

Los Angeles City Council, **Journal/Council Proceedings**
Friday, **May 21, 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, Koretz, LaBonge, Parks, Perry, Rosendahl, Wesson, Zine and President Garcetti (10); Absent: Alarcón, Huizar, Krekorian, Reyes and Smith (5)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
MAY 18, 2010

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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

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

Items Noticed for Public Hearing - Items 1-4

**ITEM NO. (1) - PUBLIC HEARING CLOSED - ADOPTED, AS AMENDED -TO THE MAYOR FORTHWITH -
SEE FOLLOWING**

Roll Call #13 - Motion (Garcetti - Reyes) to Adopt as Amended, Ayes (14); Absent: Parks (1)

[09-0365](#)

GENERAL EXEMPTION, COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to creating the City's Foreclosure Registry Program and simultaneously amending the Los Angeles Municipal Code (LAMC) to allow the Department of Building and Safety to collect penalties commensurate with the maximum amount authorized by Civil Code Section 2929.3 for violations of LAMC Section 98.0701, et seq.

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

1. FIND that adoption of this ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15378 (b) (4) of the State CEQA Guidelines and Article II, Section 2(m) of the City's CEQA Guidelines because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

2. PRESENT and ADOPT the accompanying ORDINANCE adding Article 4 to Chapter XVI of the LAMC to establish a Foreclosure Registry Program as a mechanism to protect residential neighborhoods from becoming blighted through the lack of adequate maintenance and security of abandoned properties as a result of the foreclosure crisis; and, amending Sections 98.0716 and 98.0717 of the LAMC to increase the civil penalty for violations of LAMC Sections 98.0701, et seq., which regulate the maintenance and security of vacant buildings.

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

Community Impact Statement: None submitted.

(Housing, Community and Economic Development Committee waived consideration of the above matter)

ADOPTED

AMENDING MOTION (GARCETTI - REYES)

Recommendation for Council action:

INSTRUCT the City Attorney, with the assistance of the Los Angeles Housing Department (LAHD), to present an ordinance that provides LAHD the authority to collect unpaid fees and penalties through liens recorded against the subject property.

ADOPTED

AMENDING MOTION (WESSON - GARCETTI - REYES)

Recommendation for Council action:

ADD a 12th paragraph to Section 164.04 of the proposed ordinance to read as follows:

If the Los Angeles Housing Department (LAHD) determines that the beneficiary and/or trustee has failed to comply with this section, LAHD shall notify the beneficiary and/or trustee at the last known address as provided in Section 161.409 of the failure to comply with this section. If the beneficiary and/or trustee fails to comply with this section within 30 days of LAHD's notification, the beneficiary and/or trustee shall pay a penalty in the amount of \$250 per day for each day subsequent to LAHD's notification. Penalties imposed for this ordinance shall not exceed \$100,000 for each property.

**Roll Call #1 - Motion (Wesson - Parks) Adopted, Ayes (10); Absent: Alarcón, Huizar, Krekorian, Reyes and Smith (5)
(Item Nos. 2-3)**

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

[10-0549](#)

CD 4

COMMUNICATION FROM CHAIR, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE and RESOLUTIONS relative to a Disposition and Development Agreement (DDA) with NoHo Senior Artists Colony and various actions concerning a proposed 126-unit mixed-income senior housing development and performance theatre located at 10747 West Magnolia Boulevard (Site).

Recommendations for Council action:

1. HOLD a Public Hearing pursuant to California Health & Safety Code Sections 33431 and 33433 regarding the acquisition and concurrent disposition of the Site.
2. ADOPT the accompanying Joint RESOLUTION [attached to the Community Redevelopment Agency (CRA) report dated April 1, 2010] authorizing the acquisition and concurrent disposition of the Site pursuant to, and making findings required by, Section 33433 of the California Health & Safety Code.
3. ADOPT the accompanying Subordination RESOLUTION (attached to the CRA report dated April 1, 2010) making the findings that an economically feasible alternative financing on substantially comparable terms is not reasonably achievable without subordination of the CRA Agreement Containing Covenants to FHA insured 221 (d)4 loan and U.S. Department of Housing and Urban Development (HUD) Regulatory Agreement.
4. AMEND the North Hollywood Redevelopment Project Fiscal Year 2010 Budget and Work Program to transfer \$900,000 from budgeted line item "Development Opportunities" and \$100,000 from budgeted line item "Commercial Development" for a total of \$1,000,000 to budgeted line item "Housing."
5. AUTHORIZE the Chief Executive Officer, CRA, or designee, to:
 - a. Execute a DDA, and all related documents, and to take such other actions as indicated herein as they are necessary to administer the DDA, with NoHo Senior Artists Colony, LLC, and NoHo Senior Artists Colony, LP, not less than 30 days from the adoption of the Replacement Housing Plan, to acquire the Site for \$5,800,000 and to make a loan in an amount up to \$800,000 to be funded after construction loan closing for reimbursement of relocation and predevelopment expenses, for the development of a senior housing project incorporating a performance theatre, subject to the review of the City Attorney as to form and legality.
 - b. Execute a Ground Lease, and all related documents, and to take such other actions as indicated herein as they are necessary to administer the Ground Lease with NoHo Senior Artists Colony, LP, for the land located at the Site for the development of a senior housing project incorporating a performance theatre, subject to the review of the City Attorney as to form and legality.

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

Community Impact Statement: None submitted.

ITEM NO. (3) - PUBLIC HEARING CLOSED - CITY ENGINEER INSTRUCTED TO PROCEED

[09-0429](#)

CD 8

HEARING PROTEST relative to vacating the alley easterly of Main Street between 87th Place and 88th Street. (VAC-E1400908)

[Motion (Cárdenas - Koretz) adopted on April 9, 2010]

**ITEM NO. (4) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO GRANT APPLICATION -
SEE FOLLOWING**

Roll Call #2 - Motion (Garcetti - Zine) Adopted to Grant Application, Ayes (10); Absent: Alarcón, Huizar, Krekorian, Reyes and Smith (5)

[10-0459](#)

CD 13

CONTINUED CONSIDERATION OF HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for on-site consumption at Covell beer and wine bar located at 4628 West Hollywood Boulevard, Los Angeles, 90027.

Application filed by: Dustin Lancaster (Elizabeth Peterson, representative)

TIME LIMIT FILE - MAY 21, 2010

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

(Findings and Council recommendations required relative to the above application)

(Continued from Council meeting of April 30, 2010)

ADOPTED

MOTION (GARCETTI - ZINE)

Recommendations for Council action:

1. **DETERMINE** that the issuance of a liquor license at Covell located at 4628 West Hollywood Boulevard, Los Angeles, 90027, will serve the "Public Convenience or Necessity" and will not tend to create a law enforcement problem.

2. **GRANT** the Application for Determination of “Public Convenience or Necessity” for the sale of alcoholic beverages for off-site consumption at 4628 West Hollywood Boulevard.
3. **INSTRUCT** the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

Applicant: Covell (Elizabeth Peterson Group, Inc., Representative)

Items for Which Public Hearings Have Been Held - Items 5-13

ITEM NO. (5) - NO ACTION TAKEN

[10-0247](#)

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

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

(Public Hearing closed on March 30, 2010)

ITEM NO. (6) - ADOPTED - SEE FOLLOWING

Roll Call #9 - Motion (Perry - Koretz) Adopted, Ayes (15)

[10-0631](#)

COMMUNICATION FROM THE MAYOR relative to the appointment of Mr. Eric L. Holoman to the Board of Water and Power Commissioners.

Recommendations for Council action:

1. RESOLVE that the Mayor’s appointment of Mr. Eric L. Holoman to the Board of Water and Power Commissioners for term ending June 30, 2010 is APPROVED and CONFIRMED.
2. RESOLVE that the Mayor’s appointment of Mr. Eric L. Holoman to the Board of Water and Power Commissioners for term ending June 30, 2015 is APPROVED and CONFIRMED. Mr. Holoman resides in Council District Three. (Current commission gender composition: M = 3; F = 2)

Ethics Commission review: Complete

Background Check review: Complete

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 27, 2010

(LAST DAY FOR COUNCIL ACTION - MAY 26, 2010)

(Energy and Environment 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

ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to the appointment of Mr. Eric L. Holoman to the Board of Water and Power Commissioners.

Recommendation for Council action:

SUBMIT WITHOUT RECOMMENDATION the Mayor's appointment of Mr. Eric L. Holoman to the Board of Water and Power Commissioners for term ending June 30, 2010 and subsequent term ending June 30, 2015. Mr. Holoman resides in Council District Three. (Current commission gender composition: M = 3; F = 2)

Ethics Commission review: Complete

Background Check review: Complete

Community Impact Statement: None submitted

TIME LIMIT FILE - MAY 27, 2010

(LAST DAY FOR COUNCIL ACTION - MAY 26, 2010)

ITEM NO. (7) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #10 - Motion (Wesson - Garcetti) to Adopt as Amended, Ayes (15)

[10-0770](#)

COMMUNICATION FROM THE COMMUNITY REDEVELOPMENT AGENCY (CRA) BOARD OF COMMISSIONERS relative to the appointment of Ms. Christine Essel as the CRA Chief Executive Officer/Agency Administrator.

Recommendation for Council action:

RESOLVE that the CRA Board of Commissioners' appointment of Ms. Christine Essel as the CRA Chief Executive Officer/Agency Administrator is APPROVED and CONFIRMED.

Ethics Commission Review: Pending

Background Check Review: Pending

Community Impact Statement: None submitted.

TIME LIMIT FILE - JUNE 24, 2010

(LAST DAY FOR COUNCIL ACTION - JUNE 23, 2010)

(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, AS AMENDED

COMMUNICATION FROM CHAIR AND MEMBER, HOUSING, COMMUNITY, AND ECONOMIC DEVELOPMENT COMMITTEE, relative to the appointment of Ms. Christine Essel as the Chief Executive Officer (CEO)/Agency Administrator of the Community Redevelopment Agency (CRA).

Recommendation for Council action:

RESOLVE that the CRA Board of Commissioners' appointment of Ms. Essel as the CEO/Agency Administrator, CRA, is **APPROVED** and **CONFIRMED**.

Ethics Commission Review: Pending

Background Check Review: Pending

Community Impact Statement: None submitted.

ADOPTED

AMENDING MOTION (WESSON - GARCETTI)

Recommendation for Council action:

APPROVE an annual salary of \$223,256 relative to the appointment of Ms. Christine Essel as the Chief Executive Officer/Agency Administrator of the Community Redevelopment Agency.

**Roll Call #3 - Motion (Wesson - Rosendahl) Adopted, Ayes (10); Absent: Alarcón, Huizar, Krekorian, Reyes and Smith (5)
(Item Nos. 8-10)**

ITEM NO. (8) - ADOPTED - SEE FOLLOWING

[10-0695](#)

COMMUNICATIONS FROM THE BOARD OF WATER AND POWER COMMISSIONERS and CITY ADMINISTRATIVE OFFICER relative to a lease between the town of Mammoth Lakes and the Los Angeles Department of Water and Power for City-owned property located in Long Valley, Mono County, California for use as an airport runway and clear zone.

TIME LIMIT FILE - MAY 23, 2010

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

(Energy and Environment 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

CATEGORICAL EXEMPTION, ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to a lease between the town of Mammoth Lakes and the Los Angeles Department of Water and Power for City-owned property located in Long Valley, Mono County, California for use as an airport runway and clear zone.

Recommendations for Council action:

1. **FIND** that this action is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Article III, Class 1, Paragraph (14) of the Los Angeles City CEQA Guidelines.
2. **CONCUR** with the Board of Water and Power Commissioners' (Board) action of April 20, 2010, approved as to form and legality by the City Attorney, Resolution No. 010-282, authorizing execution of Lease No. 1500 between the town of Mammoth Lakes and the Los Angeles Department of Water and Power (LADWP) for the Mammoth Lakes-June Lake Airport for a term of 50 years covering approximately 30 acres of City-owned property located in Long Valley, Mono County, California for use as an airport runway and clear zone.

Fiscal Impact Statement: The LADWP reports that Lease No. 1500 will generate an annual rent of \$500, plus a percentage of the airport revenues generated from commercial landing fees. The percentage rent shall be structured over 20 years as follows:

| | |
|-----------------|--------------------------|
| Years 0 - 4 = | 0% |
| Years 5 - 9 = | 10% |
| Years 10 - 14 = | 20% |
| Years 15 - 19 = | 33% |
| Years 20+ = | Subject to renegotiation |

The City Administrative Officer reports that approval of the proposed agreement will result in annual lease compensation of \$500 and a percentage of revenue from commercial landing fees, subject to renegotiation each five-year period during the term of the lease. The town of Mammoth is responsible for all related property taxes. Since the LADWP is bound only by the City Debt Management Policies, the City Financial Policies are not applicable. Approval of the proposed lease agreement will have no impact on the City's General Fund.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 23, 2010

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

ITEM NO. (9) - ADOPTED - SEE FOLLOWING

[09-0184-S1](#)

CD 10

MOTION (WESSON - PARKS) relative to reprogramming funds for the renovation of the Rancho Cienega Sports Complex, including the Jackie Robinson Stadium, located at 5001 Rodeo Road.

(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 AND MEMBER, HOUSING, COMMUNITY, AND ECONOMIC DEVELOPMENT COMMITTEE, relative to reprogramming funds for the renovation of the Rancho Cienega Sports Complex (RCSC), including Jackie Robinson Stadium, located at 5001 Rodeo Road.

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

1. **AUTHORIZE the Community Development Department (CDD) to:**
 - a. **Reprogram \$51,903 in Community Development Block Grant (CDBG) savings from the RCSC Track and Field Project (C500) to the Jackie Robinson Stadium Soccer Field Project.**

- b. Amend the project description for the RCSC Improvements in the 2010-11 (36th Year) Housing and Community Development Block Grant (HCDBG) Consolidated Plan to reflect the use of the \$100,000 for the RCSC Soccer Field Project.
 - c. Provide to the Department of Recreation and Parks (DRP) a \$1.2 million Float Loan under the City's existing CDBG Letter of Credit.
 - d. Amend the Housing and Community Development Action Plan as necessary, in accordance with the City's adopted Citizen's Participation Plan.
 - e. De-obligate \$1.2 million of CDBG funding allocated to the Pico-Venice-Washington-Streetscape Project (Account No. F186) no later than 24 months after Council/Mayor approval, if the Float Loan is not reimbursed.
2. AUTHORIZE and INSTRUCT the CDD and DRP to execute a Cooperation Agreement between the DRP and CDD for a \$1.2 million Float Loan upon compliance with all requirements of the City's Citizen Participation Plan.
3. INSTRUCT the Department of Public Works, Bureau of Street Services, to refrain from incurring expenditures on the Pico-Venice-Washington Streetscape Project until the Float Loan is repaid by the DPR.
4. INSTRUCT the CDD to work with the DRP, Bureau of Engineering (BOE), and Department of General Services and report to Council with the findings and documentation required by the City's Float Loan Policy.
5. INSTRUCT the General Manager, DRP, or designee, to reimburse the Community Development Trust Fund No. 424, in an amount not to exceed \$1.2 million for the Rancho Cienega Float Loan upon receipt of Proposition (Prop) 40 grant funds.
6. APPROVE the allocation of undesignated Prop 40 Roberti-Z'Berg-Harris (RZH) and Per Capita funds as follows:
 - a. \$137,489 from undesignated Prop 40 RZH to the RCSC Soccer Field Project.
 - b. \$166,812 from undesignated Prop 40 RZH to the RCSC Tennis Court Project.
 - c. \$159,357 from Prop 40 Per Capita to the RCSC ADA Restroom Project.
7. APPROVE the use of remaining CD 10 Undesignated Prop 40 RZH and Per Capita funds in the amount of \$235,020 for any of the above projects at Rancho Cienega should additional funds be necessary to complete the projects.
8. APPROVE the use of residual Prop 40 RZH funds in the amount of \$344,854 from the RCSC Track and Field Project to the new RCSC Soccer Field Project.

9. AUTHORIZE the CDD and DRP to prepare Controller instructions and/or make any technical adjustments that may be required and are consistent with this action, subject to the approval of the City Administrative Officer (CAO), and Request the Controller to implement the instructions.

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

Community Impact Statement: None submitted.

ITEM NO. (10) - ADOPTED

[08-1846](#)

CD 2

CATEGORICAL EXEMPTION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an appeal of the corrective conditions on the operation of the Platinum Live Supper Club located at 11345 Ventura Boulevard.

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

1. FIND that this action is categorically exempt from California Environmental Quality Act of pursuant to Article III, Section 1, Class 1, Category 22 of the City's Environmental Guidelines.
2. ADOPT the FINDINGS of the Zoning Administrator as the Findings of the Council.
3. RESOLVE TO DENY APPEAL filed by Studio City Partners, Inc., (David Carlat, representative), from the entire determination of the Zoning Administrator, and THEREBY SUSTAIN the decision of the Zoning Administrator in retaining corrective conditions on the operation of the Platinum Live Supper Club located at 11345 Ventura Boulevard.

Applicant: City of Los Angeles
(Office of Zoning Administration)

DIR 97-0069(RV)(PA3)

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 21, 2010

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

ITEM NO. (11) - CONTINUED TO JUNE 2, 2010

Roll Call #4 - Motion (Rosendahl - Smith) Adopted to Continue, Unanimous Vote (11); Absent: Alarcón, Huizar, Krekorian and Reyes (4)

[10-0393](#)

CD 11

NEGATIVE DECLARATION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a Specific Plan Exception for property at 709 South Fifth Avenue.

Recommendations for Council action:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 10-0393 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 Negative Declaration [ENV-2009-2143-ND] filed on October 2, 2009.
2. ADOPT the FINDINGS of the Planning and Land Use Management Committee as the Findings of the Council, as attached to Council file No. 10-0393.
3. DISAPPROVE the Specific Plan Exception to reduce the height of an existing 2-story, 33 feet 4 inches high, 3 unit apartment building to a maximum of 32 feet, on a 5,670 square foot site classified in the RD1.5 Zone, located within the Oakwood sub area of the Venice Coastal Zone Specific Plan for property at 709 South Fifth Avenue.

Applicant: Mark A. Baez (Fred Gaines, Esq., Representative)
APCW-2009-2142-SPE

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

Community Impact Statement: None submitted.

**Roll Call #3 - Motion (Wesson - Rosendahl) Adopted, Ayes (10); Absent: Alarcón, Huizar, Krekorian, Reyes and Smith (5)
(Item Nos. 12-13)**

ITEM NO. (12) - ADOPTED - SEE FOLLOWING

[10-0671](#)

CD 11

COMMUNICATIONS FROM THE BOARD OF AIRPORT COMMISSIONERS and CITY ADMINISTRATIVE OFFICER relative to an airline terminal space lease and license agreement with Air Canada for space in Terminal Two at the Los Angeles International Airport.

TIME LIMIT FILE - MAY 21, 2010

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

(Trade, Commerce, and Tourism 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

CATEGORICAL EXEMPTION, TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to an airline terminal space lease and license agreement with Air Canada for space in Terminal Two at the Los Angeles International Airport.

Recommendations for Council action:

- 1. FIND that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article III Class 1(18)(c) of the Los Angeles City CEQA Guidelines.**
- 2. APPROVE the airline terminal space lease and license agreement with Air Canada for space in Terminal Two at the Los Angeles International Airport.**
- 3. CONCUR with the Board of Airport Commissioners action of April 19, 2010 authorizing the Executive Director to execute the airline terminal space lease and license agreement with Air Canada for space in Terminal Two at the Los Angeles International Airport.**

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed terminal space lease and license agreement will provide annual revenue, during the first year of the lease term of approximately \$1,213,775 from Air Canada. The proposed agreement provides for a three percent escalation in rent due during the second and third years of the lease term. The proposed base rent amount and maintenance and operations expenses payable by Air Canada during the fourth through eighth years of the lease will be dependent upon certain factors detailed in the proposed agreement. Since the Department of Airports is only bound by the City Debt Management Policies, the City Financial Policies are not applicable.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 21, 2010

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

ITEM NO. (13) - ADOPTED - SEE FOLLOWING

[10-0672](#)

CD 11

COMMUNICATIONS FROM THE BOARD OF AIRPORT COMMISSIONERS and CITY ADMINISTRATIVE OFFICER relative to an airline terminal space lease and license agreement with Hawaiian Airlines, Inc. for space in Terminal Two at the Los Angeles International Airport.

TIME LIMIT FILE - MAY 21, 2010

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

(Trade, Commerce, and Tourism 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

CATEGORICAL EXEMPTION, TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to an airline terminal space lease and license agreement with Air Canada for space in Terminal Two at the Los Angeles International Airport.

Recommendations for Council action:

- 1. FIND that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article III Class 1(18)(c) of the Los Angeles City CEQA Guidelines.**
- 2. APPROVE the airline terminal space lease and license agreement with Air Canada for space in Terminal Two at the Los Angeles International Airport.**
- 3. CONCUR with the Board of Airport Commissioners action of April 19, 2010 authorizing the Executive Director to execute the airline terminal space lease and license agreement with Air Canada for space in Terminal Two at the Los Angeles International Airport.**

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed terminal space lease and license agreement will provide annual revenue, during the first year of the lease term of approximately \$1,213,775 from Air Canada. The proposed agreement provides for a three percent escalation in rent due during the second and third years of the lease term. The proposed base rent amount and maintenance and operations expenses payable by Air Canada during the fourth through eighth years of the lease will be dependent upon certain factors detailed in the proposed agreement. Since the Department of Airports is only bound by the City Debt Management Policies, the City Financial Policies are not applicable.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 21, 2010

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

Items for Which Public Hearings Have Not Been Held - Items 14-26

(10 Votes Required for Consideration)

ITEM NO. (14) - ADOPTED

Roll Call #11 - Motion (Smith - Cárdenas) Adopted, Ayes (15)

[10-0621](#)

COMMUNICATION FROM THE MAYOR relative to the appointment of Mr. William A. Delgado to the Police Permit Review Panel.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. William A. Delgado to the Police Permit Review Panel for the term ending June 30, 2013, to fill the vacancy created by the resignation of Mr. Ara Bedrosian, is APPROVED and CONFIRMED. (Mr. Delgado resides in Council District Two. New Commission Gender Composition: F = 3; M = 4)

Ethics Commission Review: Pending

Background Check Review: Pending

Community Impact Statement: None submitted.

TIME LIMIT FILE - JUNE 1, 2010

(LAST DAY FOR COUNCIL ACTION - JUNE 1, 2010)

(Public Safety Committee waived consideration of the above matter)

ITEM NO. (15) - ADOPTED

Roll Call #15 - Motion (Garcetti - Reyes) Adopted, Ayes (12); Absent: Alarcón, Hahn and Huizar (3)

[09-1685-S1](#)

EXEMPTION, COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to clarifying the truck gardening and farming uses permitted in each zone and creating consistency between home occupation conditions and standards and truck gardening operations.

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

1. FIND that this action is exempt from California Environmental Quality Act (CEQA) pursuant to Article 18, Section 15304, Class 4 of the State of California CEQA Guidelines.
2. ADOPT the May 10, 2010 FINDINGS of the Director of Planning as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning on behalf of the City Planning Commission, amending Sections 12.03, 12.04.09, 12.05, 12.06, 12.07, 12.07.01, 12.07.1, 12.08, 12.09.3, and 12.17.5 of the Los Angeles Municipal Code to clarify the truck gardening and farming uses permitted in each zone, and create consistency between home occupation conditions and standards and truck gardening operations.

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

Community Impact Statement: None submitted.

(Planning and Land Use Management Committee waived consideration of this matter)

**Roll Call #5 - Motion (Perry - Parks) Adopted, Ayes (11); Absent: Alarcón, Huizar, Krekorian and Reyes (4)
(Item Nos. 16a-17)**

ITEM NO. (16) - ADOPTED

[10-0005-S383](#)

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 14, 2010:

[10-0005-S383](#)

CD 14

- a. Property at 3815 North Stockbridge Avenue (Case No. 190773).
Assessor I.D. No. 5219-033-013

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 25, 2008)

[10-0005-S384](#)

CD 14

- b. Property at 3815 North Stockbridge Avenue (Case No. 152723).
Assessor I.D. No. 5219-033-013

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 20, 2007)

[10-0005-S385](#)

CD 9

- c. Property at 143 West 55th Street (Case No. 222455).
Assessor I.D. No. 5101-031-031

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 13, 2009)

[10-0005-S386](#)

CD 9

- d. Property at 143 West 55th Street (Case No. 262240).
Assessor I.D. No. 5101-031-031

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 7, 2010)

[10-0005-S387](#)

CD 1

- e. Property at 3305 East Roseview Avenue (Case No. 259749).
Assessor I.D. No. 5454-025-010

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 7, 2010)

[10-0005-S388](#)

CD 1

- f. Property at 3305 East Roseview Avenue (Case No. 229573).
Assessor I.D. No. 5454-025-010

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 28, 2009)

ITEM NO. (17) - ADOPTED

[10-0591](#)

CD 14

COMMUNICATION FROM CHAIR, HOUSING, COMMUNITY, AND ECONOMIC DEVELOPMENT COMMITTEE, relative to various actions concerning the proposed Los Angeles Clean Technology Business Incubator (Incubator) to be located in the Central Industrial Redevelopment Project Area (CIRPA) and the Los Angeles CleanTech Corridor.

Recommendation for Council action:

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

- a. Award a contract to Business Cluster Development (Consultant) to develop a business strategy for the Incubator to be located in the CIRPA and the Los Angeles CleanTech Corridor, in an amount not to exceed \$100,000 and for a term of one year from date of execution, 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. Negotiate and execute a Memorandum of Understanding (MOU) and conditional lease terms with the Los Angeles Department of Water and Power (LADWP) to establish the CRA's proposed Incubator as part of the La Kretz Clean Technology Innovation Campus, subject to the LADWP's acquisition of suitable real property in the CIRPA and the Los Angeles CleanTech Corridor.
- c. Submit a U.S. Department of Commerce Economic Development Administration Public Works Grant application in an amount not to exceed \$3,000,000 for tenant improvements, capital equipment, and related public improvements for the proposed Incubator.
- d. Submit grant applications to various funding sources for tenant improvements, capital equipment, and related public improvements for the proposed Incubator as opportunities arise on the condition that the grant will not require a commitment of additional City resources.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the General Fund. As proposed, the CRA will use \$50,000 of its General Revenue from its Greentech Corridor Brownfields and Predevelopment Fund to pay for the Incubator Consultant to develop a business strategy for the Incubator. 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. (18) - ADOPTED

Roll Call #6 - Motion (Cárdenas - Perry) Adopted, Ayes (12); Absent: Alarcón, Hahn and Huizar (3)

[10-0002-S8](#)

CONTINUED CONSIDERATION OF 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.

(Continued from Council meeting of May 11, 2010)

ITEM NO. (19) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #8 - Motion (Reyes - Garcetti) to Adopt as Amended, Ayes (15)

08-0418-S4

COMMUNICATION FROM THE BOARD OF POLICE COMMISSIONERS relative to the renewal of Official Police Garage (OPG) agreements.

Recommendation for Council action:

AUTHORIZE the President, Board of Police Commissioners, or designee to negotiate and execute renewal agreements with the following OPGs, extending contract terms as follows:

| <u>OPG</u> | <u>Service Area</u> | <u>Contract No.</u> | <u>New End Date</u> |
|--------------------------------|---------------------|---------------------|---------------------|
| A.T.S. Northeast Tow, Inc. | HD- 1,2,4,13 | C-106443 | 04/13/2014 |
| A.T.S. Northeast Tow, Inc. | 11 | C-107456 | 10/06/2014 |
| Archer's Vinland Service, Inc. | 15 | C-107059 | 07/25/2014 |
| Black and White Garage, Inc. | 16 | C-107129 | 08/07/2014 |
| Bruffy's, Inc. | 14 | C-107145 | 08/11/2014 |
| Hanks Wilshire Tow, Inc. | 7 | C-107126 | 08/07/2014 |
| Hollywood Tow Service, Inc. | 6 | C-107070 | 07/26/2014 |
| Howard Sommers Towing, Inc. | 10 | C-106804 | 04/24/2014 |
| Nissley Corporation | 18 | C-106804 | 06/06/2014 |
| Pavon Enterprise, Inc. | 12 | C-107640 | 12/06/2014 |
| Quick Silver Towing, Inc. | 8 | C-107455 | 10/06/2014 |
| Ross Baker Towing, Inc. | 17 | C-107454 | 10/06/2014 |
| Seventh Street Garage, Inc. | 5 | C-108069 | 04/25/2014 |
| Towing Specialist, Inc. | 3 | C-107574 | 10/24/2014 |
| U.S. Tow, Inc. | 13 | C-106370 | 10/30/2014 |
| Towwerks., LLC. | 1 | C-107278 | 09/08/2014 |
| Viertel's Automotive, Inc. | 2 | C-107279 | 09/09/2014 |

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

Community Impact Statement: None submitted

(Public Safety Committee waived consideration of the above matter)

ADOPTED

AMENDING MOTION (REYES - GARCETTI)

Recommendations for Council action:

1. **CONDITION** the Council's approval of this matter, on the Police Commission's insertion in each OPG renewal agreement a recognition of the unique nature of the operations of OPG's and the impacts they may have on the quality of life in the community in which they are located and a requirement that the OPG shall take measures to create a safe

environment for the areas surrounding its property, regardless of existing zoning for the property, including façade improvements and other measures which enhance community quality of life and public safety.

2. **DIRECT** the Police Commission to report with recommendations for effectuating this change in all future agreements for OPG operations, if the above condition is not legally feasible for the current round of OPG contract renewals.

**Roll Call #5 - Motion (Perry - Parks) Adopted, Ayes (11); Absent: Alarcón, Huizar, Krekorian and Reyes (4)
(Item Nos. 20-21)**

ITEM NO. (20) - ADOPTED

[10-0746](#)
CD 13

COMMUNICATION FROM THE CITY ENGINEER relative to the installation of the name of Shrek on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Shrek on the Hollywood Walk of Fame at 6931 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

ITEM NO. (21) - ADOPTED

[10-0747](#)
CD 13

COMMUNICATION FROM THE CITY ENGINEER relative to the installation of the name of Chris Berman on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Chris Berman on the Hollywood Walk of Fame at 6259 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

ITEM NO. (22) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #14 - Motion (Hahn - Huizar) Adopted, Ayes (12); Absent: Cárdenas, Parks and President Garcetti (3)

[10-0002-S44](#)

CONSIDERATION OF RESOLUTION (PERRY - HAHN - PARKS) relative to the City's position opposing Proposition 16 the "New Two Thirds Requirement for Local Public Electricity Providers Act."

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

ADOPT the accompanying RESOLUTION to include in the City's 2009-10 State Legislative Program OPPOSITION to Proposition 16 the "New Two Thirds Requirement for Local Public Electricity Providers Act" which will appear on the Statewide June 2010 ballot inasmuch as the Initiative is an infringement on local control and the ability of cities and their municipal utilities to provide service to their constituents.

Community Impact Statement: None submitted.

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

ITEM NO. (23) - SUBSTITUTE MOTION ADOPTED IN LIEU OF ORIGINAL MOTION - SEE FOLLOWING

Roll Call #17 - Motion (Zine - Smith) to Adopt Substitute Motion, Ayes (12); Absent: Alarcón, Hahn and Huizar (3)

[10-0821](#)

MOTION (ZINE - SMITH) relative to funding for use of the City Hall Tom Bradley room by the Personnel Department on May 18, 2010.

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

1. TRANSFER \$289 from the Personnel Fund No. 100-100/66, Account No. 1010 (Salaries - General) to the General Services Fund No. 100/40, as follows: \$144 to Account No. 1090 (Salaries - Overtime) and \$146 to Account No. 1070 (Salaries - As Needed), for services in connection with the May 18, 2010 Personnel Department special reception in the City Hall Tom Bradley Room.
2. AUTHORIZE the Personnel Department to make any technical corrections, adjustments or clarifications to the above fund transfer instructions in order to effectuate the intent of this Motion.

ADOPTED

SUBSTITUTE MOTION (ZINE - SMITH)

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

1. **APPROPRIATE \$289 from the Unappropriated Balance Fund No. 100/58, to the General Services Fund No. 100/40, as follows: \$144 to Account No. 1090 (Salaries - Overtime) and \$146 to Account No. 1070 (Salaries - As Needed), for services in connection with the May 18, 2010 Employee Relations Board special reception in the City Hall Tom Bradley Room - said funds to be reimbursed to the General Fund by private contributions.**
2. **AUTHORIZE the Personnel Department to make any technical corrections, adjustments or clarifications to the above fund transfer instructions in order to effectuate the intent of this Motion.**

ITEM NO. (24) - ADOPTED

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

[10-0820](#)

RESOLUTION (PERRY - GARCETTI - ROSENDAHL - REYES) relative to declaring May 22, 2010, as Harvey Milk Day in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE May 22, 2010, as Harvey Milk Day in the City of Los Angeles.

**Roll Call #5 - Motion (Perry - Parks) Adopted, Ayes (11); Absent: Alarcón, Huizar, Krekorian and Reyes (4)
(Item Nos. 25-26d)**

ITEM NO. (25) - ADOPTED

[10-0819](#)

RESOLUTION (ALARCON - LABONGE) relative to declaring the week of May 24, - May 28, 2010, as Crossing Guard Appreciation Week 2010 in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE the week of May 24, - May 28, 2010, as Crossing Guard Appreciation Week 2010 in the City of Los Angeles.

ITEM NO. (26) - MAPS AND BONDS APPROVED - CITY ENGINEER REPORTS ADOPTED

[10-0832](#)

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:

[10-0832](#)

CD 6

- a. FINAL MAP OF TRACT NO. 70791 for property located at 14628-32 Sylvan Street, lying northerly of Cedros Avenue.
(Bond No. C-116491)
(Quimby Fee: \$48,708)
Applicants: Nahreen and Christiana Garden
Tala Associates

[10-0833](#)

CD 11

- b. FINAL MAP OF TRACT NO. 53865 for property located at 512-24 Brooks Avenue, lying northeasterly of Fifth Avenue.
(Bond No. C-116492)
(Quimby Fee: \$21,000)
Applicants: Brooks Avenue Townhomes
Pablo B. Sanchez

[10-0834](#)

CD 4

- c. FINAL MAP OF TRACT NO. 65580 for property located at 5735-37 North Camellia Street, lying northerly of Collins Street.
(Bond No. C-116493)
(Quimby Fee: \$24,354)
Applicants: Camelia Noho, LP
Robert K. Kameoka

[10-0835](#)

CD 11

- d. FINAL MAP OF TRACT NO. 68811 for property located at 1623 South Granville Avenue, lying northwesterly of Iowa Avenue.
(Bond No. C-117274)
(Quimby Fee: \$48,708)
Applicants: 1625 Granville, LLC
Tala Associates

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

[10-0772-S1](#)

MOTION (HUIZAR - PERRY - PARKS) relative to conducting a public hearing for the purpose of financing and refinancing the acquisition of the state office buildings.

[10-0843-S1](#)

MOTION (ROSENDAHL - SMITH) relative to any attorney-client privilege regarding the current draft of the proposed settlement documents be waived.

[10-1330](#)

MOTION (SMITH - ROSENDAHL) relative to amending prior Council action of March 19, 2010 regarding approving the payment of an Illegal Dumping Apprehension reward.

[10-0724-S1](#)

MOTION (WESSON - LABONGE) relative to funding for services in connection with the April 27, 2010 Council District 10 special reception in the City Hall Tom Bradley Room.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Motion (Wesson - Smith) unanimously adopted to excuse Councilmember Rosendahl from Council Session of Friday, May 28, 2010, due to personal business.

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

[10-0003-S1](#) - Joseph Buckman

Perry

Louise Davis

Perry

Robert (Bob) and Merlene McVicker

Smith

Ayes, Cárdenas, Koretz, Krekorian, LaBonge, Parks, Perry, Reyes, Rosendahl, Smith, Wesson, Zine and President Garcetti (12); Absent: Alarcón, Hahn and Huizar (3)

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL