

Los Angeles City Council, **Journal/Council Proceedings**  
Friday, **July 31, 2009**  
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
JULY 28, 2009

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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

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

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## **Item Noticed for Public Hearing - Item 1**

**ITEM NO. (1) - CONTINUED TO AUGUST 4, 2009**

**Roll Call #5 - Motion (Cárdenas - Reyes) Adopted to Continue, Unanimous Vote (11); Absent: LaBonge, Rosendahl and President Garcetti (3)**

[09-0600-S50](#)

CONTINUED CONSIDERATION OF GENERAL EXEMPTION, COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to amending Sections 12.26, 19.01, 19.02, 19.03, 19.05, 19.06, 19.10 and adding Sections 19.16 and 19.17 to the Los Angeles Municipal Code (LAMC) relating to application fees for planning approvals.

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

1. FIND that this action is Generally Exempt from the California Environmental Quality Act (CEQA), pursuant to Article II, Section 2(m) of the City's CEQA Guidelines, because it can be seen with reasonable certainty that adoption of the Ordinance will not cause a physical change that would constitute a significant effect on the environment.

2. PRESENT and ADOPT the accompanying ORDINANCE relative to amending Sections 12.26, 19.01, 19.02, 19.03, 19.05, 19.06, 19.10 and adding Sections 19.16 and 19.17 to the LAMC relating to application fees for planning approvals.

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.

(Continued from Council meeting of June 30, 2009)

## Items for Which Public Hearings Have Been Held - Items 2-6

**Roll Call #2 - Motion (Wesson - Hahn) Adopted, Ayes (12); Absent: LaBonge and Rosendahl (2)  
(Item Nos. 2-6)**

### ITEM NO. (2) - ADOPTED

[09-0876](#)

CDs 8, 9 & 10

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to awarding a \$50,000 consulting contract to Emerging Markets, Inc. (EMI), for the development of a strategic plan for marketing and implementation of the South Los Angeles Food Retailers Incentive Program (Program).

Recommendations for Council action:

1. AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to execute a sole source contract with EMI in an amount not to exceed \$50,000 for a term of one year from the date of execution for consulting services related to the development of a strategic plan for the Program for the CRA's Downtown, South Los Angeles, and Hollywood and Central regions, subject to the review of the City Attorney as to form and legality and the Department of Public Works, Bureau of Contract Administration, for compliance with any applicable CRA contracting requirements.
2. INSTRUCT the CRA to disclose which Redevelopment Project Areas (RPAs) will contribute to the \$50,000 of administrative operating funds, as well as how much each RPA will contribute.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the General Fund. 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. Approval of the recommendation will result in the expenditure of an amount not to exceed \$50,000 from a combination of administrative operating funds from the CRA's Downtown and South Los Angeles regions for the provision of consulting services for the Program.

Community Impact Statement: None submitted.

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

**ITEM NO. (3) - ADOPTED**

[08-1647-S1](#)

CD 7

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to allowing for the use of Community Redevelopment Agency (CRA) funds, in the amount of \$360,000, to purchase and install security cameras in and around the Earthquake Disaster Assistance Project for Portions of Council District Seven Redevelopment Project Area.

Recommendation for Council action, pursuant to Motion (Alarcón - Cárdenas), SUBJECT TO THE APPROVAL OF THE MAYOR:

AUTHORIZE the Controller to:

- a. Accept funds, in an amount not to exceed \$360,000, from the CRA.
- b. Deposit the funds into the Los Angeles Police Department (LAPD) Fund 100/70, Revenue Source 3734 entitled Revenue from Other Agencies.
- c. Appropriate the subject amount in LAPD Fund 100/70, Account 3040, Contractual Services.

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.

(Public Safety Committee waived consideration of the above matter)

**ITEM NO. (4) - ADOPTED**

[09-1522](#)

CD 6

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to executing a Predevelopment and Construction and Permanent Loan Agreement (Loan), in an amount not to exceed \$3.8 million, with Montecito Owners, LP, and Willow Owners, LP (collectively as Developer), for the Montecito Terraces Affordable Senior Housing Project (Project) located at 14653-61 and 14726-28 Blythe Street.

Recommendation for Council action:

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

- a. Execute a Loan with the Developer, in an amount not to exceed \$3.8 million, for development of the Project in the Earthquake Disaster Assistance Project Area for Portions of Council District (CD7RPA), identified as Los Angeles County Assessor's Parcel Nos. 2210-020-002, 2210-020-003, and 2210-020-029, subject to the review of the City Attorney as to form and legality.

- b. Take other such actions as may be necessary to carry out tasks set forth in the Loan, not sooner than 30 days after the approval of the Replacement Housing and Relocation Plan for the Project, 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 certain CRA contracting requirements.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the General Fund. 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. Approval of the recommendation will result in the expenditure of an amount not to exceed \$3.8 million of tax increment funds from the CRA CD7RPA for the development of affordable senior housing.

Community Impact Statement: None submitted.

## **ITEM NO. (5) - ADOPTED**

[09-1738](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the hazards of swimming pools in abandoned foreclosed properties.

Recommendation for Council action, pursuant to Motion (Cárdenas - Smith):

INSTRUCT the Department of Building and Safety, with the assistance of the Los Angeles Housing Department, the City Attorney, and other pertinent departments to report back within 10 days relative to:

- a. The current process of declaring swimming pools in abandoned foreclosed properties an eminent hazard, including but not limited to the number of hazardous pools, response time(s), and enforcement mechanisms.
- b. The current outreach and education efforts the City has implemented, including but not limited to the feasibility of establishing a public awareness campaign that should include public service announcements.

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. (6) - ADOPTED**

[08-2854](#)

COMMUNICATION FROM CHAIR and MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE, and BUDGET AND FINANCE COMMITTEE REPORT relative to the implementation of the South Los Angeles (SLA) Five-Year Strategic Plan.

Recommendations for Council action, as initiated by Motion (Perry - Rosendahl):

1. INSTRUCT the Department of Public Works to:
  - a. Act as the lead agency in implementing the SLA Five-Year Strategic Plan for the City including but not limited to coordinating Citywide efforts among departments and other stakeholders in developing positive behaviors toward devotion to the community; and, developing teamwork and collaboration opportunities and leadership skills in order to focus its collective energy to achieve a future that aligns all the initiatives of this Strategic Plan and its associated programs and projects.
  - b. Foster and form public-private partnerships.
  - c. Engage in community outreach.
  - d. Develop and implement communication strategies.
  - e. Identify and secure public and private resources, financial and otherwise, through fundraising efforts.
  - f. Report periodically to Council with any donations that have been offered for this purpose so that they may be officially accepted by the City.
2. AUTHORIZE the Public Works Committee Chair or the Board of Public Works Commissioner designated as the SLA Advocate to accept donations of \$20,000 or less on behalf of the City for the SLA Five-Year Strategic Plan, deposit them in the Public Works Trust Fund (PWTF), Fund 834, and expend such donations for this Strategic Plan, associated programs, and 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.

(Public Works Committee waived consideration of the above matter.)

## **Items for Which Public Hearings Have Not Been Held - Items 7-23**

(10 Votes Required for Consideration)

### **ITEM NO. (7) - NO ACTION TAKEN**

**Roll Call #9 - Motion (Koretz - Perry) No Action Taken, Ayes (11); Absent: LaBonge, Rosendahl and President Garcetti (3)**

[09-0648](#)

CONSIDERATION OF AND AUTHORITY TO submit potential grant applications in order to meet deadlines established by the Federal Government to secure American Recovery and Reinvestment Act of 2009 funding for the City of Los Angeles, and related discussions.

(Pursuant to Council action of April 7, 2009)

**Roll Call #10 - Motion (Smith - Alarcon) Adopted, Ayes (11); Absent: LaBonge, Rosendahl and President Garcetti (3)  
(Item Nos. 8a-8e)**

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

[09-0005-S453](#)

et al. RESOLUTIONS relative to removing various properties from the Rent Escrow Account Program.

Recommendation for Council action:

ADOPT the accompanying RESOLUTIONS removing the following properties from the Rent Escrow Account Program (REAP), inasmuch as the owner(s) have corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department (LAHD), Code Enforcement Unit, habitability citations, pursuant to Ordinance 173810, and ADOPT the Findings contained in the LAHD's report of July 24, 2009:

[09-0005-S453](#)

CD 1

- a. Property at 1111 South Elden Avenue (Case No. 221222).  
Assessor I.D. No. 5076-011-016

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 19, 2009)

[09-0005-S454](#)

CD 13

- b. Property at 1553 North Micheltorena Street (Case No. 226619).  
Assessor I.D. No. 5429-025-003

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 30, 2009)

[09-0005-S455](#)

CD 4

- c. Property at 1710 North Camino Palmero (Case No. 227874).  
Assessor I.D. No. 5550-001-028

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 28, 2009)

[09-0005-S456](#)

CD 14

- d. Property at 2633 East Pennsylvania Avenue (Case No. 209497).  
Assessor I.D. No. 5180-010-027

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 26, 2009)

[09-0005-S457](#)

CD 8

- e. Property at 7321 South Figueroa Street (Case No. 231992).  
Assessor I.D. No. 6020-025-016

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 14, 2009)

**ITEM NO. (9) - CONTINUED TO AUGUST 4, 2009**

**Roll Call #5 - Motion (Cardenas - Reyes) Adopted to Continue, Unanimous Vote (11); Absent: LaBonge, Rosendahl and President Garcetti (3)**

[09-0969](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM VICE-CHAIR and MEMBER, BUDGET AND FINANCE COMMITTEE and CHAIR, PLANNING AND LAND USE MANAGEMENT COMMITTEE relative to the Department of City Planning's comprehensive fee study results and recommendations.

SUBMITS WITHOUT RECOMMENDATION the following recommendations of the Department of City Planning relative to the Department's comprehensive fee study:

1. APPROVE amending the Los Angeles Municipal Code (LAMC) Sections 19.01 through 19.12 to revise fees to more accurately represent the cost of providing planning and land use services and achieve full cost recovery, as outlined in the attached fee schedule (Attachment A).
2. ESTABLISH a Department of City Planning Enterprise Fund by amending Sections 5.400, 5.484, and 19.13 of the LAMC.

Fiscal Impact Statement: The Department of City Planning (DCP) reports that the recommended changes to the DCP fee schedule have the potential to increase City revenues by \$7 to \$8 million annually. The Department's case processing functions will become fully cost recoverable and reduce the burden to the General Fund by this same amount.

Community Impact Statement: None submitted.

(Continued from Council meeting of June 30, 2009)

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

**Roll Call #3 - Motion (Hahn - Parks) Adopted, Ayes (11); Absent: LaBonge, Rosendahl and President Garcetti (3)**

[08-2452-S1](#)

COMMUNICATION FROM THE MAYOR and THE CITY ADMINISTRATIVE OFFICER relative to acceptance of Fiscal Year (FY) 2008 Byrne Memorial Congressionally Mandated Award for the Boyle Heights/Hollenbeck Gang Reduction and Youth Development (GRYD) zone.

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

1. AUTHORIZE the Mayor, or designee, to accept the \$894,348 FY 2008 Edward Byrne Memorial Congressionally Mandated Award Program Grant from the US Department of Justice, Office of Juvenile Justice and Delinquency Prevention for the period effective September 1, 2008 through February 28, 2011.
2. AUTHORIZE the Mayor, or designee, to negotiate and execute the grant award agreement and submit any other necessary agreements and documents relative to the grant award, subject to the approval of the City Attorney as to form and legality.
3. APPROVE the FY 2008 Congressionally Mandated Award Program - Boyle Heights/Hollenbeck GRYD budget and AUTHORIZE the Mayor's Office to expend the grant award in accordance with the approved budget.

4. AUTHORIZE the Controller to:

- a. Establish a new fund entitled FY 2008 Congressionally Mandated Award Program - Boyle Heights/Hollenbeck GRYD (FY08 CMA Boyle Heights GRYD) Grant Fund No. XXX, Department No. 46, recognize a receivable in the amount of \$894,348, expend funds upon presentation and proper demand from the Mayor's Office and establish appropriation accounts as follows:

| <u>Account</u> | <u>Title</u>                                           | <u>Amount</u> |
|----------------|--------------------------------------------------------|---------------|
| F146           | Salaries Mayor - GRYD, Homeland Security Public Safety | \$54,996      |
| F603           | Supplies                                               | \$1,852       |
| F605           | Travel                                                 | \$2,500       |
| F607           | Other (Community events, marketing materials)          | \$5,000       |
| F609           | Contractual Services - Intervention                    | \$830,000     |

- b. Appropriate and transfer up to \$54,996 from the FY 08 CMA Program - Boyle Heights GRYD Grant Fund No. XXX, Department No. 46, Account No. F146 (Salaries - Mayor) to the Mayor's Office Salaries Grant Reimbursed and Related Costs accounts upon submission of proper documentation from the Mayor's Office as follows:

| <u>Fund/Department No.</u> | <u>Account</u> | <u>Title</u>                | <u>Amount</u> |
|----------------------------|----------------|-----------------------------|---------------|
| 100/46                     | 1020           | Salaries Grant Reimbursed   | \$39,969      |
| 100/46                     | 4681           | Related Costs Reimbursement | \$15,027      |

5. AUTHORIZE the Mayor's Office to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer (CAO), and AUTHORIZE the Controller to implement the instructions.



Fiscal Impact Statement: The CAO reports that there is no additional impact on the General Fund. Acceptance of the \$894,348 CMA Award from the US Department of Justice will provide funds to support the City's efforts to reduce gang involvement for youth in the Boyle Heights/Hollenbeck GRYD Zone. No matching funds are required. However, the grant term is for a 29-month period and costs will be expended over the entire grant period. Grant monies are provided on a reimbursement basis; therefore the Mayor's Office will provide front funding for the program. Approximately \$657,549 in FY 2008-09 budgeted funds and \$842,908 in FY 2009-10 are required to cover costs not paid by the grant. The CAO notes that the recommendations are in compliance with City Financial Policies in that grant revenues plus budgeted City funds are available to support the cost of the program for FYs 2008-09 and 2009-10.

Community Impact Statement: None submitted.

(Ad Hoc Committee on Gang Violence and Youth Development waived consideration of the above matter)

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

**Roll Call #11 - Motion (Zine - Parks) Adopted, Ayes (11); Absent: LaBonge, Rosendahl and President Garcetti (3)**

[09-1723](#)

CD 13

COMMUNICATION FROM THE CITY ENGINEER relative to the installation of the name of George Hamilton on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of George Hamilton on the Hollywood Walk of Fame at 7021 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

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

**Roll Call #12 - Motion (Cardenas - Alárcon) Adopted, Ayes (11); Absent: LaBonge, Rosendahl and President Garcetti (3)**

[09-1870](#)

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:

## SUBSTITUTE MOTION ADOPTED

**SUBSTITUTE MOTION (PERRY - PARKS) relative to declaring the Restaurant Show on October 3, 2009 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).**

[09-1870](#)

CD 9

- a. MOTION (PERRY - GARCETTI) relative to declaring the Restaurant Show on October 4, 2009 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).

[09-1869](#)

CD 9

- b. MOTION (PERRY - GARCETTI) relative to declaring the 2009 Memory Walk on November 1, 2009 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).

[09-1868](#)

CD 5

- c. MOTION (KORETZ - HAHN) relative to declaring the 2500 Block of Kelton Avenue Block Party on July 25, 2009 a Special Event (fees and costs absorbed by the City = \$1,188).

[09-1867](#)

CD 1

- d. MOTION (REYES - PERRY) relative to declaring the Rampart National Night Out on August 4, 2009 a Special Event (fees and costs absorbed by the City = \$3,000).

[09-1734-S1](#)

CD 11

- e. MOTION (ROSENDAHL - PERRY) relative to declaring the Westside Family YMCA Bus Loading and Unloading on August 1, 2009 a Special Event (fees and costs absorbed by the City = \$1,642).

[07-0803-S2](#)

CD 11

- f. MOTION (ROSENDAHL - PERRY) relative to declaring the Mar Vista Farmers' Market on every Sunday from August 2, 2009 to August 31, 2009 a Special Event (fees and costs absorbed by the City = \$6,709).

[08-1644-S1](#)

CD 11

- g. MOTION (ROSENDAHL - PERRY) relative to declaring the Free to Breathe 5K Run/Walk on August 2, 2009 a Special Event (fees and costs absorbed by the City = \$1,954).

[09-1866](#)

CD 11

- h. MOTION (ROSENDAHL - PERRY) relative to declaring the LAPD Pacific Area Open House on August 7, 2009 a Special Event (fees and costs absorbed by the City = \$3,458).

[09-1865](#)

CD 1

- i. MOTION (REYES - ROSENDAHL) relative to declaring the First Annual Guatemalan Community Festival on August 15-16, 2009 a Special Event (fees and costs absorbed by the City = \$5,500).

[08-0776-S3](#)

CD 1

- j. MOTION (REYES - WESSON) relative to declaring the Sidewalk Sale in Lincoln Heights on August 7-9, 2009 a Special Event (fees and costs absorbed by the City = \$4,500).

[09-1864](#)

CD 1

- k. MOTION (REYES - WESSON) relative to declaring the Feria Agustina on July 31, 2009 to August 2, 2009 a Special Event (fees and costs absorbed by the City = \$13,800).

[08-1856-S1](#)

CD 1

- l. MOTION (REYES - ROSENDAHL) relative to declaring the Guelagueta Oxaquena on August 8-9, 2009 a Special Event (fees and costs absorbed by the City = \$3,500).

[07-2401-S1](#)

CD 11

- m. MOTION (ROSENDAHL - PERRY) relative to declaring the 33rd Annual Festival of the Chariots on August 2, 2009 a Special Event (fees and costs absorbed by the City = \$2,348).

[09-1862](#)

CD 11

- n. MOTION (ROSENDAHL - REYES) relative to declaring the Walnut Avenue Block Party on August 2, 2009 a Special Event (fees and costs absorbed by the City = \$1,665).

[07-2994-S1](#)

CD 1

- o. MOTION (REYES - WESSON) relative to declaring the BJC Community Resource Fair on August 8, 2009 a Special Event (fees and costs absorbed by the City = \$1,100).

[08-1690-S1](#)

CD 4

- p. MOTION (HAHN for LABONGE - GARCETTI) relative to declaring the National Night Out on August 4, 2009 a Special Event (fees and costs absorbed by the City = \$1,957).

**Roll Call #3 - Motion (Hahn - Parks) Adopted, Ayes (11); Absent: LaBonge, Rosendahl and President Garcetti (3)  
(Item Nos. 13-14)**

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

[09-1182](#)

CD 14

- MOTION (HUIZAR - GARCETTI) relative to amending the 11th Annual Eagle Rock Music Festival Special Event declaration.

Recommendation for Council action:

AMEND the May 26, 2009 Special Event Declaration for the 11th Annual Eagle Rock Music Festival (Council file No. 09-1182), to make the following changes:

- a. Change the date of the event to Saturday, October 3, 2009
- b. Change starting time of the event from 5:00 p.m. to 4:00 p.m.
- c. Change street closure times to 10:00 a.m. October 3, 2009 until 1:00 a.m. October 4, 2009
- d. Eliminate street closure along Merton Avenue

**ITEM NO. (14) - ADOPTED**

[08-2313-S4](#)

CD 5

MOTION (KORETZ - HAHN) relative to re-affirming the Special Event declaration for the Century Park Farmers' Market.

Recommendation for Council action:

REAFFIRM the June 30, 2009 (Council file No. 08-2313-S4) Special Event declaration for the Century Park Farmers' Market and READOPT the fee waiver, street closure, departmental instructions, and other provision contained therein for an additional period ending on August 31, 2009.

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

**Roll Call #13 - Motion (Koretz - Hahn) Adopted, Ayes (11); Absent: LaBonge, Rosendahl and President Garcetti (3)**

[07-0037-S2](#)

CD 5

MOTION (KORETZ - HAHN) relative to re-affirming the Special Event declaration for the Westwood Village Certified Farmers' Market.

Recommendation for Council action:

REAFFIRM the June 30, 2009 (Council file No. 07-0037-S2) Special Event declaration for the Westwood Village Certified Farmers' Market and READOPT the fee waiver, street closure, departmental instructions, and other provision contained therein for an additional period ending on August 31, 2009.

**Roll Call #3 - Motion (Hahn - Parks) Adopted, Ayes (11); Absent: LaBonge, Rosendahl and President Garcetti (3)  
(Item Nos. 16-18)**

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

[07-1676-S1](#)

CD 5

MOTION (KORETZ - HAHN) relative to re-affirming the Special Event declaration for the Melrose Place Farmers' Market.

Recommendation for Council action:

REAFFIRM the June 30, 2009 (Council file No. 07-1676-S1) Special Event declaration for the Melrose Place Farmers' Market and READOPT the fee waiver, street closure, departmental instructions, and other provision contained therein for an additional period ending on August 31, 2009.

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

[09-0835](#)

CD 15

MOTION (HAHN - HUIZAR) relative to amending the Special Event declaration for the 21st Annual Taste in San Pedro.

Recommendation for Council action:

AMEND the April 21, 2009 Special Event declaration (Council file No. 09-0835) for the 21st Annual Taste in San Pedro to include the following street closure: Paseo Del Mar between Shepard Street and Gaffey Street.

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

[09-1153](#)

CD 15

MOTION (HAHN - HUIZAR) relative to amending the Special Event declaration for the Hot Pedro Nights event.

Recommendation for Council action:

AMEND the May 22, 2009 Special Event declaration (Council file No. 09-1153) for the Hot Pedro Nights event to include the following street closure: Fifth Street between Pacific Avenue and Mesa Avenue.

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

**Roll Call #6 - Motion (Parks - Smith) Adopted, Ayes (11); Absent: LaBonge, Rosendahl and President Garcetti (3)**

[09-0010-S44](#)

MOTION (PERRY for PARKS - HUIZAR) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the July 16, 2009 death of Thomas Eugene Pearson, Jr.

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

1. PROVIDE an offer of reward in the amount of \$50,000 for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Thomas Eugene Pearson, Jr.
2. FIND that the subject reward complies with the provisions of Chapter 12, Article 1, Division 19, of the Los Angeles Administrative Code.
3. DIRECT the City Clerk to publish the required notices and/or advertisements to effectuate this reward.

**Roll Call #3 - Motion (Hahn - Parks) Adopted, Ayes (11); Absent: LaBonge, Rosendahl and President Garcetti (3)  
(Item Nos. 20-21)**

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

[09-1863](#)

MOTION (CARDENAS - HUIZAR) relative to authorizing the Information Technology Agency (ITA) to use the City Hall Tom Bradley Room for the Kamton Joe retirement reception on August 27, 2009.

Recommendation for Council action:

AUTHORIZE the ITA to use the City Hall Tom Bradley Room on Thursday, August 27, 2009 from 3:00 p.m. to 5:00 p.m.

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

[08-2468](#)

CD 11

MOTION (ROSENDAHL - REYES) relative to amending the proposed agreement with the City of Santa Monica and the Santa Monica Community College District to provide for certain vehicular circulation modifications to and from the district's Bundy Campus.

Recommendation for Council action:

AMEND Council action of November 7, 2008 (Council file No. 08-2468) to delete the City of Santa Monica from this action and agreement inasmuch as there will now only be two parties to the agreement: the City of Los Angeles and the Santa Monica Community College District.

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

**Roll Call #14 - Motion (Reyes - Hahn) Adopted, Ayes (11); Absent: LaBonge, Rosendahl and President Garcetti (3)**

[07-0710-S1](#)

CD 11

MOTION (ROSENDAHL - REYES) relative to the November 7, 2007 Council approval of Right of Way Vacation E1401043 (Council file No. 07-0710) the vacation of Stoney Hill Road.

Recommendations for Council action:

1. REQUEST that the Bureau of Engineering approve the Vacation Conditions Nos. 6 and 7 to read as follows.
  - a. Condition No. 6, "That written notarized consents to the vacation be secured from at least 90 percent of owners adjoining the areas to be vacated."
  - b. Condition No. 7, "That if a new tract map is not filed for recordation, agreements be recorded satisfactory to the Bureau of Engineering by at least 90 percent of owners adjoining the areas to be vacated to hold the area to be vacated and all of the adjoining individual properties under the same ownership as one parcel to preclude the creation of landlocked parcels. This is to remain effective until such time as a new subdivision map is recorded over said area, a parcel map exemption is permitted, or until released by the authority of the City of Los Angeles."
2. REQUEST that the City's Advisory Agency and the Bureau of Engineering permit the revision of Private Street Map Condition Nos. 2 and 6 to read as follows:
  - a. Condition No. 2, "That at least 90 percent of the owners of the property record a covenant and agreement, stating that the current street name of Stoney Hill Road will not be changed."
  - b. Condition No. 6, "That at least 90 percent of owners of the property record a covenant and agreement stating that private ingress and egress easement over the private street area will be granted to owners of all properties currently using the public street portion of Stoney Hill Road being vacated under engineering File E1401043 for access."

**ITEM NO. (23) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED**

**Roll Call #15 - Motion (Koretz - Parks) Adopted, Ayes (11); Absent: LaBonge, Rosendahl and President Garcetti (3)**

[09-1875](#)

CD 5

FINAL MAP OF TRACT NO. 67815 for property located at 1833 Pelham Avenue, lying easterly of Pelham Avenue and southerly of Missouri Avenue.

(Approve Subdivision Improvement Agreement and Contract with attached security documents)

(ADOPT City Engineer Report)

(ADOPT Bond No. C-115630)

(Quimby Fee: \$28,000)

Applicants: Pelham West, LLC

Jack Little

**Item Noticed for Public Hearing - Item 24**

**ITEM NO. (24) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO DENY APPLICATION - SEE FOLLOWING**

**Roll Call #16 - Motion (Zine - Perry) Adopted to Deny Application, Ayes (11); Absent: LaBonge, Rosendahl and President Garcetti (3)**

[09-1351](#)

CD 3

CONTINUED CONSIDERATION OF HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for off-site consumption at Produce Plaza international market located at 18525 Sherman Way, Reseda, 91335.

Application filed by: Yousef Hamzeinejad

TIME LIMIT FILE - JULY 31, 2009

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

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

**ADOPTED**

**MOTION (ZINE - PERRY)**

**Recommendations for Council action:**

- 1. DENY the application for a finding of "Public Convenience or Necessity" to issue a new liquor license to sell beer and wine for off-site consumption to Trader Food Company, Inc. (Produce Plaza), located at 18525 Sherman Way, Reseda, California 91335, based upon the findings below.**



2. **FIND** that the "Public Convenience or Necessity" **WILL NOT** be served by issuing a license to sell beer and wine for on- or off-site consumption to Trader Food Company, Inc. (Produce Plaza), located at 18525 Sherman Way, Reseda, California 91335, inasmuch as the proposed site is located in a high crime reporting district.

**THE EVIDENCE** in the record of the administrative proceedings which supports the findings includes, but is not limited to, the following:

- a. The location of the proposed site is in a high crime reporting district, District Number 1027, and in an area where, in 2007, there were 307 recorded offenses in the district, exceeding the citywide average of 256 offenses per district. Los Angeles Police Department has stated that alcohol sales and consumption increase the rate of crime, and therefore the sale of alcoholic beverages in the area would tend to create a law enforcement problem.
  - b. There are four sensitive uses within 1000 feet of the proposed site, including an elementary school half a block north of the proposed site.
3. **INSTRUCT** the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required finding under Business and Professions Code Section 23958.4.

## **Item for Which Public Hearing Has Been Held - Item 25**

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

**Roll Call #17 - Motion (Alárcon - Smith) Adopted, Ayes (11); Absent: LaBonge, Rosendahl and President Garcetti (3)**

[09-1250](#)

CONTINUED CONSIDERATION OF HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to increasing rental protections for mobile home park tenants.

Recommendation for Council action, as initiated by Motion (Alarcón - Smith - Rosendahl):

**INSTRUCT** the Chief Legislative Analyst (CLA), with the assistance of the Los Angeles Housing Department and the City Attorney, to report back within 60 days relative to:

- a. Mobile home park rental protections in Riverside and Ventura Counties.
- b. The feasibility of changing existing City code to increase rental protections for mobile home park tenants, including a review of amending the allowable rent increase when a change of tenant occurs, as well as potential alternatives for the City to protect mobile home parks as a source of affordable housing.
- c. The identification of the State of California entity responsible for monitoring mobile home parks, the number of inspectors currently authorized, and the number of inspectors in jeopardy of being laid off as a result of State budget cuts.

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

Community Impact Statement: None submitted.

## **ITEM RECONSIDERED, ITEM NO. 37, COUNCIL FILE NO. 09-1721, FROM COUNCIL MEETING OF WEDNESDAY, JULY 29, 2009**

### **ITEM NO (37) - SUBSTITUTE MOTION ADOPTED IN LIEU OF COMMITTEE REPORT**

**Roll Call #7 - Motion (Cárdenas - Perry) to Adopt Substitute Motion, Ayes (11); Absent: LaBonge, Rosendahl and President Garcetti (3)**

#### **SUBSTITUTE MOTION (CARDENAS - PERRY)**

##### **Recommendations for Council action:**

- 1. APPROVE the Board of Water and Power Commissioners' (Board) action of July 7, 2009, Resolution No. 010-012, authorizing the execution of Lease Agreement No. 1498 with the Foundation, covering approximately 7.5 acres of Los Angeles Department of Water and Power (LADWP) property, located near the town of Lee Vining in Mono County, California, for the operation of the Mono Basin Outdoor Education Center.**
- 2. REQUEST that the Board instruct the LADWP to explore the feasibility of providing matching funds for the purpose of increasing capacity and expanding the program offered by the Foundation and to report back to the Energy and Environment Committee with appropriate recommendations.**

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

### [09-1919](#)

MOTION (GARCETTI - PERRY) relative to declaring the Playhouse Grand Opening on July 29, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

### [09-1920](#)

MOTION (GARCETTI - PERRY) relative to declaring the X-GAMES on August 1, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

### [09-1921](#)

MOTION (GARCETTI - PERRY) relative to declaring the MADAME TUSSAUDES on July 30, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[07-3476-S2](#)

MOTION (HUIZAR for LABONGE - PARKS) relative to declaring the Franklin Village Street Fair on August 15, 2009 a Special Event (fees and costs absorbed by the City = \$2,367).

[09-1922](#)

MOTION (HUIZAR for LABONGE - PARKS) relative to declaring the Los Feliz Village Certified Farmers' Market on every Sunday from August 1, 2009 to August 31, 2009 a Special Event (fees and costs absorbed by the City = \$551.20).

[07-2563-S2](#)

MOTION (PERRY for ROSENDAHL - ZINE) relative to declaring the Summer Movie Nights on August 29, 2009 a Special Event (fees and costs absorbed by the City = \$1,642).

[08-2008-S1](#)

MOTION (PARKS - KORETZ) relative to declaring the Fourth Annual A White Linen Affair on August 16, 2009 a Special Event (fees and costs absorbed by the City = \$2,367).

[09-1923](#)

MOTION (KORETZ - PARKS) relative to declaring the National Night Out on August 4, 2009 a Special Event (fees and costs absorbed by the City = \$2,000).

[07-3201-S1](#)

MOTION (PERRY - PARKS) relative to declaring the Annual Halloween Extravaganza on October 30 - November 1, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[09-1925](#)

MOTION (ZINE - PERRY) relative to declaring the Summer Festival on August 14-15, 2009 a Special Event (fees and costs absorbed by the City = \$456).

[07-2022-S1](#)

MOTION (PERRY for ROSENDAHL - ZINE) relative to declaring the Jet to Jetty Run +Walk on August 22, 2009 a Special Event (fees and costs absorbed by the City = \$4,318).

[09-1928](#)

MOTION (HUIZAR - PARKS) relative to declaring the Ecuadorian Independence Day Parade and Cultural Festival on August 9, 2009 a Special Event (fees and costs absorbed by the City = \$28,575).

[08-2032-S1](#)

MOTION (HAHN - PARKS) relative to declaring the America's Night Out Against Crime on August 4, 2009 a Special Event.

[09-0011-S42](#)

MOTION (KORETZ for ROSENDAHL - WESSON) relative to the Street Banner program identifying the West Los Angeles community, the West Los Angeles Farmers' Market, and the West Los Angeles Summer Concert Series at the Civic Center Plaza of the municipal building at 1645 Corinth Avenue, Los Angeles.

[09-1924](#)

MOTION (SMITH for ROSENDAHL - ZINE) relative to authorizing the Bureau of Sanitation to use the City Hall Rotunda on August 18, 2009.

[09-0011-S44](#)

MOTION (CARDENAS - PARKS) relative to providing security cameras in the Sherman Way tunnel in Council District Six.

[09-0011-S43](#)

MOTION (HUIZAR - PARKS) relative to coordinating several street beautification programs in Boyle Heights, the Northeast Area and throughout the Council District 14.

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

Upon his request, and without objections, Council President Garcetti was excused from Council session(s) of Friday, November 20, Tuesday, November 24, and Wednesday, November 25, 2009 all due to City business.

Upon his request, and without objections, Councilmember Reyes was excused from Council session(s) of Tuesday, September 29, Wednesday, September 30, and Friday October 2, 2009 all due to City business (Jury Duty).

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

[09-1667](#) John H. Holoman

(Parks - Perry - Wesson)

Wilbur Thomas Ebersold

(Smith)

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

**Whereupon the Council did adjourn.**

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL