

Los Angeles City Council, **Journal/Council Proceedings**
Friday, **March 5, 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, Huizar, Koretz, Krekorian, LaBonge, Parks, Reyes, Rosendahl, Wesson, Zine and President Garcetti (13); Absent: Perry and Smith (2)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
MARCH 2, 2010

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 39

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 1-3

ITEM NO. (1) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO DENY APPLICATION

Roll Call #3 - Motion (Koretz - Alarcón) Adopted to Deny application, Ayes (12); Absent: Perry, Rosendahl and Smith (3)

[10-0133](#)
CD 5

HEARING COMMENTS relative to Application for Determination of "Public Convenience or Necessity" for the sale of alcoholic beverages for off-site consumption at Fresh & Easy Neighborhood Market located at 17150 West Ventura Boulevard.

Recommendations for Council action:

1. DETERMINE that the "Public Convenience or Necessity" WILL NOT be served by the sale of alcoholic beverages for off-site consumption at Fresh & Easy Neighborhood Market located at 17150 West Ventura Boulevard, Encino, 91316, inasmuch as the site is located in a census tract with an undue concentration of alcoholic beverage sales licenses.
2. DENY the application for Determination of "Public Convenience or Necessity" for the sale of alcoholic beverages for off-site consumption at 17150 West Ventura Boulevard, based upon the above finding and the negative influence associated with the sale of alcohol in the concerned community.

3. INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

Application filed by: Adam Mayfield, Fresh & Easy Neighborhood Market
(Alisa Karlan, Cerrel Associates, Inc., representative)

TIME LIMIT FILE - MARCH 11, 2010

(LAST DAY FOR COUNCIL ACTION - MARCH 10, 2010)

ITEM NO. (2) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO GRANT APPLICATION

Roll Call #4 - Motion (Parks - Alarcón) Adopted to Grant Application, Ayes (12); Absent: Perry, Rosendahl and Smith (3)

[10-0191](#)
CD 9

HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for off-site consumption at Trimana Express located at 633 West Fifth Street, No. 150.

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at Trimana Express located at 633 West Fifth Street, No. 150, Los Angeles, 90071, will serve the "Public Convenience or Necessity" and will not tend to create a law enforcement problem.
2. GRANT the Application for Determination of "Public Convenience or Necessity" for off-site consumption at 633 West Fifth Street, No. 150.
3. INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

Applicant: Trimana Express, c/o Bijan Yadegar (Edward Navarette, representative)

TIME LIMIT FILE - MARCH 22, 2010

(LAST DAY FOR COUNCIL ACTION - MARCH 19, 2010)

ITEM NO. (3) - PUBLIC HEARING CLOSED - LIEN CONFIRMED

Roll Call #5 - Motion (LaBonge - Krekorian) Adopted, Ayes (12); Absent: Perry, Rosendahl and Smith (3)

[09-2286](#)

CD 4

CONTINUED CONSIDERATION OF HEARING APPEALS OR OBJECTIONS to Building and Safety report and confirmation of lien to cover the costs of barricading of all openings, cleaning and fencing of the lot and graffiti abatement at 3313 West Wood Terrace. (Lien: \$2,758.51)

(Continued from Council meeting of February 10, 2010)

Items for Which Public Hearings Have Been Held - Items 4-22

ITEM NO. (4) - ADOPTED, AS AMENDED - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #2 - Motion (Parks - Garcetti) Adopted, Ayes (13); Absent: Perry and Smith (2)

[09-1914](#)

JOBS AND BUSINESS DEVELOPMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending Los Angeles Municipal Code (LAMC) Section 21.41 to address the classification of internet businesses.

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

PRESENT and ADOPT the accompanying ORDINANCE amending LAMC Section 21.41 to provide a business tax classification for those businesses using the internet as the primary means to provide services.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

(Budget and Finance Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

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

ADOPTED

BUDGET AND FINANCE COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to business tax classifications for businesses using the internet as a primary means to provide services.

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

1. **PREPARE and PRESENT an ORDINANCE amending Section 21.41 of the Los Angeles Municipal Code to address the classification of internet businesses.**
2. **RECEIVE and FILE the Jobs and Business Development (JOBS) Committee report from its September 22, 2009 meeting, which was referred back to JOBS and Budget and Finance Committees, inasmuch as the recommendations in the Committee report are dated and no Council action is necessary.**

Fiscal Impact Statement: The City Administrative Officer and Director, Office of Finance report that if the proposed internet-based business reclassification is implemented for the 2010 tax year, the estimated General Fund revenue loss in 2009-10 would be \$3.4 million. If the proposed internet-based business reclassification is not implemented, the City would likely suffer an on-going business tax loss that could exceed the \$3.4 million in future years. Since internet companies are very mobile, many would likely move outside the City without a tax change. This would result in job losses and lower economic activity from declining retail sales and increased property vacancies and would have unknown but continuing negative revenue consequences to the General Fund.

Community Impact Statement: None submitted.

ADOPTED

MOTION (PARKS - GARCETTI)

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

1. **ADOPT the accompanying ORDINANCE amending Section 21.41 of the Los Angeles Municipal Code to address the classification of internet businesses.**
2. **AMEND Recommendation No. 2 to reflect the date of December 15, 2009.**

**Roll Call #1 - Motion (Koretz - Alarcón) Adopted, Ayes (13); Absent: Perry and Smith (2)
(Item Nos. 5-6)**

ITEM NO. (5) - ADOPTED

[10-0214](#)

CD 2

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to a maintenance and operations agreement with the Volunteers of America of Los Angeles (VOALA) regarding the Valley Plaza Park Recreation Center.

Recommendation for Council action:

APPROVE and AUTHORIZE the President and Secretary of the Board of Recreation and Park Commissioners to execute, the maintenance and operations agreement with the VOALA, a California non-profit 501c(3) organization, relative to certain property known as Valley Plaza Recreation Center, for a term of five years, subject to the approval of the City Attorney.

Fiscal Impact Statement: The City Administrative Officer reports that the VOALA will operate and maintain the property known as Valley Plaza Recreation Center as a Head Start facility at no cost to the City. VOALA will be solely responsible for maintenance, repair and all costs related to the operation of the facility. There is no impact on the General Fund.

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 11, 2010

(LAST DAY FOR COUNCIL ACTION - APRIL 9, 2010)

ITEM NO. (6) - ADOPTED

[10-0317](#)

CDs 11 & 12

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to term extensions for Proposition A project agreements for the Culver Slauson Recreation Center Redevelopment project and the Winnetka Park project.

Recommendation for Council action:

APPROVE the request to amend the Proposition A-I and Proposition A-II project agreements with Culver Slauson Recreation Center Redevelopment project (CD 11) and the Winnetka Park project (CD 12) to extend the term of the agreements, as detailed in the attachment to the Committee report.

Fiscal Impact Statement: The L.A. for Kids Steering Committee reports that there is no immediate impact on the General Fund as a result of the above action. However, the Department of Recreation and Parks (RAP) projects increased operational and maintenance (O&M) costs for the Culver Slauson facility once the Proposition A project is complete. A funding request of \$15,877 for increased O&M costs at the Culver Slauson facility is being addressed through the 2010-11 City Budget process. The RAP projects no increased O&M costs for the Winnetka facility as a result of the Proposition A funded amenities coming online.

Community Impact Statement: None submitted.

ITEM NO. (7) - ADOPTED

Roll Call #6 - Motion (Parks - Koretz) Adopted, Ayes (12); Absent: Perry, Rosendahl and Smith (3)

[09-0600-S160](#)

CONTINUED CONSIDERATION OF BUDGET AND FINANCE COMMITTEE REPORT relative to the status of Municipal Corporation of Los Angeles (MICLA) construction projects.

Recommendations for Council action:

1. INSTITUTE an immediate freeze on MICLA financing for any municipal construction project that is not yet in construction.

2. AUTHORIZE a temporary non-voter approved direct debt ratio ceiling of five percent of General Fund revenues to allow for a one percent cushion for fiscal emergencies.
3. INSTRUCT the City Administrative Officer (CAO) to:
 - a. Reduce the amount of MICLA financing used for equipment and use MICLA financing for the acquisition and improvements of real property; and, explore other options for paying for equipment.
 - b. Report back on a phase-out of the use of MICLA for capital equipment, as part of the 2010-11 Budget approval process. This phase-out report should include recommendations to pay for new, ongoing, and replacement equipment on a pay-as-you-go basis.
 - c. Continue to look for other funding sources for deferred or active projects other than MICLA.
4. INSTRUCT the CAO, the Department of General Services and other concerned City departments, to the extent possible, to reduce the cost of tenant improvements when relocating from one facility to another by using facilities as-is, without extensive tenant improvements requiring the use of non-special funds such as MICLA.

Fiscal Impact Statement: The CAO reports that adoption of this report will impact the General Fund. This report recommends an immediate freeze on MICLA financing for any municipal construction project that is not yet in construction. Since MICLA financings are serviced by the General Fund, the deferral of MICLA financing will reduce the future obligation of the General Fund.

Debt Financing Statement: The CAO reports that adoption of this report will impose a temporary non-voter approved direct debt ratio ceiling of five percent of General Fund revenues to allow for a one percent cushion for fiscal emergencies.

Community Impact Statement: None submitted.

(Continued from Council meeting of February 26, 2010)

**Roll Call #1 - Motion (Koretz - Alarcón) Adopted, Ayes (13); Absent: Perry and Smith (2)
(Item Nos. 8-10)**

ITEM NO. (8) - RECEIVED AND FILED

[10-0012](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the withdrawal from further consideration of the appointment of Mr. James Bova to the Board of Fire and Police Pension Commissioners.

Recommendation for Council action:

RECEIVE and FILE the Mayor's appointment of Mr. James Bova to the Board of Fire and Police Pension Commissioners for the term ending June 30, 2014, inasmuch as the appointee has submitted his request to be withdrawn from further consideration.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (9) - ADOPTED

[09-3029](#)

ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to the need for an ordinance revision for implementation of a Citywide Construction and Demolition (C&D) Debris Recycling program.

Recommendations for Council action:

1. REQUEST the City Attorney to prepare and present a final ordinance revision for a Citywide C&D Debris Recycling program that will require all mixed C&D materials generated within City of Los Angeles limits to be taken to City certified mixed construction and demolition debris processing facilities.
2. AUTHORIZE the Bureau of Sanitation (BOS) to implement the ordinance requirements for C&D recycling, including, but not limited to, changes to existing related programs, phase out of the existing Assembly Bill 939 compliance fee rebate for mixed C&D, preparation and execution of all internal procedures and policies, development of enforcement procedures including the assessment of non-compliance administrative penalties; conduct appropriate education and outreach to the private hauler community; and INSTRUCT the BOS to report back on any such changes requiring further Mayor or Council approval.
3. AUTHORIZE the Department of Building and Safety to modify its building permit system, building code and/or any departmental policies necessary to facilitate the implementation of the ordinance, and to bill the BOS for pertinent implementation costs from the Citywide Recycling Trust Fund; and INSTRUCT the Department to report back on any such changes requiring further Mayor or Council approval.
4. INSTRUCT the BOS to provide a status on implementation and progress of the C&D program within six months following the effective date of the ordinance, including any recommendations on refining citywide C&D recycling requirements.

Fiscal Impact Statement: The City Administrative Officer reports that there is no General Fund impact. Approval of an ordinance revision to implement a citywide C&D Debris Recycling program enhances recycling and reuse efforts to protect the environment and help meet City and State minimum landfill diversion requirements. The recommendations comply with City Financial Policies in that the full cost of C&D program implementation is funded through the Citywide Recycling Trust Fund, a fee supported special fund.

Community Impact Statement: None submitted.

ITEM NO. (10) - ADOPTED

[10-0097](#)

ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to the acceptance of \$889,000 in Transportation Enhancement Activities (TEA) funds for the Branching Out tree planting project.

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

1. APPROVE the following instructions to implement the Branching Out tree planting project:
 - a. Authorize the General Manager, Environmental Affairs Department (EAD), to accept on behalf of the City \$889,000 in TEA funds, as approval by the California Transportation Commission.
 - b. Authorize the General Manager, EAD, to enter into contracts with the granting agency, subject to Executive Directive 3 and City Attorney review, as to form and legality.
 - c. Authorize the Controller to establish a new account in the Environmental Affairs Trust Fund (ETF) No. 537 to receive funding and reimbursements for the project, to be entitled Branching Out (Account 0055).
 - d. Instruct the Los Angeles Department of Transportation (LADOT) to transfer \$100,000 in Proposition C funds into the ETF (Account 0055) to fund supplies and as-needed salaries beginning Fiscal Year (FY) 2009-10 for the Branching Out tree-planting project implemented by EAD.
 - e. Authorize the Controller to move \$50,000 from the ETF to the as-needed salary account (1070) immediately and to move another \$40,000 on July 1 into the as-needed salary account (1070).
 - f. Authorize the Controller to move \$10,000 from the ETF into the office and administrative account (6010).
 - g. Authorize the Controller to allow the rollover of any funds remaining on June 30, 2010 in the Branching Out accounts to the same accounts for July 1, 2010, for expenditure during FY 2010-11.
 - h. Instruct the LADOT to transfer an additional \$100,000 in Proposition C funds into the ETF (Account 0055) to fund supplies (Account 6010) and as-needed salaries (Account 1070) by September 1, 2010.
 - i. Authorize the General Manager, EAD, to expend funds from the new accounts to be established by the Controller to fully implement the Branching Out project.
 - j. Authorize the General Manager, EAD, to execute contracts and other agreements as necessary to implement the project, and to make technical adjustments and corrections to the instructions contained herein, subject to compliance with Executive Directive No.3, and the approval of the City Attorney as to form and legality.

2. AUTHORIZE the General Manager, EAD, to work with the Department of Public Works, Bureau of Street Services (BSS), to provide tree planting and concrete cutting services to implement the project and to provide invoices that meet the terms of the granting authority.
3. AUTHORIZE the EAD to transfer funds (up to \$600,000) received from the granting agency from ETF No. 537 (Account 0055) to Public Works, BSS Fund 100/86, into the following accounts for BSS invoiced work:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries General	\$400,000
3030	Construction Expense	156,000
3040	Contractual Services	18,000
6010	Office and Administration	4,000
6020	Operating Supplies	<u>22,000</u>
	Total	\$600,000

4. AUTHORIZE the BSS and the EAD to work with the Controller's Office to make technical adjustments and corrections to the instructions contained above as needed to complete the project.
5. AUTHORIZE the General Manager, EAD, to negotiate a sole source contract with the Los Angeles Conservation Corps (LACC), in accordance with federal mandates in Senate Bill 286 (Chapter 373, Statutes of 2008) Sections 2370-2374, for any grant-funded work that cannot be completed by the BSS within four months of initial request.
 - a. Find that this work, in accordance with Charter Section 1022, can be performed more feasibly by independent contractors, rather than by City employees, in view that the work is of a limited scope and short-term duration and that City staff are unable to complete the work with four months notice.
 - b. Authorize the General Manager, EAD, and the Controller to establish the accounts to move funding from the ETF to pay for any resulting contractual services to complete the project, as they will all be fully reimbursed by the granting agency.

Fiscal Impact Statement: The EAD reports that this project will bring additional revenue to the City for street tree planting projects. City staff will provide labor to implement this project. Proposition C returns will fund a portion of the labor costs, with the balance of labor costs reimbursable through the grant. This project will not incur additional expenses for the City and will reduce the General Fund obligation for BSS labor.

Community Impact Statement: None submitted.

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

Roll Call #7 - Motion (Alarcón - Krekorian) to Adopt as Amended, Ayes (12); Absent: Perry, Rosendahl and Smith (3)

[09-0234](#)

JOB AND BUSINESS DEVELOPMENT COMMITTEE REPORT relative to the potential divestiture of all deposits in banking and other financial institutions that fail to cooperate with foreclosure prevention efforts.

Recommendations for Council action:

1. REQUEST the City Attorney to prepare and present an Ordinance within 45 days, summarized below and detailed in the December 14, 2009 Chief Legislative Analyst (CLA) report as attached to the Council file, to incorporate the following provisions into the City's Standard Provisions for City Contracts:
 - a. All banks and financial institutions that provide banking and financial services to the City shall be required to annually provide to the City Treasurer a statement of community reinvestment goals.
 - b. The City Treasurer shall have the authority to restrict or terminate financial relationships with those institutions that fail to comply with these new reporting requirements, in a manner consistent with federal, state, and local laws.
 - c. All banks and financial institutions that provide banking and financial services to the City shall notify the City at least 90 days prior to closing any bank branches within the City of Los Angeles.
 - d. No contracts for financial or banking services shall be awarded to any bank or financial institution that has exhibited a pattern of discriminatory or other illegal credit practices, or has committed past criminal or civil violations that have resulted in significant harm to the City of Los Angeles' financial interests.
2. DIRECT the City Treasurer to include in the next Request for Proposals Request for Qualifications (RFP/RFQ) for banking services a provision that would provide additional bid preference, consistent with current law, to those respondents that provide evidence of active community investment practices beyond traditional banking services.
3. REQUEST that the Board of Commissioners of the Los Angeles City Employees' Retirement System (LACERS), the Los Angeles Department of Water and Power (LADWP), the Pensions Board and the City Treasurer, establish an investment floor by committing that at least 25 percent of the City's portfolio will be invested in financial institutions that provide evidence of active community investment practices in businesses and residences within the City of Los Angeles, or that support socially responsible activities such as green technology, low/moderate income housing, and community redevelopment, to be achieved in a manner consistent with the fiduciary responsibilities established in federal, state, and local law.

4. DIRECT the CLA and City Administrative Officer (CAO) to establish a new set of standards for the City's banking relationships utilizing a "report card" methodology similar to that utilized by the City of Philadelphia and to include elements as detailed in the report card submitted in Committee on February 23, 2010 by Council District Seven staff, attached to the Council File.
5. DIRECT the City Treasurer to establish a system of annual review for financial institutions to include a community reinvestment score for each financial institution; DIRECT the City Treasurer to publish said annual reviews and scores and present them to Council on an annual basis; DIRECT the Office of the Treasurer to rank order each financial institution in order of community responsibility with contracting preference in contracting to be given to financial institutions that perform in the top two deciles and potential divestiture for financial institutions at the bottom of the list; and AFFIRM that reporting relationships will favor banks that reinvest in, and are responsive to, the City of Los Angeles.
6. INSTRUCT the CAO and City Treasurer to attempt to renegotiate current swap deals with relevant financial institutions and if they are unwilling to renegotiate, then those financial institutions should be excluded from any future business with the City of Los Angeles and further INSTRUCT the CAO and City Treasurer to review all swap deals and report back to Council in regard to the legal and financial implications prior to any exclusionary action being taken within 30 days.
7. REQUEST the pension systems for the LADWP, Los Angeles Police Department, Los Angeles Fire Department, and LACERS to develop the same sort of analytical tools, as detailed above in Recommendation Nos. 2-5, for the review of financial institutions.

Fiscal Impact Statement: Neither the CAO nor the CLA has completed a financial analysis of this report.

Community Impact Statement Submitted: None submitted.

ADOPTED

AMENDING MOTION (ALARCON - KORETZ)

Recommendations for Council action:

1. **REQUEST the City Attorney to INCLUDE the following direction in the Ordinance:**

"The City Treasurer will establish a system of annual review for financial institutions to include a community reinvestment score for each financial institution, publish said annual reviews and scores and present them to Council on an annual basis, rank order each financial institution in order of community responsibility with contraction preference to be given to financial institutions that perform in the top two deciles and potential divestiture for financial institutions at the bottom of the list."

2. **INCLUDE the following language to Recommendation #1, requesting the City Attorney to include the following direction in the Ordinance.**

- a. **“Information submitted by banks and financial institutions pursuant to this section shall be reported by census tract and tabulated by the income status and race/ethnicity of borrower.”**
- b. **“The annual statement of community reinvestment goals will parallel the federal Community Reinvestment Act (CRA) evaluation matrix but will be focused on assessment area performance specifically within the City and County of Los Angeles. Financial institutions will submit information according to their classification in one of the following two evaluation categories:**
 - 1) **A “local institution” is defined as a financial institution with 80% or greater of its depository and lending operations within the United of States Postal Zip Codes of the City and County of Los Angeles, California. The primary test for qualifying as a local institution will be the institutions listing of branch locations as reported in the most recent FDIC Summary of Deposits reference file. For institutions that fall into this “local institution” category, the June 30th FDIC Call Report or NCUA 5300 filing will serve as the basis of numerical analysis.**
 - 2) **A “non-local institution” is defined as a financial institution with over 20% of its depository and lending operations outside the United States Postal Zip Codes of the City and County of Los Angeles, California. The primary test for qualifying as a non-local institution will be the institutions listing of branch locations as reported in the most recent FDIC Summary of Deposits reference file. For institutions that fall into this “non-local institution” category, the institution shall provide a supplemental June 30th filing detailing the lending performance elements of an FDIC Call Report or NCUA 5300 report on the branches located within the zip codes of the City and County of Los Angeles.**

As part of the annual statement of community reinvestment goals focusing on assessment area performance within the City of Los Angeles, financial institutions should include data addressing:

- 3) **Lending**
 - **Loan activity within the assessment area versus the institution’s deposit base within the area.**
 - **Community development loans or investments within the assessment area, including loans to nonprofit housing developers for tenants at or below 80 percent of area median income.**
 - **Small business lending, with overall retail borrower penetration report indicating range of income levels and business sizes served, including number of loans to businesses with annual revenue of \$1 million or less.**
 - **Charitable or community investment activities within the assessment area not otherwise specified.**

ADOPTED

MOTION (PARKS - ALARCON)

Recommendation for Council action:

INSTRUCT the Chief Legislative Analyst, Treasurer, and City Attorney to collectively review all new information before preparing and presenting the associated ordinance to Council.

ADOPTED

MOTION (REYES - ALARCON)

Recommendation for Council action:

INSTRUCT the Treasurer to report back, with the appropriate maps, relative to the current banks established within the City.

ITEM NO. (12) - ADOPTED

Roll Call #8 - Motion (Krekorian - Koretz) Adopted, Ayes (12); Absent: Perry, Rosendahl and Smith (3)

[10-0136](#)

PERSONNEL COMMITTEE REPORT relative to the amendment of the Memoranda of Understanding (MOU) for Bargaining Units represented by the Los Angeles Department of Water and Power (LADWP) Association of Confidential Employees (ACE), the LADWP Management Employees Association (MEA), and the LADWP Dispatchers Association (LAWPDA) affecting the term and salaries for units represented by these associations.

Recommendation for Council action:

APPROVE the salary provisions contained in the amendment of the MOU for Bargaining Units represented by the ACE and the MEA, effective October 1, 2007 through September 30, 2012; and the LAWPDA, effective January 1, 2009 through December 31, 2013.

Fiscal Impact Statement: The LADWP reports that the estimated fiscal impact of the 3.25 percent lump sum payment and the retroactive Cost of Living Adjustments is approximately \$5.5 million for all three contract amendments. However, the fiscal impact is offset by the projected \$14 million in long-term savings from reduced retirement contributions and lower budgeted wages and overtime costs that result from the negotiated lump-sum payment rather than the anticipated 3.25 percent wage increase. In addition, while actual savings will be subject to future Consumer Price Index amounts, an additional projected savings of \$13 million resulting from a lower floor of 2 percent rather than the current projected 3.25 percent is anticipated. These savings will come from reduced retirement, wages, and overtime expenditures compared to LADWP's approved financial plan for the next five years.

Community Impact Statement: None submitted.

ITEM NO. (13) - ADOPTED

Roll Call #1 - Motion (Koretz - Alarcón) Adopted, Ayes (13); Absent: Perry and Smith (2)

[07-2391](#)

PUBLIC SAFETY COMMITTEE REPORT relative to requiring the micro-chipping of any dog or cat redeemed by its owner from a Los Angeles City Animal Shelter.

Recommendation for Council action:

REQUEST the City Attorney to prepare an ordinance to amend the Los Angeles Municipal Code to require the micro-chipping of any dog or cat redeemed by its owner from a Los Angeles City Animal Shelter.

Fiscal Impact Statement: None submitted by the Department of Animal Services. 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. (14) - CONTINUED TO MARCH 12, 2010

Roll Call #20 - Motion (Parks - Hahn) Adopted to Continue, Unanimous Vote (12); Absent: Perry, Rosendahl and Smith (3)

[09-1901](#)

PUBLIC SAFETY COMMITTEE REPORT directing the Los Angeles Police Department (LAPD) to report on a periodic basis relative to efforts undertaken to reduce the backlog of DNA evidence kits.

Recommendation for Council action, as initiated by Motion (Garcetti - Koretz - Smith - Parks):

DIRECT the LAPD to present monthly verbal reports and quarterly written reports to the Public Safety Committee regarding on-going efforts to reduce DNA evidence kit backlogs, including updates on total funds spent, personnel hired, and related matters.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

**Roll Call #1 - Motion (Koretz - Alarcón) Adopted, Ayes (13); Absent: Perry and Smith (2)
(Item Nos. 15-20)**

ITEM NO. (15) - ADOPTED

[09-0332](#)

CD 10

GENERAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal of temporary Preferential Parking District (PPD) No. 63 north of the Los Angeles County Metropolitan Transit Authority Transit Terminal at Pico Boulevard and Rimpau Boulevard.

Recommendations for Council action:

1. FIND that the establishment of PPD No. 63, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) under the General Exemption (Article II, Section 1 of the 2002 Los Angeles City CEQA Guidelines).
2. FIND that the parking problem that led to the establishment and subsequent renewal and re-establishment of temporary PPD No. 63 north of the MTA Transit Terminal at Pico Boulevard and Rimpau Boulevard in Council District 10 still exists, and that no permanent solution has been found.
3. ADOPT the accompanying RESOLUTION renewing the boundaries of temporary PPD No. 63 and renewing the district for 12 more months, until March 23, 2011, pursuant to LAMC Section 80.58.d.
4. DIRECT the Los Angeles Department of Transportation (LADOT) to prepare a Notice of Exemption reflecting the Council's action under Recommendation No. One above and file such notice with the City and County Clerks within five working days of the City Council's action.

Fiscal Impact Statement: The LADOT reports that revenue from the sale of permits will cover the additional cost of implementing, administering, and enforcing temporary PPD No. 63. Furthermore, the City may gain additional General Fund revenue from the issuance of parking citations to violators of the district's parking restrictions.

Community Impact Statement: None submitted.

ITEM NO. (16) - ADOPTED

[10-0278](#)

CD 10

GENERAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal of temporary Preferential Parking District (PPD) No. 71 on Hutchison Avenue and Sherbourne Drive south of Venice Boulevard.

Recommendations for Council action:

1. FIND that the establishment of PPD No. 71, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) under the General Exemption (Article II, Section 1 of the 2002 Los Angeles City CEQA Guidelines).
2. FIND that the parking problem that led to the establishment and subsequent renewal and re-establishment of temporary PPD No. 71 on Hutchison Avenue and Sherbourne Drive south of Venice Boulevard in Council District 10 still exists, and that no permanent solution has been found.
3. ADOPT the accompanying RESOLUTION renewing the boundaries of temporary PPD No. 71 and renewing the district for 12 more months, until March 6, 2011, pursuant to LAMC Section 80.58.d.
4. DIRECT the Los Angeles Department of Transportation (LADOT) to prepare a Notice of Exemption reflecting the Council's action under Recommendation No. One above and file such notice with the City and County Clerks within five working days of the City Council's action.

Fiscal Impact Statement: The LADOT reports that revenue from the sale of permits will cover the additional cost of implementing, administering, and enforcing temporary PPD No. 71. Furthermore, the City may gain additional General Fund revenue from the issuance of parking citations to violators of the district's parking restrictions.

Community Impact Statement: None submitted.

ITEM NO. (17) - ADOPTED

[10-0279](#)

CD 12

GENERAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal of temporary Preferential Parking District (PPD) No. 82.

Recommendations for Council action:

1. FIND that the establishment of PPD No. 82, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) under the General Exemption (Article II, Section 1 of the 2002 Los Angeles City CEQA Guidelines).
2. FIND that the parking problem that led to the establishment and subsequent renewal and re-establishment of temporary PPD No. 82 in Council District 12 still exists, and that no permanent solution has been found.
3. ADOPT the accompanying RESOLUTION renewing the boundaries of temporary PPD No. 82 and renewing the district for 12 more months, until March 3, 2011, pursuant to LAMC Section 80.58.d.
4. DIRECT the Los Angeles Department of Transportation (LADOT) to prepare a Notice of Exemption reflecting the Council's action under Recommendation No. One above and file such notice with the City and County Clerks within five working days of the City Council's action.

Fiscal Impact Statement: The LADOT reports that revenue from the sale of permits will cover the additional cost of implementing, administering, and enforcing temporary PPD No. 82. Furthermore, the City may gain additional General Fund revenue from the issuance of parking citations to violators of the district's parking restrictions.

Community Impact Statement: None submitted.

ITEM NO. (18) - ADOPTED

[10-0280](#)
CD 9

GENERAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal of temporary Preferential Parking District (PPD) No. 95 on East 57th Street between Towne Avenue and Avalon Boulevard.

Recommendations for Council action:

1. FIND that the establishment of PPD No. 95, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) under the General Exemption (Article II, Section 1 of the 2002 Los Angeles City CEQA Guidelines).
2. FIND that the parking problem that led to the establishment and subsequent renewal and re-establishment of temporary PPD No. 95 on East 57th Street between Towne Avenue and Avalon Boulevard in Council District Nine still exists, and that no permanent solution has been found.
3. ADOPT the accompanying RESOLUTION renewing the boundaries of temporary PPD No. 95 and renewing the district for 12 more months, pursuant to LAMC Section 80.58.d.
4. DIRECT the Los Angeles Department of Transportation (LADOT) to prepare a Notice of Exemption reflecting the Council's action under Recommendation No. One above and file such notice with the City and County Clerks within five working days of the City Council's action.

Fiscal Impact Statement: The LADOT reports that revenue from the sale of permits will cover the additional cost of implementing, administering, and enforcing temporary PPD No. 95. Furthermore, the City may gain additional General Fund revenue from the issuance of parking citations to violators of the district's parking restrictions.

Community Impact Statement: None submitted.

ITEM NO. (19) - ADOPTED

[07-0421-S3](#)

PUBLIC SAFETY and PERSONNEL COMMITTEES' REPORT relative to the Fiscal Year 2009-10 staffing plan for the Proposition F Fire and Animal Facilities Bond Program.

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

RESOLVE that Employment Authority for the following positions in the Bureau of Engineering is APPROVED, subject to allocation by the Personnel Department and paygrade determination by the City Administrative Officer (CAO), for the period July 1, 2009, through June 30, 2010:

<u>No.</u>	<u>Code</u>	<u>Title</u>
1	7246-3	Civil Engineering Associate III
1	9485-D	Senior Civil Engineer (PM II)

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. The cost of these positions will be fully financed by Proposition F General Obligation Bond funds.

Community Impact Statement: None submitted.

ITEM NO. (20) - ADOPTED

[09-0698-S1](#)

PUBLIC SAFETY and PERSONNEL COMMITTEES' REPORT relative to the Fiscal Year 2009-10 staffing plan for the Proposition Q Citywide Public Safety Bond Program.

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

1. RESOLVE that Employment Authority for the following positions in the Bureau of Engineering is APPROVED, subject to allocation by the Personnel Department and paygrade determination by the City Administrative Officer (CAO), for the period July 1, 2009, through June 30, 2010:

<u>No.</u>	<u>Code</u>	<u>Title</u>
1	7927	Senior Architect
1	7926-3	Architectural Associate III
1	7925	Architect
1	7246-3	Civil Engineering Associate III

2. RESOLVE that Employment Authority for the following position in the Information Technology Agency is APPROVED, subject to allocation by the Personnel Department and paygrade determination by the CAO, for the period July 1, 2009, through June 30, 2010:

<u>No.</u>	<u>Code</u>	<u>Title</u>
1	7607-3	Communications Engineering Associate III

3. RESOLVE that Employment Authority for the following position in the Bureau of Contract Administration, is APPROVED, subject to allocation by the Personnel Department and paygrade determination by the CAO, for the period February 1, 2010, to June 30, 2010:

<u>No.</u>	<u>Code</u>	<u>Title</u>
1	7294	Senior Construction Inspector

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. The cost of these positions will be funded by the Proposition Q Public Safety Bond Program.

Community Impact Statement: None submitted.

ITEM NO. (21) - CONTINUED TO MARCH 19, 2010

Roll Call #9 - Motion (Koretz - Alarcón) Adopted to Continue, Unanimous Vote (12); Absent: Perry, Rosendahl and Smith (3)

[09-2140](#)

TRANSPORTATION and PLANNING AND LAND USE MANAGEMENT COMMITTEES' REPORT relative to mobile billboard advertising.

Recommendation for Council action, as initiated by Motion (Zine - Koretz - Rosendahl):

REQUEST the City Attorney, with the assistance of the Los Angeles Department of Transportation and any other relevant agencies, to report to the City Council with an analysis of the effects of the *Lone Star* decision on the legality of a ban on mobile billboards in the City of Los Angeles and examine the feasibility of making it a condition of a business tax license that companies do not use mobile billboard advertising, and present a draft ordinance to effectuate such a ban within 45 days of Council approval.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis on this report.

Community Impact Statement: None submitted.

ITEM NO. (22) - ADOPTED, AS AMENDED - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #10 - Motion (Wesson - Hahn) to Adopt as Amended, Ayes (12); Absent: Perry, Rosendahl and Smith (3)

[09-2665](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the 36th Program Year Housing and Community Development Consolidated Plan (36th PY Con Plan), 2010-11 Third Year Action Plan.

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

APPROVE the recommendations contained within the joint City Administrative Officer and Chief Legislative Analyst (CAO/CLA) report dated February 16, 2010 (attached to the Council file), with the following amendments:

Relative to the approval of the 36th PY Con Plan for 2010-11:

- a. Instruct the Community Development Department (CDD), CLA, and CAO to make changes to Attachment H of the CAO/CLA report dated February 16, 2010, to be consistent with the changes listed in the accompanying Attachment (Attachment H-1).
- b. Authorize the CDD, CLA, and the CAO to make technical adjustments necessary to be consistent with Attachment H-1.

- c. Instruct the CDD to increase the 34th PY Con Plan Carryover Deficit by \$500,000 to \$3,803,224.
- d. Request the Community Redevelopment Agency (CRA) to provide a Quarterly Status Report to the Council beginning September, 2010, on all Community Development Block Grant (CDBG) funded projects, potential or actual CDBG program income, and grants applied for with CDBG funds.

Relative to Contract Authorities:

- e. Delete Recommendation No. 17 of the CAO/CLA report dated February 16, 2010, and replace with:
 - 17. Request the Mayor's Office, in consultation with the General Manager of the Los Angeles Housing Department (LAHD), or designee, to provide HOME Investment Partnerships (HOME), Housing Opportunities for Persons with AIDS (HOPWA), and Emergency Shelter Grant (ESG) balances to the CAO and CLA upon request, including comments on unexpended balances and receipt of program income.

Relative to Program Income:

- f. Delete Recommendation No. 7 of the CAO/CLA report dated February 16, 2010, and replace with:
 - 7. Instruct the CRA to report back in 30-days on the possible repayment to the CDD of the full 20-year CDBG loan amount of approximately \$2.9 million (Contract No. 68887), plus all accrued interest totaling approximately \$1.4 million, for a total of approximately \$4.3 million.

Relative to the Reprogramming:

- g. Instruct the CDD to reprogram \$1.2 million dollars allocated to Wattstar Theater in the 35th PY Con Plan (Acct. F246 - 25N107) to Shakeys - 103rd and Central; and Authorize the CDD, CLA, and CAO to make the technical adjustments necessary to reprogram these funds.
- h. Instruct the CDD, CLA, and CAO to report back in 30 days on possible reprogramming available to identify an additional \$250,000 for the Build Industries Project in the 36th PY Con Plan.
- i. Instruct the CDD, CLA, and CAO to report back to Council by September 15, 2010, with a review of all capital projects relative to providing possible reprogramming options for LAHD – Section 108 Debt Service, BGIF, Brownfields Development Opportunities, Century Boulevard Study, and City Trees (LACC).
- j. Authorize the General Manager, LAHD, or designee to prepare the necessary Controller's instructions upon closeout of the 35th PY Con Plan to initiate reprogramming of any administrative savings to meet LAHD's January 31st Section 108 Debt Service Payment; and Authorize the Controller to implement the instructions.
- k. Instruct CDD to reprogram \$400,000 dollars allocated to the Planning Department in the CDBG-R Plan to the LAHD; and Authorize the CDD, CLA, and the CAO to make the technical adjustments necessary to reprogram these funds.

Relative to the AIDS Prevention and AIDS Policy Development Programs:

- l. Transfer the AIDS Coordination and Computerized Information Center Programs to the CDD effective April 1, 2010.

Relative to funding for homeless programs:

- m. Instruct the Los Angeles Homeless Services Authority (LAHSA), with the assistance of the LAHD, to contract with Gramercy Housing Group for \$87,000 out of the Homeless Emergency Shelter & Services account.
- n. Instruct the LAHSA, with the assistance of the LAHD, to increase the contract amount to New Image Shelter by \$100,000 out of the Homeless Emergency Shelter & Services account.
- o. Authorize the CDD, LAHSA, LAHD, CAO, and CLA to make the technical adjustments necessary to implement these changes.

Relative to the Office of Small Business Program:

- p. Request the Mayor's Office to report to Council in 30 days relative to the objectives of the Office of Small Business, potential impact on existing programs, and ongoing budgetary requirements.

Relative to the Census 2010 Outreach Plan and Programs:

- q. Request the Mayor's Office to report to the Housing, Community, and Economic Development Committee on March 10th relative to the objectives of the Census 2010 Outreach Plan and related programs, up-to-date list of accomplishments, and strategy to decrease the undercount in the City of Los Angeles.

Relative to funding for the Youth Opportunities Movement – SFV, Boyle Hts & Watts:

- r. Instruct the CDD to increase the contract amount to Ramona Opportunity High School by \$50,000.
- s. Authorize the CDD, CAO, and CLA to make the technical adjustments necessary to implement these changes.

Relative to CDD administrative funding:

- t. Instruct the CDD, with the assistance of the CLA and CAO, to identify reprogramming of any administrative savings up to \$650,000 dollars for the CDD upon closeout of the 35th PY Con Plan.

Fiscal Impact Statement: The CAO/CLA report that there is a General Fund impact. The recommendations within their report dated February 16, 2010, address the 36th PY Con Plan for 2010-11, which is comprised of total funds of approximately \$102.7 million from the federal CDBG, \$49.1 million from HOME, \$12.5 million from HOPWA, and a \$3.1 million ESG. All recommendations are subject to the final award of grant funds by the U.S. Department of Housing and Urban Development.

The CAO/CLA further report that the Proposed 36th PY Con Plan would provide approximately

\$36.4 million to support filled positions (direct salaries: \$25.2 million, related cost reimbursement: \$11.2 million). General Fund revenue receipts from CDBG are projected to be approximately \$645,000 more than in the 35th PY. As proposed, it is anticipated that the General Fund will contribute approximately \$3.5 million in related cost reimbursement for CDBG-funded activities. This is a reduced level of General Fund participation from the 35th PY by approximately \$1 million. It is a policy decision as to how and at what level the City will participate with City resources, specifically the General Fund, in funding the CDBG grant program activities. Attempts to decrease the General Fund participation may result in reduction of staff performing program delivery or cuts to programs themselves. In light of the City's fiscal constraints, efforts will continue to reduce the gap between General Fund participation and CDBG related cost reimbursement.

Community Impact Statement: None submitted.

[Budget and Finance Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.]

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

ADOPTED, AS AMENDED

BUDGET AND FINANCE COMMITTEE REPORT relative to the 36th Program Year Housing and Community Development Consolidated Plan (36th PY Con Plan), 2010-2011 Third Year Action Plan.

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

- 1. CONCUR with the recommendations of the Housing, Community and Economic Development (HCED) Committee with the following additions, changes, and deletions:**
 - a. DELETE Recommendation E of the HCED Committee report (attached);**
 - b. DELETE Recommendation G of the HCED Committee report;**
 - c. ADD Shakeys - 103rd and Central (in Council District 15), subject to eligibility, to the list contained in Recommendation I of the HCED Committee report;**
 - d. MODIFY Recommendation L of the HCED Committee report to delete the language "and Computerized Information Center".**
- 2. ADD the following recommendation:**

INSTRUCT the Community Development Department (CDD) to report back, with assistance from the City Attorney, regarding the legality of potentially using Community Development Block Grant (CDBG) funds to pay for programs and/or positions established within CDD as a result of departmental consolidations that are outside of the Consolidated Plan.

3. **AMEND Recommendation 22 of the joint Chief Legislative Analyst (CLA)/City Administrative Officer (CAO) report to add that identified departments include the following information in the requested March 15, 2010 report back:**
 - d. the impact on the 36th PY Con Plan of staying within the Cost Allocation Plan (CAP) rate as it relates to planning and administrative costs;
 - e. the impact, particularly in the housing area, if the City seeks to achieve full cost recovery relative to related and indirect costs;
 - f. a listing of all CDBG funded positions that are outside of the CDD;
 - g. the impact on CDD programs if all General Fund supplement is removed from the CDBG program.

Fiscal Impact Statement: The CAO/CLA report that there is a General Fund impact. The recommendations within their report address the 36th Program Year Consolidated Plan (36th PY Con Plan) for 2010-11, which is comprised of total funds of approximately \$103.2 million from the federal Community Development Block Grant (CDBG), \$43.4 million from HOME Investment Partnerships, \$10.7 million from Housing Opportunities for Persons with AIDS, and a \$3.1 million Emergency Shelter Grant. All recommendations are subject to the final award of grant funds by the U.S. Department of Housing and Urban Development.

The Proposed 36th PY Con Plan would provide approximately \$35.4 million to support filled positions (direct salaries: \$25.2 million, related cost reimbursement: approximately \$10.2 million). General Fund revenue receipts from CDBG are projected to be approximately \$300,000 less than in the 35th PY.

As proposed, it is anticipated that the General Fund will contribute approximately \$4.5 million in related cost reimbursement for CDBG-funded activities. HCED amendments bring the General Fund participation to approximately the same level as it was in the 35th PY. It is a policy decision as to how and at what level the City will participate with City resources, specifically the General Fund, in funding the CDBG grant program activities. Attempts to decrease the General Fund participation may result in reduction of staff performing program delivery or cuts to programs themselves. In light of the City's fiscal constraints, efforts will continue to reduce the gap between General Fund participation and CDBG related cost reimbursement.

Community Impact Statement: None submitted.

ADOPTED

AMENDING MOTION (WESSON - HAHN)

Recommendations for Council action:

1. Instruct CDD, the CLA and CAO to make changes to Attachment H and H-1 to be consistent with the changes listed in Attachment H-2 contained in this amendment.

2. Authorize CDD, the CLA, and the CAO to make technical adjustments necessary to be consistent with Attachment H-2.
3. Instruct CDD to increase the 34th PY Consolidate Plan Carryover Deficit by \$500,000 to \$4,303,224.
4. Instruct CDD to reprogram \$1,947,500 allocated to the Los Angeles Preservation, Recovery, and Opportunity Program in the CDBG-R Plan to the following programs: \$1,447,500 to District Square and \$500,000 to Build Industries as described in the 36th PY Consolidated Plan. Authorize CDD, the CLA, and the CAO to make the technical adjustments necessary to reprogram these funds.
5. Delete Recommendation 1D in the Budget and Finance Committee Report and Recommendation L in the concurred HCED Committee Report.
6. Instruct the General Manager of LAHD, or designee, to extend the 35th Program Year Consolidated Plan HOPWA contracts as identified by LAHD for an additional six months, from April 1, 2010, through September 30, 2010. Authorize CDD, LAHD, the CLA, and the CAO to make technical adjustments necessary to be consistent with these extensions.
7. Instruct CDD to provide a status report within 30 days relative to the Wattstar Theatre and Education Center Project, and include the necessary Council authorities and actions required to execute the contract with Wattstar and to release the previously approved CDBG funds to the contractor.
8. Instruct CDD, with the assistance of LAHD, the CLA and the CAO, to identify reprogramming of any administrative savings up to \$205,000 for the Los Angeles Housing Department upon closeout of the 35th Program Year Consolidated Plan.

ADOPTED

MOTION (CARDENAS - WESSON - HAHN)

Recommendation for Council action:

INSTRUCT the Chief Legislative Analyst, City Administrative Officer and Community Development Department, with the assistance of the Mayor's Office, to identify savings from the 35th PY Con Plan for 2010-11 and report back to Council within 30 days on available funding to retain existing Human Relations Advocate positions.

Items for Which Public Hearings Have Not Been Held - Items 23-38

(10 Votes Required for Consideration)

ITEM NO. (23) - ADOPTED

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

[10-0025](#)

CD 9

MITIGATED NEGATIVE DECLARATION, COMMUNICATION FROM CHAIR, PLANNING AND LAND USE MANAGEMENT COMMITTEE, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to General Plan Amendments and zone and height district change for property at 905-19 East Second Street.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No.10-0025 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 2006-7194 MND] filed on January 30, 2009.
2. ADOPT the FINDINGS of the City Planning Commission (CPC) as the Findings of the Council.
3. ADOPT the accompanying RESOLUTION as recommended by the Mayor, the Director of Planning and the CPC APPROVING the proposed General Plan Amendment to the Central City North Community Plan from Commercial Manufacturing to Regional Commercial; and a General Plan Amendment to the Transportation Element of the General Plan and the Central City North Community Plan, to re-designate a portion of Geary Street between First Street and Second Street from a Collector Street to a Local Street for property at 905-19 East Second Street.

Applicant: Charles Woo

(Representative: Veronica Becerra, Rebuild Commercial)

CPC 2006-8630 GPA- ZC-SPR

4. PRESENT and ADOPT the accompanying ORDINANCE, approved by the City Planning Commission, effecting a zone and height district change from CM-1 to (T)(Q)C2-2D for the construction of a mixed-use project (six-stories, approximately 80-feet high, 3.5:1 Floor Area Ratio) consisting of 320 residential dwelling units, approximately 15,756 square feet of retail/commercial space and 40,133 square feet of open space on a 2.9 acre irregular shaped site for property at 905-19 East Second Street, subject to Conditions of Approval.
5. REMOVE (T) Tentative classification as described in detail on the sheet(s) attached to the Council file.
6. INSTRUCT the Planning Department to update the General Plans and appropriate maps pursuant to this action.

7. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
8. 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.
9. 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 City Planning Commission reports that there is no General Fund impact, as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MARCH 23, 2010

(LAST DAY FOR COUNCIL ACTION - MARCH 23, 2010)

ITEM NO. (24) - ADOPTED

Roll Call #12 - Motion (Wesson - Zine) Adopted, Ayes (12); Absent: Perry, Rosendahl and Smith (3)

09-1390

MITIGATED NEGATIVE DECLARATION, COMMUNICATION FROM CHAIR, PLANNING AND LAND USE MANAGEMENT COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to amending Section 12.03 of the Los Angeles Municipal Code (LAMC) to revise the definition of "Hillside Area."

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 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. 09-1390 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 Negative Declaration [ENV-2008-4684-ND] filed on March 13, 2009.
2. ADOPT the November 20, 2009 FINDINGS of the Director of Planning as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, amending Section 12.03 of the Los Angeles Municipal Code to revise the definition of "Hillside Area."

CPC-2008-4683-CA

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. (25) - ADOPTED

Roll Call #13 - Motion (Reyes - Huizar) Adopted, Ayes (12); Absent: Perry, Rosendahl and Smith (3)

[10-0187](#)
CD 6

MITIGATED NEGATIVE DECLARATION, COMMUNICATION FROM CHAIR, PLANNING AND LAND USE MANAGEMENT COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to a zone change at 17236 West Roscoe Boulevard.

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.10-0187 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2007-5378 MND] filed on January 25, 2008.
2. ADOPT the FINDINGS of the South Valley Area Planning Commission (SVAPC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the SVAPC, effecting a Zone Change from RA-1 to (T)(Q)RD3-1 and (T)(Q)RD5-1 for the construction of a six lot, single family, small lot subdivision on a net 24,161 square-foot lot for the property at 17236 West Roscoe Boulevard, subject to Conditions of Approval.

Applicant: Uzi Levy (Hank Krastman, Representative)

APCSV-2007-5628-ZC

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Council file.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
6. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
7. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 13, 2010

(LAST DAY FOR COUNCIL ACTION - APRIL 9, 2010)

ITEM NO. (26) - ADOPTED

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

[09-1115](#)

COMMUNICATION FROM THE CITY ATTORNEY, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to amending the Los Angeles Administrative Code (LAAC) to amend the plan for a Citywide System of Neighborhood Councils regarding Neighborhood Council Elections.

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

1. PRESENT and ADOPT the accompanying ORDINANCE amending LAAC Sections 20.36 to charge a recount fee for those who request a recount, 22.810.1 to add language to allow NCs to limit their terms if they desire so long as it is within their bylaws, and 22.816 relative to election challenge process for the NC Elections.
2. ADOPT the accompanying RESOLUTION relative to amending the plan for a Citywide System of Neighborhood Councils regarding term limits and election challenge process for the NC Elections.

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.

(Education and Neighborhoods Committee waived consideration of the above matter)

**Roll Call #15 - Motion (Wesson - Parks) Adopted, Ayes (12); Absent: Perry, Rosendahl and Smith (3)
(Item Nos. 27a-27aa)**

ITEM NO. (27) - ADOPTED

[10-0005-S156](#)

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 February 25, 2010:

[10-0005-S156](#)

CD 10

- a. Property at 1080 South Genesee Avenue (Case No. 198708).
Assessor I.D. No. 5086-026-003

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 12, 2009)

[10-0005-S157](#)

CD 15

- b. Property at 11226 South Alvaro Avenue (Case No. 240667).
Assessor I.D. No. 6070-014-007

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 8, 2009)

[10-0005-S158](#)

CD 8

- c. Property at 1159 East 107th Street (Case No. 118482).
Assessor I.D. No. 6051-013-001

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 31, 2007)

[10-0005-S159](#)

CD 8

- d. Property at 1159 East 107th Street (Case No. 53897).
Assessor I.D. No. 6051-013-001

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 11, 2003)

[10-0005-S160](#)

CD 11

- e. Property at 11683 West Gorham Avenue (Case No. 243431).
Assessor I.D. No. 4401-022-018

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

[10-0005-S161](#)

CD 8

- f. Property at 1248 West Florence Avenue (Case No. 106684).
Assessor I.D. No. 6019-010-001

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 13, 2007)

[10-0005-S162](#)

CD 13

- g. Property at 1323 West Lilac Terrace (Case No. 172925).
Assessor I.D. No. 5406-011-021

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

[10-0005-S163](#)

CD 2

- h. Property at 13443 West Moorpark Street (Case No. 234176).
Assessor I.D. No. 2360-014-027

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

[10-0005-S164](#)

CD 14

- i. Property at 142 South Savannah Street (Case No. 204424).
Assessor I.D. No. 5180-021-012

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 6, 2008)

[10-0005-S165](#)

CD 14

- j. Property at 1509 East Pleasant Avenue (Case No. 226020).
Assessor I.D. No. 5174-021-032

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 2, 2009)

[10-0005-S166](#)

CD 10

- k. Property at 1720 South Seventh Avenue (Case No. 247108).
Assessor I.D. No. 5072-015-015

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 20, 2009)

[10-0005-S167](#)

CD 15

- l. Property at 1916 East 115th Street (Case No. 123979).
Assessor I.D. No. 6067-001-017

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 7, 2007)

[10-0005-S168](#)

CD 9

- m. Property at 208 East 48th Street (Case No. 119757).
Assessor I.D. No. 5109-009-040

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 3, 2007)

[10-0005-S169](#)

CD 15

- n. Property at 2158 East 103rd Street (Case No. 10137).
Assessor I.D. No. 6066-017-004

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 9, 2006)

[10-0005-S170](#)

CD 11

- o. Property at 2523 South Abbott Kinney Boulevard (Case No. 122819).
Assessor I.D. No. 4229-013-009

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 2, 2007)

[10-0005-S171](#)

CD 9

- p. Property at 4308 South Morgan Avenue (Case No. 5155).
Assessor I.D. No. 5116-020-016

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 24, 2006)

[10-0005-S172](#)

CD 8

- q. Property at 4627 South Arlington Avenue (Case No. 217602).
Assessor I.D. No. 5015-034-007

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 8, 2009)

[10-0005-S173](#)

CD 8

- r. Property at 4627 South Arlington Avenue (Case No. 175570).
Assessor I.D. No. 5015-034-007

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 26, 2008)

[10-0005-S174](#)

CD 14

- s. Property at 4924 East Navarro Street (Case No. 245562).
Assessor I.D. No. 5218-008-032

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 8, 2009)

[10-0005-S175](#)

CD 14

- t. Property at 5206 East Navarro Street (Case No. 186711).
Assessor I.D. No. 5219-013-003

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

[10-0005-S176](#)

CD 8

- u. Property at 529 West 81st Street (Case No. 158181).
Assessor I.D. No. 6032-025-022

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 15, 2008)

[10-0005-S177](#)

CD 14

- v. Property at 5339 East Oakland Street (Case No. 242958).
Assessor I.D. No. 5219-003-020

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 1, 2009)

[10-0005-S178](#)

CD 8

- w. Property at 633 West 77th Street (Case No. 189739).
Assessor I.D. No. 6020-019-014

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 3, 2008)

[10-0005-S179](#)

CD 9

- x. Property at 647 East 87th Street (Case No. 245524).
Assessor I.D. No. 6042-001-026

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 1, 2009)

[10-0005-S180](#)

CD 15

- y. Property at 700 East 108th Street (Case No. 139766).
Assessor I.D. No. 6071-011-021

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 4, 2007)

[10-0005-S181](#)

CD 9

- z. Property at 815 West 40th Place (Case No. 187421).
Assessor I.D. No. 5019-001-014

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 3, 2008)

[10-0005-S182](#)

CD 9

- aa. Property at 830 West 60th Street (Case No. 165116).
Assessor I.D. No. 6004-009-023

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 3, 2008)

**Roll Call #12 - Motion (Wesson - Zine) Adopted, Ayes (12); Absent: Perry, Rosendahl and Smith (3)
(Item Nos. 28-31)**

ITEM NO. (28) - ADOPTED

[10-0190](#)

COMMUNICATION FROM CHAIR, PLANNING AND LAND USE MANAGEMENT COMMITTEE relative to Department of Building and Safety request for \$568,568 from the Construction Services Trust Fund to replace the Automated Cashier System.

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

APPROVE funding in the amount of \$568,568 from the Construction Services Trust Fund, No. 438/50, for the replacement of the cashiering system serving the Construction Service Centers(CSCs), the Test Lab, and the deployment of six self-service payment kiosks at the CSCs.

Fiscal Impact Statement: The City Administrative Officer reports that there is no General Fund impact. The source of funds is the Construction Services Trust Fund, which has sufficient funds to finance this eligible request. This expenditure complies with the City's Financial Policies in that collected surcharges on permits will be used to support this one-time expenditure associated with the Construction Service Centers.

Community Impact Statement: None submitted.

ITEM NO. (29) - ADOPTED

[09-3055](#)

CD 15

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 10104-06 South Wilmington Avenue pursuant to Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated October 22, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 10104-06 South Wilmington Avenue.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$2,739.20 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$2,560 and a seven percent surcharge in the amount of \$179.20 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (30) - ADOPTED

[10-0256](#)

CD 4

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 3636 West Cadman Drive pursuant to Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated January 21, 2010 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 3636 West Cadman Drive.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$2,337.95 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$2,185 and a seven percent surcharge in the amount of \$152.95 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (31) - ADOPTED

[08-1847-S5](#)

CD 1

CONSIDERATION OF MOTION (REYES - GARCETTI) relative to funding an additional \$2.5 million for the Seventh and Coronado Project in the Westlake Recovery Redevelopment Project Area for a total Community Redevelopment Agency (CRA) investment of \$3.9 million.

Recommendation for Council action:

AUTHORIZE the Interim Chief Executive Officer, CRA, or designee to execute all documents, including amendments to all loan documents and subordination agreements, necessary for the funding of an additional \$2.5 million in Westlake Low and Moderate Income Housing Fund to the Seventh and Coronado Project in the Westlake Recovery Redevelopment Project Area for a total CRA investment of \$3.9 million.

Community Impact Statement: None submitted.

(Housing, Community and Economic Development Committee waived consideration of the above matter)

ITEM NO. (32) - ADOPTED

Roll Call #16 - Motion (Reyes - Krekorian) Adopted, Ayes (12); Absent: Perry, Rosendahl and Smith (3)

[10-0316](#)
CD 11

MOTION (ROSENDAHL - REYES) relative to funding to support the re-paving of 29th Avenue in Council District 11.

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

1. TRANSFER \$6,812 from the Council District 11 portion of the Street Furniture Revenue Fund No. 43D/50 to the Bureau of Street Services (BSS) Fund No. 100/86, for re-paving of 29th Avenue in Council District 11 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries - General	\$2,500
3030	Construction Expense	\$2,312
3040	Contractual Services	\$1,000
6020	Operating Supplies	\$1,000

2. AUTHORIZE the BSS to make clarifications or technical corrections to the above fund transfer instructions as may be necessary to implement the intent of this Motion.

ITEM NO. (33) - ADOPTED

Roll Call #12 - Motion (Wesson - Zine) Adopted, Ayes (12); Absent: Perry, Rosendahl and Smith (3)

[10-0315](#)

MOTION (ZINE - SMITH) relative to authorizing the City Administrative Officer (CAO) use of the City Hall Tom Bradley Room on April 29, 2010.

Recommendation for Council action:

AUTHORIZE the CAO use of the City Hall Tom Bradley Room on April 29, 2010 during normal business hours to hold a special meeting.

ITEM NO. (34) - ADOPTED

Roll Call #18 - Motion (Parks - Reyes) Adopted, Ayes (12); Absent: Perry, Rosendahl and Smith (3)

10-0010-S12

MOTION (PARKS - CARDENAS) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the deaths of Robert Nelson and Drayvon James on August 25, 2009.

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

1. PROVIDE an offer of reward in the amount of \$75,000 for information leading to the identification, apprehension, and conviction of the person(s) responsible for the deaths of Robert Nelson and Drayvon James on August 25, 2009.
2. FIND that the subject reward complies with the provisions of Chapter 12, Article 1, Division 19, of the Los Angeles Administrative Code.
3. DIRECT the City Clerk to publish the required notices and/or advertisements to effectuate this reward.

**Roll Call #12 - Motion (Wesson - Zine) Adopted, Ayes (12); Absent: Perry, Rosendahl and Smith (3)
(Item Nos. 35-38)**

ITEM NO. (35) - ADOPTED

09-0109-S1

CD 9

MOTION (PERRY - ROSENDAHL) relative to lease approval for office space at 4060 South Gueroa Street, Los Angeles, CA 90037.

Recommendation for Council action:

APPROVE the executed Neighborhood Council Lease Agreement between the City of Los Angeles, through the Department of Neighborhood Empowerment (on behalf of the Voices 90037 Neighborhood Council), and the Los Angeles Community Reinvestment Committee DBA Community Financial Resources Center, under the terms and conditions outlined in the Neighborhood Council Lease Agreement dated January 21, 2010, attached to the Council file.

ITEM NO. (36) - ADOPTED

08-0564-S2

MOTION (PERRY - PARKS) relative to funding for Council District Nine hosting the 48th Assembly District's Women's History Month Celebration in the City Hall Rotunda on March 11, 2010.

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

APPROPRIATE \$461 from the Unappropriated Balance Fund No. 100/58 to the General Fund No. 100/40, as follows: \$345 to Account No. 1090 (Salaries - Overtime) and \$116 to Account No. 1070 (Salaries - As Needed) for services in connection with the March 11, 2010, Council District Nine Women's History Month Celebration in the City Hall Rotunda for the 48th Assembly District - said funds to be reimbursed to the General Fund by the Office of Assemblyman Mike Davis, 48th AD.

ITEM NO. (37) - ADOPTED

[10-0333](#)
CD 13

MOTION (GARCETTI - LABONGE) relative to installing street banners announcing the Atwater Village Neighborhood Council Election on March 20, 2010.

Recommendations for Council action:

1. APPROVE the street banner program announcing the Atwater Village Neighborhood Council Election on March 20, 2010, as a City of Los Angeles Event, Street Banner Program.
2. APPROVE the content of the street banners for the above specified event.

ITEM NO. (38) - ADOPTED

[10-0265](#)

RESOLUTION (ALARCON - SMITH) relative to declaring March 11, 2010 as World Kidney Day in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE March 11, 2010 as World Kidney Day in the City of Los Angeles.

Closed Session - Item 39

ITEM NO. (39) - MOTION ADOPTED IN OPEN SESSION - FORTHWITH - SEE FOLLOWING

Roll Call #19 - Motion (Reyes - Huizar) Adopted, Ayes (12); Absent: Perry, Rosendahl and Smith (3)

[10-0108](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to a writ of compliance in the case entitled Historic Preservation Now v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BS 116767 (Council District Three).

(Planning and Land Use Management Committee considered the above matter on February 16, 2010.)

(Continued from Council meeting of February 26, 2010)

ADOPTED

MOTION (REYES - HUIZAR)

Recommendations for Council action:

1. **REQUEST** the City Attorney to prepare two separate repeal ordinances - the first to repeal Ordinance No. 180144 (zone and height district change), and the second to repeal Ordinance No. 180145 (building line removal); and that you further request the City Attorney to present both ordinances to you for adoption in thirty (30) days (Repeal Ordinances).
2. **DIRECT** the City Clerk to provide notice to the property owner, the applicant, and appellant Feinstein, of the City's intention, in light of the Court's ruling in Los Angeles Superior Court Case No. BS116767, to take the following actions: (i) repeal Ordinance No. 180144 which amended the zoning for the property located at 23133 Sherman Place; (ii) repeal Ordinance No. 180145 which removed the building line at 23133 Sherman Place; (iii) set aside City Council's adoption of mitigated negative declaration No. ENV No. 2007-837-MND; and (iv) reconsider the Feinstein Appeal for the purpose of determining whether, in light of the Court's ruling, the appeal should be granted, thus disapproving the site plan review sought in City Planning case No. CPC-2007-1244-VZC-HD-BL-SPR-1A. Such notice shall provide of the date and time at which these matters will be heard by Council, which shall be the same date and time at which the City Attorney is directed to present the two repeal ordinances.

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

[97-1093](#)

MOTION (REYES - GARCETTI) relative to the alley vacation for the alley easterly of Westlake Avenue from Seventh Street to approximately 295 feet northerly thereof.

[10-0380](#)

MOTION (LABONGE - WESSON) relative to the installation of carpeting at the Los Angeles Police Department (LAPD) West Traffic Division.

[10-0381](#)

MOTION (ROSENDAHL - PARKS) relative to funding to purchase and install a Transit Bus Radio/Automatic Vehicle Location System for the Commuter Express bus fleet.

[10-0039](#)

MOTION (PARKS - ROSENDAHL) relative to prior Council action of February 5, 2010 regarding settlement of the judgment in the case entitled Richard Dana Lee v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC 376879.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[10-0004](#) - Robert J. McCready (Zine - All Councilmembers)
Louis Krokover (Zine - All Councilmembers)
Federal District of Mexico City (Garcetti - Rosendahl - Huizar - Koretz)

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

[10-0003](#) - Constantin Jercan (Garcetti)
Phyllis T. Mejia (Garcetti)
Coy Sallis (Wesson)
Bobby Espinosa (Huizar)
Frank Alexander Lewis Jr. (Wesson)

Ayes, Alarcón, Cárdenas, Hahn, Huizar, Koretz, Krekorian, Parks, Reyes, Wesson, Zine and President Garcetti (11); Absent: LaBonge, Perry, Rosendahl and Smith (4)

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By
Council Clerk PRESIDENT OF THE CITY COUNCIL