

Los Angeles City Council, **Journal/Council Proceedings**
Friday, **March 12, 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, Krekorian, LaBonge, Parks, Perry, Rosendahl, Wesson, and President Garcetti (10); Absent: Hahn, Koretz, Reyes, Smith and Zine (5)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
MARCH 9, 2010

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 30

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

Veto Message from the Mayor - Item 1

ITEM NO. (1) - RECEIVED AND FILED

Roll Call #1 - Motion (Parks - Alarcón) Adopted to Receive and File, Unanimous Vote (12); Absent: Hahn, Reyes and Smith (3)

[10-0106](#)

MAYOR'S VETO MESSAGE disapproving Council action of February 19, 2010, approving the City Attorney's recommended settlement of the City's claim against Comcast for unpaid franchise fees for the period January 1, 2005, through July 2006.

PURSUANT TO CHARTER SECTION 273(b)(3)
10 VOTES REQUIRED TO OVERRIDE MAYOR'S VETO

Item Noticed for Public Hearing - Item 2

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

Roll Call #2 - Motion (Krekorian - Perry) Adopted to Grant Application, Ayes (12); Absent: Hahn, Reyes and Smith (3)

[10-0325](#)

CD 2

HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for on-site wine tasting and alcohol sales for off-site consumption at Beverages and More retailer of fine wines and spirits.

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at Beverages and More located at 12123 West Ventura Boulevard, Sherman Oaks, 91604, 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 on-site wine-tasting and the sale of alcoholic beverages for off-site consumption at 12123 West Ventura Boulevard.
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: Beverages and More (Stephen Jamieson, representative)

TIME LIMIT FILE - APRIL 12, 2010

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

Items for Which Public Hearings Have Been Held - Items 3-24

Roll Call #4 - Motion (Zine - Koretz) Adopted, Ayes (12); Absent: Hahn, Reyes and Smith (3)
(Item Nos. 3-5)

ITEM NO. (3) - ADOPTED

[09-3051](#)

CD 6

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCES FIRST CONSIDERATION relative to a zone change and building line removal at 10973-75 Penrose 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. 09-3051 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-2008-3442-MND] filed on February 5, 2009.
2. ADOPT the 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, on behalf of the North Valley Area Planning Commission (NVAPC), effecting a zone change from R1-1 to [T][Q]CM-1 for the proposed construction, use and maintenance of a 12,455 square-foot industrial building on a 20,512 square-foot parcel for property at 10973-75 Penrose Street, subject to modified conditions.
4. PRESENT and ADOPT the accompanying ORDINANCE, approved by the NVAPC, effecting the removal of a 42-foot building line on Penrose Street established by Ordinance No. 116781 for the property at 10973-75 Penrose Street.

Applicant: Mari Tatevosian (Rand Freeman, Representative)APCNV 2008-3441-ZC-BL

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.
8. NOT PRESENT and ORDER FILED the Ordinance approved by the NVAPC on October 15, 2009.

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - MARCH 18, 2010

(LAST DAY FOR COUNCIL ACTION - MARCH 17, 2010)

ITEM NO. (4) - ADOPTED FORTHWITH

10-0291

CD 4

NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to "D" Development Limitations regulating height, floor area, and lot coverage for the Oaks Neighborhood.

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. 10-0291 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-2009-2950-ND] filed on September 18, 2009.
2. ADOPT the FINDINGS of the City Planning Commission (CPC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the CPC, effecting "D" Development Limitations regulating height, floor area, and lot coverage for the Oaks Neighborhood, generally bounded by Griffith Park on the north, Griffith Park, Fern Dell Drive, Tyron Drive, and Live Oak Drive on the east, Franklin Avenue and Foothill Drive on the south, and Canyon Drive on the west, including properties west of Canyon Drive north of Argosy Way.

Applicant: City of Los Angeles

CPC 2009-2949-HD

4. 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.
5. 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 CPC reports that there is no General Fund impact, as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 18, 2010

(LAST DAY FOR COUNCIL ACTION - MAY 18, 2010)

ITEM NO. (5) - ADOPTED

[09-0258](#)

CD 15

GENERAL EXEMPTION, TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT and ORDINANCES FIRST CONSIDERATION relative to amending Port of Los Angeles Tariff No. Four, Section 20, Items 2000 and 2015 - Clean Air Action Plan - General Rules and Regulations.

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

1. FIND that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article II Section 2 (f) and Section 2(i) of the Los Angeles City CEQA Guidelines.
2. PRESENT and ADOPT the accompanying ORDINANCES and proposed Permanent Board Orders No. 09-7015 and 09-7031 amending Items 2000 and 2015 in Section 20, Clean Air Action Plan - General Rules and Regulations of the Port of Los Angeles Tariff No. Four.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that approval to amend the Port of Los Angeles (POLA) Tariff No. Four, Section 20, Clean Air Action Plan, Items Nos. 2000 and 2015, requires no additional expenditure of funds. The proposed tariff amendments change administrative language in the POLA Tariff No. Four, Section 20 to clarify and comply with the California Air Resources Board (CARB) rules and regulations regarding the Clean Truck Program. There is no impact on the City General Fund and the City Financial Policies are not applicable.

The CAO also notes that approval to amend the POLA Tariff No. Four, Section 20, Clean Air Action Plan, Items Nos. 2000 and 2015, and a Memorandum of Understanding would require no additional expenditure of funds. Any expenditure by the POLA will be funded from the \$44 million budgeted to fund an alternative fuel truck incentive program in Fiscal Year 2009-10. Use of this funding will include the amendment to the MOU between the South Coast Air Quality Management District (SCAQMD), CARB and POLA and Port of Long Beach to administer Proposition 1B funding for the

Clean Truck Program. In the event that all the Proposition 1B funding have been spent and eligible truckers and alternative fuel trucks remain unfunded on the SCAQMD qualifying list, the POLA will transfer additional funds from those already funded for the Fiscal Year 2009-10 budget. There is no impact on the City General Fund and the City Financial Policies are not applicable.

Community Impact Statement: None submitted.

**Roll Call #3 - Motion (LaBonge - Perry) Adopted, Ayes (12); Absent: Hahn, Reyes and Smith (3)
(Item Nos. 6-7)**

ITEM NO. (6) - ADOPTED

[09-1425](#)

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the allocation and reallocation of Proposition 12 and Proposition 40 funds for various projects.

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

1. APPROVE reallocations of Proposition 12 Roberti Z'Berg Harris discretionary funds totaling \$33,620, as noted in Attachment 1 of the Committee report, in order to maximize the City's ability to use these funds.
2. APPROVE allocations and reallocations of Proposition 40 Per Capita discretionary funds totaling \$1,997,038, as noted in Attachment 1, in order to maximize the City's ability to use these funds.
3. APPROVE allocations and reallocations of Proposition 40 Roberti Z'Berg Harris discretionary funds totaling \$2,304,557, as noted in Attachment 1, in order to maximize the City's ability to use these funds.
4. AUTHORIZE the Department of Recreation and Parks to negotiate and execute the necessary subgrant agreements and submit the necessary applications to the State to obtain approval of the allocation of funds to these projects.
5. REQUEST that the Board of Recreation and Park Commissioners concur with the allocations and reallocations.
6. AUTHORIZE the City Administrative Officer to make any technical adjustments that may be needed to implement the above recommendations.

Fiscal Impact Statement: The L.A. for Kids Steering Committee reports that approval of the recommended allocations and reallocation of State Proposition 12 and Proposition 40 funds will not have an impact on the General Fund, inasmuch as the projects are expected to be implemented using these State grant funds. In the unlikely event that the State discontinues grant reimbursements, the impact to the General Fund could be \$4.3 million if alternative funding sources are not identified to complete these projects. Once these projects are completed and come on line, an as yet undetermined amount of General Fund may be needed to fund future operation and maintenance costs.

Community Impact Statement: None submitted.

ITEM NO. (7) - ADOPTED

[10-0102](#)

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to an application requesting continued funding for the Jim Gilliam Child Care Center.

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

1. APPROVE and AUTHORIZE the President and Secretary of the Board of Recreation and Park Commissioners to approve the submission of an application to the California Department of Education (CDE) for continued funding of \$216,454 for Fiscal Year 2010-11 from the CDE to comply with AB 2759 implementation of the California State Preschool Program (CSPP) at Jim Gilliam Child Care Center.

2. AUTHORIZE the General Manager, Department of Recreation and Parks (RAP), to represent the City and execute the corresponding grant agreement, subject to the Mayor and City Council's approval, and any subsequent amendments thereto, pursuant to Administrative Code Section 14.6 et seq. as may be amended, on behalf of the City, subject to approval as to form by the City Attorney.

Fiscal Impact Statement: The RAP reports that the CDE has awarded both the General Childcare and Development grant and the CSPP grant. These grants do not require a match and present no fiscal impact to the Department.

Community Impact Statement: None submitted.

ITEM NO. (8) - ADOPTED

Roll Call #8 - Motion (Parks - Smith) Adopted, Ayes (13); Absent: Hahn and Reyes (2)

[09-0600-S154](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the Distinguished Budget Presentation Award for 2009-10.

Recommendation for Council action:

NOTE and FILE the City Administrative Officer's report relative to the Distinguished Budget Presentation Award for 2009-10 inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

**Roll Call #3 - Motion (LaBonge - Perry) Adopted, Ayes (12); Absent: Hahn, Reyes and Smith (3)
(Item Nos. 9-15)**

ITEM NO. (9) - ADOPTED

[09-0600-S180](#)

EDUCATION AND NEIGHBORHOODS COMMITTEE REPORT relative to the transfer and implementation of rollover funds to the Unappropriated Balance (UB) account, subject to honoring contracts, committed projects, ongoing rent and leases, and unpaid bills.

Recommendations for Council action:

1. RECEIVE and FILE the Department of Neighborhood Empowerment (DONE) March 3, 2010 report relative to the transfer and implementation of rollover funds to the UB account, inasmuch as the report is submitted for information only and no Council action is necessary.
2. REQUEST the DONE to report back to the Education and Neighborhoods committee on a regular basis with a status on the transfer and implementation of rollover funds to the UB account.

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.

ITEM NO. (10) - ADOPTED

[09-0409](#)

CD 14

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to increasing a purchase order with the law firm of Lamb & Kawakami LLP (L&K) by \$101,500 for legal services for a challenge to the California Department of Toxic Substance Control's issuance of a permit for operation of a Hazardous Waste Facility at 1700 South Soto Street.

Recommendation for Council action:

AUTHORIZE the Interim Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to increase compensation of an existing purchase order with L&K by \$101,500, from \$70,250 to a total contract amount not to exceed \$171,750, pursuant to the terms of a Professional Services Agreement (PSA) between the CRA and L&K for outside counsel provided in relation to Superior Court of California County of Los Angeles Case No. BS 111277, The Agency v. State of California Department of Toxic Substances Control, ex relatione Industrial Service Oil Company, Inc., subject to the review of the City Attorney as to form and legality and the Department of Public Works, Bureau of Contract Administration, as to compliance with any applicable CRA contracting requirements.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the General Fund. Approval of the recommendation will result in the expenditure of CRA Adelante Eastside Redevelopment Project Area tax increment funds in the amount of \$101,500 to pay for additional legal services provided by the law firm Lamb & Kawakami LLP. The CRA is only bound by the disclosure provisions of the City Debt Management Policies; the City Financial Policies are not applicable to the CRA.

Community Impact Statement: None submitted.

ITEM NO. (11) - ADOPTED

[09-3063](#)

CDs 8 & 9

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to executing a contract with JesseJames Creative Inc. (JJC), in an amount not to exceed \$49,300, for the design, development, and implementation of a proposed website project entitled "Guide to Eating in South Los Angeles" (Project).

Recommendation for Council action:

AUTHORIZE the Interim Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to execute a contract with JJC for the Project, in an amount not to exceed \$49,300, for a term of three years, subject to the review of the City Attorney as to form and legality and the Department of Public Works, Bureau of Contract Administration, as to compliance with certain CRA contracting requirements.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the General Fund. Approval of the recommendation will result in the expenditure of CRA Council District Nine Corridors South of the Santa Monica Freeway Recovery Redevelopment Project Area funds in an amount not to exceed \$49,300 for the purpose of creating and maintaining a CRA-sponsored public information website. The CRA is only bound by the disclosure provisions of the City Debt Management Policies; the City Financial Policies are not applicable to the CRA.

Community Impact Statement: None submitted.

ITEM NO. (12) - ADOPTED

[10-0120](#)

CD 1

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to acquiring property, for an amount not to exceed \$750,000, for the creation of the Ord and Yale Street Park and the installation of public improvements in the Chinatown Redevelopment Project Area (CRPA).

Recommendations for Council action:

1. ADOPT the accompanying Finding of Benefit Joint RESOLUTION [attached to the Chief Legislative Analyst (CLA) report dated February 17, 2010] which finds that the expenditure of Community Redevelopment Agency (CRA) funds for the creation of park and open space and the installation of streetscape, in an amount not to exceed \$5,500,000 (if funds can be obtained) and public art improvements are: 1) of benefit to the CRPA; 2) the improvements assist in the elimination of one or more blighting conditions in the CRPA; and, 3) there are no other reasonable means of financing available to the City; and, is consistent with the Redevelopment Plan and Five-Year Implementation Plan for the CRPA.
2. AMEND the Fiscal Year 2009-10 CRA Budget by \$3.4 million upon execution of Proposition 1C grant agreements.
3. INSTRUCT the CRA, relative to the Ord and Yale Street Park, to notify Council if any funds are awarded and report back to Council prior to the acceptance of any Proposition 84 funding awards with a finalized scope and cost estimates.

Fiscal Impact Statement: The CLA reports that there is no impact to the General Fund as a result of this action. Source of funds are CRPA Tax Increment.

Community Impact Statement: None submitted.

ITEM NO. (13) - ADOPTED

[10-0122](#)

CDs 4 & 13

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a Novation Agreement assigning to Enterprise Community Partners, Inc. (ECP), an existing contract with Enterprise Home Ownership Partners, Inc, in the total amount of \$79,620, for the implementation of a Safety/Energy-Saving Retrofitting Program (Program).

Recommendation for Council action:

AUTHORIZE the Interim Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to negotiate and execute a Novation Agreement with ECP in order to assign and transfer to ECP an existing contract that was entered into with Enterprise Home Ownership Partners, Inc. (EHOP), in the outstanding contract amount of \$79,620, for the implementation of the Program in the East Hollywood/Beverly-Normandie Earthquake Disaster Assistance Project Area, subject to the review of the City Attorney as to form and legality and the Department of Public Works, Bureau of Contract Administration, as compliance with all applicable CRA and City contracting requirements.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no impact to the General Fund inasmuch as approval of the Novation Agreement is an administrative action. Funds for the Program were approved as part of the Fiscal Year 2009-10 CRA Budget.

Community Impact Statement: None submitted.

ITEM NO. (14) - ADOPTED

[10-0129](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to negotiating and executing a five-year Grant Agreement with the Corporation for Supportive Housing (CSH), in an amount not to exceed \$500,000, for the administration of affordable housing programs.

Recommendation for Council action:

AUTHORIZE the Interim Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to negotiate and execute a grant agreement with CSH, in an amount not to exceed \$500,000, to fund planning and administrative costs related to the provision of affordable housing within redevelopment project areas through the Supportive Housing Project Completion Fund (Program) for a term of five years, subject to the review of the City Attorney as to form and legality and the Department of Public Works, Bureau of Contract Administration, as to compliance with applicable CRA contracting requirements.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the General Fund. Approval of the recommendation will result in the expenditure of CRA redevelopment project area funds in an amount not to exceed \$500,000 to pay for planning and administrative costs related to the provision of Permanent Supportive Housing provided by the CSH through the Program. The CRA is only bound by the disclosure provisions of the City Debt Management Policies; the City Financial Policies are not applicable to the CRA.

Community Impact Statement: None submitted.

ITEM NO. (15) - ADOPTED

[10-0303](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the renewal of insurance coverages and other related insurance costs, in an amount not to exceed \$1,527,229, for the period of April 1, 2010 through March 31, 2011.

Recommendation for Council action:

AUTHORIZE the Interim Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to renew a Blanket Purchase Order with AON Risk Services, Inc. of Southern California/Cumbre, Inc. (AON/Cumbre), a Joint Venture Partnership, for a cumulative amount not to exceed a total of \$1,527,229 (including a maximum of \$100,000 in brokerage fees) to purchase various insurance coverages and related insurance costs for an insurance coverage period of April 1, 2010 through March 31, 2011, subject to the review of the City Attorney as to form and legality and the Department of Public Works, Bureau of Contract Administration, as compliance with all applicable CRA and City contracting requirements.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the General Fund. The City's Financial Policies are not applicable to the CRA. The CRA is bound only by the disclosure provisions of the City's Debt Management Policies. Approval of the recommendation will result in the expenditure of an aggregate amount not to exceed \$1,527,229 from CRA overhead or other project resources depending on the redevelopment project area served, to allow the CRA to pay for various insurance coverages and related insurance costs for a coverage period of one year.

Community Impact Statement: None submitted.

ITEM NO. (16) - CONTINUED TO MARCH 19, 2010

Roll Call #13 - Motion (Zine - Parks) Adopted to Continue, Unanimous Vote (12); Absent: Hahn, Reyes and Smith (3)

[10-0192](#)

PERSONNEL COMMITTEE REPORT relative to the creation of a formal City Fellowship Program.

Recommendation for Council action, as initiated by Motion (Huizar - LaBonge):

REQUEST the Mayor's Volunteer Office to create a formal City Fellowship Program to attract full and part-time volunteer workers, in exchange for a larger portfolio of responsibilities and more formal structure than would be offered to an intern but with no stipend or cost associated with the Program. The Personnel Department should assist in identifying which divisions or each department could most benefit from participating in such a Program.

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.

ITEM NO. (17) - CONTINUED TO MARCH 19, 2010

Roll Call #12 - Motion (Smith - Zine) Adopted to Continue, Unanimous Vote (13); Absent: Hahn and Reyes (2)

[09-1901](#)

CONTINUED CONSIDERATION OF 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.

(Continued from Council meeting of March 5, 2010)

**Roll Call #3 - Motion (LaBonge - Perry) Adopted, Ayes (12); Absent: Hahn, Reyes and Smith (3)
(Item Nos. 18-24)**

ITEM NO. (18) - ADOPTED FORTHWITH

[10-0117](#)

PUBLIC SAFETY COMMITTEE REPORT relative to a 2008-09 Homeland Security Preparedness Technical Assistance (2008 Archangel) Program grant award for use by the Los Angeles Police Department (LAPD).

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

1. AUTHORIZE the Chief of Police, or designee, to retroactively:
 - a. Apply for, accept, and execute the 2008 Archangel grant award in the amount of \$200,000 from the United States, Department of Homeland Security (DHS) for the period July 1, 2008, through June 30, 2009.
 - b. Submit and accept the DHS approved budget modification and a no-cost extension for the 2008 Archangel grant, extending the award period to March 31, 2010.
 - c. Negotiate and execute the proposed Cooperative Agreement with DHS for the 2008 Archangel grant, subject to the approval of the City Attorney as to form and legality.
2. AUTHORIZE the Controller to establish a grant receivable for the 2008 Archangel grant in the amount of \$200,000 within Fund No. 339/70, Account No. F534.

3. INSTRUCT the LAPD to submit grant reimbursement requests to the grantor and deposit all grant reimbursements to Fund No. 339/70, Account No. F534.
4. AUTHORIZE the Controller to increase and transfer appropriation within Fund 339, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
F534	2008-09 Archangel Grant	\$200,000
<u>From</u>	<u>To</u>	<u>Amount</u>
F534	F170	\$126,997
F534	F299	\$ 56,375

5. AUTHORIZE the Controller to increase appropriations, as needed, from Fund No. 339/70, Account No. F170 to Fund No. 100/70, Account No. and amount as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1012	Sworn Salaries	\$58,175
1010	Civilian Salaries	\$68,822

6. AUTHORIZE the LAPD to prepare Controller instructions for any technical adjustments consistent with this action, subject to the approval of the City Administrative Officer (CAO), and AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that this action does not impact the General Fund inasmuch as the acceptance of the grant does not require the City to provide matching funds. The LAPD will identify available funds within its existing accounts to front fund all grant related expenses. Therefore, the above recommendations comply with the City financial policies as one-time revenue will be used to support one-time expenses.

Community Impact Statement: None submitted.

ITEM NO. (19) - ADOPTED

[09-0373](#)
CD 11

CATEGORICAL EXEMPTION, TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to an amendment to the Los Angeles International Airport shuttle operating agreement with Servisair LLC.

Recommendations for Council action:

1. FIND that this action is exempt from the California Environmental Quality Act (CEQA), pursuant to Article III Class 1(18)(c) of the Los Angeles City CEQA Guidelines.
2. APPROVE the third amendment to Contract No. DA-3904 with Servisair LLC.

3. CONCUR with the Board of Harbor Commissioners action of February 16, 2010 authorizing the Executive Director to execute the amendment to Operating Agreement No. DA-3904, to extend the term for nine months, on a month-to-month basis, commencing April 1, 2010 and increase hourly rates of compensation during the extended term.

Fiscal Impact Statement: The City Administrative Officer reports that funds for the proposed Servisair amendment in an amount not to exceed \$9,732,042 are available in the 2009-10 Airports Department budget and have been requested for Fiscal Year 2010-11. Since the department is only bound by the City Debt Management Policies, the City Financial Policies are not applicable. Approval of the proposed third amendment will have no impact on the City's General Fund.

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 18, 2010

(LAST DAY FOR COUNCIL ACTION - APRIL 16, 2010)

ITEM NO. (20) - ADOPTED

[09-2093](#)

CD 11

ADMINISTRATIVE EXEMPTION, TRADE, COMMERCE AND TOURISM COMMITTEE REPORT and RESOLUTION relative to the issuance and sale of the Department of Airports, Los Angeles International Airport Revenue Bonds.

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

1. FIND that this action is exempt from the California Environmental Quality Act (CEQA), pursuant to Article II Section 2 (f) of the Los Angeles City CEQA Guidelines.
2. APPROVE RESOLUTION No. 24025.
3. AUTHORIZE the Department of Airports to issue Los Angeles International Airport (LAX) Revenue Bonds in an aggregate principal amount not to exceed \$1.75 billion for various airfield and terminal capital projects at LAX and an aggregate principal amount not to exceed \$250 million for refunding prior debt previously issued by the Regional Airports Improvement Corporation using a negotiated method of sale.
4. AUTHORIZE the selection of Seibert Branford Shank & Co., J.P. Morgan Securities Inc., Goldman Sachs & Co., Citigroup Global Markets Inc., Morgan Stanley & Co. Incorporated, Barclays Capital Inc., De La Rosa & Co. Inc., Ramirez & Co., Inc., Cabrera Capital Markets, LLC, RBC Capital Markets Corporation, M.R. Beal & Co., and Loop Capital Markets as the underwriting firms for the sale of the bonds and the Department of Airports' entire investment banking pool as the selling group for the transaction.
5. CONCUR with the Board of Airport Commissioners action of February 16, 2010 authorizing the issuance and sale of the Department of Airports, Los Angeles International Airport Revenue Bonds.

Fiscal Impact Statement: The City Administrative Officer reports that there is no General Fund impact. The revenue bonds will be Airport Revenue Fund obligations and will not constitute an obligation of the City or the General Fund. The issuance of these bonds will enable the Department of Airports to refinance prior private activity bonds and finance major capital improvements. The request complies with the City's Financial Policies, Debt Management Section.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MARCH 20, 2010

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

ITEM NO. (21) - ADOPTED

[10-0322](#)
CD 15

CATEGORICAL EXEMPTION, TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT and RESOLUTION relative to a Memorandum of Agreement (MOA) between the City of Los Angeles, TraPac appellants and South Coast Air Quality Management District (SCAQMD) to install air filtration systems in Wilmington and San Pedro schools.

Recommendations for Council action:

1. FIND that this action is exempt from the California Environmental Quality Act (CEQA), pursuant to Article III Class 1 (6) of the Los Angeles City CEQA Guidelines.
2. APPROVE Resolution No. 09-6860 authorizing MOA No. 09-2818 among the Harbor Department, SCAQMD, and other environmental and community stakeholders under the Trans Pacific Containers Service Corporation (TraPac) Memorandum of Understanding (MOU) to install and maintain air filtration systems and/or HVAC (heating, ventilation, and air conditioning) systems in local schools in Wilmington and San Pedro.
3. CONCUR with the Board of Harbor Commissioners (Board) action of December 10, 2009 authorizing the Executive Director to execute the agreement.

Fiscal Impact Statement: The City Administrative Officer reports that approval of Harbor Department proposed MOA No. 09-2818 with the SCAQMD and other environmental and community stakeholders is for a five year term and will transfer \$6 million from the Harbor Revenue Fund into the Community Mitigation Trust Fund to administer and install air filtration systems in local schools in Wilmington and San Pedro, as required under the TraPac MOU. There is no impact on the City General Fund.

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 24, 2010

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

ITEM NO. (22) - ADOPTED

[10-0283](#)

CD 9

TRANSPORTATION COMMITTEE REPORT relative to funding to address public safety issues at the highway-rail grade crossing located along the Harbor Subdivision on Avalon Boulevard at Slauson Avenue.

Recommendations for Council action, pursuant to Motion (Perry - Rosendahl), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the Los Angeles Department of Transportation (LADOT) to execute the agreements on behalf of the City, subject to the approval of the City Attorney as to form and legality, with the following entities:
 - a. State of California Department of Transportation (Caltrans) for LADOT to design, construct, and manage the highway-rail crossing safety improvement project at the Avalon Boulevard grade crossing.
 - b. Burlington Northern Santa Fe Railway Company to design and construct the railroad portion of the highway-rail crossing safety improvement project at the Avalon Boulevard grade crossing.
2. AUTHORIZE the LADOT to:
 - a. Transfer, on a reimbursement basis, \$250,000 from Proposition C Railroad Crossing Program Fund No. 540, Account No. F338, to the Transportation Grant Fund No. 655 and appropriate therein to front fund the Avalon Boulevard Highway-Rail Grade Crossing Improvement Project in an account number to be designated by the LADOT, to revolve the transferred amount, and any future transfers, to administer the project and cover the project's total cost.
 - b. Invoice and receive a sum of up to \$500,000 of Federal Section 130 Funds from Caltrans as reimbursement for the Avalon Boulevard Highway-Rail Grade Crossing Improvement Project and to deposit received funds to Proposition C Railroad Crossing Program Fund No. 540, Account No. F338.
3. AUTHORIZE the Controller to make any technical corrections or clarification to the above instructions in order to effectuate the intent of the Motion.

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. (23) - ADOPTED

[10-0177](#)

PLANNING AND LAND USE MANAGEMENT and BUDGET AND FINANCE COMMITTEES' REPORT relative to a claim for refund of permit fees for a mixed-use project at 512 East Rose Avenue.

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

APPROVE Claim No. 102427 for a refund to Urban Bakery, LLC in the amount of \$47,966.59, from the Building and Safety Ent Fund (48R) and City Planning Surcharge (588), for permit fees and surcharges paid on May 20, 2008 to construct 70 mixed-use rental units for property at 512 East Rose Avenue, inasmuch as the owner is terminating the building permit and project.

Fiscal Impact Statement: None submitted by the Department of Building and Safety. 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. (24) - ADOPTED

[08-1790](#)

BUDGET AND FINANCE COMMITTEE REPORT and COMMUNICATION FROM CHAIR, JOBS AND BUSINESS DEVELOPMENT COMMITTEE relative to the process to implement a delinquent City business tax payer list program for the City of Los Angeles.

A. BUDGET AND FINANCE COMMITTEE REPORT

Recommendations for Council action, as initiated by Motion (Greuel - Zine):

1. NOTE and FILE the Motion (Greuel - Zine) relative to the process to implement a delinquent City business tax payer list program for the City of Los Angeles inasmuch as the Office of Finance has already implemented a delinquent tax payer list and no further Council action is necessary.
2. INSTRUCT the Office of Finance to explore having the link to the list of the City's top 250 delinquent debtors placed on the City's website and to additionally explore the use of media outlets, including Channel 35, to further publicize the list of top delinquent debtors.
3. INSTRUCT the Office of Finance to continue to work with the Los Angeles Police Department and other City departments as it relates to addressing whether contracts/permits held by delinquent debtors are valid as they continue to owe the City money.
4. INSTRUCT the CAO, with the City Attorney, to report back to the Council relative to the process to revoke/suspend the permits and contracts of delinquent City debtors as a punitive action to recoup funds owed to the City.

B. COMMUNICATION FROM CHAIR, JOBS AND BUSINESS DEVELOPMENT COMMITTEE

Recommendation for Council action:

RECEIVE and FILE the Motion (Greuel - Zine) relative to implementing a delinquent City business taxpayer list program.

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.

Items for Which Public Hearings Have Not Been Held - Items 25-36

(10 Votes Required for Consideration)

ITEM NO. (25) - ADOPTED - SEE FOLLOWING

Roll Call #6 - Motion (Parks - Perry) Adopted, Ayes (13); Absent: Hahn and Reyes (2)

[09-1845](#)

EXEMPTION, COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to amending various sections of the Los Angeles Municipal Code (LAMC) relating to joint living and work quarters.

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

1. FIND that this action is exempt from California Environmental Quality Act (CEQA), pursuant to Article II, Section 2, Subsection (m) of the City's CEQA Guidelines.
2. ADOPT the February 11, 2010, 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, on behalf of the City Planning Commission (CPC), amending Sections 12.03, 12.17.1, 12.21, 12.24, 91.8501.3, 91.8502.1, 91.8502.9.1, and 91.8502.9.2 and Division 85 of Article 1 of Chapter IX of the LAMC relating to joint living and work quarters.

CPC 2009-1771-CA

4. NOT PRESENT and ORDER FILED the November 17, 2009, Ordinance approved by the Director of Planning, on behalf of the CPC.

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.

(Planning and Land Use Management Committee waived consideration of this matter)

**Roll Call #5 - Motion (Alarcón - Huizar) Adopted, Ayes (12); Absent: Hahn, Reyes and Smith (3)
(Item Nos. 26-28)**

ITEM NO. (26) - ADOPTED

[10-0005-S183](#)

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 March 5, 2010:

[10-0005-S183](#)

CD 9

- a. Property at 1008 East 41st Place a.k.a. 1008 1/2 East 41st Place (Case No. 213635).
Assessor I.D. No. 5115-022-011

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 26, 2009)

[10-0005-S184](#)

CD 10

- b. Property at 1077 South Sycamore Avenue (Case No. 209920).
Assessor I.D. No. 5084-014-008

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

[10-0005-S185](#)

CD 4

- c. Property at 1141 North Orange Drive a.k.a. 1143 North Orange Drive (Case No. 235653).
Assessor I.D. No. 5532-016-020

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

[10-0005-S186](#)

CD 13

- d. Property at 1339 North Glendale Boulevard a.k.a. 1338 North Liberty Street (Case No. 144272).
Assessor I.D. No. 5419-032-003

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 7, 2008)

[10-0005-S187](#)

CD 6

- e. Property at 14206 West Gilmore Street (Case No. 171557).
Assessor I.D. No. 2237-020-011

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 8, 2008)

[10-0005-S188](#)

CD 11

- f. Property at 1449 South Butler Avenue (Case No. 239898).
Assessor I.D. No. 4263-016-046

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 24, 2009)

[10-0005-S189](#)

CD 1

- g. Property at 155 North Toluca Street a.k.a. 157 North Toluca Street (Case No. 240914).
Assessor I.D. No. 5160-014-020

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 6, 2009)

[10-0005-S190](#)

CD 14

- h. Property at 1824 East Pennsylvania Avenue (Case No. 88433).
Assessor I.D. No. 5174-014-040

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

[10-0005-S191](#)

CD 14

- i. Property at 1824 East Pennsylvania Avenue (Case No. 53926).
Assessor I.D. No. 5174-014-040

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 17, 2003)

[10-0005-S192](#)

CD 8

- j. Property at 1917 West 73rd Street (Case No. 231045).
Assessor I.D. No. 6017-002-025

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 28, 2009)

[10-0005-S193](#)

CD 8

- k. Property at 1917 West 73rd Street (Case No. 7952).
Assessor I.D. No. 6017-002-025

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

[10-0005-S194](#)

CD 10

- i. Property at 3314 West 21st Street (Case No. 173097).
Assessor I.D. No. 5060-028-014

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

[10-0005-S195](#)

CD 8

- m. Property at 4319 South Denker Avenue (Case No. 171943).
Assessor I.D. No. 5021-021-027

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 17, 2008)

[10-0005-S196](#)

CD 10

- n. Property at 4836 West 18th Street (Case No. 137580).
Assessor I.D. No. 5067-010-004

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 1, 2008)

[10-0005-S197](#)

CD 8

- o. Property at 558 West 94th Street a.k.a. 560 West 94th Street (Case No. 237946).
Assessor I.D. No. 6039-011-031

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

[10-0005-S198](#)

CD 8

- p. Property at 7024 South Bonsallo Avenue a.k.a. 7028 South Bonsallo Avenue (Case No. 130277).
Assessor I.D. No. 6013-023-025

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

[10-0005-S199](#)

CD 8

- q. Property at 7024 South Bonsallo Avenue a.k.a. 7028 South Bonsallo Avenue (Case No. 215950).
Assessor I.D. No. 6013-023-025

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 29, 2009)

[10-0005-S200](#)

CD 9

- r. Property at 824 West 41st Street (Case No. 240626).
Assessor I.D. No. 5019-003-023

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

[10-0005-S201](#)

CD 5

- s. Property at 9573 West Alcott Street (Case No. 168243).
Assessor I.D. No. 4306-002-010

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 8, 2008)

ITEM NO. (27) - ADOPTED

[10-0183](#)

COMMUNICATION FROM CHAIR and MEMBER, PUBLIC SAFETY COMMITTEE relative to a donation of a battery-operated Holmatro Rescue Tool for use by the Los Angeles Fire Department (LAFD).

Recommendation for Council action:

ACCEPT and APPROVE the donation of a battery-operated Holmatro Rescue Tool valued at approximately \$9,900, for use by LAFD Station No. 77.

Fiscal Impact Statement: The LAFD reports that this action will not impact the General Fund. Donated equipment will not require additional maintenance from the Department.

Community Impact Statement: None submitted.

ITEM NO. (28) - ADOPTED

[10-0182](#)

COMMUNICATION FROM CHAIR and MEMBER, PUBLIC SAFETY COMMITTEE relative to a donation of exercise apparatus, computer monitors, and other equipment for use by the Los Angeles Fire Department (LAFD).

Recommendation for Council action:

ACCEPT and APPROVE the donation of exercise apparatus, computer monitors, and other equipment with a total estimated value of \$7,500 from Mr. Steve Needleman for use by LAFD Station No. 10, and THANK the donor for this generous gift.

Fiscal Impact Statement: The LAFD reports that this action will not impact the General Fund. Donated equipment will not require maintenance from the Department.

Community Impact Statement: None submitted.

ITEM NO. (29) - ADOPTED

Roll Call #7 - Motion (Rosendahl - Wesson) Adopted, Ayes (13); Absent: Hahn and Reyes (2)

[06-2748](#)

CD 13

FINAL ENVIRONMENTAL IMPACT REPORT and COMMUNICATION FROM CHAIR, PUBLIC WORKS COMMITTEE relative to vacating Marathon Street and Alvarado Street Vacation District in connection with the construction of Central Region Elementary School No. 14 (VAC E1401019).

Recommendations for Council action:

1. FIND that the City Council has imposed all of the mitigation measures that are within the control of the City, as described in Final Environmental Impact Report (EIR-09-025 LAUSD; SCH No. 2005061007), that are associated with the impacts of the street vacation of Marathon Street and Alvarado Street Vacation District and that other mitigation measures that are not within the authority of the City, have been or should be imposed as set forth in the findings of the Board of Education of the City of Los Angeles, dated June 26, 2007, attached to the Council file.
2. DIRECT that the street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law BE INSTITUTED for the vacation of the public right-of-way indicated below and shown colored blue on Exhibit B of the August 20, 2009 City Engineer report, attached to the Council file:
 - a. A portion of Marathon Street from Alvarado Street to the alley southeast of Mohawk Street.
 - b. The northeast/southwest Alley adjoining Lot 15, Block 1, Bellevue Avenue Tract.
 - c. The northwest/southeast Alley adjoining Lots 5, 7, 9, 11 and I3, Bellevue Avenue Tract No.2.
 - d. The northeast/southwest Alley adjoining Lot 6, Bellevue Avenue Tract No.2.
3. FIND that there is a public benefit to this vacation and that upon vacation of the alleys; that the City is relieved of its ongoing obligation to maintain the rights-of-way and that the City is relieved of any potential liability that might result from continued ownership of the involved street and alley easements as detailed in the August 20, 2009 City Engineer report, attached to the Council file.
4. AMEND the August 20, 2009 report of the City Engineer as follows:
 - a. Delete Condition 4(d)
 - b. Delete the text in Condition 5(b)(1) and replace with:

“From the new property line, construct a 10-foot wide concrete sidewalk, integral curb and gutter and asphalt concrete pavement providing for a 20-foot wide half roadway along the northerly side of Santa Ynez Street. Provide a proper transition to join the existing improvements.”

c. Delete the text in Condition 5(c)(3) and replace with:

“Construct an intersection transition at the intersection of Marathon Street with Mohawk Street, including integral curb and gutter and a minimum 7-foot wide sidewalk. Provide a proper transition to join existing improvements.”

5. ADOPT the FINDINGS of the City Engineer dated August 20, 2009, as amended, as the Findings of the Council.
6. ADOPT the accompanying City Engineer report dated August 20, 2010, as amended, to approve the vacation.
7. INSTRUCT the City Clerk to set a public hearing date for APRIL 9, 2010.

Fiscal Impact Statement: The City Engineer reports that to date, an estimated \$15,816.32 in charges have been expended in the investigation and processing of this vacation proceeding. Since Section 7.46 of the Los Angeles Administrative Code exempts all governmental agencies from payment of fees, the processing of this vacation action will be absorbed by the Bureau of Engineering. Maintenance of the public easement by City Forces will be eliminated.

Community Impact Statement: None submitted.

Roll Call #5 - Motion (Alarcón - Huizar) Adopted, Ayes (12); Absent: Hahn, Reyes and Smith (3)

ITEM NO. (30) - ADOPTED

08-2521
CD 9

FINAL ENVIRONMENTAL IMPACT REPORT and COMMUNICATION FROM CHAIR, PUBLIC WORKS COMMITTEE relative to vacating Towne Avenue and 53rd Street Vacation District in connection with the construction of Central Region High School No. 16 (VAC E1401119).

Recommendations for Council action:

1. FIND that the City Council has imposed all of the mitigation measures that are within the control of the City, as described in Final Environmental Impact Report (SCH No. 2006061006; EIR-10-007 LAUSD), that are associated with the impacts of the street vacation of Towne Avenue and 53rd Street Vacation District and that other mitigation measures that are not within the authority of the City, have been or should be imposed as set forth in the findings of the Board of Education of the City of Los Angeles, dated September 25, 2007, attached to the Council file.
2. DIRECT that the street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law BE INSTITUTED for the vacation of the public right-of-way indicated below and shown colored blue on Exhibit B of the February 18, 2010 City Engineer report, attached to the Council file:
 - a. 53rd Street from Towne Avenue to Avalon Boulevard
 - b. The alley westerly of Avalon Boulevard from 52nd Street to 53rd Street

- c. The alley northerly of 53rd Street from Towne Avenue to the alley westerly of Avalon Boulevard
3. FIND that there is a public benefit to this vacation and that upon vacation of the alleys; that the City is relieved of its ongoing obligation to maintain the rights-of-way and that the City is relieved of any potential liability that might result from continued ownership of the involved street and alley easements as detailed in the February 18, 2010 City Engineer report, attached to the Council file.
4. AMEND the February 18, 2010 report of the City Engineer to delete the language contained in Condition No. 6(c) and replace with:

"Construct an additional 2-foot wide concrete sidewalk adjoining the existing 10-foot wide sidewalk along the northerly side of 54th Street."
5. ADOPT the FINDINGS of the City Engineer dated February 18, 2010, as amended, as the Findings of the Council.
6. ADOPT the accompanying City Engineer report dated February 18, 2010, as amended, to approve the vacation.
7. INSTRUCT the City Clerk to set a public hearing date for APRIL 9, 2010.

Fiscal Impact Statement: The City Engineer reports that to date, an estimated \$19,595.51 in charges have been expended in the investigation and processing of this vacation proceeding. Since Section 7.46 of the Los Angeles Administrative Code (LAAC) exempts all governmental agencies from payment of fees, the processing of this vacation action will be absorbed by the Bureau of Engineering. Maintenance of the public easement by City Forces will be eliminated.

Community Impact Statement: None submitted.

ITEM NO. (31) - ADOPTED

Roll Call #9 - Motion (Smith - Zine) Adopted, Ayes (13); Absent: Hahn and Reyes (2)

10-0318

COMMUNICATION FROM CHAIR, PUBLIC WORKS COMMITTEE relative to Proposition F fire facilities architectural and engineering contract amendments.

Recommendations for Council action:

1. APPROVE and AUTHORIZE the President of the Board of Public Works (BPW) to execute Amendment No. 2 to Contract No. C-102239 with RRM Design Group, the architectural/engineering consultant for Fire Stations 77, 83, 13 and 82 to extend the contract term for four years through September 30, 2014 and establish a contract ceiling of \$7,000,000, subject to the approval of the City Attorney.

2. APPROVE and AUTHORIZE the President of the BPW to execute Amendment No. 2 to Contract No. C-102240 with Killefer Flammang Architects, the architectural/engineering consultant for Fire Stations 36, 84 and 87 to extend the contract term for four years through September 30, 2014 and maintain a contract ceiling of \$4,864,000, subject to the approval of the City Attorney.
3. APPROVE and AUTHORIZE the President of the BPW to execute Amendment No.2 to Contract No. C-102241 with GKK, the architectural/engineering consultant for Fire Stations 4, 21, 62, 65 and 94 to extend the contract term for four years through September 30, 2014 and establish a contract ceiling of \$7,930,000, subject to the approval of the City Attorney.
4. APPROVE and AUTHORIZE the President of the BPW to execute Amendment No.2 to Contract No. C-102242 with WLC Architects, the architectural/engineering consultant for Fire Stations 81 and 89 to extend the contract term for five years through September 30, 2014 and establish a contract ceiling of \$4,300,000, subject to the approval of the City Attorney.
5. APPROVE and AUTHORIZE the President of the BPW to execute Amendment No.2 to Contract No. C-102244 with Meyer and Allen Associates, the architectural/engineering consultant for Fire Station 64 to extend the contract term for five years through September 30, 2014 and establish a contract ceiling of \$3,200,000, subject to the approval of the City Attorney.

Fiscal Impact Statement: The City Administrative Officer reports that the proposed amendments extend the terms of the design services contracts as detailed above in Recommendation Nos. 1-5, with no fiscal impact on the General Fund. These architectural services are paid by the Proposition F General Obligation Bond.

Community Impact Statement Submitted: None submitted.

ITEM NO. (32) - ADOPTED

Roll Call #10 - Motion (Huizar - LaBonge) Adopted, Ayes (13); Absent: Hahn and Reyes (2)

[10-0352-S1](#)

MOTION (CARDENAS - KREKORIAN) relative to funding sources to provide for crucial Census count efforts.

Recommendations for Council action:

1. ACCEPT the generous donations of \$10,000 from Providence Health and Services California and \$10,000 from Anheuser Bush to be used by the Mayor's Office of Census 2010 for the City's 2010 Census outreach and education activities.
2. AUTHORIZE the Mayor's Office of the Census 2010 to have these funds deposited to Fund No. 892/14, Appropriation Account E201, and to thank the donors on behalf of the City.

ITEM NO. (33) - CONTINUED MARCH 16, 2010

Roll Call #14 - Motion (Garcetti - Huizar) Adopted To Continue, Unanimous Vote (13); Absent: Hahn and Reyes (2)

[97-1093](#)

CD 1

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

Recommendation for Council action:

CONSIDER and ADOPT the report to be submitted by the Bureau of Engineering, including any required RESOLUTION and related documents, relative to the alley vacation for the alley easterly of Westlake Avenue from Seventh Street to approximately 295 feet northerly thereof (VAC-E1400585, Council file No. 09-1093).

ITEM NO. (34) - ADOPTED

Roll Call #5 - Motion (Alarcón - Huizar) Adopted, Ayes (12); Absent: Hahn, Reyes and Smith (3)

[10-0380](#)

CD 4

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

Recommendations for Council action:

1. ACCEPT the generous donation of the sum of \$16,102 from BRE, Inc., to cover the cost of installation of carpeting at the LAPD West Traffic Division, 4849 West Venice Boulevard.
2. AUTHORIZE the Department of General Services to receive the above described sum and to cause it to be deposited in the General Services Fund No. 100/40, Account No. 3160 (Maintenance, Materials, Supplies and Services) to be used for the above purpose, and to thank the donor on behalf of the City.

ITEM NO. (35) - ADOPTED

Roll Call #11 - Motion (Cárdenas - Krekorian) Adopted, Ayes (13); Absent: Hahn and Reyes (2)

[10-0381](#)

CD 11

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

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

AUTHORIZE the Los Angeles Department of Transportation (LADOT) to:

- a. Transfer and appropriate within the Proposition A Local Transit Fund No. 385 the amount of \$1,041,000 from the Information Technology Agency (ITA) Account No. E132 to the Transit Bus Radio/Automatic Vehicle Location System, Account No. to be designated by the LADOT, to purchase and install a Transit Bus Radio/Automatic Vehicle Location System for the Commuter Express bus fleet.
- b. Reimburse ITA and contractor invoices related to the Transit Bus Radio/Automatic Vehicle Location System project on proof of performance under an existing ITA contract with the vendor.

ITEM NO. (36) - ADOPTED FORTHWITH TO THE MAYOR

Roll Call #5 - Motion (Alarcón - Huizar) Adopted, Ayes (12); Absent: Hahn, Reyes and Smith (3)

[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.

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

AMEND prior Council action of February 5, 2010, (Council file No. 10-0039), relative to the 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 to:

AUTHORIZE the City Attorney to make payment from the previously designated source and in the previously approved amount to "Law Offices of Manuel H. Miller and Richard Dana Lee," or any other person or entity, as appropriate, relative to this settlement, and to further AUTHORIZE the City Attorney to prepare Controller instructions for any necessary technical adjustments, including the correct calculation of the amount of interest, in order to effectuate the intent of this Motion as well as the original Council action.

Closed Sessions - Items 37-39

**Roll Call #15 - Motion (Rosendahl - Zine) Adopted To Continue, Unanimous Vote (13); Absent: Hahn and Smith (2)
(Item Nos. 37-39)**

ITEM NO. (37) - CONTINUED TO MARCH 17, 2010

[10-0218](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Bruce Stallworth v. City of Los Angeles, Los Angeles Superior Court Case No. BC 341480. (This case arises out of plaintiff's claims that he was discriminated and retaliated against during his employment as a police officer with the Los Angeles Police Department.)

(Budget and Finance Committee considered the above matter in Closed Session on March 1, 2010.)

ITEM NO. (38) - CONTINUED TO MARCH 17, 2010

[10-0293](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Maria Elena Garcia v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC 392672. (This case arises out of a personal injury claim against the City, involving a Los Angeles Police Department vehicle, which occurred on June 16, 2008.)

(Budget and Finance Committee considered the above matter in Closed Session on March 1, 2010.)

ITEM NO. (39) - CONTINUED TO MARCH 17, 2010

[10-0295](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Michael Rodgers v. City of Los Angeles, et al., Los Angeles Superior Court Case No. SC 103002. (This case arises out of a personal injury claim against the City involving a plaintiff being struck by a golf ball at a City of Los Angeles golf course.)

(Budget and Finance Committee considered the above matter in Closed Session on March 1, 2010.)

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

[10-0439](#)

CD 12

MOTION (SMITH - ZINE) relative to asserting jurisdiction of the South Valley Area Planning Commission's (SVAPC) action of January 14, 2010.

[10-0011-S11](#)

CD 3

MOTION (ZINE - SMITH) relative to funding for the purchase, installation and related expenses of 16 security cameras and Four work stations throughout Council District Three.

[10-0440](#)

CD 13

MOTION (GARCETTI - PERRY) relative to installing street banners promoting and identifying the importance of Census 2010 in the Thai community.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[10-0004](#) - Police Officer III Glen Erbes

(Zine - All)

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

10-0003 - Merlin Olsen	(LaBonge)
Anne Finn	(Smith - All)
Alfred Edward Hindrew	(Wesson)

Ayes, Cárdenas, Koretz, LaBonge, Parks, Perry, Rosendahl, Smith, Wesson, Zine and President Garcetti (10); Absent: Alarcón, Hahn, Huizar, Krekorian and Reyes (5)

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By	
Council Clerk	PRESIDENT OF THE CITY COUNCIL