

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
October 9, 2009

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 35

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) - MOTION ADOPTED TO REFER BACK TO THE LOS ANGELES DEPARTMENT OF WATER AND POWER

Roll Call #9 - Motion (Perry - Garcetti) Adopted, Ayes (13); Absent: Parks (1)

[07-3248-S1](#)

CONTINUED CONSIDERATION OF HEARING PROTEST and ORDINANCE FIRST CONSIDERATION in connection with the amendment to the Water Rates Ordinance by modifying General Provision R, Shortage Year Rates and Second Tier Rates; instituting a hardship exemption process that includes registered horses/livestock, medical needs, and for those who already have reduced their water usage as much as possible; and related matters.

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

PRESENT and ADOPT the accompanying ORDINANCE approving the amendment of rates previously fixed by the Los Angeles Department of Water and Power (LADWP) and charged for water distributed and for service supplied by the LADWP to its customers by amending Ordinance No. 170435 approved by the City Council on March 22, 1995, as amended by Ordinance No. 171639, Ordinance No. 173017, Ordinance No. 175964, Ordinance No. 177968, and Ordinance No. 179802.

Fiscal Impact Statement: The LADWP reports that the fiscal impact for providing additional First Tier allotments for horses/livestock and special water consuming medical equipment is estimated to be less than \$100,000. The City's Department of Animal Services reports that approximately 1,000 horses are currently registered with the City. There is no requirement that other livestock be registered, and no data has been collected on the number of large animals that are kept by residents in the City.

Community Impact Statement: None submitted.

(Energy and Environment Committee waived consideration of the above matter)

[Motion (Perry - Reyes) adopted on July 24, 2009]

(Continued from Council meeting of October 9, 2009)

ADOPTED

MOTION (PERRY - GARCETTI)

Recommendation for Council action:

REFER the matter of the Water Rates Ordinance and related issues to the Board of Water and Power Commissioners and Los Angeles Department of Water and Power for further assessment of the proposal, an analysis of impact on ratepayers in both tiers, cost of MWD water purchase, cost of subsidies, review of rate restructuring process, proposed O&M cost adjustments and resubmission of a new Ordinance reflecting this analysis.

MOTION (REYES - PERRY)

Recommendation for Council action:

DIRECT the Department of Water and Power, as part of its examination of the Tier 1 structure, to look at protection for low income users and ways to incentivize conservation to the greatest extent.

Items for Which Public Hearings Have Been Held - Items 2-26

ITEM NO. (2) - ADOPTED

Roll Call #6 - Motion (LaBonge - Wesson) Adopted, Ayes (14)

[09-2053](#)

COMMUNICATION FROM THE MAYOR relative to the appointment of Ms. Juliana Serrano to the Relocation Appeals Board.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Juliana Serrano to the Relocation Appeals Board for the term ending April 2, 2011, is APPROVED and CONFIRMED. Ms. Serrano resides in Council District Four. (Current Board gender composition: M=2; F=3)

Ethics Commission Review: Pending

Background Check Review: Complete

Community Impact Statement: None submitted.

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

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

ADOPTED

HOUSING, COMMUNITY, AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the appointment of Ms. Juliana Serrano to the Relocation Appeals Board.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Serrano to the Relocation Appeals Board for the term ending April 2, 2011, is APPROVED and CONFIRMED. Ms. Serrano resides in Council District Four. (Current Board gender composition: M=2; F=3)

Ethics Commission Review: Pending

Background Check Review: Complete

Community Impact Statement: None submitted.

ITEM NO. (3) - ADOPTED

Roll Call #7 - Motion (Wesson - Koretz) Adopted, Ayes (14)

[09-2195](#)

COMMUNICATION FROM THE MAYOR relative to the appointment of Mr. Kenneth H. Fearn to the Community Redevelopment Agency Board of Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Kenneth Fearn to the Community Redevelopment Agency Board of Commissioners for the term ending November 4, 2012, is APPROVED and CONFIRMED. Mr. Fearn resides in Council District Five. (Current Board gender composition: M=4; F=3)

Ethics Commission Review: Complete

Background Check Review: Complete

Community Impact Statement: None submitted.

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

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

ADOPTED

HOUSING, COMMUNITY, AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the appointment of Mr. Kenneth H. Fearn to the Community Redevelopment Agency Board of Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Fearn to the Community Redevelopment Agency Board of Commissioners for the term ending November 4, 2012, is **APPROVED** and **CONFIRMED**. Mr. Fearn resides in Council District Five. (Current Board gender composition: M=4; F=3)

Ethics Commission Review: Complete

Background Check Review: Complete

Community Impact Statement: None submitted.

ITEM NO. (4) - ADOPTED

Roll Call #8 - Motion (Wesson - Reyes) Adopted, Ayes (13); Absent: Parks (1)

[09-2359](#)

COMMUNICATION FROM THE MAYOR relative to the appointment of Mr. Alex Cha to the Rent Adjustment Commission.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Alex Cha to the Rent Adjustment Commission for the term ending May 20, 2010, is **APPROVED** and **CONFIRMED**. Mr. Cha resides in Council District One. (Current Board gender composition: M=3; F=4)

Ethics Commission Review: Pending

Background Check Review: Pending

Community Impact Statement: None submitted.

TIME LIMIT FILE - NOVEMBER 6, 2009

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 6, 2009)

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

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

ADOPTED

HOUSING, COMMUNITY, AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the appointment of Mr. Alex Cha to the Rent Adjustment Commission.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Cha to the Rent Adjustment Commission for the term ending May 20, 2010, is **APPROVED** and **CONFIRMED**. Mr. Cha resides in Council District One. (Current Board gender composition: M=3; F=4)

Ethics Commission Review: Pending

Background Check Review: Pending

Community Impact Statement: None submitted.

TIME LIMIT FILE - NOVEMBER 6, 2009

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 6, 2009)

Roll Call #3 - Motion (Hahn - Parks) Adopted, Ayes (13); Absent: Koretz (1)
(Item Nos. 5-9)

ITEM NO. (5) - ADOPTED

[09-2134](#)

CD 5

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT, RESOLUTION and ORDINANCES FIRST CONSIDERATION relative to a General Plan Amendment, zone change and building line removal for property at 5015-41 North Balboa Boulevard.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 09-2134 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2008-1954 MND] filed on August 29, 2008.
2. ADOPT the FINDINGS of the City Planning Commission (CPC) as the Findings of the Council.
3. ADOPT the accompanying RESOLUTION as recommended by the Mayor, the Director of Planning and the CPC, APPROVING the proposed General Plan Amendment to the Encino-Tarzana Community Plan from Low II Density Residential to Medium Density Residential for the proposed demolition of four single-family dwellings and construction of a 42 unit condominium structure, approximately 74,435 square feet, four stories, approximately 45 feet in height, with 105 parking spaces provided in a two-level subterranean garage, including two parking spaces per unit totaling 84 spaces, and 21 guest parking spaces on an approximate 0.78 acre parcel, located at 5015-41 North Balboa Boulevard. (The CPC approved Adjustments for seven-foot setbacks along Otsego Street and property line coterminous with adjacent abandoned fire station.)

Applicant: Nate Walker, City Real Development, LLC
Representative: Mark Brown, Brown/Meshul, Inc.

CPC 2008-2608 GPA-ZC-BL-ZAA

4. PRESENT and ADOPT the accompanying ORDINANCE, approved by the CPC, effecting a zone change from (T)(Q) R3-1 to (T)(Q)R3-1 on lots 14-20, Block J, of the Encino Tract, in order to re-establish previously imposed "Q" conditions, and from R1-1 to (T)(Q)R3-1 on added Lots 21-22 of the same tract and block for property at 5015-41 North Balboa Boulevard, subject to Conditions of Approval.

Said rezoning shall be subject to the Q Qualified classification zone limitations as shown on the attached sheets.

5. PRESENT and ADOPT the accompanying ORDINANCE, approved by the CPC, effecting a building line removal of a 20-foot building line on Balboa Boulevard for property at 5015-41 North Balboa Boulevard.
6. REMOVE (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report.
7. INSTRUCT the Planning Department to update the General Plan and appropriate maps pursuant to this action.
8. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
9. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.

10. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - NOVEMBER 30, 2009

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

ITEM NO. (6) - ADOPTED - TO THE MAYOR FORTHWITH

[08-0448](#)

PUBLIC SAFETY COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to master permitting of automobile parking lots, and a same-day permitting process for additional parking lots of master parking lot permit holders.

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

PRESENT and ADOPT the accompanying ORDINANCE amending subsection (b) of Section 103.202 of the Los Angeles Municipal Code to facilitate master permitting of automobile parking lots and same-day permitting of additional parking lots.

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

Community Impact Statement: None submitted.

ITEM NO. (7) - ADOPTED

[09-0258](#)

CD 15

GENERAL EXEMPTION, TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending Port of Los Angeles Tariff No. Four, Section 20, Items 2030 and 2040 - Clean Truck Fee Collection Date and Date Pass Fee.

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

1. FIND that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article II Section 2 (f) of the Los Angeles City CEQA Guidelines.
2. PRESENT and ADOPT the accompanying ORDINANCE and proposed Permanent Board Order No. 09-6994 amending Items 2030 and 2040 in Section 20, Clean Air Action Plan - General Rules and Regulations of the Port of Los Angeles Tariff No. four.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the Harbor Department request to amend the Port of Los Angeles Tariff No. Four, Section 20, the Clean Air Action Plan, Item No. 2030, Clean Truck Fee and Item No. 2040, Concessions and Day Pass will reduce the revenue from \$100 to \$30 for each Day Pass trip based on the average administrative costs to the Port for each Day Pass. Revenue to the department will average approximately \$22,500 per month and be deposited into the Harbor Revenue Fund. The proposed amendments will not impact the City General Fund. The City Financial Policies are not applicable.

Community Impact Statement: None submitted.

ITEM NO. (8) - ADOPTED

[09-1670](#)

CD 15

GENERAL EXEMPTION, TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending Port of Los Angeles Tariff No. Four, Section Five, Items 520 and 550-033 Transferred Merchandise - Wharfage.

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

1. FIND that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article II Section I of the Los Angeles City CEQA Guidelines.
2. PRESENT and ADOPT the accompanying ORDINANCE and proposed Permanent Board Order No. 09-7000 amending Items 520 and 550-033 of the Port of Los Angeles Tariff No. four, Section Five "Transferred Merchandise - Wharfage."

Fiscal Impact Statement: The City Administrative Officer reports that approval of the Harbor Department request to amend the Port of Los Angeles Tariff No. Four, Section Five, Item Nos. 520 and 550-033, "Transferred Merchandise - Wharfage," for one year through a temporary solution will waive container fee from approximately \$745,000 to \$1.8 million. The proposed amendments will not impact the City General Fund. The City Financial Policies are not applicable.

Community Impact Statement: None submitted.

ITEM NO. (9) - ADOPTED

[09-1903](#)

CD 15

GENERAL EXEMPTION, TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending Items 2000 and 2025 of the Port of Los Angeles Tariff No. Four, Section 20 "Clean Air Action Plan."

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

1. FIND that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article II, Section 2(f) and 2(i) of the Los Angeles City CEQA Guidelines.

2. PRESENT and ADOPT the accompanying ORDINANCE and proposed Permanent Board Order No. 09-7003 amending Item Nos. 2000 and 2025, and adding new Item No. 2041 in the Port of Los Angeles Tariff No. Four, Section 20, Clean Air Action Plan - General Rules and Regulations.

Fiscal Impact Statement: The City Administrative Officer reports that approval to amend the Port of Los Angeles (POLA) Tariff No. Four, Section 20, the Clean Air Action Plan (CAAP), Item Nos. 2000 and 2025, and to add new Item No. 2041, for the Drayage Trucks, will change and clarify the definition of Drayage Trucks and have little or no impact on revenue. Future revenue for the CAAP Drayage Trucks will be contingent upon the amount of Proposition 1B grants funds received by the POLA. The proposed amendments will not impact the City General Fund. The City Financial Policies are not applicable.

Community Impact Statement: None submitted.

ITEM NO. (10) - CONTINUED TO OCTOBER 21, 2009

Roll Call #1 - Motion (Alarcón - LaBonge) Adopted to Continue, Unanimous Vote (14)

[07-0971](#)

CONTINUED CONSIDERATION OF ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to a Commission on Children, Youth and Their Families study conducted on child safety in Los Angeles.

Recommendation for Council action:

NOTE and FILE the Commission for Children, Youth and Their Families report dated April 17, 2009 relative to a study conducted on child safety in Los Angeles, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

(Continued from Council meeting of October 2, 2009)

Roll Call #3 - Motion (Hahn - Parks) Adopted, Ayes (13); Absent: Koretz (1) (Item Nos. 11-15)

ITEM NO. (11) - ADOPTED

[07-0489](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to an extension of the contracts with the City's current general financial advisors and preparation of a Request for Proposals (RFP) to provide general financial advisory services for the City.

Recommendation for Council action:

RECEIVE and FILE the Motion (Parks - Cárdenas) relative to extending the contracts with the City's current general financial advisors PRAG and KNN for up to 12 months on a month-to-month basis, and preparation of a draft RFP, inasmuch as the RFP process has been completed and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (12) - ADOPTED

07-1329-S2

BUDGET AND FINANCE COMMITTEE REPORT relative to reimbursing the Central Los Angeles Recycling and Transfer Station (CLARTS) Community Amenities Trust Fund Account.

Recommendations for Council action, pursuant to Motion (Huizar - Parks), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the Controller to:
 - a. Decrease appropriations in the amount of \$40,000 within Community Development Department (CDD) General Fund Various Programs, Fund No. 551/22, LA Bridges Program 2007-08, Account No. C200;
 - b. Transfer cash in the amount of \$40,000 from CDD General Fund Various Programs, Fund No. 551/22 and APPROPRIATE to the CLARTS Community Amenities Trust Fund No. 47S/14, Contractual Services, Account No. 3040.
2. AUTHORIZE the General Manager, CDD, or designee, to prepare Controller instructions and/or make any technical adjustments that may be required and are consistent with the Mayor and Council action on this matter, subject to the approval of the City Administrative Officer (CAO), and AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: Neither the CAO nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (13) - ADOPTED

07-2449-S1

BUDGET AND FINANCE COMMITTEE REPORT relative to an amendment to the legal services contract with the law firm of Renne, Sloan Holtzman and Sakai, LLP.

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

1. AUTHORIZE the City Administrative Officer (CAO) to execute Amendment No. 2 to Contract No. C-115191 for the firm of Renne, Sloan Holtzman and Sakai, LLP for the case entitled Jo Gavin v. City of Los Angeles, and ENCUMBER funds totaling \$150,000 within the Attorney Conflicts Panel Fund No. 46T/10, subject to the review and approval by the City Attorney.
2. AUTHORIZE the CAO to prepare Controller instructions for any technical adjustments and AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports the recommendations contained in this report will have no additional impact on the General Fund. The proposed funding increase in compliance with City Financial Policies in that ongoing revenue will be used to support this program. The proposed funding increase of \$150,000 is provided in the Adopted Budget for 2009-10 for the City Attorney Conflicts Panel under Fund 46T.

Community Impact Statement: None submitted.

ITEM NO. (14) - ADOPTED

09-2005

BUDGET AND FINANCE COMMITTEE REPORT relative to escheatment of \$293,487.98 from the Unclaimed Monies Seized Incidental To Arrest Trust Fund (UMSIATF) to the General Fund.

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

1. INSTRUCT the Los Angeles Police Department and the City Treasurer to process the sum of \$293,487.98 from the UMSIATF Fund No. 7772.
2. TRANSFER all identified eligible monies to the General Fund, Fund No. 100/70, Revenue Source Code 4334.

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

Community Impact Statement: None submitted.

ITEM NO. (15) - ADOPTED

09-2374

PERSONNEL COMMITTEE REPORT relative to the re-exemption of one Deputy General Manager II position and the re-exemption of one Concessions Manager position for the Los Angeles World Airports (LAWA) from the Civil Service provisions of the City Charter.

Recommendation for Council action:

APPROVE the re-exemption of one Deputy General Manager II position and the re-exemption of one Concessions Manager position for the LAWA from the Civil Service provisions of the City Charter, pursuant to Charter Sections 1001(c) and 1001(b) respectively.

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - OCTOBER 20, 2009

(LAST DAY FOR COUNCIL ACTION - OCTOBER 20, 2009)

**Roll Call #10 - Motion (Reyes - Huizar) Adopted, Ayes (13); Absent: Parks (1)
(Item Nos. 16-18)**

ITEM NO. (16) - ADOPTED

[09-2197](#)

NEGATIVE DECLARATION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the proposed creation of a Pedestrian Emphasis Design (PED) zoning designator that will introduce baseline urban design standards in targeted areas.

Recommendations for Council action:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 09-2197 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Negative Declaration [ENV 2009-442 ND] filed on March 6, 2009.
2. ADOPT the FINDINGS of the City Planning Commission (CPC) as the Findings of the Council.
3. REQUEST the City Attorney to prepare and present an Ordinance, substantially as approved by the CPC on May 28, 2009, for the proposed creation of a PED zoning designator that will introduce baseline urban design standards in targeted areas, and to include technical corrections as requested by the Director Planning in the communication dated October 6, 2009, attached to Council file No. 09-2197.

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

Community Impact Statement: None submitted.

ITEM NO. (17) - ADOPTED

[09-2198](#)

NEGATIVE DECLARATION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the proposed creation of a Ground Floor Commercial (GFC) zoning tool that will prohibit residential uses on the ground floor.

Recommendations for Council action:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 09-2198 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Negative Declaration [ENV 2009-440 ND] filed on March 6, 2009.
2. ADOPT the FINDINGS of the City Planning Commission (CPC) as the Findings of the Council.
3. REQUEST the City Attorney to prepare and present an Ordinance, substantially as approved by the CPC on May 28, 2009, for the proposed creation of a GFC zoning tool that will prohibit 100 percent residential uses on the ground floor, thereby ensuring that targeted parcels retain a commercial component.

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

Community Impact Statement: None submitted.

ITEM NO. (18) - ADOPTED

09-2199

NEGATIVE DECLARATION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to proposed to establish a Community Plan Implementation Overlay (CPIO) District, adding a new Supplemental Use District (SUD) that will provide a new zoning tool by which Community Plan goals, objectives and policies can be implemented.

Recommendations for Council action:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 09-2199 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Negative Declaration [ENV 2009-438 ND] March 6, 2009.
2. ADOPT the FINDINGS of the City Planning Commission (CPC) as the Findings of the Council.
3. REQUEST the City Attorney to prepare and present an Ordinance adding a new section to the Los Angeles Municipal Code (LAMC), substantially as approved on May 28, 2009, by the CPC, proposed to establish enabling language for a CPIO District, adding a new SUD to the LAMC, that will provide a new zoning tool by which Community Plan goals, objectives and policies can be implemented, and to include technical corrections as requested by the Director Planning in the communication dated October 6, 2009, attached to Council file No. 09-2199.

Fiscal Impact Statement: None submitted by the CPC. 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 (Hahn - Parks) Adopted, Ayes (13); Absent: Koretz (1)
(Item Nos. 19-25)**

ITEM NO. (19) - ADOPTED

[09-2248](#)

CD 5

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a zone change for property at 2136-40 South Westwood Boulevard.

Recommendations for Council action:

1. RECEIVE and FILE Mitigated Negative Declaration and report from the West Los Angeles Area Planning Commission (WLAAPC) relative to a zone change from C4-1VL-POD to (T)(Q)RAS3-1VL-POD for the proposed demolition of an existing commercial building and construction of a new 49,620 square foot mixed-use development, four-stories (44-feet) in height plus a 42 parapet wall, consisting of ground floor retail space and 23 residential units above located at 2136-40 South Westwood Boulevard, subject to Conditions of Approval, inasmuch as the applicant withdrew the application. (The WLAAPC also disapproved/approved Adjustments for this project)

Applicant: Westwood 3 LLC/Halco Management, Inc.

APCW 2007-2398 ZC-ZAA

Representative: Darryl L. Fisher, Fisher and Associates, Inc.

2. NOT PRESENT and ORDER FILED the Ordinance approved by the WLAAPC on May 6, 2009.

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - DECEMBER 10, 2009

(LAST DAY FOR COUNCIL ACTION - DECEMBER 9, 2009)

ITEM NO. (20) - ADOPTED

[08-1758](#)

PUBLIC SAFETY COMMITTEE REPORT relative to an accounting of cooling systems in new and existing Department of Animal Services facilities, and plans for correcting any reported problems.

Recommendation for Council action:

RECEIVE and FILE Motion (Zine - Wesson) relative to instructing the Department of Animal Services to report with a full accounting of the cooling systems in new and existing Animal Services facilities, including plans for correcting any reported problems.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (21) - ADOPTED

[09-1887](#)

PUBLIC SAFETY COMMITTEE REPORT relative to procedures for the handling of dangerous animals by the Department of Animal Services, and authorizing the Board of Animal Services Commissioners to modify Department General Manager orders to euthanize dogs.

Recommendation for Council action:

REQUEST the City Attorney to prepare an ordinance to amend Los Angeles Municipal Code Section 53.34.4, "Dangerous Animal - Procedures," to provide the Board of Animal Services Commissioners with the discretion to modify Department of Animal Services General Manager orders to euthanize dogs for good cause upon completion of the appeal process; to address related liability concerns related to this amendment; and, to make Department Case No. 05331 NC (regarding "Stu") subject to this amendment on a retroactive basis.

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

Community Impact Statement: None submitted.

[Council may recess to closed session, pursuant to Government Code Section 54956.9(b), to confer with its legal counsel relative to the above matter]

ITEM NO. (22) - ADOPTED

[07-0189](#)

CD 6

CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to vacating the north-south and east-west alleys easterly of Balboa Boulevard and northerly of Vanowen Street (Re-application; VAC E1401038).

Recommendations for Council action:

1. FIND that the vacation of the north-south and east-west alleys easterly of Balboa Boulevard and northerly of Vanowen Street is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City of Los Angeles Environmental Guidelines.

2. DIRECT that street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law BE INSTITUTED for the vacation of the public right-of-way indicated below and shown colored blue on Exhibit B of the June 9, 2009 City Engineer report, attached to the Council file:

The L-shaped alley adjacent to Lot 15, Tract No. 22559, easterly of Balboa Boulevard and northerly of Vanowen Street.

3. ADOPT the FINDINGS of the City Engineer dated June 9, 2009, as the Findings of the Council.
4. ADOPT the accompanying City Engineer report dated June 9, 2009 to approve the vacation.
5. INSTRUCT the City Clerk to set a public hearing date for **NOVEMBER 18, 2009**.

Fiscal Impact Statement: The City Engineer reports that to date, an estimated \$6,420 in charges have been expended in the investigation and processing of this vacation proceeding pursuant to Section 7.42 of the Los Angeles Administrative Code (LAAC). Any deficit fee to recover the cost pursuant to LAAC 7.44 may be required of the petitioner. Maintenance of the public easement by City Forces will be eliminated.

Community Impact Statement: None submitted.

ITEM NO. (23) - ADOPTED

[08-3400](#)

CD 9

FINAL ENVIRONMENTAL IMPACT REPORT and PUBLIC WORKS COMMITTEE REPORT relative to vacating 58th Place from Main Street to approximately 392 feet westerly thereof in connection with the construction of South Region Elementary School No. 6 (VAC E1401123).

Recommendations for Council action:

1. FIND that the City Council has imposed all of the mitigation measures that are within the control of the City, as described in Final Environmental Impact Report (EIR-09-028 LAUSD; State Clearinghouse Number 2007031093), that are associated with the impacts of the street vacation of 58th Place from Main Street to approximately 392 feet westerly thereof and that other mitigation measures that are not within the authority of the City, have been or should be imposed as set forth in the findings of the Board of Education of the City of Los Angeles, dated January 8, 2008, attached to the Council file.
2. DIRECT that street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law BE INSTITUTED for the vacation of the public right-of-way indicated below and shown colored blue on Exhibit B of the August 6, 2009 City Engineer report, attached to the Council file:

58th Place from Main Street to approximately 392 feet westerly thereof

3. FIND that there is a public benefit to this vacation and that upon vacation of the alleys, the City is relieved of its ongoing obligation to maintain the rights-of-way and that the City is relieved of any potential liability that might result from continued ownership of the involved alley easements as detailed in the August 6, 2009 City Engineer report, attached to the Council file.
4. AMEND the accompanying City Engineer report dated August 6, 2009 as follows:
 - a. Delete the language contained in Condition 4d and replace with:

Dedicate an additional eight feet as public street to provide for a passenger and bus loading zone along 59th Street as recommended by the Department of Transportation in its letter dated October 5, 2007.
 - b. Delete the language contained in Condition 5d and replace with:

Construct an 8-foot wide passenger and bus loading zone along 59th Street as recommended by the Department of Transportation in its letter dated October 5, 2007.
5. ADOPT the FINDINGS of the City Engineer dated August 6, 2009, as amended, as the Findings of the Council.
6. ADOPT the accompanying City Engineer report dated August 6, 2009, as amended, to approve the vacation.
7. INSTRUCT the City Clerk to set a public hearing date for **NOVEMBER 18, 2009**.

Fiscal Impact Statement: The City Engineer reports that to date, an estimated \$16,935.91 in charges have been expended in the investigation and processing of this vacation proceeding. Since Section 7.46 of the Los Angeles Administrative Code (LAAC) exempts all governmental agencies from payment of fees, the processing of this vacation action will be absorbed by the Bureau of Engineering. Maintenance of the public easement by City Forces will be eliminated.

Community Impact Statement: None submitted.

ITEM NO. (24) - ADOPTED

[07-1429-S1](#)

CD 11

CATEGORICAL EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to an amendment to a concession agreement with Host International, Inc.

Recommendations for Council action:

1. FIND that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article III Class 1 (18)(c) of the Los Angeles City CEQA Guidelines.
2. APPROVE the fourth amendment to Concession Agreement No. LAA-7529 between the City of Los Angeles and Host International, Inc.

3. CONCUR with the Board of Airport Commissioners action of September 21, 2009 authorizing the Executive Director to execute the fourth amendment to Concession Agreement No. LAA-7529 between the City of Los Angeles and Host International, Inc.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that the proposed amendment includes a new capital investment reimbursement fee which may generate approximately \$40,000 in new revenue during the concession agreement term through December 31, 2012. The CAO notes that since the Department of Airports is only bound by the City Debt Management Policies, the City Financial Policies are not applicable.

Community Impact Statement: None submitted.

TIME LIMIT FILE - OCTOBER 23, 2009

(LAST DAY FOR COUNCIL ACTION - OCTOBER 23, 2009)

ITEM NO. (25) - ADOPTED

[09-2351](#)

CD 11

CATEGORICAL EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to a concession agreement with Clean Energy/Clean Energy Fuels Corporation.

Recommendations for Council action:

1. FIND that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article III Class 1 (18)(c) of the Los Angeles City CEQA Guidelines.
2. APPROVE the concession agreement with Clean Energy and Clean Energy Fuels Corp (CE).
3. CONCUR with the Board of Airport Commissioners action of September 21, 2009 authorizing the Executive Director to execute the concession agreement.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that approval of the proposed agreement with CE will generate approximately \$45,000 in revenue for the Airport Revenue Fund over the 15-year term of the agreement for use of the land at the Los Angeles/Ontario International Airport. The Department of Airports states that additional revenue from royalties will depend on the volume of compressed natural gas purchased by third parties. The CAO further notes that the department will benefit from not incurring any development costs or operational and maintenance expenses. The CAO states that there is no impact to the City General Fund. In addition, the Department of Airports is only bound by the City Debt Management Policies. Therefore, the City Financial Policies are not applicable.

Community Impact Statement: None submitted.

TIME LIMIT FILE - OCTOBER 23, 2009

(LAST DAY FOR COUNCIL ACTION - OCTOBER 23, 2009)

ITEM NO. (26) - ADOPTED

Roll Call #11 - Motion (Hahn - Rosendahl) Adopted, Ayes (14)

[09-2360](#)

CD 11

FINAL ENVIRONMENTAL IMPACT REPORT (EIR) and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to approval of the Los Angeles International Airport (LAX) Plan (Bradley West Project) compliance.

Recommendations for Council action:

1. CONCUR with the Board of Airport Commissioners (BOAC) actions, including Resolution No. 23891, in its approval of the Bradley West Project (Project).
2. AFFIRM the Certification of BOAC that the:
 - a. Final EIR for the Project, which includes the draft EIR, has been completed in compliance with the California Environmental Quality Act (CEQA), and the State and City of Los Angeles CEQA Guidelines.
 - b. Final EIR was presented to the City Council, as the decision making body of the lead agency, and that the City Council considered the information contained in the Final EIR prior to approving the Project.
 - c. Final EIR represents the independent judgment and analysis if the lead agency.
3. AFFIRM the adoption by BOAC of the:
 - a. Statement of Overriding Considerations.
 - b. CEQA Findings.
 - c. Project's Mitigation Monitoring and Reporting Program (MMRP)
 - d. Executive Director's Report.
4. FIND that the:
 - a. Project complies with the LAX Plan, any design guidelines required by the LAX Plan, and all applicable provisions of the LAX Specific Plan, as fully set forth in the Executive Director's LAX Plan Compliance Report.
 - b. Project has been adequately analyzed in compliance with CEQA, and the applicable LAX Master Plan commitments and mitigation measures contained in the LAX Master Plan MMRP (as may be modified by the BOAC in accordance with CEQA) or identified in any subsequent environmental review have been incorporated into the Project to the extent feasible, as fully set forth in the LAX Plan Compliance Report.
5. APPROVE the LAX Plan Compliance as recommended in the Executive Director's report, including adoption of the required findings and imposition of all recommended conditions.

Fiscal Impact Statement: The BOAC reports that as an administrative action, approval of this item will have no impact on the Los Angeles World Airports Operating Budget. No allocation of capital funds is required at this time.

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 27-44

(10 Votes Required for Consideration)

ITEM NO. (27) - ADOPTED

Roll Call #12 - Motion (Hahn - Rosendahl) Adopted, Ayes (14)

[09-0677](#)

CD 15

EXEMPTION, COMMUNICATION FROM CHAIR, TRADE, COMMERCE, AND TOURISM COMMITTEE and ORDINANCES FIRST CONSIDERATION relative to amending Port of Los Angeles Tariff No. Four, Section 21, Item No. 2105, Infrastructure Cargo Fee (ICF).

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

1. FIND that this action is exempt from the California Environmental Quality Act (CEQA) as provided by Section 15273 (rates, tolls, fares, and charges) and Section 15061 (b)(3) (no possibility of significant adverse effect on the environment) of the State CEQA Guidelines.
2. PRESENT and ADOPT the accompanying ORDINANCES and proposed Permanent Board Order Nos. 08-6976 and 09-6996 amending Port of Los Angeles Tariff No. Four, Section 21, Item No. 2105, ICF.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed amendment to Harbor Department (Port) Tariff No. four, Section No. 21, Item No. 2105, the ICF, will authorize the Port to incur administrative and operational costs in the collection of fees for the ICF program. The Port has estimated this amount to be approximately \$5.98 million from January 2009 through June 2010. The total cost for the Infrastructure Projects has been estimated at approximately \$232 million. Since the Port is only bound by the City Debt Management Policies, the City Financial Policies are not applicable. There is no impact on the City General Fund.

Community Impact Statement: None submitted.

**Roll Call #4 - Motion (Reyes - Rosendahl) Adopted, Ayes (14)
(Item Nos. 28a-28b)**

ITEM NO. (28) - ADOPTED

[09-0005-S637](#)

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 14, 2009:

[09-0005-S637](#)

CD 2

- a. Property at 11573 West Riverside Drive a.k.a. 11575 1/2 West Riverside Drive (Case No. 212498).
Assessor I.D. No. 2354-011-036

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

[09-0005-S638](#)

CD 14

- b. Property at 3031 East Malabar Street (Case No. 226629).
Assessor I.D. No. 5178-008-031

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

ITEM NO. (29) - ADOPTED

Roll Call #13 - Motion (Hahn - Rosendahl) Adopted, Ayes (14)

[09-2109](#)

CD 15

CATEGORICAL EXEMPTION and COMMUNICATION FROM CHAIR, TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to a foreign-trade zone (FTZ) general purpose operating agreement between the City of Los Angeles and NYK Logistics (Americas) Inc., FTZ 202, Site 9B.

Recommendations for Council action:

1. FIND that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article III Section 1 (14) of the Los Angeles City CEQA Guidelines.

2. DISAPPROVE the proposed second amendment for FTZ General Purpose Operating Agreement No. 2308 (assigned Harbor Department Agreement No. 09-2308-B) between the City of Los Angeles and NYK Logistics (Americas) Inc., FTZ 202, Site 9B, located in Torrance, California.
3. APPROVE proposed FTZ General Purpose Operating Agreement No. 92-2794 between the City of Los Angeles and NYK Logistics (Americas) Inc., FTZ 202, Site 9B, located at 2417 East Carson Street, Long Beach, California.

Fiscal Impact Statement: The Board of Harbor Commissioners reports that approval of the proposed FTZ operating agreement with NYK would result in compensation payments to the Harbor Department of \$30,000 at the end of five years (including \$5,000 activation fee and five years at \$5,000/year).

Community Impact Statement: None submitted.

TIME LIMIT FILE - OCTOBER 26, 2009

(LAST DAY FOR COUNCIL ACTION - OCTOBER 23, 2009)

**Roll Call #4 - Motion (Reyes - Rosendahl) Adopted, Ayes (14)
(Item Nos. 30-38)**

ITEM NO. (30) - ADOPTED

08-0230

CD 11

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE DIRECTOR OF PLANNING relative to requesting the Council to reconsider and set-aside the previous Council action of March 19, 2008, relative to Tentative Tract No. 66901-CC-2A for property at 8358 East Manitoba Street to address provisions of the settlement agreement.

Recommendations for Council action:

1. FIND that this action is categorically exempt from California Environmental Quality Act (CEQA) pursuant to Article III, Class 1(10) of the City's Guidelines.
2. RECONSIDER and SET ASIDE the previous Council action of March 19, 2008, disapproving Tentative Tract No. 66901-CC-2A to address the provisions of a Settlement Agreement.
3. APPROVE the modified actions of the West Los Angeles Area Planning Commission (WLAAPC) dated January 14, 2008 to reflect the provisions of the Settlement Agreement as shown in the September 17, 2009, Director of Planning's report Attachment "B."

VTT 66901-CC-2A

4. MODIFY the Conditions of Approval of the WLAAPC by the addition of Condition No.CC-6 as shown in the September 17, 2009, Director of Planning's report Attachment "A."

5. ADOPT the Findings of the WLAAPC, as the Findings of the Council.

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

Community Impact Statement: None submitted.

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

ITEM NO. (31) - ADOPTED

[09-2200](#)

CDs 1 & 14

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY PLANNING COMMISSION relative to establishing an Interim Control Ordinance (ICO) within the Garvanza neighborhood.

Recommendations for Council action, as initiated by Motion (Huizar - Reyes):

1. FIND that this action is categorically exempt from California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15308, Class 8 of the City's CEQA Guidelines.
2. ADOPT the FINDINGS of the City Planning Commission (CPC) as the Findings of the Council.
3. REQUEST the City Attorney, to prepare and process a ICO, substantially as described and as approved in the September 24, 2009, CPC determination, to temporarily prohibit the issuance of building and demolition permits for the erection, construction, demolition, addition to or alteration of any building or structure located within the Garvanza neighborhood Historic Preservation Overlay Zone Study Area; generally bounded by Pasadena City limits to the north, Metro Gold Line right-of-way bridge on the south; east side of Avenue 66 on the east; and east side of Figueroa Street proceeding to the west side of Avenue 63 at York Boulevard on the west. The ICO should include an Urgency Clause making it effective upon publication; and shall run for six months with one six month extension by Council Resolution or until the adoption of appropriate land use regulatory controls have been prepared by the Planning Department, adopted by the Council and become effective whichever occurs first.

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

Community Impact Statement: None submitted

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

ITEM NO. (32) - ADOPTED

[07-2496](#)

CD 7

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 9015 North Orion Avenue pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated July 31, 2007 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 9015 North Orion 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 Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

Community Impact Statement: None submitted.

ITEM NO. (33) - ADOPTED

[07-2538](#)

CD 10

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 845 South Crenshaw Boulevard pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.

2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated August 3, 2007 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 845 South Crenshaw Boulevard.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

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

Community Impact Statement: None submitted.

ITEM NO. (34) - ADOPTED

[07-3627](#)
CD 10

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 871 South Crenshaw Boulevard pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated November 5, 2007 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 871 South Crenshaw Boulevard.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

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

Community Impact Statement: None submitted.

ITEM NO. (35) - ADOPTED

[07-4176](#)

CD 10

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 3816 West Jefferson Boulevard pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated December 18, 2007 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 3816 West Jefferson Boulevard.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$2,386.10 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$2,230 and a seven percent surcharge in the amount of \$156.10 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

Community Impact Statement: None submitted.

ITEM NO. (36) - ADOPTED

[08-1134](#)

CD 10

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 2707 West Olympic Boulevard pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated April 29, 2008 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 2707 West Olympic Boulevard.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

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

Community Impact Statement: None submitted.

ITEM NO. (37) - ADOPTED

[08-2890](#)

CD 14

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 1964 North Avenue 52 pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.

2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated October 7, 2008 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 1964 North Avenue 52.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$1,926 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$1,800 and a seven percent surcharge in the amount of \$126 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

Community Impact Statement: None submitted.

ITEM NO. (38) - ADOPTED

[08-2902](#)
CD 14

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 4274 West Sea View Lane pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated October 1, 2008 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 4274 West Sea View Lane.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$1,926 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$1,800 and a seven percent surcharge in the amount of \$126 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (39) - CONTINUED TO OCTOBER 21, 2009

Roll Call #16 - Motion (Perry - Garcetti) Adopted to Continue, Unanimous Vote (14)

[07-0898-S1](#)

CONTINUED CONSIDERATION OF MOTION (PERRY - ROSENDAHL) relative to accepting \$546,204 from the California Employment Development Department, 15 percent Governor's Discretionary Funds, to continue the Re-Entry Employment Options Project (REEOP).

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

1. AUTHORIZE the General Manager, Community Development Department (CDD), or designee, to:
 - a. Execute a contract with the California Department of Corrections and Rehabilitation (CDCR) for the purposes of accepting \$546,204 in Governor's Discretionary Funds for the REEOP. (The contract period is June 30, 2009, through June 30, 2010.)
 - b. Negotiate and execute a contract with United Auto Workers-Labor Employment Training Center, in an amount not to exceed \$197,053, for a collaborative of WorkSource Centers located in South Los Angeles to provide placement and retention services to ex-felons in the South Los Angeles community.
 - c. Negotiate and execute a contract with Special Service for Groups, in an amount not to exceed \$323,947, to serve ex-felons in the South Los Angeles community, subject to the review of the City Attorney as to form and legality. (Funds will be used for intensive case management, job readiness training, necessary supports, and intensive assessments.)
 - d. Negotiate and execute a contract with Westat, Inc., an independent research company in the amount of \$25,000 to expand an existing evaluation of City employment services to ex-felons begun in 2009 for the REEOP, subject to the review of the City Attorney as to form and legality.
 - e. Prepare Controller Instructions for technical corrections that may be necessary, subject to the approval of the City Administrative Officer (CAO) and authorize the Controller to implement these instructions.
 - f. Expend \$39,754 within Fund 100/22 CDD for staff salaries and other expenses for WIA-California New Start, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries	\$33,153
2120	Printing and Binding	1,000
2130	Travel	3,000
6010	Office and Administrative Expenses	1,100
6030	Lease	<u>1,501</u>
Total		\$39,754

- g. Expend \$19,391 from within WIA Fund 44A Account F299 Related Costs for WIA-California New Start Program.
 - h. Reduce the budget for staff salaries and other expenses totaling \$39,754 for WIA-Adult (\$19,877) and WIA-Dislocated Worker (\$19,877).
2. AUTHORIZE the Controller to:
 - a. Establish a receivable from the State of California for \$546,204.
 - b. Establish account F231 titled WIA-CALIFORNIA NEW START and appropriate \$487,059 within the Workforce Investment Act Trust Fund 44A.
 3. INSTRUCT the CAO to report to the Housing, Community and Economic Development Committee relative to funds and instructions identified in this Motion, including the efforts of the CDD to expand this program to other parts of the City.

Community Impact Statement: None submitted.

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

(Continued from Council meeting of October 7, 2009)

**Roll Call #14 - Motion (Smith - Rosendahl) Adopted, Ayes (13); Absent: Reyes (1)
(Item Nos. 40a-40i)**

ITEM NO. (40) - ADOPTED

[08-2613-S1](#)

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:

[08-2613-S1](#)

CD 13

- a. MOTION (GARCETTI - REYES) relative to declaring the Les Girls on October 5, 2009 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).

[09-2490](#)

CD 1

- b. MOTION (REYES - LABONGE) relative to declaring the Halloween Fundraiser Carnival on October 16-18, 2009 a Special Event (fees and costs absorbed by the City = \$24,000).

[09-2491](#)

CD 1

- c. MOTION (REYES - LABONGE) relative to declaring the Rampart Station Open House on October 10, 2009 a Special Event (fees and costs absorbed by the City = \$2,400).

[09-2492](#)

CD 5

- d. MOTION (KORETZ - LABONGE) relative to declaring the 19th Annual Sherman Oaks Street Fair on October 18, 2009 a Special Event (\$2,202 in estimated permit fees and up to \$7,443 in salary or overtime costs absorbed by the City).

[09-2493](#)

CD 5

- e. MOTION (KORETZ - LABONGE) relative to declaring the Annual Fall Festival and Auction on October 9-11, 2009 a Special Event (\$497 in estimated permit fees and up to \$3,475 in salary or overtime costs absorbed by the City).

[09-2494](#)

CD 10

- f. MOTION (WESSON - ZINE) relative to declaring the Jefferson Park Neighbors Association Block Party on October 10, 2009 a Special Event (\$440 in estimated permit fees and up to \$830 in salary costs absorbed by the City).

[08-2080-S1](#)

CD 9

- g. MOTION (PARKS for PERRY - GARCETTI) relative to declaring the Educational Programming on October 13-16, 2009 a Special Event (fees and costs absorbed by the City = \$1,000).

[09-2495](#)

CD 9

- h. MOTION (PARKS for PERRY - GARCETTI) relative to declaring the Grand Opening for Fire Station Four on October 17, 2009 a Special Event (fees and costs absorbed by the City = \$1,642).

[07-2687-S2](#)

CD 10

- i. MOTION (SMITH for WESSON - ZINE) relative to declaring the Celebrate Diversity-Vineyard Neighbors' Day on October 10, 2009 a Special Event (fees and costs absorbed by the City = \$1,160).

ITEM NO. (41) - ADOPTED

Roll Call #4 - Motion (Reyes - Rosendahl) Adopted, Ayes (14)

[09-2178-S2](#)

MOTION (REYES - ZINE) relative to funding in connection with the September 17, 2009 Council District One special reception for the Comité de Festejos Centroamericanos (COFECA).

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

APPROPRIATE \$852 from the Unappropriated Balance Fund No. 100/58 to the General Services Fund No. 100/40, as follows: \$690 to Account No. 1090 (Salaries - Overtime) and \$162 to Account No. 1070 (Salaries - As Needed), for services in connection with the September 17, 2009 Council District One special reception for the COFECA in the City Hall Rotunda and Spring Street Forecourt - said funds to be reimbursed to the General fund by COFECA.

ITEM NO. (42) - ADOPTED, AS AMENDED

Roll Call #15 - Motion (Hahn - Rosendahl) to Adopt as Amended, Ayes (13); Absent: Reyes (1)

[08-0289](#)

CD 15

MOTION (HAHN - ROSENDAHL) relative to amending the October 2, 2009 Council action regarding grant applications for Cycle Three of the Highway Safety Improvement Program.

Recommendation for Council action:

AMEND the October 2, 2009 Council action (Council file No. 09-0289) relative to authorization to submit grant applications for Cycle Three of the Highway Safety Improvement Program to the State of California Department of Transportation to correct the location of a street light installation project in Council District 15 from Gaffey and 12th Streets to Gaffey and 11th Streets.

ADOPTED

MOTION (HAHN - ALARCÓN)

Recommendation for Council action:

AMEND to correct the project in CD Fifteen at Gaffey Street and 11th Street to reflect that it is a traffic signal not a street light installation project.

**Roll Call #4 - Motion (Reyes - Rosendahl) Adopted, Ayes (14)
(Item Nos. 43-44)**

ITEM NO. (43) - ADOPTED

[09-2497](#)

MOTION (SMITH - PARKS) relative to extending the contract term with Constantine and Aborn Advisory Services.

Recommendation for Council action:

AUTHORIZE the Chief of Police, or designee, to execute an amendment to extend the contract term with Constantine and Aborn Advisory Services (C-114343) to October 31, 2009.

ITEM NO. (44) - ADOPTED

[09-2496](#)

RESOLUTION (SMITH - LABONGE) relative to the Great California ShakeOut on October 15, 2009.

Recommendation for Council action:

RESOLVE to:

- a. Approve participation in the Great California ShakeOut by taking time to recognize and acknowledge the importance of preparing our City for the purposes of building a safer community and reducing the loss of lives and property from a major earthquake event by taking proactive steps today.
- b. Direct the Emergency Management Department to see that all City Employees are able to participate in the Drill and register (or cause to be registered via Department emergency coordinators) each City department as participants in the Great California ShakeOut.
- c. Publicize information regarding participation in the Great California ShakeOut on LA CityView Channel 35 and on the City's website.

Items Called Special

Motions for Posting and Referral

Councilmembers' Requests for Excuse from Attendance at Council Meetings

Closed Sessions - Items 45-46

ITEM NO. (45) - CONTINUED TO OCTOBER 28, 2009

Roll Call #2 - Motion (Perry - Wesson) Adopted to Continue, Unanimous Vote (13); Absent: Koretz (1)

[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 October 7, 2009)

ITEM NO. (46) - ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH

Roll Call #5 - Motion (Garcetti - Parks) Adopted, Ayes (14)

[09-2041](#)

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 City of Los Angeles v. Los Angeles Doctors Hospital, Los Angeles Superior Court Case Nos. BC385977, et al. (This matter involves a dispute concerning uncollected business taxes.)

(Budget and Finance Committee considered the above matter in Closed Session on October 5, 2009)

ADOPTED

MOTION (GARCETTI - PARKS)

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

1. AUTHORIZE the City Attorney to accept \$1,289,727.70 in an offer of compromise in the case entitled City of Los Angeles v. Los Angeles Doctors Hospital, Los Angeles Superior Court Case Nos. BC385977, et al.
2. APPROVE payment to the City by Doctors Hospital as follows:
 - a. A down payment of \$100,000 within 15 days of Council approval.
 - b. Eighteen equal monthly installments of \$66,095.98 beginning the first day of the month following Council approval.
3. AUTHORIZE the City Attorney to dismiss with prejudice three Complaints it has filed against Doctors Hospital, when final payment is received.

This matter was approved by the Budget and Finance Committee (Park - Smith - Huizar - Rosendahl - Koretz "yes") at its meeting on October 5, 2009, in Closed Session as permitted by Government Code Section 54956.9(a).

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

09-2538

MOTION (PERRY - REYES) relative to declaring the NuSkin After Party on October 23, 2009 a Special Event (all costs incurred by the City associated with this event will be paid by the event sponsor).

09-2539

MOTION (PERRY - REYES) relative to declaring the Hear his voice Crusade Concert on October 10, 2009 a Special Event (all costs incurred by the City associated with this event will be paid by the event sponsor).

08-1910-S1

MOTION (PARKS - KORETZ) relative to declaring the Second Annual NIKE Human Race on October 24, 2009 a Special Event (a subsidy of \$25,000 or a maximum of 50 percent of the City's permit fees and costs, whichever is less, be reimbursed to NIKE after acceptable evidence is presented to the City Clerk that 100 percent of the proceeds of October 24, 2009, NIKE Human Race event has been donated to A Better LA Foundation, a 501(c) (3) non-profit organization).

09-2543

MOTION (WESSON - PARKS) relative to declaring the Taste of Soul 2009 on October 17, 2009 a Special Event (fees and costs absorbed by the City = \$1,046).

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

09-2501 - Dr. Sylvester Washington

(Garcetti - LaBonge)

Taro Yokoyama

(Parks - Garcetti)

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

09-2500 - Sandra De Dios

(Cárdenas)

Irving Jeffery Karpe

(LaBonge)

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL