11) - ADOPTED

09-1555

CD 1

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to identifying and implementing funding, in an amount not to exceed \$50,000, to support the economic development activities being undertaken by Mama's Hot Tamales.

Recommendation for Council action, pursuant to Motion (Reyes - Perry):

INSTRUCT the Community Redevelopment Agency to identify and implement funding, in an amount not to exceed \$50,000, to support the economic development activities being undertaken by Mama's Hot Tamales in the Westlake Recovery Redevelopment Project Area, specifically for creating a Small Business Development Center to provide additional resources to the community.

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. (12) - CONTINUED TO SEPTEMBER 1, 2009

Roll Call #5 - Motion (Reyes - Smith) Adopted to Continue, Unanimous Vote (11); Absent: Huizar, Parks and President Garcetti (3)

03-2009

CD 1

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

Recommendations for Council action:

1. FIND that the vacation of Valencia and Ingraham Streets 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 June 19, 2009)

ITEM NO. (13) - ADOPTED

Roll Call #3 - Motion (Rosendahl - Smith) Adopted, Ayes (10); Absent: Alarcon, Huizar, Parks and President Garcetti (4)

[07-1489](#)

PUBLIC WORKS COMMITTEE REPORT relative to the reappointment of Mr. Ernesto Cárdenas to the Board of Public Works Commissioners.

Recommendation for Council action:

NOTE and FILE the June 16, 2009 Communication from the Mayor relative to the reappointment of Mr. Ernesto Cárdenas to the Board of Public Works Commissioners for the term ending June 30, 2014, inasmuch as Mr. Cardenas has withdrawn himself from consideration.

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 2, 2009

(LAST DAY FOR COUNCIL ACTION - JULY 31, 2009)

ITEM NO. (14) - ADOPTED

Roll Call #8 - Motion (Rosendahl - Hahn) Adopted, Ayes (12); Absent: Huizar and Parks (2)

[09-1565](#)

TRADE, COMMERCE AND TOURISM COMMITTEE REPORT relative to extending the Green Line directly into the Central Terminal Area at the Los Angeles International Airport (LAX).

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

REQUEST the Los Angeles World Airports to conduct a feasibility study of extending the Green Line directly into the Central Terminal Area at LAX and report back to the Trade, Commerce, and Tourism Committee with the results of the study.

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

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 15-27

(10 Votes Required for Consideration)

ITEM NO. (15) - ADOPTED

Roll Call #9 - Motion (Koretz - Perry) Adopted, Ayes (12); Absent: Huizar and Parks (2)

[09-1492](#)

CD 4

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Satsuma Avenue and Magnolia Boulevard No. 1 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 June 17, 2009.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **SEPTEMBER 22, 2009** as the hearing date for the maintenance of the Satsuma Avenue and Magnolia Boulevard No. 1 Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$1,219.13 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: September 14, 2009)

ITEM NO. (16) - ADOPTED

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

[09-1656](#)

CD 14

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Eastside LRT Project Segment 2B (Second Reballot) 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 July 1, 2009.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **SEPTEMBER 22, 2009** as the hearing date for the maintenance of the Eastside LRT Project Segment 2B (Second Reballot) Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$9,285.43 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: September 14, 2009)

**Roll Call #4 - Motion (LaBonge - Reyes) Adopted, Ayes (10); Absent: Alarcon, Huizar, Parks and President Garcetti (4)
(Item Nos. 17a-17j)**

ITEM NO. (17) - ADOPTED

[09-0005-S434](#)

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 July 14, 2009:

[09-0005-S434](#)

CD 4

- a. Property at 11470 West Killion Street (Case No. 210936).
Assessor I.D. No. 2350-007-035

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 16, 2009)

[09-0005-S435](#)

CD 1

- b. Property at 121 West Avenue 43 aka 123 West Avenue 43 (Case No. 188830).
Assessor I.D. No. 5467-005-024

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

[09-0005-S436](#)

CD 8

- c. Property at 1401 West 37th Drive aka 4204 Palmero Boulevard (Case No. 146146).
Assessor I.D. No. 5041-029-011

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

[09-0005-S437](#)

CD 9

- d. Property at 179 East 35th Street (Case No. 5336).
Assessor I.D. No. 5120-007-013

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 19, 2006)

[09-0005-S438](#)

CD 8

- e. Property at 1969 West 23rd Street (Case No. 153111).
Assessor I.D. No. 5058-023-019

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

[09-0005-S439](#)

CD 1

- f. Property at 2335 West Fourth Street aka 2337 West Fourth Street (Case No. 91197).
Assessor I.D. No. 5154-035-031

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 25, 2007)

[09-0005-S440](#)

CD 9

- g. Property at 4017 South Hooper Avenue (Case No. 8738).
Assessor I.D. No. 5114-032-016

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 27, 2006)

[09-0005-S441](#)

CD 8

- h. Property at 450 West 89th Street (Case No. 112236).
Assessor I.D. No. 6038-004-010

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

[09-0005-S442](#)

CD 9

- i. Property at 519 East 64th Street aka 521 East 64th Street (Case No. 181629).
Assessor I.D. No. 6006-019-019

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 3, 2008)

[09-0005-S443](#)

CD 15

- j. Property at 9706 South Beach Street (Case No. 112523).
Assessor I.D. No. 6048-030-015

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 26, 2007)

ITEM NO. (18) - ADOPTED, AS AMENDED - FORTHWITH - SEE FOLLOWING

Roll Call #7 - Motion (LaBonge - Hahn) Adopted, Ayes (12); Absent: Huizar and Parks (2)

[08-2402-S2](#)

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST (CLA) relative to City support for the Los Angeles Marathon.

Recommendations for Council action:

1. APPROVE the date change for the Los Angeles Marathon from a Federal or State Monday Holiday to a Sunday in March, beginning with the 2010 event.
2. INSTRUCT the Los Angeles Department of Transportation, Department of Public Works - Bureau of Street Services, Los Angeles Police Department and Los Angeles Fire Department to assist the Los Angeles Marathon LLC to design a new point-to-point route which will minimize disruption to Sunday church services, and require the Los Angeles Marathon LLC to negotiate other reasonable support services (e.g. shuttles and parking) with affected churches to ease travel for church goers.
3. REQUEST the City Attorney to prepare an amendment to the contract between the City and Los Angeles Marathon LLC (C-93753) for the Los Angeles Marathon, and AUTHORIZE the Mayor to execute the contract amendment, subject to City Attorney approval as to form and legality.

Fiscal Impact Statement: The CLA reports that the fiscal impact of this action cannot be determined at this time.

Community Impact Statement: None submitted.

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

ADOPTED

AMENDING MOTION (LABONGE - HAHN) relative to city support for the Los Angeles marathon.

Recommendations for Council action:

- 1. AMEND to exclude the first Sunday in March as a potential Marathon Sunday date beginning in 2010, and to adopt the following additional features and points.**
- 2. The “Stadium-To-The-Sea” race route shall be incorporated into the contract between the City and the LA Marathon, LLC. The details of this route shall be negotiated between LA Marathon, LLC and the City Department of Transportation.**
- 3. The Los Angeles Marathon shall have a target start time of 6:55 AM.**
- 4. No material deviation to the race route shall be made without meeting and conferring with all affected parties.**
- 5. All barricades involved in the race shall be removed on a “rolling” basis as expeditiously as possible.**
- 6. LA Marathon, LLC shall provide advance notice to all affected houses of worship located on or near the race route 90 days prior to the race date.**
- 7. LA Marathon, LLC shall provide access and egress to all affected houses of worship located on or near the race route at the request of any house of worship.**
- 8. LA Marathon, LLC shall engage in community outreach to housed of worship, and other affected organizations, including but not limited to Business Improvement Districts (BID), upon request.**
- 9. LA Marathon, LLC shall engage in direct conversations with all houses of worship located directly on the race route, upon request.**
- 10. LA Marathon, LLC shall engage with all interested parties relative to participating in the LA Marathon Official Charities Program.**

ITEM NO. (19) - ADOPTED

Roll Call #4 - Motion (LaBonge - Reyes) Adopted, Ayes (10); Absent: Alarcon, Huizar, Parks and President Garcetti (4)

[07-2186-S3](#)

JOINT COMMUNICATION FROM THE MAYOR, CONTROLLER, INFORMATION TECHNOLOGY AGENCY (ITA), CITY ADMINISTRATIVE OFFICER (CAO) and CHIEF LEGISLATIVE ANALYST relative to authorization for two proposed contract amendments and fund transfers in connection with the Financial Management System (FMS).

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

1. AUTHORIZE the Controller to TRANSFER \$500,000 from the Unappropriated Balance - FMS to the ITA Fund No. 100/32, Contractual Services Account No. 3040.
2. AUTHORIZE the General Manger, ITA, or designee, to negotiate and execute an amendment to Contract No. C-111284 with Metaformers, Inc., for the analysis and coding of changes to the Supply Management System (SMS) in an amount not to exceed \$320,000, subject to the review and approval of the City Attorney as to form.
3. AUTHORIZE the General Manger, ITA, or designee, to negotiate and execute an amendment to Contract No. C-105458 with Bob Heiss and Associates, Inc., for the analysis and coding of changes to the Payroll Replacement System (PaySR) in an amount not to exceed \$100,000, subject to the review and approval of the City Attorney as to form.
4. AUTHORIZE the General Manger, ITA, or designee, to utilize the existing contract with Rydek Computer Professionals (Contract No. C-113885) to provide a Programmer/Analyst for LATAX (the City's replacement tax collection system) in an amount not to exceed \$80,000.

Fiscal Impact Statement Submitted: The CAO reports that there is no fiscal impact on the General Fund with the approval of the above recommendations since the \$500,000 is a transfer from the 2009-10 Adopted Budget, Unappropriated Balance - FMS to the ITA Contractual Services Account No. 3040.

Community Impact Statement: None submitted.

(Information Technology and General Services Committee waived consideration of the above matter)

**Roll Call #15 - Motion (Koretz - Perry) Adopted, Ayes (12); Absent: Huizar and Parks (3)
(Item Nos. 20a-20d)**

ITEM NO. (20) - ADOPTED

[09-1733](#)

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:

[09-1733](#)

CD 15

- a. MOTION (HAHN - ALARCON) relative to declaring the Denison Avenue Block Party on July 25, 2009 a Special Event (fees and costs absorbed by the City = \$1,226).

[08-1839-S1](#)

CD 15

- b. MOTION (HAHN - ALARCON) relative to declaring the Fifth Annual Fiesta Corazon Del Puerto on July 18-19, 2009 a Special Event (fees and costs absorbed by the City = \$5,731).

[08-1095-S1](#)

CD 9

- c. MOTION (PERRY - GARCETTI) relative to declaring the Relay for Life-Downtown Los Angeles on August 1-2, 2009 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).

[09-1734](#)

CD 11

- d. MOTION (ROSENDAHL - SMITH) relative to declaring the Westside Family YMCA Bus Loading and Unloading on July 25, 2009 a Special Event (fees and costs absorbed by the City = \$1,845).

**Roll Call #4 - Motion (LaBonge - Reyes) Adopted, Ayes (10); Absent: Alarcon, Huizar, Parks and President Garcetti (4)
(Item Nos. 21-23)**

ITEM NO. (21) - ADOPTED

[07-2018](#)

CD 2

MOTION (GARCETTI - LABONGE) relative to re-affirming the Special Event declaration for the Studio City Farmers' Market.

Recommendation for Council action:

RE-AFFIRM the June 3, 2008 (Council file No. 07-2018) Special Event Declaration for the Studio City Farmers' Market and RE-ADOPT the fee waiver, street closure, department instructions, and other provision contained therein for an additional period ending on July 31, 2009.

ITEM NO. (22) - ADOPTED

[09-1732](#)

CD 9

MOTION (PERRY - ROSENDAHL) relative to installing street banners announcing the NuSkin Enterprises 25th Anniversary event at the Los Angeles Convention Center on October 21-23, 2009.

Recommendations for Council action:

1. APPROVE the NuSkin Enterprises 25th Anniversary event at the Convention Center street banner program announcing the NuSkin Enterprises 25th Anniversary event, as a City of Los Angeles Event.
2. APPROVE the content of the street banners for the above specified event.

ITEM NO. (23) - ADOPTED

[09-1728](#)

CD 15

MOTION (HAHN - KORETZ) relative to installing street banners announcing the 11th Annual Lobster Festival on September 18-20, 2009.

Recommendations for Council action:

1. APPROVE the 11th Annual Lobster Festival street banner program announcing the 11th Annual Lobster Festival, as a City of Los Angeles Event.
2. APPROVE the content of the street banners for the above specified event.

**Roll Call #10 - Motion (Zine - Perry) Adopted, Ayes (11); Absent: Huizar, Parks and Reyes (3)
(Item Nos. 24-27)**

ITEM NO. (24) - ADOPTED, AS AMENDED - SEE FOLLOWING

[09-1717](#)

MOTION (ZINE - HUIZAR) relative to the selection process for vendors to the City, in connection with approximately 3,500 boxed lunches for emergency personnel assigned to the Michael Jackson memorial.

Recommendation for Council action:

INSTRUCT the Chief Legislative Analyst to report to the Council on the selection process for vendors to the City, specifically with regard to the myriad requirements placed on vendors that may limit the pool of bidders to the point that few, if any of these businesses are located within the City or are able to provide the service at a reasonable cost to taxpayers.

ADOPTED

MOTION (ZINE - REYES)

Recommendation for Council action:

REQUEST the Controller and INSTRUCT the Chief Legislative Analyst to report back to the Council on the contracting process as outlined in Motion (Zine - Huizar).

ITEM NO. (25) - ADOPTED, AS AMENDED - SEE FOLLOWING

[09-1716](#)

MOTION (HAHN - LABONGE) relative to the total local revenue attributable to the Michael Jackson Memorial Event from July 4-7, 2009.

Recommendation for Council action:

INSTRUCT the City Administrative Officer and Chief Legislative Analyst with the assistance of the Office of Finance, L.A. Inc., the Los Angeles County Office of Economic Development, the UCLA Anderson School of Management, and other local financial and economic experts, to report to the Council within two weeks with an estimate of the total local revenue attributable to the Michael Jackson Memorial event from Saturday, July 4, 2009 through the date of the actual event on Tuesday, July 7, 2009, and compare those economic benefits to the actual and direct cost of City services for public safety, traffic control, and sanitation services.

ADOPTED

MOTION (ZINE - REYES)

Recommendation for Council action:

INSTRUCT the Chief Legislative Analyst and the City Administrative Officer to coordinate with the appropriate departments to present a single report back to Council in 60 days encompassing all aspects of Motions (Hahn - LaBonge) Council file 09-1716] [Zine - Perry], Council file 09-1715] (Perry - Reyes), Council file 09-1678] and (LaBonge - Garcetti), Council file 09-1789].

ITEM NO. (26) - ADOPTED, AS AMENDED - SEE FOLLOWING

[09-1715](#)

MOTION (ZINE - PERRY) relative to the City resources used and expenditures made in response to the public reaction to the passing of Michael Jackson.

Recommendations for Council action:

1. INSTRUCT the City Administrative Officer (CAO) to coordinate with the Controller, City Attorney, and all appropriate departments to review the City resources used and expenditures made in response to the public reaction to the passing of Michael Jackson and report to Council all appropriate measures which may be taken to offset the costs of these actions.
2. INSTRUCT the Chief Legislative Analyst and CAO to report to the Council with a policy direction that will clearly delineate financial oversight and liability for extraordinary, non-emergency, multi-departmental, large scale events and expenditures.

ADOPTED

MOTION (ZINE - REYES)

Recommendation for Council action:

INSTRUCT the Chief Legislative Analyst and the City Administrative Officer to coordinate with the appropriate departments to present a single report back to Council in 60 days encompassing all aspects of Motions [Hahn - LaBonge) Council file 09-1716] [(Zine - Perry), Council file 09-1715] [(Perry - Reyes), Council file 09-1678] and [(LaBonge - Garcetti), Council file 09-1789).

ITEM NO. (27) - ADOPTED, AS AMENDED - SEE FOLLOWING

[09-1678](#)

CONTINUED CONSIDERATION OF MOTION (PERRY - PARKS) relative to the memorial service to honor the memory and accomplishments of the late entertainer, Michael Jackson, at the Staples Center on July 7, 2009.

Recommendations for Council action:

1. INSTRUCT the City Administrative Officer (CAO) to report back to the Council within 30 days on the services provided by the Los Angeles Police Department, Los Angeles Fire Department, Los Angeles Department of Transportation, Public Works Bureaus of Sanitation and Street Services, Department of General Services, Information Technology Agency, Convention Center, and any other department required to provide services necessary to safeguard public health and safety including, but not limited to the following:
 - a. Police protection
 - b. Fire and emergency medical response
 - c. Traffic control
 - d. Trash receptacles
 - e. Portable toilets
 - f. Street cleaning/repairs
 - g. Illegal vending enforcement
 - h. Security
 - i. Communication services
2. INSTRUCT the CAO to report to the Council on any permits and insurance policies that may have been taken out by the memorial service organizer(s) to limit the City's liability resulting from this event.
3. INSTRUCT the Chief Legislative Analyst to report to the Council within 30 days on existing policies and procedures by which City services are provided under specific circumstances, and which may, or may not, have been followed in this instance.

(Continued from Council meeting of July 14, 2009)

ADOPTED

MOTION (PERRY - REYES) relative to the memorial service to honor the memory and accomplishments of the late entertainer, Michael Jackson

Recommendations for Council action:

AMEND to include the following recommendations

4. **REQUEST the City Controller to establish a Trust Fund entitled "Michael Jackson Memorial" for deposit of tax deductible donations.**
5. **AUTHORIZE the City Treasurer to accept donations on behalf of the City via the Internet in**

recognition of the late “Michael Jackson Memorial” Trust Fund established for this purpose.

6. **AUTHORIZE** the Chief Legislative Analyst to accept donations on behalf of the City, which have been made by check and further authorize the City Clerk to deposit all donations to the newly established Trust Fund entitled “Michael Jackson Memorial.”
7. **AUTHORIZE** the Chief Legislative Analyst to make technical corrections as needed to implement the intent of this motion.

ADOPTED

MOTION (ZINE - REYES)

Recommendation for Council action:

INSTRUCT the Chief Legislative Analyst and the City Administrative Officer to coordinate with the appropriate departments to present a single report back to Council in 60 days encompassing all aspects of Motions [Hahn - LaBonge) Council file 09-1716] [(Zine - Perry), Council file 09-1715] [(Perry - Reyes), Council file 09-1678] and [(LaBonge - Garcetti), Council file 09-1789].

ITEM NO. (28) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #20 - Motion (Alarcon - Rosendahl) Adopted, Ayes (11); Absent: Huizar, LaBonge and Parks (3)

[09-1789](#)

MOTION (LABONGE - GARCETTI) relative to establishing a process to justify and validate the use of City funds and resources to provide for public safety and assemblage management at significant events.

Recommendation for Council action:

DIRECT the Los Angeles Police Department, Los Angeles Fire Department and the Emergency Management Department to develop a definitive and collaborative planning process to ensure that these significant preplanned events in the City of Los Angeles, such as sport team parades, memorial events, Presidential visits, and all award ceremonies, etc., not only ensure public safety and business continuity, but accomplish this in a manner that is transparent and fiscally prudent.

ADOPTED

MOTION (ZINE - REYES)

Recommendation for Council action:

INSTRUCT the Chief Legislative Analyst and the City Administrative Officer to coordinate with the appropriate departments to present a single report back to Council in 60 days encompassing all aspects of Motions [Hahn - LaBonge), Council file 09-1716] [(Zine - Perry), Council file 09-1715] [(Perry - Reyes), Council file 09-1678] and [(LaBonge - Garcetti), Council

file 09-1789].

MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR TUESDAY, JULY 21, 2009, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

ADOPTED - FINDINGS - CONTINUED TO JULY 22, 2009

Roll Call #16 - Motion (Koretz - Alarcon) Findings on Need to Act - Adopted, Ayes (12); Absent: Huizar and Parks (2)

Roll Call #17 - Motion (Koretz - Alarcon) Adopted to Continue, Unanimous Vote (12); Absent: Huizar and Parks (2)

09-0002-S158

MOTION (KORETZ - GARCETTI - ZINE) relative to requesting the Metropolitan Transportation Authority (MTA) Board of Directors to refuse to award any kind of contract with any entity doing business with Iran.

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

ADOPT the accompanying RESOLUTION to include in the City's State Legislative Program a position to request that the MTA Board refuse to award any kind of contract to any entity which does business with Iran, including the Siemens company, unless and until the MTA verifies that the bidder does not do business with Iran.

ADOPTED - FORTHWITH

Roll Call #18 - Motion (Hahn - Smith) Findings on Need to Act - Adopted, Ayes (11); Absent: Huizar, LaBonge and Parks (3)

Roll Call #19 - Motion (Hahn - Smith) Adopted to Continue Ayes (11); Absent: Huizar, LaBonge and Parks (3)

09-1807

MOTION (HAHN - SMITH - ZINE) relative to impacts to the City of Los Angeles caused by the State budget actions of July 2009.

Recommendations for Council action:

- 1. DIRECT the City Administrative Officer and the Chief Legislative Analyst to report to the City Council on Friday, July 24, 2009 concerning impacts to the City of Los Angeles caused by the State budget actions of July 2009.**
- 2. REQUEST the City Attorney to report on possible legal actions for the City to take in response the State budget actions.**

[Council may recess to Closed Session, pursuant to Government Code 54956.9(c), to confer with its legal counsel relative to the above matter.]

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

[09-1808](#)

MOTION (ROSENDAHL - SMITH) relative to declaring the Round Meadow Camp Pickup/Drop Off on July 24-25, 2009 a Special Event (fees and costs absorbed by the City = \$5,233).

[07-2261-S1](#)

MOTION (ROSENDAHL - SMITH) relative to declaring the Firebrand Block Party on July 25, 2009 a Special Event (fees and costs absorbed by the City = \$1,642).

[09-1802](#)

MOTION (CARDENAS - KORETZ) relative to authorizing the Information Technology Agency (ITA) to use the City Hall Tom Bradley Room on August 20, 2009.

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

[09-0002-S157](#)

RESOLUTION (KORETZ - SMITH) relative to the City's position in connection with AB 548.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, President Garcetti was excused from Council sessions of Tuesday, September 1, 2009 and Wednesday, September 2, 2009, both due to City business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[09-1668](#) - Dave Sherwin

(Smith - Reyes)

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

[09-1667](#) - Shirley McGill

(Zine)

Frank J. Kucinich Jr.

(Rosendahl - All Councilmembers)

Ayes, Alarcón, Cárdenas, Hahn, Koretz, Perry, Reyes, Rosendahl, Smith, Wesson, Zine and President Garcetti (11); Absent: Huizar, LaBonge and Parks (3); Vacant: Council District Two

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL