

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

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

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

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 36

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 1-17

ITEM NO. (1) - ADOPTED

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

[09-2519](#)

CD 3

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change for property at 19420 Wyandotte Street.

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. 09-2519 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 2007-0067 MND] filed on September 21, 2007.

2. ADOPT the FINDINGS of the South Valley Area Planning Commission (SVAPC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the SVAPC, effecting a zone change from RA-1 to (T)(Q)RD1.5-1 for the proposed demolition of an existing single-family dwelling with a detached garage and the construction of a seven lot, single-family, small lot subdivision on a net 22,664 square-foot lot located at 19420 Wyandotte Street, subject to Conditions of Approval.

Applicant: Greg Jones (Robert Fedor, Representative)

APCSV-2008-1588-ZC

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Council file.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
6. 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.
7. 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 SVAPC reports that there is no General Fund impact, as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 7, 2010

(LAST DAY FOR COUNCIL ACTION - JANUARY 6, 2010)

ITEM NO. (2) - ADOPTED

Roll Call #3 - Motion (Reyes - Parks) Adopted, Ayes (10); Absent: Cárdenas, Huizar, Koretz and Rosendahl (4)

[09-2630](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to a refund claim filed by Sotheby's International Realty Inc., for overpayment of business tax.

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

APPROVE the refund claim filed by Sotheby's International Realty Inc., for overpayment of business tax, in the amount of \$58,182.80, plus daily interest of \$9.56 which shall accrue from the date the claim was filed until the date the refund is paid.

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

Community Impact Statement: None submitted.

ITEM NO. (3) - ADOPTED, AS AMENDED - FORTHWITH

Roll Call #11 - Motion (Parks - Smith) to Adopt as Amended, Ayes (11); Absent: Rosendahl, Wesson and Zine (3)

09-2815

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICE and the CHIEF LEGISLATIVE ANALYST relative to Municipal Corporation of Los Angeles financing for the Vine Street and Aiso Street parking facilities, and Declaration of a Revised 2008-09 Special Parking Revenue Fund Surplus Transfer.

(Budget and Finance 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

BUDGET AND FINANCE COMMITTEE REPORT relative to Municipal Improvement Corporation of Los Angeles (MICLA) financing for the Vine Street Garage and Aiso Street Parking Facility projects and declaration of a revised 2008-09 Special Parking Revenue Fund surplus transfer.

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

1. **RECEIVE and FILE the Mayor's veto of the Declaration of the 2008-09 Special Parking Revenue Fund (SPRF) surplus (Council file No. 08-0600-S69).**
2. **APPROVE \$15 million in MICLA financing for the construction of the Vine Street Garage by the Department of Transportation (LADOT).**
3. **INSTRUCT the Bureau of Engineering to report in 60 days on the revised cost of the Vine Street Garage project after award of the construction contract.**
4. **REQUEST the City Attorney prepare a MICLA Reimbursement Resolution that allows the SPRF to be reimbursed for costs associated with the construction of the Vine Street Garage.**
5. **APPROVE \$6 million in MICLA financing for construction of the First and Aiso Public Parking Garage (Aiso Street) portion of the Police Administration Building project to replace funding from the SPRF for a total of \$23.43 million in MICLA financing.**
6. **RECEIVE and FILE the City Administrative Officer (CAO) report dated August 3, 2009 (Council file No. 08-0600-S69), inasmuch as the contents of that report are contained within the joint CAO/Chief Legislative Analyst (CLA) report attached to the file.**

7. **ADOPT** the recommendations of the CAO and CLA for the declaration and transfer of \$39.3 million for a 2008-09 SPRF surplus as detailed in Attachment 1 of the joint CAO/CLA report.
8. **INSTRUCT** the CAO to report back to the Budget and Finance Committee relative to the request to write off a \$19,592,562 Reserve Fund loan advanced to the LADOT on June 30, 2009.
9. **INSTRUCT** the LADOT to work with the CAO, CLA, and all Council Offices to develop a capital project policy to provide funding, through the SPRF, for parking-related capital projects.
10. **INSTRUCT** the CAO, CLA and **REQUEST** the City Attorney to prepare and present an Ordinance to amend Section 5.117 of the Los Angeles Administrative Code to specify which projects and accounts within the SPRF are eligible for loan or transfer to the Reserve Fund, and to create criteria for the repayment of loaned funds within two years to the SPRF.
11. **AUTHORIZE** the CAO to make any technical adjustments required to fulfill the intent of the Council.
12. **INSTRUCT** the CAO to use the Recovery Zone Economic Development bond program, if applicable, in conjunction with the MICLA bond issuance to finance the construction of the Vine Street Garage and Aiso Street parking structures.

Fiscal Impact Statement: The CAO and CLA report that approval of the recommendations contained in this report will provide up to \$39.3 million in surplus funding from the 2008-09 SPRF monies to the Reserve Fund, and the issuance of up to \$21 million in MICLA will be an obligation of the General Fund for 30 years, with annual debt service payments of \$1.6 million per year. If the use of MICLA is not approved, a maximum surplus funding of approximately \$20.7 million would be transferred to the Reserve Fund, or \$18.6 million less than what is anticipated. If no action is taken on a surplus declaration, the Reserve Fund will be negatively impacted in that no surplus funding will be transferred to the Reserve Fund. In addition, with the adoption of an Ordinance to repay funds transferred from the SPRF, the General Fund or Reserve Fund may be obligated to repay up to \$39.3 million to the SPRF within two years. The recommendations are consistent with City Financial Policies.

Debt Impact Statement: Issuance of the proposed \$21 million in MICLA will bring the total City debt service payment from 4.95 percent to a maximum of 4.99 percent (in 2010), which will remain within the six percent of General Fund revenues for non-voter approved debt limit as established in the City's Financial Policies, Debt Management Section. The \$21 million in MICLA issuance will result in annual debt service payments of approximately \$1.6 million for 30 years. Usage of the Recovery Zone Economic Development Bond program, if applicable, would offset the average interest portion of debt service by 45 percent, reducing the total average annual debt service obligation of the City to approximately \$1.2 million.

Community Impact Statement: None submitted.

ADOPTED

AMENDING MOTION (HUIZAR - PARKS)

Recommendation for Council action:

INSTRUCT the City Administrative Officer to report back to the Budget and Finance Committee in 45 days with an economic cost/benefits analysis of the Bringing Back Broadway parking project.

**Roll Call #3 - Motion (Reyes - Parks) Adopted, Ayes (10); Absent: Cárdenas, Huizar, Koretz and Rosendahl (4)
(Item Nos. 4-17)**

ITEM NO. (4) - ADOPTED

[07-3580-S1](#)

CD 1

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to the transfer of up to \$200,000 to the Department of General Services (GSD) for the installation and upgrade of security camera equipment in and around MacArthur Park.

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

1. ADOPT the accompanying joint RESOLUTION [attached to the Chief Legislative Analyst (CLA) report dated November 13, 2009] by the Community Redevelopment Agency (CRA) Board of Commissioners and Council making certain findings, pursuant to California Redevelopment Law Health and Safety Code Section 33445, related to the CRA's expenditure of Assembly Bill (AB) 1290 funds from the Westlake Recovery Redevelopment Project Area (Project Area) to pay for the installation and upgrade of City-owned cameras in and around MacArthur Park.
2. AUTHORIZE the Chief Executive Officer, CRA, or designee, to utilize AB 1290 funds in an amount not to exceed \$200,000 and allocate such to be expended under the terms of CRA Contract No. 503391 (Council file No. 09-0523), a Cooperation Agreement between the CRA and the GSD, Construction Forces Division (CFD), to fund the installation and upgrade of security camera equipment in and around MacArthur Park.
3. REQUEST and AUTHORIZE the Controller to:
 - a. Accept payment not to exceed \$10 million from the CRA for the aggregate of CRA Contract No. 503391 (Council file No. 09-0523), of which an amount not to exceed \$200,000 in compensation to the GSD, CFD, in this action for the design and construction of City-owned public improvements in and around MacArthur Park, and appropriate such amount into the GSD Fund 100/40, Revenue Account 3741, Revenue from the CRA, as payment for installation and other services provided by GSD, CFD.
 - b. Appropriate to GSD Fund 100/40, Account 3040, Contractual Services, as necessary for direct expenditures that may be required and are consistent with this action.

4. AUTHORIZE the General Manager, GSD, or designee, to prepare Controller instructions and/or make any technical adjustments that may be required and are consistent with this action, subject to approval of the City Administrative Officer, and AUTHORIZE the Controller to implement these instructions.

Fiscal Impact Statement: The CLA reports that there is no impact to the General Fund. The source of funds is Fiscal Year 2008-09 Project Area AB1290 funds. This action will provide funds to install camera equipment and a two-year maintenance agreement. Thereafter, an additional funding source would be required to be identified to extend the maintenance agreement.

Community Impact Statement: None submitted.

ITEM NO. (5) - ADOPTED

[08-1436](#)

CD 14

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to a First Amendment to a Master Lease and Sublease Agreement, and consent to an Assignment and Assumption Agreement for the benefit of USC Radiology Associates, Inc, a California non-profit corporation, or a related entity.

Recommendations for Council action:

1. FIND that the First Amendment to the Master Lease and Sublease Agreement and the Assignment and Assumption Agreement are necessary and appropriate to accomplish the City's community and economic development objectives.
2. ADOPT the accompanying RESOLUTION [attached to the Community Development Department (CDD) report dated October 7, 2009] relative to the authorization, execution, and delivery of a First Amendment to the Master Lease and Sublease Agreement; and consent to an Assignment and Assumption Agreement.
3. AUTHORIZE the General Manager, CDD, or designee, to:
 - a. Negotiate and execute all documents and agreements required for the execution and delivery of a First Amendment to Master Lease and Sublease Agreement among Siemens Public, Inc., as Lessor, City of Los Angeles, as Lessee, USC Radiology Associates, Inc., as Sublessee, and The Bank of New York Mellon, as Fiscal Agent, subject to the review of the City Attorney as to form and legality.
 - b. Negotiate and execute all documents and agreements required by the City to evidence its consent to an assignment and assumption between USC Radiology Associates, Inc. (Sublessee-Assignor) and USC Care Medical Group, Inc. (Assignee), subject to the review of the City Attorney as to form and legality.
 - c. Prepare, or cause to be prepared, subject to the review of the City Attorney as to form and legality, the following documents:
 - 1) First Amendment to Master Lease and Sublease Agreement.
 - 2) Assignment and Assumption Agreement.

- 3) Any other documents, agreements, or certificates necessary for the execution and delivery of the First Amendment to the Master Lease and Sublease Agreement and the Assignment and Assumption Agreement.

Fiscal Impact Statement: The CDD reports that there is no General Fund impact from the proposed First Amendment to the Master Lease and Sublease Agreement and the Assignment and Assumption Agreement. This action complies with the City's financial and debt management policies in that proceeds derived from the execution and delivery of the Master Lease and Sublease Agreement are generated from private investor capital and require no pledge of public funds for their backing or security.

Community Impact Statement: None submitted.

ITEM NO. (6) - ADOPTED

[09-2655](#)
CD 15

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the reallocation of \$400,000 of Community Development Block Grant (CDBG) funds from the Department of Recreation and Parks (DRP) to the Community Development Department (CDD) on behalf of the Boys and Girls Club of San Pedro for the Daniels Field Skate Park Project (Project).

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

1. APPROVE the reallocation of \$400,000 of CDBG funds from the DRP to the CDD on behalf of the Boys and Girls Club of San Pedro for the Project.
2. INSTRUCT the General Manager, CDD, or designee, to negotiate and execute a contract with the Boys and Girls Club of San Pedro for the Project, subject to the review of the City Attorney as to form and legality.
3. 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 this action, subject to the approval of the City Administrative Officer (CAO), and AUTHORIZE the Controller to implement these 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. (7) - ADOPTED

[09-2721](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to advancing \$250,000 of Municipal Housing Finance Funds (MHFF) to Restore Neighborhoods LA, Inc (RNLA), for eligible Neighborhood Stabilization Program (NSP) operational and administrative expenses.

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

1. AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD), or designee, to:
 - a. Loan \$250,000 from the MHFF to RNLA to be deposited into an interest bearing account and used to advance payment for NSP-eligible expenses, subject to a requirement that this amount shall be repaid in full, including interest earned on the account, at the end of the term of RNLA's contract with the City.
 - b. Prepare Controller instructions and make any necessary technical adjustments consistent with the Council's action on this matter, subject to the approval of the City Administrative Officer (CAO), and authorize the Controller to implement these instructions.
2. AUTHORIZE the Controller to:
 - a. Establish a new account and appropriate funds within MHFF, No. 815/43, as follows:

<u>Account</u>	<u>Title</u>
F818	RNLA NSP Account

- b. Transfer appropriations within MHFF, No. 815/43, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
F005	ACQ, Rehab, Const Dev. & Loan	\$250,000

<u>Account</u>	<u>Title</u>	<u>Amount</u>
F818	RNLA NSP Account	\$250,000

- c. Expend funds not to exceed \$250,000 from the above funds and accounts upon receipt of proper written demand from the General Manager, LAHD, or designee.

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. (8) - ADOPTED

[09-2032](#)

CDs 6 & 12

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to re-designating sections of Hayvenhurst Avenue, Valjean Avenue, and Vanowen Street as "Modified Industrial Local" and "Modified Secondary Highway."

Recommendations for Council action, pursuant to Motion (Cárdenas - Perry):

1. DIRECT the Department of City Planning (DCP), in coordination with the Los Angeles Department of Transportation (LADOT) and the Bureau of Engineering (BOE), to prepare and present the necessary documents and plan amendments to the "Streets and Highways Designation Map" of the Transportation Element of the General Plan to re-designate the streets described in the Motion to "Modified Industrial Local" and "Modified Secondary Highway."
2. DIRECT the DCP, LADOT and BOE in anticipation of the approval of these General Plan Amendments, to refrain from requiring dedications or street improvements to Industrial Local and Secondary Highway standards in connection with any proposed private or public improvements on Hayvenhurst Avenue, Valjean Avenue and Vanowen Street as described in the Motion.

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.

ITEM NO. (9) - ADOPTED

[09-2313](#)
CD 15

CATEGORICAL EXEMPTION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an appeal to impose conditions with respect to the operation of a cocktail lounge/bar known as Village Pub located at 2442 South Western Avenue.

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

1. FIND that this action is categorically exempt from California Environmental Quality Act pursuant to Article III, Section 1, Class 21(2) of the City's Environmental Guidelines.
2. ADOPT the FINDINGS of the Zoning Administrator, acting on behalf of the Director of Planning, as the Findings of the Council.
3. RESOLVE TO DENY APPEALS filed by Deborah Kahlo, Harbor Village (Stiles Wegener and J.B. Mirassou, Representatives) and Vincent Comparsi (Nieves and Associates, Representative) from the decision of the Zoning Administrator in whole and in part, and THEREBY SUSTAIN the decision of the Zoning Administrator, acting for the Director of Planning, in imposing conditions on the operation of the business known as Village Pub located at 2442 South Western Avenue.

Applicant: City of Los Angeles, Office of Zoning Administration DIR 2009-0035 (RV)

Fiscal Impact Statement: None submitted by the Planning Department. 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 - DECEMBER 1, 2009

(LAST DAY FOR COUNCIL ACTION - DECEMBER 1, 2009)

ITEM NO. (10) - ADOPTED

[09-2625](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a funding request for up to \$1.8 million from the Construction Services Trust Fund over a three-year period for eight on-call contracts for historic preservation consultant services.

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

1. APPROVE funding in the amount of \$1.8 million from the Construction Services Trust Fund, No. 438/50, to fund on-call contracts selected through the Historic Preservation Consultant Services Request for Qualifications for a period of three years from the date of contract execution.
2. AUTHORIZE the Director of Planning, or designee, to:
 - a. Negotiate and execute eight on-call contracts with the consultants identified in Attachment A of the City Administrative Officer (CAO) report, dated September 25, 2009, for the provision of as-needed historic preservation consultant services summarized in Attachment C of the CAO report, effective for 36 months from the date of contract execution, in substantial conformance with the proforma documents in Attachment E of the CAO report, subject to the approval of the City Attorney as to form and compliance with the City's contracting requirements.
 - b. Report to the Mayor and Council every six months with a status of Construction Services Trust Fund expenditures regarding the SurveyLA on-call historic preservation consultants.

Fiscal Impact Statement: The CAO reports that there is no General Fund impact. The source of funds includes the Construction Services Trust Fund, which has sufficient funds to finance this eligible request. Other sources will include: Getty Foundation Grant funds, Mills Act Historical Property Contract Program funds and revenue generated from Historic Preservation Overlay Zone surveys and plans. The recommended expenditures comply with the City's Financial Policies in that identified special funds will fully support this activity.

Community Impact Statement: None submitted

ITEM NO. (11) - ADOPTED

[09-2647](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a request for authority to execute Mills Act Historical Property Contracts.

Recommendation for Council action:

AUTHORIZE the Director of Planning, or designee, to execute 69 Mills Act Historical Property Contracts between the City and the property owners identified in the Department of City Planning (DCP) report, dated October 26, 2009, with four contracts subject to the final decision of the Director of Planning.

Fiscal Impact Statement: None submitted by DCP. 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. (12) - ADOPTED - TO THE MAYOR FORTHWITH

[08-2490](#)

PUBLIC SAFETY COMMITTEE REPORT relative to extending the 2008 Federal Emergency Management Agency (FEMA) Urban Search and Rescue (US&R) Task Force Readiness Cooperative Agreement, and the related transfer of funds for program expenses and equipment.

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

1. TRANSFER \$289,103 from Fund No.100/38, Account No. 1012 (Salaries, Sworn) to Fund No. 335/38, Account No. 008R, to support the necessary expense and purchase of equipment items that will be reimbursed by the FEMA grant.
2. AUTHORIZE the Fire Chief, or designee, to deposit the FEMA grant funds received under the US&R no-match Cooperative Agreement into Fund No. 335 (Fire Department Grants), Department No. 38.
3. TRANSFER FEMA grant funds, from Fund No. 335/38 to Fund No. 100/38, Accounts 1010 (General Salaries), 1012 (Sworn Salaries), and 1098 (Overtime Variable Staffing) based on Fire Department submissions to the City Administrative Officer (CAO) documenting actual costs incurred for this FEMA US&R no-match Cooperative Agreement Program through the end of the extended grant term of August 31, 2010.
4. TRANSFER the uncommitted balance of advanced funds as of April 1, 2010, from Fund No. 335/38, Appropriation Account No. 008R to Fund No. 100/38, Account No. 1012 (Sworn Salaries) to meet payroll need.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. The extension of time for the use of the FEMA grant funds is consistent with the City's Financial Policies in that Federal grant funds will be used for one-time expenses of the US&R task force.

Community Impact Statement: None submitted.

ITEM NO. (13) - ADOPTED - TO THE MAYOR FORTHWITH

[09-1589](#)

PUBLIC SAFETY COMMITTEE REPORT relative to modifying the 2008 State Homeland Security Grant Program (SHSGP), changing related contract authorities for the development of the Homeland Security Strategic Plan, and the creation of a new Fire service training project.

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

1. AUTHORIZE the Mayor, or designee, to:
 - a. Modify the 2008 SHSGP grant award in order to increase the grant amount to \$326,603.36, which includes \$217,463.36 dedicated to the Los Angeles - Long Beach Urban Area and Los Angeles County Operational Area Strategic Plan and \$109,140 dedicated to the Los Angeles City Fire Department's Improvised Explosive Device and Chemical, Biological, Radiological, Nuclear, and Explosive Response Training, for an unchanged grant performance period of October 23, 2008, through May 31, 2011.
 - b. Negotiate and execute an agreement with the County of Los Angeles totaling \$326,604 for receipt of 2008 SHSGP funds, for a term of up to 22 months within the applicable grant performance period, consistent with the approved, updated grant budget and in accordance with the pro forma agreement, provided as Attachments 1 and 2 to the Mayor's report to Council dated October 21, 2009 (attached to the Council file), subject to the approval of the City Attorney as to form and legality.

2. AUTHORIZE the Controller to:

- a. Increase the 2008 SHSGP grant receivable within in the SHSGP Grant Fund 49T/46, by \$26,603.36, for a new total of \$326,603.36.
- b. Decrease appropriations in the SHSGP Grant Fund 49T, Department 46, Account F503 "Contractual Services - EMD" by \$82,536.64, for a new total of \$217,463.36.
- c. Establish and appropriate the following account in the SHSGP Grant Fund 49T, Department 46:

<u>Fund/Dept</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
49T/46	F138	LAFD Training	\$109,140

- d. Transfer \$109,140 from the SHSGP Grant Fund 49T to the Fire Department's operating budget, upon presentation of proper documentation from the Fire Department and approval by the Mayor or designee, as follows:

	<u>Fund/Dept</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	49T/46	F138	LAFD Training	\$109,140
To:	100/38	1098	Overtime - Variable Staffing	\$109,140

3. AUTHORIZE the Mayor's Office of Homeland Security and Public Safety to prepare Controller's instructions for any necessary technical adjustments consistent with this action, subject to the approval of the City Administrative Officer (CAO); and AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. Approval of the above recommendations will increase the 2008 SHSGP allocation by \$26,604.36 for a new total of \$326,604.36. These actions are in compliance with City financial policies, as grant funds are sufficient to support the proposed grant activities.

Community Impact Statement: None submitted.

ITEM NO. (14) - ADOPTED - FORTHWITH

[09-2733](#)

PUBLIC SAFETY COMMITTEE REPORT relative to a Fire Department contract with TracStar Systems, Inc., for satellite and broadband services.

Recommendation for Council action:

AUTHORIZE the Fire Chief to execute a contract with TracStar Systems, Inc., for satellite and broadband services for the Fire Department, for an amount not to exceed \$30,000 per year, for the period July 1, 2009, through June 30, 2010, with four one-year renewal options, subject to the approval of the City Attorney as to form and legality.

Fiscal Impact Statement: The City Administrative Officer reports that no additional General Fund appropriation is required as costs for the contract are already provided in the Department's operating budget. Approving this contract complies with City financial policies.

Community Impact Statement: None submitted.

ITEM NO. (15) - ADOPTED

[06-2739](#)

CD 15

CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to vacating the alley easterly of Quay Avenue between G Street and F Street (VAC E1401022).

Recommendations for Council action:

1. FIND that the vacation of the alley easterly of Quay Avenue between G Street and F 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 the 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 A of the September 25, 2008 City Engineer report, attached to the Council file:

The alley easterly of Quay Avenue between G Street and F Street

3. ADOPT the FINDINGS of the City Engineer dated September 25, 2008, as the Findings of the Council.
4. ADOPT the accompanying City Engineer report dated September 25, 2008 to approve the vacation.
5. INSTRUCT the City Clerk to set a public hearing date for **JANUARY 6, 2010**.

Fiscal Impact Statement: The City Engineer reports that the applicant had originally paid a fee of \$6,420 for the initial investigation of this vacation request pursuant to Los Angeles Administrative Code (LAAC) Section 7.42. Any deficit fee to recover the cost pursuant to LAAC Section 7.44 may be required of the petitioner. Maintenance of the public easement by City Forces will be eliminated if this street is vacated.

Community Impact Statement: None submitted.

ITEM NO. (16) - ADOPTED

[08-3439](#)

CD 5

CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to vacating Laurel Avenue and Third Street Vacation District (Subsurface and Surface Vacation; VAC E1401128).

Recommendations for Council action:

1. FIND that the vacation Laurel Avenue and Third Street Vacation District (Subsurface and Surface Vacation) 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 the 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 C of the September 2, 2009 City Engineer report, attached to the Council file:
 - a. The westerly 2-foot portion of Laurel Avenue from the alley northerly of Third Street to approximately 82 feet southerly thereof (Surface Vacation)
 - b. The northerly 1-foot portion of Third Street below a depth of 10 feet below the sidewalk elevation from the westerly line of the existing 14-foot wide storm drain easement for approximately 82 feet to the westerly line of the petitioner's property (Subsurface Vacation).
3. ADOPT the FINDINGS of the City Engineer dated September 2, 2009, as the Findings of the Council.
4. ADOPT the accompanying City Engineer report dated September 2, 2009 to approve the vacation.
5. INSTRUCT the City Clerk to set a public hearing date for **JANUARY 6, 2010**.

Fiscal Impact Statement: The City Engineer reports that to date, the petitioner has paid a fee of \$13,910 for the investigation and processing of this vacation proceeding pursuant to Los Angeles Municipal Code (LAAC) Section 7.42. Any deficit fee to recover the cost pursuant to LAAC Section 7.44 may be required of the petitioner. Maintenance of the public easement by City Forces will be eliminated if this street is vacated.

Community Impact Statement: None submitted.

ITEM NO. (17) - ADOPTED

09-0317

CD 15

FINAL ENVIRONMENTAL IMPACT REPORT and PUBLIC WORKS COMMITTEE REPORT relative to vacating Avalon Boulevard and M Street Vacation District in connection with the construction of South Region Span K-8 No. 1 School (VAC E1401135).

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-09-031 LAUSD; SCH No. 2006101128), that are associated with the impacts of the street vacation of Avalon Boulevard and M Street Vacation District 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 22, 2008, attached to the Council file.
2. DIRECT that the 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 A of the September 28, 2009 City Engineer report, attached to the Council file:

The H-shaped alley easterly of Avalon Boulevard and southerly of M Street

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 September 28, 2009 City Engineer report, attached to the Council file.
4. AMEND the September 28, 2009 report of the City Engineer to delete the language contained in Condition No. 8 and replace with:

"That Los Angeles Unified School District will contact the Department of Transportation Citywide Traffic Control six months prior to opening the school for the preparation of a 'Pedestrian Safe Route to School' map and to coordinate the installation/implementation of any necessary school signs, school crosswalks, traffic signals, loading zones, pedestrian routes and crossing guards."

5. ADOPT the FINDINGS of the City Engineer dated September 28, 2009, as amended, as the Findings of the Council.
6. ADOPT the accompanying City Engineer report dated September 28, 2009, as amended, to approve the vacation.
7. INSTRUCT the City Clerk to set a public hearing date for **JANUARY 6, 2010.**

Fiscal Impact Statement: The City Engineer reports that to date, an estimated \$14,531.87 in charges have been expended in the investigation and processing of this vacation proceeding. Since Section 7.46 of the Los Angeles Administrative Code 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.

Items for Which Public Hearings Have Not Been Held - Items 18-31

(10 Votes Required for Consideration)

ITEM NO. (18) - ADOPTED - TO THE MAYOR FORTHWITH

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

[09-2715](#)

CDs 1, 4 & 10

COMMUNICATION FROM THE CITY CLERK and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to the reconfirmation and expansion of the Wilshire Center Merchant-Based Business Improvement District (BID).

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

1. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION confirming the Wilshire Center BID Annual Report and levying an annual assessment for the Wilshire Center BID's fifteenth operating year, January 1, 2010 to December 31, 2010.
2. DIRECT the City Clerk to schedule, prepare, publish, and mail the public hearing notice, as required by the provisions of Section 36500 et seq. of the California Streets and Highways Code.
3. INSTRUCT the City Clerk, subject to approval by the City Attorney as to form and legality, to prepare an enabling ordinance levying the special assessment for the Wilshire Center BID's fifteenth operating period beginning January 1, 2010 to December 31, 2010.
4. AUTHORIZE the City Clerk, subject to City Attorney approval, to prepare, execute and administer a contract between the City and the Wilshire Center Business Improvement Corporation to administer the Wilshire Center BID, if the Ordinance reconfirming the BID is adopted.
5. AUTHORIZE the Controller to provide, if necessary and available, an advance against the Wilshire Center BID 2010 assessment revenue in the amount of \$214,559.03 representing 25 percent of the anticipated BID revenue receipts, to the Wilshire Center Business Improvement Corporation, if the Ordinance reconfirming the BID is adopted.

Financial Impact Statement: The City Clerk reports that City Clerk expenses will be charged to the BID and will be recovered from assessments collected. The amount of recoverable costs for the BID's 2010 operating year will be \$25,747.08 or three percent (2 percent plus an additional 1 percent for processing of billing for a total of 3 percent) of the BID's annual assessments revenue.

This is a merchant-based BID and there are no assessments for City-owned properties within this BID, therefore there is no impact to the General Fund.

Community Impact Statement: None submitted.

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

ITEM NO. (19) - ADOPTED

Roll Call #4 - Motion (Alarcón - Reyes) Adopted, Ayes (10); Absent: Cárdenas, Huizar, Koretz and Rosendahl (4)

[09-0005-S731](#)

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 November 18, 2009:

[09-0005-S731](#)

CD 9

- a. Property at 1059 West 52nd Street aka 1061 West 52nd Street (Case No. 242379).
Assessor I.D. No. 5002-030-005

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 6, 2009)

[09-0005-S732](#)

CD 1

- b. Property at 1220 West Court Street aka 1222 West Court Street (Case No. 107076).
Assessor I.D. No. 5160-018-014

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 12, 2007)

[09-0005-S733](#)

CD 1

- c. Property at 1220 West Court Street aka 1222 West Court Street (Case No. 208503).
Assessor I.D. No. 5160-018-014

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

[09-0005-S734](#)

CD 15

- d. Property at 1306 North Neptune Avenue (Case No. 83045).
Assessor I.D. No. 7420-002-012

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 8, 2007)

[09-0005-S735](#)

CD 15

- e. Property at 1306 North Neptune Avenue (Case No. 238511).
Assessor I.D. No. 7420-002-012

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 23, 2009)

[09-0005-S736](#)

CD 14

- f. Property at 1437 East Pleasant Avenue aka 1437 1/2 East Pleasant Avenue (Case No. 249021).
Assessor I.D. No. 5174-021-003

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 17, 2009)

[09-0005-S737](#)

CD 10

- g. Property at 2125 South Alsace Avenue aka 2123 South Alsace Avenue (Case No. 122787).
Assessor I.D. No. 5062-008-017

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 1, 2008)

[09-0005-S738](#)

CD 15

- h. Property at 2220 South Barbour Court (Case No. 205274).
Assessor I.D. No. 7465-004-004

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

[09-0005-S739](#)

CD 1

- i. Property at 2801 North Huron Street aka 541 West Avenue 28 (Case No. 11905).
Assessor I.D. No. 5446-008-001

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 14, 2006)

[09-0005-S740](#)

CD 8

- j. Property at 3847 South Western Avenue aka 3849 South Western Avenue (Case No. 59462).
Assessor I.D. No. 5035-025-027

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 7, 2006)

ITEM NO. (20) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #13 - Motion (Parks - Smith) to Adopt as Amended, Ayes (10); Absent: Reyes, Rosendahl, Wesson and Zine (4)

[09-2143](#)

COMMUNICATION FROM CHAIR AND MEMBER, ENERGY AND ENVIRONMENT COMMITTEE relative to fees currently assessed for landscape projects in which lawns and parkways are replaced with drought-tolerant landscaping or synthetic turf and the feasibility of waiving permitting fees for those projects.

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

1. DIRECT the City Planning Department and the Department of Building and Safety, with assistance from the Los Angeles Department of Water and Power (LADWP) as necessary, to report back to the Council within 30 days on fees currently assessed for landscape projects in which lawns and parkways are replaced with drought-tolerant landscaping or synthetic turf, and the feasibility of ~~waiving~~ ***subsidizing** permitting fees for those projects. ***(Parks - Smith)**
2. DIRECT the City Attorney and the LADWP to report on the legality and feasibility of the LADWP ~~reimbursing~~ ***subsidizing** the Planning Department for waived permitting fees associated with drought tolerant landscaping. ***(Parks - Smith)**

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.

ADOPTED

AMENDING MOTION (PARKS - SMITH)

Recommendation for Council action:

DIRECT the Planning Department, Department of Building and Safety and Los Angeles Department of Water and Power, as necessary, to report back on the number of annual permits for said projects and on potential sources of funding to subsidize permitting fees as stated in the Motion.

**Roll Call #4 - Motion (Alarcón - Reyes) Adopted, Ayes (10); Absent: Cárdenas, Huizar, Koretz and Rosendahl (4)
(Item Nos. 21-23)**

ITEM NO. (21) - ADOPTED

[09-2756](#)

COMMUNICATION FROM THE CITY CLERK and RESOLUTION relative to Mid-City Recovery Redevelopment Project Area Committee (PAC) election.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION approving the certified results of votes cast at the Community Redevelopment Agency Mid-City Recovery Redevelopment PAC election conducted by the Office of the City Clerk, Election Division on October 27, 2009, for the various candidates at the election for 31 vacancies in the categories of Existing Community Organization, Business Owner-Manufacturing/Industrial, Business Owner-Non-Manufacturing/Non-Industrial, Residential Owner Occupant/Residential Tenant.

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.

ITEM NO. (22) - ADOPTED

[09-2365](#)

CD 11

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 17719 West Posetano Road 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 26, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 17719 West Posetano Road.
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.

ITEM NO. (23) - ADOPTED

[09-2366](#)

CD 11

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 17713 West Posetano Road 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 26, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 17713 West Posetano Road.
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.

ITEM NO. (24) - ADOPTED

Roll Call #14 - Motion (Alarcón - Cárdenas) Adopted, Ayes (10); Absent: Reyes, Rosendahl, Wesson and Zine (4)

[09-2642](#)

CONSIDERATION OF MOTION (ALARCON - KORETZ) relative to criminalizing the practice of wage theft in the City of Los Angeles.

Recommendation for Council action:

REQUEST the City Attorney, with the assistance of the Los Angeles Police Department, and in collaboration with the UCLA Downtown Labor Center and the National Day Laborer Organizing Network, to prepare an ordinance to criminalize the practice of wage theft in the City of Los Angeles and increase tracking and enforcement of wage theft and present said ordinance in 90 days to the Jobs and Business Development Committee.

Community Impact Statement: None submitted.

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

ITEM NO. (25) - ADOPTED

Roll Call #4 - Motion (Alarcón - Reyes) Adopted, Ayes (10); Absent: Cárdenas, Huizar, Koretz and Rosendahl (4)

[09-1295-S1](#)

CONSIDERATION OF MOTION (PERRY - ROSENDAHL) relative to the reappointment of the Councilmember from Council District 11 as the City's alternate member for the seat on the Exposition Metro Line Construction Authority.

Recommendation for Council action:

REAPPOINT the Councilmember from Council District 11 as the City's alternate member for the seat on the Exposition Metro Line Construction Authority that is occupied by the Councilmember from Council District Nine.

Community Impact Statement: None submitted.

(Transportation Committee waived consideration of the above matter)

ITEM NO. (26) - SUBSTITUTE MOTION ADOPTED IN LIEU OF ORIGINAL MOTION - SEE FOLLOWING - FORTHWITH

Roll Call #15 - Motion (Perry - LaBonge) to Substitute Adopted, Ayes (10); Absent: Reyes, Rosendahl, Wesson and Zine (4)

[09-2788](#)

CD 10

MOTION (WESSON - LABONGE) relative to a donation to the City of a bronze bust of the Honorable Nate Holden (ret.) likeness, to be displayed at the Nate Holden Performing Arts Center.

Recommendations for Council action:

1. ACCEPT the donation by the Honorable Nate Holden (Ret.) of a bronze bust of his likeness by the sculptor Nijel Binns, to be displayed at the Nate Holden Performing Arts Center, and with the further condition(s) that if at any time in the future the City of Los Angeles makes a finding that they have no further use of the bust, it is to be returned to the Honorable Nate Holden or his heirs, at a first option.
2. INSTRUCT the Department of General Services to take possession of the gift and to thank the donor on behalf of the City.

ADOPTED

SUBSTITUTE MOTION (WESSON - ZINE)

Recommendations for Council action:

1. **ACCEPT** the donation by the Honorable Nate Holden (Ret.) of a bronze bust of his likeness by the sculptor Nijel Binns, to be displayed at the Nate Holden Performing Arts Center, and with the further condition(s) that if at any time in the future the City of Los Angeles makes a finding that they have no further use of the bust, it is to be returned to the Honorable Nate Holden or his heirs, at a first option.
2. **INSTRUCT** the Department of General Services to take possession of the gift (estimated value of \$30,000 to \$40,000) and to thank the donor on behalf of the City.

ITEM NO. (27) - ADOPTED

Roll Call #16 - Motion (Perry - Parks) Adopted, Ayes (10); Absent: Reyes, Rosendahl, Wesson and Zine (4)

[09-0011-S46](#)

CD 9

MOTION (PERRY - PARKS) relative to funding for enhanced efforts for transit related projects, sidewalk projects, curb/sidewalk improvements, beautification projects needed to improve conditions for public transit patrons, and all expenses relating or incidental thereto in Council District Nine.

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

1. TRANSFER \$50,000 from the Council District Nine portion of the Street Furniture Revenue Fund No. 43D/50 to the Council District Nine portion of the Council Fund No. 100/28, Account No. 1010 (Salaries - General) to provide funding for enhanced efforts relative to transit related projects, sidewalk projects, curb/sidewalk improvements, beautification projects needed to improve conditions for public transit patrons, and all expenses relating for incidental thereto in Council District Nine.
2. AUTHORIZE the City Clerk to make any technical corrections or clarifications to the above fund transfer instructions in order to effectuate the intent of this Motion.

ITEM NO. (28) - ADOPTED

Roll Call #4 - Motion (Alarcón - Reyes) Adopted, Ayes (10); Absent: Cárdenas, Huizar, Koretz and Rosendahl (4)

[09-0011-S52](#)

CD 4

MOTION (LABONGE - PARKS) relative to funding for enhanced efforts for transit related projects, sidewalk projects, curb/sidewalk improvements, beautification projects needed to improve conditions for public transit patrons, and all expenses relating or incidental thereto in Council District Four.

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

1. TRANSFER \$75,000 from the Council District Four portion of the Street Furniture Revenue Fund No. 43D/50 to the Council District Four portion of the Council Fund No. 100/28, Account No. 1010 (Salaries - General) to provide funding for enhanced efforts relative to transit related projects, sidewalk projects, curb/sidewalk improvements, beautification projects needed to improve conditions for public transit patrons, and all expenses relating for incidental thereto in Council District Four.
2. AUTHORIZE the City Clerk to make any technical corrections or clarifications to the above fund transfer in order to effectuate the intent of this Motion.

ITEM NO. (29) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #17 - Motion (Parks - Perry) Adopted, Ayes (10); Absent: Reyes, Rosendahl, Wesson and Zine (4)

MOTION (PARKS - PERRY) relative to funding to develop a website to provide public transit users, residents, businesses and visitors to the Eighth Council District information regarding traffic conditions and bus line detours during the Expo Line Construction.

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

1. INSTRUCT the Bureau of Street Services to prepare an agreement or other necessary document with Cartifact/Civic Resources Group for development and delivery of a website with an interactive map, and related training of Council District Eight staff to permit management and updating of website content; such website to include, but not limited to, the following capabilities to permit public transit users and others in Council District Eight to receive real time updates on street closures, but route changes, and other issues affecting street conditions:
 - a. Interactive map which allows users to select a destination and learn of scheduled events at that destination, in addition to street improvement, light rail construction/bus thoroughfare infrastructure improvements, and other events affecting street conditions and/or requiring the re-routing of public transit at any point on the map.
 - b. E-mail blasts to instantaneously urgent messages to public transit users, residents, businesses and others throughout the Council District.
 - c. Videomessaging and blogging.
2. AUTHORIZE the Councilmember of Council District Eight to enter into, and execute an agreement or other necessary document with Cartifact/Civic Resources Group, in the amount of \$25,000 for the above described agreement.
3. INSTRUCT the Bureau of Street Services to ensure that an invoice is submitted by Cartifact/Civic Resources Group to the Board of Public Works, Office of Accounting, of the actual expenditures for the performance of the above work, with detailed accounting of such expenditures.
4. AUTHORIZE the Chief Legislative Analyst, or designee, to make any technical corrections or clarifications as may be necessary to implement the intent of this Motion.
5. AUTHORIZE the Board of Public Works, Office of Accounting and the Controller, as required, to TRANSFER \$25,000 from the Council District Eight portion of the Street Furniture Revenue Fund No. 43D/50 to Fund No. 100/28 (Council), Account No. 3040 (Contractual Services), for development and delivery of the above described website and training of City staff to manage and update website content.

ITEM NO. (30) - ADOPTED

Roll Call #4 - Motion (Alarcón - Reyes) Adopted, Ayes (10); Absent: Cárdenas, Huizar, Koretz and Rosendahl (4)

MOTION (REYES - PERRY) relative to reprogramming Community Development Block Grant (CDBG) funds for predevelopment costs associated with the former Villa Palacios project in Council District One.

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

1. REPROGRAM CDBG funds in an amount of \$585,000 from the Cypress Park Lighting District and the Casa Alicia Restoration Project for predevelopment costs incurred by Las Villas, Inc. for the CDBG-funded Villa Palacios project, subject to Community Development Department review, as to eligibility.
2. AUTHORIZE the Controller to:
 - a. Establish new account FXXX Las Villas and appropriate \$585,000 within Fund No. 425 Community Development Trust Fund.
 - b. Decrease appropriations within Fund No. 4254 Community Development Trust Fund, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
C185	Cypress Park Lighting District	\$177,180
C446	Casa Alicia Restoration Project	<u>407,820</u>
	Total	<u>\$585,000</u>

3. AUTHORIZE the General Manager, Community Development Department, or designee, to:
 - a. Negotiate and execute a loan agreement with Las Villas, Inc. in an amount not to exceed \$585,000 for predevelopment costs associated with the former Villa Palacios project in Council District One, subject to City Attorney as to form.
 - b. Amend the Housing and Community Development Action Plan as necessary, in accordance with the City's adopted Citizen's Participation Plan.
 - c. Prepare Controller instruction and/or make any technical adjustments that may be required and are consistent with this action subject to the approval of the City Administrative Office and authorize the Controller to implement these instructions.

ITEM NO. (31) - MAPS AND BONDS APPROVED - CITY ENGINEER'S REPORTS ADOPTED

Roll Call #18 - Motion (LaBonge - Hahn) Adopted, Ayes (10); Absent: Reyes, Rosendahl, Wesson and Zine (4)

et al. FINAL MAPS in the various Council Districts.

Recommendation for Council action:

APPROVE the Final Maps and ADOPT the City Engineer Reports as detailed in the various listed Council files, including bonds, agreements, contracts and other related issues, as specified:

[07-2128](#)

CD 5

- a. FINAL MAP OF TRACT NO. 67917 located at 837-57 Croft Avenue and 8430-32 Willoughby Avenue lying westerly of Croft Avenue and southerly of Willoughby Avenue.
(Bond No. C-116203)
(Quimby Fee: \$147,246)
Applicants: Farhad Larian
Reynaldo T. De Rama

[09-2803](#)

CD 4

- b. FINAL MAP OF TRACT NO. 66825 located at 311 South Gramercy Place lying westerly of Gramercy Place and southerly of Third Street.
(Quimby Fee: \$177,180)
Applicants: 311 Gramercy, LLC
Robert R. Sims, RCE

Items Called Special

Motions for Posting and Referral

Councilmembers' Requests for Excuse from Attendance at Council Meetings

Closed Sessions - Items 32-34

ITEM NO. (32) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #6 - Motion (Parks - Smith) Adopted in Open Session, Ayes (10); Absent: Cárdenas, Huizar, Koretz and Rosendahl (4)

[09-2656](#)

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 Randall Laur v. City of Los Angeles, Workers' Compensation Appeals Board Case Nos. VNO500282, et al., Claim Nos. 9003-1971-7779, et al. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a Captain in the Los Angeles Fire Department.)

(Budget and Finance Committee considered the above matter in Closed Session on November 16, 2009.)

ADOPTED

MOTION (PARKS - SMITH)

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

1. **AUTHORIZE** the City Attorney to enter into a settlement in the case entitled Randall Laur v. City of Los Angeles, Workers' Compensation Appeals Board Case Nos. VNO500282, et al., Claim Nos. 9003-1971-7779, et al., through three separate Stipulated Awards in the total amount of \$121,022.50 plus a life pension of \$38,149.80 at the weekly rate of \$50.25 payable at the conclusion of permanent disability payments.
2. **AUTHORIZE** the City Attorney to execute the Stipulated Awards with all appropriate parties for submission to the Workers' Compensation Appeals Board for its award of payment.

ITEM NO. (33) - RECEIVED AND FILED

Roll Call #5 - Motion (Garcetti - Parks) Adopted to Receive and File, Unanimous Vote (10); Absent: Cárdenas, Huizar, Koretz and Rosendahl (4)

[09-0418](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Peter Tagliaferri v. City of Los Angeles, Los Angeles Superior Court Case No. LC080574. (This action arises from a personal injury incident which occurred on June 2, 2007.)

(Budget and Finance Committee considered the above matter in Closed Session on November 2, 2009.)

ITEM NO. (34) - CONTINUED TO DECEMBER 2, 2009

Roll Call #2 - Motion (Parks - Smith) Adopted to Continue, Unanimous Vote (10); Absent: Cárdenas, Huizar, Koretz and Rosendahl (4)

[09-2627](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Robert C. Stein v. City of Los Angeles, et al., Los Angeles Superior Court Case No. SC 095276. (This case arises out of a dangerous condition of public property claim against the City as a result of malfunctioning traffic control signals.)

(Budget and Finance Committee considered the above matter in Closed Session on November 9, 2009.)

(Continued from Council meeting of November 18, 2009)

Items for Which Public Hearings Have Been Held - Items 39-41

ITEM NO. (39) - ADOPTED, AS AMENDED - *SEE FOLLOWING

Roll Call #10 - Motion (Parks - Smith) to Adopt as Amended, Ayes (11); Absent: Rosendahl, Wesson and Zine (3)

[09-0600-S151](#)

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

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

1. APPROPRIATE \$841,366.28 to accounts as specified in Attachment 5 of the City Administrative Officer (CAO) Report (Attached).
2. TRANSFER \$4,508,781.35 between accounts within various departments and funds as specified in CAO Attachment 6.
3. TRANSFER \$23,422,209.81 between various departments and funds as specified in CAO Attachment 7.
4. APPROPRIATE \$280,000 to the Fire Department from the Unappropriated Balance as specified in CAO Attachment 8.
5. DIRECT departments to cease all expenditures in Salaries, Overtime (refer to CAO Attachment 9) except for cash payouts mandated by Memoranda of Understanding with labor organizations or the Administrative Code, unless otherwise authorized by the Council.
6. APPROVE the following actions to allow the Community Development Department (CDD) to reimburse the General Fund for costs associated with the Enterprise Zone Tax Credit Program as authorized by Ordinance No. 176632:
 - a. Establish new accounts and Appropriate \$429,087 within the Enterprise Zone Tax Credit Fund No. 48L/22 from the available cash balance, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
F122	Community Development	\$ 282,434
F299	Related Costs	\$ 146,653

- b. Appropriate, in accordance with the above recommendation, \$282,434 from the Enterprise Zone Tax Credit Fund No. 48L/22, Account F122, Community Development, to various accounts within CDD Fund No. 100/22, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries, General	\$ 250,736
6010	Office and Administrative	\$ 1,000
6030	Rent and Parking	\$ 30,698

7. APPROVE the following actions to allow the CDD to reimburse the General Fund for administrative expenses related to Workforce Investment Act (WIA) - American Reinvestment and Recovery Act (ARRA) activities:

a. Transfer \$533,825 within WIA - ARRA Fund No. 51G/22, from Account No. F279, WIA - Rapid Response - ARRA, to the following accounts:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
F122	Community Development	\$ 484,842
F299	Related Costs	\$ 48,983

b. Appropriate in accordance with the above recommendation, \$484,825 from CDD WIA - ARRA Fund No. 51G/22, Account F122, Community Development, to various accounts within CDD Fund No. 100/22, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries, General	\$ 83,746
3040	Contractual Services	\$ 200,000
6010	Office and Administrative	\$ 30,000
6020	Operating Supplies	\$ 167,292
6300	Rent and Parking	\$ 3,804

8. TRANSFER expenditures from WIA Fund No. 44A/22 to WIA - ARRA Fund No. 51G/22 in an amount not-to-exceed \$2,500,000 upon proper demand of the General Manager, CDD, or designee, to move expenditures into the correct fund.
9. TRANSFER expenditures from L.A. Hope Fund No. 48D/22 to WIA Fund No. F44A/22 in an amount not-to-exceed \$7,189.98 upon proper demand of the General Manager, CDD, or designee, to reimburse expenditures previously paid by WIA.
10. AUTHORIZE the CDD and the Controller to change the title of Fund No. 51J from "Department of Education - Youth Program" to "Department of Education - Improvement of Education Program" to appropriately describe the receipts and disbursements to be tracked in this fund.
11. TRANSFER \$774,000 from the Reserve Fund to the Unappropriated Balance and APPROPRIATE therefrom to Fund No. 100/56, Account 0506, Annual City Audit/Single Audit to complete payment for audit services performed in 2008-09.
12. APPROPRIATE \$150,000 within the Central Los Angeles Recycling and Transfer Station Fund No. 47S/14 to new Account No. F128, entitled "~~Council~~" **"Council District 14"** from the available cash balance; and APPROPRIATE therefrom to Council Fund No. 100/28, Account No. 1070, Salaries As-Needed. ***(Huizar - Parks)**
13. REAPPROPRIATE funds totaling \$59,038 in Cultural Affairs Fund No. 100/30 from the unencumbered 2008-09 balance of Account 9832, entitled "Matching Grant Program" into the same account for the Cultural Exchange International Program.
14. INSTRUCT El Pueblo to prepare the necessary documents to repay \$103,000 of its outstanding \$418,465 Reserve Fund Loan from available cash within the El Pueblo Historical Monument Fund No. 737/33.

15. DIRECT the Fire Department to identify alternate savings to offset unrealized savings originally expected from the Modified Deployment Plan and report back with recommendations.
16. AUTHORIZE the Controller to decrease appropriations by \$365 within Federal Emergency Shelter Grant Fund No. 517/43, Account No. F299, Related Costs to reflect the final entitlement award from the U.S. Department of Housing and Urban Development for the Emergency Shelter Grant.
17. AUTHORIZE the Controller to increase appropriations in the amount of \$27,462 within Housing Opportunities for Persons with AIDS (HOPWA) Fund No. 569/43, Account F143, Housing, and correspondingly increase appropriations by a like amount in Housing Department Fund 100/43, Account 1010, Salaries General to reflect the final entitlement award from the U.S. Department of Housing and Urban Development.
18. AUTHORIZE the Controller, in accordance with Recommendation Nos. 2 and 17, to expend funds not to exceed the noted amounts from Fund Nos. 569, 440, and 41M upon proper written demand of the General Manager, LAHD, or designee.
19. APPROVE the use of \$8,862,000 in Municipal Investment Corporation of Los Angeles (MICLA) financing included in the 2009-10 Budget for the following seven projects in the amounts identified below:

<u>Project</u>	<u>Amount</u>
18 GHz Microwave Replacement	\$ 900,000
Police Department Fiber Upgrade	\$3,600,000
Mount Lee Electrical Upgrade	\$1,280,000
Network Infrastructure	\$2,200,000
Consolidated Server Infrastructure	\$ 232,000
Fire Department Antenna System Upgrade	\$ 250,000
800 MHz Radio System Upgrade	\$ 400,000

20. TRANSFER \$629,568 previously reappropriated under Budget authority from Mayor Fund No. 100/46, Account No. 3040, Contractual Services to City Attorney Fund No. 100/12 Account No. 1010, Salaries General, for services performed in support of the CLEAR Program.
 - a. Reduce Appropriations previously reappropriated under Budget authority by \$376,472 in the Mayor's Office Fund No. 100/46, Contractual Services Account No. 3040, to recognize related costs associated with services performed by the City Attorney's Office for the CLEAR Program.
21. AUTHORIZE the Controller to increase appropriations by \$224,172.81 from grant reimbursement funds in the Office of Traffic Safety Fund No. 48F/46, Account No. C202, Contractual Services, to Mayor Fund No. 100/46, Account No. 3040, Contractual Services for Safe Moves DUI - Prevention expenditures.
22. AUTHORIZE the Mayor's Office to accept a reimbursement in the amount of \$133,979.04 from Community Partners and deposit as a General Fund receipt; and thereafter AUTHORIZE the Controller to increase appropriations to Mayor Fund No. 100/46, Account No. 1070, Salaries As-Needed for salary costs associated with the Million Trees LA.

23. TRANSFER \$45 million in appropriations within Police Department Fund 100/70 from Account No. 1092, Sworn Overtime, to Account No. 1012, Sworn Salaries, to offset the deficit using savings from the recently approved agreement with the Los Angeles Police Protective League.
24. REAPPROPRIATE \$77,626 in the Police Department Fund No. 100/70, from the unencumbered 2008-09 account balances as detailed below, into the same accounts for purchases for new facilities:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
6010	Office and Admin. Expense	\$42,435
7300	Furniture, Office and Tech Equipment	\$35,191

25. RESCIND Recommendation No. 13 in the First Financial Status Report (Council file No. 09-0600-S141), in accordance with Recommendation No. 2 concerning transfers within the Forfeited Assets Trust Fund corresponding with the revised Forfeited Assets Trust Fund Schedule 3.
26. TRANSFER \$150,000 in appropriations within the Community Development Trust Fund No. 424/22 from Account No. F431, River Rangers, to Account No. F174, Public Works Board; and APPROPRIATE therefrom to Public Works Board Fund No. 100/78, Account No. 3040, Contractual Services.
27. DIRECT the Bureau of Sanitation and the Office of the City Administrative Officer (CAO) to report back within 60 days on the fiscal impact of modifying the current Solid Waste Fee Lifeline Program to be consistent with other existing City Lifeline Programs (e.g. Sewer Service Charge, Department of Water and Power fees).
28. REAPPROPRIATE \$929,229.96 from the Community Development Trust Fund No. 424/22 as follows to enable the PW - Bureau of Street Lighting to complete various lighting improvement projects initiated in 2008-09:
- a. Transfer appropriations totaling \$929,229.96 within the Community Development Trust Fund No. 424/22, into new Account No. F184 entitled "Public Works Street Lighting" from the accounts as specified below:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
E421	Sun Valley Lighting Imprv	\$ 7,321.67
E184	Public Works Street Lighting	\$ 921,908.29

- b. Appropriate, in accordance with the above recommendation, \$929,229.96 from the Community Development Trust Fund No. 424/22, Account No. F184, Public Works - Street Lighting to accounts within the PW - Bureau of Street Lighting Fund No. 100/84, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries General	\$ 36,721.96
1090	Salaries, Overtime	\$ 88,300.00
3040	Contractual Services	\$ 734,208.00
8780	St. Lighting Improvement Supplies	\$ 70,000.00

29. APPROPRIATE \$307,799 within the Subventions and Grants Fund No. 305/50 to new Account No. F186, entitled "PW - St. Services" from receipts in Revenue Source Code No. 3741, Revenue from Community Redevelopment Agency, for the Bonnie Brae/Pico Blvd, Case Street and Sixth Street projects.

- a. Appropriate \$307,799, in accordance with the above recommendation, from Subventions and Grants Fund No. 305/50, Account No. F186, PW - St. Services, to various accounts within Street Services Fund No. 100/86, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries, General	\$172,368
1090	Salaries, Overtime	\$ 43,092
3030	Construction Expense	\$ 61,559
3040	Contractual Services	\$ 3,078
6010	Office & Administrative	\$ 9,234
6020	Operating Supplies	\$ 18,468

30. APPROPRIATE \$13,225 within the Subventions and Grants Fund No. 305/50 to Account No. F186, PW - St. Services from receipts in Revenue Source Code No. 3734, Reimbursement from Other Funds/Departments, for street print repairs.

- a. Appropriate, in accordance with the above recommendation, \$13,225 from Subventions and Grants Fund No. 305/50, Account No. F186, PW - St. Services, to various accounts within Street Services Fund No. 100/86, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries, General	\$ 7,405
1090	Salaries, Overtime	\$ 1,852
3030	Construction Expense	\$ 2,645
3040	Contractual Services	\$ 133
6010	Office and Administrative	\$ 397
6020	Operating Supplies	\$ 793

31. REAPPROPRIATE \$393,472 from the Public Works Trust Fund No. 834/50, Account 186E, Bureau of Street Services and TRANSFER to accounts within the Bureau of Street Services Fund No. 100/86, as detailed below:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries, General	\$ 49,472
1090	Salaries, Overtime	\$ 24,000
1100	Hiring Hall, Salaries	\$ 24,000
1120	Hiring Hall, Benefits	\$ 8,000
1190	Hiring Hall, Overtime	\$ 4,000
3030	Construction Expense	\$ 224,000
3040	Contractual Services	\$ 4,000
3330	Utilities Expense	\$ 4,000
6010	Office & Administrative	\$ 8,000
6020	Operating Supplies	\$ 44,000

32. RESCIND Recommendation No. 2 in the Personnel Committee Report relative to funding for the One Stop Special Events Permit Procedure and Fee Subsidy Program (Council file No. 09-0600-S135) as the funding is already provided for this purpose within the Street Services Fund.
33. INSTRUCT the City Clerk to unencumber \$90,059.98 in the 2008-09 General City Purposes Fund 100/56, Account No. 0306, Official Visits of Dignitaries.
 - a. Authorize the Controller, in accordance with the above recommendation, to process an early reversion in the amount of \$90,059.98 from the Uncommitted Balance in the 2008-09 General City Purposes Fund 100/56, Account 0306, Official Visits of Dignitaries to the Reserve Fund; and appropriate therefrom to the 2009-10 General City Purposes Fund 100/56, Account No. 0306, Official Visits of Dignitaries.
34. AUTHORIZE the Controller, in accordance with Recommendation No. 3 concerning MICLA appropriations to the Department of General Services (GSD), Information Technology Agency (ITA) and Bureau of Street Services (BSS), to TRANSFER cash from the appropriated MICLA account to reimburse the General Fund on an as needed basis upon proper documentation from GSD, ITA or BSS, and approval of the requesting departments and the CAO.
35. AUTHORIZE the CAO to make technical corrections as necessary to those transactions included in this report to implement Mayor and Council intentions.
36. DIRECT Departments to immediately return vehicles flagged for inventory reduction to the General Services Department.
37. FIND that the current status of the Reserve Fund indicates that a transfer of \$13 million from the fund to cover the remaining Shared Responsibility and Sacrifice for the Fire Department is not feasible (Council file No. 09-1861).
38. INSTRUCT the CAO, with the Zoo Department, to report back to the Budget and Finance Committee relative to the feasibility of implementing parking fees at the Los Angeles Zoo and Botanical Gardens.
39. INSTRUCT the CAO to report back to the Council relative to expenditures made in response to requests for Mutual Aid, which upon reimbursement are then deposited into the General Fund rather than the departments which have expended the funds, thus creating deficits in the concerned department budgets.

Fiscal Impact Statement: The City Administrative Officer reports that the remaining 2009-10 Budget deficit is estimated at \$98.1 million, which reflects projected savings from the implementation of new agreements with the Coalition of City Unions and the Los Angeles Police Protective League, the Early Retirement Incentive Program, and other proposed budget-balancing measures. The projected shortfall in revenue is estimated at \$75 million. Other impacts from pending lawsuits and shortfalls in department accounts cannot be accurately quantified at present, but will be addressed in future reports. Accounting for proposed Reserve Fund loans and transfers, including reappropriations recommended in this report, the current Reserve Fund balance is estimated at \$122 million (consisting of \$121 million in the Emergency Reserve Account and \$1 million in the Contingency Reserve Account).

Transfers, appropriations and other adjustments totaling approximately \$90.8 million are recommended in this report. It is also recommended that departments be directed to cease spending approximately \$28.6 million in uncommitted funds in department overtime accounts - with the exception of cash pay outs mandated by Memoranda of Understanding between the City and labor organizations or the Administrative Code - unless otherwise authorized by Council.

Community Impact Statement: None submitted.

**Roll Call #1 - Motion (Alarcón - LaBonge) Adopted to Continue, Unanimous Vote (10);
Absent: Cárdenas, Huizar, Koretz and Rosendahl (4)
(Item Nos. 40-41)**

ITEM NO. (40) - CONTINUED TO DECEMBER 8, 2009

[08-1783](#)

CONTINUED CONSIDERATION OF JOBS AND BUSINESS DEVELOPMENT COMMITTEE REPORT relative to the ten hardest to film locations in the City of Los Angeles.

Recommendations for Council action:

1. REQUEST FilmLA to report to the Jobs and Business Development Committee on a quarterly basis relative to issues in connection with the ten hardest to film locations in the City of Los Angeles as defined by the Motion Picture and Theatrical Trade Teamsters, Local 399.
2. REQUEST FilmLA to prepare a rental cost survey of frequently filmed locations in the City of Los Angeles and report back to the Jobs and Business Development Committee with its findings.
3. REQUEST Motion Picture and Theatrical Trade Teamsters, Local 399 to report to the Jobs and Business Development Committee relative to criteria used to create its list of the ten hardest to film locations in the City of Los Angeles.

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.

ITEM NO. (41) - CONTINUED TO DECEMBER 8, 2009

[08-1783-S2](#)

CONTINUED CONSIDERATION OF JOBS AND BUSINESS DEVELOPMENT COMMITTEE REPORT relative to the implementation of a program to provide City-owned parking lots at no cost to film and television productions.

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

1. DIRECT the Department of General Services (GSD) to implement a program within 30 days to provide City-owned parking lots at no cost to film and television productions after operating hours and including special events; and further, DIRECT that said program shall include an exception for the cost of providing a Parking Attendant on site, as detailed in the October 28, 2009 GSD report, attached to the Council file.

2. AUTHORIZE that all future filming services and use fee revenues for the GSD be deposited into the Motion Picture Coordination Fund, No. 417, retroactive to July 1, 1996.
3. AUTHORIZE the Controller and the GSD to TRANSFER funds from the Motion Picture Coordination Fund No. 417 to GSD Fund 100/40, Salaries Overtime Account No. 1090 to GSD Fund 100/40, Salaries Overtime Account No. 1090, Salaries General Account No. 1010, Salaries As-Needed Account No. 1070 as reimbursement for direct expenditures for the GSD providing parking services for filming; and further, AFFIRM that the GSD will be providing parking attendants in lieu of security officers as part of said parking services.
4. INSTRUCT the GSD to provide accounting services for the Trust Fund within existing staff levels.
5. DIRECT that the program to provide City-owned parking lots at no cost to film and television productions should be provided in all available City parking lots after operating hours, including special events, as detailed in the October 28, 2009 GSD report, attached to the Council file.
6. DIRECT that those customers of City-owned parking facilities who are monthly parking permit holders will not be displaced from their parking spaces while the parking facility is being utilized by the film production company.
7. INSTRUCT the GSD to report back to the Jobs and Business Development Committee in 30 days with recommendations relative to City-owned parking lots that could be utilized by film and television production companies during operating hours that would be revenue-neutral or offered at a discount and that would cause no harm to local businesses.
8. INSTRUCT the GSD to create a list of City-owned parking lots, to include maps of each lot, hours of operation and report back to the Jobs and Business Development Committee with said list.
9. INSTRUCT the GSD to provide information in regard to City-owned parking facilities to FilmLA as a means of promoting filming activity in the City of Los Angeles with said information to be distributed as part of the film permitting process.

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

Community Impact Statement: None submitted.

RECONSIDERATION OF ITEM NO. 31, CF 09-2722, FROM COUNCIL MEETING OF TUESDAY, NOVEMBER 24, 2009 - ADOPTED, AS AMENDED - *SEE FOLLOWING - FORTHWITH

Roll Call #7 - Motion (Garcetti - Alarcón) Adopted to Reconsider, Ayes (12); Absent: Koretz and Rosendahl (2)

Roll Call #8 - Motion (Garcetti - Alarcón) to Adopt as Amended, Ayes (13); Absent: Rosendahl (1)

09-2722

CONSIDERATION OF MOTION (GARCETTI - SMITH) relative to developing a group that is responsible for economic impact analysis as well as a process for incorporating the use of economic impact analysis in legislative decision making.

Recommendations for Council action:

1. **INSTRUCT** the Chief Legislative Analyst (CLA) and the City Administrative Officer (CAO), in conjunction with the City Attorney *and various stakeholder groups, to report back to the Budget and Finance Committee within 60 days on a proposal to develop a group that is responsible for economic impact analysis, as well as a process for incorporating the use of economic impact analysis in legislative decision making. This report should be based upon the best practices established by the City/County of San Francisco and also include recommendations on where to locate this new office to ensure independence and objectivity. *(Garcetti - Smith)
2. **REQUEST** the City Attorney and the CLA to provide input on whether a Charter amendment is required to effectively implement such a program.

Community Impact Statement: None submitted.

(Housing, Community, and Economic Development and Jobs and Business Development Committees waived consideration of the above matter)

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

[09-0010-S57](#)

MOTION (HAHN - LABONGE) relative to an offer of reward for information leading to the identification, apprehension and conviction of the person(s) responsible for the death of David Medina on July 21, 2009.

[09-2868](#)

MOTION (GARCETTI - PERRY) relative to funding for the beautification of the Highland Medians.

[09-2871](#)

MOTION (LABONGE - HAHN) relative to looking at alternative ways to administer the Dear Santa letters.

[09-2865](#)

MOTION (PERRY - GARCETTI) relative to authorizing the Department of General Services (GSD) use of the City Hall Tom Bradley Tower on December 16, 2009.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[09-2501](#) - Detective III Clarence William "Bill" Speer

(Garcetti - All Councilmembers)

Layers of Love

(Garcetti - All Councilmembers)

At the conclusion of this day's Council Session

ADJOURNING MOTIONS WERE ADOPTED in tribute to the memory of:

09-2500 - Naomi Johnson	(Cardenas)
Carolyn Copeland Brownell	(Hahn)
Thomas P. O'Malley	(LaBonge)
William Fuqua	(LaBonge)
Hoyt S. Pardee	(LaBonge)
Dennis Cole	(LaBonge)
Jerry A. Miller	(Huizar)
JV "Chuy" Bustamante	(Smith - All Councilmembers)

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL