

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **July 22, 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: Hahn, Huizar, Koretz, LaBonge, Perry, Reyes, Rosendahl, Smith, Wesson, Zine and President Garcetti (11); Absent: Alarcón, Cárdenas and Parks (3); Vacant: Council District Two

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
JULY 17, 2009

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 42

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

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

Items Noticed for Public Hearing - Items 1-12

**Roll Call #1 - Motion (Huizar - Reyes) Adopted to Confirm Lien, Ayes (11); Absent: Alarcón, Cárdenas and Parks (3)
(Item Nos. 1-2)**

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

[09-1099](#)
CD 14

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 the lot at 3262 East Second Street. (Lien: \$15,500.13)

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

[09-1101](#)
CD 7

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the cost of fencing the lot at 13861 North Wallabi Avenue. (Lien: \$7,315.05)

**Roll Call #9 - Motion (Perry - Cárdenas) Adopted to Receive and File, Unanimous Vote (13);
Absent: Parks (1)
(Item Nos. 3-4)**

ITEM NO. (3) - RECEIVED AND FILED INASMUCH AS THE LIEN HAS BEEN PAID

[09-1102](#)

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 the lot at 135 West Martin Luther King Jr. Boulevard aka 133 West Martin Luther King Jr. Boulevard. (Lien: \$5,379.26)

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

[09-1103](#)

CD 8

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of cleaning and fencing the lot at 5909 South Halldale Avenue. (Lien: \$4,358.64)

**Roll Call #1 - Motion (Huizar - Reyes) Adopted to Confirm Lien, Ayes (11); Absent: Alarcón, Cárdenas and Parks (3)
(Item Nos. 5-6)**

ITEM NO. (5) - PUBLIC HEARING CLOSED - NO APPEALS - LIEN CONFIRMED

[09-1104](#)

CD 5

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the cost of fencing the lot at 4831 North Gloria Avenue, Front Building, aka 4833 Gloria Avenue. (Lien: \$2,066.40)

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

[09-1105](#)

CD 7

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the cost of fencing the lot at 13867 North Wallabi Avenue. (Lien: \$3,884.83)

**Roll Call #2 - Motion (Koretz - LaBonge) Adopted to Confirm Assessment, Ayes (11);
Absent: Alarcón, Cárdenas and Parks (3)
(Item Nos. 7-10)**

ITEM NO. (7) - PUBLIC HEARING CLOSED - NO APPEALS - ASSESSMENTS CONFIRMED

[07-1725](#)

CD 6

HEARING APPEALS against the annual confirmation of assessments for the maintenance of the sidewalks for Van Nuys and Victory Boulevards (and other streets) Sidewalk Maintenance District - W.O. EXX71822.

ITEM NO. (8) - PUBLIC HEARING CLOSED - NO APPEALS - ASSESSMENTS CONFIRMED

[07-1726](#)

CD 5

HEARING APPEALS against the annual confirmation of assessments for the maintenance of the sidewalks for Westwood Village Sidewalk Maintenance District - W.O. EXX71375.

ITEM NO. (9) - PUBLIC HEARING CLOSED - NO APPEALS - ASSESSMENTS CONFIRMED

[08-1307](#)

CD 5

HEARING APPEALS against the annual confirmation of assessments for the maintenance of the sidewalks for Ventura Boulevard (near Kester Avenue to Beverly Glen Boulevard) Sidewalk Maintenance District - W.O. E6000067.

ITEM NO. (10) - PUBLIC HEARING CLOSED - NO APPEALS - ASSESSMENTS CONFIRMED

[08-1308](#)

CD 4

HEARING APPEALS against the annual confirmation of assessments for the maintenance of the sidewalks for Wilshire Miracle Mile Sidewalk Maintenance District - W.O. E6000022.

**Roll Call #3 - Motion (Perry - Hahn) Adopted, Ayes (12); Absent: Cárdenas and Parks (2)
(Item Nos. 11-12)**

ITEM NO. (11) - PUBLIC HEARING CLOSED - NO PROTESTS - CITY ENGINEER INSTRUCTED TO PROCEED

[08-2489](#)

CD 9

HEARING PROTESTS against the proposed vacation of the 58th Place and Menlo Avenue Vacation District (VAC E1401120) in connection with construction of South Los Angeles Area New High School No. 3.

(Findings and Public Works Committee report adopted on June 30, 2009)

ITEM NO. (12) - PUBLIC HEARING CLOSED - NO PROTESTS - CITY ENGINEER INSTRUCTED TO PROCEED

[09-0316](#)

CD 15

HEARING PROTESTS against the proposed vacation of the alley easterly of McFarland Avenue between "E" and "F" Streets (VAC E1401140).

(Findings and Public Works Committee report adopted on June 30, 2009)

Items for Which Public Hearings Have Been Held - Items 13-37

ITEM NO. (13) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #21 - Motion (Wesson - Rosendahl) to Adopt as Amended, Ayes (10); Absent: Parks, Reyes, Smith and President Garcetti (4)

[09-0372](#)

APPROPRIATION OF FUNDS relative to the 35th Program Year Consolidated Plan.

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

AUTHORIZE the Controller to:

- a. Establish and/or increase accounts within the Community Development Trust Fund No. 424, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
F108	Building and Safety	\$1,066,637
F110	CAO	15,000
F112	City Attorney	793,698
F122	Community Development-Constr & Placem	69,618
F122	Community Development-Hire LA	242,751
F122	Community Development-YOM CDBG	339,792
F122	Community Development-Portal	316,777
F122	Community Development-Domestic Violence	77,410
F122	Community Development-Capacity Building	102,400
F122	Community Development-CUP/Con Plan Application	228,361
F146	Mayor's Office	213,279
F174	Public Works-Board/Clean and Green	1,034,045
F174	Public Works-Board/Clean Streets	200,000
F174	Public Works-Board/City Trees	300,000
F186	Public Works-Street Services	750,000
F299	Related Costs-Const & Placement	21,259
F299	Related Costs-Hire LA	7,249
F299	Related Costs-YOM CDBG	161,532
F299	Related Costs-Portal	85,250
F299	Related Costs-Domestic Violence	<u>26,930</u>
Total		\$6,051,988

- b. Appropriate \$1,066,637 to Fund No. 100/08 Building and Safety, Account No. 1010 Salaries.
- c. Appropriate \$15,000 to Fund No. 100/10 CAO, Account No. 3040 Contractual Services.
- d. Appropriate \$793,698 (\$536,901 FALCON, \$256,797 PACE) to Fund No. 100/12 City Attorney, Account No. 1020 Grant Salaries.

e. Appropriate \$1,377,109 to Fund No. 100/22 Community Development, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries	\$792,713
1070	Salaries-As Needed	43,690
1090	Salaries-Overtime	2,887
2120	Printing and Binding	5,912
2130	Travel	872
3040	Contractual Services	410,716
3310	Transportation Expense	349
3340	Water and Electricity	72,627
6010	Office and Administration	14,807
6020	Operating Supplies	24,210
6030	Rent and Parking	<u>8,326</u>
Total		\$1,377,109

f. Appropriate \$213,279 to Fund No. 100/46 Mayors Office, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries	\$82,029
2120	Printing and Binding	56,250
2130	Travel	3,750
3040	Contractual Services	37,500
6010	Office and Administration	11,250
6020	Operating Supplies	15,000
7300	Furniture Equip	<u>7,500</u>
Total		\$213,279

g. Appropriate \$2,284,045 to Fund No. 100/74 Public Works Board Account No. 3040 Contractual Services.

h. Appropriate \$750,000 to Fund No. 100/86 Public Works Street Services, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries	\$300,000
1090	Overtime	100,000
3030	Construction Expense	135,000
3040	Contractual Services	70,000
6010	Office and Administration	20,000
6020	Operating Supplies	<u>125,000</u>
Total		\$750,000

- i. Increase appropriations in the amount of \$97,706 within the Senior Human Services Program Fund No. 42J/02 Account F102 Aging.
- j. Appropriate \$97,706 to Fund No. 100/02, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries	\$73,635
1070	Salaries as needed	16,489
2120	Printing and Binding	5,257
6010	Office and Administration	<u>2,325</u>
Total		\$97,706

- k. Authorize the General Managers, Community Development Department and Los Angeles Housing Department, or designees, to prepare Controller instructions and/or make any technical adjustments that may be required and are consistent with these actions subject to the approval of the CAO and authorize the Controller to implement these instructions.

(Pursuant to Council action of May 29, 2009)

ADOPTED

AMENDING MOTION (SMITH - WESSON)

Recommendation for Council action:

AUTHORIZE the General Manager, Community Development Department, or designee, to prepare and submit a substantial amendment to the 35th Program Year Housing and Community Development Block Grant (CDBG) Consolidated Plan, which is needed to effectuate the appropriation of CDBG funds in the amount of \$250,000 allocated for the Devonshire PALS Youth Center, pursuant to the report of the Housing, Community and Economic Development Committee approved by Council on May 29, 2009.

ITEM NO. (14) - ADOPTED

Roll Call #11 - Motion (LaBonge - Koretz) Adopted, Ayes (13); Absent: Parks (1)

[09-1647](#)

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the reappointment of Mr. Angel R. Cervantes to the El Pueblo De Los Angeles Historical Monument Authority.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. Angel R. Cervantes to the El Pueblo De Los Angeles Historical Monument Authority for the new term ending June 30, 2013, is APPROVED and CONFIRMED. Mr. Cervantes resides in Council District Seven. (Current Board gender composition: M=4; F=5).

Ethics Commission Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 14, 2009

(LAST DAY FOR COUNCIL ACTION - AUGUST 14, 2009)

**Roll Call #13 - Motion (Wesson - Zine) Adopted, Ayes (13); Absent: Parks (1)
(Item Nos. 15-16)**

ITEM NO. (15) - ADOPTED

[09-1495](#)

COMMUNICATION FROM THE MAYOR relative to the appointment of Justice Armand Arabian to the Industrial Development Authority Board of Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Justice Armand Arabian to the Industrial Development Authority Board of Commissioners for the term ending June 30, 2011, to fill the vacancy created by the resignation of Mr. Thomas Sayles, is APPROVED and CONFIRMED. Justice Arabian resides in Council District Three. (Current Board gender composition: M=4; F=3)

Ethics Commission Review: Pending

Background Check Review: Complete

Community Impact Statement: None submitted.

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

(For background reports and materials related to this matter, contact the Legislative Assistant for the Housing, Community and Economic Development Committee at 213-978-1080)

ADOPTED

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the appointment of Justice Armand Arabian to the Industrial Development Authority (IDA) Board of Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of appointment of Justice Arabian to the IDA Board of Commissioners for the term ending June 30, 2011, to fill the vacancy created by the resignation of Mr. Thomas Sayles, is APPROVED and CONFIRMED. Justice Arabian resides in Council District Three. (Current Board gender composition: M=4; F=3)

Ethics Commission Review: Complete

Background Check Review: Complete

Community Impact Statement: None submitted.

ITEM NO. (16) - ADOPTED

[09-1694](#)

COMMUNICATION FROM THE COUNCIL PRESIDENT relative to the appointment of Ms. Carmel Sella to the Industrial Development Authority Board of Commissioners.

Recommendation for Council action:

RESOLVE that the Council President's appointment of Ms. Sella to the Industrial Development Authority Board of Commissioners for the term ending June 30, 2010, to fill the vacancy created by the resignation of Ms. Nina Walton, is APPROVED and CONFIRMED. Ms. Sella resides in Council District Four. (Current Board gender composition: M=4; F=3)

Ethics Commission Review: Pending

Background Check Review: Pending

Community Impact Statement: None submitted.

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

(For background reports and materials related to this matter, contact the Legislative Assistant for the Housing, Community, and Economic Development Committee at 213-978-1080)

ADOPTED

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the appointment of Ms. Carmel Sella to the Industrial Development Authority (IDA) Board of Commissioners.

Recommendation for Council action:

RESOLVE that the Council President's appointment of appointment of Ms. Sella to the IDA Board of Commissioners for the term ending June 30, 2010, to fill the vacancy created by the resignation of Ms. Nina Walton, is APPROVED and CONFIRMED. Ms. Sella resides in Council District Four. (Current Board gender composition: M=4; F=3)

Ethics Commission Review: Pending

Background Check Review: Pending

Community Impact Statement: None submitted.

ITEM NO. (17) - ADOPTED

Roll Call #14 - Motion (Hahn - Huizar) Adopted, Ayes (13); Absent: Parks (1)

[07-0156](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the Mayor's reappointment of Ms. Camilla Townsend to the Harbor Area Planning Commission.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Ms. Camilla Townsend to the Harbor Area Planning Commission for the new term ending June 30, 2014, is APPROVED and CONFIRMED. Ms. Townsend resides in Council District 15. (Current Commission gender composition: M=2; F=3)

Ethics Commission Review: Complete

Background Check Review: Pending

Community Impact Statement: None submitted.

TIME LIMIT FILE - JULY 23, 2009

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

**Roll Call #5 - Motion (Reyes - Rosendahl) Adopted, Ayes (12); Absent: Cárdenas and Parks (2)
(Item Nos. 18-22)**

ITEM NO. (18) - ADOPTED

[09-1273](#)

CD 9

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to a Community Plan Revision Program for the Southeast Los Angeles Community Plan (a portion of Subarea 300) located at 3619-35 South Adair Street and 3620-36 South Trinity Street.

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

1. ADOPT the May 7, 2009 FINDINGS of the Director of Planning as the Findings of the Council.
2. ADOPT the accompanying RESOLUTION as recommended by the Mayor and the Director of Planning APPROVING the proposed General Plan Amendment land use designation to Low Medium I Residential for privately owned properties within a portion of Subarea 300 of Ordinance No. 174172 as part of the Community Plan Revision Program for the Southeast Los Angeles Community Plan area for the property at 3619-35 South Adair Street and 3620-36 South Trinity Street.

Applicant: City of Los Angeles

CPC 1996-0398-CPR

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, on behalf of the City Planning Commission, to restore the R2-1 Zone for privately owned properties within a portion of Subarea 300 of Ordinance No. 174172 as part of the Community Plan Revision Program for the Southeast Los Angeles Community Plan area for the property at 3619-35 South Adair Street and 3620-36 South Trinity Street.
4. INSTRUCT the Planning Department to update the General Plan and appropriate maps pursuant to this action.

(Environmental Impact Report certified by Council on March 22, 2000)

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 26, 2009

(LAST DAY FOR COUNCIL ACTION - AUGUST 14, 2009)

ITEM NO. (19) - ADOPTED

[09-1296](#)
CD 9

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to a General Plan Amendment and zone change for property at 2321 South Trinity Street and 2318 South Wall Street.

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

1. ADOPT the May 7, 2009, FINDINGS of the Director of Planning as the Findings of the Council.
2. ADOPT the accompanying RESOLUTION as recommended by the Mayor and the Director of Planning APPROVING the proposed General Plan Amendment land use designation to Low Medium I Residential for privately owned properties within a portion of Subarea 110 of Ordinance No. 174172 as part of the Community Plan Revision Program for the Southeast Los Angeles Community Plan Area for property at 2321 South Trinity Street and 2318 South Wall Street. CPC 1996-0398 CPR
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, on behalf of the City Planning Commission, effecting a zone change to restore the R2-1 Zone for property at 2321 South Trinity Street and 2318 South Wall Street.
4. INSTRUCT the Planning Department to update the General Plan and appropriate maps pursuant to this action.

(Environmental Impact Report certified by Council on March 22, 2000)

Fiscal Impact Statement: None submitted by the Planning Department. 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 - AUGUST 27, 2009

(LAST DAY FOR COUNCIL ACTION - AUGUST 14, 2009)

ITEM NO. (20) - ADOPTED

09-1321

CD 7

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change at 15500 Nordhoff Street and 9059 Langdon Avenue.

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. 09-1321 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2006-4812 MND] filed on September 29, 2006.
2. ADOPT the FINDINGS of the North Valley Area Planning Commission (NVAPC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the NVAPC, effecting a zone change from RA1 to (T)(Q)R3-1 to allow a maximum of eight multiple family residential dwelling units for property at 15500 Nordhoff Street and 9059 Langdon Avenue, subject to Conditions of Approval.

Applicant: Michael Sabzerou, Langdon Plaza Capital, LLC
Representative: Phillip Kaainoa

APCNV 2006-4861 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.

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 1, 2009

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

ITEM NO. (21) - ADOPTED

[09-1343](#)

CD 15

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to a Community Plan Update Program for the Wilmington-Harbor City Community (a portion of Subarea 107) located at 412-28 West Harry Bridges Boulevard and 130-40 North Lagoon Avenue.

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

1. ADOPT the May 18, 2009 FINDINGS of the Director of Planning as the Findings of the Council.
2. ADOPT the accompanying RESOLUTION as recommended by the Mayor and the Director of Planning APPROVING the proposed General Plan Amendment land use designation to Heavy Industrial for privately owned property in that portion of Subarea 107 of Ordinance No. 172853 as part of the Community Plan Update Program for the Wilmington-Harbor City Community for property at 412-28 West Harry Bridges Boulevard and 130-40 North Lagoon Avenue.

Applicant: City of Los Angeles

CPC 1997-0050-CPU-SA-107

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning on behalf of the City Planning Commission, to restore the M3-1D Zone for privately owned property in that portion of Subarea 107 of Ordinance No. 172853 as part of the Community Plan Update Program for the Wilmington-Harbor City Community for property at 412-28 West Harry Bridges Boulevard and 130-40 North Lagoon Avenue, subject to "D" Development Limitations.
4. INSTRUCT the Planning Department to update the General Plan and appropriate maps pursuant to this action.

(Mitigated Negative Declaration adopted by Council on July 14, 1999)

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 18, 2009

(LAST DAY FOR COUNCIL ACTION - AUGUST 14, 2009)

ITEM NO. (22) - ADOPTED

[09-1673](#)
CD 3

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change at 7238-48 Canby Avenue and 7245-47 Darby Avenue.

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. 09-1673 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 2008-4986 MND] filed on March 26, 2009.
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 [Q]C2-1D-CDO and [Q] P-1D-CDO to [T][Q]R4-1-CDO for a proposed 98-unit, three to four story rental affordable housing development for low and very low income seniors with a total of 92 on-site parking spaces for property at 7238-48 Canby Avenue and 7245-47 Darby Avenue, subject to Conditions of Approval.

Applicant: Thomas Safran & Associates
Representative: Veronica Becerra

CPC 2008-4985 ZC ZAA SPR

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 - JULY 27, 2009

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

ITEM NO. (23) - CONTINUED TO AUGUST 11, 2009

Roll Call #20 - Motion (Alarcón - Perry) Adopted to Continue, Unanimous Vote (11); Absent: Parks, Reyes and President Garcetti (3)

[09-1671](#)

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to an agreement with Michael Leslie Productions, Inc. DBA Ready Golf Centers for the operation and maintenance of electric golf carts.

Recommendation for Council action:

APPROVE and AUTHORIZE the President and Secretary of the Board of Recreation and Park Commissioners to execute, the agreement with Michael Leslie Productions, Inc., for the operation and maintenance of electric golf carts, for a term of ten years with one five-year renewal option, subject to the approval of the City Attorney.

Fiscal Impact Statement: The City Administrative Officer reports that Michael Leslie Productions, Inc. (Concessionaire) will pay the City 39 percent of gross receipts from the operation of the electric golf cart concession. The Concessionaire has committed to invest a minimum of \$100,000 for capital investments. The Concessionaire will be responsible for utility charges relative to its operation, except for water and trash collection. Ninety percent of the revenues from this concession agreement will be deposited into the Department of Recreation and Parks' operating fund, and 10 percent will be deposited into the Golf Concessions Improvements Accounts. There is no additional impact on the General Fund. The above recommendation is in compliance with the City Financial Policies in that user charges and fees are set to support the full cost of operations for which the fees are charged.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 5, 2009

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 4, 2009)

**Roll Call #5 - Motion (Reyes - Rosendahl) Adopted, Ayes (12); Absent: Cárdenas and Parks (2)
(Item Nos. 24-28)**

ITEM NO. (24) - ADOPTED

[08-0600-S67](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to reimbursable overtime expected to be received by the Los Angeles Police Department (LAPD) before June 30, 2009.

Recommendation for Council action:

NOTE and FILE the LAPD report relative to the amount of reimbursable overtime expected to be received by the LAPD before June 30, 2009, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (25) - ADOPTED

[08-0600-S68](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the status of liability claims accounts as of April 30, 2009.

Recommendations for Council action:

1. NOTE and FILE the City Attorney's report relative to the status of liability claims accounts as of April 30, 2009, inasmuch as the report is submitted for information only and no Council action is necessary.
2. REQUEST the City Attorney provide in future liability claims account status reports, a short synopsis of each case identified in the report attachment.

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

Community Impact Statement: None submitted.

[Council may recess to Closed Session, pursuant to Government Code Sections 54956.9(a) and/or (b), to allow the Committee to confer with its legal counsel on the above matter.]

ITEM NO. (26) - ADOPTED

[09-1262](#)

CD 10

CATEGORICAL EXEMPTION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an appeal of added and modified conditions on the operation of a recycling center located at 4422 West Jefferson Boulevard.

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

1. FIND that this action is categorically exempt from California Environmental Quality Act, pursuant to Article III, Section 1, Class 5(23) of the City's Environmental Guidelines.
2. ADOPT FINDINGS of the Director of Planning as the Findings of Council.
3. RESOLVE TO DENY APPEAL filed by Bhongsant Bhandhoman (operator) and Pat Dolce (owner), David Pines, Esq., Representative, from the entire determination of the Zoning Administrator (acting for the Director of Planning), THEREBY SUSTAIN the decision of the Zoning Administrator in imposing added and modified conditions on the operation of a recycling center known as West Los Angeles Recycling located at 4422 West Jefferson Boulevard, as shown in the Conditions of Approval attached to the Committee report.

DIR 96-0440 (RV)(PA2)

Fiscal Impact Statement: None submitted by the Planning Department. 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 - JULY 27, 2009

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

ITEM NO. (27) - ADOPTED

08-0901

PUBLIC SAFETY COMMITTEE REPORT relative to modifying the grant budget for the Fiscal Year (FY) 2008 Urban Areas Security Initiative (UASI) Award to effect partner agency fund transfers.

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

1. AUTHORIZE the Mayor, or designee, to:
 - a. Modify the previously adopted grant budget for FY 2008 UASI grant award to reallocate funding from the Los Angeles Fire Department (LAFD) to the County of Los Angeles and the Cities of Alhambra, Burbank, El Segundo, Glendale, Long Beach, Pasadena, Torrance, and Vernon for the purchase of Self Contained Breathing Apparatus (SCBA) equipment.
 - b. Negotiate and execute contract amendments with the County of Los Angeles and the Cities of Alhambra, Burbank, El Segundo, Glendale, Long Beach, Pasadena, Torrance, and Vernon to reflect the increase in their total payment amounts for the purchase of SCBA Equipment as described in the Attachment to the City Administrative Officer (CAO) report to the Mayor and Council dated July 7, 2009 (attached to the Council file), subject to the approval of the City Attorney as to form and legality.
2. TRANSFER appropriations in the amount of \$3,001,023 within the 2008 UASI Homeland Security Grant Fund 50X, to reflect the transfer of SCBA equipment purchases from the LAFD to various partner jurisdictions, as follows:

	<u>Fund/Dept</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	50X/46	E503	UASI 08 Fire Department	\$3,001,023
To:	50X/46	E509	UASI 08 Partner Cities	\$3,001,023

3. AUTHORIZE the Mayor, or designee, to prepare Controller instructions for any technical accounting adjustments consistent with this action, subject to the approval of the CAO; and, AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. Approval of the above recommendations will allow for the continued expenditure of the 2008 UASI. This action is in compliance with City financial policies in that grant funds are sufficient to support the grant activities.

Community Impact Statement: None submitted.

ITEM NO. (28) - ADOPTED

[09-1589](#)

PUBLIC SAFETY COMMITTEE REPORT relative to relative to an Urban Areas Security Initiative (UASI) grant budget modification and the development of a Los Angeles/Long Beach Urban Area (LA/LB UA) and Los Angeles County Operational Area (LACOA) Homeland Security Strategic plan.

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

APPROVE the recommendations of the City Administrative Officer (CAO) in the July 8, 2009 report to the Mayor and Council (attached to the Committee report), relative to Fiscal Year (FY) 2008 State Homeland Security Grant Program (SHSGP) allocation in the amount of \$300,000, FY 2006 UASI grant budget modification, and authority to negotiate and execute a professional services contract in an amount not to exceed \$1,677,972.00 for the development of a LA/LB UA and LACOA Homeland Security Strategic plan; as amended to substitute the following language for CAO Recommendation No. 1f:

Negotiate and execute a contract with Tetra Tech, Inc. in an amount not to exceed \$1,677,972 using FY 2008 SHSGP and FY 2006 UASI funds, for the creation of a LA/LB UA and LACOA Homeland Security Strategic Plan, for a term of up to eight months and not to extend beyond **March 31, 2010**, consistent with approved grant budgets and subject to the approval of the City Attorney as to form and legality.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. Approval of the above recommendations will allow for the continued expenditure of the 2006 UASI grant and the acceptance and expenditure of the 2008 SHSGP. Acceptance of the above recommendations are in compliance with City financial policies in that grant funds are sufficient to support proposed grant activities.

Community Impact Statement: None submitted.

ITEM NO. (29) - CONTINUED TO JULY 28, 2009

**Roll Call #4 - Motion (Rosendahl - Smith) Adopted to Continue, Unanimous Vote (12);
Absent: Cárdenas and Parks (2)**

[07-0557](#)

PUBLIC WORKS COMMITTEE REPORT relative to utilizing the Design-Build Method of project delivery for capital projects.

Recommendation for Council action:

NOTE and FILE the November 15, 2007 and July 10, 2009 Board of Public Works reports relative to utilizing the Design-Build Method of project delivery for capital projects.

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

Community Impact Statement: None submitted.

**Roll Call #5 - Motion (Reyes - Rosendahl) Adopted, Ayes (12); Absent: Cárdenas and Parks (2)
(Item Nos. 30-34)**

ITEM NO. (30) - ADOPTED

[06-2684](#)
CD 10

CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to vacating Ninth Avenue between Exposition Place and Exposition Boulevard (VAC E1401037).

Recommendations for Council action:

1. FIND that the vacation of Ninth Avenue between Exposition Place and Exposition Boulevard 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 B of the March 25, 2009 City Engineer report, attached to the Council file:

Ninth Avenue between Exposition Place and Exposition Boulevard

3. ADOPT the FINDINGS of the City Engineer dated March 25, 2009, as the Findings of the Council.
4. ADOPT the accompanying City Engineer report dated March 25, 2009 to approve the vacation.
5. INSTRUCT the City Clerk to set a public hearing date for **SEPTEMBER 2, 2009**.

Fiscal Impact Statement: The City Engineer reports that to date, an estimated \$2,656.22 in charges have been expended in the investigation and processing of this vacation proceeding. Since Los Angeles Administrative Code Section 7.46 exempts all government agencies from payment of fees, the processing of this vacation proceeding will be absorbed by the Bureau of Engineering.

Community Impact Statement: None submitted.

ITEM NO. (31) - ADOPTED

[07-3585](#)
CD 11

CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to vacating the alley southeasterly of the intersection of Chautauqua Boulevard with Berea Place from Chautauqua Boulevard to its southwesterly terminus (VAC E1401088).

Recommendations for Council action:

1. FIND that the vacation of the alley southeasterly of the intersection of Chautauqua Boulevard with Berea Place from Chautauqua Boulevard to its southwesterly terminus, 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 A of the January 21, 2009 City Engineer report, attached to the Council file:

Alley southeasterly of the intersection of Chautauqua Boulevard with Berea Place from Chautauqua Boulevard to its southwesterly terminus

3. ADOPT the FINDINGS of the City Engineer dated January 21, 2009, as the Findings of the Council.
4. ADOPT the accompanying City Engineer report dated January 21, 2009 to approve the vacation.
5. INSTRUCT the City Clerk to set a public hearing date for **SEPTEMBER 2, 2009**.

Fiscal Impact Statement: The City Engineer reports that the petitioner has paid a fee of \$3,210 for the investigation of this vacation request pursuant to Los Angeles Administrative Code (LAAC) Section 7.42. Any deficit fee to recover the cost pursuant to LAAC Section 7.44 may be required of the petitioner. Maintenance of the public easement by City Forces will be eliminated.

Community Impact Statement: None submitted.

ITEM NO. (32) - ADOPTED

[08-1343](#)
CD 9

CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to vacating the Judge John Aiso Street Parking Structure between First Street and Judge John Aiso Street (subsurface vacation; VAC E1401092).

Recommendations for Council action:

1. FIND that the vacation of Judge John Aiso Street Parking Structure between First Street and Judge John Aiso Street (subsurface vacation), 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 A of the May 28, 2009 City Engineer report, attached to the Council file:
 - a. A variable width portion of the northwesterly side of Judge John Aiso Street at its intersection with Jackson Street lying below a datum plane six inches below the finished sidewalk surface.

- b. A variable width portion of the northeasterly side of First Street northwesterly of its intersection with Judge John Aiso Street, lying below a datum plane six-inches below the finished sidewalk surface.
3. ADOPT the FINDINGS of the City Engineer dated May 28, 2009, as amended, as the Findings of the Council.
4. AMEND Condition 9 in the May 28, 2009 City Engineer report to replace the word "Stevetore" with the work "Structure."
5. ADOPT the accompanying City Engineer report dated May 28, 2009, as amended, to approve the vacation.
6. INSTRUCT the City Clerk to set a public hearing date for **SEPTEMBER 2, 2009**.

Fiscal Impact Statement: The City Engineer reports that the petitioner has originally paid a fee of \$14,383.12 for the investigation of the vacation request pursuant to Los Angeles Administrative Code (LAAC) Section 7.46. Since LAAC Section 7.46 exempts all governmental agencies from payment of fees, the processing of this vacation request will be absorbed by the Bureau of Engineering. Maintenance of the public easement by City Forces will be eliminated.

Community Impact Statement: None submitted.

ITEM NO. (33) - ADOPTED

[08-3307](#)
CD 3

CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to vacating the walk easterly of Caravana Road between Empis Street and Naranja Road (VAC E1401117).

Recommendations for Council action:

1. FIND that the vacation of the walk easterly of Caravana Road between Empis Street and Naranja Road 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 B of the January 23, 2009 City Engineer report, attached to the Council file:

The walk easterly of Caravana Road between Empis Street and Naranja Road

3. ADOPT the FINDINGS of the City Engineer dated January 23, 2009, as the Findings of the Council.
4. ADOPT the accompanying City Engineer report dated January 23, 2009 to approve the vacation.
5. INSTRUCT the City Clerk to set a public hearing date for **SEPTEMBER 2, 2009**.

Fiscal Impact Statement: The City Engineer reports that to date, an estimated \$3,210 in charges have been expended in the investigation and processing of this vacation proceeding pursuant to Section 7.42 of the Los Angeles Administrative Code (LAAC). Any deficit fee to recover the cost pursuant to LAAC 7.44 may be required of the petitioner. Maintenance of the public easement by City Forces will be eliminated.

Community Impact Statement: None submitted.

ITEM NO. (34) - ADOPTED

[09-0504](#)

CD 15

CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to vacating the alley westerly of Sanford Avenue between "E" and "F" Streets (VAC E1401137).

Recommendations for Council action:

1. FIND that the vacation of the alley westerly of Sanford Avenue between "E" and "F" Streets, 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 A of the April 21, 2009 City Engineer report, attached to the Council file:

The first alley westerly of Sanford Avenue between E Street and F Street

3. ADOPT the FINDINGS of the City Engineer dated April 21, 2009, as amended, as the Findings of the Council.
4. ADOPT the accompanying City Engineer report dated April 21, 2009, as amended, to approve the vacation.
5. INSTRUCT the City Clerk to set a public hearing date for **SEPTEMBER 2, 2009**.

Fiscal Impact Statement: The City Engineer reports that the petitioner has originally paid a fee of \$10,700 for the investigation of the vacation request pursuant to Los Angeles Administrative Code (LAAC) Section 7.42. Any deficit fee to recover any cost pursuant to LAAC Section 7.44 may be required of the petitioner. Maintenance of the public easement by City Forces will be eliminated.

Community Impact Statement: None submitted.

ITEM NO. (35) - CONTINUED TO JULY 24, 2009

**Roll Call #15 - Motion (Rosendahl - Reyes) Adopted to Continue, Unanimous Vote (13);
Absent: Parks (1)**

[08-1369](#)

PUBLIC WORKS COMMITTEE REPORT relative to expanding the Public Way Reservation System (PWRS) Program on a Citywide basis.

Recommendations for Council action:

1. APPROVE the May 21, 2008 Board of Public Works (BPW) report, as attached to the Council file, and further APPROVE the recommended modifications to Chapter 6, Article 2.1, Section 62.251 of the Los Angeles Municipal Code (LAMC) as detailed in said report and attached to the Council file.
2. REQUEST the City Attorney to prepare and present an Ordinance to amend Chapter 6, Article 2.1, Section 62.251 of the LAMC to implement the PWRS Program on a City-wide basis.
3. INSTRUCT the Clerk to transmit a copy of the May 21, 2008 BPW report to the following:
 - a. Bureau of Engineering (BOE), Central District Office at 201 North Figueroa Street, Third Floor, Los Angeles, CA 90012, Mail Stop 503, Attention: Lemuel Paco, P.E., District Engineer.
 - b. Bureau of Street Services, 600 South Spring Street, Suite 1200, Los Angeles, CA 90015, Mail Stop 550.
 - c. Bureau of Contract Administration, 1149 South Broadway Street, Suite 300, Los Angeles, CA 90015, Mail Stop 480.
 - d. Los Angeles Department of Transportation, 100 South Main Street, First Floor, Los Angeles, CA 90012, Mail Stop 740.
 - e. City Attorney

Fiscal Impact Statement: The Board of Public Works reports that full implementation of the PWRS Program Citywide required one full-time Management Analyst II position (PWRS liaison) to promote and ensure compliance and effectiveness of the Program.

The PWRS position is currently authorized as a resolution authority in the BOE's budget and will be reviewed annually and requested for renewal until the goal stated above has been met. Time spent by the liaison working on specific permits will be charged accordingly for recovering some of the cost, but most of it will be the City's commitment to its citizens for providing an electronic system that captures all the activities in the public right-of-way as an effort to improve traffic congestion in the City of Los Angeles.

Community Impact Statement: None submitted

**Roll Call #5 - Motion (Reyes - Rosendahl) Adopted, Ayes (12); Absent: Cárdenas and Parks (2)
(Item Nos. 36-37)**

ITEM NO. (36) - ADOPTED

[09-1553](#)

CD 9

PUBLIC WORKS COMMITTEE REPORT relative to authorizing the issuance of a revocable permit for Jackson Street to grant conditional encroachment of the public right-of-way for the construction of the Aiso Street Parking Project prior to the completion of the vacation process in connection with the Police Administration Building Project.

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

INSTRUCT the Bureau of Engineering to issue a revocable permit for Jackson Street, to grant conditional encroachment of the public right-of-way, for construction of the Aiso Street Parking Project prior to the completion of the vacation processes.

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. (37) - ADOPTED

[07-1686](#)

CATEGORICAL EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to the Blanket Order authorizing amendments to the Non-Exclusive Air Carrier Operating Permits at the Los Angeles International Airport (LAX).

Recommendations for Council action:

1. FIND that this action is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Article III Class 1 (18)(c) of the Los Angeles City CEQA Guidelines.
2. APPROVE the Blanket Order authorizing Amendments to the Non-Exclusive Air Carrier Operating Permits at the LAX.
3. CONCUR in the Board of Airport Commissioners' (BOAC) action of June 22, 2009, Board Order No. AO-5131, authorizing the Executive Director to execute the Amendments to the Non-Exclusive Air Carrier Operating Permits at the LAX.
4. AUTHORIZE the Executive Director to continue to execute Non-Exclusive Air Carrier Operating Permits at the LAX until June 30, 2010.
5. AUTHORIZE the Executive Director to require that air carriers that fail to submit executed Amendments to their Non-Exclusive Air Carrier Operating Permits by September 1, 2009 must pay landing fees at the rate of non-permitted carriers until such time as signed documents are received and compliance obtained.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed request will have no impact on the General Fund. Extension of the Non-Exclusive Air Carrier Operating Permit (ACOP) term to June 30, 2010 will allow the Los Angeles World Airports (LAWA) to continue to collect landing fees revenue from ACOP commercial air carriers at the LAX during the 2009-10 fiscal year. Since the LAWA is bound only by the City Debt Management Policies, the City Financial Policies are not applicable.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JULY 26, 2009

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

Items for Which Public Hearings Have Not Been Held - Items 38-61

(10 Votes Required for Consideration)

ITEM NO. (38) - ADOPTED

Roll Call #12 - Motion (Hahn - LaBonge) Adopted, Ayes (13); Absent: Parks (1)

[07-0466](#)

COMMUNICATION FROM THE MAYOR relative to the reappointment of Mr. Adolfo J. Nodal to the Cultural Affairs Commission.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. Adolfo J. Nodal to the Cultural Affairs Commission for the new term ending June 30, 2014, is APPROVED and CONFIRMED. Mr. Nodal resides in Council District 15. (Current Commission composition: M=3; F=4)

Ethics Commission Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 2, 2009

LAST DAY FOR COUNCIL ACTION - JULY 31, 2009

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

ITEM NO. (39) - ADOPTED

Roll Call #16 - Motion (Koretz - Rosendahl) Adopted, Ayes (13); Absent: Parks (1)

[09-0334](#)

COMMUNICATION FROM THE MAYOR relative to the reappointment of Ms. Ruthanne Secunda to the Board of Animal Services Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Ms. Ruthanne Secunda to the Board of Animal Services Commissioners for the new term ending June 30, 2014, is APPROVED and CONFIRMED, subject to the City Ethics Commission's review of Ms. Secunda's Statement of Economic Interests. Ms. Secunda resides in Council District 11. (Current Board gender composition: M=2; F=3)

Ethics Commission Review: Pending

Community Impact Statement: None submitted.

TIME LIMIT FILE - JULY 23, 2009

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

(Public Safety Committee waived consideration of the above matter)

ITEM NO. (40) - ADOPTED

Roll Call #17 - Motion (Koretz - Huizar) Adopted, Ayes (13); Absent: Parks (1)

[09-1375](#)

COMMUNICATION FROM THE MAYOR relative to the reappointment of Mr. William O. Kil to the Police Permit Review Panel.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. William O. Kil to the Police Permit Review Panel for the new term ending June 30, 2014, is APPROVED and CONFIRMED. Mr. Kil resides in Council District 14. (Current Board gender composition: M=5; F=2)

Ethics Commission Review: Complete

Community Impact Statement: None submitted.

TIME LIMIT FILE - JULY 23, 2009

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

(Public Safety Committee waived consideration of the above matter)

**Roll Call #7 - Motion (Smith - Zine) Adopted, Ayes (12); Absent: Cárdenas and Parks (2)
(Item Nos. 41-50)**

ITEM NO. (41) - ADOPTED

[07-1972](#)

COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to establishing the Fiscal Year (FY) 2009-10 tax levy for Community Facilities District No. 3 (Cascades Business Park and Golf Course).

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

PRESENT and ADOPT the accompanying ORDINANCE relative to establishing the special tax amounts to be levied on parcels within Community Facilities District No. 3 (Cascades Business Park and Golf Course) for FY 2009-10.

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

Community Impact Statement: None submitted.

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

ITEM NO. (42) - ADOPTED

[07-1973](#)

COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to establishing the Fiscal Year (FY) 2009-10 tax levy for Community Facilities District No. 1 (Pershing Square).

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

PRESENT and ADOPT the accompanying ORDINANCE establishing the special tax amounts to be levied on parcels within Community Facilities District No. 1 (Pershing Square) for FY 2009-10.

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

Community Impact Statement: None submitted.

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

ITEM NO. (43) - ADOPTED

[07-1974](#)

COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to establishing the Fiscal Year (FY) 2009-10 tax levy for Community Facilities District No. 4 (Playa Vista - Phase I).

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

PRESENT and ADOPT the accompanying ORDINANCE relative to establishing the special tax amounts to be levied on parcels within Community Facilities District No. 4 (Playa Vista - Phase I) for FY 2009-10.

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

Community Impact Statement: None submitted.

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

ITEM NO. (44) - ADOPTED

[07-2455](#)

COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to setting the tax rate for Fiscal Year 2009-10, for the Special Police Communications/911 System Tax.

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

PRESENT and ADOPT the accompanying ORDINANCE relative to setting the tax rate for the Special Police Communications/911 System Tax for the fiscal year beginning July 1, 2009, ending June 30, 2010.

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

Community Impact Statement: None submitted.

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

ITEM NO. (45) - ADOPTED

[08-1660](#)

COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to establishing the Fiscal Year (FY) 2009-10 tax levy for Community Facilities District No. 8 (Legends at Cascades).

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

PRESENT and ADOPT the accompanying ORDINANCE relative to establishing the special tax amounts to be levied on parcels within Community Facilities District No. 8 (Legends at Cascades) for FY 2009-10.

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

Community Impact Statement: None submitted.

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

ITEM NO. (46) - ADOPTED - FORTHWITH

[08-3420](#)

FUTURE PUBLIC HEARING establishing **AUGUST 5, 2009** as the date for hearing comments on the condemnation proceedings under California Code of Civil Procedure for "North of Forest Lawn Drive, West of Zoo Drive and South of the Ventura Freeway in the City of Burbank" (APN No. 5581-001-001) for the Silver Lake Reservoir Complex Storage Replacement Project, and acquisition of real property.

W.O. No. UAK62
R/W No. 13082

ITEM NO. (47) - ADOPTED

[09-1588](#)

COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to an amendment to a supplemental agreement with Kanner Architects for as-needed architectural design services.

Recommendation for Council action:

APPROVE and AUTHORIZE the President and Secretary of the Board of Recreation and Park Commissioners to execute, the amendment to Supplemental Agreement No. 3 to Contract No. 2649 with Kanner Architects, for a term of 15 years and in an amount not to exceed \$1.3 million, subject to the approval of the City Attorney.

Fiscal Impact Statement: The City Administrative Officer reports that funding for the fees paid under the terms of the contract is provided within each project budget. There is no additional impact on the General Fund. This recommendation is in compliance with the City Financial Policies in that one-time revenues will be used to fund one-time expenditures.

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 23, 2009

(LAST DAY FOR COUNCIL ACTION - AUGUST 14, 2009)

ITEM NO. (48) - ADOPTED - FORTHWITH

09-0702

COMMUNICATION FROM CHAIR and MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE, relative to releasing Requests for Qualifications (RFQ) for bond underwriters, financial advisors, bond trustees, auditors/accountants, and master servicers; and, extending the term of the existing list of Qualified Los Angeles Housing Department (LAHD) Housing Bond Finance Team participants until December 31, 2009.

Recommendations for Council action:

1. APPROVE the accompanying RFQs (attached to the LAHD report dated June 29, 2009) for bond underwriters, financial advisors, bond trustees, auditors/accountants, and master servicers.
2. AUTHORIZE the General Manager, LAHD, or designee, to:
 - a. Release the subject RFQs and recommend the selection of bond underwriters, financial advisors, bond trustees, auditors/accountants, and master servicers for Mayor and Council approval.
 - b. Extend the term of the existing list of selected LAHD Housing Bond Finance Team participants from June 1, 2009 until December 31, 2009.
3. INSTRUCT the General Manager, LAHD, or designee, to report back to the Mayor and Council with the results of and recommendations from the RFQ selection processes.

Fiscal Impact Statement: The LAHD reports that there is no fiscal impact on the General Fund. The activities of the Multi-Family Bond Finance Team will be funded from proceeds of bond issues and the projects/mortgage programs. The activities of the Single-Family Bond Finance Team will be funded from the City's Municipal Housing Finance Fund.

Community Impact Statement: None submitted.

ITEM NO. (49) - ADOPTED - FORTHWITH

[09-0875](#)
[08-1008](#)

COMMUNICATION FROM CHAIR and MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE, and RESOLUTION relative to the acquisition of real property located at 1901 Santee Street, 206 East Washington Boulevard and 1918 South Los Angeles Street (collectively as the Site); and, the execution of an amendment to the Exclusive Negotiating Agreement (ENA) with Mercy Housing California Inc. (Mercy).

Recommendations for Council action:

1. ADOPT the accompanying joint RESOLUTION [attached to the City Administrative Officer (CAO) report dated July 10, 2009] by the Community Redevelopment Agency (CRA) Board of Commissioners (Board) and Council making findings, pursuant to California Redevelopment Law Health and Safety Code Section 33334.2, 33334.6 and 33413, that the CRA's Bunker Hill Redevelopment Project Area (BHRPA) Replacement Housing Trust Fund in the aggregate amount of \$5 million for the acquisition of real property at the Site, located outside the boundaries of the BHRPA in the Council District Nine Corridors South of the Santa Monica Freeway Redevelopment Project Area (CD9RPA), is of benefit to the adjacent BHRPA.
2. AUTHORIZE the Chief Executive Officer, CRA, or designee, to:
 - a. Execute a Second Amendment to the ENA with Mercy to increase the provision of CRA funds for eligible predevelopment costs by \$329,148, from \$100,000 to \$429,148, and to extend the term to June 6, 2011, in order to develop the final terms of a Disposition and Development Agreement (DDA) for the development of a mixed-use 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 2009-10 Budget and Work Program to transfer \$5 million from the BHRPA line item category "Affordable Housing" and allocate such to the CD9RPA 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 the expenditure of: 1) an aggregate amount not to exceed \$5 million from the CRA's BHRPA Replacement Housing Trust Fund to be used to pay for the acquisition of real property at the Site; and, 2) an amount increased by \$329,148, from \$100,000 to \$429,148, from the CD9RPA Low and Moderate Income Housing Trust Fund for the development of affordable housing.

Community Impact Statement: None submitted.

ITEM NO. (50) - ADOPTED

[09-1252](#)

COMMUNICATION FROM CHAIR and MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE, relative to a Cooperation Agreement (Agreement) between the Community Redevelopment Agency (CRA) and the Department of Recreation and Parks (DRP), in

an aggregate amount of \$10 million, for as-needed park improvement, professional consultation, and land acquisition services.

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

1. AUTHORIZE the Chief Executive Officer, CRA, or designee, to:
 - a. Negotiate and execute an Agreement with the DRP, in an aggregate amount of up to \$10 million in compensation services, the provisions of which, subject to the review of the City Attorney as to form and legality and the Board of Recreation and Park Commissioners (Board), will allow:
 - 1) The DRP to receive compensation from the CRA, in an aggregate amount not to exceed \$5 million, for as-needed park improvement services.
 - 2) The CRA to receive compensation from the DRP, in an aggregate amount not to exceed \$5 million, for as-needed professional consultation and land acquisition services, for a term of three years from date of execution with option to renew for two additional one-year periods, and take such other actions as may be necessary to implement the Agreement.
 - b. Amend the CRA Budget and Work Program, the fiscal years in which the above Agreement is executed, to recognize the receipt of funds from the DRP to the CRA in an aggregate amount not to exceed \$5 million.
 - c. Request the Board to authorize the General Manager, DRP, or designee, to:
 - 1) Execute the proposed Agreement with the CRA, in an aggregate amount not to exceed \$10 million, for a term of three years from the date of execution with option to renew for two additional one-year periods, subject to the review of the City Attorney as to form and legality.
 - 2) Take such other actions as may be necessary to implement the Agreement.
2. AUTHORIZE the Controller to accept funds in an aggregate amount not to exceed \$5 million from the CRA, deposit the funds and appropriate as necessary into DRP Fund 205/88 for direct expenditures that are consistent with this action, into various accounts and in amounts to be identified by the DRP, subject to the approval of the Board and the City Administrative Officer (CAO).
3. AUTHORIZE the CAO to:
 - a. Prepare Controller instructions and/or make any technical adjustments to transfer funds from the DRP to the CRA, pursuant to the terms of the Agreement, in an aggregate amount not to exceed \$5 million, for as-needed professional consultation and land acquisition related services related to the coordination of future public park development in various CRA redevelopment project areas (RPAs), subject to:
 - 1) The availability of funds in DRP Fund 205/88.
 - 2) The review and approval of the Board for the expenditure of funds.

3) The approval of the CAO for all transactions that are required by this action.

b. Authorize the Controller to implement these instructions.

Fiscal Impact Statement: The CAO reports that there is no impact on the General Fund. Approval of the recommendations will result in: 1) Compensation by the CRA, in an aggregate amount not to exceed \$5 million, to the DRP for as-needed services performed for various open space, recreation, and parks projects over a period of up to five years; and, 2) compensation by the DRP, in an aggregate amount not to exceed \$5 million, to the CRA over a period of up to five years for the CRA's provision of as-needed professional consultation and land acquisition services. The sources of funds from the CRA include, but are not limited to, tax increment, bond proceeds, and grant sources depending on the RPA served. The City's Financial Policies are not applicable to the CRA. The CRA is only bound by the disclosure provisions of the City's Debt Management Policies. The recommendations are in compliance with the City's Financial Policies in that a one-time expenditure of a General Fund department will be an adjunct to a one-time source of funds to include, but are not limited to, Propositions K, A, 12, and 40 funds, various Federal and State sources, grants, and private donations.

Community Impact Statement: None submitted.

ITEM NO. (51) - ADOPTED

Roll Call #22 - Motion (Perry - Koretz) Adopted, Ayes (10); Absent: Parks, Reyes, Smith and President Garcetti (4)

[09-1524](#)

COMMUNICATION FROM CHAIR and MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE, relative to a \$5.25 million Loan Agreement (Agreement) with Normandie Terrace Partners, LP (Developer), for the Normandie Terrace Affordable Housing Project (Project) located at 538-48 South Normandie Avenue and 541-49 South Mariposa Avenue.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to:

- a. Not sooner than 30 days after approval of the Housing Plan, negotiate and execute an Agreement with the Developer and all ancillary documents for the Project, in an amount not to exceed \$5.25 million, and to take such other actions as may be necessary to carry out the Agreement, including the execution of an intercreditor agreement, if any, with other lenders.
- b. Amend the Fiscal Year (FY) 09 Budget and Work Program to transfer \$500,000 of tax increment funds from budgeted line item "Development Opportunities" to "Affordable Housing", subject to Council and CRA Board of Commissioners approval of the FY 2009-10 CRA Budget.
- c. Waive the CRA's Housing Policy with respect to the requirement that at most 30 percent of the units in the proposed Project have 0 or 1 bedroom.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no impact to the General Fund as a result of this action. The source of funds is Wilshire Center/Koreatown Housing funds and tax increment.

Community Impact Statement: None submitted.

**Roll Call #7 - Motion (Smith - Zine) Adopted, Ayes (12); Absent: Cárdenas and Parks (2)
(Item Nos. 52-53)**

ITEM NO. (52) - ADOPTED

[09-1765](#)

COMMUNICATION FROM THE EXECUTIVE EMPLOYEE RELATIONS COMMITTEE (EERC) relative to the salary for interim General Manager, Los Angeles Housing Department (LAHD).

Recommendation for Council action

RESOLVE that the salary rate of pay for the position of interim General Manager, LAHD, effective July 1, 2009, shall BE ESTABLISHED, as recommended by the Mayor and approved by the EERC at its meeting on July 14, 2009.

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

ITEM NO. (53) - ADOPTED

[09-1766](#)

COMMUNICATION FROM THE EXECUTIVE EMPLOYEE RELATIONS COMMITTEE (EERC) relative to the salary for interim General Manager, Animal Services Department.

Recommendation for Council action:

RESOLVE that the salary rate of pay for the position of interim General Manager, Animal Services Department, effective July 1, 2009, shall BE ESTABLISHED, as recommended by the Mayor and approved by the EERC at its meeting on July 14, 2009.

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

ITEM NO. (54) - OVER ONE WEEK TO JULY 29, 2009, AS AMENDED - SEE FOLLOWING

Roll Call #19 - Motion (Smith - Wesson) Laid Over One Week, As Amended, Ayes (13); Absent: Parks (1)

[09-1257](#)

CONSIDERATION OF MOTION (SMITH - WESSON - PERRY) relative to an amendment to Rule 12 of the Rules of the City Council regarding decorum.

Recommendation for Council action:

DELETE subsections b., c., and d. of Rule 12 of the Rules of the City Council and in lieu thereof, ADOPT the following new subsections b. and c.:

- b. Enforcement of Decorum. At the discretion of the Presiding Officer or upon a majority vote of the Council, the Presiding Officer may order removed from the Council Chamber any person who fails to observe these rules of decorum, including committing any of the following acts of disruptive conduct in respect to a regular, adjourned regular or special meeting of the City Council:

Disorderly, contemptuous or insolent behavior toward the Council or any member thereof, tending to interrupt the due and orderly course of said meeting;

A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting;

Disobedience of any lawful order of the Presiding Officer, which shall include an order to be seated or to refrain from addressing the Council; and

Any other unlawful interference with the due and orderly course of said meeting; and

Any person so removed shall be excluded from further attendance at the meeting from which he/she has been removed, unless permission to attend is granted upon motion adopted by a majority vote of the Council, and such exclusion shall be executed by the Sergeant-at-Arms upon being so directed by the Presiding Officer. These enforcement provisions are in addition to the authority held by the sergeant-at-arms to maintain order pursuant to Rule 80 and pursuant to his or her lawful authority as a peace officer.

- c. Penalties. Any person who has been ordered removed from a meeting may be charged with a violation of Penal Code Section 403, or other appropriate Penal Code or Los Angeles Municipal Code sections. In addition, any person so removed on the basis of disruptive conduct described above may not be allowed to address the Council for up to a maximum of thirty (30) meeting days of the Council during which the Council has convened in regular session. The period of prohibition from addressing the Council will be determined by the Presiding Officer, or the Council upon a vote, based on the number and severity of prior incidents of disruptive conduct.

Community Impact Statement: None submitted.

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

(Pursuant to Council Rule 77, each proposed Rule amendment shall be presented to the Council and laid over one week before it can be adopted.)

10 VOTES REQUIRED

AMENDING MOTION (GARCETTI - WESSON)

Recommendation for Council action:

APPROVE the following recommendation of the City Attorney:

12. Rules of Decorum:

- a. **Rules of Decorum.** During a meeting of the Los Angeles City Council, there is the need for civility and expedition in the carrying out of public business in order to ensure that the public has a full opportunity to be heard and that the Council has an opportunity for its deliberative process. While any meeting of the City Council is in session, the following rules of decorum shall be observed. All remarks shall be addressed to the Council as a whole and not to any single member, unless in response to a question from a member. Persons addressing the Council shall not make personal, impertinent, unduly repetitive, slanderous or profane remarks to the Council, any member of the Council, staff or general public, nor utter loud, threatening, personal or abusive language, nor engage in any other disorderly conduct that disrupts, disturbs or otherwise impedes the orderly conduct of any Council meeting. No person in the audience at a Council meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet or other acts which disturb, disrupt or otherwise impede the orderly conduct of any Council meeting. While in the Council Chamber, members of the public shall not: engage in disorderly, contemptuous or insolent behavior toward the Council or any member thereof, tending to interrupt the due and orderly course of said meeting; engage in a breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting; disobey any lawful order of the Presiding Officer, which shall include an order to be seated or to refrain from addressing the Council; engage in any other unlawful interference with the due and orderly course of said meeting. Signs, placards, banners, or similar items shall not be permitted at any time in the Council Chamber. Unless addressing the Council or entering or leaving the Council Chamber, all persons in the audience shall remain sitting in the seats provided. No person shall stand or sit in the center aisle, nor shall the doorways be blocked. The Presiding Officer of the Council, with the assistance of the sergeant-at-arms, shall be responsible for maintaining the order and decorum of meetings, as set forth more fully below.
- b. **Enforcement of Decorum.** At the discretion of the Presiding Officer or upon a majority vote of the Council, the Presiding Officer may order removed from the Council Chamber any person who fails to observe these rules of decorum, including committing any of the acts of disruptive conduct described above in subsection a., in respect to a regular, adjourned regular or special meeting of the City Council.

Any person so removed shall be excluded from further attendance at the meeting from which he/she has been removed, unless permission to attend is granted upon motion adopted by a majority vote of the Council, and such exclusion shall be executed by the Sergeant-at-Arms upon being so directed by the Presiding Officer. These enforcement provisions are in addition to the authority held by the sergeant-at-arms to maintain order pursuant to Rule 80 and pursuant to his or her lawful authority as a peace officer.

- c. **Penalties.** Any person who has been ordered removed from a meeting may be charged with a violation of Penal Code Section 403, or other appropriate Penal Code or Los Angeles Municipal Code sections. In addition, any person so removed on the basis of disruptive conduct described above in subsection a., may not be allowed to address the Council for up to a maximum of thirty (30) meeting days of the Council

during which the Council has convened in regular session. The period of prohibition from addressing the Council will be determined by the Presiding Officer, or the Council upon a vote, based on the number and severity of prior incidents of disruptive conduct.

ITEM NO. (55) - ADOPTED

Roll Call #23 - Motion (LaBonge - Koretz) Adopted, Ayes (10); Absent: Cárdenas, Parks, Reyes and Smith (4)

[09-1756](#)

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:

[09-1756](#)

CD 13

- a. MOTION (GARCETTI - ZINE) relative to declaring The Mutant Ninja Turtles event on July 18, 2009 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).

[09-1757](#)

CD 13

- b. MOTION (GARCETTI - ZINE) relative to declaring the Red Bull X Event on July 28, 2009 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).

[09-1758](#)

CD 9

- c. MOTION (PERRY - PARKS) relative to declaring the National Night Out on August 4, 2009 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).

[09-1760](#)

CD 4

- d. MOTION (LABONGE - GARCETTI) relative to declaring the Grand Opening of the Alexandria House Apartments on August 27, 2009 a Special Event (fees and costs absorbed by the Council District Four).

ITEM NO. (56) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #24 - Motion (Garcetti - Zine) Adopted, Ayes (11); Absent: Parks, Reyes and Smith (3)

[09-0011-S41](#)

CD 13

MOTION (GARCETTI - ZINE) relative to a personal services contract with Kelli Bernard to provide services to the 13th Council District.

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

1. INSTRUCT the Bureau of Street Services (BOSS) to prepare a Personal Services Contract, agreement or other necessary contractual document with Kelli Bernard for consultant services associated with land-use issues, for the period of August 1, 2009 to July 31, 2010, subject to the approval of the City Attorney as to form and legality. Said Personal Services Contract, agreement or other necessary contractual document shall include, but not be limited to, the following: A description of the work to be performed, the estimated completion date, and an advance payment provision, as appropriate.
2. AUTHORIZE the Councilmember of the 13th Council District to enter into and execute a Personal Services Contract, agreement or other necessary contractual document with Kelli Bernard, for an amount not to exceed \$70,000, for the above work to be performed.
3. AUTHORIZE the Board of Public Works, Office of Accounting and the City Controller, as appropriate, to transfer up to \$70,000 from the Council District 13 Portion of the Street Furniture Revenue Fund No. 43D/50, to Fund No. 100/28 (Council), Account No. 3040 (Contractual Services), for the above-specified Personal Services Contract, agreement or other necessary contractual document between Council District 13 and Kelli Bernard.
4. INSTRUCT the BOSS to ensure that Kelli Bernard submits invoices to the Board of Public Works, Office of Accounting, of the actual expenditures for consultant services associated with land-use issues, along with a detailed accounting of the actual expenditures, and return any unspent funds within 30 days of completion of this project.
5. AUTHORIZE the Chief Legislative Analyst, or designee, to make technical corrections or clarifications as may be necessary to implement the intent of this Motion.

**Roll Call #7 - Motion (Smith - Zine) Adopted, Ayes (12); Absent: Cárdenas and Parks (2)
(Item Nos. 57-59)**

ITEM NO. (57) - ADOPTED

[09-0010-S2](#)

MOTION (PERRY - PARKS) relative to reinstating the reward offer in the death of Denise Gonzalez for an additional six months.

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

REAFFIRM Council's findings and REINSTATE the reward offer relative to the death of Denise Gonzalez (Council action of January 7, 2009, Council file No. 09-0010-S2) for an additional period of six months from the publication of the offer of reward by the Office of the City Clerk and, further, that the sum of \$50,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.

ITEM NO. (58) - ADOPTED

[09-0011-S42](#)

CD 11

MOTION (ROSENDAHL - PERRY) relative to installing street banners identifying the West Los Angeles community, the West Los Angeles Farmers' Market and the West Los Angeles Summer Concert Series all taking place at the Civic Center Plaza of the municipal building at 1645 Corinth Avenue, Los Angeles.

Recommendations for Council action:

1. APPROVE the street banner program, in accordance with the Los Angeles Municipal Code Section 62.132 identifying the West Los Angeles community, the West Los Angeles Farmers' Market and the West Los Angeles Summer Concert Series, as a "City of Los Angeles Non-Event" Banner Program.
2. AUTHORIZE the Board of Public Works, Office of Accounting, to TRANSFER \$4,500 from the Council District 11 portion of the Street Furniture Revenue Fund No. 43D/50 to Council District 11 General City Purposes Fund No. 100/56, Account No. 0711 (CD 11 Community Services) to provide funding for any aspect of the effort to create and install these Street Banners, as attached.
3. AUTHORIZE the Chief Legislative Analyst or designee to make technical corrections or clarifications as may be necessary to implement the intent of this Motion.

ITEM NO. (59) - ADOPTED

[07-1342-S8](#)

CD 1

MOTION (REYES - GARCETTI) relative to amending Council action of July 15, 2009 in connection with revisions to the Project Management Plan (PMP) for the U.S. Army Corps of Engineers' (Corps) Los Angeles River Ecosystem Restoration Feasibility Study (Study).

Recommendations for Council action:

1. AMEND Recommendation No. 2 of the Ad Hoc River Committee report dated July 8, 2009, in Council file No. 07-1342-S8) to direct the City Engineer to negotiate and execute a revised PMP with the Corps to revise the total PMP Study cost from \$7.3 million to a cost not to exceed \$9.71 million. The revised PMP will also require a cash contribution to the Corps of \$130,000.
2. AMEND the Ad Hoc River Committee report to additionally instruct the City Administrative Officer, as part of its process in identifying funding for the \$130,000 contribution, to work with the County of Los Angeles, which has indicated that it may be able to provide the \$130,000 to the City for the Study.

ITEM NO. (60) - CONTINUED TO JULY 24, 2009

Roll Call #6 - Motion (Reyes - LaBonge) Adopted to Continue, Unanimous Vote (12); Absent: Cárdenas and Parks (2)

[09-1759](#)

CD 1

MOTION (REYES - LABONGE) relative to temporary parking restrictions for the summer swim program at West Adams Preparatory High School which is uniquely located to serve residents from Council Districts One, Eight, Nine and 10.

Recommendation for Council action:

DIRECT the Los Angeles Department of Transportation to post the appropriate temporary "No Parking" from 10:00 a.m. to 6:00 p.m. signs on the east side of Vermont Avenue, between the Santa Monica Freeway and Washington Boulevard, effective upon the adoption of this Motion through September 1, 2009 in order to facilitate the operations of the summer swim program at the West Adams Preparatory High School.

ITEM NO. (61) - CONTINUED TO JULY 24, 2009

**Roll Call #10 - Motion (LaBonge - Garcetti) Adopted to Continue, Unanimous Vote (13);
Absent: Parks (1)**

[09-0369-S7](#)

MOTION (LABONGE - GARCETTI) relative to amending the Emergency Water Conservation Plan Ordinance in order to preserve green parkland, sports fields, golf courses and other large landscape areas.

Recommendation for Council action:

REQUEST the City Attorney to prepare and present an ordinance that will amend the Emergency Water Conservation Plan Ordinance to include the following features that would allow large landscape areas to:

- a. Irrigate large landscape areas supporting a business or public benefit use, such as parks, public and private golf courses, professional sports fields, and cemeteries, on non-watering days in order to maintain play areas and accommodate event schedules, so long and the watering activity meets any requirements set forth by the Los Angeles Department of Water and Power (LADWP), such as the use of approved weather-based irrigation controllers registered with the LADWP, reduce overall monthly water use by the LADWP Board-adopted degree of shortage and any required additional water conservation within 30 days, and use of recycled water if it is available from the LADWP.
- b. Water certain areas using hand-held hoses that are equipped with a self-closing water shut-off device between the hours of 9:00 a.m. to 4:00 p.m.
- c. Use LADWP-approved water conserving spray cleaning devices for graffiti removal.

Closed Session - Item 62

ITEM NO. (62) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION

Roll Call #27 - Motion (Zine - Perry) Adopted, Ayes (11); Absent: Parks, Reyes and Smith (3)

[08-1203](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled City of Los Angeles v. Rosen, Los Angeles Superior Court Case No. BC370711. (This is an eminent domain lawsuit brought by the City to acquire property for the new Police Headquarters Facility - Motor Transport Division and Main Street Parking Project.)

(Budget and Finance Committee considered the above matter in Closed Session on July 6, 2009.)

(Continued from Council meeting of July 17, 2009)

ADOPTED

MOTION (ZINE - PERRY)

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

- 1. AUTHORIZE the City Attorney to execute a settlement agreement and all other documents necessary to implement the settlement with the property owners for a total of \$8,200,000, and the entry of a final order of condemnation.**
- 2. AUTHORIZE and INSTRUCT the City Attorney, without further instructions, to draw the amount of \$2,475,750 payable to "Hill, Farrer and Burrill LLP Client Trust Account from the Police Headquarters Facility-Motor Transport Division and Main Street Parking Project - Building/Land Purchase Fund, Fund 298/50, Account W540.**

Items for Which Public Hearings Have Been Held - Items 64-65

ITEM NO. (64) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #18 - Motion (Garcetti - Perry) Adopted, Ayes (13); Absent: Parks (1)

[09-0510](#)

CONTINUED CONSIDERATION OF 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.

ITEM NO. (65) - ADOPTED

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

[09-1387](#)

CONTINUED CONSIDERATION OF 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 for Which Public Hearing Has Not Been Held - Item 66

(10 Votes for Consideration)

ITEM NO. (66) - SUBSTITUTE RESOLUTION ADOPTED IN LIEU OF ORIGINAL RESOLUTION - TO THE MAYOR FORTHWITH

Roll Call #26 - Motion (Koretz - Zine) to Adopt Substitute Resolution, Ayes (10); Absent: Huizar, Parks, Reyes and Smith (4)

[09-0002-S158](#)

CONTINUED CONSIDERATION OF RESOLUTION (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.

(Findings adopted on July 21, 2009)

ADOPTED

SUBSTITUTE RESOLUTION (KORETZ - GARCETTI - ZINE)

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 Metropolitan Transportation Authority (MTA) Board of Directors, within its discretionary authority, prohibit the award of any contract that fails to comply with the City of Los Angeles Resolution Council file No. 07-1784.

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

08-1389-S2

MOTION (PERRY - GARCETTI) relative to declaring the 61st Primetime Emmy Awards Presentation on September 20, 2009 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).

08-1388-S1

MOTION (PERRY - GARCETTI) relative to declaring the Creative Arts Emmy Awards Presentation on September 12, 2009 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).

08-1916-S1

MOTION (PERRY - REYES) relative to declaring the Obon Festival on July 25-26, 2009 a Special Event (fees and costs absorbed by the City = \$1,384).

09-1805

MOTION (GARCETTI - CARDENAS) relative to declaring the Dita Von Teese Event on July 22, 2009 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).

09-1156

MOTION (LABONGE - HAHN) relative to amending the May 22, 2009 Special Event declaration for the 20th Anniversary of the Fall of Berlin's Wall.

09-1816

MOTION (WESSON - KORETZ) relative to accepting the donation of a license plate reader to the Los Angeles Police Department Wilshire Division.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember Smith was excused from the Council sessions of October 16 and 20, 2009 due to personal business.

COMMENDATORY RESOLUTION ADOPTED IN HONOR OF:

[09-1668](#) - Linda Wyatt

(Hahn - All Councilmembers)

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

[09-1667](#) - T. Willard Hunter

(LaBonge)

Robert Mitchell

(LaBonge)

Martha Scott

(LaBonge)

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL