

Los Angeles City Council, **Journal/Council Proceedings**
Tuesday, **April 6, 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, Hahn, Koretz, LaBonge, Parks, Perry, Reyes, Rosendahl, Smith, Wesson, Zine and President Garcetti (12); Absent: Cárdenas, Huizar and Krekorian (3)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
MARCH 30, 2010

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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

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

Items Noticed for Public Hearing - Items 1-5

**Roll Call #1 - Motion (Reyes - Smith) Adopted to Continue, Unanimous Vote (12); Absent: Cárdenas, Huizar and Krekorian (3)
(Item Nos. 1-4)**

**ITEM NO. (1) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED
APRIL 27, 2010**

[08-3494](#)
CD 12

HEARING PROTESTS against the proposed improvement and maintenance of the Nordhoff Way and Nordhoff Street (Reballot) Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Nordhoff Way and Nordhoff Street (Reballot) Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on February 2, 2010 - Continue hearing and present Ordinance on APRIL 27, 2010 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (2) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED
APRIL 27, 2010**

[09-3082](#)

CD 3

HEARING PROTESTS against the proposed improvement and maintenance of the Yolanda Avenue and Bassett Street Lighting District.

Recommendation for Council action:

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

(Ordinance of Intention adopted on February 2, 2010 - Continue hearing and present Ordinance on APRIL 27, 2010 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (3) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED
APRIL 27, 2010**

[10-0043](#)

CD 11

HEARING PROTESTS against the proposed improvement and maintenance of the Brockton and Idaho Avenues (Reballot) Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Brockton and Idaho Avenues (Reballot) Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on February 2, 2010 - Continue hearing and present Ordinance on APRIL 27, 2010 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (4) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED
APRIL 27, 2010**

[10-0044](#)

CD 2

HEARING PROTESTS against the proposed improvement and maintenance of the Magnolia Boulevard and Cedros Avenue (Reballot) Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Magnolia Boulevard and Cedros Avenue (Reballot) Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on February 2, 2010 - Continue hearing and present Ordinance on APRIL 27, 2010 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (5) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO GRANT APPLICATION

Roll Call #2 - Motion (Garcetti - Zine) Adopted to Grant Application, Ayes (12); Absent: Cárdenas, Huizar and Krekorian (3)

[10-0470](#)
CD 13

HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for the off-site sale of alcoholic beverages at Trader Joe's specialty retail market, located at 1600 North Vine Street Suite 4A.

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at Trader Joe's specialty retail market located at 1600 North Vine Street, Suite 4A, Los Angeles, 90028, 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 the sale of alcoholic beverages for off-site consumption at 1600 North Vine Street, Suite 4A.
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: Trader Joe's Company (Art Rodriguez and Associates, representative)

TIME LIMIT FILE - MAY 3, 2010

(LAST DAY FOR COUNCIL ACTION - APRIL 30, 2010)

Items for Which Public Hearings Have Been Held - Items 6-8

ITEM NO. (6) - NO ACTION TAKEN

[10-0247](#)

CONSIDERATION, DISCUSSION and POSSIBLE ACTIONS addressing the Fiscal Year 2009-10 and 2010-11 budget deficits, City staff and others to report on budget balancing matters and possible closed executive session as it may relate to bargaining instructions relative to negotiations with employees and employee organizations.

[Council may recess to Closed Session, pursuant to Government Code Section 54957.6, to meet with the City's labor negotiator(s) relative to the above matter.]

(Public Hearing closed on March 30, 2010)

ITEM NO. (7) - ADOPTED

Roll Call #7 - Motion (Smith - Parks) Adopted, Ayes (9); Noes: Koretz and Rosendahl (2); Absent: Cárdenas, Krekorian, Perry and President Garcetti (4)

[10-0245](#)

CD 11

ORDINANCES SECOND CONSIDERATION, approved by the Director of Planning:

- A. Effecting a zone change from M(PV), R4(PV) and C2(PV) to C2(PV) and R4(PV) for property at 12200 West Jefferson Boulevard, generally bounded by the adjacent Playa Vista First Phase Project to the east and west, Jefferson Boulevard to the north, and the Westchester Bluffs to the south.
- B. Authorizing the execution of the development agreement by and between the City of Los Angeles and Playa Capital Company, LLC, relating to real property in the Westchester-Playa Del Rey Community Plan area.

(Environmental Impact Report, Statement of Overriding Considerations, Mitigation Monitoring and Report Program, Planning and Land Use Management Committee Report and Resolution adopted on March 26, 2010).

ITEM NO. (8) - CONTINUED TO APRIL 13, 2010

Roll Call #3 - Motion (Zine - Hahn) Adopted to Continue, Unanimous Vote (12); Absent: Cárdenas, Huizar and Krekorian (3)

[09-0600-S196](#)

COMMUNICATION FROM THE DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT relative to neighborhood council roll over funds.

(Education and Neighborhoods 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.)

Items for Which Public Hearings Have Not Been Held - Items 9-13

(10 Votes Required for Consideration)

ITEM NO. (9) - ADOPTED

Roll Call #9 - Motion (Huizar - Koretz) Adopted, Ayes (10); Absent: Cárdenas, Krekorian, Perry, Smith and Wesson (5)

[09-0600-S191](#)

CONSIDERATION OF MOTION (HUIZAR - KORETZ) relative to an assessment of the implications of the Mayor's Citywide spending freeze from non-salary General Fund account appropriations announced on March 11, 2010.

Recommendation for Council action:

INSTRUCT the City Administrative Officer and Chief Legislative Analyst, with the assistance and cooperation of all City departments, to report to Council in one week with an assessment of the implications of the Mayor's Citywide spending freeze from non-salary General Fund account appropriations announced on March 11, 2010, including a detailed discussion of the anticipated impact of this order on City services to the public and potential budget savings.

Community Impact Statement: None submitted.

(Budget and Finance Committee waived consideration of the above matter)

ITEM NO. (10) - ADOPTED

Roll Call #10 - Motion (Huizar - Koretz) Adopted, Ayes (10); Absent: Cárdenas, Krekorian, Perry, Reyes and Smith (5)

[09-0600-S192](#)

CONSIDERATION OF MOTION (HUIZAR - KORETZ - KREKORIAN) relative to the preparation and presentation of a weekly update for Council to consider, detailing where the City stands in terms of its actual 2010-11 and projected 2011-12 Fiscal Year deficits.

Recommendation for Council action:

INSTRUCT the City Administrative Officer (CAO) and Chief Legislative Analyst to prepare and present a weekly update, or "financial scorecard," for Council to consider, detailing where the City stands in terms of its actual 2010-11 and projected 2011-12 Fiscal Year deficits. Such reporting should begin with February 24, 2010 projections as reported by the CAO as of that date.

Community Impact Statement: None submitted.

(Budget and Finance Committee waived consideration of the above matter)

ITEM NO. (11) - NOTED AND FILED

Roll Call #8 - Motion (Garcetti - Smith) Adopted to Note and File, Unanimous Vote (11); Absent: Cárdenas, Krekorian, Perry and Wesson (4)

[10-0537](#)

MOTION (GARCETTI - SMITH) relative to the Los Angeles City Employees Retirement System (LACERS) Board (Board) reporting to Council a comprehensive discussion of their Actuarial Funding Policies.

Recommendation for Council action:

INSTRUCT the General Manager, LACERS, to report to the Council on Tuesday, April 6, 2010 with a comprehensive discussion of issues, including the cost differentials to the City of the various options presented to the Board and the Board's rational for adopting its Actuarial Funding Policies.

ITEM NO. (12) - SUBSTITUTE MOTION ADOPTED IN LIEU OF ORIGINAL MOTION - FORTHWITH - SEE FOLLOWING

Roll Call #6 - Motion (Perry - Parks) Substitute Motion adopted, Ayes (13); Absent: Cárdenas and Krekorian (2)

[10-0234](#)

MOTION (PERRY - PARKS - SMITH - ET AL.) relative to requesting the Board of Water and Power Commissioners to honor their commitment of a \$73 million transfer by April 16, 2010.

Recommendation for Council action:

REQUEST the Board of Water and Power Commissioners to honor their commitment of a \$73 million transfer made during the Budget and Finance Committee meeting in mid February while discussing the initial \$147 million transfer. This \$73 million transfer is requested to be transmitted by April 16, 2010, so that it can be considered as part of the financial consideration of the Fourth Financial Status Report.

ADOPTED

SUBSTITUTE MOTION (PERRY - PARKS - SMITH - ET AL)

Recommendation for Council action:

REQUEST the Board of Water and Power Commissioners to honor their commitment of a \$73.5 million transfer made during the Budget and Finance Committee Meeting of March 1, 2010 while discussing the initial \$147 million of the overall \$220.5 million transfer. The Mayor is requested to work with the Board of Water and Power Commissioners to identify the \$73.5 million transfer from the \$1 billion cash assets available. It is requested to be transmitted by April 16, 2010 so that it can be considered as part of the financial consideration of the upcoming Fourth Financial Status Report.

ITEM NO. (13) - SUBSTITUTE MOTION ADOPTED IN LIEU OF ORIGINAL MOTION - SEE FOLLOWING

Roll Call #11 - Motion (Koretz - Hahn) Substitute Motion adopted, Ayes (10); Absent: Cárdenas, Krekorian, Perry, Reyes and Smith (5)

[10-0515](#)

CD 5

CONTINUED CONSIDERATION OF MOTION (KORETZ - HAHN) relative to instructing the City Clerk to terminate the contract with Susan Levi and Associates.

Recommendations for Council action:

1. INSTRUCT the City Clerk to terminate the contract with Susan Levi and Associates, disencumber the remaining funds in that contract, approximately \$18,000, and reallocate those same funds to Urban Place Consulting Group.
2. AUTHORIZE the City Clerk to enter into an agreement with Urban Place Consulting Group for consulting services relating to the formation of the proposed Westwood BID.

(Continued from Council meeting of March 30, 2010)

ADOPTED

SUBSTITUTE MOTION (KORETZ - HAHN)

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

1. INSTRUCT the City Clerk to terminate the contract with Susan Levi and Associates (C-110952).
2. AUTHORIZE the City Clerk to disencumber \$18,962.50 from the Westwood consultant contract (C-110952), Business Improvement District Trust Fund 659/14, Account Y003, and transfer the funds to the appropriation account F001 for the new consultant to gather data, prepare, prepare necessary documents, attend meetings and other activities to determine feasibility, and coordinate the formal adoption process needed to establish the Westwood Business Improvement District.
3. AUTHORIZE the Controller to appropriate \$18,962.50 to the Business Improvement District Trust Fund 659/14, Account F001, (Westwood B).
4. AUTHORIZE the City Clerk to make clarifications or technical corrections to the above fund transfer instructions as may be necessary to implement the intent of this Motion.
5. AUTHORIZE the City Clerk, subject to City Attorney approval, to prepare, execute, and administer a contract between the City and the professional firm, Urban Place Consulting Group, in an amount not to exceed \$18,962.50, for consultant activities and expenses for the entire process related to the establishment of the proposed Westwood property-based Business Improvement District.

Item for Which Public Hearing Has Been Held - Item 14

ITEM NO. (14) - ADOPTED

Roll Call #7 - Motion (Smith - Parks) Adopted, Ayes (9); Noes: Koretz and Rosendahl (2); Absent: Cárdenas, Krekorian, Perry and President Garcetti (4)

[10-0245](#)

CD 11

ORDINANCE SECOND CONSIDERATION amending Ordinance No. 160523 commonly known as the Playa Vista Area D Specific Plan.

(Environmental Impact Report, Statement of Overriding Considerations, Mitigation Monitoring and Report Program and Communication from City Attorney adopted on March 26, 2010).

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

10-0600

MOTION (PARKS - SMITH) relative to holding public hearings on the Mayor's Proposed 2010-11 Budget for the City.

09-0010-S9

MOTION (GARCETTI - KORETZ for KREKORIAN - LABONGE) relative to reinstating the reward offer in the deaths of Khachik Safaryan and Lusin Safaryan for an additional six months.

10-0010-S15

MOTION (PERRY - PARKS) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the hit-and-run accident of a 14-year-old girl and her 3-year-old niece on December 28, 2009.

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

10-0003-S1 - Jaime Escalante

Huizar - All Councilmembers

Donald Edward Holland

Garcetti

Pete McAfee

Zine - Rosendahl

Edith Caranese

LaBonge - Garcetti - All Councilmembers

John Forsythe

LaBonge - Hahn - All Councilmembers

Tom Dickson

LaBonge - All Councilmembers

Charles Earl Lloyd

Parks

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL