

Los Angeles City Council, **Journal/Council Proceedings**

Friday, **July 24, 2009**

John Ferraro Council Chamber, Room 340, City Hall - 10:30 am

**- - - SPECIAL COUNCIL MEETING - - -**

10:30 A.M. OR AS SOON THEREAFTER  
AS COUNCIL RECESSES ITS REGULAR MEETING

**ROLL CALL - Members present: Alarcón, Cárdenas, Hahn, Huizar, Koretz, Perry, Reyes, Rosendahl, Smith, Wesson, Zine and President Garcetti (12); Absent: LaBonge and Parks (2); Vacant: Council District Two.**

---

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

---

**Items for Which Public Hearings Have Been Held - Items 19-22**

**Roll Call #1 - Motion (Reyes - Koretz) Adopted, Ayes (12); Absent: LaBonge and Parks (2) (Item Nos. 19-20)**

**ITEM NO. (19) - ADOPTED**

[08-2841](#)

CD 2

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to General Plan Amendment and zone change within the Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon Community Plan to restore privately owned properties (portion of Subarea 10).

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

1. ADOPT the June 17, 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 to restore privately owned properties currently designated Public Facilities and Open Space to Very Low I Residential of the Public Facilities/Open Space II - General Plan/Zoning Consistency Program for Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon Community Plan (portion of Subarea 10). The subject parcels 2500-002-001, 2550-003-017, 2500-003-016 and 2529-004-012, are located in the northern portion of Subarea 10.

Applicant: City of Los Angeles

CPC 1995-0148-GPC-SA-10

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, on behalf of the City Planning Commission, to restore the A2-1-K and A1-1XL-K Zones (portion of Subarea 10). The subject parcels 2500-002-001, 2550-003-017, 2500-003-016 and 2529-004-012, are located in the northern portion of Subarea 10.
4. INSTRUCT the Planning Department to update the General Plan and appropriate maps pursuant to this action.

(Negative Declaration was adopted by Council on June 19, 1996)

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 - SEPTEMBER 7, 2009

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

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

[08-1656](#)

PUBLIC SAFETY COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to establishing a 2009-10 assessment for Fire Safety Improvements Assessment District No. 1.

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

PRESENT and ADOPT the accompanying ORDINANCE establishing assessment amounts to be levied on parcels within Fire Safety Improvements Assessment District No. 1 to provide low interest rate loans to finance the cost of retrofitting high-rise commercial buildings with fire sprinklers and other required life safety improvements.

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.

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

**Roll Call #5 - Motion (Perry - Hahn) Adopted, Ayes (12); Absent: LaBonge and Parks (2)**

[09-0648-S6](#)

COMMUNICATION FROM THE GENERAL MANAGER, COMMUNITY DEVELOPMENT DEPARTMENT relative to a revised plan for the receipt and use of a Community Development Block Grant - American Recovery and Reinvestment Act of 2009 award in the amount of \$19.3 million, new position authorities, and related actions.

(Ad Hoc Committee on Economic Recovery and Reinvestment report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided)

**ADOPTED**

**AD HOC COMMITTEE ON ECONOMIC RECOVERY AND REINVESTMENT REPORT** relative to a revised plan for the receipt and use of a Community Development Block Grant - American Recovery and Reinvestment Act of 2009 (CDBG-R ARRA) award in the amount of \$19.3 million.

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

1. **APPROVE** the recommendations of the General Manager, Community Development Department (CDD) in the report to the Mayor dated July 22, 2009 (attached to the Committee report), relative to a revised plan for the receipt and use of a CDBG-R ARRA award in the amount of \$19.3 million, new position authorities, and related actions.
2. **INSTRUCT** the CDD to include the Chief Legislative Analyst when preparing the response to the United States Department of Housing and Urban Development (HUD).

**Fiscal Impact Statement:** The CDD reports that this action will not impact the General Fund. Approval of the Department's recommendations authorizes the submittal of a revised plan to HUD for \$19.3 million in CDBG funding awarded under the federal CDBG-R ARRA. This action also provides employment authority for two new positions in the Department of Public Works, Bureau of Contract Administration to implement the First Source Hiring Program and 18 new positions in the Department of Public Works, Bureau of Street Services to implement the Sidewalk and Curb Construction (Sidewalk) Program.

The CDD goes on to report that the Sidewalk Program positions and corresponding funding, including direct salaries, expenses and fringe benefits costs, were deleted in the FY 2009-10 Budget. The original CDBG-R plan included \$2 million to pay the salaries and expenses only. The total additional indirect costs for the 18 positions based on the most recently approved Cost Allocation Plan 30 is estimated to be \$2.2 million. An additional \$542,800 in CDBG-R funds is recommended in the Department's report to pay for the fringe benefits associated with these positions to eliminate a cost that was previously identified as a "new cost" to the General Fund. The remaining \$1.7 million, representing the cost of department administration and support and central services to support these 18 positions, will not be reimbursed according to the proposed CDBG-R budget.

**Community Impact Statement:** None submitted.

**ITEM NO. (22) - ADOPTED**

**Roll Call #1 - Motion (Reyes - Koretz) Adopted, Ayes (12); Absent: LaBonge and Parks (2)**

[09-1570](#)

CD 5 & 10

**TRANSPORTATION COMMITTEE REPORT and RESOLUTION** relative to the amendment of Preferential Parking District (PPD) No. 25 to alter the current parking restrictions.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION amending PPD No. 25 to authorize the use of "2 hour parking 8 am to 6 pm Monday-Saturday; No parking all other times; Vehicles with District No. 25 permits exempt" and "1 hour parking 8 am to 6 pm Monday-Saturday; No parking all other times; Vehicles with District No. 25 permits exempt" for installation on all streets within the boundaries of PPD No. 25 if valid petitions are received by the Department of Transportation requesting the installation or requesting a switch from less restrictive restrictions currently posted.

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

Community Impact Statement: None submitted.

## **Items for Which Public Hearings Have Not Been Held - Items 23-26**

(10 Votes Required for Consideration)

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

**Roll Call #6 - Motion (Huizar - Rosendahl) Adopted, Ayes (12); Absent: LaBonge and Parks (2)**

#### [09-1674-S1](#)

COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to authorizing issuance of General Obligation Bonds, Series 2009-A and Series 2009-B and creating related Special Funds.

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

PRESENT and ADOPT the accompanying ORDINANCE relative to authorizing issuance of General Obligation Bonds, Series 2009-A and Series 2009-B and creating related Special Funds.

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.

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

**Roll Call #4 - Motion (Perry - Reyes) Adopted as Amended, Ayes (12); Absent: LaBonge and Parks (2)  
(Item Nos. 24-25)**

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

#### [07-3248-S1](#)

COMMUNICATION FROM THE BOARD OF WATER AND POWER COMMISSIONERS (Board) and ORDINANCE FIRST CONSIDERATION relative to the amendment of the Water Rates Ordinance by modifying General Provision R, Shortage Year Rates and Second Tier Rates; instituting a hardship exemption process that includes registered horses/livestock, medical needs, and for those who already have reduced their water usage as much as possible; and related matters.

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

1. CONCUR with the Board action of June 16, 2009, Resolution No. 009-299, authorizing the amendment of General Provision R, Shortage Year Rates of the Water Rates Ordinance and modifying the Second Tier water rates specified in the Ordinance to fully include water procurement costs in the rates to encourage conservation on a year-round basis and stabilize the Second Tier base rates.

**MOTION (PERRY - REYES)**

2. **INSTRUCT the City Clerk to place on the Council agenda and ESTABLISH public hearing date of OCTOBER 9, 2009, pursuant to Proposition 218, for consideration of the following, SUBJECT TO THE MAYOR:**

PRESENT and ADOPT the accompanying ORDINANCE approving the amendment of rates previously fixed by the Los Angeles Department of Water and Power (LADWP) and charged for water distributed and for service supplied by the LADWP to its customers by amending Ordinance No. 170435 approved by the City Council on March 22, 1995, as amended by Ordinance No. 171639, Ordinance No. 173017, Ordinance No. 175964, Ordinance No. 177968, and Ordinance No. 179802.

Fiscal Impact Statement: The LADWP reports that the fiscal impact for providing additional First Tier allotments for horses/livestock and special water consuming medical equipment is estimated to be less than \$100,000. The City's Department of Animal Services reports that approximately 1,000 horses are currently registered with the City. There is no requirement that other livestock be registered, and no data has been collected on the number of large animals that are kept by residents in the City.

Community Impact Statement: None submitted.

(Energy and Environment Committee waived consideration of the above matter)

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

[08-1557](#)

COMMUNICATION FROM THE BOARD OF WATER AND POWER COMMISSIONERS (Board) and ORDINANCE FIRST CONSIDERATION relative to amendments to the Emergency Water Conservation Ordinance to augment and clarify prohibited uses of water, provide an alternate compliance method for large landscape customers, and authorize the Los Angeles Department of Water and Power (LADWP) to establish a variance process for hardship circumstances.

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

1. CONCUR with the Board action of July 21, 2009, Resolution No. 010-042, proposing amendments to the Emergency Water Conservation Ordinance to augment and clarify prohibited uses of water, provide an alternate compliance method for large landscape customers, and authorize the LADWP to establish a variance process for hardship circumstances.
2. PRESENT and ADOPT the accompanying ORDINANCE amending Chapter XII, Article I of the Los Angeles Municipal Code to clarify prohibited uses and modify certain water conservation requirements of the Water Conservation Plan of the City of Los Angeles.

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

Community Impact Statement: None submitted.

(Energy and Environment Committee waived consideration of the above matter)

## ADOPTED

### MOTION (HAHN - ROSENDAHL)

#### Recommendation for Council action:

**REQUEST the City Attorney to prepare and present an Ordinance within 30 days to amend Section 121.07B of the Emergency Water Conservation Ordinance to include language, substantially similar to, in bold italics:**

**"The Mayor shall, in turn, independently evaluate such recommendation and notify the Council of the Mayor's determination as to the particular phase of the water conservation, Phase I through Phase VI, that should be implemented *within 30 days*. Thereafter, the Mayor may, with the concurrence of the Council, order that the appropriate phase of water conservation be implemented in accordance with the applicable provisions of this article. *If the Mayor does not act within 30 days, the Department's recommendation shall be submitted to the Council for its consideration.* Said order shall be made by public proclamation and shall be published...."**

**Roll Call #2 - Motion (Rosendahl - Perry) Adopted, Ayes (12); Absent: LaBonge and Parks (2)  
(Item Nos. 26a-b)**

### ITEM NO. (26) - MAP AND BOND APPROVED - CITY ENGINEER REPORT ADOPTED

[09-1779](#)

et al. FINAL MAPS in the various Council Districts.

#### Recommendation for Council action:

APPROVE the Final Maps and ADOPT the City Engineer Reports as detailed in the various listed Council files, including bonds, agreements, contracts and other related issues as specified:

[09-1779](#)

CD 11

- a. FINAL MAP OF TRACT NO. 62129 for property located at 4080-92 South Glencoe Avenue lying easterly of Glencoe Avenue and southerly of Beach Avenue.  
(Quimby Fee: \$282,600)  
Applicants: Craig Wald  
Paul Plotkin and William Cook  
Harvey A. Goodman

- b. FINAL MAP OF TRACT NO. 63963 for property located at 1331 Amherst Avenue and 12207 Rochester Avenue, lying westerly of Amherst Avenue and northerly of Rochester Avenue. (Approve Subdivision Improvement Agreement and Contract with attached security documents)  
(Bond No. C-115626)  
(Quimby Fee: \$112,000)  
Applicants: Wiseman Development  
Jack Little Co.

**Councilmember Perry moved, seconded by Councilmember Koretz, that the Special Council meeting adjourn.**

**Ayes, Alarcón, Cárdenas, Hahn, Huizar, Koretz, Perry, Reyes, Rosendahl, Smith, Wesson, Zine and President Garcetti (12); Absent: LaBonge and Parks, (2); Vacant: Council District Two.**

**Whereupon the Special Council meeting did adjourn.**

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL