

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **July 29, 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: Alarcón, Cárdenas, Hahn, Huizar, Parks, Perry, Reyes, Wesson, Zine and President Garcetti (10); Absent: Koretz, LaBonge, Rosendahl and Smith (4); Vacant: Council District Two

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
JULY 24, 2009

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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 1-7

ITEM NO. (1) - RECEIVED AND FILED INASMUCH AS LIEN HAS BEEN PAID

Roll Call #1 - Motion (Huizar - Reyes) Adopted to Receive and File, Unanimous Vote (10); Absent: Koretz, LaBonge, Rosendahl and Smith (4)

[09-1048](#)
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 of the lot at 4815 East Bamford Place. (Lien: \$6,851.92)

**Roll Call #2 - Motion (Alarcón - Wesson) Adopted, Ayes (10); Absent: Koretz, LaBonge, Rosendahl and Smith (4)
(Item Nos. 2-5)**

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

[09-1049](#)

CD 7

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of cleaning and fencing of the lot at 11522 North Garrick Avenue.

(Lien: \$5,844.49)

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

[09-1050](#)

CD 4

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading all openings, cleaning and fencing of the lot at 1601 North Courtney Avenue.

(Lien: \$12,531.02)

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

[09-1051](#)

CD 2

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of cleaning and fencing of the lot at 6523 North Costello Avenue.

(Lien: \$7,667.08)

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

[09-1052](#)

CD 14

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings, cleaning and fencing of the lot, and graffiti abatement at 664 North Burwood Terrace aka 666 Burwood Terrace.

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

Roll Call #19 - Motion (Wesson - Reyes) Adopted, Ayes (11); Absent: Alarcón, LaBonge and Rosendahl (3)

[09-1053](#)

CD 10

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of cleaning and fencing of the lot at 2321 South Buckingham Road.

(Lien: \$5,141.92)

ITEM NO. (7) - CONTINUED TO JULY 31, 2009

Roll Call #3 - Motion (Zine - Reyes) Adopted to Continue, Unanimous Vote (11); Absent: LaBonge, Rosendahl and Smith (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 required)

(Continued from Council meeting of July 15, 2009)

Items for Which Public Hearings Have Been Held - Items 8-29

ITEM NO. (8) - ADOPTED

Roll Call #16 - Motion (Huizar - Koretz) Adopted, Ayes (11); Absent: Alarcón, LaBonge and Rosendahl (3)

[07-3690](#)

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

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. Timothy R. Martella to the El Pueblo De Los Angeles Historical Monument Authority for the new term ending June 30, 2013, is APPROVED and CONFIRMED. Mr. Martella resides in Council District Four. (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)

ITEM NO. (9) - ADOPTED

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

[09-1516](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the Mayor's appointment of Mr. Dean Hansell to the Board of Fire and Police Pension Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Dean Hansell to the Board of Fire and Police Pension Commissioners for the term ending June 30, 2010, is APPROVED and CONFIRMED. Mr. Hansell resides in Council District Four. (Current Commission gender composition: M=7; F=2)

Ethics Commission Review: Complete

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 6, 2009

(LAST DAY FOR COUNCIL TO ACT - AUGUST 5, 2009)

ITEM NO. (10) - ADOPTED - SEE FOLLOWING

Roll Call #17 - Motion (Parks - Smith) Adopted, Ayes (11); Absent: Alarcón, LaBonge and Rosendahl (3)

[09-1600](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the Mayor's appointment of Mr. Miguel A. Santana as permanent Los Angeles City Administrative Officer (CAO).

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Miguel A. Santana as permanent CAO is APPROVED and CONFIRMED.

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 10, 2009

(LAST DAY FOR COUNCIL TO ACT - AUGUST 7, 2009)

(Communication from the Executive Employee Relations Committee to be submitted in Council with the salary recommendation for the above position. Council may recess to Closed Session, pursuant to Government Code Section 54957.6, relative to the salary recommendation.)

ADOPTED

MOTION (PARKS - SMITH)

Recommendation for Council action:

RESOLVE that the salary rate of the position of permanent CAO, effective August 2, 2009, shall **BE ESTABLISHED**, as recommended by the Mayor and approved by the EERC at its meeting on July 27, 2009.

**Roll Call #15 - Motion (Parks - Perry) Adopted, Ayes (12); Absent: LaBonge and Rosendahl (2)
(Item Nos. 11-13)**

ITEM NO. (11) - ADOPTED - ORDINANCE OVER TO AUGUST 5, 2009

[07-0084](#)
CD 4

PUBLIC ANNOUNCEMENT OF BALLOT TABULATION and ORDINANCE FIRST CONSIDERATION relative to establishment of the North Hollywood Transit Business Improvement District (BID), pursuant to Section 53753 of the California Government Code, Section 36600 et seq. of the California Streets and Highways Code and Article XIII D of the California Constitution.

Recommendations for Council action, if the tabulation of ballots indicates majority support, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. PRESENT and ADOPT the accompanying ORDINANCE establishing the North Hollywood Transit Business Improvement District and confirming the assessments to be levied upon properties within the BID, as described in the Management District Plan.
2. AUTHORIZE the City Clerk, subject to approval of the City Attorney, to prepare, execute and administer an operating agreement between the City and the North Hollywood Business Improvement District Corporation, for administration of the BID.

Fiscal Impact Statement: The City Clerk reports that direct costs associated with Department administrative expenses will be charged to the BID and will be recovered from assessments collected.

There are currently seven City-owned, real properties included in the list of properties to be assessed within the boundaries of the BID, as disclosed in the Management District Plan and as required under existing state BID legislation. Three of these properties are controlled by General Fund Departments and four properties are controlled by the Community Redevelopment Agency. Funding is available in the Business Improvement District Trust Fund 659 to pay the General Fund share of assessments for the first operating year.

(Pursuant to Council action on Tuesday, July 28, 2009 and adoption of Ordinance No. 180703 on May 26, 2009.)

ITEM NO. (12) - ADOPTED - ORDINANCE OVER TO AUGUST 5, 2009

[07-0337](#)

CD 2

PUBLIC ANNOUNCEMENT OF BALLOT TABULATION and ORDINANCE FIRST CONSIDERATION relative to establishment of the Studio City Property and Business Improvement District (Studio City BID), pursuant to Section 53753 of the California Government Code, Section 36600 et seq. of the California Streets and Highways Code and Article XIII D of the California Constitution.

Recommendations for Council action, if the tabulation of ballots indicates majority support, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. PRESENT and ADOPT the accompanying ORDINANCE establishing the Studio City Property and Business Improvement District and confirming the assessments to be levied upon properties within the BID, as described in the Management District Plan.
2. AUTHORIZE the City Clerk, subject to approval of the City Attorney, to prepare, execute and administer an operating agreement between the City and the Studio City Improvement Association, for administration of the BID.

Fiscal Impact Statement: There are three City-owned properties in the Studio City BID. Assessments levied for the City-owned properties for the first year of the BID will be \$2,295.17, or 0.80 percent of the total BID assessments. Funding is available in the Business Improvement District Trust Fund 659 to pay the General Fund share of assessments for the first operating year.

(Pursuant to Council action on Tuesday, July 28, 2009 and adoption of Ordinance No. 180704 on May 26, 2009.)

ITEM NO. (13) - ADOPTED - ORDINANCE OVER TO AUGUST 5, 2009

[09-1450](#)

CD 3

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change at 21301 West Ventura Boulevard, Auto Gallery (automobile dealership).

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. 09-1450 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 2007-2329 MND] filed on October 24, 2008.

2. ADOPT the FINDINGS of the South Valley Area Planning Commission (SVAPC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the SVAPC, effecting a zone change from C4-1LD, P-1LP and PB-1DL to (T)(Q)C4-1LD for the proposed development of an existing automobile dealership site to construct a new 8,626 square-foot one-story building with a mezzanine for an automobile dealership sales and showroom (Audi Franchise) facing Ventura Boulevard with an increased number of parking stalls, reduced parking lot landscaping, eight new wall signs, one new monument sign, and the refacing of an existing pole sign. Six of the proposed wall signs will be located around the new proposed one-story building, and the remaining two wall signs will be located on the northeasterly side of existing Service Building A. The existing pole sign located on Ventura Boulevard will be replaced with a new proposed monument sign and the existing pole sign located on Comercio Way is proposed to be refaced for the property at 21301 West Ventura Boulevard, Auto Gallery (automobile dealership), subject to Conditions of Approval. (There are no digital signs proposed for this project.)

Applicant: The Auto Gallery

APCSV 2008-4370 ZC-SPE-SPP

Representative: Jeffer Mangels Butler & Marmaro, LLP

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 SVAPC reports that there is no General Fund impact, as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 14, 2009

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 11, 2009)

**Roll Call #5 - Motion (Cárdenas - Wesson) Adopted, Ayes (11); Absent: LaBonge, Rosendahl and Smith (3)
(Item Nos. 14-17)**

ITEM NO. (14) - ADOPTED

[09-0126](#)

CD 13

BUDGET AND FINANCE COMMITTEE REPORT relative to a refund claim for plan check fees for job site 6202 West Hollywood Boulevard.

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

APPROVE refund claim No. 98739, in the amount of \$218,246.69, for job site 6202 West Hollywood Boulevard, payable to Clarett Hollywood, LLC.

Fiscal Impact Statement: None submitted by the Department of Building and Safety. 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. (15) - ADOPTED

[09-0600-S129](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to Citywide outside counsel expenditures for the period January - February 2009.

Recommendation for Council action:

NOTE and FILE the City Attorney's bimonthly status report relative to Citywide outside counsel expenditures for the period January - February 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. (16) - ADOPTED

[09-0872](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the sale of one surplus Drug Abuse Resistance Education (DARE) Chevrolet Impala police vehicle to the Los Angeles Police Historical Society.

Recommendations for Council action, pursuant to Motion (Zine - Smith):

1. FIND that the Los Angeles Police Historical Society is eligible to purchase one DARE Chevrolet Impala police vehicle at the below market value of \$1.00 in accordance with the Los Angeles Administrative Code Section 22.547 (Donation of Surplus City Equipment), as amended by the Council on November 28, 2006 (Council file No. 04-1822), inasmuch as the equipment will be used to further preserve the history of the Los Angeles Police Department.
2. REQUEST the City Attorney to expedite preparation of the appropriate documents to effectuate the sale and transfer of the above identified surplus equipment at below market value to the Los Angeles Police Historical Society.
3. INSTRUCT the City Clerk to inform the Los Angeles Police Historical Society (Glynn Martin, Executive Director, 6045 York Boulevard, Los Angeles, CA 90042 [323] 344-9445) that the surplus DARE vehicle must be claimed within 60 days from the date of Council approval of the request, at which time it will revert to the City's surplus equipment pool for disposal by the Department of General Services.

Fiscal Impact Statement: The Chief Legislative Analyst reports that the sale of one DARE Chevrolet Impala police vehicle at below market value is consistent with the City's Financial Policies as the Los Angeles Police Historical Society is a non-profit created specifically to further the work of a City department (LAPD) and is headquartered in the City of Los Angeles. This below market sale will increase the General Fund by \$1.00.

Community Impact Statement: None submitted.

ITEM NO. (17) - ADOPTED

[09-1562](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the sale of 600 decommissioned traffic signal light bulbs to the City of Tijuana, Mexico.

Recommendations for Council action, pursuant to Motion (Perry - Alarcon):

1. FIND that the City of Tijuana, Mexico is eligible to purchase 600 decommissioned traffic signal light bulbs at the below market value of \$1.00, in accordance with Los Angeles Administrative Code Section 22.547 (Donation of Surplus City Equipment), as amended by the Council on November 28, 2006 (Council file No. 04-1822), inasmuch as discarding/recycling/transporting the surplus equipment produces a net financial cost to the City which can be documented.
2. REQUEST the City Attorney to expedite preparation of the appropriate documents to effectuate the sale and transfer of the above identified surplus equipment at below market value to the City of Tijuana, Mexico.
3. INSTRUCT the City Clerk to inform the City of Tijuana, Mexico (William Yu Cong, Director of the International Affairs Department, 401 B Street, Suite 800, San Diego, CA 92101, [619] 699-1996) that the surplus traffic signal light bulbs must be claimed within 60 days from the date of Council approval of the request, at which time it will revert to the City's surplus equipment pool for disposal by the Department of General Services.

Fiscal Impact Statement: The Chief Legislative Analyst reports that the proposed donation of this equipment would have a net positive fiscal impact on the General Fund by eliminating the need to expend approximately \$400, staff time and transportation costs to dispose of this equipment.

Community Impact Statement: None submitted.

ITEM NO. (18) - ADOPTED

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

[06-0329](#)

EDUCATION AND NEIGHBORHOODS COMMITTEE REPORT relative to the Final Report of the Presidents' Joint Commission on Los Angeles Unified School District Governance (Commission).

Recommendation for Council action:

NOTE and FILE the Chief Legislative Analyst and Commission reports relative to the Commission's Final Report dated July 31, 2006, inasmuch as the reports are submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (19) - ADOPTED

Roll Call #5 - Motion (Cárdenas - Wesson) Adopted, Ayes (11); Absent: LaBonge, Rosendahl and Smith (3)

[09-1126](#)

CD 9

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to modifying and consolidating two promissory notes, in the total amount of \$528,426, for the Broadway Village II Affordable Housing Project (Project) located at 5101 South Broadway.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency, or designee, to execute all necessary documentation to restructure repayment terms of an existing bridge loan to be repaid on a residual receipt basis and consolidate it with a companion residual receipt loan, for a final total loan amount of \$528,426 to BS Broadway Village II LP (Borrower), for the Project, subject to the review of the City Attorney as to form and legality.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no impact to the General Fund as a result of this action.

Community Impact Statement: None submitted.

ITEM NO. (20) - CONTINUED TO JULY 31, 2009

Roll Call #21 - Motion (Wesson - Perry) Adopted to Continue, Unanimous Vote (11); Absent: Alarcón, LaBonge and Rosendahl (3)

[09-1250](#)

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.

**Roll Call #5 - Motion (Cárdenas - Wesson) Adopted, Ayes (11); Absent: LaBonge, Rosendahl and Smith (3)
(Item Nos. 21-23)**

ITEM NO. (21) - ADOPTED

[09-1253](#)

CDs 9 & 14

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to establishing a Commercial Incentive Program (Program) to provide grants of up to \$70,000 and conditional loans of up to \$250,000 consistent with the Annual Work Program and Budget for the City Center Redevelopment Project Area (Project Area).

Recommendations for Council action:

1. ESTABLISH a Program for property owners and long term tenants in the Project Area including the following components:

- a. Commercial Building Façade Grant.
 - b. Commercial Building Conditional Loan.
 - c. Architectural Lighting Restoration/Installation Program focusing on historic structures.
 - d. Energy efficiency and sustainable design improvements.
2. AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency, or designee, to:
- a. Execute conditional loan and grant agreements for amounts not to exceed \$250,000 and \$70,000, respectively, consistent with the proposed Program and the approved Conditional Grants Policy, subject to the review of the City Attorney as to form and legality.
 - b. Execute conditional grant agreements with businesses awarded a Los Angeles Department of Water and Power (LADWP) Energy Efficiency Grant and to increase the amount of the grant to match LADWP's allocation, subject to the review of the City Attorney as to form and legality.
 - c. Enter into contracts with local Business Improvement Districts to implement the proposed Program, subject to the review of the City Attorney as to form and legality.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no impact to the General Fund as a result of these actions.

Community Impact Statement: None submitted.

ITEM NO. (22) - ADOPTED

[09-0648-S10](#)

CD 15

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to issuing a Request for Proposals (RFP) to identify a developer for the establishment of the Lanzit Industrial Park in City-owned property at 930 East 111th Place.

Recommendations for Council Action, pursuant to Motion (Hahn - Parks):

1. AUTHORIZE the Community Development Department (CDD) to prepare and issue an RFP to identify a developer for the establishment of the Lanzit Industrial Park on City-owned property at 930 East 111th Place, subject to the approval of the City Attorney as to form and legality.
2. INSTRUCT the CDD to report to Council in 60 days with the developer identified for the Lanzit Industrial Park and a request for authority to negotiate and execute a ground lease with the developer for the Lanzit site.

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.

(Housing, Community and Economic Development Committee waived consideration of the above matter)

ITEM NO. (23) - ADOPTED

[09-1581](#)

CD 5

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to authorization to negotiate and execute a new lease for office space at 9911 West Pico Boulevard for the Los Angeles Department of Transportation (LADOT).

Recommendation for Council Action:

AUTHORIZE the Department of General Services (GSD) to negotiate and execute a new lease for office space at 9911 West Pico Boulevard for continued use by the LADOT Parking Adjudication Office under the terms and conditions substantially as outlined in the June 25, 2009 GSD report, attached to the Council file.

Fiscal Impact Statement: The GSD reports that the rental rate of \$2.03 per square foot has been in effect since the lease expired and will remain the same for the first year of the new lease. The prior rental rate was \$1.65 per square foot. The total monthly cost for new lease is \$9,023 or \$108,276 for the first year. There are sufficient funds in the GSD 6030 Leasing Account to cover this lease.

Community Impact Statement: None submitted.

ITEM NO. (24) - REFERRED BACK TO ENERGY AND ENVIRONMENT COMMITTEE

Roll Call #4 - Motion (Perry - Zine) Adopted to Refer, Unanimous Vote (11); Absent: LaBonge, Rosendahl and Smith (3)

[09-1687](#)

COMMUNICATION FROM THE MAYOR relative to the exemption of one position of Senior Project Coordinator, pursuant to Charter Section 1001(b)(1), for the Los Angeles Department of Water and Power.

(Personnel 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, please contact the Legislative Assistant for the Personnel Committee at 213-978-1078.)

TIME LIMIT FILE - JULY 31, 2009

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

**Roll Call #5 - Motion (Cárdenas - Wesson) Adopted, Ayes (11); Absent: LaBonge, Rosendahl and Smith (3)
(Item Nos. 25-29)**

ITEM NO. (25) - ADOPTED

[07-4133](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a report from the Director of Planning regarding the provision of equestrian trails in conjunction with tract map approvals.

Recommendation for Council action:

NOTE and FILE the July 15, 2009, report from the Director of Planning relative to the provision of equestrian trails in conjunction with tract map approvals. This report was submitted in response to Motion (Smith - Greuel).

Fiscal Impact Statement: Not applicable.

Community Impact Statement: Yes
For Proposal: California Foothill Trails District Neighborhood Council

ITEM NO. (26) - ADOPTED

[09-1264](#)

CD 7

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a Conditional Use appeal for property at 15418 North Parthenia Street.

Recommendations for Council action:

1. ADOPT the FINDINGS of the City Planning Commission (CPC) as the Findings of the Council.
2. RESOLVE TO DENY APPEAL filed by Miguel Mendoza Calvillo, Applicant (Armen Saiyan, Representative), and THEREBY SUSTAIN the decision of the CPC in disapproving a Conditional Use Permit for a recycling "Buyback Center" for the collection of cans and bottles, plastic, metal and glass for property at 15418 North Parthenia Street. (The CPC reports that the use is currently operating without a permit.)

CPC 2007-874-CU

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - JULY 31, 2009

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

ITEM NO. (27) - ADOPTED

[09-0600-S11](#)

PUBLIC SAFETY COMMITTEE REPORT relative to Los Angeles Police Department (LAPD) forensic DNA analysis staffing, backlog, and funding.

Recommendations for Council action:

NOTE and FILE City Administrative Officer report to the Budget and Finance Committee dated May 1, 2009 (attached to the Council file) relative to the LAPD forensic DNA analysis staffing, backlog, and funding.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (28) - ADOPTED

[09-0106](#)

CD 8

ENERGY AND ENVIRONMENT COMMITTEE REPORT and COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to grant funding for the La Brea Avenue Trail Connection from Norman Houston Park to Jim Gilliam Park.

Recommendation for Council action:

RECEIVE and FILE the Board of Public Works' report and Resolution relative to applying for grant funding from the State of California, Department of Parks and Recreation, Recreational Trails Program for the La Brea Avenue Trail Connection from Norman Houston Park to Jim Gilliam Park, inasmuch as no State funding is available at this time and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (29) - ADOPTED - FORTHWITH

[09-1257](#)

CONTINUED 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:

ADOPT the following amendment to Rule 12 of the Rules of the City Council:

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.

(Presented to Council on July 22, 2009 and laid over one week pursuant to Council Rule 77.)

10 VOTES REQUIRED

Items for Which Public Hearings Have Not Been Held - Items 30-50

(10 Votes Required for Consideration)

ITEM NO. (30) - ADOPTED - ORDINANCE OVER TO AUGUST 5, 2009

Roll Call #22 - Motion (Koretz - Huizar) Adopted, Ordinance Over, Ayes (11); Absent: Alarcón, LaBonge and Rosendahl (3)

[09-1774](#)

CD 11

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Jefferson Boulevard and Bay Street Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated July 15, 2009.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **SEPTEMBER 30, 2009** as the hearing date for the maintenance of the Jefferson Boulevard and Bay Street Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$10,728.02 will be collected annually starting with tax year 2010-11 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: September 21, 2009)

ITEM NO. (31) - ADOPTED - ORDINANCE OVER TO AUGUST 5, 2009

Roll Call #15 - Motion (Parks - Perry) Adopted, Ayes (12); Absent: LaBonge and Rosendahl (2)

[09-1352](#)

COMMUNICATION FROM CHAIR AND MEMBER, ENERGY AND ENVIRONMENT COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to a Power Sales Agreement and an Agency Agreement with the Southern California Public Power Authority (SCPPA), and a Participation Agreement with SCPPA and the Cities of Burbank and Glendale relating to renewable hydroelectric capacity from the Tieton Hydroelectric Power Plant in Yakima County, Washington.

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

1. CONCUR with the Board of Water and Power Commissioners' (Board) action of June 2, 2009, Resolution No. 009-281, authorizing the execution of Power Sales Agreement No. BP 09-003 and Agency Agreement No. BP 09-007 with the SCPPA; and Participation Agreement No. BP 09-008 with the SCPPA and the Cities of Burbank and Glendale relating to renewable hydroelectric capacity from the Tieton Hydroelectric Power Plant in Yakima County, Washington, for a 20-year term.
2. PRESENT and ADOPT the accompanying ORDINANCE approving the above-referenced agreements and delegating to the Board limited authority to amend such agreements.

Fiscal Impact Statement: The City Administrative Officer reports that the proposed agreements will have no direct impact on the General Fund. The Power Revenue Fund will provide \$1,508,320 per year for the term of the agreements. Funding is available in the Power Revenue Fund's Fuel and Purchased Power Budget.

Community Impact Statement: None submitted.

**Roll Call #23 - Motion (Wesson - Zine) Adopted, Ayes (11); Absent: Alarcón, LaBonge and Rosendahl (3)
(Item Nos. 32a-32b)**

ITEM NO. (32) - ADOPTED

[09-0005-S451](#)

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 22, 2009:

[09-0005-S451](#)

CD 10

- a. Property at 1122 South Highland Avenue (Case No. 204989).
Registration No. 5084-023-007

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 5, 2009)

[09-0005-S452](#)

CD 13

- b. Property at 706 North Ardmore Avenue (Case No. 199814).
Registration No. 5520-001-014

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 11, 2008)

ITEM NO. (33) - ADOPTED

Roll Call #24 - Motion (Perry - Parks) Adopted, Ayes (11); Absent: Alarcón, LaBonge and Rosendahl (3)

[07-0308](#)

COMMUNICATION FROM CHAIR AND MEMBER, ENERGY AND ENVIRONMENT COMMITTEE relative to Amendment No. 1 to an agreement with Open Access Technology International, Inc. (OATI) to add subscriptions to real-time power system control area services and additional user access.

Recommendation for Council action:

CONCUR with the Board of Water and Power Commissioners' (Board) action of June 16, 2009, Resolution No. 009-288, authorizing the execution of Amendment No. 1 (including two supplemental agreements) to Agreement No. 47443 with OATI to add subscriptions to two real-time power system balancing authority area services hosted by OATI, and add additional user access to the existing services, to assist the Los Angeles Department of Water and Power (LADWP) with managing its wholesale energy sales and purchases.

Fiscal Impact Statement: The City Administrative Officer reports that approval of proposed Amendment No.1 to Agreement No. 47443 will have no impact on the General Fund. The Supplemental Agreements will increase the LADWP's cost by \$50,150 for the first year and approximately \$31,200 per year thereafter. Because of sufficient unexpended funds available in the contract, payment of the additional costs will not exceed the Agreement's \$700,000 expenditure limit. Since the LADWP is bound only by the City Debt Management Policies, the City Financial Policies are not applicable.

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 18, 2009

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

**Roll Call #7 - Motion (Perry - Wesson) Adopted, Ayes (11); Absent: LaBonge, Rosendahl and Smith
(3)
(Item Nos. 34-37)**

ITEM NO. (34) - ADOPTED

[07-4058](#)

COMMUNICATION FROM CHAIR AND MEMBER, ENERGY AND ENVIRONMENT COMMITTEE relative to a sole source personal services contract with ABB Inc. to provide maintenance and support services for wastewater distributed control systems installed at the Donald C. Tillman and Los Angeles/Glendale Water Reclamation Plants.

Recommendation for Council action:

AUTHORIZE the Board of Public Works to execute a sole source personal services contract with ABB for maintenance and support of wastewater distributed control systems installed at the Donald C. Tillman and Los Angeles/Glendale Water Reclamation Plants for a term of five years from October 1, 2009 with an option to extend for two additional years and a cost ceiling of \$2 million.

Fiscal Impact Statement: The City Administrative Officer reports that there is no General Fund impact. The above recommendation complies with the City's Financial Policies in that special fund revenue has been identified for the proposed contract. The contract will have a cost ceiling of \$2 million over a five-year term, with the first year cost of \$400,000 included within 2009-10 special fund appropriations from the Sewer Construction Maintenance and Operations Fund. The balance of \$1.6 million will be requested in future operating budgets for the Bureau of Sanitation. The contract includes a Financial Liability Clause limiting the City's liability to the extent of appropriations for this purpose.

Community Impact Statement: None submitted.

ITEM NO. (35) - ADOPTED

[09-1576](#)

COMMUNICATION FROM CHAIR AND MEMBER, ENERGY AND ENVIRONMENT COMMITTEE relative to a sole source personal services contract with Emerson Process Management Power and Water Solutions, Inc., (Emerson) to provide maintenance and support services for its Westinghouse Distributed Process Family II (WDPF) control systems hardware and software installed at the Hyperion Treatment Plant.

Recommendation for Council action:

AUTHORIZE the Board of Public Works to execute a sole source personal services contract with Emerson for maintenance and support of the WDPF control systems at the Hyperion Treatment Plant for a term of five years from July 1, 2009 with an option to extend for two additional years and a cost ceiling of \$2 million.

Fiscal Impact Statement: The City Administrative Officer reports that there is no General Fund impact. The above recommendation complies with the City's Financial Policies in that special fund revenue has been identified for the proposed contract. The contract will have a cost ceiling of \$2 million over a five year term, with the first year cost of \$400,000 included within current year special fund appropriations for contractual services from the Sewer Construction Maintenance and Operations Fund. Funding is also provided in the 2009-10 Budget for combined funding of \$1.04 million. The balance of \$960,000 will be requested in future operating budgets for the Bureau of Sanitation. The contract includes a Financial Liability Clause limiting the City's liability to the extent of appropriations for this purpose.

Community Impact Statement: None submitted.

ITEM NO. (36) - ADOPTED

[09-1577](#)

COMMUNICATION FROM CHAIR AND MEMBER, ENERGY AND ENVIRONMENT COMMITTEE relative to Amendment One to Contract 110742 with USA Waste of California, Inc., doing business as Waste Management El Sobrante Landfill, for the disposal of private waste received at the Central Los Angeles Recycling and Transfer Station (CLARTS).

Recommendation for Council action:

AUTHORIZE the Board of Public Works to execute Amendment One to Contract 110742 with USA Waste of California, Inc. to include the disposal of private waste received at the Palmdale/Antelope Valley and Lancaster landfills from the CLARTS.

Fiscal Impact Statement: The City Administrative Officer reports that there is no General Fund impact. Funding in the amount of \$1.3 million is budgeted in the CLARTS Trust Fund (Fund 47R) for Private Landfill Disposal Fees. The above recommendation is consistent with the City's Financial Policies in that sufficient revenue is available for this purpose. Continuation of this contract beyond the current year will be subject to funding appropriations in each fiscal year.

Community Impact Statement: None submitted.

ITEM NO. (37) - ADOPTED

[09-1721](#)

COMMUNICATION FROM CHAIR AND MEMBER, ENERGY AND ENVIRONMENT COMMITTEE relative to a 30-year lease with the Mono Lake Foundation (Foundation) for the operation of the Mono Basin Outdoor Education Center near the town of Lee Vining in Mono County, California.

Recommendations for Council action:

1. DISAPPROVE 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.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed Lease Agreement will not result in costs to the LADWP. It is anticipated that the LADWP will receive minimal, if any, income because of the offsetting educational credits applied to the annual rental payment. Any income derived from the Lease Agreement will be deposited in the Water Revenue Fund. Since the LADWP is bound only by the City Debt Management Polices, the City Financial Polices are not applicable. Approval of the proposed Agreement will have no impact on the General Fund.

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 9, 2009

(LAST DAY FOR COUNCIL ACTION - AUGUST 7, 2009)

ITEM NO. (38) - ADOPTED

Roll Call #25 - Motion (Perry - Koretz) Adopted, Ayes (11); Absent: Alarcón, LaBonge and Rosendahl (3)

[09-1722](#)

COMMUNICATION FROM CHAIR AND MEMBER, ENERGY AND ENVIRONMENT COMMITTEE relative to a 30-year Lease Agreement with Ultramar, Inc. (Ultramar) for the use of the Olympic Tank Farm facility and associated pipeline structures and the temporary occupancy of the Marine Tank Farm, and related matters.

Recommendation for Council action:

CONCUR with the Board of Water and Power Commissioners' (Board) action of July 7, 2009, Resolution No. 010-015, authorizing the execution of a Lease Agreement with Ultramar to allow for the use of the Olympic Tank Farm facility and associated pipeline structures, and for the temporary occupancy of the Marine Tank Farm facility for the development of the Harbor Department's Wilmington Waterfront Development Project on the Marine Tank Farm site; and the execution of an Interconnection Agreement with Ultramar and their Lessor, Air Products and Chemicals, Inc., to be treated and billed as a single customer of the Los Angeles Department of Water and Power (LADWP).

Fiscal Impact Statement: The LADWP reports that the Lease Agreement will generate revenues for the Power System Revenue Fund totaling \$58,420,380 over the 30-year term.

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 9, 2009

(LAST DAY FOR COUNCIL ACTION - AUGUST 7, 2009)

ITEM NO. (39) - ADOPTED

Roll Call #18 - Motion (Perry - Cárdenas) Adopted, Ayes (11); Absent: Alarcón, LaBonge and Rosendahl (3)

[09-0963](#)

COMMUNICATION FROM CHAIR, JOBS, BUSINESS GROWTH, AND TAX REFORM COMMITTEE relative to the development of a Public Infrastructure Stabilization Ordinance.

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

1. REQUEST the Department of Public Works, with the assistance of the City Attorney to develop a Public Infrastructure Stabilization Ordinance.
2. REQUEST the Chief Legislative Analyst (CLA), the City Attorney, the Bureau of Contract Administration and the Community Development Department to report to the Jobs, Business Growth and Tax Reform Committee on the Public Infrastructure Stabilization Ordinance.

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

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

ITEM NO. (40) - ADOPTED

Roll Call #26 - Motion (Hahn - Huizar) Adopted, Ayes (10); Absent: Alarcón, LaBonge, Rosendahl and Wesson (4)

[09-1708](#)

CD 4

MITIGATED NEGATIVE DECLARATION and COMMUNICATION FROM THE BOARD OF PUBLIC WORKS relative to approval of the Los Angeles Zoo Parking Lot Project.

Recommendations for Council action:

1. FIND, on the basis of the whole record, that there is no substantial evidence that the Los Angeles Zoo Parking Lot Project will have a significant effect on the environment; further FIND that the Mitigated Negative Declaration (SCH 2009041041; NG-09-154-PL) reflects the City's independent judgment and analysis; and ADOPT said Mitigated Negative Declaration

detailed in Transmittal 1 of the July 8, 2009 Board of Public Works report, attached to the Council file.

2. ADOPT the May 19, 2009 Mitigation Monitoring Program detailed in Transmittal 2 of the July 8, 2009 Board of Public Works report, attached to the Council file.
3. APPROVE the Los Angeles Zoo Parking Lot Project as detailed in the Initial Study (Transmittal 1 of the July 8, 2009 Board of Public Works report), attached to the Council file.

Fiscal Impact Statement: The Board of Public Works reports that on June 29, 2007, Council approved \$13,904,243 in Proposition O General Obligation Bond Funding for the Project (Council file No. 06-1235). There is no fiscal impact to the General Fund.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

**Roll Call #7 - Motion (Perry - Wesson) Adopted, Ayes (11); Absent: LaBonge, Rosendahl and Smith (3)
(Item Nos. 41-45)**

ITEM NO. (41) - ADOPTED

[08-1186](#)

CD 2

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 11585 West Laurelcrest Drive pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated April 29, 2008 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 11585 Laurelcrest Drive.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$1,926 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$1,800 and a seven percent surcharge in the amount of \$126 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (42) - ADOPTED

[09-1690](#)
CD 5

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 1412 South Sherbourne Drive pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated June 16, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 1412 Sherbourne Drive.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$2,739.20 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$2,560 and a seven percent surcharge in the amount of \$179.20 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (43) - ADOPTED

[09-1692](#)
CD 13

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 536 North Virgil Avenue pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated June 16, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 536 North Virgil Avenue.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$2,247 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$2,100 and a seven percent surcharge in the amount of \$147 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (44) - ADOPTED

[09-1704](#)

CD 13

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 504 North Berendo Street pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated June 24, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 504 North Berendo Street.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$2,386.10 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$2,230 and a seven percent surcharge in the amount of \$156.10 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (45) - ADOPTED

[09-1707](#)
CD 5

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 120 North Glenroy Avenue pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated June 24, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 120 North Glenroy Avenue.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$2,033 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$1,900 and a seven percent surcharge in the amount of \$133 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (46) - ADOPTED

Roll Call #27 - Motion (Cárdenas - Zine) Adopted, Ayes (10); Absent: Alarcón, LaBonge, Rosendahl and Wesson (4)

[09-0002-S109](#)

CONSIDERATION OF RESOLUTION (LABONGE - ROSENDAHL - CARDENAS - GARCETTI) relative to the City's position on HR 2393 and S. 1026 which would ensure that ballots of overseas troops are delivered expeditiously to state election officials.

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

ADOPT the accompanying RESOLUTION to include in the City's 2009-10 Federal Legislative Program SUPPORT for HR 2393 and S. 1026 which would ensure that ballots of overseas troops are delivered expeditiously to state election officials.

Community Impact Statement: None submitted.

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

**Roll Call #28 - Motion (Koretz - Reyes) Adopted, Ayes (10); Absent: Alarcón, LaBonge, Rosendahl and Wesson (4)
(Item Nos. 47a-47d)**

ITEM NO. (47) - ADOPTED

[08-1389-S2](#)

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:

[08-1389-S2](#)

CD 9

- a. 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](#)

CD 9

- b. 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](#)

CD 9

- c. 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](#)

CD 13

- d. 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).

ITEM NO. (48) - ADOPTED

Roll Call #7 - Motion (Perry - Wesson) Adopted, Ayes (11); Absent: LaBonge, Rosendahl and Smith (3)

[09-1156](#)

CD 4

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

Recommendation for Council action:

AMEND the May 22, 2009 Council action (Council file No. 09-1156) declaring the 20th Anniversary of Berlin's Wall to include the following street closure: Ogden between Wilshire and 8th Street.

ITEM NO. (49) - RECEIVED AND FILED

Roll Call #6 - Motion (Wesson - Zine) Adopted to Receive and File, Unanimous Vote (11); Absent: LaBonge, Rosendahl and Smith (3)

[09-1816](#)

CD 10

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

Recommendations for Council action:

1. ACCEPT the donation by Pico Neighborhood Council and the Mid-City Neighborhood Council of a "PlateScan" mobile 4-camera ALPR System (SYS-3+1-CR) license plate reader (estimated value of \$24,411.91), for use by the LAPD, Wilshire Division as further described in the text of this Motion.
2. INSTRUCT the LAPD to record the donated equipment on the department's inventory list and to thank the donors on behalf of the City.

ITEM NO. (50) - ADOPTED

Roll Call #7 - Motion (Perry - Wesson) Adopted, Ayes (11); Absent: LaBonge, Rosendahl and Smith (3)

[09-0317](#)

CD 15

CONTINUED CONSIDERATION OF MOTION (ROSENDAHL - HAHN) relative to initiating street vacation proceedings to vacate the Avalon Boulevard and "M" Street vacation district.

Recommendations for Council action:

1. INITIATE street vacation proceedings, pursuant to California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law to vacate the Avalon Boulevard and "M" Street vacation district.
2. DIRECT the Bureau of Engineering to investigate the feasibility of this vacation request.
3. DIRECT the Bureau of Engineering to present its report regarding the feasibility of vacating the requested areas to the Public Works Committee.
4. DIRECT the City Clerk to schedule this request for the City Council's consideration at the appropriate time under the City's Street Vacation procedures.

(Continued from Council meeting of June 26, 2009)

Closed Sessions - Items 51-56

ITEM NO. (51) - CONTINUED TO AUGUST 5, 2009

Roll Call #8 - Motion (Wesson - Zine) Adopted to Continue, Unanimous Vote (11); Absent: LaBonge, Parks and Rosendahl (3)

08-1573-S1

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a) to confer with its legal counsel relative to litigation status/transmittal of settlement proposal letter for the following cases entitled:

World Wide Rush, LLC v. the City of Los Angeles, United States District Court (USDC) Case No. CV 07-238

Metro Lights v. City of Los Angeles, USDC Case No. CV 07-55179

Jamison 1055 Wilshire LLC v. City of Los Angeles, USDC Case No. CV 08-04762

Sky Tag, Inc. v. City of Los Angeles, USDC Case No. CV 08-007584

Summit Media v. City of Los Angeles, Los Angeles Superior Court Case No. BS 116611

(On July 7, 2009, the Planning and Land Use Management Committee considered this matter in Closed Session.)

(Continued from Council meeting of July 15, 2009)

ITEM NO. (52) - CONTINUED TO AUGUST 12, 2009

Roll Call #9 - Motion (Wesson - Zine) Adopted to Continue, Unanimous Vote (11); Absent: LaBonge, Rosendahl and Smith (3)

[09-0709](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Alameda Books, et al. v. the City of Los Angeles, United States District Court Case No. CV 95-7771 DDP.

(Planning and Land Use Management Committee considered the above matter in Closed Session on May 26, 2009.)

(Continued from Council meeting of July 15, 2009)

ITEM NO. (53) - CONTINUED TO AUGUST 5, 2009

Roll Call #10 - Motion (Wesson - Zine) Adopted to Continue, Unanimous Vote (11); Absent: LaBonge, Rosendahl and Smith (3)

[09-1483](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Kopatsis v. City of Los Angeles, Los Angeles Superior Court Case No. BC385798. (This case arises from earth movement in January of 2005, effecting property between Mulholland Drive and Coldwater Canyon.)

(Budget and Finance Committee considered the above matter in Closed Session on July 20, 2009.)

ITEM NO. (54) - MOTION ADOPTED - SEE FOLLOWING

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

[09-1634](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Larry D. Carrol v. City of Los Angeles, Los Angeles Superior Court Case No. BC410446. (This action arises from a trip and fall incident, involving a Department of Transportation vehicle, which occurred on April 9, 2007.)

(Budget and Finance Committee considered the above matter in Closed Session on July 20, 2009.)

ADOPTED

MOTION (PARKS - WESSON)

Recommendation for Council action:

ADOPT the recommendation of the City Attorney in connection with the case entitled Larry D. Carrol v. City of Los Angeles, Los Angeles Superior Court Case No. BC410446. (This action arises from a trip and fall incident, involving a Department of Transportation vehicle, which occurred on April 9, 2007.)

This matter was approved by the Budget and Finance Committee (Parks - Rosendahl - Smith "yes") at its meeting on July 20, 2009, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (55) - MOTION ADOPTED - SEE FOLLOWING

Roll Call #12 - Motion (Parks - Wesson) Adopted, Ayes (11); Absent: LaBonge, Rosendahl and Smith (3)

[09-1662](#)

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 Kirk Bingham v. City of Los Angeles, Workers' Compensation Appeals Board Case Nos. VNO539531, et al.; Claim Nos. 9003-1968-5263, et al. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a Firefighter with the Los Angeles Fire Department.)

(Budget and Finance Committee considered the above matter in Closed Session on July 20, 2009.)

ADOPTED

MOTION (PARKS - WESSON)

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

1. **AUTHORIZE** the City Attorney to enter into a settlement in the case entitled Kirk Bingham v. City of Los Angeles, Worker's Compensation Appeals Board Case Nos. VNO539531, et al.; Claim Nos. 9003-1968-5263, et al., through Stipulated Awards as follows:
 - a. 83 percent permanent disability or \$173,137.50, plus a life pension thereafter payable at \$177.81 per week
 - b. 14 percent permanent disability or \$10,637.50
 - c. 35 percent permanent disability or \$38,180.00
 - d. 26 percent permanent disability or \$18,823.75

2. **AUTHORIZE the City Attorney to execute the Stipulated Awards with all appropriate parties for submission to the Worker's Compensation Appeals Board for its award of payment.**

This matter was approved by the Budget and Finance Committee (Parks - Rosendahl - Smith "yes") at its meeting on July 20, 2009, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (56) - MEETING HELD - ACTION TAKEN IN CLOSED SESSION

[09-1727](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to a settlement discussion for the case entitled Playa Investments Group, LLC v. City of Los Angeles, Los Angeles Superior Court Case No. BS115180.

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

Item for Which Public Hearing Has Been Held - Item 57

ITEM NO. (57) - REFERRED TO PUBLIC SAFETY AND BUDGET AND FINANCE COMMITTEES

Roll Call #29 - Motion (Hahn - Koretz) Adopted to Refer, Unanimous Vote (10); Absent: Alarcón, LaBonge, Rosendahl and Wesson (4)

[09-1861](#)

CONTINUED CONSIDERATION OF MOTION (HAHN - KORETZ) relative to a \$13 million transfer of funds to help mitigate the \$52 million shortfall in the Los Angeles Fire Department (LAFD) budget and the possible reduction of emergency services.

Recommendations for Council action:

1. REQUEST that the LAFD report to the Council on the details of its Modified Coverage Plan, and how it will affect each Council District specifically.
2. REQUEST that the City Administrative Officer (CAO), along with the United Firefighters of Los Angeles City, report to the Council in Executive Session regarding the ongoing union negotiations on reducing the cost of operations.
3. REQUEST that the CAO along with the Chief Legislative Analyst report on the current balance in the Reserve fund, the implications that a transfer of \$13 million may pose, and if any further transfer is feasible.

(Council may recess to Closed Session, pursuant to Government Code 54957.6, to confer with its labor negotiator, The City Administrative Officer, relative to the above matter.)

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

08-1385-S1

MOTION (PERRY for ROSENDAHL - REYES) relative to declaring the Vero Club La Grande Brentwood Grand Prix on August 9, 2009 a Special Event (fees and costs absorbed by the City = \$10,612).

09-1897

MOTION PERRY for ROSENDAHL - REYES) relative to declaring the Third Annual 85th Street Neighborhood Watch Block Party on August 29, 2009 a Special Event (fees and costs absorbed by the City = \$1,642).

09-1898

MOTION (KORETZ - HUIZAR) relative to declaring the National Night Out Block Party Event on August 4, 2009 a Special Event (fees and costs absorbed by the City = \$1,188).

09-1900

MOTION (ZINE - SMITH) relative to declaring the National Night Out on August 4, 2009 a Special Event (fees and costs absorbed by the City = \$1,642).

09-0010-S45

MOTION (CARDENAS - SMITH) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for various crimes.

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

07-2146-S1

RESOLUTION (REYES - GARCETTI - HUIZAR) relative to declaring August 6, 2009 as El Dia del Salvadoreno (Salvadoran Day) in the City of Los Angeles.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon her request, and without objections, Councilmember Perry was excused from Council sessions of Tuesday, September 29, Wednesday, September 30, 2009, Tuesday, October 6, Wednesday, October 7, and Friday, October 9, 2009 all due to City Business.

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

09-1667 - Dexter Lima

Hahn

William "Bill" Anton

Huizar

Chrystal Rogers

Parks

Helen Gibson

Perry - All Councilmembers

Mrs. Larener White

Perry

Cecelia (Ceil) Podell

Smith - All Councilmembers

Ayes, Cárdenas, Hahn, Huizar, Koretz, Parks, Perry, Reyes, Smith, Zine and President Garcetti (10); Absent: Alarcón, LaBonge, Rosendahl and Wesson (4); Vacant: Council District Two

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL