

Los Angeles City Council, **Journal/Council Proceedings**
Tuesday, **August 11, 2009**
John Ferraro Council Chamber, Room 340, City Hall - 10 am

******ALL ITEMS FORTHWITH******

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
AUGUST 5, 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

**Roll Call #1 - Motion (Hahn - LaBonge) Adopted to Continue, Unanimous Vote (10); Absent: Reyes, Rosendahl, Smith and Zine (4)
(Item Nos. 1-6)**

**ITEM NO. (1) - PUBLIC HEARING HELD - CONTINUED HEARING AND ORDINANCE TO BE PRESENTED
ON SEPTEMBER 1, 2009**

[09-1002](#)

CD 11

HEARING PROTESTS against the proposed improvement and maintenance of the Barrington and Nebraska Avenues No. 2 (Reballot) Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Barrington and Nebraska Avenues No. 2 (Reballot) Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on June 9, 2009 - Continue hearing and present Ordinance on SEPTEMBER 1, 2009 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (2) - PUBLIC HEARING HELD - CONTINUED HEARING AND ORDINANCE TO BE PRESENTED ON SEPTEMBER 1, 2009

[09-1071](#)
CD 7

HEARING PROTESTS against the proposed improvement and maintenance of the Glenoaks Boulevard and Roxford Street No. 2 (Reballot) Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Glenoaks Boulevard and Roxford Street No. 2 (Reballot) Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on June 9, 2009 - Continue hearing and present Ordinance on SEPTEMBER 1, 2009 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (3) - PUBLIC HEARING HELD - CONTINUED HEARING AND ORDINANCE TO BE PRESENTED ON SEPTEMBER 1, 2009

[09-1072](#)
CD 14

HEARING PROTESTS against the proposed improvement and maintenance of the Lamar and Cardinal Streets Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Lamar and Cardinal Streets Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on June 9, 2009 - Continue hearing and present Ordinance on SEPTEMBER 1, 2009 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (4) - PUBLIC HEARING HELD - CONTINUED HEARING AND ORDINANCE TO BE PRESENTED ON SEPTEMBER 1, 2009

[09-1073](#)
CD 11

HEARING PROTESTS against the proposed improvement and maintenance of the Exposition Boulevard and Purdue Avenue Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Exposition Boulevard and Purdue Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on June 9, 2009 - Continue hearing and present Ordinance on SEPTEMBER 1, 2009 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (5) - PUBLIC HEARING HELD - CONTINUED HEARING AND ORDINANCE TO BE PRESENTED ON SEPTEMBER 1, 2009

[09-1074](#)

CD 2

HEARING PROTESTS against the proposed improvement and maintenance of the Pinewood Avenue and Tujunga Canyon Boulevard Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Pinewood Avenue and Tujunga Canyon Boulevard Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on June 9, 2009 - Continue hearing and present Ordinance on SEPTEMBER 1, 2009 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (6) - PUBLIC HEARING HELD - CONTINUED HEARING AND ORDINANCE TO BE PRESENTED ON SEPTEMBER 1, 2009

[09-1094](#)

CD 4

HEARING PROTESTS against the proposed improvement and maintenance of the Woodman Avenue and Hart Street Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Woodman Avenue and Hart Street Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on June 9, 2009 - Continue hearing and present Ordinance on SEPTEMBER 1, 2009 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (7) - PUBLIC HEARING CLOSED - ORDINANCE OVER TO SEPTEMBER 1, 2009

Roll Call #2 - Motion (LaBonge - Parks) Adopted, Ordinance Over, Ayes (10); Absent: Reyes, Rosendahl, Smith and Zine (4)

[09-1054](#)

CDs 9 & 10

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Mid-City/Exposition LRT Project Segments B2A-B2D Street Lighting District.

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

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the assessment cannot be enacted.
2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).
3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

(Public Hearing held July 21, 2009)

Items for Which Public Hearings Have Been Held - Items 8-26

ITEM NO. (8) - ADOPTED

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

[09-1886](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the Mayor's appointment of Ms. Kei Karen Nagao to the East Los Angeles Area Planning Commission.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Kei Karen Nagao to the East Los Angeles Area Planning Commission for the term ending June 30, 2012, to fill the vacancy created by Sharon Lowe, who resigned on June 15, 2009, is APPROVED and CONFIRMED. Ms. Nagao resides in Council District 13. (Current Commission gender composition: M=3; F=1; vacancy=1)

Ethics Commission Review: Pending

Background Check Review: Pending

Community Impact Statement: None submitted.

ITEM NO. (9) - CONTINUED TO SEPTEMBER 8, 2009

Roll Call #4 - Motion (Hahn - LaBonge) Adopted to Continue, Unanimous Vote (10); Absent: Reyes, Rosendahl, Smith and Zine (4)

[09-1877](#)

CDs 1 & 14

CONTINUED CONSIDERATION OF JOINT PUBLIC HEARING AND JOINT PUBLIC MEETING BETWEEN THE CITY COUNCIL AND THE BOARD OF COMMISSIONERS OF THE COMMUNITY REDEVELOPMENT AGENCY, RESOLUTIONS and ORDINANCE FIRST CONSIDERATION relative to a proposed Amendment to the Adelante Eastside Redevelopment Plan; consideration of the proposed Amendment; review and consideration of the information in the addendum to and Final Environmental Impact Report for the Adelante Eastside Redevelopment Project; review and consideration of the information in the Whiteside Redevelopment Project Final Impact Report; related various actions to approve and adopt the Redevelopment Plan Amendment pursuant to the Community Redevelopment Law of the State of California; consideration of a proposed Five Year Implementation Plan (FY 2010-14) for the Adelante Eastside Redevelopment Project.

Actions for consideration by the Community Redevelopment Agency

Recommendations for Agency action:

1. ADOPT the accompanying RESOLUTION certifying that the CRA/LA has reviewed and considered the information in the Addendum to and Final Environmental Impact Report for the Adelante Eastside Redevelopment Project, making certain findings regarding the environmental impacts and reaffirming the previously adopted Mitigation Monitoring and Reporting Program and Statement of Overriding Considerations.
2. ADOPT the accompanying RESOLUTION approving and adopting the Five-Year Implementation Plan for the Adelante Eastside Redevelopment Project (FY 2010-14).
3. ADOPT the accompanying RESOLUTION approving the proposed Amendment to the Redevelopment Plan for the Adelante Eastside Redevelopment Project and the Report to Council thereon, authorizing the submission of the Amendment and the Report to Council and making certain findings related thereto.

Actions for consideration by the City Council

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

1. ADOPT the accompanying RESOLUTION certifying that the City Council has reviewed and considered the information in the Addendum to and Final Environmental Impact Report for the Adelante Eastside Redevelopment Project, making certain findings regarding the environmental impacts, and reaffirming the previously adopted Mitigation Monitoring and Reporting Program and Statement of Overriding Considerations.

2. ADOPT the accompanying RESOLUTION adopting the written Findings in response to each written objection of an affected property owner or taxing entity to the proposed amendment to the Adelante Eastside Redevelopment Plan.
3. PRESENT and ADOPT the accompanying ORDINANCE amending and restating the Redevelopment Plan for the Adelante Eastside Redevelopment Project Area.

(Continued from Council meeting of August 4, 2009)

**Roll Call #5 - Motion (Huizar - LaBonge) Adopted, Ayes (10); Absent: Reyes, Rosendahl, Smith and Zine (4)
(Item Nos. 10-11)**

ITEM NO. (10) - ADOPTED - ORDINANCE OVER TO SEPTEMBER 1, 2009

[09-1632](#)
CD 9

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone and height change for property at 2700 South Figueroa Street.

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. 09-1632 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2008-4229 MND] filed on March 20, 2009.
2. ADOPT the August 5, 2009, FINDINGS of the Director of Planning, as Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE dated August 5, 2009, approved by the Director of Planning, on behalf of the City Planning Commission (CPC), effecting a zone and height change from C2-1L to (T)(Q)C2-2D for the proposed demolition of an existing single-story 29,500 square foot commercial building and construction of a new seven story mixed-use development including student housing and retail with a floor area ratio of 3.8:1 on a 45,000 square foot site. The new building will include approximately 22,710 square feet of retail space with 45 parking spaces, and 171 apartments with 183 parking spaces for property at 2700 South Figueroa Street, subject to Conditions of Approval, as modified for Condition No. 35, and as attached to the Committee report. (The CPC also approved a Site Plan Review for this project)

Applicant: The Martin Group, David Hilliard

CPC 2008-4228 ZC HD SPR

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.

6. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
7. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.
8. NOT PRESENT and ORDER FILED the Ordinance approved by the CPC dated May 28, 2009.

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 28, 2009

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 25, 2009)

ITEM NO. (11) - ADOPTED - ORDINANCE OVER TO SEPTEMBER 1, 2009

[09-1653](#)

CD 2

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a Building Line Removal for property at 5075 North Kester Avenue.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Negative Declaration reflects the independent judgment of the lead agency City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 09-1653 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 Mitigated Negative Declaration (ENV 2007-2588-MND) filed on December 21, 2007.
2. ADOPT the FINDINGS of the South Valley Area Planning Commission (SVAPC) as the Findings of the City Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the SVAPC, effecting a Building Line removal of a 25 foot building line established by Ordinance No. 101,016, for four new condominiums on a 0.14 acre lot for property at 5075 North Kester Avenue.

Applicant: Fariba Rahnama
Representative: Robert Lamishaw

APCSV 2007-2639 BL

4. 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.
5. 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 Planning Department reports that there is no General Fund impact, as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 29, 2009

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 29, 2009)

ITEM NO. (12) - ADOPTED - ORDINANCE OVER TO SEPTEMBER 1, 2009

Roll Call #6 - Motion (Huizar - Parks) Adopted, Ordinance Over, Ayes (10); Absent: Reyes, Rosendahl, Smith and Zine (4)

[09-1884](#)

CD 14

NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION establishing the boundaries of the Broadway Theater and Entertainment District Design Guide (Community Design Overlay District or CDO) on parcels fronting Broadway between Second Street and Olympic Boulevard and zone change to impose permanent Qualified [Q] Conditions on the subject properties.

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 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. 09-1884 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 Negative Declaration [ENV 2009-1487 ND] filed on May 22, 2009.
2. ADOPT the FINDINGS of the City Planning Commission (CPC), as revised in Committee as the Findings of the City Council.
3. PRESENT and ADOPT the accompanying ORDINANCE approved by the Director of Planning and dated August 5, 2009, amending the zoning map establishing the Broadway Theater and Entertainment District Design Guide CDO Boundaries and effecting a zone change to impose permanent Qualified [Q] Conditions for properties on parcels fronting Broadway between 2nd Street and Olympic Boulevard to further implement the goals of the CDO.

4. NOT PRESENT and ORDER FILED the Ordinance approved by the City Planning Commission on July 9, 2009.

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

Community Impact Statement: None submitted.

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

Roll Call #7 - Motion (Huizar - LaBonge) to Adopt as Amended, Ayes (10); Absent: Reyes, Rosendahl, Smith and Zine (4)

[09-0648-S14](#)

COMMUNICATION FROM THE GENERAL MANAGER, COMMUNITY DEVELOPMENT DEPARTMENT relative to designating a Los Angeles American Recovery and Reinvestment Act of 2009 Recovery Zone for the issuance of economic development and tax-exempt private activity recovery zone facility bonds.

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

(Click on the above hyperlink or go to <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

ADOPTED

AD HOC COMMITTEE ON ECONOMIC RECOVERY AND REINVESTMENT REPORT and RESOLUTIONS relative to designating a Los Angeles American Recovery and Reinvestment Act of 2009 (ARRA) Recovery Zone for the issuance of economic development and tax-exempt private activity recovery zone facility bonds.

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

1. **ADOPT** the accompanying RESOLUTION to designate specified areas as the Los Angeles Recovery Zone for the purpose of issuing both the taxable public purpose Recovery Zone Economic Development Bonds, and the private-activity, tax-exempt Recovery Zone Facility Bonds by December 31, 2010, or as otherwise extended.
2. **APPROVE** the Recovery Zone Facility Bond Program guidelines as outlined in the Community Development Department (CDD) report to Council dated August 13, 2009 (attached to the Council file).

3. **APPROVE** the formation of a Recovery Zone Steering Committee, chaired by a representative of the City Administrative Officer (CAO) and consisting of representatives from the Offices of the Mayor, Chief Legislative Analyst (CLA), CAO, City Attorney, Community Redevelopment Agency, and CDD, for the purposes of reviewing and assessing proposed bond projects and making recommendations to the Mayor and Council concerning the issuance of qualified projects for Recovery Zone Facility Bonds.
4. **ADOPT** second accompanying **RESOLUTION** to include in the City's 2009-10 State Legislative Program **OPPOSITION** to any California Debt Limit Committee (CDLAC) provisions or regulations that include a waiver of the City's Recovery Zone Bond allocations; and, **AUTHORIZE** the Mayor to submit comments to the CDLAC, as necessary, on behalf of the City of Los Angeles.
- *5. **INSTRUCT** the City Administrative Officer and Chief Legislative Analyst to report back to the Council on eligible uses of funds and if a private museum would qualify for those funds. (*Huizar - LaBonge)

Fiscal Impact Statement: CDD reports that the proposed Los Angeles Recovery Zone Bond Program will have varying fiscal impacts. Debt service for the public purpose Recovery Zone Economic Development Bonds will be paid either by General Fund, or special revenues, whereas the private activity Recovery Zone Facility Bonds will have no impact on the General

Fund, as debt service will be paid by private borrowers.

Proceeds from private activity Recovery Zone Facility Bonds are funded solely by private investors and do not require a pledge of public funds for the security of the bonds. The source of repayment for the private activity bonds will be from operating revenues of the borrowers and projects. Private activity bonds are typically publicly offered and guaranteed by a Letter of Credit issued by a commercial bank, a surety company, or privately placed with qualified institutional investors. The City of Los Angeles will not bear any financial responsibility for the repayment of private activity Recovery Zone Facility Bonds.

Community Impact Statement: None submitted.

ITEM NO. (14) - CONTINUED TO SEPTEMBER 22, 2009

Roll Call #8 - Motion (Huizar - LaBonge) Adopted to Continue, Unanimous Vote (10); Absent: Reyes, Rosendahl, Smith and Zine (4)

[07-2112-S1](#)

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to requesting amendments to the administration of the Venice Beach Boardwalk Public Expression Permit Program Rules.

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

REQUEST the City Attorney to prepare and present amendments to Los Angeles Municipal Code Section 42.15 which includes the following:

- a. Ensures the use of all musical instruments are discontinued at sunset.
- b. Ensures that all performers are rotated in a timely manner thus allowing for the participation of other performers for shared space purposes.
- c. Instructs the Department of Recreation and Parks to create a lottery system that is year-round for both the I-Zone and P-Zone.

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. (15) - CONTINUED TO SEPTEMBER 4, 2009, AND IN THE INTERIM REFERRED TO ARTS, PARKS, HEALTH AND AGING COMMITTEE

Roll Call #9 - Motion (LaBonge - Perry) Adopted To Continue-Refer to Committee in Interim, Unanimous Vote (10); Absent: Reyes, Rosendahl, Smith and Zine (4)

[09-1671](#)

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

Recommendation for Council action:

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

Fiscal Impact Statement: The City Administrative Officer reports that Michael Leslie Productions, Inc. (Concessionaire) will pay the City 39 percent of gross receipts from the operation of the electric golf cart concession. The Concessionaire has committed to invest a minimum of \$100,000 for capital investments. The Concessionaire will be responsible for utility charges relative to its operation, except for water and trash collection. 90 percent of the revenues from this concession agreement will be deposited into the Department of Recreation and Parks' operating fund, and 10 percent will be deposited into the Golf Concessions Improvements Accounts. There is no additional impact on the General Fund. The above recommendation is in compliance with the City Financial Policies in that user charges and fees are set to support the full cost of operations for which the fees are charged.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 5, 2009

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

(Continued from Council meeting of July 22, 2009)

**Roll Call #5 - Motion (Huizar - LaBonge) Adopted, Ayes (10); Absent: Reyes, Rosendahl, Smith and Zine (4)
(Item Nos. 16-21)**

ITEM NO. (16) - ADOPTED

[08-2030](#)

BUDGET AND FINANCE COMMITTEE REPORT and RESOLUTION relative to an amendment to the Letter of Credit and Reimbursement Agreement relating to the Commercial Paper Program.

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

ADOPT the accompanying RESOLUTION authorizing the City Administrative Officer (CAO) to negotiate and execute an Amendment to the Letter of Credit and Reimbursement Agreement with Bank of America, N.A., which will extend the termination date of the Letter of Credit facility supporting the Municipal Improvement Corporation of Los Angeles (MICLA) Commercial Paper Lease Financing Program from September 1, 2009 to December 31, 2010.

Fiscal Impact Statement: The CAO reports that the proposed changes to the MICLA Commercial Paper Lease Financing Program will not impact the Fiscal Year 2009-10 General Fund as debt service payments have already been budgeted.

Debt Impact Statement: The CAO reports that debt service payments resulting from the proposed Amendment to the MICLA Commercial Paper Program will depend on the amount of principal outstanding. The CAO will monitor the use of proposed and future projects approved by the Mayor and Council to ensure that financings with the MICLA Commercial Paper Program will not cause the maximum debt service payable in any given year to exceed six percent limit of General Fund revenues for non-voter approved debt, as established in the City's Debt Management Policy.

Community Impact Statement: None submitted.

ITEM NO. (17) - ADOPTED

[09-1699](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to a refund claim filed by CH2M Hill, Inc., for overpayment of business tax.

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

APPROVE the refund claim filed by CH2M Hill, Inc., for overpayment of business tax in the amount of \$73,345.11 plus daily interest of \$12.06 to accrue from the date the claim was filed until the date the refund is paid.

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

Community Impact Statement: None submitted.

ITEM NO. (18) - ADOPTED

[09-1525](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to executing contracts with Civic Resource Group LLC (CRG) and Cartifact Inc (Cartifact), in a total amount not to exceed \$1.3 million, for systems development and web portals projects.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to execute the two contracts listed below, in an aggregate amount of \$1.3 million in compensation, for various CRA-wide systems development projects for a term that is contingent upon the completion of such projects, 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:

- a. CRG, in an amount not to exceed \$850,000, for the design, development and implementation of the upgrades to the CRA's intranet and internet websites.
- b. Cartifact, in an amount not to exceed \$450,000, for the design, development and implementation of the Project Area Web Portals Project.

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 recommendations will result in the expenditure of an aggregate not to exceed \$1.3 million from a combination of administrative operating funds and carryover savings from prior fiscal years to pay for various CRA-wide systems development projects.

Community Impact Statement: None submitted.

ITEM NO. (19) - ADOPTED

[09-1527](#)

CD 3

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to executing a three-year contract with Tropical Creations Horticultural Services (TCHS), in an amount not to exceed \$165,000, for landscaping and maintenance services in the Reseda Business District (RBD) in order to continue the Reseda Streetscape Maintenance Program (Program).

Recommendation for Council action:

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

- a. Execute a contract with TCHS, in an amount not to exceed \$165,000, for a period of three years with two one-year options to renew, for landscaping and maintenance services in the RBD in order to continue the Program, subject to the review of the City Attorney as to form and legality.

- b. Amend the CRA Fiscal Year 2008-09 Budget and Work Program to transfer and use \$165,000 in Assembly Bill (AB) 1290 funds from the Reseda-Canoga Park Redevelopment Project Area budgeted line item "Development Opportunities" to budgeted line item "Public Improvements."

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no General Fund impact. The sources of funds are Fiscal Year 2008-09 AB 1290 funds.

Community Impact Statement: None submitted.

ITEM NO. (20) - ADOPTED

[09-1712](#)

CD 8

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to applying for a \$450,000 Proposition K Grant for Phase One of the proposed Vermont Median Park Project (Project).

Recommendations for Council action:

1. ADOPT the accompanying joint RESOLUTION [attached to the City Administrative Officer (CAO) report dated July 31, 2009] between the Community Redevelopment Agency (CRA) Board of Commissioners and Council authorizing the CRA to apply to the Department of Public Works, Bureau of Engineering, for grant funds in the amount of \$450,000 under the Proposition K - L.A. For Kids Program for the design and construction of the first phase of the Project, located in the CRA's Recovery Redevelopment Project for the Council District Nine Corridors South of the Santa Monica Freeway (CD9RPA) in Council District Eight.
2. AUTHORIZE the Chief Executive Officer, CRA, or designee, to allocate a matching fund commitment of \$150,000 in CD9RPA tax increment funds to pay for feasibility and construction drawings related to the design and construction of the Project.

Fiscal Impact Statement: The CAO reports that there is no known impact on the General Fund at this time. The maintenance and security plans for the proposed Project will be subject to the review and approval of Council prior to the Proposition K - LA For Kids Program grant funding cycle commencing July 1, 2010. 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 recommendations will result in the commitment and expenditure of \$150,000 in tax increment funds from the CD9RPA for the design and construction of the first phase of the Project. The one-time expenditure of \$150,000 will be a matching contribution to a one-time source of grant funds in the amount of \$450,000, for an aggregate of \$600,000.

Community Impact Statement: None submitted.

ITEM NO. (21) - ADOPTED

[09-1777](#)

CD 9

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to Department of Housing and Urban Development (HUD) Section 108 Loan Guarantee Program

(Section 108) in the amount of \$1,700,000 for the Paul R. Williams Cultural and Historical Family Community Center Project (Project) located at 976-1010 East Jefferson Boulevard.

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

1. FIND, pursuant to an eligibility review conducted by the Community Development Department (CDD), that the Project meets a National Objective and Public Benefit compliance of the Housing and Community Development Act and is necessary and appropriate to accomplish the City's economic development objectives.
2. AUTHORIZE the General Manager, CDD, or designee, to:
 - a. Negotiate and execute a Promissory Note in favor of HUD, related documents, and amendments to these documents, to borrow an amount up to \$1,700,000 pursuant to Section 108 for a City Loan for the Project, subject to the review of the City Attorney as to form and legality.
 - b. Negotiate and execute City Loan Agreements (City Loans) financed with Section 108 Loan proceeds in an amount up to \$1,700,000 for the Project, and all related documents between the City and a pending Special Investment Purpose Fund (Borrower), to make qualified equity investments in a qualified Community Development Entity for the Project, funding rehabilitation, and other eligible costs of the Project by the Community Enhancement Corporation (Developer) which will obligate the Borrower to repay the City Loan, on the condition that all other funding for the Project have been secured by the Borrower prior to release of the funds for the Project, and subject to the review of the City Attorney as to form and legality, and compliance with the City's contracting requirements.
 - c. Prepare Controller instructions for any technical adjustments that are necessary and consistent with the Mayor and Council action on this matter, subject to the approval of the City Administrative Officer (CAO), and authorize the Controller to implement those instructions.
3. INSTRUCT the General Manager, CDD, or designee, to negotiate and execute a Subordination Agreement with respect to a \$1,000,000 Community Development Block Grant (CDBG) Service Payback Loan made to the Developer in July 2008 (Council file Nos. 06-0100-S12 and 07-01277-S2), subject to the review of the City Attorney as to form and legality.
4. APPROVE the City Loan with Section 108 Loan proceeds in an amount up to \$1,700,000 for the Project, subject to environmental assessment of the proposed Project and satisfactory compliance with the California Environmental Quality Act and the National Environmental Policy Act.
5. REQUEST the Controller to establish a new account, E415, within the Section 108 Fund 43F, titled Paul R. Williams Cultural and Historic Family Community Center Project and appropriate and expend funds in an amount up to \$1,700,000 upon proper demand of the General Manager, CDD, or designee.

Fiscal Impact Statement: The CAO reports that there is no impact on the City's General Fund. The City Loan will generate program income through a front-end fee of \$21,250 when the City Loan is disbursed. This amount and proceeds from a 1.50 percent spread over the Project-based Loan through loan maturity will generate program income for the CDBG. Collateral and debt service

obligations of City Loans that are funded by Section 108 are the sole responsibility of the borrower and are secured by the security interest in an escrow account and Developer guarantees to prevent any negative impact on City grant resources. In the event the City does not make its scheduled debt service obligation to HUD, per its Section 108 borrowings, HUD's recourse is to draw payment from current and future CDBG allocations to the City. The recommendations comply with the City Financial Policies in that loan proceeds are comprised entirely of federal funds.

Community Impact Statement: None submitted.

ITEM NO. (22) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #10 - Motion (Wesson - LaBonge) to Adopt as Amended, Ayes (10); Absent: Reyes, Rosendahl, Smith and Zine (4)

[09-1873](#)

CDs 3, 6, 7, 10, 11, 12 & 13

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to expanding the Los Angeles-Hollywood State Enterprise Zone (LA - Hollywood SEZ).

Recommendations for Council action:

1. ADOPT the accompanying RESOLUTION [Attachment 2 of the City Administrative Officer (CAO) report dated August 4, 2009] relating to the City's application to the California Department of Housing and Community Development (HCD) for the expansion of the LA - Hollywood SEZ.
2. AUTHORIZE the General Manager, Community Development Department (CDD), or designee, to prepare an application for the expansion of the LA - SEZ, and submit such application and all supporting documents to the HCD in conformance with State regulations, and subject to the review of the City Attorney as to form and legality.

Fiscal Impact Statement: The CAO reports that there is no impact to the General Fund. The CDD will receive approximately \$27,500 in fees for processing hiring tax credit vouchers. The fee is anticipated in the Fiscal Year 2009-10 Adopted Budget. The recommendations comply with City Financial Policies in that funding for the administrative costs to manage the program is provided by the Community Development Block Grant and Hiring Credit Voucher Fee income. The City does not provide a subsidy or incur liability for tax credits granted under State Enterprise Zone programs.

Community Impact Statement: None submitted.

ADOPTED

MOTION (WESSON - KORETZ)

Recommendation for Council action:

DELETE the West Adams Study Area from the Los Angeles-Hollywood State Enterprise Zone Expansion Application and replace with the Mid-City Study Area. This area would include

the commercial/industrial properties along Washington Boulevard, Venice Boulevard, LaBrea Avenue, Adams Boulevard, La Cienega Boulevard and Fairfax Avenue located in Census Tracts 2703.00, 2183.00, 2184.00 and 2185.00.

**Roll Call #5 - Motion (Huizar - LaBonge) Adopted, Ayes (10); Absent: Reyes, Rosendahl, Smith and Zine (4)
(Item Nos. 23-26)**

ITEM NO. (23) - ADOPTED

[09-1824](#)

CATEGORICAL EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to a five-year Replacement Lease with Southwest Airlines Company, at the Los Angeles International Airport.

Recommendations for Council action:

1. FIND that this action is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article III Class 1 (18)(c) of the Los Angeles City CEQA Guidelines.
2. APPROVE the five-year Replacement Lease between the City and Southwest Airlines Company.
3. CONCUR in the Board of Airport Commissioners' action of July 21, 2009, Board Order No. AO-5139, authorizing the Executive Director to execute the Replacement Lease with Southwest Airlines Company.

Fiscal Impact Statement: The City Administrative Officer reports that the revenue to the Airport Revenue Fund will total \$348,615.60 annually. The revenue to be paid to the Department of Airports (Department) over the five year period will total approximately \$1,743,078, exclusive of periodic adjustments. The Department anticipates that the General Fund will receive approximately \$359 in possessory interest taxes annually or \$1,795 over five years. Since the Department 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 22, 2009

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

ITEM NO. (24) - ADOPTED

[09-1844](#)

CATEGORICAL EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to a five-year Replacement Lease with Japan Airlines International, LTD. (Japan Airlines), at the Los Angeles International Airport.

Recommendations for Council action:

1. FIND that this action is exempt from the requirements of the California Environmental Quality Act

(CEQA) pursuant to Article III Class 1 (18)(c) of the Los Angeles City CEQA Guidelines.

2. APPROVE the five-year Replacement Lease between the City and Japan Airlines.
3. CONCUR in the Board of Airport Commissioners' action of July 21, 2009, Board Order No. AO-5138, authorizing the Executive Director to execute the Replacement Lease with Japan Airlines.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed replacement lease will generate approximately \$2,712,200 annually for the Airport Revenue Fund, exclusive of periodic adjustments. The Department of Airports (Department) anticipates the General Fund will receive approximately \$103,600 in possessory interest taxes annually. Since the Department 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 22, 2009

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

ITEM NO. (25) - ADOPTED

[09-0568](#)

CDs 5 & 11

CONTINUED CONSIDERATION OF TRANSPORTATION and BUDGET AND FINANCE COMMITTEES' REPORT relative to the Santa Monica Boulevard Transit Parkway Project - Sixth Annual Status Report.

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

1. INSTRUCT the Bureaus of Engineering and Street Services and the Los Angeles Department of Transportation to submit final invoices on the Santa Monica Transit Parkway project to the Board of Public Works for processing before the end of the fiscal year.
2. AUTHORIZE the Board of Public Works to transfer any remaining unspent funds in Subvention and Grants Fund No. 305/50, Account No. R650 to General Fund, Non-Department General No. 100/62, Revenue Source Code No. 4640 upon payment of staffing cost charges and reconciliation of a Bureau of Street Services Reserve Fund loan.
3. AUTHORIZE the City Administrative Officer (CAO) to make technical adjustments as necessary to implement the intent of the Mayor and Council actions.

Fiscal Impact Statement: The CAO reports that an estimated \$3 million will be transferred to the General Fund as partial reimbursement of indirect costs upon reconciliation of department charges. The recommendations are consistent with the City Financial Policies.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

(Continued from Council meeting of August 4, 2009)

ITEM NO. (26) - ADOPTED

[08-0473-S1](#)

CD 13

TRANSPORTATION and HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEES' REPORT relative to authorizing the release a Request for Proposals (RFP) for the development of Parking Lot No. 742 located at 1633 North Wilcox Avenue.

Recommendations for Council action, pursuant to Motion (Garcetti - Rosendahl):

1. AUTHORIZE the Los Angeles Department of Transportation (LADOT) and the Los Angeles Housing Department (LAHD) to jointly issue an RFP for the development of Parking Lot No. 742 located at 1633 North Wilcox Avenue, operated by the LADOT, and the adjacent Los Angeles Contemporary Exhibitions Building at 6518-22 West Hollywood Boulevard, operated by the City's Community Development Department, as an affordable or mixed-income housing development with an increased number of public parking spaces. The RFP should be limited to lease-only, although the City may be willing to subordinate the ground lease and offer an extended term.
2. DIRECT the LADOT and LAHD, in coordination with Council District 13, to undertake an outreach effort during the RFP process to gather community input on various project concepts.
3. INSTRUCT the departments to report to the Council with a recommended developer prior to the award of a contract.

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

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 27-40

(10 Votes Required for Consideration)

**Roll Call #11 - Motion (Cárdenas - Huizar) Adopted, Ayes (10); Absent: Reyes, Rosendahl, Smith and Zine (4)
(Item Nos. 27a-27g)**

ITEM NO. (27) - ADOPTED - FORTHWITH

[09-0005-S472](#)

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 August 4, 2009:

[09-0005-S472](#)

CD 11

- a. Property at 19 East Anchorage Street aka 19 1/2 East Anchorage Street (Case No. 237597). Assessor I.D. No. 4225-001-015

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 11, 2009)

[09-0005-S473](#)

CD 12

- b. Property at 21701 West Parthenia Street (Case No. 227047). Assessor I.D. No. 2779-042-042

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 2, 2009)

[09-0005-S474](#)

CD 12

- c. Property at 21701 West Parthenia Street (Case No. 235470). Assessor I.D. No. 2779-042-042

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

[09-0005-S475](#)

CD 14

- d. Property at 330 South Gless Street (Case No. 24819). Assessor I.D. No. 5172-022-012

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 29, 2006)

[09-0005-S476](#)

CD 13

- e. Property at 656 North Occidental Boulevard aka 658 North Occidental Boulevard (Case No. 102589). Assessor I.D. No. 5402-006-030

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 1, 2008)

[09-0005-S477](#)

CD 8

- f. Property at 6613 South Figueroa Street (Case No. 131904). Assessor I.D. No. 6013-018-031

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 16, 2007)

[09-0005-S478](#)

CD 7

- g. Property at 9005 North Orion Avenue (Case No. 170012). Assessor I.D. No. 2654-001-045

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 21, 2008)

ITEM NO. (28) - ADOPTED

Roll Call #13 - Motion (Cárdenas - Koretz) Adopted, Ayes (10); Absent: Reyes, Rosendahl, Smith, and Zine (4)

08-0178-S10

CDs 1, 4, 6, 7, 8, 9, 10, 13, 14 & 15

COMMUNICATION FROM CHAIR, AD HOC COMMITTEE ON GANG VIOLENCE AND YOUTH DEVELOPMENT relative to the selection of and funding for Gang Reduction and Youth Development (GRYD) zones prevention services providers.

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

1. AUTHORIZE the Mayor, or designee, to negotiate and execute contract amendment documents with the 12 organizations listed below to provide gang prevention services listed in the pro forma amendment attached to the City Administrative Officer (CAO) report (attached to the Council file) for an amendment term retroactive from July 1, 2009 to June 30, 2010 and for an amount not to exceed \$1,000,000 per GRYD zone from the funding sources listed below and a total amount of \$12 million, subject to the approval of the City Attorney, as to form and legality:

<u>GYRD Zone</u>	<u>Contractor</u>	<u>Amount</u>	<u>Funding Source</u>
77th Street Division II	Asian American Drug Abuse Program	\$1,000,000	General Fund - 2009-10 Adopted Budget
Baldwin Village/Southwest	Community Build, Inc.	\$1,000,000	General Fund - 2009-10 Adopted Budget
Boyle Heights/Hollenbeck	Alma Family Services	\$760,000	General Fund - 2009-10 Adopted Budget
Boyle Heights/Hollenbeck	Alma Family Services	\$240,000	2008 CalGrip Grant (Council file No. 07-0071-S9)
Cypress Park/Northeast	Children's Hospital of Los Angeles	\$1,000,000	General Fund - 2009-10 Adopted Budget
Florence-Graham/77th	Los Angeles Metropolitan Churches	\$745,974	General Fund - 2009-10 Adopted Budget
Florence-Graham/77th	Los Angeles Metropolitan Churches	\$254,206	2007 TVCI Grant (Council file No. 07-2730)
Newton	People Coordinated Services	\$1,000,000	General Fund - 2009-10 Adopted Budget
Pacoima/Foothill	El Nido Family Services	\$1,000,000	General Fund - 2009-10 Adopted Budget
Panorama City/Mission	New Directions for Youth	\$1,000,000	General Fund - 2009-10 Adopted Budget
Rampart	El Centro Del Pueblo	\$1,000,000	General Fund - 2009-10 Adopted Budget
Ramona Gardens	Violence Intervention	\$1,000,000	General Fund - 2009-10

Southwest II	Program Brotherhood Crusade	\$1,000,000	Adopted Budget General Fund - 2009-10
Watts/Southeast	Los Angeles Conservation Corps	\$1,000,000	Adopted Budget General Fund - 2009-10

2. AUTHORIZE the Mayor, or designee, to prepare Controller's instructions and/or make technical adjustments that may be required to implement the actions approved by the Mayor and Council on this matter, subject to the approval of the 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. Funding for the proposed contract amendments is available in the Fiscal Year 2009-10 Adopted Budget and from the 2008 California Gang Reduction, Intervention and Prevention Program Grant (Council file No. 07-0071-S9) and the 2007 Edward Byrne Memorial Discretionary Grant - Targeting Violent Crime Initiative (Council file No. 07-2730). The recommendations in the report comply with City Financial Policies in that the proposed funding is balanced against established revenue approved in previous Council actions and from state and federal grants. All funding is subject to the availability of grant funds and funding determinations by Mayor and Council.

Community Impact Statement: None submitted.

ITEM NO. (29) - ADOPTED

Roll Call #14 - Motion (Parks - LaBonge) Adopted, Ayes (10); Absent: Reyes, Rosendahl, Smith and Zine (4)

[09-1140](#)
CD 14

COMMUNICATION FROM CHAIR, AD HOC COMMITTEE ON GANG VIOLENCE AND YOUTH DEVELOPMENT relative to the Fiscal Year (FY) 2006 Congressional Mandated Award for the Ramona Gardens Gang Reduction and Youth Development (GRYD) zone.

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

1. APPROVE the grant period extension for September 1, 2006 to August 31, 2009 for the FY 2006 US Department of Justice, Office of Juvenile Justice and Delinquency Prevention Congressional Earmark Program for the Ramona Gardens GRYD zone.
2. APPROVE the revised FY 2006 Congressional Earmark Program - Ramona budget for the Ramona Gardens GRYD zone and authorize the Mayor's Office to expend the grant in accordance with the revised budget.
3. AUTHORIZE the Controller to:
 - a. Establish a new fund entitled FY 2006 Congressional Mandated Award for the Ramona Gardens GRYD (FY06 Office of Juvenile Justice and Delinquency Prevention Ramona Gardens GRYD) Fund No. XXX, Department No. 46, recognize a receivable in the amount of \$98,723, and establish new appropriation accounts as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
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F046	Salaries Mayor - GYRD, Homeland Security and Public Safety (HSPS)	\$29,299
F146	Salaries Mayor - GYRD, HSPS	\$69,424

- b. Upon receipt of grant funds, transfer \$29,299 from FY 06 Office of Juvenile Justice and Delinquency Prevention (OJJDP) Ramona Gardens GRYD Grant Fund No. XXX, Department No. 46, Account No. F046 (Salaries - Mayor) to the 2009-10 General Fund to reimburse OJJDP related expenditures for July 1, 2008 to June 30, 2009, as follows:

<u>Fund/Department No.</u>	<u>Account</u>	<u>Expenditures Reimbursed</u>	<u>Amount</u>
100/46	4640	Salaries Grant Reimbursed	\$20,466
100/46	4610	Related Costs Reimbursement	\$8,833

- c. Upon submission of proper documentation, transfer up to \$69,424 from FY 06 OJJDP Ramon Gardens GRYD Grant Fund No. XXX, Department No. 46, Account No. F146 (Salaries - Mayor) to the following accounts for grant-related expenditures:

<u>Fund/Department No.</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
100/46	1020	Salaries Grant Reimbursed	\$48,493
100/46	4681	Related Costs Reimbursement	\$20,931

4. AUTHORIZE the Mayor's Office to prepare Controller's 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 acceptance of the \$98,723 Congressional Mandated Program grant award from the US Department of Justice will provide funds to support the City's efforts to reduce gang involvement for youth in the Ramon Gardens GRYD zone. The full grant award will be used for personnel. Approximately \$586,061 in FY 2008-09 budgeted funds was required to cover costs not paid by the grant. An additional \$1,170,854 was provided by four other grants to support the Ramona Gardens GRYD zone in FY 2008-09. Approximately \$1,604,650 in FY 2009-10 budgeted funds is required and already budgeted to cover costs not paid by the grant. The recommendations are in compliance with City Financial Policies in that grant revenues plus budgeted City funds are available to support the total cost of the program.

Community Impact Statement: None submitted.

ITEM NO. (30) - ADOPTED

Roll Call #15 - Motion (Koretz - LaBonge) Adopted, Ayes (10); Absent: Reyes, Rosendahl, Smith and Zine (4)

[09-1686](#)

CDs 1, 4, 6, 7, 8, 9, 10, 13, 14 & 15

COMMUNICATION FROM CHAIR, AD HOC COMMITTEE ON GANG VIOLENCE AND YOUTH DEVELOPMENT relative to grant funding from the US Department of Justice and the California Gang Reduction, Intervention and Prevention Program for services in the Gang Reduction and Youth Development (GYRD) Zones.

Recommendations for Council action, as initiated by Motion (Wesson - Reyes), SUBJECT TO THE

APPROVAL OF THE MAYOR:

1. AUTHORIZE the Mayor, or designee, to negotiate and execute contract amendment documents with the 12 organizations listed below to provide gang prevention services listed in the pro forma amendment attached to the City Administrative Officer (CAO) report (attached to the Council file) for an amendment term retroactive from July 1, 2009 to June 30, 2010 and for an amount not to exceed \$1,000,000 per GRYD zone from the funding sources listed below and a total amount of \$12 million, subject to the approval of the City Attorney, as to form and legality:

<u>GYRD Zone</u>	<u>Contractor</u>	<u>Amount</u>	<u>Funding Source</u>
77th Street Division II	Asian American Drug Abuse Program	\$1,000,000	General Fund - 2009-10 Adopted Budget
Baldwin Village/Southwest	Community Build, Inc.	\$1,000,000	General Fund - 2009-10 Adopted Budget
Boyle Heights/Hollenbeck	Alma Family Services	\$760,000	General Fund - 2009-10 Adopted Budget
Boyle Heights/Hollenbeck	Alma Family Services	\$240,000	2008 CalGrip Grant (Council file No. 07-0071-S9)
Cypress Park/Northeast	Children's Hospital of Los Angeles	\$1,000,000	General Fund - 2009-10 Adopted Budget
Florence-Graham/77th	Los Angeles Metropolitan Churches	\$745,974	General Fund - 2009-10 Adopted Budget
Florence-Graham/77th	Los Angeles Metropolitan Churches	\$254,206	2007 TVCI Grant (Council file No. 07-2730)
Newton	People Coordinated Services	\$1,000,000	General Fund - 2009-10 Adopted Budget
Pacoima/Foothill	El Nido Family Services	\$1,000,000	General Fund - 2009-10 Adopted Budget
Panorama City/Mission	New Directions for Youth	\$1,000,000	General Fund - 2009-10 Adopted Budget
Rampart	El Centro Del Pueblo	\$1,000,000	General Fund - 2009-10 Adopted Budget
Ramona Gardens	Violence Intervention Program	\$1,000,000	General Fund - 2009-10 Adopted Budget
Southwest II	Brotherhood Crusade	\$1,000,000	General Fund - 2009-10 Adopted Budget
Watts/Southeast	Los Angeles Conservation Corps	\$1,000,000	General Fund - 2009-10 Adopted Budget

2. AUTHORIZE the Mayor, or designee, to prepare Controller's instructions and/or make technical adjustments that may be required to implement the actions approved by the Mayor and Council on this matter, subject to the approval of the 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. Funding for the proposed contract amendments is available in the Fiscal Year 2009-10 Adopted Budget and from the 2008 California Gang Reduction, Intervention and Prevention Program Grant (Council file No. 07-0071-S9) and the 2007 Edward Byrne Memorial Discretionary Grant - Targeting Violent Crime Initiative (Council file No. 07-2730). The recommendations in the report comply with City Financial Policies in that the proposed funding is balanced against established revenue approved in previous Council actions and from state and federal grants. All funding is subject to the availability of grant funds and funding determinations by Mayor and Council.

Community Impact Statement: None submitted.

**Roll Call #12 - Motion (Huizar - LaBonge) Adopted, Ayes (10); Absent: Reyes, Rosendahl, Smith and Zine (4)
(Item Nos. 31-32)**

ITEM NO. (31) - ADOPTED

[09-0808](#)

CDs 1, 4, 13 & 15

COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to accepting a grant award in the amount of \$66,000 from the Getty Foundation.

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

1. AUTHORIZE the General Manager, Department of Cultural Affairs (DCA), or designee, to accept a grant award from the J. Paul Getty Foundation and Research Institute in the amount of \$66,000 for the period of September 1, 2009 through December 1, 2011.
2. AUTHORIZE the General Manager, DCA, or designee, to negotiate and execute the grant award and agreement on behalf of the City and submit a grant agreement with the Getty Research Institute, subject to City Attorney approval as to form and content.
3. AUTHORIZE the General Manager, DCA, or designee, to receive and expend Getty Foundation and Research Institute grant funds for all eligible activities and expenses, including research team honoraria, and archiving of existing documents, for the period of September 1, 2009 through December 1, 2011.
4. AUTHORIZE the Controller to:
 - a. Establish a new appropriation account within Fund 337, Cultural Affairs Grants, to be labeled "Pacific Standard Time."
 - b. Appropriate \$66,000 received from the Getty Foundation and Research Institute into the newly established Fund 337, "Pacific Standard Time."
5. AUTHORIZE the General Manager, DCA, or designee, to prepare any Controller instructions needed to implement actions approved by the Council and Mayor on matters presented in or deriving from the report, and/or to make necessary technical adjustments, subject to review by the City Administrative Officer, and further, AUTHORIZE the Controller to implement these

instructions.

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

Community Impact Statement: None submitted.

ITEM NO. (32) - ADOPTED

[09-0808-S1](#)

CDs 1, 4, 13 & 15

COMMUNICATION FROM THE CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to applying for a grant award from the Getty Foundation.

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

1. AUTHORIZE the General Manager, Department of Cultural Affairs (DCA), or designee, to submit a grant application to the Getty Foundation in an amount up to \$275,000 for the Getty Foundation's "Pacific Standard Time" Exhibition and Publication Grant.
2. AUTHORIZE the General Manager, DCA, or designee, to submit required grant documents as required by the Getty Foundation, including project proposal, budget, and DCA operating budget documentation, subject to approval by the City Attorney as to form and content.
3. AUTHORIZE the General Manager, DCA, or designee, to prepare any Controller instructions needed to implement actions approved by the Council and Mayor on matters presented in or deriving from the report, and/or to make necessary technical adjustments, subject to review by the City Administrative Officer, and further, AUTHORIZE the Controller to implement these instructions.

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

Community Impact Statement: None submitted.

ITEM NO. (33) - ADOPTED

Roll Call #16 - Motion (Perry - Wesson) Adopted, Ayes (10); Absent: Reyes, Rosendahl, Smith and Zine (4)

[09-0633](#)

COMMUNICATION FROM CHAIR, JOBS, BUSINESS GROWTH, AND TAX REFORM COMMITTEE relative to the expansion of the Entertainment and Multimedia Tax Incentive to Downtown Los Angeles.

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

1. DIRECT the Chief Legislative Analyst (CLA), City Administrative Officer, Office of Finance and Community Redevelopment Agency to analyze actions necessary to expand the Entertainment and Multimedia Tax Incentive to Downtown Los Angeles and to report to Council within 90 days with recommendations.

2. APPROVE the suspension of tax for a period of five years, as verbally recommended by the CLA at the Jobs, Business Growth and Tax Reform Committee meeting on August 4, 2009.

Fiscal Impact Statement: The CLA states that the suspension of the multimedia tax would result in an impact to the General Fund resulting from an estimated reduction in business tax revenues of approximately \$68,000.

ITEM NO. (34) - ADOPTED

Roll Call #12 - Motion (Huizar - LaBonge) Adopted, Ayes (10); Absent: Reyes, Rosendahl, Smith and Zine (4)

[09-0002-S139](#)

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST and RESOLUTION (HUIZAR - ALARCON) relative to the City's position on SB 4 (Oropeza), the No Smoking at State Parks and Beaches Act.

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

ADOPT the accompanying RESOLUTION to include in the City's 2009-10 State Legislative Program SUPPORT for SB 4 (Oropeza), the No Smoking at State Parks and Beaches Act, which would make it an infraction for a person to smoke a pipe, cigar, or cigarette on a state coastal beach or a state park.

Fiscal Impact Statement: None submitted by the Chief Legislative Analyst. The City Administrative Officer has not completed a financial analysis of this report.

Community Impact Statement: None submitted.

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

Roll Call #17 - Motion (Koretz - Perry) Adopted, Ayes (10); Absent: Reyes, Rosendahl, Smith and Zine (4) (Item Nos. 35a-35g)

ITEM NO. (35) - ADOPTED - SUBSTITUTE MOTION ON ITEM "G"

[09-1941](#)

et al. MOTIONS relative to "Special Events" to be held in the various Council Districts.

Recommendations for Council action:

DECLARE the following community events as "Special Events"; APPROVE any temporary street closures as requested; and, INSTRUCT the involved City departments to perform such services as detailed the Council motions attached to the various listed Council files, including the waiver of fees, costs and requirements and other related issues, as specified:

[09-1941](#)

CD 13

- a. MOTION (GARCETTI - HUIZAR) relative to declaring the GI JOE on August 6, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[09-1939](#)

CD 13

- b. MOTION (GARCETTI - HUIZAR) relative to declaring the Shorts on August 15, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[09-1938](#)

CD 14

- c. MOTION (HUIZAR - KORETZ) relative to declaring the Hollenbeck Police Station Opening on August 22, 2009 a Special Event (fees and costs absorbed by the City = \$2,262).

[09-1937](#)

CD 1

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

[09-1934](#)

CD 4

- e. MOTION (LABONGE - GARCETTI) relative to declaring the residents of Sycamore Square annual neighborhood meeting and pot-luck luncheon on August 8, 2009 a Special Event (fees and costs absorbed by the City = \$1,022).

[07-2250-S1](#)

CD 4

- f. MOTION (LABONGE - WESSON) relative to declaring the 17th Annual Taste of Larchmont Village on August 24, 2009 a Special Event (fees and costs absorbed by the City = \$2,104).

[09-1943](#)

CD 5

- g. MOTION (KORETZ - HUIZAR) relative to declaring the MELROSE PLACE AFTER PARTY on August 22, 2009 a Special Event (all costs incurred by the City associated with this event will be paid by the sponsor).

ADOPTED

SUBSTITUTE MOTION (KORETZ - HUIZAR)

Recommendation for Council action:

MOVE that pursuant to Ordinance No. 150567 relating to temporary closures, the following streets be closed from 7:00 a.m. on August 22, 2009 to 4:00 a.m. on August 23, 2009 subject to the supervision of the Director of Bureau of Street Services; and

Melrose Place, between Croft Avenue and Alfred Street

MOVE that pursuant to Ordinance No. 150567 relating to temporary closures, the following sidewalks be closed from 6:00 p.m. on August 22, 2009 to 4:00 a.m. on August 23, 2009 subject to the supervision of the Director of the Bureau of Street Services; and

Melrose Place, between La Cienega Boulevard and Melrose Avenue

MOVE the pursuant to Ordinance No. 150567 relating to temporary closures, the following sidewalks and streets be closed from 5:00 p.m. on August 22, 2009 to 4:00 a.m. on August 23, 2009 subject to the supervision of the Director of the Bureau of Street Services.

Melrose Place, between Croft Avenue and Melrose Avenue

**Roll Call #12 - Motion (Huizar - LaBonge) Adopted, Ayes (10); Absent: Reyes, Rosendahl, Smith and Zine (4)
(Item Nos. 36-37)**

ITEM NO. (36) - ADOPTED

[09-1760](#)

CD 4

MOTION (LABONGE - HAHN) relative to a Special Event declaration for the Alexandria House Grand Opening on August 27, 2009.

Recommendation for Council action:

AMEND the Council action of July 22, 2009 (Council file No. 09-1760) relative to a Special Event declaration for the Alexandria House Grand Opening on August 27, 2009 to indicate that all City fees and costs associated with this event (not to exceed \$5,000) will be waived and absorbed by the City.

ITEM NO. (37) - ADOPTED

[09-1936](#)

CD 1

MOTION (REYES - PERRY) relative to the California Department of Transportation (Caltrans) to begin construction on a median barrier project on State Route 110 (Pasadena Freeway).

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

1. AUTHORIZE the Los Angeles Department of Transportation (LADOT) to:
 - a. Execute a Letter of Understanding with Caltrans to receive \$50,000 for traffic engineering and traffic control support during the upcoming ten proposed weekend closures of the Pasadena Freeway between York Boulevard and Avenue 26 for the construction of a median barrier project.

- b. Deposit \$50,000 in the LADOT Trust Fund No. 840/94, Balance Sheet A/C 2200 and transfer to LADOT General Fund No. 100/94, Revenue Source No. 4852, Additional Interfund Operating Transfer Other Funds, and appropriate to Fund No. 100/94, Account No. 1090 Salaries Overtime for the abovementioned project.
 - c. Transfer any unused funds back to the LADOT Trust Fund No. 840/94 at the end of the fiscal year and transfer and appropriate the monies to LADOT General Fund 100/94, Account No. 1090 Salaries Overtime, until the completion of the above project.
2. AUTHORIZE the Controller to make any technical adjustments that may be required to transfer the funds, in conformance and intent of this motion.

ITEM NO. (38) - ADOPTED

Roll Call #18 - Motion (Huizar - LaBonge) Adopted, Ayes (10); Absent: Reyes, Rosendahl, Smith and Zine (4)

[09-0011-S45](#)

CD 11

MOTION (LABONGE for ROSENDAHL - REYES) relative to removal of an overgrown ficus tree located at 6609 West 80th Street and Emerson Street in Westchester.

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

- 1. AUTHORIZE the Controller to TRANSFER and APPROPRIATE \$20,122 from the Council District 11 portion of the Street Furniture Revenue Fund No. 43D/50, to the Department of Public Works, Bureau of Street Services (BSS) Fund No. 100/86, various accounts as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries, General	\$10,000
6020	Operating Supplies	\$10,122

- 2. AUTHORIZE the Director, BSS, or designee, to make any technical corrections or clarification as necessary to the above instructions in order to effectuate the intent of this Motion.

ITEM NO. (39) - ADOPTED

Roll Call #19 - Motion (LaBonge - Parks) Adopted, Ayes (10); Absent: Reyes, Rosendahl, Smith and Zine (4)

[09-1935](#)

RESOLUTION (LABONGE - SMITH) relative to declaring August 11, 2009 as Dragnet Day in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to RECOGNIZE Dragnet for more than a half-century of dramatically and faithfully portraying the Los Angeles Police Department in a positive manner, and influencing the diverse harmony within the City of Los Angeles that continues to this day, and DECLARE August 11, 2009, as Dragnet Day in the City of Los Angeles.

**Roll Call #20 - Motion (Parks - LaBonge) Adopted, Ayes (10); Absent: Reyes, Rosendahl, Smith and Zine (4)
(Item Nos. 40a-40b)**

ITEM NO. (40) - MAPS AND BONDS APPROVED - CITY ENGINEER REPORTS ADOPTED

[09-1946](#)

et al. FINAL MAPS in the various Council Districts.

Recommendation for Council action:

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

[09-1946](#)

CD 14

- a. FINAL MAP OF TRACT NO. 67926 for property located at 1546 West Yosemite Drive, lying southerly of Yosemite Drive and easterly of Townsend Avenue.
(Bond No. C-115634)
(Quimby Fee: \$52,500)
Applicants: Heyday Yosemite, LLC
Gentry Surveying Company

[09-1947](#)

CD 4

- b. FINAL MAP OF PARCEL MAP L.A. NO. 2002-6233 for property located at 5260-5278 Lankershim Boulevard, lying easterly of Lankershim Boulevard and northerly of Magnolia Boulevard.
(Bond No. C-115635)
Applicants: Snyder Noho III, LLC
Diamond West, Inc.

Items for Which Public Hearings Have Been Held - Items 41-42

ITEM NO. (41) - ADOPTED - ORDINANCE OVER TO SEPTEMBER 1, 2009

Roll Call #21 - Motion (LaBonge - Parks) Adopted, Ordinance Over, Ayes (10); Absent: Reyes, Rosendahl, Smith and Zine (4)

[09-1412](#)

CD 12

CONTINUED CONSIDERATION OF MITIGATED NEGATIVE DECLARATION, PLANNING AND

LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change for property at 19954 West Chase Street.

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. 09-1412 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 2007-4138 MND] filed on November 16, 2007.
2. ADOPT the July 30, 2009, FINDINGS of the Director of Planning as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, on behalf of the North Valley Area Planning Commission (NVAPC), effecting a zone change from RA-1 to (T)(Q)R1-1 for the proposed construction of two new single family homes, with an existing single-family dwelling to remain on an approximately 19,979 square foot rectangular site located at 19954 West Chase Street, subject to Conditions of Approval, as modified in Committee and attached to the Committee report.

Applicant: Natalie Schlatter

APCNV 2007-4148 ZC

Representative: Robert Lamishaw, JPL Zoning Services

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.
8. NOT PRESENT and ORDER FILED the ordinance approved by the NVAPC on May 7, 2009.

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 8, 2009

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 8, 2009)

ITEM NO. (42) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #22 - Motion (Koretz - Hahn) to Adopt as Amended, Ayes (10); Absent: Reyes, Rosendahl, Smith and Zine (4)

[09-1478](#)

CD 5

CONTINUED CONSIDERATION OF MITIGATED NEGATIVE DECLARATION AND PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to Conditional Use and Variance appeal, a General Plan Amendment and zone change for property at 10400 Ashton Avenue; 1249, 1255-59 South Beverly Glen Boulevard and Add Area: 1235 and 1241 South Beverly Glen Boulevard.

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. 09-1478 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2008-1272 MND-REC] filed on December 5, 2008.
2. ADOPT the FINDINGS of the City Planning Commission as modified in Committee, and attached to the Committee report, as the Findings of the Council.
3. RESOLVE TO GRANT IN PART APPEALS filed by: Sharon Wright; and Sandy Brown and Steve Kaufman, Jan Reichmann and Fred Goldberger (Sandy Brown and Steve Kaufman, Representatives on behalf of the Holmby - Westwood Property Owners Association, Westwood Homeowners Association, Mirabella Homeowners Association, and Comstock Hills Homeowners Association), from the decision of the City Planning Commission (CPC) in whole, and in part, THEREBY APPROVE: a Conditional Use Permit to allow up to 10,363 square feet of Temple ancillary administrative office uses in the [Q]R3-1-O Zone for properties located at 10400 Ashton Avenue and 1249, 1255-59 South Beverly Glen Boulevard and a Variance to permit 16 parking spaces in lieu of the minimum required 19 parking spaces for the property located at 10400 West Ashton Avenue, subject to Conditions of Approval as modified in Committee, volunteered by the applicant, and attached to the Committee report.

Applicant: Sinai Temple, Howard Lesner

CPC 2008-1271 GPA-ZC-ZV-CU

Representative: Jeffer, Mangels, Butler & Marmaro, LLP, Ben Reznik

4. DISAPPROVE, as recommended by the Mayor, Director of Planning and CPC the proposed General Plan Amendment to the Westwood Community Plan to: (a) change the land use designation from Medium Residential to High Medium Residential; and (b) to add a footnote that would restrict future development to that of the R3 Zone or to the R4 Zone for senior housing purposes, or for religious institutional uses. (The zone change request from [Q]R3-1-O to [Q]R4-1-O was withdrawn by the applicant at the May 14, 2009 CPC meeting and the Commission did not act on this request for the property at 10400 Ashton Avenue; 1249, 1255-59 South Beverly Glen Boulevard and Add Area: 1235 and 1241 South Beverly Glen Boulevard).

5. 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.
6. 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 City Planning Commission reports that there is no General Fund impact, as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 17, 2009

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

ADOPTED

AMENDING MOTION (KORETZ - LABONGE)

Recommendation for Council action:

AMEND the Planning and Land Use Management Committee report (Item #42, Council file [09-1478](#)) to add clarifying language to Condition #22 which states: "The applicant shall contribute up to a sum of \$20,000 for the installation of a two-leg crosswalk at the intersection of Ashton Avenue and Holmby Avenue, subject to the approval of the Los Angeles Department of Transportation."

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

[09-2014](#)

MOTION (GARCETTI - PERRY) relative to declaring the GI Joe After Party on August 6, 2009 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).

[08-2084-S2](#)

MOTION (PERRY - PARKS) relative to declaring the Annual Holy Cross Festival on October 16-18, 2009 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).

[08-2479-S1](#)

MOTION (LABONGE - HUIZAR) relative to declaring the Lemp Avenue Block Party on August 29, 2009 a Special Event (fees and costs absorbed by the City = \$1,743).

[08-1539-S1](#)

MOTION (PERRY for ROSENDAHL - KORETZ) relative to declaring the Keeshen Drive Block Party

on August 22, 2009 a Special Event (fees and costs absorbed by the City = \$3,839).

[09-2016](#)

MOTION (HUIZAR - ALARCON) relative to declaring the Council District 14 District-Wide Clean-Up Day on August 15, 2009 a Special Event (fees and costs absorbed by the City = \$5,500).

[09-2015](#)

MOTION (PERRY for ROSENDAHL - HAHN) relative to initiating alley vacation proceedings for the alley northerly of Lomita Boulevard from President Avenue to its easterly terminus.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember Zine was excused from Council session of Wednesday, September 9, 2009 due to City Business.

Upon his request, and without objections, Council President Garcetti was excused from Council session of Friday, September 11, 2009 due to Personal Business.

Upon his request, and without objections, Councilmember Parks was excused from Council session of Friday, October 9, 2009 due to City Business.

Upon his request, and without objections, Councilmember Rosendahl was excused from Council session of Friday, October 9, 2009 due to Personal Business.

Upon his request, and without objections, Councilmember Rosendahl was excused from Council session of Tuesday, November 24, 2009 due to Personal Business.

Motion (Garcetti - Wesson) unanimously adopted to excuse Councilmember Rosendahl from Council session of Wednesday, November 25, 2009 due to Personal Business.

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

[09-1667](#) - Judge Robert Takasugi

Garcetti - All Councilmembers

Harold Johnson

Hahn

Angelina Del Valle

LaBonge - All Councilmembers

Cecil Smith

LaBonge - All Councilmembers

Gale Storm

LaBonge - All Councilmembers

Norma Clifton

Parks

Howard Ransom, Jr.

Parks

Guadalupe G. Victorin

Hahn for Rosendahl

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL