

Los Angeles City Council, **Journal/Council Proceedings**  
Friday, **August 14, 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, Hahn, Huizar, Koretz, LaBonge, Parks, Perry, Wesson, Zine and President Garcetti (10); Absent: Cárdenas, Reyes, Rosendahl and Smith (4); Vacant: Council District Two**

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
AUGUST 11, 2009

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 45

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

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

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## **Items for Which Public Hearings Have Been Held - Items 1-24**

### **ITEM NO. (1) - ADOPTED**

**Roll Call #5 - Motion (Perry - Wesson) Adopted, Ayes (10); Absent: Cardenas, Reyes, Rosendahl and Smith (4)**

#### [09-1814](#)

COMMUNICATION FROM COUNCIL PRESIDENT PRO TEMPORE relative to the appointment of Ms. Valerie Vanaman to the City Ethics Commission for the term ending June 30, 2014.

Recommendation for Council action:

RESOLVE that the Council President Pro Tempore's appointment of Ms. Valerie Vanaman to the City Ethics Commission for the term ending June 30, 2014, is APPROVED and CONFIRMED. (Current Commission gender composition: M=2; F=2; Vacancy =1)

Ethics Commission Review: Pending

Background Check Review: Pending

Community Impact Statement: None submitted

TIME LIMIT FILE - SEPTEMBER 5, 2009

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

(Rules and Government Committee 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

**RULES AND GOVERNMENT COMMITTEE REPORT** relative to the appointment of Ms. Valerie Vanaman to the City Ethics Commission for the term ending June 30, 2014.

**Recommendation for Council action:**

**RESOLVE** that the Council President Pro Tempore's appointment of Ms. Valerie Vanaman to the City Ethics Commission for the term ending June 30, 2014, is **APPROVED** and **CONFIRMED**. Ms. Vanaman will replace Mr. Sean Treglia whose term expired on June 30, 2009. Ms. Vanaman resides in Council District Four. (Current Board gender composition: M = 2; F = 2; Vacant = 1).

Ethics Commission Review: Pending

Background Check Review: Pending

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 5, 2009

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

## ITEM NO. (2) - ADOPTED

Roll Call #2 - Motion (Alarcon - Wesson) Adopted, Ayes (10); Absent: Cardenas, Reyes, Rosendahl and Smith (4)

### 09-1080

COMMUNICATION FROM THE MAYOR relative to a contract with Homeboy Industries for Gang Reduction Program grant.

(Ad Hoc Committee on Gang Violence and Youth Development 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**

**COMMUNICATION FROM CHAIR AND MEMBER, AD HOC COMMITTEE ON GANG VIOLENCE AND YOUTH DEVELOPMENT** relative to a contract with Homeboy Industries for the Gang Reduction Program grant.

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

**1. AUTHORIZE the Mayor, or designee, to:**

- a. Negotiate and execute a sole source agreement with Homeboy Industries in an amount not to exceed \$340,000 for the provision of re-entry services to young adult ex-offenders in Boyle Heights for a 10-month period, effective September 1, 2009 through June 30, 2010, subject to the review and approval of the City Attorney as to form and compliance with City contracting ordinances.
- b. Obtain approval from the grantor to enter into a sole source agreement with Homeboy Industries.
- c. 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 City Administrative Officer (CAO), and authorize the Controller to implement these instructions.

**2. AUTHORIZE the Controller to expend funds upon presentation of documentation and proper demand by the Mayor, or designee.**

**Fiscal Impact Statement:** The CAO reports that there is no additional impact on the General Fund. Funding for the proposed contract is available in the 2003 Gang Reduction Program grant. The recommendations in the CAO report comply with City Financial Policies in that grant funds are available to support the proposed expenditure.

**Community Impact Statement:** None submitted.

**ITEM NO. (3) - SEE ITEM NO. 48 - UNANIMOUS CONSENT WITHHELD - COMMUNICATION AND AMENDING MOTION OVER TO SEPTEMBER 1, 2009**

**Roll Call #7 - Motion (Garcetti - Zine) To Withhold Unanimous Consent - Ordinance Over, Unanimous Vote (10); Absent: Cardenas, Reyes, Rosendahl and Smith (4)**

[09-0600-S46](#)

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST relative to a revised Special Events Fee Subsidy Policy Ordinance.

(Budget and Finance Committee 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.)

**COMMUNICATION FROM CHAIR and MEMBER, BUDGET AND FINANCE COMMITTEE relative to a revised Special Events Fee Subsidy Policy Ordinance.**

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

**APPROVE** the recommendations contained in the Chief Legislative Analyst's (CLA) report dated August 7, 2009, attached to the Council file, relative to a Revised Special Events Fee Subsidy Policy Ordinance, with the following amendments:

a. Replace CLA Recommendation No. 1C with the following recommendation:

Bureau of Street Services (BOSS) will consider public safety and welfare issues and input from departments and affected Council Office(s). BOSS may issue permit(s) for requested Special Event and include conditions required by Council Offices and departments to maintain public safety and welfare of the community and the City.

b. Hold in abeyance Recommendation No. 5, relative to authorization for one Accounting Clerk II in the Office of the City Clerk for administration of the Special Events Fee Subsidy line item and subaccounts in the GCP, and REFER the matter to the Personnel Committee for its consideration and recommendation.

c. Replace the CLA's list of Citywide Special Events with the revised list attached to this Committee report.

**Fiscal Impact Statement:** The CLA reports that adoption of the recommendations contained in this report will increase the Reserve Fund by a minimum of \$2.5 million annually.

**Community Impact Statement:** None submitted.

**AMENDING MOTION (PARKS - PERRY)**

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

1. **SUBSTITUTE** the "Citywide Special Events" list for the attachment to the Chief Legislative Analyst report which provides for removal of duplicate events and adds several special events which were inadvertently omitted.
2. **RENAME** the line item in the General City Purposes Fund (GCP) "Special Event Fee Subsidy" to "Council Fee Subsidy", to be used to fund subsidies for Special Events, Development Fees, Convention Center Fees, and any other subsidies in accordance with Council adopted Financial Policies. The allocation of budgeted funds in the amount of \$2.5 million will remain, \$1.5 for Council Districts (\$100,000 per district) and \$1 million for Council-approved Citywide Special Events.

3. **TRANSFER** budgeted funds in the amount of \$175,000 in the GCP line item “Special Fund Fee Subsidy” to the Reserve Fund, and eliminate this line item.
4. **AMEND** the Council action of June 16, 2009 (Council file No. 09-0600-S46), relative to delaying the effective date of imposing a moratorium on all Special Event declarations for events which take place after August 31, 2009 to September 30, 2009, inasmuch as the ordinance establishing a Special Events Permit Procedure and Fee Subsidy Program will likely not be effective until that date.

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

**Roll Call #2 - Motion (Alarcon - Wesson) Adopted, Ayes (10); Absent: Cardenas, Reyes, Rosendahl and Smith (4)**

[08-2742](#)

COMMUNICATION FROM THE LOS ANGELES HOUSING DEPARTMENT relative to the results of the Housing Studies and Services Request for Qualifications, approving professional services contracts, and programming services contract amendment for the enhancement of the Affordable Housing Database.

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

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

**ADOPTED**

**HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT** relative to approving the qualified list of contractors selected through the Request for Qualifications (RFQ) for Housing Studies and Services, related Professional Services Agreements (PSAs), and a programming services contract amendment.

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

1. **APPROVE** the qualified list of contractors (Attachment B of the City Administrative Officer (CAO) report dated August 10, 2009) selected through a RFQ to complete various Housing Studies.
2. **AUTHORIZE** the General Manager, Los Angeles Housing Department (LAHD), or designee, to:
  - a. **Negotiate and execute PSAs** with the contractors listed in Attachment C of the CAO report dated August 10, 2009, to provide outreach activities and various housing studies, for an amount not to exceed \$797,400 for the performance periods identified in Attachment C of the CAO report dated August 10, 2009, in substantial conformance with the pro forma PSAs included as Attachments Five

through 18 of the LAHD report dated July 22, 2009, and subject to the following: 1) availability of funds; 2) contractor performance; 3) review of the City Attorney as to form (and legality for federally funded agreements); and, 4) review and approval of the Department of Public Works, Bureau of Contract Administration, as to compliance with all applicable City requirements.

- b. Negotiate and execute a Second Amendment to PSA No. C-115244 with Commercial Programming Systems, Inc. (CPS), by adding \$49,280, revising the total compensation amount to \$382,780, as identified in Attachment B of the CAO report dated August 10, 2009, for the delivery of programming services such as enhancements to the Affordable Housing Preservation Program's (AHPP's) At-Risk Affordable Housing Database and creation of an Affordable Housing Preservation Web Page, pursuant to Council file No. 08-0952, in substantial conformance with the pro forma contract included as Attachment 19 of the LAHD report dated July 22, 2009, and subject to the review of the City Attorney as to form and legality.
- c. Prepare Controller instructions for any necessary technical adjustments consistent with the Mayor and Council action on this matter, subject to the approval of the CAO, and Request the Controller to implement those instructions.

3. REQUEST the Controller to:

- a. Transfer appropriation within Municipal Housing Finance Fund 815 as follows:

	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	E143	Housing	\$45,000
To:	F143	Housing	\$45,000

- b. Increase appropriation within General Fund 100/43, Contractual Services Account No. 3040 in the amount of \$45,000.
- c. Transfer appropriation within Code Enforcement Fun number 41M and Rent Stabilization Fund Number 440/43 as follows:

	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	41M	F301	Code Enforcement Reserve	\$25,000
	440	F201	Rent Stabilization Reserve	\$25,000
To:	41M	F143	Housing	\$25,000
	440	F143	Housing	\$25,000

- d. Increase appropriation in General Fund 100/43, Account 3040 Contractual Service in the amount of \$50,000.
- e. Expend funds specified in the above upon proper written demand from the General Manager, LAHD, or designee.

**Fiscal Impact Statement:** The CAO reports that there is no impact to the General Fund. Approval of the recommendations will authorize the LAHD to execute PSAs for the completion of various housing studies utilizing \$846,680 in Code Enforcement Trust Funds (\$25,000), Housing Opportunities for Persons with AIDS (HOPWA) funds (\$28,000), John D. and Katherine T. MacArthur Foundation Grant (MacArthur Grant) funds (\$119,780), Lead Grant funds (\$353,900), Municipal Housing Finance Funds (\$230,000), Neighborhood Stabilization Plan funds (\$65,000) and, Rent Stabilization Trust Funds (\$25,000) for a one-year period. Approval is also provided to amend a programming services PSA totaling \$49,280 in MacArthur Grant funds. The recommendations are in compliance with City Financial Policies in that the full cost of these services will be paid through available special fund sources. Any subsequent funding awards and term extensions will be contingent on the availability of continuation funding.

**Community Impact Statement:** None submitted.

**ITEM NO. (5) - ADOPTED AS AMENDED - SEE FOLLOWING**

**Roll Call #17 - Motion (Zine - Hahn) Adopted, Ayes (10); Absent: Cardenas, Reyes, Rosendahl and Smith (4)**

[09-0404](#)

COMMUNICATION FROM THE LOS ANGELES HOUSING DEPARTMENT relative to executing contracts with selected contractors for the City's Rent Escrow Account Program and Utility Maintenance Program outreach services.

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

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

**ADOPTED AS AMENDED**

**HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT** relative to executing contracts with selected contractors for the City's Rent Escrow Account Program (REAP) and Utility Maintenance Program (UMP) outreach services.

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

**AUTHORIZE** the General Manager, Los Angeles Housing Department (LAHD), or designee, to:

- a. **Execute contracts** with the following agencies to provide REAP and UMP tenant outreach services, for a term of 12 months, retroactively from July 1, 2009 through June 30, 2010, with two one-year options, for a total amount of \$525,000, in substantial conformance with the draft Professional Services Agreement attached to the LAHD report dated June 26, 2009 and subject to the following: i) funding availability; ii) satisfactory

contractor performance; iii) compliance with all applicable Federal, State, and City regulatory requirements; iv) review of the City Attorney as to form and legality; and, v) approval of the Department of Public Works, Bureau of Contract Administration, as to adherence with City contracting standards:

<u>Contractor</u>	<u>Amount</u>
Los Angeles Center for Law and Justice	\$105,000
Los Angeles Housing Law Project	105,000
Inner City Law Center	105,000
Coalition for Economic Survival	105,000
Inquilinos Unidos	105,000
Total:	\$525,000

- b. Prepare Controller instructions and make any necessary technical adjustments consistent with the Council and Mayor actions on this report, subject to the approval of the City Administrative Officer (CAO) and authorize the Controller to implement these instructions.

**Fiscal Impact Statement:** The CAO reports that there is no impact to the General Fund. The recommendation is in compliance with City Financial Policies in that the cost of the tenant outreach services agreements for REAP and UMP are funded by \$525,000, which is comprised of Rent Stabilization Trust Funds (\$52,500) and Code Enforcement Trust Funds (\$472,500) appropriated in the 2008-09 Adopted Budget.

**Community Impact Statement:** None submitted.

ADOPTED

AMENDING MOTION (ZINE - GARCETTI)

Recommendation for Council action:

**INSTRUCT** the General Manager, Los Angeles Housing Department, or designee, to execute contracts with the agencies listed for a period of six months instead of the recommended 12 months and report back in 90 days on converting these to City jobs.

Roll Call #2 - Motion (Alarcon - Wesson) Adopted, Ayes (10); Absent: Cardenas, Reyes, Rosendahl and Smith (4)  
(Item Nos. 6-10)

ITEM NO. (6) - ADOPTED

[09-1794](#)

COMMUNICATION FROM THE COMMUNITY REDEVELOPMENT AGENCY relative to a grant contract with Community Partners on behalf of LA Streetcar Inc, with initial funding in the amount of \$400,000, to assist with the development of a Streetcar Assessment District.



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

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

## ADOPTED

**HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT** relative to a **Grant Agreement with Community Partners (CP), on behalf of LA Streetcar Inc (LASI), with initial funding in the amount of \$400,000, to assist with the development of a Streetcar Assessment District.**

**Recommendation for Council action:**

**AUTHORIZE** the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to enter into a Grant Agreement with CP, on behalf of LASI, in an amount up to \$400,000, from the Fiscal Year 2009-10 Budget, as follows: \$100,000 (Bunker Hill Redevelopment Project Area (RPA)) and \$300,000 (City Center RPA) for the planning and creation of a Streetcar Assessment District for Downtown Los Angeles, subject to: (a) availability of funds; (b) determination that these funds are not required to meet the Supplemental Educational Revenue Augmentation Fund (SERAF) obligation/payment to the State; and, (c) the review of the City Attorney as to form and legality.

**Fiscal Impact Statement:** The Chief Legislative Analyst reports that there is no General Fund impact. The source of funds is Bunker Hill and City Center RPAs Tax Increment.

**Community Impact Statement:** None submitted.

## ITEM NO. (7) - ADOPTED

[09-1904](#)

CDs 4, 6, 14 & 15

COMMUNICATION FROM THE LOS ANGELES HOUSING DEPARTMENT, TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982 (TEFRA) RESOLUTION and MINUTES relative to the Glenoaks Gardens, Dana Strand Senior Apartments, Vineland Avenue Senior Housing Apartments, and Boyle Apartments Projects.

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

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

**ADOPTED**

**HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982 (TEFRA) RESOLUTION and MINUTES** relative to the Glenoaks Gardens, Dana Strand Senior Apartments, Vineland Avenue Senior Housing Apartments, and Boyle Apartments Projects (Projects).

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

**ADOPT** the accompanying RESOLUTION and Minutes (attached to the Los Angeles Housing Department (LAHD) report dated July 2, 2009), as required pursuant to the TEFRA, noticing the City's intent to issue revenue bonds for the Projects in order to provide financing for the acquisition, construction, rehabilitation, and equipping of multi-family rental housing for persons and families of low or moderate income.

**Fiscal Impact Statement:** The LAHD reports that there will be no impact on the General Fund as a result of the issuance of the revenue bonds.

**Community Impact Statement:** None submitted.

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

[09-1951](#)

CD 8

COMMUNICATION FROM THE COMMUNITY REDEVELOPMENT AGENCY relative to a Disposition and Development Agreement and Ground lease with Buckingham Senior Apartments, LP, for the Buckingham Place Senior Housing Building located at 4020 Buckingham Road.

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

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

**ADOPTED**

**HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT** relative to a Disposition and Development Agreement (DDA) and Ground Lease Agreement with Buckingham Senior Apartments, LP (Developer; META Development Corporation, sole member), for the Buckingham Place Senior Housing Building (Senior Building) located at 4020 Buckingham Road.

**Recommendations for Council action:**

1. **AUTHORIZE** the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, subject to the review of the City Attorney as to form and legality, to:
  - a. Enter into a DDA with the Developer for completion and operation of the 90% built, 70-unit Senior Building on a portion of the original Buckingham Senior Housing Project site (Original Project Site).
  - b. Provide a CRA Loan to the Developer from previously approved funds in an amount up to \$500,000 for construction, maintenance, and/or restoration of site improvements.
  - c. Enter into a Ground Lease Agreement with the Developer to lease a portion of the Original Project Site in order to complete and operate the Senior Building thereon.
  - d. Execute all ancillary documents and take all additional necessary and related actions to implement the terms of the DDA and Ground Lease Agreement.
2. **INSTRUCT** the CRA to report at the time of their 2010-11 Fiscal Year Budget with a plan to repay HOME Investment Partnership funds, originally provided for site acquisition, in the amount of \$8.5 million to the U.S. Department of Housing and Urban Development (HUD) in the event that the Developer does not secure a tax credit allocation in time to complete the project by June 30, 2011.

**Fiscal Impact Statement:** The Chief Legislative Analyst reports that there is no impact to the General Fund resulting from the actions above. However, in the event that the Project is not completed by June 30, 2011 and the CRA does not identify funds to repay \$8.5 million to HUD, the City could be required to repay this amount from non-federal funds, including the General Fund.

**Community Impact Statement:** None submitted.

#### ITEM NO. (9) - ADOPTED

[09-1952](#)  
CD 8

COMMUNICATION FROM THE COMMUNITY REDEVELOPMENT AGENCY relative to a Loan Agreement with AMCAL Multi-Housing, Inc, in an amount not to exceed \$1.8 million, for the development of the Broadway Villas Affordable Senior Housing Project located at 9402-22 South Broadway.

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

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

**ADOPTED**

**HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT** relative to a Loan Agreement with AMCAL Multi-Housing, Inc (AMCAL), in an amount not to exceed \$1.8 million, for the development of the Broadway Villas Affordable Senior Housing Project (Project) located at 9402-22 South Broadway.

**Recommendations for Council action:**

- 1. AUTHORIZE** the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to execute a Loan Agreement with AMCAL, in an amount not to exceed \$1.8 million, and to take such other actions necessary to complete an Agreement which facilitates development of the Project located at 9402-22 South Broadway in the Broadway/Manchester Recovery Redevelopment Area, subject to the review of the City Attorney as to form and legality.
- 2. APPROVE** the CRA's adoption of a Subordination Resolution (Attachment A of the Chief Legislative Analyst (CLA) report dated August 11, 2009) which: (a) finds that an economically feasible alternative of financing said Project on substantially comparable terms without subordination of the CRA Deed of Trust and other agreements which secure the Loan Agreement, is not reasonably available; and, (b) authorizes subordination of the CRA Deed of Trust and other agreements to the Construction and Permanent Loans provided to said Project, subject to the review of the City Attorney as to form and legality.

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

**Community Impact Statement:** None submitted.

**ITEM NO. (10) - ADOPTED**

[09-1809](#)

**PERSONNEL COMMITTEE REPORT and RESOLUTION** relative to the approval of Fiscal Year (FY) 2009-10 Unfreeze Resolution submitted in accordance with the Los Angeles Administrative Code Section 4.132.

**Recommendation for Council action:**

ADOPT the accompanying FY 2009-10 Unfreeze RESOLUTION, which identifies all positions that are required to remain vacant pursuant to the 2009-10 Adopted Budget as well as possible classification and pay grade issues that need to be evaluated after the positions become vacant.

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

**Community Impact Statement:** None submitted.

**ITEM NO. (11) - CONTINUED TO SEPTEMBER 1, 2009**

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

[09-0973](#)

CD 11

CONTINUED CONSIDERATION OF MITIGATED NEGATIVE DECLARATION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a Tentative Tract appeal for property at 1046-48 West Princeton Drive.

Recommendations for Council action:

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. 09-0973 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 2004-1396 MND] filed March 25, 2004.
2. ADOPT the FINDINGS of the West Los Angeles Area Planning Commission (WLAAPC), as the Findings of the Council.
3. RESOLVE TO GRANT APPEAL filed by Barton Hill Neighborhood Organization/Myra Perez, Director Community Organization, Susanne Browne, Legal Aid Foundation of Los Angeles, (Representative), from part of the decision of the WLAAPC, and THEREBY APPROVE Tentative Tract No. 60907-2A-M1-2A for a proposed one-lot subdivision to create 30 residential condominium units in conjunction with the adaptive reuse of an existing commercial building located at 1046-48 West Princeton Drive, subject to Conditions of Approval, as modified for Condition No. 12, attached to the Committee report.
4. RESOLVE TO DENY APPEAL filed by Arnold Bernstein, Western Pacific Land Company, L.P. (Applicant), Ellen Berkowitz, Manatt, Phelps & Phillips, LLP, (Representative), from the entire decision of the WLAAPC, in sustaining the Deputy Advisory Agency denial of a Modification request to delete Condition No. 12 of Tentative Tract No. 60907-2A-M1-2A for a proposed one-lot subdivision to create 30 residential condominium units in conjunction with the adaptive reuse of an existing commercial building located at 1046-48 West Princeton Drive.
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.

TT 60907-2A-M1-2A

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 14, 2009

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

(Continued from Council meeting of July 28, 2009)

**Roll Call #2 - Motion (Alarcon - Wesson) Adopted, Ayes (10); Absent: Cardenas, Reyes, Rosendahl and Smith (4)  
(Item Nos. 12-13)**

**ITEM NO. (12) - ADOPTED**

[09-0002-S12](#)

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST relative to the City's position on SB 94 (Calderon), which would prohibit foreclosure consultants from making any false, deceptive, or misleading statement in relation to modifying a mortgage loan.

(Rules and Government Committee 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**

**RULES AND GOVERNMENT COMMITTEE REPORT relative to SB 94 (Calderon), which would prohibit foreclosure consultants from making any false, deceptive, or misleading statement in relation to modifying a mortgage loan.**

**Recommendation for Council action:**

**RECEIVE and FILE the Chief Legislative Analyst report relative to SB 94 (Calderon), which would prohibit foreclosure consultants from making any false, deceptive, or misleading statement in relation to modifying a mortgage loan.**

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

**Community Impact Statement: None submitted.**

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

[09-0002-S38](#)

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST and RESOLUTION (SMITH - ZINE) relative to the City's position on AB 83 (Feuer), which would provide that any person who renders emergency care or assistance, whether medical or non-medical, shall not be liable for their actions as long as their actions do not constitute "gross negligence" or "willful misconduct".

(Rules and Government Committee 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**

**RULES AND GOVERNMENT COMMITTEE REPORT and RESOLUTION** relative to the City's position on AB 83 (Feuer), the Good Samaritan Protection Act.

**Recommendation for Council action:**

**RECEIVE and FILE** the Chief Legislative Analyst report and Resolution (Smith - Zine) relative to AB 83 (Feuer), the Good Samaritan Protection Act.

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

**Community Impact Statement:** None submitted.

**ITEM NO. (14) - ADOPTED - SEE FOLLOWING SUBSTITUTE RESOLUTION**

**Roll Call #11 - Motion (Perry - Zine) Adopted to Continue, Ayes (10); Absent: Cardenas, Reyes, Rosendahl and Smith (4)**

[09-0002-S40](#)

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST and RESOLUTION (PERRY - CARDENAS) relative to the City's position on H.R. 932 (Ryan) and S. 453 (Schumer), which would authorize the Secretary of Housing and Urban Development (HUD) to make grants and offer technical assistance to local governments, and others, to design and implement innovative policies, programs, and projects that address widespread property vacancy and abandonment

(Rules and Government Committee 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**

**RULES AND GOVERNMENT COMMITTEE REPORT** relative to the City's position on H.R. 932 (Ryan) and S. 453 (Schumer), the Community Regeneration, Sustainability, and Innovation Act of 2009.

**Recommendations for Council action, as initiated by Resolution (Perry - Cárdenas), SUBJECT TO THE CONCURRENCE OF THE MAYOR:**

- 1. INCLUDE** in the City's 2009-10 Federal Legislative Program **SUPPORT** of H.R. 932 (Ryan) and S. 453 (Schumer), which would authorize the Secretary of Housing and Urban Development (HUD) to make grants and offer technical assistance to local governments, and others, to design and implement innovative policies, programs, and projects that address widespread property vacancy and abandonment, **IF AMENDED** to include Cities that have not had population loss.
- 2. INSTRUCT** the Chief Legislative Analyst to prepare and present to Council a Resolution to reflect this action.

**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.

**ADOPTED**

**SUBSTITUTE RESOLUTION**

**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** of H.R. 932 (Ryan) and S. 453 (Schumer), the Community Regeneration, Sustainability, and grants and offer technical assistance to local governments, and others, to design and implement innovative policies, programs, and projects that address widespread property vacancy and abandonment, **IF AMENDED**, to include cities that have not had population loss.

**ITEM NO. (15) - CONTINUED TO SEPTEMBER 4, 2009**

**Roll Call #6 - Motion (Huizar - Parks) Adopted to Continue, Unanimous Vote (10); Absent: Cardenas, Reyes, Rosendahl and Smith (4)**

[09-0002-S100](#)

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST and RESOLUTION (HUIZAR - GREUEL - PARKS) relative to the City's position on the Bay Area Council's call for a State Constitutional Convention to begin the process of reforming California's finance structure.



(Rules and Government Committee 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.)

**RULES AND GOVERNMENT COMMITTEE REPORT and RESOLUTION relative to the City's position on the Bay Area Council's call for a State Constitutional Convention to begin the process of reforming California's finance structure.**

**Recommendation for Council action, as initiated by Resolution (Huizar - Parks), SUBJECT TO THE CONCURRENCE OF THE MAYOR:**

1. **INCLUDE** in the City's 2009-10 State Legislative Program **SUPPORT** for the Bay Area Council's call for a State Constitutional Convention to begin the process of reforming California's finance structure, **IF AMENDED** to include budgeting and governance structure.
2. **INSTRUCT** the Chief Legislative Analyst (CLA) to prepare and present to Council a Resolution to reflect this action.

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

**Community Impact Statement:** None submitted.

**Roll Call #2 - Motion (Alarcon - Wesson) Adopted, Ayes (10); Absent: Cardenas, Reyes, Rosendahl and Smith (4)  
(Item Nos. 16-24)**

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

**[09-0002-S124](#)**

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST and RESOLUTION (GARCETTI - ROSENDAHL) relative to the City's position on AB 1185 (Lieu), that would permit a person who has undergone gender reassignment surgery to petition for a birth certificate in the superior court of the county in which the petitioner was born in order to reflect the change in gender and any associated name change.

(Rules and Government Committee 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**

**RULES AND GOVERNMENT COMMITTEE REPORT and RESOLUTION** relative to the City's position on AB 1185 (Lieu), that would permit a person who has undergone gender reassignment surgery to petition for a birth certificate in the superior court of the county in which the petitioner was born in order to reflect the change in gender and any associated name change.

**Recommendation for Council action, pursuant to Resolution (Garcetti - Rosendahl), SUBJECT TO THE CONCURRENCE OF THE MAYOR:**

**ADOPT** the accompanying **RESOLUTION** to include in the City's 2009-10 State Legislative Program **SUPPORT** of AB 1185 (Lieu), that would permit a person who has undergone gender reassignment surgery to petition for a birth certificate in the superior court of the county in which the petitioner was born in order to reflect the change in gender and any associated name change.

**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.

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

[09-0002-S143](#)

**COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST and RESOLUTION (HUIZAR - REYES)** relative to the City's position on AB 290 (Leno) which would make permanent existing law that requires landlords to give tenants 60 days notice when terminating a residential tenancy.

(Rules and Government Committee 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**

**RULES AND GOVERNMENT COMMITTEE REPORT and RESOLUTION** relative to the City's position on SB 290 (Leno) which would make permanent existing law that requires landlords to give tenants 60 days notice when terminating a residential tenancy.

**Recommendation for Council action, pursuant to Resolution (Huizar - Reyes), SUBJECT TO THE CONCURRENCE OF THE MAYOR:**

**ADOPT** the accompanying **RESOLUTION** to include in the City's 2009-10 State Legislative Program **SUPPORT** of SB 290 (Leno) which would make permanent existing law that requires landlords to give tenants 60 days notice when terminating a residential tenancy.

**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.

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

**[09-0002-S156](#)**

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST and RESOLUTION (LABONGE - ROSENDAHL) relative to the City's position on legislation that would implement daily service along Amtrak's "Sunset" route and procure passenger rail cars.

(Rules and Government Committee 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**

**RULES AND GOVERNMENT COMMITTEE REPORT and RESOLUTION** relative to the City's position on legislation or administrative action that would implement daily service along Amtrak's "Sunset" route and procure passenger rail cars.

**Recommendation for Council action, pursuant to Resolution (LaBonge - Rosendahl), SUBJECT TO THE CONCURRENCE OF THE MAYOR:**

**ADOPT** the accompanying RESOLUTION to include in the City's 2009-10 Federal Legislative Program SUPPORT of legislation or administrative action that would implement daily service along Amtrak's "Sunset" route and procure passenger rail cars.

**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.

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

**[09-0002-S159](#)**

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST and RESOLUTION (PERRY - REYES) relative to the City's position on S. 1055 (Boxer), which would grant the Congressional Gold Medal to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

(Rules and Government Committee 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

**RULES AND GOVERNMENT COMMITTEE REPORT and RESOLUTION** relative to the City's position on S. 1055 (Boxer), which would grant the Congressional Gold Medal to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

**Recommendation for Council action, pursuant to Resolution (Perry - Reyes), SUBJECT TO THE CONCURRENCE OF THE MAYOR:**

**ADOPT** the accompanying RESOLUTION to include in the City's 2009-10 Federal Legislative Program SUPPORT of S. 1055 (Boxer), which would grant the Congressional Gold Medal to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

**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.

## ITEM NO. (20) - ADOPTED

### 08-1996

**ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT** relative to the Third Amendment to Agreement No. 2441 between the City and Stanzler, Funderburk & Castellon LLP (Stanzler), for legal services.

Recommendations for Council action:

1. FIND that approving the Third Amendment to the Harbor Department's Agreement No. 2441 with Stanzler, to extend the term from three to four years for legal services is exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II, Section 2(f) of the City's CEQA Guidelines.
2. APPROVE the proposed Third Amendment to Agreement No. 2441 between the City of Los Angeles and Stanzler, for outside legal counsel, extending the term of the Agreement by 18 months, to February 28, 2011, and increasing compensation up to \$80,000.
3. CONCUR with the action taken by the Board of Harbor Commissioners at its meeting held March 19, 2009 approving the Third Amendment to Agreement No. 2441 between the City and Stanzler, for legal services.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. Approval of the proposed Third Amendment to the Agreement with Stanzler for outside legal counsel, will extend the term of the Agreement by 18 months, to February 28, 2011, and will increased the compensation up to \$80,000, for a total amount of \$1,230,000. Since the Harbor Department is not bound by the City Debt Management Policies, the City Financial Policies are not applicable.

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 21, 2009

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

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

[09-0461](#)

ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to the Second Amendment to the Professional Services Agreement No. 2425, between the City and Sasaki (Sasaki) Associates for professional planning, design and support services of the Wilmington Waterfront Development Program (WWDP).

Recommendations for Council action:

1. FIND that this action is exempt from the requirements of the California Environmental Quality Act (CEQA) as provided by Article II, Section 2(f) of the Los Angeles City CEQA Guidelines.
2. APPROVE the proposed Second Amendment to Agreement No. 2425 with Sasaki to provide additional compensation of \$2,955,900 for a total not-to-exceed amount of \$15,016,150, to complete work under the WWDP which resulted from changes to the scope of work pertaining to engineering design services and project construction support.
3. CONCUR with the action taken by the Board of Harbor Commissioners at its meeting held March 5, 2009 approving Second Amendment to the Professional Services Agreement No. 2425, between the City and Sasaki Associates for professional planning, design and support services of the WWDP.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. Approval of the proposed Second Amendment to Harbor Department (Port) Agreement No. 2425 with Sasaki will provide additional compensation in the not to exceed amount of \$2,955,900 for planning, engineering design and support services for the Wilmington WWDP. The original Agreement included compensation of \$12,060,250. The Port funds are available to fund the proposed Agreement with Sasaki within this fiscal year (FY 2008-09) and will be budgeted, as needed, over the life of the Agreement. Since the Port is only bound by the City Debt Management Policies, the City Financial Policies are not applicable.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 8, 2009

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

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

09-1872

ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to Resolution No. 09-6774 for the proposed Second Amendment to Permit No. 999 with China Shipping Holding Company, Limited (China Shipping).

Recommendations for Council action:

1. FIND that this action is exempt from the requirements of the California Environmental Quality Act (CEQA) as provided by Article II, Section 2(f) of the Los Angeles City CEQA Guidelines.
2. APPROVE the proposed Second Amendment to Permit No. 999 with China Shipping for container terminal, wharf and backland properties at Berths No.100-102.
3. CONCUR with the action taken by the Board of Harbor Commissioners at its meeting held July 16, 2009 approving Second Amendment to Permit No. 999 with China Shipping.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. The Harbor Department (Port) total gross revenue projection for the 25-year period of Permit No. 999 (Agreement) with China Shipping is conservatively estimated at approximately \$765 million based on a 10 percent growth rate in the volume of the Twenty-foot Equivalent Unit (TEU) containers. The First Amendment granted various credits to China Shipping to be applied against the Minimum Annual Guarantee and TEU charges. The proposed Second Amendment will terminate the temporary discount clause in the Agreement for China Shipping and, based on number of projected cargo containers, revenue to the Harbor Revenue Fund could increase by approximately \$300,000 for 2010 and every year afterward. Since the Port is only bound by the City Debt Management Policies, the City Financial Policies are not applicable.

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 23, 2009

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

**ITEM NO. (23) - ADOPTED**

08-2968

COMMUNICATION FROM THE LOS ANGELES DEPARTMENT OF TRANSPORTATION relative to month-to-month extension of existing Community DASH Packages One - Three shuttle bus service contracts.

(Transportation Committee 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**

**COMMUNICATION FROM CHAIR and MEMBER, TRANSPORTATION COMMITTEE** relative to a month-to-month extension of the existing Community DASH Package One, Two, and Three shuttle bus service contracts.

**Recommendations for Council action:**

1. **AUTHORIZE** the General Manager of the Los Angeles Department of Transportation (LADOT) to amend the existing Community DASH Package One and Two contract with MV Transportation (C-110827) on a month-to-month basis, not to exceed six months, at a rate of \$76.87 per service hour, subject to the approval of the City Attorney as to form and legality.
2. **AUTHORIZE** the LADOT General Manager to amend the existing Community DASH Package Three contract with Veolia Transportation (C-110399) on a month-to-month basis, not to exceed six months, at a rate of \$86.76 per service hour for the first three months and \$90.66 per service hour for the last three months (if needed), subject to the approval of the City Attorney as to form and legality.

**Fiscal Impact Statement:** The LADOT reports that there is no impact to the budget and that there are sufficient funds included in the City's adopted Fiscal Year 2009-10 Proposition A Budget for the services.

**Community Impact Statement:** None submitted.

**ITEM NO. (24) - ADOPTED**

[09-0002-S108](#)

COMMUNICATION FROM CHAIR, AD HOC COMMITTEE ON GANG VIOLENCE AND YOUTH DEVELOPMENT and RESOLUTION relative to the City's position on AB 750 (Bass) which would create a Deferred Entry of Judgment Program for first-time, non-violent drug offenders.

Recommendation for Council action, pursuant to Resolution (Cárdenas - Parks - Reyes), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to include in the City's 2009-10 State Legislative Program SUPPORT of AB 750 (Bass) which would create a Deferred Entry of Judgment Program for first-time, non-violent drug offenders.

**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 report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)



**ADOPTED**

**RULES AND GOVERNMENT COMMITTEE REPORT and RESOLUTION** relative to the City's position on AB 750 (Bass) which would authorize a Deferred Entry of Judgment Program for non-violent drug offenders.

**Recommendation for Council action, pursuant to Resolution (Cárdenas - Parks - Reyes), SUBJECT TO THE CONCURRENCE OF THE MAYOR:**

**CONCUR** with the action of the Ad Hoc Committee on Gang Violence and Youth Development on June 16, 2009 to **ADOPT** the accompanying **RESOLUTION** to include in the City's 2009-10 State Legislative Program **SUPPORT** of AB 750 (Bass) which would authorize a Deferred Entry of Judgment Program for non-violent drug offenders, aimed at reducing recidivism, by modeling a successful program in existence.

**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.

**Items for Which Public Hearings Have Not Been Held - Items 25-45**

(10 Votes Required for Consideration)

**ITEM NO. (25) - NO ACTION TAKEN**

[09-0648](#)

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

(Pursuant to Council action of April 7, 2009)

**ITEM NO. (26) - ADOPTED**

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

[09-0005-S485](#)

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 7, 2009:



[09-0005-S485](#)

CD 1

- a. Property at 110 North Avenue 25, aka 2501 1/2 North Pasadena Avenue (Case No. 43783).  
Assessor I.D. No. 5205-022-005

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 24, 2007)

[09-0005-S486](#)

CD 10

- b. Property at 1333 South Highland Avenue (Case No. 149971).  
Assessor I.D. No. 5070-001-007

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 24, 2008)

[09-0005-S487](#)

CD 14

- c. Property at 1558 North Avenue 46, aka 1560 North Avenue 46 (Case No. 29414).  
Assessor I.D. No. 5474-012-017

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 21, 2006)

[09-0005-S488](#)

CD 9

- d. Property at 1818 West Browning Boulevard, aka 1820 West Browning Boulevard (Case No. 184028).  
Assessor I.D. No. 5035-007-004

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 19, 2008)

[09-0005-S489](#)

CD 8

- e. Property at 3002 West Vernon Avenue (Case No. 168877).  
Assessor I.D. No. 5014-005-006

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 20, 2008)

[09-0005-S490](#)

CD 4

- f. Property at 5245 North Cleon Avenue (Case No. 205544).  
Assessor I.D. No. 2416-006-005

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 20, 2008)

[09-0005-S491](#)

CD 13

- g. Property at 5347 West Monroe Street (Case No. 28454).  
Assessor I.D. No. 5535-010-009

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 22, 2008)

[09-0005-S492](#)

CD 8

- h. Property at 7313 South Hoover Street (Case No. 232395).  
Assessor I.D. No. 6020-003-015

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 17, 2009)

**ITEM NO. (27) - ADOPTED**

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

[08-0600-S73](#)

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) relative to the 2008-09 Capital Improvement Expenditure Program Year-End Reappropriations.

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

1. APPROVE the reappropriations of the June 30, 2009, capital improvement and contingencies project account balances within the listed funds, except for those accounts delineated in Attachment A (attached to the Council file) and those accounts with funds that have already been reappropriated by interim actions within Fiscal Year 2009-10

General Fund (Non-Dept. Capital Improvement Program Fund No. 100/54

Special Gas Tax Street Improvement Fund No. 206/50

Local Transportation Fund No. 207/94

Park and Recreational Sites and Facilities Fund No. 209/88

Street Lighting Maintenance Assessment Trust Fund No. 347/50

Special Parking Revenue Fund No. 363/94

Stormwater Pollution Abatement Fund No. 511/50

Proposition C Anti-Gridlock Transit Improvement Fund No. 540/94

Sewer Capital fund No. 761/50

WW Syst Comm Paper A Const Fund No. 70W/50

WW Syst Comm Paper B Const Fund No. 70X/50

2. REQUEST the Controller to work with the CAO to identify those accounts within Fund No. 100/54 where 2008-09 reversions have already been reappropriated.
3. AUTHORIZE the CAO to make technical corrections as necessary, subject to the availability of funds, to implement the Mayor and council actions.

Fiscal Impact Statement: The CAO reports that reappropriations are for previously approved General Fund and special funded projects that were considered during the development of the 2009-10 Proposed Budget. There is no additional impact to the General Fund.

Community Impact Statement: None submitted.

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

**ITEM NO. (28) - ADOPTED - SEE FOLLOWING**

**Roll Call #8 - Motion (Parks - LaBonge) Adopted, Ayes (10); Absent: Cardenas, Reyes, Rosendahl and Smith (4)**

[09-0143](#)

CD 1

COMMUNICATION FROM THE COMMUNITY REDEVELOPMENT AGENCY (CRA) relative to converting an existing \$5.2 million Short-Term Acquisition Loan made to AMCAL Multi-Housing, Inc, into a 55-year Residual Receipts Loan for the development of the Mosaic Apartments located at 1521 West Pico Boulevard.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, CRA, or designee, to negotiate and execute a Permanent Loan Agreement with AMCAL Multi-Housing, Inc, in the amount of \$5.2 million, converting the previously funded CRA Short-Term Acquisition Loan for the same amount into a Permanent Residual Receipts Loan in connection with the development of the 56-unit Mosaic Affordable Housing Development located at 1521 West Pico Boulevard, subject to the review of the City Attorney as to form and legality.

Fiscal Impact Statement: The CRA reports that there is no fiscal impact to the City's General Fund.

Community Impact Statement: None submitted.

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

**ADOPTED**

**MOTION (PARKS - LABONGE)**

Recommendation for Council action:

**AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency, or designee, to execute a \$5.2 million loan agreement and other related loan documents with AMCAL Multi-Housing, Inc., to allow for the conversion of an existing Agency acquisition loan to a permanent loan.**

**ITEM NO. (29) - ADOPTED**

**Roll Call #9 - Motion (Alarcon - LaBonge) Adopted, Ayes (10); Absent: Cardenas, Reyes, Rosendahl and Smith (4)**

[09-0185](#)

CD 7

COMMUNICATION FROM THE COMMUNITY REDEVELOPMENT AGENCY (CRA) and RESOLUTIONS relative to executing a Memorandum of Understanding (MOU) between the CRA and the Los Angeles Housing Department (LAHD), in an amount up to \$1 million, for the implementation of a pilot Foreclosure Prevention Program for Council District Seven (Pilot Program).

Recommendations for Council action:

1. ADOPT the accompanying Joint Finding of Benefit RESOLUTION (Attachment A of the CRA report dated August 6, 2009) to allow the use of up to \$1 million of Low and Moderate Housing Funds from the Earthquake Disaster Assistance Project for Portions of Council District Seven outside of the Project Area.
2. ADOPT the accompanying RESOLUTION (Attachment B of the CRA report dated August 6, 2009) making the finding that an economically feasible alternative of financing on substantially comparable terms but without subordination of the CRA Deed of Trust and Covenant is not reasonably available.
3. AUTHORIZE the Chief Executive Officer, CRA, or designee, to execute an MOU between the CRA and the LAHD governing the use and application of the CRA's contribution to the LAHD for implementation of the Pilot Program, subject to the review of the City Attorney as to form and legality.

Fiscal Impact Statement: The CRA reports that there is no fiscal impact to the City's General Fund.

Community Impact Statement: None submitted.

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

**Roll Call #3 - Motion (Wesson - Perry) Adopted, Ayes (10); Absent: Cardenas, Reyes, Rosendahl and Smith (4)  
(Item Nos. 30-40)**

**ITEM NO. (30) - ADOPTED**

[09-1968](#)

CDs 4 & 13

COMMUNICATION FROM THE COMMUNITY REDEVELOPMENT AGENCY (CRA) and RESOLUTION relative to executing a Funding Agreement with Barnsdall Art Park Foundation for the installation of the Barnsdall Art Park Sign located at 4800 Hollywood Boulevard.

Recommendations for Council action:

1. ADOPT the accompanying RESOLUTION (attached to the CRA report dated August 6, 2009) containing the findings pursuant to Section 33445 of the California Health & Safety Code relating to the payment by CRA funds for public improvements at Barnsdall Park.
2. AUTHORIZE the Chief Executive Officer, CRA, or designee, to execute a Funding Agreement with Barnsdall Art Park Foundation for the installation of the Barnsdall Art Park Sign located at 4800 Hollywood Boulevard in the East Hollywood/Beverly-Normandie Disaster Assistance Redevelopment Project Area in an amount not to exceed \$74,999, subject to the review of the City Attorney as to form and legality.

Fiscal Impact Statement: The CRA reports that there is no fiscal impact to the City's General Fund.

Community Impact Statement: None submitted.

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

## ITEM NO. (31) - ADOPTED

### [09-0002-S155](#)

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST and RESOLUTION (PERRY - SMITH) relative to the City's position on AB 39 (Huffman), SB 12 (Simitian), SB 229 (Pavley), SB 457 (Wolk), and SB 458 (Wolk), known as the "Delta Package Legislation."

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 AB 39 (Hoffman), SB 12 (Simitian), SB 229 (Pavley), SB 457 (Wolk), and SB 458 (Wolk), known as the "Delta Package Legislation," relative to the restoration of the Delta, IF AMENDED as stated in the Resolution.

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)

## ITEM NO. (32) - ADOPTED

### [09-1688](#)

CD 2

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 3658 Woodhill Canyon Road 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 3658 Woodhill Canyon Road.

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. (33) - ADOPTED**

[09-1689](#)

CD 2

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 4462 North Woodman 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 4462 North Woodman 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 \$2,386.10 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. (34) - ADOPTED**

[09-1705](#)

CD 2

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 5239 North Van Nuys Boulevard 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 5239 North Van Nuys Boulevard.
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. (35) - ADOPTED**

[09-1827](#)

CD 13

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 5426 Santa Monica Boulevard 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 July 1, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 5426 Santa Monica Boulevard.
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. (36) - ADOPTED**

[09-1832](#)

CD 5

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 1430 North Sunset Plaza 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 July 1, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 1430 North Sunset Plaza 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 \$2,247 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. (37) - ADOPTED**

[09-1835](#)

CD 4

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 749 South Cloverdale 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 July 2, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 749 South Cloverdale 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 \$2,386.10 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. (38) - ADOPTED**

[09-1836](#)

CD 6

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 11835 West Wicks 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 July 2, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 11835 West Wicks 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. (39) - ADOPTED**

[09-1838](#)

CD 6

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 12159 West Branford 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 July 2, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 12159 West Branford 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. (40) - ADOPTED**

[09-1895](#)

CD 4

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 11340 Califa 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 July 8, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 11340 Califa 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 \$2,247 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. (41) - ADOPTED**

**Roll Call #14 - Motion (Huizar - Alarcon) Adopted, Ayes (10); Absent: Cardenas, Reyes, Rosendahl and Smith (4)**

[09-1978](#)

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:

[09-1978](#)

CD 13

- a. MOTION (GARCETTI - PERRY) relative to declaring the Car Wash Worker's Rally on August 19, 2009 a Special Event (fees and costs absorbed by the City = \$3,150).

[09-1979](#)

CD 13

- b. MOTION (GARCETTI - PERRY) relative to declaring the Hollywood Health Fair on August 29, 2009 a Special Event (fees and costs absorbed by the City = \$2,822).

[09-1981](#)

CD 1

- c. MOTION (REYES - PERRY) relative to declaring the Kong Chow Benevolent Association 120th Anniversary on August 22, 2009 a Special Event (fees and costs absorbed by the City = \$1,050).

[08-2277-S1](#)

CD 9

- d. MOTION (PERRY - REYES) relative to declaring the Park[ing] Day L.A. on September 18, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[09-1983](#)

CD 1

- e. MOTION (REYES - PERRY) relative to declaring the Dia del Salvadoreno on August 22-23, 2009 a Special Event (fees and costs absorbed by the City = \$11,250).

**SUBSTITUTE MOTION ADOPTED - SEE FOLLOWING**

[08-2587-S1](#)

CD 1

- f. MOTION (REYES - PERRY) relative to declaring the Highland Park Farmers' Market each Tuesday from September 4, 2009 to September 3, 2010 a Special Event (fees and costs absorbed by the City = \$1,250 monthly).

**ADOPTED**

**SUBSTITUTE MOTION (PARKS for REYES - PERRY) relative to declaring the Highland Park Farmers' Market each Tuesday from September 4, 2009 to September 30, 2009 a Special Event (fees and costs absorbed by the City = \$1,250)**

[09-1984](#)

CD 1

- g. MOTION (REYES - PERRY) relative to declaring the St. Sophia Cathedral Annual Greek Festival on September 11-13, 2009 a Special Event (fees and costs absorbed by the City = \$6,000).

[09-1985](#)

CD 1

- h. MOTION (REYES - PERRY) relative to declaring the St. Vincent Medical Center Eighth Annual Health Fair on September 26, 2009\* a Special Event (fees and costs absorbed by the City = \$2,000).

[09-1986](#)

CD 10

- i. MOTION (WESSON - PARKS) relative to declaring the Fourth Annual West Boulevard Block Club Party on August 8, 2009 a Special Event (fees and costs absorbed by the City = \$6,199).

[09-1987](#)

CD 10

- j. MOTION (WESSON - LABONGE) relative to declaring the Indonesian Day 2009 on August 8, 2009 a Special Event (fees and costs absorbed by the City = \$3,394).

[07-2572-S2](#)

CD 10

- k. MOTION (WESSON - LABONGE) relative to declaring the Wilshire Community Police Station/WTD Open House on August 16, 2009 a Special Event (fees and costs absorbed by the City = \$1,658).

**ITEM NO. (42) - ADOPTED**

**Roll Call #3 - Motion (Wesson - Perry) Adopted, Ayes (10); Absent: Cardenas, Reyes, Rosendahl and Smith (4)**

[08-0010-S9](#)

MOTION (REYES - HUIZAR) relative to reinstating the reward offer in the death of Veronica and Cynthia Ultreras for an additional six months.

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

REAFFIRM Council's findings and REINSTATE the reward offer relative to the death of Veronica and Cynthia Ultreras (Council actions of June 28, 1994, Council file No. 94-0010-S17 and February 4, 2009, Council file No. 08-0010-S9) for an additional period of six months from the publication of the offer of reward by the Office of the City Clerk and, further, that the sum of \$75,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.

**ITEM NO. (43) - RECEIVED AND FILED**

**Roll Call #15 - Motion (Garcetti - Perry) Adopted to Receive and File, Unanimous Vote (10); Absent: Cardenas, Reyes, Rosendahl and Smith (4)**

[09-1980](#)

MOTION (GARCETTI - PERRY - WESSON) relative to asserting jurisdiction over the Board of Water and Power Commissioners August 4, 2009 action.

Recommendations for Council action:

1. ASSERT jurisdiction over the Board of Water and Power Commissioners August 4, 2009 action to approve a resolution to modify the Energy Cost Adjustment Factor cap. The Board of Water and Power Commission approved a resolution amending the Electric Rate Ordinance No. 180127 to restructure the residential tiered electric rate to encourage energy conservation during periods of peak power usage, effective October 1, 2009.
2. REFER, upon assertion of jurisdiction, this matter to the Energy and Environment Committee for further review and consideration.

TIME LIMIT FILE - AUGUST 14, 2009

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

**ITEM NO. (44)**

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

[09-1982](#)

MOTION (GARCETTI - PARKS) relative to a contract with Curt Livesay to provide professional consulting services on legal and administrative matters to the Office of the City Attorney.

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

1. AUTHORIZE the City Attorney to execute a contract with Curt Livesay to provide professional consulting services on legal and administrative matters to the Office of the City Attorney for an initial term of one year, commencing on July 1, 2009 and expiring on June 30, 2010, with an option of up to two extensions of one year each under the same terms and conditions.
2. AUTHORIZE the transfer of \$139,000 from Fund 100/12, Account 3040 and \$65,000 from Fund 100/58, Account 0197 to Fund 100/12, Account 9301 for this contract.
3. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement those instructions.

**ITEM NO. (45) - MAPS APPROVED - CITY ENGINEER REPORT ADOPTED**

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

[09-1995](#)

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:

[09-1995](#)

CD 1

- a. FINAL MAP OF TRACT NO. 69045 for property located at 991 South Arapahoe Street, lying westerly of Arapahoe Street and northerly of Olympic Boulevard.  
(Bond No. C-115636)  
(Quimby Fee: \$265,770)  
Applicants: Arapahoe Plaza, LLC  
TKIM Associates

[09-1994](#)

CD 5

- b. FINAL MAP OF PARCEL MAP L.A. NO. 2006-3593 for property located at 918 Wooster Street, easterly side of Wooster Street and northerly of Olympic Boulevard.  
(Quimby Fee: \$17,328)  
(Less Dwelling Unit Construction Tax: \$800)  
Applicants: Wooster Properties LLC  
Tala Associates

[09-1996](#)

CD 5

- c. FINAL MAP OF PARCEL MAP L.A. NO. 2003-0489 for property located 16782 1/2 Oak View Drive, southerly of Oak View Drive and easterly of Balboa.  
(Bond No. C-115637)  
(Quimby Fee: \$3,760)  
Applicants: Summer Shapiro  
Robert Anderson

[09-1997](#)

CD 11

- d. FINAL MAP OF PARCEL MAP L.A. NO. 2006-7623 for property located at 402 South Venice Boulevard, southerly of South Venice Boulevard and easterly of Pacific Avenue.  
(Bond No. C-115638)  
(Quimby Fee: \$7,000)  
(Less Dwelling Unit Construction Tax: \$400)  
Applicants: Fazollah Moazzami  
Tala Associates

## Item for Which Public Hearing Has Been Held - Item 46

**ITEM NO. (46) - CONTINUED TO SEPTEMBER 4, 2009**

**Roll Call #4 - Motion (Huizar - Wesson) Adopted to Continue, Unanimous Vote (10); Absent: Cardenas, Reyes, Rosendahl and Smith (4)**

[09-1521](#)

CD 14

CONTINUED CONSIDERATION OF HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to transferring \$50,000 of Assembly Bill (AB) 1290 funds to the Office of the City Clerk (City Clerk) to establish the Cesar E. Chavez Avenue Business Improvement District (BID).

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

1. AUTHORIZE the transfer of \$50,000 in Adelante Eastside Redevelopment Project Area (Project Area) AB 1290 funds to the City Clerk to update necessary documentation and perform outreach activities to establish the proposed Cesar E. Chavez Avenue BID.

2. APPROVE the transfer of AB 1290 funds in the amount of \$50,000 to the City Clerk, Administrative Services Division, into BID Trust Fund Account No. 659, Department No. 14, as payment for the Cesar E. Chavez Avenue BID formation services.

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

Community Impact Statement: None submitted.

(Continued from Council meeting of August 12, 2009)

**MOTIONS ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR FRIDAY, AUGUST 14, 2009, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23**

**ADOPTED**

Roll Call #18 - Motion (Perry - Garcetti) Findings on Need to Act - Adopted, Ayes (10); Absent: Cardenas, Reyes, Rosendahl and Smith (4)

Roll Call #19 - Motion (Perry - Garcetti) Adopted, Ayes (10); Absent: Cardenas, Reyes, Rosendahl and Smith (4)

**09-0010-S46**

**MOTION (PERRY - GARCETTI)**

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

1. PROVIDE an offer of reward in the amount of \$50,000 for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Dae'Von Bailey on July 23, 2009.
2. FIND that the subject reward complies with the provisions of Chapter 12, Article 1, Division 19, of the Los Angeles Administrative Code.
3. DIRECT the City Clerk to publish the required notices and/or advertisements to effectuate this reward.



**ADOPTED**

Roll Call #20 - Motion (Koretz - LaBonge) Findings on Need to Act - Adopted, Ayes (10); Absent: Cardenas, Reyes, Rosendahl and Smith (4)

Roll Call #21 - Motion (Koretz - LaBonge) Adopted, Ayes (10); Absent: Cardenas, Reyes, Rosendahl and Smith (4)

**09-2059**

**MOTION (KORETZ - GARCETTI)**

**Recommendations for Council action:**

1. **AUTHORIZE the Bureau of Engineering (BOE) to issue a permit to allow street trenching in conjunction with the installation of a sewer line serving the residence located at 12426 Otsego Street, Valley Village, 91607, without the requirement of resurfacing the entire block from curb to curb, as would otherwise be required under Section 62.06.D of the Los Angeles Municipal Code.**
2. **REQUIRE the applicant to repair and resurface the cut area in accordance with BOE requirements.**

**ADOPTED**

Roll Call #22 - Motion (Alárcon - Koretz) Findings on Need to Act - Adopted, Ayes (10); Absent: Cardenas, Reyes, Rosendahl and Smith (4)

Roll Call #23 - Motion (Alárcon - Koretz) Adopted, Ayes (10); Absent: Cardenas, Reyes, Rosendahl and Smith (4)

**09-0002-S169**

**MOTION (ALARCON - KORETZ)**

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

1. **ADOPT the accompanying RESOLUTION to include in the City's 2009-10 Federal Legislative Program OPPOSITION to any administrative or discretionary action by the Department of Fish and Game or the Army Corps of Engineers that would approve Newhall Ranch Co.'s Army Corps 404 permit to alter the Santa Clara River, or any other permit by a Federal agency that would approve the Environment Impact Report/Environmental Impact Statement development of Newhall Ranch Co.'s proposed 21,000 residential unit development, inasmuch as this would negatively impact the Los Angeles Region by increasing traffic, air pollution, air emissions, climate change, and global warming as will altering the Santa Clara River and reducing available water supply for many decades to come.**

2. **INSTRUCT the Planning Department, the Department of Transportation, the Environmental Affairs Department, the Department of Public Works and the City Attorney, to review the environmental reports, and all staff reports on the abovementioned project, and based on the determined negative impacts, write letters on behalf of the City of Los Angeles in opposition to the abovementioned project including opposition statements submitted by the City residents.**

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

[09-2064](#)

CD 13

MOTION (GARCETTI - PERRY) relative to declaring the Extract Premiere on August 24, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[09-2065](#)

CD 13

MOTION (GARCETTI - PERRY) relative to declaring the Back To School Bash on August 22, 2009 a Special Event (fees and costs absorbed by the City = \$5,312).

[09-2068](#)

CD 13

MOTION (GARCETTI - PERRY) relative to declaring the ZARA Opening on August 19, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[07-2459-S2](#)

CD 13

MOTION (GARCETTI - PERRY) relative to declaring the 29th Annual Sunset Junction Street Fair on August 22-23, 2009 a Special Event (fees and costs absorbed by the City = \$38,684).

[09-2069](#)

CD 8

MOTION (PARKS - HUIZAR) relative to declaring the Move-In Day BBQ on August 19, 2009 a Special Event (fees and costs absorbed by the City = \$2,086).

[09-2071](#)

CD 8

MOTION (PARKS - GARCETTI) relative to declaring the Welcome Back Carnival on August 22, 2009 a Special Event (fees and costs absorbed by the City = \$6,303).

[08-2152-S1](#)

CD 8

MOTION (PARKS - GARCETTI) relative to declaring the Fall Semester Dive-In Day on August 20, 2009 a Special Event (fees and costs absorbed by the City = \$1,461).

[07-2349-S2](#)

CD 8

MOTION (PARKS - GARCETTI) relative to declaring the McCarthy Quad Dance Music on August 21, 2009 a Special Event (fees and costs absorbed by the City = \$991).

[07-2425-S3](#)

CD 8

MOTION (PARKS - PERRY) relative to declaring the Fall Semester Move-In Day on August 19, 2009 a Special Event (fees and costs absorbed by the City = \$2,981).

[09-2072](#)

CD 8

MOTION (PARKS - PERRY) relative to declaring the College Welcome Day on August 21, 2009 a Special Event (fees and costs absorbed by the City = \$2,386).

[09-2073](#)

CD 14

MOTION (HUIZAR - GARCETTI) relative to declaring the Daytime Emmy Awards on August 30, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[08-2202-S1](#)

CD 8

MOTION (PARKS - PERRY) relative to declaring the Salute to Troy on August 22, 2009 a Special Event (fees and costs absorbed by the City = \$4,665).

[08-2201-S1](#)

CD 8

MOTION (PARKS - PERRY) relative to declaring the Welcome Back Comedy Show on August 23, 2009 a Special Event (fees and costs absorbed by the City = \$991).

[09-2076](#)

CD 8

MOTION (PARKS - PERRY) relative to declaring the Welcome Back Concert on August 22, 2009 a Special Event (fees and costs absorbed by the City = \$3,614).

[09-2074](#)

CD 4

MOTION (LABONGE - HAHN) relative to declaring the Fifth Annual Brazilian Day in Los Angeles on September 12, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[07-1924-S1](#)

CD 11

MOTION (PERRY for ROSENDAHL - PARKS) relative to declaring the 85th Street Block Party on August 29, 2009 a Special Event (fees and costs absorbed by the City = \$2,657).

[09-2075](#)

CD 5

MOTION (KORETZ - HAHN) relative to declaring the NAACP Theater Awards on August 31, 2009 a Special Event (fees and costs absorbed by the City = \$1,000).

[08-0222-S3](#)

CD 14

MOTION (HUIZAR - PARKS) relative to declaring the Eagle Rock Farmers' Market on Friday evenings from August 1, 2009 to September 15, 2009a Special Event (fees and costs absorbed by the City = \$5,912).

[07-2018](#)

CD 9

MOTION (PERRY - ZINE) relative to reaffirming prior Council action of July 21, 2009, declaring the Studio City Farmers' Market a Special Event.

[09-0600](#)

MOTION (ALARCON - HAHN) relative to amending prior Council action of June 16, 2009, declaring a moratorium on all Special Event declarations for events which will take place after August 31, 2009.

[08-2219-S3](#)

MOTION (GARCETTI - PERRY- ZINE) relative to funding to defray the costs of the El Grito 2009 celebration.

[09-0011-S47](#)

CD 13

MOTION (GARCETTI - LABONGE) relative to funding for services associated with the Highland Avenue Medians Project in Council District 13

[09-2070](#)

CD 3

MOTION (ZINE - GARCETTI) relative to funding for re-paving the alley south of Ventura Boulevard at Vanalden in Council District Three.

[09-2088](#)

CD 11

MOTION (WESSON for ROSENDAHL - PERRY) relative to rescinding prior Council action of October 3, 2006 authorizing the Los Angeles Department of Transportation to expend funds from the Council District 11 Coastal Transportation Corridor Specific Plan.

[07-2357-S1](#)

MOTION (ZINE - GARCETTI) relative to authorizing the Personnel Department to use the City Hall Rotunda on October 7, 2009.

[07-2849-S2](#)

CD 7

MOTION (ALARCON - HAHN) relative to approval to lease office space for the Foothill Trails Neighborhood Council at 9745 Wheatland Avenue.

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

### [09-2063](#)

RESOLUTION (GARCETTI - LABONGE) relative to designating a Voting Delegate and Alternates for the City of Los Angeles at the League of California Cities Annual Conference.

### [09-2067](#)

RESOLUTION (PERRY - GARCETTI) relative to the Bureau of Sanitation securing the 2008-09 Local Government Waste Tire Cleanup and Amnesty Event Grant.

### [09-0002-S170](#)

RESOLUTION (GARCETTI - LABONGE) relative to the City's position in connection with the Los Angeles Community College District's application to the U.S. Department of Labor Pathways Out of Poverty Grant.

### [09-2062](#)

RESOLUTION (GARCETTI - PERRY for ROSENDAHL) relative to declaring September 15, 2009 as LGBT Center Awareness Day in the City of Los Angeles.

## COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[09-1668](#) - Robert Garber

(Zine - All Councilmembers)

Police Officer III Todd A. Rheingold

(Zine - All Councilmembers)

Sergeant II Lamar S. Bell

(Zine - All Councilmembers)

Joan Swartzlander

(Koretz - All Councilmembers)

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

[09-1667](#) - Eunice Kennedy Shriver

(Garcetti - All Councilmembers)

Marshall Turner

(Garcetti - All Councilmembers)

Hurcel Watson

(Hahn)

Les Paul

(LaBonge - All Councilmembers)

Jimmy Johnson

(LaBonge - All Councilmembers)

Leonard Britton

(LaBonge - All Councilmembers)

Jeff Prugh

(LaBonge - All Councilmembers)

Mark Alan Williams

(Parks)

Evan Dutch Sommers

(Zine - All Councilmembers)

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

**Whereupon the Council did adjourn.**

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL