ALL ITEMS FORTHWITH

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF MARCH 26, 2010

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE - NONE

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

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

Item Noticed for Public Hearing - Item 1

ITEM NO. (1) - RECEIVED AND FILED - INASMUCH AS OWNERSHIP HAS CHANGED

Roll Call #1 - Motion (LaBonge - Reyes) Adopted to Receive and File, Unanimous Vote (10); Absent: Cárdenas, Krekorian, Parks, Rosendahl and Wesson (5)

09-3076
CD 8

CONTINUED CONSIDERATION OF HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings, cleaning and fencing of the lot at 3420 West 71st Street. (Lien: $4,610.18)

(Continued from Council meeting of March 24, 2010)
ITEM NO. (2) - ADOPTED

Roll Call #5 - Motion (Rosendahl - LaBonge) Adopted, Ayes (13); Absent: Cárdenas and Reyes (2)

10-0357

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the appointment of Ms. Jill Werner to the Board of Recreation and Park Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor’s appointment of Ms. Jill Werner to the Board of Recreation and Park Commissioners for the following two terms is APPROVED and CONFIRMED:

a. Term ending June 30, 2010
b. The subsequent term ending June 30, 2015

Ms. Werner resides in Council District 11 and will fill the vacancy created by Judith Valles, who resigned on January 21, 2010. (Current Commission gender composition: M = 4; F = 1).

Background Check Review: Complete.

Ethics Commission Review: Pending.

Community Impact Statement: None submitted.

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

ITEM NO. (3) - ADOPTED

Roll Call #2 - Motion (LaBonge - Smith) Adopted, Ayes (10); Absent: Cárdenas, Krekorian, Parks, Reyes and Wesson (5)

09-2864

BUDGET AND FINANCE COMMITTEE REPORT relative to the status of the Municipal Corporation of Los Angeles Commercial Paper (MICLA CP) Program.

Recommendations for Council action:

1. NOTE and FILE the City Administrative Officer (CAO) report relative to the status of the MICLA CP Program, inasmuch as the report is submitted for information only and no Council action is necessary.
2. INSTRUCT the CAO to report back to the Budget and Finance relative to the following Fiscal Year (FY) 2009-10 Budget Memos which were issued during the Committee’s consideration of the 2009-10 Proposed Budget:

   a. 101F - the potential modification of the capital program financing policy for the purposes of long term planning and budgeting;

   b. 104 - modifying the calculation of compliance with the financial policy requiring 1 percent of infrastructure funding;

   c. 133 - the process to be used to ensure that all projects proposed for MICLA financing be approved by the Council before expanding MICLA CP.

3. INSTRUCT the CAO to ensure that the Budget and Finance Committee recommendations relative to MICLA funding for construction projects, approved by the Council on March 5, 2010 under Council file No. 09-0600-S160, are consistent with FY 2009-10 Budget Memos 101F, 104 and 133.

Fiscal Impact Statement: The CAO reports that the MICLA CP Program has no additional impact on the General Fund as debt service payments for Fiscal Year 2009-10 have already been budgeted.

Debt Impact Statement: The CAO reports that in accordance with the City’s Financial Policies, Debt Management Section, the maximum debt service payable in any given year may not exceed six percent of General fund revenues for non-voter approved debt. There is no impact on the six percent debt limit as MICLA CP is short-term debt whose debt service payments have already been budgeted.

Community Impact Statement: None submitted.

ITEM NO. (4) - ADOPTED

Roll Call #6 - Motion (Zine - Parks) Adopted, Ayes (14); Absent: Cárdenas (1)

09-3011 BUDGET AND FINANCE COMMITTEE REPORT relative to remaining budgeted travel expenses for Fiscal Year (FY) 2009-10.

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

1. INSTRUCT all City departments to examine their remaining budgeted travel expenses for FY 2009-10 and provide the City Administrative Officer (CAO) with a prioritized list of all essential travel with justification as to why that travel is necessary.

2. INSTRUCT the CAO to report to the Council in 30 days with the prioritized list of the remaining budgeted and non-budgeted travel expenses planned by all City departments for the remainder of FY 2009-10.
3. INSTRUCT the CAO to report back to the Council relative to the ability to limit travel to necessary travel only; and, an evaluation of travel by elected officials.

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

Community Impact Statement: None submitted.

Roll Call #2 - Motion (LaBonge - Smith) Adopted, Ayes (10); Absent: Cárdenas, Krekorian, Parks, Reyes and Wesson (5)  
(Item Nos. 5-11)

ITEM NO. (5) - ADOPTED

10-0396

BUDGET AND FINANCE COMMITTEE REPORT relative to clarification of the process to collect delinquent accounts receivable and procedures for writing off uncollectible accounts.

Recommendations for Council action:

1. NOTE and FILE the Office of Finance (Finance) report relative to collection of delinquent accounts receivable and procedures for writing off uncollectible accounts, inasmuch as the report is submitted for information only and no Council action is necessary.

2. INSTRUCT the City Administrative Officer (CAO) and Chief Legislative Analyst (CLA) to facilitate the following:

   a. Implementation of an “off-set” program that would allow the Controller to withhold payment to vendors who have an unpaid business tax liability with the City.

   b. Working with Finance to create a threshold for debt of $5000 and below that, having been returned from the collection agencies as uncollectible, will be sent to the City Attorney for further collection efforts as opposed to returning the debt to the originating City department for review.

   c. Working with Finance and the Information Technology Agency, to create an interim system, pending implementation of the Financial Management System, which would alert a department that an entity has a delinquent balance with another department. The interim system should include as a mandatory process, review of the top City debtors list before payments are made to vendors.

   d. Work together with Finance to implement the centralized debt collection processes.

Fiscal Impact Statement: None submitted by Finance. Neither the CAO nor the CLA have completed a financial analysis of this report.

Community Impact Statement: None submitted.
ITEM NO. (6) - ADOPTED

10-0207

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to repealing the Community Redevelopment Agency (CRA) policy on Central Business District Transfer of Floor Area Ratio (TFAR) as superseded by City Ordinance.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, CRA, or designee, to adopt a Resolution to repeal the CRA Policy concerning the Central Business District TFAR, as superseded by Ordinance No. 178592 regarding the same matter.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no fiscal impact to the City’s General Fund as a result of this action.

Community Impact Statement: None submitted.

ITEM NO. (7) - ADOPTED

10-0248

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to allocating $100,000 in Urban Development Action Grant (UDAG) funds to assist the Devonshire Division Police Activity League Supporters (PALS) for one year.

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

1. AUTHORIZE and INSTRUCT the General Manager, Community Development Department (CDD), or designee, to:
   a. Appropriate $100,000 in UDAG Miscellaneous Revenue funds to assist PALS for one year.
   b. Negotiate and execute the necessary agreements that may be required, subject to the review of the City Attorney as to form and legality.
   c. Prepare Controller instructions and/or make any technical adjustments that may be required and are consistent with this action subject to the approval of the City Administrative Officer (CAO).

2. AUTHORIZE the Controller to implement the instructions upon proper demand of the General Manager, CDD, or designee.

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

Community Impact Statement: None submitted.
ITEM NO. (8) - ADOPTED

10-0308
CD 10

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to executing a $7,000,000 loan agreement (City Loan) with Wilshire Catalina Gateway, LLC (Borrower/Developer), to provide funding assistance for the development of the Wilshire Catalina Gateway Project (Project) located at 3324-30 Wilshire Boulevard and related actions.

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

1. FIND, pursuant to an eligibility review conducted by the Community Development Department (CDD), that the Project meets a National Objective and Public Benefit compliance of the Housing and Community Development Act and is necessary and appropriate to accomplish the City's economic development objectives.

2. APPROVE the City loan with Section 108 Loan proceeds in an amount up to $7,000,000 for the Project subject to environmental assessment of the proposed Project and satisfactory compliance with the California Environmental Quality Act and the National Environmental Policy Act.

3. AUTHORIZE the General Manager, CDD, or designee, to:
   a. Negotiate and execute a Promissory Note in favor of the U. S. Department of Housing and Urban Development (HUD), related documents, and amendments to these documents as necessary, to borrow an amount up to $7,000,000 pursuant to the Section 108 Loan Guarantee Program for a City Loan for the Project, subject to the review of the City Attorney as to form and legality.
   b. Negotiate and execute City Loan Agreements financed with Section 108 Loan proceeds in an amount up to $7,000,000 for the Project and all related documents between the City and the Borrower to fund the Project which will obligate the Borrower to repay the City Loan, the CDD funding for the Project is in compliance with all the requirements of the Code of Federal Regulations and City Ordinances, and subject to the review of the City Attorney as to form and legality, and in compliance with the City's contracting requirements.
   c. Negotiate and execute City Loan Agreements that will subordinate the City Loan to a construction or a permanent loan, subject to the review of the City Attorney as to form and legality.
   d. Prepare Controller instructions for any technical adjustments that are necessary and consistent with the Mayor and Council action on this matter, subject to the approval of the City Administrative Officer (CAO), and authorize the Controller to implement the instructions.

4. AUTHORIZE the Controller to establish a new account, F201 within the Section 108 Fund 43F, titled “Wilshire Catalina Mixed-Use” and appropriate and expend funds in an amount up to $7,000,000 upon proper demand of the General Manager, CDD, or designee.
Fiscal Impact Statement: The CAO reports that there is no impact on the City’s General Fund. The City Loan will generate program income through a front-end fee of $105,000 when the City Loan is disbursed. This amount and proceeds from a 1.50 percent spread over the City Loan through loan maturity will generate program income for the Community Development Block Grant (CDBG). Collateral and debt service obligations of City Loans that are funded by Section 108 are the sole responsibility of the Borrower and are secured by the security interest in an escrow account and Developer guarantees to prevent any negative impact on City grant resources. In the event the City does not make its scheduled debt service obligation to HUD, per its Section 108 borrowings, HUD’s recourse is to draw payment from current and future CDBG allocations to the City. The recommendations comply with the City Financial Policies in that loan proceeds are comprised entirely of federal funds.

Community Impact Statement: None submitted.

ITEM NO. (9) - ADOPTED

10-0312

CD 5

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to allocating $65,000 in Urban Development Action Grant (UDAG) funds to assist the National Council of Jewish Women (NCJW) in order to upgrade security measures at its Fairfax site.

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

1. AUTHORIZE and INSTRUCT the General Manager, Community Development Department (CDD), or designee, to:

   a. Appropriate $65,000 in UDAG Miscellaneous Revenue funds to assist the NCJW to upgrade security measures at its Fairfax site.

   b. Negotiate and execute the necessary agreements that may be required, subject to the review of the City Attorney as to form and legality.

   c. Prepare Controller instructions and/or make any technical adjustments that may be required and are consistent with this action, subject to the approval of the City Administrative Officer (CAO).

2. AUTHORIZE the Controller to implement the instructions upon proper demand of the General Manager, CDD, or designee.

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

Community Impact Statement: None submitted.
ITEM NO. (10) - ADOPTED

10-0276
CD 13

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the inclusion of the Frank C. Hill House located at 201 South Coronado Street in the list of Historic-Cultural Monuments.

Recommendations for Council action:

1. ADOPT the FINDINGS of the Cultural Heritage Commission (CHC) as the Findings of the Council.

2. APPROVE the recommendation of the CHC relative to the inclusion of the Frank C. Hill House located at 201 South Coronado Street in the list of Historic-Cultural Monuments.

Applicant/Owner: Jesus Sanchez/ Marjorie Romer

CHC 2009-3542 HCM

Fiscal Impact Statement: The CHC reports that such designation in and of itself has no fiscal impact. Future applications for permits may cause minimal administrative costs.

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 21, 2010

(LAST DAY FOR COUNCIL ACTION - APRIL 21, 2010)

ITEM NO. (11) - ADOPTED

10-0277
CD 4

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the inclusion of the Margaret and Harry Hay House located at 3132 North Oakcrest Drive in the list of Historic-Cultural Monuments.

Recommendations for Council action:

1. ADOPT the FINDINGS of the Cultural Heritage Commission (CHC) as the Findings of the Council.

2. APPROVE the recommendation of the CHC relative to the inclusion of the Margaret and Harry Hay House located at 3132 North Oakcrest Drive in the list of Historic-Cultural Monuments.

Applicant/Owner: Constanze L. Han

CHC 2009-3555 HCM

Fiscal Impact Statement: The CHC reports that such designation in and of itself has no fiscal impact. Future applications for permits may cause minimal administrative costs.

Community Impact Statement: None submitted.
ITEM NO. (12) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #7 - Motion (Zine - Krekorian) to Adopt as Amended, Ayes (13); Absent: Cárdenas and President Garcetti (2)

09-2140
CONTINUED CONSIDERATION OF 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.

(Continued from Council meeting of March 26, 2010)

ADOPTED

MOTION (KREKORIAN - ZINE - KORETZ - LABONGE)

Recommendation for Council action:

AMEND and REQUEST that the City Attorney prepare and present for Council consideration an ordinance to ban mobile billboards, based on the City of West Hollywood mobile billboard ban, the text of which is reproduced below:

11.44.010 Purpose

The purpose of this chapter is to eliminate mobile billboard advertising within the city in order to promote the safe movement of vehicular traffic, to reduce air pollution, and to improve the aesthetic appearance of the city.

(Ord. 03-669 § 2 (part), 2003: Ord. 98-517 § (part), 1998: prior code § 9422)
11.44.020 General Requirements

A. It is unlawful for any person to conduct, or cause to be conducted, any mobile billboard advertising upon any street, or other public place within the city in which the public has the right of travel.

B. Mobile billboards advertising includes any vehicle, or wheeled conveyance which carries, conveys, pulls, or transports any sign or billboard for the primary purpose of advertising.

(Ord. 03-669 § 2 (part), Ord. 98-517 § 2 (part), 1998: prior code §9423)

11.44.030 Exemptions

This section shall not apply to:

(1) Any vehicle which displays an advertisement or business identification of its owner, so long as such vehicle is engaged in the usual business or regular work of the owner, and not used merely, mainly or primarily to display advertisements.

(2) Buses

(3) Taxicabs

(Ord. 03-669 § 2 (part), 2003: Ord. 98-517 § 2 (part), 1998 § 9424)

ADOPTED

MOTION (ZINE - KREKORIAN)

Recommendation for Council action:

REQUEST the City Attorney to include in the Ordinance prepared and presented for Council consideration an increase in fines to the highest possible level.
Items for Which Public Hearings Have Not Been Held - Items 13-25
(10 Votes Required for Consideration)

Roll Call #3 - Motion (Koretz - Zine) Adopted, Ayes (10); Absent: Cárdenas, Krekorian, Parks, Reyes and Wesson (5)
(Item Nos. 13-15)

ITEM NO. (13) - 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.]

ITEM NO. (14) - NO ACTION TAKEN

10-0247
PRESENTATIONS and DEPARTMENTAL GENERAL MANAGERS TO REPORT relative to specific layoff plans, including but not limited to numbers and titles of positions to be eliminated, General Fund dollars to be returned to the General Fund as a result of these actions, reductions in services and other impacts to residents, public infrastructure, recreation, education, and social services, as detailed in the Motion:

General Manager, Department of Recreation and Parks

(Pursuant to Council action of March 10, 2010)

ITEM NO. (15) - VERBAL REPORT NOTED

10-0288
CONTINUED CONSIDERATION OF COMMUNICATIONS FROM THE LOS ANGELES DEPARTMENT OF WATER AND POWER (LADWP) and HARBOR DEPARTMENT relative to proprietary departments’ contract analysis to replace contract personnel with displaced General Fund employees.

Recommendation for Council action:

NOTE and FILE the LADWP report dated March 1, 2010, and the Harbor Department report dated March 11, 2010, submitted in response to Motion (Garcetti - Perry - Huizar - et al.), with an analysis of the current contracts with outside vendors to identify opportunities to contract with General Fund departments and to replace contracted personnel with displaced General Fund employees, inasmuch as the reports are submitted for information only and no Council action is necessary.
Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

(Continued from Council meeting of March 24, 2010)

ITEM NO. (16) - ADOPTED

Roll Call #4 - Motion (Koretz - Huizar) Adopted, Ayes (13); Absent: Cárdenas and Reyes (2)

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION establishing a date for hearing protests against the proposed sewer improvement for the project entitled, “Warbler Way (Near North Doheny Drive)” - A’11-SZC11898 (Assessment Sewer Improvement).

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:
1. ADOPT the Director, Bureau of Street Lighting Report recommending the sewer improvement on Warbler Way between approximately 760 feet and 1165 feet west of North Doheny Drive with mainline sewer, house connection sewer (laterals), appurtenant structures and related work.
2. ADOPT Map A-21064
3. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting JUNE 2, 2010, as the date of hearing protest against the above sewer improvement under the 1911 Act and pursuant to Section 6.1 to 6.15 of the Los Angeles Administrative Code and conducting an assessment ballot proceedings in accordance with Proposition 218, Articles XIIID of the California Constitution and Government Code Section 53753; and advising that public funds shall be allocated.

Fiscal Impact Statement: The cost of this improvement in the estimated amount of $135,518 will be funded through Assessment Bonds to be paid by property owners in the proposed assessment district. An estimated $170,513 from the Sewer Capital Fund will be the City’s contribution for this project, available in the Assessment Act Sewers Account, Fund No. 761/50, FY-11.

ITEM NO. (17) - ADOPTED

Roll Call #3 - Motion (Koretz - Zine) Adopted, Ayes (10); Absent: Cárdenas, Krekorian, Parks, Reyes and Wesson (5)

RESOLUTION relative to the termination of the rent reductions, thereby removing the property from the Rent Escrow Account Program (REAP).

Recommendation for Council action:
ADOPT the accompanying RESOLUTION for the termination of the rent reductions, thereby removing the property from the REAP, (Case No. 3435), located at 4367 West Oakwood Avenue, specifically units 101, 102, 104, 105, 106, 107, 108, 201, 202, 203, 204, 205, 206, 207, 208, 301, 302, 303, 304, 305, 306, 307 and 308. The Los Angeles Housing Department (LAHD), confirmed that the habitability violations have been corrected and only minor violations remain; and provided proof of compliance with the LAHD, Code Enforcement Unit, habitability citations, pursuant to Ordinance 173810, contained in the LAHD’s report of March 25, 2010, Assessor I.D. No. 5521-022-009.

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 7, 2001)

ITEM NO. (18) - ADOPTED

Roll Call #3 - Motion (Koretz - Zine) Adopted, Ayes (10); Absent: Cárdenas, Krekorian, Parks, Reyes and Wesson (5)
(Item Nos. 18a-18o)

10-0005-S248
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 25, 2010:

10-0005-S248
CD 13
a. Property at 2927 West Moss Avenue (Case No. 229985).
   Assessor I.D. No. 5457-018-030
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 11, 2009)

10-0005-S249
CD 1
b. Property at 3716 North Flora Avenue (Case No. 243920).
   Assessor I.D. No. 5209-004-005
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 6, 2009)

10-0005-S250
CD 10
c. Property at 1941 South Bedford Street (Case No. 26566).
   Assessor I.D. No. 4302-021-035
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 10, 2006)
d. Property at 922 East 82nd Street (Case No. 243998).
Assessor I.D. No. 6029-013-022

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

e. Property at 2602 South Kelton Avenue (Case No. 240888).
Assessor I.D. No. 4256-030-015

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 5, 2010)

f. Property at 1779 North Albion Street (Case No. 7856).
Assessor I.D. No. 5447-026-019

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 3, 2004)

g. Property at 224 East 76th Place (Case No. 264567).
Assessor I.D. No. 6022-014-011

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 21, 2010)

h. Property at 5079 East Aldama Street (Case No. 242185).
Assessor I.D. No. 5469-007-019

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 22, 2009)

i. Property at 6133 West Orange Street (Case No. 182877).
Assessor I.D. No. 5510-026-004

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

j. Property at 620 North Wilton Place (Case No. 155640).
Assessor I.D. No. 5522-007-021

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 3, 2008)
k. Property at 3310 North Thelma Avenue (Case No. 258316).
   Assessor I.D. No. 5213-015-032

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

l. Property at 5554 West Olympic Boulevard (Case No. 209735).
   Assessor I.D. No. 5085-009-001

   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 22, 2009)

m. Property at 9305 South Firth Boulevard (Case No. 12276).
   Assessor I.D. No. 6048-001-024

   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 23, 2006)

n. Property at 1119 West 85th (Case No. 2345).
   Assessor I.D. No. 6033-014-015

   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 7, 2000)

o. Property at 1119 West 85th (Case No. 3044).
   Assessor I.D. No. 6033-014-015

   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 4, 1998)

ITEM NO. (19) - SUBSTITUTE MOTION ADOPTED IN LIEU OF ORIGINAL MOTION - SEE FOLLOWING

Roll Call #8 - Motion (Reyes - Perry) Adopted, Ayes (14); Absent: Cárdenas (1)

10-0011-S12
CD 1

MOTION (REYES - GARCETTI) relative to funding for the Soto Street Bridge Removal project in Council District One.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:
1. TRANSFER $42,000 in the Council District One portion of the Street Furniture Revenue Fund No. 43D/50 to Fund No. 655/94, Account T811, as an advance for work associated with the Soto Street Bridge Removal project - said funds to be reimbursed by federal funds.

2. AUTHORIZE the Bureau of Engineering to make any technical corrections or clarifications as necessary to the above instructions in order to effectuate the intent of this Motion.

ADOPTED

SUBSTITUTE MOTION (REYES - PERRY) relative to the Soto Street Bridge over the Mission Road Bridge.

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

1. TRANSFER $42,000 from the Transportation Grant Fund No. 655/94, Account No. T811(Soto Street Bridge Over Mission Road and Huntington Drive) to the General Services Fund No. 100/40 as follows, $12,000 to Account No. 1014 (Construction Project Salaries) and $30,000 to Account No. 3180 (Construction Materials and Supplies) for the acquisition and demolition of two vacant buildings and lot grading at 4273-85 Huntington Drive South in connection with the Soto Street Bridge Over Mission Road Bridge Removal and Street Improvement Project.

2. AUTHORIZE the Bureau of Engineering to make any technical corrections or clarification as necessary to the above instructions in order to effectuate the intent of this Motion.

ITEM NO. (20) - ADOPTED

Roll Call #9 - Motion (Smith - Rosendahl) Adopted, Ayes (14); Absent: Cárdenas (1)

10-0495
CD 12

MOTION (SMITH - ROSENDAHL) relative to funding for staffing expenses associated with expediting the design of two new traffic signals at Reseda Boulevard and Dearborn Street and at Reseda Boulevard and Vicennes Street in Council District 12.

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

1. TRANSFER $20,000 from the Council District 12 portion of the Street Furniture Revenue Fund No. 43D/50 to the following funds and accounts in the amounts indicated, for staffing expenses associated with expediting the design of two new traffic signals at Reseda Boulevard and Dearborn Street and Reseda Boulevard and Vicennes Street:

   a. Department of Transportation, Fund No. 100/94, Account No. 1090 (Salaries - Overtime), $14,000.

   b. Department of Public Works, Bureau of Street Lighting, Fund No. 100/84, Account No. 1010 (Salaries - General), $5,000, Account No. 1090 (Salaries - Overtime), $1,000.
2. DIRECT the Los Angeles Department of Transportation (LADOT) and the Bureau of Street Lighting to return any unspent funds from the above appropriation to Council District 12 portion of the Street Furniture Revenue Fund No. 43D/50 after completion of the signal design work.

3. DIRECT the LADOT to construct the two signals by issuing non-participating construction change orders to ongoing ATSAC implementation contracts. Full funding will be provided by sources other than the ATSAC program.

Roll Call #3 - Motion (Koretz - Zine) Adopted, Ayes (10); Absent: Cárdenas, Krekorian, Parks, Reyes and Wesson (5) (Item Nos. 21-25)

ITEM NO. (21) - ADOPTED

10-0496
CD 12

MOTION (SMITH - ROSENDAHL) relative to funding for the Balboa Boulevard at San Fernando Road Improvement project in Council District 12.

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

Authorize the Los Angeles Department of Transportation to receive funds from the Council District 12 Sunshine Canyon Amenities Trust Fund No. 699, Account 1000 in the amount of $370,000 and deposit them into Fund No. 655, SAFETEA-LU: Balboa Boulevard at San Fernando Road Project Account No. A561.

ITEM NO. (22) - ADOPTED

10-0011-S13
CD 15

MOTION (HAHN - ROSENDAHL) relative to funding for an Art Instructor position at Charles Mingus Youth Center in Watts (Council District 15) for the balance of the current Fiscal Year (FY).

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

Transfer $9,000 in the Council District 15 portion of the Street Furniture Revenue Fund No. 43D/50 to the Cultural Affairs Fund No. 480/30, Account No. 1010 (Salaries - General) to pay for an Art Instructor position at Charles Mingus Youth Center in Watts for the balance of the current FY.

ITEM NO. (23) - ADOPTED

02-0010-S43

MOTION (REYES - PARKS) relative to reinstating the reward offer in the death of Levon Tashchyan for an additional six months.

Recommendation for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:
REAFFIRM Council's findings and REINSTATE the reward offer relative to the death of Levon Tashchyan (Council action of September 17, 2002, Council file No. 02-0010-S43) for an additional period of six months from the publication of the offer of reward by the Office of the City Clerk and, further, that the sum of $50,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.

ITEM NO. (24) - ADOPTED

10-0497
CD 12

MOTION (SMITH - CARDENAS) relative to installing street banners supporting Birmingham High School to “Dream”, “Believe” and to “Achieve” their goals.

Recommendations for Council action:

1. APPROVE the street banner program supporting Birmingham High School to “Dream”, “Believe” and to “Achieve” their goals, as a City of Los Angeles Non-Event Street Banner Program.

2. APPROVE the content of the street banners for the above specified event.

ITEM NO. (25) - ADOPTED

10-0508

MOTION (ZINE - PARKS) relative to grant funds for the Los Angeles Fire Department (LAFD) to purchase equipment for the four Hazardous Materials Squads.

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

1. ACCEPT the directed grant funds in the sum of $85,000 from the California Emergency Management Agency (CAL-EMA) to purchase equipment for four Hazardous Materials Squads.

2. AUTHORIZE the deposit of funds into the LAFD Grant Fund No. 335, and to establish a new account for this grant.

3. AUTHORIZE the LAFD to expend the funds for the procurement of Hazardous Materials Type I Team Equipment.

4. AUTHORIZE the LAFD, through the Controller, to return the CAL-EMA the difference of any funds remaining.

Items Called Special

Motions for Posting and Referral

Councilmembers’ Requests for Excuse from Attendance at Council Meetings
Closed Sessions - Items 26-27

ITEM NO. (26) - MEETING HELD - ACTION TAKEN IN CLOSED SESSION

08-0529-S2
The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the cases entitled Chris Burton and John Tohill v. City of Los Angeles, Los Angeles Superior Court Case No. BC359875 and Court of Appeal of the State of California Case No. B208451. (This is an employment litigation case against the Los Angeles Fire Department in which the two plaintiffs allege discrimination resulting from their disciplinary suspensions.)

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

ITEM NO. (27) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION

Roll Call #10 - Motion (Alarcón - Hahn) Adopted, Ayes (12); Absent: Cárdenas, Smith and Zine (3)

10-0326
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 Melissa Borck v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC 406133; and Melissa Borck and Leona Thomas v. City of Los Angeles, et al., United States District court Case No. CV 99-11575 TJH; Ninth Circuit Court of Appeal No. 09-56712. (This case arises from allegations by two Los Angeles Police Department officers who allege harassment, discrimination, and retaliation as a result of engaging in protected activity in the Los Angeles Police Department.)

(Budget and Finance Committee considered the above matter in Closed Session on March 15, 2010.)

(Continued from Council meeting of March 26, 2010)

ADOPTED

MOTION (PARKS - ROSENDAHL)

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

1. AUTHORIZE the City Attorney to expend $3,000,000 as interpleaded funds in settlement of the cases entitled Melissa Borck v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC 406133; and Melissa Borck and Leona Thomas v. City of Los Angeles, et al., United States District Court Case No. CV 99-11575 TJH; Ninth Circuit Court of Appeal No. 09-56712, from the Liability Claims Account No. 9770, Fund 100, Department 59.

2. AUTHORIZE the City Attorney to draw demands on said account in two installments as follows:
   a. $1,500,000 payable to Clerk of the Los Angeles County Superior Court;
b. $1,500,000 payable to Clerk of the Los Angeles County Superior Court in the next fiscal year on or after July 1, 2010.

3. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.

This matter was approved by the Budget and Finance Committee (Parks-Koretz-Rosendahl “yes”) at its meeting on March 15, 2010, in Closed Session as permitted by Government Code Section 54956.9(a).

Item for Which Public Hearing Has Been Held - Item 28

ITEM NO. (28) - NO ACTION TAKEN

10-0205

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

Recommendation for Council action:

INSTRUCT the City Administrative Officer and Personnel Department to report to Council immediately on:

a. The status of implementation of Coalition of Los Angeles City Unions concessions.

b. The vacant positions and positions eligible for transfer from General Fund to special fund.

(Public Hearing Closed on March 2, 2010)

MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR WEDNESDAY, MARCH 31, 2010, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

ADOPTED - FORTHWITH

Roll Call #11 - Motion (Garcetti - Perry) Findings - Adopted, Ayes (11); Noes: Parks (1); Absent: Alarcón, Cárdenas and Huizar (3)

Roll Call #12 - Motion (Perry - Zine) Adopted to Assert Jurisdiction, Ayes (12); Absent: Alarcón, Cárdenas and Huizar (3)
Roll Call #13 - Motion (Perry - Smith) Adopted to Veto, Ayes (13); Absent: Alarcón and Cárdenas (2)

10-0475

MOTION (PERRY - SMITH) relative to asserting jurisdiction over the action of the Board of Water and Power Commissioners action to adopt Resolution No. 010-258 authorizing the modification of the Energy Cost Adjustment Factor Cap of the Electric Rate Ordinance, General Provision G.7, effective April 1, 2010.

Recommendations for Council action:

1. ASSERT jurisdiction, pursuant to Section 245 of the City Charter, over the March 31, 2010 Board of Water and Power Commissioners action to adopt Resolution No. 010-258 authorizing the modification of the Energy Cost Adjustment Factor Cap of the Electric Rate Ordinance, General Provision G.7, effective April 1, 2010.

2. VETO the action of the Board of the above action, upon assertion of jurisdiction.

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

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.

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.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon her request, and without objections, Councilmember Perry was excused to leave at 12:30 p.m. from Council session of Tuesday, April 13, 2010 due to City business.

Upon his request, and without objections, Councilmember Alarcon was excused from the Council session of Tuesday, April 6, 2010 due to City business.

MOTION (SMITH - PARKS) adopted to adjourn.

Ayes, Hahn, Huizar, Krekorian, Parks, Perry, Reyes, Smith and Zine (8); Noes, Koretz, LaBonge, Rosendahl, Wesson and President Garcetti (5); Absent: Alarcón and Cárdenas (2)
Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk                         PRESIDENT OF THE CITY COUNCIL