

Los Angeles City Council, **Journal/Council Proceedings**

Friday, **March 26, 2010**

John Ferraro Council Chamber, Room 340, City Hall - 10:15 am

- - - SPECIAL COUNCIL MEETING - - -

10:15 A.M. OR AS SOON THEREAFTER
AS COUNCIL RECESSES ITS REGULAR MEETING

ROLL CALL - Members present: Alarcón, Cárdenas, Huizar, Koretz, Krekorian, LaBonge, Parks, Perry, Reyes, Rosendahl, Smith, Wesson, Zine and President Garcetti (14); Absent: Hahn (1)

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

Items for Which Public Hearings Have Been Held - Items 57-58

ITEM NO. (57) -MOTION ADOPTED TO REJECT DEPARTMENT OF WATER AND POWER'S BOARD ACTION -SEE FOLLOWING

Roll Call #7 - Motion (Perry - Parks) Adopted, Ayes (13); Noes: Alarcón (1); Absent: Hahn (1)

[10-0475](#)

COMMUNICATION FROM THE BOARD OF WATER AND POWER COMMISSIONERS and RESOLUTION relative to the Energy Cost Adjustment Factor Cap Modification.

TIME LIMIT FILE - APRIL 13, 2010

(LAST DAY FOR COUNCIL ACTION - APRIL 13, 2010)

[10 VOTES REQUIRED, PURSUANT TO CHARTER SECTION 245]

(Energy and Environment 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.)

[On March 23, 2010, Council adopted Motion (Perry - Garcetti - et al.), pursuant to Charter Section 245, asserting jurisdiction over the Board of Water and Power Commissioner's action on March 18, 2010)

ADOPTED

MOTION (PERRY - PARKS)

Recommendations for Council action:

1. **REJECT** the Board of Water and Power Commissioner's action of March 18, 2010, relative to the Energy Cost Adjustment Factor Cap Modification.
2. **INSTRUCT** the City Administrative Officer and Chief Legislative Analyst to report to the Energy and Environment Committee on Tuesday, March 30, 2010, with recommendations to address the Energy Cost Adjustment Factor Cap Modification.
3. **INSTRUCT** the City Clerk to place the matter on the Tuesday, March 30, 2010, Council agenda.

ITEM NO. (58) - ADOPTED

Roll Call #1 - Motion (Reyes - Krekorian) Adopted, Ayes (13); Absent: Hahn and President Garcetti (2)

[10-0439](#)

CD 12

NEGATIVE DECLARATION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a Conditional Use permit appeal for property at 6100, 6112 and 6120 North Lindley Avenue and 18051 Topham 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 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. 10-0439 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-2009-0754-ND] filed on August 7, 2009.
2. **ADOPT** the FINDINGS of the Planning and Land Use Management Committee (PLUM) as the Findings of the Council.
3. **RESOLVE TO DENY APPEAL** filed by Lee Ambers from the decision of the Zoning Administrator and, **THEREBY APPROVE** a Conditional Use permit to allow the expansion of a child care/early education facility from 110 children to 210 children in the RA-1 zone located at 6100, 6112 and 6120 North Lindley Avenue and 18051 Topham Street, subject to Conditions of Approval, as modified by the PLUM Committee and attached to Council file No. 10-0439.

Applicant: Evan and Mia Levi, Levi Family Partnership, LP, ZA 2009-0755-CU-1A
Foursome Investments, LP (Amy H. Tsai-Shen, Representative)

[On March 16, 2010, the Council adopted Motion (Smith - Zine) pursuant to Charter Section 245, asserting jurisdiction over the March 5, 2010, written action of the South Valley Area Planning Commission.]

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 6, 2010

(LAST DAY FOR COUNCIL ACTION - APRIL 6, 2010)

Items for Which Public Hearings Have Not Been Held - Items 59-62

(10 Votes Required for Consideration)

ITEM NO. (59) - ADOPTED - FORTHWITH TO THE MAYOR

Roll Call #2 - Motion (Perry - Zine) Adopted, Ayes (13); Absent: Hahn and President Garcetti (2)

08-0178-S3

COMMUNICATIONS FROM THE MAYOR and CITY ADMINISTRATIVE OFFICER (CAO) relative to closing out the Fiscal Year (FY) 2008 Congressional Earmarks Program (CEP) Grant - Pacoima/Foothill Gang Reduction Youth Development (GRYD) Zone.

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

1. AUTHORIZE the Controller to:

- a. Transfer appropriations in the amount of \$2,254 within the FY 2008 CEP - Pacoima/Foothill GRYD Grant Fund 51A/46 as follows:

	<u>Fund/Dept</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	51A/46	E615	Travel	\$2,254
To:	51A/46	E617	Contractual Services	\$2,254

- b. Establish a new appropriation account and transfer appropriations in the amount of \$89,852 within the FY 2008 CEP - Pacoima/Foothill GRYD Grant Fund 51A/46, as follows:

	<u>Fund/Dept</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	51A/46	E615	Travel	\$ 746
	51A/46	E299	Fringe Benefits - Mayor	26,864
	51A/46	F146	Salaries - Mayor	<u>62,242</u>
				\$89,852

	<u>Fund/Dept</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
To:	51A/46	F246	Prior Year Reimbursement	\$89,852

- c. Decrease appropriations in the amount of \$51,000 from Mayor's Office Fund 100/46, Account No. 1020.
 - d. Transfer \$51,000 from Fund 51A/46, Account F246 to Fund 100/46, Revenue Source Code 4610, Reimbursement from Other Funds, upon receipt of grant funds.
 - e. Transfer \$38,852 from Fund 51A/46, Account F246 to Fund 100/46, Revenue Source Code 4640, Reimbursement of Related Costs - Prior Year, upon receipt of grant funds.
2. AUTHORIZE the Mayor's Office to prepare Controller's instructions for any necessary technical adjustments consistent with this action, subject to the approval of the CAO; and, AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that approval of the above recommendations is in compliance with City financial policies in that it will allow for the reconciliation of all grant-related expenditures and result in final reimbursement from the grantor for the full award amount of \$339,852. Of this amount, \$105,142 will reimburse the General Fund for the salary and fringe benefits of one GRYD program manager (\$69,290) and a portion of central services costs (\$23,562). The approximately \$50,000 in remaining related costs were a FY 2008-09 General Fund obligation.

Community Impact Statement: None submitted.

(Public Safety Committee waived consideration of the above matter)

ITEM NO. (60) - ADOPTED FORTHWITH

Roll Call #4 - Motion (Reyes - LaBonge) Adopted, Ayes (14); Absent: Hahn (1)

[10-0494](#)

CONSIDERATION OF MOTION (REYES - LABONGE - ET AL.) relative to expanding the use of the Public Works Improvements Arts Program funds to include support for art centers and their programs.

Recommendation for Council action:

REQUEST the City Attorney to report on the feasibility of amending the Los Angeles Administrative Code sections relative to the Public Works Improvements Art Program to expand the use of the funds to include support for art centers and their programs throughout the City.

Community Impact Statement: None submitted.

(Arts, Parks, Health and Aging Committee waived consideration of the above matter)

ITEM NO. (61) - ADOPTED

Roll Call # - Motion (Krekorian - Koretz) Adopted, Ayes (14); Absent: Hahn (1)

[09-0600-S196](#)

CONSIDERATION OF MOTION (GARCETTI for KREKORIAN - KORETZ - PARKS) relative to the suspension of the transfer in Neighborhood Council rollover funds for a period of no more than seven days.

Recommendation for Council action:

SUSPEND, for a period of no more than seven days, the Council's action of February 18, 2010 (Council file No. 09-0600-S159) relative to the transfer of \$1.6 million in Neighborhood Council rollover funds to the Unallocated Balance and subsequent transfers to the Reserve Fund to allow the Education and Neighborhoods Committee to complete its consideration and review of requests from various Neighborhood Councils for access to rollover funds as submitted by the Department of Neighborhood Empowerment.

Community Impact Statement: None submitted.

(Education and Neighborhoods and Budget and Finance Committees waived consideration of the above matter)

ITEM NO. (62) - ADOPTED

Roll Call #3 - Motion (Perry - Rosendahl) Adopted, Ayes (14); Absent: Hahn (1)

[10-0493](#)

CD 9

CONSIDERATION OF MOTION (PERRY - ROSENDAHL) and RESOLUTION relative to grant funding for the Pico and Olive Transit Median Planning Project.

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

1. ADOPT the accompanying RESOLUTION approving the application by the Los Angeles Department of Transportation (LADOT) for a California Department of Transportation (Caltrans) Fiscal Year (FY) 2010-11 Environmental Justice: Context-Sensitive Planning grant in the amount of \$225,000 for the Pico and Olive Transit Median Planning Project.
2. AUTHORIZE the LADOT to apply for and execute a Caltrans FY 2010-11 Environmental Justice: Context-Sensitive Planning grant in the amount of \$225,000 for the Pico and Olive Transit Median Planning Project.

Community Impact Statement: None submitted.

(Transportation Committee waived consideration of the above matter)

Ayes: Alarcón, Cárdenas, Huizar, Koretz, Krekorian, LaBonge, Parks, Perry, Reyes, Rosendahl, Smith, Wesson, Zine and President Garcetti (14); Absent: Hahn (1)

Whereupon the Special Council meeting did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL