

Los Angeles City Council, **Journal/Council Proceedings**
Tuesday, **October 6, 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, Huizar, Parks, Reyes, Rosendahl, Smith, Wesson, Zine and President Garcetti (10); Absent: Alarcón, Koretz, LaBonge and Perry (4); Vacant: Council District Two

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
SEPTEMBER 30, 2009

SALUTE TO THE FLAG

MOMENT OF INSPIRATION

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 12

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 Noticed for Public Hearing - Item 1

**ITEM NO. (1) - PUBLIC HEARING HELD - HEARING CONTINUED AND ORDINANCE TO BE PRESENTED
ON OCTOBER 27, 2009**

**Roll Call #1 - Motion (Huizar - Smith) Adopted, Unanimous Vote (10); Absent: Alarcon, Koretz,
LaBonge and Perry (4)**

[08-1488](#)
CD 4

HEARING PROTESTS against the proposed installation, improvement and maintenance of the
Ridgewood Place and Wilton Drive Ornamental Lighting District - A'13-L0970046.

Recommendation for Council action:

HEAR PROTESTS against the proposed installation, improvement and maintenance of Ridgewood Place and Wilton Drive Ornamental Lighting District, in accordance with Sections 6.1-6.15 and 6.95-6.127 of the Los Angeles Administrative Code, Municipal Improvement Act of 1913 and Proposition 218.

(Ordinances of Intention adopted on August 7, 2009 - Continue to OCTOBER 27, 2009 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

Items for Which Public Hearings Have Been Held - Items 2-3

ITEM NO. (2) - ADOPTED

Roll Call #6 - Motion (Hahn - Parks) Adopted, Ayes (12); Absent: Perry and Wesson (2)

[07-0687](#)

BUDGET AND FINANCE COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to increasing the threshold for referral of delinquent accounts to contracted collection agencies.

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

1. APPROVE the Office of Finance recommendation to increase the threshold for referral of delinquent accounts to contracted collection agencies from the current \$3,000 to \$5,000.
2. PRESENT and ADOPT the accompanying ORDINANCE amending Section 5.181 of Division 5, Chapter 11, Article 1 of the Los Angeles Administrative Code to raise the account thresholds for referral to collection agencies from \$3,000 to \$5,000.

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

Community Impact Statement: None submitted.

**Roll Call #3 - Motion (Reyes - Rosendahl) Adopted, Ayes (12); Absent: LaBonge and Perry (2)
(Item Nos. 3-4)**

ITEM NO. (3) - ADOPTED

[09-1735](#)

BUDGET AND FINANCE COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to increasing the threshold for Board of Review (BOR) submission of accounts to Council for write-off approval.

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

1. APPROVE the Office of Finance recommendation to increase the threshold for BOR submission of accounts to Council for write-off approval from \$1,000 to \$5,000.
2. PRESENT and ADOPT the accompanying ORDINANCE amending Section 5.182 and Section 5.183 of Division 5, Chapter 11, Article 1 of the Los Angeles Administrative Code to increase the maximum value of individual BOR write-off approval from \$1,000 to \$5,000.

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

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 4-12

(10 Votes Required for Consideration)

ITEM NO. (4) - ADOPTED - TO THE MAYOR FORTHWITH

[09-2013](#)

CD 1

COMMUNICION FROM THE CITY CLERK and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to the renewal of the Highland Park Property Business Improvement District (BID).

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

1. FIND that the petitions submitted on behalf of the proponents of the proposed Highland Park Property BID are signed by property owners who will pay more than 30 percent of the assessments proposed to be levied.
2. ADOPT the Preliminary Report of the City Clerk, as attached to the Council file.
3. ADOPT the Management District Plan, as attached to the Council file.
4. ADOPT the District Assessment Engineer's Report, as attached to the Council file.
5. FIND that all parcels that will have a special benefit conferred upon them and upon which an assessment would be imposed are those identified in the Management District Plan and attached to the Council file.
6. FIND that in accordance with Article XIIID of the California Constitution and based on the facts and conclusions contained in the District Assessment Engineer's Report, as attached to the Council file, that the assessment levied on each parcel within the proposed the Highland Park Property BID is proportionate to the special benefit derived from the improvements and activities that are to be provided.

7. FIND that in accordance with Article XIID of the California Constitution and based on the facts and conclusions contained in the District Assessment Engineer's Report, as attached to the Council file, that there are no general benefits to be separated from the special benefits conferred on each parcel within the proposed District.
8. FIND that in accordance with Article XIID of the California Constitution and based on the facts and conclusions contained in the attached District Assessment Engineer's Report, as attached to the Council file, that no assessment imposed on any parcel exceeds the reasonable cost of the proportional special benefit conferred on that parcel.
9. AUTHORIZE the City Clerk, upon establishment of the Highland Park Property BID, to prepare, execute and administer a contract between the City of Los Angeles and a nonprofit corporation for the administration of the District's programs.
10. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION to establish the Highland Park Property BID.
11. APPOINT the Advisory Board as detailed in the Preliminary Report of the City, attached to the Council file.
12. DIRECT the City Clerk to comply with the notice, protest, and hearing procedures prescribed in the Proposition 218 Omnibus Implementation Act (California Government Code, Section 53750 et seq.).
13. REQUEST the City Attorney, with the assistance of the City Clerk, to prepare and present an enabling Ordinance establishing the Highland Park Property BID for Council consideration at the conclusion of the required public hearing.

Fiscal Impact Statement: The City Clerk reports that funding for assessments levied on the City-owned properties within the Highland Park BID was included in the General Fund allocation to the 2009-10 Business Improvement Trust Fund 659.

Community Impact Statement: None submitted.

(Jobs and Business Development Committee waived consideration of the above matter)

ITEM NO. (5) - ADOPTED

Roll Call #2 - Motion (Smith - Zine) Adopted, Ayes (10); Absent: Alarcon, Koretz, LaBonge and Perry (4)

[09-0005-S609](#)

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 October 6, 2009:

[09-0005-S609](#)

CD 13

- a. Property at 2122 West Oak Glen Place (Case No. 202689).
Assessor I.D. No. 5422-023-003

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 4, 2008)

[09-0005-S610](#)

CD 11

- b. Property at 2320 South Ocean Avenue (Case No.111347).
Assessor I.D. No. 4228-004-006

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 7, 2007)

[09-0005-S611](#)

CD 13

- c. Property at 317 North Burlington Avenue (Case No. 226808).
Assessor I.D. No. 5159-005-021

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 8, 2009)

[09-0005-S612](#)

CD 13

- d. Property at 317 North Burlington Avenue (Case No. 233237).
Assessor I.D. No. 5159-005-021

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 8, 2009)

[09-0005-S93](#)

CD 2

- e. Property at 4912 North Woodman Avenue (Case No. 212714).
Assessor I.D. No. 2359-018-019

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 18, 2008)

[09-0005-S94](#)

CD 2

- f. Property at 4912 North Woodman Avenue (Case No. 172359).
Assessor I.D. No. 2359-018-019

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

[09-0005-S613](#)

CD 8

- g. Property at 5320 South Fourth Avenue (Case No. 179007).
Assessor I.D. No. 5006-031-006

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 12, 2008)

[09-0005-S614](#)

CD 10

- h. Property at 5921 West Whitworth Drive (Case No. 198572).
Assessor I.D. No. 5086-026-001

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 29, 2009)

[09-0005-S615](#)

CD 15

- i. Property at 9315 South Firth Boulevard (Case No. 12278).
Assessor I.D. No. 6048-001-026

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 20, 2006)

ITEM NO. (6) - ADOPTED

Roll Call #2 - Motion (Smith - Zine) Adopted, Ayes (10); Absent: Alarcon, Koretz, LaBonge and Perry (4)

[09-1753](#)

COMMUNICATION FROM CHAIR and MEMBER, BUDGET AND FINANCE COMMITTEE relative to a request to write-off delinquent accounts receivable of \$1,000 and over per account.

Recommendation for Council action:

APPROVE the Board of Review (BOR) recommendation for the Los Angeles Fire Department to remove from its active accounts receivable 37 invoices totaling \$86,903.43.

Fiscal Impact Statement: The BOR reports that the proposed action will result in a decrease of the City's receivable base by \$86,903.43. Twenty-seven of the related accounts (\$68,794.32) exceed the statute of limitations for collection.

Community Impact Statement: None submitted.

ITEM NO. (7) - ADOPTED

Roll Call #4 - Motion (Parks - Wesson) Adopted, Ayes (12); Absent: LaBonge and Perry (2)

[07-2969-S2](#)

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

Recommendations for Council action:

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

[07-2969-S2](#)

CD 5

- a. MOTION (KORETZ - PERRY) relative to declaring the Sukkot Holiday from September 29, 2009 through October 12, 2009 a Special Event (fees and costs absorbed by the City = \$768).

[07-2968-S2](#)

CD 5

- b. MOTION (KORETZ - PERRY) relative to declaring the Annual Sukkot Celebration on October 6, 2009 a Special Event (\$562 in estimated permit fees waived by the City and up to \$562 in salary costs absorbed by the City).

[09-2408](#)

CD 9

- c. MOTION (PERRY - ROSENDAHL) relative to declaring the 2009 Kaiser Permanente Los Angeles Triathlon on October 4, 2009 a Special Event (fees and costs absorbed by the City = none submitted).

[09-2409](#)

CD 2

- d. MOTION (PERRY - LABONGE) relative to declaring the Child Health and Safety Fair at Valley Plaza Park on October 3, 2009 a Special Event (fees and costs absorbed by the City = \$1,850).

[08-2802-S1](#)

CD 11

- e. MOTION (ROSENDAHL - PARKS) relative to declaring the Westdale Homeowners' Association Block Party on October 4, 2009 a Special Event (fees and costs absorbed by the City = \$696).

[08-2581-S1](#)

CD 2

- f. MOTION (PERRY - SMITH) relative to declaring the ETI Corral 210 Ride for a Cure event on October 3, 2009 a Special Event (fees and costs absorbed by the City = \$2,048).

[09-2410](#)

CD 11

- g. MOTION (ROSENDAHL - PARKS) relative to declaring the Sukkot Street Festival on October 6, 2009 a Special Event (\$1,084 in estimated permit fees waived by the City and up to \$605 in salary or overtime costs absorbed by the City).

[09-2411](#)

CD 1

- h. MOTION (REYES - ZINE) 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).

[09-2412](#)

CD 1

- i. MOTION (REYES - ZINE) relative to declaring the Festival of Earth Culturals on September 26, 2009 a Special Event (fees and costs absorbed by the City = \$750).

[09-2413](#)

CD 1

- j. MOTION (REYES - ZINE) relative to declaring the Miguel Contreras Foundation Dinner on September 24, 2009 a Special Event (fees and costs absorbed by the City = \$1,650).

[08-2322-S1](#)

CD 1

- k. MOTION (REYES - ROSENDAHL) relative to declaring the Franklin High School Community Festival on September 26, 2009 a Special Event (fees and costs absorbed by the City = \$500).

[09-2182-S1](#)

CD 1

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

[08-2155-S1](#)

CD 11

- m. MOTION (ROSENDAHL - PARKS) relative to declaring the Fifth Annual North of Rose Block Party on October 4, 2009 a Special Event (\$830 in estimated permit fees waived by the City and up to \$440 in salary or overtime costs absorbed by the City).

[08-2784-S1](#)

CD 4

- n. MOTION (LABONGE - GARCETTI) relative to declaring the South Lucerne Boulevard Block Party on October 18, 2009 a Special Event (fees and costs absorbed by the City = \$1,350).

[08-2826-S1](#)

CD 4

- o. MOTION (LABONGE - GARCETTI) relative to declaring the Third Annual Neighborhood Street Party on October 18, 2009 a Special Event (fees and costs absorbed by the City = \$1,326).

Roll Call #2 - Motion (Smith - Zine) Adopted, Ayes (10); Absent: Alarcon, Koretz, LaBonge and Perry (4) (Item Nos. 8-11)

ITEM NO. (8) - ADOPTED

[08-2084-S2](#)

CD 9

MOTION (PERRY - REYES) relative to amending the September 1, 2009 Special Event Declaration for the Holy Cross Church "Annual Holy Cross Festival."

Recommendations for Council action:

1. AMEND the September 1, 2009 Council action (Council file No. 08-2084-S2) relative to the Special Event Declaration for the Holy Cross Church "Annual Holy Cross Festival" to waive an estimated \$6,469 in fees and salary costs which will be absorbed by the City.
2. AUTHORIZE the Chief Legislative Analyst, or designee, to make technical corrections or clarifications as may be necessary to implement the intent of this Motion.

ITEM NO. (9) - ADOPTED

[08-1558-S1](#)

CD 9

MOTION (PERRY - REYES) relative to amending the September 8, 2009 Special Event Declaration for the Giving Back Hope, Incorporated "Sixth Annual Community Outreach Fair."

Recommendations for Council action:

1. AMEND the September 8, 2009 Council action (Council file No. 08-1558-S1) relative to the Special Event Declaration for the Giving Back Hope, Incorporated "Sixth Annual Community Outreach Fair" to waive an estimated \$2,755 in fees and salary costs which will be absorbed by the City.
2. AUTHORIZE the Chief Legislative Analyst, or designee, to make technical corrections or clarifications as may be necessary to implement the intent of this Motion.

ITEM NO. (10) - ADOPTED

[09-0010-S25](#)

MOTION (CARDENAS - GARCETTI) relative to reinstating the reward offer in the death of Eusobia Rojas for an additional six months.

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

REAFFIRM Councils findings and REINSTATE the reward offer relative to the death of Eusobia Rojas (Council action of April 8, 2009, Council file No. 09-0010-S25) 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 \$50,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.

ITEM NO. (11) - ADOPTED

[09-0011-S48](#)

CD 11

MOTION (ROSENDAHL - PARKS) relative to funding for enhanced graffiti abatement in Council District 11.

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

TRANSFER \$45,000 in the Council District 11 portion of the Street Furniture Revenue Fund No. 43D/50 to the Board of Public Works Fund No. 100/74, Account No. 3040 (Contractual Services) for enhanced graffiti abatement efforts in Council District 11.

ITEM NO. (12) - MAPS APPROVED - CITY ENGINEER REPORTS ADOPTED

Roll Call #2 - Motion (Smith - Zine) Adopted, Ayes (10); Absent: Alarcon, Koretz, LaBonge and Perry (4)

[09-2425](#)

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:

[09-2425](#)

CD 5

- a. FINAL MAP OF TRACT NO. 62042 for property located at 928-34 North Croft Avenue lying easterly of Croft Avenue and southerly of Romaine Street.
(Quimby Fee: \$42,000)
Applicants: Demison Partners, LP
Phillip Roberts

[09-2426](#)

CD 2

- b. FINAL MAP OF TRACT NO. 62489 for property located at 11023-27 West Fruitland Drive, lying northerly of Fruitland Drive and westerly of Vineland Avenue.
(Bond No. C-116054)
(Quimby Fee: \$65,718)
Applicants: Citron Modern Living, LLC
Iacobellis & Associates

Item for Which Public Hearing Has Not Been Held - Item 13

(10 Votes Required for Consideration)

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

Roll Call #5 - Motion (Rosendahl - Koretz) Adopted, Ayes (12); Absent: Perry and Wesson (2)

[07-7138](#)

MOTION (ROSENDAHL - KORETZ - ET AL.) relative to amending the Ordinance establishing designated dog exercise and training areas at the Griffith Park Dog Park and Whitnall Off-Leash Dog Park.

Recommendation for Council action:

AMEND Council action of October 29, 2008 relative to requiring adherence to the Department of Recreations and Parks' Off-Leash Dog Park Rules and Regulations to establish designated dog exercise and training areas at the Griffith Park Dog Park and Whitnall Off-Leash Dog Park, and to prohibit unlicensed dogs in City dog parks (Council file No. 07-7138) as follows:

- a. Request the City Attorney to prepare and present an Ordinance to permit more than three dogs per person during off peak hours (between 9:00 a.m. and 6:00 p.m.).
- b. Request the Department of Recreation and Parks to immediately suspend enforcement of the three dogs per person provision during off peak hours (between 9:00 a.m. and 6:00 p.m.), pending adoption of the above Ordinance.

ADOPTED

AMENDING MOTION (ROSENDAHL - KORETZ)

Recommendations for Council action:

1. **REQUEST the Board of Recreation and Park Commissioners to immediately suspend enforcement of the three dogs per person provision during off peak hours under the Department's Off-Leash Dog Park Rules and Regulations at all dog parks, while modifications to the ordinance and/or Rules are being considered.**
2. **INSTRUCT the Department of Recreation and Parks with the assistance of the Department of Animal Services and the City Attorney, as appropriate, to report back to the Arts, Parks, Health and Aging and Public Safety Committees on issues raised under Motion (Rosendahl - Koretz - et al) Council file 07-1738 including, but not limited to, the following:**
 - a. **Standards for dog parks**
 - b. **Different models for dog parks**
 - c. **Existing design criteria for dog parks**
 - d. **Possible expansion of the timid/small dog area in the parks**
 - e. **Ensuring compliance with various licensing requirements**
 - f. **Statistics on dog fights/attacks and any lawsuits brought against the City**

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

[09-2478](#)

CD 11

MOTION (ROSENDAHL - PARKS) relative to declaring the SRLA Say NO to Drugs Race on October 10, 2009 a Special Event (fees and costs absorbed by the City = \$1,631 in permit fees will be waived, in addition, in accordance with department estimates, up to \$1,964 in salary or overtime costs will be absorbed by the City).

[09-2479](#)

CD 11

MOTION (ROSENDAHL - PARKS) relative to declaring the Ride to Recovery Golden State Challenge on October 10, 2009 a Special Event (fees and costs absorbed by the City = \$844 in permit fees will be waived, in addition, in accordance with department estimates, up to \$231 in salary or overtime costs will be absorbed by the City).

[08-2585-S1](#)

CD 6

MOTION (CARDENAS - ALARCON) relative to declaring the Children's Community School's 13th Annual Van Nuys Health Fair and Family Festival on October 17, 2009 a Special Event (fees and costs absorbed by the City = \$312).

[09-2480](#)

CD 3

MOTION (ZINE - GARCETTI) relative to declaring the October Community Cleanup on October 17, 2009 a Special Event (fees and costs absorbed by the City = \$800).

[08-2718-S1](#)

CD 5

MOTION (KORETZ - ROSENDAHL) relative to declaring the AIDS Walk Los Angeles on October 18, 2009 a Special Event (fees and costs absorbed by the City = \$22,652).

[09-0010-S50](#)

MOTION (PARKS - KORETZ) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Martha Cruz on August 1, 2009.

[09-0010-S51](#)

MOTION (PARKS - KORETZ) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Roy Anthony Sutherland on August 2, 2009.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon her request, and without objections, Councilmember Hahn was excused from Council meeting of November 4, 2009 for City business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[09-1668](#) - Frank Moldovan

Garcetti - All Councilmembers)

Simon Baker

(Garcetti - All Councilmembers)

Rob Machado

(Garcetti - All Councilmembers)

Oasis of Hollywood

(Garcetti - All Councilmembers)

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

| | |
|---|----------------------------------|
| 09-1667 - Nancy M. Daly | (Rosendahl - All Councilmembers) |
| Roy Hefner | (Rosendahl - Hahn) |
| Michael E. Lewis | (Smith) |
| Laura Mae Gross | (Parks) |

Ayes, Alarcón, Cárdenas, Hahn, Huizar, Koretz, LaBonge, Parks, Reyes, Rosendahl, Smith, Zine and President Garcetti (12); Absent: Perry and Wesson (2); Vacant: Council District Two

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

| | |
|---------------|-------------------------------|
| By | |
| Council Clerk | PRESIDENT OF THE CITY COUNCIL |