

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **January 6, 2010**
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, Huizar, Koretz, Krekorian, LaBonge, Perry, Rosendahl, Smith, Wesson and President Garcetti (10); Absent: Cárdenas, Hahn, Parks, Reyes and Zine (5)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
DECEMBER 16, 2009

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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 1-10

ITEM NO. (1) - PUBLIC HEARING CLOSED - NO PROTEST - LIEN CONFIRMED

Roll Call #2 - Motion (Perry - Rosendahl) Adopted, Ayes (10); Absent: Cárdenas, Hahn, Parks, Reyes and Zine (5)

[09-2150](#)
CD 9

CONTINUED CONSIDERATION OF 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 320 West 59th Place. (Lien: \$4,576.07)

(Continued from Council meeting of November 18, 2009)

**Roll Call #1 - Motion (Perry - Rosendahl) Adopted to Receive and File, Ayes (10); Absent: Cárdenas, Hahn, Parks, Reyes and Zine (5)
(Item Nos. 2-3)**

ITEM NO. (2) - RECEIVED AND FILED, INASMUCH AS THE LIEN HAS BEEN PAID

[09-2157](#)

CD 3

CONTINUED CONSIDERATION OF HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings, cleaning and fencing of the lot and graffiti abatement at 20905 West Hart Street. (Lien: \$10,709.32)

(Continued from Council meeting of November 18, 2009)

ITEM NO. (3) - RECEIVED AND FILED, INASMUCH AS THE LIEN HAS BEEN PAID

[09-2158](#)

CD 3

CONTINUED CONSIDERATION OF HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings and fencing of the lot at 7536 North Jumilla Avenue. (Lien: \$8,315.01)

(Continued from Council meeting of November 18, 2009)

ITEM NO. (4) - PUBLIC HEARING CLOSED - NO PROTEST - LIEN CONFIRMED

Roll Call #2 - Motion (Perry - Rosendahl) Adopted, Ayes (10); Absent: Cárdenas, Hahn, Parks, Reyes and Zine (5)

[09-2159](#)

CD 9

CONTINUED CONSIDERATION OF HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings and fencing of the lot at 240 West 47th Street. (Lien: \$14,386.87)

(Continued from Council meeting of November 18, 2009)

ITEM NO. (5) - RECEIVED AND FILED, INASMUCH AS THE LIEN HAS BEEN PAID

Roll Call #1 - Motion (Perry - Rosendahl) Adopted to Receive and File, Ayes (10); Absent: Cárdenas, Hahn, Parks, Reyes and Zine (5)

[09-2160](#)

CD 9

CONTINUED CONSIDERATION OF HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings, cleaning and fencing of the lot at 383 West 47th Place. (Lien: \$13,472.52)

(Continued from Council meeting of November 18, 2009)

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

Roll Call #12 - Motion (Perry - Huizar) Adopted, Ayes (12); Absent: Hahn, Parks and Reyes (3)

[09-2202](#)

CD 9

CONTINUED CONSIDERATION OF HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of cleaning and fencing of the lot at 208 East 60th Street. (Lien: \$4,001.98)

(Continued from Council meeting of November 18, 2009)

ITEM NO. (7) - PUBLIC HEARING CLOSED - NO PROTEST - LIEN CONFIRMED

Roll Call #13 - Motion (Perry - LaBonge) Adopted, Ayes (12); Absent: Hahn, Parks and Reyes (3)

[09-2203](#)

CD 9

CONTINUED CONSIDERATION OF HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings, cleaning and fencing of the lot and graffiti abatement at 226 West 62nd Street. (Lien: \$5,599.98)

(Continued from Council meeting of November 18, 2009)

**Roll Call #3 - Motion (Huizar - Koretz) Adopted, Ayes (10); Absent: Cárdenas, Hahn, Parks, Reyes and Zine (5)
(Item Nos. 8-10)**

ITEM NO. (8) - PUBLIC HEARING CLOSED - CITY ENGINEER INSTRUCTED TO PROCEED

[06-2739](#)

CD 15

HEARING PROTESTS against the vacation of the alley easterly of Quay Avenue between "G" and "F" Streets (VAC E1401022).

(Categorical Exemption and Public Works Committee Report adopted on November 25, 2009)

ITEM NO. (9) - PUBLIC HEARING CLOSED - CITY ENGINEER INSTRUCTED TO PROCEED

[08-3439](#)

CD 5

HEARING PROTESTS against the vacation of the Laurel Avenue and Third Street Vacation District (Subsurface and Surface Vacation; VAC E1401128).

(Categorical Exemption and Public Works Committee Report adopted on November 25, 2009)

ITEM NO. (10) - PUBLIC HEARING CLOSED - CITY ENGINEER INSTRUCTED TO PROCEED

[09-0317](#)

CD 15

HEARING PROTESTS against the vacation of the H-shaped alley easterly of Avalon Boulevard and southerly of "M" Street, in connection with the construction of South Region Span K-8 No. 1 School (VAC E1401135).

(Categorical Exemption and Public Works Committee Report adopted on November 25, 2009)

Items for Which Public Hearings Have Been Held - Items 11-17

ITEM NO. (11) - ADOPTED

Roll Call #8 - Motion (Garcetti - Koretz) Adopted, Ayes (12); Absent: Hahn, Parks and Reyes (3)

[09-2852](#)

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) relative to the appointment of Ms. Royce A. Menkus to the Board of Directors of the Municipal Improvement Corporation of Los Angeles (MICLA).

Recommendation for Council action:

RESOLVE that the MICLA Board's appointment of Ms. Royce A. Menkus to the Board of Directors of MICLA is APPROVED and CONFIRMED. Ms. Menkus resides in Council District Five.

Background Check Review: Not applicable.

Ethics Commission Review: Not applicable.

Community Impact Statement: None submitted.

(Information Technology and Government Affairs Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided. Also referred to the Budget and Finance Committee.)

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

TIME LIMIT FILE - JANUARY 8, 2010

(LAST DAY FOR COUNCIL ACTION - JANUARY 8, 2010)

(Scheduled pursuant to Council Rule 46)

ADOPTED

MOTION (GARCETTI - KORETZ)

Recommendation for Council action:

RESOLVE that the MICLA Board's appointment of Ms. Royce A. Menkus to the Board of Directors of MICLA is **APPROVED** and **CONFIRMED**. Ms. Menkus resides in Council District Five.

Background Check Review: Not applicable.

Ethics Commission Review: Not applicable.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 8, 2010

(LAST DAY FOR COUNCIL ACTION - JANUARY 8, 2010)

(Scheduled pursuant to Council Rule 46)

(Information Technology and Government Affairs and Budget and Finance Committees waived consideration of the above matter)

ITEM NO. (12) - ADOPTED

Roll Call #10 - Motion (Huizar - Krekorian) Adopted, Ayes (12); Absent: Hahn, Parks and Reyes (3)

[09-2201](#)

CD 14

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change at 4230-36 North Guardia 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. 09-2201 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 2006-629 ND] filed on March 24, 2006.
2. ADOPT the FINDINGS of the East Los Angeles Area Planning Commission (ELAAPC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the ELAAPC, effecting a zone change from RE20-1 to (T)(Q)RE11-1 to allow construction of four single family residences, two-stories (approximately 29 feet 9 inches high) with attached two car garages on a 65,252 square foot, irregular shaped sloping lot for property at 4230-36 North Guardia Avenue, subject to Conditions of Approval.

Applicant: Hector L. Ochoa

APCE 2007-1398 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 ELAAPC reports that there is no General Fund impact, as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 8, 2010

(LAST DAY FOR COUNCIL ACTION - JANUARY 8, 2010)

**Roll Call #4 - Motion (LaBonge - Smith) Adopted, Ayes (10); Absent: Cárdenas, Hahn, Parks, Reyes and Zine (5)
(Item Nos. 13-16)**

ITEM NO. (13) - ADOPTED

[09-2051](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to Commission nominee's request for withdrawal from further consideration.

Recommendation for Council action:

RECEIVE and FILE correspondence from the Office of the Mayor relative to the request by Board of Fire and Police Pension Commission nominee Ms. Carolyn Flowers to be withdrawn from further consideration, inasmuch as no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (14) - ADOPTED

[09-2763](#)

CD 3

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to a Loan Agreement with New Horizons, San Fernando Valley Association for the Retarded, Inc. (Developer), in an amount not to exceed \$370,653, for the development of a group home for developmentally disabled adults (Project) at 19013 Arminta Street.

Recommendations for Council action:

1. ADOPT the accompanying Joint Finding of Benefit RESOLUTION [attached to the Chief Legislative Analyst (CLA) report dated December 15, 2009] which finds that the transfer of \$370,653 from the Earthquake Disaster Assistance Project Area for Portions of Council District Three (EDAPCD3) Low and Moderate Income Housing Fund for the Project is of benefit to the Project Area.
2. AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to execute a Loan Agreement and necessary loan documents with the Developer to provide up to \$370,653 to fund acquisition and predevelopment costs associated with the development of the Project and to take such other actions as are necessary to implement the terms of the Loan Agreement, subject to the review of the City Attorney as to form and legality.
3. AMEND the CRA Fiscal Year 2009-10 Budget and Work Program to transfer \$370,653 from the EDAPCD3 budgeted line item "Response to Housing Opportunities" to the Project Area budgeted line item "Arminta Street Housing" for the development of the Project.

Fiscal Impact Statement: The CLA reports that there is no General Fund impact as a result of these actions.

Community Impact Statement: None submitted.

ITEM NO. (15) - ADOPTED

[09-2836](#)

CD 4

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to executing an Owner Participation Agreement (OPA) in an amount not to exceed \$6 million for the Munger Family Young Men's Christian Association (YMCA) Project (Project) located at 245, 249, 253, and a portion of 219 South Oxford Avenue and 4301 West Third Street.

Recommendations for Council action:

1. AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to execute an OPA with the YMCA of Metropolitan Los Angeles (Developer), in an amount not to exceed \$6 million, related to the proposed Munger Family YMCA Project in the CRA's Wilshire Center/Koreatown Recovery Redevelopment Project Area (WKRPA), subject to the review of the City Attorney as to form and legality and the Department of Public Works, Bureau of Contract Administration, for compliance with CRA contracting requirements.
2. APPROVE the waiver of a certain provision of the Living Wage Policy by the CRA Board of Commissioners [which requires that corporations organized under §501 (c)(3) of the United States Internal Revenue Code of 1954, 26 U.S.C. §501 (c)(3), whose chief executive officer earns a salary which, when calculated on an hourly basis, is less than eight times the lowest wage paid by the corporation, shall be exempted as to all Employees other than child care workers] for the purposes of executing the OPA with the Developer.
3. AMEND the CRA Fiscal Year 2009-10 Budget and Work Program to transfer up to \$6 million from the WKRPA budgeted line item category "Development Opportunities" and allocate such funds to line item category "Community Facilities and Programs" for the purchase an Operating Covenant in an amount not to exceed \$6 million that will require the Developer to operate a community recreational facility on the Project site for a 20-year term.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the General Fund. Approval of the recommendations will result in an expenditure of an amount not to exceed \$6 million related to the proposed development of a community recreational facility, provided from the CRA WKRPA Tax Increment funds. The City's Financial Policies are not applicable to the CRA. The CRA is only bound by the disclosure provisions of the City's Debt Management Policies.

Community Impact Statement: None submitted.

ITEM NO. (16) - ADOPTED

09-2930

CDs 3,6 &12

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to various actions necessary for preparing an amendment to the Redevelopment Plan for the Earthquake Disaster Assistance Project for Portions of Council District Three (EDAPCD3).

Recommendations for Council action:

1. ADOPT the accompanying RESOLUTION [attached to the Chief Legislative Analyst (CLA) report dated December 15, 2009] to provide for processing the preliminary amended redevelopment plan and preliminary report to City Council in such a manner that the review of the draft documents by the City Council would be subject to the "10-day rule" under the Oversight Ordinance, pursuant to Section 8.99.05 of the Los Angeles Administrative Code.
2. INTERPRET certain actions, as identified in the Community Redevelopment Agency (CRA) report dated December 15, 2009, related to the overall process preparing a proposed amendment to the existing EDAPCD3 Redevelopment Plan as ministerial and not "actions of the Agency," subject to Section 8.99.04 of the City of Los Angeles Administrative Code, which amendment may include: (a) expansion of the Project Area boundary; (b) conformation of permitted land-use language in the Plan; (c) extension of the effectiveness period, receipt of tax increment, and incurrence of debt for the existing Project Area; and, (d) establishment of the power of eminent domain as limited in Article 1, Section 19 of the California Constitution.
3. DIRECT the CRA to proceed with an amendment to the Redevelopment Plan for the EDAPCD3 in an expedited manner.
4. AUTHORIZE the Chief Executive Officer, CRA, or designee, to:
 - a. Proceed with an amendment of the EDAPCD3 Redevelopment Plan and all actions necessary to complete the amendment, subject to the review of the City Attorney as to form and legality.
 - b. Transmit the Preliminary Plan, Preliminary Report, Final Report to Council, State Reports, Proposed Redevelopment Plan, and any and all other required documents for the proposed plan amendment to all affected taxing agencies, the Planning Commission of the City of Los Angeles, the City Council, Department of the State of California, and any other required parties, as applicable.

Fiscal Impact Statement: The CLA reports that there is no impact to the General Fund as a result of these actions. The CRA reports that tax increment funds from the EDAPCD3, in the amount of \$900,000 for this activity, have been set aside in the current budget.

Community Impact Statement: None submitted.

ITEM NO. (17) - ADOPTED - SEE FOLLOWING

Roll Call #11 - Motion (Rosendahl - LaBonge) Adopted, Ayes (12); Absent: Hahn, Parks and Reyes (3)

[08-2477](#)

COMMUNICATIONS FROM THE BOARD OF AIRPORT COMMISSIONERS and CITY ADMINISTRATIVE OFFICER relative to an amendment to a contract with CUSA CC, LLC, dba Coach America Los Angeles, for flyaway bus service between the Los Angeles International Airport and Van Nuys Airport.

TIME LIMIT FILE - FEBRUARY 15, 2010

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 12, 2010)

(Trade, Commerce and Tourism 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

CATEGORICAL EXEMPTION and TRADE, COMMERCE AND TOURISM COMMITTEE REPORT relative to an amendment to a contract with CUSA CC, LLC dba Coach America Los Angeles for flyaway bus service between the Los Angeles International Airport and Van Nuys Airport.

Recommendations for Council action:

- 1. FIND that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article III Class 1(18)(c) of the Los Angeles City CEQA Guidelines.**
- 2. APPROVE the second amendment to Contract No. DA-3830 with CUSA CC, LLC dba Coach America Los Angeles.**
- 3. CONCUR with the Board of Airport Commissioners action of November 16, 2009 authorizing the second amendment.**

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed second amendment to the agreement will result in a not to exceed, expenditure amount of \$5.6 million. Funds for this agreement are included in the Fiscal Year 2009-10 Department of Airports operating budget and future year expenditures will be requested as part of the annual budget process. Since Department of Airports is bound only by the City Debt Management Policies, the City Financial Policies are not applicable. Approval of the proposed agreement will have no impact on the City's General Fund.

Community Impact Statement: None submitted.

TIME LIMIT FILE - FEBRUARY 15, 2010

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 12, 2010)

Items for Which Public Hearings Have Not Been Held - Items 18-26

(10 Votes Required for Consideration)

**Roll Call #9 - Motion (Koretz - LaBonge) Adopted, Ayes (12); Absent: Hahn, Parks and Reyes (3)
(Item Nos. 18-21)**

ITEM NO. (18) - ADOPTED

[09-2961](#)

COMMUNICATION FROM THE COUNCIL PRESIDENT relative to the reappointment of Ms. Julie Butcher to the Quality and Productivity Commission.

Recommendation for Council action:

RESOLVE that the Council President's reappointment of Ms. Julie Butcher to the Quality and Productivity Commission is APPROVED and CONFIRMED. Ms. Butcher resides in Council District 14. (Current commission gender composition: M=10; F=5)

Background Check Review: Pending.

Ethics Commission Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 21, 2010

(LAST DAY FOR COUNCIL ACTION - JANUARY 20, 2010)

(Audits and Governmental Efficiency Committee waived consideration of the above matter)

ITEM NO. (19) - ADOPTED

[09-2962](#)

COMMUNICATION FROM THE COUNCIL PRESIDENT relative to the reappointment of Mr. Ron Galperin to the Quality and Productivity Commission.

Recommendation for Council action:

RESOLVE that the Council President's reappointment of Mr. Ron Galperin to the Quality and Productivity Commission is APPROVED and CONFIRMED. Mr. Galperin resides in Council District Five. (Current commission gender composition: M=10; F=5)

Background Check Review: Pending.

Ethics Commission Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 21, 2010

(LAST DAY FOR COUNCIL ACTION - JANUARY 20, 2010)

(Audits and Governmental Efficiency Committee waived consideration of the above matter)

ITEM NO. (20) - ADOPTED

[09-2963](#)

COMMUNICATION FROM THE COUNCIL PRESIDENT relative to the reappointment of Mr. Andrew Lachman to the Quality and Productivity Commission.

Recommendation for Council action:

RESOLVE that the Council President's reappointment of Mr. Andrew Lachman to the Quality and Productivity Commission is APPROVED and CONFIRMED. Mr. Lachman resides in Council District Five. (Current commission gender composition: M=10; F=5)

Background Check Review: Pending.

Ethics Commission Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 21, 2010

(LAST DAY FOR COUNCIL ACTION - JANUARY 20, 2010)

(Audits and Governmental Efficiency Committee waived consideration of the above matter)

ITEM NO. (21) - ADOPTED

[09-2964](#)

COMMUNICATION FROM THE COUNCIL PRESIDENT relative to the reappointment of Mr. Lee Turner to the Quality and Productivity Commission.

Recommendation for Council action:

RESOLVE that the Council President's reappointment of Mr. Lee Turner to the Quality and Productivity Commission is APPROVED and CONFIRMED. Mr. Turner resides in Council District Four. (Current commission gender composition: M=10; F=5)

Background Check Review: Pending.

Ethics Commission Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 21, 2010

(LAST DAY FOR COUNCIL ACTION - JANUARY 20, 2010)

(Audits and Governmental Efficiency Committee waived consideration of the above matter)

ITEM NO. (22) - ADOPTED

Roll Call #14 - Motion (Huizar - Smith) Adopted, Ayes (12); Absent: Hahn, Parks and Reyes (3)

[09-3085](#)

COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to setting the date for hearing objections against the 2010 Annual Weed and Brush Abatement Assessment Roll Schedule for locations stated on personal appeals attached to the file.

Recommendation for Council action, pursuant to Government Code Sections 39560 to 39588, SUBJECT TO THE APPROVAL OF THE MAYOR:

PRESENT and ADOPT the accompanying ORDINANCE establishing **MARCH 24, 2010**, as the date for hearing objections to the proposed removal of weeds and/or rubbish, refuse and dirt upon certain streets, sidewalks, parkways and/or are on or in front of certain private properties in the City of Los Angeles, and are a public nuisance, and declaring Council's intention to order the abatement of said nuisance.

Fiscal Impact Statement: None submitted by the City Attorney. 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. (23) - ADOPTED

**Roll Call #5 - Motion (Huizar - Wesson) Adopted, Ayes (11); Absent: Cárdenas, Hahn, Parks and Reyes (4)
(Item Nos. 23a-23o)**

[09-0005-S814](#)

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 December 30, 2009:

[09-0005-S814](#)

CD 9

- a. Property at 4029 1/2 South San Pedro Street (Case No. 125787).
Assessor I.D. No. 5113-022-012

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 30, 2007)

[09-0005-S815](#)

CD 4

- b. Property at 5833 North Cartwright Avenue (Case No. 204853).
Assessor I.D. No. 2415-015-009

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 11, 2008)

[09-0005-S816](#)

CD 7

- c. Property at 13827 West Judd Street (Case No. 39115).
Assessor I.D. No. 2618-014-013

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 22, 2006)

[09-0005-S817](#)

CD 11

- d. Property at 11881 South Jefferson Boulevard (Case No. 133319).
Assessor I.D. No. 4220-005-037

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 20, 2008)

[09-0005-S818](#)

CD 14

- e. Property at 1152 South Grande Vista Avenue aka 1154 South Grande Vista Avenue (Case No. 154468).
Assessor I.D. No. 5190-012-014

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 31, 2008)

[09-0005-S819](#)

CD 4

- f. Property at 5142 North Denny Avenue (Case No. 237941).
Assessor I.D. No. 2419-012-026

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

[09-0005-S820](#)

CD 5

- g. Property at 1145 South Bedford Street (Case No. 85792).
Assessor I.D. No. 4332-019-012

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 3, 2009)

[09-0005-S821](#)

CD 8

- h. Property at 1551 West 52nd Street aka 1553 West 52nd Street (Case No. 96265).
Assessor I.D. No. 5003-007-015

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

[09-0005-S822](#)

CD 9

- i. Property at 946 East 33rd Street (Case No. 238715).
Assessor I.D. No. 5114-017-021

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

[09-0005-S823](#)

CD 4

- j. Property at 320 South Westminster Avenue (Case No. 228369).
Assessor I.D. No. 5504-022-017

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

[09-0005-S824](#)

CD 4

- k. Property at 937 South Sycamore Avenue (Case No. 209799).
Assessor I.D. No. 5084-004-028

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 30, 2009)

[09-0005-S825](#)

CD 9

- l. Property at 159 East 82nd Place aka 8215 South Wall Street (Case No. 168849).
Assessor I.D. No. 6030-007-019

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 10, 2008)

[09-0005-S826](#)

CD 9

- m. Property at 700 East Vernon Avenue (Case No. 140894).
Assessor I.D. No. 5108-002-034

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 15, 2007)

[09-0005-S827](#)

CD 8

- n. Property at 820 West 83rd Street (Case No. 219746).
Assessor I.D. No. 6032-010-010

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

[09-0005-S828](#)

CD 14

- o. Property at 2433 East Houston Street aka 2433 1/2 East Houston Street (Case No. 25371).
Assessor I.D. No. 5177-016-019

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 27, 2006)

ITEM NO. (24) - REFERRED TO JOBS AND BUSINESS DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES

Roll Call #6 - Motion (Alarcón - Huizar) Adopted to Refer, Unanimous Vote (12); Absent: Hahn, Parks and Reyes (3)

[09-1914](#)

COMMUNICATION FROM CHAIR, JOBS AND BUSINESS DEVELOPMENT COMMITTEE relative to tax classifications for businesses utilizing the internet as the primary means to provide services.

Recommendations for Council action:

1. DIRECT the City Administrative Officer (CAO) to hire an outside consultant to provide an Economic Impact Analysis in connection with tax classifications for businesses utilizing the internet as the primary means to provide services and taking into consideration the consultant work performed by Beacon Economics that was commissioned by the Los Angeles Area Chamber of Commerce, to provide a similar analysis.
2. DIRECT the Office of Finance and the CAO to provide additional analysis on the revenue impact portion of the November 20, 2009 Office of Finance report, as attached to the Council file, to include specific detail on the following:
 - a. A breakdown of the projected revenue loss per business classification.
 - b. An explanation of the sampling process the Office of Finance used on the 8,010 businesses to provide the revenue impact as detailed in the November 20, 2009 Office of Finance report and attached to the Council file.
 - c. Clarification on how businesses were determined to be likely to be eligible for the proposed draft Ordinance to amend the Los Angeles Municipal Code business classifications and offer options for developing actual revenue impact rather than estimated revenue impact and proposals for limiting revenue impact.

3. DIRECT the Office of Finance to report back to the Jobs and Business Development Committee with recommendations in regard to an alternative category of definition that would clarify the definition of internet-based businesses for business tax purposes.
4. DIRECT the Office of Finance to meet with Beacon Economics, the entity commissioned by the Los Angeles Area Chamber of Commerce to provide an economic analysis of tax classifications for business utilizing the internet, prior to hiring an outside consultant as detailed above in Recommendation No. 1, as a means of minimizing the need to hire said consultant.

Fiscal Impact Statement: Neither the CAO or the CLA has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (25) - ADOPTED

Roll Call #15 - Motion (Alarcón - Rosendahl) Adopted, Ayes (12); Absent: Hahn, Parks and Reyes (3)

[09-2476](#)

COMMUNICATION FROM CHAIR, JOBS AND BUSINESS DEVELOPMENT COMMITTEE relative to business tax administrative appeals process decisions and reclassifications.

Recommendation for Council action:

DIRECT the Chief Legislative Analyst (CLA) and City Administrative Officer (CAO) to review the October 2, 2009 Office of Finance report, as attached to the Council file, and report back to the Jobs and Business Development Committee in 30 days in regard to the potential outcomes associated with making changes to the Los Angeles Municipal Code as proposed by the Office of Finance, and tightening the definitions of the business tax categories.

Fiscal Impact Statement: Neither the CAO or the CLA has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (26) - ADOPTED

Roll Call #5 - Motion (Huizar - Wesson) Adopted, Ayes (11); Absent: Cárdenas, Hahn, Parks and Reyes (4)

[09-2920](#)

CD 6

CONSIDERATION OF MOTION (CARDENAS - KORETZ) relative to the demolition of the Haynes Street Footbridge over Bull Creek Channel.

Recommendation for Council action:

DIRECT the City Engineer to report with recommendations for the demolition of the Haynes Street Footbridge over Bull Creek Channel with the understanding that the area will continue to be fenced off even after the Footbridge has been demolished.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

Closed Sessions - Items 27-28

ITEM NO. (27) - CONTINUED TO JANUARY 20, 2010

Roll Call #7 - Motion (Perry - Smith) Adopted to Continue, Unanimous Vote (12); Absent: Hahn, Parks Reyes (3)

09-1482

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Bekeredjian v. City of Los Angeles, Los Angeles Superior Court Case No. BC343886. (This case arises from earth movement that occurred on February 27, 2005, in the vicinity of Laurel Canyon Boulevard. The earth movement affected private property and Laurel Canyon Boulevard.)

(Budget and Finance Committee considered the above matter in Closed Session on July 20, 2009)

(Continued from Council meeting of December 2, 2009)

ITEM NO. (28) - MEETING HELD - ACTION TAKEN IN CLOSED SESSION

08-1653

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to pending litigation in the case entitled City of Los Angeles, et al. v. State Water Resources Control Board, et al., Case No. BS 060957.

(Energy and Environment Committee will consider the above matter in Closed Session on January 5, 2010)

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

10-0017

MOTION (KREKORIAN - KORETZ) relative to asserting jurisdiction over the December 23, 2009 written action taken by the City Planning Commission.

[10-0010-S1](#)

MOTION (GARCETTI for REYES - KREKORIAN) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Humberto Rodriguez on November 25, 2009.

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

[09-0060](#)

RESOLUTION (LABONGE - WESSON) relative to declaring January 13, 2010 as Korean American Day in the City of Los Angeles.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request and without objections, Councilmember Smith was excused from Council Sessions of Friday, March 5, and Friday, March 19, 2010 and to leave at 12:00 p.m. on Fridays all due to City Business.

Upon his request and without objections, Councilmember Rosendahl was excused to leave at 12:00 p.m. from Council Session of Friday, January 29, 2010, due to City Business.

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

[10-0003](#) - Eunice W. Johnson

Perry

Ayes, Alarcón, Cárdenas, Huizar, Koretz, Krekorian, LaBonge, Perry, Rosendahl, Smith, Wesson, Zine and President Garcetti (12); Absent: Hahn, Parks and Reyes (3)

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL