

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **February 3, 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, Huizar, Parks, Perry, Reyes, Smith, Wesson, Zine and President Garcetti (10); Absent: Hahn, Koretz, Krekorian, LaBonge and Rosendahl (5)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
JANUARY 29, 2010

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE - 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 1-9

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

Roll Call #39 - Motion (Parks - Perry) Adopted, Ayes (15)

[09-2696](#)

CD 8

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 3609 South Gramercy Place. (Lien: \$12,266.25)

**Roll Call #1 - Motion (Alarcón - Wesson) Adopted to Receive and File, Unanimous Vote (10); Absent: Hahn, Koretz, Krekorian, LaBonge and Rosendahl (5)
(Item Nos. 2-3)**

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

[09-2697](#)

CD 7

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 9167 North Kester Avenue. (Lien: \$7,168.23)

ITEM NO. (3) - RECEIVED AND FILED

[09-2701](#)

CD 10

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 of the lot at 910 South Westchester Place. (Lien: \$617.98)

ITEM NO. (4) - CONTINUED TO FEBRUARY 12, 2010

Roll Call #38 - Motion (Koretz - Parks) Adopted to Continue, Unanimous Vote (15)

[09-2702](#)

CD 13

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of fencing the lot, demolition of the building, asbestos removal and monitoring of the asbestos removal at 2525 West Temple Street. (Lien: \$43,728.25)

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

Roll Call #35 - Motion (Smith - Rosendahl) Adopted, Ayes (15)

[09-2703](#)

CD 12

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the cost of cleaning of the lot at 9743 North Monogram Avenue. (Lien: \$420)

**Roll Call #3 - Motion (Parks - Smith) Adopted, Ayes (10); Absent: Hahn, Koretz, Krekorian, LaBonge and Rosendahl (5)
(Item Nos. 6-8)**

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

[09-2704](#)

CD 8

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 of the lot at 6800 South Menlo Avenue. (Lien: \$2,603.32)

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

[09-2705](#)

CD 8

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the cost of fencing of the lot at 4120 South Mantova Drive. (Lien: \$10,497.31)

ITEM NO. (8) - PUBLIC HEARING CLOSED - LIEN CONFIRMED

09-2706

CD 8

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 3956 South Halldale Avenue. (Lien: \$18,381.41)

ITEM NO. (9) - CONTINUED TO FEBRUARY 5, 2010

Roll Call #2 - Motion (Cárdenas - Reyes) Adopted to Continue, Unanimous Vote (10); Absent: Hahn, Koretz, Krekorian, LaBonge and Rosendahl (5)

09-2998

CD 15

APPEAL filed by Ricardo F. Icaza, United Food and Commercial Workers Union (UFCW) (Darlene Kuba, Representative) regarding the disapproval of a proposed General Plan Amendment to the Wilmington-Harbor City Community Plan to remove the MR1 designation and disapproval of the concurrent zone change from [Q]MR-1-1VL to [Q]CM-1VL, for the proposed construction of 30 residential townhome style dwelling units in four separate buildings for property at 25941 and 25949 South Belle Porte Avenue, subject to Conditions of Approval.

Applicant: Ricardo F. Icaza, UFCW
(Darlene Kuba, Representative)

CPC 2008-3222-GPA-ZC

Items for Which Public Hearings Have Been Held - Items 10-11

ITEM NO. (10) - MOTION ADOPTED TO ADOPT THE RECOMMENDATIONS OF THE CITY ADMINISTRATIVE OFFICER IN LIEU OF MAJORITY AND MINORITY REPORTS, AS AMENDED - SEE FOLLOWING

Roll Call #31 - Motion (Parks - Smith) to Adopt as Amended, Ayes (15)

09-0600-S159

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER relative to the Mid-Year Financial Status Report and Three-Year Plan to Fiscal Sustainability.

(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.)

SEE FOLLOWING

BUDGET AND FINANCE COMMITTEE MAJORITY REPORT relative to the Mid-Year Financial Status Report and Three-Year Plan to Fiscal Sustainability.

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

- 1. APPROVE the recommendations contained in the City Administrative Officer's (CAO) Mid-Year Financial Status Report with the following changes and amendments:**
 - a. DELETE Recommendation No. 45 relative to the elimination of 1,000 General Funded positions. (Huizar-Koretz-Rosendahl)**
 - b. DELETE Recommendation No. 47 relative to the elimination of the Department on Disability. (Huizar-Koretz-Rosendahl)**
 - c. DELETE Recommendation No. 50 relative to modifying the funding of the Neighborhood Empowerment Program.**
 - d. DELETE Recommendation No. 52 relative to instructing the Bureau of Engineering to reassign one CD 14 Neighborhood City Hall Renovation position to a special-funded assignment and transfer savings of \$14,701 from the Bureau of Engineering Fund No. 100/78, Account No. 1010, Salaries, General Account to the UB 100/58, Account No. 0037, Reserve for Economic Uncertainty.**
 - e. DELETE Recommendation No. 59 relative to the transfer of \$10,000,000 from the Unappropriated Balance (UB) Fund 100/58 from AB1290 Account 0242 to the Reserve for Economic Uncertainty Account 0037.**
 - f. AMEND Recommendation No. 62 relative to directing all General Managers to negotiate with existing personal services contractors to seek a 10 percent reduction in contract rates, including consideration of exercising termination clauses for contracts where rate reductions are not granted, to include that the City Attorney be included, for consistency, in the discussions with contractors.**
 - g. DELETE Recommendation No. 68 relative to a transfer of appropriations of \$200,000 from the UB, Fund No. 100/58, Account No. 0250, Public-Private Partnership Parking (Special Parking Revenue Fund Source) to the Capital Finance Administration Fund No. 100/53, General Administration Account No. 0170, for expenditures related to the engagement of consultants to complete a study of the City's meter system.**
 - h. REPLACE Recommendation No. 69 as follows:**
 - 1) ADOPT a 30 percent subsidy for the Solid Resources Lifeline Rate Program, in line with the subsidy program provided by the Department of Water and Power. Participants must prove eligibility every two years and the subsidy amount would be reviewed every five years; and,**
 - 2) REQUEST the City Attorney to prepare and present the necessary ordinance requirements to effectuate this change.**
- 2. SUBMITS WITHOUT RECOMMENDATION the following recommendation of the CAO:**

Eliminate the Human Services Department as follows:

- a. **AUTHORIZE the CAO, with the assistance of other departments, to eliminate the Human Services Department by June 30, 2010.**
 - b. **REQUEST the City Attorney to update the Ordinances related to the Commission for Children, Youth and Their Families, the Commission on the Status of Women and the Human Relations Commission to eliminate the three departments and to place the volunteer Commissions in abeyance by June 30, 2010.**
 - c. **AUTHORIZE the CAO, with the assistance of other departments, to transfer the KidWatch, YWAR and Joy Picus Child Care Center functions to other departments.**
3. **INSTRUCT the CAO to provide a more comprehensive report which provides budget balancing options which do not exempt any department, including elected offices**
 4. **INSTRUCT the Department of Animal Services to report back to the Council relative to efforts to increase animal registration.**
 5. **INSTRUCT the CAO to:**
 - a. **Report back to the Council relative to ensuring that staffing is available in the Los Angeles Fire Department (LAFD) to maintain the LAFD fleet if Municipal Improvement Corporation of Los Angeles (MICLA) funding is not provided to purchase new vehicles/equipment;**
 - b. **Monitor the status of LAFD's submission of information necessary for preparation of an Ordinance by the City Attorney relative to the Industrial Inspection Fee.**
 6. **INSTRUCT the CAO, with the Los Angeles World Airports and the Harbor Departments, to report back to the Council relative to reassigning General Funded employees to the Proprietary Departments. The report should provide detail on all contracts with positions such as engineering, clerical and administrative support which may be appropriate for displaced City staff.**
 7. **REQUEST the Office of the Mayor to assist in obtaining compliance with the Fleet Reduction Program in order to address a \$5.5 million shortfall in the Department of General Services' Fleet Reduction Program.**
 8. **REQUEST the General Manager of the Los Angeles City Employees' Retirement System to report to the Council relative to whether additional staffing could be utilized to expedite processing of ERIP participants.**
 9. **APPROVE the recommendations contained in the CAO's Three-Year Plan to Fiscal Sustainability with the following changes and amendments:**
 - a. **DELETE Recommendation No. 14 relative to the Solid Resources Lifeline Rate Program.**

- b. **AMEND Recommendation No. 15a to delete the words "Reserve for Economic Uncertainties Account."**
- c. **DELETE Recommendation No. 20a, b, and c; RETAIN Recommendation No. 20d.**
- e. **RECEIVE and FILE Recommendation No. 24 relative to a transfer of \$200,000 from the UB, 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 consultants to complete a study of the City's parking meter system.**
- f. **RECEIVE and FILE Recommendation No. 25 relative to the Parking Structure Proposal inasmuch as this matter has been addressed by the Council under Council file 10-0139-S1.**
- g. **AMEND Recommendation 27b as follows:**

Request the Los Angeles Convention Center (LACC) and Los Angeles Convention and Visitors Bureau (LA, Inc.) to collaborate to better align the sale and marketing of the LACC and propose options to maximize returns.

- 10. INSTRUCT the Cultural Affairs Department to issue a Request for Proposals (RFP) within 90 days for partnership agreements to operate the Barnsdall, Madrid and Warner Grand theater facilities to begin no later than July 1, 2010 and to operate the Vision Theater upon completion of its renovation.**
- 11. INSTRUCT the Cultural Affairs Department to issue an RFP within 90 days for partnership agreements to operate the Barnsdall Art Center, Barnsdall Junior Art Center and William Grant Still Arts Center to begin no later than July 1, 2010.**
- 12. INSTRUCT the CAO to research and identify four City departments each year beginning Fiscal Year 2012-13 for true zero-based budgeting.**

SEE FOLLOWING

BUDGET AND FINANCE COMMITTEE MINORITY REPORT relative to Mid-Year Financial Status Report and Three-Year Plan to Fiscal Sustainability.

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

- 1. APPROVE the recommendations contained in the City Administrative Officer's (CAO) Mid-Year Financial Status Report with the following changes and amendments:**
 - a. **APPROVE Recommendation No. 45 relative to the elimination of 1,000 General Funded Positions. (Parks-Smith)**
 - b. **DELETE Recommendation No. 48 relative to the elimination of the Department of Environmental Affairs. (Rosendahl-Koretz)**

- c. **DELETE Recommendation No. 50 relative to modifying the funding of the Neighborhood Empowerment Program.**
- d. **DELETE Recommendation No. 52 relative to instructing the Bureau of Engineering to reassign one CD 14 Neighborhood City Hall Renovation position to a special-funded assignment and transfer savings of \$14,701 from the Bureau of Engineering Fund No. 100/78, Account No. 1010, Salaries, General Account to the UB 100/58, Account No. 0037, Reserve for Economic Uncertainty.**
- e. **DELETE Recommendation No. 59 relative to the transfer of \$10,000,000 from the Unappropriated Balance (UB) Fund 100/58 from AB1290 Account 0242 to the Reserve for Economic Uncertainty Account 0037.**
- f. **AMEND Recommendation No. 62 relative to directing all General Managers to negotiate with existing personal services contractors to seek a 10 percent reduction in contract rates, including consideration of exercising termination clauses for contracts where rate reductions are not granted, to include that the City Attorney be included, for consistency, in the discussions with contractors.**
- g. **DELETE Recommendation No. 68 relative to a transfer of appropriations of \$200,000 from the UB, Fund No. 100/58, Account No. 0250, Public-Private Partnership Parking (Special Parking Revenue Fund Source) to the Capital Finance Administration Fund No. 100/53, General Administration Account No. 0170, for expenditures related to the engagement of consultants to complete a study of the City's meter system.**
- h. **REPLACE Recommendation No. 69 as follows:**
 - 1. **ADOPT a 30 percent subsidy for the Solid Resources Lifeline Rate Program, in line with the subsidy program provided by the Department of Water and Power. Participants must prove eligibility every two years and the subsidy amount would be reviewed every five years; and,**
 - 2. **REQUEST the City Attorney to prepare and present the necessary ordinance requirements to effectuate this change.**

2. SUBMITS WITHOUT RECOMMENDATION the following recommendation of the CAO:

Eliminate the Human Services Department as follows:

- a. **AUTHORIZE the CAO, with the assistance of other departments, to eliminate the Human Services Department by June 30, 2010;**
- b. **REQUEST the City Attorney to update the Ordinances related to the Commission for Children, Youth and Their Families, the Commission on the Status of Women and the Human Relations Commission to eliminate the three departments and to place the volunteer Commissions in abeyance by June 30, 2010.**

- c. **AUTHORIZE** the CAO, with the assistance of other departments, to transfer the KidWatch, YWAR and Joy Picus Child Care Center functions to other departments.
3. **INSTRUCT** the CAO to provide a more comprehensive report which provides budget balancing options which do not exempt any department, including elected offices.
4. **INSTRUCT** the Department of Animal Services to report back to the Council relative to efforts to increase animal registration.
5. **INSTRUCT** the CAO to:
 - a. **Report back to the Council relative to ensuring that staffing is available in the Los Angeles Fire Department (LAFD) to maintain the LAFD fleet if Municipal Improvement Corporation of Los Angeles (MICLA) funding is not provided to purchase new vehicles/equipment;**
 - b. **Monitor the status of LAFD's submission of information necessary for preparation of an Ordinance by the City Attorney relative to the Industrial Inspection Fee.**
6. **INSTRUCT** the CAO, with the Los Angeles World Airports and the Harbor Departments, to report back to the Council relative to reassigning General Funded employees to the Proprietary Departments. The report should provide detail on all contracts with positions such as engineering, clerical and administrative support which may be appropriate for displaced City staff.
7. **REQUEST** the Office of the Mayor to assist in obtaining compliance with the Fleet Reduction Program in order to address a \$5.5 million shortfall in the Department of General Services' Fleet Reduction Program.
8. **REQUEST** the General Manager of the Los Angeles City Employees' Retirement System to report to the Council relative to whether additional staffing could be utilized to expedite processing of ERIP participants.
9. **APPROVE** the recommendations contained in the CAO's Three-Year Plan to Fiscal Sustainability with the following changes and amendments:
 - a. **DELETE** Recommendation No. 14 relative to the Solid Resources Lifeline Rate Program.
 - b. **DELETE** Recommendation No. 15 relative to curtailments to the Neighborhood Council Funding Program. (Rosendahl-Koretz)
 - c. **DELETE** Recommendation No. 20a, b, and c; **RETAIN** Recommendation No. 20d.
 - e. **RECEIVE and FILE** Recommendation No. 24 relative to a transfer of \$200,000 from the UB, 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 consultants to complete a study of the City's parking meter system.

f. **RECEIVE and FILE Recommendation No. 25 relative to the Parking Structure Proposal inasmuch as this matter has been addressed by the Council under Council file 10-0139-S1.**

g. **AMEND Recommendation 27b as follows:**

Request the Los Angeles Convention Center (LACC) and Los Angeles Convention and Visitors Bureau (LA, Inc.) to collaborate to better align the sale and marketing of the LACC and propose options to maximize returns.

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11. INSTRUCT the Cultural Affairs Department to issue an RFP within 90 days for partnership agreements to operate the Barnsdall Art Center, Barnsdall Junior Art Center and William Grant Still Arts Center to begin no later than July 1, 2010.

12. INSTRUCT the CAO to research and identify four City departments each year beginning Fiscal Year 2012-13 for true zero-based budgeting.

Fiscal Impact Statement: The CAO reports that the 2009-10 Budget deficit is now estimated at \$218.5 million, which reflects an additional \$110.6 million decline in revenue from the reported shortfall in the Second Financial Status Report, as well as an additional reduction of \$10 million in revenue from AB1290 funds. The new projected revenue shortfall is now \$195.9 million. The current Reserve Fund balance is estimated at \$170.9 million (consisting of \$121 million in the Emergency Reserve Account and \$49.9 million in the Contingency Reserve Account), which includes proposed Reserve Fund loans and transfers. Transfers, appropriations and other adjustments totaling approximately \$112.5 million are recommended in Sections 1 and 2 of the CAO report, which includes a total of \$30.8 million in proposed transfers from departmental surpluses to the Reserve for Economic Uncertainty.

Additional budgetary adjustments totaling approximately \$5 million are recommended in Section 3 of the CAO's report. Recommendations include \$3.9 million in additional transfers to the Reserve for Economic Uncertainty, which would reduce the Budget deficit to \$214.6 million. Budgetary transactions for other proposed recommendations in Section 3 of the CAO's report will be contained within future reports. The total of all recommended budgetary adjustments in this report is \$117.5 million.

At this time, the Reserve Fund Balance is estimated to be \$17.5 million at year-end, which assumes approval of all recommended actions in this report and the anticipated increases to the Reserve Fund.

Community Impact Statement: Yes: Eagle Rock Neighborhood Council

ADOPTED

MOTION (GARCETTI - PARKS)

Recommendation for Council action:

ADOPT the recommendations of the City Administrative Officer relative to the Mid-Year Financial Status Report, as amended by the various Motions attached to the Council file.

ADOPTED, AS AMENDED

Roll Call #5 - Motion (Huizar - LaBonge - Garcetti) to Adopt as Amended, Unanimous Vote (15)

MOTION 10A (HUIZAR - LABONGE - GARCETTI)

Recommendation for Council action:

REFER the matter regarding Cultural Affairs Recommendation No. 46 (a) through (c) of the City Administrative Officer (CAO) report back to the Budget and Finance Committee and **REQUEST** that the Department of Cultural Affairs (DCA) and CAO submit a joint report on the following:

- a. **Alternative efficiencies throughout the City budget necessary to prevent the cancellation of grants which have been approved for 2009-10.**
- b. **Alternative efficiencies through the City budget necessary to prevent the suspension of the Cultural Affairs Grant Program for 2010-11**
- c. **List, description and location of projects awarded DCA grants during the past three years**
- d. **Number of jobs, associated earnings and other revenues generated by projects awarded DCA grants during the past three years in Los Angeles**
- e. **Projected impact on jobs, associated earnings and other revenues that the suspension of the grant program of 2010-11 would have in Los Angeles**

ADOPTED

Roll Call #8 - Motion (Hahn - LaBonge) Adopted, Ayes (12); Absent: Cárdenas, Huizar and Koretz (3)

MOTION 10C (HAHN - LABONGE)

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

RESOLVE, to include in the City's State Legislative Program **SPONSORSHIP** and **SUPPORT** of emergency legislation to have State grants, especially grants for parks, be provided on a non-reimbursable basis in order to make these funds immediately available to the City instead of having the City advance the funds and wait for reimbursement from the State.

ADOPTED, AS AMENDED

Roll Call #9 - Motion (Smith - Zine - Parks) to Adopt as Amended, Ayes (12); Absent: Cárdenas, Huizar and Koretz (3)

MOTION 10D (SMITH - ZINE - PARKS),

Recommendations for Council action:

- 1. ESTABLISH a Working Group consisting of the Chief of Police, the Fire Chief, the City Administrative Officer, the Chief Legislative Analyst, or their respective designees, and a representative of the Police union to identify efficiency opportunities within the Police and Fire Departments which would equate to budgetary savings *with oversight by the City Attorney. *(Smith - LaBonge)**
- 2. DIRECT the Working Group to report within 30 days to joint meetings of the Public Safety and Personnel Committees of the Council.**

REFERRED TO ENERGY AND ENVIRONMENT COMMITTEE

Roll Call #13 - Motion (Huizar - LaBonge - Cárdenas) Adopted, Ayes (15)

MOTION 10E (HUIZAR - LABONGE - CARDENAS)

Recommendations for Council action:

- 1. INSTRUCT the City Administrative Officer (CAO) to immediately begin negotiating a contract between the Bureau of Street Services (BSS) and the City's proprietary departments and the Department of Recreation and Parks to take over responsibility for line clearance and tree trimming, using existing Urban Forestry staff at risk of termination.**
- 2. INSTRUCT the BSS, CAO and labor representatives for BSS to meet and discuss how to develop and implement a "Tree Surgeon Academy" to quickly train and employ as apprentices any additional staff that is needed to fill these contracts, as well as to train existing employees any new skills they need to learn in order to handle their new responsibilities working on contract for other City departments.**
- 3. INSTRUCT the CAO and BSS to immediately prepare a contract between the Los Angeles Department of Water and Power (LADWP) and BSS to handle trench repair associated with the LADWP's line replacement project.**

REFERRED TO ARTS, PARKS, HEALTH AND AGING COMMITTEE

Roll Call #32 - Motion (Garcetti - Smith) Adopted to Refer, Unanimous Vote (15)

MOTION 10F (GARCETTI - LABONGE - PERRY - ET AL.)

Recommendation for Council action:

1. DELETE Recommendation No. 46(c) in the Financial Status Report regarding suspension of the Cultural Affairs Grant Program for fiscal year 2010-11.
2. REFER Recommendation No. 47 in the Financial Status Report regarding the elimination of the Department on Disability to the Arts, Parks, Health and Aging Committee for Council consideration and report back to Council within 30 days.
3. REFER Recommendation No. 49 in the Financial Status Report regarding the elimination of the Human Services Department to the Arts, Parks, Health and Aging Committee and report back to Council within 30 days.

ADOPTED, AS AMENDED

Roll Call #10 - Motion (Perry - Parks) to Adopt as Amended, Ayes (14); Absent: Huizar (1)

MOTION 10G (PERRY - PARKS)

Recommendation for Council action:

RESOLVE, that if the Council does not achieve a decision on this matter by close of business on Friday, February 5, 2010, the Council shall meet daily in special session, or on a continuation basis, as appropriate, beginning ~~Monday February 8, 2010~~ *Tuesday, February 9, 2010 in order to take actions to balance the Budget for Fiscal Year (FY) 2009-10 and to continue to make decisions to prepare a balanced budget for FY 2010-11.

ADOPTED

Roll Call #7 - Motion (Alarcón - Huizar) Adopted, Unanimous Vote (15)

MOTION 10H (ALARCON - HUIZAR)

Recommendations for Council action:

1. AUTHORIZE the City Administrative Officer (CAO) to negotiate amendments to all City contracts to provide at least a ten percent reduction in the value of any contracts with vendors, consultants, and contractors as part of the City's Shared Sacrifice program.
2. AUTHORIZE the CAO to provide a preference in the award of future contracts to those vendors, consultants, and contractors who negotiate at least a ten percent reduction in the value of their current contracts.

ADOPTED

Roll Call #11 - Motion (Alarcón - Koretz) Adopted, Ayes (14); Absent: Huizar (1)

MOTION 10I (ALARCON - HUIZAR)

Recommendations for Council action:

1. **INSTRUCT the CAO and CLA to include all outstanding uncollected tax debts owed to the City, estimated by the Office of Finance to be approximately \$400 million, as part of the City's Reserve Fund as an Accounts Receivable account. The debt figure may be discounted before posting for such factors as collection difficulty, over-assessment, and legal settlements.**
2. **INSTRUCT the Office of Finance to immediately pursue all legal measures to collect all outstanding delinquent taxes, including such measures as:**
 - a. **Cancellation of all City business licenses and permits, and contracts with the delinquent business including any of its subsidiaries**
 - b. **Debarment from any City contracts**
 - c. **Expediting of City administrative and legal processes to recover the delinquent taxes**
 - d. **Hiring additional collections staff and legal assistance**

ADOPTED, AS AMENDED - REFERRED TO EERC

Roll Call #12 - Motion (Alarcón - Parks) Adopted to Refer, Ayes (14); Absent: Huizar (1)

MOTION 10J (ALARCON - HUIZAR)

Recommendations for Council action:

1. **INSTRUCT LACERS to work with the CAO to expedite processing of the remaining ERIP candidates to assure that they are off the payroll by April 1, 2010, and also hire additional personnel or to extend the employment of currently employed exempt employees necessary to help expedite the process.**
2. **EXTEND ERIP to all employees currently on the existing waiting list and possibly extend the program to an additional 500 employees *with the provision that providing ERIP for these additional employees is revenue neutral. *(Perry - Alarcón)**

ADOPTED, AS AMENDED

Roll Call #33 - Motion (Alarcón - Huizar) to Adopt as Amended, Unanimous Vote (15)

MOTION 10K (ALARCON - HUIZAR)

Recommendation for Council action:

INSTRUCT the CAO to ensure that any personnel action taken to reduce City staff shall exclude any employees whose work generates *net revenues for the City such as those employees who collect the City's debt, provide services for fees, etc. *(Krekorian - Koretz)

ADOPTED

Roll Call #34 - Motion (Alarcón - Huizar) Adopted, Unanimous Vote (15)

MOTION 10L (ALARCON - HUIZAR)

Recommendations for Council action:

- 1. INSTRUCT the CAO to require proprietary departments to expedite the transfer of general fund employees to the proprietary department and to require all City departments to expedite the transfer of general fund employees to positions funded by special funds, particularly funds available through ARRA, to accomplish the transfers by March 1, 2010, or as soon as vacancies become available.**
- 2. INSTRUCT the CAO to report to the Council weekly on the progress of this action until the transfers are complete or otherwise directed by the Council.**

ADOPTED

Roll Call #14 - Motion (Alarcón - Huizar) Adopted, Ayes (15)

MOTION 10M (ALARCON - HUIZAR)

Recommendation for Council action:

INSTRUCT the CAO and CLA to provide revenue enhancement concepts and proposals other than privatization of City assets for the Council's consideration. The proposals shall include alternative proposals to enhance revenues from parking structures other than the pending leasing proposal presented to Council on February 2, 2010.

ADOPTED, AS AMENDED

Roll Call #15 - Motion (Hahn - Koretz) to Adopt as Amended, Unanimous Vote (15)

MOTION 10N (HAHN - KORETZ)

Recommendations for Council action:

- 1. INSTRUCT the Personnel Department and the CAO, with the support and cooperation of all City and proprietary departments, to immediately proceed with the transfer of 306 City staff from General Funded to Special Funded and Proprietary Department vacancies identified in the Personnel Department's preliminary review of vacant positions.**
- 2. INSTRUCT the CAO to eliminate from the 2009-10 Budget the General Funded positions immediately upon the creation of the vacancy, *if filling the position is critical backfill only within General Funded positions of an equal or higher level in order to maximize General Fund savings from these transfers. *(Hahn - Koretz)**

ADOPTED

Roll Call #16 - Motion (Alarcón - Cárdenas) Adopted, Ayes (15)

MOTION 100 (ALARCON - CARDENAS)

Recommendations for Council action:

- 1. INSTRUCT the CAO budget analyst for each City department to report on the use of the ARRA funds in the department. The report should include at least the following:**
 - a. The nature and amount of funds for which the department has applied**
 - b. The nature and amount of funds for which the department is eligible**
 - c. The amount approved and the amount received**
 - d. The number of jobs proposed to be preserved or created and the actual number of jobs that have been preserved or created**
- 2. INSTRUCT the CAO to provide the report within one week and continue to provide the report each week until further notice.**

ADOPTED

Roll Call #17 - Motion (Hahn - Parks) Adopted, Unanimous Vote (15)

MOTION 10P (HAHN - PARKS)

Recommendation for Council action:

INSTRUCT the CAO to consider a new solution for raising revenues: the sale of tax liens or any other kind of liens held by the City, inasmuch as this practice has been successfully utilized by such entities as New York City as well as the school districts of Los Angeles County.

REFERRED TO HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

Roll Call #6 - Motion (Wesson - Parks) Adopted to Refer, Unanimous Vote (15)

MOTION 10Q (WESSON - REYES)

Recommendation for Council action:

REFER Recommendation No. 59 in the Financial Status Report regarding the transfer of \$10 million in AB1290 funds to the Housing, Community and Economic Development Committee.

ADOPTED

Roll Call #18 - Motion (Reyes - Parks) Adopted, Unanimous Vote (15)

MOTION 10R (REYES - PARKS)

Recommendation for Council action:

INSTRUCT the CAO and CLA, with the assistance of departments, to develop revenue generating strategies to mitigate General Fund support when considering elimination or consolidation of any City department; and further **INCLUDE** job development consideration through additional grants and public/private partnership opportunities.

ADOPTED

Roll Call #19 - Motion (Garcetti - Perry) Adopted, Unanimous Vote (15)

MOTION 10S (GARCETTI - PERRY - PARKS - KORETZ)

Recommendations for Council action:

- 1. INSTRUCT** that no layoffs of City personnel take place in the next 30 days, with the goal of transferring at least 1,000 positions to proprietary, special and vacant funded positions.
- 2. INSTRUCT** the following in order to continue the process of layoff calculations:
 - a. General Managers** to identify the potential number and classification of employees required to be laid off.
 - b. The General Manager of the Personnel Department** to calculate all necessary layoffs.

ADOPTED

Roll Call #20 - Motion (Huizar - Hahn) Adopted, Unanimous Vote (15)

MOTION 10T (HUIZAR - HAHN)

Recommendations for Council action:

- 1. REQUEST** all the City's labor representatives to assist in communicating with their members who may be at risk of having their positions eliminated to find other positions that are special funded or whose funding is more secure.
- 2. REQUEST** the Community Development Department, with assistance from the CAO and Personnel Department to expand its displaced worker retraining program to also include workers at risk of being laid off who need to learn new skills.

3. **REQUEST the CAO and Personnel Department to work with the proprietary departments and departments with vacant special funded positions to come up with a “shadowing” program in which new transfers spend a transition period in training.**

REFERRED TO ARTS, PARKS, HEALTH AND AGING AND PERSONNEL COMMITTEES

Roll Call #23 - Motion (LaBonge - Hahn) Adopted to Refer, Unanimous Vote (15)

MOTION 10U (LABONGE - HAHN)

Recommendations for Council action:

1. **ESTABLISH a Working Group consisting of the Department of Cultural Affairs, Department of Aging, the Department of Recreation and Parks, the City Administrative Officer, the Chief Legislative Analyst, and a representative(s) of labor to identify efficiency opportunities within the Departments of Cultural Affairs, Aging, and Recreation and Parks including consolidation and reorganization which would equate to budgetary savings.**
2. **DIRECT the Working Group to report within 30 days to joint meetings of the Arts, Parks, Health and Aging and Personnel Committees of the Council.**

REFERRED TO PUBLIC WORKS AND PERSONNEL COMMITTEES

Roll Call #22 - Motion (LaBonge - Rosendahl) Adopted to Refer, Unanimous Vote (15)

MOTION 10V (LABONGE - ROSENDAHL)

Recommendations for Council action:

1. **ESTABLISH a Working Group consisting of the Department of Public Works, Department of Transportation, the City Administrative Officer, the Chief Legislative Analyst and a representative(s) of labor to identify efficiency opportunities within the Department of Public Works and the Department of Transportation including consolidation and reorganization which would equate to budgetary savings.**
2. **DIRECT the Working Group to report within 30 days to joint meetings of the Public Works and Personnel Committees of the Council.**

ADOPTED

Roll Call #21 - Motion (Hahn - Krekorian) Adopted, Unanimous Vote (15)

MOTION 10W (HAHN - KREKORIAN)

Recommendations for Council action:

1. **INSTRUCT the Personnel Department, with the assistance of LACERS and other pertinent departments, to move quickly to identify all specially funded positions, including those at the proprietary departments, and match employees currently in general funded positions and transfer them into specially funded positions.**

2. **IMPLEMENT Charter Section 1014, relative to emergency transfers, as necessary to allow for employees to transfer into these specially funded positions immediately.**

ADOPTED

Roll Call #24 - Motion (Alarcón - Koretz) Adopted, Unanimous Vote (15)

MOTION 10X (ALARCON - KORETZ)

Recommendation for Council action:

INSTRUCT the CAO and CLA to form a management-labor committee at each department and an oversight Citywide committee to propose efficiencies and savings in each department, other than those within the purview of the EERC, while preserving core services, including but not limited to: a) cost efficiencies and cost reductions; b) personnel and resource deployment; and, c) administrative restructuring, including department mergers and elimination. The Citywide team shall report to the Council each week on Tuesday or Wednesday until otherwise directed.

ADOPTED

Roll Call #25 - Motion (Rosendahl - Koretz) Adopted, Unanimous Vote (15)

MOTION 10Y (ROSENDAHL - KORETZ)

Recommendations for Council action:

1. **REMOVE from consideration under Recommendation No. 45 (Elimination of 1,000 General Funded Positions) any reductions to the Bureau of Engineering that would result in the closure of the West Los Angeles District Office, consistent with the instructions in the 2009-10 Adopted Budget.**
2. **DIRECT the Bureau of Engineering and CAO to report to the City Council with an alternative set of cuts that will maintain the savings anticipated, while dispersing those cuts across the entire Bureau, as appropriate.**

ADOPTED

Roll Call #26 - Motion (Zine - Huizar) Adopted, Unanimous Vote (15)

MOTION 10Z (ZINE - HUIZAR)

Recommendations for Council action:

1. **AUTHORIZE the formation of a taskforce and DIRECT the Los Angeles Police Department (LAPD), Los Angeles Fire Department (LAFD) and Department of General Services (GSD) to work with the CLA, CAO and the Mayor's Office to come up with solutions including but not limited to the following:**

- a. An immediate service sharing plan that would allow the City to manage all its fleet operations with existing staff after ERIP.
 - b. Comprehensive fleet management consolidation plan for GSD, LAPD and LAFD.
 - c. Fleet Cost charge backs to hold all general managers accountable for the cost of their departmental fleet needs.
 - d. Fleet reduction strategy to include rightsizing plan, utilization standards.
 - e. Industry best practices to help increase efficiency.
2. DIRECT the taskforce to report back to the Council in 30 days followed by monthly updates to the Council and Mayor, with goals, milestones and resource needs necessary to make the City fleet operation more cost effective.

CONTINUED TO FEBRUARY 9, 2010

Roll Call #27 - Motion (Krekorian - Koretz) Adopted to Continue, Unanimous Vote (15)

MOTION 10AA (KREKORIAN - KORETZ)

Recommendation for Council action:

REFER Recommendation No. 50 in the Financial Status Report regarding the Modifications to the funding of the Neighborhood Empowerment Program to the Education and Neighborhoods Committee and report back to the Council within 30 days.

ADOPTED

Roll Call #28 - Motion (Huizar - Koretz) Adopted, Unanimous Vote (15)

MOTION 10BB (HUIZAR - KORETZ)

Recommendation for Council action:

1. INSTRUCT the CAO to produce within five days a Short-Term Plan for Fiscal Solvency to aid the Council in making decisions that have the potential to increase revenue or reduce costs within the current fiscal year or beginning of FY 2010-11.
2. INSTRUCT the CLA to update its matrix of proposed revenue generating ideas, produced for the special meetings of the Council devoted to developing ways to increase our General Fund, along with a calendar of dates for when the Council must act to place any of these matters on an upcoming Citywide ballot.

CONTINUED TO FEBRUARY 9, 2010

Roll Call #29 - Motion (Hahn - LaBonge) Adopted To Continue, Unanimous Vote (15)

MOTION 10CC (HAHN - LABONGE)

Recommendation for Council action:

ADOPT the following:

- a. Request the City Administrative Officer (CAO) to report back on the retention of bond counsel to advise the Council on whether the Convention Center's tax-exempt bond status allows the City to privatize the management and operations of the Convention Center.
- b. Request the CAO to describe financial expectations for this privatization proposal, including whether we are seeking up-front financial commitments, capital investments, or revenue sharing proposals.
- c. Refer the above reports to the Trade, Commerce and Tourism Committee for further discussion and recommendations before a "Request for Proposals" for the management and operations of the Convention Center is issued.

CONTINUED TO FEBRUARY 9, 2010

Roll Call #30 - Motion (Hahn - Parks) Adopted to Continue, Unanimous Vote (15)

MOTION 10DD (HAHN - PARKS)

Recommendation for Council action:

INSTRUCT the Office of Finance to immediately release a new Request for Proposals for all primary collection efforts.

MOTION (PARKS - SMITH)

Roll Call #41 - Motion (Huizar - Parks) Adopted, Unanimous Vote (15)

Recommendation for Council action:

AMEND recommendations Nos. 63 and 64 of the City Administrative Officer relative to the Mid-Year Financial Status Report, to include all departments in the instruction pertaining to contracts.

MOTION (REYES - SMITH)

Roll Call #42 - Motion (Reyes - Smith) Adopted, Unanimous Vote (15)

Recommendation for Council action:

REFER the Project in Council District One to the Arts, Parks, Health and Aging Committee.

MOTION (HUIZAR - CARDENAS)

Roll Call #43 - Motion (Huizar - Cárdenas) Adopted, Ayes (13); Noes, Alarcon and Koretz (2)

Recommendation for Council action:

APPROVE the program to increase the lifeline rate structure pursuant to Attachment 13 F-1, with a report prior to implementation or the year two increase relative to the Project Angel funding. The program to include verification of program applicants by the Office of Finance with the assistance of the Bureau of Sanitation.

MOTION (PARKS - SMITH)

Recommendation for Council action:

REQUIRE that the lifeline program be capped at \$58,651, plus the applicants in the process for approval, subject to legal review.

ITEM NO. (11) - ADOPTED

Roll Call #4 - Motion (Reyes - Huizar) Adopted, Ayes (10); Absent: Hahn, Koretz, Krekorian, LaBonge and Rosendahl (5)

[09-2653](#)
CD 1

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an appeal for property at 3054 West Pico Boulevard.

Recommendations for Council action:

1. ADOPT FINDINGS of the Zoning Administrator as the Findings of the Council.
2. RESOLVE TO DENY APPEAL filed by Consuelo Baca (Armando H. Chavira, Attorney at Law, Representative) on behalf of Club Latino, from the entire determination of the Zoning Administrator, THEREBY SUSTAIN the modification of its operation; and in imposing corrective conditions to mitigate adverse impacts on person or property.

Applicant: City of Los Angeles, Office of Zoning Administration

DIR 2009-1045 (RV)

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 - FEBRUARY 3, 2010

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 3, 2010)

Items for Which Public Hearings Have Not Been Held - Items 12-13

(10 Votes Required for Consideration)

ITEM NO. (12) - ADOPTED

Roll Call #40 - Motion (Zine - Perry) Adopted, Ayes (15)

10-0149

MOTION (GARCETTI - PARKS for SMITH) relative to reporting to the Executive Employee Relations Committee (EERC) on any positions that have not been approved.

Recommendation for Council action:

INSTRUCT the Managed Hiring Committee to report to the EERC on any positions that have not been approved.

ITEM NO. (13) - RECEIVED AND FILED

Roll Call #36 - Motion (LaBonge - Garcetti) Adopted to Receive and File, Ayes (15)

10-0150

MOTION (GARCETTI - PERRY - ZINE - ET AL.) relative to amending the Los Angeles Administrative Code (LAAC) to remove subsection 5.115.4(d).

Recommendations for Council action:

1. REQUEST the City Attorney to draft an ordinance which amends the LAAC to remove subsection 5.115.4(d).
2. INSTRUCT the City Administrative Officer and the Chief Legislative Analyst to report on the annual impact to the General Fund which would result from this action.

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

10-0198

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

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

[10-0205](#)

MOTION (GARCETTI - PERRY) relative to the City's options to generate cost savings in an effort to address a growing 2009-10 and 2010-11 budget deficit.

[10-0011-S6](#)

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

[10-0202](#)

MOTION (ZINE - HUIZAR) relative to the sale of surplus City equipment at below market value to the Los Angeles School Police Department (LASPD).

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

[10-0203](#)

RESOLUTION (KORETZ - KREKORIAN) relative to declaring February 28, 2010 as Youth Orchestra Day in the City of Los Angeles.

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