

Los Angeles City Council, **Journal/Council Proceedings**
Friday, **October 23, 2009**
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
OCTOBER 20, 2009

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 21

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 for Which Public Hearings Have Been Held - Items 1-6

**Roll Call #1 - Motion (Koretz - Parks) Adopted, Ayes (10); Absent: Cárdenas, Huizar, Rosendahl and Zine (4)
(Item Nos. 1-6)**

ITEM NO. (1) - ADOPTED

[09-1398](#)

AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT relative to the Performance Audit of the Los Angeles Public Library 2007-10 Strategic Plan.

Recommendation for Council action:

NOTE and FILE the Controller report dated August 27, 2009, relative to the Performance Audit of the Los Angeles Public Library 2007-10 Strategic Plan.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (2) - ADOPTED

[09-1399](#)

AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT relative to the Performance Audit of patron access to the Los Angeles Public Library's books and materials.

Recommendation for Council action:

NOTE and FILE the Controller report, dated June 10, 2009, relative to the Performance Audit of patron access to the Los Angeles Public Library's books and materials.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (3) - ADOPTED - SEE FOLLOWING

[09-2316](#)

COMMUNICATION FROM THE BOARD OF WATER AND POWER COMMISSIONERS relative to a 40-year lease agreement with the City of Bishop for approximately 45.678 acres of City of Los Angeles owned land that is located in the City of Bishop for use as a municipal public park and senior center.

TIME LIMIT FILE - OCTOBER 23, 2009

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

[10 VOTES REQUIRED, PURSUANT TO CHARTER SECTION 607]

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

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

ADOPTED

COMMUNICATION FROM CHAIR AND MEMBER, ENERGY AND ENVIRONMENT COMMITTEE relative to a 40-year lease agreement with the City of Bishop for City of Los Angeles owned land that is located in the City of Bishop for use as a municipal public park and senior center.

Recommendations for Council action:

- 1. CONCUR with the Board of Water and Power Commissioners' (Board) action of September 15, 2009, Resolution No. 010-093, authorizing the execution of Lease No. 0635 with the City of Bishop, covering 45.678 acres of City of Los Angeles owned property located in the City of Bishop, Inyo County, for use as a municipal public park and senior center, effective July 1, 2009 through June 30, 2049.**

2. **FIND** by a two-thirds vote, and in accordance with Charter Section 607, that a lease term longer than 30 years would be in the best interest of the City.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed agreement will result in annual lease compensation of \$1,000, subject to renegotiation each five-year period during the term of the lease. The City of Bishop is responsible for all related property taxes. Since the Los Angeles Department of Water and Power is bound only by the City Debt Management Policies, the City Financial Policies are not applicable. Approval of the proposed lease agreement will have no impact on the City's General Fund.

Community Impact Statement: None submitted.

TIME LIMIT FILE - OCTOBER 23, 2009

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

[10 VOTES REQUIRED, PURSUANT TO CHARTER SECTION 607]

ITEM NO. (4) - ADOPTED

[09-1731](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to Council oversight of the Housing Authority of the City of Los Angeles (HACLA).

Recommendation for Council action, as initiated by Motion (Perry - Garcetti):

INSTRUCT the Chief Legislative Analyst (CLA) to negotiate an amendment to the Cooperation Agreement between the City and HACLA to create a mechanism by which the City may exercise influence over and provide input into actions of the HACLA Board of Commissioners that impact the City and report to Council in 90 days with recommendations, subject to the review of the City Attorney as to form and legality.

Fiscal Impact Statement: The CLA reports that there is no impact to the General Fund.

Community Impact Statement: None submitted.

ITEM NO. (5) - ADOPTED

[09-2434](#)

CD 1

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to reprogramming \$124,000 of Community Development Block Grant (CDBG) funds from the Los Angeles Boys and Girls Club Athletic Field Project (LABGC Project) to the Cypress Park Youth and Family Center Expansion Project (CPYFC Project).

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

1. AUTHORIZE the use of:
 - a. \$124,000 in Urban Development Action Grant (UDAG) Miscellaneous Revenue funds to replace CDBG funds previously approved (Council file No. 09-0648-S6).
 - b. CDBG funds in the amount of \$124,000, previously allocated for the Los Angeles Boys and Girls Club, for the Cypress Park Youth and Family Center.
2. AUTHORIZE and DIRECT the Department of Public Works, Bureau of Engineering, to amend the existing Proposition K Grant Agreement (Contract No. C-108328) with the Los Angeles Boys and Girls Club to add \$124,000 in UDAG Miscellaneous Revenue funds, subject to the review of the City Attorney as to form and legality.

3. AUTHORIZE the Controller to:

- a. Establish account F400, titled LA Boys and Girls Club Athletic Field, and appropriate \$124,000 within UDAG Miscellaneous Revenue Fund 356 to said account.
- b. Decrease appropriations within the Community Development Trust Fund No. 424 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
FXXX	Los Angeles Boys and Girls Club	\$125,000

- c. Establish new accounts and appropriate within the Community Development Trust Fund No. 424 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
E414	Cypress Park Youth and Family Center	\$125,000

4. AUTHORIZE the General Manger, Community Development Department (CDD), or designee, to:
 - a. Amend the Housing and Community Development Action Plan as necessary, in accordance with the City's adopted Citizen's Participation Plan.
 - b. Prepare Controller instructions for any technical adjustments that may be necessary, subject to the review and approval of the City Administrative Officer (CAO), and authorize the Controller to implement such 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. (6) - ADOPTED

[09-2267](#)

CD 15

TRANSPORTATION COMMITTEE REPORT relative to the application of Warren E & P, Inc. (WEPI) and Warren Resources of California, Inc. (WRCI) for a propriety carrier pipeline franchise to operate existing pipelines within the City.

Recommendations for Council action:

1. FIND that WEPI and WRCI are in need of a propriety carrier pipeline franchise to operate and maintain existing pipelines within the City streets associated with the transportation of oil and water.
2. OFFER for sale a franchise to install, retain, operate, and maintain pipelines and adjunct communication lines within the City of Los Angeles, and if WEPI and WRCI are the highest responsible bidders, then award the franchise to WEPI and WRCI and adopt the franchise Ordinance.
3. INSTRUCT the City Clerk to publish the Notice of Sale of a Pipeline Franchise in accordance with Los Angeles Administrative Code, Section 13.17.

Fiscal Impact Statement: The Los Angeles Department of Transportation reports that WEPI and WRCI pipelines would occupy a total of 24,205 cubic feet of the City's right-of-way. Based on this volume and a October 2008 Los Angeles-Riverside-Orange County Area All Urban Consumers Consumer Price Index of 226.2, the franchise fee for 2009 is projected to be \$76,652.39.

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 7-18

(10 Votes Required for Consideration)

ITEM NO. (7) - 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)

**Roll Call #2 - Motion (Wesson - Reyes) Adopted, Ayes (11); Absent: Cárdenas, Huizar and Rosendahl (3)
(Item Nos. 8a-9)**

ITEM NO. (8) - ADOPTED

[09-0005-S649](#)

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 15, 2009:

[09-0005-S649](#)

CD 8

- a. Property at 4074 South Leimert Boulevard (Case No. 164052).
Assessor I.D. No. 5023-005-022

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 7, 2008)

[09-0005-S650](#)

CD 8

- b. Property at 8821 South Hoover Street (Case No. 219766).
Assessor I.D. No. 6038-015-020

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

[09-0005-S651](#)

CD 8

- c. Property at 8821 South Hoover Street (Case No. 75917).
Assessor I.D. No. 6038-015-020

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 20, 2007)

ITEM NO. (9) - ADOPTED

[09-1837](#)

CD 10

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 2815-19 West Jefferson Boulevard pursuant to 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 2, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 2815-19 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. (10) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #7 - Motion (Perry - Parks) to Adopt as Amended, Ayes (12); Absent: Cárdenas and Huizar (2)

[09-2559](#)

CONSIDERATION OF MOTION (PERRY - PARKS) relative to building permit requests for the Los Angeles Sports and Entertainment District project.

Recommendations for Council action:

1. DIRECT the Building and Safety Department to report to the City Council on whether it intends to exercise its duties under the City Charter to act on pending building permit requests for the Los Angeles Sports and Entertainment District project.
2. EXPRESS the Council's intent that its officials, including the Department of Building and Safety and the Department of City Planning shall consider, in its determination of applicability of the vested rights exception for signage permits for the Los Angeles Sports and Entertainment District project under the August 2009 amendment to the City signage ordinance, all prior approvals, agreements and permits issued by the City for the Los Angeles Sports and Entertainment District project.
3. DIRECT the Department of Building and Safety and Planning Department to report to the City Council whether it is their intention to comply with all obligations under existing agreements to issue building permits for remaining elements of the Los Angeles Sports and Entertainment District project which represent the logical progression of plans for the Los Angeles Sports and Entertainment District project which were previously approved by the City and the Community Redevelopment Agency.

Community Impact Statement: None submitted.

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

ADOPTED

MOTION (PERRY - PARKS - REYES)

Recommendation for Council action:

REQUEST the City Attorney to provide at the City Council meeting of October 30, 2009 a written legal analysis relative to their opinion that the General Manager of the Building and Safety Department does not have discretion to issue permits in this case.

ITEM NO. (11) - CONTINUED TO OCTOBER 30, 2009

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

[09-2515](#)

CONSIDERATION OF MOTION (ALARCON - SMITH) relative to developing and implementing a Wildfire Hillside Area Debris Flow Management Plan.

Recommendation for Council action:

INSTRUCT the Emergency Management Department to:

- a. Identify internal and external multi-agency partners to investigate risk of debris flows in burn areas.
- b. Develop methods needed to estimate the locations, probability of occurrence, and size of potentially destructive debris flows.
- c. Report back in two weeks to Council with risk ratings for Marek, Sayre, Sesnon, and Station Fire burn areas.
- d. Present to the Public Safety Committee within 15 days an accelerated timeline to create and implement a plan to execute emergency response, and individual and community recovery; said plan, to be known as the "Wildfire Hillside Area Debris Flow Management Plan," shall include public education using media and community forums to provide information on disaster preparedness, emergency response, and individual and community recovery components of the plan to begin by December 1, 2009.

Community Impact Statement: None submitted.

(Public Safety Committee waived consideration of the above matter)

ITEM NO. (12) - ADOPTED

Roll Call #2 - Motion (Wesson - Reyes) Adopted, Ayes (11); Absent: Cárdenas, Huizar and Rosendahl (3)

[09-2529](#)

CD 9

CONSIDERATION OF MOTION (PERRY - HUIZAR) relative to naming the intersection at Fifth Street and Grand Avenue "John Fante Square."

Recommendations for Council action:

1. NAME the intersection at Fifth Street and Grand Avenue "John Fante Square."
2. DIRECT the Los Angeles Department of Transportation to erect permanent ceremonial sign(s) as detailed above in Recommendation No. 1.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

ITEM NO. (13) - ADOPTED

Roll Call #10 - Motion (Hahn - Koretz) Adopted, Ayes (11); Absent: Cárdenas, Huizar and President Garcetti (3)

[09-2561](#)

CD 15

CONSIDERATION OF MOTION (HAHN - ROSENDAHL) relative to funding for traffic control signals and associated roadwork improvements at the intersection of Broad Avenue and Pacific Coast Highway.

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

1. AUTHORIZE the General Manager, Los Angeles Department of Transportation (LADOT), to negotiate and execute a cooperative agreement, and/or any other relevant document, with the California Department of Transportation (Caltrans) to allow payment of \$228,000 to Caltrans for the design and construction of traffic control signals and associated roadwork improvements at the intersection of Broad Avenue and Pacific Coast Highway.
2. AUTHORIZE the General Manager, LADOT, to UTILIZE \$228,000 within the Transportation Development Act (TDA) Article Three, Fund No. 207/94, Traffic Signal Program Account No. F320 for payment to Caltrans for the design and construction of the aforementioned improvements.
3. AUTHORIZE the General Manager, LADOT, to TRANSFER \$150,000 from the TDA Article Three, Fund No. 207/94, Traffic Signal Program Account No. F320 to Fund No. 100, Account No. 3360, Traffic Signal Supplies for the above purposes.

4. AUTHORIZE the General Manager, LADOT, to TRANSFER \$222,000 from TDA Article Three, Fund No. 207/94, Traffic Signal Program Account No. F320 to the Transportation Fund No. 100/94, Account No. 3040, Contractual Services, for the above purposes.

Community Impact Statement: None submitted.

(Transportation Committee waived consideration of the above matter)

ITEM NO. (14) - ADOPTED

Roll Call #11 - Motion (LaBonge - Hahn) Adopted, Ayes (11); Absent: Cárdenas, Huizar and President Garcetti (3) (Item Nos. 14a-14k)

09-2549

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:

09-2549

CD 4

- a. MOTION (LABONGE - HUIZAR) relative to declaring the Art Institute of California - Hollywood Grand Opening on October 20, 2009 a Special Event (fees and costs absorbed by the City = \$450).

09-2550

CD 15

- b. MOTION (HAHN - HUIZAR) relative to declaring the Locke High School Homecoming Parade on October 17, 2009 a Special Event (fees and costs absorbed by the City = \$2,226).

08-2455-S1

CD 15

- c. MOTION (HAHN - HUIZAR) relative to declaring the Fifth Annual Light at the Lighthouse on September 19, 2009 a Special Event (fees and costs absorbed by the City = \$4,731).

08-2710-S1

CD 13

- d. MOTION (GARCETTI - ZINE) relative to declaring the Blessed Sacrament Carnival on October 16-18, 2009 a Special Event (fees and costs absorbed by the City = \$1,126).

09-2551

CD 12

- e. MOTION (CARDENAS for SMITH - GARCETTI) relative to declaring the American Veterans Traveling Tribute: Vietnam Memorial Wall Exhibit on October 14-18, 2009 a Special Event (fees and costs absorbed by the City = \$830).

[08-2839-S1](#)

CD 5

- f. MOTION (KORETZ - PARKS) relative to declaring the Sherman Oaks Elementary Schoolhouse Haunt on October 24, 2009 a Special Event (fees and costs absorbed by the City = \$843).

[09-2552](#)

CD 5

- g. MOTION (KORETZ - PARKS) relative to declaring the Warner Avenue Elementary School Halloween Haunt on October 25, 2009 a Special Event (fees and costs absorbed by the City = \$583 in permit fees will be absorbed by the City, in addition, in accordance with department estimates, up to \$1,000 in salary or overtime costs will be absorbed by the City).

[07-0803-S5](#)

CD 11

- h. MOTION (ROSENDAHL - PARKS) relative to declaring the Mar Vista Farmers' Market on October 11, 18 and 25, 2009 a Special Event (fees and costs absorbed by the City = \$1,980 in permit fees will be waived, in addition, in accordance with department estimates, up to \$768 in salary or overtime costs will be absorbed by the City).

[08-2349-S1](#)

CD 11

- i. MOTION (ROSENDAHL - KORETZ) relative to declaring the Playa Del Rey Triathlon on October 18, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[09-2553](#)

CD 11

- j. MOTION (ROSENDAHL - PARKS) relative to declaring the Nowita Block Party on October 24, 2009 a Special Event (fees and costs absorbed by the City = \$830 in permit fees will be waived, in addition, in accordance with department estimates, up to \$440 in salary or overtime costs will be absorbed by the City).

[07-2562-S2](#)

CD 11

- k. MOTION (ROSENDAHL - KORETZ) relative to declaring the Caricabella Los Angeles Carnival on October 18, 2009 a Special Event (fees and costs absorbed by the City = \$639 in permit fees will be waived, in addition, in accordance with department estimates, up to \$5,418 in salary or overtime costs will be absorbed by the City).

ITEM NO. (15) - ADOPTED

Roll Call #12 - Motion (Hahn - Rosendahl) Adopted, Ayes (11); Absent: Cárdenas, Huizar and President Garcetti (3)

[09-2563](#)

MOTION (CARDENAS - HAHN) relative to appropriating funds for material testing and geotechnical engineering services.

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

1. AUTHORIZE the Controller to APPROPRIATE any funds received from the Los Angeles World Airports (LAWA) for materials testing and geotechnical engineering services performed under the Memorandum of Agreement approved under Board Resolution No. 23789 to General Services Fund No. 100/40, Revenue Source 4194, and APPROPRIATE as necessary into Account No. 1010 (Salaries), Account No. 1090 (Salaries Overtime) and Account 4500 (Laboratory Expenses).
2. AUTHORIZE the City Administrative Officer to make technical corrections as necessary.

**Roll Call #2 - Motion (Wesson - Reyes) Adopted, Ayes (11); Absent: Cárdenas, Huizar and Rosendahl (3)
(Item Nos. 16-18)**

ITEM NO. (16) - ADOPTED - FORTHWITH

[09-2543-S1](#)

CD 8

MOTION (PARKS - KORETZ) relative to funding for the Fourth Annual Taste of Soul cultural/arts event and community festival and the African Marketplace event on October 17, 2009.

Recommendations for Council action:

1. UTILIZE \$55,000 in the Council's portion of the Heritage Month Celebration & Special Events line item in the General City Purposes Fund No. 100/56, as follows: \$15,000 to fund any aspect of the Taste of Soul component of the African Marketplace event coordinated by Mothers in Action and \$40,000 to fund any aspect of the Fourth Annual Taste of Soul community event sponsored by Mothers in Action.
2. DIRECT the City Clerk to prepare any necessary document(s) with, and/or payment(s) in an amount not to exceed \$55,000 to Mothers in Action, or any other agency or organization, as appropriate, in the above amounts, for the above purpose, subject to the approval of the City Attorney, if needed, and that the City Clerk be authorized to execute any such documents on behalf of the City.
3. AUTHORIZE the City Clerk to make any technical corrections or clarifications to the above instructions in order to effectuate the intent of this Motion.

ITEM NO. (17) - ADOPTED

[09-2554](#)

CD 15

MOTION (HAHN - ROSENDAHL) relative to installing street banners identifying the Port of Los Angeles interface within the local communities and to celebrate the waterfront development.

Recommendations for Council action:

1. APPROVE the street banner program identifying the Port of Los Angeles interface within the local communities and to celebrate the waterfront development, as a City of Los Angeles Non-Event, Street Banner Program for the period of December 1, 2009 - November 30, 2010.
2. APPROVE the continuation of the street banner installation program, as described above, should unforeseen circumstances change the actual period of the street banner installation.

ITEM NO. (18) - ADOPTED

[08-3448-S1](#)

MOTION (PERRY - GARCETTI) relative to authorizing the Department of General Services (GSD) use of the City Hall Rotunda during the December 2009 Holiday Season.

Recommendation for Council action:

DIRECT the GSD to erect in the City Hall Rotunda during the December 2009 Holiday Season a Christmas Tree as well as to display appropriately any other symbols of holidays celebrated during this time such as Hanukah, Kwanzaa, Las Posadas, Ramadan and others.

Items for Which Public Hearings Have Been Held - Items 19-21

ITEM NO. (19) - ADOPTED - SEE FOLLOWING

Roll Call #6 - Motion (Zine - Koretz) Adopted, Ayes (11); Absent: Cárdenas, Huizar and Rosendahl (3)

[09-2454](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM THE MAYOR relative to the appointment of Mr. Douglas Collins to the Employee Relations Board.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Douglas Collins to the Employee Relations Board for the term ending September 23, 2014 to fill the vacancy created by Ms. Barbara E. Miller, whose term expired on September 23, 2009, is APPROVED and CONFIRMED. (Current Board gender composition: M=3; F=1; Vacancy=1)

Ethics Commission Review: Pending.

Background Check Review: Complete.

Community Impact Statement: None submitted.

TIME LIMIT FILE - NOVEMBER 16, 2009

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

(Personnel 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.)

(Continued from Council meeting of October 21, 2009)

ADOPTED

PERSONNEL COMMITTEE REPORT relative to the appointment of Mr. Douglas Collins to the Employee Relations Board.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Douglas Collins to the Employee Relations Board for the term ending September 23, 2014 to fill the vacancy created by Ms. Barbara E. Miller, whose term expired on September 23, 2009, is **APPROVED** and **CONFIRMED**. (Current Board gender composition: M=3; F=1; Vacancy=1)

Ethics Commission Review: Complete

Background Check Review: Complete

Community Impact Statement: None submitted

TIME LIMIT FILE - NOVEMBER 16, 2009

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

ITEM NO. (20) - ADOPTED

Roll Call #4 - Motion (Parks - Smith) Adopted, Ayes (11); Absent: Cárdenas, Huizar and Rosendahl (3)

[09-2127](#)

CONTINUED CONSIDERATION OF BUDGET AND FINANCE and PUBLIC SAFETY COMMITTEES' REPORT relative to Los Angeles Police Department (LAPD) attrition for the last four fiscal years.

Recommendation for Council action:

NOTE and FILE the LAPD report relative to attrition for the last four fiscal years 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 20, 2009)

ITEM NO. (21) - SUBSTITUTE MOTION ADOPTED, AS AMENDED, IN LIEU OF COMMITTEES' REPORTS - TO THE MAYOR FORTHWITH - SEE FOLLOWING

**Roll Call #8 - Motion (Koretz - Hahn) to Adopt Substitute Motion, As Amended, Ayes (11);
Absent: Cárdenas, Huizar and President Garcetti (3)**

[09-0600-S142](#)

CONTINUED CONSIDERATION OF BUDGET AND FINANCE and PUBLIC SAFETY COMMITTEES' REPORTS relative to reconsideration of the Budget and Finance Committee Minority Report recommendations 13a and 13b, relative to amending the emergency declaration to include sworn furloughs in the context of continuing negotiations with sworn personnel, and related matters.

RECEIVED AND FILED

A. BUDGET AND FINANCE COMMITTEE REPORT

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

1. INSTRUCT the Los Angeles Police Department (LAPD) to cease hiring after the October 2009 class and that an evaluation be conducted on a monthly basis, with a re-evaluation of hiring to be done when the number of sworn personnel drops below the 10,000 number.
2. INSTRUCT the LAPD and the Personnel Department to stop recruitment efforts inasmuch as over 1000 prospective applicants are currently in the candidate pool.
3. INSTRUCT the Budget and Finance and Public Safety Committees to meet in mid-January 2010 to assess future LAPD hiring and recruitment.
4. RECEIVE and FILE the Motion (Hahn - Zine) relative to instructing the LAPD to suspend sending any future letters out for new police officer hiring inasmuch as Recommendation No. 1 of this Committee report addresses this matter and no further action on this Motion is necessary.
5. INSTRUCT the City Administrative Officer (CAO), with the LAPD, to report back at the mid-January Joint Budget and Finance and Public Safety Committees' meeting on options to address the impact on the LAPD of:
 - a. 65 sworn personnel currently working in civilian administrative positions;
 - b. 16 sworn personnel assigned to the Los Angeles International Airport;
 - c. 518 permanent light duty sworn personnel; and,
 - d. 634 temporary light duty sworn personnel.

RECEIVED AND FILED

B. PUBLIC SAFETY COMMITTEE REPORT

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

1. INSTRUCT the Los Angeles Police Department (LAPD) to cease hiring after the October 2009 class and that an evaluation be conducted on a monthly basis, with a re-evaluation of hiring to be done when the number of sworn personnel drops below the 10,000 number.
2. INSTRUCT the LAPD and the Personnel Department to stop recruitment efforts inasmuch as over 1000 prospective applicants are currently in the candidate pool.
3. INSTRUCT the Budget and Finance and Public Safety Committees to meet in mid-January 2010 to assess future LAPD hiring and recruitment.
4. REQUEST the City Attorney and INSTRUCT the City Administrative Officer (CAO) to reconfigure the Emergency Resolution to include information relative to sworn furloughs, with the Resolution to specifically state that it not be implemented without a specific vote of the City Council.
5. RECEIVE and FILE the Motion (Hahn - Zine) relative to instructing the LAPD to suspend sending any future letters out for new police officer hiring inasmuch as Recommendation No. 1 of this Committee report addresses this matter and no further action on this Motion is necessary.
6. INSTRUCT the CAO and LAPD to report back at the mid-January Joint Budget and Finance and Public Safety Committees meeting on options to address the impact on the LAPD of:
 - a. 65 sworn personnel currently working in civilian administrative positions;
 - b. 16 sworn personnel assigned to the Los Angeles International Airport;
 - c. 518 permanent light duty sworn personnel; and,
 - d. 634 temporary light duty sworn personnel.

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

Community Impact Statement: None submitted.

(Continued from Council meeting of October 20, 2009)

ADOPTED, AS AMENDED

SUBSTITUTE MOTION (ZINE - SMITH - GARCETTI - ET AL.)

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

1. INSTRUCT the Los Angeles Police Department (LAPD) to defer the November Academy class consistent with Council and Mayor action to hire to attrition maintaining the size of the police force at 9963.

2. **INSTRUCT the LAPD, City Administrative Office (CAO), Chief Legislative Analyst and Personnel Department to provide with monthly written reports on hiring and attrition that include monthly and year-to-date figures on the following:**
 - a. **The number of officers on the police force.**
 - b. **The number of officers currently in the Academy.**
 - c. **The number of recruits scheduled to enter the Academy.**
 - d. **Planned Academy classes for the remainder of the fiscal year.**
 - e. **The actual number of officers enrolled in the DROP Program.**
 - f. **The actual number of officers enrolled in the DROP Program that must retire in the next 12 months and the month they must retire.**
 - g. **The actual number of officers that have retired from the LAPD**
 - h. **The actual number of officers that have attrited from the LAPD and the Police Academy.**
 - i. **The number of officers on permanent and long term restricted duly.**
 - j. **The number of officers hired back to the Department on the Bounce Program.**
 - k. **Options available to fund ongoing police hiring.**
3. **INSTRUCT the Personnel and Public Safety Committees shall meet in the middle of each month through the end of the fiscal year, beginning in November to assess future LAPD hiring, recruitment, and noticing of future Academy classes.**
4. **INSTRUCT the CAO and LAPD to report back on the mid-January Joint Budget and Finance and Public Safety Committees meeting on options to address the impact on the LAPD of:**
 - a. **65 sworn personnel currently working in civilian administrative positions.**
 - b. **16 sworn personnel assigned to the Los Angeles International Airport (LAX).**
 - c. **518 permanent light duty sworn personnel.**
 - d. **634 temporary light duly sworn personnel.**

ADOPTED

AMENDING MOTION (HAHN - KORETZ - PARKS)

Recommendation for Council action:

REQUEST the Chief of Police to re-assign all 16 LAPD officers for the LAX station to other duties, as these positions are not being reimbursed by Los Angeles World Airports, and until reimbursements is negotiated.

Item for Which Public Hearing Has Not Been Held - Item 22

(10 Votes Required for Consideration)

ITEM NO. (22) - ADOPTED - SUBSTITUTE MOTION "C" ADOPTED

Roll Call #13 - Motion (Perry - Parks) Adopted, Ayes (11); Absent: Cárdenas, Huizar and President Garcetti (3)
(Item Nos. 22a-22b, 22c substitute motion, 22d)

[09-2538](#)

et al.

CONTINUED CONSIDERATION OF 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:

[09-2538](#)

CD 9

- a. 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](#)

CD 9

- b. 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](#)

CD 8

RECEIVED AND FILED

- c. 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).

ADOPTED

SUBSTITUTE MOTION (PARKS - PERRY) relative to declaring the Second Annual NIKE Human Race on October 24, 2009 a Special Event to correct the street closure, as follows:

- 6) West Washington Boulevard from South Figueroa Street to South Hoover Street, 10 p.m. to 2:30 a.m.

[09-2543](#)

CD 10

- d. 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).

(Lost Quorum - Left on desk from Council meeting of October 21, 2009)

MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR FRIDAY, OCTOBER 23, 2009, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

ADOPTED - FORTHWITH

Roll Call #14 - Motion (Rosendahl - Koretz - Garcetti) Findings on Need to Act - Adopted, Ayes (11); Absent: Cárdenas, Huizar and President Garcetti (3)

Roll Call #15 - Motion (Rosendahl - Koretz - Garcetti) Adopted, Ayes (11); Absent: Cárdenas, Huizar and President Garcetti (3)

[09-2618](#)

MOTION (ROSENDAHL - KORETZ - GARCETTI) relative to City costs associated with the operation of the City's farmers' markets.

Recommendations for Council action:

1. REQUEST the Bureau of Street Services, as well as any other affected City Department, to defer implementation of any farmer's market related fees, for an additional two weeks in order to allow for the Chief Legislative Analyst to complete the terms of the new farmers' market fee structure.
2. ALLOW any regularly scheduled farmers' markets taking place between October 26, 2009 and November 9, 2009, whose permit would have expired during this period, to continue without penalty for this duration.

MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR FRIDAY, OCTOBER 23, 2009, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

ADOPTED - FORTHWITH

**Roll Call #16 - Motion (Hahn - LaBonge) Findings on Need to Act - Adopted, Ayes (11);
Absent: Cárdenas, Huizar and President Garcetti (3)**

**Roll Call #17 - Motion (Hahn - LaBonge) Adopted, Ayes (11); Absent: Cárdenas, Huizar and
President Garcetti (3)**

09-2595

MOTION (HAHN - LABONGE) relative to the acquisition of property to develop an outdoor space for the East Wilmington Greenbelt Recreation Center.

Recommendation for Council action:

WAIVE its review of the actions taken by the Board of Recreation and Park Commissioners at the Board meeting on October 21, 2009, relative to the termination of two Donation Agreements and escrow with the Union Pacific Railroad Company for the acquisition of the property near the East Wilmington Greenbelt Recreation Center, authorization to draft and execute successor Donation Agreements and Escrow Instructions with extended deadlines for this property, and related matters.

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

08-2878-S1

MOTION (LABONGE - HAHN) relative to declaring the Garfield Watch Halloween Block Party on October 25, 2009 a Special Event (fees and costs absorbed by the City = \$1,226).

08-2828-S1

MOTION (GARCETTI - REYES) relative to declaring the Who's Next Event on October 12, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

09-2621

MOTION (ROSENDAHL - KORETZ) relative to declaring the Four Legged Friends Foundation Event on October 24, 2009 a Special Event (fees and costs absorbed by the City = \$530 in permit fees will be absorbed by the City).

09-2596

MOTION (PARKS - LABONGE) relative to installing street banners identifying the Empowerment Congress Central Area Neighborhood Development Council (ECCANDC - a certified Neighborhood Council).

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[09-2501](#) - William J. Bratton

Garcetti - All Councilmembers

Peter Graves

Garcetti - LaBonge

Kirk L. Bible

Garcetti - All Councilmembers

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

[09-2500](#) - Rudolph Vincent De Leon

Hahn - All Councilmembers

Cullen Bryant

LaBonge - All Councilmembers

Soupy Sales

LaBonge - All Councilmembers

Sergeant Phil Jackson

Zine - All Councilmembers

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL