

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **July 7, 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: Alarcón, Cárdenas, LaBonge, Parks, Perry, Rosendahl, Smith, Wesson, Zine and President Garcetti (10); Absent: Hahn, Huizar, Koretz, Krekorian and Reyes (5)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
JULY 2, 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 1-10

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

Roll Call #1 - Adopted, Ayes (11); Absent: Hahn, Huizar, Koretz and Krekorian (4)

[03-2753](#)

CD 2

HEARING APPEALS AGAINST CONFIRMATION OF ASSESSMENT for improvement of Cartwright Avenue (Near Valerio Street) Sewer Improvement, under the Improvement Act of 1911.
A'11- SZC11356

(Board of Public Works Hearing Date: July 2, 2010)

ITEM NO. (2) - PUBLIC HEARING CLOSED - CITY ENGINEER INSTRUCTED TO PROCEED

Roll Call #2 - Adopted, Ayes (11); Absent: Hahn, Huizar, Koretz and Krekorian (4)

[07-3887](#)

CDs 8 & 10

HEARING PROTESTS relative to the vacation of Exposition Boulevard Vacation District between Third Avenue and Wisconsin Street in connection with the Mid-City/Exposition Rail Transit Project (VAC E1401086).

[Motion (Alarcon - Rosendahl), Findings and City Engineer report adopted on June 4, 2010].

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

Roll Call #16 - Adopted, Ayes (15)

[08-2411](#)

CD 9

HEARING PROTESTS relative to vacating the alley westerly of Santa Fe Avenue from Second Street to approximately 160 feet northerly thereof (VAC E1401110).

(Categorical Exemption, Findings and Public Works Committee Report adopted on June 8, 2010)

ITEM NO. (4) - PUBLIC HEARING CLOSED - CITY ENGINEER INSTRUCTED TO PROCEED

Roll Call #2 - Adopted, Ayes (11); Absent: Hahn, Huizar, Koretz and Krekorian (4)

[08-2984](#)

CD 6

HEARING PROTESTS relative to vacating the alley westerly of Laurel Canyon Boulevard and southerly of Saticoy Street adjacent to Lot 1, Tract No. 25655. (VAC E1401111).

(Categorical Exemption, Findings and Public Works Committee Report adopted on June 8, 2010)

ITEM NO. (5) - PUBLIC HEARING CLOSED - LIEN CONFIRMED

Roll Call #4 - Adopted, Ayes (11); Absent: Hahn, Huizar, Koretz and Krekorian (4)

[09-2279](#)

CD 8

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings and cleaning of the lot at 3117 West 63rd Street. (Lien: \$765.02)

ITEM NO. (6) - RECEIVED AND FILED, INASMUCH AS LIEN HAS BEEN PAID

Roll Call #3 - Adopted to Receive and File, Unanimous Vote (11); Absent: Hahn, Huizar, Koretz and Krekorian (4)

[10-0344](#)

CD 9

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings for the lot at 4507 South Figueroa Street. (Lien: \$813.79)

ITEM NO. (7) - PUBLIC HEARIG CLOSED - LIEN CONFIRMED

Roll Call #4 - Adopted, Ayes (11); Absent: Hahn, Huizar, Koretz and Krekorian (4)

[10-0343](#)

CD 3

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the cost of cleaning and fencing of the lot at 20260 West Mobile Street.

(Lien: \$6,576.36)

ITEM NO. (8) - PUBLIC HEARING CLOSED - LIEN CONFIRMED

Roll Call #17 - Adopted, Ayes (15)

[10-0340](#)

CD 12

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading for all openings, cleaning and fencing of the lot at 8464 North Topanga Canyon Boulevard.

(Lien: \$12,326.29)

**Roll Call #3 - Adopted to Receive and File, Unanimous Vote (11); Absent: Hahn, Huizar, Koretz and Krekorian (4)
(Item Nos. 9-10)**

ITEM NO. (9) - RECEIVED AND FILED, INASMUCH AS LIEN HAS BEEN PAID

[10-0341](#)

CD 9

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings for the lot at 8312 South San Pedro Street - Front House.

(Lien: \$82.05)

ITEM NO. (10) - RECEIVED AND FILED, INASMUCH AS A CHANGE OF OWNERSHIP

[10-0342](#)

CD 9

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings and fencing the lot at 5869 South Olive Street.

(Lien: \$6,797.66)

Items for Which Public Hearings Have Been Held - Items 11-35

ITEM NO. (11) - 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)

**Roll Call #13 - Adopted, Ayes (14); Absent: Krekorian (1)
(Item Nos. 12-15)**

ITEM NO. (12) - ADOPTED - SEE FOLLOWING

[09-2359](#)

COMMUNICATION FROM THE MAYOR relative to the reappointment of Mr. Alex Cha to the Rent Adjustment Commission.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. Alex Cha to the Rent Adjustment Commission for the new term ending May 20, 2014 is APPROVED and CONFIRMED. Mr. Cha resides in Council District One. (Current commission gender composition: M = 3; F = 4)

Ethics Commission Review: Pending.

Background Check Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JULY 31, 2010

(LAST DAY FOR COUNCIL ACTION - JULY 30, 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

COMMUNICATION FROM CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to the reappointment of Mr. Alex Cha to the Rent Adjustment Commission.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. Alex Cha to the Rent Adjustment Commission for the new term ending May 20, 2014 is **APPROVED** and **CONFIRMED**. Mr. Cha resides in Council District One. (Current commission gender composition: M = 3; F = 4)

Ethics Commission Review: Pending

Background Check Review: Pending

Community Impact Statement: None submitted.

TIME LIMIT FILE - JULY 31, 2010

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

ITEM NO. (13) - ADOPTED - SEE FOLLOWING

[10-1053](#)

COMMUNICATION FROM THE MAYOR relative to the reappointment of Ms. Maria Townsend to the Rent Adjustment Commission.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Ms. Maria Townsend to the Rent Adjustment Commission for the new term ending May 20, 2014 is **APPROVED** and **CONFIRMED**. Ms. Townsend resides in Council District 12. (Current commission gender composition: M = 3; F = 4)

Ethics Commission Review: Pending.

Background Check Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JULY 31, 2010

(LAST DAY FOR COUNCIL ACTION - JULY 30, 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

COMMUNICATION FROM CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to the reappointment of Ms. Maria Townsend to the Rent Adjustment Commission.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Ms. Maria Townsend to the Rent Adjustment Commission for the new term ending May 20, 2014 is **APPROVED** and **CONFIRMED**. Ms. Townsend resides in Council District 12. (Current commission gender composition: M = 3; F = 4)

Ethics Commission Review: Pending

Background Check Review: Pending

Community Impact Statement: None submitted.

TIME LIMIT FILE - JULY 31, 2010

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

ITEM NO. (14) - ADOPTED - SEE FOLLOWING

[10-1055](#)
CD 12

COMMUNICATION FROM THE MAYOR relative to the reappointment of Mr. Jeffery J. Daar to the Rent Adjustment Commission.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. Jeffery J. Daar to the Rent Adjustment Commission for the new term ending May 20, 2014 is **APPROVED** and **CONFIRMED**. Mr. Daar resides in Council District 12. (Current commission gender composition: M = 3; F = 4)

Ethics Commission Review: Pending.

Background Check Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JULY 31, 2010

(LAST DAY FOR COUNCIL ACTION - JULY 30, 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

COMMUNICATION FROM CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to the reappointment of Mr. Jeffery J. Daar to the Rent Adjustment Commission.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. Jeffery J. Daar to the Rent Adjustment Commission for the new term ending May 20, 2014 is APPROVED and CONFIRMED. Mr. Daar resides in Council District 12. (Current commission gender composition: M=3; F=4)

Ethics Commission Review: Pending

Background Check Review: Pending

Community Impact Statement: None submitted.

TIME LIMIT FILE - JULY 31, 2010

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

ITEM NO. (15) - ADOPTED - SEE FOLLOWING

[09-1076](#)

COMMUNICATION FROM THE MAYOR relative to the reappointment of Ms. Belinda Vega to the Rent Adjustment Commission.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Ms. Belinda Vega to the Rent Adjustment Commission for the new term ending May 20, 2014 is APPROVED and CONFIRMED. Ms. Vega resides in Council District Four. (Current commission gender composition: M = 3; F = 4)

Ethics Commission review: Pending.

Background Check review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JULY 31, 2010

(LAST DAY FOR COUNCIL ACTION - JULY 30, 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

COMMUNICATION FROM CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to the reappointment of Ms. Belinda Vega to the Rent Adjustment Commission.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Ms. Belinda Vega to the Rent Adjustment Commission for the new term ending May 20, 2014 is **APPROVED** and **CONFIRMED**. Ms. Vega resides in Council District Four. (Current commission gender composition: M=3; F=4)

Ethics Commission Review: Pending

Background Check Review: Pending

Community Impact Statement: None submitted.

TIME LIMIT FILE - JULY 31, 2010

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

**Roll Call #14 - Adopted, Ayes (14); Absent: Krekorian (1)
(Item Nos. 16-17)**

ITEM NO. (16) - ADOPTED - SEE FOLLOWING

[10-0987](#)

COMMUNICATIONS FROM THE MAYOR AND ETHICS COMMISSION relative to the reappointment of Mr. Walter Zifkin to the Board of Airport Commissioners.

Recommendation for Council Action:

RESOLVE that the Mayor's reappointment of Mr. Walter Zifkin to the Los Angeles Board of Airport Commissioners for the new term ending June 30, 2015 is **APPROVED** and **CONFIRMED**. Mr. Zifkin resides in Council District 11. (Current Commission gender composition; F=1; M=6).

Ethics Commission Review: Complete.

Background Check Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JULY 23, 2010

(LAST DAY FOR COUNCIL ACTION - JULY 23, 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

TRADE, COMMERCE AND TOURISM COMMITTEE REPORT relative to the reappointment of Mr. Walter Zifkin to the Los Angeles Board of Airport Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. Walter Zifkin to the Los Angeles Board of Airport Commissioners for the new term ending June 30, 2015 is **APPROVED** and **CONFIRMED**. Mr. Zifkin resides in Council District 11. (Current Commission gender composition; F=1; M=6)

Ethics Commission Review: Complete

Background Check Review: Pending

Community Impact Statement: None submitted

TIME LIMIT FILE - JULY 23, 2010

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

ITEM NO. (17) - ADOPTED - SEE FOLLOWING

[10-1000](#)
CD 6

COMMUNICATION FROM MAYOR relative to the reappointment of Mr. Joseph Aredas to the Board of Airport Commissioners.

Recommendation for Council Action:

RESOLVE that the Mayor's reappointment of Mr. Joseph A. Aredas to the Los Angeles Board of Airport Commissioners for the new term ending June 30, 2015 is APPROVED and CONFIRMED. Mr. Aredas resides in Council District Six. (Current Commission gender composition; F=1; M=6).

Ethics Commission Review: Pending.

Background Check Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JULY 26, 2010

(LAST DAY FOR COUNCIL ACTION - JULY 23, 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

TRADE, COMMERCE AND TOURISM COMMITTEE REPORT relative to the reappointment of Mr. Joseph Aredas to the Los Angeles Board of Airport Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. Joseph Aredas to the Los Angeles Board of Airport Commissioners for the new term ending June 30, 2015 is APPROVED and CONFIRMED. Mr. Aredas resides in Council District Six. (Current Commission gender composition; F=1; M=6)

Ethics Commission Review: Complete

Background Check Review: Pending

Community Impact Statement: None submitted

TIME LIMIT FILE - JULY 26, 2010

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

ITEM NO. (18) - ADOPTED

Roll Call #15 - Adopted, Ayes (14); Absent: Krekorian (1)

[10-0846](#)

CD 7

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT (PLUM) COMMITTEE REPORT, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to a General Plan Amendment and zone change for property at 14629 West Nordhoff Street and 9106-12 North Tobias Avenue.

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

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 Mitigated 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. 10-0846 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 Mitigated Negative Declaration [ENV-2008-2560-MND] filed on May 29, 2009.
2. ADOPT the FINDINGS of the PLUM Committee as the Findings of the Council.
3. ADOPT the accompanying RESOLUTION as recommended by the Mayor, the Director of Planning and the City Planning Commission (CPC) APPROVING the proposed General Plan Amendment to the Mission Hills-Panorama City-North Hills Community Plan from Limited Commercial to Neighborhood Commercial for the tenant improvements of an existing 5,106 square-foot office building, approximately 15-feet, 7-inches in height, for the use and maintenance of a funeral parlor consisting of a 1,339 square-foot chapel, 1,016 square-feet of office and accessory uses, and viewing/congregating rooms, with 42 parking spaces for the property at 14629 West Nordhoff Street and 9106-12 North Tobias Avenue.

Applicant: SCI Cal Funeral Services, Inc.

CPC-2008-2559-GPA-ZC-CU

Representative: Greg Jackson, Rosenheim and Associates

4. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, effecting a zone change from [Q]CR-1VL and (Q)P-1VL to [T][Q]C2-1VL for the property at 14629 West Nordhoff Street and 9106-9112 North Tobias Avenue, subject to modified Conditions of Approval, as attached to Council file No. 10-0846.
5. NOT PRESENT and ORDER FILED the ordinance approved by City Planning Commission on January 28, 2010.
6. REMOVE (T) Tentative classification as described in detail on the sheet(s) attached to the Council file.
7. INSTRUCT the Planning Department to update the General Plan and appropriate maps pursuant to this action.

8. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
9. 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.
10. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

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 - AUGUST 1, 2010

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

ITEM NO. (19) - ADOPTED

Roll Call #18 - Adopted, Ayes (14); Absent: Wesson (1)

[08-0603](#)

EXEMPTION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT, COMMUNICATION FROM CHAIR, ENERGY AND ENVIRONMENT COMMITTEE, COMMUNICATION FROM CHAIR, AD HOC COMMITTEE ON RECOVERING ENERGY, NATURAL RESOURCES AND ECONOMIC BENEFIT FROM WASTE FOR LOS ANGELES and ORDINANCE FIRST CONSIDERATION relative to amending Sections 12.03 and 12.21 of the Los Angeles Municipal Code (LAMC) relating to trash chutes and recycling chutes.

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 II, Section 2(m) of the City's CEQA Guidelines.
2. ADOPT the September 26, 2008 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, amending Sections 12.03 and 12.21 of the LAMC to define trash chutes and recycling chutes; to require recycling chutes when new projects or projects expanding floor area are adding trash chutes; to remove the requirement for separate trash and recycling rooms; and to require proper identification for recycling chutes.

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.

**Roll Call #5 - Adopted, Ayes (11); Absent: Hahn, Huizar, Koretz and Krekorian (4)
(Item Nos. 20-34)**

ITEM NO. (20) - ADOPTED

[09-2077](#)

CD 9

ORDINANCE SECOND CONSIDERATION relative to a zone change for property located at 1933 South Broadway.

(Findings and Planning and Land Use Management Committee Report adopted June 30, 2010)

ITEM NO. (21) - ADOPTED

[10-0659](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to a communication from Fitch Ratings.

Recommendation for Council action:

NOTE and FILE the City Administrative Officer report dated April 21, 2010 relative to a communication from Fitch Ratings.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (22) - ADOPTED

[10-0858](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to a communication from the Standard and Poor's Ratings Services (S&P).

Recommendation for Council action:

NOTE and FILE the City Administrative Officer report dated May 19, 2010 relative to the S&P removal of its negative Credit/Watch placed on the City on April 7, 2010 and assignment of a stable outlook on the City's General Obligation, Municipal Improvement Corporation of Los Angeles (MICLA) and Convention Center bonds.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (23) - ADOPTED - TO THE MAYOR FORTHWITH

[10-1022](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to a refund claim filed by Pinner Construction Company, Inc., for overpayment of business tax.

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

APPROVE the refund claim filed by Pinner Construction Company, Inc., in the amount of \$78,728.98 plus interest, for overpayment of business taxes and draw amount from Fund 100/62, Revenue Source 3121 (Business Tax).

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

Community Impact Statement: None submitted.

ITEM NO. (24) - ADOPTED - TO THE MAYOR FORTHWITH

[10-1023](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to a refund claim filed by Johnson/Johnson HCS, Inc., for overpayment of business tax.

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

APPROVE the refund claim filed by Johnson/Johnson HCS, Inc., in the amount of \$153,007.64 plus interest, for overpayment of business taxes and draw amount from Fund 100/62, Revenue Source 3121 (Business Tax).

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

Community Impact Statement: None submitted.

ITEM NO. (25) - ADOPTED - TO THE MAYOR FORTHWITH

[10-1024](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to a refund claim filed by Su-Fi Tours, Inc., for overpayment of business tax.

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

APPROVE the refund claim filed by Su-Fi Tours, Inc., in the amount of \$73,008.00 plus interest, for overpayment of business taxes and draw amount from Fund 100/62, Revenue Source 3121 (Business Tax).

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

Community Impact Statement: None submitted.

ITEM NO. (26) - ADOPTED - TO THE MAYOR FORTHWITH

[10-1025](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to a waiver of penalty filed by Southern California Gas Co/C.

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

APPROVE the request for waiver of penalty filed by Southern California Gas Co/C in the amount of \$511,037.83, pursuant to Los Angeles Municipal Code Section 21.15(f) as the taxpayer's reason meets the guidelines for compromise of penalty.

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

Community Impact Statement: None submitted.

ITEM NO. (27) - ADOPTED - SEE FOLLOWING

[10-1115](#)

CD 9

MOTION (PERRY - ZINE) relative to conducting a Tax Equity and Fiscal Responsibility Act of 1982 hearing on behalf of the City relative to the bond issuance for the Southern California Institute of Architecture.

(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 conducting a Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) hearing on behalf of the City relative to the bond issuance for the Southern California Institute of Architecture.

Recommendations for Council action, pursuant to Motion (Perry - Zine):

- 1. INSTRUCT the City Administrative Officer (CAO) to:**

- a. **Take the necessary steps to conduct the TEFRA hearing on behalf of the City relative to the bond issuance for the Southern California Institute of Architecture for facilities located at 960 East Third Street, Los Angeles, California 90013 and the acquisition of the adjacent real property and improvements located at 350 South Merrick Street, Los Angeles, California 90013 and transmit the results of the hearing and Resolution for Council approval.**
 - b. **Establish, relative to the \$25 million tax-exempt bond issuance to purchase land currently leased by Southern California Institute of Architecture and to acquire an adjacent parking lot, July 9, 2010 at 10:30 a.m. at the Office of the City Administrative Officer, 200 North Main Street, Suite 1500, City Hall East, Los Angeles, California, 90012 as the date, time and location for the public hearing in compliance with TEFRA. The bond issuance will finance the acquisition, improvement, equipping and furnishing of the real property; payment of capitalized interest with respect to the financing; and payment of certain costs in connection with the issuance of the bonds. The Southern California Institute of Architecture will be required to comply with all applicable City policies including, but not limited to, payment of prevailing wages for project labor.**
2. **AUTHORIZE Kutak Rock LLP to publish the required public hearing notice in the Metropolitan News Enterprise on or prior to June 25, 2010, on behalf of the City Council, with publication cost to be reimbursed by the Southern California Institute of Architecture.**
 3. **INSTRUCT the City Clerk to include a placeholder on the Council agenda of JULY 16, 2010 for Council consideration of the results of the public hearing in accordance with TEFRA requirements, to be submitted by the Southern California Institute of Architecture with the assistance of the CAO.**

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis on this report.

Community Impact Statement: None submitted.

ITEM NO. (28) - ADOPTED

[10-0006-S14](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the payment of a Graffiti Apprehension Reward for a graffiti vandalism incident that occurred at 1009 South Cabrillo Avenue.

Recommendations for Council action:

1. **APPROVE the \$1,000 Graffiti Apprehension Reward payment for the graffiti vandalism incident that occurred at 1009 South Cabrillo Avenue on June 2, 2009.**
2. **AUTHORIZE the City Clerk to pay this claim from the Vandalism and Graffiti Trust Fund No. 870.**

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.

ITEM NO. (29) - ADOPTED

[10-0006-S15](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the payment of a Graffiti Apprehension Reward for a graffiti vandalism incident that occurred at 18321 Sherman Way.

Recommendations for Council action:

1. APPROVE the \$1,000 Graffiti Apprehension Reward payment for the graffiti vandalism incident that occurred at 18321 Sherman Way on November 22, 2009.
2. AUTHORIZE the City Clerk to pay this claim from the Vandalism and Graffiti Trust Fund No. 870.

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.

ITEM NO. (30) - ADOPTED

[10-0784](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the security of photocopiers and fax hard drives used by City departments.

Recommendations for Council action:

1. INSTRUCT the Department of General Services (GSD), and all other City departments, to classify photocopiers according to security classifications defined in the GSD report to the Public Safety Committee dated June 9, 2010 (attached to the Council file).
2. INSTRUCT the GSD to report to the Budget and Finance Committee in 60 days relative to the number of machines that require the Disk Overwrite Security System feature.

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

Community Impact Statement: None submitted.

ITEM NO. (31) - ADOPTED

[10-0924](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the donation of ten vehicles with equipment, fuel, and related maintenance for use by the Los Angeles Police Department (LAPD).

Recommendation for Council action:

AUTHORIZE the LAPD to accept the donation of ten vehicles with equipment, fuel, and related maintenance, valued at \$360,000, to be added to the department's fleet, from the United States Department of Justice, and THANK the donor for this generous gift.

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

Community Impact Statement: None submitted.

ITEM NO. (32) - ADOPTED

[10-0988](#)

PUBLIC SAFETY COMMITTEE REPORT relative to a donation of tools and equipment for use by Fire Station 91 and the Sylmar Neighborhood Council for the Emergency Preparedness Education Program.

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

AUTHORIZE the Los Angeles Fire Department (LAFD) to accept a donation of tools and equipment with an estimated value of \$20,769.11 from the Firemen's Fund Heritage Insurance Company for use by Fire Station 91 and the Sylmar Neighborhood Council for the Emergency Preparedness Education Program, and THANK the donor for its generous gift.

Fiscal Impact Statement: The LAFD reports that this action will not impact the Department's budget.

Community Impact Statement: None submitted.

ITEM NO. (33) - ADOPTED

[10-1085](#)

PUBLIC SAFETY COMMITTEE REPORT relative to a donation for the Los Angeles Police Department's (LAPD) Mission Area Juvenile Impact Program.

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

AUTHORIZE the LAPD to:

- a. Accept donation in the amount of \$26,009 from the Los Angeles Police Foundation to support overtime, uniforms, office supplies, and lunches for officers and youth for the LAPD's Mission Area Juvenile Impact Program, and THANK the donor for this generous gift.

- b. Deposit \$26,009.00 to Department No. 70, Donations Trust Fund 885, Revenue Source 4513, and TRANSFER therefrom, as follows:

<u>Fund</u>	<u>Title</u>	<u>Amount</u>
100	1092/ Sworn Overtime	\$19,584
885	To be determined	\$ 6,425

- c. Prepare Controller's instructions for any technical adjustments consistent with this action, subject to the approval of the City Administrative Officer (CAO); and, AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: None submitted by the LAPD. Neither the CAO nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (34) - ADOPTED

10-1086

PUBLIC SAFETY COMMITTEE REPORT relative to a monetary donation for the Los Angeles Police Department's (LAPD) Van Nuys Juvenile Impact Program.

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

AUTHORIZE the LAPD to:

- a. Accept monetary donation in the amount of \$33,168 from the Los Angeles Police Foundation to support overtime, uniforms, office supplies, and lunches for officers and youth for the LAPD's Van Nuys Juvenile Impact Program, and THANK the donor for this generous gift.
- b. Deposit \$33,168 to Department No. 70, Donations Trust Fund 885, Revenue Source 4513, and TRANSFER therefrom, as follows:

<u>Fund</u>	<u>Title</u>	<u>Amount</u>
100	1092/ Sworn Overtime	\$26,112
885	To be determined	\$ 7,056

- c. Prepare Controller instructions for any technical adjustments consistent with this action, subject to the approval of the City Administrative Officer (CAO); and, authorize the Controller to implement the instructions.

Fiscal Impact Statement: None submitted by the LAPD. Neither the CAO nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (35) - ADOPTED

Roll Call #18 - Adopted, Ayes (14); Absent: Wesson (1)

[06-0811](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT, COMMUNICATION FROM CHAIR, ENERGY AND ENVIRONMENT COMMITTEE and COMMUNICATION FROM CHAIR, AD HOC COMMITTEE ON RECOVERING ENERGY, NATURAL RESOURCES AND ECONOMIC BENEFIT FROM WASTE FOR LOS ANGELES relative to recycling chutes for multi-family and commercial buildings.

Recommendation for Council action:

RECEIVE and FILE the Public Works, Bureau of Sanitation report, dated May 21, 2007, in response to Motion (Rosendahl - Smith), relative to recycling chutes for multi-family and commercial buildings, inasmuch as related matters have been addressed under Council file No. 08-0603, and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 36-40

(10 Votes Required for Consideration)

ITEM NO. (36) - ADOPTED

**Roll Call #6 - Adopted, Ayes (12); Absent: Huizar, Koretz and Krekorian (3)
(Item Nos. 36a-36g)**

[10-0005-S500](#)

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 June 30, 2010:

[10-0005-S500](#)

CD 8

- a. Property at 1533 West 81st Street (Case No. 206302).
Assessor I.D. No. 6034-006-020

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

[10-0005-S501](#)

CD 13

- b. Property at 810 North Bonnie Brae Street (Case No. 149801).
Assessor I.D. No. 5404-006-023

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 14, 2008)

[10-0005-S502](#)

CD 13

- c. Property at 810 North Bonnie Brae Street (Case No. 209256).
Assessor I.D. No. 5404-006-023

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

[10-0005-S503](#)

CD 1

- d. Property at 1002 Laguna Avenue (Case No. 276823).
Assessor I.D. No. 5404-021-002

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

[10-0005-S504](#)

CD 8

- e. Property at 1837 West Florence Avenue (Case No. 141891).
Assessor I.D. No. 6016-036-003

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 6, 2007)

[10-0005-S505](#)

CD 8

- f. Property at 1837 West Florence Avenue (Case No. 247557).
Assessor I.D. No. 6016-036-003

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

[10-0005-S506](#)

CD 10

- g. Property at 3824 South Goldwyn Terrace (Case No. 260594).
Assessor I.D. No. 4208-005-031

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 11, 2010)

ITEM NO. (37) - ADOPTED

Roll Call #19 - Adopted, Ayes (15)

[10-0971](#)

CD 8

COMMUNICATION FROM CHAIR, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to an exclusive negotiating agreement with Roland Harris.

Recommendation for Council action:

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

- a. Execute an exclusive negotiation agreement with Roland Harris (Developer) to establish exclusive rights to negotiations with the CRA for the proposed redevelopment of the CRA-owned property located at 1636 West Manchester Avenue (and the adjoining Developer-owned properties) within the Vermont Manchester Redevelopment Project Area for a one-year term, with the option to extend for two additional 90-day periods, subject to the approval of the City Attorney as to form.
- b. Amend the CRA Fiscal Year 2009-10 Budget to accept a Developer deposit in the amount of \$25,000 to be deposited into the budgeted line item "Commercial and Industrial" to fund CRA consultant expenses related to the development of the above mentioned properties.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no fiscal impact to the City's General Fund as a result of this action. Approval of the recommendations will increase the CRA Fiscal Year 2009-10 Budget by \$25,000 to pay for consultant expenses related to the development of the opportunity site.

Community Impact Statement: None submitted.

ITEM NO. (38) - ADOPTED

Roll Call #20 - Adopted, Ayes (15)

[10-0992](#)

CD 9

COMMUNICATION FROM CHAIR, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to authorizing for the Community Redevelopment Agency (CRA) to negotiate a Memorandum of Understanding (MOU) with the California Employment Development Department for necessary confidential employment data for firms located in downtown Los Angeles.

Recommendations for Council action, pursuant to Motion (Perry - Huizar):

1. AUTHORIZE the CRA Chief Executive Officer, or designee, to negotiate a MOU with the California Employment Development Department (EDD) to provide the CRA with any necessary confidential employment data for firms located in downtown Los Angeles for use in the development of the CRA Downtown Market Study to: (i) track employment trends within downtown subdistricts, (ii) allow the City and the CRA to plan for future land uses, and (iii) support further public investment and employment expansion in the downtown region.
2. INSTRUCT the CRA to:
 - a. Transmit a finalized version of the MOU to Council District Nine and the Chief Legislative Analyst (CLA) for review and approval prior to execution of the MOU with EDD.
 - b. Provide, subsequent to execution of the MOU with EDD, a status report to Council relative to the Downtown Market Study within 90 days.

Fiscal Impact Statement: Neither the City Administrative Officer nor the CLA has completed a financial analysis on this report.

Community Impact Statement: None submitted.

**Roll Call #6 - Adopted, Ayes (12); Absent: Huizar, Koretz and Krekorian (3)
(Item Nos. 39-40)**

ITEM NO. (39) - ADOPTED

[10-0777-S1](#)

CONSIDERATION OF MOTION (KREKORIAN - ZINE) relative to authorization for one position of General Manager for the Department of Neighborhood Empowerment (DONE) from July 1, 2010 through June 30, 2011.

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

RESOLVE that employment authority for one position of General Manager with the DONE for the period July 1, 2010 through June 30, 2011 is APPROVED.

Community Impact Statement: None submitted.

(Personnel and Budget and Finance Committees waived consideration of the above matter)

ITEM NO. (40) - ADOPTED

[10-1148](#)

RESOLUTION (LABONGE - GARCETTI) relative to declaring July 2, 2010, hereto after known as Chuck Berry Day in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE July 2, 2010, hereto after known as Chuck Berry Day in the City of Los Angeles.

Closed Sessions - Items 41-46

ITEM NO. (41) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #7 - Adopted in Open Session, Ayes (12); Absent: Huizar, Koretz and Krekorian (3)

[10-1020](#)

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 Winston Spencer v. City of Los Angeles, Workers' Compensation Appeals Board Case No. VNO 543107, Claim No. 9003-1965-3684. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a Fire Captain with the Los Angeles Fire Department).

(Budget and Finance Committee considered the above matter in Closed Session on June 28, 2010)

ADOPTED

MOTION (PARKS - SMITH)

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

1. AUTHORIZE the City Attorney to settle the above-referenced claim through a Stipulated Award at 77 percent permanent disability in the amount of \$147,217.50, plus a life pension estimated at \$68,388.40, at the weekly rate of \$131.42 (before Cost of Living Adjustments, pursuant to the Labor Code), payable at the conclusion of permanent disability payments. After taking credit for the permanent disability advances of \$25,945.61, the total new payout will be \$189,610.29.
2. AUTHORIZE the City Attorney to execute the Stipulated Award with all appropriate parties for submission to the WCAB for its award of payment.

This matter was approved by the Budget and Finance Committee (Parks - Smith - Huizar "yes") at its meeting of June 28, 2010, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (42) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #8 - Adopted in Open Session, Ayes (14); Absent: Krekorian (1)

[10-0808](#)

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 Linda Hernandez-Jones v. City of Los Angeles, Workers' Compensation Appeals Board Case Nos. LA0778704, et. al., Claim Nos. 9001-1997-0859, et. al. (Claimant alleges she sustained personal injuries during the course and scope of her employment as an Accounting Clerk for the City of Los Angeles Personnel Department).

(Budget and Finance Committee considered the above matter in Closed Session on June 28, 2010)

ADOPTED

MOTION (PARKS - SMITH)

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

1. **AUTHORIZE** the City Attorney to settle the above-referenced claim through a Stipulated Award at 100 percent permanent disability, an estimated value for the life pension of \$599,544.40 at a weekly rate of \$490.00 for the remainder of the applicant's life.
2. **AUTHORIZE** the City Attorney to execute the Compromise & Release with all appropriate parties for submission to the WCAB for its award of payment.

This matter was approved by the Budget and Finance Committee (Parks - Smith - Huizar "yes") at its meeting of June 28, 2010, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (43) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #9 - Adopted in Open Session, Ayes (14); Absent: Krekorian (1)

[10-0812](#)

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 Fred Fowlks v. City of Los Angeles, Workers' Compensation Appeals Board Case Nos. VNO 0542608 and VNO 0552614, Claim Nos. 9003-2000-1053, 9003-1977-7709, and 9003-2008-1266. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a Fire Captain with the Los Angeles Fire Department).

(Budget and Finance Committee considered the above matter in Closed Session on June 28, 2010)

ADOPTED

MOTION (PARKS - SMITH)

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

1. **AUTHORIZE** the City Attorney to settle the above-referenced claim through a Stipulated Award in the amount of \$135,351.88 as follows:
 - a. **WCAB Case No. VNO 0552614, Claim No. 9003-2000-1053, for 60 percent permanent disability in the amount of \$58,862.50, together with future medical treatment. After taking credit for permanent disability advances of \$21,360.00, the total new payout will be \$37,502.50.**
 - b. **WCAB Case No. VNO 0542608, Claim No. 9003-1977-7709, for 65 percent permanent disability in the amount of \$76,489.38. After taking credit for permanent disability advances of \$16,742.14, the total new payout will be \$59,747.27.**

- c. WCAB Case No. EAMS Case No. ADJ6926853, Claim No. 9003-2008-1266, for 0 percent permanent disability, together with the need for further medical treatment.
2. AUTHORIZE the City Attorney to execute the Stipulated Award with all appropriate parties for submission to the WCAB for its award of payment.

This matter was approved by the Budget and Finance Committee (Parks - Smith - Huizar "yes") at its meeting of June 28, 2010, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (44) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #10 - Adopted in Open Session, Ayes (14); Absent: Krekorian (1)

[10-0813](#)

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 Michael Crandall v. City of Los Angeles, Workers' Compensation Appeals Board Case No. ADJ4581004, Claim No. 9003-2005-0524. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a Firefighter with the Los Angeles Fire Department).

(Budget and Finance Committee considered the above matter in Closed Session on June 28, 2010)

ADOPTED

MOTION (PARKS - SMITH)

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

1. AUTHORIZE the City Attorney to settle the above-referenced claim through a Stipulated Award for 84 percent permanent disability for an estimated amount of \$307,706.58, which includes an estimated value of life pension at \$185.54 per week for 13.5 years. Permanent disability payments will end in 2020, and life pension benefits will begin on approximately August 29, 2020. After taking credit for \$19,155.70 that the City of Los Angeles has already paid in permanent disability advances, the total new payout will be approximately \$288,550.80.
2. AUTHORIZE the City Attorney to execute the Stipulated Award with all appropriate parties for submission to the WCAB for its award of payment.

This matter was approved by the Budget and Finance Committee (Parks - Smith - Huizar "yes") at its meeting of June 28, 2010, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (45) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #11 - Adopted in Open Session, Ayes (14); Absent: Krekorian (1)

[10-0881](#)

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 Thomas M. Radar v. City of Los Angeles, Workers' Compensation Appeals Board Case Nos. VNO401536, Claim No. 9001-1999-0905. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a Tree Trimmer with the Department of Recreation and Parks).

(Budget and Finance Committee considered the above matter in Closed Session on June 28, 2010)

ADOPTED

MOTION (PARKS - SMITH)

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

1. **AUTHORIZE the City Attorney to settle the above-referenced claim through a Compromise & Release in the total amount of \$125,000.00. After taking credit for \$12,707.43, the total new money pay-out will be \$112,292.57.**
2. **AUTHORIZE the City Attorney to execute the Compromise & Release with all appropriate parties for submission to the WCAB for its award of payment.**

This matter was approved by the Budget and Finance Committee (Parks - Smith - Huizar "yes") at its meeting of June 28, 2010, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (46) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #12 - Adopted in Open Session, Ayes (14); Absent: Krekorian (1)

[10-0902](#)

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 LACMTA v. City of Los Angeles, et al., Los Angeles Superior Court (LASC) Case No. BC 395985 and Vincent Arington v. City of Los Angeles, LASC No. 09K10734. (This case arises out of a personal injury claim and property damage claim against the City involving a Department of Street Services vehicle occurring on September 10, 2007).

(Budget and Finance Committee considered the above matter in Closed Session on June 28, 2010)

ADOPTED

MOTION (PARKS - SMITH)

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

1. **AUTHORIZE** the City Attorney to pay a total of \$102,223.20 in settlement of the above-entitled matter from City Attorney Fund 100/59, Account No. 9770.
2. **AUTHORIZE** the City Attorney to draw two demands on said fund in the amount of \$96,223.20 and \$6,000.00 made payable to the Los Angeles County Metropolitan Transportation Authority.
3. **AUTHORIZE** the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and **AUTHORIZE** the Controller to implement the instructions.

This matter was approved by the Budget and Finance Committee (Parks - Smith - Huizar “yes”) at its meeting of June 28, 2010, in Closed Session as permitted by Government Code Section 54956.9(a).

Item for Which Public Hearing Has Not Been Held - Item 47

(10 Votes Required for Consideration)

ITEM NO. (47) - ADOPTED

Roll Call #21 - Adopted, Ayes (10); Noes: Parks, Smith and Zine (3); Absent: Cárdenas and Wesson (2)

[10-0002-S67](#)

CONTINUED CONSIDERATION OF RESOLUTION (HUIZAR - ROSENDAHL for GARCETTI - KORETZ) relative to the City's position supporting SB 1140 (Yee) and AB 1531 (Portantino) which would amend State law to allow for same day voter registration.

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 SUPPORT for SB 1140 (Yee) and AB 1531 (Portantino) which would amend State law to allow for same day voter registration.

Community Impact Statement: None submitted.

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

MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR WEDNESDAY, JULY 7, 2010, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

ADOPTED - FORTHWITH

Roll Call #22 - Findings on Need to Act - Adopted, Ayes (13); Absent: Cárdenas and Wesson (2)

Roll Call #23 - Adopted, Ayes (13); Absent: Cárdenas and Wesson (2)

10-0010-S27

MOTION (REYES - PARKS) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Daisy Garcia on July 4, 2010.

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

- 1. PROVIDE an offer of reward in the amount of \$50,000 for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Daisy Garcia on July 4, 2010.**
- 2. FIND that the subject reward complies with the provisions of Chapter 12, Article 1, Division 19, of the Los Angeles Administrative Code.**
- 3. DIRECT the City Clerk to publish the required notices and/or advertisements to effectuate this reward.**

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

10-0011-S19

MOTION (CARDENAS - KREKORIAN) relative to reaffirming and re-adopting Council action of June 11, 2010, the transfer of \$38,000.

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

10-1165

RESOLUTION (HAHN - LABONGE) relative to declaring July 12, 2010 as Pat Boone Day in the City of Los Angeles.

10-1164

RESOLUTION (GARCETTI - ROSENDAHL) relative to declaring July 17, 2010 as World Day for International Justice in the City of Los Angeles.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon her request and without objections, Councilmember Hahn was excused to arrive at 11:30 a.m. to Council Session of Wednesday, July 14, 2010, due to City business.

Upon her request and without objections, Councilmember Perry was excused to leave at 11:30 a.m. from Council Session of Wednesday, August 18, 2010 and excused from Council Session of Tuesday, September 7, 2010, both 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-S2](#) - Tom Buckley

LaBonge - All Councilmembers

Mary A. Johnson

Wesson

Ayes, Alarcón, Hahn, Huizar, Koretz, Krekorian, LaBonge, Parks, Perry, Reyes, Rosendahl, Smith, Zine and President Garcetti (13); Absent: Cárdenas and Wesson (2)

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL