

Los Angeles City Council, **Journal/Council Proceedings**
Friday, **October 9, 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, Koretz, LaBonge, Reyes, Smith, Wesson, Zine and President Garcetti (10); Absent: Alarcón, Parks, Perry and Rosendahl (4); Vacant: Council District Two

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
OCTOBER 6, 2009

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 10

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

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

Items Noticed for Public Hearing - Items 1-3

ITEM NO. (1) - CONTINUED TO OCTOBER 14, 2009

Roll Call #3 - Motion (Garcetti - Cárdenas) Adopted to Continue, Unanimous Vote (10); Absent: Alarcón, Parks, Perry and Rosendahl (4)

[07-3248-S1](#)

HEARING PROTEST 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]

ITEM NO. (2) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO GRANT APPLICATION

Roll Call #4 - Motion (Garcetti - Zine) Adopted, Ayes (11); Absent: Parks, Perry and Rosendahl (3)

[09-2122](#)

CD 9

HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for off-site consumption at Famima!! located at 727 West Seventh Street.

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at Famima!! specialty/gourmet convenience store located at 727 West Seventh Street, Suite G-735, Los Angeles, 90013, will serve the "Public Convenience or Necessity" and will not tend to create a law enforcement problem.
2. GRANT the Application for Determination of "Public Convenience or Necessity" for the sale of alcoholic beverages for off-site consumption at 727 West Seventh Street, Suite G-735.
3. INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

Applicant: Famima Corporation (Art Rodriguez and Associates, representative)

TIME LIMIT FILE - OCTOBER 13, 2009

(LAST DAY FOR COUNCIL ACTION - OCTOBER 13, 2009)

ITEM NO. (3) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO GRANT APPLICATION

Roll Call #5 - Motion (Garcetti - Zine) Adopted, Ayes (11); Absent: Parks, Perry and Rosendahl (3)

[09-2124](#)

CD 9

HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for off-site consumption at Famima!! located at 800 South Figueroa Street.

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at Famima!! specialty/gourmet convenience store located at 800 South Figueroa Street, Suite 101, Los Angeles, 90013, will serve the "Public Convenience or Necessity" and will not tend to create a law enforcement problem.
2. GRANT the Application for Determination of "Public Convenience or Necessity" for the sale of alcoholic beverages for off-site consumption at 800 South Figueroa Street, Suite 101.
3. INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

Applicant: Famima Corporation (Art Rodriguez and Associates, representative)

TIME LIMIT FILE - OCTOBER 13, 2009

(LAST DAY FOR COUNCIL ACTION - OCTOBER 13, 2009)

Items for Which Public Hearings Have Been Held - Items 4-5

**Roll Call #1 - Motion (Reyes - Koretz) Adopted, Ayes (10); Absent: Alarcón, Parks, Perry and Rosendahl (4)
(Item Nos. 4-5)**

ITEM NO. (4) - ADOPTED

[09-1999](#)

CDs 1, 4, 9 & 14

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a Cooperation Agreement with One Economy Corporation (OEC) to provide broadband access services to low-income residents in various affordable housing development projects.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to execute a Cooperation Agreement with OEC, in an amount not to exceed \$389,664, to provide various broadband access services to low-income residents in four CRA-assisted affordable housing development projects described below, subject to the review of the City Attorney as to form and legality and the Department of Public Works, Bureau of Contract Administration, for compliance with any applicable CRA contracting requirements and funding availability:

<u>Development Name</u>	<u>Site Address</u>	<u>Council District</u>	<u>Affordable Units</u>
Cathay Manor	600 North Broadway	1	270
Huntington Hotel	752 South Main Street	14	200
Magnolia Towers	11035 Magnolia Boulevard	4	200
Stillwell Hotel	838 South Grand Avenue	9	232

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the General Fund. The CRA is only bound by the disclosure provisions of the City's Debt Management Policies. The City's Financial Policies are not applicable to the CRA. The impact on the CRA is not known at this time. Funding for the proposed CRA loans for refinancing or rehabilitation of various affordable housing development projects will be subject to approval by the Mayor and Council. Approval of the recommendation will result in the one-time expenditure of \$389,664 utilized from an estimated one-time source of grant funds from the U.S. Department of Commerce, National Telecommunications, and Information Administration Broadband Technology Opportunities Program for the provision of broadband access services to low-income residents at various affordable housing development projects.

Community Impact Statement: None submitted.

ITEM NO. (5) - ADOPTED

[09-2220](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to the issuance of \$6 million in tax-exempt revenue bonds by the California Statewide Communities Development Authority (CSCDA) to benefit The Help Group, a California non-profit public benefit corporation.

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

1. ADOPT the accompanying RESOLUTION [Attachment 1 of the City Administrative Officer (CAO) report dated September 28, 2009] relating to the authorization, execution, and issuance of up to \$6 million in tax-exempt revenue bonds by the CSCDA for the benefit of five nonprofit corporations collectively doing business as The Help Group (New Schools for Child Development, Project Six, Summit View School, The Help Group Child and Family Center, and The Help Group West) to finance the cost of rehabilitation and improvements of a building located at 13164 Burbank Boulevard (Project).
2. AUTHORIZE the CSCDA to negotiate and execute all documents and agreements required for the execution and delivery of up to \$6 million in tax-exempt revenue bonds for the Project in accordance with the CSCDA bond issuance policy and subject to the review of the City Attorney as to form and legality.

3. FIND that the Project is necessary and appropriate to accomplish City community and economic development objectives.

Fiscal Impact Statement: The CAO reports that there is no additional General Fund impact. Approval of the recommendations will allow the CSCDA to issue up to \$6 million in tax-exempt revenue bonds on behalf of The Help Group. This action complies with City financial and debt management policies in that bond proceeds are generated from investor capital and require no pledge of public funds for their backing, security, or repayment. The outstanding debt will be repaid from operating revenues of the Borrower. The City is not providing any financial assistance to this Project. The City will receive \$9,000 in fee income from this transaction. The fee is anticipated in the Fiscal Year 2009-10 Adopted Budget.

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 6-10

(10 Votes Required for Consideration)

ITEM NO. (6) - NO ACTION TAKEN

[09-0648](#)

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

(Pursuant to Council action of April 7, 2009)

ITEM NO. (7) - ADOPTED

**Roll Call #6 - Motion (Hahn - Koretz) Adopted, Ayes (11); Absent: Parks, Perry and Rosendahl (3)
(Item Nos. 7a-7e)**

[09-0005-S622](#)

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 2, 2009:

[09-0005-S622](#)

CD 8

- a. Property at 701 West 68th Street (Case No. 207430).
Assessor I.D. No. 6013-017-017

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

[09-0005-S623](#)

CD 8

- b. Property at 701 West 68th Street (Case No. 130179).
Assessor I.D. No. 6013-017-017

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 3, 2008)

[09-0005-S624](#)

CD 8

- c. Property at 2114 West Florence Avenue aka 2116 1/2 West Florence Avenue (Case No. 214161).
Assessor I.D. No. 6017-004-004

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

[09-0005-S625](#)

CD 4

- d. Property at 1646 North Sierra Bonita Avenue aka 1660 North Sierra Bonita Avenue (Case No. 234381).
Assessor I.D. No. 5550-011-001

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 16, 2009)

[09-0005-S626](#)

CD 15

- e. Property at 2723 South Pacific Avenue (Case No. 235157).
Assessor I.D. No. 7465-012-014

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 11, 2009)

ITEM NO. (8) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #7 - Motion (Reyes - Koretz) Adopted, Ayes (11); Absent: Parks, Perry and Rosendahl (3)

[09-0002-S184](#)

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST and RESOLUTION (REYES - GARCETTI - ROSENDAHL) relative to the City's position on AB 1242 (Ruskin) that every human being has the right to clean, affordable, and accessible water for consumption, cooking, and sanitation, that is adequate for the health and well-being of the individual and family.

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

ADOPT the accompanying RESOLUTION to include in the City's 2009-10 State Legislative Program SUPPORT for AB 1242 (Ruskin) that would establish a State policy that every human being has the right to clean, affordable, and accessible water for consumption, cooking, and sanitation, that is adequate for the health and well-being of the individual and family.

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

Community Impact Statement: None submitted.

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

ITEM NO. (9) - ADOPTED

Roll Call #8 - Motion (LaBonge - Reyes) Adopted, Ayes (11); Absent: Parks, Perry and Rosendahl (3) (Item Nos. 9a-9g)

08-2552-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:

08-2552-S1

CD 1

- a. MOTION (REYES - GARCETTI) relative to declaring the Dodger Post-season play-off run from October 7-13 and 16-25, 2009 a Special Event (fees and costs absorbed by the City = none submitted).

07-3343-S2

CD 3

- b. MOTION (ZINE - SMITH) relative to declaring the Saint Catherine of Siena Annual Fall Carnival on October 16-18, 2009 a Special Event (fees and costs absorbed by the City = \$456).

09-2460

CD 3

- c. MOTION (ZINE - SMITH) relative to declaring the Justice Jog on October 18, 2009 a Special Event (fees and costs absorbed by the City = \$1,826).

09-2461

CD 7

- d. MOTION (ALARCON - ROSENDAHL) relative to declaring the 2009 American Dream, 5K Walk on October 10, 2009 a Special Event (fees and costs absorbed by the City = \$2,000).

09-2462

CD 14

- e. MOTION (HUIZAR - HAHN) relative to declaring the Silver Star Award Ceremony on October 3, 2009 a Special Event (\$312 in estimated permit fees and up to \$556 in salary or overtime costs absorbed by the City).

[07-2366-S1](#)

CD 5

- f. MOTION (KORETZ - HUIZAR) relative to declaring the 22nd Annual Taste of Encino on October 11, 2009 a Special Event (\$799 in estimated permit fees and up to \$7,680 in salary or overtime costs absorbed by the City).

[07-2865-S1](#)

CD 5

- g. MOTION (KORETZ - HUIZAR) relative to declaring the Sixth Annual Davana Terrace Block Party on October 4, 2009 a Special Event (\$830 in estimated permit fees and up to \$440 in salary or overtime costs absorbed by the City).

ITEM NO. (10) - CONTINUED TO OCTOBER 16, 2009

Roll Call #9 - Motion (Hahn - Huizar) Adopted to Continue, Unanimous Vote (11); Absent: Parks, Perry and Rosendahl (3)

[09-2463](#)

CD 15

MOTION (HAHN - HUIZAR) relative to accepting the donation of funds for the ceiling restoration project at the Warner Grand Theatre.

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

1. AUTHORIZE the General Manager, Department of Cultural Affairs (DCA), or designee, to accept a donation of \$50,000 from the Grand Vision Foundation to help fund the ceiling restoration project at the Warner Grand Theatre, and INSTRUCT the DCA, with the assistance of the Department of General Services (GSD), to cause those funds to be deposited into the following accounts:

<u>Fund</u>	<u>Account</u>	<u>Amount</u>
100/40	1101 - Construction Hiring Hall	\$20,000
100/40	1121 - Construction Hiring Hall Fringe Benefits	\$7,000
100/40	3180 - Construction Materials and Supplies	\$23,000

2. INSTRUCT the City Administrative Officer, DCA and the GSD to jointly develop a repair plan for the Warner Grand Theatre's ceiling within the amount of the donation and, if needed other available funds.
3. AUTHORIZE the GSD to proceed with this project.
4. AUTHORIZE the General Manager, DCA to thank the Grand Vision Foundation for its generous gift in support of the Warner Grand Theatre on behalf of the City.

Item for Which Public Hearing Has Been Held - Item 11

ITEM NO. (11) - CONTINUED TO OCTOBER 13, 2009

Roll Call #2 - Motion (Garcetti - Huizar) Adopted to Continue, Unanimous Vote (11); Absent: Parks, Perry and Rosendahl (3)

[09-1973](#)

CONTINUED CONSIDERATION OF BUDGET AND FINANCE COMMITTEE REPORT relative to acceptance of donations totaling \$136,364 from the Ahmanson, Annenberg and Weingart Foundations to support the Mayor's Office of Strategic Partnerships.

Recommendation for Council action, pursuant to Motion (Garcetti - Huizar):

ACCEPT the donation of \$136,364 from the Ahmanson, Annenberg and Weingart Foundations to support the Mayor's Office of Strategic Partnerships.

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

Community Impact Statement: None submitted.

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

[07-3196-S2](#)

MOTION (GARCETTI - LABONGE) relative to declaring the Los Angeles Latino International Film Festival Gala on October 11, 2009 a Special Event (fees and costs absorbed by the City = \$530 in permit fees will be waived, in addition, in accordance with department estimates, up to \$1,154 in salary or overtime costs will be absorbed by the City).

[09-2514](#)

MOTION (REYES - ZINE) relative to declaring the Pico Union Community Health Fair on October 24, 2009 a Special Event (fees and costs absorbed by the City = \$1,200).

[07-3268-S2](#)

MOTION (HUIZAR - LABONGE) relative to declaring the Latin Grammy Street Party on October 18, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[08-2406-S1](#)

MOTION (CARDENAS - HUIZAR) relative to declaring the Saint Genevieve Community Fiesta on October 16-18, 2009 a Special Event (fees and costs absorbed by the City = \$900).

[07-3038-S2](#)

MOTION (CARDENAS - HUIZAR) relative to declaring the St. Genevieve High School 2009 Homecoming Day Parade, Game and Festivities on October 24, 2009 a Special Event (fees and costs absorbed by the City = \$4,829).

[08-1786](#)

MOTION (GARCETTI for PERRY - REYES) relative to amending prior Council action of June 16, 2009, declaring the Walk to Fight Diabetes a Special Event.

[07-0008-S1](#)

MOTION GARCETTI for PERRY - REYES) relative to funds to implement the ExperienceLA website and the ExperienceLA WiFi programs for greater downtown Los Angeles.

[07-0906-S1](#)

MOTION (GARCETTI for PERRY - ZINE) relative to issuance of Multifamily Housing Revenue Bonds for a 262-unit residential hotel located at 112 West Fifth Street.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[09-2501](#) - Fred Kennedy

(Hahn - All Councilmembers)

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

[09-2500](#) - Toribio Marin

(Garcetti)

Marybell Bakewell

(Wesson - Hahn - Perry - Park - All Councilmembers)

Woodrow "Woody" Fleming

(Hahn - Alarcón - All Councilmembers)

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL