

Los Angeles City Council, **Journal/Council Proceedings**
Tuesday, **May 11, 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: Cárdenas, Hahn, Huizar, Koretz, Krekorian, LaBonge, Parks, Perry, Smith, Wesson, Zine and President Garcetti (12); Absent: Alarcón, Reyes and Rosendahl (3)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
MAY 5, 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 for Which Public Hearings Have Been Held - Items 1-4

**Roll Call #1 - Motion (Wesson - Perry) Adopted, Ayes (12); Absent: Alarcón, Reyes and Rosendahl (3)
(Item Nos. 1-2)**

ITEM NO. (1) - ADOPTED

[08-1553](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the Community Redevelopment Agency (CRA) Quarterly Investment Report for the period ending December 31, 2009.

Recommendation for Council action:

NOTE and FILE the CRA Quarterly Investment Report for the period ending December 31, 2009.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (2) - ADOPTED - TO THE MAYOR FORTHWITH

[09-1951-S1](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to issuing Tax-Exempt Multi-Family Housing Revenue Bonds (Bonds), in an amount not to exceed \$14 million, for the Buckingham Senior Apartments Project (Project) located at 4020 Buckingham Road (Project Site), and amending a related Settlement Agreement.

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

1. ADOPT the accompanying RESOLUTION [Attachment D of the Community Redevelopment Agency (CRA) report dated March 18, 2010] authorizing the issuance, sale, and delivery of the Bonds, in an amount not to exceed \$14 million, for the Project - an affordable housing project, in one or more series, and authorizing certain other actions in connection with such Bonds.
2. AUTHORIZE the Chief Executive Officer, CRA, or designee, to:
 - a. Approve all financing related documents associated with the Project as well as any ancillary documents required to complete this transaction.
 - b. Collect, at the time of Bond closing, issuance fees in the amount of \$50,000 (initial fee) and administration fees equal to 10 basis points (.10 percent) of the outstanding Bond amount per annum.
3. AUTHORIZE:
 - a. The appointment of US Bank National Association as Bond Trustee or Bond Service Provider and payment of an annual administrative fee not to exceed \$3,550, 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.
 - b. The substitution of Citicorp North America Inc. (Citi) as lender and institutional direct purchaser of the Bonds, in place of Hanmi Bank.
 - c. The execution of a Bond Purchase Agreement with Citi as direct purchaser of the Bonds.
 - d. The execution and delivery of the First Amendment to the Settlement and General Mutual Release Agreement and the Second Amendment to the Option Agreement; the negotiation of additional lender protections for Citi in the Ground Lease and Disposition and Development Agreements; and the execution and delivery of said revised agreements which will reflect the new financing structure for the Project necessary to complete the settlement and the Project, subject to the review of the City Attorney as to form and legality.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that there is no impact on the General Fund. As proposed, the CRA will issue Bonds to finance construction completion and rehabilitation work in an amount not to exceed \$14 million in order to complete the first phase of Project, a 70 unit affordable senior housing project. The Bonds will be secured only by Project revenues and will not be a financial or other obligation of the CRA, the City, the State, or any other governmental entity.

The CAO further reports that unless the Project is completed and ready for occupancy by June 30, 2011, the U.S. Department of Housing and Urban Development will require the City to repay the \$8.5 million in previously disbursed HOME Investment Partnerships (HOME) funds from non-federal funds. In turn, the CRA will be liable for the repayment of the \$8.5 million in HOME funds. 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. (3) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #6 - Motion (Cárdenas - Krekorian) to Adopt as Amended, Ayes (14); Absent: Reyes (1)

[09-1714](#)

INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT relative to a status update of the Google E-mail and Collaboration System Pilot.

Recommendations for Council action:

1. NOTE and FILE the City Administrative Officer (CAO) report dated April 13, 2010, attached to the Council file.
2. INSTRUCT the Information Technology Agency (ITA) to provide a status update on the pilot in 30 days.
3. INSTRUCT the ITA and appropriate staff to turn off access to the GroupWise system for all City users that have migrated to the Google system, excluding users at the Los Angeles Police Department.

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

Community Impact Statement: None submitted.

ADOPTED

AMENDING MOTION (CARDENAS - SMITH)

Recommendation for Council action:

INSTRUCT the City Administrative Officer and Information Technology Agency to report back to the Information Technology and Government Affairs Committee relative to the potential month to month costs for GroupWise licensing and an updated costs savings relative to the Google migration.

ITEM NO. (4) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #7 - Motion (Cárdenas - Krekorian) to Adopt as Amended, Ayes (14); Absent: Reyes (1)

10-0468

CD 6

ENVIRONMENTAL IMPACT REPORT, MITIGATION MONITORING PROGRAM, STATEMENT OF OVERRIDING CONSIDERATIONS and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to appeals of Conditional Use, Variances and Site Plan Review for property at 9227 North Tujunga Avenue.

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

1. CERTIFY that the Environmental Impact Report (EIR No. ENV-2001-3267-EIR; State Clearing House No. 2002121027) has been completed in compliance with the California Environmental Quality Act, the State Guidelines and the City Guidelines and that the City Council has reviewed the information contained therein and considered it along with other factors related to this project; that this determination reflects the independent judgment of the lead agency City of Los Angeles; and that the documents constituting the record of proceedings in this matter are located in Council file 10-0468 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 Environmental Impact Report.
2. ADOPT the FINDINGS made pursuant to and in accordance with Section 21081 of the Public Resources Code and the Statement of Overriding Considerations prepared by the City Planning Department and ADOPT the Statement of Overriding Considerations.
3. ADOPT FINDINGS pursuant to and in accordance with Section 21081.6 of the California State Public Resources Code, the Mitigation Monitoring and Reporting Program as the Findings of Council and ADOPT the Mitigation Monitoring and Reporting Program.
4. ADOPT the FINDINGS of the Planning and Land Use Management Committee as the Findings of the Council, as attached to Council file No. 10-0468.
5. RESOLVE to GRANT IN PART/ DENY IN PART appeals filed by: 1) Doug Corcoran, Waste Management Recycling & Disposal Services of California, Inc. (Dale Goldsmith, Armbruster Goldsmith & Delvac, LLP, Representative); 2) Sun Valley Chamber of Commerce (Theodore G. Bradpiece, Representative); 3) Jon Eshbach; 4) Valley Industry and Commerce Association (Stuart Waldman, Representative); 5) William "Blinky" Rodriguez; and 6) Tower General Contractors (Nato Flores and Alex Guererro, Representatives) from the entire decision of the City Planning Commission (CPC), and THEREBY APPROVE a Conditional Use to permit a Recycling Materials Sorting Facility; a Variance to permit the operation of a solid waste transfer station in the M Zone within 500 feet of a more restrictive zone; a Variance to permit the operation of a wood/green material chipping and grinding facility in an unenclosed facility within the M Zone; and a Site Plan Review for property at 9227 North Tujunga Avenue, subject to modified Conditions of Approval as attached to Council file No. 10-0468.

CPC 2007-3888-CU-ZV-SPR

Applicant: Doug Corcoran, Waste Management Recycling & Disposal Services of California, Inc.
Representative: Dale Goldsmith, Armbruster Goldsmith & Delvac, LLP

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.

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 30, 2010

(LAST DAY FOR COUNCIL ACTION - MAY 28, 2010)

ADOPTED

AMENDING MOTION (CARDENAS - LABONGE)

Recommendation for Council action:

AMEND Condition 16 (C) to change the language from “third party haulers” to “all haulers.”

Items for Which Public Hearings Have Not Been Held - Items 5-19

(10 Votes Required for Consideration)

ITEM NO. (5) - ADOPTED

**Roll Call #2 - Motion (Smith - Zine) Adopted, Ayes (13); Absent: Alarcón and Reyes, (2)
(Item Nos. 5-7)**

[10-0337](#)
CD 10

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Exposition and Jefferson Boulevards 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 April 28, 2010.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **JULY 13, 2010** as the hearing date for the maintenance of the Exposition and Jefferson Boulevards Lighting District, in accordance with Proposition 218, Articles XIIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$39,637.37 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: July 7, 2010)

ITEM NO. (6) - ADOPTED

[10-0005-S363](#)

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 May 4, 2010:

[10-0005-S363](#)

CD 8

- a. Property at 159 East 84th Place aka 8423 South Wall Street (Case No. 227412).
Assessor I.D. No. 6030-013-016

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

[10-0005-S364](#)

CD 15

- b. Property at 281 West 15th Street (Case No. 243671).
Assessor I.D. No. 7456-020-003

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 18, 2009)

[10-0005-S365](#)

CD 9

- c. Property at 4210 South Woodlawn Avenue aka 4212 1/4 South Woodlawn Avenue (Case No. 129167).
Assessor I.D. No. 5113-032-019

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 11, 2007)

[10-0005-S366](#)

CD 9

- d. Property at 4210 South Woodlawn Avenue aka 4212 1/4 South Woodlawn Avenue (Case No. 201917).
Assessor I.D. No. 5113-032-019

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 18, 2008)

[10-0005-S367](#)

CD 10

- e. Property at 2284 West 27th Street (Case No. 18184).
Assessor I.D. No. 5052-018-013

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

[10-0005-S368](#)

CD 9

- f. Property at 1412 East 52nd Street aka 1416 East 52nd Street (Case No. 87819).
Assessor I.D. No. 5104-008-007

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 26, 2007)

[10-0005-S369](#)

CD 9

- g. Property at 208 West 51st Street aka 208 1/2 West 51st Street (Case No. 217510).
Assessor I.D. No. 5110-026-004

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

[10-0005-S370](#)

CD 1

- h. Property at 4544 East Rose Hill Drive aka 3419 1/2 North Galena Street (Case No. 261219).
Assessor I.D. No. 5305-026-005

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 4, 2010)

[10-0005-S371](#)

CD 10

- i. Property at 1637 South Van Ness Avenue (Case No. 263599).
Assessor I.D. No. 5073-023-019

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

[10-0005-S372](#)

CD 10

- j. Property at 1637 South Van Ness Avenue (Case No. 237333).
Assessor I.D. No. 5073-023-019

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

ITEM NO. (7) - ADOPTED

[09-0002-S183](#)

COMMUNICATION FROM CHAIR, INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT and RESOLUTION relative to supporting HR 852 (Sanchez) The Re-Build America Bond Act of 2009 and S. 238 (Wyden) The Build America Bonds Act of 2009.

Recommendation for Council action, pursuant to Resolution (Wesson - Reyes), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to include in the City's 2009-10 Federal Legislative Program, SUPPORT for HR 852 (Sanchez) The Re-Build America Bond Act of 2009 and S. 238 (Wyden) The Build America Bonds Act of 2009, which would provide new transportation

infrastructure funding through bonding.

Fiscal Impact Statement: None submitted by the Chief Legislative Analyst. The City Administrative Officer has not completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (8) - ADOPTED

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

10-0002-S6

COMMUNICATION FROM CHAIR, INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT and RESOLUTION relative to the support of efforts related to the implementation of the California High Speed Rail Project to connect Los Angeles to San Francisco.

Recommendation for Council action, pursuant to Resolution (Alarcón - Krekorian), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to include in the City's 2009-10 Federal Legislative Program, SUPPORT for the allocation of \$2.25 billion to California for the high speed rail project to connect Los Angeles to San Francisco and a request for the California High Speed Rail Authority (CHSRA) to include staff of the City of Los Angeles in its project-specific technical analysis relevant to the City of Los Angeles in order to ensure compatibility of local efforts with CHSRA planning studies.

Fiscal Impact Statement: None submitted by the Chief Legislative Analyst. The City Administrative Officer has not completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (9) - CONTINUED TO MAY 21, 2010

Roll Call #16 - Motion (Smith - Zine) Adopted to Continue, Unanimous Vote (10); Absent: Parks, Perry, Reyes, Wesson and President Garcetti (5)

10-0002-S8

COMMUNICATION FROM CHAIR, INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT and RESOLUTION relative to the City's position on AB 1778 which would require State agencies that produce, or contract for the production of, a promotional commercial to film that commercial in California.

Recommendation for Council action, pursuant to Resolution (Alarcón - Smith), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to include in the City's 2009-10 State Legislative Program, SUPPORT for AB 1778 which would require State agencies that produce, or contract for the production of, a promotional commercial to film that commercial in California.

Fiscal Impact Statement: None submitted by the Chief Legislative Analyst. The City Administrative Officer has not completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (10) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #9 - Motion (Garcetti - LaBonge) to Adopt as Amended, Ayes (14); Absent: Reyes (1)

[10-0002-S11](#)

COMMUNICATION FROM CHAIR, INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT and RESOLUTION relative to the City's position on the President's \$1.5 Billion Foreclosure Prevention.

Recommendation for Council action, as initiated by Resolution (Garcetti - Wesson - Alarcón - Perry), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to:

- a. Include in the City's 2009-10 Federal Legislative Program SUPPORT of the President's \$1.5 billion for foreclosure prevention, including, but not limited to programs that assist with refinancing and mortgage modification; administrative actions by the U.S. Department of Housing and Urban Development and the U.S. Department of the Treasury to develop a formula for distribution of these funds that does not handicap the City of Los Angeles due to its low Area Median Income and high property values.
- b. Include in the City's 2009-10 State Legislative Program SUPPORT for administrative actions which would ensure that the City of Los Angeles is not disadvantaged due to its low Area Median Income, high property values, and/or other demographic/economic characteristics when the California Housing Finance Agency develops its programs pursuant to the allocation of the \$700 million foreclosure-prevention funds as allocated by the U.S. Department of the Treasury.

Fiscal Impact Statement: None submitted by the Chief Legislative Analyst. The City Administrative Officer has not completed a financial analysis of this report.

Community Impact Statement: None submitted.

ADOPTED

AMENDING MOTION (GARCETTI - LABONGE)

Recommendation for Council action:

AMEND the accompanying RESOLUTION to add new language allowing a homeowner-applicant for the \$700 million in Hardest Hit Program Funds as allocated by the California Housing Finance Agency, to qualify for foreclosure-prevention assistance based on a minimum cap of 150 percent Area Median Income (AMI) for the County which the borrower resides; an increased housing cap of \$600,000; and increased funding level for the Local Innovation Fund allocation from the current \$20 million to at least \$200 million with a

direct allocation to cities; and Loan To Value Ratio (LTV) which is consistent with other federally-backed mortgages a maximum of 125 percent with preference for 100 percent or less.

**Roll Call #2 - Motion (Smith - Zine) Adopted, Ayes (13); Absent: Alarcón and Reyes, (2)
(Item Nos. 11-12)**

ITEM NO. (11) - ADOPTED

[10-0002-S12](#)

COMMUNICATION FROM CHAIR, INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT and RESOLUTION relative to supporting legislation to extend the Temporary Assistance for Needy Families Emergency Contingency Fund (TANF - ECF), Program for at least one additional year.

Recommendation for Council action, pursuant to Resolution (Parks - Perry), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to include in the City's 2009-10 Federal Legislative Program, SUPPORT for legislation and/or administrative action which would extend the TANF - ECF, provided by the American Recovery and Reinvestment Act of 2009, for at least one additional year.

Fiscal Impact Statement: None submitted by the Chief Legislative Analyst. The City Administrative Officer has not completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (12) - ADOPTED

[10-0002-S13](#)

COMMUNICATION FROM CHAIR, INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT and RESOLUTION relative to the City's position to oppose elimination in the Fiscal Year 2011 Budget of the United States Government of the Preserve America and Save America's Treasures grant programs for historic preservation.

Recommendation for Council action, pursuant to Resolution (Reyes - Garcetti), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to include in the City's 2009-10 Federal Legislative Program, OPPOSITION to the elimination in the Fiscal Year 2011 Budget of the United States Government of the Preserve America and Save America's Treasures grant programs for historic preservation.

Fiscal Impact Statement: None submitted by the Chief Legislative Analyst. The City Administrative Officer has not completed a financial analysis of this report.

Community Impact Statement: None submitted.

**Roll Call #10 - Motion (Parks - Zine) Adopted, Ayes (14); Absent: Reyes (1)
(Item Nos. 13-14)**

ITEM NO. (13) - ADOPTED

[10-0002-S20](#)

COMMUNICATION FROM CHAIR, INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT and RESOLUTION relative to the California Gray Whale Assessment.

Recommendation for Council action, pursuant to Resolution (Hahn - Rosendahl), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to include in the City's 2009-10 Federal Legislative Program, an item that would call on the Federal Government to make publicly available the results of the current abundance assessment of the California Gray Whale conducted by the National Marine Fisheries Service as soon as the migration has ended, and to instruct and fund the NMFS to undertake a comprehensive assessment of major threats to the California Gray Whale, including the impact of climate.

Fiscal Impact Statement: None submitted by the Chief Legislative Analyst. The City Administrative Officer has not completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (14) - ADOPTED

[09-3026](#)

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) relative to an agreement with the Union Pacific Railroad Company (Union Pacific) and the Burlington Northern Santa Fe Railway Company (BNSF) for the re-construction and rehabilitation of highway rail grade crossings using American Recovery and Reinvestment Act of 2009 (ARRA) funds.

Recommendations for Council action:

1. AUTHORIZE the General Manager, Los Angeles Department of Transportation (LADOT) to sign the proposed agreements with Union Pacific and the BMSF, on behalf of the City, for the re-construction and rehabilitation of 36 highway rail grade crossings, subject to the approval as to form by the City Attorney.
2. INSTRUCT the Board of Public Works to waive all permit fees associated with this ARRA-funded railroad crossing project and to expedite approvals.
3. INSTRUCT the Department of Public Works, Bureau of Contract Administration, to coordinate with the LADOT to provide necessary construction administration and inspection to comply with necessary federal requirements for any highway-rail crossings adjoining street pavement work within the City's right-of-way.

Fiscal Impact Statement: The CAO reports that there is General Fund impact due to debt service costs and waived permit fees. The total General Fund impact is not projected to exceed \$50,000 but

will depend upon the progress of the project. The cost of the project is \$7,932,000. The City will be reimbursed for LADOT and Contract Administration costs estimated at \$212,492. Municipal Improvement Corporation of Los Angeles Commercial Paper (MICLA CP) Program will be used for front-funding as previously authorized by the City Council and Mayor. Front-funding is projected to be required for approximately three months at a time. Current MICLA CP rates are less than 0.5 percent. Permit fees associated with the project will be waived. The total value of those fees will depend upon the characteristics of each crossing project.

Community Impact Statement: None submitted.

(Ad Hoc Committee on Economic Recovery and Reinvestment waived consideration of the above matter)

**Roll Call #2 - Motion (Smith - Zine) Adopted, Ayes (13); Absent: Alarcón and Reyes, (2)
(Item Nos. 15-17)**

ITEM NO. (15) - ADOPTED

[10-0388](#)

COMMUNICATIONS FROM THE BOARD OF POLICE COMMISSIONERS and CITY ADMINISTRATIVE OFFICER relative to a donation for the, Los Angeles Police Department's (LAPD) Van Nuys Area Juvenile Impact Program.

Recommendation for Council action:

RECEIVE and FILE the Board of Police Commissioners report dated March 2, 2010 (attached to the Council file), relative to the donation for the LAPD, inasmuch as the report erroneously identifies the recipient as the Van Nuys Area Juvenile Impact Program.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

(Public Safety Committee waived consideration of the above matter)

ITEM NO. (16) - ADOPTED

[10-0559](#)

COMMUNICATIONS FROM THE BOARD OF POLICE COMMISSIONERS and CITY ADMINISTRATIVE OFFICER (CAO) relative to a donation for the Los Angeles Police Department's (LAPD) Central Area Juvenile Impact Program.

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

AUTHORIZE the LAPD to:

- a. Accept a monetary donation in the amount of \$33,996 from the Los Angeles Police Foundation to support overtime, uniforms, office supplies, and lunches for police officers and students for the LAPD's Central Area Juvenile Impact Program.

- b. Deposit \$33,996 into the Police Department Donations Trust Fund No. 885/70, Revenue Source Code 4513, and transfer therefrom to the following funds and accounts:

<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
100/70	1092	Sworn Overtime	\$26,112
885/70	TBD	Central Area JIP	\$ 7,884

- c. Prepare Controller's instructions for any 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 this action will not impact the General Fund. Acceptance of this donation complies with City financial policies as one-time funds are used for one-time expenditures.

Community Impact Statement: None submitted.

(Public Safety Committee waived consideration of the above matter)

ITEM NO. (17) - ADOPTED

[08-1908-S1](#)

CONSIDERATION OF MOTION (KREKORIAN - ZINE) relative to changing the scheduled meeting time of the Education and Neighborhoods Committee.

Recommendation for Council action:

RESOLVE, pursuant to Section 2.2 of the Administrative Code, that the regularly scheduled meeting time of the Education and Neighborhoods Committee be changed from the 2nd and 4th Tuesday of each month at 3:30pm to the 2nd and 4th Wednesday of each month at 3:30pm, effectively immediately upon adoption of this motion.

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.

(Rules and Elections Committee waived consideration of the above matter)

ITEM NO. (18) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #11 - Motion (Rosendahl - Koretz) to Adopt as Amended, Ayes (14); Absent: Reyes (1)

[10-0639](#)

CONSIDERATION OF MOTION (PERRY - GARCETTI) relative to extending the Hail-A-Taxi program in Downtown Los Angeles and Hollywood.

Recommendations for Council action:

1. EXTEND the City's Hail-A-Taxi program in Downtown Los Angeles and Hollywood to allow taxi drivers to temporarily stop at "No Stopping" and "No Parking" zones and alongside parked vehicles to load and unload passengers until a permanent program is adopted.
2. DIRECT the Los Angeles Department of Transportation, working with the City Attorney, to take the steps necessary to make the Hail-A-Taxi program in Downtown Los Angeles and Hollywood permanent.

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.

(Transportation Committee waived consideration of the above matter)

ADOPTED

AMENDING MOTION (ROSENDAHL - KORETZ)

Recommendation for Council action:

INSTRUCT the Los Angeles Department of Transportation to report back to the Transportation Committee on the possibility of expanding the Hail-A-Taxi pilot program to the Venice Beach, Miracle Mile, Korea Town, Westwood and Third Street areas and possibly citywide.

**Roll Call #2 - Motion (Smith - Zine) Adopted, Ayes (13); Absent: Alarcón and Reyes, (2)
(Item Nos. 19a-19b)**

ITEM NO. (19) - ADOPTED

[08-0235](#)

et al. FINAL MAPS in the various Council Districts.

Recommendation for Council action:

APPROVE the Final Maps and ADOPT the City Engineer Reports as detailed in the various listed Council files, including bonds, agreements, contracts and other related issues as specified:

[08-0235](#)

CD 7

- a. FINAL MAP OF TRACT NO. 63104 for property located at 12221 Pierce Street, lying northerly of Foothill Boulevard and southerly of Bromont Avenue.
(Bond No. C-116487)
(Quimby Fee: \$154,242)
Applicants: City Homes Corporation
Robert K. Kameoka

[10-0745](#)

CD 1

- b. FINAL MAP OF TRACT NO. 69335 for property located at 723 South Coronado Street, lying northwesterly of Coronado Street and southwesterly of Seventh Street.
(Bond No. C-116488)
Applicants: Los Angeles Housing Partnership, Inc
DCA Civil Engineering Group

Item for Which Public Hearing Has Been Held - Item 20

ITEM NO. (20) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #12 - Motion (Cárdenas - Smith) to Adopt as Amended, Ayes (11); Absent: Perry, Reyes, Wesson and President Garcetti (4)

[09-0600-S200](#)

INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT relative to cost savings and efficiencies for fleet maintenance and the feasibility of outsourcing fleet maintenance functions.

Recommendations for Council action:

1. ALLOW the Department of General Services (GSD), the Los Angeles Police Department (LAPD) and the Los Angeles Fire Department (LAFD) to continue to provide core fleet maintenance in each Department's respective maintenance facilities using staffing that remains assigned to the respective departments.
2. DIRECT the GSD, LAPD and LAFD to fully explore and report back the potential savings, efficiencies and impacts of consolidation of the following fleet functions:
 - a. Establish a common motor pool.
 - b. Share body shop estimates and repairs.
 - c. Consolidate the State mandated smog inspection program.
 - d. Share equipment-purchasing resources.
 - e. Consolidate safety and training resources.
 - f. Consolidate road call and towing functions.
 - g. Consolidate tire shop functions.
 - h. Consolidate warranty management.
 - i. Backfill future skilled positions from the Union Hiring Hall.
 - j. Explore labor exchange agreements.
 - k. Explore parts management.
3. DIRECT the City Administrative Officer (CAO), GSD, LAPD and LAFD to activate 90-day Authorities to hire back recent retirees; and, DIRECT the CAO to identify funding to support the 90-day contracts.
4. ESTABLISH a temporary freeze on Proprietary Department transfers of Fleet Services personnel from GSD, LAPD and LAFD.

5. DIRECT the GSD, LAPD, and LAFD to oversee an outsourcing study that will review the feasibility of outsourcing specific portions of fleet maintenance; and, DIRECT the CAO to identify funding to outsource the functions once the study is completed.
6. APPROVE the modification of language of existing contracts as described in Attachment 5 of the joint report attached to the Council file and as outlined in Section 1022 of the Charter of the City of Los Angeles, to provide for additional fleet services and to allow flexibility in how these services are to be completed; and, DIRECT the CAO to identify funding to pay for the additional services provided by the contract modifications.
7. DIRECT the GSD to work with E.J. Ward to evaluate cost of future expansion of the Fuel Automation System, which will include GPS and additional vehicle data, software, hardware and communication upgrades; and, DIRECT the CAO to identify funding to complete the upgrades.

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

Community Impact Statement: None submitted.

(Council referred this matter to the Information Technology and Government Affairs Committee on April 13, 2010)

ADOPTED

AMENDING MOTION (CARDENAS - SMITH)

Recommendation for Council action:

AMEND the Information Technology and Government Affairs Committee report (Item #20, Council file 09-0600-S200) as follows:

1. **DIRECT the City Administrative Officer (CAO) and Chief Legislative Analyst (CLA) to convene GSD, LAPD, LAFD and other departments as necessary, to report back to the Information Technology and Government Affairs/Budget and Finance Committees relative to efficiencies potential savings and operational impacts of consolidating any number of citywide fleet functions within 60 days on:**
 - a) **Consolidation of the State mandated smog inspection program.**
 - b) **CAO and CLA to report back with the costs for ongoing training, safety and regulatory requirements necessary to build capacity for Light and Heavy Mechanics in Council-Controlled Departments and proprietary departments as necessary.**
 - c) **Develop a formal process between GSD, LAPD and LAFD and other departments as needed with a detailed plan for the sharing of all body shop estimates and repairs.**
2. **DIRECT the CAO and CLA to convene GSD, LAPD, LAFD and other departments as necessary, to report back to the Information Technology and Government Affairs/Budget**

and Finance Committees relative to efficiencies potential savings and operational impacts of consolidating any number of citywide fleet functions within 90 days on:

- a) Best practices for equipment-purchasing resources and provide policy recommendations.
 - b) Overview of the warranty management function by department and recommendation for consolidation of warranty management.
3. DIRECT the CAO and CLA to convene GSD, LAPD, LAFD and other departments as necessary, to report back to the Information Technology and Government Affairs/Budget and Finance Committees relative to efficiencies potential savings and operational impacts of consolidating any number of citywide fleet functions within 120 days on:
- a) Feasibility of labor exchange agreements between departments as an alternative to contracting out these services.
 - b) The establishment of a Common Motor Pool
 - c) Consolidate road call and towing functions
 - d) Consolidate tire shop functions
 - e) Backfill future skilled positions from the Union Hiring Hall
 - f) Explore parts management
4. INSTRUCT the CAO and CLA to report back with policy recommendations to committee no later than the end of the contract period for the 90-day authorities.
5. DIRECT the CLA and CAO to review the scope of work prior to the finalization of contracts for all studies related to outsourcing and the development of utilization standards for citywide fleet operations.
6. DIRECT that the Director of IT Systems or their equivalent for LAPD, GSD, and LAFD be involved in the evaluation of information systems relative to fuel automation system, GPS, software, hardware and communication upgrades for each department.

Items for Which Public Hearings Have Not Been Held - Items 21-22

(10 Votes Required for Consideration)

ITEM NO. (21) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #13 - Motion (Parks - Smith) Adopted, Ayes (12); Absent: Reyes, Wesson and President Garcetti (3)

[10-0234](#)

COMMUNICATIONS FROM THE BOARD OF WATER AND POWER COMMISSIONERS AND CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to the transfer of surplus

money from the Power Revenue Fund of the Los Angeles Department of Water and Power (LADWP) to the City's Reserve Fund during Fiscal Year (FY) 2009-10.

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

1. CONCUR with the Board of Water and Power Commissioners' (Board) action of May 4, 2010, Resolution No. 010-313, consenting to the transfer of \$73,475,000 from the Power Revenue Fund to the City during FY 2009-10.
2. PRESENT and ADOPT the accompanying ORDINANCE directing the transfer of surplus money from the Power Revenue Fund of the LADWP to the Reserve Fund of the City of Los Angeles during FY 2009-10.

Fiscal Impact Statement: None submitted by the Board. 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 and Budget and Finance Committees waived consideration of the above matter)

ITEM NO. (22) - ADOPTED

Roll Call #5 - Motion (Koretz - Parks) Adopted, Ayes (13); Absent: Alarcón and Reyes (2)

[10-0759](#)

CD 5

FINAL MAP OF TRACT NO. 63113 for property located at 1001 Tiverton Avenue and 1000-70 Glendon Avenue, lying southerly of Wayburn Avenue.

(ADOPT City Engineer Report)

(Quimby Fee: \$1,347,150)

Applicants: Casden Glendon LLC

Mark D. Hardy

Item for Which Public Hearing Has Been Held - Item 23

ITEM NO. (23) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #14 - Motion (Huizar - Hahn) to Adopt as Amended, Ayes (10); Absent: Parks, Perry, Reyes, Wesson and President Garcetti (5)

[08-3167](#)

CONTINUED CONSIDERATION OF PUBLIC WORKS COMMITTEE REPORT relative to regulating restaurants wishing to engage in dining activities within the dedicated public right-of-way.

Recommendations for Council action:

1. APPROVE the Penalty Fee Proposal as detailed in Item No. 3 of the January 13, 2010 Bureau of Engineering (BOE) report, attached to the Council file, for charging penalty fees to repeat offenders.
2. DIRECT the BOE to conduct an annual review of the implemented Penalty Fee Proposal, as detailed above in Recommendation No. 1, and submit said annual review to Council.
3. DIRECT the BOE to submit all parking issues arising out of dining activities, as detailed in the January 13, 2010 report, attached to the Council file, to the Department of City Planning for further review and analysis.

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

Community Impact Statement: None submitted.

ADOPTED

AMENDING MOTION (HUIZAR - HAHN)

REQUEST the City Attorney to prepare an ordinance for City Council approval to AMEND Section 62.12118.2 of the Los Angeles Municipal Code as proposed in Item No. 3, the penalty fee proposal, of the January 13, 2010 Bureau of Engineering report.

MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR TUESDAY, MAY 11, 2010, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

ADOPTED - FORTHWITH

Roll Call #17 - Motion (Krekorian - Smith) Findings on Need to Act - Adopted, Ayes (10); Absent: Parks, Perry, Reyes, Wesson and President Garcetti (5)

Roll Call #18 - Motion (Krekorian - Smith) Adopted, Ayes (10); Absent: Parks, Perry, Reyes, Wesson and President Garcetti (5)

10-0789

MOTION (KREKORIAN - SMITH) relative to authorizing the Bureau of Engineering to immediately solicit a task order proposal for a licensed biologist.

Recommendations for Council action:

1. AUTHORIZE the Bureau of Engineering to immediately solicit a task order proposal for a licensed biologist and for an amount up to \$54,000 and subsequently award and execute the contract to conduct the study that is required by the US Army Corps permit for the work within the Tujunga Wash channel, with the understanding and as a condition of the contract that payment for services performed in Fiscal Year 2009-10 will be made retroactively on or after July 1, 2010, when and if appropriated funds become

available for use on this project.

2. **INSTRUCT** the Bureau of Engineering to document all costs associated with this project and seek additional disaster assistance funding and reimbursements where available.
3. **AUTHORIZE** the City Administrative Officer to make technical corrections as necessary to implement any instruction involving funding in order to implement the intent of this Motion.

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

[09-0010-S1](#)

MOTION (PERRY - PARKS) relative to reinstating the reward offer in the death of Royce Miles for an additional six months.

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

[10-0788](#)

RESOLUTION (LABONGE - HAHN) relative to declaring May 18, 2010, as John Fogerty Day in the City of Los Angeles.

[10-0810](#)

RESOLUTION (PERRY - PARKS - KREKORIAN - ET AL.) relative to declaring the week of May 16, through May 22, 2010, as Steven B. & Kathryn Sample week in the City of Los Angeles.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Motion (Zine - Perry) unanimously adopted to excuse Council President Garcetti from Council session of Wednesday, May 19, 2010 due to City Business.

Upon his request, and without objections, Councilmember Cárdenas was excused to arrive late to Council sessions of Thursday, May 20 and Friday, May 21, 2010 both due to City Business.

Upon his request, and without objections, Councilmember Wesson was excused from Council session of Friday, June 4, 2010 due to Personal Business.

Upon his request, and without objections, Council President Garcetti was excused to leave at 12:00 p.m. from Council session of Wednesday, June 2, 2010 due to City Business.

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

[10-0003-S1](#) - Alfredo Patino

(Krekorian)

Michael Anthony Nizetich

(Hahn)

William "Bill" Elkins Jr.

(Perry)

Lena Mary Calhoun Horne

(Perry - All Councilmembers)

Councilmember Larry R. Nelson Sr.

(Parks - All Councilmembers)

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL