Los Angeles City Council, Journal/Council Proceedings
Tuesday, April 27, 2010
John Ferraro Council Chamber, Room 340, City Hall - 11 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF APRIL 21, 2010

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 13

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 1-4

ITEM NO. (1) - PUBLIC HEARING CLOSED - ADOPTED

Roll Call #4 - Motion (Cárdenas - Koret) Adopted, Ayes (14); Absent: Parks (1)

08-3494
CD 12

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Nordhoff Way and Nordhoff Street (Reballot) Lighting District.

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

1. DENY the protests and confirm the assessments.

2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held April 6, 2010)
Roll Call #3 - Motion (Zine - Krekorian) Adopted, Ayes (14); Absent: Parks (1)
(Item Nos. 2-4)

ITEM NO. (2) - PUBLIC HEARING CLOSED - ADOPTED

09-3082
CD 3

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
CONSIDERATION relative to the improvement and maintenance of the Yolanda Avenue and
Bassett Street Lighting District.

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

1. DENY the protests and confirm the assessments.

2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering
the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the
Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held April 6, 2010)

ITEM NO. (3) - PUBLIC HEARING CLOSED - ADOPTED

10-0044
CD 2

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
CONSIDERATION relative to the improvement and maintenance of the Magnolia Boulevard and
Cedros Avenue (Reballot) Lighting District.

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

1. DENY the protests and confirm the assessments.

2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering
the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the
Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held April 6, 2010)

ITEM NO. (4) - PUBLIC HEARING CLOSED - ADOPTED

10-0043
CD 11

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
CONSIDERATION relative to the improvement and maintenance of the Brockton and Idaho
Avenues (Reballot) Lighting District.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:
1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the assessment cannot be enacted.

2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

(Public Hearing held April 6, 2010)

Items for Which Public Hearings Have Been Held - Items 5-9

Roll Call #1 - Motion (Rosendahl - Koretz) Adopted, Ayes (10); Absent: Huizar, LaBonge, Parks, Smith and Zine (5)

(On Item Nos. 5-9)

ITEM NO. (5) - ADOPTED

10-0661

COMMUNICATION FROM THE LOS ANGELES DEPARTMENT OF WATER AND POWER and RESOLUTION relative to a weatherization project that is expected to improve the quality of life for customers while defraying energy costs.

(Ad Hoc Committee on Economic Recovery and Reinvestment report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

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

ADOPTED

AD HOC COMMITTEE ON ECONOMIC RECOVERY AND REINVESTMENT REPORT and RESOLUTION relative to a weatherization project that is expected to improve the quality of life for customers while defraying energy costs, as part of the American Recovery and Reinvestment Act of 2009 (ARRA), Department of Energy Weatherization Program Assistance award.

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

1. ADOPT the accompanying RESOLUTION which:
a. AUTHORIZES the Board of Commissioners of the Los Angeles Department of Water and Power (LADWP) to accept on behalf of the City the ARRA Weatherization Assistance Program grant, provided by the State of California, and further AUTHORIZES the LADWP Board of Commissioners to delegate to the LADWP General Manager the authority to make any technical amendments to the contract and to execute and administer the contract consistent with the intent of the Council.

b. SPECIFIES that said contract and a plan for administration of the program will be returned to the Ad Hoc Committee on Economic Recovery and Reinvestment following LADWP authorization and any technical amendments to the contract, pending final approval by the Council.

2. DIRECT the LADWP to specify that a firm commitment will be made to ensure that the 16 Project Assistant positions are filled with Civil Service employees who are facing lay off.

3. DIRECT the LADWP to report back every 30 days on the status of the program and grant expenditures.

Fiscal Impact Statement: None submitted by the LADWP. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

(Energy and Environment Committee waived consideration of the above matter)

ITEM NO. (6) - ADOPTED

09-0406-S8

BUDGET AND FINANCE COMMITTEE REPORT relative to the City Treasurer’s Investment and Cash Management Report for the month ending November 30, 2009.

Recommendation for Council action:

NOTE and FILE the City Treasurer’s Investment and Cash Management Report for the month ending November 30, 2009, 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.

ITEM NO. (7) - ADOPTED

09-0406-S9

BUDGET AND FINANCE COMMITTEE REPORT relative to the City Treasurer’s Investment and Cash Management Report for the month ending December 31, 2009.
Recommendation for Council action:

NOTE and FILE the City Treasurer’s Investment and Cash Management Report for the month ending December 31, 2009, 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.

ITEM NO. (8) - ADOPTED

09-0406-S10

BUDGET AND FINANCE COMMITTEE REPORT relative to the City Treasurer’s Investment and Cash Management Report for the month ending January 31, 2010.

Recommendation for Council action:

NOTE and FILE the City Treasurer’s Investment and Cash Management Report for the month ending January 31, 2010, 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.

ITEM NO. (9) - ADOPTED

10-0647

BUDGET AND FINANCE COMMITTEE REPORT relative to the Third Amendment to the Agreement with Chandler Asset Management for investment advisory services.

Recommendation for Council action:

APPROVE the Third Amendment to the Agreement with Chandler Asset Management, Contract No. C-108307, for investment advisory services through April 30, 2011, or until a new investment advisor is selected through a competitive Request for Proposal process.

Fiscal Impact Statement: None submitted by the City Treasurer. 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 10-19
(10 Votes Required for Consideration)

ITEM NO. (10) - ADOPTED

Roll Call #3 - Motion (Zine - Krekorian) Adopted, Ayes (14); Absent: Parks (1)
(Item No. 10)

10-0384
CD 2

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Foothill Boulevard and Pierce Street Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated March 5, 2010.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JUNE 29, 2010 as the hearing date for the maintenance of the Foothill Boulevard and Pierce Street Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $1,540.75 will be collected annually starting with tax year 2010-11 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: June 21, 2010)

ITEM NO. (11) - ADOPTED

Roll Call #5 - Motion (Hahn - Alarcón) Adopted, Ayes (14); Absent: Parks (1)

10-0385
CD 15

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the “C” and Figueroa Streets Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated March 5, 2010.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JUNE 29, 2010 as the hearing date for the maintenance of the “C” and Figueroa Streets Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.
Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $12,711.43 will be collected annually starting with tax year 2010-11 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: June 21, 2010)

ITEM NO. (12) - ADOPTED

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

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Killion Street and Lankershim Boulevard Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated March 5, 2010.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JUNE 29, 2010 as the hearing date for the maintenance of the Killion Street and Lankershim Boulevard Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $2,837.97 will be collected annually starting with tax year 2010-11 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: June 21, 2010)

ITEM NO. (13) - ADOPTED

Roll Call #7 - Motion (Koretz - Perry) Adopted, Ayes (14); Absent: Parks (1)

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Thayer and Missouri Avenues Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated March 5, 2010.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of 
JUNE 29, 2010 as the hearing date for the maintenance of the Thayer and Missouri Avenues 
Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California 
Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $614.25 will be 
collected annually starting with tax year 2010-11 that will go into a dedicated street lighting 
maintenance assessment account for the use in the operation and maintenance of this street 
lighting system.

(Board of Public Works Hearing Date: June 21, 2010)

ITEM NO. (14) - ADOPTED, AS AMENDED - SEE FOLLOWING - FORTHWITH

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

COMMUNICATIONS FROM THE COMMUNITY REDEVELOPMENT AGENCY (CRA) and 
RESOLUTIONS relative to the submittal of seven Urban Greening for Sustainable Communities 
Program (Proposition 84) Grant applications for up to $2,638,004 from the California Strategic 
Growth Council and related actions.

Recommendations for Council action:

1. ADOPT the accompanying RESOLUTIONS (attached to the CRA report dated April 1, 2010) 
authorizing the submittal of applications for the Urban Greening for Sustainable Communities 
Program (Proposition 84) Grant funds for a total amount up to $2,638,004 from the California Strategic Growth Council.

2. AUTHORIZE the Interim Chief Executive Officer, CRA, or designee, to:

   a. Negotiate and execute all necessary contracts and agreements with the California Strategic Growth Council, if awarded any Grant funds, subject to the review of the City Attorney as to form and legality.

   b. Amend the CRA Budget and Work Program for the fiscal year in which the Grant funds are received, as needed, to reflect the receipt and allocation of Grant proceeds up to $2,638,004.

   c. Increase the authority to award contracts to the pre-qualified pool of Grant Consultants by $400,000, from $900,000 to $1,300,000, for the period ending June 30, 2010.

Fiscal Impact Statement: The CRA reports that there is no fiscal impact to the City's General Fund.

Community Impact Statement: None submitted.

(Housing, Community and Economic Development Committee waived consideration of the above matter)
ADOPTED  
MOTION (PERRY - REYES)

Recommendation for Council action:

INCREASE the amount for the Fashion District Green Streets and Alley Network Program from $150,000 to $250,000.

ITEM NO. (15) - ADOPTED  

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

10-0576  
CD 11  

MOTION (ROSENDAHL - PARKS) relative to amending prior Council action of April 16, 2010, regarding funding for numerous projects in the Venice Community.

Recommendation for Council action:

AMEND prior Council action of April 16, 2010, (Council file No. 10-0576, Substitute Motion - Item No. 62), relative to funding numerous projects in the Venice Community to change the funding amount for “Oakwood Rec Ctr” from $182,900 to $75,000.

ITEM NO. (16) - ADOPTED  

Roll Call #10 - Motion (Rosendahl - Wesson) Adopted, Ayes (14); Absent: Parks (1)

09-1856-S1  

MOTION (PARKS - ROSENDAHL) relative to authorizing the Los Angeles Department of Transportation (LADOT) to accept deposits and reimbursements for traffic management services through the end of the Fiscal Year.

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

AUTHORIZE the LADOT to:

a. Accept monies in an amount not to exceed a total of $750,000 from the entities representing Dodger Stadium ($325,000), Staples Center/Nokia Theatre/L.A. Live ($180,000), Hollywood Bowl ($110,000), Greek Theatre ($25,000), Los Angeles Coliseum ($100,000) and Sports Arena ($10,000), for traffic management services associated with commercial special events at these venues for the period beginning October 15, 2009 through June 30, 2010.

b. Deposit these funds into the Department of Transportation Trust Fund 840, Account No. 2200 (Miscellaneous Deposit) and to transfer the actual cost due to the requested services and equipment into the Transportation Fund No. 100/94, Account No. 1090 (Salaries - Overtime).
Roll Call #2 - Motion (Smith - Wesson) Adopted to Continue, Unanimous Vote (14); Absent: Parks (1) (Item Nos. 17-18)

ITEM NO. (17) - CONTINUED TO MAY 4, 2010

10-0010-S17
MOTION (PARKS - SMITH) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Emanuel Dorsey on March 29, 2010.

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

1. PROVIDE an offer of reward in the amount of $50,000 for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Emanuel Dorsey on March 29, 2010.

2. FIND that the subject reward complies with the provisions of Chapter 12, Article 1, Division 19, of the Los Angeles Administrative Code.

3. DIRECT the City Clerk to publish the required notices and/or advertisements to effectuate this reward.

ITEM NO. (18) - CONTINUED TO MAY 4, 2010

10-0010-S18
MOTION (PARKS - SMITH) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the shooting of Katrina Green on March 30, 2010.

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

1. PROVIDE an offer of reward in the amount of $50,000 for information leading to the identification, apprehension, and conviction of the person(s) responsible for the shooting of Katrina Green on March 30, 2010.

2. FIND that the subject reward complies with the provisions of Chapter 12, Article 1, Division 19, of the Los Angeles Administrative Code.

3. DIRECT the City Clerk to publish the required notices and/or advertisements to effectuate this reward.

ITEM NO. (19) - ADOPTED

Roll Call #11 - Motion (Zine - LaBonge) Adopted, Ayes (14); Absent: Parks (1)

09-0865-S1
RESOLUTION (ZINE - LABONGE) relative to declaring May 1, 2010 as ARBOR DAY in the City of Los Angeles.
Recommendation for Council action:

RESOLVE to DECLARE May 1, 2010 as ARBOR DAY and the City’s 24th consecutive honor as a Tree City USA, in the City of Los Angeles.

ITEM NO. (20) - ADOPTED

Roll Call #12 - Motion (Huizar - Hahn) Adopted, Ayes (14); Absent: Parks (1)

CONTINUED CONSIDERATION OF GENERAL EXEMPTION and COMMUNICATION FROM CHAIR, TRADE, COMMERCE, AND TOURISM COMMITTEE relative to an amendment to an agreement between the City of Los Angeles Harbor Department and DMJM H&N for construction management services for the Port of Los Angeles Police Department headquarters.

Recommendations for Council action:

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 the first amendment to Agreement No. 2572, changing the name of the consultant from DMJM H&N to AECOM Services, Inc. and extending the term of the agreement from three years to four years.

3. CONCUR with the Board of Harbor Commissioners action of January 21, 2010 approving the agreement.

Fiscal Impact Statement: The Board of Harbor Commissioners reports that approval of this item will not have a financial impact upon the Harbor Department.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 25, 2010

(LAST DAY FOR COUNCIL ACTION - MAY 25, 2010)

ITEM NO. (21) - ADOPTED

Roll Call #13 - Motion (LaBonge - Koretz) Adopted, Ayes (14); Absent: Parks (1)

CONTINUED CONSIDERATION OF COMMUNICATION FROM VICE-CHAIR and MEMBER, TRANSPORTATION COMMITTEE relative to the implementation of a bike corral pilot program along York Boulevard between Avenue 50 and Avenue 56.

Recommendation for Council action, as initiated by Motion (Huizar - LaBonge):
DIRECT the Los Angeles Department of Transportation (LADOT), in coordination with the Planning Department, to:

a. Implement a bike corral pilot program along York Blvd between Avenue 50 and Avenue 56, in consultation with Council District 14 staff.

b. Identify local, state, and federal funds to implement non-motorized transportation projects like bike corrals.

c. Report back, in conjunction with the Department of Public Works, on an expeditious permit process for private property owners wishing to install bike racks and/or bike corrals on public property at their own expense, pending department authorization.

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.

MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR TUESDAY, APRIL 27, 2010 PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

ADOPTED - FORTHWITH

Roll Call #14 - Motion (Perry - Reyes) Findings on Need to Act - Adopted, Ayes (14); Absent: Parks (1)

Roll Call #15 - Motion (Perry - Reyes) Adopted, Ayes (14); Absent: Parks (1)

10-0698

MOTION (PERRY - REYES) relative to the forthcoming downtown May Day (Saturday, May 1, 2010) activities.

Recommendation for Council action:

DIRECT the Los Angeles Transportation Department (LADOT) to close and post public parking closure notices for LADOT’s Parking Lot No. 753 prior to such closing on May 1, 2010.

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

10-0697

MOTION (HAHN - LABONGE) relative to funding for support of Council District 15 community services efforts.
COUNCILMEMBERS’ REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS


Upon his request, and without objections, Councilmember LaBonge was excused to leave at 11:00 a.m. from Council session of Tuesday, May 4, 2010 due to City business.

Upon his request, and without objections, Councilmember Koretz was excused arrive at 10:30 a.m. to the Council session of Wednesday, May 19, 2010 due to City business.

Upon his request, and without objections, Councilmember Koretz was excused arrive at 10:30 a.m. to the Council session of Wednesday, June 16, 2010 due to City business.

Upon his request, and without objections, Councilmember Garcetti was excused from Council sessions of Friday, June 11, 2010, June 15-16, 2010, Friday, June 18, 2010, June 22-23, 2010 and Friday, June 25, 2010 due to personal business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

10-0004-S1 - Rosa Corrales (Hahn - All Councilmembers)

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

10-0003-S1 - Ernest Maurice “Brother” Stickney (Huizar)

John Carl Warnecke (LaBonge - Hahn - All Councilmembers)

Lawrence L. Stamen (Garcetti)

Ayes, Alarcón, Cárdenas, Hahn, Huizar, Koretz, Krekorian, LaBonge, Parks, Perry, Reyes, Rosendahl, Smith, Wesson, Zine and President Garcetti (15)

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk PRESIDENT OF THE CITY COUNCIL