

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **May 12, 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: Hahn, Huizar, Koretz, LaBonge, Parks, Perry, Reyes, Smith, Wesson and President Garcetti (10); Absent: Alarcón, Cárdenas, Krekorian, Rosendahl and Zine (5)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
MAY 7, 2010

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 18

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 1-10

ITEM NO. (1) - ADOPTED - TO THE MAYOR FORTHWITH - SEE FOLLOWING

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

[09-2738](#)

COMMUNICATION FROM THE L.A. FOR KIDS STEERING COMMITTEE, RESOLUTION and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to the proposed 2010-11 Proposition K Assessment.

(Arts, Parks, Health and Aging Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

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

ADOPTED

COMMUNICATION FROM THE CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE, RESOLUTION and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to the proposed 2010-11 Proposition K Assessment.

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

- 1. ADOPT the City Engineer's report for the 2010-11 Proposition K Assessment (Attachment 10 of the L.A. for Kids Steering Committee report dated April 21, 2010 contained in Council file No. 09-2738).**
- 2. ADOPT the accompanying RESOLUTION of Intention to levy an assessment authorized by Proposition K, pursuant to the Landscaping and Lighting Act of 1972 (Attachment 11).**
- 3. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION to levy an assessment authorized by Proposition K, pursuant to the Landscaping and Lighting Act of 1972 (Attachment 12).**
- 4. APPROVE the 2009-10 Proposition K Maintenance awards totaling \$3.02 million, which includes \$2.57 million in 2009-10 assessment funds and the reprogramming of \$453,108 in surplus maintenance funds remaining from prior allocations of 2004-05 and 2007-08 assessment monies (Attachment 9).**
- 5. APPROVE reprogramming of 2009-10 project allocations as reflected in report Attachment 1 and Attachment 13.**
- 6. AUTHORIZE the City Engineer to execute or amend grant agreements with Proposition K grantees that are recommended for 2009-10 project allocations (Attachment 1), as needed to effectuate the 2009-10 maintenance awards and reprogramming actions, subject to approval of the City Attorney.**
- 7. AUTHORIZE the Controller to:**
 - a. Adjust accounts to reflect the 2009-10 maintenance awards and reprogramming actions in the following funds, pursuant to instructions to be provided by the City Administrative Officer (CAO): Proposition K Projects Fund No. 43K, Proposition K Maintenance Fund No. 43L and Proposition K Administration Fund No. 43M.**
 - b. Transfer \$3,109,731 in Proposition K interest earnings (Revenue Code No. 4403) to the Parks Assessment Fund No. 698 cash balance, to offset the cumulative shortfall in program collections, and transfer cash therefrom in the established ratios to the following funds: Proposition K Projects Fund No. 43K; Proposition K Maintenance Fund No. 43L; and, Proposition K Administration Fund No. 43M.**
- 8. INSTRUCT the City Clerk to publish notice by May 21, 2010 of a public hearing to take place on June 2, 2010, at 10:00 A.M. during the regular Council meeting.**
- 9. INSTRUCT the City Clerk to set an agenda item for public hearing on the Council agenda for JUNE 2, 2010 to include the following actions:**

- a. With respect to the projects in List 1 of Attachment 8:
- 1) **FIND THAT** each of these projects is **STATUTORILY OR CATEGORICALLY** exempt from the California Environmental Quality Act (CEQA) under the particular State and City CEQA Guidelines.
 - 2) **DIRECT** the Department of Recreation and Parks (RAP) and/or the Bureau of Engineering (BOE) to prepare Notice(s) of Exemption or Notice(s) of Determination reflecting Council's actions and file such notices with the City and County Clerks within five working days of the City Council's final action confirming the 2010-11 Assessment and Engineer's Report.
- b. With respect to the projects in List 3 of Attachment 8:
- ACKNOWLEDGE** that the City Council's action is exempt from CEQA under Article II, section 2.i of the City's CEQA guidelines, because the underlying project has already been evaluated and processed in accordance with the City CEQA Guidelines.
- c. With respect to the projects in List 5 of Attachment 8:
- FIND** that these are projects that may be considered for funding after CEQA compliance. No further action is required at this time.
- d. **ADOPT** the ordinance prepared and transmitted by the City Attorney, confirming the assessments and approving the assessment diagram for Fiscal Year 2010-11.
- e. **INSTRUCT** the City Engineer to record a Notice of Assessment with the County Recorder.
- f. **APPROVE** the 2010-11 Five Year Plan for the L.A. for Kids Program and related schedules, as set forth in Attachments 1, 2, 3, 4 and 7.
- g. **APPROVE** the 2010-11 allocation of administrative funds up to the following amounts within Proposition K Fund 43M:
- | <u>Department</u> | <u>Amount</u> |
|-------------------------------|------------------|
| PW/Bureau of Engineering | \$278,083 |
| PW/Board/Office of Accounting | 136,457 |
| Office of the CAO | 97,000 |
| Office of the CLA | <u>33,356</u> |
| | \$544,896 |
- h. **INSTRUCT** the Information Technology Agency (ITA) to prepare and transmit the necessary computer tape or compact disk, as appropriate, to the County containing the assessment levy information confirmed by the City Council for Fiscal Year 2010-11 for each parcel in the Assessment District.

- i. **AUTHORIZE the City Engineer to negotiate and execute Proposition K grant agreements with grantees that are recommended for 2010-11 project allocations (Attachment 1), excluding projects from the RAP and Bureau of Street Lighting, subject to approval of the City Attorney.**

- j. **AUTHORIZE the Controller to:**
 - 1) **Set up accounts for the 2010-11 Proposition K assessment in the following Funds pursuant to instructions to be provided by the CAO: Proposition K Projects Fund No. 43K; Proposition K Maintenance Fund No. 43L; and, Proposition K Administration Fund No. 43M.**

 - 2) **Increase the 2010-11 appropriations for the ITA by \$50,000 from Proposition K Fund 43K/10, Account No. (TBD) - ITA to Fund 100/32, Account 9350 - Communication Service Request.**

 - 3) **Transfer cash from Proposition K on as-needed basis upon proper documentation from the ITA and approval by the BOE Program Managers and the CAO.**

- k. **INSTRUCT the City Engineer, CAO, Chief Legislative Analyst and Board of Public Works, Office of Accounting to submit journal voucher requests supported by documentation of work order charges for program administrative and project construction management staffing costs to the CAO.**

- l. **INSTRUCT the Department of General Services to submit expenditure reports to BOE, the RAP and the CAO on a monthly basis.**

- m. **AUTHORIZE the City Engineer to make technical corrections to the City Engineer's Report to reflect the intent of this Council action.**

Fiscal Impact Statement: The L.A. for Kids Steering Committee reports that adoption of an Ordinance and Resolution of Intention to levy the Proposition K: LA. for Kids Assessment for Fiscal Year 2010-11 indicates the Council's intention to levy assessments totaling \$25 million to acquire and construct park and recreational facilities. The assessment can only be used for capital improvements, acquisition of land, program administration and maintenance. The cost of operating Proposition K projects as they are completed in future years will be funded by the annual operating budget adopted for City departments and with independent funding for projects operated by external entities.

As the result of a program reconciliation and the availability of unexpended capital funds for completed projects that were fully funded during the first ten program years, the General Fund will receive unanticipated current-year revenues totaling \$13.1 million in Proposition K funds for reimbursement of project delivery costs incurred in prior years. An additional \$6.36 million in ongoing and one-time sources of Proposition K monies is programmed in the 2010-11 City Budget to partially offset costs of program administration, project delivery and maintenance of completed projects. Additional reimbursements may be identified during 2011-12 as projects are completed and savings are identified.

The RAP reports the annual impact on the General Fund as \$6.97 million once active Proposition K projects currently in various stages of development become operational over future years, which includes \$3.71 million for maintenance and \$3.26 million for operations (Attachments 5 and 6). Although program funds cannot be used on City operations, the General Fund impact for completed projects will be offset by Proposition K maintenance funding. The proposed 2009-10 maintenance award for RAP projects totals \$2.2 million, which includes one time funding from unspent prior year funds.

Community Impact Statement: None submitted.

ITEM NO. (2) - ADOPTED - SEE FOLLOWING

Roll Call #7 - Motion (LaBonge - Reyes) Adopted, Ayes (13); Absent: Krekorian and Wesson (2)

[10-0598](#)

COMMUNICATION FROM THE LOS ANGELES DEPARTMENT OF AGING relative to mid-year financial adjustments to senior services contracts for Fiscal Year (FY) 2009-10 and technical adjustments to the FY 2009-10 Health Insurance Counseling and Advocacy Program.

(Arts, Parks, Health and Aging Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

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

ADOPTED

COMMUNICATION FROM THE CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to mid-year financial adjustments to senior services contracts for Fiscal Year (FY) 2009-10 and technical adjustments to the FY 2009-10 Health Insurance Counseling and Advocacy Program (HICAP).

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

- 1. AUTHORIZE the General Manager, Los Angeles Department of Aging (LADOA), or designee to:**
 - a. Negotiate and execute contract amendments to FY 2009-2010 senior services' contracts, through the redistribution of funds and revised contractors' allocations identified herein, as shown in Table 1 of the LADOA report attached to the Council file; and subject to the review and approval of the City Attorney as to form and legality.**
 - b. Allocate One-Time-Only funds allocated under the different OAA Title III programs, and distribute among the various service providers.**
 - c. Amend the contractors' units of service to reflect funding changes in the amendments.**

2. **AUTHORIZE the Controller to disburse funds to the recommended service providers upon submission of proper demand from the General Manager of the LADOA.**
3. **AUTHORIZE the Controller to increase the appropriations within the HICAP Fund Number 47Y as follows: Account F201, Account Title HICAP, Amount \$4,890.**
4. **AUTHORIZE the General Manager of LADOA to prepare Controller's instructions and any necessary technical adjustments that are consistent with the Mayor and Council actions, subject to the approval of the City Administrative Officer, and AUTHORIZE the City Controller to implement those instructions.**

Fiscal Impact Statement: The LADOA reports that the above recommendations only involve the redistribution of existing budgeted Title III Grant funds, the allocation of Aging Trust funds, and One-Time-Only funds. There is no additional impact to the City General Fund.

Community Impact Statement: None submitted.

ITEM NO. (3) - ADOPTED - FORTHWITH - SEE FOLLOWING

Roll Call #1 - Motion (LaBonge - Cárdenas) Adopted, Ayes (11); Absent: Alarcón, Krekorian, Rosendahl and Zine (4)

[10-0675](#)

CD 6

COMMUNICATION FROM THE L.A. FOR KIDS STEERING COMMITTEE relative to a finding regarding a portion of the skateboard park of the Southeast San Fernando Valley Roller and Skateboard Rink regional project.

(Arts, Parks, Health and Aging Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

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

ADOPTED

COMMUNICATION FROM THE CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to a finding regarding the skateboard park portion of the Southeast San Fernando Valley Roller and Skateboard Rink regional project.

Recommendation for Council action:

FIND that the skateboard park portion of the Southeast San Fernando Valley Roller and Skateboard Rink regional project, which is proposed to be located at 12477-12511 Sheldon Street in the community of Sun Valley - LaTuna Canyon, will substantially serve youth from the Southeast San Fernando Valley and thereby satisfy the intent of the Proposition K Ballot Measure.

Fiscal Impact Statement: The L.A. for Kids Steering Committee reports that upon project completion, there is a potential impact to the General Fund for the cost of maintenance and operations which is not yet quantified.

Community Impact Statement: None submitted.

ITEM NO. (4) - ADOPTED - SEE FOLLOWING

Roll Call #2 - Motion (Wesson - Reyes) Adopted, Ayes (11); Absent: Alarcón, Krekorian, Rosendahl and Zine (4)

[09-2665](#)

CDs 1,8 &10

COMMUNICATION FROM THE COMMUNITY DEVELOPMENT DEPARTMENT relative to the status of the Wattstar Theatre and Educational Center Project and a request to fund predevelopment costs and related actions.

(Housing, Community and Economic Development Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

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

ADOPTED

COMMUNICATION FROM CHAIR, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE, relative to the status of the Wattstar Theater and Education Center Project (Project) and a request to fund predevelopment costs and related actions.

Recommendations for Council action:

- 1. AUTHORIZE the General Manager, Community Development Department (CDD), or designee, to disburse up to \$562,657 in Community Development Block Grant (CDBG) funds to Watts Cinema Education Center, Inc. (Contractor), consistent with the First Amendment to Agreement No. C-112186, between the City and the Contractor, for predevelopment costs incurred for the Project. (Payment of additional CDBG costs to the Contractor is subject to eligibility determination and pre-approval by the CDD.)**
- 2. AUTHORIZE the CDD to obtain semi-annual performance reports and results relative to the Project from the Contractor beginning June 15, 2010.**
- 3. INSTRUCT the Community Redevelopment Agency and the CDD to report back to the Mayor and Council semi-annually on the performance of the Contractor and progress toward securing funding sources for the development budget and status of performance schedule on the Project beginning July 1, 2010.**

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact to the General Fund. The funding for predevelopment costs relative to the Project were previously approved by Mayor and Council from CDBG funds in the Housing and Urban Development Consolidated Plan (Con Plan). The recommendations in this report comply with the City's Financial Policies because funds have been budgeted in the Con Plan for this purpose.

Community Impact Statement: None submitted.

**Roll Call #3 - Motion (LaBonge - Wesson) Adopted, Ayes (11); Absent: Alarcón, Krekorian, Rosendahl and Zine (4)
(Item Nos. 5-7)**

ITEM NO. (5) - ADOPTED

[10-0121-S1](#)

CD 9

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to negotiating and executing a City Loan Agreement (City Loan) in an amount up to \$2.2 million to assist the Pacific Center Place Project (Project), an industrial complex located at 812 East 59th Street 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 the amount of \$2.2 million 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, to borrow \$2.2 million pursuant to the Section 108 Loan Guarantee Program for a City Loan toward the Project, if this remains feasible, subject to the review of the City Attorney as to form and legality.

- b. Negotiate and execute City Loans financed with Section 108 Loan proceeds in the amount of \$2.2 million for the Project and all related documents, which will obligate Pacific Center Place, LLC (Borrower/Developer), to repay the City Loan, if this remains feasible, subject to the review of the City Attorney as to form and legality and compliance with the requirements of the Code of Federal Regulations and City's contracting requirements.
 - c. Negotiate and execute an amendment to Implementation Agreement No. Four of the Master Reprogramming Agreement (Contract No. 111242) with the Community Redevelopment Agency, with assistance from the Chief Legislative Analyst and City Administrative Officer (CAO), to explore options to repay a \$2,566,270.68 Community Development Block Grant (CDBG) loan provided for acquisition of the Project site, including modified repayment terms or repayment if the project is sold or transferred, 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 CAO, and authorize the Controller to implement those instructions.
4. INSTRUCT the General Manager, CDD, or designee, to:
- a. Report back to the Council and Mayor within 90 days with a status report on current and pending CDBG loans including a comprehensive evaluation of such loans that may require conversion to grants and recommendations to mitigate the impact to the loss of the program income to the CDBG program.
 - b. Report back to the Council and Mayor on establishing a minimum owner equity contribution for projects.
5. AUTHORIZE the Controller to establish a new account F412, titled Pacific Center Place Project within the Section 108 Fund 43F and APPROPRIATE and EXPEND funds in the amount of up to \$2.2 million upon proper demand of the General Manager, CDD, or designee.

Fiscal Impact Statement: The CAO reports that there is no General Fund impact. Pursuant to Recommendation No. 2 of the CAO report dated April 21, 2010, the City's total investment in the Project is \$2.2 million from the proceeds of a Section 108 Loan Guarantee. The City Loan will generate program income through a front-end fee of \$27,500 when the City Loan is disbursed. Collateral and debt service obligations on the City loan, as funded by Section 108 loan are the sole responsibility of the borrower and are secured by City liens on the project to prevent any impact on City grant resources. Section 108 proceeds are ultimately guaranteed with future CDBG allocations to the City from HUD. The recommendations comply with the City Financial Policies in that loan proceeds are comprised entirely of federal funds and require no obligation of General Funds.

Community Impact Statement: None submitted.

ITEM NO. (6) - ADOPTED

[10-0548](#)

CD 14

CONTINUED CONSIDERATION OF HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the sale of a promissory note and trust deed to Bordan Shoe Company, Inc./Joseph F. Farivar (Bordan), in the amount of \$700,000, for vacant property located at 4300 Hatfield Place (Property).

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to:

- a. Sell a promissory note secured by a deed of trust on the Property in the amount of \$700,000 to Bordan.
- b. Execute a purchase and sales agreement for the subject promissory note, subject to the review of the City Attorney as to form and legality.
- c. Remove the covenant agreement regarding the provision of residential housing from the Property.
- d. Increase funding by \$700,000 for Work Objective CW1500 (Bunker Hill Replacement Housing Trust Fund) and amend the CRA's Fiscal Year 2010 Work Program and Budget accordingly.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the General Fund. The City's Financial Policies are not applicable to the CRA. The CRA is bound only by the disclosure provisions of the City's Debt Management Policies. Approval of the recommendation will result in the sale of the CRA's interest in property at 4300 Hatfield Place and removal of the original covenant agreement relative to that property.

Community Impact Statement: None submitted.

(Continued from Council meeting of May 5, 2010)

ITEM NO. (7) - ADOPTED

[10-0644](#)

CD 9

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to an Acquisition Loan Agreement with Single Room Occupancy Housing Corporation (SRO Housing), in an amount not to exceed \$5 million, for the Rosslyn Hotel located at 112 West Fifth Street.

Recommendations for Council action:

1. AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to execute an Acquisition Loan Agreement in an amount not to exceed \$5 million with SRO Housing and to take such other actions as may be necessary to carry out the Acquisition Loan Agreement, subject to the review of the City Attorney as to form and legality.
2. WAIVE Section 8.04 of the CRA Housing Policy which requires that acquisition loans be secured by a first deed of trust on the property.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the General Fund. As proposed, the CRA will use \$5 million in City Center Redevelopment Project Area Low and Moderate Income Housing Funds to pay for a portion of the \$12.1 million which is the acquisition cost of the Rosslyn Hotel. 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. (8) - ADOPTED - FORTHWITH

Roll Call #9 - Motion (Reyes - Huizar) Adopted, Ayes (12); Absent: Krekorian, Wesson and President Garcetti (3)

08-2070

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a proposed ordinance regarding the proliferation of abandoned shopping carts on City streets and other locations.

Recommendations for Council action, as initiated by Motion (Cárdenas - Smith - Perry):

1. REQUEST the City Attorney to prepare and present a citywide ordinance, in consultation with the Planning Department, to prohibit the proliferation of abandoned shopping carts for only new developments and major remodels.
2. INSTRUCT the Bureau of Sanitation, in consultation with the City Administrative Officer (CAO) and the Planning Department, to prepare an abandoned shopping cart fee study to determine the feasibility of enacting an ordinance that would apply to existing businesses, with an analysis of the following: a) The total number of merchants that would qualify for the program; b) a nexus explanation for the fees proposed; c) the purpose of the program; d) the services the program provides; and, e) the repayment schedule based on the assessed fee.

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 #3 - Motion (LaBonge - Wesson) Adopted, Ayes (11); Absent: Alarcón, Krekorian, Rosendahl and Zine (4)
(Item Nos. 9-10)**

ITEM NO. (9) - ADOPTED

[10-0589](#)

CD 14

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the inclusion of the Gless Farmhouse located at 131 South Boyle Avenue 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 Gless Farmhouse located at 131 South Boyle Avenue in the list of Historic-Cultural Monuments.

Applicant: Diana O. Ybarra

CHC 2010-71 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 - JUNE 30, 2010

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

ITEM NO. (10) - ADOPTED

[10-0590](#)

CD 11

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the inclusion of the Barsha House located at 302 North Mesa Road 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 Barsha House located at 302 North Mesa Road in the list of Historic-Cultural Monuments.

Applicant/Owner: Scott Lander (Vanessa Withers, Representative)

CHC 2010-80 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 - JUNE 30, 2010

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

Items for Which Public Hearings Have Not Been Held - Items 11-14

(10 Votes Required for Consideration)

ITEM NO. (11) - ADOPTED

Roll Call #6 - Motion (Huizar - Rosendahl) Adopted, Ayes (14); Absent: Krekorian (1)

[10-0731](#)

COMMUNICATIONS FROM THE MAYOR relative to the appointment of Mr. Steven T. Nutter to the Board of Public Works.

Recommendations for Council action:

1. RESOLVE that the Mayor's appointment of Mr. Steven T. Nutter to the Board of Public Works for the term ending June 30, 2010 to fill the vacancy created by the resignation of Ms. Julie Gutman, is APPROVED and CONFIRMED. Mr. Nutter resides in Council District 11.
2. RESOLVE that the Mayor's reappointment of Mr. Steven T. Nutter to the Board of Public Works for the term ending June 30, 2015, is APPROVED and CONFIRMED.

Ethics Commission Review: Pending

Background Check Review: Pending

Community Impact Statement: None submitted.

TIME LIMIT FILE - JUNE 19, 2010

(LAST DAY FOR COUNCIL ACTION - JUNE 18, 2010)

(Public Works Committee waived consideration of the above matter)

ITEM NO. (12) - ADOPTED

Roll Call #10 - Motion (Huizar - Rosendahl) Adopted, Ayes (10); Absent: Hahn, Krekorian, Reyes, Wesson and President Garcetti (5)

[10-0490](#)

CD 14

CONSIDERATION OF MOTION (HUIZAR - ROSENDAHL) and RESOLUTION relative to a Caltrans grant award for the development of the "Eagle Rock Complete Street and Revitalization Plan."

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

ADOPT the accompanying RESOLUTION, and AUTHORIZE the Los Angeles Department of Transportation to apply for, and execute, a Caltrans Fiscal Year 2010-11 Community-based Transit Planning grant award in the amount of \$180,000 for the development of the "Eagle Rock Complete Street and Revitalization Plan."

Community Impact Statement: None submitted.

(Transportation Committee waived consideration of the above matter)

ITEM NO. (13) - ADOPTED AS AMENDED - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #8 - Motion (Reyes - Hahn) to Adopt as Amended, Ayes (13); Noes: Smith (1); Absent: Krekorian (1)

[10-0002-S36](#)

CONSIDERATION OF RESOLUTION (REYES - HAHN - GARCETTI - ET AL.) relative to the City's position in connection with Arizona's SB 1070 (Support Our Law Enforcement and Safe Neighborhoods Act).

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

ADOPT the accompanying RESOLUTION that the City of Los Angeles:

- a. Refrain from conducting business with the State of Arizona including participating in any conventions or other business that requires City resources, unless SB 1070 (Support Our Law Enforcement and Safe Neighborhoods Act) is repealed.
- b. Include in the City's 2009-10 Federal Legislative Program OPPOSITION to any budgetary action or legislation, including immigration policy, that promotes racial profiling or discrimination based on race, ethnicity or national origin.

Community Impact Statement: None submitted.

(Information Technology and Government Affairs Committee waived consideration of the above matter)

ADOPTED

MOTION (REYES - HAHN)

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

- 1. ADOPT the accompanying Revised RESOLUTION which provides that the City include in its 2009-10 Federal Legislative Program OPPOSITION to federal funds that support the implementation of Arizona SB 1070 and HB 2162, which promote racial profiling, discrimination and harassment.**
- 2. SUSPEND all City travel to the State of Arizona to conduct City business unless special circumstances can be demonstrated to the Council that the failure to authorize such travel would seriously harm City interests, with this ban lifted upon the repeal of SB 1070 and HB 2162 in the State of Arizona.**
- 3. DIRECT all City Departments, to the extent practicable, and in instances where there is no significant additional cost to the City nor conflict with the law, to refrain from entering into any new or amended contracts to purchase goods or services from any company that is headquartered in Arizona.**
- 4. INSTRUCT the City Administrative Officer (CAO) to review the terms of all contracts with Arizona-based companies and report to Council in one week on which of those contracts can be legally terminated immediately.**
- 5. REQUEST the City Attorney to prepare and present an ordinance to accomplish the following purpose:**

The City of Los Angeles in exercising its power to make economic decisions as a participant in the market shall restrict, to the extent permissible and consistent with the City's interests, its contracting relative to goods and services to persons or entities which are not based in the State of Arizona, subject to review by the City Attorney and CAO.

- 6. INSTRUCT the CLA to continue to monitor the status of SB 1070 and HB 2162 any court actions and report to Council in 60 days.**

ADOPTED

AMENDING MOTION (ALARCON - PARKS)

Recommendation for Council action:

INSTRUCT the Chief Legislative Analyst and the City Administrative Officer, in cooperation with the City's economic development departments, agencies, and other entities, to develop and present a plan, within 30 days, to the Jobs and Business Development Committee to offer a package of incentives to firms domiciled in Arizona that wish to relocate to Los Angeles. The plan shall include at least the following:

- a. Reduced city gross receipts tax for a limited period
- b. Relocation assistance
- c. Tax credits and other benefits
- d. Employee training programs
- e. Reduced utility rates
- f. Reduced land use, and other city permit fees
- g. Expedited permits process
- h. City of Los Angeles outreach plan to identify and assist Arizona businesses interested in re-locating to Los Angeles

ADOPTED

AMENDING MOTION (REYES - HAHN)

Recommendation for Council action:

REQUEST the Boards of Commissioners of Airports, Harbor and Water and Power, as well as the Board of Commissioners of the Community Redevelopment Agency to place on their respective agendas for consideration the matter pertaining to contracts to purchase goods or services from firms, business and other entities headquartered in Arizona; and to review existing contracts with such firms for the feasibility of legally terminating such contracts.

ADOPTED

AMENDING MOTION (ZINE - GARCETTI)

Recommendation for Council action:

REQUEST LA Inc. and the Convention Bureau to contact firms, organizations or other entities with conventions slated for Arizona to encourage them and to offer incentives to move those conventions to the City of Los Angeles.

ADOPTED

AMENDING MOTION (KORETZ - HUIZAR)

Recommendation for Council action:

INCLUDE opposition to two additional recently enacted Arizona legislation or policy as part of the City's stated legislative position: HB 2281 Ethnic Studies Law, which prohibits separate offering separate ethnic studies courses in schools and the Arizona Board of Education's policy regarding stringent English language proficiency standards for teachers of English as a Second Language.

ITEM NO. (14) - SUBSTITUTE MOTION ADOPTED IN LIEU OF ORIGINAL MOTION - SEE FOLLOWING

Roll Call #11 - Motion (Perry - Parks) to Adopt Substitute Motion, Ayes (10); Absent: Hahn, Krekorian, Reyes, Wesson and President Garcetti (5)

[08-1013-S2](#)

MOTION (PERRY - ZINE) relative to funding for services in connection with the May 6, 2010, Council District Nine Los Angeles African American Women's Public Policy Institute (LAAAWPPI) Reception in the City Hall Rotunda.

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

APPROPRIATE \$636 from the Reserve Fund to the Unappropriated Balance Fund No. 100/58 to the General Services Fund No. 100/40, as follows: \$464 to Account No. 1070 (Salaries - As Needed) and \$172 to Account No. 1090 (Salaries - Overtime) for services in connection with the May 6, 2010, Council District Nine LAAAWPPI Reception in the City Hall Rotunda - said funds to be reimbursed to the General Fund by LAAAWPPI.

ADOPTED

SUBSTITUTE MOTION (PERRY - PARKS)

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

APPROPRIATE \$638 from the Reserve Fund to the Unappropriated Balance Fund No. 100/58 to the General Services Fund No. 100/40, as follows: \$464 to Account No. 1070 (Salaries - As Needed) and \$174 to Account No. 1090 (Salaries - Overtime) for services in connection with the May 6, 2010, Council District Nine LAAAWPPI Reception in the City Hall Rotunda - said funds to be reimbursed to the General Fund by LAAAWPPI.

Closed Session - Item 15

ITEM NO. (15) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #12 - Motion (Parks - Smith) Adopted in Open Session, Ayes (10); Absent: Hahn, Krekorian, Reyes, Wesson and President Garcetti (5)

[10-0328](#)

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 Luis Navarrete, et al, v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BS118424. (This matter involves a Writ of Administrative Mandate and subsequent appeal wherein an award of attorney's fees was made.)

(Public Safety Committee considered the above matter in Closed Session at its meeting held April 5, 2010)

(Continued from Council meeting of May 5, 2010)

ADOPTED

MOTION (PARKS - SMITH)

Recommendation for Council action:

ADOPT the following recommendation of the City Attorney:

INSTRUCT the Los Angeles Police Department to modify the TEAMS II Use of Force database to include the Board of Rights determination where an officer's use of force is deemed Administrative Disapproval by the Police Commission, but the officer is later found Not Guilty by a Board of Rights - e.g., "Administrative Disapproval - Board of Rights Not Guilty."

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

[09-1261](#)

MOTION (HAHN - LABONGE) relative to amending prior Council action of May 27, 2009, the Relinquishment of Gaffey Street.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[10-0004-S1](#) - Police Officer II Robert A. Cadena

Garcetti - All Councilmembers

Armenian Relief Society of Western U.S.A., Inc.,
Regional Executive

Koretz for Krekorian - All Councilmembers

Fill the Boot campaign

Cárdenas - All Councilmembers

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

[10-0003-S1](#) - Reverend Earl Green

Parks

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL