

Los Angeles City Council, **Journal/Council Proceedings**
Friday, **September 25, 2009**
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

ROLL CALL - Members present: Alarcón, Cárdenas, Hahn, Huizar, Koretz, LaBonge, Parks, Perry, Reyes, Rosendahl, Smith, Wesson and President Garcetti (13); Absent: Zine (1); Vacant: Council District Two

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
SEPTEMBER 22, 2009

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 10

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

Item for Which Public Hearing Has Been Held - Item 1

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

Roll Call #1 - Motion (LaBonge - Smith) Adopted, Ayes (13); Absent: Zine (1)

[07-2436](#)

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending the Los Angeles Administrative Code (LAAC) to expand the uses for expenditures of unrestricted general fund appropriations to the Cultural Affairs Department Council Civic Fund.

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

PRESENT and ADOPT the accompanying ORDINANCE relative to amending Section 5.115.4 of the LAAC to expand the uses for expenditures of unrestricted general fund appropriations to the Cultural Affairs Department Council Civic Fund.

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

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 2-8

(10 Votes Required for Consideration)

ITEM NO. (2) - 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. (3) - ADOPTED

**Roll Call #5 - Motion (Rosendahl - Reyes) Adopted, Ayes (11); Absent: Alarcón, Wesson and Zine (3)
(Item Nos. 3a-3d)**

[09-0005-S585](#)

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 September 17, 2009:

[09-0005-S585](#)

CD 1

- a. Property at 1423 South Westmoreland Avenue (Case No. 166119).
Assessor I.D. No. 5056-002-012

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 8, 2008)

[09-0005-S586](#)

CD 8

- b. Property at 3557 West Florence Avenue (Case No. 130751).
Assessor I.D. No. 4006-035-007

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 6, 2007)

[09-0005-S587](#)

CD 8

- c. Property at 3557 West Florence Avenue (Case No. 222296).
Assessor I.D. No. 4006-035-007

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 22, 2009)

[09-0005-S588](#)

CD 8

- d. Property at 623 West 76th Street (Case No. 91562).
Assessor I.D. No. 6020-021-027

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 15, 2007)

ITEM NO. (4) - ADOPTED

Roll Call #7 - Motion (Perry - Hahn) Adopted, Ayes (10); Noes: Alarcon and Koretz (2); Absent: Wesson and Zine (2)

[09-0002-S93](#)

COMMUNICATION FROM CHIEF LEGISLATIVE ANALYST and RESOLUTION relative to the City's position on AB 1139 (Perez) which would effectively diminish the State Enterprise Zone program by reducing the number of eligible hires for the hiring tax credit.

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 OPPOSITION to AB 1139 (Perez) which would effectively diminish the State Enterprise Zone program by reducing the number of eligible hires for the hiring tax credit.

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. (5) - SUBSTITUTE RESOLUTION ADOPTED IN LIEU OF ORIGINAL RESOLUTION -
SEE FOLLOWING**

Roll Call #4 - Motion (Huizar - LaBonge) to Adopt Substitute Resolution, Ayes (12); Absent: Wesson and Zine (2)

[09-0002-S182](#)

CONSIDERATION OF RESOLUTION (HUIZAR - REYES - CARDENAS, ET AL.) relative to the City's declaring September 29, 2009 as International Bracero Day.

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

ADOPT the accompanying RESOLUTION to declare September 29, 2009 and every September 29 hereafter as International Bracero Day and to include in the City's 2009-10 Federal Legislative Program the following position relative to the Bracero workers savings program:

- a. Urge the President of the United States, the Congress, the Secretary of State, and the United States Attorney General to make the resolution of the former Bracero workers savings program issue a high priority.
- b. Urge the United States government to fully cooperate in the effort to determine why money owned to Bracero workers was not paid, including making available all records relating to the savings fund program.
- c. Urge the President, Congress, the Secretary of State, and the United States Attorney General, through appropriate diplomatic and legal channels, to seek the full cooperation of the Mexican government in the effort to determine why money owed to Bracero workers was not paid, including making available all records from the Mexican government and public banking institutions relating to the savings fund program.

Community Impact Statement: None submitted.

(Information Technology and Government Affairs Committee waived consideration of the above matter)

ADOPTED

SUBSTITUTE RESOLUTION (HUIZAR - REYES - CARDENAS - ET AL.)

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

ADOPT the accompanying RESOLUTION to:

- a. **Declare September 29, 2009 and every September 29 hereafter as International Bracero Day in recognition of the invaluable contribution they made to the United States economy during and after the Second World War.**
- b. **Include in the City's 2009-10 Federal Legislative Program SUPPORT for lobbying the Mexican government to expedite the payment to the Braceros of their unpaid wages from the multi-year payment plan officials there have proposed.**

Community Impact Statement: None submitted.

ITEM NO. (6) - RECEIVED AND FILED

Roll Call #2 - Motion (Hahn - Huizar) Adopted to Receive and File, Unanimous Vote (13); Absent: Zine (1)

[09-0002-S80](#)

CONTINUED CONSIDERATION OF RESOLUTION (HAHN - CARDENAS) relative to the City's position on AB 1511 (De Leon), regarding the placement of one or more prosecutors on school district campuses in order to promote public safety.

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 1511 (De Leon), which would authorize a governing board of a School District or County Superintendent of Schools to enter into a Memorandum of Understanding with a prosecuting City Attorney's office or District Attorney's office to facilitate the placement of one or more prosecutors on one or more school district campuses in order to promote public safety.

Community Impact Statement: None submitted.

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

(Continued from Council meeting of September 11, 2009)

ITEM NO. (7) - ADOPTED

Roll Call #8 - Motion (LaBonge - Hahn) Adopted, Ayes (12); Absent: Wesson and Zine (2)

[09-0002-S185](#)

RESOLUTION (LABONGE - HUIZAR) relative to declaring September 26, 2009 as National Public Lands Day in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE September 26, 2009 as National Public Lands Day in the City of Los Angeles and call upon the people of Los Angeles to recognize and participate in this special observance.

ITEM NO. (8) - MAPS APPROVED - CITY ENGINEER REPORTS ADOPTED

**Roll Call #9 - Motion (Koretz - Rosendahl) Adopted, Ayes (11); Absent: Reyes, Wesson and Zine (3)
(Item Nos. 8a-8e)**

[09-2319](#)

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:

[09-2319](#)

CD 2

- a. FINAL MAP OF TRACT NO. 66982 for property located at 4220 North Fair Avenue lying easterly of Fair Avenue and northerly of Aqua Vista Street.
(Bond No. C-116038)
Applicants: 4200 Fair Avenue Property, LLC
M & G Civil Engineering & Land Surveying, Inc.

[09-2320](#)

CD 10

- b. FINAL MAP OF TRACT NO. 54333 for property located at 5820 West David Avenue lying southerly of David Avenue and westerly of Washington Boulevard.
(Bond No. C-116039)
(Quimby Fee: \$25,434)
(Less Dwelling Unit Construction Tax: \$1,800)
Applicants: 5820 David Limited Partnership
Yale Partners, Ltd.

[09-2322](#)

CD 5

- c. FINAL MAP OF TRACT NO. 63204 for property located at 1314-34 South Roxbury Drive lying easterly of Roxbury Drive and southerly of Peek Drive.
(Bond No. C-116040)
(Quimby Fee: \$129,960)
Applicants: 1328-1344 South Roxbury Drive, LLC
Yefim "Jeff" Tsalyuk

[09-2323](#)

CD 11

- d. FINAL MAP OF TRACT NO. 61143 for property located at 11500 Tennessee Avenue lying southerly of Tennessee Avenue and westerly of Purdue Avenue.
(Bond No. C-116041)
(Quimby Fee: \$430,248)
Applicants: City View Tennessee Lofts 84 JV, L.P.
Hall & Foreman, Inc.

[09-2321](#)

CD 12

- e. FINAL MAP OF PARCEL MAP L.A. NO. 2007-0175 for property located at 10651 Oakdale Avenue northerly of Devonshire Street.
(Bond No. C-115828)
(Quimby Fee: \$2,332)
Applicants: Dimitri S. Dimitri
Thomas D. Lacobellis & Associates

Item for Which Public Hearing Has Been Held - Item 9

ITEM NO. (9) - CONTINUED TO SEPTEMBER 29, 2009

Roll Call #3 - Motion (Parks - Huizar) Adopted to Continue, Unanimous Vote (13); Absent: Zine (1)

[09-0600-S141](#)

CONTINUED CONSIDERATION OF BUDGET AND FINANCE COMMITTEE REPORT relative to the First Financial Status Report for Fiscal Year (FY) 2009-10.

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

1. APPROVE the recommendations of the City Administrative Officer (CAO) contained in the First Financial Status Report, dated September 11, 2009, attached to the Committee report.
2. INSTRUCT the CAO to work with the Los Angeles Fire Department (LAFD) relative to administrative positions needed by the LAFD for implementation of new fee ordinances, collection of brush clearance fees, etc.

Fiscal Impact Statement: The CAO reports that General Fund receipts for FY 2008-09 revenue was \$35.8 million, or 0.8 percent below the revised estimate of April 2009. The shortfall was primarily due to declines in economy-sensitive revenues such as the sales, hotel and documentary transfer taxes. At this time, the CAO is projecting revenues to be short by \$75 million. Other impacts from State Budget actions, pending lawsuits and shortfalls in department accounts cannot be accurately quantified for the 2009-10 Fiscal Year, but will be addressed in future reports. Transfers, appropriations and other adjustments totaling approximately \$12.6 million are recommended in this report to meet current obligations.

Community Impact Statement: None submitted.

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

[09-1320](#)

MOTION (GARCETTI - SMITH) relative to amending prior Council action of September 18, 2009, adopting an Ordinance for the Early Retirement Incentive Program.

[09-2380](#)

MOTION (HUIZAR - REYES) relative to declaring the Family Health and Safety Fair on September 26, 2009 a Special Event (fees and costs absorbed by the City = \$\$1,012 in permit fees, in addition, in accordance with department estimates, up to \$384 in salary or overtime costs).

[08-0222-S5](#)

MOTION (HUIZAR - REYES) relative to declaring the Eagle Rock Farmers' Market on Friday evenings from October 1, to October 24, 2009 a Special Event (fees and costs absorbed by the City = \$3,022).

[08-2664-S1](#)

MOTION (LABONGE - GARCETTI) relative to declaring the 23rd Lithuanian Fair on October 3-4, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[09-2381](#)

MOTION (LABONGE - GARCETTI) relative to declaring the 32nd Annual Windsor Square/Hancock Park Homes Tour on October 11, 2009 a Special Event (fees and costs absorbed by the City = \$1,877).

[09-2382](#)

MOTION (PERRY - REYES) relative to declaring the Interpose Visitation Celebration on October 9-11, 2009 a Special Event (fees and costs absorbed by the City = \$1,881).

[07-1898-S2](#)

MOTION (PERRY - REYES) relative to declaring the Back to School Clothing Giveaway on October 1, 2009 a Special Event (fees and costs absorbed by the City = \$3,584).

[09-2383](#)

MOTION (PERRY - REYES) relative to declaring the Day in Oaxaca Festival on October 4, 2009 a Special Event (fees and costs absorbed by the City = \$1,014).

[09-2384](#)

MOTION (PERRY - PARKS) relative to declaring the Cecil L. Murray Day of Service on September 26, 2009 a Special Event (fees and costs absorbed by the City = \$1,014).

[09-2386](#)

MOTION (ZINE - REYES) relative to declaring the Light the Night Walk on October 3, 2009 a Special Event (fees and costs absorbed by the City = \$1,826).

[08-2212-S1](#)

MOTION (ZINE - REYES) relative to declaring the Grateful Hearts Fundraiser on October 15, 2009 a Special Event (fees and costs absorbed by the City = \$1,826).

[09-2387](#)

MOTION (ZINE - REYES) relative to declaring the Sixth Annual West Hills Fall Fest on October 4, 2009 a Special Event (fees and costs absorbed by the City = \$1,826).

[09-2389](#)

MOTION (REYES - ROSENDAHL) relative to declaring the Double Ten Festival on October 4, 2009 a Special Event (fees and costs absorbed by the City = \$500).

[08-2435](#)

MOTION (REYES - PERRY) relative to declaring the Divine Saviour Annual Community Festival on September 19-20, 2009 a Special Event (fees and costs absorbed by the City = \$500).

[09-2390](#)

MOTION (REYES - PERRY) relative to declaring the Clinica Romero Health Walk and Community Fair on October 3, 2009 a Special Event (fees and costs absorbed by the City = \$1,800).

[09-2391](#)

MOTION (REYES - ROSENDAHL) relative to declaring the Annual Mid-Autum Moon Festival & 5K Run/Fun Walk on October 3, 2009 a Special Event (fees and costs absorbed by the City = \$3,600).

[09-2392](#)

MOTION (REYES - PERRY) relative to declaring the Car Show on August 22, 2009 a Special Event (fees and costs absorbed by the City = \$1,500).

[09-2393](#)

MOTION (REYES - PERRY) relative to declaring the Young Nak Sharing Festival on October 10-11, 2009 a Special Event (fees and costs absorbed by the City = \$5,100).

[08-2373-S1](#)

MOTION (REYES - ROSENDAHL) relative to declaring the Los Angeles Mediterranean Festival on October 3, 2009 a Special Event (fees and costs absorbed by the City = \$7,000).

[08-2220-S1](#)

MOTION (ALARCON - KORETZ) relative to declaring the 2009 Fiesta Carnival on October 2-4, 2009 a Special Event (fees and costs absorbed by the City = \$786).

[08-2636-S1](#)

MOTION (REYES - ROSENDAHL) relative to declaring the Health & Fitness Fair on October 3, 2009 a Special Event (fees and costs absorbed by the City = \$100).

[09-2394](#)

MOTION (REYES - PERRY) relative to declaring the Viva Mexico Los Angeles on September 16, 2009 a Special Event (fees and costs absorbed by the City = \$1,500).

[07-3590-S2](#)

MOTION (PERRY - PARKS) relative to amending prior Council action of September 9, 2009 declaring the Latino Theater Company "LATC" Third Annual Gala Benefit a Special Event.

[09-2385](#)

MOTION (HUIZAR - REYES - LABONGE) relative to installing street banners to promote the Lincoln Heights Neighborhood Council.

[07-3079-S2](#)

MOTION (PARKS - HUIZAR) relative to lease approval for office space at 5349 Crenshaw Boulevard.

[09-2388](#)

MOTION (PARKS - CARDENAS) relative to authorizing Council District Eight use of the City Hall Tom Bradley Room on September 26, 2009.

[09-2379](#)

MOTION (HUIZAR - REYES) relative to the sale of surplus City equipment at below market value to the Los Angeles Police Historical Society (LAPHS).

[09-2395](#)

MOTION (REYES - GARCETTI) relative to initiate and process a General Plan Amendment for the proposed condominium project at 2323-25 Scarff Street.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Motion (Perry - Huizar) unanimously adopted to excuse Council President Garcetti from Council Session of Friday, October 16, 2009, due to Personal Business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

09-1668 - Philip J. Hausam	Garcetti - All Councilmembers
Dave Koz	Garcetti - LaBonge
Life Insurance Awareness Month	Garcetti - All Councilmembers
Lloyd Jonathan Houske	Garcetti - All Councilmembers

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

09-1667 - George Vuoso	Hahn
Sandra S. Mardesic	Hahn
Karen Marie Inlow	Hahn
National Day of Remembrance for Murdered Victims	Koretz
Virginia Mary Zukowski Bobo Kiser	Wesson

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By
Council Clerk
PRESIDENT OF THE CITY COUNCIL