Los Angeles City Council, Journal/Council Proceedings
Tuesday, December 1, 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: Hahn, Koretz, LaBonge, Parks, Reyes, Rosendahl, Smith, Wesson, Zine and President Garcetti (10); Absent: Alarcón, Cárdenas, Huizar and Perry (4); Vacant: Council District Two


COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 24

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

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

Items Noticed for Public Hearing - Items 1-8

ITEM NO. (1) - RECEIVED AND FILED

Roll Call #1 - Motion (Wesson - Zine) Adopted to Receive and File, Unanimous Vote (10); Absent: Alarcón, Cárdenas, Huizar and Perry (4)

08-0210
CD 3
HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the cost of fencing of the lot at 7601 North Gazette Avenue. (Lien: $300)

Roll Call #2 - Motion (Wesson - Zine) Adopted, Ayes (10); Absent: Alarcon, Cardenas, Huizar and Perry (4)
(Item Nos. 2-3)

ITEM NO. (2) - PUBLIC HEARING CLOSED - LIEN CONFIRMED

09-0079
CD 14
HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the cost of demolition of the building(s) at 4628 East Cassatt Street. (Lien: $7,178.22)
ITEM NO. (3) - PUBLIC HEARING CLOSED - LIEN CONFIRMED

09-2279 CD 8
HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the cost of cleaning of the lot at 3117 West 63rd Street. (Lien: $689.20)

ITEM NO. (4) - RECEIVED AND FILED

Roll Call #1 - Motion (Wesson - Zine) Adopted to Receive and File, Unanimous Vote (10);
Absent: Alarcón, Cárdenas, Huizar and Perry (4)

09-2280 CD 9
HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings, fencing of the lot and graffiti abatement at 702 East 88th Place. (Lien: $13,297.42)

Roll Call #2 - Motion (Wesson - Zine) Adopted, Ayes (10); Absent: Alarcon, Cardenas, Huizar and Perry (4)
(Item Nos. 5-6)

ITEM NO. (5) - PUBLIC HEARING CLOSED - LIEN CONFIRMED

09-2281 CD 6
HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings and cleaning and fencing of the lot at 15045 West Bassett Street. (Lien: $10,297.15)

ITEM NO. (6) - PUBLIC HEARING CLOSED - LIEN CONFIRMED

09-2282 CD 10
HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the cost of barricading of all openings at 3028 South Edgehill Drive. (Lien: $4,077.16)

ITEM NO. (7) - CONTINUED TO DECEMBER 8, 2009

Roll Call #3 - Motion (Wesson - Zine) Adopted to Continue, Unanimous Vote (12); Absent: Huizar and Perry (2)

09-1462 CD 10
CONTINUED CONSIDERATION OF HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the cost of cleaning of the lot at 3939 South Wellington Road. (Lien: $524.79)
ITEM NO. (8) - PUBLIC HEARING CLOSED

Roll Call #9 - Motion (LaBonge - Perry) Adopted to Close Public Hearing, Ayes (13); Absent: Huizar (1)

HEARING OF PROTESTS relative to the establishment of the Highland Park Property Business Improvement District (BID), pursuant to Sections 6.600 through 6.620 of Chapter 9 of the Los Angeles Administrative Code and Article XIII D of the California Constitution.

(Pursuant to Council adoption of Ordinance No. 180894 on October 6, 2009. Public announcement of the tabulation of ballots is on Wednesday, December 2, 2009.)

Items for Which Public Hearings Have Been Held - Items 9-22

Roll Call #4 - Motion (Hahn - Parks) Adopted, Ayes (10); Absent: Alarcon, Cardenas, Huizar and Perry (4) (Item Nos. 9-14)

ITEM NO. (9) - ADOPTED

BUDGET AND FINANCE COMMITTEE REPORT relative to outside counsel expenditures for Fiscal Year (FY) 2008-09.

Recommendation for Council action:

NOTE and FILE the City Attorney report relative to outside counsel expenditures for FY 2008-09 inasmuch as the report is submitted for information only and no further Council action is necessary.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (10) - ADOPTED

BUDGET AND FINANCE COMMITTEE REPORT relative to the sale of surplus motorcycles at below market value to the San Fernando Police Department.

Recommendations for Council action, pursuant to Motion (Garcetti - Zine):

1. AUTHORIZE the sale of two Kawasaki 1000 police motorcycles to the San Fernando Police Department (SFPD) for the below market price of $1.00 each, in accordance with Los Angeles Administrative Code Section 22.547.
2. REQUEST the City Attorney to expedite preparation of the appropriate documents to effectuate the sale and transfer of the above identified surplus equipment at below market value to the SFPD.

3. INSTRUCT the City Clerk to inform SFPD [Robert R. Ordelheide, Chief of Police, 910 First Street, San Fernando, CA 91340 (818) 898-1267] that the surplus equipment must be claimed within 60 days from the date of Council approval of the request at which time they will revert to the City's surplus equipment pool for disposal by the Department of General Services.

Fiscal Impact Statement: The Chief Legislative Analyst reports that the sale of two Kawasaki 1000 police motorcycles at below market value is consistent with the City's Financial Policies as the SFPD is a police department of a neighboring city, whose border is contiguous with the City of Los Angeles. This below market sale will increase the General Fund by $2.00.

Community Impact Statement: None submitted.

ITEM NO. (11) - ADOPTED

09-2433

BUDGET AND FINANCE COMMITTEE REPORT relative to the sale at below market value of surplus riot helmets to the Bainbridge Island Police Department.

Recommendations for Council action, pursuant to Motion (Garcetti - Zine):

1. AUTHORIZE the sale of 75 used riot helmets to the Bainbridge Island Police Department (BIPD) for the below market price of $1.00 each, in accordance with Los Angeles Administrative Code (LAAC) Section 22.547.

2. REQUEST the City Attorney to expedite preparation of the appropriate documents to effectuate the sale and transfer of the above identified surplus equipment at below market value to the BIPD.

3. INSTRUCT the City Clerk to inform the BIPD [Detective Trevor Ziemba, 625 Winslow Way East, Bainbridge Island, WA., 98110 (206) 842-5211] that the surplus riot helmets must be claimed within 60 days from the date of Council approval of the request, at which time they will revert to the City's surplus equipment pool for disposal by the Los Angeles Police Department.

Fiscal Impact Statement: The Chief Legislative Analyst reports that the proposed sale of this equipment would have a net positive fiscal impact on the General Fund by eliminating the need to expend $415, at a minimum, to dispose of this equipment.

Community Impact Statement: None submitted.

ITEM NO. (12) - ADOPTED

09-2631

BUDGET AND FINANCE COMMITTEE REPORT relative to a refund claim filed by Blue Cross of California/C for overpayment of business tax.
Recommendation for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

APPROVE the refund claim filed by Blue Cross of California/C in the amount of $520,764.33, for overpayment of business tax.

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. (13) - ADOPTED - FORTHWITH TO THE MAYOR

09-2766

BUDGET AND FINANCE COMMITTEE REPORT relative to appropriations for outside counsel.

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

1. TRANSFER $2,013,545 from the Unappropriated Balance, Outside Counsel Including Workers’ Compensation line item to the City Attorney, Fund No. 100/12, Account No. 9301.

2. AUTHORIZE the City Attorney’s Office to amend to increase maximum compensation for the following contracts by these respective amounts:

   Albright Yee and Schmit - Nunez (C111576) $400,000
   Albright Yee and Schmit - Tso (C111570) $300,000
   Albright Yee and Schmit - Tomassi (C113673) $100,000
   Bird Marella - Wallace (C108962) $110,000
   Burke Williams and Sorensen - Grobeson (C115056) $125,000
   Colantuono Levin and Rozell - TUT (C106214) $100,000
   Eisenberg Raizman - Fahmie/Carter/Pineda (C113455) $160,000
   Greenberg Traurig - Intellectual Property (C106379) $4,545
   Ivie McNeill and Wyatt - Lee (C111607)  $25,000
   Liebert Cassidy and Whitmore - Ackley (C109849) $ 20,000
   Liebert Cassidy and Whitmore - Batts (C111749) $250,000
   Liebert Cassidy and Whitmore - Gravina (C111751) $10,000
   Liebert Cassidy and Whitmore - Haro (C109883) $10,000
   Liebert Cassidy and Whitmore - Mata (C113155) $40,000
   Meyers Nave - Las Lomas (C114347) $ 30,000
   Meyers Nave - Monterey Hills (C112986) $150,000
   Orrick Herrington - TUT (C111591) $ 60,000

3. AUTHORIZE the City Attorney to enter into a contract with Liebert Cassidy and Whitmore for the Alaniz Retaliation case in an initial amount not to exceed $80,000.

4. AUTHORIZE the City Attorney to enter into a contract with Liebert Cassidy and Whitmore for the LAPPL case in an initial amount not to exceed $9,000.

5. AUTHORIZE the City Attorney to enter into a contract with Liebert Cassidy and Whitmore for the Petersen Law Firm case in an initial amount not to exceed $30,000.
6. AUTHORIZE the City Attorney to amend the term of its contract number 111576 with Albright Yee and Schmit to November 20, 2006 through November 19, 2010.

7. AUTHORIZE the City Attorney to amend the term of its contract number 111749 with Liebert Cassidy to October 25, 2006 through October 24, 2010.

8. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer (CAO), and AUTHORIZE the Controller to implement the instructions.

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

Community Impact Statement: None submitted.

[Council may recess to Closed Session pursuant to Government Code Sections 54956.9(a) and/or (b), to confer with its legal counsel relative to the above matter.]

ITEM NO. (14) - ADOPTED

09-2812

MOTIONS (PARKS - LABONGE - GARCETTI) and (PARKS - LABONGE) and COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST relative to a review and analysis of proposed agreements for the City of Los Angeles to become a Host City for the 2018 or 2022 Fédération Internationale de Football Association (FIFA) World Cup, including the impact to the City of approving the agreements and formally submitting a bid to host the 2018 or 2022 FIFA World Cup.

(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 proposed agreements for the City of Los Angeles to become a Host City for the 2018 or 2022 Fédération Internationale de Football Association (FIFA) World Cup.

Recommendations for Council action, as initiated by Motion (Parks - LaBonge - Garcetti):

1. APPROVE the Host City Agreement between the FIFA, the Local Organizing Committee, and the City of Los Angeles for the 2018 and/or 2022 FIFA World Cup, and AUTHORIZE the Chief Legislative Analyst (CLA) to execute that agreement, subject to the approval of the City Attorney as to form and legality.
2. **DIRECT** the CLA, with the assistance of the City Administrative Officer (CAO) and the City Attorney to negotiate a complete and binding application for the 2018 and/or 2022 FIFA World Cup. This application shall ensure that the City's General Fund and liability interests are protected.

3. **REQUEST** that the Los Angeles Coliseum Commission obtain from the USA Bid Committee copies of all executed agreements from other potential Host Cities to determine if any changes have been proposed to the FIFA Host City agreement.

**Fiscal Impact Statement**: None submitted by the CLA. Neither the CLA nor CAO have completed a financial analysis of this report.

**Community Impact Statement**: None submitted.

**ITEM NO. (15) - ADOPTED**

Roll Call #10 - Motion (Koretz - LaBonge) Adopted, Ayes (13); Absent: Huizar (1)

**09-0002-S174**

INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT and RESOLUTION relative to the City's position on Congressional action to name the final health care legislation in honor of Senator Edward Moore “Ted” Kennedy.

Recommendation for Council action, pursuant to Resolution (Koretz - Alarcón), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to include in the City’s 2009-10 Federal Legislative Program SUPPORT of Congressional action to name the final health care legislation in honor of Senator Edward Moore “Ted” Kennedy.

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

**Community Impact Statement**: None submitted.

Roll Call #4 - Motion (Hahn - Parks) Adopted, Ayes (10); Absent: Alarcon, Cardenas, Huizar and Perry (4) (Item Nos. 16-22)

**ITEM NO. (16) - ADOPTED**

**09-2114**

INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Los Angeles Police Commission for the Los Angeles Police Department (LAPD) for the period July 8, 1938 through December 31, 2005.
Recommendation for Council action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the Los Angeles Police Commission for the LAPD (PDX – 446 Boxes) for the period July 8, 1938 through December 31, 2005.

Fiscal Impact Statement: The City Clerk reports that the retention of 446 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of $69.58 per month, or $834.96 per year.

Community Impact Statement: None submitted.

[These records will be retained for a period of 60 days after the City Council’s action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 473-8449 or via email at Todd.Gaydowski@lacity.org to arrange for inspection of records.]

ITEM NO. (17) - ADOPTED

09-2613

INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the City Clerk for the period May 19, 2005 through May 19, 2006.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the City Clerk, Election Division (CLK/03 – 17 Boxes), for the period May 19, 2005 through May 19, 2006.

Fiscal Impact Statement: The City Clerk reports that the retention of 17 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of $2.65 per month, or $31.80 per year.

Community Impact Statement: None submitted.

[These records will be retained for a period of 60 days after the City Council’s action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 473-8449 or via email at Todd.Gaydowski@lacity.org to arrange for inspection of records.]

ITEM NO. (18) - ADOPTED

09-2731

INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Department of Building and Safety for the period January 1, 1973 through September 29, 2006.

Recommendation for Council action:
ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the Department of Building and Safety (BAS – 872 Boxes) for the period January 1, 1973 through September 29, 2006.

Fiscal Impact Statement: The City Clerk reports that the retention of 872 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of $136.03 per month, or $1,632.36 per year.

Community Impact Statement: None submitted.

[These records will be retained for a period of 60 days after the City Council’s action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 473-8449 or via email at Todd.Gaydowski@lacity.org to arrange for inspection of records.]

ITEM NO. (19) - CONTINUED TO JANUARY 20, 2010

09-0973
CD 11

CONTINUED CONSIDERATION OF MITIGATED NEGATIVE DECLARATION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a Tentative Tract appeal for property at 1046-48 West Princeton Drive.

Recommendations for Council action:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the 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. 09-0973 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 2004-1396 MND] filed on March 25, 2004.

2. ADOPT the FINDINGS of the West Los Angeles Area Planning Commission (WLAAPC), as the Findings of the Council.

3. RESOLVE TO GRANT APPEAL filed by Barton Hill Neighborhood Organization/Myra Perez, Director Community Organization, Susanne Browne, Legal Aid Foundation of Los Angeles, (Representative), from part of the decision of the WLAAPC, and THEREBY APPROVE Tentative Tract No. 60907-2A-M1-2A for a proposed one-lot subdivision to create 30 residential condominium units in conjunction with the adaptive reuse of an existing commercial building located at 1046-48 West Princeton Drive, subject to Conditions of Approval, as modified for Condition No. 12, and attached to the Committee report.
4. RESOLVE TO DENY APPEAL filed by Arnold Bernstein, Western Pacific Land Company, L.P. (Applicant), Ellen Berkowitz, Manatt, Phelps & Phillips, LLP, (Representative), from the entire decision of the WLAAPC, in sustaining the Deputy Advisory Agency denial of a Modification request to delete Condition No. 12 of Tentative Tract No. 60907-2A-M1-2A for a proposed one-lot subdivision to create 30 residential condominium units in conjunction with the adaptive reuse of an existing commercial building located at 1046-48 West Princeton Drive.

5. 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.

6. 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 Planning Department reports that there is no General Fund impact, as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE - DECEMBER 1, 2009
(LAST DAY FOR COUNCIL ACTION - DECEMBER 1, 2009)
(Continued from Council meeting of October 27, 2009)

ITEM NO. (20) - ADOPTED

09-2325
CD 7

MITIGATED NEGATIVE DECLARATION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a General Plan Amendment and zone change for property at 9225 North Woodman Avenue and 9168 North Moonbeam Avenue.

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. 09-2325 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-2007-3111-MND], filed on April 18, 2008.
RESOLVE TO GRANT APPEAL filed by C & S Hsieh Family Trust from the entire decision of the City Planning Commission, and THEREBY APPROVE, as amended:  

a) General Plan Amendment to the Mission Hills-Panorama City-North Hills Community Plan from Very Low Density Residential to Low Medium I Density Residential for the applicant site at 9225 North Woodman Avenue;  

b) General Plan Amendment to the Mission Hills-Panorama City-North Hills Community Plan from Very Low Density Residential to Low Medium II Density Residential for the applicant site at 9225 North Woodman Avenue over the entire new boundary of the RD3 portion;  

c) Zone change from RA-1 to (T)(Q)RE-11 for 9168 North Moonbeam Avenue;  

d) zone change from RA-1 to (T)(Q)RD3-1 for 9225 North Woodman Avenue; and  

e) Zone Boundary Line adjustment extending the RD3 portion, for the proposed demolition of an existing 1,036 square foot single-family dwelling and the construction of 10 detached townhouse-style condominium units with attached 2-car garages for the property at 9225 North Woodman Avenue, 9168 North Moonbeam Avenue, and six City-initiated Added Areas at 9165 North Woodman Avenue (western half of a lot occupied by a church), and 9120, 9140, 9144, 9156, and 9164 Moonbeam Avenue, subject to Conditions of Approval.

Applicant: C & S Hsieh Family Trust  
Representative: Michael Ramirez, Verde Vistas

INSTRUCT the Department of City Planning (DCP) to prepare and present to Council the necessary ordinance(s), resolution, plan amendment map, conditions, findings and any other documents to effectuate the General Plan Amendments and zone changes, as stated in Recommendation No. 2 of this report, for the property at 9225 North Woodman Avenue, 9168 North Moonbeam Avenue, and six City-initiated Added Areas at 9165 North Woodman Avenue (western half of a lot occupied by a church), and 9120, 9140, 9144, 9156, and 9164 Moonbeam Avenue.

INSTRUCT the City Clerk to place on the Council agenda for DECEMBER 15, 2009 the ordinance(s), resolution, findings and related documents submitted by the DCP relative to General Plan Amendments and zone changes for the property at 9225 North Woodman Avenue, 9168 North Moonbeam Avenue, and six City-initiated Added Areas at 9165 North Woodman Avenue (western half of a lot occupied by a church), and 9120, 9140, 9144, 9156, and 9164 Moonbeam Avenue.

NOT PRESENT and ORDER FILED the ordinance approved by the City Planning Commission on December 18, 2008.

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - DECEMBER 7, 2009
(LAST DAY FOR COUNCIL ACTION - DECEMBER 4, 2009)

12 VOTES REQUIRED
ITEM NO. (21) - ADOPTED

07-0609

PUBLIC SAFETY COMMITTEE REPORT relative to a sole-source contract with the National Consortium of Advanced Policing to develop and implement the Los Angeles Police Department (LAPD) National Counter Terrorism Academy.

Recommendation for Council action:

AUTHORIZE the Mayor, or designee, to negotiate and execute a sole source contract with the National Consortium of Advanced Policing to develop and implement the LAPD National Counter Terrorism Academy, for a term of five months from November 1, 2009, to March 31, 2010, in an amount not to exceed $491,540 from the Fiscal Year 2007 Urban Areas Security Initiative and the 2007 Law Enforcement Terrorism Prevention Program grants, subject to the approval of the City Attorney as to form and legality.

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

Community Impact Statement: None submitted.

ITEM NO. (22) - ADOPTED

09-2667

CD 9

TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to an amendment to a contract between the Los Angeles Convention Center and ARAMARK Sports and Entertainment Services, LLC for management and operation of food and beverage services at the Los Angeles Convention Center.

Recommendations for Council action:

1. APPROVE and AUTHORIZE the General Manager, Los Angeles Convention Center (LACC) to execute the second amendment with ARAMARK Sports and Entertainment Services, LLC, subject to the approval of the City Attorney as to form of the proposed second amendment.

2. DIRECT the LACC to report back to the Trade, Commerce, and Tourism Committee in January 2010 on the progress of the request for proposal evaluation.

Fiscal Impact Statement: The LACC reports that the contract generates revenue for the operation of the LACC. All revenue generated by the contract will be deposited into the Convention Center Revenue Fund No. 725 to support the business of the LACC.

The City Administrative Officer reports that funding for the contract is provided in the LACC 2009-10 adopted budget, Contractual Services Account No. 3040. There is no additional impact on the General Fund.

Community Impact Statement: None submitted.
Items for Which Public Hearings Have Not Been Held - Items 23-38
(10 Votes Required for Consideration)

Roll Call #7 - Motion (Alarcon - Rosendahl) Adopted, Ayes (12); Absent: Huizar and Perry (2) (Item Nos. 23-28)

ITEM NO. (23) - ADOPTED

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Hubbard Street and Glenoaks Boulevard Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated October 15, 2009.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of FEBRUARY 2, 2010 as the hearing date for the maintenance of the Hubbard Street and Glenoaks Boulevard Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $2,729.55 will be collected annually starting with tax year 2010-11 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: January 25, 2010)

ITEM NO. (24) - ADOPTED

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Randall Street and Borden Avenue Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated October 15, 2009.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of FEBRUARY 2, 2010 as the hearing date for the maintenance of the Randall Street and Borden Avenue Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.
Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $214.99 will be collected annually starting with tax year 2010-11 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: January 25, 2010)

ITEM NO. (25) - ADOPTED

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Brooks and Fifth Avenues Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated October 15, 2009.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of FEBRUARY 2, 2010 as the hearing date for the maintenance of the Brooks and Fifth Avenues Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $327.59 will be collected annually starting with tax year 2010-11 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: January 25, 2010)

ITEM NO. (26) - ADOPTED

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Eighth Street and Grand Avenue Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated October 19, 2009.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of FEBRUARY 2, 2010 as the hearing date for the maintenance of the Eighth Street and Grand Avenue Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.
Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $260.21 will be collected annually starting with tax year 2010-11 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: January 25, 2010)

ITEM NO. (27) - ADOPTED

09-2691
CD 11

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Beloit and Nebraska Avenues Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated October 30, 2009.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of FEBRUARY 2, 2010 as the hearing date for the maintenance of the Beloit and Nebraska Avenues Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $1,103.24 will be collected annually starting with tax year 2010-11 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: January 25, 2010)

ITEM NO. (28) - ADOPTED

09-2692
CD 9

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Second and Vignes Streets Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated October 29, 2009.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of FEBRUARY 2, 2010 as the hearing date for the maintenance of the Second and Vignes Streets Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.
Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $1,237.03 will be collected annually starting with tax year 2010-11 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: January 25, 2010)

Roll Call #11 - Motion (Parks - Wesson) Adopted, Ayes (13); Absent: Huizar (1)

ITEM NO. (29) - ADOPTED

09-0005-S741
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 24, 2009:

09-0005-S741
CD 8

a. Property at 1010 West 65th Street (Case No. 214157).
   Assessor I.D. No. 6014-005-007

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

09-0005-S742
CD 10

b. Property at 1058 South Hudson Avenue a.k.a. 1060 South Hudson Avenue (Case No. 204314).
   Assessor I.D. No. 5083-002-028

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

09-0005-S743
CD 4

c. Property at 11105 West Hartsook Street (Case No. 224896).
   Assessor I.D. No. 2353-005-022

   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 21, 2009)

09-0005-S744
CD 11

d. Property at 1401 South Innes Place (Case No. 121912).
   Assessor I.D. No. 4238-011-017

   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 2, 2007)
e. Property at 1619 East 113th Street (Case No. 117500).
   Assessor I.D. No. 6069-021-010
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 8, 2008)

f. Property at 1801 East 110th Street (Case No. 188487).
   Assessor I.D. No. 6069-007-018
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 31, 2008)

h. Property at 210 West 47th Street (Case No. 102395).
   Assessor I.D. No. 5110-011-005
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 3, 2007)

i. Property at 3711 East Seventh Street a.k.a. 3709 East Seventh Street (Case No. 175160).
   Assessor I.D. No. 5188-010-019
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 1, 2008)

j. Property at 4060 West 21st Street a.k.a. 4062 West 21st Street (Case No. 120499).
   Assessor I.D. No. 5060-010-033
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 13, 2007)

k. Property at 4607 West Melrose Avenue (Case No. 118488).
   Assessor I.D. No. 5520-001-001
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 27, 2007)
ITEM NO. (30) - ADOPTED

Roll Call #12 - Motion (Cardenas - Wesson) Adopted, Ayes (13); Absent: Huizar (1)

COMMUNICATION FROM VICE-CHAIR, PUBLIC SAFETY COMMITTEE relative to a Department of Homeland Security (DHS) 2009 Homeland Security Center for Homeland Defense and Security Fellowship for Fire Department Captain Alicia Welch.

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

1. AUTHORIZE the Fire Chief to accept reimbursement funds from the Center for Homeland Defense and Security (CHDS) for the 2009 Homeland Security Center for Homeland Defense and Security Fellowship of Captain Alicia Welch in the amount of $181,404.04 for a period of twelve months effective September 23, 2009.

2. AUTHORIZE the Fire Chief, or designee, to receive CHDS funds under this award into Fire Department, Fund No. 100/38, Revenue Source Code 3734.

3. AUTHORIZE the Controller to RE-APPROPRIATE funds in the amount of $139,702.03 to Fund 100/38, Account 1012 for full reimbursement of Captain Welch’s salary, bonuses, and benefits by CHDS in Fiscal Year 2009-10.

4. AUTHORIZE the Controller and City Administrative Officer to make any necessary technical adjustments consistent with this action and based on actual salaries and benefits paid and reimbursed to ensure full cost recovery.
Fiscal Impact Statement: The Fire Department reports that this action will not impact the General Fund. The CHDS will provide reimbursement to the City of Captain Welch’s full salary, bonuses, and benefits for the duration of the fellowship.

Community Impact Statement: None submitted.

ITEM NO. (31) - ADOPTED

Roll Call #13 - Motion (Alarcon - Perry) Adopted, Ayes (13); Absent: Huizar (1)

09-2709 COMMUNICATION FROM VICE-CHAIR, PUBLIC SAFETY COMMITTEE relative to the 2009 Intellectual Property Enforcement, Training, and Technical Assistance Program grant award from the United States Department of Justice (DOJ) for the Los Angeles Police Department (LAPD).

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

1. AUTHORIZE the Chief of Police to:
   b. Negotiate and execute an Award Agreement, subject to City Attorney approval as to form and legality.

2. AUTHORIZE the LAPD to:
   a. Expend $199,995 for sworn overtime associated with this program in accordance with the Award Agreement.
   b. Submit grant reimbursement requests to the grantor and deposit grant receipts into the LAPD Grant Trust Fund 339/70.

3. AUTHORIZE the Controller to establish a grant receivable in Fund 339 in the amount of $199,995.

4. AUTHORIZE the LAPD to establish an appropriations account to be determined within Fund 339/70, for disbursement of the 2009 Intellectual Property Enforcement, Training, and Technical Assistance Program funds.

5. AUTHORIZE the Controller to increase appropriations as needed from Fund 339/70 to Fund 100/70, Account No.1092 Sworn Overtime by an amount not to exceed $199,995.

6. AUTHORIZE the LAPD to prepare Controller 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. The DOJ grant fully reimburses the City for overtime expenditures associated with the program. This action complies with City financial policies in that one-time revenue is supporting one-time expenditures.

Community Impact Statement: None submitted.

ITEM NO. (32) - ADOPTED

Roll Call #14 - Motion (Zine - Smith) Adopted, Ayes (13); Absent: Huizar (1)

MOTION (ZINE - SMITH) relative to funding for enhanced graffiti reduction efforts in Council District Three.

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

TRANSFER $5,000 in the Council District Three portion of the Council Fund No. 100/28, Account No. 1010 (Salaries - General) Los Angeles Police Department Fund No. 100/70, Account No. 1092 (Sworn Overtime), for enhanced graffiti reduction efforts in Council District Three, as further described in the text of this Motion.

ITEM NO. (33) - ADOPTED

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

MOTION (PARKS - LABONGE) relative to reinstating the reward offer for information on a serial killer that has been linked through DNA testing to eleven murders in the South Los Angeles and Inglewood areas for an additional six months.

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

REAFFIRM Councils findings and REINSTATE the reward offer relative to information on a serial killer that has been linked through DNA testing to eleven murders in the South Los Angeles and Inglewood areas (Council action of September 3, 2008, Council file No. 08-2301) for an additional period of six months from the publication of the offer of reward by the Office of the City Clerk and, further, that the sum of $50,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.

ITEM NO. (34) - ADOPTED

Roll Call #15 - Motion (Koretz - Parks) Adopted, Ayes (13); Absent: Huizar (1)

MOTION (KORETZ - PARKS) relative to reinstating the reward offer in the death of Katan Khaimov for an additional six months.
Recommendation for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

REAFFIRM Councils findings and REINSTATE the reward offer relative to the death of Katan Khaimov (Council action of February 10, 2008, Council file No. 08-0010-S16) for an additional period of six months from the publication of the offer of reward by the Office of the City Clerk and, further, that the sum of $50,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.

ITEM NO. (35) - ADOPTED

Roll Call #5 - Motion (Zine - Smith) Adopted, Ayes (11); Absent: Alarcon, Huizar and Perry (3)

09-2853
CD 3

MOTION (ZINE - SMITH) relative to installing street banners announcing the El Camino Real High School 40th Anniversary and to promote school pride.

Recommendations for Council action:

1. APPROVE the street banner program announcing the El Camino Real High School 40th Anniversary and to promote school pride, as a City of Los Angeles Non-Event, @ Street Banner Program.

2. APPROVE the content of the street banners for the above specified event.

ITEM NO. (36) - ADOPTED

Roll Call #16 - Motion (Parks - LaBonge) Adopted, Ayes (13); Absent: Huizar (1)

09-1571
CD 14

MOTION (HUIZAR - CARDENAS) relative to reallocating Urban Development Action Grant (UDAG) Miscellaneous Funds to conduct a Youth enrichment Program in the East Los Angeles communities of Boyle Heights and El Sereno.

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

1. AUTHORIZE the General Manager, Community Development Department (CDD), or designee, to re-allocate $13,000 in UDAG Miscellaneous Revenue Funds currently allocated to El Centro de Ayuda to the Pat Brown Institute to conduct a Youth Enrichment Program in the East Los Angeles communities of Boyle Heights and El Sereno.

2. AUTHORIZE the General Manager, CDD, or designee, to negotiate and execute any agreements with the Pat Brown Institute in an amount not to exceed $13,000 for the above described purposes.
3. AUTHORIZE the General Manager, CDD, or designee, to prepare and submit any fund transfer instructions as may be needed to implement the intent of this motion.

ITEM NO. (37) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #8 - Motion (Rosendahl - Koretz) Adopted, Ayes (13); Absent: Huizar (1)

09-2824
CONTINUED CONSIDERATION OF RESOLUTION (ROSENDAHL - KORETZ) relative to declaring December 1, 2009 as WORLD AIDS DAY in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE December 1, 2009 as WORLD AIDS DAY in the City of Los Angeles, and call upon all the residents and leaders of this great city to join us in heightening the awareness of HIV infection and AIDS prevention and the need for accessible and available testing for all.

(Continued from Council meeting of November 24, 2009)

ADOPTED

MOTION (ROSENDAHL - KORETZ) relative to Declaring December 1 of each year as WORLD AIDS DAY in the City of Los Angeles.

Recommendation for Council action:

DECLARE December 1 of each year as WORLD AIDS DAY in the City of Los Angeles, and DECLARE December 1, 2009 as Pedro Zamora Day in the City of Los Angeles in memory of his heroic efforts to draw attention to the worldwide epidemic and call upon all the residents and leaders of this great city to join in heightening the awareness of HIV infection and AIDS prevention and the need for accessible and available testing for all.

Roll Call #17 - Motion (Koretz - Perry) Adopted, Ayes (13); Absent: Huizar (1)
(Item Nos. 38a-38c)

ITEM NO. (38) - ADOPTED

09-2866
et al. FINAL MAPS in the various Council Districts.

Recommendation for Council action:

APPROVE the Final Maps and ADOPT the City Engineer Reports as detailed in the various listed Council files, including bonds, agreements, contracts and other related issues as specified:
09-2866
CD 1
a. FINAL MAP OF TRACT NO. 66291 for property at 1478 West Sunset Boulevard lying southerly of Sunset Boulevard and easterly of La Veta Terrace.
(Quimby Fee: $23,860)
Applicants: C-ARC, LLC
Plai Engineering Inc.

09-2867
CD 11
b. FINAL MAP OF TRACT NO. 65309 for property at 3509 Keystone Avenue lying westerly of Keystone Avenue and southerly of Palms Boulevard.
(Bond No. C-116380)
(Quimby Fee: $17,500)
Applicants: Bill Komashko
Zeitouny and Associates

09-2856
CD 13
c. PARCEL MAP L.A. NO. 2009-0200 for property located at 5020, 5030 and 5040 West Santa Monica Boulevard and 1050 North Mariposa Avenue southerly side of Santa Monica Boulevard and easterly of Mariposa Avenue.
Applicants: William F. Harris
Thomas Iacobellis

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

09-1115-S1
MOTION (ZINE - GARCETTI) relative to adding the additional month of March to the Neighborhood Council Election schedule.

09-0011-S54
MOTION (ALARCON - LABONGE) relative to 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 Seven.

07-3758-S2
MOTION (ALARCON - LABONGE) relative to a personal services contract with John De La Rosa to provide services to the Seventh Council District.

09-0010-S58
MOTION (WESSON - SMITH) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Anthony Cage on June 2, 2009.
COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon her request, and without objections, Councilmember Hahn was excused to arrive at 11:00 a.m. for the Council session of Wednesday, December 2, 2009 due to personal business.

Motion (Wesson - Garcetti) unanimously adopted to excuse Councilmember Hahn from Council session of Wednesday, December 9, 2009 due to personal business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

09-2501 - Dr. Sylvester Washington (Parks)

At the conclusion of this day's Council Session

ADJOURNING MOTIONS WERE ADOPTED in tribute to the memory of:

09-2500 - Bob Keane (Alarcon)

Eleanora Yancey (Wesson)

Avery Clayton (Wesson)

Marie Gaines (Wesson)

Pamela Joy Stephens (Zine - All Councilmembers)

Lakewood Police Officers in Washington State: Mark Renninger, Ronald Owens, Tina Griswold and Greg Richards (Zine - All Councilmembers)

Robyn Mitchell (Wesson)

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL