

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **September 2, 2009**
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF AUGUST 14, 2009

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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

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

Items Noticed for Public Hearing - Items 1-15

**Roll Call #7 - Motion (Rosendahl - LaBonge) Adopted, Ayes (12); Absent: Parks and President Garcetti (2)
(Item Nos. 1-3)**

ITEM NO. (1) - PUBLIC HEARING CLOSED - ADOPTED

[08-2811](#)
CD 2

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Tujunga Canyon Boulevard and Haines Canyon Avenue (Reballot) Lighting District.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held August 12, 2009)

ITEM NO. (2) - PUBLIC HEARING CLOSED - ADOPTED

[09-1055](#)

CD 11

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Sunset Boulevard and Los Liones Drive Lighting District.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held August 12, 2009)

ITEM NO. (3) - PUBLIC HEARING CLOSED - ADOPTED

[09-1070](#)

CD 2

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Victory and Lankershim Boulevards Lighting District.

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

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

(Public Hearing held August 12, 2009)

**Roll Call #1 - Motion (Hahn - Wesson) Adopted to Receive and File, Unanimous Vote (10);
Absent: Alarcón, Huizar, Parks and President Garcetti (4)
(Item Nos. 4-5)**

ITEM NO. (4) - RECEIVED AND FILED INASMUCH AS THE LIEN HAS BEEN PAID

[09-1417](#)

CD 15

HEARING PROTESTS relative to Department of Building and Safety report and confirmation of lien against property located at 1301 South Pacific Avenue, APN 7454-026-026. (Lien: \$954.99)

Recommendations for Council action:

1. HEAR PROTESTS relative to a proposed lien recorded against property located at 1301 South Pacific Avenue, to recover the cost of delinquent annual inspection invoices, plus appropriate fees and fines, as authorized by the Los Angeles Municipal Code Section 98.0402(e), and Sections 7.35.3 and 7.35.5 of the Los Angeles Administrative Code, as described in the Building and Safety report, attached to the Council file; and, CONFIRM said lien.
2. INSTRUCT the Department of Building and Safety to deposit to Department 08, Fund 48R, Balance Sheet Account 2200, any payment received against this lien in the amount of \$954.99 on the above referenced property.

ITEM NO. (5) - RECEIVED AND FILED INASMUCH AS THE LIEN HAS BEEN PAID

[09-1418](#)
CD 6

HEARING PROTESTS relative to Department of Building and Safety report and confirmation of lien against property located at 10265 North San Fernando Road, APN 2623-017-001. (Lien: \$940.05)

Recommendations for Council action:

1. HEAR PROTESTS relative to a proposed lien recorded against property located at 10265 North San Fernando Road, to recover the cost of delinquent annual inspection invoices, plus appropriate fees and fines, as authorized by the Los Angeles Municipal Code Section 98.0402(e), and Sections 7.35.3 and 7.35.5 of the Los Angeles Administrative Code, as described in the Building and Safety report, attached to the Council file; and, CONFIRM said lien.
2. INSTRUCT the Department of Building and Safety to deposit to Department 08, Fund 48R, Balance Sheet Account 2200, any payment received against this lien in the amount of \$940.05 on the above referenced property.

ITEM NO. (6) - RECEIVED AND FILED INASMUCH AS THE LIEN HAS BEEN PAID

Roll Call #9 - Motion (Reyes - Rosendahl) Adopted to Receive and File, Ayes (12); Absent: Parks and President Garcetti (2)

[09-1419](#)
CD 2

HEARING PROTESTS relative to Department of Building and Safety report and confirmation of lien against property located at 13145 West Sherman Way, APN 2327-003-036. (Lien: \$3,704.71)

Recommendations for Council action:

1. HEAR PROTESTS relative to a proposed lien recorded against property located at 13145 West Sherman Way, to recover the cost of delinquent annual inspection invoices, plus appropriate fees and fines, as authorized by the Los Angeles Municipal Code Section 98.0402(e), and Sections 7.35.3 and 7.35.5 of the Los Angeles Administrative Code, as described in the Building and Safety report, attached to the Council file; and, CONFIRM said lien.

2. INSTRUCT the Department of Building and Safety to deposit to Department 08, Fund 48R, Balance Sheet Account 2200, any payment received against this lien in the amount of \$3,704.71 on the above referenced property.

ITEM NO. (7) - RECEIVED AND FILED INASMUCH AS THE LIEN HAS BEEN PAID

**Roll Call #1 - Motion (Hahn - Wesson) Adopted to Receive and File, Unanimous Vote (10);
Absent: Alarcón, Huizar, Parks and President Garcetti (4)**

[09-1420](#)

CD 10

HEARING PROTESTS relative to Department of Building and Safety report and confirmation of lien against property located at 1507 South La Brea Avenue, APN 5070-019-020. (Lien: \$966.39)

Recommendations for Council action:

1. HEAR PROTESTS relative to a proposed lien recorded against property located at 1507 South La Brea Avenue, to recover the cost of delinquent annual inspection invoices, plus appropriate fees and fines, as authorized by the Los Angeles Municipal Code Section 98.0402(e), and Sections 7.35.3 and 7.35.5 of the Los Angeles Administrative Code, as described in the Building and Safety report, attached to the Council file; and, CONFIRM said lien.
2. INSTRUCT the Department of Building and Safety to deposit to Department 08, Fund 48R, Balance Sheet Account 2200, any payment received against this lien in the amount of \$966.39 on the above referenced property.

ITEM NO. (8) - PUBLIC HEARING CLOSED - NO PROTESTS - LIEN CONFIRMED

Roll Call #2 - Motion (Smith - Koretz) Adopted to Confirm Lien, Ayes (10); Absent: Alarcón, Huizar, Parks and President Garcetti (4)

[09-1421](#)

CD 8

HEARING PROTESTS relative to Department of Building and Safety report and confirmation of lien against property located at 6400 South Normandie Avenue, Unit A, APN 6014-001-031. (Lien: \$954.73)

Recommendations for Council action:

1. HEAR PROTESTS relative to a proposed lien recorded against property located at 6400 South Normandie Avenue, Unit A, to recover the cost of delinquent annual inspection invoices, plus appropriate fees and fines, as authorized by the Los Angeles Municipal Code Section 98.0402(e), and Sections 7.35.3 and 7.35.5 of the Los Angeles Administrative Code, as described in the Building and Safety report, attached to the Council file; and, CONFIRM said lien.
2. INSTRUCT the Department of Building and Safety to deposit to Department 08, Fund 48R, Balance Sheet Account 2200, any payment received against this lien in the amount of \$954.73 on the above referenced property.

ITEM NO. (9) - RECEIVED AND FILED INASMUCH AS THE LIEN HAS BEEN PAID

**Roll Call #1 - Motion (Hahn - Wesson) Adopted to Receive and File, Unanimous Vote (10);
Absent: Alarcón, Huizar, Parks and President Garcetti (4)**

[09-1422](#)

CD 14

HEARING PROTESTS relative to Department of Building and Safety report and confirmation of lien against property located at 1790 South Industrial Way, Unit A, APN 5192-022-004. (Lien: \$2,100.58)

Recommendations for Council action:

1. HEAR PROTESTS relative to a proposed lien recorded against property located at 1790 South Industrial Way, Unit A, to recover the cost of non-compliance of code violation, delinquent annual inspection invoices and proposed lien to recover the cost of inspections, plus appropriate fees and fines, as authorized by the Los Angeles Municipal Code Sections 91.103, 98.0402(e), 98.0411(a) and Los Angeles Administrative Code Sections 7.35.3 and 7.35.5, as described in the Building and Safety report, attached to the Council file; and, CONFIRM said lien.
2. INSTRUCT the Department of Building and Safety to deposit to Department 08, Fund 48R, Balance Sheet Account 2200, any payment received against this lien in the amount of \$2,100.58 on the above referenced property.

ITEM NO. (10) - PUBLIC HEARING CLOSED - NO PROTESTS - CITY ENGINEER INSTRUCTED TO PROCEED

Roll Call #3 - Motion (Wesson - Rosendahl) Adopted, Ayes (10); Absent: Alarcón, Huizar, Parks and President Garcetti (4)

[06-2684](#)

CD 10

HEARING PROTESTS against the proposed vacation of Ninth Avenue between Exposition Place and Exposition Boulevard (VAC E1401037).

(Public Works Committee report adopted on July 22, 2009)

ITEM NO. (11) - PUBLIC HEARING CLOSED - NO PROTESTS - CITY ENGINEER INSTRUCTED TO PROCEED - AMENDING MOTION ADOPTED - SEE FOLLOWING

Roll Call #10 - Motion (Rosendahl - LaBonge) to Adopt as Amended, Ayes (12); Absent: Parks and President Garcetti (2)

[07-3585](#)

CD 11

HEARING PROTESTS against the proposed vacation of the alley southeasterly of the intersection of Chautauqua Boulevard with Berea Place from Chautauqua Boulevard to its southwesterly terminus (VAC E1401088).

(Public Works Committee report adopted on July 22, 2009)

ADOPTED

AMENDING MOTION (ROSENDAHL - SMITH)

Recommendation for Council action:

DELETE Condition No. 5(a) and (b) outlined in the City Engineer report dated January 21, 2009, which state the following:

- a. that the applicant must close the alley intersection with Chautauqua Boulevard with standard street improvements including integral curb and gutter and five-foot wide concrete sidewalk.
- b. that the applicant must construct a five-foot wide concrete sidewalk along the southerly side of Berea Place and along the southwesterly side of Chautauqua Boulevard adjoining Lot 10, Tract No. 9300.

ITEM NO. (12) - PUBLIC HEARING CLOSED - NO PROTESTS - CITY ENGINEER INSTRUCTED TO PROCEED

Roll Call #3 - Motion (Wesson - Rosendahl) Adopted, Ayes (10); Absent: Alarcón, Huizar, Parks and President Garcetti (4)

[08-1343](#)

CD 9

HEARING PROTESTS against the proposed vacation of the Judge John Aiso Street Parking Structure between First and Judge John Aiso Streets (subsurface vacation; VAC E1401092).

(Public Works Committee report adopted on July 22, 2009)

ITEM NO. (13) - PUBLIC HEARING CLOSED - NO PROTESTS - CITY ENGINEER INSTRUCTED TO PROCEED

Roll Call #8 - Motion (Zine - Rosendahl) Adopted, Ayes (12); Absent: Parks and President Garcetti (2)

[08-3307](#)

CD 3

HEARING PROTESTS against the proposed vacation of the walk easterly of Caravana Road between Empis Street and Naranja Road (VAC E1401117).

(Public Works Committee report adopted on July 22, 2009)

ITEM NO. (14) - PUBLIC HEARING CLOSED - NO PROTESTS - CITY ENGINEER INSTRUCTED TO PROCEED

Roll Call #3 - Motion (Wesson - Rosendahl) Adopted, Ayes (10); Absent: Alarcón, Huizar, Parks and President Garcetti (4)

[09-0504](#)

CD 15

HEARING PROTESTS against the proposed vacation of the alley westerly of Sanford Avenue between "E" and "F" Streets (VAC E1401137).

(Public Works Committee report adopted on July 22, 2009)

ITEM NO. (15) - PUBLIC HEARING CLOSED - PROTESTS DENIED - MOTION ADOPTED TO GRANT APPLICATION - SEE FOLLOWING

Roll Call #11 - Motion (Reyes - Cárdenas) Adopted, Ayes (13); Absent: President Garcetti (1)

[09-1812](#)

CD 1

HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for off-site consumption at La Tropicana Market located at 5200 Monte Vista Street, Los Angeles, 90042.

Application filed by: Rana Silyan (Ariel Gutierrez, representative)

TIME LIMIT FILE - SEPTEMBER 4, 2009

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

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

ADOPTED

MOTION (REYES - CARDENAS)

Recommendations for Council action:

- 1. DETERMINE that the issuance of a liquor license at La Tropicana Market will serve the "Public Convenience or Necessity" and will not tend to create a law enforcement problem.**
- 2. GRANT the Application for Determination of "Public Convenience or Necessity" for the sale of alcoholic beverages for off-site consumption at La Tropicana Market located at 5200 Monte Vista Street, Los Angeles, CA 90042.**

3. **INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.**

Applicant: Rana Silyan (Ariel Gutierrez, representative)

TIME LIMIT FILE - SEPTEMBER 4, 2009

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

Items for Which Public Hearings Have Been Held - Items 16-22

**Roll Call #12 - Motion (Perry - Cárdenas) to Adopt Amending Motion, Ayes (12); Absent: Wesson and President Garcetti (2)
(Item Nos. 16-17)**

ITEM NO. (16) - AMENDING MOTION ADOPTED - SEE FOLLOWING

[07-3249](#)

COMMUNICATIONS FROM THE BOARD OF WATER AND POWER COMMISSIONERS AND CITY ATTORNEY, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to amending the Electric Rate Ordinance (Ordinance No. 180127) to restructure the residential tiered electric rate.

(Energy and Environment 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

AMENDING MOTION (PERRY - SMITH)

Recommendation for Council action:

REFER BACK to the Los Angeles Department of Water and Power for further consideration as part of an independent third party fiscal review associated with the Energy Cost Adjustment Factor cap modification proposal.

ITEM NO. (17) - ADOPTED, AS AMENDED - SEE FOLLOWING

[09-1980-S1](#)

COMMUNICATION FROM THE BOARD OF WATER AND POWER COMMISSIONERS and RESOLUTION relative to authorizing an Energy Cost Adjustment Factor cap modification.

(Energy and Environment 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

ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to a proposed modification to the Energy Cost Adjustment Factor (ECAF) cap pursuant to the current Electric Rate Ordinance, General Provision G7 and related matters.

Recommendations for Council action:

- 1. DISAPPROVE** the Board of Water and Power Commissioners' (Board) action of August 4, 2009, Resolution No. 010-056, authorizing an ECAF cap modification as set forth in the Resolution, attached to the Council file.
- 2. REQUEST** that the Board resubmit the request after providing the City Administrative Officer additional information and provide time for an additional review period. The information should include an ECAF Impact Statement, which shall include the total amount of impact on the ECAF and the projected impact on the typical residential and commercial customers.

Fiscal Impact Statement: The Los Angeles Department of Water and Power reports that the estimated impact for Fiscal Year 2009-10 of the ECAF cap modification is expected to increase revenue by approximately \$134 million.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 4, 2009

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

10 VOTES REQUIRED

ADOPTED

AMENDING MOTION (PERRY - SMITH)

Recommendations for Council action:

- 1. REQUEST** the Los Angeles Department of Water and Power (LADWP), in conjunction with the City Administrative Officer and the Chief Legislative Analyst, to conduct an independent third party fiscal review of the proposed Energy Cost Adjustment Factor (ECAF) cap modification proposal and that this review address the following components:
 - a. The proposal's financial viability and appropriateness including key financial objectives such as the:**
 - 1) Debt service coverage greater than 2.25 times**
 - 2) Minimum cash target of \$300 million**
 - 3) Capitalization factor less than 60 percent**

- b. Impact on the LADWP/City if “AA” Bond Rating falls.
 - c. Impact on the ratepayers, including low and lifeline customers, and whether there are other viable fiscal/cap options that place less market volatility on the ratepayers.
 - d. Verification of current and past energy market sources causing ECAF under-collections, including forecasting future energy market costs that may impact the ECAF.
 - e. Identification of the percentage of ECAF cost impacts associated with the implementation of renewable energy sources.
 - f. Identification of other “renewable mix” alternatives that are more cost-effective and minimize impacts on ratepayers including “brown energy offset” options.
2. REQUEST the City Attorney to prepare and present an ordinance which would make all ECAF adjustments, beyond the established cap, subject to Council consideration.

ADOPTED

AMENDING MOTION (SMITH - PERRY)

Recommendation for Council action:

INCLUDE the following in the third party fiscal review:

- a. Look to minimize cost
- b. Spread cost factor evenly across tiers.

**Roll Call #4 - Motion (Cárdenas - Wesson) Adopted, Ayes (10); Absent: Alarcón, Huizar, Parks and President Garcetti (4)
(Item Nos. 18-21)**

ITEM NO. (18) - ADOPTED

[09-0084-S5](#)

CD 15

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to Cox HD Channel line-up additions.

Recommendation for Council action:

NOTE and FILE the February 27, 2009 Information Technology Agency report relative to Cox HD Channel line-up additions.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (19) - ADOPTED

[09-0084-S6](#)

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to programming change for AT&T U-Verse TV customers.

Recommendation for Council action:

NOTE and FILE the March 6, 2009 Information Technology Agency report relative to programming change for AT&T U-Verse TV customers.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (20) - ADOPTED

[09-0084-S8](#)

CD 15

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to Cox Communications to provide two new HD Channels.

Recommendation for Council action:

NOTE and FILE the June 3, 2009 Information Technology Agency report relative to Cox Communications to provide two new HD Channels.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (21) - ADOPTED

[09-1854](#)

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to a proposed Amendment to Contract No. C-105458 with Hess and Associates (Hess) for programming services for software support for the Payroll System Replacement (PaySR) Project.

Recommendations for Council action:

1. AMEND the July 21, 2009 City Administrative Officer (CAO) report and all relevant contract documentation to replace all references to "Amendment 11" with "Amendment 12" and to replace the total contract amount of "\$7,505,000" with "\$6,670,000."
2. AUTHORIZE the General Manager, Information Technology Agency (ITA), or designee, to execute Amendment No. 12 to Contract No. C-105458 with Hess to increase the Contract by the amount of \$935,000 for a total contract amount not to exceed \$6,670,000 and extend the Contract term by an additional 12 months to July 31, 2010 for continued support of the PaySR Project, subject to the approval of the City Attorney.

Fiscal Impact Statement: The CAO reports that there is no impact on the General Fund resulting from the execution of Amendment No. 12 to Contract No. C-105458. The proposed amendment would add \$935,000 for a contract total not to exceed \$6,670,000. This funding complies with the City Financial Policies in that this amount is provided from ongoing revenue included in the 2009-10 Adopted Budget of the ITA.

Community Impact Statement: None submitted.

ITEM NO. (22) - ADOPTED

Roll Call #13 - Motion (Cárdenas - Hahn) Adopted, Ayes (12); Absent: Wesson and President Garcetti (2)

[09-1770](#)

CD 6

PUBLIC SAFETY and INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEES' REPORT relative to using Proposition F Fire Facilities General Obligation Bond funds to replace Fire Station 39 located 14415 Sylvan Street in Van Nuys.

Recommendation for Council action:

AUTHORIZE a new project to be funded by Proposition F Fire Facilities General Obligation Bond funds to replace Fire Station 39 located 14415 Sylvan Street in Van Nuys.

Fiscal Impact Statement: The City Administrative Officer reports that there is no General Fund impact. The project will be fully funded by Proposition F Fire Facilities General Obligation Bond Fund program contingency, project savings and accrued interest monies.

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 23-48

(10 Votes Required for Consideration)

**Roll Call #7 - Motion (Rosendahl - LaBonge) Adopted, Ayes (12); Absent: Parks and President Garcetti (2)
(Item Nos. 23-25)**

ITEM NO. (23) - ADOPTED

[08-1040-S2](#)

CD 4

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Denny Avenue and Magnolia Boulevard No. 2 (Reballot) Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated July 22, 2009.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **NOVEMBER 4, 2009** as the hearing date for the maintenance of the Denny Avenue and Magnolia Boulevard No. 2 (Reballot) Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$409.50 will be collected annually starting with tax year 2010-11 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: October 26, 2009)

ITEM NO. (24) - ADOPTED

[09-1811](#)
CD 3

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

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated July 22, 2009.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **NOVEMBER 4, 2009** as the hearing date for the maintenance of the Eton Avenue and Kittridge Street Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$3,378.38 will be collected annually starting with tax year 2010-11 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: October 26, 2009)

ITEM NO. (25) - ADOPTED

[09-1910](#)
CD 2

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

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated July 29 2009.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **NOVEMBER 4, 2009** as the hearing date for the maintenance of the Sarah Street and Colfax Avenue Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$175.76 will be collected annually starting with tax year 2010-11 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: October 26, 2009)

ITEM NO. (26) - ADOPTED

Roll Call #5 - Motion (Smith - Koretz) Adopted, Ayes (10); Absent: Alarcón, Huizar, Parks and President Garcetti (4)

[08-3489](#)

FUTURE PUBLIC HEARING DATE for hearing appeals or objections to proposed 2008-09 Weed and Brush Abatement Assessment Roll Schedule for locations states on personal appeals attached to the Council file.

Recommendation for Council action:

ESTABLISH **SEPTEMBER 9, 2009** as the date for hearing appeals or objections to the proposed assessment.

ITEM NO. (27) - ADOPTED

Roll Call #14 - Motion (Reyes - Smith) Adopted, Ayes (12); Absent: Wesson and President Garcetti (2)

[09-0005-S506](#)

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 26, 2009:

[09-0005-S506](#)

CD 9

- a. Property at 1215 West 43rd Street aka 4258 South Van Buren Place (Case No. 105611). Assessor I.D. No. 5020-011-016

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 12, 2007)

[09-0005-S507](#)

CD 8

- b. Property at 1408 West 50th Street aka 1410 West 50th Street (Case No. 155799).
Assessor I.D. No. 5016-031-015

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

[09-0005-S508](#)

CD 1

- c. Property at 2157 West Cambridge Street aka 1521 South Harvard Boulevard (Case No. 193643).
Assessor I.D. No. 5074-009-005

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

[09-0005-S509](#)

CD 14

- d. Property at 3039 East Lanfranco Street (Case No. 213264).
Assessor I.D. No. 5186-002-012

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 24, 2009)

[09-0005-S510](#)

CD 1

- e. Property at 321 West Avenue 37 aka 321 1/2 West Avenue 37 (Case No. 134135).
Assessor I.D. No. 5451-011-005

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 13, 2007)

[09-0005-S511](#)

CD 1

- f. Property at 321 West Avenue 37 aka 321 1/2 West Avenue 37 (Case No. 134090).
Assessor I.D. No. 5451-011-005

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 9, 2007)

[09-0005-S512](#)

CD 9

- g. Property at 326 East 52nd Street (Case No. 174000).
Assessor I.D. No. 5109-025-010

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 10, 2008)

9-0005-S513

CD 9

- h. Property at 326 East 52nd Street (Case No. 231496).
Assessor I.D. No. 5109-025-010

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

[09-0005-S514](#)

CD 14

- i. Property at 6616 North Figueroa Street (Case No. 214464).
Assessor I.D. No. 5486-017-006

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

[09-0005-S515](#)

CD 9

- j. Property at 758 East 46th Street aka 760 East 46th Street (Case No. 138442).
Assessor I.D. No. 5108-006-014

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 27, 2007)

[09-0005-S516](#)

CD 6

- k. Property at 8140 North De Garmo Avenue (Case No. 228684).
Assessor I.D. No. 2407-022-010

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

ITEM NO. (28) - ADOPTED

Roll Call #15 - Motion (Smith - Koretz) Adopted, Ayes (12); Absent: Wesson and President Garcetti (2)

[07-0335](#)

COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE relative to a donation of various equipment, airfare and training expenditures, and other items for use by the Los Angeles Police Department (LAPD).

Recommendations for Council action:

1. ACCEPT and APPROVE a \$15,733.94 donation from the Los Angeles Police Foundation of various equipment, airfare and training expenditures, and other items and uses for the LAPD, and THANK the donor for this generous donation.
2. DIRECT the LAPD to:
 - a. Include the following information in its reports to the Board of Police Commissioners relative to donations made for its use:
 - 1) A clear indication of whether the donation is a cash gift or goods and/or services.
 - 2) A statement relative to whether donated equipment will be replaced if it breaks.
 - b. Report to Council without delay all donations that require the approval of the Board of Police Commissioners and Council.

Fiscal Impact Statement: The Chief Legislative Analyst reports that acceptance of this donation will not impact the General Fund.

Community Impact Statement: None submitted.

ITEM NO. (29) - ADOPTED

Roll Call #16 - Motion (Smith - Zine) Adopted, Ayes (12); Absent: Wesson and President Garcetti (2)

[07-0862](#)

COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE relative to monetary donations to fund the Annual Community Police Advisory Board Summit.

Recommendations for Council action:

1. ACCEPT and APPROVE monetary donations in the amount of \$18,264.25 from the Los Angeles Police Foundation to fund the Annual Community Police Advisory Board Summit, and THANK the donor for this generous donation.
2. DIRECT the Los Angeles Police Department to:
 - a. Include the following information in its reports to the Board of Police Commissioners relative to donations made for its use:
 - 1) A clear indication of whether the donation is a cash gift or goods and/or services.
 - 2) A statement relative to whether donated equipment will be replaced if it breaks.
 - b. Report to Council without delay all donations that require the approval of the Board of Police Commissioners and Council.

Fiscal Impact Statement: The Chief Legislative Analyst reports that acceptance of this donation will not impact the General Fund.

Community Impact Statement: None submitted.

ITEM NO. (30) - ADOPTED

Roll Call #17 - Motion (Smith - Zine) Adopted, Ayes (12); Absent: Wesson and President Garcetti (2)

[07-0863](#)

COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE relative to the donation of five global positioning systems (GPS) and related equipment to assist the Los Angeles Police Department (LAPD) Robbery Homicide Special Investigation Section.

Recommendations for Council action:

1. ACCEPT and APPROVE the donation of five GPS units and related equipment valued at \$37,245 from the Los Angeles Police Foundation to assist the LAPD Robbery Homicide Special Investigation Section, and THANK the donor for this generous donation.
2. DIRECT the LAPD to:
 - a. Include the following information in its reports to the Board of Police Commissioners relative to donations made for its use:
 - 1). A clear indication of whether the donation is a cash gift or goods and/or services.
 - 2). A statement relative to whether donated equipment will be replaced if it breaks.
 - b. Report to Council without delay all donations that require the approval of the Board of Police Commissioners and Council.

Fiscal Impact Statement: The Chief Legislative Analyst reports that acceptance of this donation will require the LAPD to absorb approximately \$3,330 per year for the aircards and licensing agreement into its Technical Support Budget.

Community Impact Statement: None submitted.

**Roll Call #5 - Motion (Smith - Koretz) Adopted, Ayes (10); Absent: Alarcón, Huizar, Parks and President Garcetti (4)
(Item Nos. 31-32)**

ITEM NO. (31) - ADOPTED

[07-0882](#)

COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE relative to the donation of equipment, software, and training for use by the Los Angeles Police Department (LAPD) Force Investigation Division.

Recommendations for Council action:

1. ACCEPT and APPROVE the donation of equipment, software, and training valued at \$48,052.59 from the Los Angeles Police Foundation for use by the LAPD Force Investigation Division, and THANK the donor for this generous donation.
2. DIRECT the LAPD to:
 - a. Include the following information in its reports to the Board of Police Commissioners relative to donations made for its use:
 - 1) A clear indication of whether the donation is a cash gift or goods and/or services.
 - 2) A statement relative to whether donated equipment will be replaced if it breaks.
 - b. Report to Council without delay all donations that require the approval of the Board of Police Commissioners and Council.

Fiscal Impact Statement: The Chief Legislative Analyst reports that acceptance of this donation will have an approximate annual impact of \$500 to the impact to the General Fund should the "Total Station," an electronic/optical instrument used to measure angles and distances, require repairs or recalibration.

Community Impact Statement: None submitted.

ITEM NO. (32) - ADOPTED

[07-0886](#)

COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE relative to monetary donations for use by the Los Angeles Police Department (LAPD) Training Division for the "Sum Total Learning Management Software System."

Recommendations for Council action:

1. ACCEPT and APPROVE monetary donations in the amount of \$898,600 from the Los Angeles Police Foundation for use by the LAPD Training Division for the "Sum Total Learning Management Software System," and THANK the donor for this generous donation.
2. DIRECT the LAPD to:
 - a. Include the following information in its reports to the Board of Police Commissioners relative to donations made for its use:
 - 1) A clear indication of whether the donation is a cash gift or goods and/or services.
 - 2) A statement relative to whether donated equipment will be replaced if it breaks.
 - b. Report to Council without delay all donations that require the approval of the Board of Police Commissioners and Council.

Fiscal Impact Statement: The Chief Legislative Analyst reports this action will impact the General Fund by approximately \$85,000 per year if the LAPD is unable to identify a funding source for the license and software agreement.

Community Impact Statement: None submitted.

ITEM NO. (33) - ADOPTED

Roll Call #18 - Motion (Smith - Hahn) Adopted, Ayes (12); Absent: Wesson and President Garcetti (2)

[07-0893](#)

COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE relative to a donation of an executive management program training course for use by the Los Angeles Police Department (LAPD) Professional Standards Bureau.

Recommendations for Council action:

1. ACCEPT and APPROVE the donation of an executive management program training course valued at \$78,000 from the Los Angeles Police Foundation for use by the LAPD Professional Standards Bureau, and THANK the donor for this generous donation.
2. DIRECT the LAPD to:
 - a. Include the following information in its reports to the Board of Police Commissioners relative to donations made for its use:
 - 1) A clear indication of whether the donation is a cash gift or goods and/or services.
 - 2) A statement relative to whether donated equipment will be replaced if it breaks.
 - b. Report to Council without delay all donations that require the approval of the Board of Police Commissioners and Council.

Fiscal Impact Statement: The Chief Legislative Analyst reports that acceptance of this donation will not impact the General Fund.

Community Impact Statement: None submitted.

ITEM NO. (34) - ADOPTED

Roll Call #19 - Motion (Rosendahl - Reyes) Adopted, Ayes (12); Absent: Wesson and President Garcetti (2)

[09-0002-S123](#)

[09-0002-S132](#)

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST and RESOLUTIONS (GARCETTI - HUIZAR - PARKS - ROSENDAHL) and (GARCETTI - PERRY) relative to the City's position on H.R. 1429 (Waters), that would provide for the development of a HIV/AIDS policy for inmates in the Federal Prison system.

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

ADOPT the accompanying RESOLUTIONS to include in the City's 2009-10 Federal Legislative Program SUPPORT for H.R. 1429 (Waters), the Stop AIDS in Prison Act of 2009, that would provide for the development of a comprehensive HIV/AIDS policy for inmates in the Federal Prison system.

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

Community Impact Statement: None submitted.

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

**Roll Call #5 - Motion (Smith - Koretz) Adopted, Ayes (10); Absent: Alarcón, Huizar, Parks and President Garcetti (4)
(Item Nos. 35-43)**

ITEM NO. (35) - ADOPTED

[09-1210](#)

CD 12

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 9631 De Soto Avenue, pursuant to the Los Angeles Municipal Code (LAMC) 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 May 6, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 9631 De Soto Avenue.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

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

ITEM NO. (36) - ADOPTED

[09-1211](#)

CD 12

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 10664 North Amestoy Avenue, pursuant to the Los Angeles Municipal Code (LAMC) 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 February 25, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 10664 North Amestoy 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 LAMC respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (37) - ADOPTED

[09-1397](#)
CD 12

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 8810 North Tampa Avenue, pursuant to the Los Angeles Municipal Code (LAMC) 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 February 25, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 8810 North Tampa Avenue.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

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

ITEM NO. (38) - ADOPTED

[09-1489](#)

CD 12

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 6650 North Balboa Boulevard, pursuant to the Los Angeles Municipal Code (LAMC) 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 1, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 6650 North Balboa 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 LAMC respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (39) - ADOPTED

[09-1828](#)

CD 12

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 10211 North Balboa Boulevard, pursuant to the Los Angeles Municipal Code (LAMC) 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 10211 North Balboa 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 \$2,739.20 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$2,560 and a seven percent surcharge in the amount of \$179.20 in accordance with Sections 12.37 and 61.03 of the LAMC respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (40) - ADOPTED

[09-1829](#)

CD 12

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 21535 West Roscoe Boulevard, pursuant to the Los Angeles Municipal Code (LAMC) 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 21535 West Roscoe 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 LAMC respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (41) - ADOPTED

[09-1896](#)

CD 9

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 4016 South Central Avenue, pursuant to the Los Angeles Municipal Code (LAMC) 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 4016 South Central 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 LAMC respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (42) - ADOPTED

[09-1307](#)

CD 9

CONSIDERATION OF MOTION (PERRY - REYES) relative to conducting a historical-cultural study of the Bethlehem Baptist Church, which was designed by Architect Rudolph Schindler, for the property at 4901 South Compton Avenue, Los Angeles, 90011.

Recommendation for Council action:

INSTRUCT the Planning Department's Cultural Heritage Commission to: Conduct a historical-cultural study of the Bethlehem Baptist Church, which was designed by Architect Rudolph Schindler, for the property at 4901 South Compton Avenue, Los Angeles, 90011, in Council District Nine; prepare a report which delineates the historical-cultural significance of this site; and, present its findings within 90 days to the Planning and Land Use Management Committee for its review and consideration.

Community Impact Statement: None submitted.

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

ITEM NO. (43) - ADOPTED

[08-2378](#)

CD 9

CONSIDERATION OF MOTION (ROSENDAHL - PERRY) relative to initiating the vacation of the Towne Avenue and 53rd Street Vacation District, pursuant to the California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law.

Recommendations for Council action:

1. INITIATE street vacation proceedings to vacate the Towne Avenue and 53rd Street Vacation District, pursuant to the California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law.
2. DIRECT the Bureau of Engineering (BOE) to investigate the feasibility of vacating the Towne Avenue and 53rd Street Vacation District.
3. DIRECT the BOE to present its report regarding the feasibility of vacating the Towne Avenue and 53rd Street Vacation District to the Public Works Committee.
4. DIRECT the City Clerk, upon review of the Public Works Committee, to schedule this vacation request for the City Council's consideration at the appropriate time under the City's Street Vacation procedures.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

ITEM NO. (44) - ADOPTED

Roll Call #20 - Motion (Rosendahl - Hahn) Adopted, Ayes (12); Absent: Wesson and President Garcetti (2)

[09-0036](#)

CD 13

CONSIDERATION OF MOTION (ROSENDAHL - GARCETTI) relative to initiating the vacation of the alley easterly of Western Avenue between Fountain and La Mirada Avenues, pursuant to the California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law.

Recommendations for Council action:

1. INITIATE street vacation proceedings to vacate the alley easterly of Western Avenue between Fountain and La Mirada Avenues, pursuant to the California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law.

2. DIRECT the Bureau of Engineering (BOE) to investigate the feasibility of vacating the alley easterly of Western Avenue between Fountain and La Mirada Avenues.
3. DIRECT the BOE to present its report regarding the feasibility of vacating the alley easterly of Western Avenue between Fountain and La Mirada Avenues to the Public Works Committee.
4. DIRECT the City Clerk, upon review of the Public Works Committee, to schedule this vacation request for the City Council's consideration at the appropriate time under the City's Street Vacation procedures.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

ITEM NO. (45) - ADOPTED

Roll Call #5 - Motion (Smith - Koretz) Adopted, Ayes (10); Absent: Alarcón, Huizar, Parks and President Garcetti (4)

[09-0429](#)

CD 8

CONSIDERATION OF MOTION (ROSENDAHL - GARCETTI) relative to initiating the vacation of the alley easterly of Main Street between 87th Place and 88th Street, pursuant to the California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law.

Recommendations for Council action:

1. INITIATE street vacation proceedings to vacate the alley easterly of Main Street between 87th Place and 88th Street, pursuant to the California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law.
2. DIRECT the Bureau of Engineering (BOE) to process the vacation request regarding the vacation of the alley easterly of Main Street between 87th Place and 88th Street under Council file No. 04-1064, Engineering Work Order No. E1400908, and apply the conditions established under the Council action of October 26, 2004, under Council file No. 04-1064 to this vacation request.
3. DIRECT the City Clerk to append this Motion to Council file No. 04-1064.
4. DIRECT the BOE to present its report regarding the feasibility of vacating the alley easterly of Main Street between 87th Place and 88th Street to the Public Works Committee.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

ITEM NO. (46) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #21 - Motion (Cárdenas - Koretz) to Adopt as Amended, Ayes (12); Absent: Wesson and President Garcetti (2)

[09-1499](#)

CONTINUED CONSIDERATION OF MOTION (CARDENAS - SMITH) relative to authorizing the acceptance of donations to the Department of Public Works High School Internship Program.

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

1. AUTHORIZE the Chair, Public Works Committee or designated Board of Public Works Commissioner to accept donations of \$20,000 or less on behalf of the City for the Department of Public Works High School Internship Program, and, further AUTHORIZE the deposit of said donations in the Public Works Trust Fund, Fund 834, to be expended on the Department of Public Works High School Internship Program and associated projects.
2. DIRECT that donations to the Department of Public Works High School Internship Program that exceed \$20,000 should be forwarded to the Chair, Public Works Committee, for review and approval for deposit in the Public Works Trust Fund, Fund 834.
3. REQUEST the Board of Public Works to agendize a semi-annual report, to be distributed to each Councilmember, on donations and expenditures related to the Department of Public Works High School Internship Program and that said report should include the number of interns from each Council District.

(Public Works Committee waived consideration of the above matter)

(Continued from Council meeting of August 14, 2009)

ADOPTED

AMENDING MOTION (CARDENAS - PARKS)

Recommendation for Council action:

ADOPT the following, in lieu of the instructions contained in the Motion (Cárdenas - Smith):

1. **AUTHORIZE the Board of Public Works to solicit and accept monetary donations for the Department of Public Works High School Internship Program, to deposit any such individual donations not exceeding \$5,000 into a new account in the Public Works Trust Fund, Fund 834, and to expend any funds in this new account for the Public Works High School Internship Program; any individual donations exceeding \$5,000 shall be submitted to the Council for acceptance.**
2. **DIRECT the Board of Public Works to submit to the Council a semi-annual report on donations and expenditures related to the Department of Public Works High School Internship Program, as well as on the number of interns participating in the Program.**

ITEM NO. (47) - ADOPTED

Roll Call #22 - Motion (Rosendahl - Alarcón) Adopted, Ayes (12); Absent: Wesson and President Garcetti (2)

[09-0002-S134](#)

CONSIDERATION OF RESOLUTION (GARCETTI - ROSENDAHL) relative to the City's position on AB 382 (Ammiano) which would add the sexual orientation and gender identity of the inmate or ward to the list of characteristics to be considered when classifying inmates and wards.

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 382 (Ammiano), an amendment to Penal Code Section 2636, which would add the sexual orientation and gender identity of the inmate or ward to the list of characteristics to be considered when classifying inmates and wards in the Department of Corrections and Rehabilitation.

Community Impact Statement: None submitted.

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

ITEM NO. (48) - MAPS AND BONDS APPROVED - CITY ENGINEER'S REPORTS ADOPTED

Roll Call #23 - Motion (Reyes - Zine) Adopted, Ayes (11); Absent: Smith, Wesson and President Garcetti (3)

[09-2110](#)

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:

[09-2110](#)

CD 9

- a. FINAL MAP OF TRACT NO. 62955 for property located at 609 South Grand Avenue, lying westerly of Grand Avenue and southerly of Sixth Street.
(Quimby Fee: \$162,468)
Applicants: Grand Pacific Lofts, L.P.
BMI Associates, Inc.

[09-2111](#)

CD 4

- b. FINAL MAP OF TRACT NO. 68127 for property located at 200 South Manhattan Place, lying easterly of Manhattan Place and southerly of Second Street.
(Quimby Fee: \$28,000)
Applicants: Conchita B. Feleo
TKIM Associates

[09-2112](#)

CD 15

- c. FINAL MAP OF TRACT NO. 68227 for property located at 623-27 West Eighth Street, lying westerly of Grand Street.
(Bond No. C-115819)
Applicants: Scott Brody, Mitchell Family Trust
Harvey A. Goodman

[09-2121](#)

CD 1

- d. FINAL MAP OF TRACT NO. 62951 for property located at 2715-17 1/2 West 14th Street, lying northerly of 14th Street and westerly of Normandie Avenue.
Applicants: Thurston C. Carlock II
Warren D. Smith

[09-2123](#)

CD 11

- e. FINAL MAP OF TRACT NO. 70774 for property located at 11722 West Ohio Avenue, lying southerly of Ohio Avenue and easterly of Stoner Avenue.
(Bond No. C-115820)
(Quimby Fee: \$63,000)
(Less Dwelling Unit Construction Tax: \$3,600)
Applicants: Ohio Stoner, LLC
Jack Little Co.

Closed Sessions - Items 49-50

ITEM NO. (49) - CONTINUED TO SEPTEMBER 9, 2009

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

[09-1482](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Bekeredjian v. City of Los Angeles, Los Angeles Superior Court Case No. BC343886. (This case arises from earth movement that occurred on February 27, 2005, in the vicinity of Laurel Canyon Boulevard. The earth movement affected private property and Laurel Canyon Boulevard.)

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

(Continued from Council meeting of August 5, 2009)

ITEM NO. (50) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #24 - Motion (Koretz - Parks) Adopted, Ayes (11); Absent: Smith, Wesson and President Garcetti (3)

[09-1483](#)

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

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

(Continued from Council meeting of August 12, 2009)

ADOPTED

MOTION (KORETZ - PARKS)

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

- 1. AUTHORIZE the City Attorney to expend \$1,728,000 in settlement of the case entitled Kopatsis v. City of Los Angeles, Los Angeles Superior Court Case No. BC385798, from Liability Claims Account No. 9770, Fund 100, Department 59, as follows:**
 - a. \$1,199,000 payable to Stewart Title Insurance Company, to implement the settlement and fund escrow to acquire the property**
 - b. \$529,000 payable to John Kopatsis, Peter Triantafyllos, and John Triantafyllos and the Law Offices of Arthur Frumkin**
- 2. AUTHORIZE the City Attorney to draw and execute the necessary documents to implement the settlement, including executing a settlement agreement and the escrow documents to acquire fee simple title to the subject properties at 2770, 2804, and 2810 Coldwater Canyon Boulevard.**
- 3. AUTHORIZE the title of said properties be taken by the City of Los Angeles through an escrow to be opened at Stewart Title Insurance Company and AUTHORIZE the General Manager of the Department of General Services to accept the deed on behalf of the City.**
- 4. DIRECT staff to prepare a report on the open space zoning option.**

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

[09-2172](#)

MOTION (PERRY - KORETZ) relative to declaring the Memorial Block Party on September 5, 2009 a Special Event (fees and costs absorbed by the City = \$1,014).

[09-2173](#)

MOTION (PERRY - REYES) relative to declaring the Stair Climb to the Top on September 25, 2009 a Special Event (fees and costs absorbed by the City = \$25,350).

[07-1599-S1](#)

MOTION (PERRY - REYES) relative to declaring the Day of Pampering on September 26, 2009 a Special Event (fees and costs absorbed by the City = \$1,682).

[09-2175](#)

MOTION (ZINE - PERRY) relative to declaring the Sylvan Street Block Party on September 5, 2009 a Special Event (fees and costs absorbed by the City = \$456).

[09-2176](#)

MOTION (ZINE - REYES) relative to declaring the West Valley Memorial Ride on September 12, 2009 a Special Event (fees and costs absorbed by the City = \$456).

[07-3590-S2](#)

MOTION (PERRY - ZINE) relative to declaring the LATC Third Annual Gala Benefit on October 3, 2009 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).

[09-2177](#)

MOTION (PERRY - ZINE) relative to declaring the Annual Homeless Food and Health Fair on September 13, 2009 a Special Event (fees and costs absorbed by the City = \$1,226).

[09-2178](#)

MOTION (REYES - ZINE) relative to declaring the Annual Central American Festival and Parade on September 19-20, 2009 a Special Event (fees and costs absorbed by the City = \$20,000).

[09-2182](#)

MOTION (REYES - ZINE) relative to declaring the Annual Festival on September 25-27, 2009 a Special Event (fees and costs absorbed by the City = \$6,000).

[07-3043-S2](#)

MOTION (ALARCON - CARDENAS) relative to declaring the football games at Alemany High School on September 4 and 18, 2009 for the currently undefined playoff schedule for the 2009 high school football season a Special Event (fees and costs absorbed by the City = none submitted).

[09-2179](#)

MOTION (LABONGE - HAHN) relative to declaring the Elevado Street Block Party on September 6, 2009 a Special Event (fees and costs absorbed by the City = \$865).

[09-2180](#)

MOTION (PERRY - PARKS) relative to declaring the Soap Box Test Run on September 9, 2009 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).

[09-2187](#)

MOTION (HAHN - ALARCON) relative to declaring the Second Annual Family Fun Day on September 26, 2009 a Special Event (fees and costs absorbed by the City = \$1,226).

[09-2188](#)

MOTION (HAHN - ALARCON) relative to declaring the Averill Avenue Block Party on September 5, 2009 a Special Event (fees and costs absorbed by the City = \$1,226).

[07-2321-S1](#)

MOTION (HAHN - ALARCON) relative to declaring the Third Annual San Pedro Tri-Arts Festival on September 12-13, 2008 a Special Event (fees and costs absorbed by the City = \$1,226).

[08-1786](#)

MOTION (PERRY - ROSENDAHL) relative to amending the June 23, 2009 Special Event declaration for the Step Out: Walk to Fight Diabetes.

[09-0010-S8](#)

MOTION (PARKS - CARDENAS) relative to reinstating the reward offer in the death of Rose Garcia for an additional six months.

[09-2181](#)

MOTION (HUIZAR - LABONGE) relative to a transfer of funds for the Annual Installation Dinner for the Metropolitan Los Angeles Branch of the American Society of Civil Engineers to be held in the City Hall Tom Bradley Room on October 8, 2009.

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

[09-2174](#)

RESOLUTION (LABONGE - HAHN) relative to declaring September 9, 2009 as Beatles Day in the City of Los Angeles.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember Reyes was excused to arrive at 11 a.m. for the Council session of September 25, 2009, due to City business.

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

09-1667 - Barbara Ann "Babs" Warden Lebowsky	(Rosendahl)
Yvonne Estelle Washington	(Parks)
Katsumi Hirooka Kunitsugu	(Huizar - Perry)
Yvonne Love Thompson	(Wesson)

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT PRO TEMPORE
OF THE CITY COUNCIL