

Los Angeles City Council, **Journal/Council Proceedings**  
Tuesday, **February 2, 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, Cárdenas, Hahn, Krekorian, LaBonge, Parks, Perry, Reyes, Wesson, Zine and President Garcetti (11); Absent: Huizar, Koretz, Rosendahl and Smith (4)**

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
JANUARY 27, 2010

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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

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

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### **Items Noticed for Public Hearing - Items 1-10**

**Roll Call #1 - Motion (Smith - Cardenas) Adopted to Continue, Unanimous Vote (15)  
(Item Nos. 1-6)**

**ITEM NO. (1) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED  
FEBRUARY 23, 2010**

[09-2592](#)

CD 7

HEARING PROTESTS against the proposed improvement and maintenance of the Hubbard Street and Glenoaks Boulevard Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Hubbard Street and Glenoaks Boulevard Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

**(Ordinance of Intention adopted on December 1, 2009 - Continue hearing and present Ordinance on FEBRUARY 23, 2010 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)**

**ITEM NO. (2) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED  
FEBRUARY 23, 2010**

[09-2593](#)

CD 2

HEARING PROTESTS against the proposed improvement and maintenance of the Randall Street and Borden Avenue Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Randall Street and Borden Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

**(Ordinance of Intention adopted on December 1, 2009 - Continue hearing and present Ordinance on FEBRUARY 23, 2010 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)**

**ITEM NO. (3) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED  
FEBRUARY 23, 2010**

[09-2594](#)

CD 11

HEARING PROTESTS against the proposed improvement and maintenance of the Brooks and Fifth Avenues Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Brooks and Fifth Avenues Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

**(Ordinance of Intention adopted on December 1, 2009 - Continue hearing and present Ordinance on FEBRUARY 23, 2010 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)**

**ITEM NO. (4) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED  
FEBRUARY 23, 2010**

[09-2598](#)

CD 15

HEARING PROTESTS against the proposed improvement and maintenance of the Eighth Street and Grand Avenue Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Eighth Street and Grand Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

**(Ordinance of Intention adopted on December 1, 2009 - Continue hearing and present Ordinance on FEBRUARY 23, 2010 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)**

**ITEM NO. (5) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED  
FEBRUARY 23, 2010**

[09-2691](#)

CD 11

HEARING PROTESTS against the proposed improvement and maintenance of the Beloit and Nebraska Avenues Lighting District.  
Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Beloit and Nebraska Avenues Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

**(Ordinance of Intention adopted on December 1, 2009 - Continue hearing and present Ordinance on FEBRUARY 23, 2010 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)**

**ITEM NO. (6) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED  
FEBRUARY 23, 2010**

[09-2692](#)

CD 9

HEARING PROTESTS against the proposed improvement and maintenance of the Second and Vignes Streets Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Second and Vignes Streets Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

**(Ordinance of Intention adopted on December 1, 2009 - Continue hearing and present Ordinance on FEBRUARY 23, 2010 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)**

**Roll Call #2 - Motion (Huizar - Alarcon) Adopted, Ayes (13); Absent: Koretz and Rosendahl (2)  
(Item Nos. 7-10)**

**ITEM NO. (7) - ADOPTED**

[09-2082](#)

CD 14

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Mateo and Jesse Streets Lighting District.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held January 12, 2010)

**ITEM NO. (8) - ADOPTED**

[09-2249](#)

CD 6

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Saticoy Street and Tyrone Avenue Lighting District.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held January 12, 2010)

**ITEM NO. (9) - ADOPTED**

[09-2250](#)

CD 2

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Tennessee and Butler Avenues No. 1 Lighting District.

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

1. DENY the protests and confirm the assessments.

2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held January 12, 2010)

#### **ITEM NO. (10) - ADOPTED**

[09-2081](#)  
CD 15

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Pacific Coast Highway and President Avenue Lighting District.

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

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the assessment cannot be enacted.
2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).
3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

(Public Hearing held January 12, 2010)

#### **Item for Which Public Hearing Has Been Held - Item 11**

**ITEM NO. (11) - ADOPTED, AS AMENDED - SEE FOLLOWING**

**Roll Call #8 - Motion (Parks - Smith) to Adopt as Amended, Ayes (15)**

[10-0139-S1](#)

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER AND CHIEF LEGISLATIVE ANALYST relative to proposed Public-Private Partnership for parking assets.

**(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.)**

**(Council may recess to Closed Session, pursuant to Government Code Section 54956.8, to confer with its legal Council relative to the above matter)**

**ADOPTED**

**BUDGET AND FINANCE COMMITTEE REPORT** relative to a proposed Public-Private Partnership for parking assets options.

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

1. **AUTHORIZE** the City Administrative Officer (CAO) to issue a Request for Qualifications to qualify bidders for a proposed public-private partnership with respect to the City's parking structures.
2. **AUTHORIZE** the City Attorney to negotiate and execute an Agreement with Katten Muchin Rosenman, LLP, for a term of two years and amount not to exceed \$200,000, for legal services needed to execute and implement the public-private partnership transaction.
3. **TRANSFER** appropriations of \$510,000 from the Unappropriated Balance, Fund No. 100/58, Account No. 0250, Public-Private Partnership Parking, to the Capital Finance Administration Fund No. 100/53, General Administration Account No. 0170, for expenditures related to the engagement of outside counsel, Sell-Side Advisors, and Financial Advisor including subcontractors, needed to execute and implement the public-private partnership transaction.
4. **RECEIVE** and **FILE** the CAO/Chief Legislative Analyst recommendation to transfer \$200,000 from the Unappropriated Balance, Fund No. 100/58, Account No. 0250, Public-Private Partnership Parking, to the Capital Finance Administration fund No. 100/53, General Administration Account No. 9170, for expenditures related to the engagement of consultants to complete a study of the City's parking meter system.
5. **INSTRUCT** the General Manager, Department of Transportation, to move forward as soon as possible with a Request for Proposals relative to the repair of approximately 40,000 parking meters.
6. **AUTHORIZE** the CAO to make technical adjustments as necessary to implement the intent of the Mayor and Council actions.

**Fiscal Impact Statement:** The CAO will report back with the results of the public-private partnership solicitation and include a fiscal impact statement based on any proposals resulting from this solicitation.

**Debt Impact Statement:** The CAO will report back with the results of the public-private partnership solicitation and include a debt impact statement based on any proposals resulting from this solicitation.

**Community Impact Statement:** None submitted.

**ADOPTED**

**AMENDING MOTION (ALARCON - CARDENAS)**

**Recommendations for Council action:**

1. **RESTRICT** any company, corporation, partnership, or individual who has outstanding balances in past due taxes and or fees. This restriction shall also apply to newly formed companies corporations, partnerships, and individuals with partners who have recognized from, or are created with, individuals, partners, or entities who come from a company that has, or continued to have, any outstanding balance of past due taxes and fees.
2. **REQUEST** that any operator of a publicly owned parking lot show long term financial stability and capacity to maintain their operational obligation under this new partnership.

**Items for Which Public Hearings Have Not Been Held - Items 12-18**

(10 Votes Required for Consideration)

**Roll Call #4 - Motion (Huizar - Smith) Adopted, Ayes (15)  
(Item Nos. 12-15)**

**ITEM NO. (12) - ADOPTED**

[08-3494](#)  
CD 12

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Nordhoff Way and Nordhoff Street (Reballot) 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 December 7, 2009.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **APRIL 6, 2010** as the hearing date for the maintenance of the Nordhoff Way and Nordhoff Street (Reballot) Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$1,521.70 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: March 31, 2010)

**ITEM NO. (13) - ADOPTED**

[09-3082](#)

CD 3

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Yolanda Avenue and Bassett Street 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 December 21, 2009.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **APRIL 6, 2010** as the hearing date for the maintenance of the Yolanda Avenue and Bassett Street Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$243.99 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: March 31, 2010)

**ITEM NO. (14) - ADOPTED**

[10-0043](#)

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 Brockton and Idaho Avenues (Reballot) 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 January 7, 2010.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **APRIL 6, 2010** as the hearing date for the maintenance of the Brockton and Idaho Avenues (Reballot) Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$409.50 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: March 31, 2010)

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

[10-0044](#)

CD 2

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Magnolia Boulevard and Cedros Avenue (Reballot) 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 January 7, 2010.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **APRIL 6, 2010** as the hearing date for the maintenance of the Magnolia Boulevard and Cedros Avenue (Reballot) Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$334.77 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: March 31, 2010)

**ITEM NO. (16) - NOTE AND FILE PRESENTATION**

**Roll Call #9 - Motion (Garcetti - Huizar) Adopted to Note and File, Unanimous Vote (15)**

[10-0138](#)

MOTION (GARCETTI - PERRY - ZINE - ET AL.) relative to the status of implementation of Coalition of Los Angeles City Unions concessions.

Recommendation for Council action:

INSTRUCT the City Administrative Officer and the Personnel Department to report to Council immediately on the status of implementation of Coalition of Los Angeles City Unions concessions.

**ITEM NO. (17) -NOTE AND FILE PRESENTATION - ADDITIONAL MOTION ADOPTED - SEE FOLLOWING**

**Roll Call #6 - Motion (Parks - LaBonge) to Adopt as Amended, Ayes (15)**

[10-0139](#)

MOTION (GARCETTI - PERRY - ZINE - ET AL.) relative to the draft proposal of a Request for Proposal for City-owned garages.

Recommendation for Council action:

INSTRUCT the Los Angeles Department of Transportation, Chief Legislative Analyst and the City Administrative Officer to report to Council immediately regarding the draft proposal of a Request for Proposal for City-owned garages, and REQUEST the Mayor's Office to join in the report.

**ADOPTED**

**MOTION (ALARCON - CARDENAS)**

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

- 1. RESTRICT any company, corporation, partnership, or individual who has outstanding balances in past due taxes and or fees. This restriction shall also apply to newly formed companies corporations, partnerships, and individuals with partners who have recognized from, or are created with, individuals, partners, or entities who come from a company that has, or continued to have, any outstanding balance of past due taxes and fees.**
- 2. REQUEST that any operator of a publicly owned parking lot show long term financial stability and capacity to maintain their operational obligation under this new partnership.**

**ITEM NO. (18) - NOTE AND FILE PRESENTATION**

**Roll Call #10 - Motion (Garcetti - Krekorian) Adopted to Note and File, Unanimous Vote (15)**

**[10-0140](#)**

MOTION (GARCETTI - PERRY - ZINE - ET AL.) relative to the vacant positions and positions eligible for transfer from General Fund to special fund.

Recommendation for Council action:

INSTRUCT the City Administrative Officer and the Personnel Department to report to Council immediately on the vacant positions and positions eligible for transfer from General Fund to special fund.

**MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR TUESDAY, FEBRUARY 2, 2010, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23**

**ADOPTED - FORTHWITH**

**Roll Call #11 - Motion (Hahn - LaBonge) Findings on Need to Act - Adopted, Ayes (15)**

**Roll Call #12 - Motion (Hahn - LaBonge) Adopted, Ayes (15)**

[10-0195](#)

**MOTION (HAHN - LABONGE) and RESOLUTION** relative to the Department of Recreation and Parks (RAP) and Palos Verdes Peninsula Land Conservancy seeking funding for program operations at the White Point Nature Preserve.

**Recommendation for Council action:**

1. **ADOPT** the accompanying **RESOLUTION**, as required by the grant guidelines, that authorizes the Department of Recreation and Parks (RAP) to submit a grant application for the Habitat Conservation Fund in the amount of \$184,500 for use at the White Point Nature Preserve.
2. **INSTRUCT** the RAP to report to Council upon notification and prior to the acceptance of any Habitat Conservation Fund awards for the White Point Nature Preserve.

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

[10-0198](#)

CD 6

MOTION (PERRY - SMITH) relative to funding for services in connection with the Council District Nine Air Quality Management District (AQMD) Hearing in the Van Nuys City Hall Council Chambers.

[09-0742-S1](#)

CD 12

MOTION (SMITH - ZINE) relative to funding for the installation of a traffic signal at Balboa Boulevard and Knollwood Shopping Center in Council District 12.

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

[10-0003](#) - Zelda Rubinstein

(Koretz)

Devon Taylor Hamilton

(Hahn)

**Ayes, Alarcón, Cárdenas, Hahn, Huizar, Koretz, Krekorian, LaBonge, Parks, Perry, Reyes, Rosendahl, Smith, Wesson, Zine and President Garcetti (15)**

**Whereupon the Council did adjourn.**

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL